Rule Statement

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 shall 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.

Reason for Rule

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 § 20.283.

Procedures and Responsibilities

1. GENERAL

1.1 In promoting the involvement of Historically Underutilized Businesses in procurement opportunities, all employees of A&M-Texarkana having purchasing authority shall 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 subcontracting in contracts less than $100,000, regardless of funding, when it is determined that a reasonable potential for HUB subcontracting exists;

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) review and amend procurement rules and procedures to ensure HUB compliance throughout the full spectrum of University procurement activities; and

i) 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. MARKETING AND OUTREACH PROGRAMS

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. This site will also be accessible to the Texas Universities HUB Coordinators Association (TUHCA) website that will link HUB vendors to other procurement opportunities within the A&M System and other state institutions of higher education.

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 shall participate in the State of Texas HUB Mentor/Protégé Program and shall implement a Mentor Protégé Program in accordance with the Texas Government Code Section 2161.065.

3.5 A&M-Texarkana shall seek potential HUB vendors and assist in the certification process.

4. REPORTING

4.1 The President shall develop an annual HUB performance plan and set annual HUB goals for each fiscal year. The plan shall 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 shall also include an internal assessment of A&M-Texarkana's efforts during the previous two years. The President shall report the plan and goal to the Chancellor 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 B, Public Procurement Authority and Organization
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, System HUB Program

Contact Office

Purchasing and Support Services
(903) 223-3053

System Approvals*

Approved for Legal Sufficiency:

Ray Bonilla
General Counsel

Approved:

John Sharp
Chancellor

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