

Attention A & E firms,

The Comanche Nation of Oklahoma is accepting Request for Proposals for the design of a Native American Church (NAC) facility. – Rendering and Construction documents for bidding purposes.

Please provide a proposal for the A&E plans for the new construction of a NAC facility that will be located in the Rural area of Lawton, Oklahoma.

The building will be approximately 3,600 square feet to 5,000 square feet – an example is attached.

The new facility design will need to include the following:

1. (1) kitchen area
2. (2) bedrooms
3. (1) dining hall area
4. (1) large classroom
5. (2) restrooms – ADA compliant with showers
6. (1) maintenance room for HVAC, IT server, water heater and electrical panel
7. (1) riser room – (for fire suppression if needed)
8. Site plan for parking for 40 vehicles

Please design the A&E plans to be stamped, sealed, and approved by the OSFM office and meet the following codes:

1. International building code, 2018 edition
2. International Existing building code, 2018 edition
3. International Fire code, 2018 edition
4. International Fuel Gas code, 2018 edition
5. International Mechanical code, 2018 edition
6. International Plumbing code, 2018 edition
7. National Electric code, 2020 edition

The A&E plans need to include a site survey – (showing utilities), grading plan, foundation plan – showing the Geotech report, life safety plan, structural plan, plumbing plan, electrical plan, mechanical plan, exterior and interior framing layout, truss layout, insulation, drywall type- fire rated if needed, all interior finishes – (flooring, trim, fire-rated doors, glass doors, windows, ceiling type, exterior doors), vent hood plans, alarm plans, and fire suppression plans.

Note: Plumbing walls are 2x6 and bathrooms are tile.

Exterior building will be brick veneer and EIFS.

An engineer's estimate will also be required with the A&E approved set of plans.

Designer must create design with a cost to build the new facility that fits within a set budget of approximately \$500,000.

The floor plan may be adjusted to meet budget requirements.

The Comanche Nation will evaluate the Firm's capabilities based upon the factors described below:

Factor 1: Professional Qualifications

Professional qualifications necessary for the satisfactory performance of required services; provide key personnel, it is expected that the individuals identified as key personnel will be performing tasks under the resulting contract. Including, but not limited to: electrical, data communication, mechanical, plumbing, civil, structural, vent hoods, alarms, and fire suppression.

Factor 2: Capacity

Capacity to accomplish current and past work in the required time, maintaining project schedules and project budgets. Control cost effectiveness and estimating accuracy.

Factor 3: Past Performance

Past performance on contracts with government agencies (state, federal, or tribal) and/or private industry in terms of cost control, quality of work, and compliance with performance schedules. Be sure to include five (5) recent past performance projects including knowledge of design standards, technical manuals, and specifications.

Factor 4: Eligibility

The extent to which the A&E firm and potential subcontractors to be awarded have not been debarred, suspended, or ineligible.

Factor 5: Native American preference

Provide a minimum of one (1) form of documentation showing the business is a Native American owned professional A&E firm. Preference will only be given to firms who provide current certification as a native owned Professional Engineer Firm.

Factor 6: Comanche Nation TERO certified/Comanche Nation Business license

The A&E firm has to be Comanche Nation TERO certified (TERO vendors license) and obtain a general business license from the Comanche Nation Tax commission before a bid be submitted.

Request for proposals will be accepted from **November 1, 2024 until December 2, 2024** through sealed bids. The bids can be delivered to the **Comanche Nation Property & Procurement office** until 5PM on December 2, 2024. – ATTN : Mr. ADAM RED ELK

The bids will be opened Tuesday December 3, 2024 at the Comanche Code Talkers room. Physical address 584 NW Bingo Road, Lawton, OK 73507.

All proposals will be subject to the Comanche Nation TERO tax fee of 2% -5% of total proposal price, and a 1% permit fee. For further assistance please contact Shannin Toles at (580) 595-3315

If you have any questions, please contact Louie McCarthy @ lmccarthy@comanchenation.com or (580) 492- 3503.

