

LEGISLATIVE SUMMARY SHEET
Tracking No. 0159-22

DATE: September 13, 2022

TITLE OF RESOLUTION: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$10,031,897 FROM THE SÍHASIN FUND FOR THE MARIANO LAKE CHAPTER MULTIPURPOSE BUILDING PROJECT; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §2501 – §2508

PURPOSE: This resolution, if approved, will allocate \$10,031,897 from the Sihasin Fund for the Mariano Lake Chapter Multipurpose Building Project.

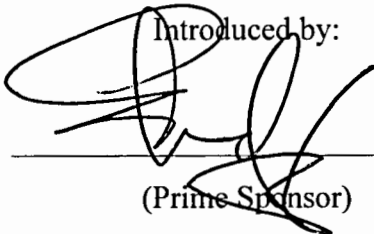
This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: A. Johnson
Website Posting Time/Date: 7:21pm; 09-16-22
Posting End Date: 09-21-22
Eligible for Action: 09-22-22

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:


(Prime Sponsor)



Tracking No. 0159-22

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET
AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO
THE NAVAJO NATION COUNCIL; ALLOCATING \$10,031,897 FROM
THE SÍHASIN FUND FOR THE MARIANO LAKE CHAPTER MULTIPURPOSE
BUILDING PROJECT; APPROVING THE RELATED EXPENDITURE PLAN
PURSUANT TO 12 N.N.C. §2501 – §2508

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council empowered with oversight authority over all 110 Navajo Nation Chapters. 2 N.N.C. §500(C); 26 N.N.C. §102.
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to “review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds.” 2 N.N.C. §301(B)(2).
- C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.

1 E. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin
2 Fund (“Síhasin Fund”) as follows:

3 §2502 Purpose

4 A. The purposes of this Fund are to provide financial support and/or financing for:

- 5 1. The planning and development of economic development and
6 regional infrastructure supporting economic development and
7 community development, including such infrastructure as, but not
8 limited to, housing, commercial and government buildings, waterline,
9 solid waste management development, powerline projects, and
10 transportation and communication systems, within the Navajo Nation;

11 . . .

12 B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure shall not
13 be limited by 12 N.N.C. §1310(F) or TCDCJY-77-99.

14 C. Leveraging the Fund by way of guaranteeing loans, match funding, direct
15 funding in part, and other weighted uses of the Fund, including loan financing
16 from the Fund, for the purposes in §2502(A)(1), shall be favored over direct
17 funding in whole.

18 F. The Síhasin Fund provides that “Fund Principal” shall consist of all deposits made to the
19 Síhasin Fund, that “Fund Income” shall consist of all earnings (interest, dividends, etc.)
20 generated and realized by the Fund Principal, and that Síhasin Fund Income shall be
21 deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is
22 duly approved. 12 N.N.C. §2504 and §2505(C).

23 G. The Síhasin Fund provides that “Fund Principal and Income shall not be expended except
24 pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502 of this
25 Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation
26 Council.” 12 N.N.C. §2505(A).

27
28 **SECTION TWO. FINDINGS**

29 A. The Navajo Nation constructed the Mariano Lake Chapter House “Chapter House” building
30 in 1952. In 2018, the Chapter House was declared to have exceeded its useful life, which

1 resulted with demolition in October 2022. **Exhibit A.**

2 B. The Community Members and Mariano Lake Chapter “MLC” decided to construct a multi-
3 use facility that would integrate community resources into one physical location. MLC
4 completed the planning and design based on the interest and support of the Community
5 Members.

6 C. MLC has prepared a comprehensive Project Summary, attached hereto as **Exhibit A.** MLC
7 explains that the new 11,900 sq. ft. multi-purpose building will replace the demolished
8 chapter building. The multipurpose building will centralize community resources for the
9 benefit of the public. The Project Summary provides the proposed budget and planned
10 expenditures.

11 D. The estimated cost of the Mariano Lake Chapter Multipurpose Building Project “MLC
12 Project” is \$14,546,190. This Síhasin funding request meets the preference for leverage of
13 funds in 12 N.N.C. §2502(C), because MLC secured \$4,514,293 in funding from State of
14 New Mexico programs, leaving a balance of \$10,031,897. **Exhibit A.**

15 E. In Resolution No. MLC2022-04-04, the Chapter describes the planning and design for
16 construction of a new Multipurpose Building and requests Navajo Nation Delegates and the
17 President to approve the funding request of \$10,031,897. **Exhibit B.**

18 F. Allocation of the \$10,031,897, as requested by MLC, meets the criteria for Síhasin Fund
19 expenditures because the proposed expenditure involves community development as
20 required by 12 N.N.C. §2502(A)(1).

21
22 **SECTION THREE. ALLOCATING \$10,031,897 IN SÍHASIN FUNDS FOR THE**
23 **MARIANO LAKE CHAPTER MULTIPURPOSE BUILDING**
24 **PROJECT; APPROVING THE RELATED EXPENDITURE**
25 **PLAN PURSUANT TO 12 N.N.C §2501 – §2508**

26 A. In accordance with 12 N.N.C. §2505(A), the Navajo Nation hereby approves ten million
27 thirty-one thousand eight hundred ninety-seven dollars (\$10,031,897) from the Síhasin Fund
28 for the construction of a new multipurpose building for the Mariano Lake Chapter.

29 B. The Navajo Nation hereby approves the Expenditure Plan for the construction of the Mariano
30 Lake Chapter multipurpose building, as set forth in **Exhibits A and B.**

1 C. The total amount of \$10,031,897 in Síhasin funds approved herein may be further leveraged
2 by bond or loan financing pursuant to the Navajo Nation Bond Financing Act (12 N.N.C.
3 §1300 *et seq.*, as amended), using Síhasin Fund earnings for repayment and financing costs,
4 upon approval of the Budget and Finance Committee and upon further approval by a two-
5 thirds (2/3) vote of the full membership of the Navajo Nation Council.

6 D. The Controller shall determine whether the source of the \$10,031,897 approved herein will
7 be Síhasin Fund Principal or Síhasin Fund Income, or a combination of both.

8 E. Within thirty (30) business days after the effective date of this Act, the \$10,031,897 shall be
9 made available to the Navajo Nation Division of Community Development ("DCD")
10 pursuant to a drawdown schedule agreed to by the Controller.

11 F. At the request of the Mariano Lake Chapter, DCD shall enter a Memorandum of Agreement
12 or other legal agreement with the Chapter to transfer the \$10,031,897 of funding and
13 responsibility for the construction of the multipurpose building, as well as compliance with
14 the Expenditure Plan set forth in **Exhibits A and B**, to the Mariano Lake Chapter.

15 G. The \$10,031,897 in Síhasin funds shall only be used for construction of the Mariano Lake
16 Chapter multipurpose building as described in **Exhibits A and B**.

17 H. The \$10,031,897 shall not lapse on an annual basis. However, any Síhasin funds not spent
18 or encumbered within thirty-six (36) months of the date funds are transferred to DCD shall
19 revert to the Síhasin Fund Principal, unless otherwise approved by the Resources and
20 Development Committee and the Naabik'íyáti' Committee of the Navajo Nation Council.

21 I. Any and all savings or unused amounts of the Síhasin funds approved herein shall be
22 immediately returned to the Síhasin Fund Principal once the Mariano Lake Chapter
23 Multipurpose Building is completed, or upon the reversion deadline in Section Three (G)
24 above.

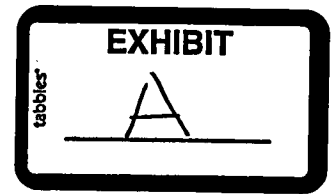
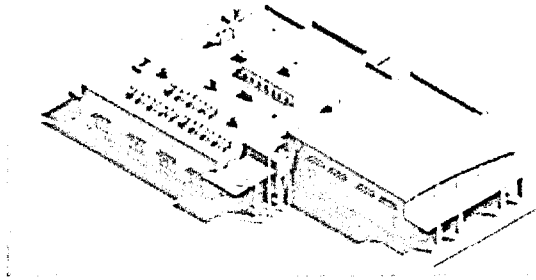
25 J. The Síhasin Fund may be reimbursed all or part of the amount approved herein from eligible
26 funds available to the Navajo Nation from any and all state and federal sources.

27 28 **SECTION FOUR. EFFECTIVE DATE**

29 This Act and the Expenditure Plan approved herein shall become effective pursuant to 12
30 N.N.C. §2505.

1
2 **SECTION FIVE. SAVING CLAUSE**

3 If any portion of this Act is invalidated by the Supreme Court of the Navajo Nation, or by any
4 Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
5 remainder of this Act shall be the law of the Navajo Nation.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30



Mariano Lake Chapter – New Multipurpose Building Construction

Mariano Lake Chapter, Navajo Nation

The Community Members and Chapter of Mariano Lake, New Mexico submit the following proposal to our Navajo Nation Government, Office of the Navajo Nation President and Vice President, and Navajo Nation Council through Honorable Council Delegate Edmund Yazzie, requesting \$10,031,897.00 to construct the New Multipurpose Building.

April 11, 2022

Mariano Lake Chapter

Leandra K. James, Community Services Coordinator

ljames@navajochapters.org or marianolake@navajochapters.org

Off. No.: (505) 786-2180; Fax No.: (505) 786-2181

P.O. Box 164, Smith Lake Chapter, New Mexico, 87365

Table of Contents

Summary	01
Background	02
Critical Need	03
Benefits	04
Completed Activities	07
Subject Matter Expert	08
Construction Budget	09
Design	10
Scope of Work	11
Chapter Resolution	12
Navajo Nation Budget Forms	13

Mariano Lake Chapter – New Multipurpose Building Construction

Mariano Lake Chapter, Navajo Nation

SUMMARY

The Community Members of Mariano Lake, New Mexico and Mariano Lake Chapter of the Navajo Nation Government submit the following proposal to the Navajo Nation Government requesting \$10,031,897.00 to construct a New Multipurpose Building.

The Navajo Nation constructed the Mariano Lake Chapter House building in 1952. The original building was constructed as one room with four walls, two entrances, four east-faced windows, and a wood stove for heating. Since then, the building received additions and renovations, however, in 2018, the building was declared to have exceeded its useful life, resulting to the demolition in October 2020. Thereafter, the Chapter has operated within a temporary steel modular building which prohibits adequate space and limits services provided to the community members; and presents various challenges to the present and existing services.

In 2015, the Community Members and Mariano Lake Chapter solidified its decision to construct a multi-use facility that would integrate community resources into one physical location. Based on this decision, the solid interest and support from the Community Members have directed the Mariano Lake Chapter to complete activities for planning and design. With the planning and design activities now completed, the next directive was to identify and secure funds for demolition of the former building and construction of the new building. Upon completing the demolition of the former Chapter House building, the Mariano Lake Chapter immediately began submission for construction funds. The Chapter has secured \$1,614,293.00 from the State of New Mexico – Long Term and Aging Office, along with \$2,900,000.00 from the State of New Mexico – Indian Affairs Department Tribal Infrastructure Funds for construction of the new multipurpose building. The overall total construction cost is projected to be \$14,546,190.00. After applying the secured funds we have a balance and need of \$10,031,897.00. The Community Members and Mariano Lake Chapter respectfully seek financial investment from the Navajo Nation Government to fully fund the balance of \$10,031,897.00. The Navajo Nation will be the sole owner of the new building and will continue its local government operations and delivery of services through Mariano Lake Chapter. The Navajo Nation Government

Mariano Lake Chapter
• • •

Contact Information:
Leandra K. James, CSC
Myrna M. Williams, AMS
P.O. Box 164
Smith Lake, NM 87365
(505) 786-2182
ljames@navajochapters.org

Mariano Lake Chapter
Officers
• • •

Chapter President
Mr. Jay R. DeGroat

Chapter Vice President
Mr. Henry T. Begay

Chapter
Secretary/Treasurer
Mr. Henry P. Begay Jr.

will not need to increase its annual allocation but will display a smart investment in the construction of a shared multi-use facility; and will maximize the fiscal responsibilities for its current annual financial support.

