



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

A Resolution entitled, "Authorization for the Additional funding for the Mandaree Lagoon Reclamation RFP and Approval of Contractor White Horse Construction, LLC; I.H.S Project AB-02-R05"

WHEREAS, The Mandan Hidatsa and Arikara Nation ("Nation" or "Tribes") 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 Nation 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, Section 1 of the Constitution of the Nation provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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, Pursuant to Article VI, section 5 (d) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to negotiate with Federal, State, and local governments on behalf of the Tribe and to advise and consult with representatives of the interior Department on all activities that may affect the Fort Berthold Reservation; and

WHEREAS, The Indian Health Service (I.H.S) and the MHA Planning and Grants Department has advertised requests for proposals for the completion and reclamation of the Mandaree Lagoon, and

WHEREAS, There have been three (3) proposals; Storms Construction, White Horse Construction, and Eagle Rock, Inc.; as all bids came in over the allotted monies available; and

WHEREAS, The Indian Health Service (I.H.S) is aware that the low proposal, Storms Construction, for the Mandaree Lagoon Reclamation RFP was for \$204,000 and is over available funding, and



WHEREAS, The Lowest Bidder, Storms Construction withdrew their bid (see attachment). The Tribe negotiated with next Highest bidder, White Horse Construction and proposed the award for a construction Contract to them for \$204,000; and

WHEREAS, There is a need for additional funds in the amount of \$98,480 to complete project, which along with I.H.S funds would bring the total amount available to \$210,330 (Tribal Administration \$6,330); and

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and approves funding in the amount of \$98,480 for the Mandaree Lagoon project; and

BE IT FURTHER RESOLVED, the Tribal Business Council approves the amount proposed contract to White Horse Construction to complete the Mandaree Lagoon Project.


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 27 day of march 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, members opposed, members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. Not Voting.

Dated this 27th day of march, 2015.

ATTEST:


Tribal Secretary, L. Kenneth Hall
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes