

## 25.06.01.W1 Historically Underutilized Business (HUB) Rule

Approved: January 20, 2017  
Revised: November 17, 2022  
Next Scheduled Review: November 17, 2027



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### Rule Statement

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West Texas A&M University departments shall involve qualified Historically Underutilized Businesses (HUBs) as required by law in the university's contracting for construction and professional services; and the purchase, lease, or rental of supplies, materials, services and equipment.

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### Reason for Rule

This rule is necessary to ensure compliance with state requirements and System Policy 25.06, *Participation by Historically Underutilized Business*, and System Regulation 25.06.01, *Historically Underutilized Business Program*, related to the HUBs program. All employees of West Texas A&M University employees that have purchasing authority shall assent to the following HUB program rule.

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### Procedures and Responsibilities

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#### 1. GENERAL

1.1 In executing the involvement of HUBs in procurement opportunities, all employees of West Texas A&M University that have purchasing authority, shall encourage the use of HUB business in their procurement opportunities, regardless of the source funds.

1.2 West Texas A&M and its contractors and subcontractors shall not discriminate on the basis of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation or gender identity political belief or affiliation in the award of contracts.

#### 2. RESPONSIBILITY AND AUTHORITY

- 2.1 West Texas A&M University will comply with System Policy 25.06, *Participation by Historically Underutilized Business*, and System Regulation 25.06.01, *Historically Underutilized Business* and with all applicable laws, regulations and executive orders related to HUBs.

- 2.2 Every employee responsible for conducting business with outside vendors has the responsibility of making a good faith effort of ensuring that HUBs are afforded an equal opportunity to compete for all procurement and contracting activities for the university.
- 2.3 West Texas A&M University promotes and encourages HUB participation for all purchases and contracting opportunities, regardless of funding.
- 2.4 The President will designate an employee as HUB Coordinator who will have responsibility for implementing all programs dealing with HUB activities. This individual will report directly to the Vice President for Business and Finance and will make available the required monthly reports, the State of Texas Semi-Annual and Annual HUB Report, budget management, and any other required obligations.

### 3. MARKETING AND OUTREACH PROGRAMS

- 3.1 Bid opportunities will be made available through Procurement Services and Other outlets to reach as many HUB vendors as possible. These outlets will provide information on current and past bid opportunities and awards, and will serve as the HUB program information source with the rules, information on HUB vendors, and HUB subcontracting plans.
- 3.2 West Teas A&M University will participate, plan, and assist in economic opportunity forums and fairs included, but not limited to, those sponsored by legislators, the Comptroller of Public Accounts TPASS Division, other A&M System members, other state agencies and institutions, and private business entities deemed beneficial to the West Texas A&M University HUB program.
- 3.3 Opportunities will be made available for HUB vendors to present and/or deliver their business capabilities to West Texas A&M University Procurement and Contract staff and university community, whenever possible.
- 3.4 West Texas A&M University shall participate in the State of Texas HUB Mentor/Protégé Program and shall implement a Mentor/Protégé Program. This program is in accordance with the Texas Government Code Section 2161.065.
- 3.5 West Texas A&M University shall seek potential HUB vendors and assist in the certification process.
- 3.6 The designated HUB Coordinator shall develop an annual HUB performance plan and set annual HUB goals for each fiscal year. The plan shall show the strategic actions that will be implemented to achieve the University's HUB performance objectives for the next fiscal year along with an estimated HUB goal that results from implementing the plan. This plan shall also include an internal assessment of the University's efforts during the previous two years. West Texas A&M University shall report the plan and goal to the Chancellor prior to December 1st of each year.

### 4. REPORTING

- 4.1 The Semi-Annual and Annual HUB Report shall be submitted by the required deadline set by the State of Texas as required by Texas Government Code Chapter 2161, Subchapter C.
- 4.2 The HUB coordinator is responsible for ensuring all reporting as required by the legislature, A&M System rules and regulations is completed by the stated deadlines.
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## **Related Statutes, Policies, or Requirements**

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[Texas Government Code 2161](#)

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

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

Electronic State Business Daily (<http://esbd.cpa.state.tx.us>)

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## **Definitions**

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Historically Underutilized Business - a historically underutilized business is an entity with its principle place of business in Texas, and is at least 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman and/or Service Disabled Veteran who resides in Texas and has a proportionate interest and demonstrate active participation in the control, operation and management of the entity's affairs.

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## **Contact Office**

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## **Approval Office**

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## **Approval Signature**

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Walter Wendler  
President

11/21/22

Date

### System Approvals\*

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Approved for Legal Sufficiency:



Ray Bonilla  
General Counsel

11/15/22

Date

Approved:



John Sharp  
Chancellor

11/17/22

Date

\*System approvals are contingent upon incorporation of any and all System-required changes in the rule's final posting.