

Oneida Nation

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Oneida, WI 54155

BC Resolution # 04-08-20-K¹

Appointing Oneida ESC Group LLC as Nation's General Contractor for Construction Projects

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Nation is the sole owner of Oneida ESC Group LLC, with the following subsidiaries MS2 (Mission Support Services), OTIE (Oneida Total Integrated Enterprises), SRS (Sustainment & Restoration Services), and OES (Oneida Engineering Solutions); and
- WHEREAS,** Oneida OESC Group LLC has the resources to provide general contracting in construction projects for the Oneida Nation which will support and enhance the Nation's ability to implement Indian Preference and support employment opportunities for Nation members and other Native Americans; and
- WHEREAS,** the Oneida Business Committee, having reviewed the qualifications, quality of services, and ability to meet the demands of the Nation's construction needs, has determined that it should appoint Oneida ESC Group LLC as the Nation's General Contractor; and
- WHEREAS,** this General Contractor appointment will result in consistency in high quality work product, consistency in identifying and making available employment and learning opportunities for Oneida Nation members and Native Americans, and will ease the process of identifying General Contractors and sub-contractors for construction projects thus speeding up the review and approval process regarding Request for Proposals/Bids/Qualifications and negotiating contracts; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee appoints Oneida ESC Group LLC as the General Contractor for the Nationⁱⁱ.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 8th day of April, 2020; that the forgoing resolution was duly adopted at such meeting by a vote of 7 members for, 0 members against, and 0 members not voting^{*}; and that said resolution has not been rescinded or amended in any way. This is a corrected resolution; the resolution number is corrected as noted in the endnote.



Lisa Liggins, Secretary
Oneida Business Committee

^{*}According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

ⁱ The resolution was adopted on April 8, 2020, was numbered in error as 04-08-19-K.

ⁱⁱ The Oneida Business Committee took the following actions at the March 23, 2022, regular meeting:

- a) Motion to interpret BC resolution # 04-08-20-K, *Appointing Oneida ESC Group LLC as Nation's General Contractor for Construction Projects*, that Oneida ESC Group LLC, and its subsidiaries, are to be utilized as general contractor, design/build vendor, and for other construction related contracts to fully utilize the Oneida Nation owned corporate entity's expertise. Motion carried.
- b) Motion to interpret that BC resolution # 04-08-20-K, *Appointing Oneida ESC Group LLC as Nation's General Contractor for Construction Projects*, is applied in the following manner: 1) Where Federal or State Grant Dollars are resourced, an Acknowledgement and Acceptance/Approval Letter is required prior to expending 3rd Party Grant Dollars to mitigate potential Grant Compliance and Audit findings as CFR 200 is applicable to the spending of Federal Grant Funds; and 2) Where Tribal Contribution resources (budgeted or unbudgeted) are utilized, sole source should be applied to procurement solely for services provided by Oneida ESC Group LLC and its subsidiaries. Motion carried.