

**Railroad Commission of Texas
Mentor Protégé Program**



December 3, 2002

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1.0 Description

The Railroad Commission of Texas' Mentor/Protégé Program is developed in accordance with Government Code §2161.065 and Texas Administrative Code Title I, Part 5, §111.28 of Subchapter B. The program is intended to foster relationships between contractors/vendors and Historically Underutilized Businesses (HUBs) by facilitating a mentor protégé relationship, in the procurement areas of construction, commodities, and/or services. The HUB Coordinator coordinates the program.

2.0 Objectives

The objectives of the program are to:

- a. Foster positive long-term relationships between contractors/vendors and HUBs;
- b. Increase the ability of HUBs to contract with the Commission or to receive subcontracts under a Commission contract; and
- c. Increase the ability of HUBs to contract with other state agencies.

3.0 Definitions

- a. Agreement means a written agreement written by the Commission's General Counsel and executed between the mentor and protégé. The agreement will outline the expectations and define the specific period of the relationship.
- b. Commission means the Railroad Commission of Texas.
- c. CMBL means the Centralized Master Bidder's List maintained by the Texas Building and Procurement Commission.
- d. Coordinator means the Commission HUB Coordinator.
- e. "Good Standing" with the State of Texas means that the organization has not violated any state statutes, rules or governing policies as determined by the Comptroller of Public Accounts Taxpayer and Vendor Information Database.
- f. HUB means Historically Underutilized Business as defined by the Texas Government Code Section 2161.001.
- g. Long-term means one (1) or more years.
- h. Professional guidance means mutually agreed upon terms as defined in the Mentor Protégé Agreement.

- i. Professional support means mutually agreed upon terms as defined in the Mentor Protégé Agreement.
- j. Program means Commission's Mentor Protégé Program.

4.0 Scope

4.1 Commission Mission and Program Benefits

It is the responsibility of the Railroad Commission of Texas to develop, protect and conserve valuable natural resources. The Commission expends approximately \$17 million each year in meeting its statutory objectives. It is also dedicated and committed to assisting Historically Underutilized Businesses (HUBs) and has developed and adopted this policy to promote mentoring opportunities for HUBs.

Contractors/vendors participation in the Mentor Protégé Program will be considered when evaluating good-faith effort as it relates to HUB Subcontracting Plans developed in accordance with Texas Government Code 2161, Subchapter F and Texas Administrative Code, Title 1, Part 5, Chapter 111, Subchapter B.

4.2 Recruitment

The Commission is committed to recruiting applicants for the program and will promote the program by:

- a. coordinating an Annual HUB Forum,
- b. mailing correspondence to vendors in the energy industry,
- c. participating in HUB forums conducted by other government entities;
- d. posting the program instructions and forms on its web site.

4.3 Participation

Participation in the program is voluntary and is neither a guarantee for a contract opportunity nor a promise of business. The program is intended to foster positive long-term business relationships.

4.4 Participants

Participants in the program include the following:

- a. The Mentor, which is an established business organization meeting eligibility criterion and selected to participate in the program as a mentor. The mentor should have extensive work experience and be able to provide developmental guidance in areas that meet the needs of the protégé, including but not limited to, business, financial, and personnel management; technical matters such as production, inventory control and quality assurance; marketing; insurance; equipment and facilities; and/or other related resources.
- b. The Protégé, which is eligible and willing to become certified as a HUB and selected to participate in the program as a Protégé.
- c. Commission staff, which will include representatives from the various energy divisions, the HUB Coordinator, and the Commission's General Counsel.

4.5 Roles and Responsibilities

- a. The Mentor is responsible for the following:
 - 1. Applying to participate in the program;
 - 2. Disclosing information requested in the application process;
 - 3. Maintaining a "good standing" with the State of Texas, and not in violation of any state statutes, rules or governing policies;
 - 4. Naming a contact to meet with the other participants;
 - 5. Choosing a protégé from the applications forwarded by the Commission;
 - 6. Executing a written agreement, with the protégé;
 - 7. Providing professional guidance and support in areas that meet the needs of the protégé including but not limited to, business, financial, and personnel management; technical matters such as production, inventory control and quality assurance; marketing; insurance; equipment and facilities; and/or other related resources.
 - 8. Reporting progress of the relationship to the Commission;
 - 9. Notifying the other participants if the mentor intends to withdraw from the agreement; and
 - 10. Maintaining confidentiality of protégé information.

