

LEGISLATIVE SUMMARY SHEET

Tracking No. 1329-19

DATE: November 7, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT FUNDING AND FUNDING YEAR FOR SAWMILL CHAPTER

PURPOSE: The purpose of this resolution is approve a change in project funding and funding year for Sawmill Chapter as approved in CAP-35-18.

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: 33
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Eligible for Action: 11/13/19

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24TH NAVAJO NATION COUNCIL—First Year, 2019

3 INTRODUCED BY

4 
5
6 Primary Sponsor

7 TRACKING NO. 0329-19
8

9 AN ACTION

10 RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND
11 FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN
12 RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT
13 FUNDING AND FUNDING YEAR FOR SAWMILL CHAPTER
14

15 BE IT ENACTED:
16

17 **Section One. Authority**

- 18 1. The Resources and Development Committee exercises authority over chapters of
19 the Navajo Nation. 2 N.N.C. § 501(C)(1).
20 2. The Budget and Finance Committee of the Navajo Nation Council exercises
21 authority over budgeting, appropriation, investment and management of all funds.
22 2 N.N.C. § 301 (B)(2).
23 3. Council Resolution CAP-35-18 provides, “[a] chapter project, powerline, or
24 waterline project may be changed, including the year funded, or added to Exhibits
25 A through E with the concurrence of the Delegate representing the chapter’s
26 Council District and the approvals of the Resources and Development Committee
27 and Budget and Finance Committee, as long as such project has been certified as
28 construction-ready by CPMD or NTUA and the total Sihasin Funding for the
29 District does not exceed \$4,166,666.67.” **Exhibit 1**, Section Four, Paragraph C.
30

1 **Section Two. Findings**

- 2 A. The Navajo Nation Council adopted Council Resolution CAP-35-18, “Adopting the
3 Sihasin 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, which is attached as **Exhibit 1**.
7 B. Sawmill Chapter submitted a CAP-35-18 Project Change Form, which is attached as
8 **Exhibit 2**. For reference, the Sawmill Chapter projects are included in **Exhibit 1**,
9 Exhibit D, Projects 57 and 58.
10 C. Sawmill Chapter submitted a chapter resolution, which is included in **Exhibit 3**,
11 indicating its support for this request.
12 D. Sawmill Chapter requests to change the approved projects in CAP-35-19 to delete
13 \$100,000 from year one funding in project D-57 for bathroom additions to add \$100,000
14 in project in year two funding in project D-58 for chapter renovations.

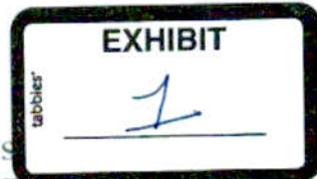
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16 **Section Three. Approval**

17 The Navajo Nation hereby approves the project changes requested by Sawmill Chapter
18 in accordance with **Exhibit 2**.



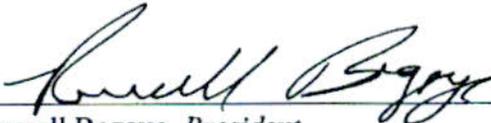
THE NAVAJO NATION

RUSSELL BEGAYE PRES
JONATHAN NEZ VICE PRESIDENT



MEMORANDUM

TO: Honorable LoRenzo Bates, Speaker
Navajo Nation Council

FROM: 
Russell Begaye, *President*
THE NAVAJO NATION

DATE: May 7, 2018

SUBJECT: Resolution No. CAP-35-18: RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SISHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18 AND 12 N.N.C. 2501-2508, AS AMENDED; WAIVING 12 N.N.C. 810 (F), 820(I) AND (M) AND 860(C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

Pursuant to 2 N.N.C. 1005 (C)(10), action for Resolution No. CAP-35-18 is being submitted to the Navajo Nation Council, through the Office of the Speaker within the ten (10) days requirement. Furthermore, the Navajo Nation President has line item veto authority for budget items within the Supplemental Appropriations, which are not subject to override by the Navajo Nation Council. 2 N.N.C. 164 (A)(17).

After review of Resolution No. CAP-35-18, I hereby exercise my line-veto to:

1. Section Three. Approval and Adoption of Expenditure Plan.
2. Section Four. Approval and Adoption of Expenditure Plan Administration.
3. EXHIBIT D. SISHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

After consultation with the impacted Divisions, I have decided to exercise my line-item veto authority. The justification and details for use of the President's line-item veto is set forth below.

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

First, the 110 Chapters have millions in unexpended dollars and should expend these funds for the many uses and projects on this Sihasin project listing. There are still many people that need water and electricity and these dollars should be priority for these funds. Second, the two projects vetoed are Bureau of Indian Affairs (BIA) projects and should remain under the BIA funding. Third, I support these appropriations as they also fulfill our four (4) pillars for Veterans, Youth and Elders, Jobs and Infrastructure.

I am pleased to sign this legislation into law as it will stimulate our economy by creating much needed jobs and bringing in infrastructure for our People.

Therefore, I will exercise my line-item veto authority to only two (2) items.

RESOLUTION OF THE
NAVAJO NATION COUNCIL23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SÍHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18, AND 12 N.N.C §§ 2501 - 2508, AS AMENDED; WAIVING 12 N.N.C. §§ 810 (F), 820 (I) AND (M) AND 860 (C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

BE IT ENACTED:

Section One. Authority

- A. The Health Education and Human Services Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving health, social services, education, general governmental services and human services. 2 N.N.C. §400 (C) (1).
- B. The Resource Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communications and utilities, information technology, chapter activities, economic and community development, rights-of-way, public utilities and housing. 2 N.N.C. § 500 (C).
- 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 and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. §§ 301 (B) (2) and (5).
- D. The Naabik'iyáti' 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).
- E. The Naabik'iyáti' Committee additionally has the authority to delegate its authority as appropriate for efficiency and streamlining of government process to appropriate entities

and to establish a subcommittee that consists of committee members which the committee selects. 2 N.N.C. §§ 186 and 701 (B). The Naabik'iyáti' Committee adopted NABIAP-20-15 establishing the Naabik'iyáti' Síhasin Fund Subcommittee to "recommend to the Naabik'iyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund]".

- F. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

Section Two. Findings

- A. On November 1, 2006, the 20th Navajo Nation Council unanimously passed Resolution No. CN-57-06 authorizing the Navajo Nation Attorney General to file a lawsuit against the United States for the alleged breach of its fiduciary duties to the Nation arising under treaties, executive orders, public laws, statutes, regulations and contracts due to its mismanagement of the Nation's tribal trust assets, including tribal trust funds and select tribal resources, specifically excluding water and assets held in trust for individual Navajo members. Resolution No. CN-57-06 was signed into law by the President of the Navajo Nation on November 13, 2006.
- B. On September 26, 2013, the Naabik'iyáti' Committee of the Navajo Nation Council passed NABIS-42-13 creating a Trust Mismanagement Litigation Task Force ("Task Force"), composed of Council Delegates, from each agency and each standing committee, as well as Presidential appointees, to assist and consult with the Navajo Nation Office of the Attorney General, Department of Justice, outside legal counsel and the Office of the Navajo Nation President & Vice-President in evaluating whether any proposals put forth by the United States to settle the lawsuit, *Navajo Nation v. United States*, No. 06-945L, (United States Court of Federal Claims) were in the best interests of the Nation.
- C. On May 16, 2014, the United States made a settlement offer that was acceptable to the Nation's Attorney General, outside legal counsel, the Task Force and the Office of the President & Vice-President as being in the best interests of the Navajo Nation and on May 30, 2014, the 22nd Navajo

Nation Council adopted Resolution No. CMY-28-14 accepting a settlement of the Navajo Nation's lawsuit, *Navajo Nation v. United States*, No. 06-945L, against the United States for its historical mismanagement of the tribe's trust assets and its failure to ensure that the Navajo Nation received all funds due and owed under the United States' trust obligations and fiduciary duties. Resolution No. CMY-28-14 was signed into law by the President of the Navajo Nation on June 4, 2014.

- D. The 22nd Navajo Nation Council recognized that during the many decades that the United States was in breach of its trust obligations and fiduciary duties to the Nation and engaged in the mismanagement of the Nation's tribal trust assets and resources, the tribal government was without sufficient funds to provide basic services and amenities to the Diné of past generations. The tribal government was also without funds to develop an infrastructure within the four sacred mountains that would support the growth and development of opportunities crucial for the prosperity of future generations of Diné. See Resolution No. CMY-28-14.
- E. Between October 6, 2014 and November 8, 2014, the Office of the Speaker held seven (7) Public Hearings, as directed by the Navajo Nation Council's Naabik'iyati' Committee, to receive input from Navajo Nation members on how the net proceeds from *Navajo Nation v. United States* should be used. During that same time period, the Office of the President & Vice-President also held five (5) town hall meetings for a similar purpose.
- F. On December 13, 2014, in the best interests of the Nation and consistent with the collective wishes expressed by its members, the 22nd Navajo Nation Council adopted Resolution No. CD-68-14 enacting the Navajo Nation Breach of Trust Settlement Act of 2014 (hereinafter "2014 Act") and establishing the Navajo Nation Sihasin Fund at 12 N.N.C. § 2501 et seq. The President of the Navajo Nation signed Resolution No. CD-68-14 into law on December 31, 2014.
- G. On January 31, 2018, the 23rd Navajo Nation Council adopted Resolution No. CJA-03-18 enacting amendments to CD-68-14 clarifying the intent of the 22nd Navajo Nation Council, including that Sihasin Fund infrastructure projects were not to be limited by 12 N.N.C. § 1310(F) (Navajo Nation Bond Financing Act) or by TDCJY-77-99 (Capital Improvement Projects Guidelines Policies and Procedures).

Resolution No. CJA-03-18 was signed into law by the President of the Navajo Nation on February 8, 2018.

- H. The 2014 Act, as amended by CJA-03-18, mandates that the net proceeds and earnings thereon received by the Navajo Nation from the settlement of *Navajo Nation v. United States*, No. 06-945L, be deposited into the Síhasin Fund and managed and invested to provide financial support and/or financing for (1) the planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation; and/or (2) education opportunities for members of the Navajo Nation. See 12 N.N.C § 2501 and § 2502 (A), as amended.
- I. The 2014 Act, as amended, also established that "leveraging of the [Síhasin] Fund by way of guaranteeing loans, match funding, direct funding in part and other weighted uses of the Fund, including loan financing from the Fund for the purposes in § 2502 (A)(1), shall be favored over direct funding in whole". 12 N.N.C § 2502 (C), as amended.
- J. The 2014 Act further established that with the exception of outstanding and accrued litigation costs, Síhasin Fund Principal and Income shall only be expended pursuant to a Fund Expenditure Plan consistent with the purposes set forth in the 2014 Act, as amended, at 12 N.N.C. §2502 and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council. See 12 N.N.C. § 2505 (A).
- K. On April 9, 2015, the Naabik'iyáti' Committee adopted NABIAP-20-15 establishing the Naabik'iyáti' Síhasin Fund Subcommittee to "recommend to the Naabik'iyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund]".
- L. Between April 2015 and March 2018, the Subcommittee, assisted by the Office of Legislative Services, Office of the Speaker, Office of Legislative Counsel and outside legal counsel, met on more than thirty (30) occasions in either work sessions or official meetings to review and evaluate comments and recommendations from the Navajo

- People; hear proposals from Navajo Nation entities, Chapters, programs and officials; and develop expenditure plan(s) for the Síhasin Fund Principal and Income consistent with the purposes set forth in the 2014 Act, as amended.
- M. After reviewing the comments and recommendations submitted during the Public Hearings and town hall meetings, as well as the reports and comments made during Síhasin Fund Subcommittee meetings, the Subcommittee determined that powerline projects and Chapter capital and economic development projects were a high priority for Navajo communities and that the funding of such projects would afford Navajo communities the opportunity to start and complete local projects currently stalled by the lack of sufficient funds, apply for additional state and federal funds requiring an identified match, as well as support CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, spur economic development at the local level and provide amenities to Navajo communities.
- N. In November of 2017, the Subcommittee issued a directive to the Speaker of the Navajo Nation Council to develop a nationwide powerline projects expenditure plan combining Undesignated Unreserved Fund Balance ("UUFB") and Síhasin Funds to total one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts equaling \$4,166,666.67 per District. On February 15, 2018, the Navajo Nation Council issued a further directive to the Speaker to have his staff meet with Navajo Nation Council Delegates and the Chapters they represent to develop a nationwide powerline and chapter projects expenditure plan for one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts with the Síhasin Fund as the intended funding source.
- O. Between March 5, 2018 and March 16, 2018, Office of the Speaker staff, contract legal counsel, Captial Projects Management Department ("CPMD") staff, and Navajo Tribal Utilities Authority ("NTUA") staff, met twice with each Council Delegate and their Chapter representatives, including but not limited to Chapter Officials, Chapter Managers and Community Service Coordinators, to review each District's proposed projects for (1) compliance with the 2014 Act's, as amended, purpose of "the planning and development of economic development and regional

infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; and (2) readiness status, e.g., project ready, construction ready or shovel ready, as applied by CPMD.

