

RESOLUTION OF THE TRIBAL COUNCIL  
OF THE OGLALA SIOUX TRIBE  
(An Unincorporated Tribe)

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE APPROVING THE CONTRACT AGREEMENT FOR THE PROJECT NUMBER 1811-00997 FOR THE KYLE PATHWAY.

WHEREAS, the Oglala Sioux Tribe organized in accordance with Section 16 of the Indian Reorganization Act of 1934 on December 14, 1935 by adopting a federally approved Constitution and By-laws, and the Tribal Council is the governing body of the Tribe; and

WHEREAS, the Tribal Constitution authorizes the Tribal Council, in Article IV, Section 1(f) to manage all economic affairs and enterprises of the Tribe and in Section 1(w) to protect and promote the health and general welfare of the Tribe and its members; and

WHEREAS, proper upkeep and maintenance of Pine Ridge Indian Reservation roads is vital to the safety of Tribal members and to the economy and welfare of the Tribe; and

WHEREAS, the Tribe's Department of Transportation (OST-DOT) has endeavored to construct Kyle Pathway along the south side and parallel to BIA Route 2. The 10-foot-wide pathway will be separated from BIA Route 2 and provide a safe space for pedestrians and bicyclists, connecting the hospital housing street on the west end to the Kyle Grocery on the east end. Work includes removing some inadequate sidewalk and widening existing sidewalk to 10 feet, constructing new 10-foot-wide concrete sidewalk, adding Americans with Disabilities Act (ADA) compliant ramps, grading, drainage improvements adjacent to the project, asphalt pavement patching, blending and patching driveways and streets, asphalt concrete pavement patching, repairs to curb and gutter and approaches, signs, fencing, erosion control, and reclamation of disturbed areas for the health, safety, and convenience of tribal members; and

WHEREAS the Department of Transportation has procured funding to complete the construction of the facility, and conducted a bid-letting process in accordance with Tribal law for completion of the project; and

WHEREAS, First Dakota Enterprises, Inc. provided the lowest responsible bid of \$732,009.73 for the services required and the bid was within acceptable cost parameters for the work; and

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WHEREAS, contract negotiations have occurred, and the attached contract has been reviewed by legal counsel for the Tribe and agreed to by First Dakota Enterprises, Inc. and the Oglala Sioux Tribe Department of Transportation; and

WHEREAS, the Economic and Business Development Committee of the Tribal Council met on the 21<sup>st</sup> day of January, 2021, and voted to approve the attached contract and forward it to the Tribal Council for final approval; and


WHEREAS, the Tribal Council has considered the matter and determined that it is in the best interest of the Tribe to enter into the proposed construction contract; now

THEREFORE, BE IT RESOLVED that the Tribal Council of the Oglala Sioux Tribe does hereby approve the attached contract between the Oglala Sioux Tribe and First Dakota Enterprises, Inc. for professional construction services to be provided to the Oglala Sioux Tribe in order to complete the Department of Transportation Project; and


BE IT FURTHER RESOLVED that the President, Vice President, and Director of the Oglala Sioux Tribe Department of Transportation are hereby authorized to sign the attached contract on behalf of the Tribe.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as undersigned secretary of the Oglala Sioux Tribal Council of the Oglala Sioux Tribe, hereby certify that this Resolution was adopted by a vote of: 20 For; 0 Against; 0 Abstain; 1 Not Voting; during a REGULAR SESSION held on the 26<sup>th</sup> day of JANUARY, 2021.

  
STACY L. TWO LANCE  
Secretary  
Oglala Sioux Tribe

A-T-T-E-S-T:

  
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KEVIN KILLER  
President  
Oglala Sioux Tribe

