

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

- WHEREAS,** a sanitary survey of the FATCO water system was conducted by the Environmental Protection Agency (EPA) in March, 1992 revealing that the water system as operated at that time was not meeting federal drinking water standards; and
- WHEREAS,** the EPA concluded that FATCO water system O&M personnel would benefit from an in-depth evaluation and on-site training relating to the FATCO water treatment system; and
- WHEREAS,** the EPA has made available up to \$5,000 to the Indian Health Service to conduct an evaluation of the FATCO water treatment system and provide training to O&M personnel; and
- WHEREAS,** the Indian Health Service desires to assist the Tribe by arranging for the plant evaluation and operator training and by providing the necessary funding for these activities; and
- WHEREAS,** the Tribal Council has reviewed and considered the provisions of the attached Memorandum of Agreement, including the Project Summary incorporated therein.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Chairman is hereby authorized to execute this agreement and any subsequent amendments and agreements necessary for the evaluation and on-site training for the FATCO water supply facilities for the mill and related housing on the Fort Apache Indian Reservation for Project PH 92-376.

The foregoing resolution was on November 05, 1992, duly adopted by a vote of seven for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


RECEIVED

NOV 12 1992

FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA



Chairman of the Tribal Council



Secretary of the Tribal Council

PROJECT SUMMARY
AND
MEMORANDUM OF AGREEMENT
BETWEEN
THE INDIAN HEALTH SERVICE
AND THE WHITE MOUNTAIN APACHE TRIBE
FORT APACHE INDIAN RESERVATION

PROJECT NO. PH 92-376
PUBLIC LAW 86-121

INTRODUCTION

This document shall serve as both the Project Summary (PS) and Memorandum of Agreement (MOA) for the provision of training and technical assistance in the proper operation and maintenance (O&M) of a surface water treatment plant located on the Fort Apache Indian Reservation.

PURPOSE

This Agreement is made between the Indian Health Service, Department of Health and Human Services, hereinafter referred to as the IHS under and pursuant to the provisions of Public Law 86-121 and the White Mountain Apache Tribe, hereinafter referred to as the Tribe.

WHEREAS, the Tribe owns and operates a timber mill located on the Fort Apache Reservation known as the Fort Apache Timber Company (FATCO), and

WHEREAS, a surface water treatment plant provides the water supply for the timber mill operations as well as the potable water supply for employees at the mill and for residents of housing units adjacent to the mill, and

WHEREAS, a sanitary survey of the FATCO water system was conducted by the Environmental Protection Agency (EPA) in March, 1992 revealing that the water system as operated at that time was not meeting federal drinking water standards, and

WHEREAS, the EPA concluded that FATCO water system O&M personnel could benefit from an evaluation of the plant operating condition and on-site training relating to the FATCO water treatment system, and

WHEREAS, the EPA has made available up to \$5,000 to the IHS to conduct an evaluation of the FATCO water treatment system and provide training to O&M personnel, and

WHEREAS, the IHS desires to assist the Tribe in arranging for the plant evaluation and operator training

and by providing the necessary funding for these activities,

NOW THEREFORE, the IHS and the Tribe agree to carry out the project as described in this combined PS/MOA (Project No. 92-376) and agree to the following division of responsibilities and obligations to carry out the project:

TRIBE CONTRIBUTIONS AND OBLIGATIONS

1. The Tribe shall solicit competitive proposals from potentially interested professional firms. The Tribe shall establish objective selection criteria before soliciting proposals. A three-member board will select the firm determined by those criteria to be most qualified to perform the work. A registered IHS engineer shall serve on the board. The Tribe shall attempt to negotiate with this firm to set fair and reasonable compensation. If negotiations with one firm are not successful, the Tribe may proceed to negotiate with the next most qualified firm. This process may continue until an agreement is reached.
2. The Tribe will obtain IHS approval of the firm selected and the final negotiated cost for the work prior to award of the contract.
3. The Tribe shall make contact with the FATCO plant manager and with the selected vendor to schedule the work.
4. The Tribe will use funds from this project to pay for services rendered upon: 1) satisfactory completion of the work, 2) receipt of an itemized statement from the vendor detailing all costs, and 3) approval of all costs by the IHS.

IHS CONTRIBUTIONS AND OBLIGATIONS

1. The IHS will assist the Tribe in developing the scope of work.
2. The IHS will review proposals submitted by vendors and provide written approval of the selected vendor and of the prices submitted by the selected vendor.
3. The IHS will contribute up to \$5,000 to the Tribe for procurement and tribal administration of the evaluation and training services. A tribal administrative fee of up to 4% of the total vendor invoiced amount will be allowed to cover the Tribe's costs of administering this work. All funds so contributed shall be placed in a special account established by the Tribe specifically designated for this project.


ADDITIONAL TRAINING

Upon completion and payment for the initial evaluation and training, and if funds remain, additional on-site follow-up training may be conducted as needed. It is recommended that this training be performed by the same vendor to maximize the continuity of entire training effort. Costs are to be negotiated and approved by IHS prior to the additional training activity. All activity under this agreement is to be completed by December 31, 1993.

IN WITNESS WHEREOF, the parties have subscribed their names.

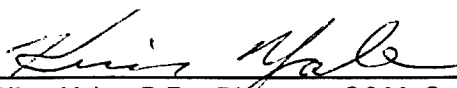
FOR THE WHITE MOUNTAIN APACHE TRIBE

11-5-92
Date


Chairman, White Mountain Apache Tribal Council,
having been duly authorized to enter into this
agreement on behalf of the White Mountain Apache
Tribe as evidenced by the attached copy of a resolution
passed by the White Mountain Tribal Council.

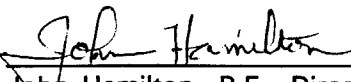
PREPARED BY:

11/2/92
Date


Kim Yale, P.E., Director, O&M Section, Division of
Sanitation Facilities Construction, Indian Health Service,
Phoenix Area Office

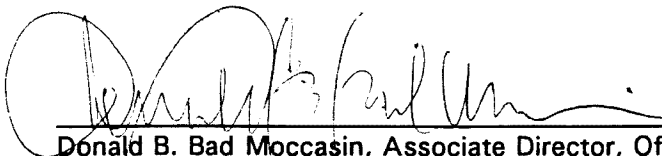
CONCURRED BY:

11/2/92
Date


John Hamilton, P.E., Director, Division of Sanitation
Facilities Construction, Indian Health Service, Phoenix
Area Office

RECOMMENDED BY:

11/2/92
Date


Donald B. Bad Moccasin, Associate Director, Office of
Environmental Health and Engineering, Indian Health
Service, Phoenix Area Office

APPROVED BY:

Date

Don Davis, M.P.H., Director, Indian Health Service,
Phoenix Area Office

[Date]

REFERENCE: Request for Proposal

Dear _____,

The White Mountain Apache Tribe is requesting proposals to conduct an evaluation of the present operating condition of the FATCO water treatment plant and to provide a combination of classroom and hands-on training to Tribal operation and maintenance (O&M) personnel at the plant located on the Fort Apache Indian Reservation in eastern Arizona.

Proposals shall be awarded based on:

1. **Description of Training Proposed:** Outline the concepts and topics relating to surface evaluated treatment processes employed by the plant which are to be covered in a classroom setting and the amount of time devoted to this classroom instruction. Describe techniques used by the instructor to teach proper operation and maintenance of the plant. Include a list of the operation and maintenance tasks to be covered and the approximate amount of time devoted to this hands-on operation and maintenance training. (35%)
2. **Description of Plant Evaluation:** Describe the proposed scope of the assessment and evaluation of the present operating condition of the plant and the general content of the evaluation report to be submitted to the Tribe. (15%)
3. **References:** Provide information to demonstrate qualifications and experience to provide the evaluation and training services requested. (25%)
4. **Cost:** Provide the total cost including travel and per diem costs for providing the requested services. (25%)

Proposals will be accepted until 2:00 p.m. on November __, 1992 at the address below:

White Mountain Apache Tribe
P. O. Box 1150
Whiteriver, Arizona 85941
Attn: John Bereman, Tribal Engineer
FAX#: 338-4778

Fax proposals will be accepted.

TREATMENT PLANT GENERAL INFORMATION

The FATCO water treatment plant receives water from the White River. A side channel in the river diverts flow into a fenced pond which overflows into a ditch going back into the river. Water is pumped from the fenced pond to the treatment plant located near the FATCO offices. The pumping rate into the plant is estimated to be approximately 200 gpm, but the flow rate is not metered. The treatment plant is a "package plant" designed and constructed by Neptune Microfloc and employs flocculation, filtration, and chlorination.

Flocculation consists of the addition of liquid alum solution and a nonionic polymer, followed by settling for 30 to 40 minutes in the flocculation tank. The flocculent dosage is constant at 25 ppm alum and 5 ppm polymer. Jar tests are not performed on a regular basis, even though the influent turbidity levels can vary greatly. Influent turbidity is not monitored.

Filter media, replaced in spring of 1991, consists of gravel, sands, and charcoal. The filters are backwashed once to twice per 8 hour shift with backwash duration determined by the visual appearance of the backwash water. FATCO personnel have indicated that this frequency of backwashing is sometimes not frequent enough to prevent gross turbidity breakthrough. Instrumentation to continually monitor final turbidity and headloss across the filter is not available.

Water flows from the filter into an underground clearwell, is chlorinated, and pumped into storage and/or the distribution system. The chlorination system is a gas injection system located in a separate structure outside the treatment plant building. Chlorine residual and turbidity are measured on a daily basis immediately after treatment.

