



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Construction Agreement between the Tribe and Coues Ridge Construction, in the Amount of \$162,500.00, for the Remodel of the Tribe's Grants and Contracts Modular Office)

- 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 ... with any person, association, or corporation.."; and
- WHEREAS,** The Tribe's Grants and Contract office is located in a modular building that has become dilapidated and requires repair and remodeling (the "Project"); and
- WHEREAS,** The Tribe issued a Request for Proposals to complete the Project, and Coues Ridge Construction was selected from amongst qualified bidders; and
- WHEREAS,** The Tribe and Coues Ridge Construction have negotiated a draft construction agreement (attached and incorporated herein by reference), in the amount of \$162,500.00, for performance of the Project, which Agreement does not contain a waiver of the Tribe's sovereign immunity from suit but provides for arbitration in the event of a dispute; and
- WHEREAS,** Council has reviewed the attached draft construction agreement and finds that its approval 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 agreement between the Tribe and Coues Ridge Construction for the repair and remodel of the Grants and Contracts modular office 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 DECEMBER 18, 2024 duly adopted by a vote of EIGHT 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
Kasey Velasquez, Chairman

12.19.24
Date

Vaneysa Johnson
Vaneysa Johnson, Tribal Secretary

01/07/2025
Date