



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

Authorizing a Professional Service Agreement with Itransition, Inc. to Update the WMAT Solid Waste Program's Billing System

WHEREAS, The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation provides at Article IV, Section 1(a) that the Tribal Council ("Council") shall exercise the power "[t]o represent the Tribe and act in all matters that concern the welfare of the Tribe", and in Article IV Section 1(b), "[t]o negotiate, make and perform contracts and agreements of every description...with any person, association, or corporation"; and

WHEREAS, the Tribe's Solid Waste program is currently operating using the Salesforce billing system, a database that holds basic customer and accounting information, however, this billing system was originally built to fit the Tribe's database but is now exceeding space limitations; and

WHEREAS, the Tribe's Solid Waste program is now proposing to shift from a limited capacity operating test system to a live Salesforce billing system with adequate capacity to service the Tribe; and

WHEREAS, the Tribe's Solid Waste program is seeking the consulting services of Itransition, Inc., through a Professional Service Agreement (Agreement #AC-231106/03), to provide the necessary analysis, technical services, and custom software development in guiding the Solid Waste program's migration to a commercial production account and billing system; and

WHEREAS, the Tribal Council determines that authorizing the Professional Service Agreement and a Non-disclosure Agreement with Itransition, Inc. to guide and facilitate the Tribe's Solid Waste program's Salesforce billing system toward a live commercial billing system 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 the Professional Service Agreement and a Non-Disclosure Agreement with Itransition, Inc., each containing a limited waiver of sovereign immunity with the laws of the State of Colorado as the governing law, to provide the necessary analysis, technical services, and custom software development in guiding the Tribe's Solid Waste program's migration to a commercial production account and billing system.

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. 02-2024-035

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 **FEBRUARY 6, 2024** duly adopted by a vote of **SEVEN** 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 Velasquez</u>	<u>2-9-2024</u>	<u>Vaneysa Johnson</u>	<u>02/12/2024</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date