

ROSEBUD SIOUX TRIBE
Resolution No. 2020-27

WHEREAS, the Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and all pertinent amendments thereof; and

WHEREAS, the Rosebud Sioux Tribe is governed by the Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By- Laws; and

WHEREAS, Rosebud Sioux Tribe was awarded \$1,299,000.00 for Spring Creek Community water system upgrade and \$722,000.00 for Swift Bear community water system upgrade by Rural Development (copies of USDA letters are attached); and

WHEREAS, RST Resolution 2019-181 approved the contract with Banner Associates for the final designs and construction management of the water system upgrades for the communities of Spring Creek and Swift Bear (a copy of the signature page is attached); and

WHEREAS, the budgets for the community upgrades are attached - \$1,299,000.00 for Spring Creek and \$722,000.00 for Swift Bear Communities; and


WHEREAS, the RST Land and Natural Resources committee reviewed the contracts and budgets and they have recommended approval to the Tribal Council; and

NOW THEREFORE BE IT RESOLVED, that the Tribal Council approved the committee's recommendation and direct the Tribal President and Director Water Resources for implementation.

CERTIFICATION

This is to certify that the above Resolution No. 2020-27 was duly passed by the Rosebud Sioux Tribal Council in session on February 18, 2020, by a vote of thirteen (13) in favor, zero (0) opposed and two (2) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

ATTEST:



Wayne Boyd, Secretary
Rosebud Sioux Tribe



Rodney M. Bordeaux, President
Rosebud Sioux Tribe

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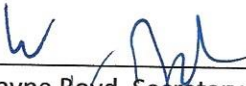
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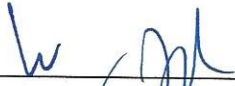
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Rodney M. Bordeaux, President
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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Rosebud Agency
Post Office Box 228
Mission, South Dakota 57555

IN REPLY REFER TO:
Office of the Superintendent

MAR 02 2020

Honorable Rodney Bordeaux
President, Rosebud Sioux Tribe
Post Office Box 430
Rosebud, South Dakota 57570

Attention: Louis Wayne Boyd, RST Secretary

Dear President Bordeaux:

The following resolutions, received in this office on 02/27/2020 have been reviewed and re-routed to the appropriate branches.

Resolution No. 2018-301 (Reconsider and Amended: 02/18/2020)
Resolution No. 2019-179 (Amended: 02/18/2020)
Resolution No. 2019-279 (Amended: 02/19/2020)
Resolution No. 2019-292
Resolution No. 2019-293
Resolution No. 2020-06
Resolution No. 2020-07
Resolution No. 2020-08
Resolution No. 2020-19
Resolution No. 2020-20
Resolution No. 2020-22
Resolution No. 2020-23
Resolution No. 2020-24
Resolution No. 2020-26
Resolution No. 2020-27

Resolution No. 2020-41
Resolution No. 2020-42
Resolution No. 2020-44
Resolution No. 2020-45
Resolution No. 2020-46
Resolution No. 2020-47
Resolution No. 2020-48
Resolution No. 2020-49
Resolution No. 2020-50
Resolution No. 2020-56
Resolution No. 2020-57
Resolution No. 2020-58
Resolution No. 2020-59
Resolution No. 2020-60
Resolution No. 2020-61

Sincerely,

Acting Delores Springer
Superintendent

Enclosure

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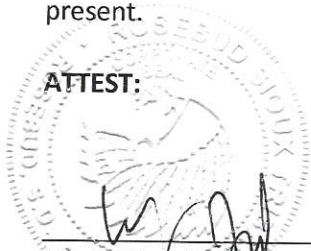
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**ROSEBUD SIOUX TRIBE
OFFICE OF WATER RESOURCES
SWIFT BEAR COMMUNITY WATER
SYSTEM UPGRADES**

