

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Contract between the Tohono O'odham Judicial Branch and
Merry Carnell Schlecht, Inc.)**

RESOLUTION NO. 23-307

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 contract for**
13 **architectural designs and construction administration for a renovation project**
14 **of the Judicial Center and construction at the Juvenile Detention Facility for the**
15 **Tohono O'odham Judicial Branch (Project) by Merry Carnell Schlecht, Inc.; and**

16 **WHEREAS, the Judicial Branch has prepared and submitted a contract for the Project; and**

17 **WHEREAS, Merry Carnell Schlecht, Inc., proposes to charge a one-time fee of \$516,500.00 for**
18 **the Project as described in the contract; and**

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

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

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

28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
29 **FY 2023 contract between the Tohono O'odham Judicial Branch and Merry**
30 **Carnell Schlecht, Inc., for a one-time cost of \$516,500.00 the Project.**

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

BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Chief Judge, or his delegate, is authorized to approve and execute the FY 2023 contract between the Tohono O'odham Judicial Branch and Merry Carnell Schlecht, Inc., as described herein, provided that any amendments will be submitted to the Tohono O'odham Legislative Council for prior approval.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH day of AUGUST 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0- AGAINST; -0- NOT VOTING; and [02] 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

Wavalene M. Saunders
Wavalene M. Saunders, Legislative Chairwoman
16TH day of August, 2023

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary
16 day of August, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 16TH day of August, 2023 at 4:00'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

Wavalene M. Saunders
Wavalene M. Saunders, Legislative Chairwoman

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(Approving Contract between the Tohono O'odham Judicial Branch and Merry Carnell Schlecht, Inc)

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APPROVED

on the 17 day of August, 2023

DISAPPROVED

at 8:04 o'clock, p. .m.

Verlon M. Jose
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.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: APPROVING CONTRACT BETWEEN THE TOHONO O'ODHAM JUDICIAL BRANCH AND MERRY CARNELL SCHLECHT, INC.

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) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8 122.8	X X			
SELLS 556.5	1. SHEILA ESPINO () 2. EVELYN JUAN MANUEL (Arvada Liston)	278.25 278.25	X X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25 95.25	X X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III () 2. JANICE FELIX ()	121.3 121.3	X X			
SAN LUCY 243.8	1. LORRAINE M. EILER () 2. ROGER MANUEL (Christina Andrews)	121.9 121.9	X X			
PISINEMO 232.7	1. MARIETTA MARTIN () 2. EDWARD D. MANUEL (Monica Morgan)	116.35 116.35	X X			X
HICKIWAN 216.6	1. LOUIS R. LOPEZ () 2. DELMA M. GARCIA ()	108.3 108.3	X X			
GU VO 270.7	1. GRACE MANUEL () 2. DALLAS LEWIS ()	135.35 135.35	X X			X
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN () 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25 139.25	X X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez) 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8 175.8	X X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone) 2. LEANDER MASE (Francine Schooling)	194.45 194.45	X X			
	TOTAL	3,218.0	3,218.0	-0-	-0-	[02]