The A&E design floor plan example is attached.

COMANCHE NATION

EMPLOYMENT RIGHTS ORDINANCE OF 2020

(TERO)



TABLE OF CONTENTS

Index	i
Section 1. General Provisions.....	1
1.1 Title	1
1.2 Purpose.....	1
1.3 Employment Preference.....	1
1.4 Coverage	1
1.5 Federal Law Requirements	1
1.6 Jurisdiction.....	2
Section 2. Definitions of Terms.....	3
Section 3. Regulation of Tribal Employment Rights.....	5
3.1 Establishment.....	5
3.2 Enforcement Agent	5
3.3 Powers.....	5
3.4 Duties	6
3.5 Prohibited Acts	7
Section 4. Vendor License.....	7
4.1 License Required	7
4.2 Application.....	7
4.3 Application Fee.....	7
4.4 Interview	7
4.5 Duration; Non-Transferable and Non-Assignable	7
4.6 Renewal	7
4.7 Rejection	7
4.8 Duties	8
4.9 Union Agreements	8
4.10 Replacement License	8
Section 5. Individual License.....	8
5.1 License Required	8
5.2 Application.....	8
5.3 Application Fee.....	9
5.4 Interview	9
5.5 Duration; Non-Transferable and Non-Assignable	9
5.6 Renewal	9
5.7 Rejection	9
5.8 Individual Licensees shall.....	9
5.9 Replacement License	9

Section 6.	TERO Permit.	9
6.1	Permit Required	9
6.2	Permit Fees	10
6.3	Duties.....	10
6.4	Replacement Permit.....	10
Section 7.	Subcontractors.	10
Section 8.	Timetables.....	10
Section 9.	Job Skills Bank.	11
Section 10.	Hearings.	12
10.1	Notice.....	12
10.2	Filing.....	12
10.3	Jurisdiction.....	12
10.4	Additional Evidence	12
10.5	Judgment.....	12
Section 11.	Remedial Action.	13
Section 12.	Removal Authority.	13
Section 13.	Severability.	13
Section 14.	Amendments.	14

BE IT ENACTED BY THE COMANCHE BUSINESS COMMITTEE

Section 1. General Provisions

- 1.1 Title. This Ordinance shall be known as the Comanche Nation Employment Rights Ordinance of 2020.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 1.2 Purpose. The Comanche Business Committee believes it is important to create employment and training opportunities for Comanche Nation tribal members and other Indians to eradicate discrimination against Indian people. An integral part of attaining this goal is by structuring employment and training opportunities within the boundaries of the Comanche Nation to require the hiring of qualified Indians.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 1.3 Employment Preference. All Vendor Licensees are hereby required to give preference to Individuals in hiring, promoting, training, pay benefits, and other terms and intuitions of employment. All Vendor Licensees are further required to give preference to Indians in sub-contracting.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 1.4 Coverage. This Ordinance shall be binding on all Vendor Licensees whether they have previously operated within the jurisdictional boundaries of the Comanche Nation and whether they are doing so at the time of the implementation of this Ordinance.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 1.5 Federal Law Requirements. Nothing contained in the Ordinance shall violate or undermine federal requirements on Equal Employment Opportunities, namely, Title VII of the 1964 Civil Rights Act, the Office of Federal Contract Compliance Program (OFCCP) or Executive Order 11246. Title VII prohibits preferential employment based on race, color, sex, or national origin. The 1964 Civil Rights Act, however, contains a special exception which makes Indian preference permissible. Title VII, Section 703 (i) states:

“Nothing contained in this title shall apply to any business or enterprise on or near an Indian Reservation with regard to any publicly announced employment practice of such business or enterprise under which preferential given to any individual because he is an Indian.”

