



# State of Texas Subcontracting Plan

## When is a subcontracting plan required?

A subcontracting plan is required for state of Texas contracts when the contracting agency has determined that subcontracting opportunities are probable with prospective vendors certified by the Texas Comptroller through the Veteran Heroes United in Business (VetHUB) program, for a contract with an expected value of \$100,000 or more. ([Texas Government Code Chapter 2161, Subchapter F](#); [34 Texas Administrative Code Section 20.285](#).)

When a state agency requires a subcontracting plan as part of the contract solicitation, a bid, proposal, offer or other applicable expression of interest must contain a completed plan to be considered responsive.

## Who completes a subcontracting plan?

Every responding vendor — whether a prime contractor or self-performing with no subcontractors — must submit a complete subcontracting plan.

A vendor who intends to use subcontractors must demonstrate their good faith effort to recruit certified VetHUBs, whether or not they ultimately award business to them. *A state agency will not use the subcontractors' VetHUB status to select the winning vendor.* All subcontractors must be listed in the subcontracting plan.

A self-performing vendor who will not subcontract any of the work on the contract must indicate that it will complete the contract with its own resources and submit the completed subcontracting plan.

## Does a subcontracting plan have to be followed?

The subcontracting plan forms part of the contract. Subcontractors may not be dropped or replaced without amending the subcontracting plan with approval by the agency. A self-performing contractor may not use subcontractors without amending the subcontracting plan.

### SUBCONTRACTING PLAN INSTRUCTIONS

**The contracting agency must complete this section and include this form in the solicitation.**

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Solicitation Number

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Solicitation Title

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Agency Number

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Agency Name

### AGENCY COORDINATOR FOR COURTESY REVIEWS (OPTIONAL)

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Name

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Email Address

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Phone Number: (Point of Contact)

### SOLICITATION POINT OF CONTACT

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Name

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Email Address

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Phone Number: (Point of Contact)

**The contracting agency must describe the subcontracting goal and provide examples of potential subcontracting opportunities. This information may also be included in the solicitation document.**

## Section 1: Respondent Information

Respondent (Company) Name

State of Texas Vendor ID Number

Point of Contact

Email Address

Phone Number

Is your company a state of Texas Certified VetHUB? ☐ Yes ☐ No

Requisition/Solicitation No.

Bid/Response Due Date (mm/dd/yyyy)

## Section 2: Declaration of Self-performing or Subcontracting

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 contracted staffing, goods and services will be subcontracted. 34 Texas Administrative Code Section 20.282 defines a "Subcontractor" as an entity that contracts with a prime contractor to work or contribute toward completing work under a purchase order or other contract. *The term does not include employees of the contractor but includes contracted workers who will work on the contract.*

**Will your company fulfill the entire contract with its own resources, including employees, goods and services?**

☐ Yes, my company will self-perform the entire contract.  
*Submit pages 1 and 2 only.*

☐ No, my company will subcontract portions of the contract.  
*Go to Section 4: Respondent's Subcontracting Opportunities*

## Section 3: Affirmation of Self-performing Contractor

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 subcontracting plan is true and correct. Respondent understands and agrees that, if awarded any portion of the contract:

- The respondent must seek approval from the contracting agency prior to making any modifications to its subcontracting plan, including hiring subcontractors to perform any work under this contract. If the subcontracting plan 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.

**sign  
here** ➡

Signature

Title

**print  
here** ➡

Printed Name

Date (mm/dd/yyyy)