REQUEST FOR PROPOSAL
Sam Houston State University
A Member of The Texas State University System
Procurement and Business Services

Reference Number 753-16-003JEB

Mail Proposals To:
Sam Houston State University
Procurement & Business Services
Box 2028
Huntsville, TX  77341

Executive Search Firm

Deliver Proposals To:
Sam Houston State University
Procurement & Business Services
CHSS Bldg - 1901 Avenue I, Suite 452
Huntsville, TX  77340

PROPOSAL MUST BE RECEIVED BY:  3 PM Central Time  August 24, 2015

FAX PROPOSALS WILL NOT BE ACCEPTED

Show RFP Number, Opening Date and Time on Return Envelope

Note: A proposal must be received and time stamped at Sam Houston State University by the hour and date specified for a proposal to be accepted for consideration. After receipt, only the names of offerors will be made public. Prices and other proposal details will only be divulged after the contract award, if one is made.

In the event that Sam Houston State University is closed due to inclement weather and/or emergency situations at the time set aside for the published proposal opening, the published due date will default to the next open business day at the same time.

Agency Invoice Address:
Sam Houston State University
Disbursements
Box 2185
Huntsville, TX  77341

Refer Inquiries To:
Procurement and Business Services
Jeremy Barrett, Purchaser I
Telephone No:  936 294-4669
E-mail: jeb037@shsu.edu

All proposals should be completed as required by the instructions in this Request For Proposal, signed, and returned by the date and time specified.

Note: Failure to sign and return the Execution of Offer will result in the rejection of the proposal. (Required form is included with this Request For Proposal, Section E.)

All addenda to and interpretation of this solicitation shall be in writing. The State shall not be legally bound by an addenda or interpretation that is not in writing.
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SECTION A INTRODUCTION / BACKGROUND / OVERVIEW

A-1 Information About Sam Houston State University

Sam Houston was founded in 1879 and stands today as the third-oldest public university in Texas and the state’s fifth oldest continuously operating institution of higher education. With nearly 100,000 graduates, SHSU has touched the lives of generations of Texans by helping to shape the economic, social and cultural development of this state and beyond.

The establishment of Sam Houston Normal Institute was authorized by Texas Governor Oran M. Roberts on April 21, 1879. On October 10 of that year “the Normal” opened with 109 students, four faculty members and its first principal, Bernard Mallon.

Created to train school teachers, today’s Sam Houston State University offers a broad range of academic programs leading to bachelor’s, master’s and doctoral degrees. Many of its academic programs and faculty have attained national and statewide recognition.

Sam Houston State University serves one of the most diverse populations of any education institution in Texas. Admission requirements were strengthened six years ago. In the fall of 2013, SHSU experienced another record enrollment, with 19,214 students. The physical plant is undergoing significant expansion and improvements at a cost of more than $250 million.

Central to the university’s recent achievements is a dedicated faculty and staff that provide a caring education environment for students to learn and develop. With namesake, ties to Texas history and a record of 130 years of service to the people of the state, Sam Houston State University is truly “a great name in Texas education.”

A-2 SCOPE OF PROPOSAL

A-2a Scope: Sam Houston State University is seeking proposals from qualified executive search firms to assist the University with soliciting, reviewing, and screening candidates for the Facilities Project Manager position for Sam Houston State University Facilities Planning and Construction.

In addition, this Request for Proposal (RFP) could be for the use of other Sam Houston State University departments to utilize in the event the need arises for additional executive search services through the remainder of the fiscal year, ending August 31, 2016. Any SHSU department may elect to participate (piggyback) on the resulting contract, if agreed upon by both parties. Other SHSU departments utilizing the contract will negotiate details with awarded vendor and complete a separate purchase order.
SECTION B  PROPOSAL INSTRUCTIONS AND REQUIREMENTS

B-1  Proposal Delivery Instructions

B-1a  Proposals Must Be Received By:  3 PM Central Time  August 24, 2015

B-1b  Proposal Delivery:  The proposal must be time stamped at SHSU Procurement and Business Services before the hour and date specified for receipt of proposal. The proposer (not the carrier/mail service/other or the University) is solely responsible for ensuring that the proposal is received in the Procurement and Business Services prior to the specified opening date and time. If the proposal is hand carried to SHSU, Procurement and Business Services is located in CHSS Building, Suite 452.

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<th>Mail Proposals To:</th>
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<td>Sam Houston State University</td>
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<td>Procurement &amp; Business Services</td>
<td>Procurement &amp; Business Services, CHSS Bldg</td>
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<tr>
<td>Box 2028</td>
<td>1901 Avenue I Suite 452</td>
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<tr>
<td>Huntsville TX 77341</td>
<td>Huntsville TX 77340</td>
</tr>
</tbody>
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B-1c  Unacceptable Proposal Delivery Methods:  The University will not accept proposals submitted by telephone, facsimile (fax) transmission, or electronic submission (e-mail disk, CD-ROM, etc) in response to this RFP.  Faxed proposals are not acceptable.

B-1d  Proposer Responsibilities:  
  a. The proposer, (not the carrier/mail service/other or University), is solely responsible for ensuring the proposal is received prior to the proposal opening date and time in the Procurement and Business Services Department as specified on the RFP form.
  b. Proposer should carefully read the information contained herein and submit a complete response to all requirements and questions as directed. Failure to submit a complete response may result in disqualification of Proposer’s proposal.
  c. Persons signing the proposal must have the authority to bind the firm in a contract. Late offers will be returned to Respondent unopened.

B-1e  Proposal Envelope/Box/Container:  Each proposal should be placed in a separate envelope, box, or container that is completely and properly identified with RFP number, due date and time.  It is the proposer’s responsibility to have the proposal correctly marked and delivered to SHSU Procurement and Business Services by the specified date and time for receipt.

B-1f  Read and Respond:  Proposer should carefully read the information contained herein and submit a complete response to all requirements and questions as directed. Failure to submit a complete response may result in disqualification of Proposer’s proposal.

B-2  RFP Methodology/Process

B-2a  Proposer’s Acceptance of Evaluation Methodology:  By submitting a proposal, the proposer acknowledges acceptance of the proposal selection process, the criteria for award, the scope of services and conditions under which the services are to be performed, the terms and conditions of the RFP, and all other requirements and specifications set forth in this RFP.  In addition, the proposer recognizes that some subjective judgments must be made by the University during the RFP process.

B-2b  Selection Process:  The University will be the sole judge of the appropriateness and completeness of any and all submitted proposals. The University reserves the right to reject any or all proposals and in particular any proposal not containing the complete data or information requested. After the proposals are evaluated, the University reserves the right to further negotiate with the company receiving the highest evaluation score, based on the criteria set forth. The University will review all proposals from companies that meet the requirements and have properly followed all instructions, completed and manually signed the Execution of Offer.
B-2c **Criteria for Award:** The successful proposer, if any, selected by the University, in accordance with the requirements and specifications set forth in this RFP, will be the proposer that submitted a proposal in response to this RFP, on or before the submittal deadline, that is the most advantageous to the University. The factors to be considered by the University in evaluating proposals and selecting the successful proposer for this award, will be those factors listed, with their relative weights, in Section C of this RFP.

