



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

**A Resolution Entitled: “BIA Route 14 Award to Low Bidder for Construction [Grade / Drain / Surfacing] and all items to complete re-construction for the Three Affiliated Tribes Roads.”**

**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 under said Act; 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,** Pursuant to Article VI, Section 5 (1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal Agencies and Tribal officials on the Reservation; 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 Tribal Business Council has the authority and power to enter into contract(s) with the Bureau of Indian Affairs [BIA] through P.L. 93-638 and thru the use of Tribal Funding Resources has and / or can enter into contract(s) or agreement for the purpose of a Bureau of Indian Affairs Route Re-Construction, Contracting the Indian Reservation Roads (IRR) Program and Roads Maintenance Program from the Bureau of Indian Affairs Great Plains Regional Office; and;

**WHEREAS,** The Tribal Business Council has determined that BIA Route 14 has and is being severely impacted by energy development in that area of MHA Nation and general public safety is at risk traveling in this area; and

**WHEREAS,** The Tribal Business Council had completed the design and contract documents to properly advertise publicly and properly receive bids for re-construction of BIA Route 14; and

**WHEREAS,** The Tribe opened bids [and publicly read aloud] those received by 11:00 AM CT on March 27, 2014 at the Tribal Administration Building; and

**WHEREAS,** The Tribal Business Council recognizes the competitive, best responsive, responsible low bid from Flickertail Paving and Supply, Inc. [and subcontractors / suppliers as listed in the bid documents] in the final negotiated amount of \$29,335,936.20 [Not including TERO Fee's] subject to the oil company's contribution pursuant to the oil companies agreement with the Tribal Roads Department; and



**NOW, THEREFORE BE IT RESOLVED**, The Tribal Business Council hereby approves awarding of BIA Route 14 Construction Contract to Flickertail Paving and Supply Inc. and authorizes the Chairman to execute said contract.

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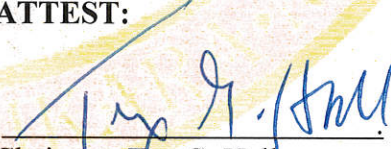
**CERTIFICATION**

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 Regular Meeting thereof duly called, noticed, convened and held on the 10<sup>th</sup> day of April, 2014, 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 10<sup>th</sup> day of April, 2014.

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

**ATTEST:**  
  
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Chairman Tex G. Hall  
Tribal Business Council  
Three Affiliated Tribes