BACKGROUND

The community of Mariano Lake is located within the Navajo Nation and identifies various land status consisting of Navajo Tribal Trust Land, Bureau of Indian Affairs Indian Allotment Land, Bureau of Land Management Land and Private Land. Mariano Lake is located within the McKinley County in the State of New Mexico. Mariano Lake experiences all four seasons of climate and is located along the Continental Divide. The land structure is formed as a bowl-shaped surface, with the center viewed as plain and surrounded by mountains and mesas with a mixture of vegetation and soil.

The Mariano Lake Chapter Team consists of the Navajo Nation Chapter Staff, Elected Chapter Officials and the Seven Members of the Community Land Use Planning Committee. The Chapter Team have completed a community assessment identifying the increase in population with approximately 2000+ residents residing within the community served by the Mariano Lake Chapter Government. The age span of community residents are from birth to 91 years of age, of which, 36% are considered Senior Citizens, 41% are considered Adults, and 23% are considered Child and Youth.

Within the boundary of Mariano Lake you will find that there are few resources presently available for the Community Members. Along with the Mariano Lake Chapter Government, there is the Mariano Lake Community School administered by the United States Bureau of Indian Education serving students from birth to the sixth grade, two community churches, an infrastructure development site, a cemetery, two locations for water hauling, a small temporary fire department, a housing sub-division and scattered homes throughout the community.

The Mariano Lake Chapter is collaboratively working with the McKinley County Fire Department in developing a permanent Fire Department. The Mariano Lake Chapter Team is planning and preparing for economic development within the community, upon completing and providing the basic infrastructure development. Presently, the community has received 90% services for water infrastructure, 90% services for electrical infrastructure, 98% services for telecommunication infrastructure, and 20% services for road improvement infrastructure.

Lastly, the Mariano Lake Chapter has demonstrated through its latest Navajo Nation audit report that we are viable and capable to deliver and function as a responsible entity of the Navajo Nation Government and service provider.

CRITICAL NEED

The new 11900 sq. ft. Multi-purpose building will replace the former and non-existing chapter building. The new multipurpose building will cater to many different functions and accommodate all resources in one central location to serve the citizens which will also benefit the public. The new building will address the need of adequate space to host services specifically as an integrated operation of services accommodating a Senior Citizens Center, Veteran Citizens Center, Computer Lab with Library, Kitchen and Cafeteria, Meeting and Public Services Facility, and Administrative Offices. This new building will replace the former Chapter House Building. The Navajo Nation will own, operate and administer the building through the assigned Navajo Nation Employees of the Mariano Lake Chapter Government.

The former Chapter House Building was constructed in 1952. Thereafter, in 1982, the building received an addition of restrooms, kitchen and three administration offices. Originally having only one heating source provided by a wood stove was replaced with propane wall heaters. Since then the building had undergone several major improvements to the plumbing piped in the building and in the ground including the pipes for the sewage water, continuous roof repairs for water leaks, mold and ventilation repairs, heater replacements, electrical repairs, propane leak repairs and floor repairs from the earth movement in the foundation and basic use of the building. Additional minor repairs were completed; however the minor repairs became a band-aid method for continued use of the building. In 2001, the building was provided abatement of asbestos and lead, and mold in the roof was removed, but with additional reports from the Occupational Safety and Health Administration (OSHA) and Navajo Occupational Safety and Health Administration (NOSHA), there were other continued findings.

The former Chapter House building had a square footage of 3800 sq. ft. and was administered by two Navajo Nation Employees as the Chapter Staff and Community Health Representative to function in three offices with the use of a meeting room, kitchenette and restrooms. The facility had no office space and work stations for: elected officers, committee members, and temporary staff. In 2015, the community members supported the need to obtain a multipurpose facility to actively provide services to all ages within the community and general public as the community hub of services under one roof.

