



**The University of
Texas System**

Exhibit H:Subcontracting Plan

For Use on OCP Capital Construction Projects

Subcontracting Plan For Prime Architect

*Delivery Methods: Construction Manager @ Risk CM@R
Design Build (DB) and Competitive Sealed Proposal (CSP)*

**The University of Texas System Office of HUB Programs UTILIZATION OF
VETERAN HEROES UNITED IN BUSINESS (VetHUB)**

In accordance with the [Texas Government Code, Sections 2161.181-182](#) and Rules 20.281, 20.284, and 20.285 of the Texas Administrative Code (TAC), the University of Texas System, shall make a good faith effort to utilize VetHUBs in contracts for construction, services, including professional and consulting services; and commodities contracts in receiving a portion of the total value of all contracts that U. T. System expects to award in a fiscal year in accordance with the statewide HUB utilization qualitative goals and state agency-specific HUB utilization goals as specified in TAC Rule 20.284. . The purpose of the HUB program is to promote full and equal business opportunities for all businesses. The HUB Rules promulgated by the Texas Comptroller of Public Accounts (the “Texas Comptroller”), set forth in [34 TAC Rules 20.281-20.298](#), encourage the use of HUBs by implementing these policies through race-, ethnic- and sex-neutral means.

The annual program goals may be achieved by contracting directly with VetHUBs or indirectly through subcontracting opportunities in accordance with the Texas Government Code, Chapter 2161, Subchapter F.

Policy Note (Terminology)

The Texas Comptroller Statewide Procurement Division has rebranded the HUB program as the Veteran Heroes United in Business (VetHUB) program. The terms “Historically Underutilized Businesses” and “HUB” are also used in this statement consistent with Texas Government Code Chapter 2161 and applicable rules.

Regional HUB Coordinator
The University of Texas System
HUB Program
210 West 7th Street
Austin, Texas 78701

RE: Subcontracting Plan for (Project Title): _____
Project or RFQ #: _____

Dear

I am pleased to submit this Subcontracting Plan as an integral part of our response to your solicitation document for the project referenced above. I acknowledge that The University of Texas System's policy is to comply with **Texas Administrative Code (TAC) §20.285(d)**. The rules require documentation demonstrating that a **Good Faith Effort (GFE)** was conducted to identify and solicit **VetHUB-certified subconsultants and subcontractors**. I also acknowledge the goal referenced on page one of the Subcontracting Plan and have attached my GFE documentation for your review.

If additional subcontracting opportunities are identified through the **Additional Services Proposal (ASP)** process during the term of the contract, we will notify the HUB Coordinator, comply with the GFE requirements, and submit a revised Subcontracting Plan with updated GFE documentation.

The table below identifies the proposed number of subconsultants both VetHUB and non-HUB, their total associated contract values, and the percentage each represents of the total Architect contract value. At the time of award, we will reconfirm the certification status and expiration date of each VetHUB subconsultant in the VetHUB CMBL and provide documentation.

Subconsultants	No. of Subconsultants	Total of Subconsultant Contract Value	Subconsultant Percentage of Total Architect Contract Value
VetHUB			%
NON-HUB			%
Total			%

Sincerely,

Signature

Printed Name



State of Texas Subcontracting Plan

When is a subcontracting plan required?

A subcontracting plan is required for state of Texas contracts when the contracting agency has determined that subcontracting opportunities are probable with prospective vendors certified by the Texas Comptroller through the Veteran Heroes United in Business (VetHUB) program, for a contract with an expected value of \$100,000 or more. ([Texas Government Code Chapter 2161, Subchapter F](#); [34 Texas Administrative Code Section 20.285](#).)

When a state agency requires a subcontracting plan as part of the contract solicitation, a bid, proposal, offer or other applicable expression of interest must contain a completed plan to be considered responsive.

Who completes a subcontracting plan?

Every responding vendor — whether a prime contractor or self-performing with no subcontractors — must submit a complete subcontracting plan.

A vendor who intends to use subcontractors must demonstrate their good faith effort to recruit certified VetHUBs, whether or not they ultimately award business to them. *A state agency will not use the subcontractors' VetHUB status to select the winning vendor.* All subcontractors must be listed in the subcontracting plan.

A self-performing vendor who will not subcontract any of the work on the contract must indicate that it will complete the contract with its own resources and submit the completed subcontracting plan.

Does a subcontracting plan have to be followed?

The subcontracting plan forms part of the contract. Subcontractors may not be dropped or replaced without amending the subcontracting plan with approval by the agency. A self-performing contractor may not use subcontractors without amending the subcontracting plan.

