

**CROW TRIBAL LEGISLATURE
MAY 20, 2010 SPECIAL SESSION**

JOINT ACTION RESOLUTION NO. JAR10-06

**CO-INTRODUCED BY CEDRIC BLACK EAGLE, CHAIRMAN OF THE
EXECUTIVE BRANCH AND THE INFRASTRUCTURE COMMITTEE OF
THE LEGISLATURE**

**JOINT ACTION RESOLUTION OF THE CROW TRIBAL LEGISLATIVE
BRANCH AND THE CROW TRIBAL EXECUTIVE BRANCH ENTITLED:**

**A RESOLUTION TO AUTHORIZE THE CHAIRMAN AND THE AD
HOC WATER/SEWER COMMITTEE OF THE LEGISLATURE TO
SUBMIT AN APPLICATION FOR FUNDING IN THE FORM OF A
GRANT AND/OR LOAN TO THE UNITED STATES DEPARTMENT
OF AGRICULTURE (USDA) FOR PHASE NO. III OF THE CROW
AGENCY WATER AND WASTEWATER INFRASTRUCTURE
PROJECT AND FOR OTHER PURPOSES**

WHEREAS, phase No. I of the water and waste water project is finished and phase No. II is nearly complete and will be completed in October of 2010 barring any unforeseen circumstances for the Community of Crow Agency, the seat of government for the Crow Nation, also referred to as the Teepee Capital of the World, Crow Indian Reservation, Montana;

WHEREAS, phase No. III consists primarily of a wastewater line replacement for Crow Agency with said estimated costs broken down asset forth in the attached exhibit marked "A" which is hereby incorporated by reference and made a part of this Joint Action Resolution;

WHEREAS, as set forth in exhibit No. "A" the total estimated costs of phase No. III is \$6,877,000.00 and the Apsaalooke (Crow) Tribe has been able to procure through grants \$2,900,000 which represents approximately 42% of the overall costs;

WHEREAS, the unfunded portion of the total costs of phase No. III will more likely than not come from the United States Department of Agriculture (USDA) in the form of grants and also a loan provided however that the proper authorization comes from the Legislative Branch authorizing the Chairman and the Committee to submit an application to the United States Department of Agriculture;

WHEREAS, upon the submittal and review of this grant/loan application by the Chairman and the Committee to the USDA, the USDA will determine how much of the financial package will consist of loan and how much will consist of a grant or in other words the ratio of the loan to grant and convey this to the Chairman and the Committee by a written offer or request;

WHEREAS, after reviewing all aspects of the offer or request being made by USDA to the Apsaalooke (Crow) Tribe this committee shall be allowed to accept this offer provided however that it is the best interest of the Apsaalooke (Crow) Tribe in its endeavor to complete phase No. III of the project and sign all necessary loan and grant documents;

**NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE AND
THE EXECUTIVE BRANCHES OF THE CROW TRIBE:**

That, the Chairman and the ad hoc Water/Sewer Committee of the Legislature are authorized to submit an application for grant and loan funding to the USDA for phase No. III of the project and for other purposes in accordance with the application procedure established by Joint Action Resolution 06-13;

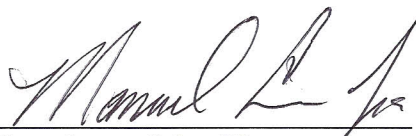
That, further, after reviewing all aspects of the offer being made by USDA to the Apsaalooke (Crow) Tribe the ad hoc Water/Sewer Committee shall be allowed to accept this offer provided however that it is in the best interest of the Apsaalooke (Crow) Tribe in its endeavor to complete phase No. III of the Crow Agency project and sign all necessary loan and grant document on behalf of the Crow Tribe of Indians.

CERTIFICATION

I hereby certify that this Joint Action Resolution entitled:


A RESOLUTION TO AUTHORIZE THE CHAIRMAN AND THE AD HOC WATER/SEWER COMMITTEE OF THE LEGISLATURE TO SUBMIT AN APPLICATION FOR FUNDING IN THE FORM OF A GRANT AND/OR LOAN TO THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) FOR PHASE NO. III OF THE CROW AGENCY WATER AND WASTE WATER INFRASTRUCTURE PROJECT AND FOR OTHER PURPOSES

was duly enacted by the Crow Tribal Legislature with a vote of 16 in favor 0 opposed, and 0 abstaining and that a quorum was present on this 20th day of May, 2010.



Speaker of the House
Crow Tribal Legislature

ATTEST:



Secretary of the House
Crow Tribal Legislature



EXECUTIVE ACTION

I hereby:

X approve

_____ veto

this Joint Action Resolution for:

A RESOLUTION TO AUTHORIZE THE CHAIRMAN AND THE AD HOC WATER/SEWER COMMITTEE OF THE LEGISLATURE TO SUBMIT AN APPLICATION FOR FUNDING IN THE FORM OF A GRANT AND/OR LOAN TO THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) FOR PHASE NO. III OF THE CROW AGENCY WATER AND WASTE WATER INFRASTRUCTURE PROJECT AND FOR OTHER PURPOSES

Pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe or Indians, on this 15th day of ~~May~~, 2010.

