

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

WHEREAS, This Corporation is an Indian Chartered Corporation as defined by the Indian Reorganization Act of June 18, 1934 and authority ~~is~~ granted under said Act; and

WHEREAS, The Constitution and Corporate Charter of the Three Affiliated Tribes authorizes the Tribal Business Council of the Three Affiliated Tribes to engage in business enterprizes; and

WHEREAS, Denby M. Deegan is an enrolled member of the Three Affiliated Tribes and is licensed by the Secretary Of State to practice Architecture in North Dakota; and

WHEREAS, The Three Affiliated Tribes Tribal Business Council is interested in the construction of an addition (additional rooms, support facilities, and public health SPA) to the Four-Bears Motor Lodge, and An Architectural Master Plan for this area; and

WHEREAS, The Three Affiliated Tribes Tribal Business Council is interested in applying for funds through their Tribal Planning Department and to construct said project; and

THEREFORE BE IT RESOLVED, by the Three Affiliated Tribes Tribal Business Council that Denby M. Deegan, Architect of Bismarck, North Dakota, is hereby employed by the Three Affiliated Tribes for the purpose of performing the Architectural and Engineering services for the construction of the above mentioned project or projects. Denby M. Deegan's services shall include: Schematic Design, Design Development, Construction Documents (Plans and Specifications, Mechanical, Electrical and Civil Engineering) Bid letting, Administration of the Project and Construction Inspection, Substantial Completion for Occupancy; and

BE IT FURTHER RESOLVED, that all funds to be paid by the Three Affiliated Tribes to said Architectural Firm shall be conditioned or contingent upon the approval of the Tribal Grant Application or applications for said necessary funds which will be used for the above mentioned purpose. The Three Affiliated Tribes shall not in any event be obligated at anytime to expend any of its funds for use in payment of amounts payable for said purpose defined and set forth in this resolution. Payments to the Architect shall be made only from grant funds to the tribe. Upon grant application approval the Tribal Council may enter into a formal A/E Contract with the Architect; and

AGAIN BE IT FURTHER RESOLVED, through mutual agreement between the Three Affiliated Tribes Tribal Business Council and Denby M. Deegan, Architect, the Tribe may elect to make partial payment to said Architect provideing tribal resources or funds are available. This partial payment shall be only for the purpose of start-up money to initiate a project into reality. This partial payment to the Architect shall be deductible from the Architects total A/E Basic Fee when the said project is funded through the Grant Application approval.

The Architect shall not proceed into final drawings until the project grant application is approved. The Architect may proceed only through the planning, schematic design, and design development phases.

This said partial payment to the Architect shall include:

- 1. \$35.00 Per Hour - Principal's time.
- 2. 2½ X direct salaries of employees (not including secretary)
- 3. Mechanical, Electrical, Civil and special consulting fees billed to the Architect.
- 4. Travel expenses for lodging, and meals not to exceed \$40.00 per day and for transportation expences connected with the project and authorized in advance by the owner. Travel expense at \$0.15 per mile and direct air travel expenses.

Before any work commences the Fort Berthold Business Tribal Council and the Architect may agree on either of the following:

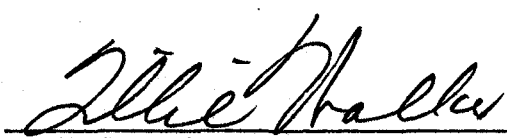
- a. Stipulated lump-some start-up fee.
- b. Direct expenses as listed above.

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 Reservation, hereby certify that the said Council is composed of 11 members of whom 7 constituting a quorum where present at a Special meeting, thereof duly called, noticed, convened and held on the 8 day of January, 1979; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members for, and 0 members opposed, 0 abstentions, and that the said Resolution has not been rescinded or ammended in any way.

Chairmen not voting.

Dated this: 8 day of January, 1979.

  
 Tribal Business Council, Secretary  
 THREE AFFILIATED TRIBES

ATTEST:

  
 Tribal Business Council Chairmen  
 THREE AFFILIATED TRIBES