

amended 11-09-95, R# 95-226-AG,
RESCINDED 1-31-96, R# 96-015-DSB.

RESOLUTION NO. 95-180-DSB

RESCINDED
1-31-96
96-015-DSB

RESOLUTION OF THE GOVERNING BODY OF THE
THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD INDIAN 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 benefits of the Tribes and of the enrolled members thereof, and

WHEREAS, The Tribe bided out the waterline from the intake to the community of White Shield and the success full bidder is O'Lander Construction, and;

WHEREAS, The Water Treatment Plants contracts shall be awarded to LCM Corporation.

NOW, THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby accepts the bid as follows:

1. O'Lander Construction for the White Shield Pipe line.
 - Bid schedule I Alternate I not to exceed \$1,104,223.00
 - The minimum price of \$827,492.00 (If bedding gravel is not required)
2. LCM Construction will construct the Treatment Plants as Follows:
 - Mandaree Treatment Plant not to exceed \$ 469,721.00
 - White Shield Treatment Plant not to exceed \$1,200,513.00

BE IT FURTHER RESOLVED, That Tribal resolution 95-108 DSB be rescinded in its entirety.

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 members of whom five constitute a quorum, 7 were present at a Special Meeting, thereof duly called, noticed, convened, and held on the 5th day of September, 1995; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 2 members abstaining, 0 members not voting, and that said Resolution has not been rescinded or Amended in any way.

Chairman (voting) (not voting)

Dated this 5th day of September, 1995.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council

ORIGINAL

RESCINDED
1-31-96
R#96-015-DSB

Water Distribution System at White Shield
 Schedule I & III
 Fort Berthold Indian Reservation
 August 4, 1995

| Summary | | | |
|--|-----------------------|-------------------------------|------------------------------|
| | Engineers Estimate | Olander Const. Co ND #4100 | Kemper Const. Co. ND #278 |
| BID SCHEDULE I ALTERNATE 1. BEDDING GRAVEL REQUIRED FOR ALL PIPE Total Bid Schedule I Alt1 | \$885,528.00 | \$1,104,223.00 | \$1,962,984.20 |
| BID SCHEDULE I ALTERNATE 2. NO BEDDING GRAVEL REQUIRED FOR PIPE Total Bid Schedule I Alt2 | \$747,106.00 | \$827,492.00 | \$1,681,974.70 |
| BID SCHEDULE III ALTERNATE 1. BEDDING GRAVEL REQUIRED FOR ALL PIPE Total Bid Schedule III Alt2 | \$595,614.00 | \$741,476.00 | \$1,213,212.50 |
| BID SCHEDULE III ALTERNATE 2. NO BEDDING GRAVEL REQUIRED FOR PIPE Total Bid Schedule III Alt2 | \$530,508.00 | \$655,236.00 | \$1,116,348.00 |

All within Road of Right/Way

Attachment to 95-180-DSB

Attachment to 95-180-DSB

1. MR&I CONTRACT ADMINISTRATION RATE PER MONTH

| | | |
|--------------------------|--------------------------------|-----------------|
| PROJECT MANAGER | \$30.00 PER HOUR @ 160 HOURS = | \$4,800.00 |
| PROJECT SUPERINTENDENT | \$25.00 PER HOUR @ 160 HOURS = | \$4,000.00 |
| PROJECT OFFICE ASSISTANT | \$16.00 PER HOUR @ 160 HOURS = | \$2,560.00 |
| WAREHOUSE/PURCHASING | \$14.00 PER HOUR @ 160 HOURS = | \$2,240.00 |
| PAYROLL CLERK | \$12.00 PER HOUR @ 20 HOURS = | \$240.00 |
| TELEPHONE & FAX | | \$300.00 |
| COPIER | | \$360.00 |
| UTILITIES | | \$100.00 |
| COMPUTER & PRINTER | | \$150.00 |
| SUPPLIES | | \$50.00 |
| BASE RADIO | | \$50.00 |
| MISC | | <u>\$150.00</u> |
| TOTAL PER MONTH | | \$15,000.00 |

