

Historically Underutilized Business (HUB) Certification Centralized Master Bidders List (CMBL) Registration

Dear Applicant:

In fiscal 2008, Texas awarded more than \$1.85 billion in contracts – including more than \$743 million in subcontracts – to companies certified as **Historically Underutilized Businesses (HUBs)**. Be ready when opportunity knocks by certifying your minority- or woman-owned business through the Statewide HUB Program at the Texas Comptroller of Public Accounts. We also encourage you to register for the **Centralized Master Bidders List (CMBL)** to increase your exposure to state purchasers, who search the CMBL for most purchases.

Historically Underutilized Business (HUB) Certification

The goal of the HUB Program is to actively involve HUBs in the Texas procurement process and ensure they receive a fair share of state business. State agencies and universities are required to make a good-faith effort to include HUBs in their purchasing plans. Certified HUBs are listed in the online Texas HUB Directory, and state entities can directly contact a business to buy goods and services for purchases of \$5,000 or less. The Texas HUB Directory is also searched by vendors looking for certified HUBs to include in their subcontracting plans for projects of \$100,000 or more. HUB certification is free of charge and good for up to four years.

To Apply for HUB Certification:

- Review the Eligibility Criteria on Page 2 to determine if your business is eligible for HUB certification.
- If your business is eligible, please provide the general information requested on Pages 3-4 of the enclosed application, complete Page 5 and attach all required supporting documentation. Be sure to sign the application and have it notarized on Page 5.
- Mail your completed application, including supporting documentation, to the address listed on the Application Checklist on the back page. Please allow four to six weeks to process your HUB Certification Application.

Centralized Master Bidders List (CMBL) Registration

When state entities plan to buy goods and services that cost more than \$5,000, they must search the CMBL for potential vendors. Based on the results of their search, they contact vendors directly by mail, fax, e-mail or phone with invitations for bids. The CMBL annual registration fee is \$70 and could potentially open the door to thousands of dollars in new revenue for your business. The fee covers the cost of the program and averages out to only \$5.83 per month.

To Apply for CMBL Registration:

- Please provide the general information requested on Pages 3-4 of the enclosed application and complete Page 6. Be sure to sign the application on Page 6 and include your payment of \$70 in the form of a U.S. check or money order.
- Mail your completed application to the address listed on the Application Checklist on the back page. Please allow up to four weeks to process your CMBL Registration Application.

Note: You can also choose to register for the CMBL online at www.window.state.tx.us/procurement/prog/cmbli to immediately be included on the list.

Thank you for your interest in the state of Texas HUB Program and CMBL. If you have any questions or need assistance completing the application, please contact a program representative toll-free at (888) 863-5881.



HUB Eligibility Criteria

If you are applying for HUB Certification, please review the Eligibility Criteria listed below to determine if your business is eligible for certification.

Criteria I – Ethnicity, U.S. Citizenship and Texas Residency

The following individuals are eligible HUB owners:

- Asian Pacific Americans, including persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific, the Northern Marianas, and Subcontinent Asian Americans, which includes persons whose origins are from India, Pakistan, Bangladesh, Sri Lanka, Bhutan or Nepal.
- Black Americans, including persons having origins in any of the black racial groups of Africa.
- Hispanic Americans, including persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish or Portuguese culture or origin, regardless of race.
- Native Americans, including persons who are American Indians, Eskimos, Aleuts or Native Hawaiians.
- American Women, which includes all women of any ethnicity not specified above.

In addition, eligible HUB owners must be citizens of the United States and Texas residents. Resident Aliens are not eligible for HUB certification.

Criteria II – Ownership

For-profit businesses (sole proprietorships, partnerships, corporations, limited partnerships/companies, joint ventures) where at least 51 percent of the assets and interest of all classes of stock and equitable securities are owned by one or more persons meeting Criteria I above are eligible for HUB certification. Non-profit organizations are not eligible for HUB certification.

Note: Sole proprietorships must be 100 percent owned and controlled by an individual meeting Criteria I above. In addition, each entity within a joint venture is required to be HUB certified.

