

Texas Health & Human Services Commission



Albert Hawkins, Executive Commissioner

Request for Proposals

For Consulting Services Related to Healthy Marriage Initiative

RFP No. 529-05-0115

Date of Release: April 22, 2005

Texas Health & Human Services Commission

RFP No. 529-05-0115

Date of Release: April 22, 2005 _____

Notice of Intent to Propose

Any vendor that intends to submit a proposal may submit this form.

Name of Respondent or Joint Respondents: _____

Contact Person: _____ Title: _____

Mailing Address: _____

Telephone: _____ Fax: _____

E-mail Address: _____

Please return no later than May 13, 2005 to:

Jeff Johnson, Project Manager

Texas Health and Human Services Commission

909 West 45th Street, Building 2

Austin, Texas 78711-2668

Fax: (512) 206-5093

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1 GENERAL INFORMATION

1.1 Mission Statement

HHSC's mission in this procurement is to ensure that the Commission has the necessary technical expertise to strategically develop, implement, and evaluate a Texas Healthy Marriage Initiative.

1.2 Mission Objectives

The contractor selected as a result of this RFP will assist HHSC staff in achieving the following objectives:

- Connecting with national subject matter experts and federal marriage initiative representatives;
- Providing the Commission with guidance for developing and implementing a Texas Healthy Marriage Initiative;
- Providing the Commission guidance in developing detailed financing, implementation and evaluation plans to support a Texas Healthy Marriage Initiative;
- Providing the Commission guidance in assisting community and/or faith-based organizations wanting to organize healthy marriage coalitions;
- Providing technical assistance to a Commission research advisory group whose activities would include but not be limited to:
 - a) Conducting a state-wide survey to establish baseline data related to the attitudes, beliefs, opinions, and behaviors of Texans related to marriage;
 - b) Producing regular fact sheets on resulting research data;
 - c) Assisting in the development of program evaluation techniques, models and strategies;
- Providing the Commission guidance in producing regular progress reports for public stakeholders describing research and demonstration findings and summarizing opportunities for additional initiative activities;
- Providing the Commission guidance in developing strategies and grant proposals in response to federal funding opportunities.

The successful bidder will serve as a resource for the Commission and will provide guidance for research related to marriage in Texas, provide guidance in the development of capacity to deliver training related to marriage across a wide array of audiences, and have demonstrated experience in promoting and/or implementing public marriage policy for state government(s).

1.3 Background

1.3.1 Overview of the Health and Human Services Commission

HHSC was created in 1991 to oversee and coordinate the planning and delivery of health and human services programs in Texas. It is established pursuant to Chapter 531, Texas Government Code, and is responsible for oversight of Texas health and human services agencies (HHS agencies). The Executive Commissioner of the Health and Human Services Commission is Albert Hawkins.

1.3.2 Project Overview

Although the majority of Americans embrace marriage as an ideal, marriage rates continue to decline. Thirty percent of all births in Texas are to unmarried women, with higher percentages found among particular demographic groups. The decline in marriage and the increase in non-marital childbearing and child rearing have been generally associated with serious consequences for children, parents, and communities.

In 1996 Congress made the following findings:

- Marriage is the foundation of a successful society.
- Marriage is an essential institution of a successful society, which promotes the interests of children.

In order to encourage states to strengthen marriages, Congress stipulated that three of the four purposes of the Temporary Assistance for Needy Families (TANF) block grant to states be either directly or indirectly related to promoting healthy marriages:

- “To end dependence of needy parents by promoting job preparation, work and marriage;”
- “To prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies,” and
- “To encourage the formation and maintenance of healthy two-parent families and responsible fatherhood.”

Research has shown that stable marriages are associated with more stable employment and higher wages. Helping couples form and sustain healthy marriages should, therefore, be part of the overall strategy to help families become or remain economically self-sufficient. Researchers have also found that, on average, men, women and children do better physically and emotionally in healthy marriages.

Additionally, administrative and survey data from the *Texas Families in Transition/Surviving Without TANF: An Analysis of Families Diverted From or Leaving TANF* (UT 2002) found that one of the most frequent reasons for families leaving TANF was an increase in income, primarily from marriage or child support, and that caretakers who had left TANF because of marriage were less likely to return to TANF.

In keeping with these goals and findings and other Commission policy implementations such as the TANF income disregard for TANF recipients who marry, HHSC has approved a series of research and

demonstration projects serving as the basis for a Texas Healthy Marriage Initiative and designed to address known areas of federal interest and funding and include:

- ❑ Building Strong Families – a federal project connecting unmarried, romantically involved, new or expectant parents with comprehensive family support and marriage education services in hopes of assisting couples meet their goals of marriage;
- ❑ Strengthening Healthy Marriages – a federal project examining whether programs aimed at giving couples skills and supports to foster healthy marriages increase the quality and length of marriages and improve the well-being of children;
- ❑ Youth Education – a project connecting high school youth with relationship and marriage education curriculums;
- ❑ Adoptive Couples – a project providing adoptive couples with marriage and relationship skills training in order to support the well being, safety, and permanency of adoptive children;
- ❑ Research, Training and Technical Assistance – activities supporting the development of programs and services, including the commission of a Texas baseline survey.

The Texas Healthy Marriage Initiative will build upon the lessons learned from the development and implementation of these components to strategically compete for federal funding opportunities.

1.4 Strategic Elements

1.4.1 Contract Term

HHSC will award a contract for a period of 12 months. HHSC will have the option to renew or extend the term of the contract for three additional one-year terms as necessary to complete the mission of this procurement.

1.4.2 Contract Price/Type

HHSC will award one or more cost reimbursement contracts based on an hourly rate schedule to the successful proposing individual(s), firm(s), or entities. Bid responses must include at least two, and no more than four, levels of hourly rates depending on level of expertise required. Direct expenses (travel, lodging, etc.) must be proposed separately. Bid responses must include proposed rates for providing these same levels of service for years two, three, and four.

1.4.3 Mandatory Contractor Qualifications.

All contractors are required to demonstrate that key project personnel possess sufficient education and/or experience to accomplish the tasks required herein. Key project personnel should be degreed to at least the bachelor’s level of academic study in fields including public administration, public relations, or fields related in the helping sciences such as counseling, psychology, social work or any combination of the above.

1.4.4 HHSC’s Uniform Contract Terms and Conditions

HHSC’s Uniform Contract Terms and Conditions, Version 1.3 (“Uniform Terms and Conditions”) will apply to the contract(s) awarded as a result of this procurement. The Uniform Terms and Conditions are located on HHSC’s website under the “Business Opportunities” link.

One or more of the “Special Terms” located in Article 16 of the Uniform Contract Terms and Conditions may apply to the contract awarded as a result of this procurement. HHSC reserves the right to negotiate additional contract terms and conditions.

1.5 ***Basic Philosophy: Contracting for Results***

HHSC’s fundamental commitment is to contract for results. A successful result is defined as the generation of defined, measurable, and beneficial outcomes that support HHSC’s Missions and Objectives and satisfy the contract requirements. This RFP describes what is required of the contractor in terms of performance measures and outcomes, and places the responsibility for how it is accomplished on the contractor.

1.6 ***External Factors***

Respondents should be aware that external factors might affect the project, including budgetary and resource constraints. Any contract resulting from this procurement is subject to the availability of state and federal funds. As of the issuance of this RFP, budgeted funds are available to reasonably fulfill the requirements of this RFP. If, however, funds become unavailable, HHSC reserves the right to withdraw this RFP or terminate the resulting contract without penalty. HHSC’s award of a consulting contract is contingent upon the receipt of a finding of fact from the Governor that the consulting services are necessary.

