



## 23<sup>rd</sup> NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Raymond Smith, Jr., Primary  
Sponsor of proposed legislation hereby withdraw my  
sponsorship of the proposed legislation. The legislation  
tracking number is 0381-17.

If there are any co-sponsors, they may re-sponsor the same  
bill by beginning a new legislation.

SPONSOR SIGNATURE:

Raymond Smith, Jr.  
4/18/18

DATE:

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0381-17

**DATE:** September 13, 2017

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE; NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,415,388.00 FOR THE NAHATADZIIL SHOPPING CENTER PROJECT; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

**PURPOSE:** This resolution, if approved, will approve supplemental funding from the unreserved, undesignated fund balance (UUFb) in the amount of \$1,415,388.00 from the Unreserved, Undesignated Fund Balance (UUFb) for the NahataDziil Shopping Center Project.

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

5-DAY BILL HOLD PERIOD: None  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 9/20/2017  
Eligible for Action: 9/21/2017

Resources & Development Committee

THENCE

Budget & Finance Committee

THENCE

Naa'bik'íyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

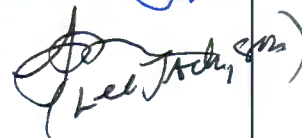
23<sup>rd</sup> NAVAJO NATION COUNCIL—Third Year, 2017

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0381-17



AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND  
FINANCE COMMITTEE; NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO  
NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE  
UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF  
\$1,415,388.00 FOR THE NAHATADZIL SHOPPING CENTER PROJECT; WAIVING  
12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT  
PROCESS

BE IT ENACTED:

SECTION ONE. AUTHORITIES

- A. Pursuant to 12 N.N.C. § 820 (L), "[t]he Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds within the current fiscal year are permitted, if and when additional sources of revenues above and beyond the initial or current revenue projections are projected and which are also in excess of the reserve amount set forth at § 820(J)."
- B. Pursuant to 2 N.N.C. § 300 (C)(1)(3) and (4) the Budget and Finance Committee is authorized to recommend adoption of resolutions related to the expenditure of the Nation's financial resources.



1 C. Pursuant to 2 N.N.C. § 501 (C)(1), the Resources and Development Committee is  
2 the oversight committee for the Navajo Nation Chapters.

3 D. Pursuant to 2 N.N.C. § 164 (A)(9), a proposed resolution that requires final action  
4 by the Navajo Nation Council shall be assigned to the Naabik'iyáti' Committee  
5 before it is heard by the Navajo Nation Council.  
6

7 **SECTION TWO. TITLE 12 FINANCE ACT SUPPLEMENTAL**  
8 **APPROPRIATION PROCESS AND THE TITLE 12 CAPITAL**  
9 **IMPROVEMENT PROCESS**

10 A. The Title 12 Finance Act Supplemental Appropriation requirements include:

- 11 1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional  
12 sources of revenues above and beyond the initial or current revenue projections,  
13 supplemental appropriations may be allocated by the Navajo Nation Council.
- 14 2. Pursuant to 12 N.N.C. § 820 (L), "Supplemental appropriations made from non-  
15 recurring revenues shall only be made for non-recurring operations or purposes,  
16 as set forth at § 820 (F). The Controller of the Navajo Nation shall be  
17 responsible for designating recurring and non-recurring revenues and purposes."
- 18 3. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and  
19 supplemental funds shall be submitted to the Office of Management and Budget  
20 ("OMB") for budget impact analysis.

21 B. The Title 12 Capital Improvement Process includes:

- 22 1. Pursuant to 12 N.N.C. § 810(F), "Capital Improvement" means a major project  
23 undertaken by the Navajo Nation that is generally not recurring on an annual  
24 basis and which fits within one or more of the following categories:
    - 25 (1) All projects requiring debt obligation or borrowing;
    - 26 (2) Any acquisition or lease of land;
    - 27 (3) Purchase of major equipment or vehicles, with a life expectancy of five  
28 years or more, valued in excess of an amount to be established by the  
29 Controller;
- 30

1 (4) Major building improvements that are not routine maintenance expenses  
2 and that substantially enhance the value or extend the useful life of a  
3 structure;

4 (5) Construction of new buildings or facilities including engineering,  
5 design, and other pre-construction costs with an estimated cost in excess  
6 of an amount to be determined by the Controller; and/or

7 (6) Major equipment or furnishing required to furnish new buildings or  
8 other projects, the cost of which is above a certain amount to be  
9 established by the Controller.

10 2. Pursuant to 12 N.N.C. § 820 (I), the “[d]evelopment of the Capital Budget shall  
11 be coordinated with development of the Operating Budget. All budget requests  
12 for capital improvements shall be in compliance with an adopted Capital  
13 Improvement Plan and shall not be approved unless in compliance with the  
14 Plan.”

15 3. Pursuant to 12 N.N.C. § 820 (M), the Office of Management and Budget shall  
16 coordinate the overall preparation, adoption and implementation of both the  
17 annual operating and capital budgets of the Navajo Nation. All requests for  
18 annual operating funds and supplemental funds shall be submitted to the Office  
19 of Management and Budget for budget impact analysis and other appropriate  
20 action.

21 4. Pursuant to 2 N.N.C. § 501 (B)(4)(c), the Resources and Development  
22 Committee is to review and recommend to the Navajo Nation Council through  
23 the appropriate process supplemental appropriations to the capital improvement  
24 projects annual budget to fund necessary additional capital improvement  
25 projects.

26 5. Pursuant to 12 N.N.C. § 860 (C)(2) “[t]he appropriation portion of the Capital  
27 Improvement Plan is subject to approval of the Navajo Nation Council upon  
28 recommendation of the Budget and Finance Committee. Any modification or  
29 amendment affecting the approved Capital Improvement Plan is subject to  
30

1 review and concurrence by the Resources and Development Committee prior to  
2 consideration by the Navajo Nation Council.”  
3

### 4 **SECTION THREE. FINDINGS**

5 A. The Division of Economic Development is requesting \$1,415,388.00 from the  
6 Unreserved, Undesignated Fund Balance (UUFB) for the NahataDziil Shopping  
7 Center Project. The budget documents regarding this request are attached as  
8 **Exhibit 3.**

9 B. The NahataDziil Shopping Center Project is not included in the Title 12 Capital  
10 Improvement Plan because the Capital Improvement Plan was rescinded by Navajo  
11 Nation Council by CAP-23-17. Pursuant to 12 N.N.C. § 820(L), the attached  
12 memorandum, **Exhibit 1**, dated September 8, 2017, the Office of the Controller has  
13 identified the additional revenues above and beyond the initial or current revenue  
14 projections.

15 C. Pursuant to 12 N.N.C. § 820(M), the attached memorandum, **Exhibit 2**, contains the  
16 Office of Management and Budget Impact Analysis.

17 D. Pursuant to 12 N.N.C. § 820 (L), the attached memorandum, **Exhibit 1**, from the  
18 Office of the Controller did not specify whether this request for supplemental  
19 appropriation is from recurring or non-recurring revenues and whether it is for  
20 recurring or non-recurring purposes. The staff from the Controller’s Office could  
21 be asked to make this determination when the issue comes before the standing  
22 committee(s) or the Navajo Nation Council.