Criteria III – Active Participation, Control and Proportionate Interest

Business documentation must substantiate that the eligible HUB owners are actively participating in the day-to-day operations of the business at a level that is comparable to their ownership.

Business documentation is also required to show that the eligible HUB owners are able to make independent business decisions (i.e., administrative duties, personnel management, negotiation and execution of contracts and financial transactions) that guide the future of the business. Absentee or titular ownership (owners who do not actively control the business) is not consistent with HUB eligibility standards.

Criteria IV – Principal Place of Business

A Texas HUB's principal place of business must be located in the state of Texas.

All HUB eligibility requirements are defined in Texas Government Code, Title 10, Chapter 2161 and administered via Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter B.

HUB/CMBL Application

The following information is needed for your certification as a HUB and/or your registration for the CMBL. For assistance in completing your application, please call (888) 863-5881.

Please check one or both of the following:

- Historically Underutilized Business (HUB) Certification**
- Centralized Master Bidders List (CMBL) Registration**

Please ensure that you respond to each item on the application accordingly. If an item is not applicable, enter "N/A" as your response.

All information submitted to the Comptroller of Public Accounts (CPA) is subject to the requirements of Texas Government Code, Chapter 552, the Texas Public Information Act. Information submitted in an application for HUB certification is generally protected from public disclosure by Section 552.128 of the Government Code. CPA will protect the information to the extent provided by law.

1. Federal Employer Identification Number (EIN)

EIN: _____ **Important - Do not enter your Social Security Number*

Provide the **nine-digit federal EIN** assigned to you for the purpose of filing your business' federal income tax returns with the Internal Revenue Service (IRS). If you do not have a federal EIN, you may obtain one free of charge from the IRS online at www.irs.gov/businesses or by calling the IRS at (800) 829-4933. The process takes approximately five minutes.

2. Business Structure

Check the appropriate structure that identifies your business.

- Sole Proprietorship**
- Partnership**
- Corporation**
- Limited (Liability) Partnership**
- Limited (Liability) Company**
- Joint Venture**

3. Business Name, Mailing Address and Physical Address (include physical address if different than mailing address)

Business Name: _____

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____ County: _____

Physical Address (cannot be a P.O. Box): _____

City: _____ State: _____ ZIP Code: _____ County: _____

4. Business Phone Number and Fax Number

Phone: () _____ Fax: () _____

5. Internet Web Page/URL Address (if applicable)

Web/URL Address: _____

6. Primary Point of Contact (include phone and fax if different than above)

Name and Title: _____

E-Mail Address: _____

Phone: () _____ Fax: () _____

7. Contact for Bids (include phone and fax if different than above)

Name and Title: _____

E-Mail Address: _____

Phone: () _____ Fax: () _____

8. Major Credit Card Acceptance

Does your business currently accept major credit cards? Yes No

If yes, check applicable boxes: Master Card Visa American Express Discover

If you are applying for HUB Certification, make sure you complete Pages 3-4 then fill out this page.

Remember to attach the required documentation noted in Item 5 below.

1. Ownership

Provide the name, title, nine-digit Social Security Number (SSN) or federal EIN and percentage of ownership interest of all individuals and business entities with an ownership interest in your business.

Identify each individual's ethnicity and gender by using the following **Ethnic Group Codes: "AS" for Asian Pacific American, "BL" for Black American, "HI" for Hispanic American, "AI" for Native American, and "WO" for American Woman**; and the following **Gender Codes: "F" for Female and "M" for Male**. If an individual's ethnicity does not meet any of the Ethnic Group Codes provided, enter "Other" as their ethnicity.

Based on a 40-hour work week, identify the number of hours each owner is present at the business' physical address during the regularly established business hours, actively participating in the daily activities of the business operations.

Finally, check the appropriate boxes to indicate if each individual is currently employed elsewhere and if they have ownership interest in any other business entity.

Name (First, MI, Last)	Title	SSN or EIN	% of Ownership	Ethnicity/Gender	# of Hours	Other Employment	Other Business Ownership
_____	_____	_____	_____	_____	_____	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
_____	_____	_____	_____	_____	_____	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
_____	_____	_____	_____	_____	_____	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
_____	_____	_____	_____	_____	_____	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

2. Business Responsibility

Provide the name and title of the individual(s) ultimately responsible for the functions identified below.

