



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

A Resolution Entitled, *“Approving of Additional Costs for Lakeside Beach Recreational Area in New Town, North Dakota”*

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, 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 Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and

WHEREAS, The Tribal Business Council, on May 11, 2017, approved the construction, and preparation thereof, of a lakeside beach recreational area on the Four Bears Peninsula (“Project”) in New Town, North Dakota in the amount not to exceed \$1,400,000 by way of Resolution No. 17-128-FWF; and

WHEREAS, The Tribal Business Council further authorized the Tribal Chairman to execute and take such actions as necessary to carry out the terms and intention of the Resolution No. 17-128-FWF; and

WHEREAS, The Tribal Chairman, through its authority pursuant to Resolution No. 17-128-FWF, entered into a Standard Form of Agreement (contract) between Owner and Contractor with Oilfield Support Services, Inc. for the construction of the Project in the amount of \$1,725,798.54, a copy of which is attached to this Executive Action as Appendix A; and

WHEREAS, Due to changes in the design of the Project, additional costs have been incurred; and

WHEREAS, Oilfield Support Services, Inc. presented a change order in the amount of \$46,613.25 due to the design changes of the Project, which included upsizing of



the portable water and related appurtenances and the addition of a flushing hydrant, a copy of which is attached to this Executive Action as Appendix B; and

WHEREAS, The Tribal Business Council has reviewed the subsequent change order and finds it acceptable.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and approves the change orders proposed by Oilfield Support Services, Inc. and the additional costs for the Project not to exceed \$1,772,411.79; and

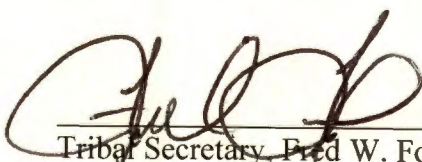
BE IT FINALLY RESOLVED, the Tribal Chairman is hereby authorized to execute the change orders with Oilfield Support Services, Inc., and to take such action as is necessary to carry out the terms and intent of this Resolution.

CERTIFICATION

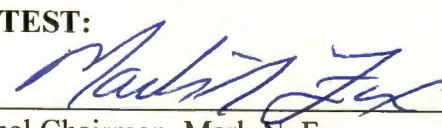
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 20th day of December, 2017, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 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 [X] Voting. [] Not Voting.

Dated this 20st day of December, 2018.



Tribal Secretary, Fred W. Fox
Tribal Business Council
Three Affiliated Tribes

ATTEST:


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