SUBCONTRACTING PLAN INSTRUCTIONS

The contracting agency must complete this section and include this form in the solicitation.

Solicitation Number

Solicitation Title

Agency Number

Agency Name

AGENCY COORDINATOR FOR COURTESY REVIEWS (OPTIONAL)

Name

Email Address

Phone Number: (Point of Contact)

SOLICITATION POINT OF CONTACT

Name

Email Address

Phone Number: (Point of Contact)

The contracting agency must describe the subcontracting goal and provide examples of potential subcontracting opportunities. This information may also be included in the solicitation document.

Section 1: Respondent Information

Respondent (Company) Name

State of Texas Vendor ID Number

Point of Contact

Email Address

Phone Number

Is your company a state of Texas Certified VetHUB? ☐ Yes ☐ No

Requisition/Solicitation No.

Bid/Response Due Date (mm/dd/yyyy)

Section 2: Declaration of Self-performing or Subcontracting

After dividing the contract work into reasonable lots or portions to the extent consistent with prudent industry practices and taking into consideration the scope of work to be performed under the proposed contract, including all potential subcontracting opportunities, the respondent must determine what portions of work, including contracted staffing, goods and services will be subcontracted. 34 Texas Administrative Code Section 20.282 defines a "Subcontractor" as an entity that contracts with a prime contractor to work or contribute toward completing work under a purchase order or other contract. *The term does not include employees of the contractor but includes contracted workers who will work on the contract.*

Will your company fulfill the entire contract with its own resources, including employees, goods and services?

☐ Yes, my company will self-perform the entire contract.
Submit pages 1 and 2 only. (DO NOT submit Sections 4, 5 & 6)

☐ No, my company will subcontract portions of the contract.
Go to Section 4: Respondent's Subcontracting Opportunities (Section 3 will become non-editable and auto-skip to Section 4)

Section 3: Affirmation of Self-performing Contractor

As evidenced by my signature below, I affirm that I am an authorized representative of the respondent listed in Section 1, and that the information and supporting documentation submitted with the subcontracting plan is true and correct. Respondent understands and agrees that, if awarded any portion of the contract:

- The respondent must seek approval from the contracting agency prior to making any modifications to its subcontracting plan, including hiring subcontractors to perform any work under this contract. If the subcontracting plan is modified with-out the contracting agency's prior approval, respondent may be subject to any and all enforcement remedies available under the contract or otherwise available by law, up to and including debarment from all state contracting.
- 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 are being performed and must provide documentation regarding staffing and other resources.

**sign
here** ➡

Signature

Title

**print
here** ➡

Printed Name

Date (mm/dd/yyyy)

Section 4: Respondent’s Subcontracting Opportunities

This section must be completed by all respondents who propose to subcontract portions of the contract work.

List below all opportunities (commodities, services or contractor staffing) you will subcontract. Also, based on the total value of the contract, provide the percentage of the contract you expect to subcontract to certified VetHUBs, and the percentage of the contract you expect to award to other subcontractors.

Search NIGP Code Book at <https://commbook.app.cpa.state.tx.us/>

Item Number	Subcontracting Opportunity Description	NIGP Code or Division Code	VetHUB-certified subcontracted percentage of total contract	Other subcontracted percentage of total contract
1			%	%
2			%	%
3			%	%
4			%	%
5			%	%
6			%	%
7			%	%
8			%	%
9			%	%
10			%	%
11			%	%
12			%	%
13			%	%
14			%	%
15			%	%
16			%	%
17			%	%
18			%	%
19			%	%
20			%	%
21			%	%
22			%	%
23			%	%
24			%	%
25			%	%



Section 5: Subcontracting Plan – Good Faith Effort

Section 5.1: Subcontracting Opportunity

Submit a copy of Section 5 for each subcontracting opportunity you listed in Section 4. Download additional forms at

<https://utsystem.edu/offices/historically-underutilized-business/hub-subcontracting-plan-forms/hub-plan-templates-ocp-projects>

Enter the item number and description of the subcontracting opportunity you listed in Section 4.

Item Number	Subcontracting Opportunity

Section 5.2 Mentor Protégé Program

If respondent is participating as a mentor in a state of Texas Mentor Protégé Program, submitting a protégé (protégé must be a state of Texas certified VetHUB) as a subcontractor to perform the subcontracting opportunity listed in **Section 5.1** constitutes a good faith effort for that specific portion of work.

