



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

**A Resolution entitled, “Approval of Contract with Shingobee Builders, Inc. to Construct the Three Affiliated Tribes TERO Energy Building.”**

**WHEREAS,** The Mandan Hidatsa and Arikara Nation (“The Nation”) having accepted the Indian Reorganization Act of June 18, 1934 (“IRA”), 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 MHA Nation provides that the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** The Tribal Employment Rights Office (“TERO”) of the Three Affiliated Tribes is a Tribal Program duly operating within a self-sufficient revenue funded base and a sound budgeting system respectively; and

**WHEREAS,** The TERO Office is professionally performing its duties and responsibilities which have increased dramatically with the oil and gas development within the Bakken Shale, Three Forks, and Bird Bear Formations and the subsequent need for professional and effective enforcement of Indian Preference in Employment and Contracting for the benefit of all duly enrolled members of the Three Affiliated Tribes within the Fort Berthold Reservation; and

**WHEREAS,** By and through Resolution No. 13-180, the Tribal Business Council recognized the TERO Office’s dire need of added office space to adequately meet the daily demands placed upon it by not only the development of oil and gas, but other accompanying development including construction of homes, commercial and industrial buildings, and roads by the Tribe, the Bureau of Indian Affairs, the State of North Dakota, and the Federal Highway System within the Fort Berthold Reservation; and

**Resolution No. 14-080-VJB**



**WHEREAS,** The Business Council, by and through Resolution No. 13-180 allocated to fully fund the construction of the new TERO Office Building, paid from the TERO revenues of the Three Affiliated Tribes; and

**WHEREAS,** The Tribal Business Council received and accepted a bid from Shingobee Builders in the amount of \$12,287,239.00 to construct the new TERO Office; and

**WHEREAS,** The Business Council, by and through Resolution No. 13-180 approved \$7,000,000 in the 2014 Budget and \$5,287,239 in the 2015 Budget to construct the new TERO Office Building based upon the bid received from Shingobee Builders; and

**WHEREAS,** The Tribe and Shingobee Builders have agreed on terms which have been memorialized in a contract between the Three Affiliated Tribes and Shingobee Builders by which Shingobee Builders will construct the new TERO Office.

**NOW THEREFORE BE IT RESOLVED,** the Tribal Business Council has determined it is in the best interest of the Three Affiliated Tribes to enter into contract with Shingobee Builders to construct the new TERO Office according to the terms and conditions in the Contract dated April 1, 2014.

**BE IT FINALLY RESOLVED,** the Tribal Chairman is hereby authorized to take such action as is necessary to carry out the terms and intent of this Resolution.

*(The remainder of this page is intentionally left blank)*




**CERTIFICATION**

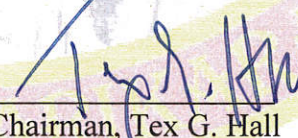
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 19<sup>th</sup> day of May, 2014, 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 19<sup>th</sup> day of May, 2014.

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

ATTEST:

  
\_\_\_\_\_  
Chairman, Tex G. Hall  
Tribal Business Council  
Three Affiliated Tribes