



**Sam Houston State University**  
**Procurement and Business Services**  
*A Member of The Texas State University System*

**INVITATION FOR BID**

**FAILURE TO MANUALLY SIGN BELOW WILL DISQUALIFY BID**

**Bid No.: 753-2-10531MAR**

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Due Date: 21 Mar 2012 at 3 PM CST**

Printed Name \_\_\_\_\_  
 VENDOR NAME AND ADDRESS \_\_\_\_\_ PHONE/FAX \_\_\_\_\_

Show bid opening date, time and bid invitation number in lower left hand corner of sealed bid envelope and return sealed bids to:

**Sam Houston State University**  
**Procurement and Business Services**  
**P.O. Box 2028**  
**1901 Avenue I, CHSS Bldg. Suite 452**  
**Huntsville, TX 77340**  
**Phone: (936) 294-1894**  
**Fax: (936) 294-1997**

Vendor ID Number \_\_\_\_\_ Phone \_\_\_\_\_

Name of Firm \_\_\_\_\_ FAX \_\_\_\_\_

Mailing Address \_\_\_\_\_

Delivery in	Days	Cash Disc.	%	Days
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City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**Check Below if Preference Claimed under Rule 1 TAC 113.8**

- |   |  |
|---|--|
| <input type="checkbox"/> Supplies, materials or equipment produced in TX/offered by TX bidders* | <input type="checkbox"/> Products of persons with mental or physical disabilities                          |
| <input type="checkbox"/> Agricultural products grown in TX                                      | <input type="checkbox"/> Products made of recycled, remanufactured, or environmentally sensitive materials |
| <input type="checkbox"/> Agricultural products offered by TX bidders*                           | <input type="checkbox"/> Energy efficient products   |
| <input type="checkbox"/> USA produced supplies, materials or equipment                          | <input type="checkbox"/> Rubberized asphalt paving material  |
|   | <input type="checkbox"/> Recycled motor oil and lubricants   |

\* By signing this bid, bidder certifies that if a Texas address is shown as the address of the bidder, bidder qualifies as a Texas resident Bidder as defined in Rule 1 TAC111.2.

IF QUOTING OTHER THAN THE REFERENCED ITEM(S) BELOW, BROCHURE AND/OR SPECIFICATIONS SHOULD BE ENCLOSED.  
 ALL BIDS WILL BE CONSIDERED F.O.B. DESTINATION, FREIGHT PREPAID AND ALLOWED, UNLESS OTHERWISE NOTED.

**AWARD NOTICE:** Sam Houston State University (SHSU) reserves the right to make an award on the basis of low line item bid, low total of line items, or in any other combination that will serve the best interest of SHSU and to reject any and all bid items in the sole discretion of SHSU.

Item No.	Description	Qty. & Unit	Unit Price	Extension
	Quote price on quantity and unit of measure, extend and show total. If error in extension, unit price shall govern. Items for state use are exempt from state sales and federal excise tax. Do not include tax in your bid.			
	CLASS 490 ITEM 96 BEFORE PROCEEDING, PLEASE READ ALL ATTACHED <a href="#">TERMS AND CONDITIONS</a> CAREFULLY.			
1	X-Ray Diffractometer. See Specifications for details. Mfr & Model: Rigaku Mini Flex II OR SHSU Approved Equal Bidding on MFR & Model/Part Number: _____	1 each		\$ _____
2	X-Ray Diffractometer. See Specifications for details. Mfr & Model: Rigaku Mini Flex II OR SHSU Approved Equal Bidding on MFR & Model/Part Number: _____	1 each		\$ _____
3	Optional Item: Extended Warranty for a 3 year period to begin upon completion of the Manufacturer's Standard	2 each	\$ _____	\$ _____

Warranty period. Optional items are line items that may or may not be purchased.. If purchased, the purchased quantity may be 1 or 2 each.

**NOTE:** Include any and all costs, fees, charges, insurance, delivery, etc. in the unit cost indicated above.

Invitation For Bid 753-2-10531MAR Bidder Name: \_\_\_\_\_

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### **SHSU TERMS AND CONDITIONS:**

**ITEMS BELOW APPLY TO AND BECOME A PART OF BID.**

**ANY EXCEPTIONS THERETO MUST BE IN WRITING AND SUBMITTED WITH BID.**

#### **1. BIDDING REQUIREMENTS:**

1.1 Bidders must comply with all rules, regulations and statutes relating to purchasing in the State of Texas in addition to the requirements of this form.

1.2 Bids must be time/date stamped by Sam Houston State University (SHSU) Procurement and Business Services department on or before the hour and date specified for the bid opening. Bids should list the bid number, opening date and time in the lower left corner of the sealed envelope in which the bid is submitted and show the correct SHSU address as stated on the bid form.

1.3 Bids should be submitted on this Invitation For Bid form. Bidders must price per unit shown. Unit prices shall govern in the event of an extension error. If a price quotation is submitted as a part of the bid, the quotation should be referenced on the SHSU bid document and the SHSU Invitation For Bid form must be manually signed by the bidder to establish formal linkage to the bid.

1.4 Late or unsigned bids will not be considered under any circumstances. Person signing the bid must have authority to bind the firm in a contract. The vendor (not the carrier/mail service/or University) is solely responsible for ensuring the bid is received prior to the bid opening in the Procurement and Business Services Department as specified on the bid form. Late bids properly identified will be returned, unopened, to the bidder.

1.5 Quote F.O.B. destination, freight prepaid and allowed, unless otherwise noted in the bid specifications.

1.6 Bid prices are requested to be firm for SHSU acceptance for 30 calendar days from bid opening date. Discount from list bids are not acceptable, unless requested. Cash discounts are not considered in determining an award. Cash discounts offered will be taken if earned.

