



Resolution No. 09-2006-324

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

(Approving amended scope of work for 93-638 Contract CTH52T60797, Boy's Dorm)

WHEREAS, the Tribal Council of the White Mountain Apache Tribe adopted Resolution No. 09-2003-236 on September 10, 2003, authorizing the Tribe to enter into a Self-Determination 93-638 contract CTH52T60797 in the amount of \$653,759.08 to complete Minor Improvement and Repair projects at the Theodore Roosevelt School; and

WHEREAS, \$444,759.00 of Self-Determination contract CTH52T60797 entered into pursuant to Resolution No. 09-2003-236, was allocated for Building No. 116/226, otherwise known as the Boy's Dorm; and

WHEREAS, the Bureau of Indian Affairs, Fort Apache Agency and the BIA Western Regional Office have advised the Tribe that approximately \$101,000 in additional funding for hazardous waste abatement has become available for the Boy's Dorm; and

WHEREAS, the BIA suggests to the Tribe that the scope of work for existing 638 contract CTH52T60797 could be amended so that funding for hazardous waste abatement would become part of the Tribe's 93-638 Self-Determination contract; and

WHEREAS, the Boy's Dorm, Building No. 116/226 is one of the buildings listed in the Settlement Agreement between the White Mountain Apache Tribe and the United States in the United States Court of Federal Claim case No. 99-148L, wherein the Tribe settled its damage claims against the United States; and

WHEREAS, in the near future, the Boy's Dorm and other buildings listed in the Settlement Agreement will be transferred to the use and control of the Tribe pursuant to the terms of the Settlement Agreement and Congressionally approved Use Plan for the Settlement Funds and it would be in the best interests of the Tribe to amend the scope of work in the existing 638 self-determination contract CTH52T60797 to include the task of hazardous waste abatement in the Boy's Dorm and that BIA funding for that purpose in the approximate sum of \$101,000 be added to the existing 638 contract; and

WHEREAS, the BIA Fort Apache Agency advises the Tribal Council that a Resolution approving and authorizing an amended scope of work is necessary in order to include the hazardous waste abatement funding as part of 93-638 contract CTH52T60797; and

Resolution No. 09-2006-324

WHEREAS, the Tribal Council concludes that it would be in the best interests of the White Mountain Apache Tribe to approve and authorize an amended scope of work for 93-638 contract CTH52T60797 to include hazardous waste abatement tasks in the Boy's Dorm and to accept BIA funding therefore in the approximate sum of \$101,000.

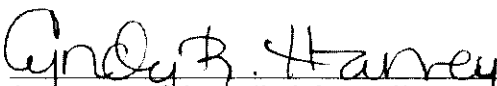
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and authorizes the Tribe, through the coordination of the Tribal Chairman's office, Tribal Legal Department, Tribal Realty and Tribal Construction Department, to amend the scope of work for self-determination contract CTH52T60797 for hazardous waste abatement in the Boy's Dorm, Building No. 116/226, and to receive BIA funding in the approximate sum of \$101,000 for said purpose as part of the contract.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, and in his absence, the Vice-Chairwoman, to sign any and all 638 contract documents, and documents related thereto, that are necessary to carry out the purposes of this Resolution.

The foregoing resolution was on September 20, 2006, 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), (g), (h), (i), (j), (k), (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