



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## (Authorizing the Division of Transportation to follow an Alternate Purchase Order Process In Lieu of the Purchase Order Section of the Tribe's Purchasing Policy in Specific Circumstances)

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**WHEREAS,** the Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation ("Constitution") provides, at Article IV, Section 1(s) that the Tribal Council ("Council") shall exercise the power "To... regulate subordinate organization..."; and

**WHEREAS,** the White Mountain Apache Tribe ("Tribe") has established a Purchasing Policy, as amended by Reso. No. 08-2018-189, that governs purchases by all Tribal departments; and

**WHEREAS,** the Division of Transportation ("DOT") have shown the need to follow an alternate Purchase Order ("PO") process in lieu of the Tribe's Purchasing Policy, in certain instances, to produce projects in a timely and efficient manner; and

**WHEREAS,** these instances include projects outlined on the 2019-2023 Transportation Improvement Program ("TIP"), specifically the needed exclusions are:

- A blanket PO for the entire dollar amount of the project to allow for all expenses to be covered under one PO for various vendors; and
- 3 bids or a sole source justification will be required if the amount is over \$10,000.00, unless DOT is purchasing from a Buy America approved and/or GSA approved vendor.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Division of Transportation to follow an alternate Purchase Order process in lieu of the Tribe's Purchasing Policy in the manner and circumstances stated above.

**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.

**Resolution No. 04-2019-76**

**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 APRIL 23, 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).



Gwendena Lee-Gatewood, Chairwoman

4/24/19

Date



Doreen T. Numkena, Tribal Secretary

4/24/19

Date