



HISTORICALLY UNDERUTILIZED BUSINESSES (HUB) PROGRAM COMPLIANCE GUIDELINES & FORMS

This Form should be completed and signed by the Prime Vendor/Contractor. The HUB requirements are applicable to all bidders/proposers, including HUB firms. These forms must be attached to any procurement documents submitted to the **FWISD 2017 CIP and are due at the time of bid/proposal opening.**

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS

COMPANY NAME:

BID TITLE:

BID NUMBER:



CAPITAL IMPROVEMENT PROGRAM

General information regarding the HUB Compliance Guidelines and Forms

- ◆ All FWISD 2017 CIP bidders/proposers are required to outline their **SUBCONTRACTING PLAN** by submitting the HUB Compliance Guidelines and Forms along with all bid/proposals.
- ◆ The attached HUB Compliance Guidelines and Forms are due at the time of bid/proposal. The HUB Compliance Guidelines and Forms are not transferable from previously submitted bids or proposals.
- ◆ The FWISD 2017 CIP's HUB participation expectation is **25%** utilization of the total dollar value of the contract. The HUB goal is applicable to any change orders, additional services, modifications or revisions to the original contract.
- ◆ FWISD 2017 CIP recognizes certifications issued by the State of Texas Historically Underutilized Business (HUB), North Central Texas Regional Certification Agency (NCTRCA), the U.S Small Business Administration (SBA) - 8A or certified SDE, South Central Texas Regional Certification (SCTRCA), D/FW Minority Business Council, National Minority Supplier Development Council, Department of Transportation (DOT), Women's Business Council or any other recognized certification agency.
- ◆ Failure to be certified as a HUB does not preclude a firm from participating in the FWISD 2017 CIP's contracting and purchasing activities.
- ◆ All FWISD 2017 CIP bidders/proposers are required to demonstrate positive and reasonable good faith efforts to subcontract with and/or procure supplies/services with HUBs in available subcontracting areas. The FWISD 2017 CIP reserves the right to determine if a company has demonstrated good faith effort.
- ◆ Bidders/proposers may not apply one of its subsidiary companies or its own workforce towards meeting its HUB subcontracting goals.
- ◆ Note: HUB certifications shall be maintained and active at all times. It is the responsibility of the General Contractor to validate active enrollment and to notify subs of renewal prior to expiration.
- ◆ Evaluation and scoring will be based upon the documentation provided within the HUB Program Compliance Guidelines and Forms. The district's scoring criteria is based on 100 points, unless otherwise noted in the Bid Solicitation. The HUB Program scoring can be up to a total of 20 points out of the 100 or 20% of the total points.
- ◆ HUB Scoring Criteria. The FWISD 2017 CIP's HUB Program Evaluation Scoring Criteria has been established as follows (up to 20 points):

HUB Evaluation Criteria	Points
Commitment to meet the HUB participation goal of 25%	5
Commitment to exceed the HUB participation goal of 25% (up to 7)	7
Historical HUB utilization on previous contracts (up to 4)	4
Project Joint Venture with certified HUB (up to 4)	4
Total Possible HUB Points	20

At Bid/Proposal Time

1. Submit the completed and signed HUB Compliance Guidelines & Forms by the due date. Include all HUB supporting documentation (HUB Certificates, notarized Joint Venture Agreement, etc.) within the HUB section. Evaluation will be based upon the documentation provided within the HUB section.
2. Complete Section 4a, listing the subcontractors you plan to utilize. Attach a copy of the current/active HUB certificate or proof of HUB certification for each HUB subcontractor.

