

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

WHEREAS, Phase I of the Apache Dawn Tribal Housing Project requires water and sewer infrastructure improvements to serve the 53 homes presently under construction; and

WHEREAS, the White Mountain Apache Tribe has existing contracts through the USDA, Rural Development Agency under which McCauley Construction of Winslow, Arizona, is constructing a water main installation project at the Canyon Day Community and under which Whiteriver Construction of Whiteriver, Arizona is constructing a water system replacement project at the Carrizo Community; and

WHEREAS, at the Tribal Engineering Department's request in the interest of expediently contracting for water and sewer work on Apache Dawn Phase I, prices have been submitted to McCauley Construction and Whiteriver Construction to construct the needed infrastructure improvements for Phase I Apache Dawn; and

WHEREAS, Tribal Engineering has worked with the Tribal Housing Authority, the Tribal Legal Department and the Indian Health Service on a mechanism for contracting with McCauley Construction to complete Apache Dawn Phase I water and sewer at Canyon Day and with Whiteriver Construction to complete Apache Dawn Phase I water and sewer at Whiteriver/Chinatown and McNary; and

WHEREAS, prices submitted are competitive and consistent with prices under existing contracts and other prices bid by contractors for water and sewer improvement projects on the Fort Apache Indian Reservation over the past 2-3 years; and

WHEREAS, this contracting mechanism is allowable by USDA, Rural Development, and consists of a Letter of Acknowledgment to be signed into by the Tribal Chairman and construction company presidents or their designees, whereby original Rural Development contract documents are used with all references made to Rural Development involvement and funding deleted, to enter into contracts with McCauley Construction and Whiteriver Construction for Apache Dawn Phase I work.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it approves of this contracting method and authorizes the Tribal Chairman or his designee to sign the Letter of Acknowledgment for the Tribe to contract with McCauley Construction for Apache Dawn Phase I water and sewer for Canyon Day, and to sign the Letter of Acknowledgment for the Tribe to contract with Whiteriver Construction for Apache

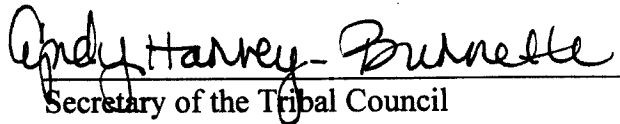
Resolution No. 05-2000-133

Dawn Phase I water and sewer for Whiteriver/Chinatown and McNary.

The foregoing resolution was on May 8, 2000 duly adopted by a vote of SIX for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (c), (h), (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).



Chairman of the Tribal Council



Secretary of the Tribal Council