The Bureau of Indian Affairs in its regulations implementing the Indian Self-Determination Act provides for Indian preference in employment and all contracts

negotiated pursuant to the Act. See 25 CFR Section 271.44. In January 1977, the OFCCP issued regulations which provide that federal contractors must comply with tribal preference requirements. 41 CFR 60-1.5 (a)(6) states:

“Work on or near Indian Reservations. It shall not be a violation of the equal opportunity clause for a construction or non-construction contractor to extend a publicly announced preference in employment to Indians living on or near an Indian Reservation. The use of the word “near” would include all that area where a person seeking employment could reasonably be expected to commute to and from during a workday. Contractors or subcontractors extending such a preference shall not, however, discriminate among Indians on the basis of religion, sex, tribal affiliation, and the use of such a preference shall not excuse a contractor from complying with the other requirements contained in this Chapter.”

[History: CBC Resolution xxx – 20, October 10, 2020]

1.6 Jurisdiction.

- (1) Jurisdiction over Members. The Tribe has jurisdiction over all Tribal Members and Indians.
- (2) Jurisdiction over non-Members. The Tribe has jurisdiction over non-Members (i) within the Tribe’s Indian lands, (ii) who enter into consensual relationships (e.g., commercial dealings, contracts, leases, or other arrangements) with the Tribe, its arms and instrumentalities, and its Members; (iii) who threaten the Tribe’s political integrity, economic security, or health and welfare; (iv) and as delegated by Congress. Without limiting the foregoing:
 - (a) Obtaining a Vendor License pursuant to the Ordinance is consent by the Licensee or Applicant to the Tribe’s jurisdiction and consent to the Tribe’s exercise of jurisdiction over the Licensee in any action arising out of the Licensee’s activities whether the Licensee or the Licensee’s activities are within or outside the exterior boundaries of the Tribe’s territory. The Commission and Enforcement Agent is specifically granted authority under this Ordinance to act on behalf of the Tribe to exercise jurisdiction over Licensees.
 - (b) The Tribe has jurisdiction over Tribal Employment Rights authorized by this Ordinance and promulgated regulations.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 2. Definitions of Terms.

As used in this Ordinance:

- 2.1 The term “jurisdictional areas” means (those areas over which the Comanche Indian Nation has jurisdiction), including all tribal lands held in trust or tribal lands held in fee by the Comanche Nation, dependent Indian Communities and trust allotments, as defined in 18 U.S.C. Section 1151. The jurisdiction of the Comanche Nation is concurrent with the Kiowa Indian Tribe and the Apache Indian Tribe with respect to the commonly held lands of the Kiowa, Comanche, and Apache Indian Tribes, such lands referred to as the KCA lands.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.2 The term “commerce” includes all trade, traffic, distribution, communication, transportation, provision of services, manufacturing, production, agricultural production, building, maintenance, construction, banking, mining, and energy production.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.3 The term “Individual” shall include any individual employed by a Vendor as defined herein, who spends more than one-half of his pay period within the jurisdictional area of the Comanche Nation. An “Individual” shall also include an applicant for employment of former employee whose employment has ceased because of or in connection with a current labor dispute or because of any unfair labor practices. The term “employee” shall not include an individual employed in the domestic services of any family or person at his home, or any individual employed by any other person who is not a Vendor as herein defined.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.4 The term “Vendor” includes any person engaged in commerce within the jurisdictional area of the Comanche Nation and also includes any person acting as an agent, contractor, or subcontractor of any Vendor, directly or indirectly, but shall not include the United States or any wholly-owned government corporation or any state or political subdivision thereof or the Comanche Nation. The term “Vendor” shall include independent contractors and subcontractors of the United States, of any wholly owned government corporation, of any state or political sub-division, or of the Comanche Nation. The term “Vendor” may include wholly-owned tribal enterprises, subject to the discretion of the Commission and its rule-making authority.

