

CITY OF HOUSTON'S Pay or Play Program (POP)



Mayor | John Whitmire
Director | CJ Messiah

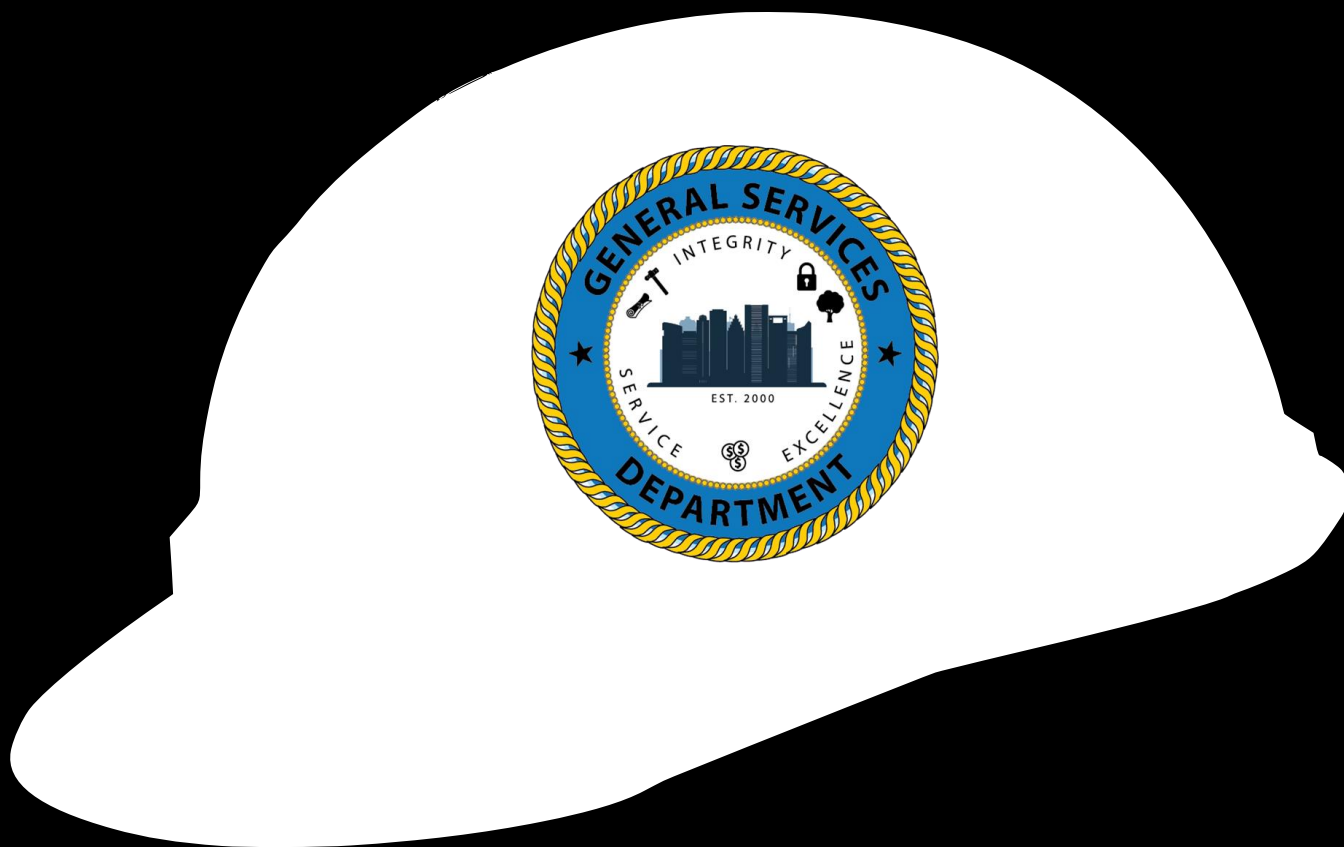
SHANTRA WILSON, CTCD

CONTRACT COMPLIANCE OFFICER

GENERAL SERVICES DEPARTMENT

900 BAGBY 2ND FLOOR

HOUSTON, TX 77002



**Municipal Courts CMAR RFP Pre-
Proposal Meeting**

Project Manager – Greg Kieschnick

August 05, 2025

Time: 2:30 pm – 3:30 pm

MS Teams Meeting

Discussion Topics

POP Program
Definitions



POP Program
Requirements



Final POP
Compliance
Review



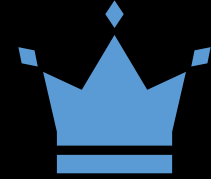
Office of Business Opportunity
oversees the POP Program



Contractors that do not provide
healthcare benefits for their
workforce impose a burden on the
public and private agencies



City intends to enhance fairness in the
competition for contracts between
bidders that choose to offer health
benefits and those that do not.