BUDGET 2020-21

Line Items	Budget
Administrative:	
Personnel	12,000.00
Fringe	3,000.00
Supplies	1,000.00
Vehicle Expense	2,000.00
Travel/ Training	4,000.00
Utilities	2,000.00
Indirect Cost	<u>4,000.00</u>
Subtotal	28,000.00
Construction Contractor	469,000.00
Legal Fees	23,700.00
TECRO	14,300.00
Engineering Fees	87,500.00
Inspections RPR	23,300.00
Projects Contingency	47,500.00
Well Abandonment	5,000.00
Mobilization/ Demobilization	<u>23,700.00</u>
Subtotal	694,000.00
TOTAL	722,000.00

REQUEST FOR OBLIGATION OF FUNDS

FORM APPROVED
OMB No. 0570-0082

INSTRUCTIONS-TYPE IN CAPITALIZED ELITE TYPE IN SPACES MARKED ()			
Complete Items 1 through 29 and applicable Items 30 through 34. See FMI.			
1. CASE NUMBER ST CO BORROWER ID 47-061-131586167		LOAN NUMBER	FISCAL YEAR 2019
2. BORROWER NAME Rosebud Sioux Tribe		3. NUMBER NAME FIELDS (1, 2, or 3 from Item 2)	
Swift Bear		4. STATE NAME South Dakota	
		5. COUNTY NAME Mellette	
GENERAL BORROWER/LOAN INFORMATION			
6. RACE/ETHNIC CLASSIFICATION 1-WHITE 4-HISPANIC 2-BLACK 5-API 3-AMN	7. TYPE OF APPLICANT 1-INDIVIDUAL 6-EST. OF EMPLOYERS 2-PARTNERSHIP 7-NONPROFIT REGULAR 3-CORPORATION 8-NONPROFIT FARM BASED 4-PUBLIC BODY 9-INDIAN TRIBE 5-ASSOC. OF FARMERS 10-PUBLIC COLLEGE/UNIVERSITY 11-OTHER	8. COLLATERAL CODE 1-REAL ESTATE 4-MACHINERY ONLY 2-REGIONS 5-LIVESTOCK ONLY 3-REAL ESTATE AND CHATTEL 6-CROPS ONLY 7-SECURED BY BONDS 8-SELF ASSET	9. EMPLOYEE RELATIONSHIP CODE 1-EMPLOYEE 2-MEMBER OF FAMILY 3-CLOSE RELATIVE 4-ASSOCIATE
10. SEX CODE 1-MALE 2-FEMALE 3-FAMILY LIST 4-INDIAN MALE OWNED 5-INDIAN FEMALE OWNED 6-PUBLIC BODY	11. MARITAL STATUS 1-MARRIED 3-UNMARRIED (INCLUDED WIDOW/WIDOWER/SEPARATED)	12. VETERAN CODE 1-YES 2-NO	13. CREDIT REPORT 1-YES 2-NO
14. DIRECT PAYMENT (See FMI)	15. TYPE OF PAYMENT 1-MONTHLY 3-SEMIANNUALLY 2-ANNUALLY 4-QUARTERLY	16. FEE INSPECTION 1-YES 2-NO	
17. COMMUNITY SIZE 1-50 OR LESS FOR OPN AND TPO ONLY 2-OVER 50	18. USE OF FUNDS CODE (See FMI)		
COMPLETE FOR OBLIGATION OF FUNDS			
19. TYPE OF ASSISTANCE 748 (See FMI)	20. PURPOSE CODE 3	21. SOURCE OF FUNDS	22. TYPE OF ACTION 1-OBLIGATION ONLY 2-OBLIGATION CHECK REQUEST 3-CORRECTION OF OBLIGATION
23. TYPE OF SUBMISSION 1-INITIAL 2-SUBSEQUENT	24. AMOUNT OF LOAN	25. AMOUNT OF GRANT \$722,000.00	
26. AMOUNT OF IMMEDIATE ADVANCE	27. DATE OF APPROVAL MO DAY YR 11-30-18	28. INTEREST RATE 0%	29. REPAYMENT TERMS
COMPLETE FOR COMMUNITY PROGRAM AND CERTAIN MULTIPLE-FAMILY HOUSING LOANS			
30. PROFIT TYPE 1-FULL PROFIT 2-LIMITED PROFIT 3-NONPROFIT			
COMPLETE FOR EM LOANS ONLY		COMPLETE FOR CREDIT SALE ASSUMPTION	
31. DISASTER DESIGNATION NUMBER (See FMI)	32. TYPE OF SALE 1-CREDIT SALE ONLY 2-ASSUMPTION ONLY 3-CREDIT SALE WITH SUBSEQUENT LOAN 4-ASSUMPTION WITH SUBSEQUENT LOAN		
FINANCE OFFICE USE ONLY		COMPLETE FOR FP LOANS ONLY	
33. OBLIGATION DATE MO DA YR 11-30-18		34. BEGINNING FARMER/RANCHER (See FMI)	

