



# **WHITE MOUNTAIN APACHE TRIBE**

## **A Sovereign Tribal Nation**

### **(Approving Agreement between the White Mountain Apache Tribal Planning Department and Akana in the Amount of \$293,780.00 for Architectural and Engineering Design Services for the Healing to Wellness Court Building)**

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- 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,** By Resolution No. 11-2023-244, the Council established the White Mountain Apache Tribal Healing to Wellness Court ("HWC") and allocated funding to the HWC for the construction of a HWC and Tribal Probation building; and
- WHEREAS,** The HWC Leadership team, in collaboration with the Tribe's Planning Department, issued a Request for Qualifications seeking qualified architectural design firms to submit a written proposal with relevant experiences in community design and construction projects to design an approximately 3,452 square foot Tribal Healing to Wellness Court facility; and
- WHEREAS,** From amongst the qualified bidders, the Tribe, working with the construction managers, Kenew LLC, selected Akana of Portland, Oregon to provide architectural and engineering design services for the White Mountain Apache Healing to Wellness Court building; and
- WHEREAS,** The Tribe and Akana have negotiated an Agreement for architectural and engineering design services (attached and incorporated herein by reference) in the amount of \$293,780.00 for the Project; 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,** Per the Tribe's Procurement Policy and Procedures, the Court needs Council approval to enter into this Agreement; and
- WHEREAS,** Council has reviewed the draft Agreement and finds that approving it will enable construction of this important 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 attached Agreement for architectural and engineering design services between the Tribe and Akana for the construction of the White Mountain Apache Healing to Wellness Court building 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.

**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 AUGUST 7, 2024 duly adopted by a vote of SEVEN for, ZERO against, and THREE 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>8.8.24</u>	<u>Vaneysa Johnson</u>	<u>08/08/2024</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date