

LEGISLATIVE SUMMARY SHEET

Tracking No. 0182-19

DATE: June 26, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING AND ADOPTING THE SHIPROCK JUDICIAL AND PUBLIC SAFETY CENTER FACILITIES SÍHASIN FUND EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

PURPOSE: The purpose of this legislation is to allocate Síhasin Funds for a Judicial and Public Safety Center in Shiprock, New Mexico.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 23/28
Website Posting Time/Date: 7/2/19 3:10PM
Posting End Date: 7/7/19
Eligible for Action: 7/8/19

Law & Order Committee
Thence
Budget & Finance Committee
Thence
Naa'bik'iyati' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0182-19

AN ACTION

RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE,
NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING
AND ADOPTING THE SHIPROCK JUDICIAL AND PUBLIC SAFETY CENTER
FACILITIES SÍHASIN FUND EXPENDITURE PLAN PURSUANT
12 N.N.C §§ 2501 – 2508

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Law and Order Committee of the Navajo Nation Council is empowered to serve as the oversight authority for the Division of Public Safety and the Judicial Branch Navajo Nation. 2 N.N.C. § 600 (C)(6).
- C. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 301(B)(2).
- D. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).

- 1
- 2 E. The Naabik'iyáti Committee of the 24th Navajo Nation Council continued the
- 3 Naabik'iyáti Síhasin Fund Subcommittee in Resolution NABIAP-23-19. The
- 4 Naabik'iyáti Síhasin Fund Subcommittee was initially established in 2015 by
- 5 Resolution NABIAP-20-15 to provide recommendations to the Naabik'iyáti
- 6 Committee and Navajo Nation Council for projects to be funded using Síhasin
- 7 Funds. Notwithstanding the creation and continuation of the Naabik'iyáti Síhasin
- 8 Fund Subcommittee, approval from the Subcommittee is not a requirement for the
- 9 Navajo Nation Council to approve Síhasin Fund expenditure plans.
- 10 F. The Navajo Nation Code provides the purpose of the Navajo Nation Síhasin Fund
- 11 ("Síhasin Fund") is as follows:

12 § 2502 Purpose

- 13 A. The purposes of this Fund are to provide financial support and/or
- 14 financing for:
- 15 1. The planning and development of economic development
- 16 and regional infrastructure supporting economic development
- 17 and community development, including such infrastructure
- 18 as, but not limited to, housing, commercial and government
- 19 buildings, waterline, solid waste management development,
- 20 powerline projects, and transportation and communication
- 21 systems, within the Navajo Nation; and
- 22 2. Education opportunities for members of the Navajo
- 23 Nation.
- 24 B. For the Purpose in § 2502(A)(1), Fund expenditures for
- 25 infrastructure shall not be limited by 12 NNC § 1310(F) or
- 26 TCDCJY-77-99.
- 27 C. Leveraging the Fund by way of guaranteeing loans, match
- 28 funding, direct funding in part, and other weighted uses of the
- 29 Fund, including loan financing from the Fund, for the purposes
- 30 in § 2502(A)(1), shall be favored over direct funding in whole.

1 12 N.N.C. § 2502, as amended by CJA-03-18.

- 2 G. The Sihasin Fund provides that "Fund Principal" shall consist of all deposits made
3 to the Sihasin Fund and that "Fund Income" shall consist of all earnings (interest,
4 dividends, etc.) generated and realized by the Fund Principal, and that Fund
5 Income shall be deposited in and added to Fund Principal until such time as a
6 Fund Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).
- 7 H. The Sihasin Fund provides that "Fund Principal and Income shall not be expended
8 except pursuant to a Fund Expenditure Plan consistent with the purposes set forth
9 in § 2502 of this Chapter and adopted by a two-thirds (2/3) vote of all members of
10 the Navajo Nation Council." 12 N.N.C. § 2505(A).

11
12 **Section Two. Findings**

- 13 A. The Shiprock Judicial Public Safety Facility Project will replace the Northern
14 Navajo Agency Judicial and Public Safety Facility in Shiprock, New Mexico. The
15 public safety facility has been closed due to structural and environmental concerns.
16 These concerns include the presence of lead, asbestos, and mold. As a result, the
17 Navajo Nation has been denied a sanitation permit since 2010.
- 18 B. The Northern Navajo Agency Judicial and Public Safety facility serves an area
19 consisting of 2,726,438 acres of land with a population of over 29,803. Additional
20 details on the service area are provided in the "Shiprock Judicial Public Safety
21 Project" attached as **Exhibit A**.
- 22 C. Proposed budgets and a proposed construction schedule can be found at **Exhibit B**.
- 23 D. The proposed Shiprock Judicial Public Safety Facility will consist of the following:
- 24 1. Corrections Facility, (budget \$35,541,420),
 - 25 2. Police Facility, (budget \$14,455,819),
 - 26 3. Courts Facility, (budget \$10,185,069),
 - 27 4. Medical Examiner Facility, (budget \$1,759,692), and
 - 28 5. Relocation Costs, (budget \$4,094,301).

29 This reflects a total cost of construction and relocation for all facilities of
30 \$66,036,301.

1 E. The total cost to the Navajo Nation for construction of the Shiprock Judicial Public
2 Safety Facility will be offset by \$3,150,000 from Authorized New Mexico Funds
3 Credit. This is a reimbursable credit that will result in cost savings to the Navajo
4 Nation. Additionally, preconstruction costs have been paid for through the allocation
5 of \$3,150,000 from the Navajo Nation Judicial/Public Safety Fund.
6

7 **Section Three. Approval and Adoption of Expenditure Plan**

- 8 A. The Navajo Nation hereby approves and adopts the Shiprock Síhasin Public Safety
9 Facility Expenditure Plan, attached and incorporated herein as **Exhibit B**.
10 B. The Navajo Nation hereby approves and adopts funding to the Shiprock Síhasin
11 Public Safety Facilities Expenditure Plan for \$66,036,301.
12 C. The Síhasin Funds allocated for the Síhasin Public Safety Facilities Expenditure
13 Plan may be further leveraged by bond or loan financing pursuant to the Navajo
14 Nation Bond Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended, using Síhasin
15 Fund earnings for repayment and financing costs upon the recommendation of the
16 Budget and Finance Committee and approval by a two-thirds (2/3) vote of all
17 members of the Navajo Nation Council.
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19 **Section Four. Approval and Adoption of Expenditure Plan Administration**

20 The Navajo Nation hereby approves administration of the Shiprock Síhasin Public
21 Safety Facility Expenditure Plan follows:

- 22 1. The Navajo Nation Controller shall determine whether the source of the annual
23 allocations from the total allocation of \$66,036,301 will be Síhasin Fund
24 Principal or Income or a combination of both;
25 2. The funding for the Shiprock Síhasin Public Safety Facility Expenditure Plan
26 will be distributed to the Division of Public Safety pursuant to a construction
27 plan or drawdown schedule agreed to by the Office of the Controller and the
28 Department of Public Safety, within 30 days of the formal adoption of this
29 legislation.
30

- 1 3. The funds allocated for the Síhasin Public Safety Facilities Expenditure Plan
2 shall be used solely to design, plan, and construct the Síhasin Public Safety
3 Facilities Expenditure Plan described in **Exhibits A and B**. Any and all cost-
4 savings shall be returned to the to the Síhasin Fund once the safety facilities are
5 completed; and
- 6 4. The funds allocated for the Síhasin Public Safety Facilities Expenditure Plan
7 shall not lapse on an annual basis pursuant to 12 N.N.C. §820(N), however, any
8 funds not spent or encumbered within twenty-four (24) months of the date funds
9 are made available to the Department of Public Safety shall revert to the Síhasin
10 Fund principal, unless recommended otherwise by the Law and Order
11 Committee of the Navajo Nation Council and approved by the Naabik'íyáti'
12 Committee.

13

14 **Section Five. Effective Date**

15 The Síhasin Public Safety Facilities Expenditure Plan, as set forth above, shall become
16 effective pursuant to 12 N.N.C. § 2505.

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18 **Section Six. Directives**

19 The Department of Public Safety shall report the status of the Shiprock Síhasin Public
20 Safety Facilities Expenditure Plan to the Naabik'íyáti' Committee on a quarterly basis.

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Shiprock Judicial Public Safety Project
Shiprock, New Mexico
February 14, 2019

Contact: Dr. Delores Greyeyes, Navajo Nation Division of
Public Safety Department of Corrections (928) 871-7555
Karen Francis, Office of the Chief Justice (928) 871-6920



This proposal is for project funding to replace the Northern Navajo Agency Judicial & Public Safety facility in Shiprock, New Mexico. The public safety facility has been closed due to extensive structural and environmental health concerns causing an emergency situation for this vast area of the Navajo Nation and northern New Mexico. The Northern Navajo Medical Center's Office of Environmental Health and Sanitation has conducted yearly inspections of the Shiprock Public Safety facility and has recommended against the renewal of the sanitation permit. The last time a sanitation permit was issued was in 2010 due to the severe environmental and safety conditions, which include the presence of mold, lead and asbestos throughout the facility. This facility was built in 1959. The Navajo Police had 3,100 square feet space to operate from and the Shiprock Detention uses 4,400. The Court is located adjacent to the Public Safety facility and has the same structural conditions although it was built in 1972.

The Northern Navajo Agency Judicial and Public Safety facility provides services that cover 2,726,438 acres of land with a population of over 29,803 (U.S. Census, 2010). The Shiprock Public Safety alone serves the 21 Navajo Chapters in the northern region of the Navajo Nation. There are two Navajo Nation judicial courts in Aneth, Utah, and Shiprock New Mexico, that serve this region and rely on the Shiprock Navajo Police and Detention to house individuals who are sentenced to serve time in jail. Sometimes the Shiprock Police and/or Detention transport detainees to Aneth, Utah, for court.

The Shiprock Judicial District, including the district and family courts, Peacemaking Program, and Office of Probation & Parole Services, that would be housed in the proposed Judicial and Public Safety facility covers 17 Navajo Nation chapters, in whole or in part. Most of the service area is in New Mexico. The judicial district has on average more than 60 daily visitors and an annual caseload of 6,782. This judicial district has had the second highest caseload of all judicial districts of the Navajo Nation from Fiscal Year 2015 to Fiscal Year 2017.

The Northern Navajo Agency is the largest populated community of the Navajo Nation. The closure of the public safety facility which serves this entire region will devastate 21 Navajo communities. Each year the Navajo Police respond to more than 25,000 calls for services with more than 7,000 individuals detained in the Shiprock Detention facility. The closure of the detention facility has handicapped the operation of the Navajo Police and Criminal Investigators limiting the arrest, detention and prosecution of criminals. When the Navajo Police make arrests, they will be transporting individuals either 101 miles to the Kayenta correctional facility or 116 miles to the Crownpoint facility. These transports can take an officer off the road a full day and time spent transporting arrestees and inmates limits the response of Police Officers to calls for services.

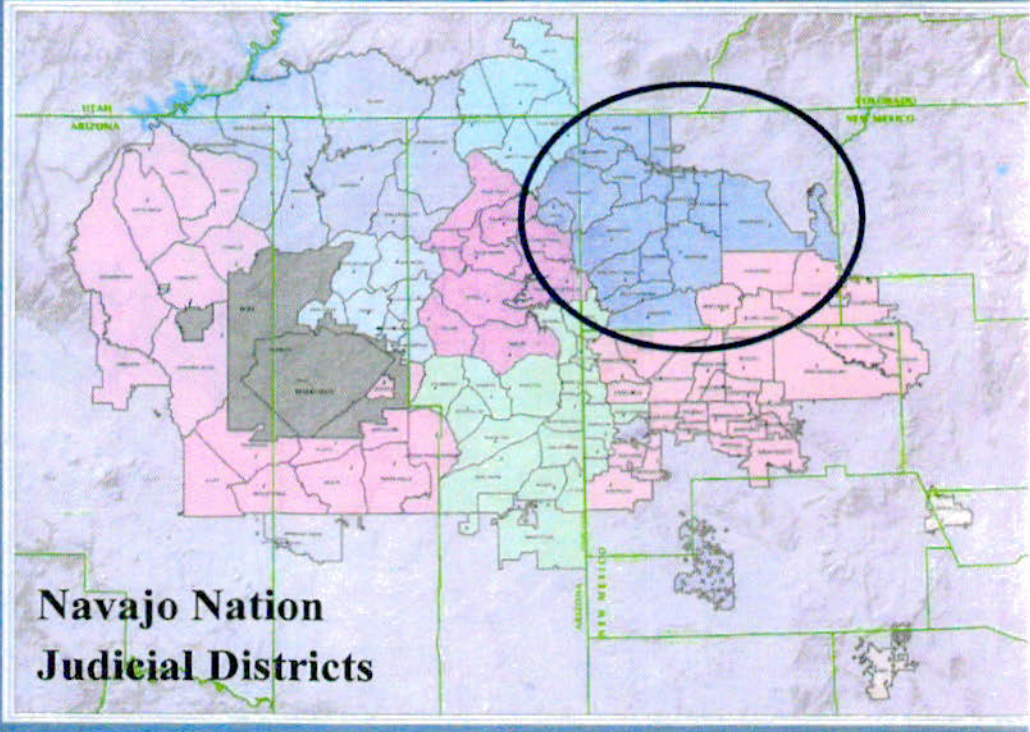
The Northern Navajo Judicial Public Safety Facility (Project) is designed as one of the large Judicial Public Safety Centers on the Navajo Nation. The proposed replacement of the Shiprock facility is to construct a 115,000 square ft. facility at an estimated cost of \$76,565,004 for planning, design and construction. The Project team received \$3,150,000 from the Navajo Nation through Judicial/Public Safety Special Revenue. The Nation is requesting \$3,500,000 from the New Mexico Governor's Office to assist with the project.



Shiprock Judicial District Fact Sheet

Judicial District covers 17 chapters on the Navajo Nation:

- Beclabito
- Cove
- Gadiiahi/To'koi
- Nasehitti
- Nenahnezad
- Newcomb
- Red Valley
- San Juan
- Sanostee
- Sheepsprings
- Shiprock
- Teee Nos Pos (East of NM/AZ state line)
- T'itsoh Sikaad
- Toadlena - Two Grey Hills
- Tse'Daa'Kaan
- Upper Fruitland
- Huerfano (north of a horizontal line beginning just south of Blanco Trading Post on U.S. Hwy 550 and running westward through Milepost 79 on State Hwy 371)



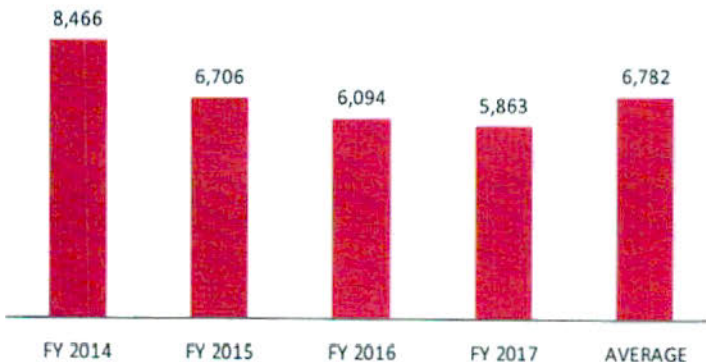
Navajo Nation Judicial Districts

SERVICES

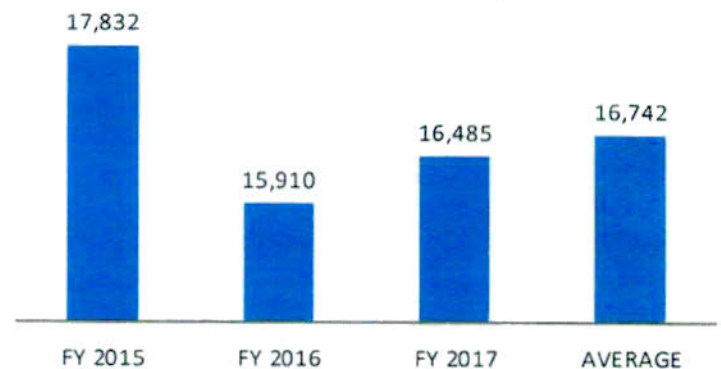
- * District Court
- * Family Court
- * Peacemaking Program
- * Office of Probation and Parole Services

22 staff members currently serve the Judicial District.

TOTAL CASELOAD



DAILY VISITORS



Shiprock had the 2nd highest caseload of all judicial districts in FY 2015-2017.