If the decision contained above in this form results in denial, reduction or cancellation of USDA assistance, you may appeal this decision and have a hearing or you may request a review in lieu of a hearing. Please use the forms we have included for this purpose.

Position 2

ORIGINAL - Borrower's Case Folder COPY 1 - Finance Office COPY 2 - Applicant/Lender COPY 3 - State Office

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0082. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Construction	\$	469,000
Land and Rights-of-Way		
Legal Fees	\$	23,700
TECRO	\$	14,300
Engineering Fees	\$	87,500
Inspections RPR	\$	28,000
eng. Addl services-reservoir		
Bond Counsel,legal,admin		
RPR conting. Service lines		
Project Contingency	\$	47,500
well abandonment	\$	5,000
mobilization/demobilization	\$	23,700
Totals	\$	722,000

Excess Funds. If bids are lower than anticipated at time of obligation, excess funds must be deobligated prior to start of construction except in the cases addressed in this paragraph. In cases where the original PER for the project included items that were not bid, or were bid as an alternate, the State Office official may modify the project to fully utilize obligated funds for those items. Amendments to the PER, ER, and letter of conditions may be needed for any work not included in the original project scope. In all cases, prior to start of construction, excess funds will be deobligated, with grant funds being deobligated first. Excess funds do not include contingency funds as described in this letter.

2. **Project Funds** - Project funding is planned from the following sources:

REQUEST FOR OBLIGATION OF FUNDS

INSTRUCTIONS-TYPE IN CAPITALIZED ELITE TYPE IN SPACES MARKED ()
Complete Items 1 through 20 and applicable Items 20 through 34. See FPM.

1. CASE NUMBER ST CO BORROWER ID 47-061-131506167		LOAN NUMBER	FISCAL YEAR 2019
2. BORROWER NAME Rosebud Sioux Tribe		3. NUMBER NAME FIELDS (1, 2, or 3 from Item 2)	
4. STATE NAME South Dakota		5. COUNTY NAME Todd	
GENERAL BORROWER/LOAN INFORMATION			
6. RACETHNIC CLASSIFICATION 1-WHITE 2-BLACK 3-AMN 4-HISPANIC 5-ASP	7. TYPE OF APPLICANT 1-INDIVIDUAL 2-INDIVIDUAL PARTNERSHIP 3-PUBLIC BODY 4-STATE OF MARRIAGE 5-INDIVIDUAL PARTNERSHIP 6-OTHER	8. COLLATERAL CODE 1-NO COLLATERAL 2-REAL ESTATE 3-OTHER	9. EMPLOYEE RELATIONSHIP CODE 1-EMPLOYEE 2-MEMBER OF FAMILY 3-ELDER RELATIVE 4-OTHER
10. SEX CODE 1-MALE 2-FEMALE	11. MARITAL STATUS 1-MARRIED 2-SINGLE 3-DIVORCED 4-SEPARATED 5-RETIRED 6-DECEASED	12. VETERAN CODE 1-YES 2-NO	13. CREDIT REPORT 1-YES 2-NO
14. DIRECT PAYMENT (See FPM)	15. TYPE OF PAYMENT 1-MONTHLY 2-ANNUALLY 3-QUARTERLY 4-OTHER	16. FEE INSPECTION 1-YES 2-NO	
17. COMMUNITY SIZE 1-100 OR LESS (FOR RPL AND SPO ONLY) 2-GRAND GRAND	18. USE OF FUNDS CODE (See FPM)		
COMPLETE FOR OBLIGATION OF FUNDS			
19. TYPE OF ASSISTANCE 748 (See FPM)	20. PURPOSE CODE 4	21. SOURCE OF FUNDS	22. TYPE OF ACTION 1-REDEMPTION ONLY 2-NEW INVESTMENT PROJECT 3-REDEMPTION OF COLLATERAL
23. TYPE OF SUBMISSION 1-INITIAL 2-REASSIGNMENT	24. AMOUNT OF LOAN	25. AMOUNT OF GRANT 1,299,000	
26. AMOUNT OF IMMEDIATE ADVANCE	27. DATE OF APPROVAL MO DAY YR 11-30-18	28. INTEREST RATE 0 %	29. REPAYMENT TERMS
COMPLETE FOR COMMUNITY PROGRAM AND CERTAIN MULTIPLE-FAMILY HOUSING LOANS			
30. PROFIT TYPE 1-FULL PROFIT 2-LIMITED PROFIT 3-NONPROFIT			
COMPLETE FOR EM LOANS ONLY		COMPLETE FOR CREDIT SALE ASSUMPTION	
31. DISASTER DESIGNATION NUMBER (See FPM)		32. TYPE OF SALE 1-CREDIT SALE ONLY 2-CREDIT SALE WITH REDEMPTION LOAN 3-ASSUMPTION ONLY 4-ASSUMPTION WITH SUBORDINATE LOAN	
FINANCE OFFICE USE ONLY		COMPLETE FOR PL LOANS ONLY	
33. OBLIGATION DATE MO DA YR 11-30-18		34. BEGINNING FARM/RANCHER (See FPM)	

