

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, The Constitution of the Three Affiliated 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, Congress, under the authority of the Garrison Reformulation Act of 1986, Pub. L. 99-294, has directed the Secretary of Interior to develop a reservation-wide Municipal, Industrial, and Rural (MIR) water supply system sufficient to meet the health, economic and environmental needs of the Tribal residents of the Fort Berthold Indian Reservation;
- WHEREAS, Congress, pursuant to Sections 3 and 5 of the Pub. L. 99-294, authorized \$20.5 million dollars for the development of the MIR systems on three Indian reservations in North Dakota, including the Fort Berthold Reservation;
- WHEREAS, The Three Affiliated Tribes have agreed to accept \$8 million dollars as its proportionate share for the development of Phase I of the reservation-wide system called for by Pub. L. 99-294;
- WHEREAS, The Three Affiliated Tribes have recognized that they must insure that the above identified \$8 million dollars in project authorization is utilized in a responsible fiscal manner as to benefit as many tribal residents of the Fort Berthold Reservation as possible;
- WHEREAS, The Indian Self-Determination Act of 1975, Pub. L. 93-638, authorizes Indian tribes, including the Three Affiliated Tribes, to contract such functions of the Department of Interior as are to be performed for the benefit of Indian Tribes and their members;
- WHEREAS, The Three Affiliated Tribes, by way of a Memorandum of Understanding with the Bureau of Reclamation and Bureau of Indian Affairs, have agreed to assumption of these above identified functions subject to the administrative and technical oversight of the respective federal agencies;

WHEREAS, It is the intent of the Three Affiliated Tribes to contract, on a sole source basis, with HKM and Associates, Airport Road Industrial Park, Billings, Montana, 59107, for the purpose of the design of the MIR facilities and the supervision of the construction contractors hired by the Tribes for the construction of the designed facilities;

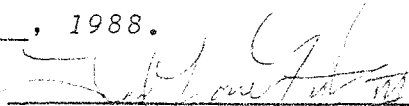
NOW THEREFORE BE IT RESOLVED, That the Three Affiliated Tribes Tribal Business Council:

1. Approves the submission of the Pub. L. 93-638 contract application, with supporting documentation, to the Bureau of Indian Affairs for the assumption of the design, construction and operation of the MIR facilities for Fiscal Year (FY) 1989 through Fiscal Year (FY) 1991;
2. Requests the Bureau of Indian Affairs, through the Aberdeen Area Office, to authorize the Three Affiliated Tribes to negotiate a sole source contract with HKM and Associates for the design of the MIR facilities authorized by Pub. L. 99-294 and the supervision of the construction contractors that will be employed by the Three Affiliated Tribes;
3. Affirms that the Three Affiliated Tribes' performance of its contracted responsibilities will be subject to the availability of Congressionally appropriated and/or allocated funds for these purposes.

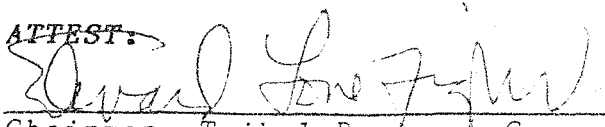
C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14 day of July, 1988; 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.

Dated the 14 day of July, 1988.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council