

Exhibit B to Sections 2.3: Indian Preference Performance Plan

Tanana Chiefs Conference (TCC) desires to maximize employment opportunities for Alaska Native and American Indian people (AN/AI). Recognizing this desire, TCC and **Contractor Name** (Contractor) entered into the **Construction** Agreement dated **INSERT DATE** (the Contract) that requires TCC and Contractor to implement an Indian Preference Performance Plan (IPPP) for AN/AI hire.¹ (Contractor) and TCC agree that this “Exhibit B to Section 2.3: Indian Preference Performance Plan” satisfies Sections 2.3 of the Contract’s requirements.

This IPPP details the AN/AI employment hire percentages that must be met by Contractor and its subcontractors during the construction of the **Project Name** (the Project). The Parties agree that Contractor and its subcontractor firms are required to employ AN/AI workers in sufficient numbers to equal, at a minimum, 25% of the firm’s workforce for construction of the Project.

Nothing in this IPPP shall be construed as changing or modifying any of the terms of the Contract, except Sections 2.3 which specifically reference the IPPP and are incorporated into and are made part of this IPPP as if fully set forth herein.

TCC and Contractor recognize that not all subcontractor firms will be able to comply with the 25% AN/AI hire requirement despite their documented efforts to meet the requirements. The Parties understand that documented efforts may vary by contractor, subcontractor, and construction trade. Each agrees to be flexible and reasonable in determining what constitutes a documented effort.

Contractor shall provide timely written notification to TCC if Contractor recommends that certain entities or trades be exempt from the IPPP. More specifically, Contractor shall provide written notice to TCC of any entities or trades that it requests exemptions for no later than five (5) days prior to Contractor contracting with such entities, or if under contract with Contractor as of the date of execution of this IPPP, not later than ten (10) days prior to such entity’s or trade’s commencement of work on the Project. Contractor and TCC agree to promptly convene a conference call to discuss Contractor’s recommendation, the documented efforts made, and the grounds for exemption from the IPPP’s requirements. TCC will consider all facts presented by Contractor. TCC will approve all exemptions in writing.

Contractor will maintain certified payroll reports for on-site construction staff on a bi-weekly basis. Subcontractors will have the same requirement with reports submitted to Contractor. AN/AI status for all personnel will be listed on these reports. Contractor and its subcontractors will be entitled to rely on the AN/AI status provided by each employee in making its preference calculations. Contractor will review reports for compliance with AN/AI preference requirements. All certified payroll reports will be provided to TCC as part of the final completion close-out project documentation turnover process.

¹ See the Contract at Section 2.3.

Contractor will collect monthly AN/AI labor utilization reports from subcontractors. Along with Contractor self-performed labor utilization, a summary report will be submitted to TCC with each monthly construction progress billing. A copy of the report form is attached to this IPPP.

If Contractor or any subcontractor required to comply with this IPPP are performing work on the Project and IPPP, and during performance are unable to comply with the IPPP, then Contractor will notify TCC in writing within 10 business days and request a waiver. Contractor and TCC agree to promptly convene a conference call to discuss the grounds for a waiver from the IPPP's requirements and all efforts made by Contractor and the subcontractor in an attempt to comply with the IPPP. TCC will consider all facts presented by Contractor. TCC will approve all waivers in writing.

In compliance with Section 2.3.1 of the Contract, Contractor Company shall provide TCC a list of available opportunities for work on the Project. All job opportunities will be communicated in in writing, sent with reasonable notice and in advance of hiring, and contain sufficient detail to inform interested applicants how to apply for employment opportunities that are available.

This "Exhibit A to Sections 2.3: Indian Preference Performance Plan" is the entire IPPP and supersedes any prior understandings or representations between the Parties relating to the IPPP.

Tanana Chiefs Conference

Contractor Name

Pollack Simon
Chief / Chair

Date

Date

PROJECT NAME

Contractor NAME

MONTHLY PERSONNEL
REPORT

Subcontractor Firm

Report for Month of

	AN / AI*		OTHER EMPLOYEE		TOTAL EMPLOYEE	
	NUMB ER	HOU RS	NUMB ER	HOU RS	NUMB ER	HOU RS
EMPLOYED LAST MONTH						
EMPLOYED CURRENT MONTH						
# NEW HIRES THIS MONTH						
# TERMINATIONS THIS MONTH						
# LAY-OFFS THIS MONTH						

Report Submitted by

Date

* Alaska Native / American
Indian (AN/AI)