



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Agreement between Rainbow Treatment Center and KHIT Consulting, LLC)

-
- 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, not inconsistent with federal law or this constitution...with the State of Arizona or the United States...”; 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 is in need of certain services, and KHIT Consulting LLC has proposed an Agreement with RTC to provide clinical support, bi-weekly compliance checks, reporting support, audit support, support with EHR optimization for existing system functionality services, and upgrading testing for current version updates for programs RTC utilizes; 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 total budget for this Agreement (attached and incorporated herein) is \$269,640.00, at a monthly rate of \$7,490.00; and
- WHEREAS,** RTC needs Council approval of this Agreement and its Amendments per the Tribe’s Procurement Policy and Procedures; and
- WHEREAS,** RTC, this day, requests approval of the attached Agreement between the RTC and KHIT Consulting LLC; and
- WHEREAS,** The Council has reviewed and considered the Agreement and finds that approving it 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 approves the attached Agreement between the Tribe’s Rainbow Treatment Center and KHIT Consulting LLC for the purpose of providing support services to RTC.

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. 09-2022-237

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 SEPTEMBER 14, 2022 duly adopted by a vote of SEVEN 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<u>Kasey Velasquez</u>	<u>9-21-22</u>	<u>Vaneysa Johnson</u>	<u>9/22/22</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date