b. The Protégé is responsible for the following:

1. Obtaining its HUB certification;
2. Maintaining its HUB certification status for the duration of the agreement. If a contractor/vendor has been awarded a contract with a state agency, which requires a HUB subcontracting plan, and the Mentor Protégé Agreement is terminated, or the protégé's HUB certification expires, the contractor or vendor must either enter into a new agreement with a certified HUB protégé, or comply with the requirements of this title relating to developing and submitting a HUB subcontracting plan.
3. Applying to participate in the program;
4. Disclosing information requested in the application process;
5. Maintaining a "good standing" with the State of Texas and is not in violation of any state statutes, rules or governing policies;
6. Naming a contact to meet with the other participants;
7. Executing a written agreement with the mentor;
8. Identifying areas in which the protégé needs guidance;
9. Reporting progress of the relationship to the Commission;
10. Notifying the other participants if the protégé intends to withdraw from the agreement; and
11. Maintaining confidentiality of mentor information.

c. The Commission is responsible for the following:

1. Evaluating mentor and protégé applications;
2. Notifying applicants of selection status;
3. Informing applicants that participation is voluntary and is neither a guarantee for a contracting opportunity nor a promise of business;
4. Maintaining confidentiality of information disclosed during the application process;
5. Naming a contact to meet with the other participants;
6. Facilitating the execution of a written agreement between the mentor and the protégé;
7. Compiling information provided through the mentor and protégé progress reporting;
8. Notifying the other participants if the mentor or protégé intends to withdraw from the agreement;
9. Monitoring compliance with the agreement;

10. Maintaining confidentiality of mentor and protégé information; and
11. Reporting program performance to the Texas Building and Procurement Commission.

4.6 Application Process

Prospective mentor and protégé applicants must submit the appropriate application to the Commission. Mentors are required to apply using Exhibit A, Mentor Application, while Protégés are required to apply using Exhibit B, Protégé Application.

The mentor application provides the HUB coordinator with information regarding work experience, developmental guidance areas in which the prospective mentor is willing to provide guidance, to what extent the mentor is available and other relevant information.

The protégé application provides the HUB coordinator with information regarding HUB status, developmental guidance areas in which the prospective protégé is seeking guidance and other relevant information.

4.7 Eligibility Criteria

- a. To be eligible, a prospective mentor must submit a complete application. In addition, the Commission may consider whether the prospective mentor:
 1. Has extensive work experience and can provide developmental guidance in areas that meet the needs of the protégé, including but not limited to, business, financial, and personnel management; technical matters such as production, inventory control and quality assurance; marketing; insurance; equipment and facilities; and/or other related resources.
 2. Is willing to meet with a protégé on a regular basis;
 3. Is willing to provide professional guidance relevant to the program mission;
 4. Has prior mentoring experience;
 5. Has a successful work history with the Commission;
 6. Is in “good standing” with the State of Texas and is not in violation of any state statutes, rules or governing policies;
 7. Has not have terminated a mentor protégé agreement entered into under the Commission's program within the last year.

- b. To be eligible, a prospective protégé must submit a complete application. In addition, the Commission may consider whether the prospective protégé:
1. Is eligible and willing to become a certified HUB;
 2. Is willing to apply to the CMBL;
 3. Is willing to participate with a mentoring firm and identify the type of guidance that is needed;
 4. Is in “good standing” with the State of Texas and is not in violation of any state statutes, rules or governing policies;
 5. Has not have terminated a mentor protégé agreement entered into under the Commission's program within the last year; and
 6. Has been operational for at least one year.

4.8 Selection Process

The HUB Coordinator will review mentor and protégé applications. The HUB coordinator will determine and notify the applicant of its eligibility status. If the applicant is deemed ineligible, notice will specifically identify the reason. The applicant may provide additional information to correct the deficiency identified in the notice.

Once an applicant is deemed eligible, it will not be selected to participate in the program until an appropriate match is made. In an effort to identify an appropriate match, the Commission will attempt to recruit additional applicants.

Once a match is identified, the Coordinator will notify both the eligible mentor and eligible protégé and facilitate a meeting between the participants.

Applications will be processed in the order received. Additionally, the Commission will attempt to identify matches between mentors and protégés in the same order in which the applications are processed.

4.9 Defining Mentor Protégé Agreement

The meeting between the participants is intended to define and reduce to writing the expectations of each party. Once there is a clear understanding between the parties, the Commission's General Counsel will draft a written agreement for review and execution.

The agreement will include:

- a. Identification of the developmental areas in which the protégé seeks guidance;
- b. The specific time period for the agreement;
- c. Name, address, phone and fax numbers, and points of contact that will oversee the agreement of the mentor and the protégé;
- d. Provision regarding confidentiality;
- e. Provision for termination; and
- f. Provision for reporting progress.

4.10 Monitoring Progress

The coordinator will monitor the progress of the mentor protégé relationship by reviewing the reports submitted by the parties and comparing them to the respective agreement.

4.11 Noncompliance

Protégés must, upon achieving, maintain the HUB certification status for the duration of the agreement. In the event that a contractor or vendor has been awarded a contract, which requires HUB subcontracting plan, and the Mentor Protégé Agreement is terminated or the protégé's HUB certification expires, the contractor or vendor must:

- a. Enter into a new agreement with a certified HUB protégé, or
- b. Comply with the requirements of this title relating to developing and submitting a HUB subcontracting plan.

4.12 Reporting Results

The coordinator will report participation in the program and progress of the relationships in the Semi-Annual HUB Report and as part of the Legislative Appropriations Request.

The coordinator will also be responsible for reporting the execution of Mentor Protégé Agreements to TBPC. The coordinator will use the form prescribed by TBPC and report no later than 21 days subsequent to any agreement execution. Approved Mentor Protégé Agreements are valid for all state agencies in determining good faith effort for the particular area of subcontracting to be performed by the Protégé as identified in the HUB subcontracting plan.

5.0 Legal Authority

Government Code 2161.065 Mentor-Protégé Program

(a) The Texas Building and Procurement Commission shall design a mentor-protégé program to foster long-term relationships between prime contractors and historically underutilized businesses and to increase the ability of historically underutilized businesses to contract with the state or to receive subcontracts under a state contract. Each state agency with a biennial appropriation that exceeds \$10 million shall implement the program designed by TBPC.

(b) Participation in the program must be voluntary for both the contractor and the historically underutilized business subcontractor.

Added by Acts 1999, 76th Leg., ch. 1499, § 2.08, eff. Sept. 1, 1999.

Texas Administrative Code Title I, Part 5, §111.28 of Subchapter B

(a) In accordance with the Texas Government Code, §2161.065, the Texas Building and Procurement Commission shall design a Mentor Protégé Program to foster long-term relationships between contractors/vendors and Historically Underutilized Businesses (HUBs) and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract. The objective of the Mentor Protégé Program is to provide professional guidance and support to the protégé to facilitate their development and growth. All participation is voluntary and program features should remain flexible so as to maximize participation. Each state agency with a biennial appropriation that exceeds \$10 million shall implement a Mentor Protégé Program.

(b) In efforts to design a Mentor Protégé Program, each agency, because of its unique mission and resources, is encouraged to implement a Mentor Protégé Program that considers;

- (1) the needs of protégé businesses requesting to be mentored;
- (2) the availability of mentors who possess unique skills, talents, and experience related to the mission of the agency's program; and
- (3) the agency's staff and resources.

(c) Agencies may elect to implement Mentor Protégé Programs individually or cooperatively with other agencies, and/or other public entities and private organizations, with skills, resources and experience in Mentor Protégé Programs. Agencies are encouraged

to implement a Mentor Protégé Program to address the needs of its protégé businesses in the following critical areas of the state's procurements:

- (1) construction
- (2) commodities, and/or
- (3) services.

(d) State agencies may consider, but are not limited to, the following factors in developing their Mentor Protégé Program:

- (1) Develop and implement internal procedures, including an application process, regarding the Mentor Protégé Program which identifies the eligibility criteria and the selection criteria for mentors and potential HUB protégé businesses;
- (2) Recruit contractor/vendor mentors and protégés to voluntarily participate in the;
- (3) Establish a Mentor Protégé Program objective identifying both the roles and expectations of the agency, mentor and the protégé;
- (4) Monitor the progress of the mentor protégé relationship;
- (5) Identify key agency resources including senior managers and procurement personnel to assist with the implementation of the Program; and
- (6) Encourage partnerships with local governmental and nonprofit entities to implement a community based Mentor Protégé Program.

