

LEGISLATIVE SUMMARY SHEET

Tracking No. 0108-19

DATE: May 6, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT SCOPE IN RESOLUTION CAP-35-18; AMENDING THE PROJECT SCOPE TO ADD DESIGN FOR THE TSE'II' AHI' (STANDING ROCK) HEAD START BUILDING PROJECT

PURPOSE: If approved, this resolution will approve an amendment in the project scope by adding "design" to the project plan for the Tse'Ii'Ahi' Head Start Building.

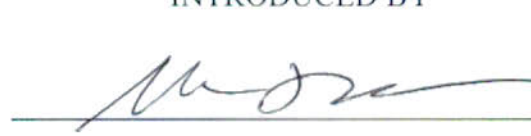
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Reubon
Website Posting Time/Date: _____
Posting End Date: 5-14-19
Eligible for Action: 5-15-19

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY




Primary Sponsor

TRACKING NO. 0108-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND
FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT SCOPE
IN RESOLUTION CAP-35-18; AMENDING THE PROJECT SCOPE TO ADD
DESIGN FOR THE TSE'II'AHÍ' (STANDING ROCK) HEAD START
BUILDING PROJECT

BE IT ENACTED:

Section One. Authority

- A. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).
- B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301 (B)(2).
- C. Council Resolution CAP-35-18 provides, “[a] chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter’s Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Sihasin Funding for the District does not exceed \$4,166,666.67.”

1 **Section Two. Findings**

2 A. The Navajo Nation Council adopted Council Resolution CAP-35-18, "Adopting the
3 Sfhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14,
4 as Amended By CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12
5 N.N.C. §§ 810 (F), 820 (I) and (M) and 860 (C) Relating to the Capital Budget and
6 Capital Improvement Process" on April 17, 2018.

7 B. Tse'Ii'Ahi' (Standing Rock) Chapter submitted a CAP-35-18 Project Change Form to the
8 Capital Project Management Department which has been reviewed and is attached as
9 **Exhibit A.**

10 C. The Project Change Form indicates that the Tse'Ii'Ahi' Chapter is amending the project
11 scope by adding "design" to the Tse'Ii'Ahi' Head Start Building project plan. For
12 reference, the Tse'Ii'Ahi' Head Start Building is included in Exhibit D, Project 112 of
13 CAP-35-18.

14 D. Additional information regarding the Tse'Ii'Ahi' Head Start Building is attached as
15 **Exhibit B.**

16
17 **Section Three. Approval**

18 The Navajo Nation hereby approves an amendment in the project scope by adding
19 "design" to the project plan for the Tse'Ii'Ahi' Head Start Building.
20
21
22
23
24
25
26
27
28
29
30

PROJECTS TO BE DELETED						
Exhibit & Project No.	Project Description	CPMD Project Mgr	Funding			All Funding Deleted?
			Year 1	Year 2	Year 3	
			Total Funding			
			Total Deleted Funding:			

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.

CPMD: ANID

Name & Title

Any Thanks ; Project Manager

Signature

Date _____

Job C01737 STANDING ROCK HEADSTART BLDG
 Project 540 THE SIHASIN FUND

Cost Code	Cost Type	Description	L P M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1996		Allocation	7 N	3,269,616.66-	3,269,616.66-			3,269,616.66-		1.00
1991		Overhead Allocation	6 T	3,269,616.66-	3,269,616.66-			3,269,616.66-		1.00
1990		Other Revenues	5 T	3,269,616.66-	3,269,616.66-			3,269,616.66-		1.00
1850		Other Revenue Sources	4 T	3,269,616.66-	3,269,616.66-			3,269,616.66-		1.00
1000		Revenues	3 T	3,269,616.66-	3,269,616.66-			3,269,616.66-		1.00
9050		Building	6 B N	2,179,744.00	2,179,744.00			2,179,744.00		1.00
9050		Building	6 T	2,179,744.00	2,179,744.00			2,179,744.00		1.00
9070		CAP-Pro.Tech Services	6 B N	1,089,872.66	1,089,872.66			1,089,872.66		1.00
9070		CAP-Pro.Tech Services	6 T	1,089,872.66	1,089,872.66			1,089,872.66		1.00
9001		Real Property	5 T	3,269,616.66	3,269,616.66			3,269,616.66		1.00
9000		Capital Outlay	4 T	3,269,616.66	3,269,616.66			3,269,616.66		1.00
2000		Expenses	3 T	3,269,616.66	3,269,616.66			3,269,616.66		1.00