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Project Costs	Total Budgeted
Administration	\$ 43,000
Construction	\$ 855,400
Land and Rights-of-Way	
Legal Fees	\$ 43,000
TECRO	\$ 25,800
Engineering Fees	\$ 158,700
Inspections RPR	\$ 39,000
eng. Addl services-reservoir	
Bond Counsel, legal, admin	
RPR conting. Service lines	
Project Contingency	\$ 86,000
well abandonment	\$ 5,100
mobilization/demobilization	\$ 43,000
Totals	\$ 1,299,000

Excess Funds. If bids are lower than anticipated at time of obligation, excess funds must be deobligated prior to start of construction except in the cases addressed in this paragraph. In cases where the original PER for the project included items that were not bid, or were bid as an alternate, the State Office official may modify the project to fully utilize obligated funds for those items. Amendments to the PER, ER, and letter of conditions may be needed for any work not included in the original project scope. In all cases, prior to start of construction, excess funds will be deobligated, with grant funds being deobligated first. Excess funds do not include contingency funds as described in this letter.


2. **Project Funds** - Project funding is planned from the following sources:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

Owner:

Rosebud Tribes
By: 
Print name: Rodney Bordaoux
Title: President
Date Signed: 11-26-19

Engineer:

Banner Associates, Inc.
By: 
Print name: Brad Wermers
Title: President
Date Signed: November 18, 2019

Engineer License or Firm's Certificate No. (if required):

C-136

State of: South Dakota

Address for Owner's receipt of notices:

11 Legion Avenue
Rosebud, South Dakota 57042

Address for Engineer's receipt of notices:

P.O. Box 298
409 22nd Avenue South
Brookings, South Dakota 57006

Designated Representative (Paragraph 8.03.A): -

Syed Huq
Title: Director Water Resources
Phone Number: 605-747-2559
E-Mail Address: shuq@sicangu.com

Designated Representative (Paragraph 8.03.A):

Joseph Munson, P.E.
Title: Project Manager
Phone Number: (885) 323-6342
E-Mail Address: joem@bannerassociates.com

Agency Concurrence

Agency: USDA Rural Development

By (Signature): 

Printed Name: Brian L. Ring

Title: RDLS

Date: 12/9/19

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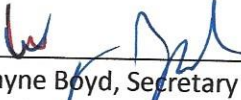
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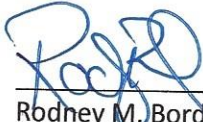
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