

CAPITAL AREA COUNCIL OF GOVERNMENTS REQUEST FOR PROPOSALS FOR BENEFIT CONSULTING AND SOFTWARE

1/22/2026

General Information

The Capital Area Council of Governments (CAPCOG) is a regional planning commission and political subdivision of the State of Texas organized and operating under the Texas Regional Planning Act of 1965, as amended, Chapter 391 of the Local Government Code. CAPCOG serves a 10-county region in Central Texas that includes Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson Counties. CAPCOG is issuing this request for proposals (RFP) to solicit proposals from interested parties for consultant services to CAPCOG's leadership in providing fringe benefits to employees and software to facilitate benefit enrollment and billing.

Schedule

Table 1. Procurement Schedule

Milestone	Date
RFP Issued	1/22/2026
Deadline for Questions	2/4/2026, 4:00 pm Central Time
Responses to Questions Posted	2/6/2026, 5:00 pm Central Time
Request for Proposals Due	2/13/2026, 12:00 pm Central Time
Bidders Evaluated	2/13/2026 – 2/18/2026
Interviews with Top Candidates and Software Demonstrations	2/19/2026 – 2/20/2026
Executive Committee Approval	3/11/2025
Anticipated Start Date	3/16/2026
Anticipated End Date	3/31/2027, with up to four, 1-year options to renew

Notice

Prospective bidders who have received this document from a source other than CAPCOG should immediately contact the CAPCOG and provide their name, company, and email address in order that any addendum(s) to the RFP or other communication can be sent to them. Any prospective bidders who fail to provide the CAPCOG with this information assume complete responsibility in the event they do not receive communications from CAPCOG after the RFP issue date.

Background

This RFP is intended to solicit proposals for:

1. Consultant services to assist in the evaluation and administration of employee fringe benefits (except for CAPCOG's retirement plan, which CAPCOG has a separate contract for); and
2. Software that consolidates enrollment for CAPCOG's fringe benefits, and enables billing and deduction reconciliation.

CAPCOG will consider proposals for both services independent of one another unless the proposal explicitly indicates otherwise. For example, if a company's benefit software is only available if they are selected for the benefit consultant services, that will need to be stated explicitly.

CAPCOG has been contracting with HUB International for benefit consulting services since 2018 and added its online enrollment system Benefit Connector in 2024. This contract expires March 31, 2026, and CAPCOG is seeking options for both services.

CAPCOG has 65-80 employees and a fringe benefits package includes the following features that are within the scope of this RFP:

- Medical insurance provided by Blue Cross Blue Shield (BCBS) since January 2026:
 - Two plans offered:
 - a Health Maintenance Organization (HMO) plan with a \$1,000 deductible that serves as the base plan and
 - a Preferred Provider Organization (PPO) "buy-up" plan with a \$2,000 deductible;
 - 100% of employee premiums for HMO plan covered by CAPCOG;
 - 50% of dependent premiums for HMO plan covered by CAPCOG;
 - CAPCOG covers the same dollar amounts for the PPO plan as it does for the HMO plan;
- Dental and vision insurance provided by Cigna since January 2024:
 - 100% of employee premiums covered by CAPCOG;
 - 50% of dependent premiums covered by CAPCOG;
- Life and Accidental Death and Dismemberment (AD&D) Insurance and Long-Term Disability (LTD) provided by Ochs since January 2024:
 - Life and AD&D is through Securian:
 - Basic life insurance premium for \$50,000 for employee covered by CAPCOG;
 - Voluntary life insurance available for employees, spouses, and children;
 - LTD is through Madison;
 - 100% of premium covered by CAPCOG;
 - Benefit: 60% of monthly salaries (upper limit of salary limited to \$100,000)
- Health Reimbursement Account (HRA), Flexible Spending Account (FSA), Dependent Care Account (DCA), and Consolidated Omnibus Budget Reconciliation Act (COBRA) continuation of coverage administered by Flores HR since January 2024:
 - HRA: \$2,500 per year to employees enrolled in medical insurance;
 - FSA and DCA limits set at maximum allowable by the Internal Revenue Service (IRS);
- Employee Assistance Program (EAP) provided by Alliance Work Partners (AWP) since January 2024;
- Wellness Program that provides \$25 per month for gym membership, participation in dance or exercise classes, or participation in weight loss classes; and
- Voluntary Supplemental Insurance (short-term disability, cancer indemnity, critical illness, and accident insurance), through AFLAC since 2015.

