

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving an Owner's Representative Services Agreement between the Tohono**  
**O'odham Nation and Connect Advisors, and Granting a Limited Waiver of**  
**the Nation's Sovereign Immunity)**

**RESOLUTION NO. 26-140**

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with  
2 the authority "to promote, protect, and provide for the public health, morals,  
3 education and general welfare of the Tohono O'odham Nation and its members"  
4 and "to consult, negotiate and conclude agreements and contracts on behalf of  
5 the Tohono O'odham Nation with...private persons or organizations on all  
6 matters within the authority of the Tohono O'odham Council" (Constitution of the  
7 Tohono O'odham Nation, Article VI, Section 1(c)(2) and Section 1(f)); and

8 **WHEREAS,** the Indian Health Service ("IHS"), the Tohono O'odham Nation ("Nation"), and  
9 Tohono O'odham Nation Health Care ("TONHC"), through their authorized  
10 representatives, entered into two Title V Construction Project Agreements for the  
11 purposes of completing the design of the new Sells Alternative Rural Health  
12 Center ("Sells ARHC")(Resolution No. 24-230) as well as the design and  
13 construction of off-site water and sewer in support of the new Sells ARHC  
14 (Resolution 24-207)(collectively called "the Sells ARHC Projects"); and

15 **WHEREAS,** to successfully execute obligations for the Sells ARHC Projects, a professional,  
16 experienced Owner's Representative services firm, that specializes in managing  
17 all aspects of the design and construction of the Sells ARHC Projects from  
18 conception to completion, is needed; and

19 **WHEREAS,** the Nation issued a public solicitation and employed a competitive sealed  
20 bidding process for owner's representative services proposals; and

21 **WHEREAS,** Connect Advisors, a firm that has successfully managed federally funded tribal  
22 healthcare and infrastructure projects requiring simultaneous oversight of  
23 design, construction, cost control, and schedule management was selected by a  
24 review committee to be the Nation's Owner's Representative for the Sells ARHC  
25 Projects; and

26 **WHEREAS,** Connect Advisors will work closely with the Nation's authorized representatives,  
27 consultants, and contractors in overseeing the design, construction, budget,  
28 schedule, and quality control of the Sells ARCH Projects, and will serve as the  
29 Nation's primary agent and advisor in pre-construction, construction-phase, and  
30 project close out matters to ensure project goals are met and risks are mitigated;  
31 and

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1 **WHEREAS, TONHC has submitted for review and approval an *Agreement for Owner's***  
2 ***Representative Services for Sells Alternative Rural Health Center and Water-***  
3 ***Sewer Extension Combined Projects* ("Agreement") between the Nation and**  
4 **Connect Advisors, which is attached as Exhibit A and incorporated by this**  
5 **reference; and**

6 **WHEREAS, the Agreement will be funded by the FY 2025-2027 Sells Alternative Rural Health**  
7 **Center Project I TONHC Design Budget approved by Resolution No. 24-426; and**

8 **WHEREAS, Section 11 of the Agreement requires a limited waiver of the Nation's sovereign**  
9 **immunity as explicitly detailed in the Agreement; and**

10 **WHEREAS, the Health and Human Services Committee has reviewed and recommends**  
11 **approval of the Agreement.**

12 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 13       **1. Approves the *Agreement for Owner's Representative Services for Sells***  
14 ***Alternative Rural Health Center and Water-Sewer Extension Combined***  
15 ***Projects* between the Nation and Connect Advisors, in substantially the**  
16 **same form as attached in Exhibit A, provided that any amendments of the**  
17 **Agreement shall be submitted for prior approval by the Tohono O'odham**  
18 **Legislative Council; and**
- 19       **2. Grants a limited waiver of the Nation's sovereign immunity in accordance**  
20 **with the explicit language contained in Section 11 of the Agreement in**  
21 **favor of Connect Advisors only.**

22 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham**  
23 **Nation chairperson or any designated official is authorized to execute the**  
24 **Agreement and any documents necessary to implement this resolution.**

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10<sup>TH</sup>**  
26 **day of APRIL 2026 at a meeting at which a quorum was present with a vote of 3,321.1 FOR; -0-**  
27 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**  
28 **Article VI, Section 1(c)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by**  
29 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
30 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
31 **18, 1934 (48 Stat.984).**

32 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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35 \_\_\_\_\_  
36 **Wavalene M. Saunders, Legislative Chairwoman**

37 16 day of April, 2026  
38

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**ATTEST:**

Evonne Wilson  
**Evonne Wilson, Legislative Secretary**

16 day of April, 2026

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 16 day of April, 2026 at 12:10 o'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**

**APPROVED**

on the 17 day of April, 2026

**DISAPPROVED**

at 7 o'clock, A.m.

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

Returned to the Legislative Secretary on the 17 day of  
April, 2026, at 8:22 o'clock, A.m.

Evonne Wilson  
**Evonne Wilson, Legislative Secretary**

**ACTION: APPROVING AN OWNER'S REPRESENTATIVE SERVICES AGREEMENT BETWEEN THE TOHONO O'ODHAM NATION AND CONNECT ADVISORS, AND GRANTING A LIMITED WAIVER OF THE NATION'S SOVEREIGN IMMUNITY**

**Moved: COUNCILMAN DANIEL L.A. PRESTON III**

**SECOND: COUNCILMAN NED NORRIS, JR.**

**DATE: APRIL 10, 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			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			
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 ( <i>Absent</i> ) (Christina Andrews) ( <i>Present</i> )	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			
GUACHI 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			
BABOQUIVARI 398.9	1. JESSE NAVARRO ( )	199.45	X			
	2. NED NORRIS, JR. (Leander Mase)	199.45	X			
<b>TOTAL</b>		<b>3,321.1</b>	<b>3,321.1</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>