



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

A Resolution entitled, “Approval of Amendment of Contract by and between the Three Affiliated Tribes for the Benefit of the West Segment, and Vazquez Contracting LLP, for Concrete Work in the West Segment of the MHA Nation, with increase of funding to \$400,000.”

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, and the authority under said Act and having adopted a Constitution (the “Constitution”) and By-Laws pursuant to said Act; and

WHEREAS, The Constitution 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 MHA Nation and of the enrolled members thereof; and

WHEREAS, Article III, Section 1 of the Constitution provides that the Tribal Business Council is the governing body of the MHA Nation; and

WHEREAS, Article VI, Section 5(1) of the Constitution provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials of the Reservation; and

WHEREAS, In about July 2023, West Segment of the MHA Nation, by and through the Three Affiliated Tribes, entered a one-year contract with Vazquez Contracting LLP (Vazquez), for concrete work in West Segment, and Vazquez has proven to be a reliable contractor for these services to the great benefit of the people of the Segment; and

WHEREAS, The aforementioned contract with Vazquez provided for maximum funding of \$250,000.00 for the one year term, but due to various activities within the Segment there is more concrete work needed than originally anticipated, and West Segment and Vazquez have mutually agreed to an amendment of the original Contract whereby the maximum funding will be increased to \$400,000.00; and

WHEREAS, West Segment has approved Amendment #1 to the Contract for Services with Vazquez, in form as presented with the sole modification being an increase in the funding cap from \$250,000.00 to \$400,000.00 for the full term of the original Contract for Services, and seeks approval of the Three Affiliated Tribes Tribal Business Council for its execution and funding.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the *Amendment #1 to the Contract between Three Affiliated Tribes for Services for Benefit of West Segment and Vazquez Contracting LLP*, for additional concrete work that is needed by West Segment; and



BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the expenditure of an amended total of no more than \$400,000.00 from TAT FY2023 and FY2024 budgets, out of the West Segment annual allocation, to fulfill West Segment’s obligations and make payments in accordance with the aforementioned Contract; and

BE IT FINALLY RESOLVED, that the West Segment TBC Representative and the Tribal Chairman are hereby authorized to execute the aforementioned Amendment #1 to the Contract, and to take such further action as 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 19th day of October, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.


Chairman Voting. Not Voting.

Dated this 19th day of October, 2023.

ATTEST:



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



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