1.7 Bids should give the Vendor ID number (as issued by the Comptroller of Public Accounts of Texas), full firm name and address of bidder, phone, and fax on the face of this form. If the Vendor ID number is not known, enter the bidder's Federal Employer's Identification Number, or Social Security Number if a sole owner. (Disclosure of SSN, if applicable, is mandatory pursuant to Section 231.006, Texas Family Code, and will be used in determining whether any person having 25% or greater ownership interest in the bidder company is more than 30 days delinquent in paying child support. Bidders that have pre-registered this information with the Texas Comptroller of Public Accounts website on the Centralized Master Bidders List have satisfied this requirement. Additionally, the firm name should appear on all continuation pages of this bid form.)

1.8 Bid cannot be altered or amended after opening time. Alterations made before opening time should be initialed by bidder or his authorized agent. No bid can be withdrawn after opening time without approval by SHSU, based on an acceptable written reason.

1.9 Purchases made for State use are exempt from the State Sales tax and Federal Excise tax. Do not include tax in this bid.

1.10 The State reserves the right to accept or reject all or any part of any bid, waive minor technicalities and award the bid to best serve the interests of the State.

1.11 Consistent and continued tie bidding could cause rejection of bids by SHSU and/or investigation for antitrust violations.

1.12 SHSU offers facsimile service as a convenience only. The telephone number for FAX submission of bids is 936-294-1997. This is the only number that will be used for the receipt of bids. SHSU shall not be responsible for failure of electronic equipment or operator-error. All pages of a faxed bid must be totally received and date stamped by purchasing personnel by the specified bid opening time. Partially received fax bids will be considered late if still transmitting after the specified time of the bid opening. Late, illegible, incomplete, or otherwise non-responsive bids will not be considered. SHSU Procurement and Business Services holds the official time clock.

1.13 If a bidder takes exception to any specifications within this Invitation for Bid, they must notify the Procurement and Business Services department in writing prior to the scheduled bid opening date and time.

1.14 Texas Public Information Act: Information, documentation, and other material collected, assembled or maintained by the University in connection with this solicitation or any resulting contract may be subject to public disclosure pursuant to Chapter 552 of the Texas Government Code (the "Public Information Act"). If a bidder believes any information contained in the bidder's response package contains any proprietary or confidential information the bidder must clearly mark the verbiage claimed to be proprietary or confidential. If a Public Information Act request for documents is filed, the University will make best efforts to contact bidder prior to release of claimed proprietary information. If, at that time, the bidder still believes information provided is proprietary or confidential, the bidder shall timely notify the University. Upon receipt of such notice, the University will submit to the Attorney General's Office the documents on which privilege is claimed, but will not be required to present any argument in support of the proposer's claim of privilege. It shall be the responsibility of the proposer to make arguments directly to the Attorney General's Office.

## 2. SPECIFICATIONS

2.1 Unless specifically stated otherwise, any catalog, brand name or manufacturer's reference in this Invitation For Bid is descriptive (not restrictive) and is used to indicate type and quality desired. Bids on brands of like nature and quality will be considered. If bidding other than referenced specifications, the bid MUST show manufacturer brand or trade name and description of product offered. Illustrations, product brochures, literature, etc. with complete descriptions of products offered should be made a part of the bid. If bidder does not identify exceptions to the specifications shown in this Invitation to Bid, bidder will be required to furnish brand names, numbers, etc. as shown in this Invitation to Bid.

2.2 Unless otherwise specified in this document, all items shall be new and unused and of current production.

2.3 All electrical items must meet all applicable OSHA standards and regulations, and bear the appropriate listing from the UL, FMRC or NEMA.

2.4 Sample, when requested, must be furnished free of expense to the State. If not destroyed in examination they will be returned to the bidder, on request, at the bidder's expense. Each sample should be marked with bidder's name, and address and requisition number. Do not enclose in or attach bid to sample.

2.5 SHSU will not be bound by any oral statement or representation contrary to the written specifications of this Invitation For Bid.

2.6 Manufacturer's standard warranty shall apply unless otherwise stated in the specifications in this Invitation For Bid.

## 3. DELIVERY

3.1 Bid should show the number of days required to place material/deliver items to the University's designated location under normal conditions.

Delivery days mean calendar days. Failure to state delivery time obligates bidder to complete delivery in 14 calendar days. Unrealistically short or long delivery promises may cause the bid to be disregarded.

3.2 If delay is foreseen, vendor shall give written notice to SHSU. Vendor must keep SHSU advised at all times of status of order. Default promised delivery (without accepted reasons) or failure to meet specifications authorizes SHSU to purchase supplies elsewhere and charge full increase, if any, in cost and handling to defaulting vendor.

3.3 Delivery shall be made during normal working hours, 8:00 a.m.- 4:00 p.m. CST only, unless prior approval has been obtained from SHSU.

3.4 No substitutions permitted without the prior written approval of SHSU.

## 4. TIE BIDS

4.1 Tie Bids- Awards will be made in accordance with Rule 1 TAC Section 113.6 (b) and 113.8 (preferences).

## 5. INSPECTIONS AND TESTS

5.1 All goods will be subject to inspection and test by SHSU. Authorized SHSU personnel shall have access to supplier's place of business for the purpose of inspecting merchandise. Tests shall be performed on samples submitted with the bid or on samples taken from regular shipment. All costs shall be borne by the vendor in the event products tested fail to meet or exceed all conditions and requirements of the specification. Goods delivered and rejected in whole or in part may, at SHSU's option, be returned to the vendor or held for disposition at vendor's expense. Latent defects may result in revocation of acceptance.

## 6. AWARD OF CONTRACT

6.1 A response to this Invitation For Bid is an offer to contract based upon the lowest price that meets or exceeds specifications contained herein or the best value criteria if stated in the specifications contained herein. Bids do not become contracts until they are accepted through a SHSU purchase order. The contract shall be governed, construed and interpreted under the laws of the State of Texas, and SHSU policy as the same may be amended from time to time. Any legal actions must be filed in Walker County, Huntsville, Texas.

## 7. CANCELLATION OF CONTRACT

7.1 If contract is cancelled, for any reason, any prepaid fees shall be refunded on a pro-rated basis.

**8. PAYMENT**

8.1 Vendor shall submit an itemized invoice showing SHSU purchase order number. SHSU will incur no penalty for late payment, if payment is made in 30 or fewer days from receipt of goods/services on an uncontested invoice. The payment process will begin when SHSU Purchasing/Accounts Payable receives the authorized payment approval form from the department/end user.

