



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution entitled, "Request to Contract the following Road Construction Projects: Reconstruction of Wells Road and the Construction of Streets in the Northern Lights / Breslin Addition, New Town, North Dakota From the Bureau of Indian Affairs pursuant to the Indian Self Determination and Education Assistance Act"

WHEREAS, The Three Affiliated Tribes having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Constitution and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Section 5 (d) of the Constitution provides that the Tribal Business Council has the power to negotiate with the federal government on behalf of the Tribes; and

WHEREAS, The Indian Self Determination and Education Assistance Act (ISDEAA), 25 U.S.C. § 450 (f), provides that Indian Tribes may request by tribal resolution to enter into self-determination contracts with the Secretary of Interior to administer programs or portions thereof, which the Secretary is authorized to administer for the benefit of Indians; and

WHEREAS, 25 CFR Subpart J authorize Indian Tribes to contract Construction projects from the Bureau of Indian Affairs under the ISDEEA including road construction projects; and

WHEREAS, the Tribal Business Council finds that transportation infrastructure is vital to the future economic prosperity of Tribal members living on or near the Fort Berthold Reservation; and

WHEREAS, the Three Affiliated Tribes finds that rebuilding roads that provide access on the Reservation improves the safety and security of Tribal members and non-members who live or work on the Reservation, and renews the sense of pride that all members have for our Tribe; and

WHEREAS, the Three Affiliated Tribes has two road construction projects it desires to be undertaken and completed during the 2008 Construction Season:



Wells Road Reconstruction Project
Northern Lights / Breslin Addition Streets Construction Project; and

WHEREAS, the Three Affiliated Tribes after consultation with the BIA Great Plains Regional Office desires to undertake the two road construction projects through P.L. 93-638 Self Determination Contracts; and

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council, pursuant the Indian Self Determination and Education Assistance Act and the regulations set out at 25 CFR Subpart J hereby request to enter into Public Law 93-638 Self Determination Contracts with the Bureau of Indian Affairs for the following two road construction projects: Wells Road Reconstruction and Northern Lights / Breslin Addition Streets Construction; and

BE IT FURTHER RESOLVED, the Tribal Business Council hereby directs the appropriate Tribal Agencies and Staff to negotiate and complete the P.L. 93-638 contracts in an expedited manner so the projects can be completed within the 2008 Construction Season; and

BE IT FURTHER RESOLVED, the Three Affiliated Tribes wishes to retain the BIA Great Plains Region – Division of Transportation to provide quality assurance on the projects on behalf of the Three Affiliated Tribes

BE IT FINALLY RESOLVED, the Tribal Business Council hereby authorizes Tribal Chairman Marcus Wells, Jr. to execute any and all such documents as may be necessary to accomplish the purposes of this resolution; and

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a special Meeting thereof duly called, noticed, convened and held on the 16th day of July, 2008, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 Members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting. [] Not Voting.

Dated this 16 day of July, 2008.

ATTEST;

Barry L. Benson
Barry L. Benson , Acting Secretary
Tribal Business Council

Marcus Wells, Jr.
Marcus Wells, Jr., Chairman
Tribal Business Council