



**SUPPLEMENTAL
CONSTRUCTION & PLANNING OFFICE
PRAIRIE VIEW A&M UNIVERSITY**

ARTICLE VI- HISTORICALLY UNDERUTILIZED BUSINESSES

- 6.4 The TBPC considers that an agency has made a “good faith effort” (GFE) if it does the following:
- (i) Seeks HUB subcontracting in contracts that are less than \$100,000 whenever possible.
 - 1. HUB subcontracting plans are required at Prairie View A&M University for projects with an anticipated value of \$85,000 and above.
- 6.5 Each state agency that considers entering into a contract with an expected value of \$100,000 or more shall determine whether subcontracting opportunities are probable under the contract before the agency solicits bids, proposals, offers, or other applicable expressions of interest. Article VI 6.4, it applies to all Prairie View A&M University, Construction & Planning Office projects.
- 6.7 The Texas A&M University System, Prairie View A&M University requires a potential contractor/vendor to state whether it is a Texas certified HUB.
- 6.8 Potential contractors/vendors shall follow, but are not limited to, procedures in subsection 6.9 of this section when developing the HUB Subcontracting Plan. The HUB Subcontracting Plan shall include the forms provided by the Texas A&M University System and Prairie View A&M University.
- 6.9 Evidence of good faith effort in developing a HUB Subcontracting Plan includes, but is not limited to, the following procedures:
- 6.9.2 Notifying HUBs of the work that the potential contractor/vendor intends to subcontract. The potential contractor/vendor shall provide potential HUB subcontractors reasonable time to respond to the potential contractors/vendors notice. “Reasonable time to respond” in this context is no less than five working days from receipt of notice, unless circumstances require a different time period, which is determined by Prairie View A&M University and documented in the contract file. The potential contractor/vendor shall provide the notice described in this subsection to three or more HUBs that perform the type of work required and shall provide official written documentation (i.e. phone logs, fax transmittal, etc.) to demonstrate compliance.

- 6.10 Prior to being eligible to have its bid/proposal placed in consideration for opening and being read the HUB Subcontracting Plan will be reviewed for evidence of compliance with the good faith effort requirements. Prairie View A&M University Construction & Planning Office and the Purchasing Department determines that a HUB Subcontracting Plan was not developed in good faith, it shall be treated as a material failure to comply with advertised specifications, and the bid/proposal or other responses shall be rejected. The reasons for rejection shall be recorded in the project file.
- 6.13 If at anytime during the term of the contract, a contractor desires to make changes to the accepted HUB Subcontracting Plan, such proposed changes must be reviewed and approved by Prairie View A&M University Construction & Planning and Purchasing before the changes will be effective. The contractor must also comply with the provisions of the section relating to developing and submitting a HUB Subcontracting Plan. Any modifications to a HUB Subcontracting Plan must be approved by a change order. The reasons for the subcontracting change shall be recorded in a change order.
- 6.14 The contractor shall submit a monthly compliance report to Prairie View A&M University Construction & Planning in the format required by the contract documents reporting the identify and the amount paid to its subcontractors. During the term of the contract, Prairie View A&M University Construction & Planning will determine whether the value of the subcontracts to HUBs meets or exceeds the HUB subcontracting provisions specified in the contract.
- 6.14.1 Prairie View A&M University Construction & Planning will audit the contractors performance in executing its HUB Subcontracting Plan.
- 6.14.2 If the contractor is meeting or exceeding the provisions, Prairie View A&M University Construction & Planning will maintain documentation of the contractors efforts in the contract file. If the contractor fails to meet the HUB subcontracting provisions in the contract, Prairie View A&M University Construction & Planning will notify Purchasing and the contractor of any deficiencies and will give the contractor/vendor an opportunity to submit documentation to explain why the failure to fulfill the HUB Subcontracting Plan should not be attributed to a lack of good faith effort by the contractor.