CAPCOG underwent a change in all providers (except AFLAC) in 2024, and made major changes to the design of the medical plan and HRA amount in 2026 as a result of very high renewal rates offered by Cigna following a medical loss ratio of about 190% from January 2024 through August 2025.

Project Description: Benefit Consulting Services

For the contract that will be awarded under the benefit consulting services project, the following will be the list of items that will be included in the scope of work:

1. Analysis and reporting:
 - a. Analyze existing coverage and identify or develop cost-saving alternative benefit strategies and plans;
 - b. Assist in the development of long-range goals and strategies, including making projections of potential savings;
 - c. Provide actuarial analysis and recommendations based on utilization and performance reports, statistical and/or financial reports and plan-specific data;
 - d. Assist CAPCOG in monitoring and analyzing experience trends and providing timely alerts on changing patterns and appropriate recommendations;
 - e. Develop comparison reports of the benefit plan offerings and costs of other Councils of Government (COGs), other similar sized public, non-profit, and private entities, and other public entities located in the Austin-Round Rock-San Marcos metropolitan statistical area (MSA) and evaluation their competitiveness with CAPCOG's programs;
 - f. Provide financial and/or performance reviews of self-funded and fully insured plans and programs;
 - g. Be available to provide various types of reports as needed, such as cost analysis for benefit changes, and other statistical, financial, forecasting, trend, labor negotiations, or experience reports;
 - h. Assist in preparing overall employee insurance fund budget and projections;
 - i. Prepare and present reports on trends, new products, and audits, as requested;
 - j. Regularly monitor and evaluate performance measures and guarantees of providers;
 - k. Provide monthly claim updates and perform quarterly reviews of such;
 - l. Maintain full and accurate records with respect to all matters and services provided on behalf of CAPCOG's benefit plans and programs. Provide CAPCOG staff or officials all spreadsheets, assumptions, and calculations upon completion of any project performed on behalf of CAPCOG's benefit plans and programs;
 - m. Assist with data collection, informational requests for GASB 45 valuations, and provide strategic recommendations to mitigate liability; and
 - n. Provide impact analysis, plan options, and strategic recommendations with regard to Patient Protection and Affordable Care Act (PPACA or ACA);
2. Liaison and problem intervention
 - a. Act as a liaison between CAPCOG and benefit providers;
 - b. Provide day-to-day consultation on plan interpretation and problem resolution;
 - c. Provide timely customer service and assistance to staff, employees, and retirees with issues involving benefit billing, claims, vendor service issues/problems, advocacy for services, disputes, interpretation of contracts and services, changes, and general troubleshooting;
 - d. Attendance as needed at meetings with CAPCOG staff, employees and/or retirees to facilitate and assist in the management of CAPCOG's employee benefit plans;
 - e. Act as an advocate in appeal, arbitration, or court process between CAPCOG and benefit providers on unresolved issues if needed; provide advice when needed to enforce employee or dependents' rights;
 - f. Assist CAPCOG in proactive mitigation of negative impacts or disruption of services to employees and dependents from benefit and/or provider network changes;
3. Compliance
 - a. Assist with ongoing plan administration and ensure that programs are in compliance with State and Federal legislation;

