

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE
24th NAVAJO NATION COUNCIL -- Second Year, 2020

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES; AUTHORIZING THE NAVAJO DIVISION OF COMMUNITY DEVELOPMENT TO PROCEED WITH AND NEGOTIATE A P.L. 93-638 TITLE I CONSTRUCTION PROJECT AGREEMENT FOR THE SITE SELECTION EVALUATION REPORT (SSER) PHASE II FOR THE NEW GALLUP INDIAN MEDICAL CENTER (GIMC) AT THE REHOBOTH SITE

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400(A). Among other duties and responsibilities, the committee reviews and recommends agreements and contracts negotiated with federal, state, regional, and tribal governments, private and Navajo Nation health and social service authorities, including environmental health, veterans' services or education services subject to applicable laws of the Navajo Nation. 2 N.N.C. § 401(B)(6)(b).
- B. The Resources and Development Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 500(A). Among other duties and responsibilities, the committee "represent[s] the Navajo Nation at local, state, and federal levels, in cooperation and coordination with the President of the Navajo Nation and the appropriate committee of the Navajo Nation Council on proposed resolutions or actions affecting natural resources; energy resources; economic and community development; road and transportation matters; capital improvement projects, including recommending approval of the annual capital improvement projects budget of the Bureau of Indian Affairs, Indian Health Services and other departments or agencies of the United States; and housing development." 2 N.N.C. § 501(B)(5).

- C. The Budget and Finance Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. § 300. The Budget and Finance Committee is authorized to approve and accept contracts from federal authorities upon the recommendation of the standing committee which has oversight of the program which requested the contract. 2 N.N.C. § 301(B)(15).
- D. The Naabik'íyáti' Committee is authorized to approve contracts between the Navajo Nation and the United States Department of Health and Human Services for the implementation of the Indian Self-Determination and Education Assistance Act, 25 U.S.C. § 5301 *et seq.* (P. L. 93-638 as amended). 2 N.N.C. § 701(A)(12).

SECTION TWO. FINDINGS

- A. The funding for the Site Selection and Evaluation Report (SSER) Phase II for the new Gallup Indian Medical Center (GIMC) at the Rehoboth site, located in Gallup, New Mexico, will be through the Division of Engineering Services (DES), Indian Health Services. On November 7, 2019, the DES notified the Navajo Nation by letter, attached as **Exhibit A**, that \$200,000 is available to begin the SSER Phase II for the new GIMC.
- B. The Naabik'íyáti' Committee of the Navajo Nation Council by resolution NABIJY-30-20 approved Rehoboth as the site for the Gallup Indian Medical Center replacement project, incorporated herein by this reference.
- C. The Navajo Nation President issued a letter to DES determining that the Navajo Nation would like to proceed with the SSER Phase II for the new GIMC at the Rehoboth site, attached as **Exhibit B**.
- D. It is in the best interest of the Navajo Nation to proceed with and negotiate a P.L. 93-638 Title I Construction Project Agreement with the United States Department of Health and Human Services.
- E. Based on the terms negotiated for the P.L. 93-638 Title I Construction Project Agreement, the Navajo Nation agrees to


have the final funding amount modified based on the final activities and deliverable agreed to by both the Navajo Nation and the United States Department of Health and Human Services.

SECTION THREE. APPROVALS

- A. The Navajo Nation hereby authorizes the Navajo Division of Community Development to proceed with a P.L. 93-638 Title I Construction Project Agreement for the Site Selection Evaluation Report (SSER) Phase II for the new Gallup Indian Medical Center (GMIC) at the Rehoboth site to be negotiated between the Navajo Nation and the Department of Health and Human Services, to determine the activities and deliverables to be completed as part of the Phase II SSER, and to negotiate the final funding amount required to complete the final activities and deliverables.
- B. The Navajo Nation hereby authorizes the Navajo Division of Community Development to advocate for and implement the intent and purposes of this resolution. The Office of Navajo Nation President and Vice-President shall provide oversight over this phase of the project.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 20 in Favor, and 00 Opposed, on this 17th day of September 2020.


Honorable Seth Damon, Chairman
Naabik'íyáti' Committee

Sept 22, 2020
Date

Motion: Honorable Daniel E. Tso

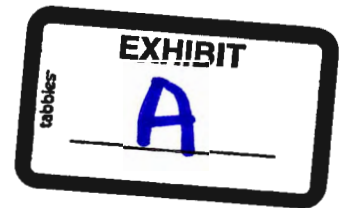
Second: Honorable Mark A. Freeland

Chairman Seth Damon not voting



Indian Health Service
Division of Engineering Services
1301 Young Street, Suite 840
Dallas, TX 75202-5433
and
701 5th Avenue, Suite 1600, RX-24
Seattle, WA 98104-7037

November 7, 2019



Honorable Jonathan Nez
President
The Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

Subject: Notice of Fund Allocation (NOFA), GIMC SSER PH II

Dear President Nez:

This letter is to advise The Navajo Nation per 25 C.F.R. § 900.120, that the Indian Health Service (IHS) has allocated funds for the following project:

Project Name: GIMC – SSER PH II

Project Number: TBD

Location: Gallup, New Mexico

Scope: Complete the Site Selection and Evaluation Report (SSER) Phase II for the new GIMC in full accordance with the IHS OEHE Technical Handbook respective chapters. The SSER PH II will be completed for the Rehoboth site, located in Gallup, NM.