(e) An agency's Mentor Protégé Program must include mentor eligibility and selection criteria. In determining the eligibility and selection of a mentor, state agencies may consider the following criteria:

- (1) Whether the mentor is a registered bidder on the commission's Centralized Master Bidders List (CMBL)
- (2) Whether the mentor has extensive work experience and can provide developmental guidance in areas that meet the needs of the protégé, including but not limited to, business, financial, and personnel management; technical matters such as production, inventory control and quality assurance; marketing; insurance; equipment and facilities; and/or other related resources.
- (3) Whether the mentor is in "good standing" with the State of Texas and is not in violation of any state statutes, rules or governing policies;
- (4) Whether the mentor has mentoring experience; and
- (5) Whether the mentor has a successful past work history with the agency.

(f) An agency's Mentor Protégé Program must include protégé eligibility and selection criteria. In determining the eligibility and selection of HUB protégés, state agencies may use the following criteria:

- (1) Whether the protégé is eligible and willing to become certified as a HUB;
- (2) Whether the protégé's business has been operational for at least one year
- (3) Whether the protégé is willing to participate with a mentoring firm and will identify the type of guidance that is for its development;
- (4) Whether the protégé is in "good standing" with the State of Texas and is not in violation of any state statutes, rules or governing policies; and
- (5) Whether the protégé is involved in a mentoring relationship with another contractor/vendor.

(g) The mentor and the protégé should agree on the nature of their involvement under the agency's mentor/protégé initiative. Each agency will monitor the process of the relationship. The mentor and protégé relationship should be reduced to writing and that agreement may include, but is not limited to, the following:

- (1) Identification of the developmental areas in which the protégé needs guidance;
- (2) The time period, which the developmental guidance will be provided by the mentor;
- (3) Name, address, phone and fax numbers, and the points of contact that will oversee the agreement of the mentor and protégé;
- (4) Procedure for a mentor firm to notify the protégé in advance if it intends to voluntarily withdraw from the program or terminate the mentor protégé relationship;
- (5) Procedure for a protégé firm to notify the mentor in advance if it intends to terminate the mentor protégé relationship; and
- (6) A mutually agreed upon timeline to report the progress of the mentor protégé relationship to the state agency.

(h) The protégé must maintain its HUB certification status for the duration of the agreement. If a contractor/vendor has been awarded a contract with a state agency, which requires a HUB subcontracting plan, and the Mentor Protégé Agreement is terminated, or the protégé's HUB certification expires, the contractor/vendor must either

- (1) Enter into a new agreement with a certified HUB protégé, or

(2) Comply with the requirements of this title relating to developing and submitting a HUB subcontracting plan.

(i) Each agency must notify its mentors and protégés that participation is voluntary. The notice must include written documentation that participation in the agency's Mentor Protégé Program is neither a guarantee for a contract opportunity nor a promise of business; but the Program's intent is to foster positive long-term business relationships.

(j) State agencies may demonstrate their good faith under this section by submitting a supplemental letter with documentation to TBPC with their HUB Report or legislative appropriations request identifying the progress and testimonials of mentors and protégés that participate in the agency's program. In accordance with §111.26 of this title (relating to HUB Coordinator Responsibilities) the agency's HUB Coordinator shall facilitate compliance by its agency.

(k) Each state agency that sponsors a Mentor Protégé Program must report that information to TBPC upon completion of a signed agreement by both parties. Information regarding the Mentor Protégé Agreement shall be reported to TBPC in the form prescribed by TBPC within 21 calendar days after the agreement has been signed. TPBC will register that agreement on the approved list of mentors and protégés. Approved Mentor Protégé Agreements are valid for all state agencies in determining good faith effort for the particular area of subcontracting to be performed by the Protégé as identified in the HUB subcontracting plan.

(l) TBPC shall maintain and make available to state agencies all registered Mentor Protégé Agreements. The sponsoring agency shall monitor and report the termination of an existing Mentor Protege Agreement that has been registered with TPBC within 21 calendar days.

Source Note: The provisions of this §111.28 adopted to be effective June 13, 2000, 25 TexReg 5621; amended to be effective May 8, 2002, 27 TexReg 3753

6.0 Internal Timelines

The following tasks and timelines will be used to monitor the effectiveness of the program.

