

RESOLUTION OF THE
BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL

24TH NAVAJO NATION COUNCIL - Third Year, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE
COMMITTEES; APPROVING A CHANGE IN PROJECT TYPE IN RESOLUTION
NO. CAP-35-18; AMENDING THE PROJECT TYPE TO ADD "CONSTRUCT
AND/OR PURCHASE" FOR THE COALMINE CANYON CHAPTER BUILDING

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 500(C)(1).
- B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriations, investment, and management of all funds. 2 N.N.C. § 301(B)(2).
- C. Navajo Nation Council Resolution No. CAP-35-18 provides: "[a] chapter project, power line, 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 approval 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." See CAP-35-18, Section Four, Paragraph C.

SECTION TWO. FINDINGS

- A. On April 17, 2018, the Navajo Nation Council Resolution CAP-35-18 titled, "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 Improvement Budget and the Capital Improvement Process."

- B. On April 23, 2020, via Resolution No. BFAP-16-20, the Budget and Finance Committee approved a change to CAP-35-18, Exhibit D, Project No. 119, the Coalmine Chapter Project, by changing the Project Type from "Renovation" to include "Plan, Assessment/Investigate and Design." **Exhibit A, Subexhibits 1, 2.**
- C. The Capital Projects Management Department ("CPMD"), on behalf of the Coalmine Chapter, has requested another change in the adopted Síhasin Expenditure Plan to include purchase of a modular building. **Exhibit B.**
- D. The CPMD has submitted a "Síhasin Project Amendment Certification" form, attached as **Exhibit C.**
- E. The Síhasin Project Amendment Certification form indicates the following changes to be made to the Project: the Project Type is changed by adding "Construct and/or Purchase a Temporary Modular Building."
- F. As required by CAP-35-18, Section Four (C), and as set forth in the attached **Exhibit B**, the Coalmine Chapter Modular Building Project has been certified by the Capital Projects Management Department as construction-ready; and, as certified in the attached **Exhibit C**, the total Síhasin Funding for the Coalmine Chapter Modular Building Project will not exceed \$4,166,666.67.

SECTION THREE. APPROVAL

The Navajo Nation hereby approves the additional change to CAP-35-18 Exhibit D Project No. 119, the Coalmine Chapter Project, by changing the Project Type from "Renovation, Plan, Assessment/Investigate and Design" to include "Construct and/or Purchase a Temporary Modular Building" as indicated in **Exhibit C** attached hereto.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held by teleconference at which a quorum was present and that the same was passed by a vote of 5 in favor and 0 opposed, this 16th day of February 2021.



Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Elmer P. Begay
Second: Honorable Raymond Smith, Jr.

RESOLUTION OF THE
BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL

24TH NAVAJO NATION COUNCIL - Second Year, 2020

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE
COMMITTEES; APPROVING A CHANGE IN PROJECT TYPE IN RESOLUTION
CAP-35-18; AMENDING THE PROJECT TYPE TO ADD "PLAN,
ASSESSMENT/INVESTIGATE AND DESIGN" FOR THE COALMINE CANYON
CHAPTER BUILDING REPAIR

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).
- B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301(B)(2).
- C. Council Resolution CAP-35-18 provides, "[a] chapter project, power line, 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 approval of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Sihasin Funding for the District does not exceed \$4,166,666.67." See CAP-35-18 Section Four, Paragraph C.

SECTION TWO. FINDINGS

- A. The Navajo Nation Council adopted Council Resolution CAP-35-18, "Adopting the Sihasin Fund Power line 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" on April 17, 2018.

- B. Coalmine Canyon Chapter submitted a CAP-35-18 Project Change Form, which is attached as **Exhibit 1**.
- C. The CAP-35-18 Project Change Form indicates the following changes to be made to the project:

The Project Type is to change from "Renovation" to include "Plan, Assessment/Investigate and Design"

- D. For reference, the Coalmine Chapter Project is included in **Exhibit 2**, Exhibit D, Project 119.