1.7 ***Legal and Regulatory Constraints***

1.7.1 Delegation of Authority

Respondents should be aware that state and federal law generally limit HHSC's ability to delegate certain decisions to a contractor. Specifically, HHSC may not delegate certain functions to a contractor, including but not limited to:

- (A) Policy-making authority; and
- (B) Final decision-making authority regarding acceptance of contracted services.

1.7.2 Conflicts of Interest

Respondents may not have personal or business interests that would present an actual, potential, or apparent conflict of interest with respect to this procurement and the performance of the resulting contract. For purposes of this RFP, a conflict of interest is any set of facts or circumstances that, in HHSC's determination, compromises, appears to compromise, or may reasonably compromise the Respondent's fairness, independence or objectivity.

Respondents must disclose any potential conflicts or provide a statement acknowledging that no actual or potential conflicts of interest exist with respect to this procurement and the resulting contract. If selected for contract award, the Respondent will be under a continuing duty to notify HHSC of any actual or potential conflicts of interest that may develop during the course of the contract and may not engage in conduct that will create a reasonable appearance of impropriety.

HHSC is obligated by state and federal law to ensure a level playing field in the award of the contract. HHSC has implemented an aggressive policy concerning actual or potential conflicts of interest to ensure fair and open competition, and has included language concerning actual and potential conflicts of interest in Article 12 of its Uniform Terms and Conditions. Respondents must carefully review and understand this language when developing proposals.

1.7.3 Former Employees of a State Agency

Respondents must comply with State and federal laws and regulations relating to the hiring of former state employees (see e.g., Texas Government Code §572.054 and 45 C.F.R. §74.43). Such "revolving door" provisions generally restrict former agency heads from communicating with or appearing before the agency on certain matters for two years after leaving the agency. The revolving door provisions also restrict certain former employees from representing clients on matters that the employee participated in during state service or matters that were within the employees' official responsibility.

As a result of such laws and regulations, a Respondent must certify that it has complied with all applicable state and federal laws and regulations relating to the hiring of former state employees.

Section 1 – General Information

Furthermore, the Respondent must disclose any relevant past employment of its employees and agents, or its subcontractors' employees and agents, by HHSC or another Texas health and human service agency, including a description of:

- (A) The nature of the previous employment with HHSC or the other agency;
- (B) The date the employment terminated; and
- (C) The annual rate of compensation for the employment at the time of termination.

1.7.4 Interpretive Conventions

Whenever the terms “shall,” “must,” “or “is required” are used in this RFP in conjunction with a specification or performance requirement, the specification or requirement is mandatory on the potential vendor. A Respondent’s failure to address or meet any mandatory requirement in its proposal will be cause for rejection of the proposal.

Whenever the terms “can,” “may,” or “should” are used in this RFP in conjunction with a specification or performance requirement, the specification or performance requirement is a desirable, but not mandatory, requirement. Accordingly, a Respondent’s failure to address or provide any items so referred to will not be the cause for rejection of the proposal, but will likely result in a less favorable evaluation of the proposal.

1.8 **HHSC Point of Contact**

The sole point of contact for inquiries concerning this RFP is:

Jeff Johnson, Project Manager
Texas Health and Human Services Commission
909 W. 45th Street, Building 2
Austin, Texas 78711-2668
(512) 206-5187
Fax (512) 206-5093
jeff.johnson@hhsc.state.tx.us

The physical address for overnight, commercial and hand deliveries is:

Texas Health and Human Services Commission
C/o Jeff Johnson, Project Manager
909 W. 45th Street, Building 2
Austin, Texas 78711-2668
(512) 206-5187

Section 1 – General Information

All communications relating to this RFP must be directed to HHSC contact person named above. All other communications between a Respondent and HHSC staff concerning this RFP are prohibited. In no instance is a Respondent to discuss cost information contained in a proposal with the HHSC point of contact or any other staff prior to proposal evaluation. Failure to comply with this section may result in HHSC's disqualification of the proposal.

1.9 Project Timeline

Procurement Schedule	
RFP Release Date	April 22, 2005
Vendor Questions Due	May 6, 2005
HHSC Response to Vendor Questions Posted	May 13, 2005
Vendor Proposals Due	May 23, 2005
Tentative Award Announcement	June 6, 2005
Anticipated Contract Start Date	June 20, 2005

1.10 Communications Regarding This Procurement

HHSC will post all official communications regarding this procurement on its website, including the notice of tentative award. In addition, HHSC reserves the right to amend this RFP at any time prior to the proposal submission deadline. Any changes, amendments, or clarifications will be made in the form of responses to vendor questions, amendments, or addendum issued by HHSC. Vendors should check HHSC's website frequently for notice of matters affecting the procurement.

1.11 RFP Cancellation/Non-Award

HHSC reserves the right to cancel this RFP, or to make no award of a contract pursuant to this RFP, if HHSC determines that such action is in the best interest of the State of Texas.

1.12 Right to Reject Proposals or Portions of Proposals

HHSC may, in its discretion, reject any and all proposals, or portions of proposals, submitted in response to this RFP.

1.13 Vendor Protest Procedures

Texas Administrative Code, Title 1, Chapter 392, Subchapter C outlines HHSC's vendor protest procedures. A Respondent may protest HHSC's tentative award of a contract. Such protest must be in writing and signed by the protestant or the protestant's authorized representative.

The protest must state the protestant's name and the specific award that is being protested, the legal and factual basis for the protest with specific supporting information and when applicable, how the protestant alleges the award or tentative award violated HHSC's rules, state or federal laws, or regulations governing the procurement. The protest must state an explanation of the facts in disagreement and the subsequent action the protestant is requesting.

The protest must be submitted to the HHSC's official point of contact no later than seven (7) calendar days following the announcement of the tentative award of the contract on HHSC's website. The protest must be delivered by hand, certified mail return receipt requested, facsimile or other verifiable delivery service and be limited to matters relating to the protestant's qualifications, the suitability of the goods or services offered by the protestant, or alleged irregularities in the procurement process. Failure to comply with the foregoing timeframe will result in HHSC's dismissal of the protest.

The HHSC division that conducted the procurement will review the protest and the Division Director will make an initial recommendation to the Executive Commissioner. The Executive Commissioner will review the protest and Division Director's recommendations, and then issue a final determination regarding the protest. HHSC will provide the protestant with a written copy of the final determination within thirty days of receiving the protest, or as soon thereafter as practicable. The Executive Commissioner's final determination will be HHSC's final action on the protest, and the protestant will have no further administrative recourse

2 MISSION RESULTS/SCOPE OF WORK

2.1 *Project Scope*

HHSC is seeking professional consultant services to attain the deliverables described below. A Statement of Work must be developed and approved by both parties for the deliverables prior to the initiation of services. The Statement of Work must include a description of services, projected time frame and a total project budget. This Statement of Work must include strategies to incorporate the goals and objectives of the federal Latino and African American Healthy Marriage Initiatives.

Federal Funding Opportunities. One of the most critical areas of expertise provided by the Contractor will be technical assistance in planning and preparation of a Texas grant application anticipating Federal TANF funding opportunities. The Contractor shall provide extensive input to the grant application. The deliverable shall be a grant application to the Administration for Children and Families for a comprehensive Healthy Marriage Initiative program for Texas. The timeline will depend on the Federal announcement.