- b. Review and disseminate information to staff on new or revised State and Federal legislation that impacts benefit programs;
 - c. Assist CAPCOG staff with periodic audits to ensure compliance with all mandated reporting and posting/notice requirements for benefit plans;
 - d. Develop and/or assist in developing communication materials and provide for conducting dependent verification audits;
 - e. Conduct compliance audit of CAPCOG's policies and procedures (PPACA, COBRA, HIPAA, USERRA, etc.); and
 - f. Assist with single non-profit trust for premium tax purposes (as applicable).
4. Annual renewal process and evaluation
- a. Establish a strategy that benefits for benefits, both annually and three to five years in the future. Consider trends, prospective legislation, new delivery systems, and geographic health care practices to make long-term projections.
 - b. Bid CAPCOG employee insurance programs on an "as-needed" basis. Review proposals and prepare an analysis of each with recommendations.
 - c. Review and make cost-saving recommendations regarding the modification of plan design, benefit levels, premiums, communications, and quality of current employee benefit plans.
 - d. Recommend appropriate plans to ensure that quality and cost-effective benefits are provided by the plans.
 - e. Provide annual estimates of renewal rates and cost trends and assist CAPCOG staff in preparation of budget figures.
 - f. Conduct thorough and applicable market research in preparation for contract renewals.
 - g. Assist in negotiating pricing with vendors on renewals and service modification requests.
 - h. Represent CAPCOG in all negotiations with vendors on various topics, including, but not limited to, premiums, benefit levels, plan design, performance measures and guarantees, contractual terms and conditions, insurance booklets, premium and co-pay rates, and quality assurance standards;
 - i. Make recommendations for items of negotiation with providers, including, but not limited to, premiums, benefit levels and plan design, quality of service, performance measures and guarantees, and return on investment, where applicable;
 - j. Prepare specifications and compile data, obtain quotes and proposals, negotiate rates, and analyze and compare proposals;
 - k. Review rate proposals to ensure underlying assumptions are appropriate and accurate to CAPCOG;
 - l. Provide communication development and support for the annual enrollment period, new benefit offerings, and/or changes to the existing benefit offerings; and
 - m. Attend, assist with, and coordinate annual open enrollment meetings.
5. Other service requirements:
- a. Assist in the design of CAPCOG's employee wellness program to improve employee health and reduce employee health care costs, both in the short term and in the long term;
 - b. Recommend and help develop enhancements and improvements for communications specific to the needs of CAPCOG's employees including, but not limited to, brochures, pamphlets, matrices, comparison charts, summaries, electronics communications, forms, handbooks, and employee orientation, to include required compliance notices;
 - c. Provide timely research and responses to technical questions posed by CAPCOG staff;

Proposals are due by email to ahoekzema@capcog.org by 12 pm, 2/13/2026

- d. Provide regular and timely communications needed for the effective administration of benefit plans;
- e. Provide guidance and recommendations on such items as, but not limited to, trends in benefit plans, methods for improving cost containment, financial arrangements, and administration;
- f. Provide access to published benefit – related survey information;
- g. Develop additional benefits communications specific to the needs of CAPCOG’s employees;
- h. Attend meetings of CAPCOG’s Executive Committee, staff, and employees as needed;
- i. Recommend particular broker-sponsored seminars, benefit events, and educational forums that would be beneficial to CAPCOG;
- j. Develop and/or assist in developing and evaluating employee/retiree needs and satisfaction surveys;
- k. Work collaboratively with other consultants and CAPCOG staff;
- l. Manage plan transitions as necessary between insurance providers;
- m. Review and evaluate current administrative processes related to enrollment and billing. Recommend and assist with implementation of administrative process enhancements; and
- n. Prepare and administer employee benefit survey as needed.

Any services not described explicitly above but that are included in the company’s benefit consulting services package should be identified in the proposal and whether any of these additional items require additional fees beyond the fees for the services identified above.

