



## UPPER MATTAPONI TRIBE

### BILL NO. 2025-01

#### CONTRACTING AUTHORITY AMENDMENT OF 2025

An Act related to governmental contracting; amending Title 4, Section 2103 of the Upper Mattaponi Tribal Code of Laws, which relates to contracting by the Executive Branch; modifying monetary limitations on contracts; and providing an effective date.

At a duly called General Meeting of the Upper Mattaponi Tribe Council held this 26th day of July, 2025, the following Law was adopted.

**WHEREAS**, the Upper Mattaponi Tribal Council ("Council") is vested with the legislative power of the Upper Mattaponi Tribe ("Tribe") and has the authority to enact laws pursuant to Article VII, Section 4(a) of the Constitution of the Upper Mattaponi Tribe ("Constitution"); and

**WHEREAS**, in 2023 the Council adopted the Executive, Legislative, and Judicial Branches Contracting Authority Act of 2023, which related to the authority of the branches to enter into contracts to fulfill their duties and responsibilities. The Act has been codified as Chapter 21 of Title 4 of the Upper Mattaponi Tribal Code of Laws ("UMTC"); and

**WHEREAS**, Title 4, Section 2103(D) of the UMTC provides a monetary limit on contracts the Executive Branch may enter into without approval by the Council; and

**WHEREAS**, the Council believes the monetary limit in Title 4, Section 2103(D) of the UMTC is overly restrictive on the Executive's ability to conduct business.

#### **BE IT ENACTED BY THE PEOPLE OF THE UPPER MATTAPONI TRIBE:**

**Section 1. AMENDATORY** Title 4, Section 2103 of the Upper Mattaponi Tribal Code of Laws is amended to read as follows:

##### Section 2103. Executive Branch Authorization to Contract

(A) The Chief and executive branch personnel shall not have the power to enter into contracts on behalf of the Tribe unless authorized to do so by law enacted by the Legislature or as otherwise authorized by this chapter.

(B) The contracting process for the Tribe to enter into any contract shall include the following steps in the following order: (1) authorization to contract in a law enacted by the Council

including this chapter, or by decision of the Council including Department and program enabling laws; (2) selection of the vendor or contracting party pursuant to procurement policies, and negotiation and execution of the contract by the Chief or an authorized designee; (3) ratification of the contract by the Council, but only when the authorizing law expressly reserves the power to the Council to ratify the contract.

(C) Upon authorization in a law or by this chapter, the Chief, and executive branch personnel and subdivisions authorized by the Chief, shall have the power to select the vendor or contracting party in accordance with applicable procurement laws and policies, negotiate the contract terms with the vendor or contracting party, and enter into a contract with the vendor or contracting party on behalf of the Tribe subject to any limitations or conditions placed on the executive branch in the authorizing law including but not limited to the power of the Council to require ratification of a contract by the Council.

(D) The Chief and executive branch personnel are hereby authorized to enter into routine contracts that are necessary for the Office of Chairman, a Department, or a program to carry out its duties and responsibilities; provided, that contracts over ~~one hundred thousand dollars (\$100,000)~~ seven-hundred fifty thousand dollars (\$750,000) shall be subject to ratification by the Council.

(E) Any expenditure of funds by the executive branch of government shall be done in accordance with the available funds appropriated in an approved budget in accordance with the requirements of the Constitution.

**Section 2.** This Act shall be effective immediately upon its passage and approval according to process defined in the Constitution.

## CERTIFICATION

The foregoing Act was duly voted upon by the Council on the 26th day of July, 2025, at a General Meeting with a vote of 6 in favor and 0 opposed, 0 abstaining, and 1 absent, pursuant to the authority vested in the Council by the Constitution of the Upper Mattaponi Tribe.

  
Secretary of the Council or Designee

**SPONSOR:** Councilperson R. Adams

COUNCILMEMBERS	YES	NO	ABSTAIN	ABSENT
Rob Adams	✓			
Ken Adams	✓			
Wilma Hicks	✓			
Sonny Knighton	✓			
Desirée Dyer	✓			
Owen Adams	✓			
Beth Gondos				✓

**ASSISTANT CHIEF** (Authorized to break tie votes only): \_\_\_\_\_**DELIVERY OF THE RESOLUTION AND LAW TO THE CHIEF**

Bill No. 2025-01 was presented to the Chief of the Upper Mattaponi Tribe on the 28<sup>th</sup> day of July, 2025, pursuant to Article VII, Section 5(f) of the Constitution of the Upper Mattaponi Tribe, and will become effective after signature by the Chief or veto override by the Council.

  
Secretary of the Council or Designee

**CHIEF'S ACTIONS:**☒ Approved☐ Veto – Returned to Council with Explanation

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On this 28<sup>th</sup> day of July, 2025.

  
Chief

Presented to Chief and Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**COUNCIL'S ACTIONS:**

Override of the Chief's Veto –

☐ Yes☐ No

COUNCILMEMBERS	YES	NO	ABSTAIN	ABSENT
Rob Adams				
Ken Adams				
Wilma Hicks				
Sonny Knighton				
Desirée Dyer				
Owen Adams				
Beth Gondos				

**CERTIFICATION**

The foregoing Act was duly voted upon by the Council on \_\_\_\_\_ day of \_\_\_\_\_, 2025, at a General Meeting with a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed, \_\_\_\_\_ abstaining, and \_\_\_\_\_ absent, pursuant to the authority vested in the Council by the Constitution of the Upper Mattaponi Tribe.

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*Secretary of the Council or Designee*