HUB SUBCONTRACTING PLAN (HSP)

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

NOTE: Responses that do not include a completed HSP shall be rejected pursuant to 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 State of Texas Disparity Study. The HUB goals defined in 1 TAC §111.13 are: ***11.9 percent for heavy construction other than building contracts, 26.1 percent for all building construction, including general contractors and operative builders contracts, 57.2 percent for all special trade construction contracts, 20 percent for professional services contracts, 33 percent for all other services contracts, and 12.6 percent for commodities contracts.***

- - Agency Special Instructions/Additional Requirements - -

SECTION 1 - RESPONDENT AND SOLICITATION INFORMATION

a. Respondent (Company) Name: **Avaya, Inc.** State of Texas VID #: **1223713430400**

Point of Contact: **Chas Hallett** Phone #: **713-852-1137**

b. Is your company a State of Texas certified HUB? ☐ - Yes X - No

c. Solicitation #: **DIR-SDD-1499**

SECTION 2 - SUBCONTRACTING INTENTIONS

After having divided the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, the respondent must determine what portion(s) of work, including goods or services, will be subcontracted. Note: In accordance with 1 TAC §111.12., a "Subcontractor" means a person who contracts with a vendor to work, to supply commodities, or contribute toward completing work for a governmental entity. Check the appropriate box that identifies your subcontracting intentions:

☒ - **Yes, I will be subcontracting portion(s) of the contract.**
(If Yes, in the spaces provided below, list the portions of work you will be subcontracting, and go to page 2.)

☐ - **No, I will not be subcontracting any portion of the contract, and will be fulfilling the entire contract with my own resources.**
(If No, complete SECTION 9 and 10.)

Line Item # - Subcontracting Opportunity Description	Line Item # - Subcontracting Opportunity Description
(#1) - Order Fulfillment	**(#11)** -
(#2) - Training	**(#12)** -
(#3) - Installation	**(#13)** -
(#4) -	**(#14)** -
(#5) -	**(#15)** -
(#6) -	**(#16)** -
(#7) -	**(#17)** -
(#8) -	**(#18)** -
(#9) -	**(#19)** -
(#10) -	**(#20)** -

*If you have more than twenty subcontracting opportunities, a continuation page is available at http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/hsp_sep06_cont1.doc.

IMPORTANT: You must complete a copy of this page for each of the subcontracting opportunities you listed in SECTION 2. You may photocopy this page or download copies at *http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/hsp_sep06_cont2.doc*.

Enter your company's name here: **Avaya, Inc.** Solicitation #: **DIR-SDD-1499**

IMPORTANT: You must complete a copy of this page for each of the subcontracting opportunities you listed in SECTION 2. You may photocopy this page or download copies at *http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/hsp_sep06_cont2.doc*.

SECTION 3 - SUBCONTRACTING OPPORTUNITY

Enter the line item number and description of the subcontracting opportunity you listed in SECTION 2.

Line Item # 1 **Description:** **1- Order Fulfillment**

SECTION 4 - MENTOR-PROTÉGÉ PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protégé Program, submitting their Protégé (Protégé must be a State of Texas certified HUB) as a subcontractor to perform the portion of work (subcontracting opportunity) listed in SECTION 3, constitutes a good faith effort towards that specific portion of work. Will you be subcontracting the portion of work listed in SECTION 3 to your Protégé?

☐ **- Yes (If Yes, complete SECTION 8 and 10.)** ☒ **- No / Not Applicable (If No or Not Applicable, go to SECTION 5.)**

SECTION 5 - PROFESSIONAL SERVICES CONTRACTS ONLY

This section applies to Professional Services Contracts only. All other contracts go to SECTION 6.

Does your HSP contain subcontracting of 20% or more with HUB(s)?

☐ - **Yes (If Yes, complete SECTION 8 and 10.)** ☒ - **No / Not Applicable (If No or Not Applicable, go to SECTION 6.)**

In accordance with Gov't Code §2254.004, "Professional Services" means services: (A) within the scope of the practice, as defined by state law of accounting; architecture; landscape architecture; land surveying; medicine; optometry; professional engineering; real estate appraising; or professional nursing; or (B) provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant; an architect; a landscape architect; a land surveyor; a physician, including a surgeon; an optometrist; a professional engineer; a state certified or state licensed real estate appraiser; or a registered nurse.