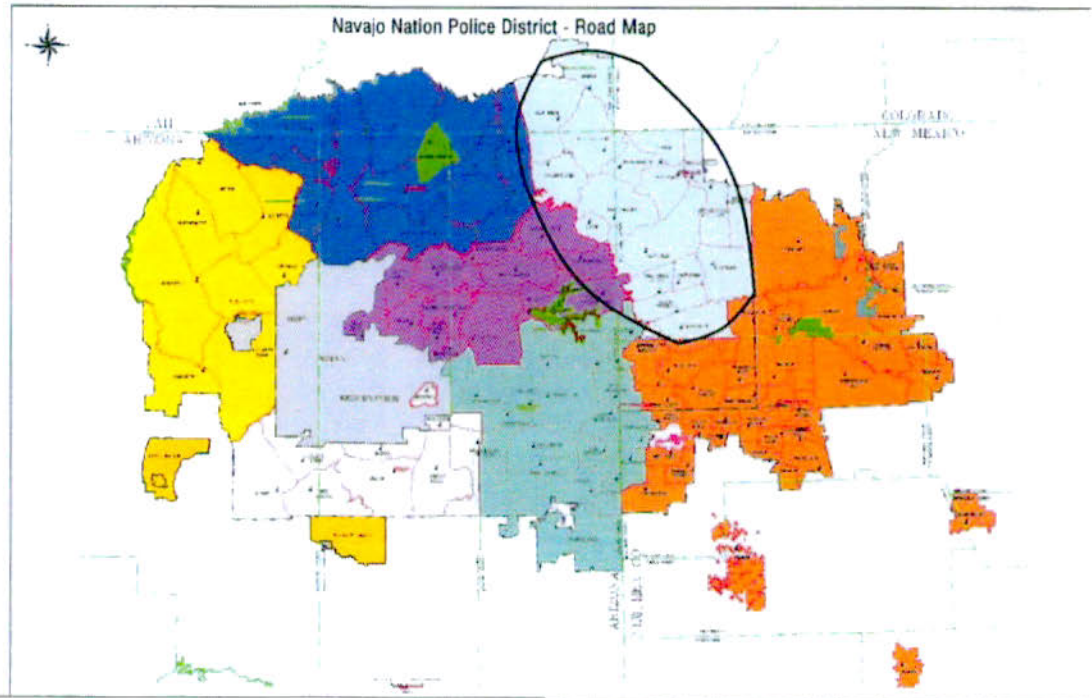
The District Court building opened in 1972. Building is about 47 years old.

SHIPROCK PUBLIC SAFETY

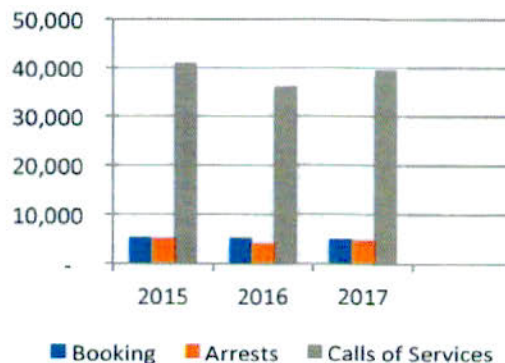
THE NAVAJO POLICE DEPARTMENT SERVICE AREA

Shiprock District Service Area:

- Aneth, Utah
- Red Mesa, AZ
- Sweetwater, AZ
- Beclahbito, NM
- Sanostee, NM
- Newcomb, NM
- Sheepsprings, NM
- Burnham, NM
- Shiprock, NM
- Hogback, NM
- Red Valley, AZ
- Cove, AZ
- Teec Nos Pos, AZ
- Two Grey Hills, NM
- Upper Fruitland, NM
- Nashchitti, NM



Navajo Police Department
Booking, Arrests and Calls of
Service:
Shiprock District



- The public safety facility has been closed due to extensive structural and environmental health concerns causing an emergency and public safety situation for the vast area of Navajo Nation and Northern New Mexico.
- The findings conducted by the Northern Navajo Medical Center's Office of Environmental Health and Sanitation causes concerns for the safety and wellbeing of Navajo Police Department staff and detainees.
- The Navajo Police Department has been denied a sanitation permit since 2010 due to severe safety conditions throughout the



Built in 1959, the Shiprock Public Safety facility has lacked a sanitation permit since 2010 due to environmental and safety conditions which include the presence of mold, lead and asbestos throughout the facility

Shiprock Judicial/Public Safety Facility

And Medical Examiner Facility

Proposed: 97,000 sf

June 18, 2019

Based on Current CMAR & A/E Proposals

Preliminary Budget Summary with Allocated Owner Budgets

Estimated Construction Start Date - August 2020



Corrections Facility Project Budget

\$ 35,541,420

Factor:

55,000

Unit:

sq. ft.

Factor:

\$ 646

Unit:

/sq. ft.

Police Facility Project Budget

\$ 14,455,819

Factor:

24,000

Unit:

sq. ft.

Factor:

\$ 602

Unit:

/sq. ft.

Courts Facility Project Budget

\$ 10,185,069

Factor:

16,000

Unit:

sq. ft.

Factor:

\$ 637

Unit:

/sq. ft.

Medical Examiner Facility Project Budget

\$ 1,759,692

Factor:

2,000

Unit:

sq. ft.

Factor:

\$ 880

Unit:

/sq. ft.

\$ 61,942,000 TOTAL PROJECT FUNDS REQUESTED (NOT INCLUDING NM FUNDS CREDIT)

Shiprock Judicial/Public Safety Facility

Corrections Building

June 18, 2019

Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date August 2020)



Corrections Facility Construction Budget		Factor:	Unit:	Factor:	Unit:
\$	23,925,000	Direct Construction Cost		\$	435 /sq. ft.
\$	717,750	CMAR/Estimating Contingency			3.0%
\$	2,710,703	General Conditions/Requirements			11.0%
\$	1,230,905	CMAR Fee			4.5%
\$	914,699	Bonds/Insurance/Subguard			3.2%
\$	1,769,943	Navajo Nation Tax			6.0%
\$	239,250	Design Contingency			1.0%
\$	31,508,251	Total Construction Budget		\$	573 /sq. ft.

Corrections Owner Design/Consultant Budgets (Allocation of Total Budget)

\$	2,485,267	Architectural & Engineering Services
\$	1,289,912	Project Management Services
\$	302,216	CMAR Pre-Construction Services
\$	155,928	Code Plan Review & Inspections
\$	170,103	Materials and Special Inspections
\$	28,351	Tele-Communications
\$	605,000	FF&E (including Design)
\$	51,031	Security, HVAC, Plumbing & Electrical Systems Commissioning
\$	113,402	NTUA Utility Fees
\$	618,041	Owner's Contingency
\$	5,819,251	Total Corrections Owner Budget
\$	37,327,502	TOTAL PROJECT COST
\$	-	ALLOCATION OF STATE OF NEW MEXICO FUNDS
\$	1,786,082	ALLOCATION OF CURRENT ENCUMBERED FUNDS
\$	35,541,420	ADDITIONAL FUNDS REQUESTED

Shiprock Judicial/Public Safety Facility

Police Building

June 18, 2019

Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date August 2020)



Police Facility Construction Budget		Factor:	Unit:	Factor:	Unit:
\$	9,600,000	Direct Construction Cost		\$	400
					/sq. ft.
\$	288,000	CMAR/Estimating Contingency			3.0%
\$	1,087,680	General Conditions/Requirements			11.0%
\$	493,906	CMAR Fee			4.5%
\$	367,027	Bonds/Insurance/Subguard			3.2%
\$	710,197	Navajo Nation Tax			6.0%
\$	96,000	Design Contingency			1.0%
\$	12,642,809	Total Construction Budget		\$	527
					/sq. ft.

Police Owner Design/Consultant Budgets (Allocation of Total Budget)

\$	1,104,562	Architectural & Engineering Services
\$	562,871	Project Management Services
\$	131,876	CMAR Pre-Construction Services
\$	68,041	Code Plan Review & Inspections
\$	74,227	Materials and Special Inspections
\$	12,371	Tele-Communications
\$	297,000	FF&E (including Design)
\$	22,268	Security, HVAC, Plumbing & Electrical Systems Commissioning
\$	49,485	NTUA Utility Fees
\$	269,691	Owner's Contingency
\$	2,592,392	Total Police Owner Budget
\$	15,235,201	TOTAL PROJECT COST
\$	-	ALLOCATION OF STATE OF NEW MEXICO FUNDS
\$	779,381	ALLOCATION OF CURRENT ENCUMBERED FUNDS
\$	14,455,819	ADDITIONAL FUNDS REQUESTED

Shiprock Judicial/Public Safety Facility

Courts Building

June 18, 2019

Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date August 2020)



Courts Facility Construction Budget

Factor:	Unit:	Factor:	Unit:
16,000	sq. ft.	\$ 426	/sq. ft.
		3.0%	
		11.0%	
		4.5%	
		3.2%	
		6.0%	
		1.0%	
		\$ 561	/sq. ft.

