



WHITE MOUNTAIN APACHE TRIBE
A Sovereign Tribal Nation

(Authorizing Payment of Outstanding Amounts to White Mountain Psychological Services, Inc. and Terminating Contract for Future Services)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(i) that the Tribal Council (“Council”) shall exercise the power, “To manage all economic affairs and enterprises of the Tribe”; and

WHEREAS, Rainbow Treatment Center (“RTC”) is tasked by the Council to create and maintain effective substance abuse counseling services for Tribal members who suffer from drug and alcohol addictions; and

WHEREAS, RTC maintained a contract from 2019 with White Mountain Psychological Services, Inc. to provide professional support in the areas of Third-Party/AHCCCS negotiations, specialty substance abuse counseling training for RTC staff members, grant writing, professional supervision per AHCCCS Rules and Regulations, and in the creation of the White Mountain Apache Tribe’s Wellness Court; and

WHEREAS, Section 5.13 of the Tribe’s Procurement Policy provides that, “Any contract or award of less than \$100,000.00 approved or awarded by the contracting officer that is subsequently amended pursuant to a change order that exceeds the aggregate amount of \$100,000.00...shall be approved by the Tribal Council”; and

WHEREAS, Invoices from White Mountain Psychological Services, Inc. for work assigned to it by RTC exceeded the one-hundred thousand dollars mark at the end of July 2021; and

WHEREAS, RTC, this day, requests authorization to amend the agreement between RTC and White Mountain Psychological Services, Inc. such that it will be able to pay Dr. Arnett amounts in excess of \$100,000.00 for work already rendered and work to be rendered; and

WHEREAS, RTC advises Council that it has the necessary amounts in its budget to pay for the requested amendment; and

WHEREAS, Council finds that the approving payments of all work already rendered by White Mountain Psychological Services, Inc. for RTC, and terminating their contract with RTC, effective immediately is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes Rainbow Treatment Center to amend its contract with White Mountain Psychological

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Services, Inc. to allow it to compensate the vendor for services already rendered in excess of \$100,000.00.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that, effective immediately, the contract between White Mountain Psychological Services Inc. and Rainbow Treatment Center is hereby terminated.

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.

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.

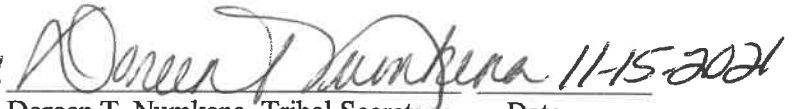
The foregoing resolution was on **NOVEMBER 10, 2021** duly adopted by a vote of **SIX** for, **FOUR** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT 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

11/15/2021

Date



Doreen T. Numkena, Tribal Secretary

Date