June



Cedric Black Eagle, Chairman
Crow Tribal Executive Branch

AWWA PHASE III – LOAN/GRANT FROM USDA

Bill or Resolution: JAR10-06 Introduced by: Executive Branch/Infrast. Committee Date of Vote: 5/20/2010
Number

<u>Representative:</u>	Yes	No	Abstained
H. Two Leggins	<u>X</u>	<u> </u>	<u> </u>
V. Pretty Paint	<u>X</u>	<u> </u>	<u> </u>
C. J. Stewart	<u>X</u>	<u> </u>	<u> </u>
K. Shane	<u>X</u>	<u> </u>	<u> </u>
S. Backbone	<u>X</u>	<u> </u>	<u> </u>
O. Half, Jr.	<u>X</u>	<u> </u>	<u> </u>
W. Plainfeather	<u>X</u>	<u> </u>	<u> </u>
R. Old Crow, Sr.	<u>X</u>	<u> </u>	<u> </u>
M. Not Afraid	<u>X</u>	<u> </u>	<u> </u>
V. Crooked Arm	<u>X</u>	<u> </u>	<u> </u>
L. DeCrane	<u>X</u>	<u> </u>	<u> </u>
C. Goes Ahead	<u>X</u>	<u> </u>	<u> </u>
B. Hugs	<u> </u>	<u> </u>	<u> </u>
G. Real Bird, Jr.	<u>X</u>	<u> </u>	<u> </u>
M. Backbone	<u>X</u>	<u> </u>	<u> </u>
D. Wilson	<u> </u>	<u> </u>	<u> </u>
P. Alden, Jr. <i>Secretary of the House</i>	<u>X</u>	<u> </u>	<u> </u>
M. Covers Up, Sr. <i>Speaker of the House</i>	<u>X</u>	<u> </u>	<u> </u>
Totals:	<u>16</u>	<u>0</u>	<u>0</u>

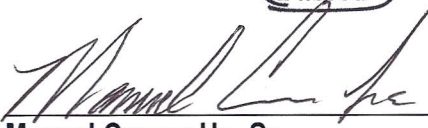
Result of Vote:

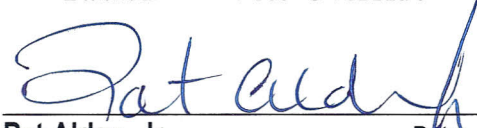
Passed

Not Passed

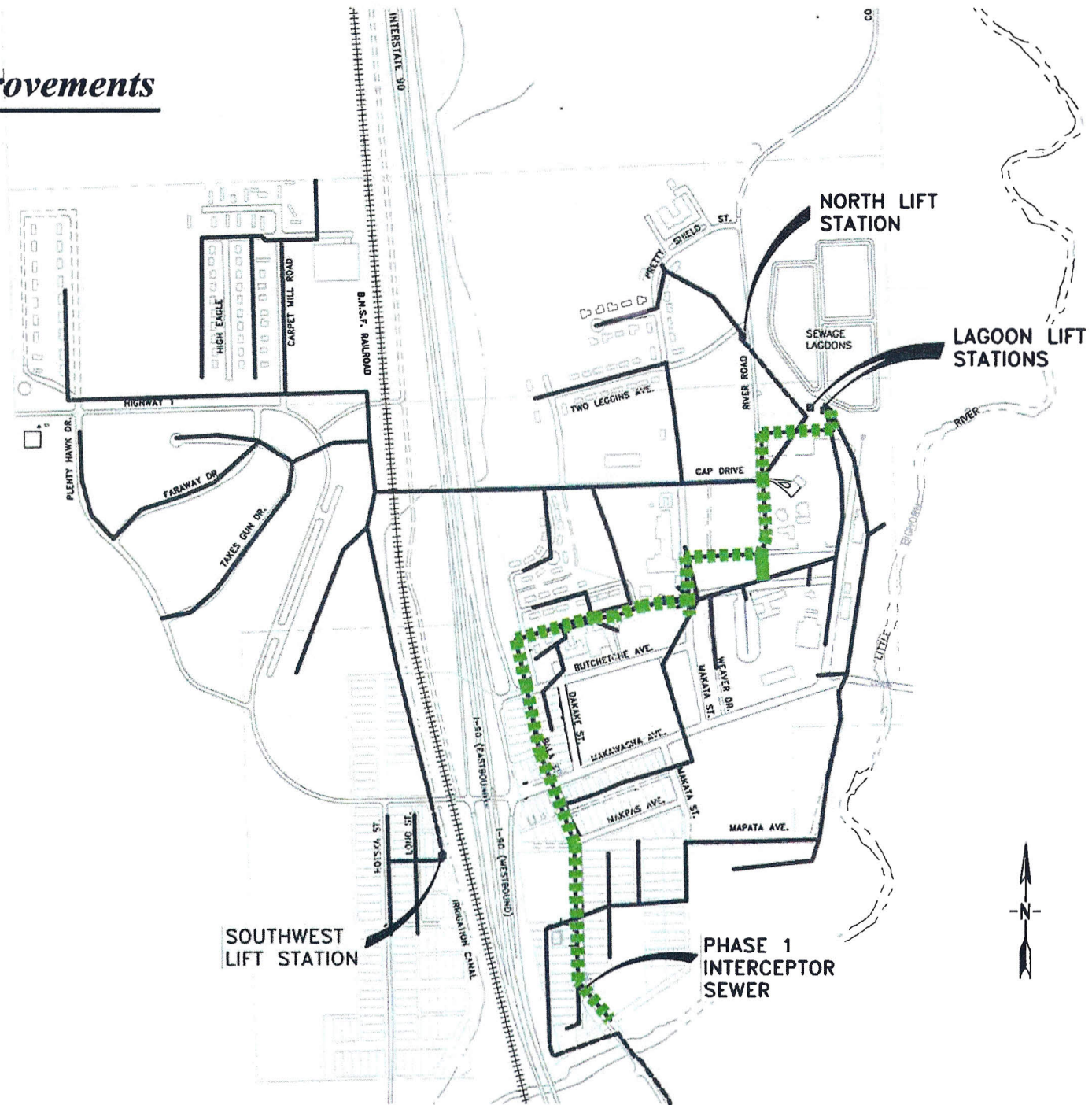
Tabled

Veto-Override

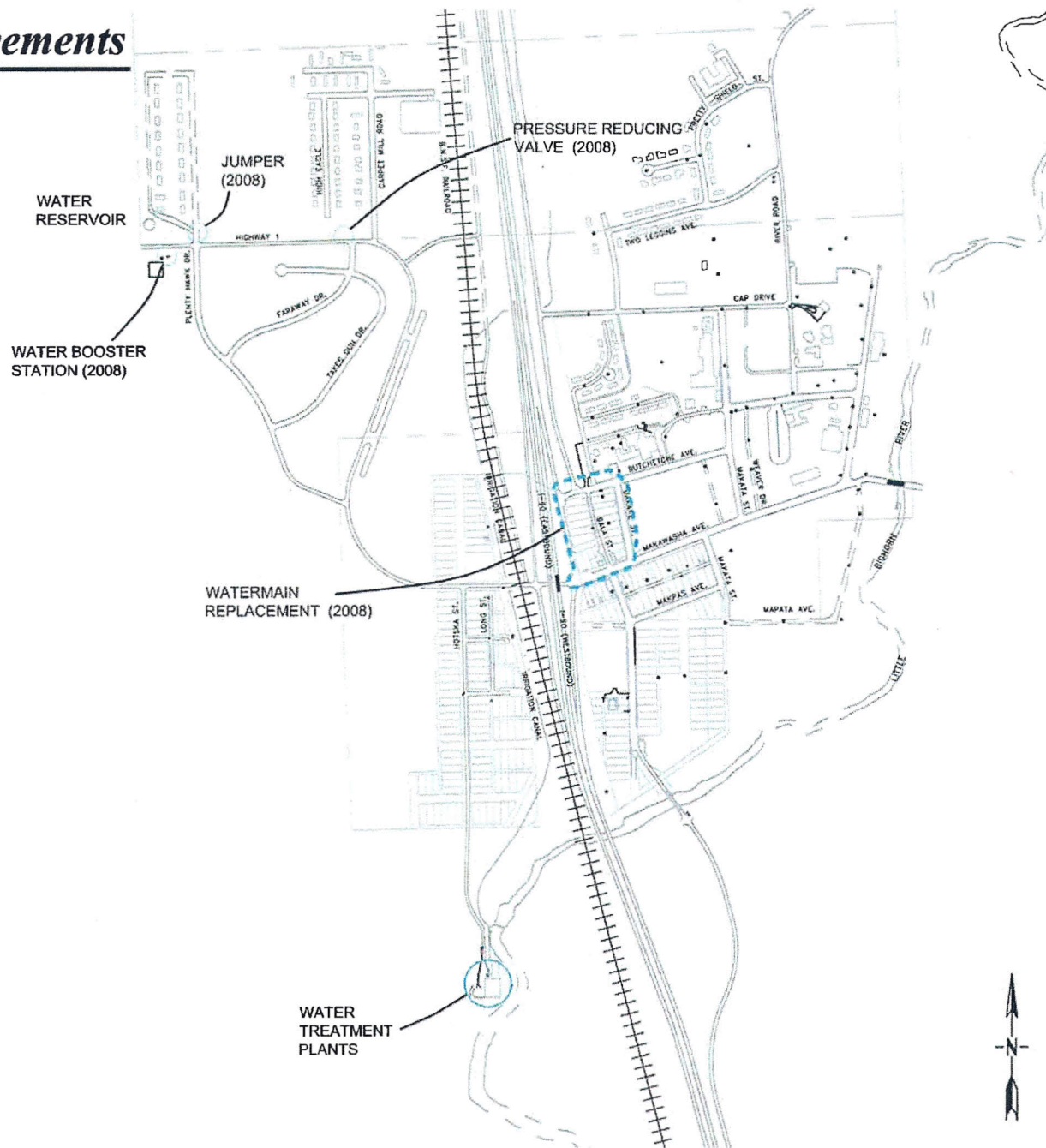

Manuel Covers Up, Sr.
Speaker
Date

 5.20.10
Pat Alden, Jr.
Secretary
Date

Phase 1 Sewer Improvements



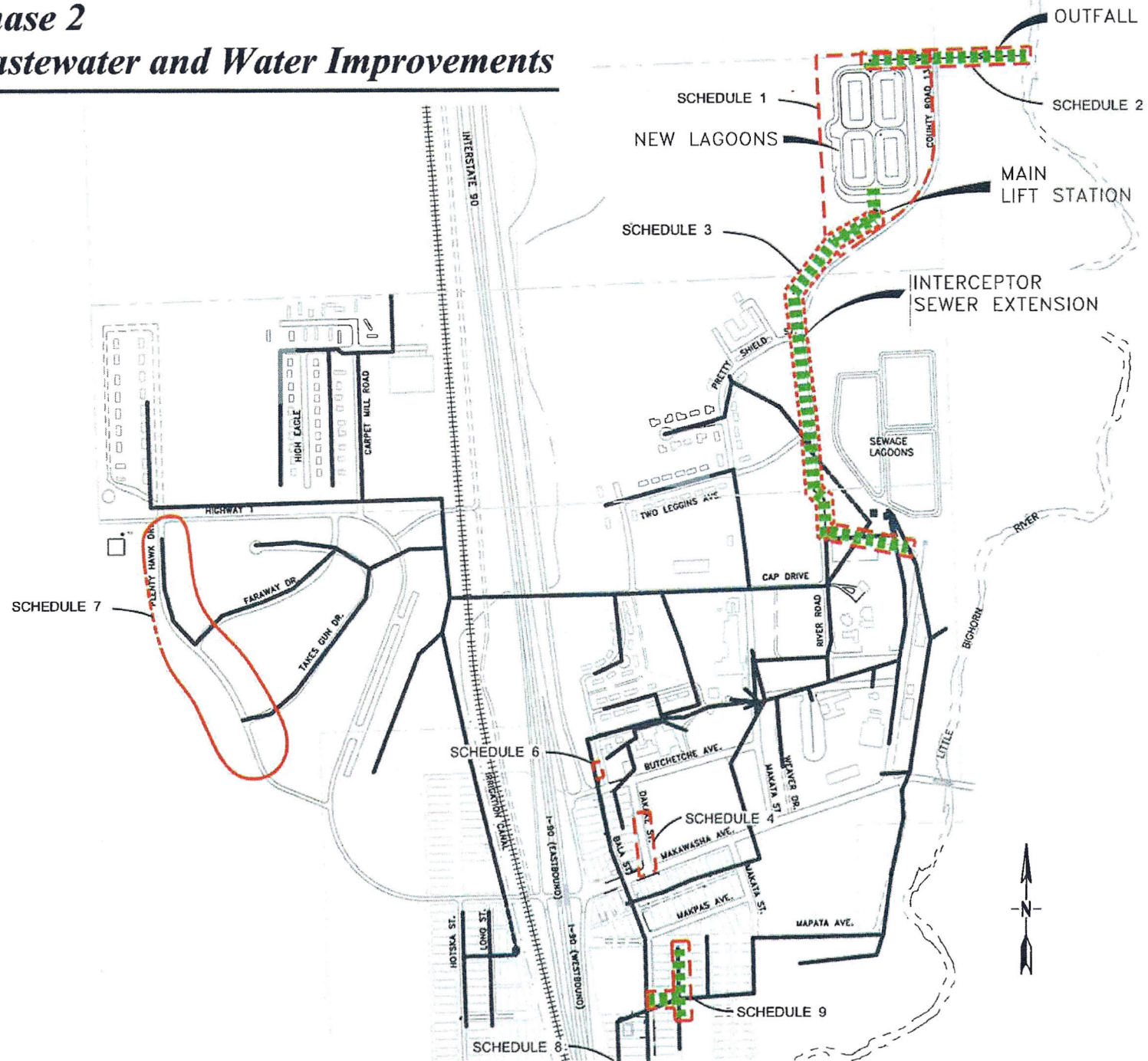
Phase 1 Water Improvements



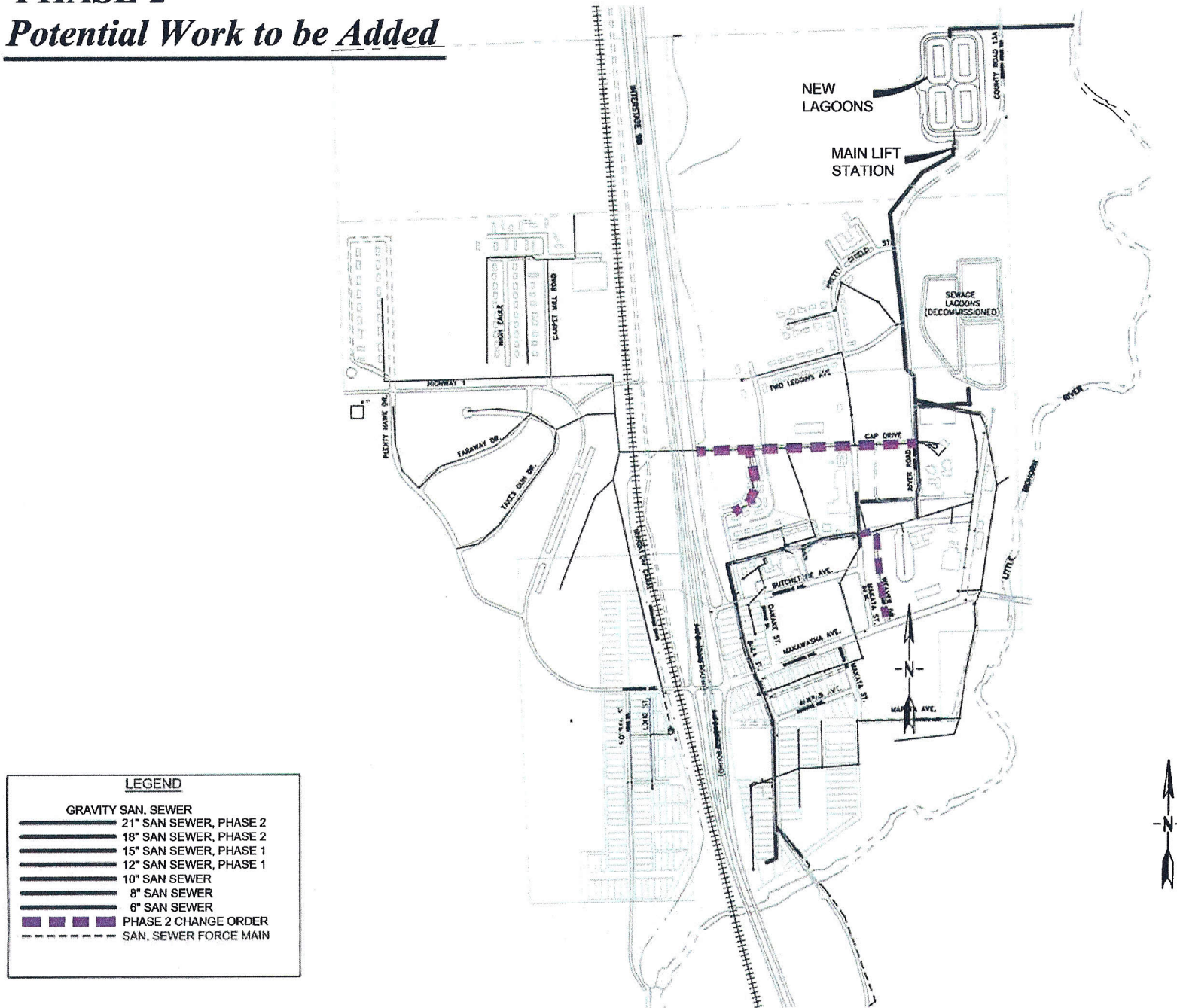
Phase 1 Sources of Funding - \$3,708,285

Source	Grant Amount	Loan Amount	Crow Tribe Cash
USDA Indian Set-aside Program	\$1,000,000		
USDA Rural Utility Service Program		\$962,222	
US Indian Health Service	\$293,500		
US EPA Housing Program	\$217,670		
US EPA Indian Set-aside Program	\$697,613		
MT Treasure State Endowment Program	\$500,000		
Crow Tribe Match			\$37,280
TOTAL	\$2,708,783	\$962,222	\$37,280

Phase 2 Wastewater and Water Improvements



PHASE 2
Potential Work to be Added





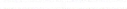



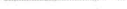



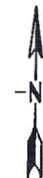
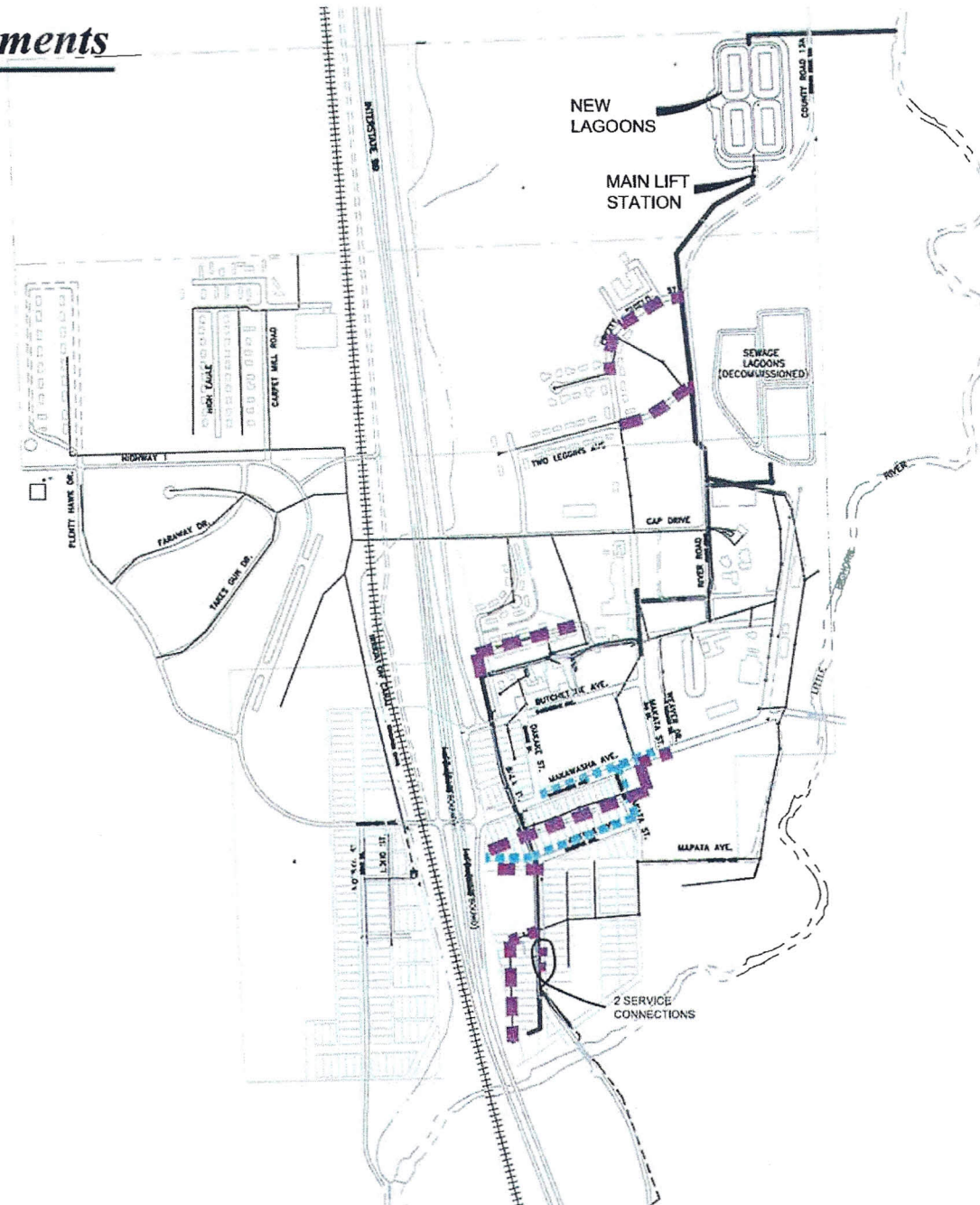
Phase 2 Sources of Funding - \$6,537,298

Source	Grant Amount	In-kind Donation	Loan Amount	Crow Tribe WPA
USDA Rural Utility Service Program	\$715,400		\$837,778	
USDA Community Facilities Program	\$190,000			
US IHS Stimulus Program	\$1,033,610			
US HUD Indian Community Development Block Grant	\$1,225,870			
US State and Tribal Assistance Program	\$573,000			
US Water Resources Development Act	\$245,000			
US EPA Housing Program	\$6,262			
US Navy Seabees Earthwork Donation		\$292,000		
MT Treasure State Endowment Program	\$750,000			
MT Community Development Block Grant	\$450,000			
Big Horn County, Montana	\$100,000			
Crow Tribe Workforce Protection Act (WPA)				\$118,378
TOTAL	\$5,289,142	\$292,000	\$837,778	\$118,378

Phase 3a Wastewater Improvements

TOTAL LF GRAVITY SEWER =5150 LF
TOTAL LF WATERLINE =2170 LF

LEGEND	
GRAVITY SAN. SEWER	
	21" SAN SEWER, PHASE 2
	18" SAN SEWER, PHASE 2
	15" SAN SEWER, PHASE 1
	12" SAN SEWER, PHASE 1
	10" SAN SEWER
	8" SAN SEWER
	6" SAN SEWER
	PHASE 3 CONSTRUCTION
	SAN. SEWER FORCE MAIN
WATERLINE	
	PHASE 3 CONSTRUCTION









