

AMENDMENT NUMBER 2 TO AGREEMENT NUMBER 910920

BACKGROUND:

- A. On April 24, 2014, the South Dakota Department of Transportation, referred to in this Amendment as the "Department," and the Standing Rock Sioux Tribe, referred to in this Amendment as the "Tribe," entered into an agreement on Indian employment and contracting related requirements for highway construction and maintenance on the Standing Rock Reservation, which agreement, referred to in this Amendment as the "AGREEMENT," was signed by a representative of each party and assigned agreement number 910920 by the Department; and
- B. The Department and the Tribe, having previously amended the AGREEMENT to extend the ending date, wish to further amend the AGREEMENT to extend the ending date of the AGREEMENT to September 30, 2022.

THE DEPARTMENT AND THE TRIBE AGREE AS FOLLOWS:

- 1. Paragraph 2. of the AGREEMENT is amended to read as follows:
 - 2. To provide for stability and predictability in the Department's planning and bid letting, both parties agree to be bound by this Agreement for its term. The parties further agree that this Agreement will remain in full force and effect with respect to any project let prior to September 30, 2022, until final acceptance of that project. The Department and the Tribe can make modifications or changes to this Agreement or any of the attachments to this Agreement through mutual consent of both parties and said modifications or changes will be in effect after being reduced to writing and signed by officials for each party.
- 2. The last paragraph on page 3 of the AGREEMENT is amended to read as follows:

The Tribe and the Department further agree the above-referenced attachments and this Agreement will be applicable to highway construction and maintenance projects within the exterior boundaries of the Standing Rock Reservation for the period of June 30, 2014, through September 30, 2022.
- 3. Except as specifically modified by this Amendment, all other terms and conditions of the AGREEMENT will remain in full force and effect.

This Amendment is binding upon the signatories not as individuals, but solely in their capacities as officials of their respective organizations and acknowledges proper action of the Department and the Tribe to enter into the same.

STANDING ROCK SIOUX TRIBE



Mike Faith, Jr., Chairman
Standing Rock Sioux Tribe

Date: 5/06/2021

STATE OF SOUTH DAKOTA



Joel Jundt, Secretary
Department of Transportation

Date: 5-18-21