

defines “near” as the distance someone would reasonably commute for work. The Ho-Chunk Nation TERO Ordinance defines that distance to be a 100 mile radius from lands owned by the Ho-Chunk Nation. If you are working on a project that is funded in whole or in part with Federal funds, TERO most likely applies in your area.

### **HOW DOES TERO WORK?**

The TERO Program monitors contracting with the Ho-Chunk Nation to ensure compliance with the TERO Ordinance. This done by reviewing and comparing weekly payroll reports to the project approved Compliance plan. In-person site visits are also randomly conducted to verify both compliance with TERO but also to verify compliance with any other Federal or State requirements that may be applicable because of funding sources. TERO contracts with the Equal Employment Opportunities Commission to investigate claims alleging discrimination against tribal members by contracted employers and any outside employers. This allows us to have the first opportunity to attempt to resolve the issue before the EEOC would step in.

TERO may interview site staff and take pictures as well.

### **WHO MUST REGISTER WITH TERO?**

The TERO Ordinance requires that all companies and vendors that contract with

the Nation must register with TERO. All vendors and contractors that bid with the Nation must be registered with TERO for their bid to be considered.

When you register with TERO your company name and profile goes on our approved vendor list and gets distributed to the departments and divisions within the Ho-Chunk Nation that solicit proposals and bids. The vendor or contractor is also issued a Certificate with a unique registration number and when applicable, a bid authorization number. The inclusion of a copy of this certificate and a notation of your bid authorization number will help our departments and divisions determine who the eligible bidders are vs. those who are not.

If you are not registered with TERO, you will not be included on our initial list of approved vendors. This does not mean you will not find out about bidding opportunities, but it may limit the number of opportunities you do find out about. If you wish to submit a bid or proposal and you are not already registered with TERO, you simply need to contact the TERO Office and speak with a TERO Investigator and they will assist you in the process.

### **WHAT CAN TERO DO FOR YOU?**

TERO can assist you with recruiting by providing referrals for projects that are on or near Ho-Chunk Lands. These referrals not only help you fill the hiring goals

established on Ho-Chunk Nation projects, but could also assist you in meeting DBE goals on State or Federal projects.

TERO maintains a database of tribal members and their skills, training and experience and can screen candidates for your hiring needs. If you provide TERO with a list of qualifications or requirements, we are able to provide you with a list of candidates based upon your criteria.

TERO also maintains a list of registered companies and Indian Preference Companies (IPC) and provides these lists to each contractor who is awarded a contract with the Ho-Chunk Nation to help you find registered sub-contractors. Although we do not have tribal member businesses in all areas yet, we do expect that the Indian Preference Companies on our lists are given preference to work on our projects whenever we have a registered IPC that can perform the work necessary on the project.

### **TERO FEES**

The TERO Ordinance requires fees to be paid to TERO directly whenever such fees apply. For Construction projects, those fees have been set by the Ho-Chunk Nation Legislature to be “no more than 4% of the total contract”. The TERO Commission has the authority to establish guidelines for the administration of these fees and has set

a sliding scale between 1% and 4%, depending on the size of the project. The Ho-Chunk Nation Legislature has also established the fees for non-construction Vendors and Service Providers to be exactly 4% of the overall sales or contract. There are some exclusion to these fees and it is best to contact a TERO Investigator for an explanation of the fee guidelines as well as the exceptions to this fee.

“Are there any other fees” is a question that is often asked and the answer to that is “Yes”.

There is a registration fee and a renewal fee. The registration fee has a base of \$100.00. This fee applies to every vendor, contractor or service provided who will contract with the Ho-Chunk Nation. In addition to that fee, if you intend to submit bids or proposals to the Nation, a bid authorization number must be obtained as well. The fee to obtain a bid authorization number, in addition to the initial one-hundred dollar (\$100.00) fee is \$200.00 for a total of \$300.00. This registration is valid for a period of one (1) year from the date of approval and can be renewed for \$50.00 each year, providing your initial registration term has not expired. If your registration expires before you renew your registration, you will have to submit a “new” registration again. Unlike the percentage fee that TERO collect based upon the overall contract, the registration fees are fixed. There are no exceptions to the registration requirements and there are not exemptions to the

registration fees. Every person or company that bids with or enters into a contract with the Ho-Chunk Nation must be registered with TERO.



## **HO-CHUNK NATION TERO - a GUIDE FOR VENDORS AND CONTRACTORS**

### **WHAT IS TERO?**

TERO, as a law, was 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 promotion to tribal members and other Native Americans. TERO collects fees which in turn fund the TERO office and staff and the supportive services and trainings it provides. In addition to monitoring projects to verify compliance with the Ordinance, TERO staff also provide assistance to vendors and contractors in completing the Registration process and explains the associated fees that may apply to your situation.

### **WHERE DOES “TERO” APPLY?**

TERO applies “on or near” all lands owned by the Ho-Chunk Nation. If you are bidding with or contracting with the Ho-Chunk Nation, TERO applies. The Federal Highways Administration (cont.)

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