



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving the Bid Award to Perkins Cinders for Demolition of Apache Enterprises Tire Shop and Clean-up and Grading of the Site at the Cost of \$134,015.00)

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, On the Tribe’s behalf, The Tribe’s Construction Project Manager, Kenew LLC, posted a request for proposals (“RFP”) seeking a company to demolish the old Apache Enterprise Tires Shop and then prepare the site for construction of a new tire shop-convenience store complex; and

WHEREAS, From amongst the bidders, Perkins Cinders was selected as being able to complete the project at the cost of \$134,015.00; 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, Council finds that approving the award of this project to Perkins Cinders, contingent upon negotiation of a suitable contract for that purpose, will facilitate timely completion of this necessary step in the new tire shop-convenience store project, 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 Council hereby approves of the \$134,015.00 bid award to Perkins Cinders for the demolition of the Apache Enterprise Tire Shop and the clean-up and removal of all old building materials and grading of the site, contingent upon the negotiating of a suitable contract for the same.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Attorney General’s Office shall negotiate and prepare a suitable contract with Perkins Cinders, which shall be deemed as approved by this Resolution.


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. 03-2023-57

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 MARCH 1, 2023 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).

 3.24.23
Kasey Velasquez, Chairman Date

 3/28/2023
Vaneyssa Johnson, Tribal Secretary Date