



Mashpee Wampanoag Tribe
483 Great Neck Rd So. Mashpee, MA 02649
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2021-RES-082

APPROVAL OF CONSTRUCTION CONTRACT WITH ROBERT B. OUR CO, INC. FOR I.H.S WATERLINE EXPANSION

WHEREAS, the Mashpee Wampanoag Tribe (“Tribe”) is a federally-recognized Indian tribe with a duly-enacted Constitution;

WHEREAS, the Mashpee Wampanoag Tribal Council (“Tribal Council”), the governing body of the Tribe, deems it essential under Article VI, § 2.A. of the Mashpee Wampanoag Tribal Constitution (“Constitution”) to promote and protect the political integrity, economic security and general welfare of the Tribe and members of the Tribe;

WHEREAS, Article VI, § 2.D. of the Constitution empowers the Tribal Council to negotiate and enter into contracts and agreements with state and local governments, private persons and corporate entities;

WHEREAS, the Tribe has been awarded funding for the construction and installation of a community waterline extension that would serve and connect at least seven (7) homes to the Mashpee Water District’s community system (the “proposed Water Line”);

WHEREAS, in connection with the proposed Water Line, the Tribe advertised a bid for the scope or work, notified TERO and scheduled a pre-bid conference on October 22, 2021 with 3 interested parties in attendance;

WHEREAS, the Tribe received one (1) bid and has issued a Notice of Award dated November 29, 2021 to the successful bidder – Robert B. Our Co. Inc. of Harwich, MA (the “Successful Bidder”);

WHEREAS, the Tribal Council desires to enter an Agreement Between Owner and Contractor for Construction Contract with the Successful Bidder for the construction of the proposed Water Line (the “Agreement”);

WHEREAS, the Tribal Council desires to approve the Agreement with the Successful Bidder for the construction of the proposed Water Line.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council hereby approves the Agreement with the Successful Bidder, in substantially the same form attached hereto as Exhibit A to provide the services described therein to the Tribe.

BE IT FINALLY RESOLVED, that the Tribal Council hereby grants to the Tribal Chairman, or in his absence, other Officer of the Tribal Council, the requisite authority and power for an on behalf of the Tribe to execute the Agreement with the Successful Bidder and take such further action necessary to effect the purposes of this Resolution.

All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and shall continue pursuant to the authority vested in the Tribal Council pursuant to Article VI, §§ 2.A. and D. of the Constitution.

CERTIFICATION

We, the undersigned Chairperson and Secretary of the Mashpee Wampanoag Tribal Council, do hereby certify that the Tribal Council is composed of 13 members of whom 11, constituting a quorum, were present at a Regular Meeting thereof, duly called, noticed, convened, and held on the 8th day of December, 2021 and that the foregoing resolution was duly adopted by the affirmative vote of 9 members, with 0 opposing, and with 1 not voting.

DATED this 8th day of December, 2021.



Brian Weeden, Chairman
Mashpee Wampanoag Tribal Council

ATTEST:



Cassie Jackson, Secretary
Mashpee Wampanoag Tribal Council

EXHIBIT A
AGREEMENT BETWEEN OWNER AND CONTRACTOR
FOR CONSTRUCTION CONTRACT