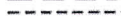



**PHASE 3a WASTEWATER COLLECTION IMPROVEMENTS
CROW AGENCY, MT**

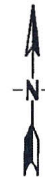
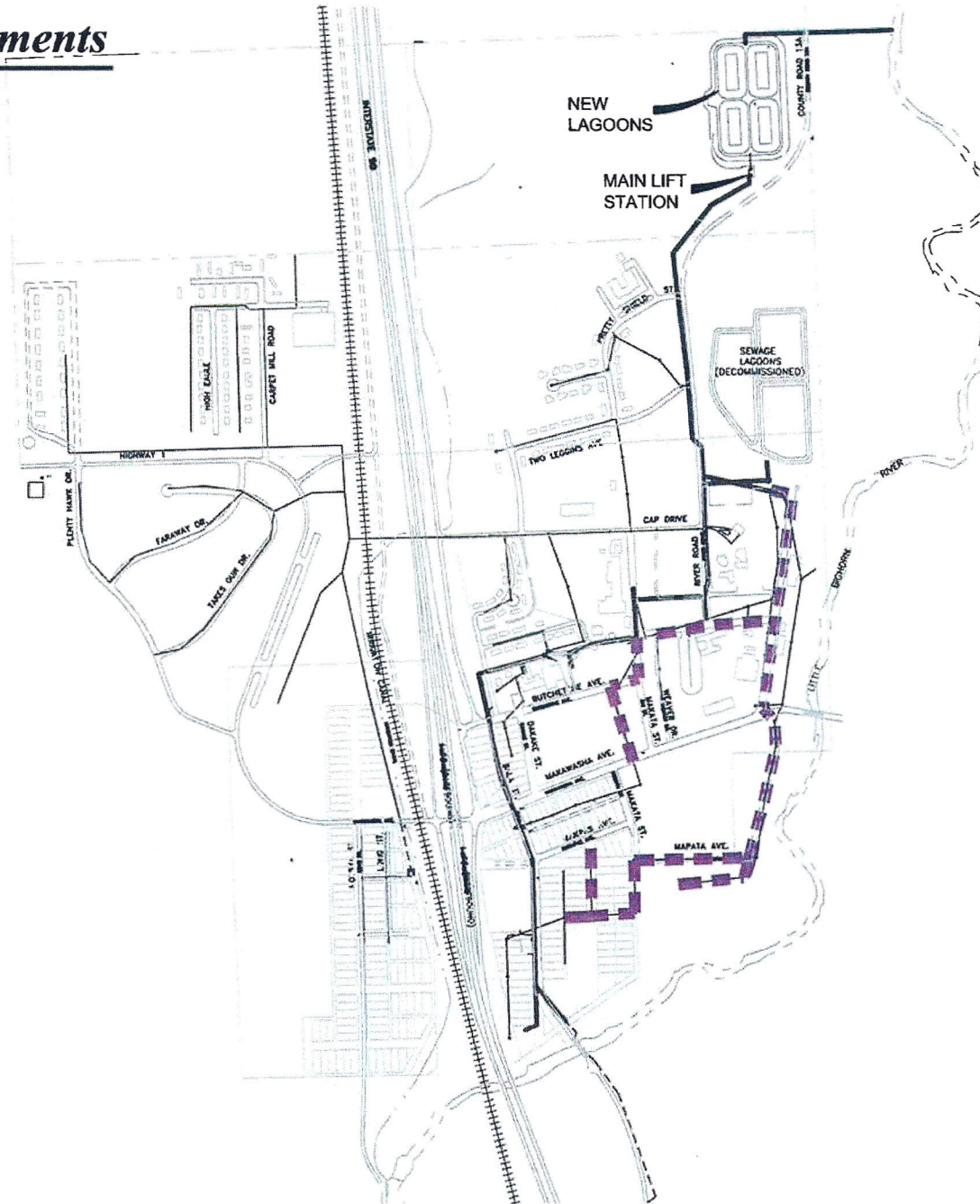
Item	Quantity	Unit	Unit Price, 2011	Total Cost (2011)
8" Sanitary Sewer	5150	LF	\$95.00	\$489,250.00
48"x5' Manholes	20	EA	\$4,000.00	\$80,000.00
48" MH Add. Depth	100	VF	\$100.00	\$10,000.00
Sewer Serv. Reconnection	40	EA	\$1,600.00	\$64,000.00
Connect to Existing Manhole or Sewer Main	5	EA	\$4,000.00	\$20,000.00
New service connection and 6" service line to within 5 feet of structure	200	LF	\$50.00	\$10,000.00
8" Water Line (PVC)	2170	LF	\$81.00	\$175,770.00
8" Valves	8	EA	\$2,000.00	\$16,000.00
8" Tee (All Sizes)	10	EA	\$900.00	\$9,000.00
8" Reducers (All Sizes)	3	EA	\$700.00	\$2,100.00
8" Bends (All Angles)	9	EA	\$700.00	\$6,300.00
Fire Hydrant Assembly (Complete)	6	EA	\$8,000.00	\$48,000.00
Connect to Existing Water Main (All Sizes)	4	EA	\$2,500.00	\$10,000.00
Water Service Reconnections	30	EA	\$2,500.00	\$75,000.00
Underground Utility Crossings	175	EA	\$1,200.00	\$210,000.00
Unimproved Trench Restoration- 1-1/2" Minus Base Course only	930	LF	\$27.00	\$25,110.00
Improved Trench Restoration- Asphalt & 1-1/2" Minus Base Course	6390	LF	\$91.00	\$581,490.00
Exploratory Excavation (Small Crew)	50	HR	\$500.00	\$25,000.00
Exploratory Excavation (Large Crew)	50	HR	\$900.00	\$45,000.00
General Requirements (10%)	1	LS	\$189,200.00	\$189,200.00
Traffic Control	1	LS	\$35,000.00	\$35,000.00
SUBTOTAL				\$2,116,000.00
Mobilization / Demobilization (10%)				\$212,000.00
Taxes, Bonds, Insurance (5%)				\$106,000.00
Contingency (20%)				\$423,000.00
SUBTOTAL				\$2,857,000.00
Administration Cost (Loan Fees, Grant Admin, etc.) (5%)				\$143,000.00
Engineering (20%)				\$571,000.00
WPA (3%)				\$86,000.00
Total, 2011 dollars				\$3,657,000.00

^a Costs for technical services are based on a percent of total construction for budgeting purposes only. Final costs for technical services will be negotiated prior to any predesign or preliminary design activities and may vary depending on actual site conditions, availability of data, final scope of services, and etc.