LEGISLATIVE SUMMARY SHEET

Tracking No. _____

DATE: May 6, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT SCOPE IN RESOLUTION CAP-35-18; AMENDING THE PROJECT SCOPE TO ADD DESIGN FOR THE TSE'II'AHĪ (STANDING ROCK) HEAD START BUILDING PROJECT

PURPOSE: If approved, this resolution will approve an amendment in the project scope by adding "design" to the project plan for the Tse'Ii'Ahi' Head Start Building.

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.

03.22.2018

SIHASIN FUND Project Overview Report

TSE'U' AHI HEAD START BUILDING

Analysis Summary

Yes No Comments

Biological Clearances			
SOW			
Environmental Assessments			
Archeological Clearances			
Legal Survey			
Culture Resources			
CLUP Manual	N/A		
Geotechnical Testing	X		
Boundary Survey	X		
Construction Documents (CD)	X		100% COMPLETE
Water Storage Tank	N/A		
Utility Verification			VERIFY W/ HIRED PROFESSIONAL / NTVU
Topography Survey	X		
Client Listing	N/A		
Area Maps	X		
Chapter Resolution	X		
NN ICIP	X		
Purchase Quote COST ESTIMATE	X		105 + A



THE NAVAJO NATION
Capital Projects Management Department
Division of Community Development

APPLICATION FOR SERVICES

TODAY'S DATE: June 28, 2018

AGENCY: Eastern

TYPE OF PROJECT:

- | | | |
|---|--|---|
| ☐ Chapter House | ☐ Multi-Purpose | ☐ Senior Center |
| ☒ Preschool | ☐ NN Facilities | ☐ Powerline Ext. |
| ☐ Sewer Lagoon | ☐ Waterline | ☐ Sewerline |
| ☐ Housewiring | ☐ Bathroom Addition | ☐ Other: _____ |

RECEIVED DATE: _____

☐ Approved: _____

☐ Disapproved: _____

ASSIGNED TO: _____

OFFICE USE ONLY

PURPOSE:

Tseitolu (Standing Rock) Chapter hereby request for technical assistance
SPONSORSHIP/CHAPTER/DEPARTMENT/PROGRAM

for the following areas:

- | | | |
|--|---|-------------------------------------|
| ☐ Project Evaluation | ☐ Design Development | ☐ Inspection |
| ☐ Schematic Design | ☐ Contract Development | ☐ Other |
| ☐ Cost Estimation | ☐ Negotiation | |
| ☐ Construction Drawings | ☐ Evaluation of Contract Proposals | |
| ☐ Specification Development | ☐ Meeting Attendance | |

MAILING
ADDRESS:

Tseitolu (Standing Rock) Chapter
NAME OF ORGANIZATION
Jonice Palilla, C.S.C.
CONTACT PERSON/TITLE
P.O. Box 247
ADDRESS
Crownpoint NM 87313
CITY STATE ZIP CODE
PHONE: 505 786 2241/2246 FAX NUMBER: _____
E-MAIL ADDRESS: _____

CHECKLIST OF PROJECT REQUIREMENTS:

Do you have the following?

Funding Appropriations

Source: ☐ CP/TIF ☐ AML ☐ NAAA ☐ Gaming

Source: ☐ CP/TIF ☐ AML ☐ NAAA ☐ Gaming

Source: ☐ CP/TIF ☐ AML ☐ NAAA ☐ Gaming

Business Unit: _____

Business Unit: _____

Business Unit: _____

- | | | |
|--|---|--|
| ☐ Land Withdrawal/Land Designation | ☒ Land Use | ☐ Building Data |
| ☒ Chapter Approval/Resolution | ☐ Cost Estimate | ☐ Square Foot (Size) |
| ☐ Environmental Review/Compliance | ☐ Geotechnical Survey | ☐ Electrical Service Cost |
| ☐ Off. of Environmental Health (IHS) Assessment | ☐ Site Analysis | ☐ Project Budget |
| ☐ Cultural Resource Compliance Form (Archaeology) | ☐ Scope of Work/Background Information | |
| ☐ Biological Clearance Form (Endangered Species) | ☐ Utility Assessment | ☐ Feasibility Studies |
| ☐ Easement/Right-of-Way | ☐ Other: _____ | |

