



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

A Resolution entitled, “Approval of two Paving Contractor Agreements between the Three Affiliated Tribes, for services to the West segment, and Jack Sawyer Asphalt Paving: One for construction of five walking paths in the Mandaree Community, and One for construction of an extension to the Mandaree Community Center parking lot, and authorization of funding therefor.”

WHEREAS, The Mandan, Hidatsa, and Arikara Nation (“MHA Nation”), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution (the “Constitution”) and By-Laws pursuant to said Act; and

WHEREAS, The Constitution 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 MHA Nation and of the enrolled members thereof; and

WHEREAS, Article III, Section 1 of the Constitution provides that the Tribal Business Council is the governing body of the MHA Nation; and

WHEREAS, Article VI, Section 5(1) of the Constitution provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials of the Reservation; and

WHEREAS, West Segment of the MHA Nation desires to build five walking paths within the Mandaree community, as follows:

Walking Path by BIA Hwy 12:	3,000’ x 8’
School Walking Path 1:	1,530’ x 8’
School Walking Path 2:	450’ x 8’
Walking Path from Jump House:	590’ x 8’
Walking Path Houses to School:	995’ x 8’, and

WHEREAS, West Segment solicited bids and accepted a bid for the walking path project from Jack Sawyer Asphalt Paving, of Minot, ND, who the Segment had previously contracted with and found to be a competent, respected, and reliable paving contractor; and

WHEREAS, West Segment has brought forth a Paving Contractor Agreement with Jack Sawyer Asphalt Paving for construction of the five walking paths at a total cost of \$577,720.00 and seeks approval by the Tribal Business Council of the Three Affiliated Tribes for the Contract, in form as presented, and approval of the funding for the project, to be drawn from the TAT FY2023 and/or FY2024 Tribal Special Projects budgets; and



WHEREAS, West Segment of the MHA Nation also desires to extend the parking lot for the Mandaree Community Center by approximately 120' x 40', and accepted a bid therefore from Jack Sawyer Asphalt Paving; and

WHEREAS, West Segment has brought forth a Paving Contractor Agreement and Jack Sawyer Asphalt Paving for the project for a total cost of \$38,400.00 and seeks approval of the Contract by the Tribal Business Council in form as presented hereto, and approval of the funding for the project, to be drawn from the TAT FY2023 and/or FY2024 Tribal Special Projects budget.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the *Paving Contractor Agreement* between the Three Affiliated Tribes, for services to the West Segment, and Jack Sawyer Asphalt Paving, of Minot, North Dakota, as presented hereto, for construction of five walking paths in the Mandaree Community within the West Segment of the MHA Nation; and

BE IT FURTHER RESOLVED, that the Tribal Business Council approves the appropriation and the necessary expenditure of Tribal funds of up to \$700,000.00 from the TAT FY2023 and/or FY2024 Tribal Special Projects to fulfill Tribal obligations under the aforementioned *Paving Contractor Agreement* and make the required payments thereunder; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby also approves the *Paving Contractor Agreement* between the Three Affiliated Tribes, for services to the West Segment, and Jack Sawyer Asphalt Paving, as presented hereto, for extension of the Mandaree Community Center parking lot; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby approves and appropriates the necessary expenditure of Tribal funds of up to \$45,000.00 from the TAT FY 2023 and/or FY2024 Tribal Special Projects budget to fulfill Tribal obligations under the aforementioned *Paving Contractor Agreement* and make the required payments thereunder; and

BE IT FINALLY RESOLVED, that the West Segment Tribal Business Council Representative and the Tribal Chairman are hereby authorized to execute the aforementioned Agreements and to take such further action as necessary to carry out the terms and intent of this Resolution.



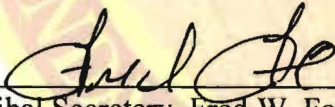
CERTIFICATION

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 13th day of July, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

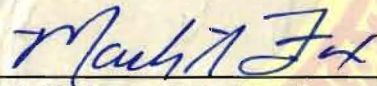
Chairman Voting. Not Voting.

Dated this 13th day of July, 2023.

ATTEST:



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



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