Historically Underutilized Business (HUB) Plan (HSP) Requirements

Exhibit F

Health and Human Services (HHS / agency) is committed to promoting full and equal business opportunities for businesses in state contracting by contracting directly and indirectly (subcontracting) with HUBs. HHS strongly encourages the use of HUBs through race, ethnic, and gender-means in accordance with Texas Government Code (TGC) Section 2161 and Texas Administrative Code (TAC), Title 34, Part 1, Chapter 20, Subchapter D, Division 1.

1.1 HHS Administrative Rules

Pursuant to TGC Section 2161.002 and Section 2161.003, HHS adopted the rules of the Texas Comptroller of Public Accounts (CPA) as its own rules (see TAC, Title 1, Part 15, Chapter 391, Subchapter G, Rule §391.711). If there are any discrepancies between the CPA's administrative rules and this Solicitation, the rules will take priority.

1.2 Statewide Annual HUB Utilization Goal

HHS adopted the CPA's Statewide Annual HUB Goals based on the 2009 State of Texas Disparity Study as its own agency-specific goals (TAC, Title 34, Part 1, Chapter 20, Subchapter D, Division 1, Rules §20.284). The HHS policy is to promote full inclusion of HUBs in all of its procurement opportunities in a direct and indirect (subcontracting) capacity to achieve or exceed the goals specified by each procurement category reflected in the disparity study.

This Solicitation is classified as an **All Professional Services Contracts** under the above CPA rule and therefore the HHS HUB utilization goal is **23.7%**

1.3 Determination of HSP Requirement

TGC Chapter 2161 and TAC, Title 34, Part 1, Chapter 20, Subchapter D, Division 1, Rules §20.284 and §20.285, requires the agency to consider whether there will be probable subcontracting opportunities for all contracts, with an expected value of $100,000 or more (including renewals and amendments), before the agency solicits bids, proposals, offers, or other applicable expressions of interest for the contract.. Subcontracting opportunities are considered to be equipment, materials, goods, contracted labor,[1] and services the

[1] Contracted labor means individuals that are not "regular" employees of the company/organization, see also guidance available from the Internal Revenue Service (IRS) regarding contracted labor vs. employees (IRS 1099 publications). Contracted labor is a subcontractor.

Respondent cannot fulfill with its own internal resources.

If the agency determines that there is a probability of subcontracting opportunities, the agency **must** require that each bid, proposal, offer, or other applicable expression of interest for the contract include a completed HSP. If the response does not include a completed HSP and/or HHS determines that the HSP was not developed in good faith, the response will be deemed non-responsive, and it cannot be evaluated for a contract award.

HHS has examined the Scope of Work under the proposed Contract to determine if it is likely to be performed by a Subcontractor; researched the Centralized Master Bidders List (CMBL) for HUBs that may be available to perform the Contract Work; reviewed the past history of similar agency procurements; and has **determined that subcontracting opportunities are probable for this Solicitation.**

Therefore, all Respondents regardless of HUB status (HUB or non-HUB) must develop an HSP in good faith and submit a completed HSP with their response. Failure to comply with this requirement will deem the bid, proposal, offer, or other applicable expression of interest non-responsive, and it will be rejected without further evaluation due to material failure.

1.3.1 Probable Subcontracting Opportunities

HHS has determined that probable subcontracting opportunities exist within the following National Institute of Governmental Purchasing (NIPG) Class/Item Code(s):

Class	Item	Item Description
948	74	Professional Medical Services: Physicians, Pharmacists, and All Specialties

The above identified items do not represent all of the possible subcontracting opportunities that may be available through this Solicitation. The Respondent is not required to use, nor limited to using any of the above class and item code(s). However, the Respondent is required to include HUBs in any opportunity the Respondent will not be performing with their internal resources (materials, equipment, supplies, and employees[2]).

1.4 Compliance Resources

1.4.1 Solicitation's HUB Coordinator

In an effort to assist Respondents to comply with the HUB requirements, HHS assigns a HUB Coordinator as a sole point of contact for HUB inquiries, HSP training, and to provide HSP Courtesy Reviews (upon request – see Section 1.4.2). The assigned HUB Coordinator for this Solicitation is:

[2] Employee means an individual that receives a Wage and Tax Statement (W-2 Form) from the Respondent.