- P. Powerline, economic development and infrastructure projects were proposed at the March meetings including, but not limited to, Head Start facilities, senior and veteran centers, and road improvements. A listing of the proposed projects, including match and contribution funding, is included on attached **Exhibits A through E**.
- Q. To ensure that Sihasin Funds are not prematurely withdrawn and continue to earn investment earnings for as long as possible, CPMD, with the assistance of the Office of the Speaker and NTUA, compiled the proposed projects into nationwide three-year funding plans, i.e., Chapter Projects, NTUA Powerlines, Non-NTUA Powerlines, and Waterlines, attached as **Exhibits A through E**, based on individual project readiness status.
- R. On March 23, 2018, contract legal counsel and CPMD updated the Sihasin Subcommittee on the Office of the Speaker's efforts to develop the powerline and Chapter projects expenditure plan, including the identification of almost twenty million dollars (\$20,000,000.00) in already secured project matching funds.
- S. During the update to the Sihasin Subcommittee, the following accountability and implementation measures were discussed:
1. Due to their experience and expertise, as well as economies of scale, the funding and responsibility for implementing Chapter projects and Non-NTUA Powerline projects should be allocated to CPMD with a template in place, e.g., Memorandum of Agreement or other form of grant agreement, for CPMD to transfer the project funds and responsibilities to Local Governance Act Certified Chapters at their request;
 2. Due to their experience and expertise, as well as community need to lock-in project pricing, the funding

and responsibility for NTUA Powerline and waterline projects should be allocated directly to NTUA;

3. If the funding for NTUA Powerline and Waterline projects is disbursed directly to NTUA and the funding for Chapter and non-NTUA Powerline projects is disbursed directly to CPMD, the funding for projects at Chapters sanctioned pursuant to 12 N.N.C. § 9 should not be subject to § 9 (B)'s ten percent (10%) withholding;
 4. All of the proposed projects were vetted by CPMD and NTUA, respectively, for project readiness before being apportioned into the three-year plans based on project readiness status; therefore, if the funding for a project is not spent or encumbered within twenty-four (24) months of distribution, the project funds should revert to the Sihasin Fund; and
 5. To support expeditious administration and implementation of the more than two hundred (200) Chapter projects, CPMD operations should be supplemented with administrative costs.
- T. In addition, during the District meetings with Delegates and their Chapter officials and community representatives to select and vet powerline and Chapter projects, concerns were raised that the President's line-item veto of even a single project would disrupt the equal distribution of funds among the Districts, as well as, negate local choice in project selection and impair Chapter and community efforts to procure additional matching funds from federal and state sources.
- U. The Navajo Nation Council finds that the Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, meets the purposes of the 2014 Act, as amended, i.e., "the planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; as well as the leveraging preference criteria of the 2014 Act, as Sihasin Funds will only fund a portion of the overall total cost of the projects with at least \$19,440,279.45, as

set forth on **Exhibits A through E**, of projects' costs covered by other Navajo Nation funds or federal, state or private entities through match funding, joint funding, contribution funding, cost-share funding or similar arrangements and agreements.

- V. The Navajo Nation Council also finds that the proposed Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, supports community choice and addresses CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, provide economic development at the local level and provide amenities to Navajo communities.
- W. The Navajo Nation Council hereby determines that allocating Sihasin Funds to implement the Powerline and Chapter Projects Expenditure Plan, as set forth in **Exhibits A through E**, fits within the priorities established under the July 20, 2015 One Nation, One Voice Navajo Nation Three Branch Agreement and that it is in the best interests of the Navajo Nation, as well as in the best interests of community development, the expansion of infrastructure(s) on the Navajo Nation, economic development at the local level and the provision of amenities to Navajo communities, to adopt the Sihasin Fund Powerline and Chapter Projects Expenditure Plan, attached as **Exhibits A through E**.

Section Three. Approval and Adoption of Expenditure Plan

- A. The Navajo Nation hereby approves and adopts the Sihasin Fund Powerline and Chapter Projects Expenditure Plan, attached and incorporated herein as **Exhibits A through E**.
- B. The Navajo Nation hereby approves and adopts total funding from the Sihasin Fund in the amount of one hundred million six hundred thousand dollars (\$100,600,000.00) with \$18,696,787.92 allocated to Navajo Tribal Utility Authority ("NTUA") for powerline projects; \$4,242,192.99 allocated to NTUA for waterline projects; \$74,076,413.86 allocated to Capital Projects Management Department ("CPMD") for Chapter projects; \$3,584,605.24 allocated to CPMD for Non-NTUA powerline projects; as summarized in **Exhibit A**, to implement the Sihasin Fund Powerline and Chapter Projects Expenditure Plan as follows:
1. Year 1: The distribution of \$42,294,332.87 of Sihasin Funds in Navajo Nation Fiscal Year 2018 allocated as

follows: \$2,866,370.94 to NTUA for the first year of NTUA Powerline projects, as set forth in **Exhibit B**; \$560,557.00 to NTUA for the first year of Waterline projects, as set forth in **Exhibit E**; \$37,423,205.14 to CPMD for the first year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,444,199.79 to CPMD for the first year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

2. Year 2: The distribution of \$46,203,956.06 of Síhasin Funds in Navajo Nation Fiscal Year 2019 allocated as follows: \$12,154,756.58 to NTUA for the second year of NTUA Powerline projects, as set forth in **Exhibit B**; \$1,068,666.66 to NTUA for the second year of Waterline projects, as set forth in **Exhibit E**; \$31,124,968.21 to CPMD for the second year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,855,564.61 to CPMD for the second year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.
3. Year 3: The distribution of \$12,101,711.08 of Síhasin Funds in Navajo Nation Fiscal Year 2020 allocated as follows: \$3,675,660.40 to NTUA for the third year of NTUA Powerline projects, as set forth in **Exhibit B**; \$2,612,969.33 to NTUA for the third year of Waterline projects, as set forth in **Exhibit E**; \$5,528,240.51 to CPMD for the third year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$284,840.84 to CPMD for the third year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

C. The Síhasin Funds allocated for the Síhasin Fund Powerline and Chapter Projects Expenditure Plan may be further leveraged by the Navajo Nation through bond or loan financing pursuant to the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 et seq., as amended, using Síhasin Fund Earnings for repayment and financing costs upon the recommendation of the Budget & Finance Committee and approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

Section Four. Approval and Adoption of Expenditure Plan Administration

- A. The Navajo Nation hereby approves administration of the Sihasin Fund Powerline and Chapter Projects Expenditure Plan as follows:
1. The Navajo Nation Controller shall determine whether the source(s) of the annual distributions of the \$100,600,000.00 will be Sihasin Fund Principal or Income or a combination of both;
 2. **NTUA Powerline and Waterline Projects.** The annual distributions for NTUA Powerline and Waterline Projects, as set forth in **Exhibits B and E**, shall be released to NTUA through Grant Agreement(s), executed pursuant to 2 N.N.C. §164 (B), as amended, as follows:
 - a. The First Year (Fiscal Year 2018) distributions shall be released to NTUA by no later than the end of Navajo Nation Fiscal Year 2018;
 - b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions shall be released to NTUA by no later than the end of the first quarter of the respective Navajo Nation Fiscal Year;
 - c. NTUA shall not require the Navajo Nation, including its Chapters, nor Navajo individuals, to contribute more funding to complete any project listed in **Exhibits B and E**, regardless of year funded;
 - d. Any individual Powerline or Waterline project funds that are not spent or encumbered within twenty-four (24) months of distribution to NTUA shall be returned to the Sihasin Fund; and
 - e. NTUA shall account for the Sihasin Funds spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
 3. **Chapter and Non-NTUA Powerline Projects.** The annual distributions for Chapter and Non-NTUA Powerline Projects, as set forth in **Exhibits C and D**, shall be released to CPMD as follows:

- a. The First Year (Fiscal Year 2018) distributions, including administration costs, shall be released to CPMD by no later than the end of the third quarter of Navajo Nation Fiscal Year 2018;
- b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions, including administration costs, shall be released to CPMD by the end of the first quarter of the respective Navajo Nation Fiscal Year;
- c. Annual distributions to CPMD for administration costs shall not lapse on an annual basis pursuant to 12 N.N.C. §820 (N) or otherwise be returned to or deposited in the Síhasin Fund principal or Navajo Nation General Fund until such time as all Chapter Projects listed on Exhibit C are fully completed;
- d. 12 N.N.C. § 9 (B) is hereby waived and individual Chapter and non-NTUA Powerline Projects implemented and administered by CPMD shall not be subject to 12 N.N.C. § 9 (B)'s ten percent (10%) withholding;
- e. Individual Chapter and non-NTUA Powerline Projects shall be implemented and administered by CPMD consistent with the Navajo Nation Budget Instruction Manual, as amended, unless inconsistent with other provisions of this resolution;
- f. If requested, CPMD may transfer individual Chapter Project funds, accountability, and responsibility to a Local Governance Act ("LGA") Certified Chapter pursuant to a Memorandum of Agreement or other form of grant agreement executed pursuant to 2 N.N.C. § 164 (B), as amended;
- g. Any individual Chapter or non-NTUA Powerline Project funds that are not spent or encumbered within twenty-four (24) months of distribution to CPMD or transfer to a LGA Certified Chapter shall be returned to the Síhasin Fund;

- h. With the exception of project funds and responsibilities transferred to LGA Certified Chapters, CPMD shall account for the Sihasin Funds spent and such accounting or expenditure report shall be included as part of the Executive Branch's quarterly program report submitted to the Resources and Development Committee; and
- i. LGA Certified Chapters that have been granted Sihasin Fund project funds and responsibilities, shall account for the money spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
- B. NTUA, CPMD and LGA Certified Chapters shall have the authority to enter into match, funding, partnership, cooperative and other cost saving or cost sharing arrangements or leveraging agreements with Navajo Nation entities and enterprises, Navajo Nation Chapters and other political subdivisions, other Navajo Nation programs and federal and state agencies and such agreements shall not be deemed procurement contracts subject to the Navajo Nation Procurement Act, 12 N.N.C. §§ 301 - 371 or Navajo Business Opportunity Act 5 N.N.C. §§ 201 - 215.
1. Notwithstanding the above, all Chapters, working in conjunction with NTUA and/or CPMD, shall have the continuing responsibility to identify ways to further leverage the allocated Sihasin Funds;
 2. NTUA and CPMD shall each present an annual leveraging report to the Resource & Development Committee and Budget & Finance Committee during the first quarter of each Navajo Nation Fiscal Year identifying the efforts and success of Chapter(s) in securing additional matching or contribution funding; and
 3. With the approval of the Resources & Development Committee, any project costs saved or reduced through leveraging or otherwise shall be available for expenditure on any other project within the respective Chapter deemed construction-ready by CPMD; if there are no construction-ready projects within the respective Chapter, then, with the approval of the

Resources & Development Committee, the saved or reduced costs shall be available for expenditure on any other project within the respective District.

- C. 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 Síhasin Funding for the District does not exceed \$4,166,666.67.
- D. NTUA, CPMD and LGA Certified Chapters shall report the status of the Síhasin Funds allocated or transferred to them to implement the Powerline and Chapter Projects Expenditure Plan, specifically including the use and status of the Síhasin Funds and the status of projects for which they are responsible, to the Resources & Development, Budget & Finance and Naabik'iyáti' Committees and Office of the President & Vice-President on a quarterly basis.

Section Five. Waiving Navajo Nation Code Provisions Regarding the Capital Budget and Capital Improvement Process Effective Date

Notwithstanding that Síhasin Fund projects are specifically not subject to the Capital Improvement Projects Guidelines Policies and Procedures set forth by TCDCJY-77-99, the Navajo Nation hereby waives the application of 12 N.N.C. § 810 (F), §§ 820 (I) and (M) and § 860 (C) regarding the Capital Budget and Improvement processes to the Powerline and Chapter Projects Expenditure Plan.

Section Six. Effective Date

The Síhasin Fund Powerline and Chapter Projects Expenditure Plan, as set forth above, shall become effective pursuant to 12 N.N.C. § 2505.

Section Seven. Directives

- A. All Navajo Nation programs, specifically including, but not limited to, the Office of Controller, Office of Management & Budget, CPMD, and Chapters, as well as NTUA, shall take all steps necessary to expeditiously implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan.

- B. All Navajo Nation programs, as well as NTUA, named in this legislation shall be held accountable for the progress of tasks under their responsibility and control and shall participate in work group meetings, if any, necessary to expeditiously implement the Sihasin Fund Powerline and Chapter Projects Expenditure Plan.
- C. Office of Legislative Services will adjust all figures throughout the legislation and exhibits to reflect amendment totals, with the concurrence of the sponsor. The Navajo Nation directs the Office of Legislative Services to recalculate the final monetary totals such that the figures conform to the amendments passed by the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 21 in favor and 00 opposed, on this 17th day of April 2018.



LoRenzo C. Bates, Speaker
Navajo Nation Council

4-27-18

Date

Motion: Honorable Seth Damon
Second: Honorable Steven Begay

Speaker Bates not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(10), on this _____ day of _____ 2018.

Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2018 for reason(s) expressed in the attached letter to the Speaker

Russell Begaye, President
Navajo Nation

3. I hereby exercise line item veto pursuant to the 2010, certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this 7th day of May 2018.



