

25.06.01.H1

Historically Underutilized Business Program



Approved: May 22, 2017
Revised: April 13, 2022
Next Scheduled Review: April 13, 2027

Rule Summary

This rule establishes the intention and scope for Texas A&M University-Texarkana (A&M-Texarkana) to comply with state and system Historically Underutilized Business (HUB) requirements.

A&M-Texarkana must involve HUBs, as defined by [System Regulation 25.06.01, *Historically Underutilized Business Program*](#), as required by law; in the University's contracting for construction and professional services and the purchase, lease, or rental of supplies, materials, services and equipment.

This rule is necessary to ensure compliance with state requirements and [System Policy 25.06, *Participation by Historically Underutilized Business*](#) and [System Regulation 25.06.01, *Historically Underutilized Business Program*](#).

Definitions

Historically Underutilized Business – a for-profit entity that is certified by the state of Texas; has not exceeded the size standards prescribed by 34 Tex. Admin. Code § 20.294; has its principal place of business in Texas; and is at least 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman and/or Service Disabled Veteran who resides in Texas and actively participates in the control, operation and management of the entity's affairs. See 34 Tex. Admin. Code Part 1, Ch. 20, Subch. D, Division 1, Historically Underutilized Businesses.

Procedures and Responsibilities

1. GENERAL

In promoting the involvement of Historically Underutilized Businesses in procurement opportunities, all employees of A&M-Texarkana having purchasing authority must make a good faith effort to ensure HUBs are afforded an equitable opportunity to compete for all procurement and contracting activities, regardless of the source of funds.

2. RESPONSIBILITY AND AUTHORITY

2.1 The President has designated the Director of Purchasing and Support Services as the HUB Coordinator.

2.2 The HUB Coordinator will facilitate, promote and develop the HUB Program for A&M-Texarkana and carry out the requirements of state law, System Policy 25.06, Participation by Historically Underutilized Business and System Regulation 25.06.01, Historically Underutilized Business Program. In addition to requirements set forth by Texas Government Code and Texas Administrative Code (TAC), the HUB Coordinator will:

- a) develop, implement and maintain a HUB education/training program to ensure that employees are aware of the HUB Program and good faith procurement efforts;
- b) report the progress of A&M-Texarkana's HUB program to the President or Vice President for Finance and Administration/Chief Financial Officer on at least a quarterly basis. The monthly progress report should provide adequate information to show the University's efforts;
- c) promote and encourage HUB participation in all purchases and contractings, regardless of funding;
- d) develop, implement and monitor the Mentor-Protégé Program;
- e) assist with the development of procurement specifications and evaluation of contracts for compliance;
- f) develop and maintain a web page that provides information about the HUB Program, as well as a link to the System eProcurement site;
- g) examine bid specifications to ensure that HUBs have access and equal opportunity for procurement and contracting activities;
- h) ensure that System Policy 25.06, Participation by Historically Underutilized Business, is referenced in invitations for bids, requests for proposals, or other purchase solicitation documents where subcontracting opportunities are probable, and follows the procedures set out therein for award and administration of all contracts with an expected value of \$100,000 or more.
- i) review and amend procurement rules and procedures to ensure HUB compliance throughout the full spectrum of University procurement and contracting activities; and
- j) develop and execute methods to provide for HUB Subcontracting Plan (HSP) explanation, subcontractor and prime contractor introductions, and project requirements review, such as pre-bid conferences and other events.

3. GOOD FAITH EFFORTS

3.1 Bid opportunities will be made available through Purchasing & Support Services and Electronic State Business Daily (ESBD) websites. These sites will provide information on current and past bid opportunities and awards, and will serve as the HUB Program information source with the rules, information on HUB vendors, and HUB Subcontracting Plan.

- 3.2 A&M-Texarkana will participate, plan, and assist in economic opportunity forums and fairs within the North/Northeast Texas Region including, but not limited to, those sponsored by legislators, the Comptroller of Public Accounts, other A&M System members, other state agencies and institutions, and private business entities deemed beneficial to the A&M-Texarkana HUB Program.
- 3.3 Opportunities will be made available for HUB vendors to present and/or deliver their business capabilities to the A&M-Texarkana Purchasing & Support Services Staff and university community, whenever possible.
- 3.4 A&M-Texarkana must participate in the State of Texas HUB Mentor/Protégé Program and must implement a Mentor Protégé Program in accordance with the [Texas Government Code Section 2161.065](#).
- 3.5 A&M-Texarkana must seek potential HUB vendors and assist in the certification process.

4. REPORTING

- 4.1 The President must develop an annual HUB performance plan and set annual HUB goals for each fiscal year. The plan must show the strategic actions that will be implemented to achieve A&M-Texarkana's HUB performance objectives for the next fiscal year along with an estimated HUB goal that results from implementing the plan. This plan must also include an internal assessment of A&M-Texarkana's efforts during the previous two years. The President must report the plan and goal to the System Office of HUB & Procurement Programs prior to December 1st of each year.
- 4.2 The Semi-Annual and Annual HUB Report will be submitted by the required deadline set by the State of Texas as required by Texas Government Code Chapter 2161, Subchapter C.

Related Statutes, Policies, or Requirements

[Texas Government Code, Chapter 2161, *Historically Underutilized Businesses*](#)

[Title, 34 Texas Administrative Code, Part 1, Chapter 20, Subchapter D, Socio-Economic Program, Division 1, *Historically Underutilized Businesses*](#)

[System Policy 25.06, *Participation by Historically Underutilized Business*](#)

[System Regulation 25.06.01, *Historically Underutilized Business Program*](#)

Contact Office

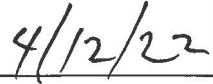
Purchasing and Support Services
(903) 223-3053

System Approvals*

Approved for Legal Sufficiency:




Ray Bonilla
General Counsel

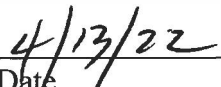


Date

Approved:



John Sharp
Chancellor



Date

***System approvals are contingent upon incorporation of any and all System-required changes in the rule's final posting.**