PLEASE ATTACH A DETAILED LETTER FOR SERVICES REQUESTED AND A CHAPTER RESOLUTION THAT INDICATES THE NEED AND PRIORITY OF THE PROPOSED PROJECT AND IN ACCORDANCE WITH THE LOCAL LAND-USE PLAN AND SEND TO:

Capital Projects Management Department, Post Office Box 610, Window Rock, Arizona 86515



NAVAJO HEAD START

Department of Diné Education



RUSSELL BEGAYE, President
JONATHAN NEZ, Vice President

DR. ELVIRA BITSOI
Acting Assistant Superintendent of Head Start

February 20, 2018

C/O: New Mexico Tribal Infrastructure Board
New Mexico Indian Affairs Department
1220 South St. Francis Drive
Santa Fe, NM 87505

Dr. Elvira Bitsoi
Navajo Head Start
P.O. Box 3479
Window Rock, AZ 86515

Dear New Mexico Tribal Infrastructure Board,

I am writing this letter in support of Tse'ii'ahi (Standing Rock) Chapter's Tribal Infrastructure Fund Application (TIFA) for the Tse'ii'ahi Head Start Facility Construction project. Tse'ii'ahi Chapter has made this Head Start project their top priority and needs additional funding to start construction on their new building for young students. Please fund this project and help bring high-quality early childhood education services to the community of Tse'ii'ahi.

If you have any further questions, please do not hesitate to contact me at 928-871-6902.
Thank you for your time and understanding.

Respectfully,

Dr. Elvira Bitsoi, Assistant Superintendent (A)
NAVAJO HEAD START

03.22.2018

SIHASIN FUND Project Overview Report

Project Ready

Construction Ready

Shovel Ready

Project Description (Proposals/Packet)

DISTRICT:

CHAPTER

Tse'ii'Ati'

COUNCIL DELEGATE

JONATHAN PERRY

Prepared By

A. THOMAS

Project Type	Project Description	Duration (Days/Months)	Amount Request	Year Funding
Pre- Design/Design/ Constr.				
1 DESIGN. CONSTR.	WATERLINE EXTENSION	18-24 mos.	\$750,000.00	2ND YEAR
2 CONSTRUCTION	HEADSTART BUILDING PROJECT	8-12 MONTHS	\$3,202,950.00	1ST.

CAPITAL PROJECT MANAGEMENT DEPARTMENT

Tel 928.871.6734
Fax 928.871.7189

P.O. BOX 1510
WINDOW ROCK, AZ 865151
WWW.NNDCCD.ORG
First_lastname@nndcd.org



CAPITAL PROJECT MANAGEMENT DEPARTMENT
PROJECT PROPOSALS – CHECK-OFF LIST

PRE-SCHOOL AND SENIOR CITIZEN CENTER REQUIREMENTS

It shall be the policy of the "Capital Project Management Department (CPMD) to utilize the following "Check-Off List" for review and acceptance of project proposals.

NAME OF CHAPTER: Standing Rock (Non-LGA) DATE: _____
PERSON ASSIGN TO: _____

Please check of documents that were received.

☒ Application for Services

☐ Written Documentation - of need by the Facilities Inventory which documents the need for replacement, renovation or repairs. ✓

☐ Chapter Resolution - that indicates the need and priority of the proposal project, subject to the local Land-Use Plan. ✓

☐ Preventive Maintenance Plan and Operating Cost Plan ✓

☐ Cost Estimate:

A. Architect & Engineering (A/E) Cost

B. Construction Cost ✓

☐ Written commitments and encumbrance: of other source(s) of funding. ✓

☒ Letters of Support: From AGENCIES and ENTITIES that affirm the emergency situation or need when applicable. ✓

☐ Documentation of the Clearances: Archaeological, Environmental Assessments and Land Withdrawals. ✓

Project Quality Assurance/Quality Control Acknowledgement

☐ Complete

☒ Incomplete

Project Name: _____ Project Type: _____

The undersigned have read and concur with this Project Folder is complete with all necessary PPA's and is in adherence to the Capital Project Management Department Policies and Procedures and Gaming Fund Distribution and Policies and Allocations:

[Signature]
Project Manager

4/11/18
Date

CPMD Department Manager

Date

CPMD-Form C



THE NAVAJO NATION
TSE'II'AHÍ' (Standing Rock) CHAPTER
P.O. BOX 247
CROWNPOINT, NEW MEXICO 87313
Telephone: (505) 786-2247/2248
FAX: (505) 786-2249
Email: standingrock@navajochapters.org

Russell Begay, Navajo Nation President

Jonathan Ngz, Navajo Nation Vice-President

RESOLUTION OF THE TSE'II'AHÍ' CHAPTER
RESOLUTION NO.: TSEII.0717.7000

Respectfully Requesting the Navajo Nation Council, Office of the Navajo Nation President and Vice President; Navajo Nation Division of Community Development; Community Project Management Department to secure funding from Navajo Nation Match Fund Account, and Siihasin Funds in the amount of \$3.6 Million to construct a New Tse'ii'ahi' Head Start Building.

WHEREAS:

1. Pursuant to 26 NNC, Section 3 (A) the Tse'ii'ahi' Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed in 11 NNC, part 1, section 10; and
2. Pursuant to 26 NNC, Section 1 (B) Tse'ii'ahi' Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate action; and
3. The New Proposed Head Start Facility will serve approximately 20 to 25 young students and will employ approximately 4 to 6 staff members; and
4. The Tse'ii'ahi' Head Start building was built in the 1980's; and was forced to close and to be demolished due to serious health, safety and environmental concerns; and
5. The Tse'ii'ahi Chapter developed and completed an Abatement and Demolition Plan for the condemned building in April 2015; and
6. The Tse'ii'ahi' Chapter also completed the plan and design of a new replacement facility in December 2016; and
7. The Tse'ii'ahi' Chapter will seek construction funds made available through tribal, state and federal funding sources; and
8. The Tse'ii'ahi' Chapter has contributed matching funds toward the project in the amount of \$20,000.00; and
9. The Tse'ii'ahi' Chapter has requested and secured \$125,000.00 from the New Mexico Capital Outlay program for construction of the project; and
10. The Tse'ii'ahi' Chapter is committed to the successful completion of the needed Head Start facility to benefit our community and surrounding communities.



THE NAVAJO NATION
TSE'II'AHÍ' (Standing Rock) CHAPTER
P.O. BOX 247
CROWNPOINT, NEW MEXICO 87313
Telephone: (505) 786-2247/2248
FAX: (505) 786-2249
Email: standingrock@navajochapters.org

Russell Begay, Navajo Nation President

Jonathan Nez, Navajo Nation Vice-President

RESOLUTION OF THE TSE'II'AHÍ' CHAPTER
RESOLUTION NO.: TSEII.0717.7001

Respectfully Requesting the New Mexico State Indian Affairs Department and its Tribal Infrastructure Funds Committee to secure funds from the Tribal Infrastructure Fund Account in the amount of \$3.6 Million to construct a New Tse'ii'ahi' Head Start Building.

WHEREAS:

1. Pursuant to 26 NNC, Section 3 (A) the Tse'ii'ahi' Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed in 11 NNC, part 1, section 10; and
2. Pursuant to 26 NNC, Section 1 (B) Tse'ii'ahi' Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate action; and
3. The New Proposed Head Start Facility will serve approximately 20 to 25 young students and will employ approximately 4 to 6 staff members; and
4. The Tse'ii'ahi' Head Start building was built in the 1980's; and was forced to close and to be demolished due to serious health, safety and environmental concerns; and
5. The Tse'ii'ahi Chapter developed and completed an Abatement and Demolition Plan for the condemned building in April 2015; and
6. The Tse'ii'ahi' Chapter also completed the plan and design of a new replacement facility in December 2016; and
7. The Tse'ii'ahi' Chapter will seek construction funds made available through tribal, state and federal funding sources; and
8. The Tse'ii'ahi' Chapter has contributed matching funds toward the project in the amount of \$20,000.00; and
9. The Tse'ii'ahi' Chapter has requested and secured \$125,000.00 from the New Mexico Capital Outlay program for construction of the project; and
10. The Tse'ii'ahi' Chapter is committed to the successful completion of the needed Head Start facility to benefit our community and surrounding communities.



