INDIAN PREFERENCE OFFICE COMPLIANCE PLAN AGREEMENT

MDT/FHWA Projects

Every construction contractor is required to submit to the Indian Preference Office for its approval a Compliance Plan setting forth how the contractor intends to meet its obligations. No contractor shall commence work on the Flathead Indian Reservation until the Compliance Plan is approved.

General Information			
Contractor Name:			
Telephone Number:	Fax No		
Street Address:			
City:State:	Zip Code:		
Name of Project:			
Project Number:			
Authorized Representative:			
The Contractor identified above is operati	ng as:		
() Prime Contractor	() Subcontractor () Owner/Operator		
start work or allow work to be started on t	f all subcontractors to the Indian Preference Office and will no he project site until the Compliance Plan of all contractors and I approved by the Indian Preference Office.		
The Indian Preference Office will provide acceptance of all relevant Compliance Pla	written notification to the Prime Contractor of completion and ns.		
	proved, all future contractor and subcontractor replacements or by the Indian Preference Coordinator, similarly as herein		
Failure to comply with any and all conditions herein, including obtaining of required prior approvals, such as those for replacement or new personnel will constitute non-compliance hereof.			
Employment Information			
Preference Office, each listed position is s	tion project. After the personnel list is submitted to the Indian subject to negotiation with the Indian Preference Coordinator. turn a copy of the signed compliance plan after negotiation and		
Name of Employee	Job Position Name or Title		

(attach additional sheets, as needed)

<u>Core Crew:</u> Core crew personnel are permanent full-time employees with supervisor responsibilities, and employees with ownership interest. Ownership interest must be supported by documents provided by the contractor, which may include individual tax returns. Certified payroll information on personnel listed above, from a previous construction season may be used to verify prior employment. All documentation submitted by the contractor and subcontractor must be determined as acceptable by the Indian Preference Coordinator.

<u>Commencement of Work:</u> MDT shall not authorize any contractor to commence work on a project until the Compliance Plan has been approved by the Indian Preference Coordinator.

<u>Subcontractor Compliance</u>: The Prime Contractor is responsible for compliance at every tier in associated subcontracts.

<u>Reporting Protocol:</u> The reporting protocol that the contractor will follow to document compliance shall be:

- a) Submittal of requests for applicants in accord with MOU requirements as found in the project Special Provisions.
- b) Provide Indian Preference Coordinator the time duration stated in the MOU for applicant placement to the job site.
- c) Provide job qualification criteria to the Indian Preference Coordinator, in writing, prior to implementation, and obtain, in writing, Indian Preference Coordinator approval and acceptance of each instance of job qualification criteria provided.
- d) Provide for Indian Preference Coordinator and employer joint determination of planned and employed personnel qualifications.
- e) Provide timely, accurate and complete data in accord with Indian Preference Coordinator request and requirement to ensure and enable monitoring for comparative purposes the Indian employee and Non-Indian employee schedule opportunities and number of work hours.
- f) Provide timely, accurate and complete data in accord with Indian Preference Coordinator request and requirement, to ensure, enable and enforce the requirement that no Indian preference employee shall be terminated when a non-Indian employee in the same job classification is still employed.
- g) Provide complete and accurate payroll reports within one week of payroll disbursement.
- h) Provide disciplinary action reports regarding Indian preference employees within two working days of taking disciplinary action.
- i) Provide promotion reports within two working days of giving any promotion.

- j) Provide layoff and RIF notices 24 hours prior to making any layoff or reduction in force.
- k) Complete and conform with all conditions of the Compliance Plan

<u>Sanctions for Non-compliance:</u> The Indian Preference Coordinator shall notify the contractor and relevant subcontractor, in writing, concerning non-compliance of Reporting Protocol items listed above. Copies of all notifications will be given to relevant MDT project personnel.

On issue of a notification of non-compliance concerning the reporting Protocol items listed above, to any contractor or subcontractor, the Indian Preference Coordinator will initiate appropriate action to:

- a) Ensure that contractor procedures and policies will be modified to ensure compliance.
- b) Suspend contractor operations until violation is cured.
- c) Ensure other appropriate action reasonable and necessary for the purpose of enforcing the Compliance Plan.

<u>Signatures</u>		
Signed:		_Date:
	Contractor Authorized Representative	
Signed:		Date:
-	Indian Preference Coordinator	