

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendment No. 2 to the Master Services Agreement between
Modular Solutions Ltd. and the Tohono O'odham Nation under the
American Rescue Plan Act Budget)**

RESOLUTION NO. 26-074

1 **WHEREAS,** the Legislative Council is vested with the authority to "consult, negotiate and
2 conclude agreements and contracts on behalf of the Tohono O'odham Nation with
3 Federal, state and local governments and other Indian tribes or their
4 departments, agencies, or political subdivisions, or with private persons or
5 organizations on all matters within the authority of the Tohono O'odham
6 Council" (Constitution of the Tohono O'odham Nation, Article VI, Section 1(f)); and
7 **WHEREAS,** the Tohono O'odham Legislative Council is authorized "to manage any funds
8 within the exclusive control of the Tohono O'odham Nation . . . and to appropriate
9 these funds for the benefit of the Nation and its members" provided that "[a]ll
10 expenditures of these funds shall be pursuant to appropriations or budgets"
11 authorized by resolution or ordinance (Constitution of the Tohono O'odham
12 Nation, Article VI, Section 1(d)(2)); and
13 **WHEREAS,** by Resolution No. 22-077, Legislative Council approved the FY 2022 American
14 Rescue Plan Act Budget; and
15 **WHEREAS,** the FY 2022 American Rescue Plan Act Budget authorized construction of new
16 buildings for the Department of Planning and Economic Development, the
17 Department of Membership Services, and North Komelik Village Fire and Police;
18 and
19 **WHEREAS,** by Resolution No. 23-361, Legislative Council approved the Tohono O'odham
20 Nation's Master Services Agreement between the Nation and Modular Solutions,
21 Ltd. for construction of the three new buildings; and
22 **WHEREAS,** by Resolution No. 25-280, Legislative Council approved Amendment No. 1 to the
23 Tohono O'odham Nation's Master Services Agreement between the Nation and
24 Modular Solutions, Ltd.; and
25 **WHEREAS,** additional change orders have been proposed to cover additional scope items for
26 both the Planning and Economic Development facility and North Komelik facility
27 resulting in the need for an Amendment No. 2; and
28 **WHEREAS,** the Department of Planning and Economic Development has prepared and
29 presents for approval Amendment No. 2 to the Master Services Agreement which
30 is incorporated by this reference and which will increase the total amount of the
31 Master Services Agreement from \$9,197,310.30 to \$10,626,426.01, for a total

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(Approving Amendment No. 2 to the Master Services Agreement between Modular Solutions Ltd. and the Tohono O'odham Nation under the American Rescue Plan Act Budget)

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1 **increase of \$1,429,115.71, to cover change order costs for the new North Komelik**
2 **Village Fire and Police Station Project and for the new Department of Planning**
3 **and Economic Development building project ; and**
4 **WHEREAS, the Commerce and Domestic Affairs Committees have reviewed the Amendment**
5 **No. 2 and recommend approval.**
6 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**
7 **Amendment No. 2 to the Master Services Agreement, in substantially the form**
8 **attached, which increases the total amount of the agreement by \$1,429,115.71,**
9 **from \$9,197,310.30 to \$10,626,426.01.**
10 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Nation's**
11 **chairperson or any designated official to execute and administer the Amendment**
12 **No. 2 in substantially the form attached provided, however, that any amendments**
13 **shall be submitted for prior approval by the Tohono O'odham Legislative Council.**

14 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 03RD**
15 **day of MARCH 2026 at a meeting at which a quorum was present with a vote of 3,321.1 FOR; -0-**
16 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
17 **Article VI, Section 1(d)(2)and(f) of the Constitution of the Tohono O'odham Nation, adopted by**
18 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
19 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
20 **18, 1934 (48 Stat.984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL

21
22
23 *Wavalene M. Saunders*
24 *vice chair*
25 **Wavalene M. Saunders, Legislative Chairwoman**
26
27 *9th* day of *March*, 2026
28
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30
31 **ATTEST:**
32 *Evonne Wilson*
33 _____
34 **Evonne Wilson, Legislative Secretary**
35 *9* day of *March*, 2026
36
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38 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
39 **O'odham Nation on the 9th day of March, 2026 at 4:57 o'clock, ¹¹pm.,**
40 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
41 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
42 **hours of submittal.**
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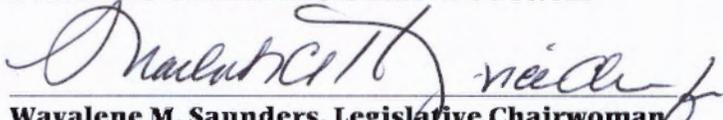
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

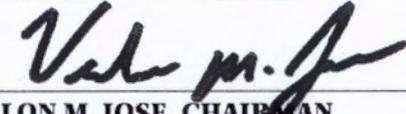

Wavalene M. Saunders, Legislative Chairwoman

APPROVED

on the 10 day of March, 2026

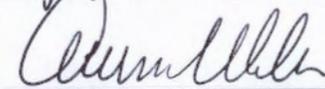
DISAPPROVED

at 8 o'clock, A.m.


VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10 day of

March, 2026, at 8:44 o'clock, a.m.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING AMENDMENT NO. 2 TO THE MASTER SERVICES AGREEMENT BETWEEN MODULAR SOLUTIONS LTD. AND THE TOHONO O'ODHAM NATION UNDER THE AMERICAN RESCUE PLAN ACT BUDGET

MOVED: COUNCILWOMAN THEORIA CAMPILLO

SECOND: VICE CHAIRWOMAN MARLAKAY HENRY

DATE: MARCH 03, 2026

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 251.2	1. WAVALENE M. SAUNDERS (Mary Lopez)	125.6	X			
	2. FRANCIS HOMEWYTEWA ()	125.6	X			
SELLS 565.7	1. JANET B. ELEANDO ()	282.85	X			
	2. EVELYN JUAN MANUEL (Juan Buendia)	282.85	X			
SCHUK TOAK 195.3	1. THEORIA CAMPILLO (Rebecca Ann Valentine)	97.65	X			
	2. DELISA M. RAMON (Quintin C. Lopez)	97.65	X			X
SAN XAVIER 249.8	1. DANIEL L.A. PRESTON III ()	124.9	X			
	2. JANICE FELIX ()	124.9	X			
SAN LUCY 266.3	1. GLORIA M. RAMIREZ (Lorraine M. Eiler)	133.15	X			
	2. ROGER MANUEL (Christina Andrews)	133.15	X			
PISINEMO 240.3	1. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	120.15	X			
	2. NAOMI MONTE (Edward D. Manuel)	120.15	X			
HICKIWAN 222.9	1. LOUIS R. LOPEZ (Loretta A. Ortega)	111.45	X			
	2. DELMA M. GARCIA ()	111.45	X			
GU VO 279.6	1. LESLIE LUNA ()	139.8	X			
	2. BENNETT CHEWING ()	139.8	X			X
GU ACHI 289.2	1. GLORIA JOHNSON ()	144.6	X			
	2. LUCIUS E. LOPEZ (Victoria A. Hobbs)	144.6	X			
CHUKUT KUK 361.9	1. MARLAKAY HENRY ()	180.95	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	180.95	X			X
BABOQUIVARI 398.9	1. JESSE NAVARRO ()	199.45	X			
	2. NED NORRIS, JR. (Leander Mase)	199.45	X			
TOTAL		3,321.1	3,321.1	-0-	-0-	[03]