



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Construction Contract with Navopache Equipment LLC for Executive Building Plumbing in the Amount of \$340,428.00)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power “To negotiate, make, and perform contracts of every description, not inconsistent with Federal law or this Constitution, with any person...”; and

WHEREAS, The Tribe’s Executive Building has long had serious plumbing malfunctions, and is in need of repair; and

WHEREAS, The repair job was began by another company, but work was halted because inspectors and expressed concern over the manner in which the work was being completed; and

WHEREAS, The Tribe contracted with geotechnical, structural and plumbing engineers to substantiate and document these issues and create a new plumbing design; and

WHEREAS, After a thorough bidding process, the Tribe has selected from amongst the bids Navopache Equipment LLC as the General Contractor to complete the needed plumbing work, which does not included the flooring, for which a separate agreement with Bilby Interiors will be negotiated; and

WHEREAS, The Tribe and Navopache Equipment LLC have negotiated a contract (attached and incorporated herein) to complete the work, in the amount of \$340,428.00, which does not require a waiver of the Tribe’s sovereign immunity; and

WHEREAS, The Council finds that approving the contract will expedite the completion of the work, and is in the best interests of the Tribe and its members.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the attached contract between the Tribe and Navopache Equipment LLC for the completion of the plumbing repairs in the Tribe’s Executive Building is hereby approved.

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.

Resolution No. 02-2020-21

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 **FEBRUARY 10, 2020** duly adopted by a vote of **NINE** for, **ZERO** against, and **ONE** 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).

  2/11/2020  2/11/2020
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date