



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

A Resolution Entitled, “Authorization for Housing Services Program to Procure Services for ARP Funded Projects Individually up to \$47,042.00 each Without Going Through Formal Written Quote/Bid Process.”

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

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

WHEREAS, The Constitution 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, Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and

WHEREAS, Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and

WHEREAS, The Three Affiliated Tribes through the Tribes’ Housing Services Program, (“Housing Services Program”) provides for the renovation of homes within the exterior boundaries of the Fort Berthold Indian Reservation; and

WHEREAS, The Housing Services Program contracts with various local contractors to complete renovation as necessary and has established successful relationships with such contractors; and

WHEREAS, The Housing Services Program currently has the authority to enter into various contracts for services less than \$15,000 without utilizing the Tribes’ formal bid process, which has increased the program's ability to complete projects in a more timely manner while maintaining and building good contractor relationships; and



WHEREAS, The Tribal Business Council finds that the Housing Services Program has received American Recovery Project (ARP) funds in the amount of about \$473,000 and it is imperative that projects begin expeditiously and without delay. Winter months will be here soon, there is an immediate need, and these funds are intended to cover about ten projects. Therefore, the threshold for procurement for the ARP projects individually should be increased to \$47,042, exempting Housing Services Program from the requirement of utilizing the Tribes' formal bid/written quote process in finding contractors for each such project up to that amount.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby supports the Tribes' Housing Services Program in their continued efforts to provide quality contractor work for all of their construction/renovation project in a timely manner; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby increases the procurement threshold individually for the current ARP funded projects to \$47,042, exempting Tribal Housing Program from the requirement of utilizing the formal written quote/bid process for each individual project up to that amount; and

BE IT FINALLY RESOLVED, that the Chairman is authorized to take such other action as is necessary to effectuate the terms and intent of this Resolution.

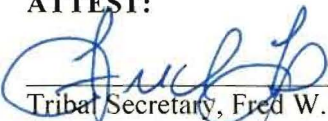
C E R T I F I C A T I O N


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 19th day of October, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members for, 0 members opposed, 0 members abstained, and 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman () Voting, (X) Not Voting.

Dated this 19th day of October 2023.

ATTEST:


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


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