

Approved: March 8, 2017
Next Scheduled Review: March 8, 2022

Rule Statement

Texas A&M University-Kingsville (TAMUK) departments shall involve qualified Historically Underutilized Businesses (HUBs) 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.

Texas Government Code Title 10, Subtitle D, Chapter 2161 applies to state agency construction projects and purchases of goods and services that are paid for with appropriated money and made under the authority of this subtitle or other law.

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*, related to the Historically Underutilized Businesses (HUBs) program. All employees of TAMUK that have purchasing authority shall assent to the following HUB Program rule.

Procedures and Responsibilities

1. GENERAL

- 1.1 In executing the involvement of HUBs in procurement opportunities, all employees of TAMUK that have purchasing authority, shall encourage the use of HUB businesses in their procurement opportunities, regardless of the source funds.
- 1.2 The university, its contractors and subcontractors shall not discriminate on the basis of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation or gender identity political belief or affiliation in the award of contracts.

2. RESPONSIBILITY AND AUTHORITY

- 2.1 TAMUK will comply with System Policy 25.06 and System Regulation 25.06.01 and with all applicable laws, regulations and executive orders related to HUBs.

2.2 It is the practice of TAMUK to involve qualified HUBs in procurement contracts and transactions as required by 25.06, *Participation by Historically Underutilized Business*, and System Regulation 25.06.01, *Historically Underutilized Business Program*, and state statutes and administrative regulations. The university and its employees will not discriminate on the basis of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation or gender identity political belief, or affiliation in the award of contracts. Every employee responsible for conducting business with outside vendors has the responsibility of making a good faith effort of ensuring that HUBs are afforded an equal opportunity to compete for all procurement and contracting activities for the university.

2.3 TAMUK promotes and encourages HUB subcontracting in all contracts/awards of more than \$100,000.00, regardless of funding, when it is determined that a reasonable potential for HUB subcontracting exists.

2.4 The President will designate an employee as HUB Coordinator who will have responsibility for implementing all programs dealing with HUB activities. This individual will report directly to the Vice President for Finance and Chief Financial Officer and will make available the required monthly reports, the State of Texas Semi-Annual and Annual HUB Report, budget management, and any other required obligations.

3. MARKETING AND OUTREACH PROGRAMS

3.1 Bid opportunities will be made available through Strategic Sourcing and General 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 TAMUK will participate, plan, and assist in economic opportunity forums and fairs within the South/Southeast Texas Region included, but not limited to, those sponsored by legislators, the Comptroller of Public Accounts TPASS Division, other A&M System members, other state agencies and institutions, and private business entities deemed beneficial to the TAMUK HUB Program.

3.3 Opportunities will be made available for HUB vendors to present and/or deliver their business capabilities to the TAMUK Strategic Sourcing and General Services Staff and university community, whenever possible.

3.4 The university shall participate in the State of Texas HUB Mentor/Protégé Program and shall implement a Mentor/Protégé Program. This program is in accordance with the Texas Government Code Section 2161.065.

3.5 TAMUK shall seek potential HUB vendors and assist in the certification process.

3.6 The HUB Coordinator 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 the university'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 the university's efforts during the previous two years. The HUB Coordinator shall report the plan and goal as required prior to December 1st of each year.

4. REPORTING

4.1 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

[Tex. Gov't Code Ch. 2161, Historically Underutilized Businesses](#)

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

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

[Electronic State Business Daily](#)

Definitions

Historically Underutilized Business - a historically underutilized business is an entity with its principle 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 participate in the control, operations and management of the entity's affairs.

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