



Saint Regis Mohawk Tribe

Chief Beverly Cook
Chief Michael Conners
Sub-Chief Kenneth Jock
Sub-Chief Agnes Jacobs
Sub-Chief Benjamin Herne

TRIBAL COUNCIL RESOLUTION

2021 - 37

TO AMEND THE NATIVE AMERICAN PREFERENCE POLICY

WHEREAS, the Saint Regis Mohawk Tribal Council (the “Tribal Council”) is the duly recognized governing body of the Saint Regis Mohawk Tribe (the “Tribe”) and is responsible for the health, safety, education and welfare of all community members; and

WHEREAS, in TCR 2007-36 the Tribal Council committed to promoting full and open competition to ensure that all vendors/bidders are dealt with fairly and impartially when soliciting for the purchase of goods (including supplies, materials, equipment, and all other tangible commodities, except real properties), services, and/or construction contracts; and

WHEREAS, in TCR 2010-25, the Tribal Council approved the requirement for construction contractors to submit a Native Preference Plan, wherein the contractor and any sub-contractors would strive to ensure that at least 40 percent of their hired workers were Native American; and

WHEREAS, in TCR 2016-72 the Tribal Council adopted a Native American Preference Sliding Scale for all Native American vendors, consultants and service suppliers, excluding construction contracts; and

WHEREAS, in TCR 2016-82, Tribal Council adopted the Native American Preference Policy for the procurement of goods and services and construction contracts; and

WHEREAS, the Executive Director’s Office recommends an amendment to the Tribe’s Native American Preference Policy (TCR 2018-01), to include Mohawk Preference, Compliance Enforcement, adjust the Native American Employment Plan percentages to include unskilled worker requirements, and to add as an appendix to establish Tribal Government Hiring Preference Standards and Native American Business Owned Certification Procedures.

NOW, THEREFORE, BE IT RESOLVED:

1. The Saint Regis Mohawk Tribal Council hereby amends the Native American Preference Policy, as attached hereto, for the Saint Regis Mohawk Tribe and any Tribal entity, subsidiary, or enterprise, including the Akwesasne Housing Authority, for the procurement of goods, services, and construction contracts, effective upon the date of this resolution; and
2. Here by incorporates specific Tribal Government hiring standards as shown in the appendix of the policy; and

3. Here by sets procedures for the Native American Owned Business Certification process for Native and Mohawk Owned Businesses within the Territory of Akwesasne in the appendix of this policy; and finally
4. This Resolution supersedes all other previous Tribal Council Resolutions relating to Native, Native American, Indian, or Mohawk preference.

SAINT REGIS MOHAWK TRIBAL COUNCIL


Beverly Cook
Tribal Chief


Michael Conners
Tribal Chief

CERTIFICATION: This is to certify that the Saint Regis Mohawk Tribal Council pursuant to the authority vested therein duly passed the above resolution.


Summer Bero, Tribal Clerk


Date

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SAINT REGIS MOHAWK TRIBE NATIVE AMERICAN PREFERENCE POLICY

AMENDED IN 2021 VERSION 003

I. PURPOSE

The purpose of this policy is to promote the self-sufficiency and economic growth of the Saint Regis Mohawk Tribe (“Tribe or SRMT”) and its members, by promoting the development of Native American and Mohawk owned businesses; and to provide preference in the Tribal hiring process.

II. POLICY STATEMENT

The Tribe reserves its unique legal right to give Native Americans and Mohawks special consideration for employment, training, contracting, subcontracting, and business opportunities that exist on, and in some cases, near the Saint Regis Mohawk Reservation.

III. DEFINITIONS

- A. Director or Tribal Representative (which is identified in each contract) –the individual or department, appointed by Tribal Council to ensure compliance with this policy.
- B. Mohawk – enrolled/eligible to be enrolled in the Saint Regis Mohawk Tribe; this would include a member of the Mohawk Council of Akwesasne Band and/or the Mohawk Nation.
- C. Mohawk Business – a business mainly owned by a Mohawk; controls the majority of the business (at least 51% or more); and be substantially involved in the day-to-day management and operations of the business and has been registered and received the SRMT Native American Preference Certification through the SRMT Compliance Department.
- D. Native American – an enrolled member of a federally recognized tribe, band, nation, including Alaska Native.
- E. Native American Owned Business (NAOB) - a company that is at least 51% owned and operated (e.g. management decisions) by a Native American and has been registered *and* received a SRMT Native American Preference Certification through the SRMT Compliance Department.

