



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

A Resolution entitled, "FBRW Director Authority to Extend Service Contracts"

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws under said Act; and
- WHEREAS,** The Constitution and By-laws of the Three Affiliated Tribes, also known as the Mandan, Hidatsa, and Arikara Nation ("Tribes" or MHA Nation"), was adopted by membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution and By-Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** The Constitution of the Three Affiliated Tribes 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,** The Three Affiliated Tribes has entered into two P.L. 93-638 contracts with the Bureau of Reclamation, Department of the Interior, for the construction and operation, maintenance and replacement (OM&R) of the Fort Berthold Rural Water System (FBRWS); and
- WHEREAS,** The Three Affiliated Tribes, per Resolution No. 19-051-FWF, authorized the 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; and
- WHEREAS,** All three (3) contracts were executed on or about May 7, 2019 by virtue of the signature of the Tribal Chairman; and
- WHEREAS,** Per the terms contained within each agreement, the parties may extend or renew the agreement annually, with or without changes, by written instrument establishing a new one-year term, for up to three (3) additional years; and



WHEREAS, FBRWS wishes to exercise a one (1) year extension on each of the three agreements; and

WHEREAS, The FBRWS Director seeks authorization from the Tribal Business Council to assume responsible charge in administering and executing such extensions.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby consents to the FBRWS Director assuming responsible charge of said contracts, including signing authority for extensions as allowed within the original contracts.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of April, 2020; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] voting. [] not voting.

Dated this 8th day of April, 2020.

ATTEST:



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



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