See **Executive Order 1-7** for more
information.

Pay or Play Program Overview

POP
“Covered Contracts”

Contracts valued at or above **\$100,000**
(prime contractors) or

\$200,000 (sub-contractors)

Professional Service, Construction and
Service type Contracts.

On-Call, Work Order and Job Order
Solicitations. (**See Executive Order 1-7**)

POP PROGRAM NOT APPLICABLE

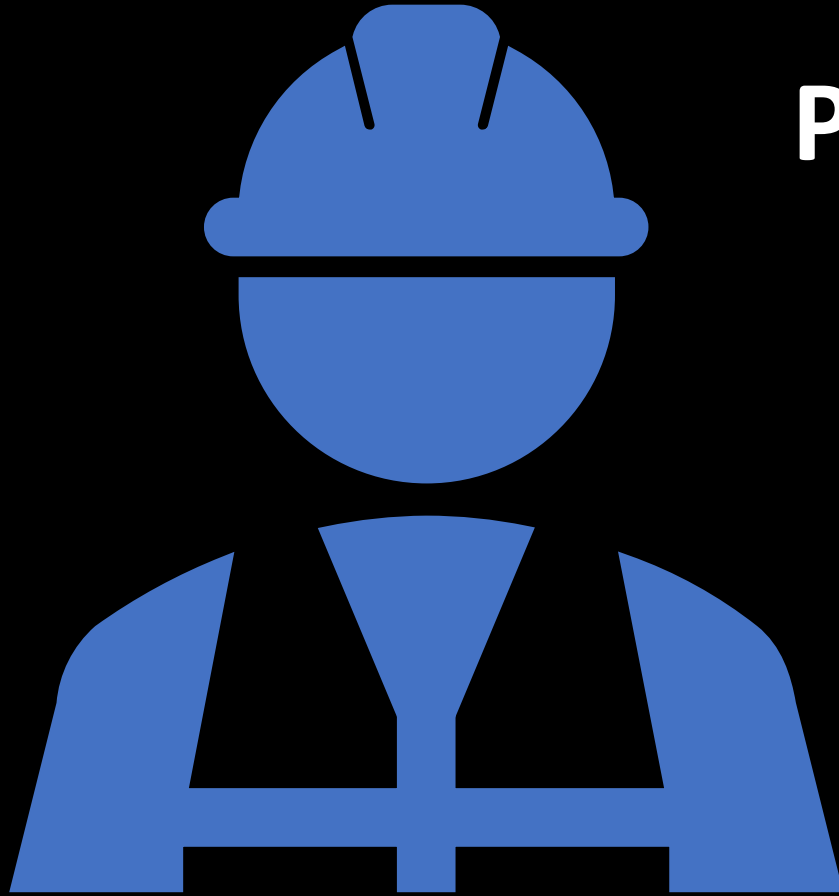
Supply / Procurement
contracts (**51% or more
rule**)

Intergovernmental
contracts/Interlocal
agreements, bulk
purchasing

Any contract for which the
City of Houston has not
expended funds, regardless
of funding.

A POP-4 form approved by
OBO for Exemption

Contractors that utilize self-
employed, owner/operator
individuals to complete
services (e.g., Truck Drivers,
Day Laborers, 1099, etc.)
are POP exempt.



POP “COVERED” EMPLOYEES

- ALL EMPLOYEES OF A “COVERED” CONTRACTOR OR SUBCONTRACTOR WORKING ONSITE OR IN THE OFFICE;
- EMPLOYEES OVER 18 YEARS OLD; AND
- ALL EMPLOYEES THAT WORK AT LEAST 30 HOURS PER WEEK WITH ANY AMOUNT OF TIME ON THE “COVERED” CONTRACT.

PRE-PROPOSAL MEETING

**POP 1 – POP
ACKNOWLEDGEMENT FORM
(BOTH PRIME AND SUB)**

**POP 2 – CERTIFICATION OF
COMPLIANCE (BOTH PRIME
AND SUB)**

**POP 3 – LIST OF
SUBCONTRACTORS (PRIME
AND SUBS WITH TIER 2
SUBCONTRACTORS)**

**CONTRACTORS ARE
REQUIRED TO BEGIN
COMPLYING WITH POP
WITHIN 30 DAYS OF NOTICE
TO PROCEED (NTP)**



**City of Houston
Pay or Play Program
Acknowledgement Form**



It has been determined that the project currently open for bidding meets the criteria of the City of Houston Pay or Play program. This form acknowledges your awareness of the Pay or Play program which is authorized by Ordinance 2007-534. Your signature below affirms that you will comply with the requirements of the program upon contract award and ensure the same on behalf of your subcontractors that may be subject to the Pay or Play Program.

