



Resolution No. 19-132-FWF

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

A Resolution Entitled "Authorization for Awarding Fort Berthold Rural Water, Subsequent Users and System Improvements Project, Contract 2019-1"

- 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. R04AV60115 for planning, design, and construction 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. R04AV60115, 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 specific 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 Subsequent User – System Improvements (2019-2020) Project in the MR&I Construction Program Fiscal Year 2019 AFA; and



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WHEREAS, On Thursday, May 16, 2019, a bid acceptance was held for the Fort Berthold Rural Water Subsequent Users and System Improvements Project, Contract 2019-1. The scope of work for Subsequent Users and System Improvements Project is generally described as follows:

The scope of WORK generally consists of mobilization and furnishing of all labor, equipment, materials, and all work required to install approximately 40 miles of 10" through 1½" ASTM D2241 PVC gasketed joint pipe, 1" POLY, approximately 50 water services, road crossings, restrained joint areas, connections to existing pipelines, and other related appurtenances as required to provide water service to subsequent users located Fort Berthold Reservation wide. This contract also includes all work required for the installation of a minimum of (4) four owner procured prefabricated steel vaults, including electrical, that shall be made fully operational as a part of this contract.

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 Unities States Bureau of Reclamation; and

WHEREAS, The lowest bid for the project was submitted by Abbott, Arne, Schwindt, Inc.

NOW, THEREFORE BE IT RESOLVED, the Tribal Business Council hereby authorizes awarding and contractual execution of Fort Berthold Rural Water Subsequent Users and System Improvements Contract 2019-1 to Abbott, Arne, Schwindt, Inc. in the amount of \$2,905,982.96; and authorizes the Tribal Chairman to execute the contract.

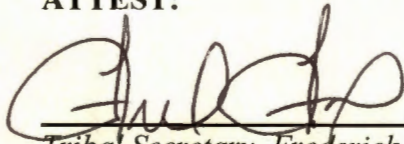
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 13th day of June 2019; 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.

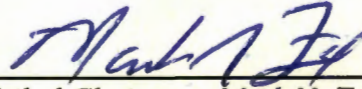
Chairman [X] voting. [] not voting.

Dated this 13th day of June, 2019.

ATTEST:



*Tribal Secretary, Frederick W. Fox Sr.
Tribal Business Council
Three Affiliated Tribes*



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