

PEPS Fireside Chat HUB & DBE Program Updates

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HUB Program Overview

TxDOT HUB Program





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Mission of TxDOT HUB Program Office

The mission of the TxDOT HUB Program Office is to encourage the good faith effort of Historically Underutilized Businesses (HUB) in TxDOT contracts, through the administration and management of the 5 components of the HUB Program in accordance with Texas Government Code 2161 and Texas Administrative Code Title 34, Rule 20.10 – 20.28. The 5 components of the HUB Program are:

- 1. Policy
- 2. Compliance
- Outreach
- 4. Mentor Protégé Program
- Reporting



HUB Program Compliance Forms



Forms Used to Administer HUB Compliance

·			PROCUREN	ENT PHASE	
	Subcontracting Determination &	Draft Stage of	Purchaser	Review and Sign-Approve	Send to CIV for oversight
1	Solicitation Review Form #2575	Solicitation	CIV	Oversight and Sign-Affirm	Send back to purchaser to be placed in procurement file
2	HUB Subcontracting Plan Review	Evaluation of	Purchaser	Review and Sign-Approve	Send to CIV for oversight
2	Form #2576	Response(s)	CIV	Oversight and Sign-Affirm	Send back to purchaser to be placed in procurement file
	Request for Clarification of Respondent's/Bidder's		Purchaser	Sends request to Respondent	Purchaser handles all communication and uses response from vendor to continue HSP review (Document placed in procurement file)
3	HSP Form #2577	As Needed	CIV	During oversight, submits request to Purchaser to send to vendor	Purchaser handles all communication between CIV and Vendor, and CIV will use response from vendor to continue HSP review (Document placed in procurement file)



Forms Used to Administer HUB Compliance

Ì				CONTRAC	CT PHASE	, in the second second
				Vendor	Signs form affirming their understanding of HUB requirements during the term of the contract	Submits to contract/project manager
	4	HUB Post Award Form #2578	During Post Award Meeting	Contract/Project Manager	Complete, sign and affirm that the HUB requirements have been covered with the vendor and that they understand and will comply with the HUB requirements during the term of the contract	Files document in contract file
				CIV	Signs and affirms that the HUB requirements have been covered with the vendor and that they understand and will comply with the HUB requirements during the term of the contract	Sends document to contract/project manager to be placed in contract file
		Form 1: HSP Prime Contractor Progress	Due by the 10 th day	Vendor	Complete, Sign and submit monthly PAR and Progress Compliance Form to contract/project manager	Save a copy for their file
	5	Assessment Report (PAR) & Form 2: HSP Progress	of each month, except for March and September,	Contract/Project Manager	Validate data and signs form affirming that all data is correct and HUB requirements being followed and	Send to CIV for oversight
		Compliance Form #2579	due by the 5 th	CIV	Provide oversight by signing form validating data and compliance requirements being followed	Sends form back to contract/project manager to be placed in the contract file.



Forms Used to Administer HUB Compliance

,					-	
				Vendor	Complete and submit to Contract/Project Manager	MUST comply with HSP requirement when making a change
	6	HSP Change Request Form #2580	As Needed	Contract/Project Manager	Review and sign form validating that all required information is submitted	Signs form affirming that all information needed to review the HSP request has been submitted (No change to HSP can be made without CIV approval)
				CIV	Review and approve change request	Sign form affirming that the vendor's change request complies with the HUB requirement. Sends form to contract/project manager to place in contract file.
	7	Non-Compliance Memo	As Needed	CIV	Memo to contract/project manager that the vendor is in non-compliance with their HSP or other HUB requirements during the term of their contract	Contract/project manager will need to address HUB compliance issue with vendor. CIV is available to participate in discussion as needed.
	8	Non-Compliance Letter	As Needed	CIV	Letter to vendor, through contract/project manager, indicating that they are in non-compliance with the HSP or other HUB requirements during the term of the contract	Vendor will need to explain how they plan to correct any HUB discrepancies. CIV and contract/project manager will either work with vendor to bring them back into compliance or discuss next steps if vendor continues to be in non-compliance.