I declare under penalty of perjury under the laws of the State of Texas that if awarded this contract which meets the criteria for the City of Houston's Pay or Play Program, I will comply with all requirements of the Pay or Play Program in accordance with Executive Order 1-7.

Fill out all information below and submit this form with your bid/proposal packet.

Solicitation Number

Signature

Date

Print Name

City Vendor ID

Company Name

Phone Number

Email Address

For more information about the Pay or Play program please visit
<http://www.houstontx.gov/obo/popforms.html>.

Questions about the Pay or Play Program should be referred to the Department POP Liaison; an updated contact list is available on the Office of Business Opportunity website or call the POP Contract Administrator at 832-393-0633.

POP-1 FORM
(REQUIRED BY PRIME AND SUB)



City of Houston
Pay or Play Program
Certification of Compliance



Prime Contractor: _____ Subcontractor: _____

Address: _____

Outline Number: _____ Contract Amount: \$ _____

Project Name: [Legal Project Name] _____

Contracting Department: _____

In accordance with the City of Houston Pay or Play Program authorized by Ordinance 2007-534 and Executive Order 1-7, Prime/Subcontractor agrees to abide by the terms of this Program. This certification is required of all contractors for contracts subject to the program. You must agree either to PAY, PLAY or BOTH for all covered employees. If selecting BOTH, the Contractor/Subcontractor may Pay on behalf of some covered employees and Play on behalf of the remaining covered employees.

The Prime/Subcontractor will comply with all provisions of the Pay or Play Program Requirements and will furnish all information and reports requested to determine compliance of the Pay or Play Program (See Executive Order 1-7 for the terms of the Pay or Play program).

The Prime/Subcontractor may agree to "Pay" \$1.00 per hour for work performed by covered employees under the contract with the City. If independent contract labor is utilized the Contractor/Subcontractor agrees to report hours worked by the independent contract laborer and pay \$1.00 per hour for work performed.

The Prime/Subcontractor may agree to "Play" by providing health benefits to each covered employee. The health benefits must meet the following criteria:

- The employer contributes no less than 75% of the total premium costs per covered employee per month toward the total premium cost.
- The covered employee contributes, if any amount, no greater than 25% of the total monthly premium costs.

Please select whether you choose to:	Pay	Play	Both
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Prime/Subcontractor will file compliance reports with the City, which will include activity for covered employees subject to the program, in the form and to the extent requested by the administering department. Compliance reports shall contain information including, but not limited to, documentation showing employee health coverage and employee work records.

Note: The contractor is responsible to the City for compliance of covered employees of covered subcontractors.

Please indicate the estimated number of:	PRIME	SUB
Total Employees on City Job		
Covered Employees		
Non-Covered Employees		
Exempt Employees		

I hereby certify that the above information is true and correct.

Please Sign Date

Please Print Name & Title

POP-2 FORM

(REQUIRED BY PRIME AND SUB)



City of Houston
Pay or Play Program
Participating Subcontractors



Prime Contractor: _____ POP Contact Person: _____
Project Number/Description: _____ Address: _____

Email: _____
Phone: _____

Note: Include ALL subcontractors (use additional form if necessary)

Subcontractor Name	Supplier Y/N?	Amount of Subcontract	Check One				Contact Person	Phone	Email Address	Mailing Address
			Pay	Play	Both (Pay and Play)	N/A				

*If the above information is found to be submitted fraudulently with the intent to bypass or deceive the purpose of the Pay or Play Program the contractor will be held liable for all compliance requirements from the inception of the contract. All subcontracts that surpass the \$200,000.00 threshold will be responsible for Pay or Play compliance from the inception of the contract.

Affidavit

I hereby solemnly affirm, certify and confirm that the total sub-contract value stated above is the final value of the contract (*) including all material costs, fuel, payroll, taxes, fees, profit sharing, labor or any payments in relation to the contracted work and no separate payment or contract has been made for the sub-contract under contract no. _____. The above sub-contract value includes all the costs related to work under the contract. The contractor and sub-contractor(s) agree to inform the Office of Business Opportunity of any related cost(s) added to the contracted work and re-submit POP-3 with the current value of the sub-contract. I understand that compliance with "Pay or Play" program is mandatory and nothing has been hidden to circumvent the program requirements.

Contractor Authorized Representative & Title Date
Name & Signature

Form POP-3

OBO - 01/23/2020

POP-3 Form (Required by Prime and Sub)





General Services
Department (GSD)
Contract Compliance
Officer

Shantra Wilson, CTCD

Contract Compliance officer

GSDPayorPlay@houstontx.gov

Office: 832.393.8123