

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



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SHANTRA WILSON, CTCD

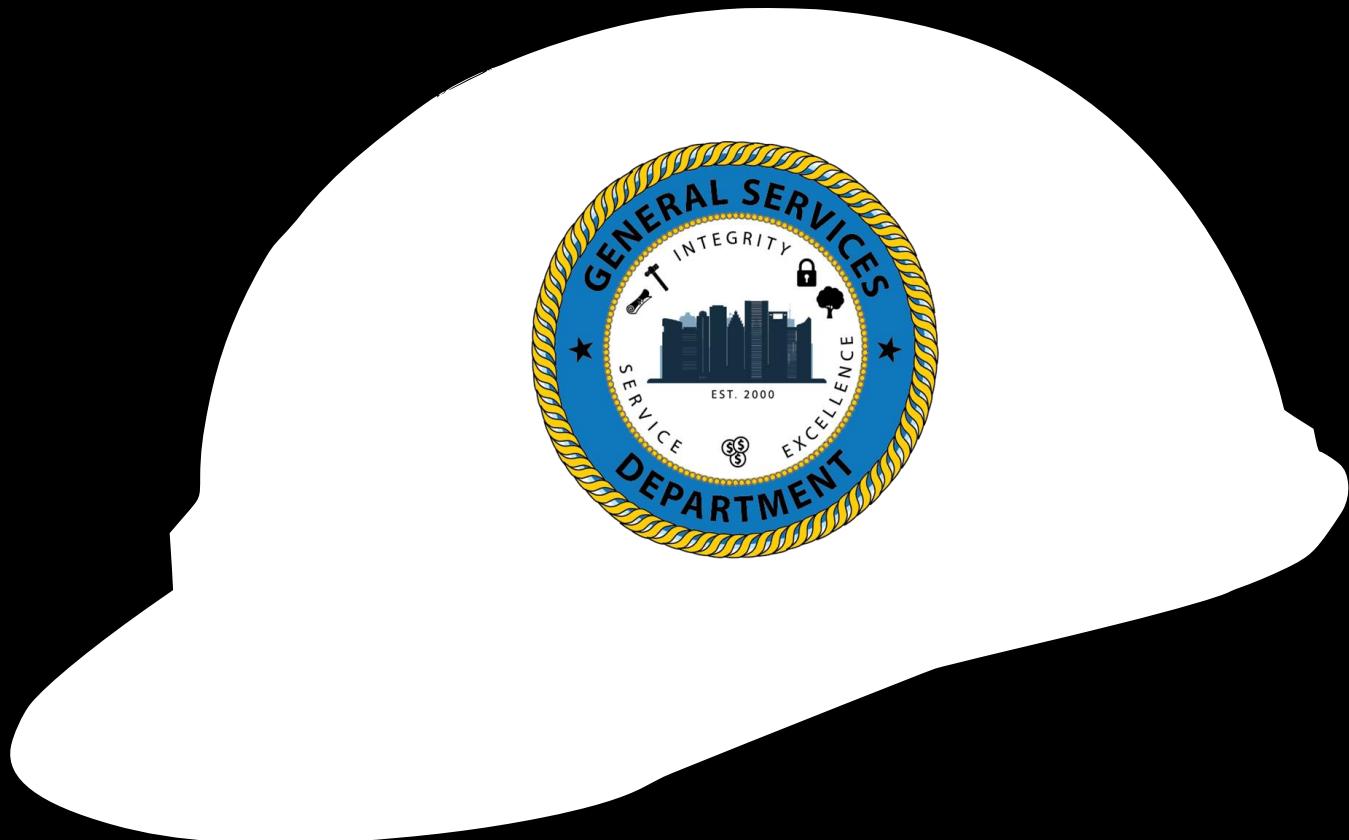
CONTRACT COMPLIANCE OFFICER

GENERAL SERVICES DEPARTMENT

900 BAGBY 2<sup>ND</sup> FLOOR

HOUSTON, TX 77002

Mayor | John Whitmire  
Director | CJ Messiah



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

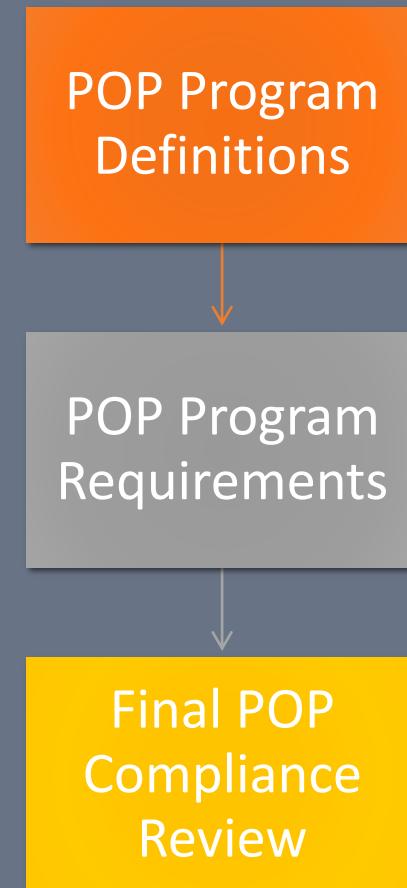
**Project Manager – Greg Kieschnick**

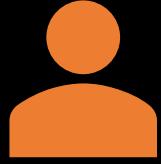
**August 05, 2025**

**Time: 2:30 pm – 3:30 pm**

**MS Teams Meeting**

# Discussion Topics





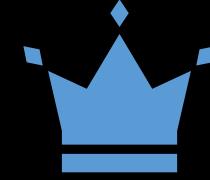
Office of Business Opportunity  
oversees the POP Program



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”

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

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**\$200,000** (sub-contractors)

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Professional Service, Construction and  
Service type Contracts.

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

# POP PROGRAM NOT APPLICABLE

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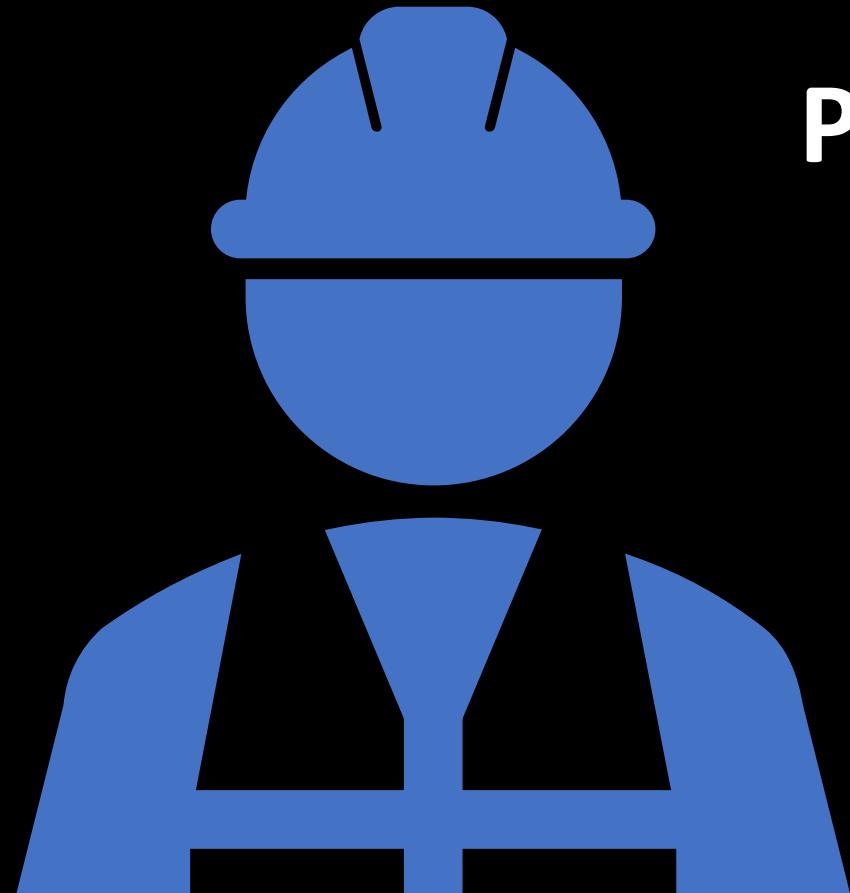
Supply / Procurement contracts (**51% or more rule**)

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

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- 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

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**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

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 \_\_\_\_\_

Form POP-2

OBO - 01/23/2020

# **POP-2 FORM**

## **(REQUIRED BY PRIME AND SUB)**

City of Houston  
Pay or Play Program  
Participating Subcontractors



Prime Contractor: \_\_\_\_\_  
Project Number/Description: \_\_\_\_\_

POP Contact Person: \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

**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 subcontractors that surpass the \$200,000,000 threshold will be responsible for Pay or Play compliance from the Inception of the contract.**

## **Affidavit**

**Contractor Authorized Representative & Title** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Name & Signature** \_\_\_\_\_

Form POP-3

OBO - 01/23/2022

# POP-3 Form (Required by Prime and Sub)





General Services  
Department (GSD)  
Contract Compliance  
Officer

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Shantra Wilson, CTCD

Contract Compliance officer

[GSDPayorPlay@houstontx.gov](mailto:GSDPayorPlay@houstontx.gov)

Office: 832.393.8123