\$ 6,816,000	Direct Construction Cost
\$ 204,480	CMAR/Estimating Contingency
\$ 772,253	General Conditions/Requirements
\$ 350,673	CMAR Fee
\$ 260,589	Bonds/Insurance/Subguard
\$ 504,240	Navajo Nation Tax
\$ 68,160	Design Contingency
\$ 8,976,394	Total Construction Budget

Courts Owner Design/Consultant Budgets (Allocation of Total Budget)

\$ 736,376	Architectural & Engineering Services
\$ 375,247	Project Management Services
\$ 87,918	CMAR Pre-Construction Services
\$ 45,361	Code Plan Review & Inspections
\$ 49,485	Materials and Special Inspections
\$ 8,247	Tele-Communications
\$ 198,000	FF&E (including Design)
\$ 14,845	Security, HVAC, Plumbing & Electrical Systems Commissioning
\$ 32,990	NTUA Utility Fees
\$ 179,794	Owner's Contingency
\$ 1,728,262	Total Courts Owner Budget
\$ 10,704,657	TOTAL PROJECT COST
\$ -	- ALLOCATION OF STATE OF NEW MEXICO FUNDS
\$ 519,588	ALLOCATION OF CURRENT ENCUMBERED FUNDS
\$ 10,185,069	ADDITIONAL FUNDS REQUESTED

Shiprock Judicial/Public Safety Facility

Medical Examiner Building

June 18, 2019

Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date August 2020)



ME Facility Construction Budget			Factor:	Unit:	Factor:	Unit:
\$	856,000	Direct Construction Cost	2,000	sq. ft.	\$ 428	/sq. ft.
\$	25,680	CMAR/Estimating Contingency			3.0%	
\$	96,985	General Conditions/Requirements			11.0%	
\$	44,040	CMAR Fee			4.5%	
\$	32,727	Bonds/Insurance/Subguard			3.2%	
\$	63,326	Navajo Nation Tax			6.0%	
\$	25,680	Design Contingency			3.0%	
\$	1,144,437	Total Construction Budget			\$ 572	/sq. ft.

ME Facility Owner Design/Consultant Budgets (Allocation of Total Budget)

\$	330,968	Architectural & Engineering Services
\$	46,906	Project Management Services
\$	10,990	CMAR Pre-Construction Services
\$	5,670	Code Plan Review & Inspections
\$	6,186	Materials and Special Inspections
\$	1,031	Tele-Communications
\$	250,000	FF&E (including Design)
\$	1,856	Security, HVAC, Plumbing & Electrical Systems Commissioning
\$	4,124	NTUA Utility Fees
\$	22,474	Owner's Contingency
\$	680,204	Total ME Facility Owner Budget
\$	1,824,641	TOTAL PROJECT COST
\$	-	ALLOCATION OF STATE OF NEW MEXICO FUNDS
\$	64,948	ALLOCATION OF CURRENT ENCUMBERED FUNDS
\$	1,759,692	ADDITIONAL FUNDS REQUESTED



Shiprock Judicial/Public Safety & Medical Examiner Facilities

Budget Calculations for a 97,000 sq. ft. Complex

June 18, 2019

Based on Current CMAR, A/E & PM Proposals

Includes \$3.15M Existing NN Funds but not \$3.15M Authorized New Mexico Funds Credit

Allocation Calculations						
Corrections	Police	Courts	ME	Total	Sq. Ft.	Allocation Factor
55,000	24,000	16,000	2,000	97,000		
0.567010	0.247423	0.164948	0.020619	1.000000		
\$ 2,485,267	\$ 1,104,562	\$ 736,376	\$ 330,968	\$ 4,657,170		Architectural & Engineering Services (Per 3/25 Proposal)
\$ 1,289,912	\$ 562,871	\$ 375,247	\$ 46,906	\$ 2,274,936		Project Management Services
\$ 302,216	\$ 131,876	\$ 87,918	\$ 10,990	\$ 533,000		CMAR Pre-Construction Services
\$ 155,928	\$ 68,041	\$ 45,361	\$ 5,670	\$ 275,000		Code Plan Review & Inspections
\$ 170,103	\$ 74,227	\$ 49,485	\$ 6,186	\$ 300,000		Materials and Special Inspections
\$ 28,351	\$ 12,371	\$ 8,247	\$ 1,031	\$ 50,000		Tele-Communications
\$ 605,000	\$ 297,000	\$ 198,000	\$ 250,000	\$ 1,350,000		FF&E (including Design) (Per Facility)
\$ 51,031	\$ 22,268	\$ 14,845	\$ 1,856	\$ 90,000		Security, HVAC, Plumbing & Electrical Systems Commissioning
\$ 113,402	\$ 49,485	\$ 32,990	\$ 4,124	\$ 200,000		NTUA Utility Fees
\$ 618,041	\$ 269,691	\$ 179,794	\$ 22,474	\$ 1,090,000		Owner's Contingency (~2% of Cost of Construction)
\$ 5,819,251	\$ 2,592,392	\$ 1,728,262	\$ 680,204	\$ 10,820,106	Totals	
\$ -	\$ -	\$ -	\$ -	\$ -	State of New Mexico Funds (Authorized 4/5/19)	
\$ 1,786,082	\$ 779,381	\$ 519,588	\$ 64,948	\$ 3,150,000	Current Available Public Safety Funds	
= Costs per IDS+A Proposal				= Costs per Arviso/Okland Proposal		= Budget per Individual Building
= Current Encumbered/Authorized Funds						
Cost of Construction:						
\$ 31,508,251	\$ 12,642,809	\$ 8,976,394	\$ 1,144,437	\$ 54,271,891		

PROJECT MANAGER SELECTION

<u>Date of Event</u>	<u>Event</u>	<u>Summary:</u>
9/15/17	RFP for project manager published	
11/16/17	3 SOQ's received; Parsons, Arcadis, and Rock Gap	
11/28/17	Contract negotiation with Parsons began	
12/13/17	Notice of Intent to Award issued to Parsons	
4/18/18	Contract issued to Parsons	

ARCHITECT SELECTION

<u>Date of Event</u>	<u>Event</u>	<u>Summary:</u>
3/23/18	Shiprock Coordination meeting to discuss SOQ for A&E Services	
5/10/18	SOQ published for A&E	
6/5/18	A&E response opening	9 firms responding; Arrington Watkins, Buffalo Design, Dyrone Murphy, Encompass Architects, Epic Engineering, Indigenous Design, JSRa, LAM Corp., Rock Gap Eng.
6/29/18	A&E Scoring	1) Dyrone Murphy 2)Arrington Watkins 3)LAM Corp 4) Indigenous Design 5)Encompass Architects
7/27/18	A&E Interview	firms interviewed: 1)Indigenous Design, 4)LAM corporation, 3)Arrington Watkins, 2)Dyrone Murphy. Encompass Architects declined to interview.
7/30/18	A&E Selection	IDS+A chosen.

CMAR SELECTION

<u>Date of Event</u>	<u>Event</u>	<u>Summary:</u>
7/20/18	Publish Request for Qualifications	CMAR RFQ SOQ-07-17-18SP published with deadline 8/23/18
7/20/18	CMAR RFQ published	5 firms responding: Arviso/Okland, Bradbury Stamm, Flintco, Nez/FCI, Rock Gap.
8/30/18	CMAR RFQ Evaluations	5 RFQ's received: Nez/FCI, Rock Gap, Flintco, Arviso/Okland and Bradbury Stamm
8/31/18	CMAR Ranking Scoring Summary	1) Flintco 2)Arviso Okland 3)Bradbury Stamm 4)Nez/FCI 5)Rock Gap
8/31/18	CMAR Shortlist Ranking	1) Flintco 2) Arviso/Okland 3) Bradbury Stamm 4) Nez/FCI 5) Rock Gap
9/21/18	CMAR First Interview	1) Flintco 2)Bradbury Stamm 3)Nez/FCI 4) Arviso/Okland
11/7/18	CMAR Second Interview	1) Nez/CFI 2) Arviso/Okland

