



To: All Awarding Entities
From: MHA TERO Executive Director
Subj: **Reaffirming the MHA TERO Self-Performing Preference List**
Date: 21 Aug 2020

MHA TERO was created to address economic insecurity and unemployment within the Nation and to give Qualified Indian Contractors an opportunity to compete in the marketplace. Consistent with the law and its purpose, TERO reinforces the value in providing opportunities to Qualified Indian Contractors that perform work in the Nation's marketplace. After gathering information from Qualified Indian Contractors, TERO assesses which contractors are performing the work and which contractors are delegating the work to others. While TERO values all Qualified Indian Contractors, the self-performing contractors are preferred as they are serving the role which is best aligned with the law and the spirit of the law. TERO's work generated a Self-Performing Preference List Guidance.

Consistent with those principles, as the MHA TERO Executive Director, the Self-Performing Preference List Guidance was disseminated earlier this year. This guidance was issued as part of MHA TERO's continued support for Preference Level 1 Companies. In short, the focus of this initiative is: **A Qualified Indian Contractor who self-performs the work shall be preferred before a Qualified Indian Contractor who does not self-perform the work.**

Qualified Indian Contractor are evaluated to determine if they can self-perform a specified service or not. MHA TERO makes its assessment upon pertinent factors which is done by utilizing the MHA TERO Service Justification Questionnaires. The list identifies the service and the Self-Performing companies.

PLEASE NOTE: These identified self-performing companies shall be given the preference in that Specific Service before the companies who utilize a subcontractor for the work.

This list will be updated periodically so please ensure you are monitoring the MHA TERO website for the latest information. **As a reminder, non-compliance with this MHA TERO Guidance may result in TERO sanctions.**

If you have any questions, please contact MHA TERO Indian Contractor Director, Kelcey Packineau, at (701) 421-1803 or (509) 945-4234. He can also be reached by email at 007tero@mhanation.com.

Best Regards,

Charles Foote