- F. Native American Preference - the process for providing additional points or percentages to Native American individuals or business entities in the evaluation process for contracts or bidding for goods and for hiring.
- G. “Native American Preference Employment Plan” an employment plan, which Construction Contractors and sub-contractors must submit for proposals and adhere to when contracting with the Tribe.
- H. “Qualified business or company” shall mean a Business or Company meeting the minimum requirements for a contract. A Qualified Business or Company shall have proper insurance coverage, including liability, workers’ compensation and other essential coverage and meet all other requirements contained in the Invitation for Bids/Request for Quotes. A Qualified business or company also meets the practical, technical, administrative and financial requirements of a firm to perform or, if permitted, through subcontracts, the services or goods specifically set out in the bid or request for proposal package.
- I. “Reservation” means both the Saint Regis Mohawk Indian Tribe Reservation as established by the 1796 Treaty with the Seven Nations of Canada (7 Stat. 55) and any other lands over which the Tribe exercises jurisdiction now or in the future.
- J. “Responsible bidder” is defined as a contractor, supplier, or vendor, qualified on the basis that it (1) has adequate financial resources to perform a contract, (2) is able to comply with the associated legal or regulatory requirements, (3) is able to deliver according to the contract schedule, (4) has a history of satisfactory performance, (5) has good reputation, (6) has or can obtain necessary data, equipment, and facilities, and (7) is otherwise eligible and qualified to receive the award if its bid is chosen.
- K. “SRMT Native American Preference Certification” is the certification provided by the SRMT Compliance Department where the Native Vendor meets the Native American Owned Business or Company or Mohawk Business definition of this policy as per Exhibit A.
- L. “Unskilled Worker” for the purpose of this policy is an individual worker that requires practically no training or experience for its adequate performance.

IV. SCOPE

This policy shall apply to the Saint Regis Mohawk Tribe and any Tribal entity, subsidiary, or enterprise, including, but not limited to, the Akwesasne Housing Authority and Mohawk Gaming Enterprises, LLC for the procurement of goods, services, and construction contracts.

This policy shall also apply to the above entities during the selection/hiring process. Wherever the Tribe is mentioned in this policy, the procedures outlined herein also apply to any Tribal entity, subsidiary, enterprise, or wholly-owned corporation.

SECTION 1
GOODS & SERVICES
NATIVE AMERICAN PREFERENCE STANDARDS

I. GOODS AND SERVICES PREFERENCE STANDARDS (excluding construction)

- A. Application. Native American Preference shall be applied to all acquisitions for goods and services for the Saint Regis Mohawk Tribe. Specifically, for the acquisition of goods and services where price is the determining factor, the preference shall be applied in accordance with the SRMT Native American Preference Policy Sliding Scale for Procurement of Goods and Services in Section IX of this policy.
- B. Individuals or Businesses that are registered/certified as Mohawk Owned Businesses will be granted an extra 2% or 2 points in the evaluation for goods and services.
- C. In any circumstance, the Native American Preference must be applied after all bidders or proposers are deemed qualified.
- D. **Solicitation of Quotes:** The Tribe shall solicit construction contracts in accordance with the Tribe’s Procurement Policy.

Tribal entities, subsidiaries, and enterprises, including, but not limited to, the Akwesasne Housing Authority and Mohawk Gaming Enterprises, LLC shall adhere to their respective procurement of goods, services, and construction contract policies while incorporating the Native Preference Policy.

II. GOODS AND SERVICE SLIDING SCALE (excluding construction)

The sliding scale chart below shall be applied as necessary to the procurement of goods and services, excluding construction contracts.