Bob McCurdy CTCD, CTCM
Phone: 512-406-2534
Email: bob.mccurdy@hhs.texas.gov

1.4.2 HSP Courtesy Reviews

A courtesy review of a Respondent's completed HSP is optional and is available to assist Respondents in providing a compliant and responsive HSP. This courtesy review may only identify possible deficiencies. The final HSP determination may only be provided at the time of the final submission of the HSP and the Solicitation Response.

To request a courtesy review, submit the completed HSP including all supporting documentation in portable document format (PDF) by e-mail to the HUB Coordinator listed in Section 1.4.1 of this exhibit prior to the "Courtesy Review of HSP" deadline in the Solicitation's Schedule of Events.

Identify the request in the e-mail "Subject" field as "HSP Courtesy Review, Solicitation No. [add Solicitation number], Courtesy Review [add specific Due Date]."

HSPs received after the "Courtesy Review of HSP" deadline in the Solicitation's Schedule of Events or deadlines established in subsequent Addenda, will not be reviewed and will be returned to the requestor.

The final HSP must be submitted by the Solicitation Response Deadline identified in the Solicitation's Schedule of Events or deadline established in subsequent Addenda. Responses received without a properly completed and compliant HSP will be disqualified.

1.4.3 HSP Training Resources

HHS encourages Respondents to take advantage of the HSP training offered specifically for this Solicitation (if applicable) and noted in the Solicitation's Schedule of Events. In addition, a pre-recorded Webinar HSP training providing general information for developing an HSP in good faith is available at:
https://attendee.gotowebinar.com/register/2235999142197410832.

HHS also recommends that Respondents review training resources provided in Section 1.7, Post-Award HSP Requirements, and Section 1.8, HSP Most Common Errors, of this exhibit.

1.4.4 CMBL/HUB Directory

The CPA is responsible for HUB certification as well as maintaining the CMBL/HUB Directory to satisfy the good-faith effort requirements. Note, only HUB vendors that are included in the CPA's database that are actively HUB certified at the time of the Solicitation may be used to satisfy the Respondent's requirement for developing the HSP in good faith.

Below are instructions for identifying the State of Texas Certified HUBs on the CMBL/HUB Directory:

1. Access the CMBL and HUB Directory at https://mycpa.cpa.state.tx.us/tpasscmblsearch/tpasscmblsearch.do.
2. CMBL page will default to certain fields already checked – using the "HUBs Only" and "HUBs On CMBL" radio buttons will help to provide a current list of Texas certified HUBs. Ensure the vendor's HUB status code is "A" for currently active HUBs.
3. Under the "Multiple Vendor Search" tab enter the NIGP code that correlates to the products or services in the "NIGP Class Code" and "Items" fields. A complete list of NIGP codes may be found at: https://mycpa.cpa.state.tx.us/commbook/.
4. Enter "Highway District(s)" number to select specific geographical location or leave blank for a statewide search. Start with a specific geographical search; and if unable to locate HUBs, expand the geographical search.
5. Under the "Selected Fields for Output" tab, the detail list page will default to certain fields. In addition to these defaulted fields, add "HUB Eligibility," "HUB Gender," and "Business Description" fields to the search.
6. The "Output Options" tab provides users with the ability to choose the format of the data. For better data sorting, "Excel" is recommended as the output option. Data manipulations are easier to perform in an Excel spreadsheet to find the appropriate HUB vendors for effective HUB outreach.
7. The CPA is responsible for certifying vendors that meet the legal criteria for HUB certification. More information regarding HUB certification may be accessed at https://comptroller.texas.gov/purchasing/vendor/hub/certification-process.php.
8. Respondent may contact the assigned HUB Coordinator in Section 1.4.1 for assistance if needed.

Note, HHS does not endorse, qualify, or guarantee any of the vendors listed in the CMBL or HUB directory.

1.4.5 HUB Trade Organizations and Business Development Centers

Outreach resources to identify HUB trade organizations or business development centers that predominantly serve members of economically disadvantage groups (e.g., Asian-Pacific Americans, Black Americans, Hispanic Americans, Native Americans, American Women, and service-disabled veterans as defined by 38 U.S.C. 101(2)) to assist with good-faith effort requirements may be accessed on the CPA's website at https://mycpa.cpa.state.tx.us/tpasscmblsearch/tpasscmblsearch.do.

1.5 HUB Subcontracting Plan Procedures - If Respondent Intends to Subcontract

An HSP must demonstrate that the Respondent made a good-faith effort to comply with the HHS HUB policies and procedures. The following subparts outline the items that HHS will review in determining whether an HSP meets the good-faith effort standard. A Respondent that intends to Subcontract must complete the HSP to document its good faith efforts.