Phase 3b Wastewater Improvements

TOTAL LF GRAVITY SEWER 5715 LF

LEGEND	
GRAVITY SAN. SEWER	
	21" SAN SEWER, PHASE 2
	18" SAN SEWER, PHASE 2
	15" SAN SEWER, PHASE 1
	12" SAN SEWER, PHASE 1
	10" SAN SEWER
	8" SAN SEWER
	6" SAN SEWER
	PHASE 3 CONSTRUCTION
	SAN. SEWER FORCE MAIN
WATERLINE	
	PHASE 3 CONSTRUCTION



**PHASE 3b WASTEWATER COLLECTION IMPROVEMENTS
CROW AGENCY, MT**

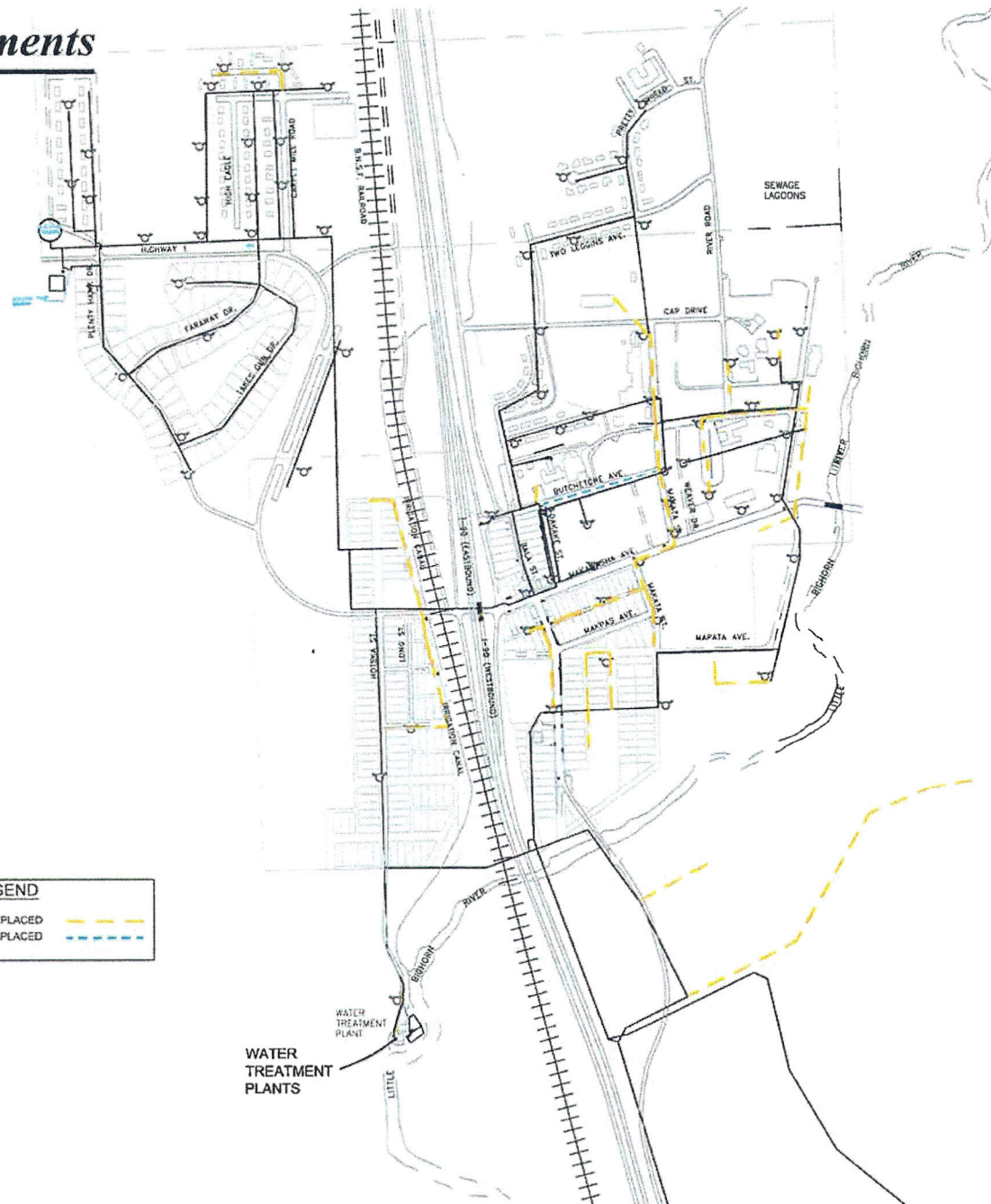
Item	Quantity	Unit	Unit Price, 2011	Total Cost (2011)
8" Sanitary Sewer	5715	LF	\$95.00	\$542,925.00
48"x5' Manholes	26	EA	\$4,000.00	\$104,000.00
48" MH Add. Depth	100	VF	\$100.00	\$10,000.00
Sewer Serv. Reconnection	120	EA	\$1,600.00	\$192,000.00
Connect to Existing Manhole or Sewer Main	5	EA	\$4,000.00	\$20,000.00
Underground Utility Crossings	225	EA	\$1,200.00	\$270,000.00
Unimproved Trench Restoration- 1-1/2" Minus Base Course only	1100	LF	\$27.00	\$29,700.00
Improved Trench Restoration- Asphalt & 1-1/2" Minus Base Course	4615	LF	\$91.00	\$419,965.00
Exploratory Excavation (Small Crew)	50	HR	\$500.00	\$25,000.00
Exploratory Excavation (Large Crew)	50	HR	\$900.00	\$45,000.00
General Requirements (10%)	1	LS	\$165,900.00	\$165,900.00
Traffic Control	1	LS	\$40,000.00	\$40,000.00
SUBTOTAL				\$1,864,000.00
Mobilization / Demobilization (10%)				\$186,000.00
Taxes, Bonds, Insurance (5%)				\$93,000.00
Contingency (20%)				\$373,000.00
SUBTOTAL				\$2,516,000.00
Administration Cost (Loan Fees, Grant Admin, etc.) (5%)				\$126,000.00
Engineering (20%)				\$503,000.00
WPA (3%)				\$75,000.00
Subtotal, 2011 dollars				\$3,220,000.00
<p>^a Costs for technical services are based on a percent of total construction for budgeting purposes only. Final costs for technical services will be negotiated prior to any predesign or preliminary design activities and may vary depending on actual site conditions, availability of data, final scope of services, and etc.</p>				

