

How to Fill Out a Subcontracting Plan

Page 1

Page 1 is informational for suppliers. TWU is meant to fill out page 1 before providing to suppliers.

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 **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.

RFP # → Solicitation Number
731 → Agency Number

RFP Name → Solicitation Title
Texas Woman's University → Agency Name

AGENCY COORDINATOR FOR COURTESY SUBCONTRACTING PLAN REVIEWS (OPTIONAL)

TWU Employee who can do courtesy reviews of your HSP → Name
Email Address
Phone Number: (Point of Contact)

SOLICITATION POINT OF CONTACT

TWU Employee in charge of this Formal Bid. → 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.

TWU subcontracting goals = 1% VetHUB utilization

Page 1

Page 2

Page 2 is where you provide your contact information. Make sure that all **highlighted fields** are filled out.

We must have a way to reach you if we have questions, so these fields are vital.

Section 1: Respondent Information

Respondent (Company) Name

Point of Contact

Email Address

Optional

State of Texas Vendor ID Number

Phone Number

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

Autofills based on page 1

Requisition/Solicitation No.

Optional

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

If your company is a VetHUB we will verify that you're currently certified during the review process.

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.

☐ No, my company will subcontract portions of the contract.

Go to Section 4: Respondent's Subcontracting Opportunities

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 without 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.

Must choose one.

If **Yes**, must sign this page and submit pages 1 and 2.

If **No**, this page should NOT be signed, and Sections 4 and 5 should be filled out.

Signed and dated **ONLY** if planning to Self-Perform the entire contract.

sign here

Signature

Title

print here

Printed Name

Date (mm/dd/yyyy)

Page 3 (Section 4) is where you will list all subcontracting opportunities. You'll reference these in Section 5.

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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/>

In this example, the prime contractor has determined **2 subcontracting opportunities** for this contract.

They anticipate 12% of the total contract will go towards Architectural Services, and that likely none of that will go towards VetHUB subcontractors.

They also anticipate 3% of the total contract will go towards Surveying Services, and likely all of it will go to a VetHUB.

Item Number	Subcontracting Opportunity Description	Reference Code (e.g. NIGP, NAICS, CIS, UNSPSC)	VetHUB-certified subcontracted percentage of total contract	Other subcontracted percentage of total contract
1	Architectural Services	906-00	0 %	12 %
2	Surveying Services	961-64	3 %	0 %
3				
4				
5				
6				
7				
8				
9				
10				
11				
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17				
18				
19				
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21				
22				
23				
24				
25				

Find NIGP Codes at:
<https://commbook.app.cpa.state.tx.us/>

Percentage of total contract that you plan to spend on this subcontracting opportunity, specifically with VetHUBs.

Percentage of total contract that you plan to spend on this subcontracting opportunity, specifically with non-VetHUBs.

Section 5, pg 1

Page 4 (Sections 5.1 - 5.3) is where you'll document your good faith effort to notify VetHUBs of your subcontracting opportunities.

IMPORTANT! You must fill out a copy of Section 5 for **EACH** subcontracting opportunity listed on page 3.



Section 5: Subcontracting Plan – Good Faith Effort

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

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

Item Number	Subcontracting Opportunity
1	Architectural Services

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 5.1 to your protégé.

- ☐ No. Go to Section 5.3: Notification of Subcontracting Opportunity.
- ☐ Yes. Go to Section 5.4: Subcontractor Selection.

Section 5.3 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 5.1. 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
Sample Company A	000000001	1/2/34	☐ Yes ☐ No
Sample Company B	000000000	1/2/34	☐ Yes ☐ No

Page 1

Reference the first subcontracting opportunity you listed on page 3.

If you are a Mentor in the Texas Mentor Protege Program, indicate if you'll be working with a protege.

List the VetHUBs you notified of this subcontracting opportunity

You can find VetHUBs (and their VID's) here: <https://mycpa.cpa.state.tx.us/tpassc mbsearch/tpassc mbsearch.do>

Indicate when you reached out and if they responded.

We suggest waiting at least 1 week to receive a response.

Please attach your correspondence to your subcontracting plan.

Section 5, pg 2

Page 5 (Section 5.4) is where you'll indicate which subcontractor(s) you've decided to work with.

IMPORTANT! You must fill out a copy of Section 5 for **EACH** subcontracting opportunity listed on page 3.

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

Company Name	Certified VetHUB	Texas VID or Federal EIN (Do not enter Social Security Nos.)	Approximate Dollar Amount	Expected Percentage of Contract
Sample Company B	☒ Yes ☐ No	000000000	\$ 2,000	2 %
Sample Company Z	☐ Yes ☒ No		\$ 10,000	10 %
	☐ Yes ☐ No		\$	%
	☐ Yes ☐ No		\$	%
	☐ Yes ☐ No		\$	%
	☐ Yes ☐ No		\$	%

Fill in subcontractor(s) you plan to work with, indicate their VetHUB status and give an estimate of how much you'll be paying them.

In this example, the prime contractor has chosen **2 subcontractors** to fulfill this subcontracting opportunity.

They anticipate spending 2% of the total contract with the VetHUB, Sample Company B, and 10% of the contract with a non-VetHUB company, Sample Company Z.

Section 6

This section is where you'll affirm that all subcontracting opportunities have been addressed and agree to the bullet points listed.

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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 is available on the [Comptroller's website](#).
- 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)

Make sure all
fields are filled
correctly.

Optional

This final page is a template that you can use to notify VetHUBs of your subcontracting opportunities. It is optional to use.



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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 number

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)

Subcontracting Opportunity Scope of Work:

Required Qualifications:

Bonding and Insurance Requirements:

Other Contract Requirements: Not Applicable

Location to Review Plans/Specifications: Not Applicable