- Applications will be dated with the date that they are received.
- HUB Coordinator will review, assess eligibility, and notify applicant of eligibility status within 10 working days. Notification will be made using the appropriate form letter.
- HUB Coordinator identifies potential protégés and forward list of those protégés to mentor within 15 working days from the date of notification.
- Mentor has 30 days from date of Commission correspondence forwarding list of potential bidders, to notify the Commission of its selection of a protégé.
- HUB Coordinator has 30 days from the date of the Mentor's correspondence informing the Commission of its selection, to coordinate a meeting and define the elements of the Mentor Protégé Agreement.
- General Counsel has 15 working days from receipt of a draft Mentor Protégé Agreement to review and forward comments to the HUB Coordinator.
- HUB Coordinator has 15 working days to facilitate a second meeting for the execution of the Mentor Protégé Agreement.

Exhibit A



RAILROAD COMMISSION OF TEXAS
Mentor/Protégé Program
MENTOR APPLICATION

Application Submission Date: _____

Federal Tax Number: _____

Company Name: _____

Company Address: _____

Business Type: _____

Length of Time in Business: _____

Contact Person: _____

Contact Person's Title: _____

Phone Number: _____

Fax Number: _____

E-Mail Address: _____

Do you currently have a state contract?	<input type="checkbox"/> Yes _____
	<input type="checkbox"/> No _____

Please describe your company's interest and goal in becoming a mentor through the Railroad Commission of Texas (RRC) mentoring program:

Please provide information regarding prior mentoring experience:

Please identify possible area(s) in which your company has work experience and can provide developmental guidance that you can make available to potential protégé. (Check all that apply)

<input type="checkbox"/> Business Management	<input type="checkbox"/> Insurance / Bonding
<input type="checkbox"/> Financial Management	<input type="checkbox"/> Personnel Management
<input type="checkbox"/> Production	<input type="checkbox"/> Inventory Control
<input type="checkbox"/> Marketing	<input type="checkbox"/> Quality Assurance
<input type="checkbox"/> Equipment and Facilities	<input type="checkbox"/> Project Management
<input type="checkbox"/> Other (Specify)	

Are you currently participating in any other mentor/protégé program?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Are you currently involved in a mentor/protégé relationship?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Number of Protégés you are willing to mentor		Amount of time you are willing to spend as the mentor?	_____/hrs/week or _____/days/month

Are you in "good standing" with the State of Texas and not in violation of any state statutes, rules or governing policies?
 Yes () No ()

Does your company have any specialized education and/or training that you can make available to assist protégé in their development needs? If yes, please describe:

Is your company (representative) willing to attend a mandatory meeting conducted by RRC?
 Yes () No ()

Is the company willing to provide progress reports as required by the Mentor Protégé Agreement?
 Yes () No ()

Is your company willing to enter into a written agreement with a protégé outlining the goals and objectives of your potential mentor/protégé relationship through the RRC?	() Yes () No
--	-------------------

Liability Statement:

I understand that participation in the Mentor/Protégé Program is voluntary and is neither a guarantee for a contract opportunity nor a promise of business; but the program's intent is to foster positive long-term business relationships. I agree to report on the progress made relative to the Mentor/Protégé Agreement as indicated in the Agreement.

Confidentiality Statement:

The mentor shall not disclose or use for any purpose other than performance of its responsibilities, any and all privileged records or other confidential or proprietary information divulged, developed or subject to or pursuant to this agreement.

 Signature of Mentor Applicant

 Title

 Company

Exhibit B



RAILROAD COMMISSION OF TEXAS
Mentor Protégé Program
PROTÉGÉ APPLICATION

Application Submission Date: _____

BUSINESS OWNER'S PROFILE (Applicant)

Name: _____
Address: _____
City/State/Zip: _____
Home Telephone Number: _____
Professional Licenses: _____
Specialized Training: _____
Educational Background: _____

BUSINESS PROFILE

Federal Tax Number: _____
Name of Business: _____
Business Address: _____
City/State/Zip: _____
Business Phone Number: _____
Fax Number: _____
E-Mail Address: _____
Contact Person: _____
Title: _____
Principal line of Business: _____

Total number of employees at time of application: _____
Full-time _____ Part-time _____

Is your company (representative) willing to attend a mandatory meeting conducted by the RRC?
Yes () No ()

Is your company willing to enter into a written agreement with a mentor outlining the goals, and objectives of your potential mentor/protégé relationship through the program? Yes () No ()

Is your company currently a "protégé" of any business under any other program?
Yes () No ()

Has your company been operational for at least one year?
Yes () No ()

Are you currently registered on or are you willing to apply to the Centralized Master Bidders List?
Yes () No ()

Are you currently eligible and willing to become certified as a Historically Underutilized Business?
Yes () No ()

Do you have any state contract at the present time?
Yes () No ()

Business Structure (Please check appropriate description)

- | | | |
|--|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Corporation | <input type="checkbox"/> Partnership |
| <input type="checkbox"/> Joint Venture | <input type="checkbox"/> LLC | <input type="checkbox"/> LLP |

Date Business Started _____ Date of HUB Certification _____
(if applicable)

Please explain why you want to become a part of the Mentor/Protégé Program

Please indicate the areas you need assistance in (check all that apply).