**9. FUNDING OUT CLAUSE**

9.1 Sam Houston State University reserves the right to cancel, without penalty, if funds are not appropriated or otherwise made available at any time during the contract period.

**10. PATENTS & COPYRIGHTS**

10.1 The vendor agrees to protect SHSU from claims involving infringement of patents and copyrights.

**11. VENDOR ASSIGNMENTS**

11.1 Vendor hereby assigns to ordering agency any and all claims for overcharges associated with this contract arising under the antitrust laws of the United States 15 U.S.C.A. Section 1, et seq. (1973), and the antitrust laws of the State of Texas, TEX Bus. & Comm. Code Ann. Sec. 15.01, et seq. (1967). Inquiries pertaining to Invitation For Bid forms must give the requisition number, codes and opening date.

**12. BIDDER AFFIRMATION**

Signing this bid with a false statement is a material breach of contract and shall void the submitted bid or any resulting contracts, and the bidder shall be removed from all bid lists. By signature hereon affixed:

12.1 The bidder has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted bid.

12.2 The bidder is not currently delinquent in the payment of any franchise tax owed to the State of Texas.

12.3 Neither the bidder nor the firm, corporation, partnership, or institution represented corporation or institution has violated any antitrust laws of this State or the Federal Antitrust Laws (see Section 9 above), nor communicated directly or indirectly the bid made to any competitor or any other person engaged in such line of business.

12.4 The bidder has not received compensation for participation in the preparation of the specifications for this Invitation For Bid.

12.5 If applicable, pursuant to Texas Family Code, Title 5, Subtitle D, Section 231.006(d), regarding child support, the bidder certifies that the individual or business entity named in this bid is not ineligible to receive the specified payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate. Furthermore, any bidder subject to Section 231.006 must include names and Social Security numbers of each person with at least 25% ownership of the business entity submitting the bid. This information must be provided prior to award.

12.6 Pursuant to Section 2155.004 Government Code re: collection of state and local sales and use taxes, the bidder certifies that the individual or business entity named in this bid is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and/or payment withheld if this certification is inaccurate.

12.7 The contractor shall defend, indemnify, and hold harmless the State of Texas, SHSU, all of it's officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of contractor or any agent, employee, subcontractor, or supplier of contractor, in the execution or performance of this contract.

12.8 Bidder agrees that any payments due under this contract will be applied towards any debt, including but not limited to delinquent taxes and child support that is owed to the State of Texas.

12.9 Bidder certifies that they are in compliance with Texas Government Code, Title 6, Subtitle B, Section 669.003 of the Government Code, relating to contracting with executive head of a State agency. If section 669.003 applies, bidder will complete the following information in order for the bid to be evaluated:

Name of former executive: \_\_\_\_\_

Name of State agency: \_\_\_\_\_

Date of separation from State agency: \_\_\_\_\_

Position with Bidder: \_\_\_\_\_

Date of Employment with bidder: \_\_\_\_\_

**13. TECHNOLOGY ACCESS CLAUSE**

13.1 The Vendor expressly acknowledges that state funds may not be expended in connection with the purchase of an automated information system unless that system meets certain statutory requirements relating to accessibility by persons with visual impairments. Accordingly, the Vendor represents and warrants to Sam Houston State University that the technology provided to Sam Houston State University for purchase is capable, either by virtue of features included within the technology or because it is readily adaptable by use with other technology, of:

- providing equivalent access for effective use by both visual and non-visual means;
- presenting information, including prompts used for interactive communications, in formats intended for non-visual use; and
- being integrated into networks for obtaining, retrieving, and disseminating information used by individuals who are not blind or visually impaired.

For purposes of this paragraph, the phrase "equivalent access" means a substantially similar ability to communicate with or make use of the technology, either directly by features incorporated within the technology or by other reasonable means such as assistive devices or services which would constitute reasonable accommodations under the Federal Americans with Disabilities Act or similar state or federal laws. Examples of methods by which equivalent access may be provided include, but are not limited to, keyboard alternatives

#### 14. NOTICE TO BIDDERS

14.1 Any terms and conditions attached to a bid will not be considered unless specifically referred to on this bid form and may result in disqualification of the bid.

14.2 The University considers all information, documentation, and other materials submitted in the response to this IFB to be of a non-confidential and non-proprietary nature unless otherwise indicated by the bidder in accordance with section 1.11 of the Terms and Conditions above. All information not clearly marked as proprietary or confidential may be subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001) after all contracts associated with the award are executed. Bidder is hereby notified that the University strictly adheres to all statutes, court decisions, and the opinions of the Texas Attorney General with respect to disclosure of public information.

14.3 Equal opportunity – Contractor represents and warrants that it shall not discriminate against any person on the basis of race, color, national origin, creed, religion, political belief, sex, sexual orientation, age or disability in the performance of the resulting contract.

14.4 In the event that Sam Houston State University is closed due to inclement weather and/or emergency situations at the time set aside for the published bid opening, the published due date will default to the next open business day at the same time.