Native American Preference Policy Sliding Scale Percentages for Procurement of Goods and Services

	Minimum	Maximum	NAP %	Max Lowest Bid	NAP Preference \$	NAP Extra Cost	Mohawk Preference Adding 2%	Mohawk Preference \$	MP extra Costs
Between	\$3,000	\$10,000	13.0%	\$10,000	\$11,300	\$1,300	15%	\$11,500	\$1,500
Between	\$10,001	\$25,000	12.0%	\$25,000	\$28,000	\$3,000	14%	\$28,500	\$3,500
Between	\$25,001	\$50,000	11.0%	\$50,000	\$55,500	\$5,500	13%	\$56,500	\$6,500
Between	\$50,001	\$100,000	10.0%	\$100,000	\$110,000	\$10,000	12%	\$112,000	\$12,000
Between	\$100,001	\$200,000	10.0%	\$200,000	\$220,000	\$20,000	12%	\$224,000	\$24,000
Between	\$200,001	\$500,000	10.0%	\$500,000	\$550,000	\$50,000	12%	\$560,000	\$60,000
Between	\$500,001	\$750,000	7.0%	\$750,000	\$802,500	\$52,500	9%	\$817,500	\$67,500
Between	\$750,001	\$1,000,000	5.0%	\$1,000,000	\$1,050,000	\$50,000	7%	\$1,070,000	\$70,000
Between	\$1,000,001	\$2,000,000	2.5%	\$2,000,000	\$2,050,000	\$50,000	4.5%	\$2,090,000	\$90,000

		\$ 2,000,001+	1.0%	\$2,000,001	\$2,020,001	\$20,000	3%	\$2,060,001	\$60,001
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Example #1:

	Minimum	Maximum	%	Lowest Bid	% Applied	Preference \$	Extra Cost
Between	\$3,000	\$10,000	13.0%	\$6,000	13%	\$6,780	\$780

Native Preference: The lowest bid was a non-native with \$6,000 the native bidder must meet the 13% native preference.

Meaning, the native bidder’s bid must meet or be lower than \$6,780 to be eligible for the award.

EXAMPLE #2:

	Minimum	Maximum	%	Lowest Bid	% Applied	Preference \$	Extra Cost
Between	\$25,001	\$50,000	11.0%	\$48,000	11.00%	\$53,280	\$5,280

Native Preference: The lowest bid was a non-native with \$48,000; the native bidder must meet the 11% native preference.

Meaning, the native bidder’s bid must meet or be lower than \$53,280 to be eligible for the award.

EXAMPLE #3; Mohawk Preference Example:

	Minimum	Maximum	%	Lowest Bid	% Applied	Mohawk Preference	Preference \$	Extra Cost
Between	\$25,001	\$50,000	11.0%	\$48,000	11.0%	2%	\$54,240	\$6,240

Mohawk Preference: The lowest bid was a non-native with \$48,000. The Mohawk bidder must meet the 11% native preference plus an additional 2% added to the percentage scale; making the total preference percentage 13%.

Therefore, the Mohawk bidder’s bid must meet or be lower than \$54,240 to be eligible for the award.

A. Sliding Scale Calculation Formula

Native American Preference shall be applied to all acquisitions for goods and services for the Saint Regis Mohawk Tribe. Specifically, for the acquisition of goods and services where price is the determining factor, the preference shall be applied in accordance with the sliding scale below and by the following steps:

1. Determine low bidder (L).
2. Based on scale, calculate the percent based on low bidder’s price (P).
3. Add percentage to low bidder’s price which gives the max bid (MB) for the Native American Owned Business or Company. If the Native bid, (N) is less than this amount, the native gets the award.
4. So, the calculation is $(L \times P) + L = MB$. If $N < MB$, Native gets the award.
5. Where price is NOT the sole determining factor, i.e. in RFPs, Native American Preference may be applied in the proposal review evaluation by the awarding of additional points for those Native proposers who qualify. The Native American Preference applied shall be the percentage of the total amount of points available in the evaluation form.
6. An additional 2% or points (which ever applies) for Mohawk individuals or businesses also shall be applied if eligible.

The Native American/Mohawk Preference shall be applied to either proposal evaluation points and to proposal bid price in accordance with the scale outlined above, whichever has a higher preference value.

In any circumstance, the Native American Preference must be applied after all bidders or proposers are deemed qualified. Note that Native American Preference cannot overcome the lack of responsiveness, responsibility or qualification of a bidder.

SECTION 2

CONSTRUCTION

NATIVE AMERICAN PREFERENCE STANDARDS

I. CONSTRUCTION – NATIVE AMERICAN PREFERENCE STANDARDS

- A. **Policy Statement:** It is the policy of the Saint Regis Mohawk Tribe to cultivate a strong Native American workforce for all construction contracts and subcontracts of the Tribe including those of all tribally-owned and operated entities. In addition to the Native American Preference in the issuance of awards, the Tribe also requires the hiring of Native Americans for the performance of any **construction** contracts with the Tribe or its entities. Therefore, all successful bidders shall submit a Native American Preference Employment Plan to the SRMT Compliance Department.
- B. Individuals or Businesses that are registered/certified as Mohawk Owned Businesses shall be granted an extra 2% or 2 points in the evaluation for construction.
- C. **Solicitation of Bids:** The Tribe shall solicit construction contracts in accordance with the Tribe’s Contract and Procurement Policy.

