

TERO Information

Pursuant to the Cheyenne and Arapaho Tribes Tribal Employment Rights Ordinance (TERO) #: **5199002**, requires the preferential employment of Indians by non-governmental employers within the tribal boundaries. Furthermore, the following application must be filled out completely, prior to any commencement of business by all entities, and Contractors, Subcontractor, or Supplier who intends to perform any work on tribal lands.

TERO Ordinance #5199002: Enacted July 28, 1995

Subsequent to the effective date of this Ordinance, no covered employer, who intends to do business within the exterior boundaries of the Cheyenne and Arapaho (Tribal Lands) Reservation, shall commence the conduct of business until consultation with the TERO Director and/or Officer for the purpose of being advised of Tribal/Indian Preference and other obligations as prescribed by and set forth in this Ordinance, in any and all supplementary ordinances, and in any and all rules, regulations, and guidelines promulgated by the TERO Commission. After such consultation, the covered employer shall develop a compliance plan which is acceptable and approved by the TERO Director prior to commencing to the conduct of business.

For preferred bidding requirements, to become a certified TERO vendor your business must meet these definitions:

Section #: 4(G) "Indian shall mean any member of a federally recognized Indian tribe and/or any person recognized as an Indian by the United States pursuant to its trust responsibility to American Indians.

Section #: 4(H) "Indian-owned firm or entity" shall mean any Indian-owned commercial, industrial, or business activity established or organized for the purpose of profit, provide that such Indian ownership shall constitute not less than fifty-one percent (51%) of the enterprise, and the ownership shall encompass active operation and control of the enterprise.

A copy of the Cheyenne and Arapaho Tribes TERO ORDINANCE #5199002 and INDIAN PREFERENCE POLICIES AND PROCEDURES are available for your review.

In order to simplify requirements for all Business entities, Contractors, and Subcontractors, and to satisfy rules and regulations for the TERO ordinance, the following forms will be utilized:

TERO Certification Application which includes Firm identification, Master List, and Capital Equipment for the purpose of identifying a responsible contractor who will be doing work on Tribal lands.

TERO Compliance Plan to identify core crew performing the required work on Tribal lands, and identify hiring goals to satisfy TERO-Indian Preference requirement. Plan can be appealed under Section 7(b) to allow Non-Indian Contractors the right to do business on lands under the jurisdiction of the Cheyenne and Arapaho Tribes.

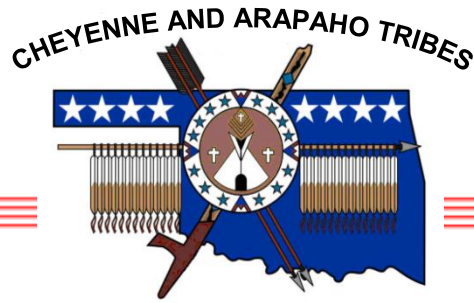
TERO Compliance Agreement to provide understanding of TERO requirements, procedures, and process.

TERO Payment Agreement will be completed once contract is awarded. This fee shall not be included in the Scope of Work, Project Budget, or Line Item.

Any questions pertaining to the Ordinance or these forms should be directed to the TERO office at 405-422-7564.

All applications will be required to submit a \$100.00 non-refundable processing fee.

Upon completion of the Application, Compliance Plan, Compliance Agreement forms, and \$100 money order, please send to the address listed above.



TERO Certification Application

1. Firm Identification: Federal Identification/Social Security No. _____-_____-_____

Name of Firm _____
Date of Application

Mailing Address _____
State _____
Zip Code

Form of Business: Single Proprietor LLC Partnership Corporation

Percentage of Indian Ownership: _____ (must be 51% or more)

Contact Name _____
Business Phone

E-mail _____
Cell Phone

Date firm was established: _____ Number of Indian Employees: _____

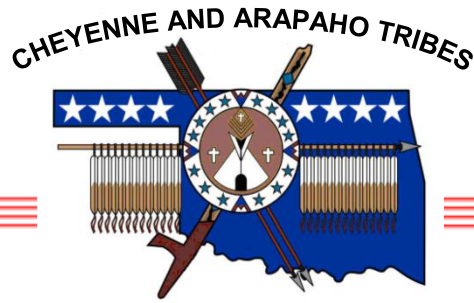
Number of Non-Indian Employees: _____

Please list any Tax Identification Numbers that have been previously issued: _____

Has this business been in default with the IRS? Y / N

Is this business currently pending litigation involving assets? Y / N

Does this business currently have any bonds issued/attained? Y / N (if yes, please attach bond documentation)