02-14-11

#### INFORMATIONAL NOTES

1. **Fax Bids:** Fax bids are acceptable. Bid fax number **936 294-1997**.
2. **Point of Contact:** Marilyn Meshell, Purchaser II, pur\_mar@shsu.edu or telephone 936 294-1905.
3. **Award Factors:** Award will be made to the bidder who provides the lowest price that meets or exceeds the specifications. Also see the Terms and Conditions, paragraph 6, Award of Contract.
4. **Bidder Questions:** After the IFB is advertised, bidders will have until **3 PM Central Time, 6 March 2012**, to submit **written** questions for clarification of the bid. Send questions to Marilyn Meshell via e-mail to pur\_mar@shsu.edu or fax to 936 294-1997. All questions submitted and received will be reviewed, consolidated where possible, and answered in one addendum to the bid. See Note 5 below for additional information.
5. **Addenda to Invitation For Bid and Award Information:** If it becomes necessary to revise any part of this IFB, including the answer of technical questions, a revision will be given in the form of an addendum. The addendum will be posted on the Texas Electronic State Business Daily at <http://esbd.cpa.state.tx.us/> and Walker County Alliance web page at [www.shsu.edu/wca](http://www.shsu.edu/wca). It is the responsibility of the bidder to monitor the website for addenda or other written responses. In addition, information about the award will be posted on the web site. Addenda are usually posted within 2 business days unless the questions involve legal issues or complex subjects. It is the bidder's responsibility to continually check the web site for Addenda.
6. **No Guarantee of Award:** University makes no warranty or guarantee that an award will be made as a result of this IFB. University reserves the right to accept or reject any or all bids, waive any formalities or minor technical inconsistencies and delete any requirement or specification from this IFB or the Agreement when deemed to be in University's best interest. University reserves the right to seek clarification of any item contained in bid prior to final selection. Such clarification may be provided by telephone or personal meeting with or in writing to University, at University's discretion. Representations made by bidder within its bid will be binding on bidder. University will not be bound to act by any previous communication or response submitted by bidder, other than this IFB.

7. **Alternate Products** will be considered. Please provide a product sheet or brochure for product evaluation.
8. **TXMAS and Cooperative Agreements:** Please provide a bid offering your best pricing. If best pricing utilizes TXMAS or one of the cooperative contracts listed below, please include your TXMAS or cooperative contract number with your bid. Otherwise, provide open market pricing. The University is authorized to use TXMAS contracts and is a member of several purchasing cooperatives:
- |                        |   |
|------------------------|---|
| Buyboard               | Texas Association of School Boards (TASB) |
| E&I                    | Educational & Institutional Cooperative   |
| 1 <sup>st</sup> Choice | First Choice                              |
| HCDE                   | Harris County Department of Education     |
| PSA                    | Purchasing Solutions Alliance             |
| TCPN                   | The Cooperative Purchasing Network        |
| TXMAS                  | Texas Multiple Award Schedules            |
9. **Franchise and Sales Taxes:** Vendor must be in good standing with the Comptroller of Public Accounts for the State of Texas for franchise and sales taxes to receive an award based on this solicitation. If you require more information about these taxes, visit the Comptroller's office at <http://ecpa.cpa.state.tx.us/vendor/tpsearch1.html> or call 800 252-1381.
10. **Contact with the University:** Contacts with the University must be through SHSU Procurement and Business Services. Procurement and Business Services may refer you to other individuals or departments for technical matters. Bidders are reminded that SHSU is not bound by any oral statements or representations. SHSU Procurement and Business Services is the only department that has the authority to provide official answers to questions, conduct discussions or negotiations, or enter into any binding agreement for this project.
11. **Delivery Time:** Desired within 30 days after receipt of order (ARO); Required 60 days ARO
12. **FOB:** Destination to SHSU campus.
13. **Delivery Instructions:**
- Deliver to: Sam Houston State University, Huntsville TX 77340  
Specific delivery information will be provided to the vendor who receives the award.
  - Delivery Hours: Monday – Friday, 8 am -4 pm, except University observed holidays
14. **Invoice and Payment:**
- SHSU is an agency of the State of Texas and is Tax Exempt.
  - Payment will be made by SHSU Disbursements after receipt of a correct Invoice and receipt of a Payment Approval Form from the requesting departments.
  - Submit an original invoice to:
 

Sam Houston State University	
Disbursements	fax 936 294-3796
Box 2185	
Huntsville TX 77341	
15. **HUB Subcontracting Plan (HSP) *is required.*** HSP information and forms are located after the Specifications.

**SPECIFICATIONS****Scope:**

1. This document describes a set of specifications defining the need to purchase a desktop powder x-ray diffractometer (XRD). The instrument must meet all criteria set forth in these specifications while maintaining true plug-n-play operation, ease of set up and operation, and mobility.
2. The XRD system must be compact and desktop that can be used in the laboratory or easily moved and re-installed in other labs or in the field provided utilities are present. It can be readily installed in any location including the sampling site. The system must be small enough to fit and operate inside a scientific glove box that is vented to the outside.

**XRD Specifications:**

1. Power: no more than 115V, single phase, 60 Hz, 10 A
2. Weight: less than 168 pounds with hand carry handles on each side so two people can move it without mechanical assistance
3. X-ray Generator: minimum of 450 Watts (30kV, 15mA fixed) for highest intensity, high frequency  $\pm 0.05\%$  stability
4. X-ray Tube: 1.8kW Cu target, normal focus; The system optics and detector must be compatible with Co, Fe, and Cr tubes if needed for future expansion
5. Filter: Ni K-beta filter for Cu radiation
6. Detector: Nal Scintillation Counter
7. Goniometer: vertical,  $\theta/2\theta$
8. Goniometer Radius: 150mm for best optimization of intensity and resolution
9. Slits: computer controlled, theta-compensating variable divergence slit to keep the irradiated area constant during a scan fixed anti-scatter slit soller slit fixed receiving slit as described in US patents 7443952 & 7471766
10. Monochromator: graphite diffracted beam monochromator for use with Cu radiation and scintillation counter
11. Scan Range:  $-3^\circ$  to  $+145^\circ$   $2\theta$  minimum
12. Scan Speed:  $0.01^\circ$  to  $100^\circ/\text{min}$   $2\theta$  minimum
13. Slewing Speed:  $1000^\circ/\text{min}$  minimum
14. Radiation Enclosure: self-contained radiation enclosure with fail-safe interlocks and radiation safety lighting
15. Sample Changer/Spinner: automatic sample changer, 6 positions minimum with sample spinner included
16. Computer: external to XRD system; use with desktop or laptop models and brands. Minimum specs:

Intel Core 2 Duo Processor (3.0 GHz)	32 bit; 4.0 GB SDRAM
Video: 256MB ATI RADEON HD 3450	Internal Audio Speaker
17" ultra-sharp flat panel LCD	dual monitor capability
320 GB HD with 16MB data burst cache	16X DVD+/-RW, will read/write CDs
8 USB ports, 2 on front, 6 on back	keyboard, USB 2 button mouse and pad
Microsoft Windows 7	Microsoft Office 2010 Basic
Color printer with cable	serial ports, minimum of 2 required
3 year basic limited warranty with 3 yr NBD on-site service	

## 17. Operations/User manual for XRD system

**Software Specs:**

1. Control and Measurement – for Windows 7
  - A. Configuration Program: goniometer and detector settings; attachment configuration definitions
  - B. Manual Measurement  
Enables user control of each of the goniometer and attachment axes as well as setting of detector high voltage; used to check system alignment; may be used to perform simple measurements
  - C. Standard Measurement  
Allows up to fifty different sets of measurement conditions to be defined by the user with conditions stored for later use and editing; multiple measurement conditions can be applied to the sample and up to six samples can be measured when using the optional sample changer; real-time data display is provided along with the ability to suspend or abort running measurements; during real-time display, it is possible to zoom in on any portion of the collected data to examine a region of interest
  - D. A plot of the measured data can be obtained automatically
2. Power Diffraction Analysis Software – includes ten full licenses of XRD analysis software with the analysis, search match and WPPF/Rietveld analysis features and capabilities as described below must be included:
  - A. Display Features: zoom, reset, and pan; multiple pattern overlays in 2D and 3D; hiding analysis results to show raw data only; switching 2 theta axis to S or Q; customizing line colors, widths, and markers; Windows clipboard support for copy and pasting into other applications; thumbnail viewing; drag & drop from Explorer; access to your COD or ICDD database for overlays and card printing; view crystal structures in 3D with real-time manipulation
  - B. Data Reduction Features: automatic data reduction and peak list reporting; Sonneveld-Visser and polynomial function background elimination; Rachinger method Ka2 elimination; automatic and/or manual peak finding; peak-top and second-derivative peak finding; Gaussian moving average, Savitzky-Golay, optimized Gaussian moving average, and B-spline smoothing; beam footprint and absorption corrections for variable slit; absorption correction for capillary; LP correction for monochromators
  - C. Data Analysis Features: turnkey flow bar interface; simultaneous processing of multiple patterns; automatic individual parameter fitting; RIR quantitative analysis using imported phase information; crystallite
  - D. Size determination using a single diffraction peak (Scherrer's equation) with and without an external standard reference material; Boolean search of ICDD PDF databases
  - E. Data Input/Output and Database Management Feature: universal ASCII pattern file import & export; detailed processing logs; import/export d-I and IUCr CIF files; automatic Microsoft Word report creation; on-line PDF manual; easy creation and management of searchable database from ICDD and user defined phases; d-I list editing & file import
  - F. Power Diffraction qualitative Analysis (search): search match features interface to ICDD PDF-2 and PDF-4 databases; provisions to carry sample information such as chemistry, cell contents, density, etc. in the user file; powerful line and profile-based hybrid search/match algorithm, with before/after chemistry filter, control of sensitivity to lattice parameter, focus on minor phases & consideration of preferred orientation; GUI result display with d-I overlay tools; independent GUI result display with zoom & pan support; flexible cell algorithm for solid solution & iso-typical phases; residual display and repeat of search/match with specified peaks; automatic selection of best FOM phases; sort & tree display on similarity for simple phase identification



G. Whole Pattern Fitting/Rietveld Analysis: must utilize the Rietveld method for quantitative analysis, lattice constant determination, and structure refinement using the whole XRD pattern. Physical scattering models are built using actual crystal structure parameters for various phases. Non-linear least squares optimization procedures bring this model into agreement with your measured pattern by adjusting parameters of the model. These parameters include background, profile shapes, lattice constraints, atom coordinates, site occupancy & thermal factors. WPF nicely complements the model building in cases where a structure may be unknown, yet a good single-phase pattern is available.

H. XRD Databases: the system must contain the latest database releases of the following x-ray diffraction databases:  
Crystallography Open Database (COD)  
ICSD FIZ/NIST Database

**Warranty:**

1. Minimum of a full one year warranty that includes all labor, parts, shipping charges, and travel for service during the warranty period.
2. All service during the warranty period shall be performed at the customer's site at no expense to the customer.
3. Desired response time is next business day. Required response time is within 72 business hours.

**Installation:** Installation services to be provided at two departmental locations on the SHSU campus.

**Training Services:**

1. Basic operation and maintenance training must be provided in conjunction with installation services. Training must cover instrument operation and applications using the XRD and its associated software. Training must be provided at the manufacturer's US based facility.
2. Further training shall be tuition free for 4 individuals (2 per instrument) at a regularly scheduled XRD training class at the vendor's facility for the life of the instrument. Location of the school must be within a 150 mile radius of SHSU. Training must be offered at the vendor's facility at least four times a year. The training must cover operations and applications using the XRD and its associated software.

## HSP Quick Check List

### ❖ SELF-PERFORMANCE

If you are not subcontracting any portion of the contract and will be fulfilling the entire contract with your own resources, complete:

- Section 1 – Respondent and Requisition Information
- Section 2 a. – No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources
- Section 3 – Self Performing Justification
- Section 4 – Affirmation

### ❖ 100% HUB PARTICIPATION

If all of your subcontracting opportunities will be performed using only HUB vendors, complete:

- Section 1 - Respondent and Requisition Information
- Section 2 a. – Yes, I will be subcontracting portions of the contract
- Section 2 b. – List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to HUB vendors
- Section 2 c. – Yes
- Section 4 – Affirmation
- GFE Method A (**Attachment A**) – Complete this attachment for each subcontracting opportunity

### ❖ MEET THE GOAL

If you are subcontracting with HUB vendors and Non-HUB vendors, and the aggregate percentage\* of subcontracting with HUB vendors meets or exceeds the HUB Goal the contracting agency identified in the “Agency Special Instructions/Additional Requirements”, complete:

- Section 1 - Respondent and Requisition Information
- Section 2 a. – Yes, I will be subcontracting portions of the contract
- Section 2 b. – List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to HUB vendors and Non HUB vendors
- Section 2 c. – No
- Section 2 d. – Yes
- Section 4 – Affirmation
- GFE Method A (**Attachment A**) – Complete this attachment for each subcontracting opportunity

### ❖ SOLICIT: GOOD FAITH EFFORT

If you are subcontracting with HUB vendors and Non-HUB vendors (or only Non HUB vendors), and the aggregate percentage\* of subcontracting with HUB vendors does not meet or exceed the HUB Goal the contracting agency identified in the “Agency Special Instructions/Additional Requirements”, complete:

- Section 1 - Respondent and Requisition Information
- Section 2 a. – Yes, I will be subcontracting portions of the contract
- Section 2 b. – List all the portions of work you will subcontract, and indicated the percentage of the contract you expect to award to HUB vendors and Non HUB vendors
- Section 2 c. – No
- Section 2 d. – No
- Section 4 – Affirmation
- GFE Method B (**Attachment B**) – Complete this attachment for each subcontracting opportunity

\* Aggregate percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for five (5) years or less.



# HUB SUBCONTRACTING PLAN (HSP)

In accordance with Texas Gov't Code §2161.252, the contracting agency has determined that subcontracting opportunities are probable under this contract. Therefore, all respondents, including State of Texas certified Historically Underutilized Businesses (HUBs) must complete and submit this State of Texas HUB Subcontracting Plan (HSP) with their response to the bid requisition (solicitation).

**NOTE: Responses that do not include a completed HSP shall be rejected pursuant to Texas Gov't Code §2161.252(b).**

The HUB Program promotes equal business opportunities for economically disadvantaged persons to contract with the State of Texas in accordance with the goals specified in the 2009 State of Texas Disparity Study. The statewide HUB goals defined in 34 Texas Administrative Code (TAC) §20.13 are:

- **11.2 percent for heavy construction other than building contracts,**
- **21.1 percent for all building construction, including general contractors and operative builders contracts,**
- **32.7 percent for all special trade construction contracts,**
- **23.6 percent for professional services contracts,**
- **24.6 percent for all other services contracts, and**
- **21 percent for commodities contracts.**

### - - Agency Special Instructions/Additional Requirements - -

In accordance with 34 TAC §20.14(d)(1)(D)(iii), a respondent (prime contractor) may demonstrate good faith effort to utilize Texas certified HUBs for its subcontracting opportunities if the total value of the respondent's subcontracts with Texas certified HUBs meets or exceeds the statewide HUB goal or the agency specific HUB goal, whichever is higher. When a respondent uses this method to demonstrate good faith effort, the respondent must identify the HUBs with which it will subcontract. If using existing contracts with Texas certified HUBs to satisfy this requirement, only contracts that have been in place for five years or less shall qualify for meeting the HUB goal. This limitation is designed to encourage vendor rotation as recommended by the 2009 Texas Disparity Study.

## SECTION 1 RESPONDENT AND REQUISITION INFORMATION

- a. Respondent (Company) Name: \_\_\_\_\_ State of Texas VID #: \_\_\_\_\_  
 Point of Contact: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_ Fax #: \_\_\_\_\_
- b. Is your company a State of Texas certified HUB?  - Yes  - No
- c. Requisition #: \_\_\_\_\_ Bid Open Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
(mm/dd/yyyy)

Enter your company's name here: \_\_\_\_\_

Requisition #: \_\_\_\_\_

**SECTION 2 SUBCONTRACTING INTENTIONS**

After dividing the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, and taking into consideration the scope of work to be performed under the proposed contract, including all potential subcontracting opportunities, the respondent must determine what portions of work, including goods and services, will be subcontracted. Note: In accordance with 34 TAC §20.11., an "Subcontractor" means a person who contracts with a prime contractor to work, to supply commodities, or to contribute toward completing work for a governmental entity.

a. Check the appropriate box (Yes or No) that identifies your subcontracting intentions:

- **Yes**, I will be subcontracting portions of the contract. (If **Yes**, complete Item b, of this SECTION and continue to Item c of this SECTION.)

- **No**, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources. (If **No**, continue to SECTION 3.)

b. List all the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB).

Item #	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for <u>five (5) years or less.</u>	Percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for <u>more than five (5) years.</u>	Percentage of the contract expected to be subcontracted to non-HUBs .
1		%	%	%
2		%	%	%
3		%	%	%
4		%	%	%
5		%	%	%
6		%	%	%
7		%	%	%
8		%	%	%
9		%	%	%
10		%	%	%
11		%	%	%
12		%	%	%
13		%	%	%
14		%	%	%
15		%	%	%
<b>Aggregate percentages of the contract expected to be subcontracted:</b>		<b>%</b>	<b>%</b>	<b>%</b>

(Note: If you have more than fifteen subcontracting opportunities, a continuation sheet is available online at <http://window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan/>)

c. Check the appropriate box (Yes or No) that indicates whether you will be using only Texas certified HUBs to perform all of the subcontracting opportunities you listed in SECTION 2, Item b.

- **Yes** (If **Yes**, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed.)

- **No** (If **No**, continue to Item d, of this SECTION.)

d. Check the appropriate box (Yes or No) that indicates whether the **aggregate expected percentage** of the contract you will subcontract with Texas certified HUBs with which you have had contracts in place with for five (5) years or less **meets or exceeds** the HUB goal the contracting agency identified on page 1 in the "Agency Special Instructions/Additional Requirements".

- **Yes** (If **Yes**, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed.)

- **No** (If **No**, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method B (Attachment B)" for each of the subcontracting opportunities you listed.)

Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

**SECTION 2 SUBCONTRACTING INTENTIONS (CONTINUATION SHEET)**

a. This page can be used as a continuation sheet to the HSP Form's page 2, SECTION 2, Item b. Continue listing the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB).