- | | |
|---|---|
| <input type="checkbox"/> Business Management | <input type="checkbox"/> Insurance / Bonding |
| <input type="checkbox"/> Financial Management | <input type="checkbox"/> Personnel Management |
| <input type="checkbox"/> Production | <input type="checkbox"/> Inventory Control |
| <input type="checkbox"/> Marketing | <input type="checkbox"/> Quality Assurance |
| <input type="checkbox"/> Equipment and Facilities | <input type="checkbox"/> Project Management |
| <input type="checkbox"/> Other (Specify) | |

Are you in "good standing" with the State of Texas and not in violation of any state statutes, rules or governing policies?
Yes () No ()

Are you willing to maintain HUB certification status for the duration of the Mentor/Protégé Agreement?
Yes () No ()

Acknowledgement Statement:

I understand that participation in the Mentor/Protégé Program is voluntary and is neither a guarantee for a contract opportunity nor a promise of business, but is to foster positive long-term business relationships. I agree to report on the progress made relative to the Mentor/Protégé Agreement as indicated in the Agreement.

I understand that in order to potentially be selected by a mentor as their protégé, information I have provided will be made available to eligible mentors who have indicated a willingness to assist selected protégés in areas that have been identified (needs) in these materials.

Signature of Protégé Applicant

Title

Company (if applicable)

RAILROAD COMMISSION OF TEXAS
Mentor Applicant Eligibility Assessment
(For Commission Use Only)
Exhibit C

Check all that apply (or fill in as appropriate)

- Mentor applicant Company Name _____
- Mentor applicant has identified its "Contact" relative to the program in its application form.
- Mentor applicant is in "good standing" with the State of Texas and is not in violation of any state statutes, rules or governing policies.
(Comptrollers data base check - date: _____)
- Mentor applicant has identified specific areas of "skill sets" they can provide to potential Protégé.
- Mentor applicant has indicated a willingness to participate in a meeting with the Mentor, facilitated by the HUB Coordinator and intended to define the Mentor Protégé Agreement.
- Mentor has not terminated a previous Mentor Protégé Agreement entered into under the Commission's program within the last year.
- Mentor applicant has indicated a willingness to provide progress reports as outlined in its Mentor/Protégé Agreement.
- Mentor applicant has indicated a willingness to enter into a Mentor Protégé Agreement and abide by program guidelines in the development of the Mentor Protégé Agreement.
- Mentor applicant has acknowledged that participation in the Mentor/Protégé Program is voluntary, that participation is neither a guarantee for a contract opportunity nor a promise of business and that the program's intent is to foster positive long-term business relationships.

Statement of Eligibility (check the appropriate statement based on determination of review).

- I have reviewed the Mentor Application, and determined that the company is compliant with prerequisites for designation as a mentor.
- I have reviewed the Mentor Application, and determined that the company is not compliant with prerequisites for designation as a mentor.

Assessment conducted by: _____
(HUB Coordinator or Designee Signature)

Date of Assessment: _____

RAILROAD COMMISSION OF TEXAS
Protégé Applicant Eligibility Assessment
(For Commission Use Only)
Exhibit D

Check all that apply (or fill in as appropriate)

- Protégé applicant Company Name _____
- Protégé application is complete.
- Protégé applicant is currently certified or willing to become certified as a Texas Historically Underutilized Business
(Staff verification on the HUB Directory - listing as of: _____).
- Protégé applicant is willing to maintain its HUB Certification status.
- Protégé applicant is in "good standing" with the State of Texas and is not in violation of any state statutes, rules or governing policies.
(Comptrollers data base check - date: _____)
- Protégé has not terminated a previous Mentor Protégé Agreement entered into under the Commission's program within the last year.
- Protégé applicant has identified specific areas of "skill sets" they have identified as needing assistance.
- Protégé applicant has indicated a willingness to participate in a meeting with the Mentor, facilitated by the HUB Coordinator and intended to define the Mentor Protégé Agreement.
- Protégé applicant has indicated a willingness to provide progress reports as outlined in its Mentor/Protégé Agreement.
- Protégé applicant has indicated a willingness to enter into a Mentor/Protégé Agreement and abide by program guidelines in the development of the Mentor/Protégé Agreement.
- Protégé applicant has acknowledged that participation in the Mentor/Protégé Program is voluntary, that participation is neither a guarantee for a contract opportunity nor a promise of business and that the program's intent is to foster positive long-term business relationships.