B-2d **Public Information:** The University considers all information, documentation and other materials submitted in response to this RFP to be of a non-confidential and non-proprietary nature unless otherwise indicated by the proposer in accordance with section 1.11 of the Terms and Conditions above. All information not clearly marked as proprietary or confidential may be subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001) after all contracts associated with the award are executed. Proposer is hereby notified that the University strictly adheres to all statutes, court decisions, and the opinions of the Texas Attorney General with respect to disclosure of public information.

B-2e **Costs of Preparing Proposals:**
   a. The proposer shall bear, as its sole risk and responsibility, any costs that arise from preparation of the proposer’s response to this solicitation.
   b. Proposals should be prepared simply and economically, providing a straightforward, concise description of Proposer’s ability to meet the requirements and specifications of this RFP. Emphasis should be on completeness, clarity of content, and responsiveness to the requirements and specifications of this RFP.

B-2f **Negotiations or Discussions:** If possible, an award will be made without holding negotiations. If negotiations are necessary, they will be scheduled after all proposals are evaluated. Negotiations will only be held with proposer(s) who have a reasonable chance of receiving contract award. Therefore, do not anticipate negotiations being held. Best and Final Offers will only be requested if negotiations are held. Therefore, you are strongly encouraged to submit your best offer at the date and time proposals are due.

B-2g **Pricing:** Include any and all costs of materials, parts, labor, equipment, facilities, travel, overhead, profit, delivery, installation, lodging, etc. in the unit pricing this proposal.

B-2h **Property of the University:** Proposals and any other information submitted by Proposer in response to this RFP shall become the property of University.

B-2i **Conditional Clauses:** Proposals that are qualified with conditional clauses; alter, modify, or revise this RFP in any way; or contain irregularities of any kind are subject to disqualification by University, at its option.

B-2j **Proposal Validity Period:** Each proposal should state that it will remain valid for a minimum of sixty (60) days after the submittal deadline to allow time for evaluation of proposals, award determination, and any unforeseen delays.

B-2k **Modification or Withdrawal:** Except as otherwise provided in this RFP, no proposal may be changed, amended, or modified after it has been submitted in response to this RFP. However, a proposal may be withdrawn and resubmitted at any time prior to the Submittal Deadline. No proposal may be withdrawn after the Submittal Deadline without University’s consent, which shall be based on Proposer’s submittal of a written explanation and documentation evidencing a reason acceptable to University, at its sole discretion.

B-2l **No Compensation For Proposal Preparation:** University will not provide compensation to Proposer for any expenses incurred by the Proposer for proposal preparation or for demonstrations or oral presentations that may be made by Proposer, unless otherwise expressly stated. Proposer submits its proposal at its own risk and expense.

B-2m **Failure to Comply:** Any proposal that fails to comply with the requirements contained in this RFP may be rejected by University, at its discretion.

B-2n **Standard Contract Agreement:** Provide a copy of Proposer’s Standard Contract Agreement, if applicable, with your proposal.
B-3 Proposer Questions and Addenda

B-3a Proposer Questions: After the RFP is advertised, proposers will have until 3 PM Central Time, August 12, 2015 to submit written questions for clarification of the proposal. Send questions to Jeremy Barrett via e-mail to jeb037@shsu.edu or fax to 936 294-1997. All questions submitted and received will be reviewed, consolidated where possible, and answered in one addendum to the proposal. The addendum will be posted on the Texas Electronic State Business Daily and the Walker County Alliance web page. Addenda are usually posted within 2 business days unless the questions involve legal issues or complex subjects. It is the proposer’s responsibility to continually check the web site for Addenda.

B-3b Addendum to Request For Proposal and Award Information: If it becomes necessary to revise any part of this RFP, including the answer of technical questions, a revision will be given in the form of an addendum. The addendum will be posted on the Texas Electronic State Business Daily at http://esbd.cpa.state.tx.us/ and on the Walker County Alliance web page at www.shsu.edu/wca . It is the responsibility of the proposer to monitor the website for addenda or other written responses. In addition, information about the award will be posted on both web sites.

B-4 Preproposal Conference /Site Visit:

B-4a Pre-Proposal Conference: No pre-proposal conference will be held.

B-5 General Information

B-5a Intended Use: The University will utilize the deliverables identified in the Specifications to employ an executive search firms to assist the University with soliciting, reviewing, and screening candidates for the Facilities Project Manager position for Sam Houston State University Facilities Planning and Construction.

B-5b Class and Item: 961-30

B-5c Contact with the University: Contacts with the University must be through SHSU Procurement and Business Services. Procurement and Business Services may refer you to other individuals or departments for technical matters. Proposers are reminded that SHSU is not bound by any oral statements or representations. SHSU Procurement and Business Services is the only department that has the authority to provide official answers to questions, conduct discussions or negotiations, or enter into any binding agreement for this project.

B-5d Parties to the Proposal/Resulting Contract: Sam Houston State University (SHSU) and the contractor.

B-5e Termination/Cancellation: In the event that the awarded contractor is non-compliant with any portion of the contract, Sam Houston State University will give the contractor 30 days notice to comply. If compliance is unsatisfactory after 30 days, Sam Houston State University has the right to terminate the contract.

B-6 Preparation and Submittal Instructions

B-6a Execution of Offer: Please complete, sign and return the attached Execution of Offer as part of the proposal. The Execution of Offer must be signed by a representative of Proposer duly authorized to bind the Proposer to its proposal. Failure to sign and return the Execution of Offer will result in the rejection of the proposal.

B-6b Number of Copies: Proposer should submit a total of ten (10) complete and identical copies of its entire proposal. An original signature by an authorized officer of Proposer must appear on the Execution of Offer of at least one (1) copy of the submitted proposal. The copy of the Proposer’s proposal bearing an original signature should contain the mark “original” on the front cover of the proposal.

B-6c Provide with your proposal; qualifications and resume on personnel that will be in charge of this project, to include education, experience, and previous employment. Proposer will provide contact information from a minimum of three references of similar listed work, complete with name, address, phone number, and type of service provided.
B-6d Submission
(1) Proposals must be received by University on or before the Submittal Deadline at the location stipulated.
(2) Proposer should submit all required proposal materials enclosed in a sealed envelope, box, or container. The RFP and the Submittal Deadline should be clearly shown in the lower left-hand corner on the top surface of the container. In addition, the name and the return address of the Proposer should be clearly visible.
(3) University will not consider a proposal received after the Submittal Deadline under any circumstances.
(4) University will not accept proposals submitted by telephone, facsimile (“FAX”) transmission, or electronic transmission (“E-mail, disk, or CD-Rom”) in response to this RFP.

B-6e An entity wishing to submit a ‘No-Response’ is requested to return the Execution of Offer. The returned form should indicate the responding entity’s name and should include the words ‘No-Response’ on the Execution of Offer form.

B-6f Page Size, Binders, and Dividers: Proposals should be typed on letter-size (8-1/2” x 11”) paper, and should be submitted in a binder. Preprinted materials should be referenced in the proposal and included as labeled attachments. Sections within a proposal should be divided by tabs for ease of reference.

