



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

**A Resolution Entitled: “Approval of Change Order regarding the Emergency Operations Center and Fire Management construction project in AIA G701-2017 Change Order Number: 004.”**

**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 pursuant to said Act; and

**WHEREAS,** The Constitution of the Three Affiliated Tribes (or “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,** 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,** Article VI, Section 5(l) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council authority to adopt resolutions regulating the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the Reservation; and

**WHEREAS,** The Tribes seek to protect the its interests when there is a disaster, pandemic, or other emergency declaration that affects the lives and livelihood of enrolled members and community members surrounding the Fort Berthold Indian Reservation; and

**WHEREAS,** The Tribes seek to provide disaster mitigation, disaster recovery, education of first responders and the general public, improve communication systems with other agencies, provide a storm shelter and a safe room, logistical support for the Emergency Operations Center staff to respond to emergencies, emergency declarations, pandemic support, and man-made or natural disasters; and

**WHEREAS,** The Tribes seek to maintain their wildland fire program, Three Affiliated Tribes Fire Management Program, with a new and updated facility to conduct wildland fire mitigation and suppression activities for the Fort Berthold Indian Reservation and surrounding communities; and





**WHEREAS,** The Emergency Operations Center and Fire Management (EOCFM) construction project team is requesting the approval of a G701-2017 Change Order 004 due to out-of-control lead time items such as tornado storm doors, electrical components, and interior signage. McGough Construction Co., LLC is the Contractor; and

**WHEREAS,** The Change Order is no cost. The Change Order provides for an adjustment in the substantial completion date of 62 days to allow for tornado-rated doors to be delivered and installed, the electrical components needed to power the various items of the building to be delivered and installed, and the interior signage. Contingency and escalation are built into the budget that was approved through Resolution 22-227-FWF.

**NOW, THEREFORE, BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby approves the above-referenced G701-2017 Change Order 004 for the EOCFM construction project; and

**BE IT FINALLY RESOLVED,** that the Tribal Chairman is hereby authorized to execute the Change Order and take such other action as is 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 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 there of duly called, noticed, convened, and held on the 7<sup>th</sup> day of December, 2023; 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.

Chairman [ X ] Voting. [ ] Not Voting.

Dated this 7<sup>th</sup> day of December, 2023.

**ATTEST:**

  
Tribal Secretary Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

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