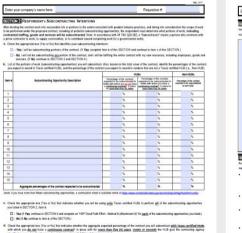


HUB Subcontracting Plan (HSP)



HUB Subcontracting Plan (HSP)





- Yes (if Yes, continue to SECTION 4 and complete on YGP Good Fath Effort - Method A (Attachment A)* for each of the subcontracting opportunities you intend
- No (if No continue to SECTION 4 and complete on YGP Good Fath Effort - Method B (Attachment B)* for each of the subcontracting opportunities you listed.



. The respondent must, upon request, allow the contracting agency to perform on-site reviews of the company's headquarters and/or work-site where services

F you responded "Yes" to SECTION 2. Items o or 4, you must consider an "HSP Good Fath Effort - Method A (Attachment Al" for each of

➤ If you responded "No" SECTION 2, items a and di, you must complete on "HSP Good Faith Effort - Method B (Attachment B)" for each of

are keing performed and must provide documentation regarding staffing and other resource

IMPORTANT: It you responsed "Yes" to SECTION 2, Items o or d of the completed HSP form, you must swind a completed HSP Good Faith Effort Method A (Attachment A)" to gaing of the autocontacting opportunities you listed in SECTION 2, Items to if the completed HSP form. You may photo copy this area of materials in form at the complete of the complete of the complete HSP form. You may photo copy this Enter the tem number and description of the subcontracting apportunity you lated in SECTION 2, item is, of the completed HSP form for which you are completing oris) you selected to perform the subcombacting conordants you listed above in SECTION A-1. Also identify whether they are a Taxas confiden HUE and their Texas Vendor Identification (VID) Number or federal Employer Identification Number (EIN), the approximate datar value of the work to be How are the read values memboloon (nit) humber or menu timpleye memboloon humber (littl), the approximate actor value of the scent to be subcomboloof, and the expected presentage of such to be subcomboloof, where searching for Teaso certified presentage of such to be subcomboloof, where searching for Teaso certified presenting short in the subcomboloof, which is the subcomboloof in t Texas VID of News CENT Approximate Expected Percentage of Contract Taxon cutting HUR D · Yes D · N D-Yes D-No - Yes - No □ · Yes □ · No -Yes D-No -Yes D-No - Yes - No □ · Yes □ · No III. Yes III. No. - Yes - No ☐ - Yes ☐- No □ - Yes □ - No - Yes - No - Yes - No -Yes -No -Yes -No - Yes - No □ - Yes □-No - Yes - No CT - Yes CT-No. -Yes -No □ - Yes □-No REMINDER: As specified in SECTION 4 of the completed HSP from (_you_intractedient_set_amodel_amo_amodel_amo_amodel_amo_amodel_amo_amodel_amo_amodel_amo_amodel_amo_amodel_amo_amodel_amo_amodel_amo_amodel_amo_amodel_amode

HSP Good Faith Effort - Method A (Attachment A)



HUB Subcontracting Plan Good Faith Effort - Method A (Attachment A)

Enter your company's name here:	Requisition #:
	ems c or d of the completed HSP form, you must submit a completed "HSP Good Faith Effort -tunities you listed in SECTION 2 , Item b of the completed HSP form. You may photo-copy this purchasing/docs/hub-forms/hub-sbcont-plan-gfe-achm-a.pdf
SECTION A-1: SUBCONTRACTING OPPORTUNITY	
Enter the item number and description of the subcontracting opp the attachment.	portunity you listed in SECTION 2, Item b, of the completed HSP form for which you are completing
tem Number: Description:	
SECTION A 2: Subcontractor Selection	
	cting opportunity you listed above in SECTION A-1. Also identify whether they are a Texas certified
	federal Employer Identification Number (EIN), the approximate dollar value of the work to be
subcontracted, and the expected percentage of work to be subcontracted.	ontracted. When searching for Texas certified HUBs and verifying their HUB status, ensure that you .ist (CMBL) - Historically Underutilized Business (HUB) Directory Search located at
subcontracted, and the expected percentage of work to be subcuse the State of Texas' Centralized Master Bidders L	ist (CMBL) - Historically Underutilized Business (HUB) Directory Search located at
subcontracted, and the expected percentage of work to be subcouse the State of Texas' Centralized Master Bidders L	List (CMBL) - Historically Underutilized Business (HUB) Directory Search located at
subcontracted, and the expected percentage of work to be subcouse the State of Texas' Centralized Master Bidders L http://mycpa.cpa.state.tx.us/tpasscmblsearch/index.jsp. HUB state	List (CMBL) - Historically Underutilized Business (HUB) Directory Search located at tus code "A" signifies that the company is a Texas certified HUB. Texas vID or federal EIN Do not enter Social Security Numbers. If you do not know their VID FEN. To Contract
subcontracted, and the expected percentage of work to be subcouse the State of Texas' Centralized Master Bidders L http://mycpa.cpa.state.tx.us/tpasscmblsearch/index.jsp. HUB state	List (CMBL) - Historically Underutilized Business (HUB) Directory Search located at tus code "A" signifies that the company is a Texas certified HUB. Texas certified HUB Texas viD or federal EIN Do not enter Social Security Numbers. If you do not know their VID / EIN field blank. Expected Percentage of Contract