Functions	Name (First, Last)	Title
Negotiate and Sign Financial Contracts:	_____	_____
Negotiate and Sign Bids/Proposals:	_____	_____
Hiring and Firing of Management Personnel:	_____	_____
Supervision of Day-to-Day Operations:	_____	_____

3. Minority/Woman/Disadvantaged Business Certification

Has your business or any of its owners ever been denied certification as a minority- or woman-owned business and/or denied certification as a disadvantaged business enterprise by another organization? Yes No

4. Debarment

In accordance with Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter B, Section 20.20 (Revocation), if a HUB is barred from participating in state contracts in accordance with Texas Government Code Section 2155.077, CPA shall revoke the certification of that business for a period commensurate with the debarment period. A list of debarred vendors may be viewed online at www.window.state.tx.us/procurement/prog/vendor_performance/debarred.

Is your business currently barred from participating in state contracts? Yes No

5. Required Documentation to Substantiate HUB Eligibility (documents must be submitted with your application)

As part of the submission of your completed HUB Certification Application, you are required to submit copies of documentation to substantiate that your business meets the HUB eligibility criteria. Therefore, if your business structure is a:

- Sole Proprietorship, please go to Page 7;
- Partnership, please go to Page 9;
- Corporation, please go to Page 11;
- Limited (Liability) Partnership, please go to Page 13; or
- Limited (Liability) Company, please go to Page 15.

Note: If other business entities hold ownership interest in your company or if your business structure is a Joint Venture, please call (888) 863-5881 to determine the documentation you will need to provide.

6. Affidavit of Eligibility

As evidence of my signature below, I attest that the business entity identified previously in Item 3, Page 3 meets the HUB eligibility requirements. I agree to provide all materials and information necessary to identify and explain the operation of the above-named business and hereby permit, if required, the audit and examination of its books, records and files. I understand that any material misrepresentation of data for HUB certification may result in immediate removal from the HUB Directory. I further certify under penalty of law, that my responses to the questions above and any information I have provided is a complete and accurate statement of the facts. **I also understand that a person/business entity who intentionally applies as a HUB for an award of purchasing or public works contract and who knowingly does not meet the definition of a HUB commits a felony of the third degree (Texas Government Code Section 2161.231).** If there are any changes regarding the information contained or incorporated in this affidavit, I will notify CPA within 30 days of such changes.

Printed Name of Eligible Applicant with Majority Ownership Interest _____

Signature of Eligible Applicant with Majority Ownership Interest _____

Subscribed and sworn to before me, the undersigned notary public, on this _____ day of _____, year _____.

Notary Public's Signature _____

My Commission Expires (Notary Seal/Stamp) _____

If you are applying for CMBL Registration, make sure you complete Pages 3-4 then read and sign this page.

U.S. Executive Order and Federal Excluded Parties List

The Contractor/Recipient is reminded that U.S. Executive Orders and U.S. laws prohibit transactions and the provision of resources and support to individuals and organizations associated with terrorism. Texas Government Code Section 2155.006 prohibits all state agencies from contracting with any vendor who has been convicted of an offense related to Hurricanes Katrina and Rita or any subsequent natural disaster, or who has had civil or administrative penalties assessed by the federal government for offenses related to those disasters. Vendors who register or renew their registration on the CMBL certify that they are in good standing with the federal government and are not excluded from doing business with federal agencies or any recipients of federal funds. As required, state agencies and local government entities that use the CMBL are required to conduct an EPLS search for all vendors that submit bids and should report any debarred vendors to CPA. These vendors will be removed from the CMBL and may be subject to debarment by CPA. It is the legal responsibility of the Contractor/Recipient to ensure compliance with Executive Orders and laws. This provision must be included in all sub-contracts/sub-awards under this contract/agreement.

Vendor Responsibility

Vendors should not list their business as a provider of commodities and/or services by the class and item code(s) if the actual product(s) or service(s) cannot be provided. Vendor creditability and accountability as a responsible vendor may be damaged by false representation about the ability to provide the commodities and services (Texas Government Code Section 2155.267).