Technical Assistance. The Contractor shall provide guidance and technical assistance in the form of briefing reports, position papers, and discussions that assist HHSC with the research, analysis, and implementation activities necessary to achieve the objectives described in Mission Objectives, Section 1.2. These recommendations must include strategies and methodologies for evaluation.

Feasibility Studies. The Contractor shall prepare at least five feasibility studies examining options and proposing solutions and strategies for developing and implementing a Texas Healthy Marriage Initiative. The Administration for Children and Families (ACF) is funding research and demonstration projects in a few states to determine what Healthy Marriage programmatic models and curricula are effective. The Contractor's feasibility studies may incorporate such research findings from efforts in other states and/or related federal projects. The subject of such feasibility studies may include but not be limited to the following tasks as determined by mutual agreement of both parties:

1. Building Strong Families - Provide recommendations and strategies for:
 - Increasing the quantity and quality of services delivered under this program;
 - Using state funds to leverage and obtain federal funding;
 - Developing a profile of community coalition characteristics to consider for expanding this model to other communities;
 - Developing a cost model for estimating the cost of replicating this program;
 - Reporting on the evaluation methods associated with this program.

2. Strengthening Healthy Marriages (SHM) - Dependent upon the selection of a Texas SHM site, provide recommendations and strategies for:
 - Increasing the quantity and quality of services delivered in conjunction with this program;
 - Using state funds to leverage and obtain federal funding;
 - Developing a profile of community coalition characteristics to consider for expanding this model to other communities;
 - Developing a cost model for estimating the cost of replicating this program;
 - Providing recommendations and strategies for coordination of activities, program design, implementation, and evaluation methods associated with this program.
3. Adoptive Couples – Develop recommendations and strategies for:
 - Providing adoptive couples with marriage and relationship skills-based education programs and training;
 - Increasing the quantity and quality of services delivered by the program;
 - Using state funds to leverage and obtain federal funding;
 - Developing a profile of community coalition characteristics to consider for expanding this model to other communities;
 - Developing a cost model for estimating the cost of replicating this program;
 - Providing recommendations and strategies for coordination of activities, program design, implementation, and evaluation methods associated with this program.
4. Youth Education – provide recommendations and strategies for:
 - Marriage education curricula for Texas high school students;
 - Coordination of activities, program design, implementation, and evaluation methods associated with this program.
5. Research, Training and Technical Assistance – provide recommendations and strategies to accomplish the following:
 - Develop and implement a baseline survey of marriage related characteristics of Texans;
 - Establish a group of subject matter experts, composed of policy leaders and researchers to assist with developing quality information about marriage in Texas;
 - Create access to subject matter experts to assist with the development of policy briefs, funding applications, and other materials; and
 - Host meetings and events with policy leaders and community stakeholders.

Strategic Planning-

Prepare a Five Year Strategic Plan for the expansion/replication of existing core activities and recommend supplemental activities that further the Mission Objectives

Associated Duties.

Supplemental Statements of Work mutually agreeable to both parties may be submitted.

The Contractor must be available to HHSC staff and relevant stakeholders for telephone conference calls and regular in-person meetings at HHSC's request.

The Contractor must be willing and able to work with Special Projects staff prior to and during the feasibility study. The Contractor must be available to meet with the Research Advisory Group on a scheduled basis.

The Contractor must submit monthly progress reports to HHSC.

2.2 Performance Measures and Associated Remedies

HHSC's evaluation of proposals will be based, in part, on a Contractor's demonstration of their willingness to accept responsibility for and to be accountable for measurable results, some of which are described within this document or may be developed by HHSC from time to time during the term of the contract awarded as a result of this RFP.

2.3 Project Schedule

The Texas Healthy Marriage Initiative is a new and unique project and as such, many of the tasks and projects are in preliminary planning stages. Much of the Technical Assistance needed will be defined on an ongoing basis. Project schedules will be developed in a plan mutually agreeable to both parties.

3 GENERAL INSTRUCTIONS AND RESPONSE REQUIREMENTS

Notice of Intent to Propose

No prior Notice of Intent to Propose is required.

3.1 Vendor Questions and Comments

All questions and comments regarding this RFP must be submitted electronically to the e-mail address contained in Section 1.8 (HHSC Point of Contact). All questions must reference the appropriate RFP page and section number. In order to receive a response, vendor questions and comments must be received no later than the deadline set forth in Section 1.9 (Project Timeline). Inquiries received after the due date may be reviewed by HHSC but will not receive a response. Any clarifications, addenda, or amendments, whether made as a result of a potential vendor's written question or otherwise, will be posted on the HHSC website.

A Respondent must inquire in writing as to any ambiguity, conflict, discrepancy, exclusionary specification, omission or other error in this RFP prior to submitting a proposal. If a Respondent fails to notify HHSC of any error, ambiguity, conflict, discrepancy, exclusionary specification or omission, the Respondent shall submit a proposal at its own risk and, if awarded the contract, shall have waived any claim that the RFP and contract were ambiguous and shall not contest HHSC's interpretation. If no error or ambiguity is reported by the deadline for submitting written questions, the Respondent shall not be entitled to additional compensation, relief or time by reason of the error or its later correction.

HHSC will post answers on its website to all written questions received by the deadline for submitting written questions. HHSC reserves the right to amend answers prior to the proposal submission deadline.

3.2 Modification or Withdrawal of Proposal

Proposals may be withdrawn from consideration at any time prior to the proposal submission deadline. A written request for withdrawal must be made to the HHSC Point of Contact (Section 1.8).

A Respondent has the right to amend its proposal at any time and to any degree by written amendment to the HHSC Point of Contact prior to the proposal submission deadline. HHSC reserves the right to request an amendment to any part of the proposal during negotiations.

HHSC reserves the right to waive minor informalities in a proposal and award a contract that is in the best interests of the State of Texas. A minor informality may include, but is not limited to, a minor irregularity or error such as a clerical error in the production of copies of the proposal. When HHSC determines that a proposal contains a minor informality, HHSC shall notify the Respondent of the irregularity or error and shall provide the Respondent the opportunity to correct.

3.3 News Releases

A respondent may not issue press releases or provide any information for public consumption regarding its participation in this procurement without specific, prior written approval of HHSC.

3.4 Incomplete Proposals

HHSC will reject without further consideration a proposal that does not include a complete, comprehensive, and total solution as requested by this RFP.

3.5 State Use of Vendor Ideas

HHSC reserves the right to use any and all ideas presented in any proposal unless the Respondent presents a legal case citing ownership of the respondent's intellectual property. A Respondent may not object to the use of ideas that are not the Respondent's proprietary information and so designated in the proposal that:

- Were known to the State before submission of the proposal;
- Were in the public domain through no fault of the State; or
- Became properly known to the State after submission of the proposal through other sources or through acceptance of the proposal.

3.6 Property of HHSC

All products produced by a respondent as a result of this RFP or a resulting contract, including without limitation, plans, designs, software and other deliverables, will become the sole property of HHSC.

3.7 Additional Information

By submitting a proposal, the Respondent grants HHSC the right to obtain information from any lawful source regarding (i) the past business history, practices, conduct and ability of a respondent to supply goods, services and requirements; and (ii) the past business history, practices, conduct and ability of the respondent's directors, officers and employees. By submitting a proposal, the Respondent generally releases from liability and waives all claims against any party providing information about the

Section 3 – General Instructions and Response Requirements

Respondent at HHSC's request. HHSC may take such information into consideration in evaluating proposals.