Statement of Eligibility (check the appropriate statement based on determination of review).

- I have reviewed the Protégé Application, and determined that the company is compliant with prerequisites for designation as a Protégé.
- I have reviewed the Protégé Application, and determined that the company is not compliant with prerequisites for designation as a mentor.

Assessment conducted by: _____

(HUB Coordinator or Designee Signature)

Date of Assessment: _____

Exhibit E



RAILROAD COMMISSION OF TEXAS
Mentor & Protégé Performance Report

Name of Mentor: _____
Name of Protégé: _____
Dates Report Covers: _____
Contact Name: _____
Phone Number: _____

1. Is the Mentor Protégé Agreement still in effect?
Yes () No ()

If no, who terminated the agreement? Mentor () Protégé () Both ()

If the agreement is no longer in place, please describe the circumstances that led to the dissolution of the agreement.

2. How would you qualify the relationship that has developed with your (mentor or protégé) since the initial signing of your Mentor Protégé Agreement? (Check all that apply)
() Professional () Courteous () Of some benefit
() Mutually Beneficial () Friendly () Not Beneficial
() One Sided () Adversarial () Other

3. How would you rate the (mentor or protégé) efforts in meeting your needs as outlined in the Agreement?
Excellent () Good () Mediocre () Poor ()

4. Has your (mentor or protégé) complied with all the provisions of the agreement thus far?
Yes () No ()

Are there areas of assistance where your (mentor or protégé) has not been able to meet your needs (Areas indicated in the agreement that had been agreed upon)? Please list.

5. Have you and your (mentor or protégé) pursued any contracting opportunities together since entering into this mentor protégé relationship?
Yes () No () Not applicable ()

If yes, please indicate in which of the following market areas this occurred (check all that apply).

- Federal Contracting State Contracting Municipal Contracting
 County Contracting Commercial Sector Other

Have any of these efforts resulted in awards to you?

- Yes () No ()

If yes, describe the contracting relationship (check applicable description).

- As a Partner As a Sub-contractor
 Other (describe) _____

Have you, individually, pursued any contracting opportunities with the Railroad Commission of Texas?

- Yes () No ()

If yes, please describe

Did your pursuit result in award?

- Yes () No ()

If yes, please describe

6. How would you rate the assistance provided to you by the Railroad Commission of Texas Mentor/Protégé Program staff?

- Excellent Met my needs Poor Not helpful

7. Have you been supported by other resources? (other support groups, such as financial and bonding institutions, minority and women owned businesses, support service organizations, chambers of commerce, etc.)

- Yes () No ()

8. How would you rate the assistance provided to you by other mentor/protégé resources?
_ Excellent _ Met my needs _ Poor _ Not helpful
9. Would you like to share any other observations, concerns and/or suggestions to improve the program and/or areas of program staff improvement? Please note below.

Please return the completed survey to the following address:

Railroad Commission of Texas
P.O. Box 12967
Austin, Texas 78711
or fax to: (512) 463-5548
Attention: HUB Coordinator

Exhibit F
SAMPLE

Mentor Protégé Agreement
Developed Through
Railroad Commission of Texas'
Mentor / Protégé Program

The Mentor Protégé Program is designed to encourage approved mentors to provide various forms of assistance to eligible Texas Historically Underutilized Businesses (HUBs) participants as protégé. The parties to this agreement agree to participate in the Mentor/Protégé Program. The parties verify that the information contained in this agreement is accurate and agree to adhere to the guidelines set forth in the Mentor/Protégé Program.

1. Mentor Company Information

Name of Company: _____
Contact Name: _____
Position Title: _____
Address: _____
Telephone Number: _____
Fax Number: _____
E-Mail Address: _____
Homepage: _____

2. Protégé Company Information

Name of Company: _____
Contact Name: _____
Position Title: _____
Address: _____
Telephone Number: _____
Fax Number: _____
E-Mail Address: _____
Homepage: _____

3. Eligibility

(Name of Company) is currently eligible to participate in the Mentor / Protégé Program as a protégé pursuant to the requirements outlined at 4.7(b) of the Commission's Mentor Protégé Program. (Name of Company) has an active certification through (Date). Should certification expire prior to the termination of this agreement, (Name of Company) agrees to apply for HUB re-certification.

or

If (Name of Company) is not certified as a HUB, it is eligible and willing to become a certified HUB and will make every effort to become certified.