Vendor Performance

CPA facilitates the requirement to track vendor performance under the Vendor Relations program, which provides a mechanism for vendor performance from state agencies for reporting exceptional, satisfactory and unsatisfactory performance. The actual reports can be viewed by accessing the CMBL profile and are public information.

Note: You may view vendor profiles at www.window.state.tx.us/procurement/cmb/cmbhub.html.

Registration Fee

Please send your payment of \$70 in the form of a U.S. check or money order with your CMBL Registration Application. Applications will be returned if the \$70 annual registration fee is not included. Once your CMBL Registration Application is processed, an activation notice will be forwarded reflecting the next renewal date.

Affidavit of Eligibility

I, the undersigned, certify under penalty of law that the above and foregoing information is a full, true and correct statement of the facts. I/We (the business) agree to faithfully abide by the purchasing laws and rules of the state of Texas now in effect and any subsequent revisions thereof.

Signature of Owner, Partner or Corporate Officer

Date

Printed Name of Owner, Partner or Corporate Officer

Please check Page 17 to confirm your application is complete.



Certification Limited (Liability) Company

If you are applying for HUB Certification and your business structure is a Limited (Liability) Company, please provide the required documentation listed below and return this checklist with your HUB Certification Application.

All **Limited (Liability) Companies** are required to provide clear and legible copies of the documents listed below. Please read each item carefully. The documents identified with a "♦" may not be applicable, and if not, you will be required to respond accordingly on this form.

To assist us in expediting the review of your application and documents, have your documents sorted in the order listed below and use only one item (i.e., binder clip, paper clip, rubber band, bulk staple) to bind your application and documents together.

In accordance with Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter B, Section 20.17 (Certification Process), "If requested by the CPA, the applicant must provide any and all materials and information necessary to demonstrate active participation in the control, operation and management of the historically underutilized business." CPA reserves the right to conduct an on-site HUB certification and compliance review to assist in substantiating HUB eligibility prior to granting certification or re-certification and during the tenure of a business' HUB certification.

All information submitted to the Comptroller of Public Accounts (CPA) is subject to the requirements of Texas Government Code, Chapter 552, the Texas Public Information Act. Information submitted in an application for HUB certification is generally protected from public disclosure by Section 552.128 of the Government Code. CPA will protect the information to the extent provided by law.

- Proof of U.S. citizenship and ethnicity for all eligible applicants. Proof of U.S. citizenship and ethnicity may be in the form of a birth certificate *or* the U.S. Citizenship and Immigration Services' Certificate of Citizenship/Naturalization *or* the Tribal Registration Certificate of an entity recognized by the Bureau of Indian Affairs. (Tribal Registration Certificates are applicable to Native Americans only.)
- Official photo identification for all eligible applicants. Official photo identification may be in the form of a valid state of Texas Driver License/ID *or* the U.S. Citizenship and Immigration Services' Certificate of Citizenship/Naturalization *or* the Tribal Registration ID Card of an entity recognized by the Bureau of Indian Affairs. (Tribal Registration ID Cards are applicable to Native Americans only.)
- Proof of Texas residency for all eligible applicants. Proof of Texas residency may be in the form of a valid state of Texas Driver License/ID *or* a valid state of Texas Voter's Registration Card *or* a current state of Texas County Appraisal District's Property (Homestead) Tax Statement.
- Federal income tax return Form 1120, 1120A or 1120S, including all schedules most recently filed with the Internal Revenue Service (IRS) for the business. If this firm is a new business that has not filed a federal income tax return with the IRS, all eligible applicants are required to:
 - Complete a Limited (Liability) Company Affidavit of Ownership and Business Balance Sheet form (see **Page 16**); and
 - Provide proof of issuance of the federal Employer Identification Number you provided in Item 1, Page 3 of your HUB Certification Application.
- ♦ Employer's quarterly reports (i.e., Texas Workforce Commission's Form C-3 and C-4) filed for the first, second, third and fourth quarters of the most recent year the business has filed a federal income tax return with the IRS. If not applicable, check here.
- Articles of Organization/Formation, including amendments verifying that your business is registered with the Secretary of State (SOS).
- Certificate of Organization/Formation, including amendments issued to the business from the SOS. Note: If your business operates under a name that is different than the name identified in your Articles of Organization/Formation, you will need to provide proof of the name's registration with the SOS.
- ♦ All membership (stock) interest certificates currently issued to all owners. If not applicable, check here.
- Current Membership (Stock) Interest Issuance/Transfer Ledger (sample available online at www.window.state.tx.us/procurement/prog/hub/hub-forms/MembershipIssuanceTransferLedger.pdf). Please note that this item is required regardless if the company has issued certificates.
- Signed minutes of the Board of Directors (Managers) organizational/initial meeting and the Members (Shareholders) organizational/initial meeting.
- Signed minutes of all the Board of Directors (Managers) meetings and all the Members (Shareholders) meetings held within the last 12 months. The minutes must identify the individuals currently serving on the Board of Directors (as Managers) and serving as officers of the company.
- Signed Company Regulations, including all amendments.
- ♦ Signed Membership (Shareholders) Agreement, including all amendments. If not applicable, check here.
- Current bank signature card *or* a signed letter from the business' banking institution identifying the 1) business name, 2) primary checking account number and 3) all individuals who are recognized as authorized signatures on the account.
- ♦ Current signed business loan agreements and promissory notes. If not applicable, check here.
- ♦ Current professional licenses and permits. If not applicable, check here.
- Current signed business site lease agreement, including amendments and renewals. Note: If you are the owner of the property on which the business operates and there is no formal written lease agreement in effect, you are required to provide a copy of the most current county tax appraisal statement for the property.
- ♦ Detailed explanation of any other employment and/or business ownership of individuals and business entities with an ownership interest in your business. (Required if you answered yes to "Other Employment" and/or "Other Business Ownership" in Item 1, Page 5 of your HUB Certification Application.) If not applicable, check here.
- ♦ Detailed explanation if your business or any of its owners have ever been denied certification as a minority- or woman-owned business and/or denied certification as a disadvantaged business enterprise by another organization. (Required if you answered yes to Item 3, Page 5 of your HUB Certification Application.) If not applicable, check here.

If your firm is a new business that has not filed a federal income tax return, you are required to complete the Affidavit on the back of this page. Otherwise, please check Page 17 to confirm your application is complete.



Certification Limited (Liability) Company (Cont'd)

If you are applying for HUB Certification and your Limited (Liability) Company has not filed a federal income tax return with the IRS, please fill out this page, sign it and have it notarized.

Limited (Liability) Company Affidavit of Ownership and Business Balance Sheet

State of Texas _____ County of _____

On this day personally appeared _____, who, after being by me duly sworn, upon his/her oath stated as follows:

"My name is _____. I am over 18 years of age and I am fully authorized and competent to make this affidavit. I have personal knowledge of all statements made in this affidavit and all such statements are true, complete and correct."

"I am a member in the limited (liability) company known as _____ ('Company') located at _____. The Company was organized on _____ and my ownership began on _____. I own _____ percent of the Company's interest and I actively participate _____ hours per week in the daily activities of the business operations during the regularly established business hours."

"The Company was created for the purpose of making a profit and I actively participate in the control, operation and management of the Company's affairs. No other person or entity has a beneficial ownership interest, directly or indirectly, in my interest in the Company and neither I nor anyone on my behalf has signed any power of attorney, any proxy, any voting power or other assignment or authorization with respect to my interest in the Company."

"Attached to this affidavit is a true, complete and current copy of the Company's Regulations/Bylaws/Operating Agreement and if applicable, all outstanding certificates of membership/ownership interest accurately stating all members' ownership interest in the Company."

"In considering whether or not I have experienced the effects of being socially and economically disadvantaged, I attest: 1) I have held myself out to be a member of the qualifying group; 2) I have participated in community affairs as a member of the qualifying group; and 3) I am recognized by the population at large as being a member of the qualifying group."

"Additionally, on behalf of the business stated above, I attest that a federal income tax return has not been filed with the Internal Revenue Service for the business and the following balance sheet correctly reflects the current assets, liabilities and equity of the business:"

Business Assets (whole dollar)		Business Liabilities (whole dollar)	
Cash on Hand in Banks	\$ _____	Accounts Payable	\$ _____
Savings Accounts	\$ _____	Notes Payable to Banks and Others	\$ _____
Total Assets	\$ _____	Total Liabilities	\$ _____
Net Worth (Total Assets Minus Total Liabilities)		\$ _____	

"Furthermore, in conjunction with submitting the HUB Certification Application and this Affidavit, I agree to provide CPA with a copy of the business' most current federal income tax return filed with the IRS, upon CPA's request (i.e., HUB re-certification, HUB compliance review)."

"I certify as evidence of my signature below, I have read and understand all statements contained here within and that all information I have provided is true and correct."

Printed Name of Eligible Applicant

Signature of Eligible Applicant

Subscribed and sworn to before me, the undersigned notary public, on this _____ day of _____, year _____.

Notary Public's Signature

My Commission Expires (Notary Seal/Stamp)

Important: It is a third degree felony if a person intentionally applies as a HUB for an award of a purchasing contract or public works contract and knows the person does not meet the definition of a HUB. See Tex. Govt. Code Ann. Section 2161.231.

Please check Page 17 to confirm your application is complete.

HUB/CMBL Application Checklist

Thank you for your interest in *Historically Underutilized Business (HUB) certification and Centralized Master Bidders List (CMBL) registration*. Please review the checklist on this page to ensure your application is complete before sending it to the Texas Comptroller of Public Accounts. You do not need to return the checklist on this page – it is for your convenience only.

Historically Underutilized Business (HUB) Certification

- Review the Eligibility Criteria on Page 2 to determine if your business is eligible for HUB certification.
- Provide the general information requested on Pages 3-4.
- Fill out Page 5, sign it and have it notarized.
- Attach the required supporting documentation listed by business structure below:
 - **Sole Proprietorship:** Attach the checklist on Page 7 along with the supporting documentation listed on that page. (If your Sole Proprietorship has not filed a federal income tax return with the IRS, you must also fill out Page 8, sign it and have it notarized.)
 - **Partnership:** Attach the checklist on Page 9 along with the supporting documentation listed on that page. (If your Partnership has not filed a federal income tax return with the IRS, you must also fill out Page 10, sign it and have it notarized.)
 - **Corporation:** Attach the checklist on Page 11 along with the supporting documentation listed on that page. (If your Corporation has not filed a federal income tax return with the IRS, you must also fill out Page 12, sign it and have it notarized.)
 - **Limited (Liability) Partnership:** Attach the checklist on Page 13 along with the supporting documentation listed on that page. (If your Limited (Liability) Partnership has not filed a federal income tax return with the IRS, you must also fill out Page 14, sign it and have it notarized.)
 - **Limited (Liability) Company:** Attach the checklist on Page 15 along with the supporting documentation listed on that page. (If your Limited (Liability) Company has not filed a federal income tax return with the IRS, you must also fill out Page 16, sign it and have it notarized.)

Note: If other business entities hold ownership interest in your company or if your business structure is a Joint Venture, please call (888) 863-5881 to determine the documentation you will need to provide.

- Mail completed application to the address listed below:
Texas Comptroller of Public Accounts
P.O. Box 13186
Austin, Texas 78711-3186
- Or our physical address is:
Texas Comptroller of Public Accounts
Procurement and Support Services
1711 San Jacinto Blvd., 4th Floor
Austin, Texas 78701

Centralized Master Bidders List (CMBL) Registration

- Provide the general information requested on Pages 3-4.
- Read Page 6 and sign it.
- Include your \$70 registration fee in the form of a U.S. check or money order.
- Mail completed application to the address listed below:
Texas Comptroller of Public Accounts
P.O. Box 13186
Austin, Texas 78711-3186
- Or our physical address is:
Texas Comptroller of Public Accounts
Procurement and Support Services
1711 San Jacinto Blvd., 4th Floor
Austin, Texas 78701