Tribal entities, subsidiaries, and enterprises, including, but not limited to, the Akwesasne Housing Authority and Mohawk Gaming Enterprises, LLC shall adhere to their respective procurement of goods, services, and construction contract policies while incorporating the Native Preference Policy.

II. CONSTRUCTION – SLIDING SCALE

- A. Construction Contract Award. An award shall be made under unrestricted solicitations to the lowest responsible bid from a qualified Native American owned business or company, if the bid is no more than "X" amount higher than the total bid price of the lowest responsible bid from any qualified bidder. The factor "X" is determined when the lowest responsive bid is as follows:

Lowest Bidder Amount	Preference % Applied
less than \$100,000	10% of that bid, or \$9,000
At least \$100,000, but less than \$200,000	9% of that bid, or \$16,000
At least \$200,000, but less than \$300,000	8% of that bid, or \$21,000
At least \$300,000, but less than \$400,000	7% of that bid, or \$24,000
At least \$400,000, but less than \$500,000	6% of that bid, or \$25,000
At least \$500,000, but less than \$1 million	5% of that bid, or \$40,000
At least \$1 million, but less than \$2 million.	4% of that bid, or \$60,000
At least \$2 million, but less than \$4 million	3% of that bid, or \$105,000

At least \$4 million, but less than \$7 million	2% of that bid, or \$105,000
\$7 million or more...	1.5% of the lowest responsive bid, w/ no dollar limit

B. Factors other than Price. Factors, other than pricing, shall affect whether a firm is "qualified" to be awarded a contract. In these instances, the RFP (request for proposals) shall clearly identify the relative importance of price and other evaluation factors and sub-factors, including the weight given to each technical factor and sub-factor. The proposals shall be evaluated only on the criteria stated in the request for proposals. Native American Preference may be applied as a percentage of identified proposal evaluation points, awarding 10%.

An additional 2% or 2 points for Mohawk individuals or businesses also shall be applied if eligible.

The Native American/Mohawk Preference shall be applied to either proposal evaluation points and to proposal bid price in accordance with the scale outlined above, whichever has a higher preference value.

Award of Bids: The award shall be made to the qualified company with the lowest responsible bid after the Native American Preference factor has been applied. The Native American Preference factor may be utilized for any bidder who is an approved NAOB that provides a Native American Preference Employment Plan.

SECTION 3

Construction Native American Preference Plan Requirements

I. Construction – Native American Preference Employment Plan Requirement

- A. The Tribal Council mandates that all construction contracts awarded by the Tribe, any Tribal entity, subsidiary, or enterprise including, but not limited to, the Akwesasne Housing Authority and Mohawk Gaming Enterprises, LLC, shall include a Native American Preference Employment Plan for all Construction Contracts.
- B. The Native American Preference Employment Plan requires the successful General Contractor, and all sub-contractors subsequently hired by the General Contractor, to employ at least fifty percent (50%) qualified Native American workers per division for the project, i.e. electricians, carpenters, plumbers, roofers, etc.
- C. The General Contractor and the Subcontractors shall be required to employ at least sixty percent (60%) unskilled positions with qualified Native Americans.
- D. The General Contractor and all sub-contractors shall maintain the established 50% and 60% Native employment benchmarks throughout the duration of the project and, wherever possible, the General Contractor and sub-contractors shall endeavor to exceed these benchmarks.
- E. The successful General Contractor’s Native American Preference Employment Plan shall be provided upon request of the SRMT Contracting Officer.
- F. The General Contractor shall ensure all sub-contractors comply with the requirements of the Native American Preference Employment Plan by submitting a “Plan” for each subcontractor after receipt of a Notice of Award and before the contract has been executed.
- G. The General Contractor may request an exemption from this policy in writing to the Tribal Council at any given time in the construction phase. Tribal Council may grant the exception upon documented proof that there are fewer than 50% qualified Native American workers in a particular trade(s) or 60% unskilled workers and that the General Contractor or sub-contractor(s) has(have) made a reasonable effort to comply with this policy.
- H. For the purpose of sub-contracting a portion of the contract, the Compliance Department shall maintain an updated list of all certified Native American companies and will provide the list to potential bidders, upon request.
- I. This list of NAOB shall include the specific types of work for which the firm is certified and qualified to perform. Any firm not included on the list at the time an Invitation for Bids (IFB) or Request for Proposals (RFP) is issued, cannot challenge the bid process due to failure to receive the bid solicitation.
- J. The Grants and Contracts Office shall verify the company’s NAOB Certification with the SRMT Compliance Department as part of the qualified bidder verification process.