[History: CBC Resolution xx – 20, October 10, 2020; CBC Resolution 129-2021
September 4, 2021]

- 2.5 The term “Enforcement Agent” means an employee of the Comanche Nation Tax Commission who designated to administer the responsibilities and duties defined in this Ordinance.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.6 The term “covered employee” includes any Vendor who employs one or more employee(s) within Comanche jurisdiction for an aggregate of 60 working days or more in any twelve- month period.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.7 The term “Indian” means any member of a federally recognized Indian tribe now under Federal jurisdiction

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.8 The term “Indian owned firm or entity” means any commercial, industrial or other business activity which is owned by an Indian, or Indians, or other Indian owned firm or entity provided that such Indian ownership constitutes not less than 51% of the enterprise.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.9 The term “Indian Preference”: means that Indians residing within the Comanche Nation’ s jurisdictional areas are given preference over non-resident Indians in employment and training and that Indians are given preference over non-Indians in employment and training.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.10 The term “person” shall include both natural and artificial persons, including, but not limited to corporations, association, mutual companies, joint-stock companies, unincorporated organizations, partnerships, sole proprietorship, societies, unions, agents, legal representatives, trust, trustees, and estates of descendants.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.11 The term “Commission” means the Comanche Nation Tax Commission which was created on April 15th, 1995 by the adoption of the Comanche General Revenue and Taxation Act of 1995.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 2.12 The term “union” or “labor union” means any organization, of any kind or any agency or employee representation committee or plan in which employees participate and which exists for the purpose in whole or in part of dealing with

Vendors concerning grievances, labor disputes, wages, rates or pay, hours of employment or conditions of work.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 3. Regulation of Tribal Employment Rights.

- 3.1 Establishment. A regulatory program is hereby established under the Comanche Tax Commission, and the initiation, administration, regulation, and enforcement of such program shall be the responsibility of the Commission.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 3.2 Enforcement Agent. The Commission shall oversee the Enforcement Agent. The Enforcement Agent shall administer the policies, powers, and duties prescribed in this Ordinance as delegated to the Commission by the Comanche Business Committee.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 3.3 Powers. The Commission and Enforcement Agent may exercise the following powers to properly regulate Tribal Employment Rights:

- (1) conduct monthly reviews of Licensees to ensure compliance with tribal law and applicable federal law;
- (2) conduct annual reports of Licensees;
- (3) handle complaints received by Licensees;
- (4) propose regulations to the Comanche Business Committee necessary to carry out the implementation of the Comanche Nation Employment Rights Ordinance;
- (5) enforce penalties and enforce fines established under the Comanche Nation Employment Rights Ordinance;
- (6) take corrective action against a Licensee for failure to comply with tribal laws or applicable federal laws;
- (7) investigate Vendor Licensees job sites;
- (8) request paystubs for Individuals from the Vendor Licensee;
- (9) attend conferences, meetings and trainings;
- (10) exempt qualified Vendor's from licensing requirements; and
- (11) exempt qualified Vendor's from taxation requirements.

3.4 Duties. The Enforcement Agent shall:

- (1) impose numerical hiring goals and timetables specifying the minimum number of Individuals a Vendor Licensee must hire by craft or skill level;
- (2) require Vendor Licensees to establish or participate in training programs as the Enforcement Agent deems necessary to increase the pool of Individuals eligible for employment;
- (3) establish and administer a Tribal Hiring Hall;
- (4) facilitate support programs to assist Individuals with employment retention;
- (5) prohibit Vendors from using job qualification criteria or other personnel requirements that serve as barriers to Individual employment unless the Vendor can demonstrate that such criteria or requirements are required by business necessity.
- (6) draft Applications and Monthly Report Forms;
- (7) make Applications and Monthly Report forms available;
- (8) receive and process Applications;
- (9) approve or deny Applications;
- (10) issue Licenses
- (11) maintain records of all Applicants and Licensees;
- (12) require Licensee to pay Application Fees, Permit Fees and applicable taxes as imposed in the Comanche Nation General Revenue & Taxation act of 1975;
- (13) recommend action necessary to achieve the purpose and objective of the Comanche Nation Employment Rights Ordinance;
- (14) develop regulations allowing for the rebate of some or all of the fees paid by a Vendor Licensee if the Vendor Licensee is found to be in compliance with the requirements imposed by this Ordinance and is making a substantial effort to employ, train, and promote Indians;
- (15) promulgate such rules, regulations, and guidelines consistent with the policies stated in this Comanche Nation Employment Rights Ordinance subject to Comanche Business Committee Approval; and

