

**RESOLUTION OF THE SOVEREIGN 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 benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** The Muncipal, Rural and Industrial water treatment and delivery project (MR&I) for the Fort Berthold Reservation is in the final stage of Phase I construction, which will be completed with the construction of water treatment plants in the Twin Buttes and Four Bears reservation communities; and
- WHEREAS,** The Three Affiliated Tribes wants to complete construction of the remaining two water treatment plants listed above by supplementing the MR&I Phase I construction project with dedicated Tribal funds as a general obligation of the Tribe; and
- WHEREAS,** The Bureau of Reclamation has indicated that it will assist the Tribe recover all additional funds the Tribe may find necessary to expend to complete Phase I of the MRI construction project by including reimbursement of those funds with Phase II funding; and
- WHEREAS,** Capital City Construction, a qualified general contractor with principal offices in Bismarck, North Dakota, was the successful bidder for construction of the remaining two water treatment plants of Phase I of the MR&I project; and
- WHEREAS,** Capital City Construction has indicated it will agree to accept deferred payment of amounts owed to it, based on work performed to date according to its original bid, starting no later than December 1, 1997, with the understanding that the Tribe will pay for the cost to Capital Construction of interim financing it will need to obtain;
- NOW, THEREFORE BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby approves the budget amount of \$2,800,000.00 to complete all remaining work and contracts necessary for Phase I Construction of the Three Affiliated Tribes' MR&I water project; and

Tentative Startup Date July1, 1997

	Submitted	MSE_HKM	Check issued	Late Payments
PR-#1	30-Jul	30-Aug	30-Sep	60 days
PR-#2	30-Aug	30-Sep	30-Oct	30 days
PR-#3	30-Sep	30-Oct	30-Nov	0 days
PR-#4	30-Oct	30-Nov	30-Dec	0 days
PR-#5	30-Nov	30-Dec	30-Jan	0 days

Pay Request: For Contractors

	Twin Buttes	Four Bears	Total	
PR-#1	\$ 105,000.00	\$ -	\$ 105,000.00	
PR-#2	\$ 115,000.00	\$ 165,000.00	\$ 280,000.00	\$ 385,000.00
PR-#3	\$ 90,000.00	\$ 175,000.00	\$ 265,000.00	\$ 650,000.00
PR-#4	\$ 70,000.00	\$ 140,000.00	\$ 210,000.00	
PR-#5	\$ 70,000.00	\$ 100,000.00	\$ 170,000.00	

Pay Request for Professional Services

PR-#1	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	
PR-#2	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 40,000.00
PR-#3	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 60,000.00
PR-#4	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	
PR-#5	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	

Pay Request for Owner Supplied Equipment

PR-#1	\$ 18,000.00	\$ 18,000.00	\$ 36,000.00	
PR-#2	\$ 18,000.00	\$ 18,000.00	\$ 36,000.00	\$ 72,000.00
PR-#3	\$ 18,000.00	\$ 18,000.00	\$ 36,000.00	\$ 108,000.00
PR-#4	\$ 18,000.00	\$ 18,000.00	\$ 36,000.00	
PR-#5	\$ 18,000.00	\$ 18,000.00	\$ 36,000.00	

Personnel and Fringe

July	\$ 1,152.00	\$ 1,152.00	\$ 2,304.00
August	\$ 1,152.00	\$ 1,152.00	\$ 2,304.00
September	\$ 1,152.00	\$ 1,152.00	\$ 2,304.00
October	\$ 1,152.00	\$ 1,152.00	\$ 2,304.00
November	\$ 1,152.00	\$ 1,152.00	\$ 2,304.00
December	\$ 1,152.00	\$ 1,152.00	\$ 2,304.00

NOW, THEREFORE BE IT FURTHER RESOLVED, That the Tribal Business Council hereby directs its legal department to draw up all necessary contracts for the completion of Phase I of the MR&I water project and submit such contracts to the Tribal Business Council for approval as soon as possible.

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 7 members of whom 6 constitute a quorum, 6 were present at a Special Meeting thereof duly called, notice, convened, and held on the 23rd day of June, 1997; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said resolution has not been rescinded or amended in any way.

Dated this 23rd day of June, 1997

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:

Austin Bellette
Vice-Chairman, Tribal Business Council