The former Chapter House building received a completed environmental site assessment report (ASTM Environmental Report) in March 2018, citing asbestos and lead; and geotechnical engineering exploration and study (GEOTECH Report) in May 2018. At the time of the two studies, the initiative was to renovate the existing chapter house and construct an addition. Upon receiving the reports, it was concluded that the existing building reached its useful life. With increasing risk of asbestos and lead, it was decided to abate and demolish the existing building and construct a new building that will ensure the best facility for our community and shareholders. In conclusion, the former Chapter facility served its useful life cycle and showed signs of safety and health concerns among its users. The

building materials from the exterior and interior walls, including the roof system, mechanical and electrical systems were deteriorated and exceeded its life expectancy. The former Chapter House facility did not meet the present occupancy codes, fire ratings, life safety codes and the American Disabilities Act (ADA) requirements and standards.

The infrastructure did not meet the daily operational functions or the expanding community needs. The drainage did not allow for proper positive drainage at the perimeter of the building and there was no drainage management to off-site flooding or erosion control system. The site access and vehicle circulation pattern were not designed for safe access for staff and community members per ADA requirements and deliveries. The concrete sidewalks were crumbling, cracking and upheaving causing community members with hazardous accessibilities. The utilities, sizing, capacities, and materials were all outdated and in need of replacement. The yearly deterioration of the building and its systems greatly affected the facility air quality, temperature control, and water control. Basic use resulted many damages which required constant corrective actions consistently year after year, eventually became unrepairable. The materials and equipment were outdated and parts and replacements no longer available causing longer lead time for repairs; and interruptions resulted in facility closure.

The combined assessment reports surfaced all the problems for the building and the site, assisting the planners with additional areas of focus in the design of a new building and site preparation such as: The civil engineering plans incorporate requirements for grading and drainage design from an updated topographic survey. The parking lot design will include new ADA parking space and sidewalks; again, per ADA guidelines and standards for sidewalks, parking, and signage and handicap accessibility. Utility upgrades would be coordinated with local utility providers for latest requirements in materials and equipment to be used and safety parameters for client consumption and energy efficiency.

In the best interest of safety and health, it was concluded that the Chapter House building be demolished. The demolition of the 1952 Chapter Building was completed in October 2020. An intermediate and temporary solution for continued services by the Mariano Lake Chapter Government is provided and performed inside a 2,016 sf steel modular building, which was formerly operated as a Navajo Nation Headstart facility. Even then the temporary facility poses occupancy capacity challenges due to limited space, especially during the national pandemic and declared emergency for the Coronavirus. The temporary facility and infrastructure do not meet the demands of the daily functions for government operations and the growing community needs with its increasing population.

BENEFITS

The construction of a new multipurpose building will replace the former Chapter House building. This will encourage and demonstrate to the citizens that the Navajo Nation prioritizes its people and the

public by providing a safe facility to meet the needs and conditions required of a public building. The Navajo Nation will positively demonstrate the importance to provide direct professional services at the local level by supporting and funding a multipurpose facility concept which will provide direct services to all ages in one location as a shared unit and shared fiscal responsibilities.

The Navajo Department of Health – Navajo Epidemiology Center manages the Navajo Nation's public health information systems, investigates diseases and injuries of concern, responds to public health emergencies, coordinates activities with public health authorities and provides data and reports to help health programs effectively manage their program, with their primary objective of data collection, analysis and interpretation, health surveillance, disease control and prevention and data sharing. Mariano Lake Chapter educates itself and the community by referring to the center's updates and reports. The center released a report in 2017 identified as the 2017 Navajo Youth Risk Behavior Survey. According to the results of the report there are major improvements within the awareness of our Navajo youth. Although there are positive improvements, there is also an increase of negative activities. The Community Members of Mariano Lake would like to be better informed, prepared, and educated to continue positive growth and improvements, but to do so, the community must have a large facility to accommodate trainings, meetings and activities. Public education under one roof is pivotal to providing awareness at the local level on all matters, and is the first step in preparing and improving a community's lifestyle, which will branch out to all age levels.