TERO Certification Application

The following checklist is provided to ensure you have submitted all required items to receive consideration for certification. **Incomplete applications will not be accepted.** All applicants shall be subjected to site visit. **All applications will be required a \$100.00 non-refundable processing fee,**

Single Proprietor

- Driver's License
- Certification of Degree of Indian Blood
- Tribal Membership Card
- Federal Identification Number or SSN
- Equipment List
- Current Financial Statement
- Current & Prior two (2) years Federal Income Tax Returns (All Schedules)
- Copy of Bank Signature Card
- Three (3) canceled checks for accounts payable
- Business loan information
- One week's canceled payroll checks
- Copies of any Specialty License or Certification
- \$100 Processing Fee (TERO)
- TERO Form C-1

Partnership

- Partnership/Joint Venture Agreement and Amendment
- TERO Forms **P-1** and **C-1**
- Driver's License
- Certification of Degree of Indian Blood
- Tribal Membership Card
- Federal Identification Number or SSN
- Equipment List
- Current Financial Statement
- Current & Prior two (2) years Federal Income Tax Returns (All Schedules)
- Copy of Bank Signature Card
- Three (3) canceled checks for accounts payable
- One week's canceled payroll checks
- \$100 Processing Fee (TERO)

LLC

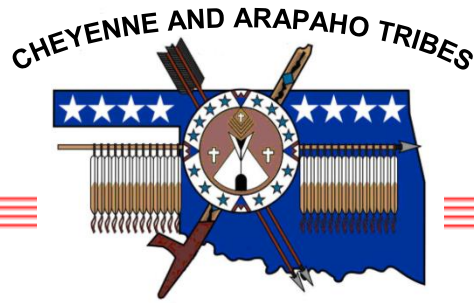
- Articles of Organization (*showing state approval date*)
- TERO Forms **P-1** and **C-1**
- Driver's License
- Certification of Degree of Indian Blood
- Tribal Membership Card
- Federal Identification Number or SSN
- Equipment List
- Current Financial Statement
- Current & Prior two (2) years Federal Income Tax Returns (All Schedules)
- Copy of Bank Signature Card
- Three (3) canceled checks for accounts payable
- One week's canceled payroll checks
- \$100 Processing Fee (TERO)

Corporation

- Articles of Organization (*showing state approval date*)
- Complete copy of by-laws
- Front & Back copies of all issued and void stock certificates
- Minutes of all corporate organizational meeting resolutions affecting ownership
- Complete copy of stock transfer ledgers & stock register
- Proof of stock purchase (i.e. front & back copies of cancelled checks, cashier's checks, money orders, etc.)
- List of officers & number of shares
- Sworn statement of proper office that states:
 - Total number of shares
 - Stock sold
 - Amount of each
 - Total indebtedness
 - All information submitted pertaining to the corporation & shareholders shall be signed by the corporate president and attest to by the corporate secretary and shall bare corporate seal, if applicable
- TERO Forms **P-1** and **C-1**
- Driver's License
- Certification of Degree of Indian Blood
- Tribal Membership Card
- Federal Identification Number or SSN
- Equipment List
- Current Financial Statement
- Current & Prior two (2) years Federal Income Tax Returns (All Schedules)
- Copy of Bank Signature Card
- Three (3) canceled checks for accounts payable
- One week's canceled payroll checks
- Copy of Specialty License or Certification
- \$100 Processing Fee (TERO)

Please make sure the application is complete and mail to:

Cheyenne and Arapaho Tribes
DREAMS-TERO Program
P.O. Box 67
Concho, OK 73022



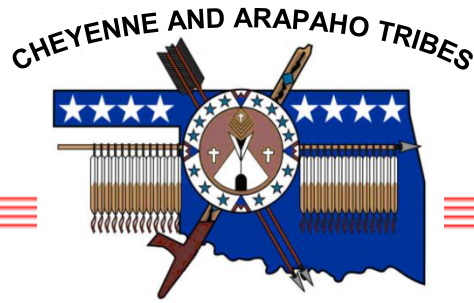
TERO Form C-1

Documentation Requirements: Management

- 1.) Provide for each owner of more than five percent (5%) interest, all senior management personnel and members of the Board of Directors, the following:
 - a. Name
 - b. Address
 - c. Social Security Number
 - d. Tribal Affiliation and Enrollment Number (*if affiliated*)
 - e. Percentage of ownership (%)
- 2.) Present position (*description of all duties*)
- 3.) Previous business experience
- 4.) Previous work experience in areas in which firm intends to engage
- 5.) Education and training
- 6.) Other jobs presently held
- 7.) Control of company
 - a. Identify name
 - b. Race
 - c. Sex
 - d. Title in company, those individuals (owners and non-owners) who are responsible for day-to-day management, including, but not limited to, those with prime responsibility for:
 - i.) Financial Decisions
 - ii.) Management decisions, such as:
 1. Marketing & Sales
 2. Hiring & Termination
 3. Purchase of major equipment & supplies
 4. Supervision of field personnel
- 8.) Description or attach any stock options or other ownership options that are outstanding, and any agreement between owners and third parties, which restrict ownership or control of Native American owners.
- 9.) A sworn statement of the proper officer indication:
 - a. The total number of share of the capital stock actually issued and the amount of cash paid into the treasury of each share sold: or if paid in property, what kind, quantity, and value of the same per share.
 - b. Of the stock sold; how much remains unpaid and subject to assessment.

Department of Labor
Tribal Employment Rights Office
(TERO)

P.O. Box 67, Concho, OK 73022



DREAMS-TERO Program
Kathleen Tall Bear, Director
1.800.247.4612. x.27564
Office (405) 422-7564
ktallbear@cheyenneandrapaho-nsn.gov

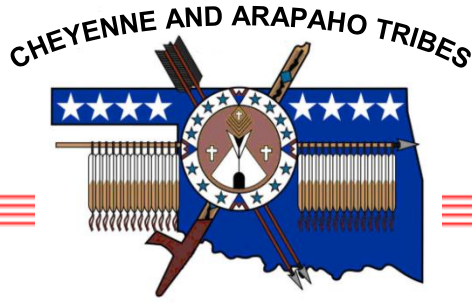
TERO Form P-1

Documentation Requirements:

- 1.) Provide for each owner:
 - a. Name
 - b. Address
 - c. Tribal Affiliation
 - d. Enrollment Number
 - e. Percentage of Ownership
 - f. Amount of Investment
 - g. Method of Investment
 - i.) Cash
 - ii.) Equipment
 - h. Loan information or promissory note indicating who the loan is from
 - i. Percent of voting control and position in the firm
 - j. Name of all other firms in which the owner holds or has within the past year an ownership interest (*other than publicly-held corporations and similar ownerships solely for investment*) or a management position.
- 2.) List any management fee, equipment rental, bonuses or other arrangements that will provide payment to non-Native American owners beyond the share of profits and salaries, as indicated above.
- 3.) Identify any owner or management official of the named company who is or has been an employee of another company that has an ownership interest in or a present business relationship with said company; present business relationships including shared space, equipment, financing, or employees as well as both companies having some of the same owners.
1. Indicate if this company or other companies with any of the same officers have previously received or been denied certification or participant as a Native American preference firm and describe the circumstances. Indicate the name of the certifying authority and the date of such certification or denial.

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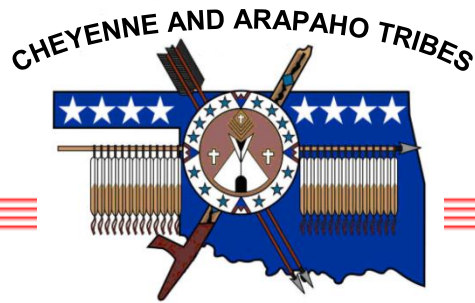
ktallbear@cheyenneandrapaho-nsn.gov

Capital & Equipment:

- a. Identify amount and source of original and present capital (e.g. contributed by owner, bank loan, or other type loan). If loan indicated name(s) of those legally bound to repay.
- b. Equipment: List all equipment pertaining to day-to-day operations and business.

Quantity	Description	Value	Obtained How? (purchased, provided by owner, donated, etc.)

Applicant may submit equipment list as Attachment



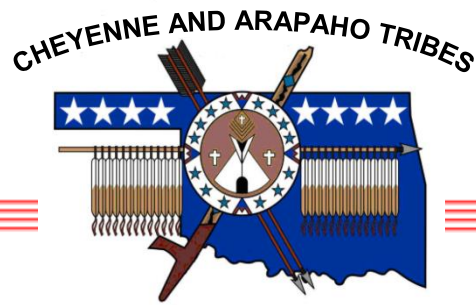
Master Skills List

Please only check the skills your business can perform as your entity. Your business will only receive preference in contracting on the skills in which you are certified. The skills are listed on the following pages. Your skill may be verified by the TERO Officer.

- Aboveground Tanks – Inspection/Install/Service
- AC/Refrigeration – Manufacturing/Sales
- Agricultural – Equipment/Sales/Supplies
- Agricultural – Tourism
- Appliance – Commercial – Service/Repair/Sales
- Appliance – Home – Service/Repair/Sales
- Aquaponic Greenhouse/Supplies
- Aquaponic Training
- Asphalt/Concrete – Striping
- Asphalt – Paving
- Asphalt – Seal Coating
- Asset Inspection – Aerial
- Auction – General
- Automobile – Body Work
- Automobile – Detailing
- Automobile – Emergency Vehicle Outfitting
- Automobile – Glass
- Automobile – New Sales/Supplies
- Automobile – Service/Repair
- Automobile – Tires
- Automobile – Used Sales
- Background Checks
- Banquets/Events
- Beef – Producer
- Blueprint Machine – Service/Sales
- Cabinets – Design/Build
- Cabinets – Installation
- Cabling – Infrastructure
- Carpet Cleaning
- Carports – Sales
- Ceilings – Drop
- Ceilings – Sheetrock
- Cell Towers
- Ceramic Art Tile
- Chemical – Testing
- Community Development – Planning
- Computer – Consulting
- Computer – Data Storage
- Computer – IT Management
- Computer – Networking
- Computer – Repair
- Computer – Research & Development
- Computer – Sales
- Computer – Software Sales
- Computer – Supplies/Hardware
- Concrete – Curbs/Guttering
- Concrete – Driveways/Sidewalks
- Concrete – Footing
- Concrete – Pads/Flat Work
- Concrete – Sales/Supplies
- Concrete – Testing
- Concrete – Walls
- Construction/Millwork – Installation
- Construction/Millwork – Trim Sales
- Construction – Blasting/Explosives
- Construction – Commercial/General Contractor
- Construction – Commercial Management
- Construction – EIFS (Exterior Insulation Finish Systems)
- Construction – Inspection Service
- Construction – Metal Buildings
- Construction – Metal Framing
- Construction – Residential/General Contractor
- Construction – Residential/ Design
- Construction – Residential Management
- Construction – Roads/Materials
- Construction – Supplies/Insulation
- Construction – Wood Framing
- Convenience Store
- Counter Tops – Sales
- Courier/Delivery
- Crane Rental Services
- Crane Services
- Data Storage Media

Department of Labor
Tribal Employment Rights Office
(TERO)

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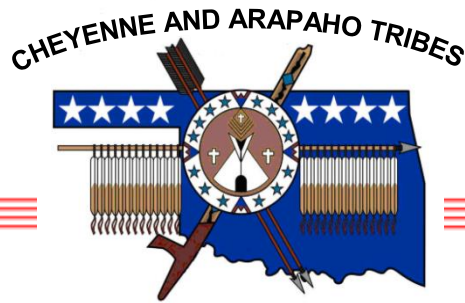


DREAMS-TERO Program
Kathleen Tall Bear, Director
1.800.247.4612. x.27564
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ktallbear@cheyenneandrapaho-nsn.gov

- Data Systems – Consulting
- Doors – Overhead – Installation
- Doors – Overhead – Sales
- Doors – Sales/Supplies
- Drafting
- Drafting – Supplies
- Drywall Finishing
- Drywall Installation
- Educational – Consulting
- Educational – Sales
- Electrical – Contractor
- Electrical – High Voltage
- Electrical – Supplies
- Electronics – Sales/Service
- Energy – Audits/Consulting
- Engineering – Electrical
- Engineering – Mechanical
- Engineering – Mechanical
- Engineering – Structural
- Engineering – Traffic
- Engraving
- Environmental & Industrial Odor Control
- Environmental – Assessment
- Environmental – Consulting
- Environmental – Testing
- Excavation – Mining
- Excavation – Site Prep/Demolition
- Excavation – Site Utilities
- Excavation – Snow Removal
- Excavation – Storm Drainage/Water
- Extermination – Pest
- Extermination – Plant
- Fencing – Installation
- Fencing – Sales/Supplies
- Financial – Investments
- Fire Equipment – Sales/Service
- Fire Restoration & Cleaning
- Fire Wood/Pallets – Sales
- Fleet Management Maintenance
- Floor Cleaning – Hard Surfaces
- Flooring – Installation
- Flooring – Sales
- Food Concession and Catering
- Food Service – Sales/Supplies
- Foundation – Repairs
- Furniture – Custom Made
- Furniture – Home
- Furniture – Medical
- Furniture – Office
- Gaming Machines
- Geologist
- Glass – Installation
- Glass- Repairs
- Glass – Sales
- Hardware Store
- Hay Baling/Brush Hogging
- Head Stones/Memorials
- Heavy Equipment – Moving/Setting
- Heavy Equipment – Service
- Healthcare – Consulting
- Home Health/Hospice
- Hotel/Hospitality
- Housekeeping – Service/Cleaning
- Hunter/Gun – Safety
- HVAC – Installation/Repair
- HVAC – Supplies
- Industrial – Supplies/Leasing
- Insulation – Install/Remove
- Insulation – Mechanical
- Insurance
- Iron Work – Custom/Art
- Janitorial – Supplies
- Land Development – Commercial
- Land Development – Residential
- Land Mapping
- Landscaping – Commercial Irrigation
- Landscaping – Mowing/Trimming/Planting
- Landscaping – Residential Irrigation
- Landscaping – Sod Sales/Installation
- Landscaping – Supplies
- Laundry – Dry Cleaning/Alterations
- Laundry – Industrial Linen
- Lawn & Garden – Supplies/Sales/Service
- Lawn Work/Mowing

