

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Agreement between the Tohono O'odham Judicial Branch  
and Dell Federal Systems L.P.)**

**RESOLUTION NO. 23-306**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the authority to "consult, negotiate and conclude agreements and contracts on**  
3 **behalf of the Tohono O'odham Nation with . . . private persons or organizations**  
4 **on all matters within the authority of the Tohono O'odham Council"**  
5 **(Constitution, Article VI, Section 1(f)); and**

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

12 **WHEREAS, the Tohono O'odham Nation's (Nation) Judicial Branch desires to purchase**  
13 **software, maintenance, and support for a backup and cyber recovery system for**  
14 **the Tohono O'odham Judicial Branch from Dell Federal Systems L.P.; and**

15 **WHEREAS, the Judicial Branch has prepared and submitted a Professional Services**  
16 **Agreement for the purchase; and**

17 **WHEREAS, Dell Federal Systems L.P. proposes to charge a one-time cost of \$179,929.64 for the**  
18 **software, implementation, and three years of maintenance and support of a**  
19 **backup and cyber recovery system; and**

20 **WHEREAS, the Judicial Branch proposes to pay this amount from the Judicial Branch's**  
21 **American Rescue Plan Act Budget, passed by Resolution No. 22-070 (ARPA funds);**  
22 **and**

23 **WHEREAS, this Agreement exceeds the amount the Chief Judge is authorized to negotiate,**  
24 **execute, and conclude under 26 Tohono O'odham Code Chapter 1, Article 4,**  
25 **Section 1404(B) of the Nation's Code, and therefore, Legislative Council approval**  
26 **is required; and**

27 **WHEREAS, the Nation's Judiciary Committee has reviewed the Agreement and recommends**  
28 **its approval.**

29 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
30 **FY 2023 Professional Services Agreement between the Tohono O'odham Judicial**  
31 **Branch and Dell Federal Systems L.P. for a one-time cost of \$179,929.64 for the**

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**(Approving Agreement between the Tohono O'odham Judicial Branch and Dell Federal Systems L.P.)**  
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1 software, implementation, and three years of maintenance and support of a  
2 backup and cyber recovery system which will be paid for with ARPA funds.

3 **BE IT FURTHER RESOLVED** by the Tohono O'odham Legislative Council that the Agreement will  
4 be paid for with ARPA funds.

5 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Chief Judge or his  
6 delegate, is authorized to approve and execute the FY 2023 Professional Services  
7 Agreement between the Tohono O'odham Judicial Branch and Dell Federal  
8 Systems L.P., as described herein, provided that any amendments will be  
9 submitted to the Tohono O'odham Legislative Council for prior approval.

10 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup>  
11 day of AUGUST 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;  
12 -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by,  
13 Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono  
14 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -  
15 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934  
16 (48 Stat.984).

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18 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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22 Wavalene M. Saunders, Legislative Chairwoman

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24 16<sup>th</sup> day of August, 2023  
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28 **ATTEST:**

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31 Evonne Wilson, Legislative Secretary

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33 16<sup>th</sup> day of August, 2023  
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35 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
36 O'odham Nation on the 16<sup>th</sup> day of August, 2023 at 7:00'clock, p.m.,  
37 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
38 effective upon his approval or upon his failure to either approve or disapprove it within 48  
39 hours of submittal.

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41 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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45 Wavalene M. Saunders, Legislative Chairwoman

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**APPROVED** on the 17 day of August, 2023

**DISAPPROVED** at 8:03 o'clock, p.m.

  
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**VERLON M. JOSE, CHAIRMAN**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 18 day of  
August, 2023, at 10:55 o'clock, a.m.

  
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**Evonne Wilson, Legislative Secretary**

**ACTION: APPROVING AGREEMENT BETWEEN THE TOHONO O'ODHAM JUDICIAL BRANCH AND DELL FEDERAL SYSTEMS L.P.**

**Moved: COUNCILWOMAN MARLAKAY HENRY**

**SECOND: COUNCILMAN TIMOTHY L. JOAQUIN**

**DATE: AUGUST 09, 2023**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELS 556.5	1. SHEILA ESPINO ( )	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III ( )	121.3	X			
	2. JANICE FELIX ( )	121.3	X			
SAN LUCY 243.8	1. LORRAINE M. EILER ( )	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ( )	116.35	X			X
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ( )	108.3	X			
	2. DELMA M. GARCIA ( )	108.3	X			
GU VO 270.7	1. GRACE MANUEL ( )	135.35	X			X
	2. DALLAS LEWIS ( )	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ( )	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
	<b>TOTAL</b>	<b>3,218.0</b>	<b>3,218.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>