



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

A Resolution entitled, "FBRW Director Approval of Engineering Consultant Specific Authorizations."

- 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 Arikara Nation (or "Tribes"), 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, as administered by Fort Berthold Rural Water (FBRW), has an engineering consultant services master service agreement by which there is technical assistance in the construction and OM&R of the FBRWS, which is described in engineering consultant specific authorizations (SA); and
- WHEREAS**, FBRWS construction and OM&R activities are approved by the Tribes in Annual Funding Agreement (AFA) work plans and budgets with the Bureau of Reclamation, which approved activities include associated engineering consultant work that is further defined by SA; and
- WHEREAS**, The Tribes and FBRW also have SA for FBRWS projects that are not identified in the AFA and annual construction budgets to ensure construction planning and preparatory activities are conducted to further the growth and development of the



FBRWS and OM&R activities with the goal of providing safe drinking water to residents throughout the Fort Berthold Indian Reservation; and

WHEREAS, It has been determined by the Tribal Business Council that since all the FBRWS construction projects to be advertised, awarded, and constructed require approval by the TBC, the FBRW Director should have the authority to approve engineering consultant SA for FBRWS work as such activities fall within the intent of the engineering consultant master service agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the FBRW Director to approve engineering consultant SA for FBRWS construction and OM&R construction planning and preparatory work; and

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to execute such documents and take such further actions 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 1st day of February, 2024, 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 1st day of February, 2024.

ATTEST:


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


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