1.5.1 Identify Subcontracting Areas and Divide Them into Reasonable Lots

A Respondent should first identify each area of the Contract Work it intends to Subcontract. Then, to maximize HUB participation, it should divide the Contract Work into reasonable lots or portions to the extent consistent with prudent industry practices.

1.5.2 Notify Potential HUB Subcontractors

The HSP must demonstrate that the Respondent made a good-faith effort to Subcontract with HUBs. The Respondent's good-faith efforts shall be shown through utilization of all methods in conformance with the development and submission of the HSP and by complying with the following steps:

1. Divide the Contract Work into reasonable lots or portions to the extent consistent with prudent industry practices. The Respondent must determine which portions of Work, including Goods and Services, will be Subcontracted.

2. Use the appropriate method(s) to demonstrate good-faith effort. The Respondent must use one of the method(s) I, II, III, or IV as set out below when subcontracting.
   as set out below when subcontracting:

1.5.2.1 Method I: Using Only HUBs;

Respondent only intends to utilize HUB Subcontractors. No non-HUB Subcontractors may be use for this method. The Respondent must identify in the HSP the active and certified HUBs that will be utilized and submit written documentation that confirms 100% of all available subcontracting opportunities will be performed by one or more HUBs. Note, this method is not time sensitive.

Please complete the following sections and provide the following documents for "Method I":

- ☐ HSP, Page 1, Section 1 - Respondent and Requisition Information;
- ☐ HSP, Page 2, Section 2 - Respondent's Subcontracting Intentions;
- ☐ HSP, Page 3, Section 4 – Affirmation;
- ☐ Submit an "Attachment A" for each subcontracting item listed in HSP, Section 2; and
- ☐ Submit supporting documentation to substantiate each HUB selected is an actively certified HUB vendor (include a copy of the profile located in the CPA's CMBL/HUB Directory);

or

1.5.2.2 Method II: Mentor-Protégé Program;

Respondent (Mentor) intends to subcontract directly with their HUB Protégé. HHS will accept a Mentor Protégé Agreement that has been entered into by a Respondent (Mentor) and a certified HUB (Protégé) in accordance with TGC Section 2161.065. When a Respondent proposes to subcontract with their Protégé(s), it does not need to provide additional notices to three (3) HUB vendors for the subcontracted item(s) provided by Protégé(s).

The Respondent must identify the subcontracting item(s) that the Protégé(s) will be providing as well as the subcontracting value. However, if the Respondent intends to utilize additional Subcontractors other than the Protégé(s), the Respondent is required to utilize Method IV: Solicitation, Section 1.5.6 below, for all other subcontracting items to comply fully with the HSP requirements – see all applicable requirements for Section 1.5.6, Method IV: Solicitation.

Participation in the Mentor Protégé Program, along with the submission of a Protégé as a Subcontractor in an HSP, constitutes a good-faith effort only for the particular area subcontracted to the Protégé.

Please complete the following sections and provide the following documents for "Method II":

- ☐ HSP, Page 1, Section 1 - Respondent and Requisition Information;
- ☐ HSP, Page 2, Section 2 - Respondent's Subcontracting Intentions;
- ☐ HSP, Page 3, Section 4 – Affirmation;
- ☐ Submit an "Attachment B" for each subcontracting item listed in HSP, Section 2; and
- ☐ Submit supporting documentation from the CPA's Mentor-Protégé Program Webpage https://mycpa.cpa.state.tx.us/mentorprotege/ctg/menproPairs/ that confirms the M-P agreement is registered with CPA;

or

1.5.2.3 Method III: Meeting or Exceeding the HUB Contract Goal;

The Respondent intends to subcontract with both HUBs and non-HUBs and the expected aggregated percentage of the Contract will be meeting or exceeding the HHS HUB utilization goal listed in Section 1.2, Statewide Annual HUB Utilization Goal. The Respondent must identify in the HSP and submit written documentation that one or more HUB Subcontractors will be utilized and that the aggregate expected percentage of Subcontracts with HUBs will meet or exceed the HHS HUB utilization goal. When utilizing this method HUBs that have had a [3]continuous contract in place with the Respondent a period of more than five (5) years cannot be used to satisfy this requirement.

