



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

**(Approving award of contract by the U.S. Indian Health Service for purchase of water treatment plant equipment for surface water diversion)**

- WHEREAS,** pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS,** as part of its responsibility to develop a new water system for the Greater White River area in response to the dwindling capacity of the Miner Flat Well Field, the U.S. Public Health Service-Indian Health Service (I.H.S.) issued a request for proposals for water treatment plant equipment in December, 2006; and
- WHEREAS,** following the receipt of proposals from various manufacturers to provide the water treatment plant equipment necessary for the proposed surface water diversion on the North Fork of the White River, a selection committee comprised of I.H.S. engineers, the Tribal Engineer, and Tribal Utility personnel selected a preferred manufacturer, Tonka Equipment Company of Minnesota, which bid an equipment cost of \$888,540; and
- WHEREAS,** I.H.S. originally intended to select the preferred manufacturer so that the design of the treatment plant could be informed by the selected manufacturer's equipment specifications, but the contract would not be awarded until all other diversion and treatment plant construction contracts were awarded; and
- WHEREAS,** the water treatment equipment price quote is valid until May 9, 2007, and may increase by \$40,000 or more due to increased materials costs if the award is delayed for many months; and
- WHEREAS,** the manufacturer has agreed to store all purchased water treatment equipment in its warehouse at no charge to the Tribe until the Tribe is ready to receive it; and
- WHEREAS,** the Tribe faces some risk in ordering the equipment now in the event that the site work costs are higher than planned and construction is delayed, so as a preventive measure the I.H.S. and Tribal project manager recommend awarding the contract for water treatment plan equipment now in order to potentially save \$40,000 which could then be put into building a larger pre-settling pond for the facility to greatly improve its capacity; and
- WHEREAS,** the Tribal Council finds merit in the recommendation to proceed with purchase of the water treatment plant equipment at this time in order to potentially save \$40,000 which could then be put into building a larger pre-settling pond for the facility to greatly improve its capacity; and

**Resolution No. 05-2007-180**

**WHEREAS,** the Tribal Council finds merit in the recommendation to proceed with purchase of the water treatment plant equipment at this time in order to potentially save \$40,000 over the cost of a delayed purchase.

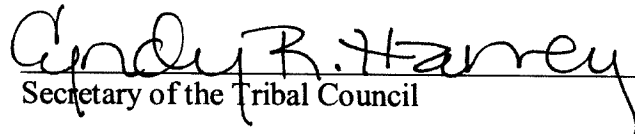
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the immediate award of a purchase contract for water treatment plant equipment to Tonka Equipment Company of Minnesota in the amount of approximately \$888,540 in order to potentially save \$40,000 or more in increased costs over a delayed purchase agreement.

The foregoing resolution was on May 2, 2007, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



---

Chairman of the Tribal Council



---

Secretary of the Tribal Council