

OMAHA TRIBE OF NEBRASKA

Executive Officers

Members

Jason Sheridan, Chairman
Jerome Hamilton, Vice-Chairman
Alan Harlan, Treasurer
Dustin Lovejoy, Secretary



Members

Leander Merrick
Galen Aldrich SR.
Calvin Harlan

RESOLUTION NO. 24-138

OF THE

OMAHA TRIBE OF NEBRASKA

7/29/2024

Drafted by: Theresa Rachel

RE: A17AV00177 – Extension of the period of performance and modification of the scope of work for the Litigation Support Grant awarded in October 2016.

WHEREAS: The Omaha Tribe of Nebraska is a federally recognized Indian tribe, organized under a constitution and bylaws approved by the Secretary of Interior on April 30, 1936, pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934; and

WHEREAS: pursuant to Article III, Sec.1 of the constitution of the Omaha Tribe of Nebraska, the governing body of the Omaha Tribe shall also be known as Tribal Council; and

WHEREAS: Article IV, Section 1 (b) of the Constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to employ legal counsel for the protection and advancement of the rights of the Tribe and its members; and,

WHEREAS: Article IV, Section 1 (d) of the Constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to advise the Secretary of the Interior with regard to all appropriation estimates or federal projects for the benefit of the Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress; and

WHEREAS: Article IV, Section 1 (j) of the Constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to safeguard and promote the economy and general welfare of the Omaha Tribe; and

WHEREAS: Article IV, Section 1 (h) To levy and collect taxes and license fees upon persons located upon or doing business within the Omaha Indian Reservation;...; and

WHEREAS: Omaha Tribal Council Resolution 15-99 was passed on March 17, 2015, requesting funding for attorney fees and litigation support; and,

WHEREAS: In response to Tribal Resolution 15-99 the BIA issued grant A17AV00177 in the amount of \$30,000 awarded on January of 2017 and an additional \$30,000 awarded in July of 2018 to be used “for private counsel to aid in the negotiations and drafting of an agreement to share tax revenue from the sale from liquor sales on the OTN reservation” with the period of performance ending September 30, 2018; and,

WHEREAS: After receiving the grant award The Omaha Tribe of Nebraska was without a Tax director for several years and the Tax Commission was not functioning; and,

WHEREAS: The Omaha Tribe of Nebraska has appointed new tax commissioners and now has a full time Tax Director; and,

WHEREAS: The Omaha Tribe of Nebraska has still has a need to hire private Counsel to aid in the negotiations and drafting of an agreement to share tax revenue for liquor sales, in addition to tobacco sales, fuel tax, sales tax, utility tax, and any other applicable taxes.

NOW THEREFORE, BE IT RESOLVED THAT: The Omaha Tribal Council finds it is in the best interest of the Omaha Tribe of Nebraska to modify and broaden the scope of work for grant number A17AV00177 to include to the negotiations and drafting of an agreement to share tax revenue for not just liquor sales, but to include tobacco sales, fuel tax, sales tax, utility tax, and any other applicable taxes, and to extend the time frame for the period of performance to September 30, 2026

CERTIFICATION

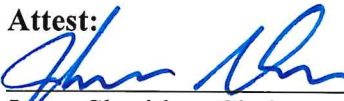
This is to certify that the foregoing resolution was considered at a duly called meeting of the Omaha Tribal Council on the 30 day of July, 2024, and was adopted by a vote of: 4 for; 0 against; 1 abstaining; with the Chairman not voting. A quorum of 5 was present.

MEMBERS VOTE:	YES	NO	ABSTAIN
Jason Sheridan			Abstain
Jerome Hamilton			Absent
Dustin Lovejoy	X		
Alan Harlan	X		
Leander Merrick			Absent
Galen Aldrich SR	X		
Calvin Harlan	X		

Submitted by:


Dustin Lovejoy, Secretary
Omaha Tribal Council

7/29/24
Date

Attest:

Jason Sheridan, Chairman
Omaha Tribal Council

7-30-24
Date

**OMAHA TRIBE OF NEBRASKA
ATTORNEY FEE & LITIGATION SUPPORT
FY 2025-2026 STATEMENT OF WORK**

The Omaha Tribe of Nebraska is requesting an extension in the period of performance and a change in the scope of work for Contract # A17AV00177

The Omaha Tribe shall administer the Attorney Fee and Litigation Support Funds in accordance with the Omaha Tribe's own laws and policies which are incorporated herein by reference and pursuant to Public Law 93-638, as amended, and in accordance with the regulatory requirements in [25 USC 13; 25 USC 450; 31 USC 63; 23 USC 101(a), 208, AND 308; 25 USC 318(A); 25 CFR 170; 25 CFR 256; 25 CFR 275] any other applicable regulations.

Program Info

The Omaha Tribe is requesting a change in the scope of work. The original request was for private counsel to aid in the negotiation and drafting of an agreement to share tax revenue with the sale from liquor sales on the OTN reservation. The Tribe would like to expand the scope of work to allow for negotiation and drafting of an agreement to share tax revenue for liquor sales, tobacco sales, fuel tax, sales tax utility tax and another applicable taxes.

The Omaha Tribe is also requesting an extension in the period of performance. The Tribe was without a tax commission for a period of years and recently hired a Tax Director and has appointed a tax commission to work on development and collection of taxes that would be owed or is owed to the tribe. The Tax Director is requesting the period of performance to be extended to September 30, 2026.

The Omaha Tribe has disseminated an RFP for an Attorney to provide the needed services. The Omaha Tribe is currently collecting RFP's and look forward to beginning as soon as we receive approval from BIA. According to the proposals that are being received, the average hourly rate is \$345.00

**OMAHA TRIBE OF NEBRASKA
ATTORNEY FEE & LITIGATION SUPPORT
FY 2025-2026 BUDGET**

A. Contractual			\$ 60,000.00
A.1	Attorney Fees billed at hourly rate	\$60,000.00	