When the aggregate expected percentage of Subcontracts with HUBs meets or exceeds the goal specified in this exhibit, Respondents may also use non-HUB Subcontractors. All Subcontractors (HUB and non-HUB) to be utilized must be stated within the HSP. Note, this method is not time sensitive.

Please complete the following sections and provide the following documents for "Method III":

[3] **Continuous Contract (excerpt from the HSP): Any existing written agreement (including any renewals that are exercised) between a prime contractor and a HUB vendor, where the HUB vendor provides the prime contractor with goods or service under the same contract for a specified period of time. The frequency the HUB vendor is utilized or paid during the term of the contract is not relevant to whether the contract is considered continuous. Two or more contracts that run concurrently or overlap one another for different periods of time are considered by CPA to be individual contracts rather than renewals or extensions to the original contract. In such situations the prime contractor and HUB vendor are entering (have entered) into "new" contracts.*

- ☐ HSP, Page1, Section 1 - Respondent and Requisition Information;
- ☐ HSP, Page 2, Section 2 - Respondent's Subcontracting Intentions;
- ☐ HSP, Page 3, Section 4 - Affirmation;
- ☐ Submit an "Attachment A" for each subcontracting item listed in HSP, Section 2; and
- ☐ Submit supporting documentation to substantiate each HUB selected is an actively certified HUB vendor (include a copy of the profile located in the CPA's CMBL/HUB Directory).

or

1.5.2.4 Method IV: Solicitation;

The Respondent will NOT be utilizing all HUBs and will NOT be meeting the HHS HUB utilization goal on the Contract. ALL of the following requirements apply and requires written supporting documentation:

1. Written notifications to a minimum of two (2) HUB trade organizations and/or business development centers that predominantly serve members of economically disadvantage groups (e.g., Asian-Pacific Americans, Black Americans, Hispanic Americans, Native Americans, American Women, and service-disabled veterans as defined by 38 U.S.C. 101(2)) to assist in identifying and marketing to potential HUBs by disseminating the subcontracting solicitations to their respective membership/participants. A list of HUB trade organizations, and/or business development centers is available on the CPA's website as noted in Section 1.4.5 of this exhibit and (https://mycpa.cpa.state.tx.us/tpasscmblsearch/tpasscmblsearch.do).

2. Provide written notifications to a minimum of three (3) HUB vendors per subcontracting opportunity item listed on the HSP, Page 2, "Section 2 Respondent's Subcontracting Intentions."

3. The above written notices to the HUB trade organizations/business development centers AND HUB vendors must contain the following information:
    a. A description of the scope of work to be subcontracted and all of the pertinent information to submit a response;
    b. Information regarding the location to review the plans or specifications;
    c. Information regarding insurance and bonding requirements (if applicable);
    d. Required qualifications and other pertinent contract requirements;
    e. The Respondent's point of contact and how to respond to the subcontracting solicitation; and
    f. The time and date the subcontracting response is due to the Respondent (note, must be due prior to the Solicitation deadline identified in the Solicitation's Schedule of Events or deadlines established in a subsequent Addendum).

Note, the CPA's "HUB Subcontracting Opportunity Notification" form is an optional form that may also be used to comply with the above requirements. It is not a mandatory form but may assist Respondents in providing all of the required information.

4. Respondent must provide HUB trade organizations/business development centers AND HUB vendors a reasonable amount of time to respond to the written notice but not less than a minimum of seven (7) working days. The date the notification is sent is considered day "zero" and cannot be used to satisfy the seven (7) working days' requirement. In accordance with TAC, Title 34, Part 1, Chapter 20, Subchapter D, Division 1, Rule §20.282(35), a working day is a "normal business day of a state agency, excluding weekends, federal or state holidays, or days the agency is declared closed by its executive officer." To further clarify what days are considered non-working days due to federal or state holidays, a link to the state's holiday schedule is provided at http://www.hr.sao.texas.gov/Holidays/.

   Note, Method IV: Solicitation **is time sensitive** and failure to provide the required seven (7) working days as noted as well as all of the other requirements noted in Section 1.5.6 will result in disqualification, and the HSP will be deemed non-responsive for material failure to comply with advertised specifications.

5. In addition, a Respondent must provide written justification of its selection process if it chooses a non-HUB Subcontractor. The justification should demonstrate that the Respondent negotiated in good faith with qualified HUB bidders and did not reject qualified HUBs who were the best value responsive bidders.