Check the appropriate box (Yes or No) that indicates whether you will be subcontracting the portion of work you listed in Section B-1 to your protégé.

☐ No. Go to Section 5.3: Notification of Subcontracting Opportunity.

☐ Yes. Go to Section 5.4: Subcontractor Selection. (Section 5.3 will become non-editable and auto-skip to Section 5.4)

Section 5.3 Notification of Subcontracting Opportunity

Demonstrate your good faith effort to notify Texas certified VetHUBs by communicating each subcontracting opportunity you listed in Section 4.

Search the [VetHUB Directory](#) by business category or NIGP code to identify appropriate VetHUBs that work in the area where you are seeking subcontractors. Certified VetHUBs can be sourced using the VetHUB-only search and will be marked with the Active Bidder (A-Approved) VetHUB status.

Send either the [Subcontracting Opportunity Notification template](#) or an email notice that includes at minimum:

- Scope of work
- Location to review plans and specifications (if applicable)
- Bonding and insurance requirements
- Required qualifications
- Name of state agency
- State agency's point of contact
- State agency point of contact's phone number
- Requisition/solicitation number
- Prime contractor's contact name
- Prime contractor's contact email
- Prime contractor's contact phone number
- Date response required; allow at least seven business days for response excluding weekends and state holidays.

Save copies of emails sent to VetHUBs and the responses received and attach to your subcontracting plan to document the good faith effort. A contract shall not be awarded to a prime contractor whose subcontracting plan good faith effort does not contain accurate supporting documentation.

List two VetHUBs you notified of the subcontracting opportunity listed in Section 5.3. Include the company's Texas Vendor Identification (VID) Number, the date of the notice and indicate whether the HUB responded.

Company Name	Texas VID (Do not enter Social Security Nos.)	Date Notice Sent (mm/dd/yyyy)	VetHUB Response
			☐ Yes ☐ No
			☐ Yes ☐ No

Section 5.4 Subcontractor Selection

A copy of Section 5 must be completed for each subcontracting opportunity you listed in Section 4. Download additional forms at <https://utsystem.edu/offices/historically-underutilized-business/hub-subcontracting-plan-forms/hub-plan-templates-ocp-projects>

Company Name	Certified VetHUB	Texas VID or Federal EIN (Do not enter Social Security Nos.)	Approximate Dollar Amount	Expected Percentage of Contract
	☐ Yes ☐ No		\$	%
	☐ Yes ☐ No		\$	%
	☐ Yes ☐ No		\$	%
	☐ Yes ☐ No		\$	%
	☐ Yes ☐ No		\$	%
	☐ Yes ☐ No		\$	%

Section 6: Affirmation of Prime Contractor

I am an authorized representative of the respondent listed in Section 1 ("Respondent"). I affirm that the information and supporting documentation submitted with this subcontracting plan is true and correct. Respondent understands and agrees that, if awarded a contract:

- Respondent will promptly notify all the subcontractors of their selection as a subcontractor for the contract. The notice must specify the contracting agency's name, point of contact for the contract, the contract award number, the subcontracting opportunity the subcontractor will perform and the value of the subcontract.
- Respondent must obtain approval from the contracting agency prior to modifying its subcontracting plan, including hiring subcontractors to perform any work under this contract.
- Respondent must submit progress assessment reports (PAR) with each invoice to the contracting agency. The PAR template for OCP managed projects is available [here](#), and the PAR template for Goods & Services is located [here](#).
- Respondent must, upon request, allow the contracting agency to perform on-site reviews of the company's headquarters and work site where services are being performed and provide documentation regarding staffing and other resources.

**sign
here** ➡

Signature

Title

**print
here** ➡

Printed Name

Date (mm/dd/yyyy)



Subcontracting Opportunity Notification Form

If your business is interested in bidding on the subcontracting opportunity identified in Section C, please reply by the date listed.

Section A: Prime Contractor's Information

Company Name

Point of Contact

Email Address

Phone Number

Section B: Contracting State Agency Information

Agency Name

Solicitation No.

Section C: Due Date and Description

Subcontracting Opportunity

Time and Date Response Due (minimum seven business days*):

Time _____ ☐ a.m. ☐ p.m. on Date (mm/dd/yyyy) _____

Note: Construction Primes CANNOT check the "Not Applicable" boxes. All information below is required

Subcontracting Opportunity Scope of Work:

☐ Not Applicable

Required Qualifications:

☐ Not Applicable

Bonding and insurance requirements (MUST be listed below or in email. Do not redirect to a website):

☐ Not Applicable

Other contract requirements:

☐ Not Applicable

Location to review plans/specifications:

☐ Not Applicable

***Note to Contractor:** The day notifications are sent and the day bids or proposals are received DO NOT count toward the Good-Faith Effort window. In addition, UTS holidays and weekends DO NOT count toward the GFE window.