SECTION 6 - NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

Complying with a, b and c of this section constitutes Good Faith Effort towards the portion of work listed in SECTION 3. After performing the requirements of this section, complete SECTION 7, 8 and 10.

a. Provide written notification of the subcontracting opportunity listed in SECTION 3 to **three (3)** or more HUBs. Use the State of Texas' Centralized Master Bidders List (CMBL), found at ***http://www2.tbpc.state.tx.us/cmbl/cmblhub.html***, and its HUB Directory, found at ***http://www2.tbpc.state.tx.us/cmbl/hubonly.html***, to identify available HUBs. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

b. Provide written notification of the subcontracting opportunity listed in SECTION 3 to a minority or women trade organization or development center to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. A list of trade organizations and development centers may be accessed at ***http://www.tbpc.state.tx.us/hub/minoritywomenbuslinks.html***. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

c. Written notifications should include the scope of the work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person. Unless the contracting agency has specified a different time period, you must allow the HUBs no less than five (5) working days from their receipt of notice to respond, **and** provide notice of your subcontracting opportunity to a minority or women trade organization or development center no less than five (5) working days prior to the submission of your response to the contracting agency.

SECTION 7 - HUB FIRMS CONTACTED FOR SUBCONTRACTING OPPORTUNITY

List **three (3)** State of Texas certified HUBs you notified regarding the portion of work (subcontracting opportunity) listed in SECTION 3. Specify the vendor ID number, date you provided notice, and if you received a response. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

Company Name	VID #	Notice Date (mm/dd/yyyy)	Was Response Received?
Globalscope	174-302-3291-200	06/22/07	☒ - Yes ☐ - No
Sharco Technologies Inc.	120-220-5169-700	02-20-09	☒ - Yes ☐ - No
Walkercom, Inc.	176-030-275-8600	06/26/07	☒ - Yes ☐ - No

IMPORTANT: You must complete a copy of this page for each of the subcontracting opportunities you listed in SECTION 2. You may photocopy this page or download copies at *http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/hsp_sep06_cont2.doc*.

Enter your company's name here: **Avaya, Inc.** Solicitation #: **DIR-SDD-1499**

IMPORTANT: You must complete a copy of this page for each of the subcontracting opportunities you listed in SECTION 2. You may photocopy this page or download copies at *http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/hsp_sep06_cont2.doc*.

SECTION 3 - SUBCONTRACTING OPPORTUNITY

Enter the line item number and description of the subcontracting opportunity you listed in SECTION 2.

Line Item # 2 **Description:** 2 - Training

SECTION 4 - MENTOR-PROTÉGÉ PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protégé Program, submitting their Protégé (Protégé must be a State of Texas certified HUB) as a subcontractor to perform the portion of work (subcontracting opportunity) listed in SECTION 3, constitutes a good faith effort towards that specific portion of work. Will you be subcontracting the portion of work listed in SECTION 3 to your Protégé?

☐ **- Yes (If Yes, complete SECTION 8 and 10.)** ☒ **- No / Not Applicable (If No or Not Applicable, go to SECTION 5.)**

SECTION 5 - PROFESSIONAL SERVICES CONTRACTS ONLY

This section applies to Professional Services Contracts only. All other contracts go to SECTION 6.

Does your HSP contain subcontracting of 20% or more with HUB(s)?

☐ - **Yes (If Yes, complete SECTION 8 and 10.)** ☒ - **No / Not Applicable (If No or Not Applicable, go to SECTION 6.)**

In accordance with Gov't Code §2254.004, "Professional Services" means services: (A) within the scope of the practice, as defined by state law of accounting; architecture; landscape architecture; land surveying; medicine; optometry; professional engineering; real estate appraising; or professional nursing; or (B) provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant; an architect; a landscape architect; a land surveyor; a physician, including a surgeon; an optometrist; a professional engineer; a state certified or state licensed real estate appraiser; or a registered nurse.

SECTION 6 - NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

Complying with a, b and c of this section constitutes Good Faith Effort towards the portion of work listed in SECTION 3. After performing the requirements of this section, complete SECTION 7, 8 and 10.

a. Provide written notification of the subcontracting opportunity listed in SECTION 3 to **three (3)** or more HUBs. Use the State of Texas' Centralized Master Bidders List (CMBL), found at ***http://www2.tbpc.state.tx.us/cmbl/cmblhub.html***, and its HUB Directory, found at ***http://www2.tbpc.state.tx.us/cmbl/hubonly.html***, to identify available HUBs. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

b. Provide written notification of the subcontracting opportunity listed in SECTION 3 to a minority or women trade organization or development center to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. A list of trade organizations and development centers may be accessed at ***http://www.tbpc.state.tx.us/hub/minoritywomenbuslinks.html***. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

c. Written notifications should include the scope of the work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person. Unless the contracting agency has specified a different time period, you must allow the HUBs no less than five (5) working days from their receipt of notice to respond, **and** provide notice of your subcontracting opportunity to a minority or women trade organization or development center no less than five (5) working days prior to the submission of your response to the contracting agency.

SECTION 7 - HUB FIRMS CONTACTED FOR SUBCONTRACTING OPPORTUNITY

List **three (3)** State of Texas certified HUBs you notified regarding the portion of work (subcontracting opportunity) listed in SECTION 3. Specify the vendor ID number, date you provided notice, and if you received a response. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

Company Name	VID #	Notice Date (mm/dd/yyyy)	Was Response Received?
Globalscope	174-302-3291-200	06/22/07	☒ - Yes ☐ - No
Sharco Technologies Inc.	120-220-5169-700	02-20-09	☒ - Yes ☐ - No
Walkercom, Inc.	176-030-275-8600	06/26/07	☒ - Yes ☐ - No

IMPORTANT: You must complete a copy of this page for each of the subcontracting opportunities you listed in SECTION 2. You may photocopy this page or download copies at *http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/hsp_sep06_cont2.doc*.

Enter your company's name here: **Avaya, Inc.** Solicitation #: **DIR-SDD-1499**

IMPORTANT: You must complete a copy of this page for each of the subcontracting opportunities you listed in SECTION 2. You may photocopy this page or download copies at *http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/hsp_sep06_cont2.doc*.

SECTION 3 - SUBCONTRACTING OPPORTUNITY

Enter the line item number and description of the subcontracting opportunity you listed in SECTION 2.

Line Item # 3 **Description:** 3 - Installation

SECTION 4 - MENTOR-PROTÉGÉ PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protégé Program, submitting their Protégé (Protégé must be a State of Texas certified HUB) as a subcontractor to perform the portion of work (subcontracting opportunity) listed in SECTION 3, constitutes a good faith effort towards that specific portion of work. Will you be subcontracting the portion of work listed in SECTION 3 to your Protégé?

☐ **- Yes (If Yes, complete SECTION 8 and 10.)** ☒ **- No / Not Applicable (If No or Not Applicable, go to SECTION 5.)**

SECTION 5 - PROFESSIONAL SERVICES CONTRACTS ONLY

This section applies to Professional Services Contracts only. All other contracts go to SECTION 6.

Does your HSP contain subcontracting of 20% or more with HUB(s)?

☐ - **Yes (If Yes, complete SECTION 8 and 10.)** ☒ - **No / Not Applicable (If No or Not Applicable, go to SECTION 6.)**

In accordance with Gov't Code §2254.004, "Professional Services" means services: (A) within the scope of the practice, as defined by state law of accounting; architecture; landscape architecture; land surveying; medicine; optometry; professional engineering; real estate appraising; or professional nursing; or (B) provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant; an architect; a landscape architect; a land surveyor; a physician, including a surgeon; an optometrist; a professional engineer; a state certified or state licensed real estate appraiser; or a registered nurse.

SECTION 6 - NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

Complying with a, b and c of this section constitutes Good Faith Effort towards the portion of work listed in SECTION 3. After performing the requirements of this section, complete SECTION 7, 8 and 10.

a. Provide written notification of the subcontracting opportunity listed in SECTION 3 to **three (3)** or more HUBs. Use the State of Texas' Centralized Master Bidders List (CMBL), found at ***http://www2.tbpc.state.tx.us/cmbl/cmblhub.html***, and its HUB Directory, found at ***http://www2.tbpc.state.tx.us/cmbl/hubonly.html***, to identify available HUBs. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

b. Provide written notification of the subcontracting opportunity listed in SECTION 3 to a minority or women trade organization or development center to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. A list of trade organizations and development centers may be accessed at ***http://www.tbpc.state.tx.us/hub/minoritywomenbuslinks.html***. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

c. Written notifications should include the scope of the work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person. Unless the contracting agency has specified a different time period, you must allow the HUBs no less than five (5) working days from their receipt of notice to respond, **and** provide notice of your subcontracting opportunity to a minority or women trade organization or development center no less than five (5) working days prior to the submission of your response to the contracting agency.

