

This is **EXHIBIT K**, consisting of 1 page, referred to in and part of the **Agreement between Owner and Engineer for Professional Services – Task Order Edition** dated January 10, 2017.

**Amendment To Task Order No. 1811-02480-1**

1. Background Data:

- a. Effective Date of Task Order: April 1, 2019
- b. Owner: Standing Rock Sioux Tribe
- c. Engineer: KLJ, Inc
- d. Specific Project: BIA 6 – Reconstruction Design

2. Description of Modifications

The PL93-638 contract between the Tribe and the BIA was delivered many months after the Tribe and KLJ executed the task order, delaying commencement of the project nearly a year. The schedule for rendering services under this Task Order is modified as follows:

Deliverable dates for all tasks shall be December 31, 2021.

3. Task Order Summary (Reference only)

- a. Original Task Order amount: \$ 245,551.62
- b. Net change for prior amendments: \$ n/a
- c. This amendment amount: \$ 0.00
- d. Adjusted Task Order amount: \$ 245,551.92

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is September 25, 2019.

OWNER:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date  
Signed: \_\_\_\_\_

Mike Faith, Chairman

ENGINEER:

By: \_\_\_\_\_

Title: Mark Anderson, VP

Date

9/25/19

This is **EXHIBIT K**, consisting of 1 page, referred to in and part of the **Agreement between Owner and Engineer for Professional Services – Task Order Edition** dated January 10, 2017.

**Amendment To Task Order No. 1811-02289-1**

1. Background Data:

- a. Effective Date of Task Order: April 1, 2019
- b. Owner: Standing Rock Sioux Tribe
- c. Engineer: KLJ, Inc
- d. Specific Project: BIA 6 Rehabilitation *Resurface Design*

2. Description of Modifications

The PL93-638 contract between the Tribe and the BIA was delivered many months after the Tribe and KLJ executed the task order, when several of the task order delivery dates were almost expired. The schedule for rendering services under this Task Order is modified as follows:

Deliverable dates for all tasks shall be December 31, 2020.

3. Task Order Summary (Reference only)

- a. Original Task Order amount: \$ 64,309.00
- b. Net change for prior amendments: \$ n/a
- c. This amendment amount: \$ 0.00
- d. Adjusted Task Order amount: \$ 64,309.00

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is September 25, 2019.

OWNER:

By:

Title:

Date

*[Signature]*

Mike Faith, Chairman

*[Signature]* 9-20

ENGINEER:

By:

Title:

Date

*[Signature]*

Mark Anderson, VP

9/25/19

## TASK ORDER

This is Task Order No. 1811-02289-1, consisting of  
\_\_3\_\_ pages.

### Task Order

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In accordance with the Agreement for Engineering Services between Standing Rock Sioux Tribe ("Owner") and Engineer, dated January 10, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. **Specific Project Data**

A. Title: BIA Route 6 – Rehabilitation Project Design.

B. Description: Completion of survey, environmental and design for the rehabilitation/overlay of BIA Route 6, beginning at the junction with ND 24 and extending west for 7 miles. This project will connect to the reconstruction project being separately designed.

2. **Services of Engineer**

#### PRELIMINARY AND ENVIRONMENTAL PHASE

- Provide preliminary survey and field measurements of roadway or features for safe design.
- Provide the coordination and survey of the existing utilities.
- Provide the environmental/utility coordination.
- Provide the cultural resource coordination.
- Provide the concept/environmental report.
- Determine if there is existing right of way and coordinate right of way documentation including exhibits and right of way applications.
- Coordinate the environmental review and approval.

#### DESIGN ENGINEERING PHASE

- Prepare preliminary plans and specifications.
- Administer preliminary plan reviews.
- Prepare final project plans and specifications for bidding purposes.

#### CONSTRUCTION ENGINEERING PHASE

- Provide Bidding assistance
- Construction engineering services will be administered under a separate task order

Additional services not included: property, boundary, or right-of-way surveys; preparation of Change Orders; test borings and other sub-surface investigations; permitting, zoning, and platting; aerial

## TASK ORDER

photography; appearances before courts or boards on matters of litigation related to the project. If requested these services will be billed on the basis of hourly rates.