Russell Begaye, President
Navajo Nation

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN
(COVER SHEET)**

EXHIBIT: A

NUMBER OF PROJECT FOLDERS

CAPITAL PROJECTS	\$ 74,076,413.86	182
NTUA POWERLINE PROJECTS	\$ 18,696,787.92	29
NON-NTUA PROJECTS	\$ 3,584,605.24	9
NTUA WATERLINE PROJECTS	\$ 4,242,192.99	9
SUBTOTAL	\$ 100,600,000.01	
SIHAASIN APPROPRIATION	\$ 100,600,000.00	229
	\$ (0.01) <i>(Rounding Error)</i>	

	YEAR 1	YEAR 2	YEAR 3	MATCHING FUNDS
CAPITAL PROJECTS				
NTUA POWERLINE PROJECTS	\$37,423,205.14	\$31,124,968.21	\$5,528,240.51	\$17,842,593.31
NON-NTUA PROJECTS	\$2,866,370.94	\$12,154,756.58	\$3,675,660.40	\$540,156.79
NTUA WATERLINE PROJECTS	\$1,444,199.79	\$1,855,564.61	\$284,840.84	\$3,913,859.66
	\$560,557.00	\$1,068,666.66	\$2,612,969.33	\$15,110,777.71
	\$42,294,332.87	\$46,203,956.06	\$12,101,711.08	\$37,407,387.47

**EXHIBIT:
B**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(NTUA POWERLINES)**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Many Farms	Powerline Phase II	Design/Construction	18-24 months	\$37,432.20	\$227,567.80	\$0.00	\$0.00	\$265,000.00
2	Tselani/ Cottonwood	Powerline Ext. Ph I, II, & Scattered	ROW/Pre-Design	18-24 months	\$0.00	\$265,000.00	\$0.00	\$0.00	\$265,000.00
3	Tsalle/ Wheatfields	Rural Electrification Project Horseshoe Canyon Powerline Ext.	ROW/Pre-Design	18-24 months	\$0.00	\$191,493.75	\$0.00	\$0.00	\$191,493.75
4	Sawmill	Powerline ext.	Pre-Design	12 months	\$120,000.00	\$0.00	\$0.00	\$0.00	\$120,000.00
5	Dennehorto	Scattered Powerline Project	Design/Construction	18-24 months	\$40,031.25	\$418,220.75	\$0.00	\$0.00	\$458,252.00
6	Chilchinbeto	Powerline-Assayt-2nd phase	Design/Construction	18-24 months	\$115,000.00	\$1,071,765.53	\$0.00	\$20,000.00	\$1,186,765.53
7	Oljato	Powerline Project	Design/Construction	24-36 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
8	Navajo Mountain	Powerline Project	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
9	Shonto	Powerline	Design/Construction	24-36 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
10	Inscription House	Powerline Extension	Design/Construction	24-36 months	\$0.00	\$0.00	\$661,666.68	\$0.00	\$661,666.68
11	Tecnospos	Powerline -North Phase 3	Design/Construction	18-24 months	\$0.00	\$2,233,813.51	\$0.00	\$0.00	\$2,233,813.51
12	Mexican Water	3-Phase Powerline	Construction	18-24 months	\$0.00	\$1,634,047.00	\$0.00	\$0.00	\$1,634,047.00
13	Indian Wells	Salt Seep Powerline -	Design/Construction	18-24 months	\$40,000.00	\$0.00	\$0.00	\$0.00	\$40,000.00
14	Whitecone	Powerline Scattered	Design/Construction	18-24 months	\$70,000.00	\$0.00	\$164,333.49	\$0.00	\$234,333.49
15	Teesto	Teesto Scattered Powerline	Design/Construction	18-24 months	\$0.00	\$332,273.00	\$0.00	\$45,927.86	\$332,273.00
16	Dilkon	John Draw Powerline Project	Pre-Design	18-24 months	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00
17	Leupp	Powerline Project-Grandfalls	Design/Construction	12-18 months	\$0.00	\$733,333.00	\$0.00	\$352,237.50	\$733,333.00

**EXHIBIT:
B**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(NTUA POWERLINES)**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
18	Birdsprings	Powerline Ext. Phase III	Design-Construction	18-24 months	\$84,105.00	\$649,228.00	\$0.00	\$0.00	\$733,333.00
19	Kindahlchii	Single-Phase Powerline Ext.	Design/Construction	18-24 months	\$0.00	\$371,729.00	\$0.00	\$0.00	\$371,729.00
20	Kindahlchii	Powerline (Upper WS Ext.)	Design/Construction	18 months	\$0.00	\$366,873.00	\$0.00	\$0.00	\$366,873.00
21	Coppermine	IV P/L Project	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
22	Kalibeto	Poweline Project	Design/Construction	18-24 months	\$219,157.50	\$460,812.50	\$0.00	\$0.00	\$680,000.00
23	LeChee	Powerline Project	Construction	16 months	\$92,006.25	\$0.00	\$924,660.25	\$0.00	\$1,016,666.50
24	Klagnetoh	Salt Springs Powerline	Design/Construction	36 months	\$39,643.15	\$421,709.06	\$0.00	\$0.00	\$461,352.21
25	Lupton	Powerline	Pre-Design	37 months	\$6,036.07	\$89,074.42	\$0.00	\$49,110.49	\$95,110.49
26	Houck	Powerline	Design/Construction	12-18 months	\$80,000.00	\$273,278.00	\$0.00	\$69,056.25	\$353,278.00
27	Wide Ruins	Boggy Lake/Tanner Springs	Design/Construction	24-36 months	\$200,000.00	\$634,538.26	\$0.00	\$0.00	\$834,538.26
28	Pifon	Scattered Powerline Project	Design Construction	12-18 months	\$0.00	\$180,000.00	\$0.00	\$0.00	\$180,000.00
29	Black Mesa	Powerline	Pre-Design/ Design/Construction	24 months	\$1,472,929.52	\$0.00	\$0.00	\$227,606.25	\$1,472,929.52
					\$2,866,370.94	\$12,154,756.58	\$3,675,660.40	GRAND TOTAL	\$18,696,787.92

EXHIBIT:
C

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(NON-NTUA POWERLINES)**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Alamo	Powerline/Waterline	Construction	6 months	\$694,444.44	\$694,444.45	\$0.00	\$0.00	\$1,388,888.89
2	TseLichil	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 305,393.00	\$0.00	\$50,000.00	\$305,393.00
3	Manuelito	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 397,580.00	\$0.00	\$50,000.00	\$397,580.00
4	Chichiltah	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 337,520.00	\$0.00	\$250,000.00	\$337,520.00
5	Ojo Encino	Eagle Spring Powerline Extension Project	Design/Construction	6 months	\$0.00	\$120,627.16	\$0.00	\$30,156.79	\$120,627.16
6	Pueblo Pintado	Badger Springs Powerline Ext.	Construction	24 months	\$0.00	\$0.00	\$ 284,840.84	\$0.00	\$284,840.84
7	Baca-Prewitt	Powerline Extension	Construction	6 months	\$160,000.00	\$0.00	\$0.00	\$0.00	\$160,000.00
8	Whitehorse	Powerline Extension	Construction	12 months	\$133,884.48	\$0.00	\$0.00	\$0.00	\$133,884.48
9	Counselor	Powerline Extension	Construction	13 months	\$455,870.87	\$0.00	\$0.00	\$0.00	\$455,870.87
					\$1,444,199.79	\$1,855,564.61	\$284,840.84	GRAND TOTAL	\$3,584,605.24

EXHIBIT:
D

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Newcomb	Helipad	Design/Construction	18-24 months	\$100,000.00	\$339,637.00	\$0.00	\$75,000.00	\$439,637.00
2	Newcomb	Sr. Center Renovation	Plan/Construction	6-8 months	\$228,189.00	\$0.00	\$0.00	\$0.00	\$228,189.00
3	Hogback	New Chapter House	Design/Construction	8-16 months	\$150,018.78	\$593,100.00	\$0.00	\$0.00	\$743,118.78
4	Burnham	Community Center	Design/Construction	18-24 months	\$300,000.00	\$383,500.00	\$0.00	\$0.00	\$683,500.00
5	San Juan	Multi-Purpose Site Improvement Project	Plan/Design/Construction	24 months	\$150,000.00	\$533,333.00	\$0.00	\$0.00	\$683,333.00
6	Upper Fruitland	Renovation Walter Collins Multi-Purpose Bldg	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
7	Nemahnezaad	Senior Center	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
8	Nazini	Head Start Facility	Design/Construction	24 months	\$0.00	\$1,980,000.00	\$0.00	\$60,000.00	\$1,980,000.00
9	Low Mountain	New Chapter House	Design/Construction	24 months	\$0.00	\$596,666.66	\$0.00	\$0.00	\$596,666.66
10	Blue Gap/Tachee	Market Study	Construction	12-18 mths	\$0.00	\$530,000.00	\$0.00	\$150,000.00	\$530,000.00
11	Many Farms	Chapter Renovation	Planning	24-36 months	\$0.00	\$265,000.00	\$0.00	\$20,000.00	\$265,000.00
12	Remah	Road Improvement	Design/Construction	24-36 months	\$0.00	\$1,388,888.89	\$0.00	\$20,000.00	\$1,388,888.89
13	Tohajilee	New Chapter Tractor	Design/Construction	36 months	\$1,388,888.89	\$0.00	\$0.00	\$353,000.00	\$1,388,888.89
14	Coyote Canyon	Senior Center Van	New Equipment	2-4 mths	\$50,000.00	\$0.00	\$0.00	\$9,000.00	\$50,000.00
15	Coyote Canyon	Senior Center Van	New Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00
16	Coyote Canyon	New Chapter Truck & Flatbed	New Equipment	2-4 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
17	Coyote Canyon	New Warehouse	Other Tribal Facilities	10-12 months	\$0.00	\$38,563.00	\$0.00	\$72,756.00	\$38,563.00
18	Coyote Canyon	Senior Citizen Center	Senior Center Building	10-12 months	\$109,000.00	\$0.00	\$0.00	\$520,000.00	\$109,000.00
19	Coyote Canyon	Parking Lot w/Landscape	Design/Construction	12 months	\$0.00	\$119,455.00	\$0.00	\$0.00	\$119,455.00
20	Coyote Canyon	Bathroom Addition	Design/Construction	12 months	\$126,315.33	\$0.00	\$0.00	\$11,311.00	\$126,315.33
21	Coyote Canyon	Ny6 Chip Seal	Design/Construction	10-12 months	\$250,000.00	\$0.00	\$0.00	\$75,864.00	\$250,000.00
22	Bahastlah (Twin Lakes)	Caterpillar 420 F3 4WD Backhoe Loader	Major Equipment	2-4 months	\$143,000.00	\$0.00	\$0.00	\$52,620.00	\$143,000.00
23	Bahastlah (Twin Lakes)	Massey Ferguson 2706E	Major Equipment	2-4 months	\$55,000.00	\$0.00	\$0.00	\$12,000.00	\$55,000.00

**EXHIBIT:
D**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
24	Bahastlah (Twin Lakes)	Caterpillar 140M3 AWD Motor Grader	Major Equipment	2-4 months	\$238,091.16	\$0.00	\$0.00	\$20,000.00	\$238,091.16
25	Bahastlah (Twin Lakes)	New Warehouse	Design/Construction	8-12 months	\$0.00	\$328,242.33	\$0.00	\$0.00	\$328,242.33
26	Bahastlah (Twin Lakes)	Road Maintenance	Design/Construction	8-12 months	\$0.00	\$69,000.00	\$0.00	\$35,000.00	\$69,000.00
27	Naschitti	New Chapter Truck	Major Equipment	2-4 months	\$73,333.33	\$0.00	\$0.00	\$0.00	\$73,333.33
28	Naschitti	New Warehouse	Design/Construction	12 months	\$0.00	\$376,000.00	\$0.00	\$36,000.00	\$376,000.00
29	Naschitti	966M XE Wheel Loader	Major Equipment	2-4 months	\$331,000.00	\$0.00	\$0.00	\$0.00	\$331,000.00
30	Naschitti	Backhoe	Major Equipment	2-4 months	\$103,000.00	\$0.00	\$0.00	\$0.00	\$103,000.00
31	Naschitti	Cemetery Expansion Project	Design/Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
32	Mexican Springs	Deer Springs Road	Design/Construction	12-18 months	\$667,000.00	\$0.00	\$0.00	\$0.00	\$667,000.00
33	Mexican Springs	Road Maintenance, Culverts & Bridges	Design/Construction	12-18 months	\$121,333.34	\$0.00	\$0.00	\$0.00	\$121,333.34
34	Mexican Springs	Massey Ferguson 2706E Road Improvement-Apache Cty. 590	Major Equipment	2-4 months	\$45,000.00	\$0.00	\$0.00	\$0.00	\$45,000.00
35	Round Rock	Road Improvement-Apache Cty. 590	Pre-Design/Design	18-24 months	\$50,000.00	\$60,000.00	\$228,533.94	\$0.00	\$338,533.94
36	Round Rock	Road Improvement-Apache Co. 492	Design/Construction	18-24 months	\$50,000.00	\$60,000.00	\$351,153.69	\$0.00	\$461,153.69
37	Round Rock	Signage Proposal	Design/Construction	6-8 months	\$33,198.50	\$0.00	\$0.00	\$0.00	\$33,198.50
38	Tsalle/Wheatfields	Fencing of Tract	Design/Construction	6-8 months	\$220,000.00	\$0.00	\$0.00	\$0.00	\$220,000.00
39	Tsalle/Wheatfields	Senior Center Rehabilitation of Facility	Design/Construction	6-8 months	\$0.00	\$48,255.00	\$319,000.00	\$0.00	\$367,255.00
40	Tsalle/Wheatfields	Cemetery	Design/Construction	6-8 months	\$20,032.12	\$0.00	\$0.00	\$0.00	\$20,032.12
41	Tsalle/Wheatfields	Chapter Tract Master Plan	Design/Construction	18-24 months	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00
42	Rock Point	BIA Road Route 8070	Design/Construction	12-16 months	\$46,100.00	\$143,250.00	\$643,983.00	\$0.00	\$833,333.00
43	Rough Rock	Senior Center	Construction	12 months	\$245,333.33	\$0.00	\$0.00	\$0.00	\$245,333.33
44	Lukachukai	Chapter Fencing	Design/Construction	12-18 months	\$482,903.33	\$0.00	\$0.00	\$20,000.00	\$482,903.33
45	Lukachukai	Chapter Agriculture Building	Construction	6-8 months	\$0.00	\$70,000.00	\$0.00	\$0.00	\$70,000.00
46	Lukachukai	Chapter Equipment	Major Equipment	4-6 months	\$144,000.00	\$0.00	\$0.00	\$0.00	\$144,000.00
47	Lukachukai	Chapter Equipment Manlift	Major Equipment	6-8 months	\$39,500.00	\$0.00	\$0.00	\$0.00	\$39,500.00