3.8 Instructions for Submitting Proposals

3.8.1 Number of Copies

Submit one (1) original and four (4) copies of the proposal. An authorized representative of the Respondent must sign the original in ink. In addition, submit one electronic copy of the proposal on a floppy disk or compact disk compatible with *[Microsoft Office 2000]*. If there are any disparities between the contents of the printed proposal and the electronic proposal, the contents of the printed proposal will take precedence.

3.8.2 Submission

Submit all copies of the proposal to the HHSC Point of Contact (Section 1.8) no later than 5:00 p.m. on *May 9, 2005*.

3.8.3 Additional Requirements

All proposals must be:

- Clearly legible;
- Sequentially page-numbered;
- Organized in the sequence outlined in Section 3.10;
- Bound in a notebook or cover;
- Responsive to the requirements of this RFP;
- Typed, double-spaced on 8½" x 11" paper;
- In Arial or Times New Roman font, size 12 for normal text, no less than size 10 for tables, graphs and appendices;
- No more than **50** total pages, excluding required forms and resumes.
- Proposals should include the respondent's name at the top of each page, and should not include unrequested materials or pamphlets.

3.9 Format and Content

The proposal must consist of *two* parts:

- Part 1 – Business Proposal; and

Section 3 – General Instructions and Response Requirements

- Part 2 – Cost Proposal.

3.9.1 Part 1 -- Business Proposal

Part 1, Business Proposal, must include:

- Section 1 – Transmittal Letter;
- Section 2 – Executive Summary;
- Section 3 – Corporate Background and Experience;
- Section 4 – Project Work Plan;
- Section 5 – Assumptions;
- Section 6 – Appendices;
- Section 7 – HUB Subcontracting Plan;
- Section 8 – Certifications and Other Required Forms.

Section 1 -- Transmittal Letter

Respondents must include a transmittal letter printed on official company letterhead. An individual authorized to legally bind the Respondent must sign the letter in ink.

The transmittal letter must include:

- Disclosure of all pending, resolved, or completed litigation, mediation, arbitration, or other alternate dispute resolution procedure involving the Respondent (including subcontractors, subsidiaries, or affiliates) within the past 24 months.
- Disclosure of all affiliations or ownership relationships (at least 5%)
- A description of any personal or business interest that may present an actual, potential or apparent conflict of interest with the performance of the contract (see Section 1.7(b)), and an explanation of how the Respondent can assure HHSC that these relationships will not create a conflict of interest.
- A description of the past employment by HHSC or another Texas State agency in accordance with the requirements of Section 1.7(c).
- A complete list of all exceptions, reservations and limitations to the terms and conditions of the RFP, including HHSC's Uniform Contract Terms and Conditions.

Section 2 -- Executive Summary

In this section, the Respondent should condense and highlight the content of the Business Proposal to provide HHSC with a broad understanding of the Respondent's approach to meeting the RFP's business requirements. The summary must demonstrate an understanding of HHSC's goals and objectives for this procurement.

Section 3 -- Corporate Background and Experience

This section details the Respondent's corporate background and experience. If the Respondent proposes to use subcontractor(s), it must describe any existing or ongoing relationships with such subcontractor(s), including project descriptions. The section should include the following information:

Contact Information.

- Respondent's full organization, company or corporate name;
- Headquarter address;
- Type of ownership (e.g. partnership, corporation);
- If Respondent is a subsidiary or affiliate, the name of parent organization;
- State where the Respondent is incorporated or otherwise organized to do business;
- Federal taxpayer identification number;
- Name and title of person who will sign the contract; and
- Name and title of person responsible for responding to questions regarding the proposal, with telephone number, facsimile number and e-mail address.

Corporate Background and Experience.

Describe the Respondent's corporate background as it relates to projects similar in scope and complexity to the project described in this RFP. If the proposal includes the use of subcontractors, include a similar description of the subcontractor's corporate background. Proposed personnel must include staff with demonstrated experience in planning, developing, and implementing similar projects and who have a proven track record in business operations and financial management of a mid to large size company. Preference is stated for projects related to governmental agencies.

Section 3 – General Instructions and Response Requirements

Include a description and at least three (3) references from projects performed within the last five (5) years that demonstrate the Respondent's ability to perform the required RFP services. Include contract dates and customer points of contact, address, telephone number and e-mail, if available, from whom HHSC may obtain confirmation of Respondent's performance. The respondent must explain whether work was performed as a prime contractor or subcontractor. If the work was performed as a subcontractor, the Respondent must describe the scope of subcontracting activities.

Resumes.

Identify and describe the Respondent's proposed labor skill set and provide resumes of all proposed Key Personnel (as defined by the respondent). Resumes must demonstrate experience germane to the position proposed. Resumes should include work on projects cited under the Respondent's corporate experience, and the specific functions performed on such projects. Each resume should include at least three (3) references from recent projects. References may not be Respondent's employees.

Section 4 -- Project Work Plan

Respondents will describe the proposed processes and methodologies for providing the Scope of Work in Article 2. This Statement of Work will provide a work plan with a timetable for specific tasks/activities and products. This description is to include details as to whether the services will be provided in total by the bidder or through local partnerships with other governmental, for-profit and not-for-profit agencies and businesses, and to include details about any and all anticipated contractual arrangements to provide services

Section 5 -- Assumptions

State any business, economic, legal, programmatic, or practical assumptions that underlie the Respondent's response to the Business Proposal.

Section 6 -- Appendices

Include any appendices to the Respondent's Business Proposal.

Section 7 -- HUB Subcontracting Plan

Attach the Respondent's HUB Subcontracting Plan. Instructions for completing this requirement are included in Section 4, Historically Underutilized Business Participation.

Section 8 – Certifications and Other Required Forms

In addition to the HUB Subcontracting Plan, Respondents must complete the following required forms:

- Child Support Certification;
- Debarment, Suspension, Ineligibility, and Voluntary Exclusion for Covered Contracts;
- Federal Lobbying Certification;
- Nondisclosure Statement; and
- Certification Letter.

The required forms are located on HHSC's website, under the "Business Opportunities" link. HHSC will not evaluate proposals that do not contain completed copies of the required forms. HHSC encourages Respondents to carefully review all of these forms and submit questions concerning their completion prior to the deadline for submitting questions relating to this RFP (see Section 1.9).

3.9.2 Part 2 -- Cost Proposal

The Cost Proposal must be placed in a separate, sealed package, clearly marked with the respondent's name, the RFP number, and the RFP submission date. An individual authorized to legally bind the Respondent must sign the Cost Proposal in ink.

Respondents must base their Cost Proposals on the Scope of Work described in Article 2. This section should include any business, economic, legal, programmatic, or practical assumptions that underlie the Cost Proposal.

Respondents may separately identify cost saving and cost-avoidance methods and measures and the effect of such methods and measures on the Cost Proposal and Scope of Work.

Respondents will propose at least two, and no more than four, hourly rates for project management services and one rate for direct services associated with the project. The direct rate will be inclusive of

all general expenses such as benefits, administrative indirect expenses, per diem, routine travel, etc. Respondents will propose a budget for Year One (1), and budgets for providing the same level of services for years two, three and four.