Item #	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for five (5) years or less.	Percentage of the contract expected to be subcontracted to HUBs with which you have had contracts in place for more than five (5) years.	Percentage of the contract expected to be subcontracted to non-HUBs .
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
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		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
		%	%	%
Aggregate percentages of the contract expected to be subcontracted:		<b>%</b>	<b>%</b>	<b>%</b>

**SECTION 3 SELF PERFORMING JUSTIFICATION (If you responded "No" to SECTION 2, Item a, you must complete this SECTION and continue to SECTION 4.)**

Check the appropriate box (Yes or No) that indicates whether your response/proposal contains an explanation demonstrating how your company will fulfill the entire contract with its own resources.

- **Yes** (If **Yes**, in the space provided below **list the specific page(s)/section(s)** of your proposal which explains how your company will perform the entire contract with its own equipment, supplies, materials and/or employees.)

- **No** (If **No**, in the space provided below **explain how** your company will perform the entire contract with its own equipment, supplies, materials and/or employees.)

**SECTION 4 AFFIRMATION**

As evidenced by my signature below, I affirm that I am an authorized representative of the respondent listed in SECTION 1, and that the information and supporting documentation submitted with the HSP is true and correct. Respondent understands and agrees that, if awarded any portion of the requisition:

- The respondent will provide notice as soon as practical to **all** the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor for the awarded contract. The notice must specify at a minimum the contracting agency's name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.
- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to the contracting agency, verifying its compliance with the HSP, including the use of and expenditures made to its subcontractors (HUBs and Non-HUBs). (The PAR is available at <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/progressassessmentrpt.xls>).
- The respondent must seek approval from the contracting agency prior to making any modifications to its HSP, including the hiring of additional or different subcontractors and the termination of a subcontractor the respondent identified in its HSP. If the HSP is modified without the contracting agency's prior approval, respondent may be subject to any and all enforcement remedies available under the contract or otherwise available by law, up to and including debarment from all state contracting.
- The respondent must, upon request, allow the contracting agency to perform on-site reviews of the company's headquarters and/or work-site where services are being performed and must provide documentation regarding staffing and other resources.

Signature	Printed Name	Title	Date
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- REMINDER:**
- If you responded "**Yes**" to **SECTION 2, Items c or d**, you must complete an "HSP Good Faith Effort - Method A (Attachment A)" for **each** of the subcontracting opportunities you listed in SECTION 2, Item b.
  - If you responded "**No**" **SECTION 2, Items c and d**, you must complete an "HSP Good Faith Effort - Method B (Attachment B)" for **each** of the subcontracting opportunities you listed in SECTION 2, Item b.

# HSP Good Faith Effort - Method A (Attachment A)

(Rev. 10/11)

Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

**IMPORTANT:** If you responded "Yes" to SECTION 2, Items c or d of the completed HSP form, you must submit a completed "HSP Good Faith Effort - Method A (Attachment A)" for **each** of the subcontracting opportunities you listed in SECTION 2, Item b of the completed HSP form. You may photo-copy this page or download the form at <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/HUBSubcontractingPlanAttachment-A.doc>

## SECTION A-1 SUBCONTRACTING OPPORTUNITY

Enter the item number and description of the subcontracting opportunity you listed in SECTION 2, Item b, of the completed HSP form for which you are completing this attachment.

Item #: \_\_\_\_\_ Description: \_\_\_\_\_

## SECTION A-2 SUBCONTRACTOR SELECTION

List the subcontractor(s) you selected to perform the subcontracting opportunity you listed above in SECTION A-1. Also identify whether they are a Texas Certified HUB and their VID number, the approximate dollar value of the work to be subcontracted, the expected percentage of work to be subcontracted, and indicate whether the company is a Texas certified HUB.

Company Name	Texas Certified HUB	VID # (Required if Texas Certified HUB)	Approximate Dollar Amount	Expected Percentage of Contract
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%

**REMINDER:** As specified in SECTION 4 of the completed HSP form, if you (respondent) are awarded any portion of the requisition, you are required to provide notice as soon as practical to **all** the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor. The notice must specify at a minimum the contracting agency's name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.

# HSP Good Faith Effort - Method B (Attachment B)

(Rev. 10/11)

Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

**IMPORTANT:** If you responded “No” to SECTION 2, Items c and d of the completed HSP form, you must submit a completed “HSP Good Faith Effort - Method B (Attachment B)” for each of the subcontracting opportunities you listed in SECTION 2, Item b of the completed HSP form. You may photo-copy this page or download the form at <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/HUBSubcontractingPlanAttachment-B.doc>

## SECTION B-1 SUBCONTRACTING OPPORTUNITY

Enter the item number and description of the subcontracting opportunity you listed in SECTION 2, Item b, of the completed HSP form for which you are completing this attachment.

Item #: \_\_\_\_\_ Description: \_\_\_\_\_

## SECTION B-2 MENTOR PROTÉGÉ PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protégé Program, submitting its Protégé (Protégé must be a State of Texas certified HUB) as a subcontractor to perform the subcontracting opportunity listed in SECTION B-1, constitutes a good faith effort to subcontract with a Texas certified HUB towards that specific portion of work.

Check the appropriate box (Yes or No) that indicates whether you will be subcontracting the portion of work you listed in SECTION B-1 to your Protégé.

- Yes (If Yes, to continue to SECTION B-4.)  
 - No / Not Applicable (If No or Not Applicable, continue to SECTION B-3.)

## SECTION B-3 NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

When completing this section you MUST comply with items a, b, c and d, thereby demonstrating your Good Faith Effort of having notified Texas certified HUBs and minority or women trade organizations or development centers about the subcontracting opportunity you listed in SECTION B-1. Your notice should include the scope of work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person.

When sending notice of your subcontracting opportunity, you are encouraged to use the attached HUB Subcontracting Opportunity Notice form, which is also available online at <http://www.window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan/>

Retain supporting documentation (i.e., certified letter, fax, e-mail) demonstrating evidence of your good faith effort to notify the Texas certified HUBs and minority or women trade organizations or development centers.