EXHIBIT:
D

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
48	Lukachukai	Chapter Senior Center	Construction	12 months	\$86,427.00	\$0.00	\$0.00	\$0.00	\$86,427.00
49	Lukachukai	Chapter Welding Machinery	Major Equipment	6-8 months	\$7,000.00	\$0.00	\$0.00	\$0.00	\$7,000.00
50	Lukachukai	Chapter Roping Box	Major Equipment	6-8 months	\$3,503.00	\$0.00	\$0.00	\$0.00	\$3,503.00
51	Crystal	Fire Suppression System	Construction	6-12 months	\$876,000.00	\$0.00	\$0.00	\$285,000.00	\$876,000.00
52	Fort Defiance	Solar Street Lights	Construction	12 months	\$0.00	\$972,025.00	\$0.00	\$283,503.00	\$972,025.00
53	Fort Defiance	Street Rehabilitation	Design/Construction	24 months	\$69,641.67	\$0.00	\$0.00	\$0.00	\$69,641.67
54	Red Lake	Utility System Upgrade	Design/Construction	1-6 months	\$70,000.00	\$0.00	\$0.00	\$0.00	\$70,000.00
55	Red Lake	Street Improvement	Design/Construction	1-6 months	\$100,000.00	\$250,000.00	\$300,000.00	\$0.00	\$650,000.00
56	Red Lake	Chapter Complex	Plan/Design/Construction		\$0.00	\$0.00	\$321,666.67	\$0.00	\$321,666.67
57	Sawmill	Bathroom Additions	Construction	12 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
58	Sawmill	Renovate Chapter House	Construction	6 months	\$250,000.00	\$250,000.00	\$0.00	\$0.00	\$500,000.00
59	Sawmill	N7 Road Rehab	Design	6 months	\$271,666.67	\$0.00	\$0.00	\$0.00	\$271,666.67
60	Dennehotso	Transfer Station	Design/Construction	24 months	\$40,000.00	\$100,000.00	\$0.00	\$0.00	\$140,000.00
61	Dennehotso	Veterans Park	Construction	36 months	\$0.00	\$225,000.00	\$0.00	\$7,000.00	\$225,000.00
62	Dennehotso	Warehouse	Construction	12 months	\$0.00	\$162,025.82	\$0.00	\$20,000.00	\$162,025.82
63	Kayenta	Diversion Dam Rehabilitation Project	Design/Construction	24-36 months	\$0.00	\$1,344,633.31	\$0.00	\$455,000.00	\$1,344,633.31
64	Kayenta	Multi-Purpose Building	Plan/Design/Construction	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
65	Chilchinbeto	Multi-Purpose Building	Plan/Design/Construction	24 months	\$300,000.00	\$0.00	\$0.00	\$0.00	\$300,000.00
66	Shiprock	Chapter Renovation	Design/Construction	12 months	\$50,000.00	\$400,000.00	\$0.00	\$0.00	\$450,000.00
67	Shiprock	Senior Center	Construction	12 months	\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00
68	Shiprock	Elderly Care Site	Planning	8 months	\$7,000.00	\$0.00	\$0.00	\$0.00	\$7,000.00
69	Shiprock	Wellness Center	Design/Construction	12 months	\$0.00	\$200,000.00	\$0.00	\$0.00	\$200,000.00
70	Shiprock	Former BIA Compound Utility Hook-Up/Restroom Renovations	Testing/Planning Construction	24 months 8 months	\$350,000.00 \$60,000.00	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$350,000.00 \$60,000.00
71	Shiprock	River Trail & Community Park	Construction	9 months	\$56,000.00	\$0.00	\$0.00	\$0.00	\$56,000.00
72	Shiprock	15 Secure Land Designation	Planning	24 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
73	Shiprock	Rural Addressing	Construction	12 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
74	Shiprock	Roads-Indian Village	Major Equipment	12 months	\$318,000.00	\$0.00	\$0.00	\$0.00	\$318,000.00
75	Shiprock	South Side Incident Command Center	Construction	24 months	\$1,000,000.00	\$0.00	\$0.00	\$0.00	\$1,000,000.00
76	Shiprock								

EXHIBIT:
D

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
77	Shiprock	New Traffic Lights	Construction	12 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
78	Shiprock	Shiprock Cemetery	Plan/Design/Construction	12 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
79	Shiprock	Plan/Design 36 acre Tract	Plan/Design/Construction	24 months	\$85,000.00	\$0.00	\$0.00	\$0.00	\$85,000.00
80	Shiprock	Visitor Center	Plan/Design	12 months	\$360,666.66	\$0.00	\$0.00	\$0.00	\$360,666.66
81	Shiprock	Widening San Francisco Peak Blvd.	Plan/Design	12 months	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00
82	Beclabito	Beclabito Road Project N5113	Design/Construction	24-36 months	\$0.00	\$0.00	\$615,000.00	\$0.00	\$615,000.00
83	Cove	Cove Senior Center	Construction	8-12 months	\$255,704.00	\$0.00	\$0.00	\$0.00	\$255,704.00
84	Cove	Cove Veterans Pavilion	Planning/Design	10-12 months	\$0.00	\$130,000.00	\$0.00	\$8,000.00	\$130,000.00
85	Gadlahl	Gaddi ahil/ Tokoi Infrastructure New Development	Design/Construction	10-12 months	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00
86	Red Valley	Transfer Station	Design/Construction	24-36 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
87	Sheep Springs	Multi-Purpose Building	Construction	8-12 months	\$682,629.66	\$0.00	\$0.00	\$240,000.00	\$682,629.66
88	Two Grey Hills/Toadiena	ROW Mtg	Pre-Design	8-12 months	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00
89	Tse Alnaoat'li	5010 Road Design	Design	24-36 months	\$75,000.00	\$0.00	\$0.00	\$0.00	\$75,000.00
90	Beclabito	Fiber Optic - Broadband Agriculture - Watershed Study	Planning/Design	12-18 months	\$708,333.00	\$0.00	\$0.00	\$0.00	\$708,333.00
91	Cove	New Senior Center	Planning/Design	12-18 months	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00
92	Tse'Lichil	Chapter Renovation	Design/Construction	12-24 months	\$0.00	\$1,600,000.00	\$0.00	\$400,000.00	\$1,600,000.00
93	Tsayatoh	Pine Haven Road	Design/Construction	12-16 months	\$0.00	\$500,000.00	\$0.00	\$100,000.00	\$500,000.00
94	Baahaaji	Senior Center (Renov./Addition)	Design/Construction	18-24 months	\$0.00	\$600,000.00	\$0.00	\$655,000.00	\$600,000.00
95	Baahaaji	Solid Waste Transfer Station	Design/Construction	8-12 months	\$150,000.00	\$0.00	\$0.00	\$450,000.00	\$550,000.00
96	Rock Springs	Multi-Purpose Building	Pre-Design	20-24 months	\$0.00	\$276,173.66	\$0.00	\$450,000.00	\$276,173.66
97	Inscription House	House Wiring	Design/Construction	24-36 months	\$0.00	\$0.00	\$330,000.00	\$0.00	\$330,000.00
98	Inscription House	Chapter House Renovation	Design/Construction	24-36 months	\$0.00	\$50,000.00	\$0.00	\$0.00	\$50,000.00
99	Red Mesa	New Chapter House	Design/Construction	12 months	\$238,249.15	\$0.00	\$0.00	\$0.00	\$238,249.15
100	St. Michael's	Chapter Major Renovation	Construction	10-14 mths	\$2,083,333.33	\$0.00	\$0.00	\$53,409.00	\$2,083,333.33
101	Oaksprings	Chapter Major Renovation	Design/Construction	24 months	\$1,000,000.00	\$1,083,333.33	\$0.00	\$10,000.00	\$2,083,333.33

**EXHIBIT:
D**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
102	Gressewood Springs	Master Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	\$400,000.00	\$433,333.33	\$0.00	\$0.00	\$833,333.33
103	Dillon	Multi Purpose Complex Chapter Tract Infrastructure Upgrade	Planning	12 months	\$333,333.33	\$0.00	\$0.00	\$120,000.00	\$333,333.33
104	Dillon	Chapter Tract Infrastructure Upgrade	Plan/Design	12 months	\$0.00	\$275,000.00	\$0.00	\$0.00	\$275,000.00
105	Indian Wells	HVAC Unit	Major Equipment	4-6 months	\$25,000.00	\$0.00	\$0.00	\$66,000.00	\$25,000.00
106	Indian Wells	Senior Center Facility Repairs	Planning	12 months	\$265,000.00	\$279,393.67	\$0.00	\$0.00	\$544,393.67
107	Indian Wells	10 Commercial Site Development	Planning	18-24 months	\$200,000.00	\$0.00	\$0.00	\$678,000.00	\$200,000.00
108	Whitecone	Road Improvement	Design/Construction	18-24 months	\$194,000.00	\$0.00	\$0.00	\$0.00	\$194,000.00
109	Whitecone	JW2 - Master Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	\$66,000.00	\$0.00	\$0.00	\$0.00	\$66,000.00
110	Whitecone	Motor Grader	Major Equipment	6-8 months	\$339,000.00	\$0.00	\$0.00	\$0.00	\$339,000.00
111	Teesto	Community Center	Design/Construction	18-24 months	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00
112	Standing Rock	Iseliati Head Start	Construction	8-12 months	\$3,269,616.66	\$0.00	\$0.00	\$125,000.00	\$3,269,616.66
113	Whiterock	Chapter Renovation	Design/Construction	6-8 months	\$500,000.00	\$0.00	\$0.00	\$359,476.65	\$500,000.00
114	Huerfano	Senior Center	Design/Construction	8-12 months	\$0.00	\$397,050.00	\$0.00	\$53,261.00	\$397,050.00
115	Chinle	N7 Solar Street Light	Pre-Design, Design/Construction	24 months	\$50,000.00	\$1,735,534.45	\$0.00	\$0.00	\$1,785,534.45
116	Chinle	Del Muerto Headstart Improvement	Construction	12 months	\$0.00	\$0.00	\$301,496.21	\$0.00	\$301,496.21
117	Cameron	Cultural Center	Pre-Design	24 months	\$250,000.00	\$250,000.00	\$133,333.00	\$0.00	\$633,333.00
118	Cameron	Demonstration Farm	Planning	18-24 months	\$100,001.66	\$0.00	\$0.00	\$0.00	\$100,001.66
119	Coalmine	Chapter House Building Repair	Renovation	12-18 months	\$200,000.00	\$533,333.00	\$0.00	\$20,000.00	\$733,333.00
120	Birdsprings/Leupp	Commercial Farm Project	Planning	24 months	\$250,000.00	\$200,000.00	\$50,000.00	\$0.00	\$500,000.00
121	Tolani Lake	New Senior Center Replacement	Design/Construction	18-24 months	\$0.00	\$733,333.00	\$0.00	\$0.00	\$733,333.00
122	Cornfields	Community Veterans Cemetery	Design/Construction	12 months	\$66,333.33	\$0.00	\$0.00	\$0.00	\$66,333.33
123	Cornfields	Deer Point Development	Pre-Design	24-36 months	\$0.00	\$0.00	\$300,000.00	\$0.00	\$300,000.00

EXHIBIT:
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**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
124	Cornfields	Sunrise Low Water Crossing (Road)	Pre-Design	26-36 months	\$0.00	\$266,000.00	\$0.00	\$0.00	\$266,000.00
125	Cornfields	Rural Address LRAC E-911	Design/Construction	12 months	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
126	Cornfields	Backhoe Purchase	Purchase	6 months	\$40,000.00	\$0.00	\$0.00	\$25,000.00	\$40,000.00
127	Cornfields	Green House	Design/Construction	12 months	\$1,000.00	\$0.00	\$0.00	\$1,000.00	\$1,000.00
128	Kindaiichii	Chapter House Parking Lot	Design/Construction	12-24 months	\$94,731.32	\$0.00	\$0.00	\$0.00	\$94,731.32
129	Jeddito	Backhoe Purchase	Major Equipment	6 months	\$107,064.66	\$0.00	\$0.00	\$0.00	\$107,064.66
130	Jeddito	Bathroom Addition (Goldwater Loop)	Design/Construction	18-24 months	\$0.00	\$363,134.33	\$0.00	\$0.00	\$363,134.33
131	Jeddito	Bathroom Addition (Upper Highland) Sittling Rk)	Design/Construction	18-24 months	\$0.00	\$363,134.34	\$0.00	\$0.00	\$363,134.34
132	Steamboat	Old Chapter Renovation (Stone Bldg.)	Construction	8-12 months	\$220,000.00	\$0.00	\$0.00	\$0.00	\$220,000.00
133	Steamboat	Chapter Building Renovation	Design/Construction	18-24 months	\$0.00	\$0.00	\$400,000.00	\$50,000.00	\$400,000.00
134	Steamboat	Chapter Warehouse	Design/Construction	18-24 months	\$0.00	\$213,333.33	\$0.00	\$25,000.00	\$213,333.33
135	Canado	Senior Center Building	Design/Construction	18-24 months	\$0.00	\$833,333.34	\$0.00	\$0.00	\$833,333.34
136	Coppermine	Backhoe	Major Equipment	4-6 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
137	Coppermine	Multipurpose Building	Pre-Design	18-24 months	\$0.00	\$0.00	\$200,000.00	\$0.00	\$200,000.00
138	Coppermine	Western Navajo Pipeline, Fireflow, Storage Tank	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
139	Kaibeto	Kaibeto Design Infrastructure	Design/Construction	18-24 months	\$0.00	\$370,000.00	\$0.00	\$0.00	\$370,000.00
140	Tonalea	Government Building	Construction	8-12 months	\$1,050,000.00	\$0.00	\$0.00	\$0.00	\$1,050,000.00
141	Klagetoh	Head Start Project	Pre-Design	8-12 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
142	Lupton	Basketball Court Development	Pre-Design	12 months	\$0.00	\$53,795.00	\$0.00	\$0.00	\$53,795.00
143	Lupton	Cemetery	Pre-Design	13 months	\$0.00	\$0.00	\$100,000.00	\$0.00	\$100,000.00
144	Lupton	Warehouse Renovation	Pre-Design	14 months	\$68,795.00	\$0.00	\$0.00	\$0.00	\$68,795.00

**EXHIBIT:
D**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
145	Lupton	Housewiring	Construction	15 months	\$0.00	\$13,000.00	\$0.00	\$0.00	\$13,000.00
146	Lupton	Road Improvement	Pre-Design	16 months	\$0.00	\$0.00	\$75,040.00	\$0.00	\$75,040.00
147	Nahatadzil	Shopping Center	Construction	12-18 months	\$1,265,035.70	\$0.00	\$0.00	\$7,200,000.00	\$1,265,035.70
148	Houck	Bathroom Additions	Design/Construction	18-24 months	\$60,000.00	\$255,000.00	\$0.00	\$0.00	\$315,000.00
149	Houck	Cemetery	Plan/Design/Construction	18-24 months	\$46,722.00	\$0.00	\$0.00	\$0.00	\$46,722.00
150	Houck	9402 Road Improvement	Plan/Design	18-24 months	\$85,000.00	\$0.00	\$0.00	\$0.00	\$85,000.00
151	Tuba City	Senior Center	Design/Construction	18-24 months	\$1,400,000.00	\$2,766,666.66	\$0.00	\$370,000.00	\$4,166,666.66
152	Casamero Lake	McKinley County Rd.19 Construction Project	Construction	24 months	\$2,811,443.31	\$0.00	\$0.00	\$0.00	\$2,811,443.31
153	Baca-Prewitt	Backhoe	Major Equipment	4-6 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
154	Baca-Prewitt	New Warehouse	Pre-Design	12-18 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
155	Hardrock	Senior Center Facility Repairs	Design/Construction	24 months	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00
156	Hardrock	ADA	Design/Construction	24 months	\$0.00	\$60,000.00	\$0.00	\$0.00	\$60,000.00
157	Hardrock	Walk-in Shower	Design/Construction	24 months	\$52,269.00	\$0.00	\$0.00	\$0.00	\$52,269.00
158	Hardrock	HVAC Unit	Design/Construction	24 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
159	Hardrock	Vehicle	Major Equipment	24 months	\$74,886.00	\$0.00	\$0.00	\$0.00	\$74,886.00

**EXHIBIT:
D**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
160	Hardrock	Wellness Equipment	Major Equipment	24 months	\$44,940.00	\$0.00	\$0.00	\$0.00	\$44,940.00
161	Piflon	Chapter Communication Systems Upgrade	Major Equipment	10 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
162	Piflon	Chapter House Perimeter Fencing	Construction	6 months	\$21,660.00	\$0.00	\$0.00	\$0.00	\$21,660.00
163	Piflon	Clearances for Withdrawal of Land for Community	Pre-Design	12-18 months	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
164	Piflon	Chapter Vehicle w/ Metal 1000 gal. Water Tank	Major Equipment	2-4 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
165	Piflon	Chapter Vehicle	Major Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
166	Piflon	Rural Addressing	Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
167	Piflon	Housewiring/Bathroom Additions	Construction	12 months	\$25,000.00	\$0.00	\$0.00	\$0.00	\$25,000.00
168	Piflon	Housewiring/Bathroom Additions	Construction	12 months	\$23,648.14	\$0.00	\$0.00	\$0.00	\$23,648.14
169	Piflon	N8030 Road Project	Design/Construction	24 months	\$0.00	\$0.00	\$66,394.00	\$0.00	\$66,394.00
170	Piflon	Dzilyijin Public Safety Utility	Planning	18 months	\$0.00	\$0.00	\$400,000.00	\$0.00	\$400,000.00
171	Piflon	Dzilyijin College Land Withdrawal	Planning	24 months	\$0.00	\$0.00	\$83,000.00	\$0.00	\$83,000.00
172	Forest Lake	Senior Center (Renov./Addition)	Design/Construction	24 months	\$500,000.00	\$0.00	\$0.00	\$50,000.00	\$500,000.00
173	Whippoorwill Springs	Renovation-Sr. Center, Warehouse, Admin. Building	Design/Construction	24 months	\$450,000.00	\$0.00	\$0.00	\$0.00	\$450,000.00
174	Iyanbito	Garden & Community Project	Pre-Design	4-6 months	\$0.00	\$10,000.00	\$97,700.00	\$0.00	\$107,700.00
175	Iyanbito	Head Start Project	Pre-Design	8-10 months	\$0.00	\$576,744.44	\$0.00	\$238,528.00	\$576,744.44

**EXHIBIT:
D**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
176	Iyanbito	Veterans Building	Pre-Design	6-8 months	\$0.00	\$0.00	\$10,000.00	\$0.00	\$10,000.00
177	Thoreau	Veterans Building	Design/Construction	12-18 months	\$0.00	\$694,444.00	\$0.00	\$700,000.00	\$694,444.00
178	Mariano Lake	Multi-Purpose Building	Construction	8-12 months	\$391,044.90	\$0.00	\$0.00	\$291,255.66	\$391,044.90
179	Mariano Lake	Lake House Wiring	Construction	6-8 months	\$303,400.00	\$0.00	\$0.00	\$0.00	\$303,400.00
180	Pinedale	Veterans Building	Construction	8-12 months	\$694,444.44	\$0.00	\$0.00	\$96,609.00	\$694,444.44
181	Smithlake	Bay/Shop Building	Construction	6-10 months	\$694,444.44	\$0.00	\$0.00	\$0.00	\$694,444.44
182	Churchrock	Multi-Purpose Building	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
***	Window Rock	Administrative Funds	***	***	\$200,000.00	\$200,000.00	\$200,000.00		\$600,000.00
					\$37,423,205.14	\$31,124,968.21	\$5,528,240.51	GRAND TOTAL	\$74,076,413.86

**EXHIBIT:
E**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(WATERLINES)**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Tselani/ Cottonwood	Waterline	Construction	18-24 months	\$0.00	\$265,000.00	\$0.00	\$0.00	\$265,000.00
2	Rough Rock	Low Water project	Design/ Construction	16-24 months	\$0.00	\$588,000.00	\$0.00	\$0.00	\$588,000.00
3	Tohatchi	Waterline	Plan/ Design/ Construction	36 months	\$200,000.00	\$0.00	\$633,333.33	\$25,000.00	\$833,333.33
4	Crystal	Green Knoll/Split Mesa Waterline and Water Storage	Plan/ Design/Construction	36 months	\$100,000.00	\$65,666.66	\$0.00	\$0.00	\$165,666.66
5	Shiprock	Waterline Extension/Updates	Pre-Design (ROW, Survey, Assessment)	36 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
6	Tolikan	Water line extension	Plan/ Design/ Construction	24 months	\$60,557.00	\$0.00	\$0.00	\$5,000.00	\$60,557.00
7	Chinle	Waterline-SpiderRock Phase 2.5	Plan/ Design/ Construction	24 months	\$50,000.00	\$0.00	\$1,379,636.00	\$0.00	\$1,429,636.00
8	Chinle	Water Well-Construction	Design/ Construction	36 months	\$50,000.00	\$0.00	\$600,000.00	\$0.00	\$650,000.00
9	Cornfields	Waterline	Pre-Design (ROW)	24 months	\$0.00	\$150,000.00	\$0.00	\$0.00	\$150,000.00
					\$560,557.00	\$1,068,666.66	\$2,612,969.33	\$0.00	\$4,242,192.99

RCS# 1069

NAVAJO NATION

4/17/2018

Spring Session

11:53:07 PM

Amd# to Amd#

Legislation 0116-18:

PASSED

MOT Damon

Adopting the Sihasin Fund

SEC Begay, S

Powerline and Chapter Projects

Expenditure Plan Pursuant...

Yea : 21

Nay : 0

Excused : 0

Not Voting : 3

Yea : 21

Begay, K

Chee

Hale

Slim

Begay, NM

Crotty

Jack

Smith

Begay, S

Damon

Perry

Tso

BeGaye, N

Daniels

Pete

Witherspoon

Bennett

Filfred

Phelps

Yazzie

Brown

Nay : 0

Excused : 0

Not Voting : 3

Bates

Tsosie

Shepherd



CAPITAL PROJECTS MANAGEMENT DEPARTMENT
SIHASIN PROJECT AMENDMENT CERTIFICATION
 CAP-35-18

I. PROJECT DETAILS
 PROJECT NAME: Sawmill Chapter Renovation DATE SUBMITTED: November 4, 2019
 PROJECT TYPE: Renovation REFERENCE NUMBER: 12
 ORIGINAL DATE APPROVED: _____

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			TOTAL FUNDING	FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3		
D-57	Bathroom Additions	\$150,000.00			\$50,000.00	Delete
D-58	Renovate Chapter House	\$250,000.00	\$350,000.00		\$600,000.00	Add
TOTAL (X) INCREASED / () DECREASED FUNDING:					\$650,000.00	

Acknowledgement of Project Amendment: PRINTED NAME: _____ SIGNATURE: Wilson C. Stewart Jr. DATE: 11-4-2019
 Navajo Nation Council Delegate _____

III. REASON FOR AMENDMENT
 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.
 4. Add language to legislation "EXHIBIT D" Funding Use/Year.

IV. CERTIFICATION FOR PROJECT AMENDMENT [] INCOMPLETE [] PROJECT READY [] CONSTRUCTION READY
 PRINTED NAME: Benjamin Cochran SIGNATURE: [Signature] DATE: 11/5/19
James Adaka SIGNATURE: [Signature] DATE: 11/5/19
 CPMD Project Manager
 CPMD Department Manager



SAWMILL CHAPTER RESOLUTION SAW-08-2019-12-01 (A)

RESPECTFULLY REQUESTING RESOURCES & DEVELOPMENT COMMITTEE (RDC) AND THE BUDGET & FINANCE COMMITTEE (BFC) TO APPROVE A CHANGE IN FUNDING YEAR IN RESOLUTION CAP-35-18 FROM YEAR THREE (3) TO YEAR TWO (2) FOR THE DISTRIBUTION OF FUNDS IN THE AMOUNT OF \$100,000 FOR THE RENOVATION OF THE CHAPTER HOUSE

WHEREAS:

1. Sawmill Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and
2. Pursuant to 2 N.N.C. #500(A) and (C)(7) and #501(C)(1), the Resources and Development Committee (RDC) was established as a Standing Committee of the Navajo Nation Council with the responsibility to establish rules, regulations and policies to streamline procedures for approval, management, and enforcement to enhance the development of the economy and increase development on the Navajo Nation and is the Oversight Committee of the Division of Community Development, Administrative Services Centers, and the 110 chapter ; and
3. On May 07, 2018, the 23rd Navajo Nation Council passed resolution CAP-35-18, the Sihasin Fund Powerline and Chapter Projects Expenditure Plan, which combined the Undesignated Unreserved Fund Balance and Shiasin Fund totaling \$100,000,000.00 that was divided equally amongst the twenty-four (24) Council Delegate District equaling \$4,1666,666.67 per district; and
4. By CAP-35-18, the Sihasin Fund Chapter Projects Expenditure Plan, \$150,000.00 was approved and allocated for Bathroom Addition Project, and
5. All required documents to request a "change in the funding year" are hereby attached.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Sawmill Chapter respectfully requests Resources & Development Committee (RDC) and the Budget & Finance Committee (BFC) to approve a change in funding year in Resolution CAP-35-18 from year three (3) to year two (2) in the amount of \$100,000.00 for Bathroom Addition Projects.

SAW-OCT-18-081: RESPECTFULLY REQUESTING RESOURCES & DEVELOPMENT COMMITTEE (RDC) AND THE BUDGET & FINANCE COMMITTEE (BFC) TO APPROVE A CHANGE IN FUNDING YEAR IN RESOLUTION CAP-35-18 FROM YEAR THREE (3) TO YEAR TWO (2) FOR THE DISTRIBUTION OF FUNDS IN THE AMOUNT OF \$100,000.00 WHILE KEEPING \$50,000.00 FOR FOR THE BATHROOM ADDITION PROJECTS

CERTIFICATION

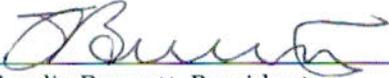
I hereby certify that the foregoing resolution was considered at a duly called chapter meeting at Sawmill, (Navajo Nation), Arizona, at which a quorum was present and that same was passed by a vote of 22 in favor, 0 opposed, and 4 abstained on this 10 day of August 2019.

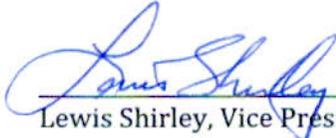
Sawmill Chapter

P.O. Box 1786, Ft. Defiance, AZ, 86504
ph: (928)729-4433/4432 fax: (928)729-4435

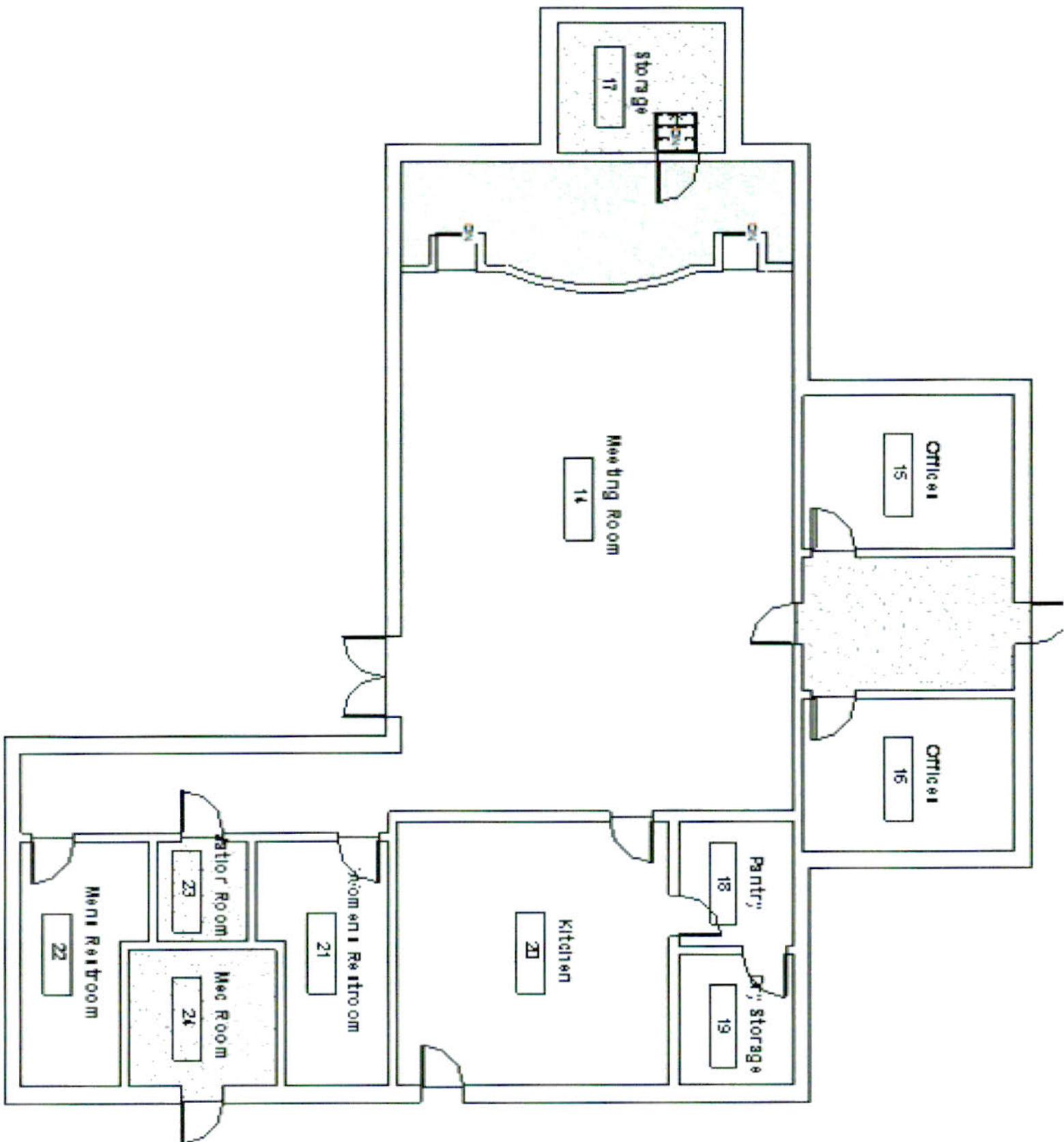
Motioned by:

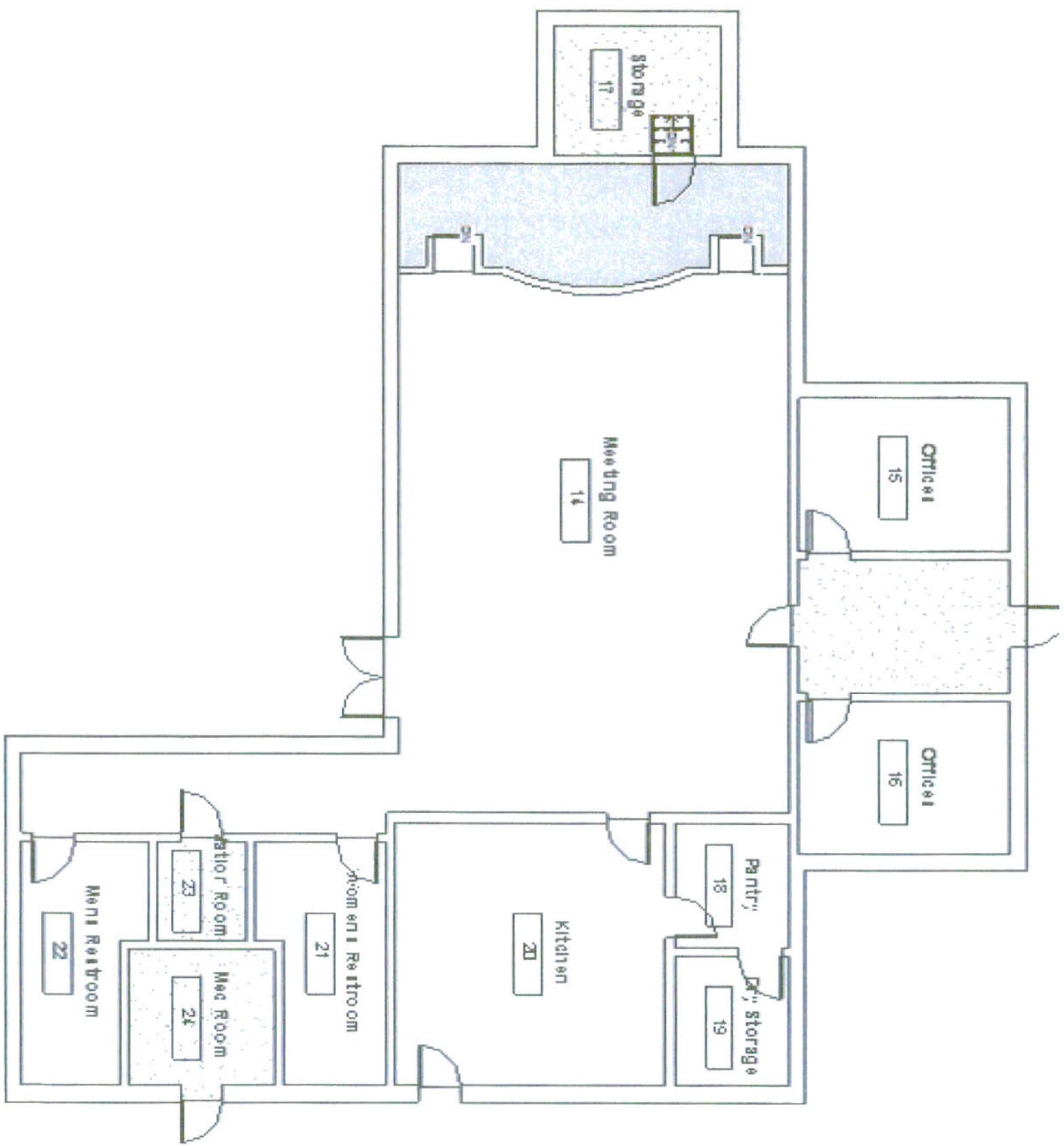
Seconded by:


Woodie Bennett, President


Lewis Shirley, Vice President


Laurita Begay, Secretary/Treasurer





SAWMILL CHAPTER RENOVATION PROJECT
DESIGN- A&E RFQ

SAWMILL CHAPTER RENOVATION AND DESIGN PROJECT
REQUEST FOR QUALIFICATIONS (RFQ)

PROPOSAL DUE DATE: September 12, 2019 AT 4:00 PM MDST

PROJECT DESCRIPTION: RFQ 2019-02_Sawmill Chapter Renovation
Building Design Project- A&E Services

CONTACT PERSON(S): Andy Thomas, Project Manager
Phone Number: (928) 871-6739
Email Address: andy_thomas@nndcd.org

Shawn Livingston, Community Services
Coordinator
Phone Number: (928) 729-4436
Email Address: slivingston@navajochapters.org

DELIVER TO: Navajo Nation Capital Project Management
Department
Attention: Andy Thomas, Project Manager
Administration Building No. Two (2)
Window Rock Blvd.
Window Rock, Arizona 86515

MAIL TO: Capital Project Management Department
Attention: Edward Preston
P.O. Box 1510
Window Rock, Arizona 86515

RETURN ALL PROPOSALS CLEARLY MARKED:

**“DO NOT OPEN—RFQ #2019 SAWMILL CHAPTER RENOVATION
BUILDING DESIGN PROJECT- A/E SERVICES”**

The Sawmill Chapter reserves the right to reject any or all proposals and to waive any informality in the proposals received whenever such rejection or waiver is in the best interest of the Sawmill Chapter.

SAWMILL CHAPTER RENOVATION PROJECT
DESIGN- A&E RFQ

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SAWMILL CHAPTER RENOVATION PROJECT
DESIGN- A&E RFQ

I. INTRODUCTION

A. PURPOSE OF PROPOSAL AND SUMMARY SCOPE OF WORK

The Sawmill Chapter is requesting statement of qualifications and proposals for full professional Architect driven Architectural/Engineering (A/E) services for Major Renovation of the existing chapter building, a Navajo Nation community Chapter building in Sawmill, AZ. This scope of work will include the development of the Construction Documents (CD) development; specifications and bidding documents for the construction of a major Chapter Renovation; bidding assistance; and Construction Administration (CA). Specific objectives and other important design considerations are described further in Section IV-Detailed Scope of Work. All potential offerors are encouraged to review this Request For Qualifications (RFQ) carefully, especially for the mandatory requirements.

B. LEAD AGENCY CONTACT

Any inquiries or requests regarding the "procurement" should be submitted to the Lead Agency's Architect or the Project Manager listed below. Inquiries and requests made to other staff will not be responded to.

Mr. Edward Preston, Navajo Nation Architect
Capital Project Management Department
P.O. Box 1510
Window Rock, AZ 86515

Telephone: (928) 871.6739
Email: edward_preston@nndcd.org
andy_thomas@nndcd.org
slivingston@navajochapters.org

Any inquiries or requests regarding the (RFQ) scope or the procedures should be submitted in writing to the designated Project Manager listed below. All responses will ONLY be accepted in writing via email and will be distributed to all potential offerors who receive a copy of this (RFQ).

Mr. Andy Thomas, Project Manager
Capital Project Management Department
P.O. Box 1510
Window Rock, AZ 86515

Telephone: (928) 871.6739
Email: andy_thomas@nndcd.org

SAWMILL CHAPTER RENOVATION PROJECT
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C. DEFINITION OF TERMINOLOGY

This paragraph contains definitions that are used throughout the Request for Request for Qualifications (RFQ), including appropriate abbreviations.

“Award of Contract” shall mean a formal written notice by the Contracting Officer.

“Contract” means an agreement between the Navajo Nation Chapter and a licensed firm for the work covered by this RFQ, which directs a contractor (consultant) to deliver items of services.

“Contractor” shall mean successful Offeror.

“Contracting Officer” means the contracting agent for Capital Projects Management Office or designated representative thereof.

“Department” means authorized office to administer project is Community Planning and Development of the Navajo Nation Chapter also identified as the Program Manager/Chapter Manager.

“Desirable” means the terms “may”, “can”, “should”, “preferably”, or “prefers” identifies a desirable or a discretionary item or factor for the Department to determine.

“Determination” means the written documentation of a decision of the Program Manager/Project Manager including findings of fact required supporting a decision. A determination becomes part of the procurement file to which it pertains.

“Division” means the Division of Community Development

“Evaluation Committee Report” means a report prepared by the Project Manager, in coordination with the Chapter Manager, and the Selection Committee for contract award that contains all written determination resulting from the conduct of a procurement requiring the evaluation of statement of qualifications sealed proposals.

“Finalist” is defined as an offeror who meets all mandatory specifications of the RFQ. Based on scores of the evaluation factors is sufficiently high to qualify the offeror for further consideration by the Selection Committee.

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“Mandatory” the items “must”, “shall”, “will”, “is required”, identify a mandatory item or factor. Failure to meet a mandatory item or factor will result in the rejection of the offerors statement of qualifications and proposal, without exception.

“Offeror” is any person, corporation, or partnership that chooses to submit a statement of qualifications and proposal.

“Owner” is synonymous with the Navajo Nation Sawmill Chapter and/or Navajo Nation.

“Program Manager” means the person who is not the User/Sponsor, but who coordinates on behalf of the Department on pre-planning a project, and assists the User/Sponsor in completion of all Pre-Procurement Activities (PPAs)

“Pre-Procurement Activities” or “PPAs” means all activities, clearances, etc., which must be completed before a construction project can be procured.

“Project Manager” means the person or designee authorized by the Department and User/Sponsor to plan, and coordinate the project from the point of developing the scope of work, coordinating the evaluation of statement of qualifications, and providing other assistance as needed to the User/Sponsor and the Program Manager.

“Request for Qualifications” or “RFQ” means all documents, including those attached or incorporated by reference, used for soliciting proposals.

“Responsible Offeror” means an offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that his financial resources, production or service reputation and experience are adequate to make satisfactory delivery of the services or item of tangible personal property described in the proposal.

“Responsive Offeror” or “Responsive Proposal” means an offer or proposal, which conforms in all material, respects to the requirements set forth in the request for qualifications, including all mandatory requirements. Material respects of a request for qualifications include, but are not limited to, price, quality, quantity or delivery requirements.

“Selection Committee” means a body constituted in accordance with the selection process to perform evaluation of offeror proposals. The Project

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Manager, in coordination with the selection team and the Program Manager, shall provide only technical assistance requested by the committee.

“Sponsor” means the funding agency or entity, who may or may not be a Party to this Agreement, who has the primary interest in the completion of a particular construction project, and who has continuing responsibilities for said project from inception to completion, including securing of all necessary funding, and who has primary responsibility for completion of all pre-procurement activities.

“Statement of Qualifications” or “SOQ” means all documents, including those attached or incorporated by reference, used for soliciting proposals.

“User” means the agency or agencies for which a project is being designed.

II. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFQ outlines and describes the major events of the Selection Process and specifies general requirements.

A. SEQUENCE OF EVENTS

Every effort will be made to adhere to following schedule:

Issue RFQ	July 3, 2019
Mandatory Site Meeting	A/E Firm must Visit Site, August 9, 2019, @ 10 a.m.
Deadline to Submit Questions and “Acknowledgement of Receipt Form”	August 17, 2019
Response to Written Questions & SOQ/ RFP Amendments	August 22, 2019
Proposal Submission Deadline	September 12, 2019
Proposal Evaluation	September 1 - 8, 2019
Interview	TBD
Notice of Award	TBD
Contract Negotiations	TBD

SAWMILL CHAPTER RENOVATION PROJECT
DESIGN- A&E RFQ

B. EXPLANATION OF EVENTS

1. Issue RFQ – This RFQ is issued by the Project Manager on behalf of the Sawmill Chapter, in accordance with Navajo Nation Laws. Sawmill Chapter is the only organization that is authorized to make copies or distribute this RFQ.
2. Questions and Clarifications – Between the time of issuance of the RFQ and August 17TH, 2019, prospective offerors are encouraged to call or e-mail the Project Manager (See Section I. B), concerning any questions about the scope of the project or the RFQ schedule. Additional copies of the RFQ can be obtained from the Project Manager.
3. Mandatory Site Conference – On August 9th, 2019, from 10:00 am – 12:00 pm, A/E Firm must visit site to be more familiar with the Scope of Work, as requested from the Owners and NNCPMD.
4. Acknowledgement of Receipt: Potential offerors shall return by facsimile or acknowledge notification by e-mail in order to be included on the procurement distribution list. An “Acknowledgement of Receipt Form” is to be signed and returned to the Sawmill Chapter **no later than September 12th, 2019** in order to be included in the procurement distribution list (See Exhibit A) as indicated in Section II.A. The procurement distribution list will be used for the distribution of written responses to questions and any RFQ amendments. Failure to return this form shall constitute a presumption of receipt and rejection of the RFQ, and the potential offerors organization name shall not appear on the distribution list for answers of amendments to the RFQ.
5. Deadline to Submit Questions - Potential offerors may submit all written questions to the Project Manager via electronic mail or facsimile (See Section I.B.) no later than **August 22rd, 2019**. All responses to written questions will be distributed via e-mail or facsimile to the offeror distribution list. Include the e-mail address of the individual appointed to receive the question responses on the “Acknowledgement of Receipt Form”. Questions must be submitted no later than the deadline as indicated in Section II. A.
6. Response to written Questions RFQ Amendments - Written response to written questions and any RFQ amendments will be distributed via e-

SAWMILL CHAPTER RENOVATION PROJECT
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mail or facsimile to all potential offerors whose organization name appears on the procurement distribution list according to the deadline as indicated in Section II.A, September 12th, 2019.

7. RFQ Amendments – Should any amendments to those RFQ be deemed necessary between issuance of the RQP submission deadline, it will be distributed in writing to all recipients of the original RFQ according to the deadline in Section II.A. If an amendment requires a time extension, the proposal submission date will be changed as part of the written amendment.

8. Submission of Proposal – A PROPOSAL RECEIVED AFTER THE DEADLINE IS NON-RESPONSIVE. All offeror proposals must be received for review and evaluation, no later than **1:00 p.m. Mountain Daylight Savings Time (MDST) on September 12th, 2019.** Proposals received after this deadline will not be accepted. Offerors who are mailing their proposal should allow sufficient time for mail delivery to ensure receipt by the time specified. The date and time will be recorded on each proposal. Proposals must be addressed and delivered to Andy Thomas, Project Manager, Capital Project Management Department office in the Window Rock Administration Building #2, Window Rock Boulevard, Window Rock, Arizona 86515 or Mail RFQ Packet to the Navajo Nation Capital Project Management Department, P.O. box 1510 Window Rock, AZ 86515. U.P.S. or FEDEX are preferred methods of proposal delivery, if not hand delivered. Proposals must be sealed and labeled on the outside of the package to clearly indicate: “DO NOT OPEN – RFQ # 2019 SAWMILL CHAPTER RENOVATION PROJECT DESIGN – A&E”. Proposals by facsimile or any other method will not be accepted.

9. Proposal Evaluation – The Selection Committee will review each offeror’s proposal. Each member, as outlined in Section V of this RFQ, will allocate points. Each member’s point total will be translated into a numeric ranking of all proposals. The individual member ranking will be totaled together to determine the overall ranking of proposals.

10. Notice of Award – The Project Manager will notify finalist in writing of the final award.

11. Standard AIA Contract Negotiation –The Program Manager, Project Manager, and the successful Offeror will begin contract negotiations with the highest ranked firm as soon as possible after notice of award. Actual Architectural/Engineering fees shall be negotiated based upon specific scope of services, and reimbursable, specific contractor requirements. If

SAWMILL CHAPTER RENOVATION PROJECT
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agreement on terms can be reached, the A/E Firm shall assemble the AIA contract package for approval. If the agreement cannot be reached within reasonable time the Program Manager shall terminate negotiations with the highest ranked firm, and begin negotiations with the next firm on the ranking list. This process will continue until a contract has been negotiated with one of the firms on the ranking list. If a contract cannot be negotiated, the Project Manager may choose to negotiate with other qualified proposers graded by the committee or to terminate negotiations.

C. GENERAL REQUIREMENTS

The General Requirements section contains specific information about the process, general conditions, and instructions, which govern this procurement.

1. Protests – Any offeror who is aggrieved in connection with the award of a contract must first resolve their protest with the Sawmill Chapter. If no resolution is obtained, the offeror may protest to the Navajo Nation's Business Regulatory Department. The protest must be submitted in writing within fifteen (15) calendar days after knowledge of the facts or occurrences giving rise to the protest to: Navajo Business Regulatory Department; P.O. Box 663; Window Rock, Arizona 86515; Phone number: (928) 871-6714 or 6718
2. Protests must include the name and address of the protestant, the solicitation number, and a statement of grounds for protest, including appropriate supporting exhibits. Protests received after the deadline will not be accepted.
3. Incurring Cost – Any cost incurred by the offeror in preparation, transmittal, or presentation of any proposal or material submitted in response to this RFQ shall be borne solely by the offeror.
4. License Requirements: Offeror(s) must be licensed within the State of Arizona.
5. Amended Proposals – An offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be the complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The Program manager will not collate or assemble proposal materials.

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6. Power of the Sawmill Chapter – The Sawmill Chapter reserves the right to reject an offer from any offeror who has previously failed to perform properly, has caused the Chapter to incur unreasonable costs or expense, failed to complete on time an agreement of a similar nature, or who is not in a position to perform the work governed by this RFQ.
7. Offerors Right to Withdraw Proposal – Offerors will be allowed to withdraw their proposals at any time, prior to the deadline for receipt of proposals. The Offeror must submit a written withdrawal request signed by the Offerors duly authorized representative addressed to the Architect/Project Manager. The approval or denial of withdrawal requests received after the deadline for receipt of proposals is at the discretion of the Program Manager.
8. Disclosure of Proposal Contents – The content of proposals will be kept confidential until the Program Manager has issued the written notice of a contract award. At that time, all proposals will be opened to the public, except for the material, which has been previously noted and deemed as proprietary or confidential.
9. Confidentiality – Confidential data is normally restricted to confidential financial information concerning the offerors organization and data that qualifies as trade secrets. Any pages of a proposal on which the offeror has stamped or imprinted “proprietary” or “confidential” must be readily separable from the proposal in order to facilitate public inspection of the non-confidential portion of the proposal.
10. Termination – This RFQ may be canceled at any time and any and all proposals may be rejected in whole or in part when the Program Manager determines such action to be in the best interest of the Sawmill Chapter.
11. Sufficient Appropriation – Any AIA B101-2017 contract awarded as a result of this RFQ process may be terminated if insufficient appropriations or authorizations do not exist. Sending written notice to the consultant will effect such termination. The Owner’s decision as to whether sufficient appropriations and authorization are available is in the sole discretion of the Owner and shall be final and binding upon the contractor. If the determination is made that there is insufficient funding to continue or finalize a project, the consultant will be compensated to the level of effort performed, as authorized by the Program Manager prior to that determination.

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12. Acceptance of Conditions Governing the Procurement – Offerors must indicate their acceptance of the Conditions Governing the Procurement, Section II, in the letter of transmittal. Submission of a proposal constitutes acceptance of all conditions contained herein including evaluation factors contained in Section V.
13. Standard AIA Contract –The contract between the Sawmill Chapter and the Architect will follow the format specified by the Project Manager and contain the terms and conditions set forth in Section II. However, the Owner reserves the right to negotiate with a successful offeror provisions in addition to those contained in this RFQ. The contents of this RFQ, as revised and/or supplements and the successful offeror's proposal will be incorporated into and become part of the Contract.
14. Offeror Qualifications – The Selection Committee may make such investigations as necessary to determine the ability of the offeror to adhere to the requirements specified within this RFQ. The Selection Committee will reject the proposal of any offeror who is not a responsible offeror and fails to submit a responsive offer.
15. Right to Waive Minor Irregularities – The Selection Committee reserves the right to waive minor irregularities. The Selection Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals fail to meet the same mandatory requirements and the failure to do so does not otherwise materially affect the procurement. This right is at the sole discretion of the Selection Committee.
16. Notice – The Navajo Nation Ethics in Government Law imposes penalties for bribes, gratuities and kickbacks.
17. Release of Information – Only the Program Manager is authorized to release information about the project covered by this RFQ. The Offerors must refer to the owner any request to release any information that pertains to the work or activities covered by any action or award related to this RFQ.
18. Ownership of Documents – The drawings, specifications, CAD/Revit files and other project documents are the property of the Owner. The contract has certain requirements as to the rights and responsibilities of the Owner and Architect/Engineer. Record Drawings, and documents, are to be delivered to the Owner.

SAWMILL CHAPTER RENOVATION PROJECT
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19. Insurance

- a. The Architect shall procure and maintain, during the life of this Contract, Workers Compensation, Commercial General Liability, Business Automobile Liability, and Professional Liability Insurance policies including Errors and Omission Insurance. All insurance documents must include a provision for 30 days written notification to the Project Manager, if a policy has been materially changed or canceled. The Navajo Nation Chapter shall be insured and will be written on an occurrence form, and shall provide limits as follows:

COMMERCIAL GENERAL LIABILITY

GENERAL AGGREGATE	\$ 2,000,000
PRODUCTS/COMPLETED OPERATIONS AGGREGATE	\$ 2,000,000
OCCURRENCE BASIS/PER EACH OCCURRENCE LIMIT	\$ 1,000,000
PERSONAL/ADVERTISING INJURY	\$ 1,000,000
FIRE DAMAGE (ANY ONE FIRE)	\$ 50,000
MEDICAL PAYMENTS (ANY ONE PERSON)	\$ 5,000

AUTOMOBILE LIABILITY

BODILY INJURY/PROPERTY DAMAGE (EACH ACCIDENT	\$ 1,000,000
PERSONAL INJURY PROECTION (IF APPLICABLE)	BY STATE LAW

WORKERS' COMPENSATION

COVERAGE A (WORKERS' COMPENSATION)	BY STATE LAW
COVERAGE B (EMPLOYERS LIABILITY)	\$ 500,000

PROFESSIONAL LIABILITY (ERRORS AND OMISSIONS)

OCCURRENCE BASIS/PER EACH OCCURRENCE LIMIT	\$ 1,000,000
AGGREGATE MINIMUM	\$ 2,000,000

The selected Architect or "offeror" shall furnish one copy each of Certificates of Insurance herein required for each copy of the Agreement, which shall specifically set forth evidence of all coverage required. If such limits are higher than the minimum limits required by the Sawmill Chapter, such limits shall be certified and shall apply to the coverage afforded the Sawmill Chapter under the terms and conditions of the contract as though required and set forth in the contract. The Contractor shall furnish to the Sawmill Chapter copies of any endorsement that are subsequently issued amending coverage or limits.

- b. Approval of Insurance

Even though a "Notice to Proceed" may have been given by the NN Capital Project Management Department/ Sawmill Chapter, the

SAWMILL CHAPTER RENOVATION PROJECT
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architect or sub-consultant(s) shall not begin work under this Contract, or solicitation until the required insurance has been obtained and the proper Certificate of Insurance (or insurance policies) has been filed with the Capital Project Management Department. Neither approval nor failure to approve certificates, policies, or insurance by the Sawmill Chapter shall relieve the Design Builder or subconsultant(s) of full responsibility to maintain the required insurance in full force and effect.

c. Increased Limits

If, during the life of this Contract or solicitation, maximum limits of the liability required under the Tort Claims Act increase, the Sawmill Chapter may require the successful architect to increase the maximum limits of any insurance required herein. In the event that the successful Engineer is required to increase the limits of such insurance, an appropriate adjustment in the Contract amount will be made.

20. Proof of licensing

If the services proposed are ones for which licensure by the State of Arizona or another agency is required, state license or membership number (e.g., Professional Architect, Engineer number shall be provided.

21. Applicable Laws

The laws of the Navajo Nation shall govern this procurement and any agreement that may result from this procurement with applicable provisions from the State of Arizona and Federal Laws.

III. RESPONSIVE FORMAT AND ORGANIZATION

This section describes the format and organization of the offeror's responses. Failure to conform to these guidelines may result in the disqualification of the proposal.

1. NUMBER OF RESPONSES - Offerors may submit only one (1) proposal.
2. NUMBER OF COPIES - Offerors shall deliver an original plus three (3) identical copies (4 total) of their proposal, to the location specified in Section II.B.8 on or before the closing date and time for receipt of proposals. ORIGINAL shall be clearly marked as such. The Selection

SAWMILL CHAPTER RENOVATION PROJECT
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Committee will not collate, merge, or otherwise manipulate the offeror's proposals.

3. PROPOSAL FORMAT - All proposals must be typewritten on standard 8 ½ x 11 papers. The proposal must be limited in format and length. All foldout sheets, up to a maximum of 11" x 17" will be counted as two (2) pages and shall be labeled as such. Length of the proposal shall be limited to maximum of thirty (30) pages (printed sheet faces) of text and/or graphic material. Tab sheets will not be included as part of the thirty (30) page limitation.
4. COST PROPOSAL – Submit one (1) Fee Proposal in a sealed envelope clearly marked with ***separately***: SAWMILL CHAPTER RENOVATION DESIGN PROJECT A & E / (FIRMS NAME).
 - Cost for each task outlined in Section IV.D: Detailed Scope of A/ E Scope
 - Fee Lead Paint Asbestos Testing/Abatement
 - Fee for Building Renovation Design & Planning renovation
 - Fee for Construction Documents & Specifications
 - Fee for Bidding/Negotiation/Construction Administration
 - Fee for Main Water Infrastructure Design- Exhibit '___'
5. PROPOSAL ORGANIZATION - The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated.
 - Letter of Submittal
 - Table of Contents
 - Response to Proposal Requirements (Section V)
 - Cost Proposal (Sealed Envelope)

Proposals deemed non-conforming by the Selection Committee in regard to format may be considered non-responsive and may result in disqualification of the proposal. Offerors shall contact the Project Manager to clarify any questions concerning format prior to submission.

IV. DETAILED SCOPE OF WORK

A. PROJECT LOCATION

The Sawmill Chapter has been working on the renovation of the existing chapter house for the past number of years. The site is located approximately 15 miles

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southeast of Fort Defiance, Arizona on Indian Rte. 7 and located southwest of Sawmill Express. (See Exhibit C for details)

B. PROJECT INFRASTRUCTURE

1. The site is currently within an existing parcel of Chapter Navajo-tribal Trust land with utilities within the area which has been developed.