Project Description: Benefit Software

In addition to the benefits consulting services described above, CAPCOG is also seeking benefits software that will enable CAPCOG to continue to have consolidated enrollment, reporting, and billing for employee insurance offerings. CAPCOG welcomes proposals for both stand-alone software and software bundled with the consulting services described above. The proposal for benefits software must explicitly state whether the software is available as a stand-alone item or is only available paired with a benefits consulting contract. The software must include the following features:

1. Maintain benefit eligibility data:
 - a. Demographics;
 - b. Employment data such as hire dates, status, and location;
 - c. Insurance data, such as plan eligibility, elected coverage, and beneficiaries;
 - d. ACA-related eligibility, including part-time hours tracking and status change rules;
 - e. Electronic submission of plan elections to carriers;
2. Multiple enrollment capabilities;
 - a. Employee self-service capability;
 - b. Customized paper enrollment form option;
 - c. Easy-to-read confirmation statements;
 - d. 24/7 client access to employee data;
3. Tools to support additional client processes;
 - a. Ongoing deduction reporting to allow for easy payroll updates;
 - b. Monthly billing report packages to support self-bill and internal reconciliations;
 - c. Data provided to support ACA-mandated W-2 information; and
 - d. ACA Section 6055/6056 reporting (form completion, e-filing, and fulfillment).

Proposals are due by email to ahoekzema@capcog.org by 12 pm, 2/13/2026

Assuming notification of contract award by March 16, 2026, CAPCOG would expect completion of any transition to new software to be completed no later than July 1, 2027, and ideally sooner.

The software provider must assign a qualified individual to serve as a client advocate to offer ongoing support, guidance, and issue resolution related to eligibility and billing as part of these services.

Format and Content

Proposals shall be in Adobe PDF or Microsoft Word, with any supplemental attachments being in either PDF, Word, or another Microsoft Office file type. Each project requires a separate proposal.

The proposal is limited to 10 pages (front and back), not including a cover page/letter and attachments. All applications must be submitted in Microsoft Word Format with margins not less than one inch. The budget must also be submitted in Microsoft Excel based on the template provided. Text type must be 11 point or larger. Below is a summary of required information. Proposals should be organized accordingly.

- 1) Executive Summary (1 page)
- 2) Organizational Profile (1 page)
- 3) Work Plan (up to 4 pages)
- 4) Responses to Questions (up to 3 pages)
- 5) References (1 page)
- 6) Attachments – do not count towards page limit
 - a. Required certification forms
 - b. Examples of work products used for similar clients

Executive Summary

Provide a 1-page overview of how your organization will meet the goals of the proposal, including a budget summary.

Organizational Profile

Provide a 1-page description of your organization in terms of its history, primary business, and former and current customers. Please include, at a minimum:

- Ownership information, including any Historically Underutilized Business (HUB) vendor information;
- U.S. Government SAM Entity Identification Number (if available);
- U.S. Tax ID number;
- Physical Address;
- Mailing Address;
- Name of primary contact;
- Office phone number for primary contact;
- Cell phone number for primary contact;
- E-mail address for primary contact.

Work Plan

Provide a work plan that describes the approach to carrying out the project description. Please identify the specific individuals that would be assigned to work with CAPCOG and a brief summary of their qualifications and roles. Include estimated time spent on tasks and the billable rate for consulting

services, any initial set-up fees, recurring monthly fees, and per-employee fees associated with the software. Please indicate whether multiple options are available for structuring the fees.

For the software, if a video demonstration is available, please provide a URL for where the video can be watched.

Responses to Questions

The proposal must include responses to the following questions:

For benefits consulting services:

1. What do you believe sets your services apart from services of your competitors?
2. Please explain which entities' (or types of entities) benefit plans you think are most relevant to compare CAPCOG's benefit plans to and what your approach would be to gathering that information, analyzing it, and presenting it back to CAPCOG.
3. What is your company's approach to quality assurance and quality control? For example, when preparing CAPCOG's benefit summary or other materials for CAPCOG, what is your process for ensuring the accuracy and clarity of the information being included?
4. In 2023 and again in 2025, CAPCOG faced extremely high renewal rates for medical insurance based on our claims experience that made it impractical to renew. What is your company's approach to negotiating with incumbent and prospective providers at renewal time or in response to an RFP in order to ensure that CAPCOG has access to the lowest rates possible and can avoid unnecessary disruptions caused by needing to change providers. Please provide concrete examples of successful negotiations for comparable organizations.
5. Please explain your business's approach to serving as an advocate for the client in issue resolution, and please provide concrete examples of success in this task by the individuals assigned to work with CAPCOG for this proposal.
6. If selected as a finalist for this contract, your company would be expected to participate in a half-hour interview (in-person preferred, but online also acceptable) on either Thursday, February 19, or Friday, February 20, 2026. Please indicate any schedule conflicts on those days that would preclude being able to conduct an interview between 9:30 am and 4:30 pm Central Standard Time (CST).

