



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

A Resolution entitled, *“Approval to Draw Certain 638 Funds to Fund Road Work On BIA Route 22 and Approval of Three Road Project Contracts.”*

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 entered into contracts with the Bureau of Indian Affairs (BIA) through P.L. 93-638 and through the use of Tribal Funding Resources has/or can enter into contract(s) or agreement(s) 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 22 has and is being severely impacted by energy development in that area of MHA Nation as well as age of the existing surface, thus causing risk to the safety of the general public traveling in this area; and

WHEREAS, Design and contract documents were completed to properly solicit and receive bids to reconstruct a portion of BIA Route 22 west of ND Highway 8, reconstruct a short by pass connecting Highway 8 and BIA 22, and additional road paving west of ND Highway 8 (the first project hereunder); and



WHEREAS, The Tribe's Construction Management Department solicited and received competitive bids and has recommended award of the contract for the first project to Meyer Woodstone, LLC, with the total bid price of \$ \$3,405,810; and

WHEREAS, The Tribe's Construction Management Department has also completed the design and contract documents, has competitively solicited and received bids, and recommends the contract be awarded to responsive, responsible bidder Meyer Woodstone, LLC for paving and associated work at the Twin Buttes C-Store/ Do-It-Best and Tribal Center lot (the second project hereunder), in the amount of \$1,141,559 (which will be fully funded from the Tribe's current budget); and

WHEREAS, The Tribe's Construction Management Department has also completed the design and contract documents for mill and overlay work on a portion of BIA 22 immediately east of ND Highway 8, has competitively solicited and received bids, and recommends the contract be awarded to responsible bidder Meyer Woodstone, LLC for additional mill and overlay road construction (the third project hereunder), in the amount of \$3,056,630; and

WHEREAS, The BIA, Division of Transportation has \$3,380,626.80 of Tribal Transportation Program (TTP) funds available for the work on BIA Route 22; and

WHEREAS, Pursuant to a separate agreement with the Tribe, Whiting Oil will contribute \$1,100,000 to the construction costs associated with the work on BIA 22 and the bypass west of ND Highway 8

WHEREAS, The remainder of the cost for the projects will be funded through the Tribe's current budget, which has funds that will be available and expended in accordance with the construction schedule and the contracts will be between the Tribe and Meyer Woodstone.

NOW, THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes PL 93-638 contract funds in the amount of \$3,380,626.80 for the BIA Route 22 reconstruction and Mill and Overlay Projects; and

BE IT FURTHER RESOLVED, The Tribal Business Council authorizes the award of the three contracts referenced herein between the Tribe and Meyer Woodstone, LLC in accordance with the amounts stated herein and the Tribe's general contracting policies, and authorizes the Chairman to execute the contracts, subject to final legal review and approval.



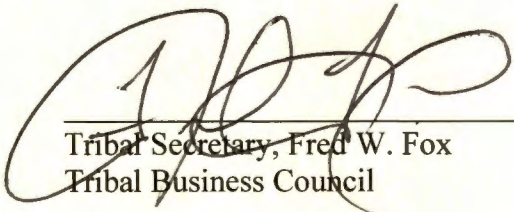
CERTIFICATION

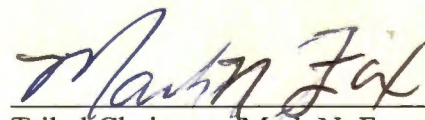
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened and held on the 29th day of August, 2017, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 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 29th day of August, 2017.

ATTEST:


Tribal Secretary, Fred W. Fox
Tribal Business Council


Tribal Chairman, Mark N. Fox
Tribal Business Council