- (16) obtain requisite funding to cover expenses if attending a conference, meeting and training and if funding is not obtained from an outside source then CBC approval by resolution is required to use Comanche Nation funds.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 3.5 Prohibited Acts. The Commission and Enforcement Agent are prohibited from managing the day-to-day operations of a Vendor Licensee.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 4. Vendor License.

- 4.1 License Required. All Vendors shall obtain a single Vendor License regardless of length of contract or amount of contract.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 4.2 Application. All Vendors shall submit a completed Application established by the Enforcement Agent.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 4.3 Application Fee. All Vendors shall submit the non-refundable \$100.00 Application Fee at the time of filing the Application.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 4.4 Interview. The Enforcement Agent may require an interview from any Applicant prior to deciding on issuance of a Vendor License.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 4.5 Duration; Non-Transferable and Non-Assignable. A Vendor License shall be valid for one (1) year from the date of issuance and shall be non-transferable and non-assignable.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 4.6 Renewal. Vendor Licenses do not automatically renew. To renew the Vendor License, All Vendors shall complete an Application and submit the \$100.00 Application Fee.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 4.7 Rejection. An Applicant who was denied a Vendor License shall wait one (1) year before becoming eligible to apply again.

[History: CBC Resolution xxx – 20, October 10, 2020]

4.8 Duties. Vendor Licensees shall:

- (1) return expired or terminated Vendor License to the Enforcement Agent;
- (2) keep Vendor License at usual place of business;
- (3) ensure all contractors or sub-contractors comply with Individual hiring requirements;
- (4) submit a monthly report to the Enforcement Agent;
- (5) make job site accessible to Enforcement Agent for any inspection;
- (6) provide paystubs for Individuals if requested; and
- (7) remit payment of all required fees prior to commencing work on an awarded contract.

[History: CBC Resolution xxx – 20, October 10, 2020]

4.9 Union Agreements. Any Vendor Licensee who has a collective bargaining agreement with one or more unions, shall obtain written agreements from said union(s) stating that the union shall comply with the Indian preference laws, rules, regulations, and guidelines of the Comanche Nation. Such agreements shall be subject to the approval of the Enforcement Agent, in order to ensure that all such agreements comply with the intent of this section. Such agreement(s) and approval does not constitute the Comanche Nation's recognition or sanction of a union.

[History: CBC Resolution xxx – 20, October 10, 2020]

4.10 Replacement License. Any Vendor Licensee who needs a replacement license or fails to return a license as required under Section 4.8 shall pay the Enforcement Agent \$50.00.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 5. Individual License.

5.1 License Required. All Individuals seeking employment through the Job Skills Bank shall obtain an Individual License.

[History: CBC Resolution xxx – 20, October 10, 2020]

5.2 Application. All Individuals shall submit a completed Application established by the Enforcement Agent.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 5.3 Application Fee. There is not an application fee associated with the submission of an application for Individuals.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 5.4 Interview. The Enforcement Agent may require an interview from any Applicant prior to deciding on issuance of an Individual License.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 5.5 Duration; Non-Transferable and Non-Assignable. An Individual License shall be valid for one (1) year from the date of issuance and shall be non-transferable and non-assignable.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 5.6 Renewal. Individual Licenses do not automatically renew. To renew the Individual License, all Individuals shall complete and submit the Application.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 5.7 Rejection. An Applicant who was denied an Individual License shall wait one (1) year before becoming eligible to apply again.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 5.8 Individual Licensees shall:

- (1) return expired or terminated Individual License to the Enforcement Agent;
and
- (2) keep Individual License on person at all times while on the job.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 5.9 Replacement License: Any Individual Licensee who needs a replacement license or fails to return a license as required under Section 5.8 shall pay the Enforcement Agent \$10.00.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 6. TERO Permit.

- 6.1 Permit Required. All Vendor Licensees shall be issued a TERO Permit for each awarded contract regardless of length of contract or amount of contract.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 6.2 Permit Fees. Every Vendor Licensee awarded a contract of \$10,000.00 or more shall pay a one-time TERO Permit fee of one (1%) percent of the total contract awarded to Licensee. Any Vendor Licensee with a contract award for \$9,999.99 or less shall be Exempt from the TERO Permit Fee.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 6.3 Duties. Permit Holders Shall:

- (1) display the TERO Permit at all job sites for which contract was awarded; and
- (2) maintain a compliance system to ensure compliance with the requirements of the Comanche Nation laws and applicable federal laws.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 6.4 Replacement Permit. A Vendor Licensee shall pay \$50.00 for a replacement TERO Permit.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 7. Subcontractors.

The Individual Preference requirements contained in the Ordinance and all regulations thereunder shall be binding on all contractors and subcontractors of Vendor Licensees, regardless of tier, and shall be deemed a part of all resulting subcontract specifications. Vendor Licensees shall have the initial and primary responsibility for ensuring that all contractors and subcontractors comply with these requirements.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 8. Timetables.

At the discretion of the Enforcement Agent, the Enforcement Agent may establish the minimum number of Indians each vendor must employ on his work force during any year that he/she or any of his employees is located or engaged in work on or near the jurisdictional areas of the Comanche Nation. Numerical goals shall be set for each craft, skill area, and job classification used by the Vendor and shall include, but not limited to, administrative, supervisory and professional categories. The goals shall be set for each craft, skill area, and job classification used by the Vendor and shall include, but not limited to, administrative, supervisory and professional categories. The goals shall be expressed in terms of project hours of Indian employment as a percentage of the total project hours worked by the Vendor's work force in the job classification involved. Numerical goals shall be based on surveys of the available Indian Labor Force and of projected employment opportunities. Vendors shall understand that numerical goals may be based off the length of contract and total number of employees required. There is no set percentage on how many Individuals a Vendor will be required to hire. This is determined on a case by case basis.

For new Vendor Licensees, the goals shall be established for the entire work force. The Vendor Licensee shall meet with the Enforcement Agent before actual work begins and shall furnish the Enforcement Agent with a precise list of the number and kinds of employees he expects to employ. The Enforcement Agent shall set specific goals and timetables for the Vendor after considering any special factors or circumstances the Vendor wishes to present. The Vendor Licensee shall incorporate the goals into his plan for complying with this Ordinance and shall agree in writing to meet those goals by signing a compliance agreement. Any Vendor Licensee who fails to provide such a written agreement shall not be permitted to commence work within the jurisdictional area of the Comanche Nation.

For projects which are on-going at the date of the enactment of this Ordinance, the present Vendors shall submit a list of the number and kinds of additional employees expected to be hired to complete the project. The Enforcement Agent shall review said list and perform such other duties, including obtaining a written agreement from the present Vendor Licensee to comply with the Tax Commission directives regarding new hires on existing projects.

All Vendor Licensee' goals shall be reviewed by the Enforcement Agent and shall be revised as necessary to reflect changes in the number of Indians available or changes in Vendor hiring plans. Each Vendor Licensee shall submit a monthly report to the Enforcement Agent on a form provided by the Tax Commission, indicating the number of Indians in his work force, how close he is meeting his goals, all persons employed or terminated, promotions, training positions involved, and other formation required by the Tax Commission.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 9. Job Skills Bank.

The Enforcement Agent shall establish, administer and assist the Vendors in placing Indians. A Vendor may recruit and hire workers from whatever sources provided that no non-Indians are employed until a reasonable time to located qualified Indians and the Tribal Hiring Hall has certified that a qualified Indian is unavailable to fill the vacant job position.