| 2. TOTAL ADMIN PER SITE | <u>Mandaree</u> | <u>Four Bears</u> | <u>White Shield</u> | <u>Twin Buttes</u> |
|--------------------------|-----------------|-------------------|---------------------|--------------------|
| | 3 Months | 8 Months | 8 Months | 6 Months |
| Project Manager | 9600.00 | 24000.00 | 33600.00 | 14400.00 |
| Project Superintendent | 12000.00 | 32000.00 | 32000.00 | 24000.00 |
| Project Office Assistant | 5120.00 | 12800.00 | 17920.00 | 7680.00 |
| Warehouse/Purchasing | 4480.00 | 11200.00 | 15680.00 | 6720.00 |
| Payroll Clerk | 480.00 | 1200.00 | 1680.00 | 720.00 |
| Telephone & Fax | 600.00 | 1500.00 | 2100.00 | 900.00 |
| Copier | 720.00 | 1800.00 | 2520.00 | 1080.00 |
| Utilities | 200.00 | 500.00 | 700.00 | 300.00 |
| Computer & Printer | 300.00 | 750.00 | 1050.00 | 450.00 |
| Supplies | 100.00 | 250.00 | 350.00 | 150.00 |
| Base Radio | 100.00 | 250.00 | 350.00 | 150.00 |
| Misc. | <u>300.00</u> | <u>750.00</u> | <u>1050.00</u> | <u>450.00</u> |
| Total | 34000.00 | 87000.00 | 109000.00 | 57000.00 |

B. GENERAL REQUIREMENTS: MR&I PROJECT

| | <u>Mandaree</u> | <u>Four Bears</u> | <u>White Shield</u> | <u>Twin Buttes</u> |
|---------------------|-----------------|-------------------|---------------------|--------------------|
| Subcontract Bonding | 5,000.00 | 5,000.00 | 5,000.00 | 5,000.00 |
| Stake & Survey | | 3,000.00 | 2,500.00 | 3,150.00 |
| Security | 2,000.00 | 7,000.00 | 7,000.00 | 7,000.00 |
| Temporary Power | 1,000.00 | 2,500.00 | 2,500.00 | 2,000.00 |
| Temporary Fuel | 4,712.00 | 2,000.00 | 13,969.00 | 2,000.00 |
| Transporation | 2,000.00 | 2,000.00 | 6,000.00 | 6,000.00 |
| Temporary Controls | 500.00 | 1,000.00 | 1,000.00 | 1,000.00 |
| Disinfect Mains | 300.00 | | | 300.00 |
| Storage Facilities | 2,000.00 | 5,000.00 | 5,000.00 | 5,000.00 |
| Job Trailer | | | | 1,500.00 |
| Equipment | 12,000.00 | 8,000.00 | 24,000.00 | 24,000.00 |
| Testing | 500.00 | 500.00 | 500.00 | 500.00 |
| Submittals | <u>500.00</u> | <u>500.00</u> | <u>500.00</u> | <u>500.00</u> |
| TOTALS | 30,512.00 | 36,500.00 | 67,969.00 | 57,950.00 |

PROJECT: WATER TREATMENT PLANTS
 FORT BERTHOLD RESERVATION
 PRELIMINARY SCHEDULE OF VALUES: MANDAREE SITE
 Date prepared: Revised 08/31/95

