



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

A Resolution entitled: "To Contract, under P.L. 93-638 provisions, those program functions, services and activities of the Office of Facilities Management and Maintenance, directly related to labor, supplies and materials associated with the Deferred Maintenance Projects of Government-Owned Quarters on the Fort Berthold Reservation, funding which is available Pursuant to provisions of the American Recovery and Reinvestment Act of 2009 in the amount of \$293,173.00"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; 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, Public Law 93-638, titled the Indian Self-Determination and Education Assistance Act, provides for contracting mechanisms whereby the Tribes may elect to assume governmental programs, functions, services or activities which are otherwise performed by the Federal Government; and

WHEREAS, the Tribal Business Council advocates the need to promote programs, functions, services and activities for which the Federal Government is specifically and ultimately responsible and which would contribute to the general welfare and well being of the Three Affiliated Tribes and its members; and

WHEREAS, the Tribal Business Council is aware of funding made available under the American Recovery and Reinvestment Act of 2009 for labor, supplies and materials associated with the Deferred Maintenance Projects of government-owned quarters on the Fort Berthold Reservation in the amount of \$293,173.00; and

WHEREAS, the Tribal Business Council seeks to perform, under provisions of P.L. 93-638, as amended, those program functions, services or activities directly related to deferred maintenance projects of government-owned quarters on the Fort Berthold Reservation, including the responsibility for providing local employment, and



WHEREAS, the Tribal Business Council acknowledges that no pre-award or start-up cost funding is available for P.L. 93-638 contracting of projects funded through the American Recovery and Reinvestment Act, nor is funding for indirect contract support cost available.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation hereby elects to contract, under provisions of P.L. 93-638, as amended, those program functions, services, and activities of the Office of Facilities Management and Maintenance for labor, supplies and materials associated with the Deferred Maintenance Projects of government-owned quarters on the Fort Berthold Reservation, which funding is made available pursuant to the American Recovery and Reinvestment Act of 2009;

BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes elects to accept its contract in the funding amount (\$293,173.00) made available under the American Recovery and Reinvestment Act and to the exclusion of any pre-award, start-up cost or indirect contract support cost funding to which the Tribe may otherwise be entitled under provisions of P.L. 93-638, as amended.

FINALLY BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes elects to accept its P.L. 93-638 contract with applicable stipulations of the American Recovery and Reinvestment Act of 2009.


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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 12th day of November, 2009, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 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 12th day of November, 2009

ATTEST:


Tribal Secretary V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Marcus Levings
Tribal Business Council
Three Affiliated Tribes