



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Construction Agreement, in the Amount of \$564,414.00, between the Tribe and Miller Design Group, LLC for Renovations to Chagache Day Care, Subject to Final Legal Review)

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, “[t]o negotiate, make and perform contracts and agreements of every description”; and

WHEREAS, Chagache Day Care is owned and operated by the Tribe to provide necessary daycare services to Tribal member families; and

WHEREAS, Chagache Day Care’s building and grounds are in need of renovation (the “Project”), and this program has carry-over funds from FY2023 that can be utilized to pay for the needed renovations; and

WHEREAS, the Tribe has selected Miller Design Group, LLC as the Contractor that is capable and willing to perform the necessary renovation work, and has bid the Project at a cost of \$564,414.00, and proposed an Agreement; and

WHEREAS, The Tribe’s attorneys have reviewed the Agreement and made edits (attached and incorporated herein by reference), for Miller Design Group’s review; and

WHEREAS, Council finds that approving the attached Construction Services Agreement, subject to final legal review, 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 Construction Services Agreement between the Tribe and Miller Design Group, LLC, in the amount of \$564,414.00, for renovations to the Chagache Day Care building and grounds, is hereby approved, subject to final legal review, and provided that any additional costs are within the amount of remaining carry-over held by Chagache Day Care.

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. 12-2023-267

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 **DECEMBER 11, 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).

Kasey Velasquez 12.12.2023
Kasey Velasquez, Chairman Date

Vaneysa Johnson 12/13/2023
Vaneysa Johnson, Tribal Secretary Date