Upon advance approval of HHSC, the successful bidder will be reimbursed for actual costs not in excess of the rate established by the State Travel Reimbursement Act, incurred for out-of-state travel expenses; costs related to conferences (i.e. room and equipment rental charges, speaker fees and refreshments); and other expenses related to the project as approved in the Statement of Work. The successful bidder will provide documentation of such expenses to support requests for reimbursement, which may include copies of invoices, evidence of payment by the successful bidder and other documents requested by HHSC. HHSC will only pay travel expenses specified in and charged against the total amount of the contract award.

3.10 Multiple Responses

A Respondent may submit only one proposal. This means that a Respondent may submit a proposal on its own behalf or submit a proposal with one or more Respondents as a joint proposal (see Section 3.12). If a Respondent submits more than one proposal, all proposals from that Respondent may be rejected.

This requirement does not limit a subcontractor's ability to collaborate with more than one respondent.

3.11 Joint Proposals

Two or more companies may join together and submit a joint proposal in response to this RFP. A joint proposal must completely define the responsibilities each company proposes to undertake. Also, the joint proposal must designate a primary Respondent who will be responsible for the delivery of all goods, services and requirements as specified in the RFP, and a single authorized official from the primary Respondent to serve as the sole point of contact between HHSC and the joint proposers. . An authorized agent or officer of each company must sign any contract resulting from a joint proposal. Each company included in the submission of a joint proposal will be jointly and severally liable during the term of the contract.

3.12 Texas Public Information Act

A proposal submitted to HHSC in response to this RFP is subject to public disclosure under the Texas Public Information Act (the Act), Texas Government Code, Chapter 552, unless the proposal, or any part of the proposal, can be shown to fall within one or more of the exceptions to required public disclosure listed in the Act. If a Respondent believes that parts of a proposal are excepted from required public

Section 3 – General Instructions and Response Requirements

disclosure under the Act, the Respondent must specify those parts and the exception(s) that it believes apply, with specific detailed reasons. HHSC will process any request for information comprising all or part of the Respondent's proposal in accordance with the procedures prescribed by the Act. A Respondent should consult the Attorney General's website (www.oag.state.tx.us) for information concerning the application of the Act's provisions to proposals and potential proprietary information.

4 Historically Underutilized Business Participation

Note to All Respondents: Texas law provides that a proposal filed in response to this RFP that does not contain a historically underutilized business (HUB) subcontracting plan is non-responsive, in accordance with Texas Government Code § 2161.252.

4.1 Introduction

4.1.1 This section sets forth requirements that every proposal must meet in order to comply with state laws and HHSC's rules regarding HUBs. Respondents should read HHSC's Policy on the Utilization of Historically Underutilized Businesses (HUBs) and this article carefully before preparing a proposal. HHSC is committed to promoting full and equal business opportunities for all businesses in State contracting in accordance with the goals specified in the State of Texas Disparity Study. HHSC has adopted administrative rules and policies relating to HUBs and encourages the use of HUBs through race, ethnic, and gender-neutral means. Pursuant to HHSC's HUB rules, Texas Administrative Code Title 1, Chapter 392, Subchapter J, and pursuant to §§2161.181-182, Texas Government Code, HHSC is required to make a good faith effort to increase HUB participation in contracts for construction, service (including professional and consulting services), and commodity contracts. HHSC may accomplish the goal of increased HUB participation by contracting directly with HUBs or indirectly through subcontracting opportunities.

4.1.2 In accordance with Texas Government Code, Chapter 2161, Subchapter F, 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.

(A) State agencies shall use the following steps to determine if subcontracting opportunities are probable under the contract:

- (i) Use the HUB participation goals in §111.13 of this title (relating to Annual Procurement Utilization Goals); and
- (ii) Research the Centralized Master Bidders List, the HUB Directory, the Internet, and other directories, identified by the commission, for HUBs that may be available to perform the contract work.

Section 4 – Historically Underutilized Business Participation

(B) In addition, determination of subcontracting opportunities may include, but is not limited to, the following:

- (iii) Contacting other state and local agencies and institutions of higher education to obtain information regarding similar contracting and subcontracting opportunities; and
- (iv) Reviewing the history of similar agency purchasing transactions.

4.1.3 The statewide HUB participation goals, set by the Texas Building and Procurement Commission (TBPC) as a result of the State of Texas Disparity Study are classified under the following categories:

- (1) Heavy construction other than building contracts 11.9%;
- (2) Building construction 26.1%;
- (3) Special trade construction contracts 57.2%;
- (4) Professional services contracts 20%;
- (5) All other services contracts 33%; and
- (6) Commodities contracts 12.6%.

HHSC and its contractors shall make a good faith effort to meet or exceed the HUB participation goals listed above for each fiscal year by maximizing the inclusion of certified HUBs in the procurement process.

The goods and/or services requested under this RFP are classified under **“Other Services Contract” and the HUB participation goal is 33.0%.**

4.1.4 HHSC’s policy on the utilization of HUBs businesses is related to all “Other Services” contracts with an expected value of \$100,000 or more. HHSC may, at its discretion, require contractors to report HUB utilization in contracts with an expected value of less than \$100,000.

4.2 HUB Subcontracting Plan (HSP) Procedures

4.2.1 The following procedures are specified by HHSC’s administrative rules relating to HUBs, which adopt the TBPC’s HUB rules. If there are any discrepancies between HHSC’s administrative rules and this RFP, the rules shall take priority.

4.2.2 HHSC has determined that subcontracting opportunities are probable under this RFP. Therefore, HHSC requires the submission of a HUB Subcontracting Plan (HSP), at the same time as the RFP response, as a part of each proposal. The HSP, if accepted by HHSC, will become a provision of any contract awarded as a result of this RFP. Proposals that do not include a HSP, or proposals that contain a HSP that HHSC determines was not developed in good faith, shall be rejected as a material

Section 4 – Historically Underutilized Business Participation

failure to comply with the specifications set forth in this RFP (as related to the Texas Administrative Code, Title 1, Part 5, Chapter 111, Subchapter B, Rule 111.14, (a) (2)(B).

- 4.2.3 To search for potential HUB vendors who may perform subcontracting opportunities, Respondents may refer to the TBPC Centralized Master Bidders List (CMBL) HUB Directory, which is found at www.tbpc.tx.us/cmb/cmbhub.html. Class and item codes for potential subcontracting opportunities under this RFP, include, but are not limited to:

HUB Class and Item codes

CLASS: 918 Consulting Services

Item codes:	32	Consulting Services (Not Otherwise Classified)
	46	Feasibility Studies (Consulting)
	65	Human Relations Consulting
	67	Human Services Consulting (To include Mental Health Consulting Services)
	75	Management Consulting
	76	Marketing Consulting
	88	Quality Assurance/Control Consulting

HUB Vendor List

See Attachment “A” for the HUB Vendor list for Class 918 – Consulting Services

- 4.2.4 In order for HHSC to determine that a good faith effort was made, each Respondent shall send notices to three (3) or more HUBs for each area that the Respondent plans to subcontract. Respondents are not limited to the list of subcontracting opportunities identified above, and may identify additional areas of subcontracting.
- 4.2.5 Upon request, HHSC will provide Respondents with a list of HUB vendors from the TBPC’s CMBL or other related listings that may perform the subcontracting opportunities. The listing of potential subcontractors is for informational purposes only. HHSC does not endorse, recommend nor attest to the capabilities of any company or individual listed. This listing of certified HUBs is subject to change, therefore Respondents are encouraged to use the TBPC’s website to find the most current listing of certified HUBs. A complete and more updated list of all TBPC certified HUBs or registered bidders may be electronically accessed through the Internet at <http://www.tbpc.state.tx.us>. HHSC may provide additional information concerning HUB certified vendors at the vendor conference. .