HUB Subcontracting Plan Good Faith Effort - Method B (Attachment B)

Enter your company's name here:	Requisition #:
IMPORTANT: If you responded "No" to SECTION 2, Items c and d of Method B (Attachment B)" for each of the subcontracting opportunities you listed in page or download the form at https://www.comptroller.texas.gov/purchasing/docs/hu	SECTION 2, Item b of the completed HSP form. You may photo-copy this
SECTION B-1: SUBCONTRACTING OPPORTUNITY	
Enter the item number and description of the subcontracting opportunity you listed in completing the attachment.	n SECTION 2, Item b, of the completed HSP form for which you are
Item Number: Description:	
SECTION B 2: MENTOR PROTÉGÉ PROGRAM	
f respondent is participating as a Mentor in a State of Texas Mentor Protégé Progr	om submitting its Brotágá /Brotágá must be a State of Toyon codified LLID) as a
subcontractor to perform the subcontracting opportunity listed in SECTION B-1 , cor specific portion of work.	
Check the appropriate box (Yes or No) that indicates whether you will be subcontract	ting the portion of work you listed in SECTION B-1 to your Protégé.
E V WV F LOSSENIN II	
☐ - Yes (If Yes, continue to SECTION B-4.)	

had association as development anter that the extension associate our listed is COCTION D.4. Var. natice should include the association of many

Rev. 10/16



HUB Subcontracting Plan Form Section 2 (Continuation Sheet)

DEADANDENTIA	SUBCONTRACTING	/A
KEZEUNIDENI Z	SHRCONHRACHNG	II CONTINUIQUE SINGATI
INCOLORDER O		1 CONTRIBUCIO CITECLI

Enter your company's name here: Requisition #:

This page can be used as a continuation sheet to the HSP Form's page 2, Section 2, Item b. Continue listing the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB)

Item#	Subcontracting Opportunity Description	expect HUBs v a con	with which ye	ocontracted to ou do not have tract* in place	expect HUB continu	s with which	contracted to you have a ct* in place for		the contract subcontracted HUBs.
16				%			%		%
17				%			%		%
18				%			%		%
19				%			%		%
20				%			%		%
21				%			%		%
22				%			%		%
23				%			%		%



HUB Subcontracting Plan

Prime and Subcontracting Procurement HUB Resources

State of Texas government solicitations will indicate if a HUB Subcontracting Plan (HSP) is required to be submitted with the response as per 34 TAC §20.285. The comptroller's HSP forms can be found below:

- ▼ HUB Subcontracting Plan (HSP) Forms
 - HUB Subcontracting Plan Form (PDF)
 (Includes all HUB Subcontracting plan PDF documents listed below)
 - HUB Subcontracting Plan Form, SECTION 2 continuation sheet (PDF)
 - HUB Subcontracting Plan Good Faith Effort Method A (Attachment A) (PDF)
 - HUB Subcontracting Plan Good Faith Effort Method B (Attachment B) (PDF)
 - HUB Subcontracting Opportunity Notification Form (PDF)
 - HUB Subcontracting Plan Progress Assessment Report (XLS)
- ► Mentor Protégé Forms



Four Methods of an HSP

Method 1: If all (100%) of subcontracting opportunities will be performed using only HUB vendors (Attachment A)

Method 2: If subcontracting with HUBs and Non-HUBs, and the aggregate percentage of subcontracting with HUBs, holding an existing contract with HUBs for 5 years or less, which meets or exceeds the HUB Goal identified in the solicitation (Attachment A)