ID	Task Name	Duration	Start	Finish	2018	2019	2020	2021	2022	2023	2024
1	Contract Negotiations	246 days	Wed 8/15/18	Wed 7/24/19							
2	Notice to Proceed	0 days	Thu 5/21/18	Thu 5/21/18							
3	Contract 164 Review Process	60 days	Thu 5/21/18	Wed 7/24/19							
4	Kick-Off Meeting	1 day	Tue 5/7/19	Tue 5/7/19							
5	At Large Committee Meeting (Mission, Objectives, Scope, Constraints)	1 day	Tue 5/7/19	Tue 5/7/19							
6	CMAR Selection	51 days	Wed 8/29/18	Wed 11/7/18							
7	Review and Score RFQs	3 days	Wed 8/29/18	Wed 8/29/18							
8	Shortlist Interview #1	0 days	Fri 9/21/18	Fri 9/21/18							
9	Shortlist Interview #2	0 days	Wed 11/7/18	Wed 11/7/18							
10	Programing	61 days	Tue 5/21/19	Tue 8/13/19							
11	Programing Session #1	3 days	Tue 5/21/19	Tue 5/21/19							
12	At Large Committee Meeting (Mission, Goals, Scope, Objectives, Constraints)	1 day	Tue 5/21/19	Tue 5/21/19							
13	Interview Administrators & Staff in each department / Review Program	2 days	Tue 5/21/19	Wed 5/22/19							
14	Questionnaire	3 days	Tue 5/21/19	Thu 5/23/19							
15	Data Gathering & Analysis	1 day	Wed 5/22/19	Wed 5/22/19							
16	Lessons Learned from Similar Facilities	1 day	Thu 5/23/19	Thu 5/23/19							
17	Tour Existing Shiprock Facilities	1 day	Tue 6/18/19	Tue 6/18/19							
18	Programing Workshop #1	3 days	Tue 6/18/19	Thu 6/20/19							
19	Juvenile & Adult Corrections	1 day	Tue 6/18/19	Tue 6/18/19							
20	Courts & Justice Offices	1 day	Wed 6/19/19	Wed 6/19/19							
21	Law Enforcement	1 day	Wed 6/19/19	Wed 6/19/19							
22	Tour Existing Shiprock Facilities	1 day	Thu 6/20/19	Thu 6/20/19							
23	Programing Workshop #2	2 days	Tue 7/16/19	Wed 7/17/19							
24	Courts & Justice Offices	1 day	Tue 7/16/19	Tue 7/16/19							
25	Law Enforcement	1 day	Tue 7/16/19	Tue 7/16/19							
26	Juvenile & Adult Corrections	1 day	Tue 7/16/19	Tue 7/16/19							
27	At Large Committee Meeting	1 day	Wed 7/17/19	Wed 7/17/19							
28	Probable Cost Estimate / Total Project Budget	1 day	Wed 7/17/19	Wed 7/17/19							
29	Owner Review / Approval	2 days	Thu 8/1/19	Fri 8/2/19							
30	Incorporate Comments	13 days	Wed 7/31/19	Mon 8/5/19							
31	Site Master Plan	29 days	Mon 8/19/19	Thu 9/26/19							
32	Owner Meeting	1 day	Mon 8/19/19	Mon 8/19/19							
33	Prepare Site Options	14 days	Tue 8/20/19	Fri 9/6/19							
34	Owner Review / Approval	7 days	Mon 8/20/19	Tue 9/4/19							
35	Incorporate Comments	21 days	Wed 9/18/19	Thu 9/26/19							
36	Site Survey and Topo	21 days	Thu 9/26/19	Thu 10/3/19							
37	Survey / Topographic	30 days	Wed 9/18/19	Tue 10/29/19							
38	Geotechnical Analysis	30 days	Wed 9/18/19	Tue 10/29/19							
39	Geotechnical Report and Recommendations	27 days	Wed 9/18/19	Thu 10/24/19							
40	Utility Study	11 days	Wed 9/18/19	Wed 10/2/19							
41	Data Collection	5 days	Thu 10/3/19	Wed 10/23/19							
42	Estimate Water, Wastewater, Electrical, IT, Natural Gas Demand Loads	2 days	Thu 10/10/19	Fri 10/11/19							
43	Preliminary Water, Wastewater, Electrical, IT, Natural Gas Analysis	6 days	Fri 10/18/19	Thu 10/24/19							
44	Meetings & Coordinating with Regulatory Providers	5 days	Fri 10/18/19	Thu 10/24/19							
45	Utility Report	56 days	Wed 9/18/19	Wed 12/4/19							
46	Owner Review / Approval	7 days	Wed 9/18/19	Thu 9/26/19							
47	Traffic Study	21 days	Fri 9/27/19	Fri 10/25/19							
48	Coordinate with NMDOT and NNDOT	14 days	Mon 10/28/19	Mon 11/14/19							
49	Traffic Counts & Process Volumes	7 days	Fri 11/5/19	Mon 11/25/19							
50	Traffic Projections and Analysis	7 days	Tue 11/26/19	Wed 12/4/19							
51	Traffic Report	7 days	Tue 11/26/19	Wed 12/4/19							
52	Owner Review and Approval	7 days	Tue 11/26/19	Wed 12/4/19							
53	Coordinate with NMDOT and NNDOT for approval	7 days	Tue 11/26/19	Wed 12/4/19							

Task

Summary

Project Summary

External Tasks

External Milestone

Inactive Milestone

Inactive Summary

Manual Task

Manual Summary Rollup

Manual Summary

Start-only

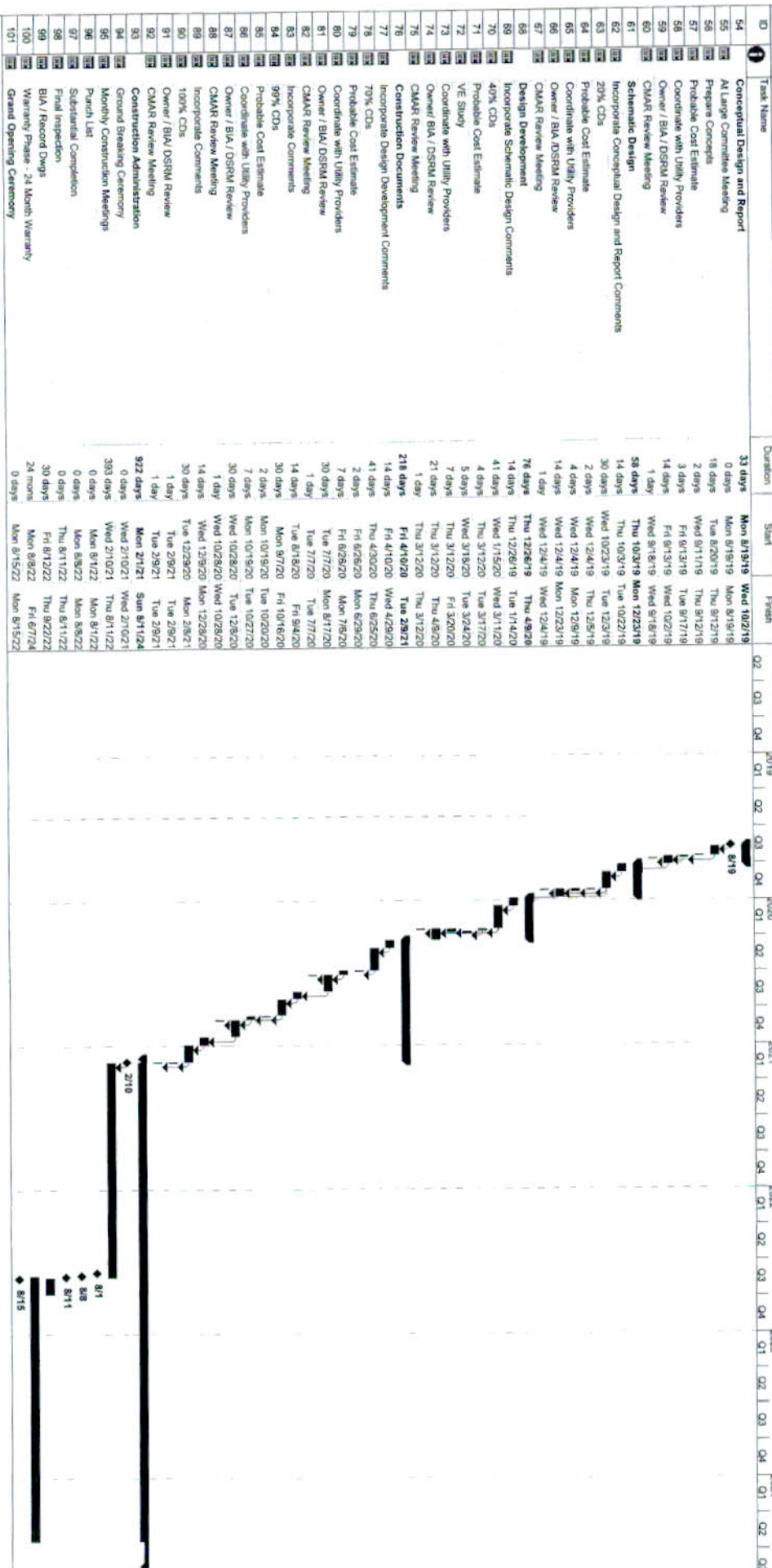
Finish-only

External Tasks

External Milestone

Progress

Deadline



Task

Summary

Project Summary

External Milestone

Manual Task

Manual Summary

Start-only

External Milestone

Progress

Detail

Task

Summary

Project Summary

External Milestone

Manual Task

Manual Summary

Start-only

External Milestone

Progress

Detail

Shiprock Judicial/Public Safety and Medical Examiner Facilities

Tse' Bit' ai' "Winged Rock"