SECTION 7 - HUB FIRMS CONTACTED FOR SUBCONTRACTING OPPORTUNITY

List **three (3)** State of Texas certified HUBs you notified regarding the portion of work (subcontracting opportunity) listed in SECTION 3. Specify the vendor ID number, date you provided notice, and if you received a response. **Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.**

Company Name	VID #	Notice Date (mm/dd/yyyy)	Was Response Received?
Globalscope	174-302-3291-200	06/22/07	☒ - Yes ☐ - No
Sharco Technologies Inc.	120-220-5169-700	02-20-09	☒ - Yes ☐ - No
Walkercom, Inc.	176-030-275-8600	06/26/07	☒ - Yes ☐ - No

SECTION 8 - SUBCONTRACTOR SELECTION

List the subcontractor(s) you selected to perform the portion of work (subcontracting opportunity) listed in SECTION 3. Also, specify the expected percentage of work to be subcontracted, the approximate dollar value of the work to be subcontracted, and indicate if the company is a Texas certified HUB.

Company Name	VID #	Expected % of Contract	Approximate Dollar Amount	Texas Certified HUB?
Globalscope Communications	174-302-3291-200	3%	$360,000.00	☒ - Yes ☐ - No*
Sharco Technologies Inc	120-220-5169-700	2%	$240,000.00	☒ - Yes ☐ - No*
Walkercom, Inc.	176-030-275-8600	10%	$1,200,000	☒ - Yes ☐ - No*
Avaya	122-371-3430-400	20%	$2,400,000.00	☐ - Yes ☒ - No*
Affiliated Telephone	175-196-4065-400	9%	$1,080,000.00	☐ - Yes ☒ - No*
Blackbox Network Services	162-120-2425-700	4%	$480,000.00	☐ - Yes ☒ - No*
CDW Government, Inc.	136-423-011-800	2%	$240,000.00	☐ - Yes ☒ - No*
Cross Telecom Corp	141-186-1853-800	5%	$600,000.00	☐ - Yes ☒ - No*
Enterprise Systems Corp	102-059-4306-000	4%	$480,000.00	☐ - Yes ☒ - No*
Lantana Communications Corp	175-232-4280-200	5%	$600,000.00	☐ - Yes ☒ - No*
Layer 3 Communications, llc	127-009-7420-200	4%	$480,000.00	☐ - Yes ☒ - No*
North American Communication Resource	141-176-3228-200	5%	$600,000.00	☐ - Yes ☒ - No*
Shamrock Communication	176-049-2240-500	1%	$120,000.00	☐ - Yes ☒ - No*
Shared Technologies	133-100-9098-300	5%	$600,000.00	☐ - Yes ☒ - No*
SKC	131-105-6628-101	1%	$120,000.00	☐ - Yes ☒ - No*
Source, Inc.	175-136-9078-800	3%	$360,000.00	☐ - Yes ☒ - No*
Strategic Products and Services LLC	122-314-0946-2	1%	$120,000.00	☐ - Yes ☒ - No*
Sunturn	184-157-3723-0	4%	$480,000.00	☐ - Yes ☒ - No*
The Via Group	176-031-3762-500	2%	$240,000.00	☐ - Yes ☒ - No*
XETA Technologies	173-113-004-5700	3%	$360,000.00	☐ - Yes ☒ - No*
Verizon	113-274-5891-200	7%	$840,000.00	☐ - Yes ☒ - No*

***If the subcontractor(s) you selected is not a Texas certified HUB, provide written justification of your selection process below:**

They were the best qualified and there were no other Hub vendors available to ask to participate that were Avaya Certified.

Enter your company's name here: **Avaya, Inc.** Solicitation #: **DIR-SDD-1499**

SECTION 9 - SELF PERFORMANCE JUSTIFICATION

(If you responded "No" to SECTION 2, you must complete SECTION 9 and 10.)

Does your response/proposal contain 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/section of your proposal which identifies 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 10 - 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 are true and correct. Respondent understands and agrees that, if awarded any portion of the solicitation:

- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to the contracting agency, verifying their compliance with the HSP, including the use/expenditures they have made to subcontractors. (The PAR is available at ***http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-forms/progressassessmentrpt***).
- The respondent must seek approval from the contracting agency prior to making any modifications to their HSP. If the HSP is modified without the contracting agency's prior approval, respondent may be subject to debarment pursuant to Gov't Code §2161.253(d).
- 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 to be performed and must provide documents regarding staff and other resources.

Signature on File	Mark Copeland	Regional Sales Leader	10/20/2011
Signature	Printed Name	Title	Date