For benefit software:

1. What do you believe sets your software apart from services of your competitors?
2. What is the time frame for completing a transition to the platform if CAPCOG selects your company to provide this service?
3. What are some examples of issues that have arisen for clients with your software before and how were they resolved?

4. What features does the software not currently have that are under development?
5. If selected as a finalist for this contract, your company would be expected to participate in a half-hour live online software demonstration on either Thursday, February 19, or Friday, February 20, 2026. Please indicate any schedule conflicts on those days that would preclude being able to conduct an interview between 9:30 am and 4:30 pm Central Standard Time (CST).

References

For each proposal, provide at least three (3) references (complete with contact information) that can vouch for your organization's ability to complete the work. For each reference, include a brief description of the project or projects that the person would be able to speak about. Projects should be similar in scale and kind to the project described in this RFP. If the vendor has previously completed work for CAPCOG, do not list CAPCOG personnel references.

Required Certifications

Six (6) certification forms are required for this project. Five are to be completed and submitted to CAPCOG directly. These six forms are provided as attachments to this RFP.

1. Certification of Compliance with Small, Disadvantaged, Minority, Women-Owned, And Historically Underutilized Business Policy
2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion for Lower-Tier Covered Transactions
3. Certification Regarding Lobbying
4. Certification Regarding Boycotting Israel
5. Conflict of Interest Questionnaire (IF APPLICABLE) - Chapter 176 of the Texas Local Government Code requires vendors and consultants contracting or seeking to contract with CAPCOG to file a conflict of interest questionnaire (CIQ) if they have an employment or other business relationship with an CAPCOG officer or an officer's close family member.

The sixth form must be completed online, with a PDF of the submission attached to the application:

6. Certificate of Interested Parties Form – Form 1295 (sample provided)

Texas law states that a governmental entity or state agency may not enter certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The required form and instructions are located at the Texas Ethics Commission Website.

Updates and Additional Information

Updates and additional information related to this RFP may be obtained from CAPCOG's "Doing Business with CAPCOG" webpage at <https://www.capcog.org/about/do-business-with-us/>. Any questions regarding this RFP may be e-mailed to Andrew Hoekzema at ahoekzema@capcog.org by 4:00 pm Central Time, Wednesday, February 4, 2026. CAPCOG will post answers to any questions on the "Doing Business with CAPCOG" page shortly thereafter.

Submission of Proposals

Proposals must be submitted to CAPCOG via e-mail to ahoekzema@capcog.org and received by CAPCOG no later than 12:00 pm Central Time, Friday, February 13, 2026.

Proposals are due by email to ahoekzema@capcog.org by 12 pm, 2/13/2026

CAPCOG is not liable for any costs incurred by a bidder in preparing and submitting bids.

Selection Process

Following receipt of proposals, senior CAPCOG staff will review proposals to ensure all required information was provided. Any bids that do not meet minimum requirements will not be considered further.

Staff will then give a preliminary rank to each proposal based on the following criteria.

1. Qualifications and relevant experience;
2. Proposed work plan;
3. Fees;
4. References; and
5. Any other relevant information included in the proposal.

If CAPCOG staff determine that it would be useful to conduct interviews with the top candidates, those interviews would be conducted on 2/19/2026 or 2/20/2026. These interviews would each be half an hour and would be conducted virtually.