Please complete the following sections and provide the following documents for "Method IV":

- ☐ HSP, Page 1, Section 1 - Respondent and Requisition Information;
- ☐ HSP, Page 2, Section 2 - Respondent's Subcontracting Intentions;
- ☐ HSP, Page 3, Section 4 - Affirmation;
- ☐ Submit an "Attachment B" for each item listed in HSP, Page 2, Section 2
- ☐ Submit supporting documentation to substantiate that each HUB notified or selected is an actively certified HUB vendor (include a copy of the profile located in the CPA's CMBL/HUB Directory); and
- ☐ Submit written supporting documentation (emails, faxes, or certified letters) to substantiate compliance with Section 1.5.6, Method IV.

1.6 HUB Subcontracting Plan Procedures - Respondent Does Not Intend to Subcontract

1.6.1 Method V: Self-Performance;

When the Respondent does not intend to subcontract any portion of the Contract, but instead is able to provide all Work with the Respondent's own equipment, supplies, materials, and/or employees (see Footnote 2), the Respondent is still required to submit a completed HSP.

The Respondent must complete the HSP, Page 3, "Section 3: Self Performing Justification" and attest that it does not intend to subcontract for any Goods or Services, including the class and item codes identified in Section 1.3.1, Probable Subcontracting Opportunities. In addition,

the Respondent must identify the sections of the proposal that describe how it will complete the Scope of Work using its own resources (including employees, see Footnote 2) or provide a statement explaining how it will complete the entire Scope of Work using its own internal resources (including employees, see Footnote 2). The Respondent must agree to comply with the following upon HHS request:

1. Provide evidence of sufficient Respondent staffing to meet the Contract objectives;
2. Provide monthly payroll records showing the Respondent staff fully engaged in the Contract;
3. Allow HHS to conduct an on-site review of company headquarters or work site where Services are to be performed; and
4. Provide documentation proving employment of qualified personnel holding the necessary licenses and certificates required to perform the Scope of Work.

Note, for purposes of this exhibit, TAC, Title 34, Part 1, Chapter 20, Subchapter D, Division 1, Rule §20.282(27), defines Subcontractor "as defined by Government Code, §2251.001, this is a person who contracts with a prime contractor to work or contribute toward completing work for a governmental entity." Subcontracting includes outsourcing of supplies, materials, equipment, and/or services. In addition to provide further clarity, contracting staffing (see Footnote 1) is also considered subcontracting and if the Respondent intends to fulfill any portion of the Contract utilizing contracted staffing (see Footnote 1), then the Method V: Self-Performance is not an option for complying with the good-faith effort requirements. The Respondent must utilize any one of the four other methods listed above to submit a responsive HSP.

1.7 Post-Award HSP Requirements

Once the Contract has been awarded, the HSP submitted with the response becomes a Contract provision and must be implemented in good faith. To assist the Contractor in understanding the HUB Contract requirements post award, a pre-recorded Webinar-based training has been provided for review and may be accessed at: https://attendee.gotowebinar.com/register/5782273786467926800.

Immediately after the Contract award, a HUB Coordinator will be assigned to coordinate a HUB Post-Contract-Award meeting with the Contractor and the program area. The following items will be addressed during this meeting:

1. Solidifying the HSP prior to the start of the Contract. Please note, to make any updates to the HSP, the Contractor must have proper justification. Pricing is not an acceptable justification **after** the Contract is awarded.
2. As a condition of award, the Contractor is required to send notification to all selected Subcontractors as identified in the accepted/approved HSP. In addition, a copy of the notification(s) must be provided to the HHS contract manager and/or HUB Program Office within ten (10) working days of the Contract award.
3. Discuss procedure for any HSP change requirements should a need arise during the life of the Contract to replace or add any new Subcontractors onto the HSP. Contractor is required to make changes in good faith by utilizing any of the good-faith methods stated in Section 1.5, HUB Subcontracting Plan Procedures – If Respondent Intends to Subcontract, of this exhibit. In addition, it requires the HHS HUB Program Office to provide prior approval before the Contractor may engage any new Subcontractors.

4. Failure to meet the HSP and post-contract-award requirements will constitute a breach of Contract and will be subject to remedial actions.
5. HHS may also report noncompliance to the CPA in accordance with the administrative rule governing the Vendor Performance and Debarment Program. Note, the CPA Debarment Program may result in being debarred from state contracting for a period of up to five (5) years.