Phase 3 Sources of Funding - \$6,877,000

Source	Grant Amount	Loan Amount	Status
MT Treasure State Endowment Program	\$750,000		SECURED
MT Renewable Resource Grant Program	\$100,000		SECURED
MT Coal Impact Program	\$199,500		SECURED
US HUD Indian Community Development Block Grant	\$1,100,000		SECURED
US State and Tribal Assistance Program FY09	\$291,000		SECURED
US State and Tribal Assistance Program FY10	\$291,000		SECURED
US Water Resources Development Act	\$178,000		SECURED
USDA Stimulus Program	\$2,000,000		Pending
USDA Indian Set-aside Program	\$1,000,000		Pending
USDA Rural Utility Service Program		\$750,000	Pending
SHORTFALL			Need \$217,500
TOTAL	\$5,909,500	\$750,000	Need \$217,500

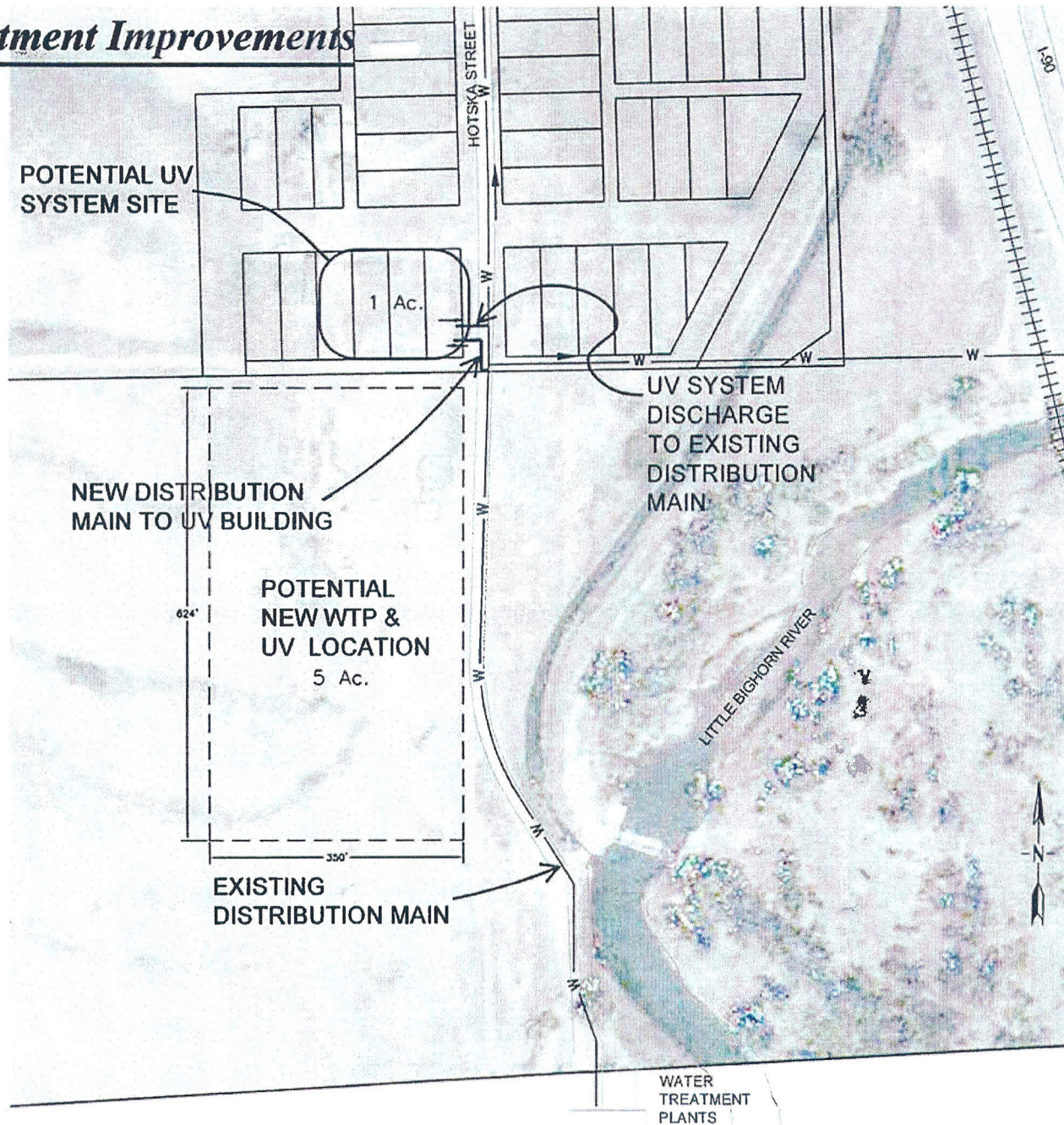
Phase 4 Waterline Improvements

LEGEND	
4" WATERLINE TO BE REPLACED	---
6" WATERLINE TO BE REPLACED	---



Phase 4

Water Treatment Improvements



Phase 4a-1 Sources of Funding - \$3,205,000

Source	Grant Amount	Loan Amount	Crow Tribe Cash	Status
US State and Tribal Assistance Program and Water Resources Development Act	\$400,000			Requested
US EPA Tribal Set-aside Program	\$650,000			Requested
MT Treasure State Endowment Program	\$750,000			Requested
MT Renewable Resource Grant Program	\$100,000			Requested
MT Coal Impact Program	\$199,500			Plan to Request in May 2011
US HUD Indian Community Development Block Grant	\$1,100,000			Can Request in Summer 2010 or 11
Crow Tribe Match			\$5,500	Secured
TOTAL	\$3,199,500	\$0	\$5,500	