SECTION THREE. APPROVAL

The Navajo Nation hereby approves the change to CAP-35-18 Exhibit D Project No. 119, the Coalmine Chapter Project, by changing the Project Type from "Renovation" to include "Plan, Assessment/Investigate and Design" as indicated in **Exhibit 1**.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held at Window Rock, (Navajo Nation) Arizona, at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 23rd day of April 2020.



Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Elmer P. Begay
Second: Honorable Jimmy Yellowhair

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

EXHIBIT

1

I. PROJECT DETAILS

DATE SUBMITTED: November 13, 2019

PROJECT NAME: Coalmine Canyon Chapter House Building Renovation

REFERENCE NUMBER:

PROJECT TYPE: Renovation/Construction

ORIGINAL DATE APPROVED: November 28, 2019

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	
E-127	Amend Scope to Include Plan, Assessment/ Investigate, and Design Chapter House Building	\$200,000			\$200,000
E-127	Chapter House Building Repair	\$200,000			\$200,000
TOTAL: <input type="checkbox"/> INCREASED / <input type="checkbox"/> DECREASED FUNDING:					

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Thomas Walker Jr.

Thomas Walker Jr.

1-28-2020

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. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.

PRINTED NAME

SIGNATURE

CPMD Project Manager

Andy Thomas

11/13/19

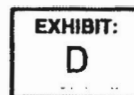
CPMD Department Manager

James Adakai

4/13/19



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	Greenwood Springs	Mulder Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	\$400,000.00	\$433,333.33	\$0.00	\$0.00	\$833,333.33
103	Indian Wells	Multi-Purpose Complex	Planning	12 months	\$355,333.33	\$0.00	\$0.00	\$170,000.00	\$525,333.33
104	Indian Wells	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	\$15,000.00	\$0.00	\$0.00	\$60,000.00	\$75,000.00
106	Indian Wells	Sanctuary Center Feasibility Report	Planning	12 months	\$15,000.00	\$275,333.33	\$0.00	\$0.00	\$290,333.33
107	Indian Wells	10 Commercial Site Development	Planning	18-24 months	\$140,000.00	\$0.00	\$0.00	\$678,000.00	\$818,000.00
108	Whiterose	Road Improvement	Design/Construction	18-24 months	\$140,000.00	\$0.00	\$0.00	\$0.00	\$140,000.00
109	Whiterose	MW - Mulder Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	\$60,000.00	\$0.00	\$0.00	\$0.00	\$60,000.00
110	Whiterose	Motor Grader	Major Equipment	6-8 months	\$130,000.00	\$0.00	\$0.00	\$0.00	\$130,000.00
111	Trinity	Community Center	Design/Construction	18-24 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
112	Standing Rock	Feasibility Study	Construction	8-12 months	\$1,000,000.00	\$0.00	\$0.00	\$125,000.00	\$1,125,000.00
113	Whiterose	Chapter Renovation	Design/Construction	8-12 months	\$100,000.00	\$0.00	\$0.00	\$150,000.00	\$250,000.00
114	Whiterose	Senior Center	Design/Construction	8-12 months	\$0.00	\$100,000.00	\$0.00	\$150,000.00	\$250,000.00
115	Trinity	10 Solar Street Light	Pre-Design, Design/Construction	24 months	\$50,000.00	\$1,750,533.33	\$0.00	\$0.00	\$1,800,533.33
116	Trinity	Del Norte Headwaters Improvement	Construction	12 months	\$0.00	\$0.00	\$100,000.00	\$0.00	\$100,000.00
117	Camden	Cultural Center	Pre-Design	24 months	\$150,000.00	\$150,000.00	\$150,000.00	\$0.00	\$450,000.00
118	Camden	Commemorative Park	Planning	18-24 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
119	Camden	Chapter House Building Repair	Renovation	12-18 months	\$100,000.00	\$50,000.00	\$0.00	\$10,000.00	\$160,000.00
120	Whiterose	Commercial Farm Project	Planning	24 months	\$150,000.00	\$150,000.00	\$150,000.00	\$0.00	\$450,000.00
121	Toland Lake	New Senior Center Replacement	Design/Construction	18-24 months	\$0.00	\$750,000.00	\$0.00	\$0.00	\$750,000.00
122	Camden	Community Veterans Center	Design/Construction	12 months	\$40,000.00	\$0.00	\$0.00	\$0.00	\$40,000.00
123	Camden	Green Point Development	Pre-Design	24-36 months	\$0.00	\$0.00	\$100,000.00	\$0.00	\$100,000.00

