



THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 19-03-46-21

A RESOLUTION ADOPTING THE FY 2021-2024 MILLE LACS BAND TRIBAL TRANSPORTATION IMPROVEMENT PLAN AND FY 2021 TRIBAL TRANSPORTATION PROGRAM RETAINED SERVICES ADDENDUM

WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly elected legislative body of the Mille Lacs Band of Ojibwe (“Band”) a federally-recognized Indian Tribe; and

WHEREAS, according to 3 MLBS § 2(a), the Band Assembly is empowered to “enact laws which promote the general welfare of the people[;]” and

WHEREAS, according to 3 MLBS § 2(d), the Band Assembly is empowered to adopt resolutions; and

WHEREAS, transportation plays an integral role in serving local infrastructure and community needs; and

WHEREAS, the Band desires to provide adequate transportation facilities to meet the needs of the residents of the Band; and

WHEREAS, the Band has worked to develop the FY 2021-2024 Mille Lacs Band of Ojibwe Indians Tribal Transportation Improvement Plan (“TTIP”), which the Band is using to request the Bureau of Indian Affairs (“BIA”) to incorporate into the Control Schedule Transportation Improvement Plan (“CSTIP”), a required step to help the Band receive its Tribal Shares funding; and

WHEREAS, the Band agrees with the needs and priorities presented in the FY 2021-2024 Mille Lacs Band of Ojibwe TTIP.

NOW, THEREFORE, BE IT RESOLVED, the Band Assembly supports and adopts the FY 2021-2024 Mille Lacs Band of Ojibwe TTIP for the projects listed in the attached CSTIP forms that were developed between Band Tribal Roads and the BIA for Tribal Shares funding, along with corresponding Tribal Transportation Program Retained Service Addendum.

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

36666 State Highway 65 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT IIA

2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III

45749 Grace Lake Road • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

URBAN OFFICE

1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 3rd day of February, 2021, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.



Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND



COMMUNITY DEVELOPMENT DIVISION

January 19, 2021

MEMORANDUM

TO: Melanie Benjamin, Chief Executive

FROM: Brian Scheinost, Director of Public Works

RE: Retained Service Agreement with BIA

Attached is the Retained Service Agreement with the BIA. This agreement requires your signature.

The Retained Service Addendum requires your signature. This is for engineering services BIA provides for Road Construction projects for the Band. This year's engineering services will be for designing and construction observation of repaving Van Gordon Rd. which is located in Dist. III. Two other smaller projects are for the HAWK crossing in Dist. I and Sidewalk/Trail preliminary design in Dist. I. The BIA will withhold these funds out of this RFA.

If you have any questions, feel free to contact me at Ext. 7437.



THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT RESOLUTION 19-01-96-20

A JOINT RESOLUTION TO ADOPT THE FY 2020-2023 MILLE LACS BAND TRIBAL TRANSPORTATION IMPROVEMENT PLAN AND FY 2020 TTP RETAINED SERVICES ADDENDUM

- WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly-elected governing body of the Mille Lacs Band of Ojibwe (“Band”), a federally-recognized Indian Tribe; and
- WHEREAS, pursuant to 3 MLBSA § 2(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the people of the Band; and
- WHEREAS, pursuant to 4 MLBSA § 2, the Chief Executive is empowered to exercise the Executive Branch powers of the Band; and
- WHEREAS, the Band Assembly and Chief Executive have established as a priority the improvement of the spiritual, physical, mental, social, and economic wellbeing of the people of the Band; and
- WHEREAS, transportation plays an integral role in serving local infrastructure and community needs; and
- WHEREAS, the Band desires to provide adequate transportation facilities to meet the needs of the residents of the Band; and
- WHEREAS, the Band has worked to develop the FY 2020-2023 Mille Lacs Band of Ojibwe Indians Tribal Transportation Improvement Plan (“TTIP”), which the Band is using to request the Bureau of Indian Affairs (“BIA”) to incorporate into the Control Schedule Transportation Improvement Plan (“CSTIP”), a required step to help the Band receive its Tribal Shares funding; and
- WHEREAS, the Band agrees with the needs and priorities presented in the FY 2020-2023 Mille Lacs Band of Ojibwe TTIP.

NOW THEREFORE BE IT RESOLVED, the Band Assembly and Chief Executive support and adopts the FY 2020-2023 Mille Lacs Band of Ojibwe TTIP for the projects listed in the attached CSTIP forms that were developed between Band Tribal Roads and the BIA for Tribal Shares funding, along with corresponding Tribal Transportation Program Retained Service Addendum.

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Joint Resolution 19-01-96-20

Page 2 of 2

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 13th day of February, 2020 at Chi Minising, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution and forwarded to the Chief Executive for Concurrence.



Sheldon Boyd, Speaker of the Assembly

IN CONCURRENCE, with the action of the Speaker of the Assembly, I, set my hand to this resolution.



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Attachement A: Mille Lacs Reservation Transportation Improvement Plan 2021-2024

Priority	BIA Route #	Section	Project Length	Year of Constr	Project Name, Location, & Description of Work	Estimated Project Costs				Who/how the Tribe intends to do the work				
						Prelim Engineering	Construction	Construction Engineering	Other	Total	Engineering	Enviro/Arch	Construction	Construction Engineering
	NA	NA	NA	2021	IRR Road Maintenance (IRR Construction Funds for IRR Road Maintenance)		\$ -	\$ -	\$ 350,000.00	\$ 350,000.00	N/A	N/A	N/A	N/A
	NA	NA	NA	2021	IRR Planning Project Planning For IRR Projects		\$ -	\$ -	\$ 25,000.00	\$ 25,000.00	NA	NA	NA	NA
	NA	NA	NA	2021	Dist II & III Sand/Salt Storage Facility	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00		\$ 3,000.00	Tribe	BIA	Tribe	Tribe
	173	10	.8	2021	Van Gordon Repaving	\$ 15,000.00	\$ 311,767.00	\$ 15,000.00		\$ 341,767.00	BIA	BIA	Tribe	BIA
	50	10	.1	2021	HAWK Hwy 169 Pedestrian Crossing		\$ 12,000.00	\$ 17,000.00		\$ 29,000.00	BIA	BIA	Tribe	BIA
	35	10	.1											
	169	10	.1											
	94	20	1.0	2021	Sidewalk/Trail Ataage and Wagidaaki Dr.	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00		\$ 3,000.00				
	50	10	.25											
	53	10	.6											
					Total for FY 2021					\$ 751,767				

Priority	BIA Route #	Section	Project Length	Year of Constr	Project Name, Location, & Description of Work	Estimated Project Costs				Who/how the Tribe intends to do the work				
						Prelim Engineering	Construction	Construction Engineering	Other	Total	Engineering	Enviro/Arch	Construction	Construction Engineering
	NA	NA	NA	2022	IRR Road Maintenance (IRR Construction Funds for IRR Road Maintenance)		\$ -	\$ -	\$ 400,000.00	\$ 400,000.00	N/A	N/A	N/A	N/A
	NA	NA	NA	2022	IRR Planning Project Planning For IRR Projects		\$ -	\$ -	\$ 25,000.00	\$ 25,000.00	NA	NA	NA	NA
	NA	NA	NA	2022	Dist II & III Sand/Salt Storage Facility	\$ 1,000.00	\$ 290,000.00	\$ 5,000.00		\$ 296,000.00	Tribe	BIA	Tribe	Tribe
	1	10	.9	2022	Van Gordon Repaving	\$ 1,000.00	\$ 20,000.00	\$ 1,000.00		\$ 22,000.00	BIA	BIA	Tribe	BIA
	89	10	.6											
	94	20	1.0	2022	Sidewalk/Trail Ataage and Wagidaaki Dr.	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00		\$ 3,000.00				
	50	10	.25											
	53	10	.6											
					Total for FY 2022					\$ 746,000				

Priority	BIA Route #	Section	Project Length	Year of Constr	Project Name, Location, & Description of Work	Estimated Project Costs				Who/how the Tribe intends to do the work				
						Prelim Engineering	Construction	Construction Engineering	Other	Total	Engineering	Enviro/Arch	Construction	Construction Engineering
	NA	NA	NA	2023	IRR Road Maintenance (IRR Construction Funds for IRR Road Maintenance)		\$ -	\$ -	\$ 350,000.00	\$ 350,000.00	N/A	N/A	N/A	N/A
	NA	NA	NA	2023	IRR Planning Project Planning For IRR Projects		\$ -	\$ -	\$ 35,000.00	\$ 35,000.00	NA	NA	NA	NA
	NA	NA	NA	2023	Dist II & III Sand/Salt Storage Facility	\$ 1,000.00	\$ 425,000.00	\$ 7,000.00		\$ 433,000.00	BIA	Tribe	Tribe	BIA
										\$ -				
					Total for FY 2023					\$ 808,000				