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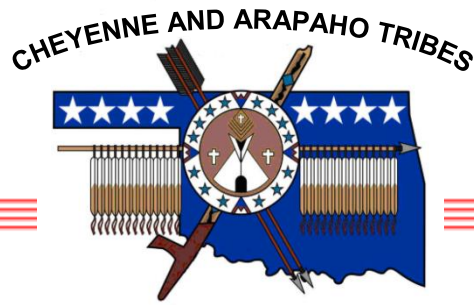


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- Lawn Work – Spraying
- Lighting – Commercial
- Lighting – Residential
- Liquor Distributor
- Litigation Support Service
- Livestock – Buyer
- Livestock – Sales
- Livestock – Supplies
- Locksmith – Re-Key/Installation
- Lumber Yard
- Lumber – Sales/Supplies
- Machine Job Shop
- Machine Job Shop – Control Panels
- Machinery – Metal Working
- Machinery – Woodworking
- Maintenance – Facilities
- Management – Facilities
- Management – Consulting
- Management – Operations
- Management – Project
- Management – Property
- Marble/Granite Sales
- Marketing
- Masonry – Brick/Block
- Masonry – Stone
- Medical – Doctor/Surgeon
- Medical Equipment – Sales/Service/Installation/Lease
- Medical – Supplies
- Merchant Services
- Mining Permits
- Mobile Homes – Sales/Service
- Moving – Service
- Natural Gas – Sales
- Nutrition/Physical Therapy
- Office – Equipment/Supplies/Leasing
- Oil & Gas – Consulting
- Oil & Gas – Supplies
- Packaging – Sales/Supplies
- Painting
- Paint – Murals
- Paint – Sales/Supplies
- Parking Lot Striping
- Patio Covers
- Percolations Test
- Pipeline Employee Services
- Plexiglass
- Plotters – Sales/Service
- Plumbing – Contractor
- Plumbing – Supplies
- Porta Potties
- Poultry Grower
- Power Washing – Sales/Service
- Printers – Service
- Printers – Blueprints
- Project Estimation
- Promotional Items
- Propane – Supplies/Sales
- Real Estate – Abstracts/Escrow/Title Insurance
- Real Estate – Appraisal
- Real Estate – Consulting
- Real Estate – Rental Property
- Real Estate – Sales
- Recycling – Computers/Cartridges
- Recycling – Metals
- Recycling – Paper/Plastic/Glass
- Rehabilitation Massage Therapy
- Remediation – Asbestos
- Remediation – Mold
- Remediation – Water
- Restaurant
- Restaurant/Bar Equipment – Sales/Supplies
- Restaurant/Catering
- Roofing – Gravel/Fiberglass Shingles
- Roofing – Kevlar/Coatings
- Roofing – Hot Asphalt/TPO
- Roofing – Metal/Guttering
- Roofing – Supplies
- Roofing – Wood Shingles
- Safety Training
- Sandblasting
- Sanitary Sewer Installation
- Satellites – Installation
- Security