Method 3: If subcontracting with HUBs and Non-HUBs, and the aggregate percentage of subcontracting with HUBs, holding an existing contract with HUBs for 5 years or less, does not meet or exceed the HUB Goal identified in the solicitation (Attachment B)

Method 4: If not subcontracting any portion of the contract and will be fulfilling the entire contract with your own resources (self-performing; i.e., equipment, supplies, materials, and/or employees) (No attachment needed)



HUB Subcontracting Opportunity Notification Form

This form is used to notify vendors on potential subcontracting opportunities related to a specific agency solicitation. This is not a required form; it is a sample notification form.

agency solicits bids, proposals, offers, or other applicable expressions of in	ut considers entering into a contract with an expected value of \$100,000 or more shall, before invest, determine whether subcontracting apportunities are probable under the contract. The st ing apportunities are probable under the requisition to which my company will be responding.
least <u>three (3)</u> Texas certified HUIIs jake work within the respective inskepty responsit to the notion prior to the respondent submitting its lest response to this to the contracting agency, the respondent must provide notice of each of its a	recount liableg on the control to provide reticut of sold of their becombing operations to specialists to the second operations generally, and so the NEAT plants generally plants generally and some the NEAT plants generally retired to the second operations generally to additionable general to describe the second operations start general to describe the terminal to the operations on the described to the operations on the described to the operations on the described to the operations of the ope
We respectfully request that vendors interested in hidding on the subcombas identified in Section C, Been 1. Submit your response to the point of contact in	ling apportunity scape of work islantified in Swellion C, Burn 2, reply no later from the date and be referenced in Swellion A.
SECTION A: PRIME CONTRACTOR'S INFORMATION	
Company Name:	State of Texas VID R
Point of Contact:	Phone #
E-mail Address:	fact
SERIOU DE CONTRACTING STATE AGENCY AND REQUIS	CION INFORMATION
Agency Name:	The state of the s
Point of Contact	Phone &
7/20/20/00/00	
Requisition #:	Bid Open Date:
Petential Subcontractor's Bild Response Due Date: If you would the for our company to consider your or we must receive your bid response no take the subcontractor of the Annual Park of 200 (4, each notice of subcontractor or severe IT) receiving pays to respon to the notice your to subcontract your severe IT) receiving pays to respon to the notice your to subcontract your	Central Time Dun remaktures ortunity shall be provided to all least finite (3) Texas certified intuits, and allow the Huits all least 500 reponse to the contracting agency, in addition, all least seven (7) entring days prior to a
Petential Subsectractor's Bill Response Der Date: # you world the low or company to consider yet or we next movin you be of response to biller for autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance of autorisance of autorisance autorisance of autor	E OUE CATE, DESCRIPTION, REQUIREMENTS AND RELATED INFORMATION company's bid for the inducents comp opportunity developed below to these 2,
Petential Subcontractors di Response Dou Disse. Pyos voold the for our conquery to consider your o we must incere you ob requirem to consider. Pyos voold the for our conquery to consider your we must incere you ob response to the contractors and the record of the contractors and the record your contractors are not your contractors and the record your contractors and your contractors are not your contractors.	E OUE CATE, DESCRIPTION, REQUIREMENTS AND RELATED INFORMATION company's bid for the inducents comp opportunity developed below to these 2,
Petential Subsectractor's Bill Response Der Date: # you world the low or company to consider yet or we next movin you be of response to biller for autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance with 34 TSG \$50 (4, each notice of autorisance) autorisance of autorisance of autorisance autorisance of autor	E OUE CATE, DESCRIPTION, REQUIREMENTS AND RELATED INFORMATION company's bid for the inducents comp opportunity developed below to these 2,
Priestellal Subsectionarie to fill Response Der Delte. Fyre word lief her or company to consider year or we must involve you be disequence to blad in. In autoristics with 34 TAC 2014 is ean motion of autoristicating regions, and moting on the recognition of the subsectionaries of young or development in the subsectionary agency, or in state your extremelation of providing regions, and moting on the recognition of some in section of providing or development or providing in section of providing or development or providing in section of providing or development or providing in section of providing or providing in section of providing or providing in section of providing or provided or providing or providing or providing or providing or provid	E OUE CATE, DESCRIPTION, REQUIREMENTS AND RELATED INFORMATION company's bid for the inducents comp opportunity developed below to these 2,
1. Presented biodecentractor's Bild Responses Der Date. Fury word like for our consept, or owneday your or we must make your bild responses to later the second proposes on later the second proposes. In automatical with 24 Tail 2001 64 with value of automatically good and response on the second proposes, or final proposes the second proposes of	E OUE CATE, DESCRIPTION, REQUIREMENTS AND RELATED INFORMATION company's bid for the subcontributing opportunity developed believe to liste 2, """ """ """ """ """ """ """