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

January 04, 2021

The 24th Navajo Nation Council
The Navajo Nation
P.O. Box 3390
Window Rock, AZ 86515

RE: Letter of Certification- Construction Ready- Coalmine Canyon Chapter Modular building Project

Project No.: CPMD-2021-Sihasin-01

Dear Honorable Council Delegates,

The Coalmine Canyon Chapter has been working on securing funds the past few years for renovation of the chapter building, but has decided to use funds for temporary modular chapter building. The following documents were completed and obtained, Land users consent, legal survey, archeological and biological studies, and clearances have been completed. The Chapter has acquired 164 (B) an AIA Contract between the Navajo Nation and Modular Solutions LLC., therefore this deem project/Construction ready.

Coalmine Canyon Chapter renovation has secured funding for the renovation and construction. Construction funds were secured through the Navajo Nation as part of the 1st Year Sihasin Funds and Chapter Capital Projects Expenditure Plan.

During the project, a plan, design, and construct of the modular building will be required during the start of fabrication, and the results require modular Solution's Design-Build services. These facts created a change in scope of work resulting to the need for amending renovation funds. Therefore, we request for "Plan, Design, and Construct temporary Modular Building" to be added to the expenditure plan for the project and that the project remains in the 1st Year of Sihasin Funds. The approval of this legislation will continue the Navajo Nation to finalize the contract and bring the project to 100% complete for plan, design, and construct of temporary modular building Design-Build (D/B) services.

The Chapter is respectfully requesting the Resources Development Committee, Budget and Finance Committee and Sihasin sub-committee to process and have the Modular Design-Builder vendor complete this project by approving the requested change in Legislation. We look forward to working with Modular Solution LLC., and appreciate all the hard work put into this project.


Should you have any questions, please contact me at (928) 871-6739 or Coalmine Canyon Chapter at 928.280.0700. Thank you.

Respectfully,


Andy Thomas, Project Manager, CPMD

Concurrence:


James Adakai, Department Manager


Pearl Yellowman, Division Director

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

I. PROJECT DETAILS

DATE SUBMITTED: 01/04/2020

PROJECT NAME: Coalmine Canyon Chapter

REFERENCE NUMBER: _____

PROJECT TYPE: Plan, Design, Construct and/or Purchase a Temporary Modular Building Project

ORIGINAL DATE APPROVED: November 28, 2019

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	
D-119	Plan, Design, Construct and/or Purchase a Temporary Modular Building	\$200,000.00	\$733,333.00		\$733,333.00 ADDED
D-119	Amend-Chapter House Replacement			\$0.00	DELETE
TOTAL: INCREASED / DECREASED FUNDING:					\$733,333.00

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE:

DATE

Navajo Nation Council Delegate

Thomas Walker Jr.

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. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.

PRINTED NAME

SIGNATURE

CPMD Project Manager

Amy Hobbs
James Adair

CPMD Department Manager

01/08/21
1/18/21



BUDGET AND FINANCE COMMITTEE

16 February 2021

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0009-21: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Project Type in Resolution No. CAP-35-18; Amending the Project Type to Add "Construct and/or Purchase" for the Coalmine Canyon Chapter Building *Sponsored by Thomas Walker, Jr., Council Delegate*


Motion: Elmer P. Begay

Second: Raymond Smith, Jr.

Vote: 5-0, Chairman not voting

Final Vote Tally:

Jamie Henio		
Jimmy Yellowhair	yea	
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Amber K. Crotty	yea	
Nathaniel Brown	yea	



Jamie Henio, Chairman
Budget & Finance Committee

Peggy Nakai, Legislative Advisor
Budget & Finance Committee