B-6g Table of Contents: Proposals should include a Table of Contents with page number references. The Table of Contents should contain sufficient detail and be organized according to the same format as presented in this RFP, to facilitate easy reference to the sections of the proposal as well as to any separate attachments (which should be identified in the main Table of Contents). If a Proposer includes supplemental information or non-required attachments with its proposal, this material should be clearly identified in the Table of Contents and organized as a separate section of the proposal.

B-7 The State of Texas Historically Underutilized Business (HUB) Subcontracting Plan:

a. Proposals over $100,000 (including initial award and all potential option/ extension periods) submitted without a HUB Subcontracting Plan will not be considered for award.

b. Sam Houston State University has adopted the TPASS rules as their own HUB rules (Texas Government Code 2161.003 – Agency Rules and Texas Administrative Code (TAC) Title 34, Part 1, Chapter 20, Subchapter B, Rule 20.15. It is the policy of the University to encourage the use of small and historically underutilized businesses by making good faith efforts to increase purchases and contract awards through race, ethnic, and gender neutral means. The goal is to promote full and equal business opportunity for all businesses. The University will make a good faith effort to assist small and historically underutilized businesses in receiving a portion of the total contract value for all contracts for construction, services, including professional and consulting services, and commodities purchases. The University has determined that subcontracting opportunities are probable under this contract.

Proposers who intend to subcontract must perform their good faith effort in completing the HSP. Failure to do so will result in disqualification. When completing the HSP make note that the University’s HUB goals are as follows:

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<thead>
<tr>
<th>Category</th>
<th>Goal Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Construction</td>
<td>21.10%</td>
</tr>
<tr>
<td>Special Trade</td>
<td>32.70%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>25.00%</td>
</tr>
<tr>
<td>Other Services</td>
<td>12.00%</td>
</tr>
<tr>
<td>Commodities</td>
<td>25.00%</td>
</tr>
</tbody>
</table>

c. HSP forms have been provided. On-line HSP forms and an instructional video for properly completing the HSP are available at:

http://www.window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan/
You are strongly encouraged to view the on-line training video for the HUB Subcontracting Plan (HSP) before preparing your plan.

d. For assistance or if you have any questions regarding the HSP, please contact Sam Houston State University’s HUB Coordinator, Bob Chapa, at (936) 294-4670.
B-8 PROPOSAL CONTENT

B-8a Qualifications and References: as per paragraph D-9.

B-8b Execution of Offer and Pricing Proposal: Failure to sign and return the Execution of Offer will result in rejection of the proposal. (Section E, page 13)

B-8d Timeline: as per paragraphs D-7

B-8e Length of Submission: Please keep proposal submission short and to the point while still providing all requested documents and information. Overly long or elaborate proposals are not desired.

Note: The above listing of items to be included in the proposal submission is a summary provided to aid proposers in putting together their proposal package. Any items stated in other sections of the RFP, but not listed in this section, are still required to be provided as part of the proposal submission.

B-9 CONTRACTUAL REQUIREMENTS

B-9a Contract Administration: Contract administration will be by SHSU Procurement and Business Services in conjunction with a University designated representative.

B-9b Purchase Order Changes: All addenda to and interpretation of this solicitation shall be in writing. The State shall not be legally bound by any addenda or interpretation that is not in writing. All changes must be supported by a written Purchase Order Change Notice prepared and processed by SHSU Procurement and Business Services. Other SHSU personnel do not have the authority to issue changes, oral or written, to the resulting purchase order.

B-9c Invoice and Payment:
   A. SHSU is an agency of the State of Texas and is Tax Exempt
   B. Payment will be made by SHSU Disbursements Department after receipt of a correct Invoice and receipt of a Payment Approval Form from the department.
   C. Submit original invoices to:
      Sam Houston State University
      Disbursements
      Box 2185
      Huntsville TX 77341
      Fax: 936 294-3796
Section C   EVALUATION CRITERIA

C-1 Review Panel: Proposals will be evaluated by a review panel on the basis of the criteria listed below. Relative weights of the criteria are listed below. Only criteria designated in the solicitation can be considered in the award determination.

C-2 Weighted Values: Evaluation factors will be weighted as follows:

<table>
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<tr>
<th>Criteria</th>
<th>Points</th>
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<tbody>
<tr>
<td>Previous experience, references and success with academic-level searches, general reputation</td>
<td>35 pts.</td>
</tr>
<tr>
<td>Proposer's ability to source high quality candidates with background and experience as senior professionals in facilities project management, and in communicating clearly and effectively with individuals both inside and outside of their organization.</td>
<td>20 pts.</td>
</tr>
<tr>
<td>Plan for performing services</td>
<td>15 pts.</td>
</tr>
<tr>
<td>Cost</td>
<td>20 pts.</td>
</tr>
<tr>
<td>How well proposer followed RFP instructions</td>
<td></td>
</tr>
<tr>
<td>Proposer's financial stability</td>
<td>10 pts.</td>
</tr>
<tr>
<td>Total</td>
<td>100 pts.</td>
</tr>
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Section D   SPECIFICATIONS

D-1 Objectives—The University is seeking proposals from qualified executive search firms to assist the University with soliciting, reviewing and screening candidates for the Facilities Project Manager position for Sam Houston State University Facilities Planning and Construction.

D-2 Project Details—Sam Houston State University would expect a search firm to provide a number of services, including but not limited to:

- Making recommendations to the Search Committee regarding the publication of a position description which, upon approval by the Search Committee, will be distributed to potential candidates to provide information about the university and the expectations and responsibilities of the proposed position.

- Developing and presenting to the Search Committee a recruiting strategy, including the solicitation of nominations of prospects as well as advertising approaches. Proposal should include a timeline that shows significant dates and when they will be met for the services provided.

- As directed by the Search Committee, identifying and, if and when requested by the Search Committee, recruiting qualified candidates and then assisting the Search Committee in screening and cultivating qualified candidates nominated by others. Members of the Search Committee may initiate contacts with qualified candidates identified by the search firm, the Search Committee, or nominated by others.

- Maintaining a database of information regarding all prospects and candidates nominated for consideration for the position, and providing to the Search Committee any and all information from this database, as directed by the Search Committee.

- As directed by the Search Committee, coordinating exchanges of information between the Search Committee and those who submit nominations of prospects or other information regarding the search as well as between the Search Committee and prospects and candidates. Such exchanges of information include, but are not limited to, written correspondence to be sent by or on behalf of the Search Committee.

- Conducting an initial review and screening of the resumes of qualified candidates, conducting reference checks on qualified candidates, and providing the Search Committee assessment reports on qualified candidates.
• Arranging interviews with selected candidates for the Search Committee, including all of the administrative arrangements for travel, meeting venues, schedules, etc., as directed by the Search Committee, and helping the Search Committee prepare for candidate interviewing.

• Conducting in-depth reference and background checks and providing documents on candidates who are being considered by the Search Committee, as directed by the Search Committee.

• At notification by the Search Committee that an applicant is not a viable candidate, contacting the applicants not selected to inform them of such.

D-3 Mandatory Requirements/Conditions

The firm or the assigned project delegate must be available for contact by the Search Committee and the University. Phone numbers must be supplied to the University upon award and job search. Note: an answering service is not an acceptable form of contact.

D-4 Preferred Requirements/Conditions

The successful firm will demonstrate in their proposal:

• A proven track record in academic professional and executive level searches.