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS

COMPANY NAME:

BID TITLE:

BID NUMBER:



CAPITAL IMPROVEMENT PROGRAM

3. Complete Section 5, list 4 past projects completed in the last 5 years, as outlined. The maximum points awarded is 4, 1 point per project verified to meet or exceed what was the goal, committed and achieved HUB Participation. Refer to the table below for points allocation:

Exceeding HUB:	Goal Committed Actual Achieved	Cumulative Points (up to 4)
Project 1	Example: 25% 26% 27%	1
Project 2	Example: 25% 26% 27%	1
Project 3	Example: 25% 26% 27%	1
Project 4	Example: 25% 26% 27%	1

4. You are not required to submit the Letter of Intent to Perform/Contract as a HUB Subcontractor form (Section 7) with the bid/proposal; however, it will be required at the contract negotiation meeting with the district, or as requested by the HUB personnel.
5. The maximum points awarded for meeting the 25% goal is 5 points. Additional points will be awarded for exceeding the District's goal of 25%. Refer to the table below for points allocation:

Exceeding HUB 25% Goal by an additional	Cumulative Points (up to 7)
over 25% to 29.99%	1
30% to 34.99%	1
35% to 39.99%	1
40% to 44.99%	1
45% to 49.99%	1.5
50% or greater	1.5

After Bid / RFP Submission

6. The recommended respondent who will subcontract portions of the work should obtain the Letter of Intent to Perform/Contract as a HUB Subcontractor form (Section 7) for each proposed HUB subcontractor. The recommended respondent will be required to provide the Letter of Intent to Perform/Contract as a HUB Subcontractor form at the contract negotiation meeting with the district, or as requested by the HUB personnel.
7. Changes to the List of Subcontractors (HUB Utilization Plan) must be reviewed and approved by the HUB Department through a REQUEST FOR CHANGE Form prior to any changes being made from Bid/RFP submission and throughout the contract closeout.

At contract execution:

8. Contractor agrees to establish a written contract with each subcontractor. At minimum, the contract must include the scope of work, payment terms, termination of HUB Clause, Prompt Payment Clause, and Retainage Clause.

After contract execution:

9. The contractor/proposer shall notify the HUB Department if the percentage of HUB participation declines or falls below the level of participation represented in the contract. The contractor shall promptly notify the HUB Department within 24 hours and obtain a listing of other certified HUB vendors to meet the commitment amount.

10. Contractor will be required to submit a HUB Progress Assessment Report (PAR) indicating the amounts paid to its subcontractors with each pay application submitted or as requested by the district. Acceptable proof of payments includes

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS

COMPANY NAME:

BID TITLE:

BID NUMBER:



CAPITAL IMPROVEMENT
PROGRAM

canceled checks, partial lien releases, and proof of electronic funds transfer, stating the job number, date and total amount received to date and amount received that month.

11. The contractor will be required to maintain records showing the subcontractor/supplier awards, subcontractor payment history, efforts to identify and award contracts to HUBs, and copies of executed contracts with HUBs. The contractor must provide access to books, records and accounts to authorized district, state and federal officials for the purpose of verifying HUB participation and good faith efforts. **FWISD 2017 CIP** contracts are subject to a HUB audit.

Clarification of the Joint Venture Criteria

12. To qualify for the joint venture credit, a written and notarized agreement must be included with the submission, detailing the contractual relationship and percentage of ownership of each firm(s).
13. A company that has currently established a Joint Venture Partnership with a certified HUB for this proposal may be awarded up to 4 points. The Joint Venture Partnership is evaluated and awarded points as a prime vendor; therefore, the certified HUB partner will not be counted towards the HUB subcontractor goal.
14. The Joint Venture Partnership (as a whole) may submit 4 HUB References. The document should clearly state this information is submitted on behalf of the Joint Venture Partnership (as a whole). In cases where the Joint Venture Partnership (as a whole) doesn't have this information, you should submit this information for each individual joint venture partner, to obtain the maximum points.