Department of Labor
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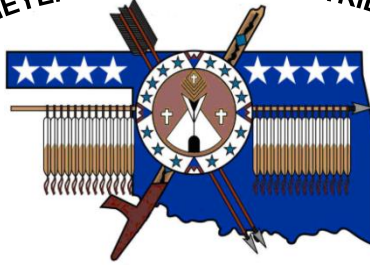
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- Security – Alarm Systems
- Septic Tank – Sales
- Septic Tank – Service/Pumping/Installation
- Sewage Treatment Plants – Construction
- Sheet Metal – Sales/Supplies
- Siding – Metal
- Siding – Vinyl
- Siding – Wood
- Signs – Billboards/Design & Install
- Signs – Commercial
- Silk Screenings
- Sludge – Removal
- Small Engine – Sales/Service
- Smoke Shop
- Soil Stabilization
- Sporting Goods
- Sports Officiating
- Staffing Service/Recruiting
- Steel – Erection
- Steel – Fabrication
- Steel – Stainless Steel Fabrication
- Steel – Supplies
- Storage Building/Containers – Sales
- Storage Containers – Sales/Rentals
- Storage Facility
- Storm Sewer Installation
- Storm Shelters/Installation
- Surveying
- Swimming Pools – Sales/Service/Repair
- Telephone – Cellular
- Telephone – Sales
- Telephone – Service/Equipment
- Timber – Harvesting/Consulting
- Tools – Sales
- Trailers – Sales/Rentals/Service
- Trash/Refuse Collection
- Trash – Dumpsters
- Tree Removal – Stump Grinding
- Tree Removal – Trimming
- Trucking Equipment – Sales/Service
- Trucking – Equipment Transport
- Trucking – Material Transport
- Truss – Metal
- Truss – Wood
- Ultra Sounds/X-Rays
- Underground Lines – Testing
- Underground Tanks – Install/Remove/Service
- Upholstery/Quilting
- Utility – Power Lines
- Vending Machine/Supplies
- Veterinary – Services
- Veterinary – Supplies
- Wall Paper – Installation
- Wall Paper Sales
- Waste Management – Sales/Service
- Water Boiler/Chiller – Sales/Service
- Water Dispenser – Sales/Service/Rentals
- Water Filtration
- Waterline Installation
- Waterproofing
- Water Pump – Sales/Service
- Water – Restoration & Extractions
- Water – Treatment Plants
- Water – Well Drilling
- Water-Well – Sales/Service
- Web Design & E-Marketing
- Website Design Interactive
- Welding – General/Supplies/Equipment
- Wildlife Control – Animal/Bird/Rodent
- Windows – Cleaning
- Windows – Custom
- Windows – Installation
- Windows – Repair
- Windows – Supplies
- Wine – Distribution/Sales
- Wire Rope
- Wrecker Service/Towing





TERO Compliance Plan

FIRM: _____ **DATE:** _____

PROJECT SUPERVISOR: _____ **PH:** _____

PROJECT NAME / CONTRACT #: _____

PROJECT LOCATION: _____

CONTRACT START DATE: _____ **CONTRACT END DATE:** _____

SERVICES TO BE CONTRACTED FROM THIS PROJECT: _____

SUBCONTRACTORS

PREFERENCE OF SUBCONTRACTORS SHALL BE GIVEN TO TRIBAL OR RESIDENT CERTIFIED INDIAN CONTRACTORS.

List Subcontractors, their current mailing address, and contact information: TERO Certified

1. Name/Contact: _____ Y/N

Address: _____

2. Name/Contact: _____ Y/N

Address: _____

3. Name/Contact: _____ Y/N

Address: _____

4. Name/Contact: _____ Y/N

Address: _____

5. Name/Contact: _____ Y/N

Address: _____

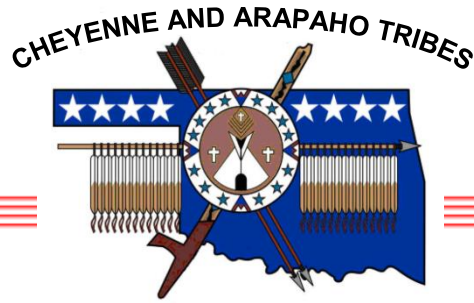
PLEASE NOTE: IF ANOTHER SUBCONTRACTOR OR SUPPLIER IS NEEDED, FIRM SHALL CONTACT THE TERO OFFICE TO MODIFY THIS COMPLIANCE PLAN. SUBCONTRACTORS AND SUPPLIERS THAT ARE ON THE WORKSITE, WHO ARE NOT PARTICIPANTS OF THE VENDORS LIST, WILL NECESSITATE SANCTIONS PURSUANT TO TERO ORDINANCE.

CORE CREW DEFINITION: A member of Contractor/Subcontractor's crew who is a regular, permanent employee, in a supervisory or other key position, such that the Employer would face a serious financial loss if that position was filled by a person who had not previously worked for that Contractor/Subcontractor.

Core Crew Member Name	Position	Hourly Wage

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EMPLOYMENT

PREFERENCE IN EMPLOYMENT SHALL BE GIVEN TO RESIDENT INDIANS AND INDIAN APPLICANTS OF THE CHEYENNE AND ARAPAHO (TRIBAL LANDS) RESERVATION. PLEASE LIST TYPE AND TOTAL NUMBER OF POSITIONS THAT WILL BE FILLED WITH TERO REFERRALS AND TOTAL.

Position Type	Hourly Wage	# of TERO Positions	Total Positions
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

- If additional lines needed, please submit another page of this Compliance Plan form.

This compliance plan will be for this project only. If another project is to be performed, another compliance plan with that assigned contract number will need to be completed.

ON BEHALF OF THE FIRM, I UNDERSTAND THAT STRICT ADHERENCE TO THIS COMPLIANCE PLAN SHALL BE FOLLOWED. ANY MODIFICATIONS TO THIS COMPLIANCE PLAN SHALL REQUIRE TERO APPROVAL.

 AUTHORIZED FIRM REP SIGNATURE

 PRINT NAME/TITLE

 DATE

TERO Compliance Agreement

Whereas this agreement is entered into on this date by and between the Cheyenne and Arapaho Tribes Tribal Employment Rights Office, hereinafter referred as TERO, and _____ (Firm Name and address), hereinafter referred to as EMPLOYER, with respect to employment practices on the Cheyenne and Arapaho (Tribal Lands) Reservation.

The Employer shall comply with the procedures for the selection of said business as set forth in the Tribal Employment Rights Ordinance (TERO) of the Cheyenne and Arapaho Tribes.

The TERO office will receive notice in the form of copies of bid form let by any entity for all contracting and subcontracting jobs on Cheyenne and Arapaho (tribal lands) reservation. The notice will be given reasonably in advance of any contract awarded; but no later than five (5) days in advance of any award, unless notice cannot be given due to business consideration.

The Employer shall be responsible for its contractors and subcontractors who must comply with Tribal Employment Rights Ordinance.

EMPLOYMENT PRIORITY

TERO will maintain a list of available resident Indians and Indian employees for employment. The TERO shall be given at least three (3) business days' notice of any positions to be filled or vacancies.

Employer shall hire, either for a job vacancy or new positions, all available resident Indian or Indian applicants who meet pre-employment standards. For the purpose of this agreement, pre-employment standards are those directly job related standards of fitness and ability which indicate that with a reasonable amount of training a person will be capable of satisfactorily performing the job, as well as jobs at a higher level with a reasonable amount of further training, are normally filled by progression from the entry job. This provision applies to persons, who at the time of application for employment are not fully qualified for the available job, but generally has potential of becoming qualified through a reasonable amount of training.

PRE-EMPLOYMENT STANDARDS

Employer will not use qualifications, criteria, or other requirements as barriers to resident Indians or Indian employment, except where such criteria, or qualification requirements are required by a business necessity. However, employer shall have the burden of showing that such criteria or requirements are required by business necessity.

TRAINING

Employer shall agree that all resident Indians and Indian employees will be adequately trained for the positions for which they are hired. All Indian employees will be evaluated and paid according to current employer and company policies, but no less than the Davis Bacon prevailing wages. A weekly payroll certification will be required.

DISCRIMINATION

There shall be no discrimination in the amount and rate of wages, fringe benefits, or in any other elements of employment to employees on the basis of race, creed, color, age, sex, national origin, or religion.

EMPLOYMENT GOALS

The following apply to all Contractors and Subcontractors.

- A. Employer working on or near Cheyenne and Arapaho (Tribal Lands) reservation, agrees that at least 50% of all employees in skilled positions will be filled by resident Indian or Indian Employees.
- B. Employer working on or near Cheyenne and Arapaho (Tribal Lands) reservation, agrees that at least 100% of all employees in unskilled positions will be filled by resident Indian or Indian Employees.
- C. If the Employer fails to meet the required percentage of resident Indian and Indian employment goals as set forth above, it shall have the burden of justifying the rejection of every resident Indian or Indian applicant for any positions which become available and substantiating the criteria used in hiring for the position as being relevant to the job performed.

SUB-CONTRACTING GOALS

The following apply to all Contractors and Subcontractors.

- A. Employer working on or near the Cheyenne and Arapaho (Tribal Lands) Reservation, agrees that at least 25% of all subcontractors shall be contracted to Certified Indian Contractors, who are located within the exterior boundaries of the reservation, or otherwise.
- B. Employer working on or near the Cheyenne and Arapaho (Tribal Lands) Reservation, agrees that at least 25% of all subcontractors shall be contracted to Indian Contractors, who are located within the exterior boundaries of the reservation, or otherwise.