Funding Amount: \$200,000

The new GIMC SSER PH I (update #2) was recently completed by the IHS and the unanimous site selection was the Rehoboth site. The SSER PH II provides for an in depth evaluation of the Rehoboth site including environmental, historical, utilities, geotechnical, and other site conditions.

Under the regulations cited herein, you have the option to accomplish the work under a Public Law 93-638 Title V Construction Project Agreement (TVCPA) or Title I construction contract. The IHS Project Team is available to meet with your representative(s) to provide additional information and technical assistance in preparing a proposal for this project.

If the Navajo Nation wishes to enter into a TVCPA or a Title I contract for this project, please submit a letter of intent signed by a person authorized to act on behalf of the Navajo Nation. Please provide IHS the letter of intent within 15 days of receipt of this letter.

The Division of Engineering Services is the designated IHS office to perform the Secretarial project functions and will assign responsible individuals upon receipt of your letter of intent. Please contact me at 206-615-2460 or email at michael.weaver@ihs.gov if you have any questions of if we may be of further assistance.

Sincerely,

**Michael R.
Weaver -S**

Michael R. Weaver, P.E., BCEE
Director, Division of Engineering Services

Digitally signed by
Michael R. Weaver -S
Date: 2019.11.07
06:25:19 -08'00'

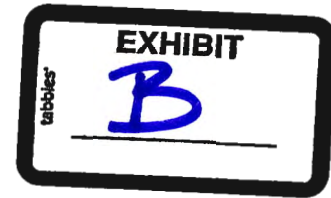
cc: Roselyn Tso, Director NAIHS
Roger Slape, Acting Director, OEHE, NAIHS
Candace Tsingine, NAIHS
Steve Raynor, Acting Director DFPC, OEHE, IHS
Peter Nachod, DFPC
Howard Wellspring, DES, OEHE, IHS
Melissa Warmath, DES
Joseph Bermes, DES
Paul Gagliano, DES

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 31, 2020



Michael R. Weaver
Indian Health Services
Division of Engineering Services
1301 Young Street, Suite 840
Dallas, TX 75202-5433
and
701 5th Avenue, Suite 1600, RX-24
Seattle, WA 998104-7037

Dear Mr. Weaver:

This letter is to advise your office the Navajo Nation is in receipt of your letter, referencing 25 C.F.R. § 900.120, that the Indian Health Service (IHS) has allocated funds for the following project. It is the determination of the Navajo Nation to enter into a Title I Construction Contract. We are pleased to hear that your office will be helpful in the preparation of the proposal.

Project Name: GIMC – SSER PH II

Project Number: TBD

Location: Gallup, New Mexico

Scope: Complete the Site Selection and Evaluation Report (SSER) Phase II for the new GIMC in full accordance with the IHS OEHE Technical Handbook respective chapters. The SSER PH II will be completed for the Rehoboth site, located in Gallup, NM.

Funding Amount: \$200,000

On behalf of the Navajo Nation, we appreciate your assistance and support with this project and look forward to our partnership. Please, contact Paulson Chaco, Chief of Staff, (928) 871-7000, if you have questions or concerns related to this project.

A handwritten signature in black ink, appearing to read "J-Nez".

Navajo Nation President Jonathan Nez

cc: Roselyn Tso, Director NAIHS
Capt. Brian Johnson, NAIHS
Roger Slape, Acting Director, OEHE, NAIHS
Candace Tsingine, NAIHS
Steve Raynor, Acting Director, DFPC, OEHE, IHS
Peter Nachod, DFPC
Howard Wellspring, DES, OEHE, IHS
Melissa Warmath, DES
Joseph Bermes, DES
Paul Gagliano, DES
Dr. Jill Jim, Director, NNDOH
Paulson Chaco, NNOPVP

NNOPVP Letter to M. Weaver, IHS, 1/31/20, Page 2

NAVAJO NATION

662

9/17/2020

Navajo Nation Naabikiyati Special Meeting

06:17:51 PM

Amd# to Amd#

Legislation 0208-20: Authorizing

PASSED

MOT Tso, D

the Navajo Division of Community

SEC Freeland, M

Development to Proceed with and

Negotiate a P.L. 93-638....

Yeas : 20

Nays : 0

Excused : 0

Not Voting : 3

Yea : 20

Begay, K

Daniels

Slater, C

Tso, E

Begay, P

Freeland, M

Smith

Tso, O

Brown

Henio, J

Stewart, W

Walker, T

Charles-Newton

James, V

Tso, C

Wauneka, E

Crotty

Nez, R

Tso, D

Yazzie

Nay : 0

Excused : 0

Not Voting : 3

Yellowhair

Halona, P

Begay, E

Presiding Speaker: Damon