



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

*A Resolution entitled, "Approval of Dispute Resolution Provisions and Limited Waiver of Sovereign Immunity in East Segment's New Ralph Wells Community Center Building Agreement."*

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws under said Act; and

**WHEREAS,** Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes and retains the sole authority to offer limited waivers of sovereign immunity on behalf of the Tribes and their subdivisions; and

**WHEREAS,** on or about March \_\_, 2020, the White Shield/East Segment entered into an AIA A133 Owner-Construction Manager Agreement with Woodstone, Inc. to construct the White Shield New Ralph Wells Community Center (the "A133"); and

**WHEREAS,** the A133 contains a limited waiver of the Three Affiliated Tribe's tribal sovereign immunity as well as certain alternative dispute resolution provisions providing for arbitration with appeal to MHA Tribal Court (and with damages limited to the contract sum, which will not exceed the guaranteed maximum price and recovery solely against the assets of the East Segment); and

**WHEREAS,** in order to give effect to the Three Affiliated Tribe's limited waiver and dispute resolution provisions as stated in the A133, the approval of the Tribal Business Council is required; and

**NOW, THEREFORE BE IT RESOLVED,** The Tribal Business Council authorizes and approves the dispute resolution provision in the A133 as of its stated effective date, including the Three Affiliated Tribe's limited waiver of sovereign immunity as stated therein.



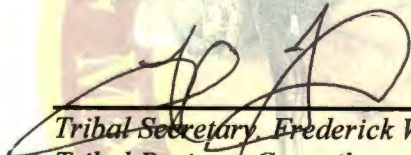
**CERTIFICATION**

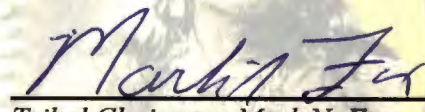
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8<sup>th</sup> day of April, 2020; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] voting. [ ] not voting.

Dated this 8<sup>th</sup> day of April, 2020.

**ATTEST:**

  
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*Tribal Secretary, Frederick W. Fox Sr.*  
*Tribal Business Council*  
*Three Affiliated Tribes*

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