- K. The following statement shall be included in all Request for Proposal/ Invitation for Bids: **The General Contractor shall refer to the Akwesasne Employment Resource Center for assistance with finding qualified and unskilled Native American workers.**

SECTION 4

COMPLIANCE & ENFORCEMENT

I. MANDATORY COMPLIANCE

- A. SRMT Compliance Department shall ensure the following:
- i. All contractors comply with this policy and the submitted Native American Preference Employment Plan unless a waiver is granted in writing by Tribal Council.
 - ii. The SRMT Compliance Department may stop work on construction whenever there is a failure to meet the Native American Preference Employment Plan requirements, as outlined in Section 3 of this policy or who have not been granted a waiver.
- B. The Grants and Contracts Office and Procurement Office shall ensure compliance with this policy during and throughout the purchasing and/or contracting process for goods and services and construction contracts.
- i. Upon receipt of a fully executed contract, the Compliance Department becomes responsible for oversight and enforcement of this policy.
- C. Tribal Council may waive compliance when an emergency threatens the health, safety or welfare of the Tribe or its members and compliance would increase the threat.

II. COMPLIANCE ENFORCEMENT

- A. The Tribal Representative/Project Manager of each construction contract shall provide a monthly Native American Preference Employment Plan report and submit it to the Grants and Contract Office and the SRMT Compliance Department.
- B. The SRMT Compliance Department shall conduct regular inspections of the worksite to observe compliance to this policy and furnish reports of their inspections for record keeping.
- C. Financial Penalty:**
- i. The Grants and Contracts Office shall outline the following in the bid process and contract:
 - a. If the general contractor fails to meet the Native American preference employment plan submitted, and has not been granted a waiver by Tribal Council, the contractor shall be issued a \$250 or 10 % non-refundable fine per infraction, per trade per occurrence and may be barred from future SRMT construction and/or service contracts.

Appendix A

**SRMT GOVERNMENT
EMPLOYMENT PREFERENCE HIRING STANDARDS
UNDER THE
NATIVE AMERICAN PREFERENCE POLICY**

I. PURPOSE

The purpose of this policy is to promote the self-sufficiency and economic growth of the Saint Regis Mohawk Tribe (“Tribe or SRMT”) and its members, by promoting the development of Native American and Mohawk owned businesses; and to provide preference in the Tribal hiring process.

II. POLICY STATEMENT

The Tribe reserves its unique legal right to give Native Americans and Mohawks special consideration for employment, training, contracting, subcontracting, and business opportunities that exist on, and in some cases, near the Saint Regis Mohawk Reservation.

III. NATIVE AMERICAN PREFERENCE HIRING STANDARDS

- A. Native American Preference shall be applied in the hiring process for all positions within the Saint Regis Mohawk Tribe.
- B. The Native American shall be responsible to provide proof of status at the time of application/resume submission or at the time of the interview.
- C. The following point system shall be implemented on the Interview Scoring tool:

Staffing Preference Points			
Native Preference + 10 Pts.	<input type="checkbox"/> Tribal ID Card attached and Verified	Candidates are eligible for one (1) preference only (Highest Value)	10
Disabled Veteran Preference + 7	<input type="checkbox"/> DD 214 attached and Verified, Must be Honorable Discharge		5
Veteran Preference + 5	<input type="checkbox"/> DD 214 attached and Verified, Must be Honorable Discharge		5
Additional points if eligible			
Mohawk Status + 2 Pts.	<input type="checkbox"/> Status Verified	SRMT Tribal Member, MCA Band Member or Mohawk Nation Member	2
Preferred Status + 2 Pts.	<input type="checkbox"/> Preferred Status Verified	Preferred Status is limited to 6 months Must have been layoff	2