THE NAVAJO NATION
TSE'II'AHÍ' (Standing Rock) CHAPTER
P.O. BOX 247
CROWNPOINT, NEW MEXICO 87313
(505) 786-2247/2248
FAX: (505) 786-2249

Email address: standingrock@navajochapters.org

Russell Begaye, Navajo Nation President

Jonathan Nez, Navajo Nation Vice-President

RESOLUTION OF THE TSE'II'AHÍ' CHAPTER
RESOLUTION NO.: TSEII.0116.1002

Respectfully Requesting the State of New Mexico, Indian Affairs Department/Tribal Infrastructure Fund Board to secure funding in the amount of \$1,000,000.00 from the Tribal Infrastructure Fund Application 2016 to construct the Tse'ii'ahi' Head Start Building

WHEREAS:

1. Pursuant to 26 NNC, Section 3 (A) the Tse'ii'ahi' Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 NNC, part 1, section 10; and
2. Pursuant to 26 NNC, Section 1 (B) Tse'ii'ahi' Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions; and
3. The Tse'ii'ahi' Chapter recognizes the chapter is responsible the Head Start Center that delivers educational services to pre-school age children within Tse'ii'ahi' community and to have educational facility locally for community; and
4. The Tse'ii'ahi' Chapter is aware of the existing Head Start was built back in 1980's and is in need of a new construction/building to meet the Head Start building code as well as public facilities under Environmental health standards; and
5. The Tse'ii'ahi' Chapter recognizes the need for construction funds and these funds are made available on annual basis from, tribal, state and federal funds; and
6. The Tse'ii'ahi' Chapter also has funds set aside for new construction of public facilities and currently has earmark \$20,000.00 as matching funds; and
7. The Tse'ii'ahi' Chapter completed the Abatement and Demolition plan for Tse'ii'ahi' Head Start Center on April 2015; and
8. The Tse'ii'ahi' Chapter contributed \$27,500.00 towards the Design phase of the project.

NOW THEREFORE BE IT RESOLVED THAT:

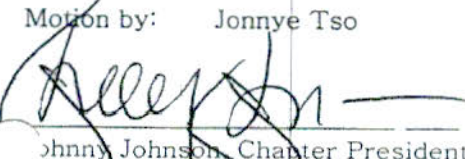
The Tse'ii'ahi' Chapter respectfully requests the State of New Mexico Indian Affairs Department/Tribal Infrastructure Fund Board to secure funding in the amount of \$1,000,000.00 from the Tribal Infrastructure Fund Application 2016 to construct Tse'ii'ahi' Head Start Building.

CERTIFICATION

I, hereby certify that this foregoing resolution was considered by the people of the Tse'ii'ahi' Chapter at a duly called chapter meeting held at Tse'ii'ahi' Chapter, at which an official quorum was present and was passed by a vote of 27 in favor, 00 opposed, and 03 abstaining on this 19th day of January 2016.

Motion by: Jonnye Tso

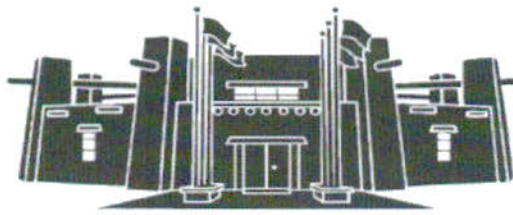
Second by: Michael Coan


Johnny Johnson, Chapter President
TSE'II'AHÍ' CHAPTER

Johnny Johnson, Chapter President
Velvet Kallgeo, Chapter Vice-President
Arlene Tso-Coan, Chapter Secretary/Treasurer

Jonathan Perry, Council Delegate

Janice Padilla, Community Services Coordinator
Kelly Craig, Office Specialist
Clinton Jim, Land Board Member



MEMORANDUM

TO: Honorable Mark Freeland
24th Navajo Nation Council Delegate

FROM: 
Candace French, Attorney
Office of Legislative Counsel

DATE: May 6, 2019

RE: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT SCOPE IN RESOLUTION CAP-35-18; AMENDING THE PROJECT SCOPE TO ADD DESIGN FOR THE TSE'II'AHÍ' (STANDING ROCK) HEAD START BUILDING PROJECT

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews 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).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.