4.2.6 As part of the HSP, HHSC requires each Respondent to state in writing whether the Respondent itself is a Texas certified HUB. This information is collected for the purpose of reporting HHSC's HUB utilization. However, being certified as a HUB does not exempt any Respondent from complying with the required HSP.

4.3 *If the Respondent Intends to Subcontract Portions of the "Other Services" Contract*

4.3.1 Because HHSC has determined that subcontracting opportunities are probable, a Respondent who intends to subcontract any part of the work must include a HSP with its response. For each area identified, the Respondent should provide documentation of the notices sent to three or more HUBs in each of the areas the Respondent plans to subcontract.

4.3.2 HHSC's review of a Respondent's HSP will include determining evidence of good faith effort in developing a HSP for "Other Services" Contracts, which includes, but is not limited to the following procedures:

- (A) Divide the contract work into reasonable lots or portions to the extent consistent with prudent industry practices. The Respondent should identify each area of the contract work the Respondent plans to subcontract.
- (B) Notify HUBs of the subcontracting opportunities that the Respondent intends to subcontract. The preferable method of notification shall be in writing. The notice shall, in all instances, include 1) the scope of the work; 2) specifications; and, 3) identify a contact person. The notice shall be provided to potential HUB subcontractors prior to submission of the Respondent's response.
 - (v) The Respondent shall provide potential HUB subcontractors reasonable time to respond to the Respondent's notice. "Reasonable time to respond" in this context is no less than five working days from receipt of notice, unless circumstances require a different time period, which is determined by the HHSC and documented in the contract file.
 - (vi) The Respondent shall use the commission's Centralized Master Bidders List, the HUB Directory, Internet resources, and/or other directories as identified by the commission or HHSC when searching for HUB subcontractors. Respondents shall rely on the services of minority, women, and community organizations, contractor groups, local, state, and federal business assistance offices, and other organizations that provide assistance in identifying

Section 4 – Historically Underutilized Business Participation

qualified applicants for the HUB program who are able to provide all or select elements of the HUB subcontracting plan.

- (vii) The Respondent shall provide the notice described in this section to three or more HUBs per subcontracting opportunity that provide the type of work required for each subcontracting opportunity identified in the contract specifications, or for any other subcontracting opportunity the Respondent cannot complete with its own equipment, supplies, materials, and/or employees. The Respondent must document the HUBs contacted on the forms provided by the TBPC which is part of this RFP (See Attachment “D”)

(C) Provide written justification of the selection process if a non-HUB subcontractor is selected.

(D) Provide notice to minority or women trade organizations or development centers to assist in identifying HUBs by disseminating subcontracting opportunities to their membership/participants. Examples of minority or women trade organization websites are, but not limited to:

(viii) Texas Women’s Chamber of Commerce - www.womenschambertexas.com;

(ix) Texas Asian Chamber of Commerce - www.txasianchamber.org;

(x) Texas Association of Mexican American Chamber of Commerce

<http://www.tamacc.org/chambers/index.html>; and

(xi) Texas Association of African American Chamber of Commerce <http://www.taaacc.org>

(E) The Respondent must Notify HUBs of the subcontracting opportunities that the respondent intends to subcontract. The preferable method of notification shall be in writing. The notice shall, in all instances, include the scope of the work, information regarding the location to review plans and specifications, information about bonding and insurance requirements, and identify a contact person. The notice shall be provided to potential HUB subcontractors prior to submission of the respondent's response.

4.3.3 In making a determination if a good faith effort has been made in the development of the required HUB subcontracting plan, **HHSC may require the Respondent to submit supporting documentation explaining how the Respondent has made a good faith effort.** When requested, the documentation shall include at least the following:

(A) How the Respondent divided the contract work into reasonable lots or portions consistent with prudent industry practices identifying each area the Respondent plans to subcontract.

Section 4 – Historically Underutilized Business Participation

- (B) How the Respondent's notices contain adequate information about bonding, insurance, the availability of plans, the specifications, scope of work, required qualifications and other requirements of the contract allowing reasonable time for HUBs to participate effectively;
- (C) How the Respondent negotiated in good faith with qualified HUBs, not rejecting qualified HUBs who were also the best value responsive bidder;
- (D) How the Respondent provided notice to minority or women trade organizations or development centers to assist in identifying HUBs by disseminating subcontracting opportunities to their membership/participants; and
- (E) Evidence that, for each area the Respondent plans to subcontract, the Respondent provided the notice described above to three or more HUBs that perform the type of work. Evidence of notice should include official written documentation, (i.e. phone logs, fax transmittals confirmations, e-mail correspondence confirmation, certified mail receipts, etc) to demonstrate compliance with the notice required in this subsection.

4.3.4 A Respondent's participation in a Mentor Protégé Program under the Texas Government Code §2161.065, and the submission of a protégé as a subcontractor in the HSP constitutes a good faith effort for the particular area to be subcontracted with the protégé. When submitted, state agencies may accept a Mentor Protégé Agreement that has been entered into by the Respondent (mentor) and a certified HUB (protégé). The HHSC shall consider the following in determining the Respondent's good faith effort:

- (A) If the Respondent has entered into a fully executed Mentor Protégé Agreement that has been registered with the commission prior to submitting the plan, and
- (B) If the Respondent's HUB subcontracting plan identifies the areas of subcontracting that will be performed by the protégé.

4.3.5 In developing the HSP, Respondents are encouraged to identify, as part of the HSP, multiple subcontractors who are able to perform the work in each area that the Respondent is planning to subcontract. Selecting additional subcontractors for each area may assist the awarded contractor in making changes to its original HSP, when needed, and will allow HHSC to approve any necessary changes expeditiously.

4.3.6 The HSP shall include the responses to Section 4.3 and **Attachment "D" which includes the following:**

- (xii) Certification that respondent has made a good faith effort to meet the requirements of this section;

Section 4 – Historically Underutilized Business Participation

- (xiii) Identification of the subcontractors that will be used during the course of the contract;
- (xiv) The expected percentage of work to be subcontracted; and
- (xv) The approximate dollar value of this percentage of work. The plan shall include goals established pursuant to §111.13 of this Title (relating to Annual Procurement Utilization Goals).

4.3.7 A Respondent's participation in a Mentor Protégé Program under the Texas Government Code §2161.065, and the submission of a protégé as a subcontractor in the Respondent's HSP constitutes a good faith effort for the particular area(s) to be subcontracted with the protégé. **When applicable, the Respondent must attach a copy of its Mentor Protégé Agreement that has been approved by a sponsoring state agency and identify each protégé on Attachment "D". (See Sections 3a and 3e on Attachment "D")**

4.4 If the Respondent Does Not Intend to Subcontract

4.4.1 If the Respondent is able to fulfill any of the potential subcontracting opportunities identified with its own equipment, supplies, materials and/or employees, Respondent must sign an affidavit and provide a statement explaining how the Respondent intends to fulfill each subcontracting opportunity. The Respondent must include a HSP with its response. The Respondent's HSP shall include responses to section 4.4 and **Attachment E, "Self Performance HUB Subcontracting Plan (HSP)"** attesting that the Respondent does not intend to subcontract any of the services identified by HHSC in this RFP. The Respondent shall provide supporting documentation to substantiate the statement. The Respondent must agree to provide the following if requested by HHSC:

- (A) Agree to produce evidence of existing staffing to meet contract objectives;
- (B) Agree to supply monthly payroll records showing company staff fully engaged in the contract;
- (C) Agree to periodic on site reviews of company headquarters or work site where services are to be performed; and
- (D) Agree to produce documentation proving employment of qualified personnel holding the necessary licenses and certificates required to perform the work.