The Engineer shall furnish to the Tribe, upon request, up to five copies of all reports, maps, plans and specifications pertaining to the project. Original documents, survey notes, drawings and maps prepared by the Engineer shall remain the sole property of the Engineer. The Engineer shall be held harmless by Tribe or any other person for use of any plans or drawings not signed by Engineer, or for use of plans or drawings on any project other than the one set forth in this Agreement. The Engineer shall not be held responsible for any changes made in plans or specifications by the Tribe or other person.

The Engineer's undertaking hereunder shall not relieve the contractor of contractor's obligation to perform the work in conformity with the drawings and specifications and in a workmanlike manner; shall not make the Engineer an insurer of the contractor's performance; and shall not impose upon the Engineer any obligation to see that the work is performed in a safe manner.

### 3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: *[Here state any additions or modifications to Exhibit B, for this Specific Project.]*

### 4. Times for Rendering Services

<u>Phase</u>	<u>Completion Date</u>
<u>Preliminary and Environmental</u>	September 30, 2019 _____
<u>Design</u>	December 31, 2019 _____

### 5. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

Payment for all of the above work is to be made on the basis of hourly rates.  
The total maximum task order amount shall be \$64,309.00, including TERO fees.

B. The terms of payment are set forth in Article 4 of the Agreement for Engineering Services.

## TASK ORDER

Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is \_\_\_\_\_, \_\_\_\_\_.

OWNER: Standing  
Rock Sioux  
Tribe

ENGINEER: KLJ, Inc.

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Mike Faith, Jr.

Name: Mark Anderson

Title: Chairman, Standing Rock Sioux  
Tribe

Title: Director, Surface Transportation

Engineer License or Firm's  
Certificate No. \_\_\_\_\_  
State of: \_\_\_\_\_

### DESIGNATED REPRESENTATIVE FOR TASK ORDER:

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Name: Ron His Horse Is Thunder

Name: Craig Genzlinger

Title: Director, Transportation Planning

Title: Client Manager

Address: PO Box D  
Fort Yates, ND 58538

Address: 2669 Airport Road  
Helena, MT 59601

E-Mail Address: rhishorseisthunder@standingrock  
.org

E-Mail Address: Craig.Genzlinger&kljeng.com

Phone: (701)854-8612

Phone: (406) 447-3357

Fax: \_\_\_\_\_

Fax: \_\_\_\_\_

## RESOLUTION NO. 730-22

Amended No. 457-22

**WHEREAS**, the Standing Rock Sioux Tribe is an unincorporated Tribe of Indians, having accepted the Indian Reorganization Act of June 18, 1934, with the exception of Section 16; and the recognized governing body of the Tribe is known as the Standing Rock Sioux Tribal Council; and

**WHEREAS**, the Standing Rock Sioux Tribal Council empowered by appropriate motion, resolution or ordinance, under Article IV, Section 1[a], and 1[b], to negotiate with Federal, State and local governments and others on behalf of the Tribe, to advise and consult with the representatives of the Department of Interior on all activities of the Department which may affect the Tribe and is further empowered to advise the Secretary of Interior on all appropriations estimates of Federal projects for the benefit of the Tribe or the reservation; and

**WHEREAS**, the Title 23 U.S.C., Section 204[j] states "..... The Indian Tribal Government in cooperation with the Secretary of the Interior, and as may be appropriate, with the State, local government, or metropolitan planning organization, shall develop a transportation improvement program, that includes all Indian reservation road projects proposed for funding. The Projects shall be selected by the Indian Tribal Government from the Transportation Improvement Program and shall be subject to the approval of the Secretary of the Interior and the Secretary ....."; and

**WHEREAS**, the Economics Committee of the Tribal Council, in its meeting of June 22, 2022 [month and day], 2022, reviewed amended Resolution No. \_\_\_\_ regarding the proposed road construction priorities and recommends the Tribal Council add additional/new road construction priorities as follows;

PROJECT #	PROJECT DESCRIPTION	PRIORITY LIST/FICAL YEAR [FY]				
		FY 22	FY 23	FY 24	FY 25	FY 26
A10000600	BIA 6 Resurfacing [5.7 miles] - Construction		X	X	X	X
A1060000	BIA 6 Reconstruction [7.4 miles] – Design and Construction		X	X	X	X
A1003115	BIA 31 Widening Project [0.3 miles]		X	X	X	
A1013600	BIA 36 Cannon Ball Widening [2.1 miles] – Design and Construction and South Big Lake Road 3.2 miles		X	X		
A1030000	Cannon Ball Community Pathway Phase I Lighting - Construction	X	X			
A1030100	Cannon Ball Community Pathway Phase II Lighting - Construction	X	X			
A10310R0	* BIA 31 (Reconciliation)	X				
A1050700	* Community Streets Improvement (INFINCE) - Loan	X	X	X	X	
A1003400	BIA 3400 Little Eagle Loop - Construction	X	X			
A2059900	Porcupine Pathway - Construction	X				