For purposes of this section, "reasonable time" shall be defined as follows: For construction jobs the Tax Commission shall be given forty-eight (48) hours to locate and an additional twelve (12) hours to refer a qualified Indian; for all other kinds of employment, the Tax Commission shall have a minimum of five (5) working days to locate and refer a qualified Indian. The Tax Commission may grant a waiver of these time periods upon a showing by the project. A Vendor subject to a collective bargaining agreement with the union shall be exempt from this procedure if the union agrees to plan on its obligation to refer Indians to a Vendor, the Tax Commission may require that the Vendor to accept Indian referrals from sources other than the union.

If any non-Indian employee is found to be employed in a job in violation of this section, the Vendor shall be required by the Enforcement Agent to remove the employee summarily and shall be subject to the penalties provided in Section 6 of this Ordinance. Removal of employees will be subject to the due process provisions of this Ordinance.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 10. Hearings.

- 10.1 Notice. If a hearing is requested by the Enforcement Agent, an individual, a Vendor Licensee, or union pursuant to this Ordinance, a written notice of the hearing, shall be given to all interested parties. Said notice shall state the time, location, and subject of the hearing and shall advise the parties of their right to be present at the hearing and shall advise the parties of their right to be present at the hearing, to present testimony of witnesses and other evidence and to be represented by counsel at their own expense. A record of the hearing shall be made. The Enforcement Agent may be represented by general counsel for the Tribe.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 10.2 Filing. Any person aggrieved by an order of the Enforcement Agent, may obtain review of such order in the Tribal Court of the Comanche Nation (“Court”), located at Lawton, Oklahoma, by filing in such Court, a written petition praying that the order of the Tax Commission be modified or set aside in whole or in part. A copy of such petition shall forthwith be transmitted by the Clerk of the Court to the Enforcement Agent, and thereupon the Enforcement Agent shall file in the Court the record of the proceeding upon which the order complained of was entered.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 10.3 Jurisdiction. Upon the filing of the petition, the jurisdiction of the Court shall be limited to affirm, modify, or set aside orders of the Enforcement Agent in whole or in part, so far as it is applicable to orders of the Enforcement Agent. The review by the Court shall be limited to questions of law. Findings of fact by the Enforcement Agent when supported by substantial evidence shall be conclusive. No objections to the order of the Enforcement Agent shall be considered by the Court unless such objections shall have been urged before the Enforcement Agent or unless there were reasonable grounds to do so. Nothing in this Ordinance shall be construed or interpreted as a waiver of sovereign immunity of the Comanche Nation.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 10.4 Additional Evidence. If a party wants to introduce additional evidence, not presented before the Enforcement Agent, they may petition the Court. For good cause, the Court may order the Enforcement Agent to conduct a new hearing to allowing new evidence. Good cause shall require that prior hearing through no fault of the party seeking the new hearing.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 10.5 Judgment. The judgment and decree of the Court shall be final.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 11. Remedial Action.

- 11.1 In issuing rules, regulations, and guidelines, the Enforcement Agent is to be funded by the policy and standards enumerated throughout this Ordinance, and such further resolutions the Business Committee may issue. The Enforcement Agent shall ensure that all rules, regulations, and guidelines that are issued provide for due process of law.

[History: CBC Resolution xxx – 20, October 10, 2020]

- 11.2 Except in cases where the Enforcement Agent has determined that an emergency exists, the Enforcement Agent shall follow the following minimal procedures in issuing all rules, regulations, and guidelines.

- (1) All proposed rules, regulations, and guidelines shall be sent to the Business Committee and shall be posted in a public place on or within the Comanche jurisdictional area and in a file in the office of the Enforcement Agent, which is open to public inspection for no less than twenty (20) days before the effective date of said proposed rule, regulation, or guideline.
- (2) The Enforcement Agent shall accept comments from any interested parties during said twenty (20) days. The Enforcement Agent shall set forth in the preamble such final rules, regulations, guidelines, and major issues raised by the comments, if any.
- (3) The final rules, regulations, and guidelines shall go in effect upon being posted in a public place within the Comanche jurisdictional area and filed in the Office of the Enforcement Agent which is open to public inspection.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 12. Removal Authority.

The Comanche Business Committee hereby expressly authorizes the Enforcement Agent to petition for the issuance of removal and related orders; such action shall be initiated in the Court.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 13. Severability.

If any portion of this Ordinance shall be ruled invalid by a court of competent jurisdiction, that portion shall cease to be operative, but the remainder of the Ordinance shall continue in full force and effect.

[History: CBC Resolution xxx – 20, October 10, 2020]

Section 14. Amendments.

This Ordinance may be amended by the Comanche Business Committee upon recommendations from the Enforcement Agent. Action must be taken by a Resolution of the Comanche Business Committee.

[History: CBC Resolution xxx – 20, October 10, 2020]



COMANCHE NATION TAX COMMISSION
-APPLICATION FOR GENERAL BUSINESS LICENSE-

The Application fee of \$200.00 is due at the time of filing the application. Please make checks payable to the Comanche Nation Tax Commission and deliver to:

Comanche Nation Tax Commission
P.O. Box 1917 / 1915 East Gore Blvd
Lawton, OK 73502 / 73501

Please supply the following along with any appropriate supporting documentation and a copy of DL:

INFORMATION ABOUT APPLICANT

1. Official Name of entity: _____
2. Names and Title of
Shareholders/Partner/ _____
Members/Owners/CFO _____
CEO: _____
(List on Separate Sheet of Paper if Necessary)
3. Contact Name: _____
4. Phone number: _____
5. Contact Email Address: _____
6. Creation Date of Entity: _____
7. EIN (if applicable): _____
8. Primary Address of Entity: _____

9. Authorized Agent Address: _____
10. List all licenses for which the Applicant has ever applied to the Commission, if any (whether issued or not):

P.O. BOX 1917 • LAWTON, OK 73502
1915 EAST GORE BLVD. • LAWTON, OK 73501

11. List all insurance policies held by the Entity: Copy of Certificate of Liability Insurance:

12. Provide legal description of where Entity will be operating within the exterior boundaries of the Comanche Nation territory:

13. Provide description of all business activities the Entity will be engaged in within the exterior boundaries of the Comanche Nation territory:

14. On a separate sheet of paper please provide a full description of the Applicant's qualifications and business history and that of its officers, directors, or members.

15. List any present or previous contractual relationship of the Applicant with any Indian Tribe, tribal business entity or political subdivision of an Indian Tribe, if any:

Signature

Print Name

Date

Tax Commission Approval and Date

Comanche Nation Tax Commission Office Use Only

Information Verified?	
\$200.00 Application Fee Paid?	
License Issued? If yes, list date	

[Type here]



ACKNOWLEDGMENT & RELEASE OF INFORMATION

I, _____ (POC) state, I have provided truthful representations on this general business application regarding the licensing of myself and on behalf of _____. I understand that providing false information to deliberately obtain licensing can and will result in immediate rejection of application, and immediate revocation licensing (if license is granted). I further understand that by submitting this enrollment application _____ (POB) is required to respond in a timely manner to requests made by the Commission, comply with laws of the Comanche Nation and _____ (POB) authorizes the Comanche Nation Tribal Court to exercise jurisdiction over _____ (POB).

I SWEAR UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED IN THE GENERAL BUSINESS APPLICATION IS TRUE AND CORRECT (material misrepresentations presented with this application for licensing may constitute grounds for the Comanche Nation to seek both legal and equitable remedies).

Signature

Date

STATE OF _____)

COUNTY OF _____)

On _____, 20____, before me, _____ a notary public personally appeared, _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(es), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Notary Public

[Type here]

P.O. BOX 1917 • LAWTON, OK 73502
1915 EAST GORE BLVD. • LAWTON, OK 73501

60X60=3600-SQ.-FT.

