

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(An Unincorporated Tribe)

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE
WAIVING THE PAYMENT OF THE OGLALA SIOUX TRIBAL EMPLOYMENT RIGHTS FEES
FOR THE PLANNING AND CONSTRUCTION OF GOVERNMENT SERVICE BUILDINGS IN THE
TRIBAL DISTRICTS PURSUANT TO ORDINANCE NO. 21-54, AS AMENDED.

WHEREAS, the Oglala Sioux Tribe adopted its Constitution and By-Laws by referendum vote on December 14, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123), and under Article III of the Constitution, the Oglala Sioux Tribal Council is the governing body of the Oglala Sioux Tribe, and

WHEREAS, Article IV, Sections 1(f), 1(m), and 1(w) empower the Tribal Council to manage the economic affairs of the Tribe, protect and preserve the property of the Tribe, and adopt laws protecting and promoting the health and general welfare of the Oglala Sioux Tribe and its membership, and

WHEREAS, the Tribal Council adopted Ordinance No. 21-54 (Sept. 1, 2021) to set aside \$54 million from the Tribe's payments from the Coronavirus State Fiscal Recovery Fund ("FRF") under the American Rescue Plan ("ARP") Act, Pub. L. 117-2 (Mar. 11, 2021), for government service buildings and government programs, services, and assistance in each of the nine Tribal Districts on the Pine Ridge Indian Reservation to respond to the COVID-19 public health emergency and its negative economic impacts, and

WHEREAS, the Tribal Districts have submitted proposals for government service buildings in their Districts, and the Finance Committee of the Tribal Council is reviewing those proposals, and

WHEREAS, the Tribe will begin issuing Requests for Qualifications for Architects and Requests for Proposals for Owner's Representatives (Program Managers) for the procurement of professional services in connection with the planning and construction of government service buildings in the Tribal Districts, and


WHEREAS, on March 17, 2022, the Finance Committee, by motion and vote, recommended adoption of this Ordinance to waive the requirement that contractors and other covered employers hired to design and construct the government service buildings in the Tribal Districts pay the Tribal Employment Rights Fee on services performed in connection with the planning, design, and construction of the said government service buildings; now

THEREFORE BE IT ORDAINED, that the Oglala Sioux Tribal Council hereby declares that, during the COVID-19 public health emergency, all contractors and other covered employers shall be exempt from payment of the Tribal Employment Rights Fee under the Oglala Sioux Tribe Employment Rights Ordinance, Ordinance No. 01-12, as amended, for all services and work performed in connection with the planning, design, and construction of the government service buildings in each of the nine Tribal Districts pursuant to Ordinance No. 21-54, as amended, and


BE IT FURTHER ORDAINED, the Finance Committee of the Oglala Sioux Tribal Council is hereby delegated authority to adopt reasonable regulations to implement this Ordinance.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as the undersigned Secretary of the Oglala Sioux Tribal Council, of the Oglala Sioux Tribe hereby certify that this Ordinance was adopted by a vote of: 14 For; 6 Against; 0 Abstain; and 0 Not Voting; during a SPECIAL SESSION held on the 28TH day of MARCH, 2022.


STACY L. TWO LANCE
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:


KEVIN KILLER
President
Oglala Sioux Tribe

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MAR 29 2022
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OFFICE OF THE SUPERINTENDENT