



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

**(Request and Authorization for BIA to Obligate FY 2011/2012
WMAT Tribal Shares to Fund Re-Construction of FAIR Route 55(5))**

- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe authorized the Tribal Transportation Committee to place FAIR Route 55(5) with its bus turn-around on WMAT's priority listing because it represents an urgent safety need; and
- WHEREAS,** the Tribal Transportation Committee, at a regularly convened meeting, did approve and recommend granting a gratuitous right of way for the purpose of re-constructing FAIR 55(5) including the bus turn-around; and
- WHEREAS,** bids were solicited April 1, 2011, for the removal and disposal of existing materials, the placement of aggregate base course, hot asphalt concrete pavement, hot asphalt-rubber chip seal coat and pavement markings for 4.665 miles of FAIR Route 55(5) including the bus turn-around; and
- WHEREAS,** the engineer's estimate and the Tribal shares available in the current fiscal year to complete the project were \$1,392,775.00; and
- WHEREAS,** on May 3, 2011 all eligible bids were reviewed and the apparent low bid was \$1,989,003.63; and
- WHEREAS,** to make-up the difference, the Tribe is requesting that he BIA obligate \$596,248.63 from the Tribe's FY 2011/2012 Tribal Shares; and
- WHEREAS,** this project provides much needed and immediate employment opportunities for the Tribal members and the Tribe will benefit from sales of aggregated to the FAIR Route 55(5) Project; and
- WHEREAS,** this projects requires management services in the amount of \$85,000.00; and therefore, the Tribal Council also requests that the BIA obligate \$85,000.00 from the Tribe's FY 2011/2012 Tribal Shares for management services.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby grants to the BIA a right-of-way for the purpose of constructing the bus turn-around associated with the FAIR Route 55(5) project.

Resolution No. 06-2011-130

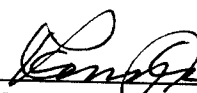
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests and authorizes the BIA to obligate \$596,248.63 from the Tribe's FY 2011/2012 Tribal Shares to make-up the difference between the funds available for this project and the apparent lowest bid.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby request and authorizes the BIA to obligate \$85,000.00 from the Tribe's FY 2011/2012 Tribal Shares for management services associated with the FAIR 55(5) project.

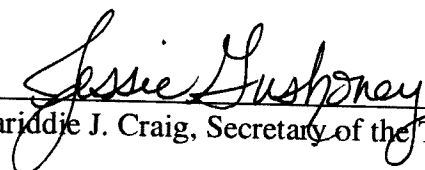
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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 **JUNE 9, 2011** duly adopted by a vote of **NINE** for and **ONE** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (i), (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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council **ACTING**