



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

***A Resolution Entitled, "Approval of the Pre-Construction Value Engineering Agreement
between North Segment and Flintco, LLC, for the North Segment Community Center"***

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and
- WHEREAS,** The Constitution 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 MHA Nation and of the enrolled members thereof; and
- WHEREAS,** Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies, and officials; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution establishes political subdivision segments including New Town/ North Segment; and
- WHEREAS,** The North Segment wishes to construct a Community Center for the benefit of the North Segment and MHA Nation; and
- WHEREAS,** The Tribe has approved the construction of the North Segment Community Center, with the goal of improving the health and wellness of the Tribal members and the surrounding communities; and
- WHEREAS,** The North Segment has solicited bids and ultimately selected Scull Construction Services ND, Inc. of Rapid City, South Dakota to provide Pre-Construction and Construction Services for the North Segment Community Center; and



WHEREAS, The ongoing COVID-19 crisis has significantly impacted the construction industry, resulting in a shortage of construction materials and a significant increase in the cost of construction materials; and

WHEREAS, The North Segment would like to mitigate the impact of these factors and raise the project value by evaluating the North Segment Community Center construction project through a formal Value Engineering analysis; and

WHEREAS, North Segment seeks Tribal approval of the Pre-Construction Agreement and the presented exhibits, between the North Segment and Flintco, LLC, and this Resolution as presented; and

WHEREAS, The North Segment and Flintco, LLC have negotiated the Agreement, where the cost of the Agreement will not exceed \$125,000.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes does hereby approve a Contract with Flintco, LLC to provide Pre-Construction Value Engineering Services for the North Segment Community Center.

BE IT FINALLY RESOLVED, that the North Segment Representative is hereby authorized to execute the Agreement and any other documents necessary to effectuate this Agreement, and further authorizes the payment of Flintco, LLC invoices for the work product in accordance with the terms of the Agreement.

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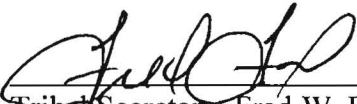
CERTIFICATION

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 (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13th day of June, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 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 13th day of June, 2023.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council
Three Affiliated Tribes



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