• An ability to source high quality candidates with background and experience as senior professionals in facilities project management, and in communicating clearly and effectively with individuals both inside and outside of their organization.

• A detailed outline of a search strategy, including the key personnel and resources that will be required for the search, and the firm's commitment of the resources to this project. Note, any subsequent substitution of staffing, personnel or resources designated to be used on the project must be approved in writing by the University in advance.

• An estimated timeline for completion of significant milestones listed in Section D-2. The timeline should be based upon the estimated numbers of weeks it would take to complete any search.

D-5 Alternate Proposals

Sam Houston State University may consider alternate proposals submitted by proposer. Proposers submitting alternate proposals should (i) clearly identify any exceptions taken to the requirements and specifications set forth in this RFP and (ii) include a detailed description of the alternative(s) proposed. Proposer may suggest additions to the requirements and specifications set forth in this RFP, and all such suggestions should be clearly defined. Alternate proposals should be submitted as attachments to the proposal. Alternate proposals shall meet the same requirements and shall be in the same format as the proposal’s base format.

D-6 Required Timeline

a. Issue RFP on or about: August 3, 2015
b. Technical Questions Due: August 12, 2015 at 3 p.m. Central Time
c. Proposals Due: August 24, 2015 at 3 p.m. Central Time
d. Committee reviews and evaluates: August 24-31, 2015
e. Estimated Award Date: September 1, 2015
f. Commence work with the University: On or about September 2, 2015

D-7 Proposer Timeline: Proposal should include a timeline that shows significant dates and when they will be met for the services provided.
D-8 **Deliverables:** Proposer will provide Sam Houston State University with a qualified executive search firm to assist the University with soliciting, reviewing and screening candidates for the Facilities Project Manager position for Sam Houston State University Facilities Planning and Construction.

D-9 **Qualifications/ References/Quality**
   a. Proposer must submit a minimum of three (3) references for similar type of work that the proposer completed for institutions of higher education within the past five (5) years.
   b. Include the institution’s name, contact person, physical address, e-mail address, project timelines, completion dates, and synopsis of the project(s).
   c. By listing references, the proposer agrees that SHSU may contact the references and consider the references response as a basis to determine award of this RFP.
   d. Overall quality of work provided including definition of process, site visit findings, process map, written recommendations, and outcomes, if known.
   e. Provide qualifications and resume on personnel that will be in charge of this project, to include education and experience.

D-10 **Proposer’s Questionnaire**

The proposer recognizes that in selecting a supplier, SHSU will rely in part on the answers provided in response to this section. Accordingly, proposer certifies that to the best of its knowledge, all responses are true, correct and complete. SHSU reserves the right to contact each and every reference or contact name listed below and shall be free from any liability to proposer for conducting such inquiry.

Provide a summary of the proposer’s overall capabilities, recent and related experience, and expertise. Provide information on the proposer’s experience related to the scope of work outlined in this RFP, as well as its current work load, facilities, resources and experience that clearly demonstrate its ability to successfully complete the work required within the constraints stated.

Provide a brief resume for each of the proposed key personnel, focusing on relevant experience, and list the assigned function of each key person as it relates to this RFP. Provide information related to previous projects. Also include a statement describing the proposer’s commitment of the individuals proposed to perform the requested services.

Provide balance sheets or financial reports for the past two years. If the proposer is not a publicly held company, please make a note on the reports “Privileged and Confidential—Proprietary Information.” The financial information must be submitted with the proposal, but the information will be reviewed by the evaluation team and the original statements will be returned to the proposer. Copies will *not* be made for the file.

Would you be willing to provide a copy of your company’s audited financial statements for the past two years if requested by SHSU?

Provide a brief description of projects completed within the past five years. The projects should be similar to the scope of work proposed for this RFP, including project description and location, description of services provided, budget performance and schedule performance, key personnel involved, and client name and contact name and phone number. Particular weight will be given to similar projects in higher education.

Provide three professional references (key contact names, titles, and telephone numbers) that have direct knowledge of your ability to provide the type of goods and/or services outlined in this RFP. Particular weight will be given to references provided in higher education.

Provide a list of any state or national professional organizations the proposer is a member of, or with which they are actively involved.

Provide any details of all past or pending litigation or claims filed against your company that would negatively impact your company’s performance under an agreement with SHSU.

Is your company currently for sale or involved in any transaction to expend or to become acquired by another business entity? If yes, please explain the impact both in organizational and directional terms.
Is your company currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If yes, specify date(s), details, circumstances, and prospects for resolution.

How long has company been in business under the current name?

Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship exist between Respondent and an employee of SHSU or the Texas State University System, and Respondent has not been an employee of SHSU or TSUS within the past twelve (12) months prior to your RFP response. All such disclosures will be subject to administrative review and approval prior to Sam Houston State University entering into any contract with the Respondent.
Section E  EXECUTION OF OFFER

1. In compliance with this RFP, and subject to all the conditions herein, the undersigned offers and agrees to furnish any and all commodities or services at the prices quoted.

2. By signature hereon, the offeror hereby certifies that he/she is not currently delinquent in payment of any franchise taxes owed the State of Texas under Chapter 11, Tax Code.

3. By executing this offer, offeror affirms that he/she has not given, offered, or intends to give at any time hereafter, any economic opportunity, future employment, gift loan, gratuity, special discount, trip, favor, or service to public servant in connection with the submitted offer. Failure to sign the offer, or signing it with a false statement, shall void the submitted offer or any resulting contracts, and the offeror shall be removed from all proposals lists.

4. By the signature hereon affixed, the offeror hereby certifies that neither the offeror or the firm, corporation, partnership, or institution represented by the offeror or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this State, codified in Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal anti-trust laws, nor communicated directly or indirectly the offer made to any competitor or any other person engaged in such line of business. By signing this offer, offeror certifies that if a Texas address is shown as the address of the offeror, offeror qualified as a Texas Resident Proposer as defined in Rule 1 TAC 113.8.

This offer consists of pages number 1 through 25 of RFP# 753-16-003JEB.

Federal Employer Identification Number (FEIN): ______________________________

Proposer/Company: ________________________________

Signature (ink): ________________________________ Date: __________

Name (typed/printed): ________________________________

Title: ________________________________

Address: ________________________________

Street or PO Box  City  State  Zip Code

Telephone Number: __________________________

Total Cost: $ __________________________

(to include any and all costs, fees, charges, etc.)

PLEASE COMPLETE, SIGN AND RETURN WITH PROPOSAL. FAILURE TO SIGN AND RETURN THIS EXECUTION OF OFFER WILL RESULT IN THE REJECTION OF THE PROPOSAL.
TERMS AND CONDITIONS:

ITEMS BELOW APPLY TO AND BECOME A PART OF PROPOSAL. ANY EXCEPTIONS THERETO MUST BE IN WRITING.

