TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Resolution CAP-35-18, for Rock Springs Chapter Project No. D-96, by Changing the Multi-Purpose Building “Pre-Design” Project Type and Description to “Plan/Design & Construct” and “Multi-Purpose/Master Planning”

Date posted: __April 8, 2021 at 5:29PM

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Office of Legislative Services
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DATE: April 8, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION CAP-35-18, FOR ROCK SPRINGS CHAPTER PROJECT NO. D-96, BY CHANGING THE MULTI-PURPOSE BUILDING “PRE-DESIGN” PROJECT TYPE AND DESCRIPTION TO “PLAN/DESIGN & CONSTRUCT” AND “MULTI-PURPOSE/MASTER PLANNING”

PURPOSE: The purpose of this resolution is for the Navajo Nation to approve a change in Resolution No. CAP-35-18, for Rock Springs Project No. D-96, changing the Multi-Purpose Building Project from “Pre-Design” to “Plan/Design & Construct” and “Multi-Purpose/Master Planning.”
PROPOSED STANDING COMMITTEE RESOLUTION

24TH NAVAJO NATION COUNCIL - Third Year, 2021

INTRODUCED BY

TRACKING NO. 0071-21

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION CAP-35-18, FOR ROCK SPRINGS CHAPTER PROJECT NO. D-96, BY CHANGING THE MULTI-PURPOSE BUILDING "PRE-DESIGN" PROJECT TYPE AND DESCRIPTION TO "PLAN/DESIGN & CONSTRUCT" AND "MULTI-PURPOSE/MASTER PLANNING"

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).

B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301 (B)(2).

C. Council Resolution CAP-35-18 provides, “[a] chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter’s Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Sihasin Funding for the District does not exceed $4,166,666.67.” CAP-35-18, Section Four, Paragraph C.
SECTION TWO. FINDINGS

A. On April 17, 2018, the Navajo Nation Council adopted Council Resolution No. CAP-35-18, “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.” Resolution No. CAP-35-18 is incorporated herein by reference.

B. A “Multi-Purpose (Pre-Design)” Project is listed in Resolution No. CAP-35-18 at Exhibit D, Project No. D-96. The relevant page of Exhibit D of CAP-35-18 is attached as Exhibit 1.

C. On behalf of the Rock Springs Chapter, the Capital Projects Management Department has submitted a “Síhasin Project Amendment Certification” form attached as Exhibit 2. This form requests a change to the type and description for Project No. D-96 from “Multi-Purpose (Pre-Design)” to “Plan/Design & Construct” and “Multi-Purpose/Master Planning” for the Rock Springs Chapter Multi-Purpose Building Project. No change in Síhasin funding for the Project is requested, and the allocated funding will remain at the original amount of $276,173.66.

D. The Síhasin Project Amendment Certification form has been signed by the Navajo Nation Council Delegate representing the Rock Springs Chapter’s council district, as required by CAP-35-18, Section 4, Paragraph C.

E. The Capital Projects Management Department, through its signature in Section IV of the Certification form has indicated the Project is construction ready, and the total Síhasin Funding for the Rock Springs Council District will not exceed $4,166,666.67.

SECTION THREE. APPROVAL

The Navajo Nation hereby approves the change in the Multi-Purpose Building Project type and description, as requested by the Rock Springs Chapter, in accordance with the attached Exhibit 2.
SECTION FOUR. EFFECTIVE DATE

The actions enacted herein shall be effective pursuant to 2 N.N.C. § 221 (B) and, 2 N.N.C. § 164 (A)(17).

SECTION FIVE. SAVINGS CLAUSE

Should any provision(s) of this action be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those provision(s) that are not determined invalid shall remain the law of the Nation.