A1003900	Bear Soldier South Project – Safety Lighting - Construction	X				
A1020000	Bullhead Pathway - Construction	X	X			
A1030800	* East of Bullhead East & Surfacing (INFINCE) - Loan	X	X	X	X	
A1050800	Standing Rock Community Streets SD [2.4 miles]	X	X	X	X	
A1065000	Wakpala Pathway [3.4 miles] – Design and Construction	X	X	X		
A1073000	BIA 3 Resurfacing [13.5 miles] – ND 1806 to South State Line – Design and Construction	X	X	X	X	X
A1088038	SRST Safety Striping – ND	X	X			
A1088046	SRST Safety Striping – SD	X	X			
A1096038	SRST Safety Signing – ND			X		
A1096046	SRAT Safety Signing – SD			X		
A1095000	Community Streets – SD				X	
A10RMA14	SRST Road Maintenance – ND	X	X	X	X	X
A10RMA15	SRST Road Maintenance – SD	X	X	X	X	X
A10-	Reservation Wide Culverts and Bridges	X	X	X	X	X
A10-	Fort Yates Post Office Rd/South River Rd Reconstruction [0.4 miles] – Design and Construction	X	X	X	X	X
A10-	Fort Yates – Family Dollar Pathway [1.6 mile] – Design and Construction		X	X		
A10-	Kenel Pathway, Powwow grounds to 2 <sup>nd</sup> Ave. [0.5 mile] – Design and Construction		X	X		
A10-	Sitting Bull Burial Site Access Road and Parking Improvements			X	X	X
A10-	SRST Transportation Safety Plan	X	X			
A1083101	SRST Long Range Transportation Plan		X	X		
A1083102	SRST Inventory Update	X	X			
A10AC551	SRST TTP Administration	X	X	X	X	X
A10TR552	SRST Transit Operations				X	X

**NOW THERE FORE BE IT RESOLVED**, Title 23 U.S.C., Section 204 [j], authorizing the Economics Committee recognized as the Indian Reservation Roads Committee [IRR] recommends approval to the Branch of Roads, Aberdeen Regional Office, and the Public Lands Highway Office, Federal Highway Administration, as approved Transportation Improvement Program Priorities as set forth above for Fiscal Year 2022 through 2026, are hereby approved by the Standing Rock Sioux Tribal Council; and

**NOW THERE FORE BE IT RESOLVED**, that the Standing Rock Sioux Tribe reserves the right upon selection from the priority list to request a P.L. 93-638 Contract contingent upon TTP funding; and

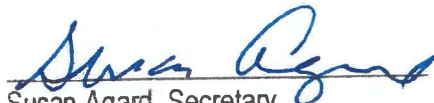
**BE IT FURTHER RESOLVED**, that the Chairman and Secretary of the Tribal Council are hereby authorized and instructed to sign this resolution for and on behalf of the Standing Rock Sioux Tribe.

## CERTIFICATION

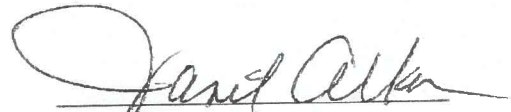
I, the undersigned, Secretary of the Tribal Council of the Standing Rock Sioux Tribe, hereby certify that the Tribal Council is composed of [ 17 ] of whom 11 constituting a quorum, were present at a meeting thereof, duly and regularly, called, noticed, convened and held on the 2<sup>nd</sup> day of **NOVEMBER, 2022**, and that the foregoing resolution was duly adopted by the affirmative vote of 10 members, with 0 opposing, and with 1 not voting.  
**THE CHAIRMAN'S VOTE IS NOT REQUIRED EXCEPT, IN CASE OF TIE.**

DATED THIS 2<sup>ND</sup> DAY OF NOVEMBER, 2022.

ATTEST:



Susan Agard, Secretary  
Standing Rock Sioux Tribe



Janet Alkire, Chairwoman  
Standing Rock Sioux Tribe

[Official Tribal Seal]