



RESOLUTION NO. 15- 069 -LKH

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

A Resolution entitled, “Approval of Construction Manager At Risk for the Parshall Resource Center, Twin Buttes Elders Center, Three Affiliated Tribes Veteran’s Building, Three Affiliated Tribes Interpretive Building, Three Affiliated Tribes Road Building, Three Affiliated Tribes Department of Transportation Building .”

WHEREAS, The Mandan Hidatsa and Arikara Nation (“MHA 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 MHA 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 MHA Nation provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Section 5(1) of the Constitution of the MHA Nation provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council; and

WHEREAS, Article VI, Section 5(c) of the Constitution of the MHA Nation specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes for the Tribes; and

WHEREAS, The Tribal Business Council desires to approve a Contract for Flintco Constructive Solutions to serve as Construction Manager at Risk (CMAR) for specific tribal projects; and

WHEREAS, The Total Compensation for the project shall be 8.75% of the total approved (remaining) budgets for the following projects:

Three Affiliated Tribes Veteran’s Building	\$8,692,500
Three Affiliated Tribes Interpretive Building	\$8,050,000
Three Affiliated Tribes Roads Building	\$2,644,500
Three Affiliated Tribes Department of Transportation Building	\$4,257,500.



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NOW, THEREFORE, BE IT RESOLVED, The Tribal Business Council hereby approves the Contract for services with Flintco Constructive Solutions to serve as the Construction Manager at Risk for the Parshall Resource Center project; and Twin Buttes Elder Center, Three Affiliated Tribes Veteran’s Building, Three Affiliated Tribes Interpretive Building, Three Affiliated Tribes Roads Building, and Three Affiliated Tribes Department of Transportation; and

BE IT FURTHER RESOLVED, that the total compensation to Flintco Constructive Solutions shall be 8.75% of the total approved project budgets for:

Three Affiliated Tribes Veteran’s Building	\$8,692,500
Three Affiliated Tribes Interpretive Building	\$8,050,000
Three Affiliated Tribes Roads Building	\$2,644,500
Three Affiliated Tribes Department of Transportation Building	<u>\$4,257,500</u>
 Total Construction Budget	 \$27,371,500.00

BE IT FINALLY RESOLVED, the Tribal Chairman is hereby authorized to execute the Agreement with Flintco Constructive Solutions.

Certification Page to Follow



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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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 16th day of April, 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, members opposed, members abstained, members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting. [] Not Voting.

Dated this 16 day of April, 2015.

ATTEST:

Handwritten signature of L. Kenneth Hall in cursive.

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

Handwritten signature of Mark N. Fox in cursive.

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