23 E. The Navajo Nation finds it in the best interest to waive Capital Budget and Capital  
24 Improvement Plan requirements as stated in 12 N.N.C. §§ 820(I) and 860 (C)  
25 regarding the NahataDziil Shopping Center Project.

26 F. The Navajo Nation finds it in the best interest to approve Supplemental  
27 Appropriation of \$1,415,388.00 for the NahataDziil Shopping Center Project.  
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29  
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1       **SECTION FOUR. WAIVING 12 N.N.C. §§ 820(I) AND 860 (C) REGARDING**  
2       **THE CAPITAL IMPROVEMENT PROCESS FOR THE NAHATADZIIL**  
3       **SHOPPING CENTER PROJECT**

4           The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(I) and 860(C) with  
5           regard to the Capital Improvement process and the the NahataDziil Shopping  
6           Center Project.

7  
8       **SECTION FIVE. APPROVING SUPPLEMENTAL FUNDING FROM THE**  
9       **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**  
10       **\$1,415,388.00 FOR THE NAHATADZIIL SHOPPING CENTER PROJECT**

- 11  
12       A. The Navajo Nation Council, having received certification by the Office of the Controller  
13       of the availability of certain funds from the Unreserved, Undesignated Fund Balance  
14       (UUFB) for supplemental appropriation hereby approves the supplemental appropriation  
15       of \$1,415,388.00 for the NahataDziil Shopping Center Project to Business Unit No.  
16       C01345, as further described in budget documents attached as **Exhibit 3**.  
17       B. This supplemental appropriation of \$1,415,388.00 shall be from that amount of  
18       funds that exceeds the minimum fund balance of the UUFB.
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## THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE-PRESIDENT



### Memorandum

Date: September 8, 2017

To: Honorable Russell Begaye, President  
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker  
Navajo Nation Council

Honorable Thomas J Holgate, Acting Chief Justice  
Judicial Branch

From: *Pearline Kirk*  
Pearline Kirk, Controller  
Office of the Controller

Subject: Financial Update-(General Fund Revenue, Expenditures, UUFB)

The gross General Fund Revenues, (see Exhibit "A"), as of August 31, 2017 is \$203,053,235, (see Footnote 1). The total General Fund set asides is \$ \$51,749,599 (Footnote 2). The Net Revenue for the General Fund is \$151,303,727 (see Footnote 3). The permanent fund income transfer is \$24,411,000 (Footnote 4). The reserve taken for the permanent fund income transfer is \$2,885,000 (Footnote 5). The grand total revenue for the General Fund is \$172,829,727 (see Footnote 6) which is 98.78% of the projection.

Next, are the total expenditures by Branch, (see Exhibit "B"), as of August 31, 2017, the Legislative Branch has expenditures of \$14,836,331 (see Footnote 1a); encumbrances of \$822,493 (see Footnote 1b) with a remaining budget of \$3,307,669 (see Footnote 1c). The Executive Branch expenditures are \$162,500,722 (see Footnote 2a); encumbrances are \$7,206,122 (see Footnote 2b) with a remaining budget of \$37,797,219 (see Footnote 2c). The Judicial Branch expenditures are \$11,718,156 (see Footnote 3a); with encumbrances of \$73,692 (see Footnote 3b) and remaining budget of \$2,356,349 (see Footnote 3c). Total General Fund expenditures are \$189,055,209 (see Footnote 4a); total encumbrances are \$8,102,307 (see Footnote 4b) with an overall remaining budget of \$43,461,236 (see Footnote 4c).

The updated Undesignated Unreserved Fund Balance (UUFB), (see Exhibit "C") as of September 8, 2017 is \$31,258,217. The Fiscal Year 2016 audited numbers were approved via CJY-51-17 and an amount of \$11, 728,198 that was previously reserved for debt service for capital projects was returned back to the UUFB with the approval of CJY-50-17. These two amounts have been incorporated into this new schedule.

Thank you, if you should have any question please feel free to call me at tribal extension X6308.





THE NAVAJO NATION  
General Fund Revenue Schedule  
(Unaudited)  
August 31, 2017

FY 2017

GENERAL FUND REVENUE	Original Budget	Revised Budget	Actual Revenue Received	Revenue to be collected	% Revenue of Total
TNN: ROYAL; GAS; OIL	\$ 24,700,000	\$ 24,700,000	22,503,079	\$ 2,196,921	91.11
TNN: COAL REVENUES	55,850,000	55,850,000	51,709,402	4,140,598	92.59
TNN:OTR MINERALS REV			79,149	(79,149)	
TNN: LAND REVENUES	58,450,000	58,450,000	59,393,523	(943,523)	101.61
TNN: BUSINESS FEES			80,415	(80,415)	
TNN: INTEREST INCOME	1,600,000	1,600,000	4,249,477	(2,649,477)	265.59
TNN: TAX REVENUES	64,150,000	64,150,000	63,125,774	1,024,226	98.40
COURT FINES + FEES	400,000	400,000	379,897	20,103	94.97
TNN: OTHER REVENUES	500,000	500,000	1,270,889	(770,889)	254.18
BIA: ROYAL; GAS; OIL			111,327	(111,327)	
BIA: COAL REVENUES			114	(114)	
BIA:OTR MINERALS REV				-	
BIA: LAND REVENUES			150,280	(150,280)	
<b>TOTAL REVENUE</b>	<b>\$ 205,650,000</b>	<b>\$ 205,650,000</b>	<b>203,053,325</b>	<b>(1) \$ 2,596,675</b>	<b>98.74</b>
<b>LESS:SET ASIDES</b>					
CAPITAL OUTLAY MATCH	\$ (2,000,000)	\$ (2,000,000)	(2,000,000)	\$ -	100.00
LAND FUND TRANSFER	(4,113,000)	(4,113,000)	(4,061,067)	(51,933)	98.74
PERMANENT FUND TRNSF	(24,678,000)	(24,678,000)	(24,366,399)	(311,601)	98.74
WATER RIGHTS CLAIM FU	(2,000,000)	(2,000,000)	(2,000,000)	-	100.00
DINE' HIGHER EDUCATIO	(11,200,000)	(11,200,000)	(11,200,000)	-	100.00
VETERANS TRUST FUND S	(8,226,000)	(8,226,000)	(8,122,133)	(103,867)	98.74
<b>TOTAL SET ASIDE</b>	<b>\$ (52,217,000)</b>	<b>\$ (52,217,000)</b>	<b>\$ (51,749,599)</b>	<b>(2) \$ (467,401)</b>	<b>99.10</b>
<b>SUB TOTAL</b>	<b>\$ 153,433,000</b>	<b>\$ 153,433,000</b>	<b>\$ 151,303,727</b>	<b>(3) \$ 2,129,273</b>	<b>98.61</b>
<b>PERMANENT FUND INCOME TRANSFER</b>					
OTHER REVENUE TRANSFER	\$ 24,411,000	\$ 24,411,000	\$ 24,411,000	(4) \$ -	100.00
LESS: PF FIVE-YEAR CONTINGENCY	(2,885,000)	(2,885,000)	(2,885,000)	(5) -	100.00
<b>TOTAL PFI TRANSFER</b>	<b>\$ 21,526,000</b>	<b>\$ 21,526,000</b>	<b>\$ 21,526,000</b>	<b>\$ -</b>	<b>100.00</b>
<b>NET PFI TRANSFER</b>	<b>\$ 21,526,000</b>	<b>\$ 21,526,000</b>	<b>\$ 21,526,000</b>	<b>\$ -</b>	<b>100.00</b>
<b>GRAND TOTAL</b>	<b>\$ 174,959,000</b>	<b>\$ 174,959,000</b>	<b>\$ 172,829,727</b>	<b>(6) \$ 2,129,273</b>	<b>98.78</b>

(1) Gross General Fund Revenues

(2) Total Set Asides for General Fund Revenue

(3) Net General Fund Revenue

(4) Permanent Fund Income allocation to General Fund

(5) Permanent Fund Income allocation reserve (CO-54-16)

(6) Grand total General Fund Revenues

**EXHIBIT "A"**

Prepared by:  
General Accounting  
9/8/2017



# FY 2017 EXHIBIT "B"

## The Navajo Nation Budget Status Income Statement As of August 31, 2017

Branch / Object Account	Original Budget	Revised Budget	Actual Expenses	Encumbrances	Budget Available	% Available
<b>LEGISLATIVE BRANCH</b>						
2001 - Personnel Expenses	\$ 10,651,778	\$ 12,278,822	\$ 10,019,465		\$ 2,259,357	18.40
3000 - Travel Expenses	1,321,631	1,765,310	1,572,327	46,213	545,274	30.89
3500 - Meeting Expenses	159,932	399,826	210,861	-	204,416	51.13
4000 - Supplies	196,565	744,678	455,884	31,130	248,147	33.32
5000 - Lease & Rental	212,423	226,684	179,129	10,417	50,024	22.07
5500 - Communications & Utilities	119,335	156,633	134,035	-	60,813	38.83
6000 - Repairs & Maintenance	44,547	152,081	74,100	7,525	57,978	38.12
6500 - Contractual Services	541,691	1,553,786	963,771	462,824	197,091	12.68
7000 - Special Transactions	294,373	819,408	411,587	42,876	239,264	38.63
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	20,000	1,069,274	815,172	221,509	586,817	54.88
9500 - Matching & Indirect Cost	-	-	-	-	-	-
<b>Total LEGISLATIVE BRANCH</b>	<b>\$ 13,562,275</b>	<b>\$ 18,966,493</b>	<b>\$ 14,836,331</b>	<b>(1a) \$ 822,493</b>	<b>(1b) \$ 3,307,660</b>	<b>(1c) 17.44</b>
<b>EXECUTIVE BRANCH</b>						
2001 - Personnel Expenses	\$ 82,554,098	\$ 85,757,946	\$ 67,342,879	\$ -	\$ 18,415,068	21.47
3000 - Travel Expenses	9,499,593	9,498,299	8,499,697	8,235	990,367	10.43
3500 - Meeting Expenses	981,047	1,713,064	1,321,407	-	391,657	22.86
4000 - Supplies	5,400,663	7,963,841	4,549,358	897,024	2,517,459	31.61
5000 - Lease & Rental	1,751,399	1,069,091	1,196,102	28,114	444,875	26.65
5500 - Communications & Utilities	7,305,566	8,123,429	6,513,700	589,673	1,020,057	12.56
6000 - Repairs & Maintenance	3,914,876	8,788,252	5,571,378	1,030,318	2,186,557	24.88
6500 - Contractual Services	4,653,568	12,866,818	5,849,248	2,804,762	3,212,800	24.97
7000 - Special Transactions	10,316,377	11,986,749	10,083,552	322,518	1,580,681	13.19
8000 - Assistance	41,728,697	48,837,762	45,579,345	1,174,985	2,083,432	4.27
9000 - Capital Outlay	764,670	2,746,354	1,563,730	350,497	832,127	30.30
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	7,552,457	7,552,457	3,430,328	-	4,122,131	54.58
<b>Total EXECUTIVE BRANCH</b>	<b>\$ 176,423,011</b>	<b>\$ 207,504,063</b>	<b>\$ 162,500,722</b>	<b>(2a) \$ 7,206,122</b>	<b>(2b) \$ 37,797,219</b>	<b>(2c) 18.22</b>
<b>JUDICIAL BRANCH</b>						
2001 - Personnel Expenses	\$ 12,523,143	\$ 12,566,722	\$ 10,812,000		\$ 1,754,722	13.96
3000 - Travel Expenses	433,764	419,940	243,969	-	175,971	41.90
3500 - Meeting Expenses	-	26,807	10,955	-	15,852	59.13
4000 - Supplies	68,291	378,953	241,164	27,553	110,236	29.09
5000 - Lease & Rental	9,000	45,670	19,012	-	26,658	58.37
5500 - Communications & Utilities	69,206	90,472	68,386	-	22,087	24.41
6000 - Repairs & Maintenance	-	210,010	99,988	46,094	63,927	30.44
6500 - Contractual Services	-	89,627	50,671	-	38,956	43.46
7000 - Special Transactions	103,339	274,160	172,011	44	102,105	37.24
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	45,834	-	-	45,834	100.00
9300 - Other Income and Expense	-	-	-	-	-	-
<b>Total JUDICIAL BRANCH</b>	<b>\$ 13,206,743</b>	<b>\$ 14,148,196</b>	<b>\$ 11,718,156</b>	<b>(3a) \$ 73,692</b>	<b>(3b) \$ 2,356,349</b>	<b>(3c) 16.65</b>
<b>GRAND TOTAL</b>	<b>\$ 203,192,029</b>	<b>\$ 240,618,752</b>	<b>\$ 189,055,209</b>	<b>(4a) \$ 8,102,307</b>	<b>(4b) \$ 43,461,236</b>	<b>(4c) 18.06</b>

### Footnotes:

#### Legislative Branch

- (1a) Legislative Expenses
- (1b) Legislative Encumbrances
- (1c) Legislative Budget Available

#### Executive Branch

- (2a) Executive Expenses
- (2b) Executive Encumbrances
- (2c) Executive Budget Available

#### Judicial Branch

- (3a) Judicial Expenses
- (3b) Judicial Encumbrances
- (3c) Judicial Budget Available

#### Total General Fund

- (4a) General Fund Expenses
- (4b) General Fund Encumbrances
- (4c) General Fund Budget Available

**EXHIBIT "C"**

Memo Dated Sept. 8, 2017

Financial Update

**Undesignated, Unreserved, Fund Balance (UUFB)  
September 8, 2017**

09-30-16 UUFB balance <u>(Audited)</u> CJY-15-17		26,763,946
<b>Less Supplementals:</b>		
CO-55-16 Election	510,616	
CN-58-16-Budget	3,848,764	
CJA-05-17 Bennett Freeze	254,656	
CAP-22-17-Dine Bii Association	239,200	
CJN-34-17 Summer Youth Employment	2,161,748	
CJY-37-17- Transportation Stimulus Election	218,943	7,233,927
		<hr/>
Total UUFB less Supplementals		19,530,019
<b>Add:</b>		
CJY-50-17 Deposit into UUFB.		11,728,198
		<hr/>
UUFB 09-08-17		31,258,217
		<hr/> <hr/>

Prepared by: General Accounting

9/8/2017

5:00 PM

**THE NAVAJO NATION**  
**PROJECT BUDGET SUMMARY**

<b>PART I.</b>		Business Unit No. <u>C01345</u>	Project Title: <u>NahataDziil Shopping Center Development</u>	
		Economic Development/ Division/Branch: <u>Project Development</u>	Chapter: <u>NahataDziil</u>	Agency: <u>Fort Defiance</u>
		Prepared By: <u>Jeannette Jones, Principal EDS</u>	Phone No.: <u>(928) 871-7389</u>	

<b>PART II.</b>	Check one: <u>Original</u> <input type="checkbox"/> <u>Revision</u> <input type="checkbox"/> <u>Reallocation</u> <input type="checkbox"/> <u>X</u> <u>Modification</u> <input checked="" type="checkbox"/>
-----------------	--

Project Funds/Source(s)	Appropriation End Date	Amount	% of Total
UUFB	9/30/2018	1,415,388.00	100%
<b>TOTAL:</b>		1,415,388.00	100%

<b>PART III.</b>	<b>Budget at LOD 4</b>	<b>Amount</b>
9000	Capital Outlay	\$ 1,415,388.00
	9020 Infrastructure	
	9050 Building	
<b>TOTAL</b>		\$ 1,415,388.00

<b>PART IV.</b>	<b>Project Information</b>
Project Type: <u>Capital</u>	
Planned Start Date: <u>1/1/2015</u>	
Planned End Date: <u>9/30/2018</u>	
Project Manager: <u>Jeannette Jones</u>	
<b>FOR OMB USE ONLY</b>	
Resolution No.: <u> </u>	
FMIS Set Up Date: <u> </u>	
Company No.: <u> </u>	
OMB Analyst: <u> </u>	

<b>PART V. ACKNOWLEDGEMENT:</b>	
I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED ON THIS FORM IS COMPLETE AND ACCURATE.	
<u><i>Anthony Perry</i></u> 8-09-17 Anthony Perry, Project Development Department	<u><i>Crystal Deschinsky</i></u> 8-9-17 Crystal Deschinsky, Division of Economic Development
SUBMITTED BY: Dept. Director Signature / Date	VERIFIED BY: Div. Director Signature / Date



# NA'HA'TA' DZIIL (NEWLANDS) SHOPPING CENTER

	CONTRACTOR'S BID CONFIRMED	SCHEDULE 1	SCHEDULE 2	SCHEDULE 3
<b>PROJECT FUNDING SCHEDULE</b>	<b>\$8,615,388.00</b>	<b>\$6,200,000.00</b>	<b>\$1,000,000.00</b>	<b>\$1,415,388.00</b>
General Requirements & Conditions	\$281,940.75	\$200,000.00	\$35,000.00	\$46,940.75
Sitework & Grading	\$542,821.06	\$542,821.06		
Construction Staking & Layout	\$51,147.22	\$35,803.05	\$5,114.72	\$10,229.44
Parking Lot Stripping	\$11,841.29			\$11,841.29
Parking & Traffic Signs	\$13,221.37			\$13,221.37
Mobilize Paving Crew	\$19,300.04	\$4,825.01	\$4,825.01	\$9,650.02
Prime Coat at Pavement	\$9,290.19			\$9,290.19
2.5" AC on 4" ABC	\$137,670.82	\$27,534.16	\$27,534.16	\$82,602.49
3" AC on 6" ABC w/ Speed Humps	\$162,480.65	\$32,496.13	\$32,496.13	\$97,488.39
4" AC on 8" ABC w/ Thickened Edge	\$466,060.20	\$93,212.04	\$93,212.04	\$279,636.12
6" ABC Surfacing	\$12,641.95	\$6,320.97	\$6,320.97	
Offsite & Patching / Striping	\$31,236.74		\$15,618.37	\$15,618.37
Utility - Site Utility Demolition	\$22,618.55	\$22,618.55		
Utility - Storm Drain System	\$118,248.58	\$118,248.58		
Utility - Domestic (Water) Scope	\$45,512.07	\$45,512.07		
Utility - Water Tank Connections & Fire Suppression	\$120,288.14	\$120,288.14		
Utility - Sewer Scope	\$33,711.86	\$33,711.86		
Utility - Existing Utility Adjustments	\$3,265.84	\$3,265.84		
Utility - Drip Field Scope	\$110,880.43	\$110,880.43		
Utility - Deep Well Pump Scope	\$30,245.86	\$30,245.86		
Rip Rap System	\$102,051.08		\$102,051.08	
Concrete (Building)	\$452,810.38	\$452,810.38		
Concrete (Site)	\$433,113.17	\$259,867.90	\$108,278.29	\$64,966.98
Masonry	\$146,903.66	\$146,903.66		
Steel Fabrication & Erection	\$411,958.98	\$411,958.98		
Architectural Metals	\$353,585.83	\$212,151.50	\$106,075.75	\$35,358.58
Misc. Metals	\$63,105.45		\$15,776.36	\$47,329.09
Rough Carpentry	\$29,655.91	\$29,655.91		
Thermal Moisture Protection	\$147,753.83	\$97,517.53	\$50,236.30	
Roofing (TPO & Standing Seam)	\$171,168.83	\$171,168.83		
Doors, Frames, & Hardware	\$47,433.65		\$33,203.55	\$14,230.09
Overhead Doors	\$15,486.39			\$15,486.39
Automatic Storefront Doors	\$14,536.13			\$14,536.13
Glazing & Aluminum Storefronts	\$76,852.51	\$53,796.76	\$23,055.75	
Metal Stud Framing	\$229,402.91	\$160,582.04	\$68,820.87	
Drywall	\$54,191.82	\$37,934.27	\$16,257.55	
Acoustics	\$33,663.40			\$33,663.40
Painting	\$55,302.21			\$55,302.21
Flooring	\$52,657.93			\$52,657.93
Concrete Finishes	\$59,989.21			\$59,989.21
Mill & Casework	\$26,337.39			\$26,337.39
Plumbing	\$505,572.61	\$404,458.09	\$25,278.63	\$75,835.89
Propane Tank	\$198,346.91	\$138,842.84	\$39,669.38	\$19,834.69
Fire Sprinkler System	\$65,211.39			\$65,211.39
Water Storage Tank	\$244,822.93	\$244,822.93		
Fire Pump House	\$461,483.81	\$461,483.81		
Arsenic Water Treatment System	\$242,666.43	\$242,666.43		
HVAC (Mechanical)	\$262,281.46	\$196,711.10	\$39,342.22	\$26,228.15
Electrical	\$748,131.58	\$598,505.26	\$52,369.21	\$97,257.11
Backup Generators	\$157,874.77	\$110,512.34	\$47,362.43	
Specialties	\$57,266.98			\$57,266.98
<b>Subtotal</b>	<b>\$8,146,043.16</b>	<b>\$5,860,134.33</b>	<b>\$947,898.80</b>	<b>\$1,338,010.04</b>
Navajo Tax (5%)	\$407,302.16	\$293,006.72	\$47,394.94	\$66,900.50
Bond	\$62,042.68	\$46,858.96	\$4,706.26	\$10,477.46
		<b>\$6,200,000.00</b>	<b>\$1,000,000.00</b>	<b>\$1,415,388.00</b>
<b>Total Bid</b>	<b>\$8,615,388.00</b>			<b>\$8,615,388.00</b>



**Benally / Woodruff Construction, LLC**  
2710 E. Lakin Dr., Flagstaff, AZ 86004

### NAHATADZIIL SC

Total Cost Proposal by Contractor		\$ 8,615,388
Received \$5M from Undesignated Reserve Fund		
Remaining Balance	2015	\$ (4,200,000)
Received from PTF Interest Income	2016	\$ (2,000,000)
DED Sales Tax Fund July 2017	2017	\$ (1,000,000)
<b>Total Funding Needed</b>		<b>\$ 1,415,388</b>



## MEMORANDUM

TO: Honorable Raymond Smith  
23<sup>rd</sup> Navajo Nation Council Delegate

FROM: Mariana Kahn  
Mariana Kahn, Attorney  
Office of Legislative Counsel

DATE: September 13, 2017

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE; NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,415,388.00 FOR THE NAHATADZIIIL SHOPPING CENTER PROJECT; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

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 will be legally sufficient when you:

1. Provide Exhibit 3 which is complete budget forms for a capital project as required by the Budget Instruction Manual
2. Provide Exhibit 2 which is an Office of Management and Budget, Budget Impact Analysis pursuant to 12 N.N.C. § 820 (M).

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 his 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).



THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0381-17\_\_\_\_\_

SPONSOR: Raymond Smith

**TITLE: An Act Relating To Resources And Development Committee, Budget And Finance Committee, Naabik'iyati' Committee And The Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of \$1,415,388.00 For The Nahatadziil Shopping Center Project; Waiving 12 N.N.C. §§ 820 (I) And 860 (C) Relating To The Capital Improvement Process.**

**Date posted: September 15, 2017 at 6:10pm**

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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) 871-7590

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.*



**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0381-17**

**SPONSOR: Honorable Raymond Smith, Jr.**

**TITLE: An Act Relating To Resources And Development Committee, Budget And Finance Committee, Naabik'iyati' Committee And The Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of \$1,415,388.00 For The Nahatadziil Shopping Center Project; Waiving 12 N.N.C. §§ 820 (I) And 860 (C) Relating To The Capital Improvement Process.**

**Posted: September 15, 2017 at 6:10 PM**

**5 DAY Comment Period Ended: September 20, 2017**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Inclusive Comments</b>	<i>None</i>



**Policy Analyst  
Office of Legislative Services**

***09-21-17 @ 10:10 AM***

**Date/Time**

**RESOURCES AND DEVELOPMENT COMMITTEE  
23rd NAVAJO NATION COUNCIL**

**THIRD YEAR 2017**

**COMMITTEE REPORT**

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

**Legislation # 0381-17:** An Action Relating to Resources and Development, Budget and Finance and Naabik'Iyati Committees; and the Navajo Nation Council: Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance In The Amount of \$1,415,388.00 For The Nahatadziil Shopping Center Project; Waiving 12 N.N.C. §820 and §860(C) Relating to the Capital Improvement Process. *Sponsor: Honorable Raymond Smith, Jr.*

Has had it under consideration and report a DO PASS with the following amendments;

1. In every place in the legislation, overstrike ~~\$1,415,388.00~~ and insert \$1,400,000.00. In particular:  
Page 1, Line 15,  
Page 4, Line 5,  
Page 5, Lines 10, 15, and 17.
  2. Insert **Exhibit 2** to the legislation. **Exhibit 2** is the Office of Management and Budget memorandum and accompanying documents regarding the Budget Impact Analysis.
  3. Exchange a new **Exhibit 3** for the **Exhibit 3** that is currently attached. **Exhibit 3** is the updated budget documents.
  4. Renumber or re-letter succeeding paragraphs or sections accordingly, if necessary; and this amendment shall supersede inconsistent language contained in any other committee amendment, which shall be conformed to the intent or language of this amendment. The Office of Legislative Services, with notice to the sponsor(s) of the Legislation, is hereby authorized to make necessary grammatical changes.
- (Motion: Jonathan Perry Second: Leonard Pete Vote: 3-0-1)**

And referred the matter to Budget and Finance Committee.

Respectfully submitted,



Benjamin Bennett, Vice-Chairperson  
Resources and Development Committee of  
the 23<sup>rd</sup> Navajo Nation Council

DATE: October 4, 2017

MEETING LOCATION: NDOT Administrative Complex, Tse Bonito, NM

Main Motion: Walter Phelps

Second: Leonard Pete

**VOTE: 3-0-1 (CNV)**

LEGISLATIVE BRANCH  
THE NAVAJO NATION  
POST OFFICE BOX 3390  
WINDOW ROCK, ARIZONA 86515

No. 7503

## SECTION 164 REVIEW PROCESS

NAME: Raymond Smith DEPT.: Council Delegate PHONE: 928-286-7325  
DOCUMENT: Review of Project Budget Summary DATE: 8/18/17

Request review by OOC & OMB of the  
Project Budget Summary for Nahata Dzil Shopping Ctr.  
820(L)

Review Required per 12 NNC § 820(L) & 12 NNC § 820(M)

## SURNAME

1. OMB :	<u>Bygal - See Memo/insufficient</u>	Date:	<u>9/13/17</u>
2. OOC	<u>CRK</u>	Date:	<u>9/12/17</u>
3.		Date:	
4.		Date:	
5.		Date:	
6.		Date:	
7.		Date:	

Date Signed: 8/18/18 [Signature] No. of Signatures: 2

Disposition: \_\_\_\_\_ Initial: \_\_\_\_\_





# THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT

## MEMORANDUM



TO : Raymond Smith, Council Delegate  
23<sup>rd</sup> Navajo Nation Council

FROM : Lisa Jymm  
Lisa Jymm, Principal Budget Analyst  
Office of Management & Budget

DATE : September 13, 2017

SUBJECT : OMB's Review of 164 Document #007503: Request review by OMB and OOC per 12 NNC §820 (L) and 820 (M) regarding Nahat'a' Dzil Shopping Center Phase I.

RECEIVED  
2017 SEP 13 PM 1:57  
OFFICE OF THE CONTROLLER  
OFFICE OF SERVICES

The Office of Management & Budget (OMB) has reviewed the above document and has the following comments:

1. '164 Review documents seems to indicate that this is a supplemental request from the UUFB (Undesignated, Unreserved Fund Balance). The documents attached indicate two different amount. One set of budget forms has an amount of \$1,400,000 and the other budget forms show \$1,415,388. It is difficult to determine which one is correct.
2. Business unit C01345, New Land Shopping Center Phase I, did receive \$5 million dollars as a supplemental appropriation in Fiscal Year 2015 per CD-71-14 for this project and currently has a remaining balance of \$4,735,554.19 as of September 13, 2017.
3. Nahatazdil Shopping Center, new business unit # C01585, also received \$2,000,000 per CAP-19-16 which was part of the Permanent Trust Fund 5 year plan.

The document as submitted is deemed "insufficient" for these reason #1 listed above. If there are any further questions contact me at extension 6230.

Concurred by:

Dominic Beyer, Executive Director  
Office of Management and Budget

xc: OMB File





# THE NAVAJO NATION

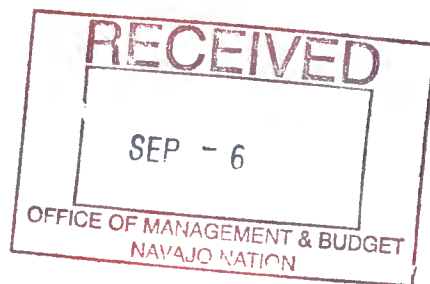
RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT

## MEMORANDUM

TO: Lisa Jymm, Principal Budget Analyst  
Office of Management and Budget

FROM:   
Anthony Perry, Director  
Project Development Department

DATE: August 29, 2017



SUBJECT: Sec. 164 Doc. No. 007503 – Nahat'a'Dziil Shopping Center Construction - Phase II

The Architects cost estimate for the Shopping Center Project was \$9,000,000. The Department advertised a Requests for Proposal to construct the 24,000 square feet Nahat'a'Dziil Shopping Center with all infrastructure and the building pad and utility services lines for the gas station, convenience and fast food store. The lowest cost proposal received was \$8,615,388 and the Department accepted all deductive alternates to exclude the concrete floor, plumbing and interior finishes for two tenant spaces which reduced the amount to \$8,325,675.

Project Funds	Acct. No.	Appropriation	Balance	Construction Contract
UUDF (CD-71-14)	C01345	\$5,000,000.00	\$ 735,554.19	\$4,200,000
PTF (CAP-19-16)	C01585	2,000,000.00	2,000,000.00	2,000,000
DED Sales Tax Fund (RDCJY-79-17)	Pending	1,000,000.00	1,000,000.00	1,000,000
			Total Contract:	\$7,200,000

The Department requests additional funding of \$1,400,000.00 for 100% complete construction of the Nahat'a'Dziil Shopping Center Project. The \$735,554.19 balance in C01345 is reserved for material testing, onsite project inspector and permit fees associated with the project-NEPA, AZ Department of Transportation, NTUA fees, Water Resources, etc.

Attached are the Supplemental Funding Proposal Summary and the proposed Project Budget Summary for the \$1,400,000 for review.

The Project projections for a 100% completed shopping center are 90 jobs, greater ROI from lease rental, sales tax, fuel tax and food tax.

Your assistance is requested and appreciated in further processing of the Supplemental Fund Request for approval.

Attachment: Supplemental Funding Proposal, Project Budget, RDCJY-79-17

CONCURRENCE:   
Crystal J. Deschinny, Division Director

cc: Dominic Beyal, Executive Director, Office of Management and Budget  
Jeannette Jones, Pr. EDS, Project Development Department



**THE NAVAJO NATION**

**RUSSELL BEGAYE PRESIDENT**  
**JONATHAN NEZ VICE-PRESIDENT**

**Memorandum:**

To: 2 NNC § 164 Reviewers  
Delegates & 2 NNC '164 Reviewers  
Navajo Nation Government

*Robert Willie*

From: Robert Willie, Accounting Manager  
Office of the Controller

Date: September 20, 2017

Subject: 164 Review-007503-Nahat'a'Dzil Shopping Center Phase I

The Office of the Controller has reviewed the above referenced document.

The balance in the Undesignated, Unreserved, Fund Balance as of September 8, 2017 is \$31,258,217.

This request is for an amount of \$1,400,000 but budget form with Business Unit number C01345 has an amount of \$1,415,388.

This request is to Construct the NahataDzill Shopping Center.

If you should have any questions you can contact me at tribal extension X6125.

AMENDMENT TO LEGISLATION NO. 0381-17

I request the following amendments:

1. In every place in the legislation, overstrike ~~\$1,415,388.00~~ and insert \$1,400,000.00. In particular:  
Page 1, Line 15,  
Page 4, Line 5,  
Page 5, Lines 10, 15, and 17.
2. Insert **Exhibit 2** to the legislation. **Exhibit 2** is the Office of Management and Budget memorandum and accompanying documents regarding the Budget Impact Analysis.
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4. Renumber or re-letter succeeding paragraphs or sections accordingly, if necessary; and this amendment shall supersede inconsistent language contained in any other committee amendment, which shall be conformed to the intent or language of this amendment. The Office of Legislative Services, with notice to the sponsor(s) of the Legislation, is hereby authorized to make necessary grammatical changes.



**THE NAVAJO NATION**  
**SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

EXHIBIT

3

PART I. Business Unit No.: C01345 Program Title: NahataDzili Shopping Center Phase II-Construction  
Div. of Econ. Devmt  
Division/Branch: Proj. Devmt Dept. Amount Requested: \$1,400,000.00 Phone No.: 928.871.6504  
Prepared By: Jeannette Jones, Pr. EDS Email Address: jeannette@navajobusiness.com

**PART II. REASON FOR REQUEST AND STATEMENT OF NEED:**

The lowest construction cost proposal was \$8,615,388, exceeding funds available. Dept. accepted deductive alternates and revised cost is \$8,325,675. Deductive Alternates excludes two tenants spaces concrete floor slab, plumbing, interior finishes. DED is to allocate \$1,000,000 from the Sales Tax Fund. Funds available for the construction contract is \$7,200,000.

C01345	UUDF Allocation	\$5,000,000	Balance	\$4,735,554.19	Construction contract	\$4,200,000	Total Contract Allocation:
C01585	PTF Allocation	\$2,000,000			"	\$2,000,000	\$7,200,000
New	DED Sales Tax	\$1,000,000	(Pending-Budget submitted)		"	\$1,000,000	

Construction Cost Proposal: \$8,615,388 Available: \$7,200,000 Need: \$1,415,388 For 100% completion of the SC.

The \$735,554.19 is reserved for permit fees, technical services, On-Site Project Inspector, etc.

**PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:**

The deductive alternates for the project will remain and the tenant space will be unfinished.

**PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:**

Office of Navajo Hopi Indian Relocation, Flagstaff, AZ, the office responsible for relocatee Previous requests were unsuccessful.

Navajo Division of Transportation: fund the access roads. The shopping center includes a gas station that will generate fuel tax.

**PART V. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.**

Crystal J. Deschinsky 8/30/17  
Crystal J. Deschinsky

REVIEWED BY: Division Director's Signature / Date

Ronald R. Boye  
Office of the President and Vice President

RECOMMEND APPROVAL: Branch Chief's Signature / Date

**THE NAVAJO NATION  
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

RECEIVED

SEP - 6

**PART I. Business Unit No.:** C01345 **Program Title:** NahataDziil Shopping Center Phase II-Construction  
**Div. of Econ. Devmt**  
**Division/Branch:** Proj. Devmt Dept. **Amount Requested:** \$1,400,000.00 **Phone No.:** 928.871.6504  
**Prepared By:** Jeannette Jones, Pr. EDS **Email Address:** jeannette@navajobusiness.com

**PART II. REASON FOR REQUEST AND STATEMENT OF NEED:**

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**PART V. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.**

 8/30/17  
Crystal J. Deschinny

REVIEWED BY: Division Director's Signature / Date

  
Office of the President and Vice President

RECOMMEND APPROVAL: Branch Chief's Signature / Date

**THE NAVAJO NATION  
PROJECT BUDGET SUMMARY**

**Page 1 of 1  
PROJECT FORM 1**

**PART I.** Business Unit No. C01345 Project Title: NahataDziil Shopping Center Development  
 Division/Branch: Economic Development/ Project Development Chapter: NahataDziil Agency: Fort Defiance  
 Prepared By: Jeannette Jones, Principal EDS Phone No.: (928) 871-7389

**PART II.** Check one: ☐ Original ☐ Revision ☐ Reallocation ☒ Modification

Project Funds/Source(s)	Appropriation End Date	Amount	% of Total
UUFB	9/30/2018	1,415,388.00	100%
<b>TOTAL:</b>		1,415,388.00	100%

<b>PART III. Budget at LOD 4</b>	Amount
9000 Capital Outlay	\$ 1,415,388.00
9020 Infrastructure	
9050 Building	
<b>TOTAL</b>	\$ 1,415,388.00

**PART IV. Project Information**

Project Type: Capital

Planned Start Date: 1/1/2015

Planned End Date: 9/30/2018

Project Manager: Jeannette Jones

**FOR OMB USE ONLY**

Resolution No.: \_\_\_\_\_


FMIS Set Up Date: \_\_\_\_\_

Company No.: \_\_\_\_\_

OMB Analyst: \_\_\_\_\_

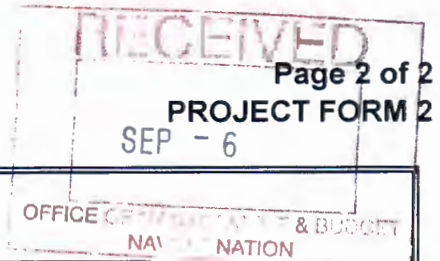
**PART V. ACKNOWLEDGEMENT:**

I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED ON THIS FORM IS COMPLETE AND ACCURATE.

 8-09-17  
 Anthony Perry, Project Development Department  
 SUBMITTED BY: Dept. Director Signature / Date

 8-9-17  
 Crystal Deschinsky, Division of Economic Development  
 VERIFIED BY: Div. Director Signature / Date

**THE NAVAJO NATION  
PROJECT BUDGET AND JUSTIFICATION**



<b>PART I.</b> Business Unit No.: <u>NEW</u>				
Project Title: <u>NahataDziil Shopping Center Phase II-Construction</u>				
<b>PART II.</b>				
(A)	(B)	(C)	(D)	(E)
Fund Source Code	Agency Code	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
			9000 Capital Outlay Construct the NahataDziil Shopping Center with commercial buildings and infrastructure, water, wastewater, electrical and communication lines, water storage tank, building pad, concrete footing, sidewalks, paved access road, parking lot, striping, street lights, signage, etc.	\$ 1,400,000.00
5	0004	9050	Building	\$ 1,400,000.00
			9060 Construction in Progress	
PAGE TOTAL:				\$1,400,000.00



## NA'HA'TA' DZIL (NEWLANDS) SHOPPING CENTER

	CONTRACTOR'S BID CONFIRMED	SCHEDULE 1	SCHEDULE 2	SCHEDULE 3
<b>PROJECT FUNDING SCHEDULE</b>	<b>\$8,615,388.00</b>	<b>\$6,200,000.00</b>	<b>\$1,000,000.00</b>	<b>\$1,415,388.00</b>
General Requirements & Conditions	\$281,940.75	\$200,000.00	\$35,000.00	\$46,940.75
Sitework & Grading	\$542,821.06	\$542,821.06		
Construction Staking & Layout	\$51,147.22	\$35,803.05	\$5,114.72	\$10,229.44
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Offsite & Patching / Striping	\$31,236.74		\$15,618.37	\$15,618.37
Utility - Site Utility Demolition	\$22,618.55	\$22,618.55		
Utility - Storm Drain System	\$118,248.58	\$118,248.58		
Utility - Domestic (Water) Scope	\$45,512.07	\$45,512.07		
Utility - Water Tank Connections & Fire Suppression	\$120,288.14	\$120,288.14		
Utility - Sewer Scope	\$33,711.86	\$33,711.86		
Utility - Existing Utility Adjustments	\$3,265.84	\$3,265.84		
Utility - Drip Field Scope	\$110,880.43	\$110,880.43		
Utility - Deep Well Pump Scope	\$30,245.86	\$30,245.86		
Rip Rap System	\$102,051.08		\$102,051.08	
Concrete (Building)	\$452,810.38	\$452,810.38		
Concrete (Site)	\$433,113.17	\$259,867.90	\$108,278.29	\$64,966.98
Masonry	\$146,903.66	\$146,903.66		
Steel Fabrication & Erection	\$411,958.98	\$411,958.98		
Architectural Metals	\$353,585.83	\$212,151.50	\$106,075.75	\$35,358.58
Misc. Metals	\$63,105.45		\$15,776.36	\$47,329.09
Rough Carpentry	\$29,655.91	\$29,655.91		
Thermal Moisture Protection	\$147,753.83	\$97,517.53	\$50,236.30	
Roofing (TPO & Standing Seam)	\$171,168.83	\$171,168.83		
Doors, Frames, & Hardware	\$47,433.65		\$33,203.55	\$14,230.09
Overhead Doors	\$15,486.39			\$15,486.39
Automatic Storefront Doors	\$14,536.13			\$14,536.13
Glazing & Aluminum Storefronts	\$76,852.51	\$53,796.76	\$23,055.75	
Metal Stud Framing	\$229,402.91	\$160,582.04	\$68,820.87	
Drywall	\$54,191.82	\$37,934.27	\$16,257.55	
Acoustics	\$33,663.40			\$33,663.40
Painting	\$55,302.21			\$55,302.21
Flooring	\$52,657.93			\$52,657.93
Concrete Finishes	\$59,989.21			\$59,989.21
Mill & Casework	\$26,337.39			\$26,337.39
Plumbing	\$505,572.61	\$404,458.09	\$25,278.63	\$75,835.89
Propane Tank	\$198,346.91	\$138,842.84	\$39,669.38	\$19,834.69
Fire Spinkler System	\$65,211.39			\$65,211.39
Water Storage Tank	\$244,822.93	\$244,822.93		
Fire Pump House	\$461,483.81	\$461,483.81		
Arsenic Water Treatment System	\$242,666.43	\$242,666.43		
HVAC (Mechanical)	\$262,281.46	\$196,711.10	\$39,342.22	\$26,228.15
Electrical	\$748,131.58	\$598,505.26	\$52,369.21	\$97,257.11
Backup Generators	\$157,874.77	\$110,512.34	\$47,362.43	
Specialties	\$57,266.98			\$57,266.98
<b>Subtotal</b>	<b>\$8,146,043.16</b>	<b>\$5,860,134.33</b>	<b>\$947,898.80</b>	<b>\$1,338,010.04</b>
Navajo Tax (5%)	\$407,302.16	\$293,006.72	\$47,394.94	\$66,900.50
Bond	\$62,042.68	\$46,858.96	\$4,706.26	\$10,477.46
		<b>\$6,200,000.00</b>	<b>\$1,000,000.00</b>	<b>\$1,415,388.00</b>
<b>Total Bid</b>	<b>\$8,615,388.00</b>			<b>\$8,615,388.00</b>



**Benally / Woodruff Construction, LLC**  
2710 E. Lakin Dr., Flagstaff, AZ 86004

**NAHATADZIIL SC**

Total Cost Proposal by Contractor		\$ 8,615,388
Received \$5M from Undesignated Reserve Fund		
Remaining Balance	2015	\$ (4,200,000)
Received from PTF Interest Income	2016	\$ (2,000,000)
DED Sales Tax Fund July 2017	2017	\$ (1,000,000)
<b>Total Funding Needed</b>		<b>\$ 1,415,388</b>

Job C01345 NEW LANDS SHPNG CENTER-PHASE I  
Project 10 GENERAL FUND

Cost Code	Cost Type	Description	L P M DE C UM	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
	1991	Overhead Allocation	6 T	1,965,000.00-	6,965,000.00-			6,965,000.00-		1.00
	1990	Other Revenues	5 T	1,965,000.00-	6,965,000.00-			6,965,000.00-		1.00
	1850	Other Revenue Sources	4 T	1,965,000.00-	6,965,000.00-			6,965,000.00-		1.00
	1000	Revenues	3 T	1,965,000.00-	6,965,000.00-			6,965,000.00-		1.00
	6810	Architecture/Design (non cap)	6 B N	185,000.00	476,732.40			476,732.40		1.00
	6810	Architecture/Design (non cap)	6 T	185,000.00	476,732.40	352,792.95	123,438.45	501.00	1.00	
	6830	Other Technical Services	6 B N		27,310.09			27,310.09		1.00
	6830	Other Technical Services	6 T		27,310.09	27,310.09			1.00	
	6800	Technical Services	5 T	185,000.00	504,042.49	380,103.04	123,438.45	501.00	1.00	
	6500	Contractual Services	4 T	185,000.00	504,042.49	380,103.04	123,438.45	501.00	1.00	
	9020	Infrastructure	6 B N	1,780,000.00	1,725,904.32			1,725,904.32		1.00
	9020	Infrastructure	6 T	1,780,000.00	1,725,904.32	1,725,904.32			1.00	
	9050	Building	6 B N		4,735,053.19			4,735,053.19		1.00
	9050	Building	6 T		4,735,053.19			4,735,053.19		1.00
	9001	Real Property	5 T	1,780,000.00	6,460,957.51	1,725,904.32		4,735,053.19	.27	.73
	9000	Capital Outlay	4 T	1,780,000.00	6,460,957.51	1,725,904.32		4,735,053.19	.27	.73
	2000	Expenses	3 T	1,965,000.00	6,965,000.00	2,106,007.36	123,438.45	4,735,554.19	.32	.68
C01345		NEW LANDS SHPNG CENTER-PHASE I				2,106,007.36	123,438.45	2,229,445.81-		
		Total:	1 T			2,106,007.36	123,438.45	2,229,445.81-		

**23<sup>rd</sup> NAVAJO NATION COUNCIL**

Third Year 2017

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

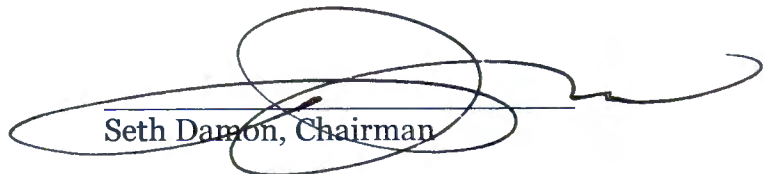
**NAVAJO LEGISLATIVE BILL # 0381-17:**

An Action relating to Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$1,415,388.00 for the Nahatadzil Shopping Center Project; Waiving 12 N.N.C. § 820 (I) and 860 (C) relating to the Capital Improvement Process *Sponsored by Raymond Smith Jr., and Lee Jack, Sr., Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Not Pass** without amendment.

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,

  
Seth Damon, Chairman

Adopted: \_\_\_\_\_  
Legislative Advisor

Not Adopted:   
Legislative Advisor

**10 October 2017**

The vote was **0** in favor **3** opposed  
Motion: Tom T. Chee  
Second: Leonard Tsosie



**23<sup>rd</sup> NAVAJO NATION COUNCIL**  
**Naabik'íyáti' Committee**  
**Third Year 2017**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

**NAVAJO LEGISLATIVE BILL # 0381-17**

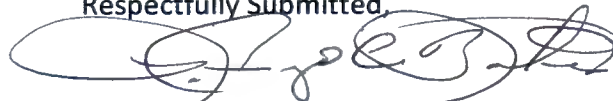
An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'íyáti' Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$1,415,388.00 for the Nahatadziil Shopping Center Project; Waiving 12 N.N.C. §§ 820 (I) and 860 (C) Relating to the Capital Improvement Process

*Sponsored by: Honorable Raymond Smith, Jr.*

*Co-Sponsored by: Honorable Lee Jack, Sr.*

Has had it under consideration and reports the same was **PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL**

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'LoRenzo C. Bates', written over a horizontal line.

*Honorable LoRenzo C. Bates, Chairman*  
*Naabik'íyáti' Committee*

**16 OCTOBER 2017**

**MAIN MOTION:**

*Motioned by: Honorable Lee Jack, Sr.*

*Seconded by: Honorable Davis Filfred*

*Vote: 13 in Favor, 01 Opposed (Chairman Bates not voting)*

# NAVAJO NATION

RCS# 630

Naa'bik'iyati Committee

10/16/2017

09:37:20 AM

Amd# to Amd#

Legislation No. 0381-17

PASSED

MOT Jack

Approving Supp Funding from

SEC Filfred

UUFB \$1,415,388.00 for the

Nahatadziil Shopping Center

**Yea : 13**

**Nay : 1**

**Not Voting : 8**

## Yea : 13

Begay, K

Brown

Hale

Slim

Begay, S

Chee

Jack

Smith

BeGaye, N

Filfred

Pete

Witherspoon

Bennett

## Nay : 1

Damon

## Not Voting : 8

Bates

Daniels

Shepherd

Tsosie

Begay, NM

Perry

Tso

Yazzie

Crotty

Phelps