Clarification of Good Faith Effort

15. All **FWISD 2017 CIP** bidders/proposers that are not meeting the 25% HUB goal, are required to demonstrate positive and reasonable good faith efforts to subcontract with and/or procure supplies/services with HUBs in available subcontracting areas.
16. The **FWISD 2017 CIP** reserves the right to determine if a company has demonstrated good faith effort. Bidders/Proposers, may be asked to submit additional information from the list below:
 - a. Provide written notification of the subcontracting opportunity to five (5) or more HUBs. **Note:** Attach supporting documentation (letters, phone logs, fax, e-mail) demonstrating evidence of the good faith effort performed.
 - b. Provide written notification of the subcontracting opportunity to a minority or women trade organization or development center to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. **Note:** Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.
 - c. Written notifications should include the scope of the work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person. Unless the Fort Worth ISD has specified a different time period, you must allow the HUBs no less than five (5) working days from their receipt of notice to respond and provide notice of your subcontracting opportunity to a minority or women trade organization or development center no less than five (5) working days prior to the submission of your response to the **FWISD 2017 CIP**.

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS

COMPANY NAME:

BID TITLE:

BID NUMBER:



CAPITAL IMPROVEMENT PROGRAM

The HUB Program promotes equal business opportunities for economically disadvantaged persons to contract with **FWISD 2017 CIP** in accordance with the expectation specified in this solicitation.

- ◆ Respondents shall submit a completed Compliance Guidelines & Forms for the HUB Program to be considered responsive. Failure to submit the form may result in the bid, proposal or other expression of interest to be considered non-responsive.
- ◆ Respondents who intend to Self-Perform all of their work are still required to submit this form with the appropriate fields completed.

SECTION 1: PROJECT INFORMATION			
A. Bid / Proposal Title:			
B. Bid Number:			
SECTION 2: RESPONDENT'S INFORMATION			
A. Company Name:			
B. Address:			
C. Phone Number:			
E: Contact Person:			
F: E-mail Address		Cell Phone:	
SECTION 3: HUB CERTIFICATION INFORMATION			
A. Is your company a certified Historically Underutilized Business? i.e. Minority or Woman Owned Business? Yes: <input type="checkbox"/> No: <input type="checkbox"/>			
Joint Venture: <input type="checkbox"/>	If proposer is a Joint Venture, provide the information of the HUB Joint Venture Firm below.		
If Yes, Complete the following: (Please take note under page 2, third bullet point of the acceptable types of certifications)			
B. Names of JV Partners:			
C. Certifying Agency:			
D: Certification Number:			
E: Expiration Date:			
F: Ethnicity / Gender:			
SECTION 4: HUB UTILIZATION FOR THIS PROJECT	MAXIMUM OF 12 POINTS (5 POINTS + 7 POINTS)		
A. Will you use subcontractors, Sub consultants, suppliers, or sole proprietor as a part of this current bid/proposal?			
Yes: <input type="checkbox"/> - Proceed to section 4a		No: <input type="checkbox"/> - Provide a written explanation indicating why HUBS will not be utilized. Refer to Good Faith Effort in Page 4. Section 4a will not be applicable.	
Written Explanation:			

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS



COMPANY NAME:

BID TITLE:

BID NUMBER:

SECTION 4a HUB UTILIZATION PLAN

- ◆ List all HUB Sub-Contractor firms that you will be utilizing in this project. Complete Column 1 – 8.
- ◆ Total dollar value and total percentage of Non-HUB firms that you will be utilizing in this project.
- ◆ According to the District Policy, only certified Minority or Women owned firms will be counted towards meeting or exceeding the District's HUB participation goals.
- ◆ A current/active copy of the minority certificate for all HUB firms listed below must be submitted with this HUB Utilization Plan.
- ◆ If needed make additional copies of this page.

Column 1: List type of work to be performed
Column 2: Firm information, must provide firm's address.
Column 3: Firm's contact person and contact information
Column 4: If firm is certified by a Fort Worth ISD recognized certifying agency. Please find a list of agencies under the Summary of Utilization of HUBs, third bullet.
Column 5: Certification number. Verify that certificate is current, not expired.

