



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

A Resolution Entitled: “BIA Route 6 Award to Flickertail Paving and Supply, Inc. 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 6 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 6; and
- WHEREAS,** The Tribe opened bids [and publicly read aloud] those received by 11:00 AM CT on October 30, 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 \$21,420,616.34 [Not including TERO Fee's]; and



NOW, THEREFORE BE IT RESOLVED, The Tribal Business Council hereby authorizes the Chairman and his designees to execute a construction contract to Flickertail Paving and Supply, Inc. for BIA route 6; and

NOW, THEREFORE BE IT FURTHER RESOLVED, The Tribal Business Council authorizes the execution of all documents with Flickertail Paving and Supply, Inc. to complete the BIA Route 6 Project and directs the Tribe issue a Notice to Proceed for the re-construction of BIA Route 6 as soon as possible.

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(Certification page to follow)




CERTIFICATION

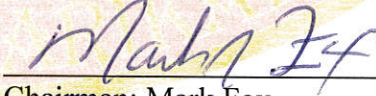
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11th day of February, 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 11th day of February, 2015.

ATTEST:


Executive Secretary: L. Ken Hall
Tribal Business Council
Three Affiliated Tribes


Chairman: Mark Fox
Tribal Business Council
Three Affiliated Tribes