



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

A Resolution Entitled: *“Authorizing Bid Pack 1 and Guaranteed Maximum Price Amendment for Good Road Recovery Center Expansion.”*

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes (or “Tribes”) 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 of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Section 5(l) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council authority to adopt resolutions regulating the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the Reservation.

WHEREAS, The Tribal Business Council identified a need to develop a chemical dependency treatment facility (“Good Road Recovery Center” or “GRRC”) in Bismarck, North Dakota to provide treatment for those in need of such services and to benefit the health of the Tribes and its members; and

WHEREAS, The Tribal Business Council in 2016 approved the purchase of property located in Bismarck for the construction of Good Road Recovery Center by way of Resolutions No. 16-180-LKH and 16-274-FWF; and

WHEREAS, The Tribal Business Council has approved GRRC Expansion Projects which are currently under construction, and the intent of this Resolution is to approve Bid Pack 1 for the GRRC Expansion with regard to two additional Cottages, which would increase bed capacity for GRRC to 64 clients. Capital City Construction, Inc of Bismarck, North Dakota (or “Capital Construction”) is the Construction Manager; and

WHEREAS, The costs for Bid Pack 1 for the cottages, which has been bid out, is \$2,436,608.00. Bid Pack 2 is pending.



WHEREAS, The Guaranteed Maximum Price Amendment (or “GMPA”) AIA A133-2019 Exhibit A-2 between the Tribe and Capital Construction includes the amount of the GRRC Expansion – Second Story, \$4,357,949.00, and the amount of Bid Pack 1 for GRRC Expansion-Cottages, \$2,436,608.00 for a total of \$6,794,557.00.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes approves and authorizes Bid Pack 1 in the amount of \$2,436,608.00 for the GRRC Expansion - Cottages Project, Bid Pack 1 to come from the Tribes’ FY 2023 Special Projects-General Fund; and

BE IT FURTHER RESOLVED, that the Tribal Business Council approves the aforementioned GMPA AIA A133-2019 Exhibit A-2; and

BE IT FINALLY RESOLVED, that the Tribal Chairman is authorized, subject to legal review, to execute construction, Guaranteed Maximum Price Amendments, and other contracts necessary to complete the GRRC Expansion Cottages Project within the authorized budget, together with such other documents as are 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 9th day of August, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] Voting. [] Not Voting.

Dated this 9th day of August, 2023.

ATTEST:

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

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