Column 6: List firm's ethnicity as AA – African American; AI – Asian Indian; AP – Asian Pacific American; NA – Native American; HI – Hispanic American; WO – American Women (excludes AA, AI, AP, NA, HI women); gender as M – Male; F - Female
Column 7: Indicate dollar amount quoted for each
Column 8: Indicate percentage of the total contract amount

Type of Work (1)	Firm Name & Address (2)	Contact Name & Phone (3)	Certif. Agency (4)	Certificate Number (5)	Ethnicity / Gender (6)	Quote (\$) (7)	% (8)
HUB Sub(s) Certified Firms							
Total of HUB Sub Certified Firms							
Total Number of Non-HUB Sub(s)						Total Dollar Value of Non-HUB Subs	Total %

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS



CAPITAL IMPROVEMENT PROGRAM

COMPANY NAME:

BID TITLE:

BID NUMBER:

JV Partner Firms						Total Dollars Value of JV Partners	Total %
HUB Prime						Total Dollars Value of HUB Prime	Total % of HUB Prime

To calculate JV percentage and dollars example: \$100,00 Payables to a 80/20 Joint Venture company with subs. After subs have been paid, \$80,000 is left for the primes. 80% of \$80,000 is to the Prime JV company and 20% of \$80,000 is to the HUB JV company

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS

COMPANY NAME:
 BID TITLE:

BID NUMBER:



CAPITAL IMPROVEMENT
 PROGRAM

SECTION 5: HUB HISTORICAL UTILIZATION ON PREVIOUS CONTRACTS	MAXIMUM OF 4 POINTS
--	----------------------------

A. Complete the information requested below regarding 4 past projects that were completed within the last 5 years. If you have worked with Fort Worth ISD within the past 5 years, you must list at least 2 of those projects. **FWISD 2017 CIP** will contact the names of persons listed below to verify this information, therefore you must make sure that all the contact information is correct.

	Owner / Name of Project	Goal Committed Actual Achieved	Contact Person, Phone # & Email
Example	FWISD 2013 Bond – BP 0X	25% 26% 27%	William Giron – 817-xxx-xxxx – wgiron@fwisd.org
1			
2			
3			
4			

SECTION 6: JOINT VENTURE PARTNERSHIP	MAXIMUM OF 4 POINTS
---	----------------------------

To assure maximum points during evaluation, if applicable, specify the page number within your Joint Venture agreement that address each individual component below.

6a. Joint Venture – Qualifying Condition The following must be all “YES” with a page number completed in order to be scored in section 6b.

			PAGE(S)
i. Is your bidder/proposer for this bid/proposal a Joint Venture?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
ii. Does the HUB partner provide bonding to match its JV share?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
iii. Does the insurance recognize the HUB partner? Provide certificate.	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
iv. Did you attach an established, signed and notarized Joint Venture agreement?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
v. Does it designate the HUB as a managing partner and does the HUB partner provide senior management?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
vi. Does it identify the respective roles and responsibilities of all parties?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
vii. Will the HUB partner provide equipment, facilities, personnel, or other resources?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
viii. Does it provide a provision obligating all parties of the JV to perform and complete performance despite withdrawal of any member for any reason?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	

6b. Joint Venture – Scoring Criteria			PAGE(S)
---	--	--	---------

i. What is the HUB partner’s percent participation? 20% to 29.99%, 30% to 39.99%, 40% to 49.99%, 50% and greater	0.25 0.50 0.75 1.00		
ii. Will the Joint Venture establish a Joint Venture bank account? Is the HUB partner listed as an authorized signatory in the Joint Venture bank account?	0.5		
iii. Is there a history of the Joint Venture Partners working together?	0.5		
iv. Is there a dispute resolution procedure? Does it require direct, in person discussion; mediation, if the issue is not resolved by direct discussion?	0.5		
v. Will the HUB partner be involved in scheduling, progress reviews, subcontractor disputes, and management decision?	0.5		
vi. Is the HUB partner involved in the financial management of the Joint Venture? Will the HUB partner participate in the production and review of financial reports, budgeting, and/or financial forecast?	0.5		
vii. Will the HUB partner be involved in the contract negotiations with FWISD 2017 CIP and subcontractors?	0.5		

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS

COMPANY NAME:

BID TITLE:

BID NUMBER:



SECTION 7: LETTER OF INTENT TO PERFORM	REFER TO PAGE 3, BULLET 5	
<p>Not required with bid/proposal. To be submitted at the contract negotiation meeting with the district, or as requested by HUB personnel.</p>		
<p>This Letter of Intent is submitted to confirm the intent of the prime contractor and subcontractor to conduct good faith negotiations toward a subcontract agreement, with terms agreeable to both parties, for the scope of work identified herein. The parties acknowledge that any obligation of the prime contractor to enter into a subcontract agreement with subcontractor is expressly contingent upon the prime contractor entering into a contract with FWISD 2017 CIP for the work as defined in the bid/proposal.</p>		
i. Bid/Proposal #:	ii. Bid/Proposal Title:	
iii. Name of Prime Contractor:		
iv. Address, City & Zip Code:		
Subcontractor Information		
<p>The undersigned has been certified by a FWISD 2017 CIP recognized certification agency. Pursuant to district policy (CH Local), only HUBs that are currently certified with one of the recognized certifying agencies may be counted towards meeting the District's HUB goal at the subcontracting level. Refer to page three (3), third bullet for a listing of FWISD 2017 CIP -recognized certification agencies.</p>		
v. Agency:	vi. Certification #:	vii. Ethnicity/Gender:
viii. Scope:	ix. Price:	
Name of HUB Firm	Signature of Owner or Authorized Agent	Date
DECLARATION OF PRIME CONTRACTOR (Pertains to the Prime Contractor):		
<p>I _____ (<i>Name of Declarant</i>) HEREBY DECLARE AND AFFIRM that I am the _____ (<i>Title of Declarant</i>), and am duly authorized to make this declaration on behalf of _____ (<i>Name of Prime Contractor</i>) that I have personally reviewed this Letter of Intent to Perform/Contract as an HUB Subcontractor form. To the best of my knowledge, information and belief, the facts and representations contained in this form are true and correct. The owner, president or authorized agent of the HUB firm signed this form, and no material facts have been omitted.</p> <p>Caution: Any false statements or misrepresentations regarding information submitted on this form may be a criminal offense in violation of Section 37.10 of the Texas Penal Code</p> <p>The prime contractor has designated the following person as their HUB Liaison Officer:</p>		
Name of HUB Liaison Officer	Phone	
Signature of Declarant	Phone	Date

HUB PROGRAM COMPLIANCE GUIDELINES AND FORMS

COMPANY NAME:

BID TITLE:

BID NUMBER:



As evidenced by my signature below, I affirm that I am an authorized representative of the respondent listed above, and that the information and supporting documentation submitted are true and correct. Respondent understands and agrees that, if awarded any portion of the solicitation:

- The respondent will submit HUB Progress Assessment Report – PAR to the **FWISD 2017 CIP** or **FWISD 2017 CIP**'s representative, verifying their compliance with this HUB Utilization Plan, including the use/expenditure they have made to subcontractors.
- The respondent must seek approval from the **FWISD 2017 CIP** prior to making any modifications to their **HUB Utilization Plan**.

BID TITLE:		BID NUMBER:	
PRINT NAME:		DATE:	
SIGNATURE:		TELEPHONE:	

DISTRICT USE ONLY			
BID TITLE:		BID NUMBER:	
REVIEWED BY			
Print Name:		Title:	
Signature:		Date:	
Date Submitted to HUB Office:			
HUB OFFICE			
Received on:			
Received By:		Title:	
Signature:		Date entered into system:	