

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving an Architectural and Engineering Contract between Merry Carnell
Schlecht Incorporated and the Tohono O'odham Nation)

RESOLUTION NO. 21-466

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

8 **WHEREAS, the Tohono O'odham Legislative Council is also authorized "to manage any funds**
9 **within the exclusive control of the Tohono O'odham Nation...and to appropriate**
10 **these funds for the benefit of the nation and its members" provided that "[a]ll**
11 **expenditures of these funds shall be pursuant to appropriations or budgets"**
12 **authorized by resolution or ordinance (Constitution of the Tohono O'odham**
13 **Nation, Article VI, Section 1(d)(2)); and**

14 **WHEREAS, the Legislative Council approves "construction and all other contracts and**
15 **agreements with a total value in excess of \$500,000" (26 Tohono O'odham Code**
16 **Chapter 1, Article 4, Section 1402(F)); and**

17 **WHEREAS, on March 24, 2020, the Legislative Council by Resolution No. 20-379 approved an**
18 **appropriation of \$2,042,909.86 to design and construct a new probation building;**
19 **and**

20 **WHEREAS, in a bidding process conducted by the Judicial Branch in May 2021, the Tohono**
21 **O'odham Judicial Branch selected Merry Carnell Schlecht Incorporated ("MCS")**
22 **to complete the architectural and engineering designs for the new probation**
23 **building; and**

24 **WHEREAS, the Tohono O'odham Judicial Branch submitted for review and approval the**
25 **architectural and engineering contract, consisting of all of the documents**
26 **enumerated in AIA document B101-2017 ("Contract") with MCS to complete the**
27 **architectural and engineering designs, which includes construction**
28 **administration for the project in the amount of \$180,160.00; and**

29 **WHEREAS, the Judiciary Committee has reviewed the contract between Merry Carnell**
30 **Schlecht Incorporated and the Tohono O'odham Nation and recommends its**
31 **approval.**

32

RESOLUTION NO. 21-466

(Approving an Architectural and Engineering Contract between Merry Carnell Schlecht Incorporated and the Tohono O'odham Nation)

Page 2 of 3

1 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the
2 contract between Merry Carnell Schlecht Incorporated and the Tohono O'odham
3 Nation to complete the architectural and engineering designs, which includes
4 construction administration for the project in the amount of \$180,160.00.

5 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes the Chief
6 Judge or any designated official to sign and execute the Contract substantially in
7 the form attached, provided that any amendments to the Contract shall be
8 submitted for further prior approval by the Tohono O'odham Legislative Council.

9 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH
10 day of DECEMBER, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;
11 -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by,
12 Article VI, Section 1(d)(2), Article VI, Section 1(f) of the Constitution of the Tohono O'odham
13 Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting
14 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section
15 16 of the Act of June 18, 1934 (48 Stat.984).

16
17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

18
19 

20
21 Timothy Joaquin, Legislative Chairman

22
23 13 day of December, 2021

24
25
26 **ATTEST:**

27 

28
29 Evonne Wilson, Legislative Secretary

30
31 13 day of December, 2021

32
33 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
34 O'odham Nation on the 13 day of December 2021 at 2:35 o'clock, p .m.,
35 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
36 effective upon his approval or upon his failure to either approve or disapprove it within 48
37 hours of submittal.

38
39
40 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

41
42 

43
44 Timothy Joaquin, Legislative Chairman

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

RESOLUTION NO. 21-466

(Approving an Architectural and Engineering Contract between Merry Carnell Schlecht Incorporated and the Tohono O'odham Nation)

Page 3 of 3

APPROVED

on the 13 day of December, 2021

DISAPPROVED

at 3:38 o'clock, P.m.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13 day of

December, 2021, at 4:01 o'clock, P.m.



Evonne Wilson, Legislative Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

ACTION: APPROVING AN ARCHITECTURAL AND ENGINEERING CONTRACT BETWEEN MERRY CARNELL SCHLECHT INCORPORATED AND THE TOHONO O'ODHAM NATION

Moved: COUNCILMAN LEANDER MASE

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: DECEMBER 08, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDA 245.6	1. MARY LOPEZ (<i>Absent</i>)	122.8	X			
	(Ann M. Garcia) (<i>Present</i>)	122.8	X			
SELLS 556.5	2. LUCINDA ALLEN (<i>Absent</i>)					
	(Francis Homewytewa) (<i>Present</i>)					
SCHUK TOAK 190.5	1. ARTHUR WILSON	278.25	X			
	()	278.25	X			
SAN XAVIER 242.6	2. EVELYN JUAN-MANUEL					
	(Arvada Liston)					
SAN LUCY 243.8	1. TERESA F. DONAHUE	95.25	X			
	(Alberta Espinoza)	95.25	X			
PISINEMO 232.7	2. DELISA M. RAMON (<i>Absent</i>)					
	(Sharon A. Francisco) (<i>Present</i>)					
HICKIWAN 216.6	1. DANIEL L.A. PRESTON III	121.3	X			
	(Racheal Vilson-Stoner)	121.3	X			
GU VO 270.7	2. JANICE FELIX					
	(Adam P. Andrews)					
GU ACHI 278.5	1. JANA MONTANA	121.9	X			X
	(Lorraine M. Eiler)	121.9	X			
CHUKUT KUK 351.6	2. ROGER MANUEL					
	(Christina Andrews)					
BABOQUIVARI 388.9	1. MARIETTA MARTIN	116.35	X			
	()	116.35	X			
TOTAL	2. EDWARD D. MANUEL					
	(Monica Morgan)					
TOTAL	1. LOUIS R. LOPEZ	108.3	X			
	()	108.3	X			
TOTAL	2. SANDRA D. ORTEGA					
	(Delma M. Garcia)					
TOTAL	1. GRACE MANUEL	135.35	X			
	()	135.35	X			
TOTAL	2. CYNTHIA SAAVEDRA					
	(Dallas Lewis)					
TOTAL	1. TIMOTHY L. JOAQUIN	139.25	X			
	()	139.25	X			
TOTAL	2. VICTORIA HOBBS					
	(Tonya L. Joaquin)					
TOTAL	1. MARLAKAY HENRY	175.8	X			
	(Billman Lopez)	175.8	X			
TOTAL	2. VIVIAN JUAN-SAUNDERS					
	(Cornelius Antone)					
TOTAL	1. ALBERTA J. RAY	194.45	X			
	(Frances G. Antone)	194.45	X			
TOTAL	2. LEANDER MASE					
	(Francine Schooling)					
TOTAL		3,218.0	3,218.0	-0-	-0-	[01]