

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Amendment No. 1 to Construction Contract between the Tohono  
O'odham Nation and FNF Construction, Inc.)**

**RESOLUTION NO. 20-247**

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with  
2 the power to "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, Article VI, Section 1(f)); and

7 **WHEREAS,** the Construction Contract between the Tohono O'odham Nation and FNF  
8 Construction Inc. was approved by Legislative Council Resolution No. 20-034; and

9 **WHEREAS,** the Planning and Economic Development Department has submitted for review  
10 and approval Amendment No. 1 to the Construction Contract between the Tohono  
11 O'odham Nation ("Nation") and FNF Construction, Inc. ("FNF"), which is  
12 incorporated by this reference, and which will allow FNF to provide road re-  
13 construction services for PIR 21(4) Santa Cruz to Papago Farms Project for the  
14 period of October 1, 2019 to September 30, 2020; and

15 **WHEREAS,** Amendment No. 1 to the Construction Contract between the Nation and FNF has  
16 been reviewed by the Office of Attorney General as required by law; and

17 **WHEREAS,** approved funds are available in the FY 2020 Planning and Economic  
18 Development Department Roads Program Project PIR 21(4) Santa Cruz to Papago  
19 Farms Budget, as amended by Resolution No. 20-178 to fund the road  
20 reconstruction project; and

21 **WHEREAS,** the Agricultural and Natural Resources has reviewed Amendment No. 1 to the  
22 Construction Contract between the Tohono O'odham Nation and FNF  
23 Construction, Inc. and recommends approval.

24 **NOW, THEREFORE, BE IT RESOLVED,** that the Tohono O'odham Legislative Council approves  
25 Amendment No. 1 to the Construction Contract between the Tohono O'odham  
26 Nation and FNF Construction, Inc. in substantially the form attached and  
27 authorizes the Tohono O'odham Nation chairperson or any designated official to  
28 execute and administer the Agreement.

29 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12<sup>TH</sup>  
30 day of AUGUST, 2020 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0-  
31 AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by  
32 Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono  
33 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -  
34 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934  
35 (48 Stat.984).  
36  
37

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

*Timothy Joaquin*  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman

14 day of August, 2020

ATTEST:

*Evonne Wilson*  
\_\_\_\_\_

Evonne Wilson, Legislative Secretary

13 day of August, 2020

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 14 day of August, 2020 at 9:00 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 Joaquin*  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 14 day of August, 2020

DISAPPROVED

at 11:53 o'clock, a .m.

*Ned Norris, Jr.*  
\_\_\_\_\_  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14 day of

August, 2020, at 12:09 o'clock, p .m.

*Evonne Wilson*  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING AMENDMENT NO. 1 TO CONSTRUCTION CONTRACT BETWEEN THE TOHONO O'ODHAM NATION AND FNF CONSTRUCTION, INC.**

**Moved: COUNCILWOMAN ALBERTA J. RAY  
HENRY**

**SECOND: COUNCILWOMAN MARLAKAY**

**DATE: AUGUST 12, 2020**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GU ACHI 279.3	1. VICTORIA HOBBS ( )	139.65	X			
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65	X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ( )	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ( )	106.90	X			X
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ( )	115.35	X			
	2. MARIETTA MARTIN ( )	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ( )	117.80	X			
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ( )	273.55	X			
	2. ARTHUR WILSON ( )	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
<b>TOTAL</b>		<b>3,175.7</b>	<b>3,175.7</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>