



# **Ho-Chunk Nation TERO Division**

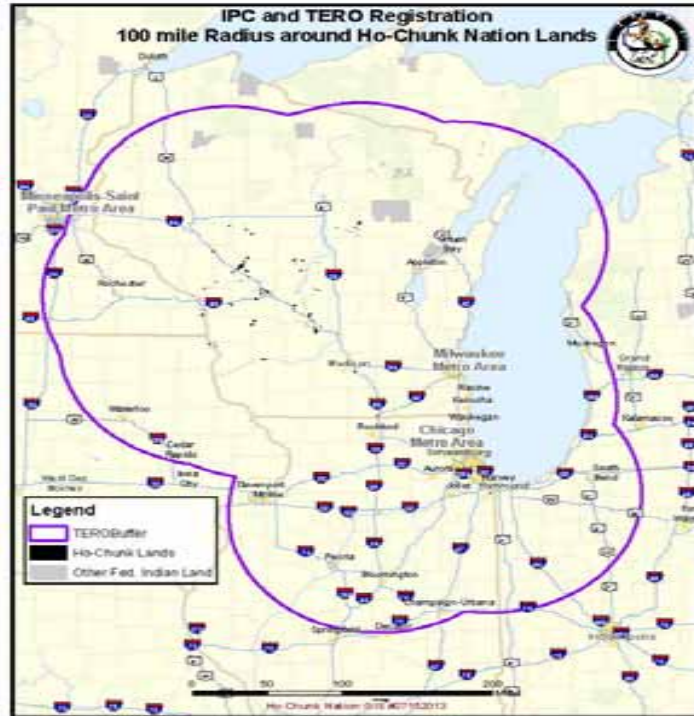
# Purpose of TERO



- ▶ The Tribal Employment Rights Ordinance (TERO) is enacted to require employers doing business on or near lands owned by the Ho-Chunk Nation to provide training and employment opportunities to enrolled members of the Ho-Chunk Nation and other Indians, and to give preference in employment hiring, training and the promotion of tribal members and other Native Americans.

Opportunities

# Where does TERO Apply?



On or Near Indian Lands

- ▶ This Ordinance applies to all employers located on or near all lands owned and acquired by the Ho-Chunk Nation, including but not limited to, land held in trust by the Federal Government for the Ho-Chunk Nation or on behalf of its enrolled members as authorized by Article 1 Sections 1 and 2 of the Ho-Chunk Nation Constitution. This includes the Ho-Chunk Nation.
- ▶ The Ordinance establishes that lands which are located up to a 100 mile radius of Land owned by the Ho-Chunk Nation shall be considered “On or Near.”

# Registration

- ▶ In order to put a bid in for any project with the Ho-Chunk Nation you must register with TERO first.
- ▶ Native American owned companies may register as an Indian Preference Company (IPC).
  - ▶ As long as the company is 51% or more owned by the Native American person applying.
- ▶ Once approved by the TERO Director, registration will run for one (1) year from the approval date.

# Registration cont'd

- ▶ IPC and Registration Fees shall be set forth in guidelines established by TERO and approved by the TERO Commission and are non-refundable.
  - ▶ Registration Fee and Bidding Authorization Fee:
    - ▶ Registration First year is \$100, each year renewed is \$50.
    - ▶ Bidding Authorization is a one-time fee of \$200, as long as the company renews their registration every year before expiration date on certificate.
- ▶ The Fees must be submitted when the company submits an application to TERO, along with all the requested information.

# Construction Bidding

- ▶ **ONLY** companies who are registered with TERO are able to bid. (IPC & Non-IPC)
- ▶ Any non-registered Employers who has contracted with the State or Federal Government to perform work on/or near Ho-Chunk Lands **must** register with TERO.
- ▶ Companies may bid as many times as they choose, as long as they are registered with TERO.
- ▶ Once registration has expired and the company has not renewed the bids will not be considered.
- ▶ Bids may not be considered if the Department receives notification that the certification or registration has been revoked or expired.

# Construction Permit

- ▶ Any contract with the Ho-Chunk Nation that has a value of \$5000.00 or more must apply for a Construction Permit through TERO.
- ▶ **NO Work** may begin without an approved TERO Construction Permit being issued. The Permit must be clearly displayed or readily available for inspection at all work sites governed by this Ordinance.
- ▶ Once the following items have been completed and approved by TERO a permit will be issued:
  - ▶ Copy of current IPC or TERO Registration certificate.
  - ▶ Copy of the proposal or contract.
  - ▶ Approval of the submitted Compliance Plan by the TERO Director.

**NOTE: If the construction contract is less than \$5000.00 then the 4% TERO Fee does not apply and you do not need to obtain a Construction Permit. We only ask that you let us know if you are able to utilize any TERO Referrals.**

# Construction Permit cont'd

- ▶ General Contractor is responsible for:
  - ▶ All subcontractors on-site and making sure that they are registered with TERO prior to their portion of the job (including a compliance plan).
  - ▶ Any unauthorized or unapproved contractor or employer present on a work-site may result in sanctions by the TERO Commission.
  - ▶ Submitting weekly payroll reports for every contractor/subcontractor for the duration of the project. (evaluation purposes)
  - ▶ An assessment of each TERO Job Skills Bank referral that is hired on a project in accordance with this Ordinance must be submitted to TERO by the contractor. (details)



# Construction Permit cont'd

- ▶ Every Contractor will pay the fee related to the Construction Permit directly to the Ho-Chunk Nation TERO Office. The fees for Construction Projects are established to be up to 4%.
- ▶ The TERO Commission has adopted a TERO Fee Schedule with our fees ranging from 3/4 of 1% up to 4%, depending on the bid amount.



Contractors

# Vendor/ Service Provider

- ▶ Every Vendor or Service Provider will be required to pay a TERO Fee of four percent (4%) of the overall sales or contract.
- ▶ These Fees:
  - ▶ shall not apply to educational, health or non-profit entities that are duly recognized by the State of Wisconsin, Federal Government nor apply to utilities franchised by the Ho-Chunk Nation.
  - ▶ shall not apply to the sales of goods or items sold by enrolled members of a federally recognized tribe.
  - ▶ shall not apply to contracts for services between the Ho-Chunk Nation and individual enrolled tribal members or other individual member of a federally recognized tribe.
- ▶ **Note: Please refer to definition of Service Provider and Vendor.**

# TERO Registration Requirements

- ▶ When the departments put out their RFP's for projects, TERO has RFP language that was approved by the TERO Commission, to be put in for the companies awareness of TERO.
- ▶ Registration is not optional for companies for companies wanting to work with the Ho-Chunk Nation. They must become registered if they want to put a bid in on the project.
- ▶ Registration Process:
  - ▶ Company will contact us
  - ▶ Go over the requirements with them
  - ▶ Company send in forms along with registration payment
  - ▶ Approval of registration
  - ▶ Certificate will be sent to company
  - ▶ Certificate must be included with all bids.



**Wa'iniginapšana**

Thank you for your time!