1.8 HSP Most Common Errors

1. **Methods I through V:** Failure to submit a completed HSP with the Solicitation Response when the agency determined probability of subcontracting opportunities (see Section 1.3.1, Probable Subcontracting Opportunities). Completion requires responses with supporting documentation reflected by respective HSP Method, see Section 1.5.3 through Section 1.6.1.

2. **HUB Respondent's failure to provide a completed HSP or incorrectly incorporating their company's participation into the HSP towards meeting the HUB goal.** Please note, being a certified Texas HUB **does not** exclude HUB Respondent from complying with the good-faith effort requirements reflected in this Solicitation, nor is the Respondent able to use their company's participation towards meeting the HUB Utilization Goal. All Respondents regardless of HUB status responding to the Solicitation must fully adhere to the good-faith effort requirements in developing the HSP.

3. **Method IV: Solicitation -** Failure to provide seven (7) working days for HUB trade organizations/business development centers and HUB vendors to respond. Note, in accordance with TAC, Title 34, Part 1, Chapter 20, Subchapter D, Division 1, Rule§20.282(35), "working day" means a "normal business day of a state agency, not including weekends, federal or state holidays, or days the state agency is declared closed by its executive officer." To further clarify what days are considered federal or state holidays, a link to the state's holiday schedule is provided: http://www.hr.sao.texas.gov/Holidays/. In addition, the day the Solicitation notification document is sent to the HUB trade organizations/business development centers and HUB vendors is considered day zero (0) and cannot be used to satisfy the seven (7) working days' requirement (i.e., the notices were sent out on a Friday and the following Monday was a holiday, then Tuesday would be day one (1)).

4. **Method IV: Solicitation -** Soliciting a trade organization that is not considered a HUB trade organization or a trade organization not located in the State of Texas. Contact information for HUB trade organizations is available on the CPA's website: https://comptroller.texas.gov/purchasing/vendor/hub/resources.php.

5. **Method IV: Solicitation - Solicitation Method IV:** Failure to provide sufficient information in the subcontractor solicitation(s) for HUB vendors and HUB trade organizations/business development centers to be able to respond to a solicitation or determine the Solicitation's Scope of Work (see Section 1.5.6, Method IV: Solicitation, and the HSP form, Attachment B, "Section B-3: Notification of Subcontracting Opportunity.)

6. **Method IV: Solicitation –** Soliciting to HUB businesses whose NIGP Class and Item Codes or business description is unrelated to the subcontracting solicitation or soliciting HUB businesses for services outside of the geographical area, when HUBs are available in the immediate area (i.e., the physical work is located in Houston, Texas, but Respondent choose to solicit HUBs in El Paso, Texas). Start with a specific geographical search; and if unable to locate HUBs, expand the geographical search area until HUBs are located. If unable to locate HUBs to solicit, contact the HUB Coordinator in Section 1.4.1 for guidance.

7. **Methods I through IV:** Indicating "TBD" in any of the required HSP fields. When a solicitation contains unknown variables for determining dollar amounts or percentages, contact the HUB Coordinator for guidance. Leaving these fields blank or documenting as "TBD" may result in a non-responsive HSP determination.

8. **Methods I through IV:** Documenting a non-certified vendor as a HUB vendor used to satisfy the good-faith effort requirements. Respondent should always confirm the vendor's HUB status in the CPA's CMBL/HUB Directory profile (https://mycpa.cpa.state.tx.us/tpasscmblsearch/tpasscmblsearch.do) to ensure the vendor HUB certification is "A" active on the date the Solicitation was sent to the vendor. Furthermore, it is recommended that a printed copy of the HUB vendor's profile be include with the HSP as supporting documentation to avoid any issues.

9. **Methods I through V:** Including contracting staffing (see Footnote 1) as employees in the proposal and/or HSP and does not perform a good-faith effort requirement to include HUBs in the services performed by the contracted staffing (see Footnote 1) - note, only employees (see Footnote 2) may be considered as employees.

10. **Methods I through V:** Failure to document all subcontracting activity reflected within the proposal on the HSP documents. At the time of the HSP evaluation, a comparison is performed of the submitted proposal and the HSP to ensure the HSP is a true representation of any subcontracting that will be needed to fulfill all portions of an awarded contract. Any discrepancies may result in a non-responsive HSP and cannot be considered for a contract award.

11. **Methods I through IV:** Calculating the subcontracting percentages incorrectly. The correct method for calculating subcontracting percentages is: (subcontracting amount divided by (÷) total contract amount).