https://comptroller.texas.gov/purchasing/vendor/hub/forms.php



Post Award Actions

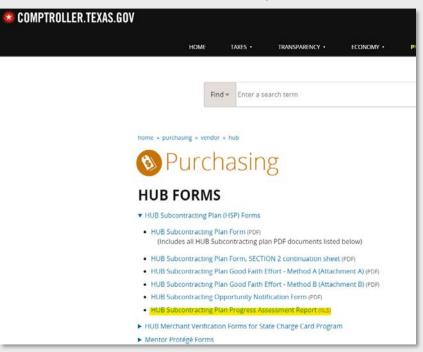


HSP Prime Contractor Progress Assessment Report (PAR)

Form is housed on the Texas Comptroller website (State of Texas Form)

Form is in excel format

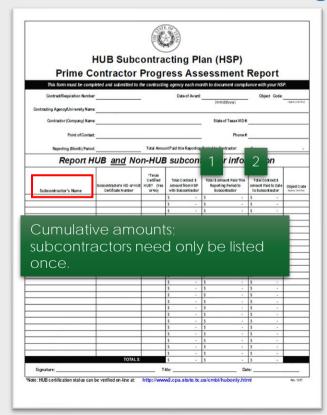
- Information is for previous month
- Ensure amounts are what has been paid, and not what has been invoiced
- PDF and sign before submitting to the Contract Manager via email
- Submit with Form 2579



https://comptroller.texas.gov/purchasing/vendor/hub/forms.php



Prime Contractor Progress Assessment Report



HUB Subcontracting Plan (HSP)								
Prime C	ontractor	Progr	ess Ass	sessment	Report			
						,		
Contract/Requisition Number		d submitted to the contracting agency each month to document Date of Award:			Object Code:			
Contracting Agency/University Name	<u> </u>			(mm/dd/yyw)		(ApreyOwiC		
Contractor (Company) Name		State of Texa			VID#:			
Point of Contact	:			Phone#				
Reporting (Month) Period		Total Amou	int Paid this Reporting	Period to Contractor:	\$			
Report H	UB <u>and</u> No	n-HUE	subcon	tractor infor	mation			
Subcontractor's Name	Subcontractors VID or HUB Certificate Number	"Texas Certified HUB? (Yes or No)	Total Contract \$ Amount from HSP with Subcontractor	Total \$ Amount Paid This Reporting Period to Subcontractor	Total Contract \$ Amount Paid to Date to Subcontractor	Object Co		
			s .	5 -	s -			
			5 .	5 .	5 -			

- Due no later than the 10th day of each month, except for March and September, when the report is due by the 5th of the month
- · Regardless of activity or if the Contractor is self-performing

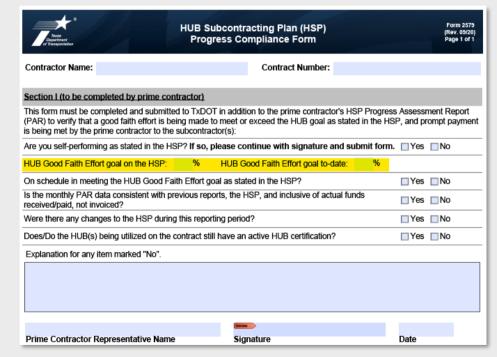


HSP Progress Compliance Form 2579

Section I is completed by the Prime Contractor

If self-performing, check 'Yes', then sign and submit the form with the PAR

- Assists in identifying issues with HUB certification/renewals
- Section II is completed by TxDOT; Contract Manager determines compliance, enters comments (if necessary), and sends to CIV for signature





Progress Assessment Report PAR Form (Reporting)

- Making sure that all information is on the PAR form, vendor ID, amounts etc.
- Contract has been awarded to B2Gnow to work on the TxDOT DMS HUB Compliance Module.
- Currently discussing the contract requirements.
- Divisions will be notified.



