



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## (Approving the Master Plan 2018 Project Extension and Fee Increase)

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**WHEREAS,** Pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe (“Tribe”), the Tribal Council (“Council”) has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

**WHEREAS,** By *Resolution No. 02-2016-34*, the Council authorized the Tribe’s Planning Department to proceed with, complete and implement the Master Plan 2018 Project, funded through the White Mountain Apache Tribe Carbon Credit program; and

**WHEREAS,** The Master Plan 2018 Project seeks to identify Reservation-wide economic development opportunities and community improvement needs; and

**WHEREAS,** Amaktoolik Studios, LLC, (the “Consultant”) was retained by White Mountain Apache Tribe as the Master Plan 2018 Consultant in February 2018; and

**WHEREAS,** The contract amount for the Master Plan 2018 Consultant’s basic services is \$299,500; and

**WHEREAS,** The Project has encountered a 6-month delay in the original schedule due to the process of negotiating and executing a long-form confidentiality agreement and assembling the Tribe’s financial information for inclusion in the Project feasibility study; and

**WHEREAS,** The Consultant has submitted a Project Status Report dated February 5, 2019, requesting a 5-month schedule extension and additional professional services fees related to the schedule extension; and

**WHEREAS,** The Project Status Report (attached and incorporated herein by reference) requests increasing Article II – “Compensation” of the Consultant Service Agreement dated February 6, 2018, from \$299,500 to \$369,400 including the following specific fee increases related to the schedule extension:

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| 1. Project management (170 hours)                           | \$29,900 |
| 2. Out-of-sequence/Repetitive/Expanded Outreach (160 hours) | \$23,900 |
| 3. Additional travel time for trips #8 and #9 (64 hours)    | \$7,200  |
| 4. Travel expense for trips #8 and #9                       | \$6,700  |



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| 5. Trip #7 travel expenses incurred but not invoiced | \$2,200       |
| 6. Total Basic Services fee increase                 | \$69,900; and |

**WHEREAS,** The Project Status Report requests that the Tribe and the Consultant mutually agree to amend the project completion date identified in Article III – “Term” of the Consultant Service Agreement dated February 6, 2018, from May 3, 2019, to September 27, 2019 which represents a 5-month extension; and

**WHEREAS,** The Council finds that completing the Master Plan 2018 Project will help the Tribe reach its economic and community development goals, and is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the 5-month extension and \$69,900.00 increase in the consultant’s fee, as requested by the Amaktoolik Studios, LLC, is hereby approved.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Tribe and the Consultant shall promptly execute an amendment to the Professional Services Agreement to reflect these changes.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Planning Department to continue with completion of the Master Plan 2018 Project within the revised schedule and Consultant fee parameters identified by this Resolution.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

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

The foregoing resolution was on **April 24, 2019** duly adopted by a vote of **TEN** for, **ZERO** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	<u>04/26/19</u>		<u>4/26/19</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date