



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Agreement with ASTA Roofing and Construction, in the Amount of \$194,065.00, for Roof Replacement Services)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe ("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 at Section 1(b), the power "[t]o negotiate, make and perform contracts and agreements of every description not inconsistent with federal law or this constitution, with any person, association, or corporation..."; and
- WHEREAS,** The Apache Diabetes Wellness Center ("ADWC"), in collaboration with the Tribe's Property Manager, issued a Request for Proposals seeking qualified roofing and construction firms to submit a written proposal with relevant experiences in construction projects for roof replacement services to the Aday Memorial Hall in Whiteriver, AZ; and
- WHEREAS,** From amongst the qualified bidders, the Tribe, working with the construction managers, Kenew LLC, selected ASTA Roofing and Construction LLC, of Winslow, Arizona to provide roof replacement services for the Roof Replacement Project ("Project"); and
- WHEREAS,** The Tribe and ASTA have negotiated an Agreement for roofing and construction services (attached and incorporated herein by reference), in the amount of \$194,065.00, for the Roof Replacement Project; and
- WHEREAS,** Section 5.3 and 5.4 of the Tribe's Procurement Policy and Procedures requires Council approval for awards or services over \$100,000.00; and
- WHEREAS,** Per the Tribe's Procurement Policy and Procedures, ADWC requires Council approval to enter into this Agreement; and
- WHEREAS,** Council has reviewed the Agreement and finds that its approval 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 roofing and construction services between the Tribe and ASTA Roofing and Construction LLC, for the replacement of the roof to the Aday Memorial Hall in Whiteriver, AZ 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.

Resolution No. 11-2024-232

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 NOVEMBER 07, 2024 duly adopted by a vote of NINE for, ONE 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>11.7.24</u>	<u>[Signature]</u>	<u>11/7/2024</u>
Kasey Velasquez, Chairman	Date	Vaneyssa Johnson, Tribal Secretary	Date