June 18, 2019



Table of Contents

Shiprock Public Safety and Judicial Facility Center, Shiprock, NM



- History
- Procurement
- Schedule
- Budget
- Construction Funding Request
- Questions

History

1. A portion of land situated within the Shiprock Chapter (NE 1/4) of Section 26, Township 30 North, Range 18 West, New Mexico Principal Meridian, in the County of Shiprock, San Juan County, State of New Mexico, and is being more particularly described as follows:

2. A portion of land situated within the Shiprock Chapter (NE 1/4) of Section 26, Township 30 North, Range 18 West, New Mexico Principal Meridian, in the County of Shiprock, San Juan County, State of New Mexico, and is being more particularly described as follows:

3. A portion of land situated within the Shiprock Chapter (NE 1/4) of Section 26, Township 30 North, Range 18 West, New Mexico Principal Meridian, in the County of Shiprock, San Juan County, State of New Mexico, and is being more particularly described as follows:

4. A portion of land situated within the Shiprock Chapter (NE 1/4) of Section 26, Township 30 North, Range 18 West, New Mexico Principal Meridian, in the County of Shiprock, San Juan County, State of New Mexico, and is being more particularly described as follows:

5. A portion of land situated within the Shiprock Chapter (NE 1/4) of Section 26, Township 30 North, Range 18 West, New Mexico Principal Meridian, in the County of Shiprock, San Juan County, State of New Mexico, and is being more particularly described as follows:

A legal survey was conducted in 1971 of the 19.18 Acres for a Judicial Public Safety Facility

August 2010, the Shiprock Chapter Resolution 08-15-217-SHIP Point of approved the 19.18 acres to be re-assigned for a Justice Complex. Previously the Boys & Girls Club

Environmental Assessments (EA), Biological & Cultural Resources, FONS were completed.

April 2013, Resources and Development Committee passed resolution RDCAP-19-13 for Navajo Nation to withdraw 19.18 acres for the Shiprock Public Safety and Judicial Facility.

May 2018, Office of Risk Management issued a letter stating it had completed demolition of the Boys & Girls Club in preparation for the Justice Facility.

The Navajo Nation Council approved Legislation 0321-18 in December 2018 establishing a Department of Medical Examiners strict Department within the Division of Public Safety

19.18 ± Acres

District 12--Navajo Indian Reservation

NE 1/4 of Section 26, T30N, R13W

Shiprock, San Juan County, New Mexico



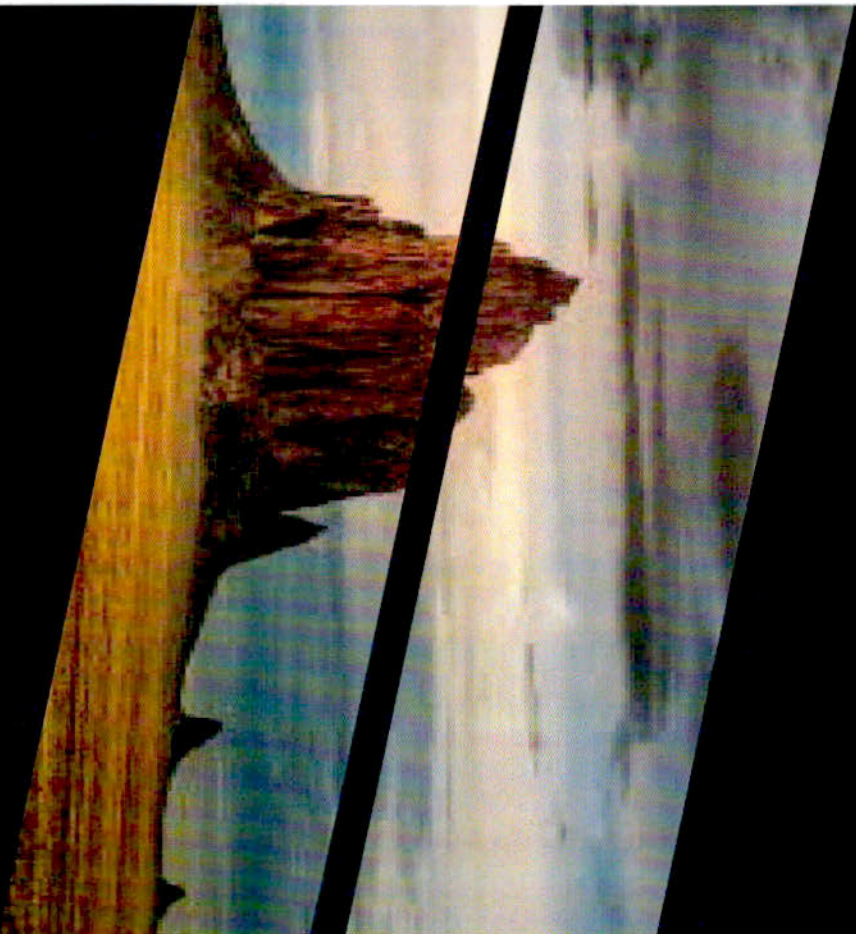
SURVEYED BY:	BOB C.
DRAWN BY:	BOB C.
APPROVED BY:	
FIELD BOOK NO.:	SRIA:40
JOB NO.:	818-A

SURVEYOR'S STATEMENT:

I, Martin H. Martin, a registered land surveyor under the laws of the State of New Mexico, hereby certify that the survey was performed from notes of an actual field survey performed by the Navajo Land Department (Shiprock), and is true and correct to the best of my knowledge.

Procurement

- The Shiprock Selection Committee and Navajo Nation Department of Corrections (NNDOC) issued a Request for Qualifications (RFQ) in September 2017 for Project Management Services. Parsons was selected as Project Manager to NNDOC and is under contract.
- Procurement of Architect and Design Consultants was conducted in May 2018. The Selection Committee selected Indigenous Design Studio + Architects (IDS+A).
- Procurement of Construction Manager at Risk (CMAR) began in July 2018. The Selection Committee selected Arviso-Okland Construction, JV as the CMAR and as a Design Assist to IDS+A
- IDS+A and Arviso/Okland Contracts are being processed.



ARVISO
OKLAND
CONSTRUCTION JV

PARSONS

Schedule

The Project Schedule (see handout) was updated by Indigenous Design Studios + Architects in June and is Subject to Change

