

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving the Modular Sales Agreement between the Tohono O'odham Nation  
and Modular Solutions, LTD)**

**RESOLUTION NO. 18-349**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the power "to consult, negotiate and conclude agreements and contracts on**  
3 **behalf of the Tohono O'odham Nation with Federal, State and local governments**  
4 **and other Indian tribes or their departments, agencies, or political subdivisions,**  
5 **or with private persons or organizations on all matters within the authority of the**  
6 **Tohono O'odham Council" (Constitution, Article VI, Section 1(f)); and**

7 **WHEREAS, the FY 2018 Department of Health and Human Services Division of Community**  
8 **Health Services Budget was approved by Resolution No. 17-439; and**

9 **WHEREAS, for FY 2018 the Department of Health and Human Services Division of Community**  
10 **Health Services anticipated the construction of a new Community Health Services**  
11 **("CHS") Office modular and has selected Modular Solutions, LTD to construct the**  
12 **new CHS office modular in accordance with the Nation's procurement process;**  
13 **and**

14 **WHEREAS, the Department of Health and Human Services Division of Community Health**  
15 **Services has prepared and submitted for review and approval a Modular Sales**  
16 **Agreement between the Tohono O'odham Nation and Modular Solutions, LTD in**  
17 **the amount of \$727,542.60; and**

18 **WHEREAS, the Nation's Contracting and Procurement Authority law provides that**  
19 **"construction and all other contracts and agreements with a total value in excess**  
20 **of \$500,000" shall require Legislative Council approval (26 Tohono O'odham Code**  
21 **Chapter 1, Article 4, Section 1402); and**

22 **WHEREAS, the Health and Human Services and Budget and Finance Committees have**  
23 **reviewed the Modular Sales Agreement and recommend its approval.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
25 **Modular Sales Agreement between the Tohono O'odham Nation and Modular**  
26 **Solutions, LTD, substantially in the form attached.**

27 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that if performance of**  
28 **the Modular Sales Agreement is not completed before the end of FY 2018,**  
29 **performance of the Modular Sales Agreement may continue into FY 2019 until**  
30 **completed.**

31 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council ratifies the July 30, 2018,**  
32 **signature of Chairman Edward D. Manuel on the Modular Sales Agreement**  
33 **between the Tohono O'odham Nation and Modular Solutions, LTD, provided that**  
34 **any amendments that increase the total purchase price specified in the Modular**

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Sales Agreement shall be submitted for prior approval by the Tohono O'odham Legislative Council.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22<sup>ND</sup> day of AUGUST, 2018 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0- AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin, Legislative Chairman
22 day of August, 2018

ATTEST:

Evonne Wilson, Legislative Secretary
22 day of August, 2018

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 22 day of August, 2018 at 4:20 o'clock, p.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin, Legislative Chairman

[X] APPROVED

on the 22 day of August, 2018

[ ] DISAPPROVED

at 4:47 o'clock, p.m.

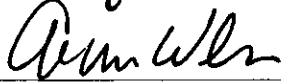
Edward D. Manuel, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 23 day of  
August, 2018, at 9:12 o'clock, a.m.



**Evonne Wilson, Legislative Secretary**

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**ACTION: APPROVING THE MODULAR SALES AGREEMENT BETWEEN THE TOHONO O'ODHAM NATION AND MODULAR SOLUTIONS, LTD**

**Moved: COUNCILWOMAN SANDRA ORTEGA**

**SECOND: COUNCILWOMAN MONICA K. MORGAN**

**DATE: AUGUST 22, 2018**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ( ) 2. LUCINDA ALLEN (Yolonda Garcia)	117.9 117.9	X X			X
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel) 2. ADRIANNE TILLER (Idaleen Reyes)	263.6 263.6	X X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. <i>(Absent)</i> (Teresa F. Donahue) <i>(Present)</i> 2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85 92.85	X X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III <i>(Absent)</i> (Felicia Nunez) <i>(Present)</i> 2. JANICE FELIX ( )	116.15 116.15	X X			X
SAN LUCY 231.1	1. JANA MONTANA <i>(Absent)</i> (Diana Manuel) <i>(Present)</i> 2. GLORIA RAMIREZ <i>(Absent)</i> (Lorraine Eiler) <i>(Present)</i>	115.55 115.55	X X			X
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia) 2. MONICA K. MORGAN ( )	112.95 112.95	X X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina) 2. SANDRA D. ORTEGA ( )	104.5 104.5	X X			X
GU VO 256.9	1. GRACE MANUEL ( ) 2. DALLAS LEWIS (Nacho Flores)	128.45 128.45	X X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson) 2. LORETTA LEWIS (Victoria Hobbs)	135.45 135.45	X X			X
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone) 2. VIVIAN JUAN-SAUNDERS <i>(Absent)</i> (Juanita Homer) <i>(Present)</i>	168.85 168.85	X X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey) 2. LEANDER MASE (Francine Schooling)	186.05 186.05	X X			
<b>TOTAL</b>		<b>3,084.6</b>	<b>3,084.6</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>