Appendix B

NATIVE AMERICAN OWNED BUSINESS CERTIFICATION PROCESS UNDER THE NATIVE PREFERENCE POLICY

I. GENERAL REQUIREMENTS:

An applicant seeking to qualify for Native American Preference for the purpose of doing business with the Saint Regis Mohawk Tribe as a 100% Mohawk owned business enterprise, a majority-owned Mohawk business enterprise, or other Native American or First Nations business enterprise shall submit proof of the applicant's ownership and control, as identified below, to the Compliance Director. The Compliance Director shall certify an applicant business including but not limited to Corporation, Limited Liability Company or any individual with a doing business as certificate (each a "Business" or "Enterprise") has the minimum ownership and control requirements for the applicable preference category.

A. The following ownership and control requirements are applicable to each preference category and are as follows:

II. MOHAWK OWNED BUSINESS

A. Ownership: Enrolled or eligible to be enrolled members of the SRMT must own 51% or more of the business.

B. Control: Enrolled or eligible to be enrolled members of the SRMT must exercise majority control of the business, and be substantially involved in the management and operations of the Business.

III. NATIVE AMERICAN OWNED BUSINESS

A. Ownership: Enrolled members of a federally recognized tribe, band, nation, including Alaska Native must own at least 51% of the business.

B. Control: Enrolled members of a federally recognized tribe, band, nation, including Alaska Native must exercise majority control of the business and be substantially involved in the management and operations of the business.

IV. CERTIFICATION PROCEDURES

- A. The certification process may take up to twenty-one (21) business days.
- B. A Business seeking certification for any preference pursuant to this Native American Preference Policy shall submit a complete Mohawk/Native Owned Business Certification application to the Compliance Department Director.
- C. The Application is available within the Compliance Department Office.
- D. Compliance Department staff may be available to assist a Business in filling out the application, request such additional information as it believes appropriate to conduct such investigations as it deems appropriate, and make a final written finding to certify or not to certify. The Compliance

Director may extend the processing period by an additional twenty-one (21) days, by sending notification of the extension to the Applicant by registered mail or electronic mail (email).

- E. There will be a set certification fee established by the Compliance Department and approved by Tribal Council and shall be posted on the appendix of the application.
- F. The applicant must complete the application and submit receipt of payment to the Compliance Department before the application is examined for certification
- G. The Compliance Department will verify the information provided to ensure the applicant meets the Mohawk or Native Owned Business requirements.
- H. Once verification is complete, the Compliance Director shall issue a two-year certification to the Business.
- I. Business must recertify every two years.
- J. If the application is denied due to lack of information or otherwise, the Compliance Director shall issue a notice to the Business with five days of determination.
- K. The Business shall have the option to appeal this decision to the SRMT Tribal Council.

V. SUSPENSION OR WITHDRAWAL OF CERTIFICATION

- A. From the information provided in any credible reports, or on the basis of a written grievance filed by any other business or person, , the Compliance Department Director may initiate an investigation into the validity of any reports and must document the concerns, or statements of possible false documentation or that a business has not provided current ownership has changed to not qualify under this Ordinance.
- B. Should the initial investigation indicate valid findings, the Director shall begin proceedings to consider a withdraw or suspension of the certification of the said Business. The Compliance Department Director shall prepare an analysis of findings and shall send the Business notice, by registered mail or electronic mail (email), that its certification is being
- C. Suspended, along with the grounds for removing the certification. A Business may appeal any finding of certification withdrawal or suspension to the Compliance Department Director and submit whatever documents it deems necessary to counter the findings. After reconsidering the withdrawal, the Compliance Department Director may:
 - i. Withdraw certification;
 - ii. Suspend certification for up to one year;
 - iii. Put the Business on probation; and/or
 - iv. Order that corrective action be taken within a fixed period.
- D. A Business that has had its certification withdrawn or suspended may not reapply for a period of one (1) year from the time it is withdrawn or suspended.
- E. Change in Status and Annual Reports: Each certified firm shall report to the Compliance Department Director, in writing, any changes in its ownership or control status within thirty (30) days after such changes have occurred. Each certified firm, on the anniversary of its receipt of permanent certification, shall update the information provided in this initial application on an annual report form provided by the Compliance Department. Failure to provide information pursuant to these requirements shall constitute grounds for Compliance Department Director to move for withdrawal of certification.