Programming

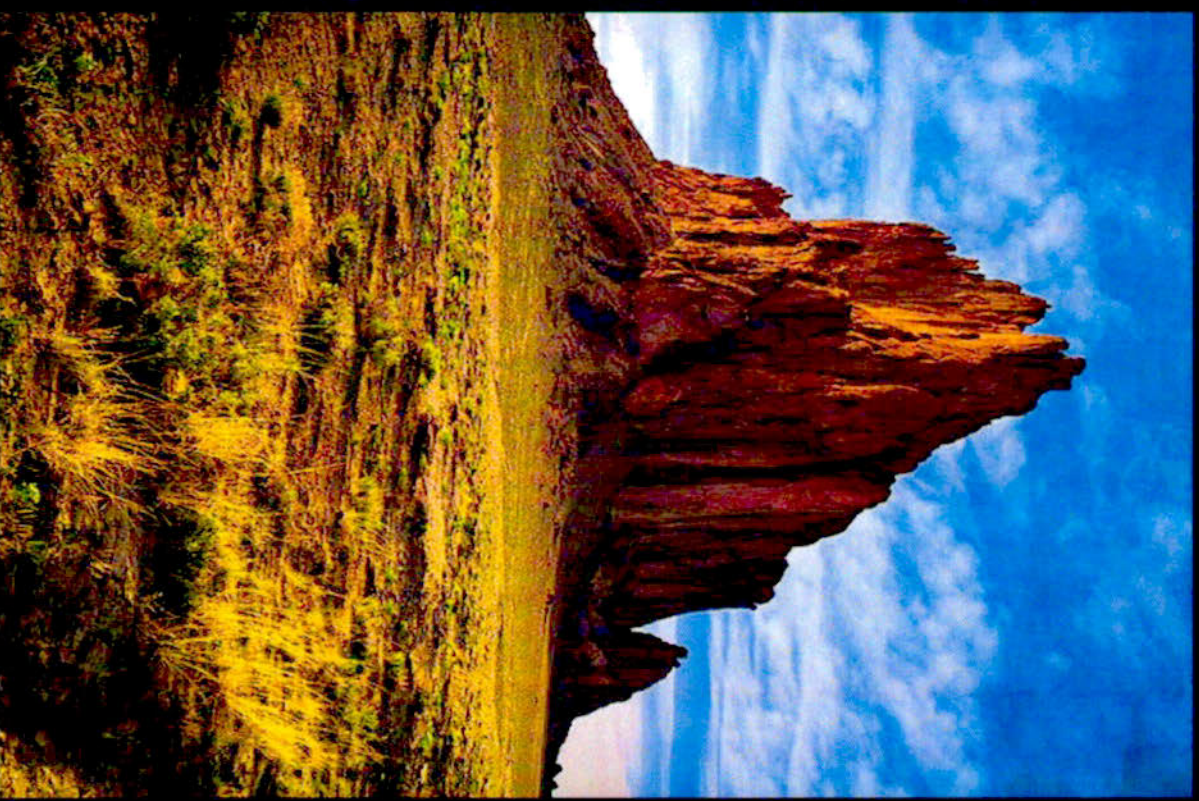
- Indigenous Design Studios + Architecture conducted a Kick Off Meeting to begin Programming on Tuesday, May 7, 2019
- Programming Session #1 was held on May 21-23, 2019 in Shiprock, NM
- Programming Workshop #1 will be held June 18-19, 2019 in Shiprock, NM.
- Programming Workshop #2 will be held July 16-17 in Shiprock, NM
- Studies (Geotechnical, Survey, Utility, Traffic, etc.) will be starting in June 2019

Design & Construction

- Design work for Schematic Design, Design Development, Construction Documents will begin after Programming and complete in February 2021
- Construction Documents will be issued after all review approvals
- Construction is expected to begin in February 2021 and complete in August 2022

Budget

- Budget overview (see handout)
- Includes Medical Examiner Facility
- Initial Budget encumbered for Design Phase of the project is \$3.15M
- State of New Mexico has also awarded \$3.15M for the project (available after July)



Construction Funding Request

- Total funds required from the Navajo Nation is estimated at \$61,942,000.
- Credit for existing encumbered Public Safety Funds (\$3.15 Million) has been applied.
- Total cost to the Navajo Nation is approximately \$58,792,000

Shiprock Judicial/Public Safety Facility

And Medical Examiner Facility

May 7, 2019

Proposed: 97,000 sq

Based on Current CMAR & A/E Proposals

Preliminary Budget Summary with Allocated Owner Budgets

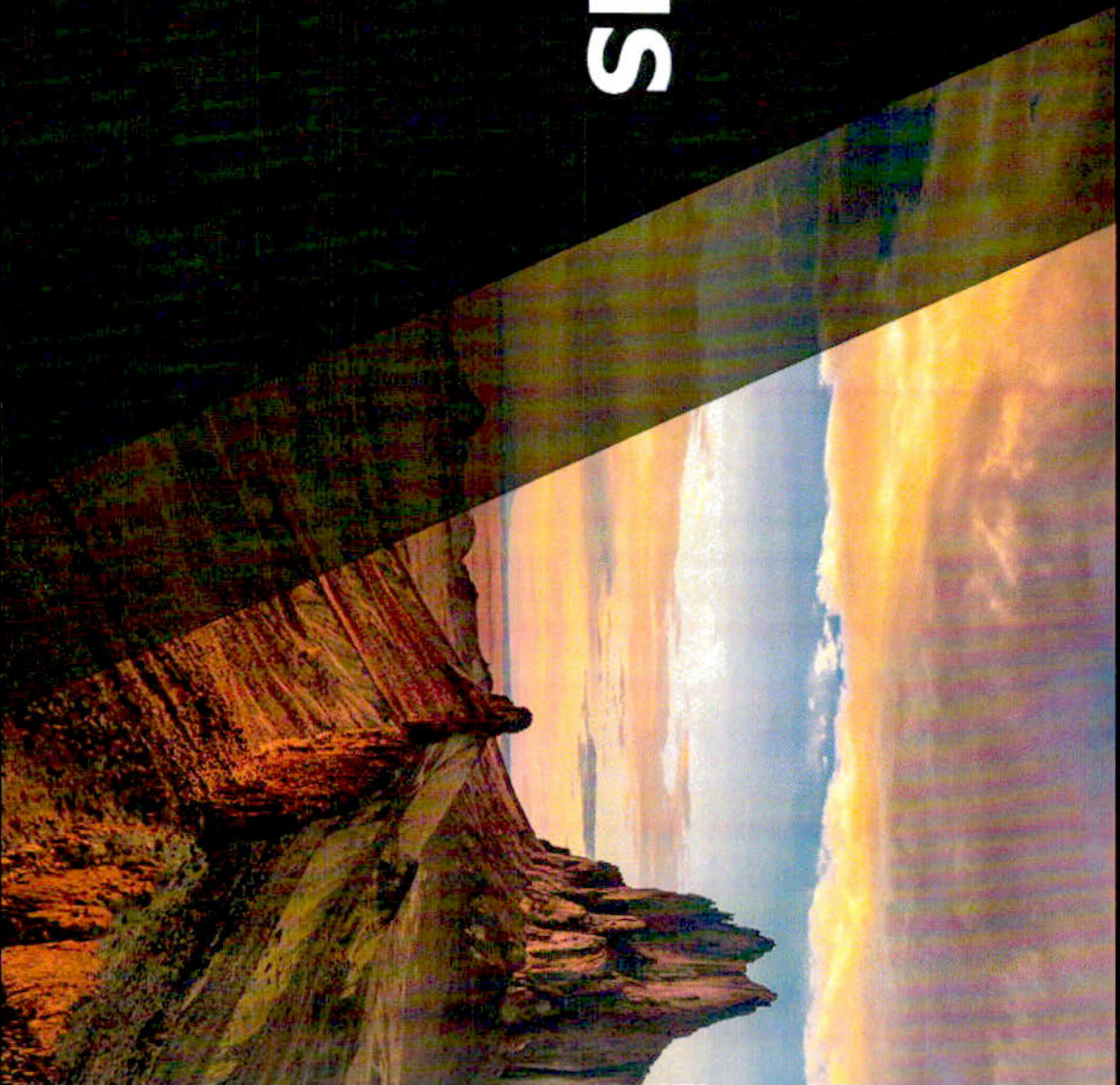
Estimated Construction Start Date - August 2020