Priority	BIA Route #	Section	Project Length	Year of Constr	Project Name, Location, & Description of Work	Estimated Project Costs				Who/how the Tribe intends to do the work				
						Prelim Engineering	Construction	Construction Engineering	Other	Total	Engineering	Enviro/Arch	Construction	Construction Engineering
	NA	NA	NA	2024	IRR Road Maintenance		\$ -	\$ -	\$ 300,000.00	\$ 300,000.00	N/A	N/A	N/A	N/A

(IRR Construction Funds for IRR Road Maintenance)

NA	NA	NA	2024	IRR Planning Project Planning For IRR Projects	\$	\$	\$	\$	NA	NA	NA
188	10	3	2024	Zhingwaak Oodena Development Repaving	\$ 20,000.00	\$ 450,000.00	\$ 15,000.00	\$ 35,000.00	NA	NA	NA
189	10	.2									
189	20	.1						\$ 485,000.00			
190	10	.3									
191	10	.3									

Total for FY 2024 \$ 820,000

FY2021 RETAINED SERVICES ADDENDUM

Pursuant to Mille lacs Band of Ojibwe's Tribal Transportation Program Agreement With the Bureau of Indian Affairs for Fiscal Year 2021

This Retained Services Addendum (RSA) sets forth those services and functions to be performed by the Director pursuant to **Section 10 – Retained Services** of the Mille lacs Band of Ojibwe's FY2021 Referenced Funding Agreement (RFA). This RSA shall become effective upon approval by authorized representatives of the Director and the Mille lacs Band of Ojibwe

1. The projects and activities identified below are part of an approved Transportation Improvement Program (TIP), as governed by federal law and regulations.
2. Each of the projects and activities identified below shall be funded in the amount estimated on the aforementioned TIP.
3. The estimated amounts listed below shall be used by the BIA in performance of the services designated herein for the Tribe.
4. The BIA agrees to use professionals qualified to perform the Retained Services work.
5. The Tribe agrees the estimated costs are fair and reasonable and consents to the BIA's use of qualified personnel to perform the designated services.
6. A summary description of the scope of work follows:

Project	Services	Estimated Cost
Van Gordon Repaving	Project Engineering	\$ 17,000.00
Hawk HWY 169 Pedestrian Crossing	Project Engineering	\$ 7,000.00
Sidewalk/Trail-Aatage & Wagidaaki	Project Engineering	\$ 1,000.00
Total Estimated Costs		\$ 25,000.00

In accordance with Article IV, Section 7.B., of the Tribal Transportation Program Agreement, the funds identified in this RSA shall be retained by the Director.

The Parties agree that the amount identified above is an estimate, and that the Director shall have the authority to expend more or less on each project and/or activity identified, so long as the actual costs do not exceed the total estimated amount listed above.

In the event the Director requires additional funds beyond those identified above or the Tribe requests the Director to perform additional activities this RSA shall be amended accordingly.

Finally, the Parties agree that any funds retained under this RSA that are unexpended by the Director on September 1st of the respective funding year shall be obligated to the Tribe's Program Agreement by September 30th of that funding year.

Approved:

**United States Department of the Interior
Bureau of Indian Affairs**

Todd P. Kennedy, P.E.
Regional Road Engineer, Midwest Region

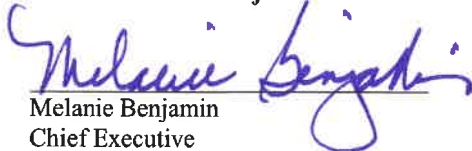
Date

Tammie Poitra
Regional Director, Midwest Region

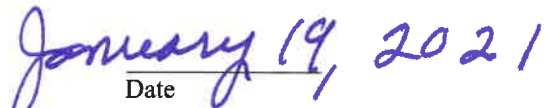
Date

Approved:

Mille lacs Band of Ojibwe



Melanie Benjamin
Chief Executive



Date

FY2021 RETAINED SERVICES ADDENDUM

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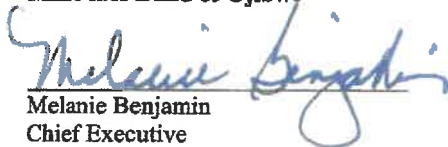
Date

Tammie Poitra
Regional Director, Midwest Region

Date

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Mille lacs Band of Ojibwe



Melanie Benjamin
Chief Executive



Date