4.5 Evaluation of the HSP

4.5.1 The HUB subcontracting plan shall be reviewed and evaluated prior to contract award and, if accepted, shall become a provision of HHSC's contract. Revisions necessary to clarify and enhance information submitted in the original HUB subcontracting plan may be made in an effort to determine good faith effort. HHSC shall review the documentation submitted by the Respondent to determine if

a good faith effort has been made in accordance with this section. If HHSC determines that a submitted HUB subcontracting plan was not developed in good faith, HHSC shall treat the lack of good faith as a material failure to comply with advertised specifications, and the RFP shall be rejected as a material failure to comply with the advertised specification. The reasons for rejection shall be recorded in the procurement file.

4.6 Changes to the HSP After a Contract Has Commenced

- 4.6.1 If the Respondent is selected and decides to subcontract any part of the contract after the award, as a provision of the contract, the Contractor must comply with provisions of this section relating to developing and submitting a subcontracting plan before any modifications or performance in the awarded contract involving subcontracting can be authorized by HHSC. If the selected Contractor subcontracts any of the work without prior authorization and without complying with this section, the Contractor would be deemed to have breached the contract and be subject to any remedial actions provided by Texas Government Code, Chapter 2161, state law and this section. HHSC may report nonperformance relative to its contracts to the commission in accordance with Chapter 113, Subchapter F of the TAC Code (relating to the Vendor Performance and Debarment Program).
- 4.6.2 If at any time during the term of the contract, a Contractor desires to make changes to the approved subcontracting plan, proposed changes must be received for prior review and approval by HHSC before changes will be effective under the contract. The HHSC shall approve changes by amending the contract or by another form of written HHSC approval. The reasons for amendments or other written approval shall be recorded in the procurement file.
- 4.6.3 If HHSC expands the original scope of work through a change order or contract amendment, including a contract renewal that expands the scope of work, the HHSC shall determine if the additional scope of work contains additional probable subcontracting opportunities not identified in the initial solicitation. If the HHSC determines additional probable subcontracting opportunities exist, the HHSC will require the Contractor to submit an HSP/revised HSP for the additional probable subcontracting opportunities.
- 4.6.4 The HSP/revised HSP shall comply with the provisions of this section relating to development and submission of a subcontracting plan before any modifications or performance in the awarded contract involving the additional scope of work can be authorized by the HHSC. If the Contractor subcontracts any of the additional subcontracting opportunities identified by the HHSC without prior authorization and without complying with this section, the Contractor would be deemed to have breached the

contract and be subject to any remedial actions provided by Texas Government Code, Chapter 2161, state law and this section. HHSC may report nonperformance relative to its contracts to the commission in accordance with Chapter 113, Subchapter F of the TAC Code (relating to the Vendor Performance and Debarment Program.)

4.7 Reporting and Compliance with the HSP

- 4.7.1 After a contract between HHSC and the awarded prime vendor has been executed, HHSC will coordinate a post award meeting with the awarded vendor to discuss the HSP reporting requirements.
- 4.7.2 The contractor/vendor shall maintain business records documenting its compliance with the HUB subcontracting plan and shall monthly submit a compliance report to the HHSC and in the format required by the Texas Building and Procurement Commission and HHSC. **The compliance report submission is a condition for payment.** During the term of the contract, the HHSC shall monitor the HUB subcontracting plan monthly to determine if the value of the subcontracts to HUBs meets or exceeds the HUB subcontracting provisions specified in the contract.
- 4.7.3 HHSC staff will monitor the Contractor for compliance from the date of award to the completion of the contract. The Contractor shall report HUB subcontracting information to HHSC on a monthly basis (5th day of each month), or as requested. Accordingly, HHSC shall audit and require a Contractor to whom a contract has been awarded to report to the HHSC the identity and the amount paid to its subcontractors in accordance with 111.16 of this Title, relating to State Agency reporting requirements, provided that payment was made to a HUB in the month to be reported.
- 4.7.4 HHSC shall maintain documentation of the Contractor's efforts in HHSC's contract compliance file. The Contractor shall provide Attachment "F." HSP Prime Contractor Progress Assessment Report". Attachment "F" is the Contractor's Progress Assessment Report (HUB-PAR) Documentation of Work Subcontracted during the reporting period. This attachment is used to report to the Contractor's identification of its subcontractors and the amount paid to certified HUB subcontractors, in accordance with the HSP. Include a copy of the Texas Building and Procurement Commission (TBPC) HUB Certificate. **(This form is for reporting purposes only after award of the contract. Do not submit this document with the HSP.)**
- 4.7.5 If the Contractor is meeting or exceeding the provisions, HHSC shall maintain documentation of the contractor's/vendor's efforts in the contract file. If the contractor/vendor fails to meet the HUB subcontracting provisions specified in the contract, HHSC contracting division shall notify the

Section 4 – Historically Underutilized Business Participation

Contractor of any deficiencies. The HHSC shall give the Contractor an opportunity to submit documentation and explain to the HHSC why the failure to fulfill the HUB subcontracting plan should not be attributed to a lack of good faith effort by the Contractor.

- 4.7.6 In determining whether the Contractor made the required good faith effort, HHSC may not consider the success or failure of the Contractor to subcontract with HUBs in any specific quantity. HHSC's determination is restricted to considering factors indicating good faith including, but not limited to, the following:
- (A) Whether the Contractor gave timely notice to its subcontractors regarding the time and place of the subcontracted work;
 - (B) Whether the Contractor facilitated access to the work-site, provided electrical power and other necessary utilities; and
 - (C) Whether documentation or information was provided that included potential changes in the scope of contract work.
- 4.7.7 If a determination is made that the Contractor failed to implement the HSP in good faith, HHSC, in addition to any other available remedies, may report nonperformance to the Texas Building and Procurement Commission in accordance with 1 Texas Administrative Code, Chapter 113, Subchapter F (relating to "Vendor Performance and Debarment Program"). In addition, if the contractor/vendor failed to implement the subcontracting plan in good faith, the agency may revoke the contract for breach of contract and make a claim against the contractor/vendor.
- 4.7.8 If the Contractor is a HUB, it must perform at least 25% of the total value of the contract with its own or leased employees, as defined by the United States Internal Revenue Service, in order for HHSC to receive 100% HUB credit for the entire contract. The HUB Contractor may subcontract up to 75% of the contract with HUB or non-HUB subcontractors.
- 4.7.9 If a HUB Contractor's HSP identifies that it is planning to perform less than 25% of the total value of contract with its employees, the HUB Contractor must report, to HHSC, the value of the contract that was actually performed by the Contractor and its HUB subcontractors.
- 4.7.10 The Contractor must rectify any deficiencies of the HSP prior to the next reporting period.
- 4.7.11 HHSC shall review their procurement procedures to ensure compliance with this Section. In accordance with Texas Administrative Code 111.26 (relating to HUB coordinator responsibilities)

Section 4 – Historically Underutilized Business Participation

HHSC's HUB coordinator and contract administrators should facilitate institutional compliance with this section.

