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Department of Family
and Protective Services

Historically Underutilized Business (HUB)

HUB Post Award Training

Marcus Gomez, DFPS HUB Coordinator

Agenda

1. HUB Program

- a. Responsibilities
- b. Limitations

2. HUB Post Award Reporting

- a. HSP Subcontractor Notification
 - i. Immediate action
- b. Progress Assessment Report (PAR)
 - i. Monthly reporting



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Agenda

3. HSP Changes

- a. Adjustments
- b. HSP Requirements & Good Faith Effort
- c. Approval Process
- d. Avoiding HSP Noncompliance

4. Further HUB Information

- a. CPA: CMBL/HUB Directory
- b. HUB Vendor Status
- c. HUB Contact Info



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HUB Program: Responsibilities

Ensure compliance of Texas Gov't Code Sec. 2161 and Texas Administrative Code §20.281-§20.298.

Post-contract award:

1. **Oversee compliance of the HUB Subcontracting Plan (HSP) through coordinated monitoring of Progress Assessment Report (PAR) Forms.**

Contractors, including those that are self-performing, report compliance with their HSP as directed by the Comptroller of Public Accounts (CPA).

2. Provide HUB Technical Direction
3. HSP Performance Notification to Program Area for VPTS
4. Confirm Utilization / Payment



HUB Program: Limitations

HUB Program Cannot:

1. Provide legal interpretations:

- a. scope of work
- b. delivery schedule
- c. terms and conditions, or
- d. any other contract specifications



2. Give direction outside of HUB.

3. Authorize the expenditure of funds.



Subcontractor Notices & Verification

HSP subcontractors (HUBs and Non-HUBs) must be notified **within 10 days** after contract award.

The notice must include:

1. Contractor Point of Contact,
2. Contract Award Number,
3. Subcontracting Opportunity (subcontractor performing),
4. Approximate Dollar Amount, and
5. Expected Percentage of Contract the Subcontractor Represents.

Email copies of notices to HUB Coordinator

- Updated and signed Post Award HSP (4531 Form), attached in email.

HUB Reporting Submission: *Progress Assessment Reports (PARs)*

- Submit with invoice.
- Include All Information
List all subcontractors and payments
- **Required as a condition of payment**
Self-Performing contracts must submit PARs as well.
- Submit to both the Contract Manager and the DFPS HUB email address:
 - DFPSHUB@dfps.texas.gov



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HSP Changes



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1. Texas Law states when the contract is awarded the HSP becomes a contract provision and **MUST** be implemented in good faith.
2. Changes made to the HSP **without prior agency approval** is considered a breach of contract.





HSP Change Needed

Types of Adjustments

1. Changes to Scope-of-Work (SOW)
 - a. Requiring additional subcontractor(s)
2. Adding a Subcontractor(s)
3. Substituting a Subcontractor
4. Deleting a Subcontractor
5. Changes to \$ and/or %



- All changes require justification and approval



Processing an HSP Change

What is needed:

1. Perform 1 of the Good Faith Efforts (GFEs):
 - a. All HUBs
 - b. Mentor-Protégé
 - c. Solicitation
2. Submit an **HSP Change Request Form** to DFPSHUB@dfps.texas.gov

Note: Agency approval of the HSP Change Request **must be obtained prior** to engaging a new subcontractor.

Texas Department of Family and Protective Services HUB Subcontracting Plan (HSP)
Change Request Form



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Section I. Legal Entity/Prime Contractor Information			
Date:	Legal entity/Prime contractor:	DFPS contract#	
Point of contact:	Phone#:	Email:	
DFPS contract manager:	Prime vendor identification#:		
*Section II. Changing HSP for the following reasons (check all that apply): Requires written justification.			
<input type="checkbox"/> Adding subcontractor-describe:	<input type="checkbox"/> Deleting subcontractor		
<input type="checkbox"/> New subcontracting opportunity-describe:	<input type="checkbox"/> Deleting subcontracting opportunity		
<input type="checkbox"/> Subcontractor sole source provider	<input type="checkbox"/> Changing percentage/Dollar amount-enter percentage/amount:		
	<input type="checkbox"/> Other-provide brief explanation:		
*Section III. Description of Change Note: Provided by prime contractor. When utilizing HUBs, provide a copy of the CMBL or Non-CMBL HUB status profile https://mycpa.cpa.state.tx.us/tpasscmbsearch/index.jsp			
Subcontractor name:		Point of contact:	
Email:	Phone:	Subcontracting % or \$ amount:	HUB? Yes <input type="button" value="v"/>
Subcontractor Vendor Identification#:		Description of change justification:	
<i>(If sub VID# is not listed in CMBL, enter taxpayer# from: https://mycpa.cpa.state.tx.us/coa/Index.html or https://mycpa.cpa.state.tx.us/staxpayersearch/SisTxpyrSearch.jsp. Do not use SSN.)</i>			
*Section IV. Prime Contractor Signature			
Prime's signature:		Title:	
Section V. For HUB Program Office Use Only:			



Maintaining Compliance

vs.

HSP Noncompliance

Report and comply with your HSP:

- Submit PARs with invoices.
- Adhere to GFE/HSP;
- Update the HSP asap;



Changes made to the HSP without prior agency approval is considered a breach of contract.

TAC Rule §20.285

Vendor Performance Scoring impacted negatively



Centralized Master Bidders List (CMBL) / HUB Directory

The CMBL/HUB Directory is located on the Comptroller of Public Accounts (CPA) website.

Can be used to:

- Locate new potential HUB vendors;
- Determine ethnicity/gender;
- Check certification status;
- Locate HUB expiration date.



<https://mycpa.cpa.state.tx.us/tpasscmbllsearch/index.jsp>

DFPS HUB Contact Information

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- DFPSHUB@dfps.texas.gov



Questions?



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With Your Help, We Can Succeed!

Thank you