



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(Authorizing a Contract between the White Mountain Apache Tribe and  
Damage Control Builders, LLC, dba DC Restoration for Repair and  
Remediation Work to the Tribe's Executive Building, Pending Legal Review)**

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**WHEREAS,** The Constitution of the White Mountain Apache 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, not inconsistent with [the] constitution, with any person..."; and

**WHEREAS,** The Tribe's Executive Building has developed numerous defects with its plumbing and sewer systems that have remained unresolved and which continue to cause concerns about damages to the building and the health and safety of employees working in it, and has resulted in the necessary relocation of departments and offices; and

**WHEREAS,** The Tribe solicited and obtained bids to perform the necessary repair and remediation work on the building, and selected the bid of Damage Control Builders LLC, dba DC Restoration; and

**WHEREAS,** The Council finds that authorizing the creation of a contract between the Tribe and DC Restoration will help the Tribe resume its operations and services in the Executive Building as promptly as possible, and is in the best interests of the Tribe and its member.

**NOW THEREFORE, BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that, pending legal review and negotiations, a contract between the Tribe and Damage Control Builders LLC, dba DC Restoration for the repair and remediation work to the Tribe's Executive Building is hereby authorized.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that, should a contract be negotiated and executed the project shall be subject to incremental inspections, including an inspection before any concrete is poured.

**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. 08-2019-165**

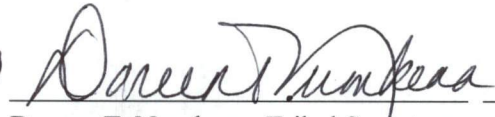
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her 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 22, 2019** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **TWO** 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

9-12-19  
Date

  
Doreen T. Numkena, Tribal Secretary

9-12-19  
Date