1. PROPOSAL REQUIREMENTS:
   1.1 Rules, Regulations & Statutes: Proposers must comply with all rules, regulations and statutes relating to purchasing in the State of Texas in addition to the requirements of this form.
   1.2 Unit Price: Proposers must price per unit shown. Unit prices shall govern in the event of extension errors.
   1.3 Late or Unsigned Proposals: Late and/or unsigned proposals will not be considered under any circumstances. Person signing proposal must have the authority to bind the firm in a contract. The proposer (not the carrier/mail service/other or the University) is solely responsible for ensuring that the proposal is received in Procurement and Business Services prior to the specified opening date and time.
   1.4 FOB Point: Quote FOB destination, freight prepaid and allowed unless otherwise stated within the specifications.
   1.5 Pricing Firm: Proposal prices are requested to be firm for SHSU acceptance for 45 days from proposal opening date (unless otherwise stated in specifications). “Discount from list” proposals are not acceptable unless requested. Cash discounts are not considered in determining an award. Cash discounts will be taken if earned.
   1.6 Tax Exempt: Purchases made for State use are exempt from the State Sales tax and Federal Excise tax, per Texas Tax Code, Section 151.309(4). Do not include tax in the proposal.
   1.7 Right to Accept or Reject: The State reserves the right to accept or reject all or any part of any proposal, waive minor technicalities and award the proposal to best serve the interests of the State.
   1.8 Withdrawal: Any proposal may be withdrawn in writing prior to the date and time set for receipt of proposals. Any proposal not so withdrawn shall constitute an irrevocable offer, for a period of 45 days, to provide the commodity or service set forth in the specifications, or until a selection has been made by SHSU Procurement and Business Services.
   1.9 Proposal Costs: Proposers electing to respond to this RFP are responsible for any and all costs of proposal preparation. The University is not liable for any costs incurred by a proposer in response to this RFP.
   1.10 Exceptions: If a proposer takes exception to any specifications within this Request for Proposal, they must notify Procurement and Business Services in writing prior to the scheduled proposal opening date and time.
   1.11 Texas Public Information Act: Information, documentation, and other material collected, assembled or maintained by the University in connection with this solicitation or any resulting contract may be subject to public disclosure pursuant to Chapter 552 of the Texas Government Code (the “Public Information Act”). If a proposer believes any information contained in the proposer’s response package contains any proprietary or confidential information the proposer must clearly mark the verbiage claimed to be proprietary or confidential. If a Public Information Act request for documents is filed, the University will make best efforts to contact proposer prior to release of claimed proprietary information. If, at that time, the proposer still believes information provided is proprietary or confidential, the proposer shall timely notify the University. Upon receipt of such notice, the University will submit to the Attorney General’s Office the documents on which privilege is claimed, but will not be required to present any argument in support of the proposer’s claim of privilege. It shall be the responsibility of the proposer to make arguments directly to the Attorney General’s Office.

2. SPECIFICATIONS
   2.1 Brand Name Descriptive: Catalogs, brand names or manufacturer’s references are descriptive only, and indicate type and quality desired. Proposals on brands of like nature and quality will be considered unless otherwise stated in the Request for Proposal (RFP). If proposing other than brand referenced, proposal should show manufacturer, brand or trade name, and other description of product offered. If other than brand(s) specified is offered, illustrations and complete description of product offered are requested to be made part of the proposal. Failure to take exception to specifications or reference data will require proposer to furnish specified brand names, numbers, etc.
   2.2 New Items: Unless otherwise specified, items shall be new and unused and of current production.
   2.3 Electrical Standards: All electrical items must meet all applicable OSHA standards and regulations, and bear the appropriate listing from UL, FMRC or NEMA.
   2.4 Samples: Samples, when requested, must be furnished free of expense to the State. Each sample should be marked with the proposer’s name and address, and requisition number. Do not enclose in or attach proposal to sample. All samples become the property of the University.
   2.5 Oral Statements: SHSU will not be bound by any oral statement or representation contrary to the written specifications of the Request for Proposal (RFP).
   2.6 Manufacturer’s Warranty: Manufacturer’s standard warranty shall apply unless otherwise stated in the RFP.
3. DELIVERY
3.1 Delivery Days: Show number of days required to place material in receiving agency’s designated location under normal conditions. Delivery days mean calendar days, unless otherwise specified. Failure to state delivery time obligates proposer to deliver in 14 calendar days. Unrealistic delivery promises may cause proposal to be disregarded.
3.2 Foreseen Delays: If delay is foreseen, vendor shall give written notice to SHSU. Vendor must keep SHSU advised at all times of status of order. Default promised delivery (without accepted reasons) or failure to meet specifications authorizes SHSU to purchase supplies elsewhere and charge full increase, if any, in cost and handling to defaulting vendor.
3.3 Substitutions: No substitutions permitted without written approval of SHSU.
3.4 Delivery Hours: Delivery shall be made during normal working hours (8:00 a.m. to 4:00 p.m.) only, unless prior approval has been obtained from ordering agency.

4. INSPECTION AND TESTS – All goods will be subject to inspection and test by SHSU. Authorized SHSU personnel shall have access to supplier’s place of business for the purpose of inspection merchandise. Tests shall be performed on samples submitted with the proposal or on samples taken from regular shipment. All costs shall be borne by the vendor in the event products tested fail to meet or exceed all conditions and requirements of the specification. Goods delivered and rejected in whole or in part may, at SHSU’s option, be returned to the vendor or held for disposition at vendor’s expense. Latent defects may result in revocation of acceptance.

5. AWARD OF CONTRACT
5.1 A response to this RFP is an offer to contract based upon the best price, terms, conditions and specifications contained herein. Proposals do not become contracts until they are accepted through a purchase order. The contract shall be governed, construed and interpreted under the laws of the State of Texas, and SHSU policy as the same may be amended from time to time. Any legal actions must be filed in Walker County, Texas.

5.2 No Guarantee of Award: University makes no warranty or guarantee that an award will be made as a result of this RFP. University reserves the right to accept or reject any or all proposals, waive any formalities or minor technical inconsistencies and delete any requirement or specification from this RFP or the Agreement when deemed to be in University’s best interest. University reserves the right to seek clarification of any item contained in Proposer’s proposal prior to final selection. Such clarification may be provided by telephone or personal meeting with or in writing to University, at University’s discretion. Representations made by Proposer within its proposal will be binding on Proposer. University will not be bound to act by any previous communication or response submitted by Proposer, other than this RFP.

6. CANCELLATION OF CONTRACT – If contract is cancelled, for any reason, any prepaid fees shall be refunded on a pro-rated basis.

7. PAYMENT – Vendor shall submit an itemized invoice showing SHSU purchase order number. SHSU will incur no penalty for late payment, if payment is made in 30 or fewer days from receipt of goods or services on an uncontested invoice. Regardless of the invoice date, the payment process will begin when Procurement and Business receives a written authorization/acceptance from the awarding department. Sam Houston State University may pay vendors for any goods or services provided utilizing any one of the following methods of payment:
a) Paper check
b) ACH
c) Wire
d) WEX Inc. Financial Services’ AP Direct
e) Procurement Card

8. NON-DISCLOSURE: No public disclosures or news releases pertaining to this RFP shall be made without prior written approval of SHSU.

9. CONFLICTS: In event of a conflict between standard proposal requirements and conditions and the attached detail specification, the detail specification shall govern.

10. PATENTS OR COPYRIGHTS – The vendor agrees to protect SHSU from claims involving infringement of patents or copyrights.