REPORTING AND INSPECTIONS

Employer shall submit reports as requested and per application process. The TERO Officer and/or Director shall have the right to make on-site inspections of all employment sites during regular working hours to monitor employer's compliance with Ordinance and rules, regulations, and orders of the Commission, which may include interviewing employees or conducting investigations.

RECORDS

Employer shall maintain records on all workers who apply for work, including those who were not employed, or were employed and subsequently terminated. The files shall reflect the name, last known address, and employee skill category of which the employee is or was available. If called and not hired, or if later terminated, the file shall reflect the reasons why he or she was not hired or terminated. Such files shall be available at reasonable times and upon reasonable notice to the TERO Officer or Director.

ASSISTANCE

If an employer deems that an employee's performance is in danger of being suspended or terminated, the employer shall contact TERO for assistance in working out the problem.

CULTURAL FREEDOM

It is further understood that the Employer recognized that its operations are taking place within a unique cultural setting within the Cheyenne and Arapaho (Tribal Lands) Reservation. Accordingly, the Employer, in conjunction with the TERO Director, shall make a reasonable accommodation for Cheyenne and Arapaho cultural customs as well as the needs of the business, so as to promote rather than hinder the employment of resident Indians and Indian employees.

TERO FEES

Pursuant to Section L (1)(2) of the Tribal Employment Rights Ordinance #5119002, authorizes the collection of an Employment Rights fee, otherwise known as TERO Fee, for every construction contract of \$10,000 or more on the lands under the jurisdiction of the Cheyenne and Arapaho Tribes or an agency, shall pay a one-time fee of two percent (2%) of the total amount (gross contract price) per each contract. A TERO Payment Agreement will be completed once contract has been awarded.

CERTIFICATION

I hereby certify and affirm that the contents of the foregoing documents are true and correct and include all information necessary to identify and explain the operation of _____ (*Firm Name*), as well as the ownership thereof.

The undersigned in addition attests that this business is at least 51% owned by one or more members of a federally recognized Tribe whose management and daily business operations are controlled by one or more such individuals or is a disadvantaged business entity (DBE) recognized by the State of Oklahoma.

I further hereby certify that I have read and understand the TERO ordinance, Indian Preference Policies, criteria, and procedures, and applicable TERO fee.

Any material misrepresentation will be grounds for denial or revocation of certification by members of the Cheyenne and Arapaho Tribes TERO. By executing this certification, I hereby submit to the jurisdiction of the Cheyenne and Arapaho Tribes and their courts.

This agreement shall be for a one-year period from the date of approval by the TERO Director.

AUTHORIZED FIRM REPRESENTATIVE SIGNATURE

DATE

PRINT NAME / TITLE

TERO DIRECTOR

DATE

On this _____ day of _____, 20____ before me appeared applicant _____, who being duly sworn did execute the following affidavit, and did state he/she was properly authorized by _____.
(Name of business)

To execute the affidavit and did so as her/his free act and deed.

Notary Signature and Seal

Date

TERO Payment Agreement

Project Name/Contract #: _____

THIS PAYMENT AGREEMENT is made and entered into this _____ day of _____, 2020,

by and between the Cheyenne and Arapaho Tribes Tribal Employment Rights Office, hereinafter referred as TERO, and **FIRM NAME and ADDRESS**, hereinafter referred to as **CONTRACTOR**.

WHEREAS, according to the **CHEYENNE AND ARAPAHO TRIBES OF OKLAHOMA**

TITLE: ORDINANCE 5199002, Section 6, Employment Rights Office, Part (L) (1) states:

(I) " Every covered construction contractor with a contract of \$10,000 or more on the lands under the jurisdiction of the Cheyenne & Arapaho Tribes or an agency, shall pay a one-time fee of two percent (2%) of the total amount (gross contract price) per each contract."

WHEREAS, the Cheyenne and Arapaho Tribes has determined and declared the above named **CONTRACTOR** to be the lowest responsive and/or responsible bidder on the above described project, and has duly awarded this Contract to said **CONTRACTOR**, for the sum of \$000,000.00

WHEREAS, **CONTRACTOR** agrees to pay two percent (2%) of the gross contract price, for a total sum of \$000,000 payable to the TERO Fee Account.

IN WITNESS WHEREOF, the parties agree hereto have caused this instrument to be executed in five duplicated originals effective the day and year of the **CONSTRUCTION CONTRACT**.

CONTRACTOR

TERO DIRECTOR