



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Agreement with CatClaw Contractors, Inc. for Removal of 20 Disused Water Tanks in the Amount of \$202,755.00)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“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...”; and

WHEREAS, The Tribe received funds from the Indian Health Service to remove disused water storage tank and remediate the sites, which currently present a public health and safety hazard (the “Project”); and

WHEREAS, The Tribe issued an invitation for bids for the Project, and through a competitive selection process, CatClaw Contractors Inc. was selected for their bid of \$202,755.00, and a professional services agreement for the Project was drafted (attached and incorporated herein); and

WHEREAS, Section 5.3 and 5.4 of the Tribe’s Procurement Policy and Procedures requires Council approval for awards over \$100,000.00; and

WHEREAS, The Tribal Engineer, this day, presents the attached professional services agreement for approval of the Council; and

WHEREAS, Council has reviewed the Agreement and finds that its approval will facilitate safe removal of the dangerous storage tanks, and 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 the attached professional services agreement between the Tribe and CatClaw Contractors, Inc., for removal of water storage tanks, in the amount of \$202,755.00, 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 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.

Resolution No. 07-2022-186

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 **JULY 6, 2022** duly adopted by a vote of **NINE** 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<u>Kasey B. Velasquez</u>	<u>7/8/22</u>	<u>Vaneysa Johnson</u>	<u>7/8/22</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date
White Mountain Apache Tribe			