



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Design and Construction Services Agreement in the Amount of \$869,590.00 between the Tribe and Mills Design Group, LLC for Whiteriver and Cibecue Head Start Center Renovations)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power, “To negotiate, make and perform contracts and agreements of every description...”; and
- WHEREAS,** The White Mountain Apache Head Start Programs have, for many years, operated in dilapidated and old facilities that badly need repair and renovation; and
- WHEREAS,** The Tribe advertised a Request for Proposals for renovation projects for the Whiteriver and Cibecue Head Start facilities (the “Project”); and
- WHEREAS,** Following a competitive bidding process, Mills Design Group was selected as the prime contractor for the Project; and
- WHEREAS,** The Parties have negotiated a Design and Construction Services Agreement in the amount of \$869,590.00 (“Agreement” attached and incorporated herein by reference); and
- WHEREAS,** Council having reviewed the Agreement finds that it’s approval will enable the renovation of two of the Tribe’s Headstart centers, and is in the best interests of the Tribe and its members; and
- WHEREAS,** Given the urgency of arrangements, the Tribal Council further finds that the request needs to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS,** The Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

Resolution No. 08-2023-201

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the attached Design and Construction Services Agreement between the Tribe and Mills Design Group, in the amount of \$869,590.00, for the purpose of the Whiteriver and Cibecue Headstart renovation project is hereby approved.


BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

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 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 AUGUST 29, 2023 duly adopted by a vote of 6 for, 0 against, and 0 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	<u>8.29.2023</u>		<u>08/29/2023</u>
Kasey Velasquez, Chairman White Mountain Apache Tribe	Date	Vaneysa Johnson, Tribal Secretary	Date

Resolution No. 08-2023-201

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution
Initiated the 29TH day of AUGUST, 2023.

Presented Personally by Tribal Council
Secretary (TCS)-Indicated by Initials

Kasey Velasquez 8-29-2023 ij TCS Initials
Kasey Velasquez
Tribal Chairman
Date Signed

Jerome Kasey, III _____ TCS Initials
Vice Chairman
Date Signed

Arnold Beach, Sr. 08-29-23 ij TCS Initials
District I Council Member
Date Signed

Travis J. Tessay, Sr. _____ TCS Initials
District I Council Member
Date Signed

Jerold Altaha _____ TCS Initials
District II Council Member
Date Signed

Renaldo Dazen _____ TCS Initials
District II Council Member
Date Signed

Aubrey Aday, Sr. 8/29/23 ij TCS Initials
District III Council Member
Date Signed

Annette Tenjieth. _____ TCS Initials
District III Council Member
Date Signed

Gary Alcheyay 08-29-2023 ij TCS Initials
District IV Council Member
Date Signed

Mariddie Craig 08-29-2023 ij TCS Initials
District IV Council Member
Date Signed

Verna Westover 8/29/2023 ij TCS Initials
District IV Council Member
Date Signed

ATTEST:

Vaneysa Johnson 8/29/2023
Vaneysa Johnson, Tribal Council Secretary
Date Signed