HSP Change Request Form 2580

Form is housed on the Texas Comptroller website

Form 2580 is a pro-active form

- Approval is required <u>prior</u> to any changes to the HSP
- Submit signed Form 2580, original HSP and revised HSP to the Contract Manager
- Contract Manager will coordinate with CIV to obtain approval
 - CM: Please submit any previously approved 2580 Forms with the revised HSP, most current HSP (original HSP, if this is the first change) and the current 2580 Form

Home / Business / Disadvantaged and Small Business Enterprise Programs

Historically Underutilized Business (HUB) Program

Disadvantaged and Small Business Enterprise Programs

Civil Rights events calendar

Disadvantaged Business Enterprise/Airport Concessions (DBE/ACDBE)

Small Business Enterprise Program

Historically Underutilized Business (HUB) Program

The <u>Historically Underutilized Business Program</u> Z was created to promote full and equal procurement opportunities for small, minority- and women-owned businesses. Companies interested in doing business with the state are encouraged to become HUB certified.

This is accomplished by completing an application and submitting it to the <u>Texas Comptroller of Public Accounts</u> P2. Once approved, the company is considered "certified" and agencies using them on contracts receive credit toward meeting established HUB goals. The HUB Program is a state level program required by law and managed by the CPA.

- Eligibility Requirements ☑
- HUB Application ☑
- HUB Directory ☑
- Centralized Master Bidders List and HUB Search ☑

Forms

- CPA HUB Subcontracting Plan and Prime Contractor Assessment Report Forms ☑
- . = HSP Progress Compliance Form
- HSP Change Request Form

Rules and regulations

- Texas Statutes Government Code, Chapter 2161 ☑
- Texas Administrative Code, Title 34, Part 1 Chapter 20, Subchapter D. Division 1 2

Training resources

HSP Completion Overview



Other



Reminders

- Certification CIV will always check all expired HUB certification with CPA before
 making a final disqualification determination. If a HUB certification expires once the job
 has started, we will still get credit for that fiscal year, only. If the job runs past the fiscal
 year and the subcontractor is not certified, we do not get credit.
- Changes If any changes happen during the life of the contract, subcontractor changes, adding, deleting, etc. A change request (2580 form) must be submitted with an updated HSP.
- Disqualification No signature, missing documents or supporting documentation, certification issues. All other final determinations on DQ's will be made by the CIV Office (based on information provided and potential clarification).
- No CPA updates on new HSP.



Office of Civil Rights HUB Program Office

Texas Department of Transportation

Civil Rights Division

125 East 11th St.

Austin, TX 78701

(512) 416-4700

CIV HUB@txdot.gov

www.txdot.gov



Disadvantaged Business Enterprise (DBE)



PEPS Fireside Chat



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DBE Program Authorities

Regulations and provisions that prime contractors must comply with:

- USDOT DBE Regulations
 - 49 Code of Federal Regulations, Part 26
 - ➤ DBE Special Provision 000-394 for projects let February 2017 to August 2024
 - ➤ DBE Special Provision 000-022 for projects let September 2024 and after
 - Contract Language and 49 CFR Part 26.29
 - Prompt Pay (Prompt Payment of Subcontractors)
 - Texas Administrative Code
 - Title 43, Part 1, Chapter 9, Subchapter J



DBE Program Basics - 49 CFR Part 26 § 26.13

> TxDot's contract is not only with the prime contractor

TxDOT has an agreement with FHWA that says "implementation of this program is a legal obligation ..."

- To ensure non-discrimination in the award and administration of DOT-assisted contracts
- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts
- The Contractor is obligated to abide by the applicable parts of 49 CFR Part 26 in the award and administration of DOT-assisted contracts
- >TxDot's DBE program applies to all participants in the DBE program ... recipients, subrecipients, contractors, DBEs, commercial suppliers, etc. 29



49 CFR Part 26 Update

- The DBE rules in 49 CFR Part 26 were updated in 2024
- CIV is updating the DBE Program Plan and the DBE Special Provision to match the changes with the updated rules.

