

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0150-20__

SPONSOR: Rickie Nez

TITLE: An Action Relating to Resources and Development Committee and Naabik'iyáti' Committee; Approving and Authorizing a Contract on Behalf of the Navajo Nation Between the Navajo Agricultural Products Industry, Inc. (NAPI) and the United States Department of the Interior Under 25 U.S.C. §§ 450 et seq. (P.L. 93-638 Indian Self-Determination and Education Assistance Act, as amended) for a Three-Year Term Construction Contract Agreement Beginning with Calendar Year 2020 and Subsequent Calendar Years; and Approving and Authorizing the Fiscal Year and Scope of Work for the Period of the Contract Term

Date posted: July 2, 2020 at 8:07PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0150-20

DATE: June 30, 2020

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; APPROVING AND AUTHORIZING A CONTRACT ON BEHALF OF THE NAVAJO NATION BETWEEN THE NAVAJO AGRICULTURAL PRODUCTS INDUSTRY, INC. (NAPI) AND THE UNITED STATES DEPARTMENT OF THE INTERIOR UNDER 25 U.S.C. §§ 450 ET SEQ. (P. L. 93-638 INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT, AS AMENDED) FOR A THREE-YEAR TERM CONSTRUCTION CONTRACT AGREEMENT BEGINNING WITH CALENDAR YEAR 2020 AND SUBSEQUENT CALENDAR YEARS; AND APPROVING AND AUTHORIZING THE FISCAL YEAR AND SCOPE OF WORK FOR THE PERIOD OF THE CONTRACT TERM

PURPOSE: The purpose of this legislation is to approve and authorize a contract on behalf of the Navajo Nation between the Navajo Agricultural Products Industry, Inc. and the United States Department of the Interior-Bureau of Reclamation 25 U.S.C. § 450 *et seq.* (Indian Self-Determination and Education Assistance Act, P. L. 93-638, as amended), for a three-year term. The legislation will also approve and authorize the Annual Funding Agreement and Scope of Work for the Navajo Agricultural Products Industry, Inc three-year 25 U.S.C. § 450 *et seq.* (Indian Self-Determination and Education Assistance Act, P. L. 93-638, as amended), Construction Contract to commence on October 1, 2020.

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: Johnson
Website Posting Time/Date: _____
Posting End Date: 07-07-20
Eligible for Action: 07-08-20

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 24th NAVAJO NATION COUNCIL – Second Year, 2020

3
4 INTRODUCED BY

5
6 _____
7 (Prime Sponsor)

8
9 TRACKING NO. 0150-20

10
11 AN ACTION

12 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND
13 NAABIK'ÍYÁTI' COMMITTEE; APPROVING AND AUTHORIZING A CONTRACT
14 ON BEHALF OF THE NAVAJO NATION BETWEEN THE NAVAJO
15 AGRICULTURAL PRODUCTS INDUSTRY, INC. (NAPI) AND THE UNITED
16 STATES DEPARTMENT OF THE INTERIOR UNDER 25 U.S.C. §§ 450 ET SEQ. (P.
17 L. 93-638 INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE
18 ACT, AS AMENDED) FOR A THREE-YEAR TERM CONSTRUCTION CONTRACT
19 AGREEMENT BEGINNING WITH CALENDAR YEAR 2020 AND SUBSEQUENT
20 CALENDAR YEARS; AND APPROVING AND AUTHORIZING THE FISCAL
21 YEAR AND SCOPE OF WORK FOR THE PERIOD OF THE CONTRACT TERM

22
23 BE IT ENACTED:

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25 SECTION 1. AUTHORITY

- 26 A. The Resources and Development Committee is the oversight committee for the
27 Navajo Agricultural Products Industry, Inc. 5 N.N.C. 1604.
28 B. The Naabik' iyáti' Committee is authorized to approve contracts with the United
29 States Department of Interior for the implementation of the Indian Self-
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1 Determination and Education Assistance Act, 25 U.S.C. §450 *et seq.* (P. L. 93-
2 638 as amended). 2 N.N.C. §701(A) (12).
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4 SECTION 2. FINDINGS

5 A. The Navajo Agricultural Products, Inc. Board Resolution No. BDMY-11-20
6 *[r]equest[s] the Resources and Development Committee to Recommend to the*
7 *Naabik'iyati' Committee of the Navajo Nation Council to Authorize the Navajo*
8 *Agricultural Products Industry to Contract on Behalf of the Navajo Nation with*
9 *the Bureau of Indian Affairs for a Three-Year Subpart J Construction Contract*
10 *Agreement Beginning with Calendar Year 2020 and Subsequent Calendar Year.*
11 NAPI Board Resolution No BDMY-11-20 is attached as **Exhibit A**.

12 B. The Navajo Agricultural Products, Inc. Board Resolution No. BDMY-11-20
13 states that *[p]ursuant to NAPI's Plan of Operation, Article 7 (O), and (Q), NAPI*
14 *has the authority to enter into contracts for any lawful purposes set forth in*
15 *Article 3 and to apply for and accept grants and enter into contracts,*
16 *agreements, or other transactions with any Federal Agency. In order to*
17 *facilitate the provisions of some federal funding for Operations and*
18 *Maintenance activities, NAPI must enter into a three-year P.L. 93-638, Subpart*
19 *J Construction Contract, with "One Time Funding" with the Bureau of Indian*
20 *Affairs to commence on October 1, 2020. The Subpart J Construction*
21 *Agreement and Scope of Work are attached describing the construction work to*
22 *be performed.*
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24 SECTION 3. APPROVING A CONTRACT

25 A. The Navajo Nation approves and authorizes a contract on behalf of the Navajo
26 Nation between the Navajo Agricultural Products Industry, Inc. and the United
27 States Department of the Interior-Bureau of Reclamation 25 U.S.C. § 450 *et seq.*
28 (Indian Self-Determination and Education Assistance Act, P. L. 93-638, as
29 amended), for a three year term as set forth in the documents attached as **Exhibit**
30 **A**.

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B. The Navajo Nation hereby approves and authorizes the Annual Funding Agreement and Scope of Work for the Navajo Agricultural Products Industry, Inc. three-year, 25 U.S.C. § 450 *et seq.* (Indian Self-Determination and Education Assistance Act, P. L. 93-638, as amended), Construction Contract to commence on October 1, 2020 for the contract term indicated above, as set forth in the documents attached as **Exhibit A**.

C. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute and effectuate the Contract, Annual Funding Agreement and Scope of Work, provided the terms and conditions in such documents are substantially similar to those approved by this resolution.