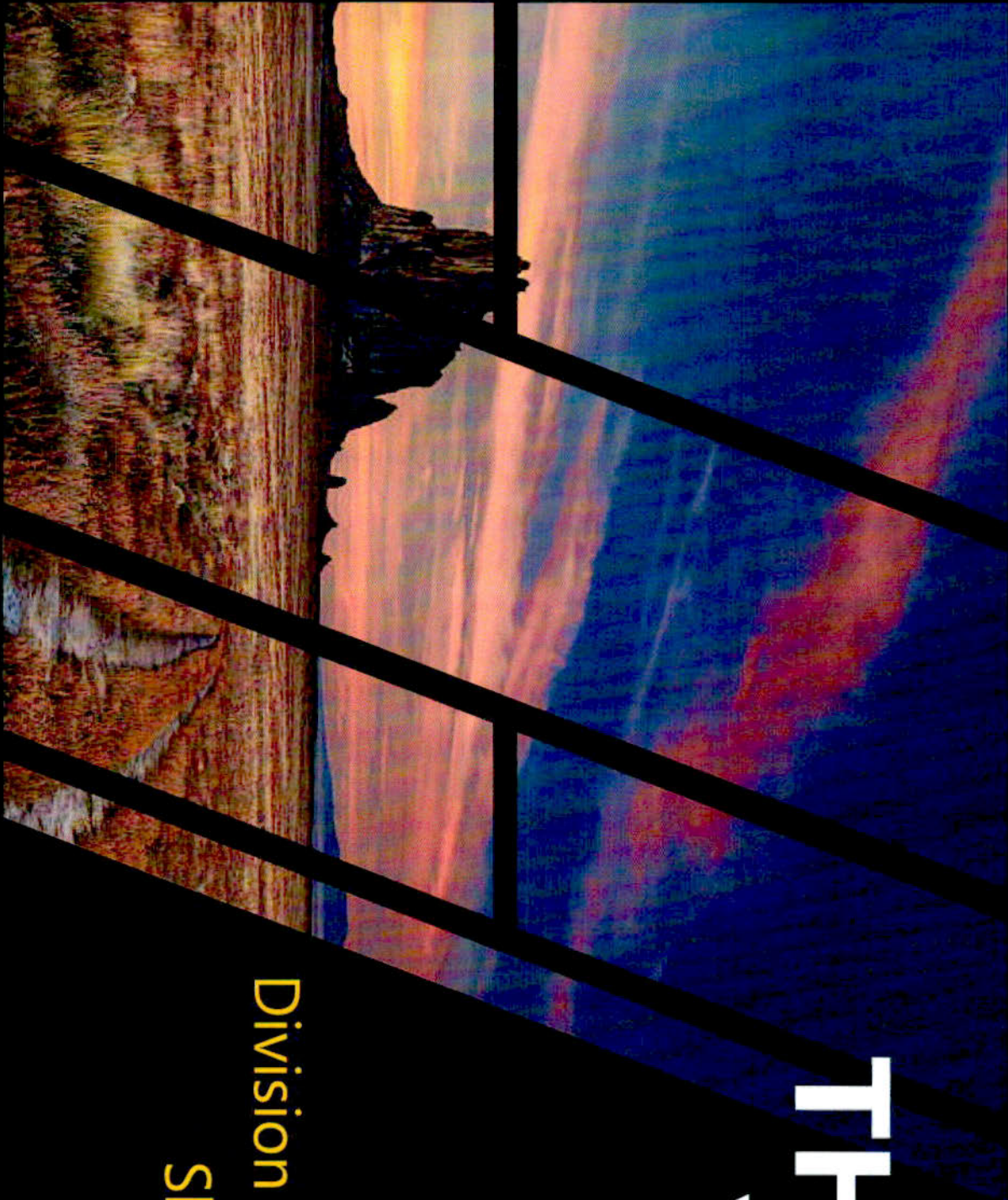


Corrections Facility Project Budget	\$ 35,541,420	Factor:	55,000	Unit:	sq. ft.	Factor:	646	Unit:	sq. ft.
Police Facility Project Budget	\$ 14,455,819	Factor:	24,000	Unit:	sq. ft.	Factor:	602	Unit:	sq. ft.
Courts Facility Project Budget	\$ 10,185,069	Factor:	16,000	Unit:	sq. ft.	Factor:	637	Unit:	sq. ft.
Medical Examiner Facility Project Budget	\$ 1,759,692	Factor:	2,000	Unit:	sq. ft.	Factor:	880	Unit:	sq. ft.
\$ 61,942,000 TOTAL PROJECT FUNDS REQUESTED (NOT INCLUDING NM FUNDS CREDIT)									

PARSONS

QUESTIONS





**THANK
YOU!**

Judicial Branch
Division of Public Safety
Shiprock Chapter
Parsons

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Shiprock Judicial Public Safety Relocation</u>		Division/Branch: <u>Public Safety</u>	
Prepared By: <u>Juanita Begay</u>		Phone No.: <u>928-871-7555</u>		Email Address: <u>jibegay@navajo-nsn.gov</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
Judicial Public Safety Fund/	2019	4,094,301.00	\$1.00					
Shashin Funds								
				2001 Personnel Expenses				0
				3000 Travel Expenses				0
				3500 Meeting Expenses				0
				4000 Supplies				0
				5000 Lease and Rental				0
				5500 Communications and Utilities				0
				6000 Repairs and Maintenance				0
				6500 Contractual Services	1		4,094,301	4,094,301
				7000 Special Transactions				0
				8000 Public Assistance				0
				9000 Capital Outlay				0
				9500 Matching Funds				0
				9500 Indirect Cost				0
				TOTAL		\$0.00	4,094,301.00	4,094,301

PART IV. POSITIONS AND VEHICLES	
Total # of Positions Budgeted:	(D) 0
Total # of Permanently Assigned Vehicles:	(E) 0

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

Delores Greeyes, PhD., MSW., Director SUBMITTED BY: Program Manager's Printed Name <i>[Signature]</i> 4/3/19 SUBMITTED BY: Program Manager's Signature and Date	Jesse Delmar, Division Director APPROVED BY: Division Director/Branch Chief's Printed Name <i>[Signature]</i> 652915 APPROVED BY: Division Director/Branch Chief's Signature and Date
--	--

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:Business Unit No.: NEWProgram Name/Title: Shipprock Judicial Public Safety Relocation**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**

Legislation Number BF-S-7-07 Fund Management Plan and LOC-JY-07-13 Priority Listing

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Colorabration between Chapter, designer & user to submit necessary documents to other department/entity

Program Performance Measure:

Site preparation to relocate Division of Public Safety

2. Goal Statement:

Colorabration between designer & user to submit necessary documents to other department/entity

Program Performance Measure:

Obtain required land withdrawals, utility/road easement & utility improvement cost.

3. Goal Statement:

Develop contracts once fundings are obtain for relocation phase.

Program Performance Measure:

Develop procurement for consultants, & contractors for code inspection, material testing & other as needed

4. Goal Statement:**Program Performance Measure:****Program Performance Measure:****5. Goal Statement:****Program Performance Measure:****PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**

Delores Greyeyes, PhD., MSW., Director

Program Manager's Printed Name


 Program Manager's Signature and Date 9/24/15

Jesse Delmar, Division Director

Division Director/Branch Chief's Printed Name


 Division Director/Branch Chief's Signature and Date 9/24/15

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 03 of 03
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: _____

Shiprock Judicial Public Safety Relocation _____

Business Unit No.: _____

NEW _____

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	Division of Public Safety is being required to relocate due to unsafe conditions at the present location and is recommended for closure due to presences of asbestos, lead and structural deficiencies. These services will include, legal surveys, environmental assessments, archeological assessment, and site preparation.	4,094,301	4,094,301
9050 Building 9052 Buildings 9054 Buildings Improvements			
TOTAL		4,094,301	4,094,301

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

DEPARTMENT OF CORRECTIONS

Administration Office

MEMORANDUM

TO: TO WHOM IT MAY CONCERN

FROM:

Delores Greeyes, PhD, MSW
Director
Department of Corrections
DIVISION OF PUBLIC SAFETY

DATE: January 17, 2019

SUBJECT: STANDING DELEGATION OF AUTHORITY

Please be informed that this Standing Delegation of Authority supersedes any and all prior delegations from the date give above. The personnel listed below, in numerical order of succession, will be delegated authority to act in my capacity as Director of Corrections for the Department of Corrections (DOC), during my absence from the office for authorized business travel or on personal leave.

The authorized delegation will include all routine duties of the Department of Corrections, Director of Corrections. Any matter considered significantly questionable, regarding financial, budgeting, personnel or administrative issue would be left in my office for my immediate review, upon my return.

The standing Delegation of Authority will be effective immediately and remain in effect until such time or when officially rescinded.

Your cooperation is appreciated. If you have any questions, please direct them to my attention at (928) 871-7555. Thank you.

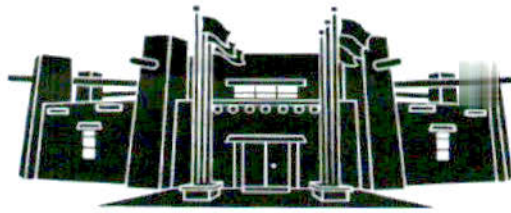
ACKNOWLEDGEMENT:

1. *David Charles*
David Charles, Corrections Lieutenant
Crownpoint Department of Corrections

3. *Ophelia R. Begay*
Ophelia Begay, Corrections Lieutenant
Window Rock Department of Corrections

2. *Juanita Begay*
Juanita Begay, Principal Accountant
Department of Corrections - Administration





MEMORANDUM

TO: Honorable Eugenia Charles-Newton
24th Navajo Nation Council

FROM: 
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: June 26, 2019

SUBJECT: **AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING AND ADOPTING THE SHIPROCK JUDICIAL AND PUBLIC SAFETY CENTER FACILITIES SÍHASIN FUND EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0182-19

SPONSOR: Eugenia Charles-Newton

TITLE: An Action Relating To The Law And Order, Budget And Finance, NAABIK'IYATI' Committees, And Navajo Nation Council; Approving And Adopting The Shiprock Judicial And Public Safety Center Facilities Síhasin Fund Expenditure Plan Pursuant 12 N.N.C. §§ 2501-2508

Date posted: July 2, 2019 at 3:10 PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*