C. AVAILABLE/EXISTING DATA

The Sawmill Chapter has obtained the following data which will be available upon request:

1. A Utility infrastructure Plan (Water ROW) has been completed for the site. The document is available for review upon request.
2. Any additional information (PPA's)

D. A/E SCOPE OF SERVICES REQUESTED (To Be Revise)

The Sawmill Chapter/NNCPMD has completed the conceptual design of a chapter building and related Main Water Design Infrastructure. The selected Consultant Team will be required to provide professional expertise on all matters pertaining to the elements required by this Chapter Renovation design project. This scope of work will include the development of the chapter design/plan & partial site development: a full set of Construction Documents with Project Manual Specifications. The construction documents to include the Civil, Structural, Architectural, Mechanical, Plumbing, Electrical drawings, and any additional engineering drawings for the Main infrastructure (water, sewer, electrical, natural gas/propane). Construction Documents and specifications from the point of connection to the building site. The Sawmill chapter house renovation is to include the existing roof sheathing/design and relocating of HVAC and associated design gas lines: the design should be fully complete with working drawings, and ready for bid and construction. The selected Architectural firm should field verify/field measure the existing Chapter House building. The selected A/E firm shall be responsible to include the Advertising/Bidding/Negotiation and Construction Administration from start of construction to the completion of the project. Also have a history of teamwork and agency coordination across many disciplines and include individuals with the following specialties:

- Civil Engineer specializing in community infrastructure and local water utilities specifications/requirements, and utility locations, if applicable.

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- The scope of work for this project has been divided into tasks, to highlight the primary duties anticipated for this Project. The actual order of these tasks might vary for the selected consultant team. Some may be completed concurrently. The Sawmill Chapter and NNCPMD reserve the right to change and/or amend this scope of work as required prior to or during contract negotiations. Changes to the scope after a contract has been negotiated will be subject to change order negotiations.
- The project requires direct coordination with Sawmill Chapter and NNCPMD, which will include progress meetings and status summaries in the form of progress reports.
- Progress meetings will occur on a monthly basis throughout the duration of the project. These meetings will be held to maintain project objectives, present project completion updates, and provide opportunities for third party consultant and Navajo Mountain Chapter and NNCPMD reviews.

One person or firm may fulfill more than one of the above specializations, which may be desirable.

The following tasks will be associated with this project

1. Task 1: Project Completion

The Consultant Team will work with the Sawmill Chapter office and NNCPMD office to ensure the project is completed per the approved scope of work.

2. Task 2: Permitting & Fee Requirements

The offeror must demonstrate their knowledge of environmental, permitting and fee requirements to include but not be limited to the:

- Navajo Nation EPA
 - Navajo Nation Water Management Branch
 - Navajo Nation Division of Natural Resources
 - Navajo Tribal Utility Authority (NTUA)
 - Navajo Nation Capital Project Management Department
 - Frontier Communications
 - Navajo Nation Department of Information Technology
- During the design of this project, the Sawmill Chapter may be required to submit documents to each agency for various reasons. The construction contract documents will need to

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include clauses indicating any reporting, permit and fee requirements that may be applicable to the selected construction contractor.

3. Other important design considerations include:

- Knowledge of all agencies and regulations which need to be coordinated with in order to develop and permit the operation of the facility

The Consultant Team will work with the Sawmill Chapter and NNCPMD office to ensure the project is completed per the approved scope of work.

E. PROJECT TIMELINE

The Sawmill Chapter is under a tight deadline to complete building renovation design of the facility. Consequently, it is important to complete the design and the site planning as quickly as possible. The contract 164 (B) process, allow 45 – 60 days for review. The Sawmill Chapter expects the consultant to complete the design and the Chapter building Construction Documents/Specifications bid within two (2) to three (3) months and start up the construction soon after.

V. SUBMITTAL REQUIREMENTS/EVALUATION

A. PROPOSAL GUIDELINES

The following guidelines shall be adhered to by offerors for consideration in the selection process of firms or individuals to perform professional services for the project described. Proposals, which do not include ALL of the listed information will be considered incomplete and non-responsive and will not be considered by the selection committee. Acknowledgements of all submittals will be evaluated by scoring committee and short listed to three (3) proposers who will be interviewed by the scoring committee to determine final selection.

B. MANDATORY SUBMITTAL REQUIREMENTS

Submittal Letter – Proposals must be accompanied by a submittal letter. The submittal letter must:

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1. Identify the submitting business. State the name and address of the organization's firm or office. Indicate organizational structure (individual, partnership or public, profit or non-profit). Subconsultant(s) if any must be identified in a similar manner;
2. Identify the name and title of the person(s) authorized by the company to contractually obligate the business for the purpose of this RFQ;
3. Identify the names, titles, and telephone numbers of persons to be contacted for clarification questions regarding this RFQ;
4. Explicitly indicate acceptance of the Conditions Governing the Procurement stated in Sections II of this RFQ;
5. Be executed (signed) by a person authorized to contractually obligate the offeror;
6. Acknowledge receipt of any and all amendments to this RFQ;
7. Contain a statement indicating a commitment to comply and act in accordance with the following:
 - Navajo Nation Law relating to the enforcement of civil rights and *the Navajo Nation Business Opportunity Act – Title V; the Navajo Nation Corporation Act – Title 5, Chapter 19; and, the Navajo Nation Preference In Employment Act – Title 15, Chapter 7.*
 - Federal Code, title, USCA 7152, Sub-chapter 11, Anti-discrimination in Employment;
 - Executive Order No. 11246, Equal Opportunity in Federal Employment;
 - Title 6, Civil Rights Act of 1964;
 - Requirements of the Americans with Disabilities Act of 1990 (*latest edition*) for work Performed as a result of this RFP;
8. Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters. The offeror must certify to the best of their knowledge and belief that the offeror, the firm, or any of its principals are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any federal agency or Indian tribe. The offeror will also certify they have not, within a three-year period preceding this RFP, been convicted of or had a civil judgment rendered against them for:

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- *Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, local or tribal) contract or subcontract;*
 - *Violation of federal or state antitrust statutes relating to the submission of offers;*
 - *Commission of embezzlement, theft, forgery, bribery, falsifications or destruction of records, making false statements, and are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in this provision.*
 - *The offeror certifies they have not, within a three-year period preceding this RFP, had one or more contracts terminated for default by a federal, state, local or tribal agency.*
9. Proof of licensing (According to Sections II.C.5)
10. Proof of Insurance (According to Section II.C.22)
12. Non-Collusive Affidavit (Notarized) Form (Exhibit B)

If there are any questions as to the appropriate content of the letter, contact the Project Manager for clarification. Content will be checked and verified when the proposals are submitted. Information determined to be inaccurate by the Department Manager will be confirmed with the Offeror and corrected as necessary, prior to scoring by the Selection Committee.

C. EVALUATION CRITERIA

Selection will be based on qualifications only. The successful proposers' fee will be opened after evaluations are completed. All other fee will remain unopened until successful negotiations are completed. A maximum total of 100 points are possible in scoring each proposal for the shortlist evaluation. A brief explanation of each evaluation category is listed below. Information in one category may overlap information in other categories as addressed in Section IV Detailed Scope of Work. Offerors are encouraged to fully address each category completely, as points are assigned for responses to each separate category. The evaluation criteria to be used for the purpose of selection by the Selection Committee for the proposal and the corresponding point values for each criterion are as follows:

1. **Staff Experience and Team Qualifications:** Five (5) Years of Specialized design and technical competence of the business, including sub-consultant(s) regarding the type of services required. Provide

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information about the team's specific technical experience with similar projects that demonstrates competence to successfully complete the project, including construction drawings, quality assurances and construction administration experience. Clearly indicate the proposed organization team chart to include but not be limited to the Project Manager, Project Architect/Engineer, Supplemental Design Team and sub-consultants. - **20 POINTS**

2. **Prior successful Chapter/Community building design experience on Indian Reservations / Sensitivity to Indian Culture:** Five (5) years of specialized experience and competence in renovation studies and building designs or closely related projects and implementation which resulted in improvements which reflected and respect the cultural surroundings within tribal lands. Demonstrated ability for interaction, consultation, involvement and working with the stakeholders: Sawmill Chapter, and Community. - **20 POINTS**

3. **Prior successful Renovation planning studies and design experience outside Indian Reservations:** List a minimum of three (3) projects completed by your firm that best represents a similar scope, budget, program and complexity. Please include:
 - Completion Date
 - Name and Location
 - Budget
 - Graphic Description
 - Photographs (2-3)
 - Change Order Percentage
 - **References must be included.** - **15 POINTS**

4. **Schedule:** Indicate proposed work schedules and milestones, with completion methods and strategies. Indicate the volume of work currently under contract and the ability to complete this project within the timeline & funding requirements. - **10 POINTS**

5. **Understanding of the Problem/Scope:** Evidence of understanding the scope of work, the site, and existing conditions. Describe the anticipated scope of work for the project. Include information about project site, project administration and budget. The proposal should demonstrate competent knowledge of project constraints as well as any applicable discussion of possible options for design approaches or techniques. - **10 POINTS**

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6. **Workload:** A/E Firm to list number of current projects with the Navajo Nation. – **10 POINTS**
7. **Availability / Geographic Location:** Proximity to or familiarity with the area, site, and its People (including culture) in which the project is located. - **5 POINTS**
8. **Financial and Company Stability, Backlog and Employment Resources:**
5 POINTS
9. **Navajo Preference, Priority #1: 5 POINTS Possible**
Priority #2: 3 POINTS

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EXHIBIT A – ACKNOWLEDGEMENT OF RECEIPT FORM

CAPITAL PROJECT MANAGEMENT DEPARTMENT, DEPARTMENT OF
COMMUNITY DEVELOPMENT

In acknowledgement of receipt of this Request For Proposal, the undersigned agrees that he/she has received a complete copy, beginning with title page, table of contents and Exhibits A – C.

The acknowledgement of receipt should be signed and returned to the Project Manager no later than close of business day on September 12, 2019. Only potential offerors who elect to return this form completed with the indicated intention of submitting a proposal will receive copies of all offeror's written questions and the Agency's written responses to those questions, as well as, RFP amendments, if any are issued. The following name and address will be used for all correspondence related to the RFP.

Firm WILL or WILL NOT (circle one) submit a proposal.

FIRM: _____

REPRESENTED BY: _____

TITLE: _____

PHONE NO.: _____

E-MAIL: _____

FAX NO.: _____

ADDRESS: _____

CITY: _____ STATE: _____

ZIP CODE: _____

SIGNATURE: _____ DATE: _____

Return Form To:

Mr. Andy Thomas, Senior Program and Projects Specialist
Capital Project Management Department, Department of Community Development
P.O. Box 1510
Window Rock, Arizona 86515
Telephone: (928) 871-6734
Email: andy_thomas@nndcd.org

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EXHIBIT B - NON-COLLUSIVE AFFIDAVIT
(MUST BE NOTORIZED AND PROVIDED WITH BID OR PROPOSAL)

STATE OF _____)

COUNTY OF _____)

_____, being first duly sworn, deposes and says
that he or she is _____ (sole owner, a partner,
president, secretary, etc.) of

_____,
the party making the foregoing Bid or Proposal; that such Bid/Proposal is not made in
the interest of or on behalf of any undisclosed person, partnership, company,
association, organization, or corporation; that such Bid/Proposal is genuine and not
collusive or sham; that said Bidder/Offeror has not directly or indirectly induced or
solicited any other Bidder/Offeror to put in a false or sham Bid, and has not directly
or indirectly colluded, conspired, connived, or agreed with any Bidder/Offeror or
anyone else to put in a sham Bid/Proposal, nor that anyone shall refrain from bidding;
that said Bidder/Offeror has not in any manner, directly or indirectly, sought by
agreement, communication, or conference with anyone to fix the Bid price/Cost
Proposal of said Bidder/Offeror or any other Bidder/Offeror, nor to fix any overhead,
profit, or cost element of such Bid price/Cost Proposal, nor of that of any other
Bidder/Offeror, nor to secure any advantage against the public body awarding the
Contract or anyone interested in the proposed Contract; that all statements contained
in such Bid/Proposal are true; and, further, that said Bidder/Offeror has not directly or
indirectly, submitted his or her Bid price/Cost Proposal or any breakdown thereof, nor
the contents thereof, nor divulged information or data relative thereto, nor paid and
will not pay fee in connection therewith to any corporation, partnership, company,
association, organization, Bid depository, nor to any member or agent thereof, nor to
any other individual except to such person or persons as have a partnership or other
financial interest with said Bidder/Offeror in his or her general business.

Signed: _____

Title: _____
Subscribed and sworn to before me a Notary
Public for the State of _____ on this
_____ day of _____, 20_____

(SEAL)

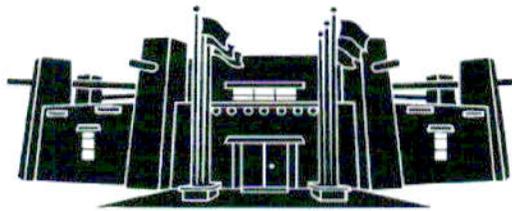
By _____

MY COMMISSION EXPIRES:

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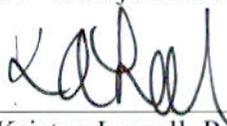
EXHIBIT C- SITE/LOCATION MAP





MEMORANDUM

TO: Honorable Wilson Stewart, Jr.
24th Navajo Nation Council

FROM: 
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: November 7, 2019

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT FUNDING AND FUNDING YEAR FOR SAWMILL CHAPTER

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: 0329-19 SPONSOR: Wilson C. Stewart, Jr.

TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; approving a project change in Resolution CAP-35-18; approving a change in project funding and funding year for Sawmill Chapter

Date posted: November 7, 2019 at 2:51pm

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) 871-7590

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.*