11. VENDOR ASSIGNMENTS – Vendor hereby assigns to ordering agency any and all claims for overcharges associated with this contract arising under the antitrust laws of the United States 15 U.S.C.A. Section 1, et seq. (1973), and the antitrust laws of
the State of Texas, TEX. Bus. & Comm. Code Ann. Sec. 15.01, et seq. (1967). Inquiries pertaining to RFPs must give the
requisition number, codes, and opening date.

12. FUNDING OUT CLAUSE – Sam Houston State University reserves the right to cancel, without penalty, if funds are not
appropriated or otherwise made available at any time during the contract period.

13. PROPOSER AFFIRMATION – Signing this proposal with a false statement is material breach of contract and shall void the
submitted proposal or any resulting contracts, and the proposer shall be removed from all proposal lists. By signature hereon
affixed;

13.1 The proposer has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future
employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted
proposal.

13.2 The proposer is not currently delinquent in the payment of any franchise tax owed with the Texas Comptroller of
Public Accounts. For more information see the website for the Texas Comptroller of Public Accounts:

13.3 Neither the proposer nor the firm, corporation, partnership, or institution represented by the proposer, or anyone
acting for such firm, corporation or institution has violated the antitrust laws of this State or the Federal Antitrust Laws (See
Section 8, above) nor communicated directly or indirectly the proposal made to any competitor or any other person engaged in
such line of business.

13.4 The proposer has not received compensation for participation in the preparation of the specifications for this RFP.

13.5 If applicable, pursuant to Texas Family Code, Title 5, Subtitle D, Section 231.006(d), regarding child support, the
proposer certifies that the individual or business entity named in this proposal is not ineligible to receive the specified
payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is
inaccurate. Furthermore, any proposer subject to Section 231.006 must include the names and Social Security numbers of
each person with at least 25% ownership of the business entity submitting the proposal. This information must be provided
prior to contract award.

13.6 Pursuant to Section 2155.004 Government code re: collection of state and local sales and use taxes, the proposer
certifies that the individual or business entity named in this proposal is not ineligible to receive the specified contract and
acknowledges that this contract may be terminated and/or payment withheld if this certification is inaccurate.

13.7 The Contractor shall defend, indemnify, and hold harmless the State of Texas, SHSU, all of its officers, agents and
employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of,
connected with, or resulting from any acts or omissions of contractor or any agent, employee, subcontractor, or supplier of
contractor in the execution or performance of this contract.

13.8 Proposer agrees that any payments due under this contract will be applied towards any debt, including but not limited
to delinquent taxes and child support that is owed to the State of Texas.

13.9 Proposer certifies that they are in compliance with Texas Government Code, Title 6, Subtitle B, Section 669.003 of
the Government Code, relating to contracting with the executive head of a State agency. If Section 669.003 applies, proposer
will complete the following information in order for the proposal to be evaluated:

Name of Former Executive:
Name of State Agency:
Date of separation from State Agency:
Position with proposer:
Date of Employment with proposer:

14. NOTICE TO PROPOSER:

14.1 Any terms and conditions attached by the proposer to their proposal will not be considered unless specifically referred
to on this proposal form and may result in disqualification of the proposal.

14.2 Equal opportunity – This contractor and subcontractor shall abide by the requirements of 41 CFR §§ 60-1.4(a),
60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as
protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color,
religion, sex, or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take
affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national
origin, protected veteran status or disability.

14.3 In the event that Sam Houston State University is closed due to inclement weather and/or emergency situations at the
time set aside for the published bid opening, the published due date will default to the next open business day at the same
time.
HSP Quick Check List

**SELF-PERFORMANCE**

If you are not subcontracting any portion of the contract and will be fulfilling the entire contract with your own resources, complete:

- [ ] Section 1 – Respondent and Requisition Information
- [ ] Section 2 a. – No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources
- [ ] Section 3 – Self Performing Justification
- [ ] Section 4 – Affirmation

**100% HUB PARTICIPATION**

If all of your subcontracting opportunities will be performed using only HUB vendors, complete:

- [ ] Section 1 - Respondent and Requisition Information
- [ ] Section 2 a. – Yes, I will be subcontracting portions of the contract
- [ ] Section 2 b. – List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to HUB vendors
- [ ] Section 2 c. – Yes
- [ ] Section 4 – Affirmation
- [ ] GFE Method A (Attachment A) – Complete this attachment for each subcontracting opportunity

**MEET THE GOAL**

If you are subcontracting with HUB vendors and Non-HUB vendors, and the aggregate percentage* of subcontracting with HUB vendors meets or exceeds the HUB Goal the contracting agency identified in the “Agency Special Instructions/Additional Requirements”, complete:

- [ ] Section 1 - Respondent and Requisition Information
- [ ] Section 2 a. – Yes, I will be subcontracting portions of the contract
- [ ] Section 2 b. – List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to HUB vendors and Non HUB vendors
- [ ] Section 2 c. – No
- [ ] Section 2 d. – Yes
- [ ] Section 4 – Affirmation
- [ ] GFE Method A (Attachment A) – Complete this attachment for each subcontracting opportunity

**SOLICIT: GOOD FAITH EFFORT**

If you are subcontracting with HUB vendors and Non-HUB vendors (or only Non HUB vendors), and the aggregate percentage* of subcontracting with HUB vendors does not meet or exceed the HUB Goal the contracting agency identified in the “Agency Special Instructions/Additional Requirements”, complete:

- [ ] Section 1 - Respondent and Requisition Information
- [ ] Section 2 a. – Yes, I will be subcontracting portions of the contract
- [ ] Section 2 b. – List all the portions of work you will subcontract, and indicated the percentage of the contract you expect to award to HUB vendors and Non HUB vendors
- [ ] Section 2 c. – No
- [ ] Section 2 d. – No
- [ ] Section 4 – Affirmation
- [ ] GFE Method B (Attachment B) – Complete this attachment for each subcontracting opportunity

* Aggregate percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for five (5) years or less.
HUB Subcontracting Plan (HSP)

In accordance with Texas Gov't Code §2161.252, the contracting agency has determined that subcontracting opportunities are probable under this contract. Therefore, all respondents, including State of Texas certified Historically Underutilized Businesses (HUBs) must complete and submit this State of Texas HUB Subcontracting Plan (HSP) with their response to the bid requisition (solicitation).

NOTE: Responses that do not include a completed HSP shall be rejected pursuant to Texas Gov't Code §2161.252(b).

The HUB Program promotes equal business opportunities for economically disadvantaged persons to contract with the State of Texas in accordance with the goals specified in the 2009 State of Texas Disparity Study. The statewide HUB goals defined in 34 Texas Administrative Code (TAC) §20.13 are:

- 11.2 percent for heavy construction other than building contracts,
- 21.1 percent for all building construction, including general contractors and operative builders contracts,
- 32.7 percent for all special trade construction contracts,
- 23.8 percent for professional services contracts,
- 24.6 percent for all other services contracts, and
- 21 percent for commodities contracts.

