

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendment No. 1 to the Roads Program Contract for Road Maintenance
Services between Tohono O'odham Nation and Spencer Construction, LLC)

RESOLUTION NO. 25-295

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the power "[t]o 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 of the Tohono O'odham Nation, Article
7 VI, Section 1(f)); and

8 **WHEREAS,** the Tohono O'odham Legislative Council is 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,** by Resolution No. 25-136 Legislative Council approved the Planning and
15 Economic Development Department Roads Program Contract for Road
16 Maintenance Services between the Tohono O'odham Nation and Spencer
17 Construction, LLC; and

18 **WHEREAS,** it has recently been identified that Routes 35 and 42 have incurred shoulder
19 erosion and significant undercutting causing the routes to become a safety
20 hazard and a change order to install rip rap and geotextile filter fabric is
21 necessary to prevent further erosion; and

22 **WHEREAS,** the Planning and Economic Development Department Roads Program has
23 prepared and presents for approval Amendment No. 1 to the Roads Program
24 Contract for Road Maintenance Services between Tohono O'odham Nation and
25 Spencer Construction, LLC, which is incorporated by this reference and which
26 will increase the total amount of the Agreement from \$4,224,828.69 to
27 \$4,423,299.69, for a total increase of \$198,471.00; and

28 **WHEREAS,** the Agricultural and Natural Resources Committee has reviewed the Amendment
29 No. 1 and recommends approval.

30 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves
31 Amendment No. 1 to the Contract for Road Maintenance Services with Spencer
32 Construction, LLC, in substantially the form attached, which increases the total

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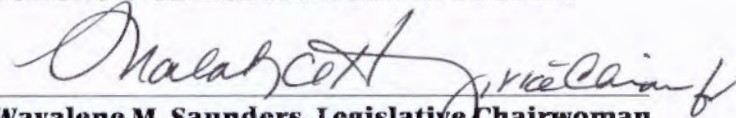
Page 2 of 3

cost from \$4,224,828.69 to \$4,423,299.69, for a total increase of \$198,471.00, effective from the date of signature to September 30, 2026.

BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Nation's chairperson or any designated official to execute Amendment No. 1 to the road maintenance contract with Spencer Construction, LLC, in substantially the form attached, provided that any amendments 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 10TH day of SEPTEMBER 2025 at a meeting at which a quorum was present with a vote of 3,321.1 FOR; -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2) and (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, Legislative Chairwoman

15th day of September, 2025

ATTEST:


Evonne Wilson, Legislative Secretary

14 day of September, 2025

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15th day of September, 2025 at 9:07 o'clock, A.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, Legislative Chairwoman

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Page 3 of 3

☒ APPROVED

on the 15 day of September, 2025

☐ DISAPPROVED

at 3:11 o'clock, p.m.

Verlon M. Jose
VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of

September, 2025, at 3:38 o'clock, p.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: APPROVING AMENDMENT NO. 1 TO THE ROADS PROGRAM CONTRACT FOR ROAD MAINTENANCE SERVICES BETWEEN TOHONO O'ODHAM NATION AND SPENCER CONSTRUCTION, LLC

MOVED: COUNCILWOMAN JANET B. ELEANDO

SECOND: COUNCILMAN ROGER MANUEL

DATE: SEPTEMBER 10, 2025

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 251.2	1. WAVALENE M. SAUNDERS (Mary Lopez) 2. FRANCIS HOMEWYTEWA ()	125.6 125.6	X X			X
SELLS 565.7	1. JANET B. ELEANDO () 2. EVELYN JUAN MANUEL (Juan Buendia)	282.85 282.85	X X			
SCHUK TOAK 195.3	1. THEORIA CAMPILLO (Rebecca Ann Valentine) 2. DELISA M. RAMON (Quintin C. Lopez)	97.65 97.65	X X			
SAN XAVIER 249.8	1. DANIEL L.A. PRESTON III () 2. JANICE FELIX ()	124.9 124.9	X X			
SAN LUCY 266.3	1. GLORIA M. RAMIREZ (Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	133.15 133.15	X X			
PISINEMO 240.3	1. PAMELA J. BENAVIDEZ (<i>Absent</i>) (Nora J. Ruclas) (<i>Present</i>) 2. NAOMI MONTE (Edward D. Manuel)	120.15 120.15	X X			
HICKIWAN 222.9	1. LOUIS R. LOPEZ (Loretta A. Ortega) 2. DELMA M. GARCIA ()	111.45 111.45	X X			
GU VO 279.6	1. LESLIE LUNA () 2. BENNETT CHEWING ()	139.8 139.8	X X			X
GU ACHI 289.2	1. JEROME F. JOAQUIN (Gloria Johnson) 2. LUCIUS E. LOPEZ (<i>Absent</i>) (Victoria A. Hobbs) (<i>Present</i>)	144.6 144.6	X X			
CHUKUT KUK 361.9	1. MARLAKAY HENRY () 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	180.95 180.95	X X			
BABOQUIVARI 398.9	1. JESSE NAVARRO (Alberta J. Ray) 2. NED NORRIS, JR (<i>Absent</i>) (Leander Mase) (<i>Present</i>)	199.45 199.45	X X			
TOTAL		3,321.1	3,321.1	-0-	-0-	[02]