4. Development program (areas of assistance to be provided by mentor to protégé)

(Mentor) plans to provide developmental assistance in the following areas:

- Business Management
- Financial Management
- Production
- Inventory Control

- Marketing
- Insurance/Bonding
- Personnel Management
- Quality Assurance
- Equipment and Facilities
- Project Management
- Other

5. Milestones (Agreement Objectives are optional and must be agreed to by the mentor and the protégé.)

Monthly Meetings

Quarterly Meetings

6. Metrics (Proposed Outcomes)

Year 1 – (January 2002 through December 2002)

Year 2 – (January 2003 through December 2003)

7. Program Participation Term (Term of Agreement)

8. Termination Procedures

Either party may terminate this agreement for cause or convenience.

- Termination for Convenience
Thirty days advance notice will be given to the other party; all correspondence from the party initiating the cancellation must be addressed to the affected party with a copy to the RRC HUB Coordinator. The party canceling the contract may not enter into another mentor/Protégé relationship for one year from the date of cancellation.
- Termination for Cause
The terminating party shall send written notice to the other party, with a copy to the RRC HUB Coordinator, stating the reason for termination. The terminating party must allow a thirty-day period during which the other party may offer reasons why the termination should not occur, including a plan to cure the reasons for the termination. After reviewing the response, the terminating party may elect to continue the program or issue a formal termination. In no event is the termination subject to appeal to RRC.

10 Acknowledgement - Signed Agreement

Parties to this agreement acknowledge that the participation by the mentor/protégé is voluntary. It is also understood that this agreement is neither a guarantee for a contract opportunity nor a promise of business. The program's intent is to foster positive long-term business relationships.

We understand that the Mentor / Protégé Agreement is limited to a period not to exceed the term of the agreement, commencing from the date the Mentor Protégé Agreement is signed by all parties.

Three original copies of the written agreement shall be signed, one to be retained by the mentor, one to be retained by the protégé, and one to be retained by the RRC HUB Coordinator.

Parties agree to comply with the obligations of the Mentor/Protégé Program.

Mentor

Protégé

Signature

Signature

Title

Title

Date

Date

Name of Company

Name of Company

Exhibit G

Model Acceptance Letter for Mentor

Date

Name of Firm

Name of Mentor Contact

Address

City, State and Zip Code

Dear (Name of Mentor Firm Contact)

This letter is to formally notify you of your acceptance to the Commission's Mentor / Protégé Program as a Mentor.

Your participation in the Program is voluntary and is neither a guarantee for a contract opportunity nor a promise of business.

A list of possible protégés will be forwarded to you shortly. You will be requested to select a protégé from those applicants seeking guidance in an area consistent with the information noted in your application.

Thank you for your participation in the program and I look forward to working with you.

Sincerely,

Bernadette Davis
HUB Coordinator

Exhibit H

Model Acceptance Letter for Protégés

Date

Name of Firm

Name of Mentor Contact

Address

City, State and Zip Code

Dear (Name of Protégé Firm Contact)

This letter is to formally notify you of your acceptance to the Commission's Mentor / Protégé Program as a Protégé.

Your participation in the Program is voluntary and is neither a guarantee for a contract opportunity nor a promise of business.

The Commission will be forwarding your company information to mentors that have been accepted into the Commission's program and who might be able to fulfill your needs as identified in your application. The Commission will immediately notify you once an appropriate match is determined.

Thank you for your participation in the program and I look forward to working with you.

Sincerely,

Bernadette Davis
HUB Coordinator

Exhibit I
Sample Rejection Letter

Date

Name of Firm

Name of Mentor Contact

Address

City, State and Zip Code

Dear (Name of Mentor or Protégé Firm Contact)

This letter is to formally advise you that the Commission has reviewed your application to participate in its Mentor / Protégé Program. It has been determined that you are not eligible to participate in the program for the following reasons.

List Reasons

If you have questions or wish to address the particular reasons, please call me at (512) 463-7680.

Sincerely,

Bernadette Davis
HUB Coordinator