



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

**A Resolution Entitled: *“Acceptance of AIA A-133 Exhibit A, Amendment 1 Guaranteed Maximum Price (GMP) for the North Segment Community Center in the amount of \$84,041,652.00.”***

- 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,** Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** The Three Affiliated Tribes Constitution authorizes and empowers the Three Affiliated Tribes' Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** Article VI, Section 5(1) of the Three Affiliated Tribes Constitution provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council; and
- WHEREAS,** Article VI, Section 5(c) of the Three Affiliated Tribes Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes for the Tribes; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution establishes political subdivision segments including New Town/ North Segment; and
- WHEREAS,** The Three Affiliated Tribes wish to construct a North Segment Community Center for the benefit of the North Segment community; and
- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes 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,** DSGW Architects and Scull Construction Services ND Inc. have developed an estimated budget for the North Segment Community Center construction project, presented with this Resolution; and



**WHEREAS,** The plan includes the construction of a 20,000 square foot community center, located north of New Town, ND near ND State Highway 23B Truck Reliever bypass wholly within the exterior boundaries of the Fort Berthold Reservation; and

**WHEREAS,** The total project costs, including professional design fees, testing, inspections, and TERO fees (if applicable) is estimated to be approximately Eighty Four Million Forty One Thousand Six Hundred Fifty Two Dollars and Zero Cents (\$84,041,652.00).

**NOW, THEREFORE, BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes, approves, and earmarks funds in the amount of Eighty-Four Million Forty-One Thousand Six Hundred Fifty-Two Dollars and Zero Cents (\$84,041,652.00) to be allocated and set aside for the construction of the North Segment Community Center from the FY2024 Special Projects Fund, and

**BE IT FINALLY RESOLVED,** that the Tribal Chairman is hereby authorized to take such other actions as are necessary to carry out the terms and intent of this Resolution.


**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 8<sup>th</sup> 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  Voting.  Not Voting.

Dated this 8<sup>th</sup> day of June, 2023.

**ATTEST:**  
  
Executive Secretary Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

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