- a. Provide written notification of the subcontracting opportunity you listed in SECTION B-1, to three (3) or more Texas certified HUBs. Unless the contracting agency specified a different time period, you must allow the HUBs at least seven (7) working days to respond to the notice prior to your submitting your bid response to the contracting agency. When searching for Texas certified HUBs, ensure that you use the State of Texas' Centralized Master Bidders List (CMBL) and Historically Underutilized Business (HUB) Search directory located at <http://www.window.state.tx.us/procurement/cmb/cmbhub.html>. HUB Status code “A” signifies that the company is a Texas certified HUB.
- b. List the three (3) Texas certified HUBs you notified regarding the subcontracting opportunity you listed in SECTION B-1. Include the company's Vendor ID (VID) number, the date you sent notice to that company, and indicate whether it was responsive or non-responsive to your subcontracting opportunity notice.

Company Name	VID #	Date Notice Sent (mm/dd/yyyy)	Did the HUB Respond?
		/ /	<input type="checkbox"/> - Yes <input type="checkbox"/> - No
		/ /	<input type="checkbox"/> - Yes <input type="checkbox"/> - No
		/ /	<input type="checkbox"/> - Yes <input type="checkbox"/> - No

- c. Provide written notification of the subcontracting opportunity you listed in SECTION B-1 to minority or women trade organizations or development centers to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. Unless the contracting agency specified a different time period, you must provide your subcontracting opportunity notice to minority or women trade organizations or development centers at least seven (7) working days prior to submitting your bid response to the contracting agency.

A list of trade organizations and development centers that have expressed an interest in receiving notices of subcontracting opportunities is available on the Statewide HUB Program's webpage at <http://www.window.state.tx.us/procurement/prog/hub/mwb-links-1/>

- d. Enter the name of the minority or women trade organizations or development centers you notified regarding the subcontracting opportunity you listed in SECTION B-1. Include the date when you sent notice to it and indicate if it accepted or rejected your notice.

Minority/Women Trade Organizations or Development Centers	Date Notice Sent (mm/dd/yyyy)	Was the Notice Accepted?
	/ /	<input type="checkbox"/> - Yes <input type="checkbox"/> - No
	/ /	<input type="checkbox"/> - Yes <input type="checkbox"/> - No



# HSP Good Faith Effort - Method B (Attachment B) *Cont.*

Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

## SECTION B-4 SUBCONTRACTOR SELECTION

- a. List the subcontractor(s) you selected to perform the subcontracting opportunity you listed in **SECTION B-1**. Also identify whether they are a Texas Certified HUB and their VID number, the approximate dollar value of the work to be subcontracted, the expected percentage of work to be subcontracted, and indicate whether the company is a Texas certified HUB.

Company Name	Texas Certified HUB	VID # <small>(Required if Texas Certified HUB)</small>	Approximate Dollar Amount	Expected Percentage of Contract
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%

- b. If any of the subcontractors you have selected to perform the subcontracting opportunity you listed in SECTION B-1 is **not** a Texas certified HUB, provide written justification for your selection process (attach additional page if necessary):

**REMINDER:** As specified in SECTION 4 of the completed HSP form, if you (respondent) are awarded any portion of the requisition, you are required to provide notice as soon as practical to **all** the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor. The notice must specify at a minimum the contracting agency's name and its point of contact for the contract, the contract award number, the subcontracting opportunity it (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.

# HUB Subcontracting Opportunity Notification Form

In accordance with Texas Gov't Code, Chapter 2161, 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. The state agency I have identified below in **Section B** has determined that subcontracting opportunities are probable under the requisition to which my company will be responding.

34 Texas Administrative Code, §20.14 requires all respondents (prime contractors) bidding on the contract to provide notice of each of their subcontracting opportunities to at least three (3) Texas certified HUBs (who work within the respective industry applicable to the subcontracting opportunity), and allow the HUBs at least seven (7) working days to respond to the notice prior to the respondent submitting its bid response to the contracting agency. In addition, the respondent must provide notice of each of its subcontracting opportunities to minority/women trade organizations or development centers at least seven (7) working days prior to submitting its bid response to the contracting agency.

We respectfully request that vendors interested in bidding on the subcontracting opportunity identified in **Section C** reply no later than the date and time identified in **Section C, Item 1**. Submit your response to the point-of-contact referenced in **Section A**.

<b>Section A</b>	<b>PRIME CONTRACTOR'S INFORMATION</b>	
Company Name:	_____	State of Texas VID #: _____
Point-of-Contact:	_____	Phone #: _____
E-mail Address:	_____	Fax #: _____

<b>Section B</b>	<b>CONTRACTING STATE AGENCY AND REQUISITION INFORMATION</b>	
Agency Name:	_____	
Point-of-Contact:	_____	Phone #: _____
Requisition #:	_____	Bid Open Date: _____

<b>Section C</b>	<b>SUBCONTRACTING OPPORTUNITY RESPONSE DUE DATE, DESCRIPTION, REQUIREMENTS AND RELATED INFORMATION</b>	
<b>1.</b>  Potential Subcontractor's Bid Response Due Date:	<p><b>Our firm must receive your bid response to this subcontracting opportunity no later than 5:00 P.M., Central Daylight Standard Time on: _____</b> (Date)</p> <p>(Note: In accordance with 34 TAC §20.14, each notice of subcontracting opportunity shall be provided to <u>at least three (3)</u> Texas certified HUBs, and allow the HUBs <u>at least seven (7) working days</u> to respond to the notice prior to submitting our bid response to the contracting agency. In addition, we must provide the same notice to minority/women trade organizations or development centers <u>at least seven (7) working days</u> prior to submitting our bid response to the contracting agency.)</p>	
<b>2.</b>  Scope of Work:		
<b>3.</b>  Required Qualifications:  <input type="checkbox"/> - Not Applicable		
<b>4.</b>  Bonding/Insurance Requirements:  <input type="checkbox"/> - Not Applicable		
<b>5.</b>  Location to review plans/specifications:  <input type="checkbox"/> - Not Applicable		