



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

(Approving an Agreement with Ben Nuvamsa of KIVA Institute)

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) 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,** the Tribe has experienced a significant amount of turnover in program personnel and managers who oversee P.L. 93-638 Contracts and Grant funded programs; and
- WHEREAS,** managing the specific contracts and grants requires precise financial and programmatic reporting to the Bureau of Indian Affairs and various federal agencies;
- WHEREAS,** when financial or programmatic reports are incomplete the BIA and other federal agencies are hesitant to allow a draw down of funds expended toward providing P.L. 93-638 Contracts and Grants funded services; and
- WHEREAS,** the Tribe has had difficulty working with BIA to recover Direct Contract Support Costs (DCSC) on P.L. 93-638 Contracts and difficulty in establishing and recovering indirect costs on grant funded programs; and
- WHEREAS,** Ben Nuvamsa has substantial experience in working with the Bureau of Indian Affairs and previously served as the Superintendent for the Fort Apache Agency, he also has substantial experience in working with grant funded programs to establish an indirect cost rate and to recover indirect costs; and
- WHEREAS,** Mr. Nuvamsa is the owner and CEO of the KIVA Institute which provides technical assistance and training to Tribes in several areas including P.L. 93-638 Contracts and Grant funded program administration; and
- WHEREAS,** the Tribe would benefit from KIVA Institute providing valuable technical assistance in cases where recovering DCSC's becomes problematic at the regional BIA level and in providing training for program managers on their responsibilities for reporting and compliance on P.L. 93-638 Contracts and Grant funded programs; and
- WHEREAS,** the Tribe may also benefit from additional services from KIVA Institute as further issues are identified and services are agreed to; and
- WHEREAS,** after discussion of this matter, the Council finds that it is in the best interest of the Tribe to enter into an agreement with Kiva Institute, subject to review by the Legal Department.

Resolution No. 12-2010-330

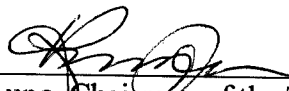
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby finds it is in the best interest of the Tribe to contract with KIVA Institute, subject to review by the Legal Department, to provide technical assistance in cases where recovering DCSC's becomes problematic at the regional BIA level and in providing training for program managers on their responsibilities for reporting and compliance on P.L. 93-638 Contracts and Grant funded programs.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the contracting for additional services from KIVA Institute if agreed to in writing.

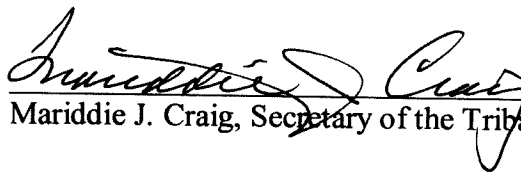
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **DECEMBER 22, 2010** 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), (k), (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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council