Addendum to Architect SP

Please read and sign on next page

B2GNOW COMPLIANCE REPORTING SYSTEM

As part of the UT System HUB Office commitment to assist Prime Architects to conveniently comply with legal and contractual requirements, the University of Texas System HUB Office maintains an online electronic Contract Compliance System known as the B2GNow Compliance Reporting System.

All Office of Capital Projects (OCP)–managed projects are subject to compliance monitoring. The Prime Architect is required to register all subconsultants in the B2GNow Compliance Reporting System within seven (7) business days of execution of each subconsultant agreement. The Prime Architect must also provide complete contact information of subconsultant, enter initial contract values, and update contract amounts on a monthly basis, as applicable. In addition, the Prime Architect is responsible for reporting project payment activity for all subconsultants, including first-, second-, and third-tier firms, which includes, but is not limited to, monthly payments and progress reporting in the B2GNow Reporting System.

Furthermore, the Prime Architect is required to submit a monthly Progress Assessment Report (PAR) with each Payment Application submitted to OCP. The UT System HUB Office reserves the right to request additional project-related HUB information to be submitted electronically through the compliance system at any time before, during, or after project award.

The Prime Architect agrees to advise ALL subconsultants in writing of the requirement to submit all payment information for 2nd and 3rd tier subconsultants to the Prime Architect who will post those payments in the B2GNow Compliance Reporting System electronically. The Prime Architect further agrees and understands it is their responsibility to ensure all subconsultants have reported all payment information and cleared any discrepancies monthly.

Prime Architect agrees to advise ALL subconsultants in writing of their obligation to provide current contact information to the Prime Architect. It is understood that the subconsultant will be confirming payments added to B2G therefore, the Prime Architect understands that its contact information and that of its subconsultants must remain accurate and up to date in the B2GNow Reporting System. The Prime Architect agrees to timely notify the UT System HUB Office of any changes to its contact information or that of a subconsultant. From time to time, the UT System HUB Office may require additional information from the Prime Architect and/or its subconsultants and Prime Architect agrees that it will provide such information, within five (5) business days via email to the UT System HUB Coordinator. The Prime Architect understands its obligations hereunder continue through project closeout.

At project close-out, the Prime Architect agrees to provide a final SP that will match the contract amounts in B2G. The Prime Architect also agrees that the total paid to subconsultant will match the contract amount in B2G and the HSP.

Information concerning access to the B2GNow Reporting System will be provided to the Prime Architect by the UT System HUB Office. The B2GNow Reporting System is web-based and can be accessed at the following Internet address:

<https://utsystem.diversitycompliance.com/?TN=utsystem>.

The Prime Architect shall contact the UT System HUB Office to register for training and support for the B2GNow Reporting System. Contact your HUB Coordinator to register for training. Below is a list of HUB Coordinators and the OCP campuses they cover.

Stephanie Park

Associate Director-HUB Programs
OCP Capital Construction
UT Dallas, UT Tyler
512-499-4378
spark@utsystem.edu

Cynthia Booker

Senior HUB Coordinator
OCP Capital Construction
UT Rio Grande Valley,
UT Stephen F Austin
512-322-3779
cbooker@utsystem.edu

Kyle Hayes

HUB Coordinator
OCP Capital Construction
UT El Paso and UT Permian Basin
512-322-3745
Khayes@utsystem.edu



ADDITIONAL PROJECT REQUIREMENTS

The Prime Architect agrees to the following:

1. Maintain all written correspondence with subconsultants related to the project.
2. Ensure Architect project team attendance at the On-Board meeting.
3. Assign and designate personnel to attend B2G training and manage all B2G system maintenance.
4. Ensure that B2G-assigned personnel enter subconsultants into the B2G system (including HUB and non-HUB, across 1st, 2nd, and 3rd tiers) as contracts are executed, and record all subconsultant payments in the B2G database.
5. Ensure that B2G-assigned personnel maintain and monitor subconsultant contract values and payments throughout the project lifecycle.
6. At project closeout, provide a final Subcontracting Plan (SP) that reconciles with B2G data, including total payments made to all subconsultants.
7. Comply with the Subcontracting Plan (SP) Process (Section 5) included in this package.

Please acknowledge that you have read and understand this Addendum.

Signature

Print Name

Date