--- Agency Special Instructions/Additional Requirements ---

In accordance with 34 TAC §20.14(d)(1)(D)(iii), a respondent (prime contractor) may demonstrate good faith effort to utilize Texas certified HUBs for its subcontracting opportunities if the total value of the respondent's subcontracts with Texas certified HUBs meets or exceeds the statewide HUB goal or the agency specific HUB goal, whichever is higher. When a respondent uses this method to demonstrate good faith effort, the respondent must identify the HUBs with which it will subcontract. If using existing contracts with Texas certified HUBs to satisfy this requirement, only contracts that have been in place for five years or less shall qualify for meeting the HUB goal. This limitation is designed to encourage vendor rotation as recommended by the 2008 Texas Disparity Study.

For assistance in completing the HSP at Sam Houston State University contact:
Bob Chapa (HUB Coordinator) @ 936/294-4670 or rtc001@shsu.edu

Sam Houston State University HUB goals are as follows:

<table>
<thead>
<tr>
<th>Procurement Category</th>
<th>Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Construction</td>
<td>21.10%</td>
</tr>
<tr>
<td>Special Trade</td>
<td>32.70%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>25.00%</td>
</tr>
<tr>
<td>Other Services</td>
<td>12.00%</td>
</tr>
<tr>
<td>Commodities</td>
<td>25.00%</td>
</tr>
</tbody>
</table>

SECTION 1 Respondent and Requisition Information

a. Respondent (Company) Name: ________________________________ State of Texas VID #: ________________________________
   Point of Contact: _________________________________________ Phone #: ________________________________
   E-mail Address: __________________________________________ Fax #: ________________________________

b. Is your company a State of Texas certified HUB? □ - Yes  □ - No

c. Requisition #: __________________________________________ Bid Open Date: __/__/ yyyy
SECTION 2  SUBCONTRACTING INTENTIONS

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 goods and services, will be subcontracted. Note: In accordance with 34 TAC §20.11, an "Subcontractor" means a person who contracts with a prime contractor to work, to supply commodities, or to contribute toward completing work for a governmental entity.

a. Check the appropriate box (Yes or No) that identifies your subcontracting intentions:
   - Yes, I will be subcontracting portions of the contract. (If Yes, complete item b, of this SECTION and continue to Item c of this SECTION.)
   - No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources. (If No, continue to SECTION 3.)

b. List all 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).

<table>
<thead>
<tr>
<th>Item #</th>
<th>Subcontracting Opportunity Description</th>
<th>HUBs</th>
<th>Non-HUBs</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for five (5) years or less</td>
<td>Percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for more than five (5) years.</td>
<td>Percentage of the contract expected to be subcontracted to non-HUBs.</td>
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<tr>
<td></td>
<td>Aggregate percentages of the contract expected to be subcontracted:</td>
<td>%</td>
<td>%</td>
</tr>
</tbody>
</table>

(Note: If you have more than fifteen subcontracting opportunities, a continuation sheet is available online at http://window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan)

c. Check the appropriate box (Yes or No) that indicates whether you will be using only Texas certified HUBs to perform all of the subcontracting opportunities you listed in SECTION 2, Item b.
   - Yes (If Yes, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed.)
   - No (If No, continue to Item d, of this SECTION.)

d. Check the appropriate box (Yes or No) that indicates whether the aggregate expected percentage of the contract you will subcontract with Texas certified HUBs with which you have had contracts in place for five (5) years or less meets or exceeds the HUB goal the contracting agency identified on page 1 in the "Agency Special Instructions/Additional Requirements".
   - Yes (If Yes, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed.)
   - No (If No, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method B (Attachment B)" for each of the subcontracting opportunities you listed.)
### SECTION 2  SUBCONTRACTING INTENTIONS (CONTINUATION SHEET)

a. 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).

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<td></td>
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<td></td>
<td>Percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for more than five (5) years.</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Percentage of the contract expected to be subcontracted to non-HUBs.</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Aggregate percentages of the contract expected to be subcontracted:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SECTION 3  SELF PERFORMING JUSTIFICATION (if you responded "No" to SECTION 2, Item a, you must complete this SECTION and continue to SECTION 4.)

Check the appropriate box (Yes or No) that indicates whether your response/proposal contains an explanation demonstrating how your company will fulfill the entire contract with its own resources.

☐ - Yes  (If Yes, in the space provided below list the specific page(s)/section(s) of your proposal which explains how your company will perform the entire contract with its own equipment, supplies, materials and/or employees.)

☐ - No  (If No, in the space provided below explain how your company will perform the entire contract with its own equipment, supplies, materials and/or employees.)

SECTION 4  AFFIRMATION

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 HSP is true and correct. Respondent understands and agrees that, if awarded any portion of the regulation:

- The respondent will provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor for the awarded contract. The notice must specify at a minimum the contracting agency's name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.

- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to the contracting agency, verifying its compliance with the HSP, including the use of and expenditures made to its subcontractors (HUBs and Non-HUBs). (The PAR is available at http://www.window.state.tx.us/procurement/Prog/hub/hub-forms/progressassessmentpt.xls).

- The respondent must seek approval from the contracting agency prior to making any modifications to its HSP, including the hiring of additional or different subcontractors and the termination of a subcontractor the respondent identified in its HSP. If the HSP 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.

Signature  Printed Name  Title  Date

REMINDER: ➡️ If you responded "Yes" to SECTION 2, Items c or d, you must complete an "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed in SECTION 2, Item b.

➡️ If you responded "No" SECTION 2, Items c and d, you must complete an "HSP Good Faith Effort - Method B (Attachment B)" for each of the subcontracting opportunities you listed in SECTION 2, Item b.
HSP Good Faith Effort - Method A (Attachment A)

Enter your company's name here: ___________________________ Requisition #: __________

**IMPORTANT**: If you responded 'Yes' to SECTION 2, Items c or d of the completed HSP form, you must submit a completed "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed in SECTION 2, Item b of the completed HSP form. You may photocopy this page or download the form at [http://www.window.state.tx.us/procurement/prog/hub/hub-forms/HUBSubcontractingPlanAttachment-A.doc](http://www.window.state.tx.us/procurement/prog/hub/hub-forms/HUBSubcontractingPlanAttachment-A.doc)

**SECTION A-1 SUBCONTRACTING OPPORTUNITY**

Enter the item number and description of the subcontracting opportunity you listed in SECTION 2, Item b, of the completed HSP form for which you are completing this attachment.

<table>
<thead>
<tr>
<th>Item #:</th>
<th>Description:</th>
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</table>

**SECTION A-2 SUBCONTRACTOR SELECTION**

List the subcontractor(s) you selected to perform the subcontracting opportunity you listed above in SECTION A-1. Also identify whether they are a Texas Certified HUB and their VID number, the approximate dollar value of the work to be subcontracted, the expected percentage of work to be subcontracted, and indicate whether the company is a Texas certified HUB.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Texas Certified HUB</th>
<th>VID # (Required if Texas Certified HUB)</th>
<th>Approximate Dollar Amount</th>
<th>Expected Percentage of Contract</th>
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**REMINDER**: As specified in SECTION 4 of the completed HSP form, if you (respondent) are awarded any portion of the requisition, you are required to provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor. The notice must specify at a minimum the contracting agency's name and point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.
HSP 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 the completed HSP form, you must submit a completed "HSP Good Faith Effort - Method B (Attachment B)" for each of the subcontracting opportunities you listed in SECTION 2, Item b of the completed HSP form. You may photo-copy this page or download the form at http://www.window.state.tx.us/procurement/prog/hub/hub-forms/HUBSubcontractingPlanAttachment-B.doc

SECTION B-1 SUBCONTRACTING OPPORTUNITY

Enter the item number and description of the subcontracting opportunity listed in SECTION 2, Item b, of the completed HSP form for which you are completing this attachment.