SCHEDULE: A total of 3 consecutive 8-hour days of training is requested running from 8:00 a.m. to 5:00 p.m. each day with a 1 hour lunch break. The 3 days shall be scheduled before December 31, 1992 with the exact dates to be confirmed upon acceptance of the proposal.

EQUIPMENT: The vendor shall supply a jar test apparatus, turbidity testing equipment, and any other equipment deemed necessary to provide effective training.

PLANT EVALUATION: The vendors evaluation of the existing condition of the plant shall be done in conjunction with the hands-on portion of the training. Deficiencies and recommendations relating to the physical condition of the plant and operating and maintenance procedures practiced by the O&M personnel shall be addressed in an evaluation report to be submitted to the Tribe after completion of the training.

PAYMENT: Full payment will be made upon 1) completion of the training and evaluation, 2) submission of the evaluation report to the Tribe and 3) submission of a payment request to the Tribe including an itemized list of all costs in accordance with the original proposal.

DEPARTMENT OF
HEALTH AND HUMAN SERVICES
PUBLIC HEALTH SERVICE
INDIAN HEALTH SERVICE

FORM APPROVED
O.M.B. NO. 0917-0001
EXPIRES: JUNE 30, 1983

(See reverse for instructions and
information)

PROJECT PROPOSAL FOR PROVISION OF SANITATION FACILITIES/TECHNICAL ASSISTANCE
(P.L. 86-121)

1. NAME AND ADDRESS OF INDIAN TRIBE OR GROUP

WHITE MOUNTAIN APACHE TRIBE
P. O. Box 700
Whiteriver, Arizona 85941

2. DESCRIPTION OF TYPE OF FACILITIES NEEDED INCLUDING A DESCRIPTION OF EXISTING FACILITIES

The Tribe requests an evaluation and operator training in the proper chemical addition, operation, maintenance, and monitoring of the FATCO surface water treatment plant which has previously experienced difficulty in maintaining acceptable turbidity levels.

2a. INDICATE THE NUMBER OF HOMES/PERSONS TO BE SERVED BY THE PROJECT. DISTINGUISH BETWEEN FACILITIES TO SERVE NEW OR RENOVATED HOUSING

There are approximately 42 homes and 200 persons presently receiving drinking water from this treatment plant who will directly benefit from any improvement in water quality which may result from the requested training.

3. IS THERE A COMPREHENSIVE PLAN FOR IMPROVING SANITATION FOR YOUR RESERVATION OR COMMUNITY?

YES NO

4. IF ITEM 3 IS YES, DOES THE PROPOSED PROJECT FIT INTO THE PLAN?

YES NO

5. IF ITEM 3 IS NO, DOES YOUR TRIBE OR GROUP INTEND TO ADOPT A PLAN?

YES NO

6. COULD YOUR TRIBE OR GROUP MAKE A CONTRIBUTION TOWARD THE PROJECT OF FUNDS?

YES NO LABOR YES NO OTHER (Specify)

7. PLEASE IDENTIFY THE PROPOSED SOURCE OF FUNDS FOR THE PROJECT

FEDERAL: IHS BIA HUD EPA FHA FMHA
NON-FEDERAL: STATE PRIVATE OTHER (Specify)

8. DOES YOUR TRIBE OR GROUP HAVE AN OPERATION AND MAINTENANCE ORGANIZATION THAT WILL ASSUME RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE SANITARY FACILITIES WHEN COMPLETED? IF ANSWER IS "YES" GO TO ITEM #10

YES NO

9. ITEM 8 IS NO, WILL YOUR TRIBE OR GROUP BE WILLING TO ASSUME RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF FACILITIES WHEN COMPLETED?

YES NO

10. DOES YOUR TRIBE OR GROUP HAVE LAWS OR REGULATIONS WHICH WILL HELP IN THE MAINTENANCE OF SANITARY FACILITIES THAT WOULD BE ACQUIRED?

YES NO

11. IF ITEM 10 IS NO, WOULD YOUR TRIBE OR GROUP BE WILLING TO ADOPT SUCH REGULATIONS?

YES NO

12. NAME, ADDRESS AND TELEPHONE NUMBER OF ORGANIZATION AND OFFICIAL THAT WILL BE DESIGNATED TO REPRESENT YOUR TRIBE OR GROUP IN DEALING WITH THE PUBLIC HEALTH SERVICE

John Bereman, Tribal Engineer, White Mountain Apache Tribe
P. O. Box 700, Whiteriver, Arizona 85941
Phone: 602/338-4346 Ext. 310

13. REMARKS (include pertinent comments not covered above)

14. DATE 15. SIGNATURE AND TITLE OF PERSON COMPLETING THE PROJECT/TECHNICAL ASSISTANCE PROPOSAL

16. TO BE COMPLETED BY PUBLIC HEALTH SERVICE REPRESENTATIVE

FORWARD 3 COPIES OF THIS PROPOSAL TO:

DIRECTOR IN CHARGE

(Name and address of Indian Health Facility)

