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.
Where does TERO Apply?

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- Bids may not be considered if the Department receives notification that the certification or registration has been revoked or expired.
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 TERÖ Commission has adopted a TERÖ Fee Schedule with our fees ranging from 3/4 of 1% up to 4%, depending on the bid amount.
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’iniginąpšana

Thank you for your time!