<table>
<thead>
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<th>Item #</th>
<th>Description</th>
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SECTION B-2 MENTOR PROTÉGÉ PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protégé Program, submitting its Protégé (Protégé must be a State of Texas certified HUB) as a subcontractor to perform the subcontracting opportunity listed in SECTION B-1, constitutes a good faith effort to subcontract with a Texas certified HUB towards 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.

☐ - Yes (If Yes, to continue to SECTION B-4.)
☐ - No / Not Applicable (If No or Not Applicable, continue to SECTION B-3.)

SECTION B-3 NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

When completing this section you MUST comply with items a, b, c and d, thereby demonstrating your Good Faith Effort of having notified Texas certified HUBs and minority or women trade organizations or development centers about the subcontracting opportunity you listed in SECTION B-1. Your notice should include the scope of work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person.

When sending notice of your subcontracting opportunity, you are encouraged to use the attached HUB Subcontracting Opportunity Notice form, which is also available online at http://www.window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan/

Retain supporting documentation (i.e., certified letter, fax, e-mail) demonstrating evidence of your good faith effort to notify the Texas certified HUBs and minority or women trade organizations or development centers.

a. Provide written notification of the subcontracting opportunity you listed in SECTION B-1, to three (3) or more Texas certified HUBs. Unless the contracting agency specified a different time period, you must allow the HUBs at least seven (7) working days to respond to the notice prior to your submitting your bid response to the contracting agency. When searching for Texas certified HUBs, ensure that you use the State of Texas' Centralized Master Bidders List (CMBL) and Historically Underutilized Business (HUB) Search directory located at http://www.window.state.tx.us/procurement/cmbl/cmblhub.html. HUB Status code ‘A’ signifies that the company is a Texas certified HUB.

b. List the three (3) Texas certified HUBs you notified regarding the subcontracting opportunity you listed in SECTION B-1. Include the company's Vendor ID (VID) number, the date you sent notice to that company, and indicate whether it was responsive or non-responsive to your subcontracting opportunity notice.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>VID #</th>
<th>Date Notice Sent (mm/dd/yyyy)</th>
<th>Did the HUB Respond?</th>
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c. Provide written notification of the subcontracting opportunity you listed in SECTION B-1 to minority or women trade organizations or development centers to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. Unless the contracting agency specified a different time period, you must provide your subcontracting opportunity notice to minority or women trade organizations or development centers at least seven (7) working days prior to submitting your bid response to the contracting agency.

A list of trade organizations and development centers that have expressed an interest in receiving notices of subcontracting opportunities is available on the Statewide HUB Program's webpage at http://www.window.state.tx.us/procurement/prog/hub/mws-links-1/

d. Enter the name of the minority or women trade organizations or development centers you notified regarding the subcontracting opportunity you listed in SECTION B-1. Include the date when you sent notice to it and indicate if it accepted or rejected your notice.

<table>
<thead>
<tr>
<th>Minority/Women Trade Organizations or Development Centers</th>
<th>Date Notice Sent (mm/dd/yyyy)</th>
<th>Was the Notice Accepted?</th>
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Page 1 of 2
(Attachment B)23
**SECTION B-4 SUBCONTRACTOR SELECTION**

a. List the subcontractor(s) you selected to perform the subcontracting opportunity you listed in SECTION B-1. Also identify whether they are a Texas Certified HUB and their VID number, the approximate dollar value of the work to be subcontracted, the expected percentage of work to be subcontracted, and indicate whether the company is a Texas certified HUB.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Texas Certified HUB</th>
<th>VID # (Required if Texas Certified HUB)</th>
<th>Approximate Dollar Amount</th>
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b. If any of the subcontractors you have selected to perform the subcontracting opportunity you listed in SECTION B-1 is not a Texas certified HUB, provide written justification for your selection process (attach additional page if necessary):

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**REMINDER:** As specified in SECTION 4 of the completed HSP form, if you (respondent) are awarded any portion of the requisition, you are required to provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor. The notice must specify at a minimum the contracting agency’s name and its point of contact for the contract, the contract award number, the subcontracting opportunity if (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency’s point of contact for the contract no later than ten (10) working days after the contract is awarded.
HUB Subcontracting Opportunity Notification Form

In accordance with Texas Gov't Code, Chapter 2161, each state agency that considers entering into a contract with an expected value of $100,000 or more shall, before the agency solicits bids, proposals, offers, or other applicable expressions of interest, determine whether subcontracting opportunities are probable under the contract. The state agency I have identified below in Section B has determined that subcontracting opportunities are probable under the requisition to which my company will be responding.

34 Texas Administrative Code, §20.14 requires all respondents (prime contractors) bidding on the contract to provide notice of each of their subcontracting opportunities to at least three (3) Texas certified HUBs (who work within the respective industry applicable to the subcontracting opportunity), and allow the HUBs at least seven (7) working days to respond to the notice prior to the respondent submitting its bid response to the contracting agency. In addition, the respondent must provide notice of each of its subcontracting opportunities to minority/women trade organizations or development centers at least seven (7) working days prior to submitting its bid response to the contracting agency.

We respectfully request that vendors interested in bidding on the subcontracting opportunity identified in Section C reply no later than the date and time identified in Section C, Item 1. Submit your response to the point-of-contact referenced in Section A.

### Section A  
**Prime Contractor's Information**

<table>
<thead>
<tr>
<th>Company Name:</th>
<th>State of Texas VID #:</th>
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<tr>
<th>Point-of-Contact:</th>
<th>Phone #:</th>
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<th>E-mail Address:</th>
<th>Fax #:</th>
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### Section B  
**Contracting State Agency and Requisition Information**

<table>
<thead>
<tr>
<th>Agency Name:</th>
<th>Phone #:</th>
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<tr>
<th>Point-of-Contact:</th>
<th>Requisition #:</th>
<th>Bid Open Date:</th>
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### Section C  
**Subcontracting Opportunity Response Due Date, Description, Requirements and Related Information**

1. **Potential Subcontractor's Bid Response Due Date:**
   
   Our firm must receive your bid response to this subcontracting opportunity no later than 5:00 P.M., Central Daylight Standard Time on: [Date]

   (Note: In accordance with 34 TAC §20.14, each notice of subcontracting opportunity shall be provided to at least three (3) Texas certified HUBs, and allow the HUBs at least seven (7) working days to respond to the notice prior to submitting our bid response to the contracting agency. In addition, we must provide the same notice to minority/women trade organizations or development centers at least seven (7) working days prior to submitting our bid response to the contracting agency.)

2. **Scope of Work:**

3. **Required Qualifications:**
   - [ ] - Not Applicable

4. **Bonding/Insurance Requirements:**
   - [ ] - Not Applicable

5. **Location to review plans/specifications:**
   - [ ] - Not Applicable