



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

**A Resolution Entitled, “*Authorization for Awarding Fort Berthold Rural Water On-Call Service Contracts (Electrical, Municipal and O&M Services)*”**

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934 and the authority under said Act; and

**WHEREAS,** The Constitution and Bylaws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interests of the welfare and benefit of the Tribes and of the enrolled members thereof; and

**WHEREAS,** The Bureau of Reclamation (Reclamation) on behalf of the Secretary of the Interior, and by the Mandan, Hidatsa, and Arikara Nation, also known as the Three Affiliated Tribes (Tribes) of the Fort Berthold Reservation is entered into a Self-Determination Contract No. R04AV60114 for operation, maintenance and replacement (OM&R) programs, functions, services and activities related to the Fort Berthold Rural Water System (FBRWS) authorized by the Dakota Water Resources Act, Public Law No. 106-554; and

**WHEREAS,** Pursuant to Self-Determination Contract No. R04AV60114, Reclamation on behalf of the Secretary of the Interior and by the Tribe, is entered into an Annual Funding Agreement (AFA) to set forth specific conditions for Fiscal Year 2019 funding under the Contract, including terms that identify the programs, functions, services and activities to be performed, the funds to be provided, the time and method of payment, and such other provisions to which the Parties agree; and

**WHEREAS,** FBRWS has budgeted for One-Call Electrical, Municipal and O&M Services in the OM&R Program Fiscal Year 2019 AFA; and

**WHEREAS,** On Thursday, February 14, 2019, a bid acceptance was held for the Fort Berthold Rural Water On-Call Services Contracts (Electrical, Municipal, and O&M Services). Each contract was bid separately. The scope of work for On-Call Services Contracts is generally described as follows:

Electrical: Mobilization and furnishing (on a requirements basis), of all labor, equipment, and materials, for the re-habilitation and upgrade of existing facilities and equipment, troubleshooting malfunctioning equipment, construction of new facilities, startup and commissioning of facilities, and training of FBRW staff on the electrical facilities and equipment integrated with the FBRW system. Facilities



and equipment shall be considered those items which are integral to the operation of the rural water system including but not limited to HVAC equipment, electric boilers, instrumentations and controls, service connections, generator sets, switches, conduit and wiring, lighting, panels, disconnects, and other related general electrical items, variable frequency motor controllers, motors, surge protection, SCADA integration, and related water system electrical components.

Municipal: Mobilization and furnishing (on a requirements basis), of all labor, equipment, and materials, for emergency or scheduled repair work, re-habilitation and upgrades to existing facilities and appurtenances including pipelines, pump stations, domestic water depots, metering and valve vaults, tanks, intakes and treatment plants, and replacement of antiquated and/or malfunctioning equipment and pipeline infrastructure integral to the rural water system.

Operation & Maintenance: Mobilization and furnishing (on a requirements basis), of all labor, equipment, and materials, for emergency or scheduled operation and maintenance (O&M) services for rural water system facilities including but not limited to treatment plants, intakes, pump stations, tanks, domestic water depots, meter and valve vaults, and pipelines and related appurtenances. O&M services shall generally be described as emergency or scheduled; cleaning, flushing, disinfecting, inspection and service of equipment, overhaul of equipment with moving parts (i.e., chemical feed pumps, high service pumps, valves, etc.), and other preventative maintenance of facilities and/or appurtenances; and

**WHEREAS,** The Tribal Employment Rights Office (TERO) recognizes the project subject to this resolution was advertised and bid through a competitive process. TERO concurs the execution of the bidding process and recommended award of the project subject to this resolution are compliant with TERO Ordinances and Regulation; and

**WHEREAS,** The recommendation of award of the project subject to this resolution have been reviewed and concurred with by the United States Bureau of Reclamation.

**NOW, THEREFORE BE IT RESOLVED,** That the Tribal Business Council hereby authorizes awarding and contractual execution of On-Call Service Contracts to: Wheeler Contracting, Inc. (Electrical), Storms Construction, Inc. (Municipal Services) and Advanced Pump & Equipment, Inc. (O&M Services) for a term of one (1) year from the execution of the service contracts.



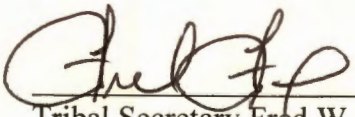
**CERTIFICATION**

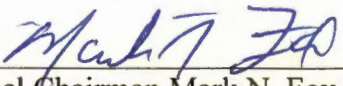
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 7<sup>th</sup> day of March, 2019, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 embers not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting.

Dated this 7<sup>th</sup> day of March, 2019.

**ATTEST:**

  
\_\_\_\_\_  
Tribal Secretary Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes

  
\_\_\_\_\_  
Tribal Chairman Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes