

Fact Sheet

Apollo, Inc./Apollo Sheet Metal

Per recent changes made to the Federal Acquisition Regulation, specifically FAR 52.219-9 Small Business Subcontracting Plan (Oct 1999) – Alternate II (April 2008) (M147)

It has been determined that based on the Department of Interiors written substantiation of the majority owner of Apollo's Indian Heritage, that Apollo is allowed to operate as an Indian-owned economic enterprise, and thusly changes the corporate designation to a Small Disadvantaged Business Concern under the new regulation. See excerpts from the new regulations listed below:

“1.23 FAR 52.219.9 Small Business Plan (act 1999) – Alternate II (April 2008) (M147)”

“(b)(Para 5)” Definitions as used in the clause –

“Indian tribe” means any Indian tribe, band, group, pueblo, or community, including native-villages and native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlements Act (43 U.S.C.A. 1601 *et seq.*), that is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs in accordance with 25 U.S.C. 1452(c). This definition also includes Indian-owned economic enterprises that meet the requirements of 25 U.S.C. 1452(e).”

As depicted in the Department of Interiors Standard – “25 U.S.C. 1452(e), the term (e) “Economic enterprise” means any Indian-owned (as defined by the Secretary of the Interior) commercial, industrial, or business activity established or organized for the purpose of profit: Provided, That such Indian ownership shall constitute not less than 51 per centum of the enterprise.”

Further stated in the referenced FAR clause 52.219.9 – (d) The offerors subcontracting plan shall include the following:

- (i) “Subcontracts awarded to an ANC or Indian tribe shall be counted towards the subcontracting goals for small business and small disadvantaged business (SDB) concerns, regardless of the size or Small Business Administration certification status of the ANC or Indian Tribe.”

For further definitions and clarifications, reference the Department of Interiors Acquisition Regulation (DIAR) 1426.