| A | B | C | D | E | F |
|----------------------|-----------|-----------|-----------|-----------|-----------|
| | Labor | Equipment | Materials | Subcontr. | TOTALS |
| 0 Contract Admin | 34,000.00 | | | | 34,000.00 |
| 1 Gen Requirements | 30,512.00 | | | | 30,512.00 |
| 2 Mobilize | 5,000.00 | | | | 5,000.00 |
| 3 Sitework | | | | 1,500.00 | 1,500.00 |
| 4 Exc & Backfill | | | | 500.00 | 500.00 |
| 5 Landscape & Seed | 500.00 | | 300.00 | | 800.00 |
| 6 Paving | | | | | |
| 7 Gravt/Riprap | | | | 3,300.00 | 3,300.00 |
| 8 Outside Util | | | | 2,320.00 | 2,320.00 |
| 9 Fencing | 2,550.00 | | 6,000.00 | | 8,550.00 |
| 10 Concrete | 8,175.00 | | 1,560.00 | | 9,735.00 |
| 11 Masonry | | | | 7,500.00 | 7,500.00 |
| 12 Metals | 5,500.00 | | 3,180.00 | | 8,680.00 |
| 13 Carpentry | 2,288.00 | | 10,000.00 | | 12,288.00 |
| 14 Roof Systems | 3,000.00 | | 1,000.00 | | 4,000.00 |
| 15 Damproofing | 200.00 | | 100.00 | | 300.00 |
| 16 Shingles | 1,650.00 | | 1,000.00 | | 2,650.00 |
| 17 Insulation | 3,540.00 | | 4,000.00 | 17,610.00 | 25,150.00 |
| 18 Caulking | 2,000.00 | | 1,200.00 | | 3,200.00 |
| 19 Doors / Windows | 2,950.00 | | 670.00 | | 3,620.00 |
| 20 Drywall | 4,000.00 | | 3,000.00 | | 7,000.00 |
| 21 Painting | 9,000.00 | | 7,100.00 | | 16,100.00 |
| 22 Flooring | | | | 1,100.00 | 1,100.00 |
| 23 Specialities | 2,630.00 | | 2,020.00 | | 4,650.00 |
| 24 Water Treat Equip | | 59,550.00 | | 3,410.00 | 62,960.00 |
| 25 Chem Feed Equip | | 12,500.00 | | 9,690.00 | 22,190.00 |
| 26 Pumps | | | | 4,055.00 | 4,055.00 |
| 27 Air Compressors | | | | 2,190.00 | 2,190.00 |
| 28 Furnishings | | | | | |
| 29 Lab Casework | | | | | |
| 30 Lab Equipment | | | | | |
| 31 Convey System | 1,500.00 | | | | 1,500.00 |
| 32 Inter Pipe/Vaives | | 20,593.00 | | 25,760.00 | 46,353.00 |
| 33 Meters | | | | | |
| 34 Pumb'p & Heating | | | | 25,000.00 | 25,000.00 |
| 35 Process Cntri | | 15,600.00 | | | 15,600.00 |
| 36 Electrical | | | | 40,720.00 | 40,720.00 |

118,995.00 108,243.00 41,130.00 144,655.00

Total w/o mark up 413,023.00
 subcontractors 5% on 144,655.00 7,233.00
 LCM 15 % O&P on 268,368.00. 40,255.00
 TERO Fee 2% 9,210.00
 TOTAL \$469,721.00

R#95-180-DSB

COPY

Resolution #95- 108 DSB

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, The Tribe has incorporated the Lumber, Construction, Manufacturing Corporation (LCM), as a Tribal Enterprise, 100% owned by the Tribe, to engage in activities of economic benefit to the Tribe; and,
- WHEREAS, The Corporation's purpose is to develop a retail, construction and manufacturing firm and to generate revenue, through the utilization of the bidding process for securing federal, state and local government contracts for construction and materials, for the purpose of strengthening the self-governing capabilities, political integrity, self-sufficiency, self-determination, and sovereignty of the Three Affiliated Tribes and of enhancing and maintaining the health and economic and social welfare of Tribal Members; and,
- WHEREAS, The LCM Corporation be designated by the Three Affiliated Tribal Business Council to be the Prime contractor on the MR&I Water Project for the Fort Berthold Reservation, which includes (4) water treatment plants and the White Shield distribution lines; and,
- WHEREAS, The Corporation will negotiate with the Three Affiliated Tribal Business Council on the work plan cost estimates, budget, and other related matters; and,

NOW, THEREFORE BE IT RESOLVED, that the Tribe hereby supports the intent and purpose of incorporating LCM Corporation, and hereby designates LCM as the Prime Contractor for the Fort Berthold Reservation MR&I Contract.

FAX MEMO
FRON 2 DATE 8-22-95 FAX# 627-3811
TO Kenay Stevens
FROM Douglas Scott - Bear
CO. T&T
PH# 627-4781 FAX# 627-3805

R#95-180-DSB

COPY

Resolution # 95- 108 DSB


CERTIFICATION

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, 6 were present at a Regular Special meeting thereof duly called, noticed, convened, and held on the 10th day of May, 1995; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstaining, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 10th day of May, 1995.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST


Chairman, Tribal Business Council

R #95-180-DSB