Once bid rankings are finalized, staff will recommend to the Executive Committee that it proceed with contracting with the top-ranked vendor. CAPCOG expects to present the selection committee's recommendation at the March 11, 2026, Executive Committee meeting and enter into a contract with the selected vendor shortly thereafter.

Additional Information

CAPCOG may request in writing additional information from a bidder relating to the proposal and the bidder agrees to furnish it within a reasonable time.

Use of Copyrighted Material in Response

CAPCOG reserves an irrevocable, nonexclusive, and royalty-free right to use, reproduce, and copy, for a governmental purpose, all copyrighted material included in the Statement of Work.

Amendment or Withdrawal of Bid

Prior to the due date, a bidder may withdraw its bid if there is a material mistake and may submit a corrected proposal by the due date. For a period of 90 days following the due date, a proposer may not withdraw or amend its bid. CAPCOG may waive an error in or omission from a bid document if the error or omission is not material.

Award of Contract

CAPCOG will award one or more contracts to the proposer(s) that it determines is best qualified to meet CAPCOG's needs. Approval of the contract or contracts is subject to CAPCOG's Executive Committee. Once the contract or contracts are awarded, CAPCOG reserves the right to negotiate its terms with the successful bidder, and – if negotiations fail, negotiate terms with another bidder who provided a responsive bid. A proposer selected because of this solicitation may be subject to criminal background checks as a condition to entering a contract.

CAPCOG is posting a draft contract on our website at <https://www.capcog.org/about/do-business-with-us/>. CAPCOG expects to adapt the successful bidder to serve as the scope of work ("Attachment A") in the awarded contract. Unless a bidder asks a question about any of the contract provisions as part of the

opportunity to ask questions related to this RFP, it is assumed that it is accepting all of the terms in the sample contract.

CAPCOG reserves the right to reject any or all bids. If CAPCOG rejects all proposals, it may solicit new proposals if CAPCOG determines that it is in its best interest to do so.

Performance Period

CAPCOG anticipates a performance period of April 1, 2026, to March 31, 2027, with four, one-year options to renew.

Related Documents incorporated into this RFP

The following related documents are incorporated into this RFP by reference and are being posted on the “Doing Business with CAPCOG” page in order to enable bidders to review these documents prior to applying.

1. Sample Contract
2. Certifications

Invoicing and Payment

Invoicing should occur monthly unless otherwise proposed and agreed to by CAPCOG. CAPCOG will pay invoices within 30 days of acceptance of the invoice.

Resolution of Protested Solicitation or Contract Award

An unsuccessful bidder/offeror/quoter may protest the procurement process by following the procedure as available on the CAPCOG website, <https://www.capcog.org/about/do-business-with-us/>. The protest must be made within **five** business days of the date the basis of the protest to the procurement process became known or should have become known to the protester, whichever is earlier. The protest must be submitted in writing to CAPCOG, to the attention of the contact person, and identify and be signed by the protester. A protest shall be submitted to CAPCOG to the attention of Chris Miller, Executive Director, at 6800 Burleson Road, Building 310, Suite 165, Austin, TX 78744.

Potential Changes in Contracts Post-Award

Changes in state and/or federal legislation, rules, or regulations may result in a requirement to renegotiate contracts at any time prior to or during the contract period. Substantive changes to project content, procedures, or budgets during the life of the contract may be accomplished by negotiating these modifications with CAPCOG. CAPCOG will also pursue any necessary and appropriate contract modifications should legal or other changes occur in the project to sufficiently alter the original terms of the contract. No further solicitations or RFPs will be required in such cases.

Reference Information - Other contractual requirements

Section 1.113 CAPCOG Procurement Policies: Public Access to Procurement Information

Public Access to Procurement Information: Procurement information shall be a public record to the extent provided by the Texas Public Information Act and the Freedom of Information Act, as applicable, and shall be available to the public as provided therein. If a proposal contains information that the bidder considers proprietary and does not want disclosed to the public or used for any purpose other

than the evaluation of the offer, all such information must be indicated and clearly marked on each page of the proprietary or confidential document(s).

The information submitted during a procurement process is protected from disclosure until a contract is awarded. All proposals are open for public inspection after the contract is awarded, but proprietary and confidential information in the proposals are not open for public inspection.

Equal Opportunity/Non-Discrimination

All contracts awarded by CAPCOG are subject to the provisions listed below.

1. The CONTRACTOR will not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin, age or disability. The CONTRACTOR will take action to ensure that employees or applicants for employment are treated fairly during employment or the application process, regardless of race, color, sex, religion, national origin, age, or disability. The CONTRACTOR agrees to post in conspicuous places available to employees and applicants for employment notices (provided by an appropriate agency) of federal government nondiscrimination provisions.
2. The CONTRACTOR will state, in all solicitations or advertisements for employment (by or on behalf of the CONTRACTOR), that all qualified applicants will receive consideration for employment regardless of race, color, sex, religion, national origin, age, or disability.

Small, Disadvantaged, Minority, Women-Owned and Historically Underutilized Businesses: Federal Assistance or Contract Procurement Requirements

6-101. Policy Statement

It shall be the policy of CAPCOG to assist small, DBE, MBE, women-owned businesses and HUBs in learning how to do business with CAPCOG. It shall be the further policy of CAPCOG that these sources shall have the maximum feasible opportunity to compete.

6-102. Bidder/Offeror Statement

Every solicitation for procurement must require that each bidder or offeror include a statement that the bidder or offeror will comply with this Policy.

6-103. To ensure that CAPCOG's policy to assure that small, MBEs, DBEs, women-owned businesses, and HUBs are utilized, CAPCOG and its contractors and subcontractors should take the following affirmative steps:

1. Include qualified small, MBEs, DBEs, women-owned businesses, and HUBs on the Bidders' List. State lists may be utilized to locate such businesses by contacting the General Services Commission;
2. Assure that small, MBEs, DBEs, women-owned businesses, and HUBs are solicited whenever they may be potential sources. In this regard, CAPCOG should investigate new sources and advertise when feasible in minority publications;
3. When economically feasible, and where not in contravention of competitive bidding requirements, CAPCOG should divide the total requirements into smaller tasks or quantities so as to permit maximum small, MBE, DBE, women-owned businesses and HUB participation;

4. Use the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce, the Minority Business Development Agency in the Department of Labor, the Texas General Services Commission and other similar agencies for locating such businesses;
 5. Require that prime contractors take affirmative and meaningful steps towards retaining small, MBE, DBE, women-owned businesses and HUB subcontractors;
 6. Procure goods and services from labor surplus areas;
 7. If feasible, establish delivery schedules that encourage small, MBEs, DBEs, women-owned businesses, and HUBs to participate; and,
 8. Advertise, at least annually, in a newspaper of general circulation for small, MBEs, DBEs, women-owned businesses and HUBs to be added to the Bidders' List.
- 6-104. For such affirmative steps to be meaningful, CAPCOG should review all solicitations, offers and bids to confirm that such affirmative action steps have been taken. In addition, steps should be taken to ensure that once a contract is awarded to a small, MBE, DBE, women-owned business, and/or HUB, or that the award is given to a contractor with such a subcontractor, that such business is retained during the entire performance of the contract.
- 6-105. Failure of a contractor to take meaningful affirmative steps at soliciting and retaining small, MBEs, DBEs, women-owned businesses and HUBs may be considered as a factor in evaluating future bids under non-compliance with public policies; however, this factor may not be a consideration in procurements involving purely state or local funds as Texas law requires awards to be made to the lowest responsible bidder.
- 6-106. For procurements costing more than \$3,500 but less than \$50,000 the Division Director shall contact at least two HUBs on a rotating basis, based on information provided by the Texas General Services Commission. If the list fails to identify a historically underutilized business in the area, CAPCOG is exempt from this section.