

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving and Authorizing the Nation to Enter into a P.L. 638 Contract with the
Bureau of Indian Affairs, Western Regional Office for Transportation Project
PIR 21(4), Route 21 Santa Cruz to Papago Farms)**

RESOLUTION NO. 18-481

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
3 with 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 Nation (the “Nation”) is a Federally recognized Indian Tribe
8 and the Tohono O’odham Legislative Council (the “Legislative Council”) is the
9 governing body of the Nation; and
10 **WHEREAS,** the Nation was notified by the Bureau of Indian Affairs (“BIA”), Western Regional
11 Office (“WRO”) that it anticipates funds will be available for Transportation
12 Project 21(4) that runs approximately 11.524 miles on Route 21 from just below
13 Santa Cruz Community to Papago Farms; and
14 **WHEREAS,** the Nation was given the right of first refusal to contract Project PIR 21(4) through
15 a P.L. 93-638 Self-Determination Contract; and
16 **WHEREAS,** the Nation by letter dated November 30, 2018, which is incorporated by this
17 reference, has informed the BIA WRO of its intent to enter into a P.L. 93-638
18 contract to perform construction, engineering and management services for
19 Project PIR 21(4), and submitted the Nation’s Program of Requirements (“POR”)
20 listing the Nations’ programmatic needs to complete the project as well as a
21 contract template that it recommends be used for the Nation’s Project PIR 21(4)
22 P.L. 93-638 Contract; and
23 **WHEREAS,** the Agricultural and Natural Resources Committee has reviewed the proposal to
24 enter into a P.L. 93-638 Contract with the Bureau of Indian Affairs, Western
25 Regional Office for Transportation Project PIR 21(4) and recommends its
26 approval.
27 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O’odham Legislative Council approves and
28 authorizes the Nation to enter into a P.L. 93-638 Contract with the Bureau of
29 Indian Affairs, Western Regional Office for Transportation Project PIR 21(4),
30 Route 21 Santa Cruz to Papago Farms.
31 **BE IT FURTHER RESOLVED** that the Tohono O’odham Legislative Council approves the submittal
32 of the Nation’s Program of Requirements (“POR”) to the Bureau of Indian Affairs,
33 Western Regional Office that lists the Nation’s programmatic needs to complete

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the project as well as a contract template that it recommends be used for the Nation's Project PIR 21(4) P.L. 93-638 Contract.

BE IT FINALLY RESOLVED that the Tohono O'odham Nation Chairperson is authorized to execute any and all documents necessary to fulfill the intent of this resolution.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH day of DECEMBER, 2018 at a meeting at which a quorum was present with a vote of 3,084.6 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

Timothy C. Ypsey for
Timothy Joaquin, Legislative Chairman
11 day of December, 2018

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary
11 day of December, 2018

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 11 day of December, 2018 at 10:27 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

Timothy C. Ypsey for
Timothy Joaquin, Legislative Chairman

APPROVED

on the 17 day of December, 2018

DISAPPROVED

at 4:42 o'clock, P.m.

EXCEEDED 48 HOURS

Edward D. Manuel
EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

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1 Returned to the Legislative Secretary on the 18 day of

2 December, 2018, at 8:42 o'clock, a .m.

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7 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING AND AUTHORIZING THE NATION TO ENTER INTO A P.L. 638 CONTRACT WITH THE BUREAU OF INDIAN AFFAIRS, WESTERN REGIONAL OFFICE FOR TRANSPORTATION PROJECT PIR 21(4), ROUTE 21 SANTA CRUZ TO PAPAGO FARMS

Moved: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN MARY LOPEZ

DATE: DECEMBER 07, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (<i>Absent</i>) (Agnes V. Joaquin) (<i>Present</i>)	92.85	X			X
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX ()	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (<i>Absent</i>) (Shirley Molina) (<i>Present</i>)	104.5	X			
	2. SANDRA D. ORTEGA ()	104.5	X			X
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (<i>Absent</i>) (Victoria Hobbs) (<i>Present</i>)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	3,084.6	-0-	-0-	[02]