FIGURE 1

Summary Of Attachments Required From All Respondents

HSP CHECKLIST		D	E
<p>1. Respondent intends to subcontract.</p> <p>Attachments required from the Proposer for the HUB Subcontracting Plan.</p>		X	
<p>2. Respondent intends to subcontract under a Mentor Protégé relationship.</p> <p>Attachment and <u>Mentor Protégé (MP) Agreement</u> is required from the Proposer for the HUB Subcontracting Plan. MP identifies the areas of subcontracting that will be performed by the protégé.</p>		X	
<p>3. Respondent does not intend to subcontract.</p> <p>Attachments required from the Proposer for the HUB Subcontracting Plan if the RFP states that subcontracting opportunities are probable, but the Proposer intends to perform such opportunities with its own employees, equipment and resources.</p>			X

FIGURE 2 - SUMMARY OF ATTACHMENTS REQUIRED FROM THE Respondent AFTER THE CONTRACT HAS BEEN AWARDED. THIS FORM IS FOR REPORTING PURPOSES ONLY. DO NOT SUBMIT THESE DOCUMENTS WITH THE HSP.

4.7.4 Post Award Reporting Checklist	4.7.5 Attachments
	F
A. Subcontracting - Attachments required from Vendor for compliance with the HUB Subcontracting Plan after the contract award.	X

5 Evaluation

5.1 Evaluation of Proposals

HHSC will select the successful vendor through a formal evaluation process. HHSC will consider capabilities or advantages that are clearly described in the proposal, which may be confirmed by oral presentations, site visits or demonstrations if required, and verified by information from reference sources contacted by HHSC. HHSC reserves the right to contact individuals, entities, or organizations that have had dealings with the respondent or staff proposed for this effort, whether or not identified in the proposal.

HHSC will more favorably evaluate proposals that offer no or few exceptions, reservations, or limitations to the terms and conditions of the RFP, including HHSC's Uniform Contract Terms and Conditions.

5.2 Evaluation Criteria

HHSC will evaluate proposals for demonstrated competence, knowledge and qualifications, considering the reasonableness of the proposed fee for service. To evaluate these criteria, HHSC will consider the following factors, in order of precedence:

- Past performance on similar projects and qualifications of key project personnel, including a demonstrated:
 - Prior experience working with federal, state and local healthy marriage development programs;
 - Knowledge of current and proposed federal regulations and programs regarding healthy marriage programs;
 - Knowledge of the programmatic and financial components of the current healthy marriage services available to families, couples and youth in Texas;
 - Experience with healthy marriage program design and evaluation.
- Reasonableness of proposed cost, including hourly rate and number of hours;
- Ability to comply with HHSC's Mission Statement and Scope of Work and a well-reasoned approach to fulfilling these requirements.
- The impact on HHSC's ability to comply with laws and rules relating to historically underutilized businesses (HUBs).

5.3 Initial Compliance Screening

HHSC will perform an initial screening of all proposals received. Proposals that do not include all required forms and sections are subject to rejection. This is a pass/fail evaluation.

Additionally, proposals that do not demonstrate a good faith effort to comply with the HUB Subcontracting requirements, if applicable, will be rejected without further consideration.

In accordance with Section 3.4, HHSC reserves the right to waive minor informalities in a proposal and award a contract that is in the best interests of the State of Texas.

5.4 Oral Presentations and Site Visits

HHSC may, at its sole discretion, request oral presentations, site visits, and/or demonstrations from one or more Respondents admitted to the field of competition. HHSC will notify selected Respondents of the time and location for these activities, and may supply agendas or topics for discussion. HHSC reserves the right to ask additional questions during oral presentations, site visits, and/or demonstrations to clarify the scope and content of the written proposal, oral presentation, site visit, or demonstration.

The Respondent's oral presentation, site visit, and/or demonstration must substantially represent all material included in the written proposal, and it should not introduce new concepts or offers.

5.5 Competitive Field Determinations

HHSC may determine that certain proposals are within the field of competition for admission to discussions. The field of competition consists of the proposals that receive the highest or most satisfactory ratings. HHSC may, in the interest of administrative efficiency, place reasonable limits on the number of proposals admitted to the field of competition.

5.6 Discussions with Respondents

HHSC may, but is not required to, conduct discussions with all, some, or none of the Respondents admitted to the field of competition for the purpose of obtaining the best value for HHSC. HHSC may conduct discussions for the purpose of:

- Obtaining clarification of ambiguities in a proposal;
- Requesting modifications to a proposal; or
- Obtaining a best and final offer.

HHSC may make an award prior to the completion of discussions with all Respondents admitted to the field of competition if HHSC reasonably determines that the award represents best value.

5.7 Best and Final Offers

HHSC may, but is not required to, permit Respondents admitted to the field of competition to prepare best and final offers. For this reason, Respondents are encouraged to submit original proposals as best and final offers.

Attachment A:

**HUB VENDOR LIST
CLASS: 918 – ITEM: 32
CONSULTING SERVICES**

Linda M Lindstrom	Adjacent Technologies, Inc	Austin	llindstrom@adjacent-tech.com
Gayle Heath	Alliance-Texas Engineering Company	Austin	gayle_heath@alliance-texas.com
Sandra Bloodworth	Any Event, Anytime, Anywhere, Inc.	Austin	anyevent@swbell.net
Roberto Mora-Ramos	Appliedtech Group Llc	Austin	rmora@appliedtechgroup.net
Ann S Fuelberg	Asf Consulting	Austin	asfuelberg@msn.com
President - Donna Holliday	Austin Strategy Group, Inc.	Austin	donna.holliday@austinstrategy.com
Sheldy Starkes	Booker, Starkes & Patodia, Inc.	Austin	info@bspconsultancy.com
Sylvia Bratcher	Bratcher Mediation Services	Austin	silbratcher@aol.com
President / Arvind S. Komarla	Business Software Associates, Inc	Austin	arvind@bsa-in.com
Cheryl A. Carrabba, Owner	Carrabba Conservation Inc.	Austin	conservation@austin.rr.com

**HUB VENDOR LIST
CLASS: 918 – ITEM: 46
CONSULTING SERVICES**

Denise R Lansford	F E U L S Inc		D_LANSFORD@Feuls.com
Beatrice Fincher	Fincher Incorporated		FINCHERINC@AUSTINTX.NET
President / Terry R Findling	Findling Health Management, Inc		terry.findling@fhmi.biz
Marilyn J Fox	Fox, Smolen & Associates, Inc.		fox@foxsmolenarnold.com
Fred L. Mcghee	Fred L. Mcghee & Associates		fmcghee@flma.org
Latrice Hertzler	Future Link Technologies, Inc.		lhertzler@future-link.biz
Marybeth Farrar	Gateway One Consulting, Inc.		mbfarrar@realtime.net
President / Loretta Gray	Gray And Combs, Lp		loretta.gray@gray-combs.com
Leigh Greiner	Greiner Consulting		GreinerCon@aol.com
Mel Mireles	Hb Media Group Inc		mmireles@hbmediagroup.net

HUB VENDOR LIST
CLASS: 918 – ITEM: 65
1 CONSULTING SERVICES

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2 CONSULTING SERVICES

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