Based on the reports provided by the center and additional resources, the Mariano Lake Chapter continues to embrace activities that focus on improving the healthy lifestyle within the community, although challenges arise such as the current Coronavirus pandemic. However, the Chapter embraces those challenges and provides services within the directed guidelines. Within the fiscal year 2021, the Mariano Lake Chapter provided a combined total of 28 curbside activities consisting of emergency distribution and infrastructure sessions (for community members and projects). Additionally, Mariano Lake Chapter met its annual goal to provide assistance within the following categories: Public Employment Program hired 14 temporary employees, Summer Youth Employment Program hired 51 temporary student employees, Scholarship program assisted 38 students, Housing Discretionary Program assisted 12 community members, and the COVID19 Emergency Operations Program conducted 21 emergency activities. The Mariano Lake Chapter also collaborated with 9 resources and hosted 5 health events for the community members. The Mariano Lake Chapter with the collaborated resources have reached a total of 1,926 homes, and served approximately 5,781 individuals over the course of the fiscal year 2021.

The construction of a new multipurpose building will encourage community participation, enhance the quality of community health, as well as retain people to live in the area and support the growing population. The new building will operate immediately as the center of the community. As the center, it will also provide a welcome to the general public while encouraging outside resources to consider

their activities or events to be conducted inside the new building. The increase in activities and participation will provide a need for economic development resulting to the positive growth overall for the community and the Navajo Nation.

The multipurpose building will create a safe space and provide adequate space for the community to gather while providing a venue of support services. Especially supporting the directives outlined within the Navajo Nation Public Health Orders. There will be many positive aspects brought to the community which will include counseling services of many types, wide stretch of trainings, classes and workshops for health, wellness, addiction, general education development and focused trainings to receive certifications. There will also be positive development for the community members in education, communication, and technology. The new building will support a properly structured, safe and organized operation for the community functions.

The new multipurpose building will facilitate direct services at the heart of the community to all ages whom reside within the community on a daily basis, including the citizens of the neighboring communities, and individuals that receive services by member registration or Navajo census, but not limited to only Navajos, which then includes services to the mixture of ethnicity residing within the community and reservation. The new multipurpose building will integrate accommodations to the Mariano Lake Chapter Administration (Staff and Chapter Officials), Veterans, Senior Citizens, Students, Adults, and Children. The building will integrate all groups in one location, displaying “unity” within Community.

Mariano Lake Chapter

• • •

Contact Information:

Leandra K. James, CSC

Myrna M. Williams, AMS

P.O. Box 164

Smith Lake, NM 87365

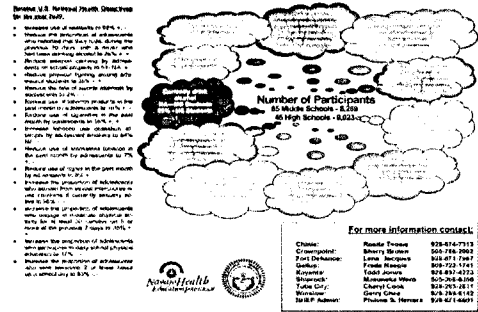
(505) 786-2182

ljames@navajochapters.org

COMPLETED ACTIVITIES

- Pre-Planning Activities:
 - o Land Withdrawn & Land Clearances
 - o Construction of Utilities
- Planning Activities:
 - o ASTM Phase II Environmental Assessment Report
 - o GEO-Technical Engineering Report
 - o Site Utility Connections
 - o Programming Report
 - o Master Plan
- Design Activities:
 - o Design Development Construction Documents
- Construction Activities:
 - o Former Chapter House Demolished
 - o Site Prepared

2017 Navajo Youth Risk Behavior Survey



GEOMAT.
GEOTECHNICAL ENGINEERING REPORT
CHAPTER HOUSE ADDITION
MARIANO LAKE, NEW MEXICO

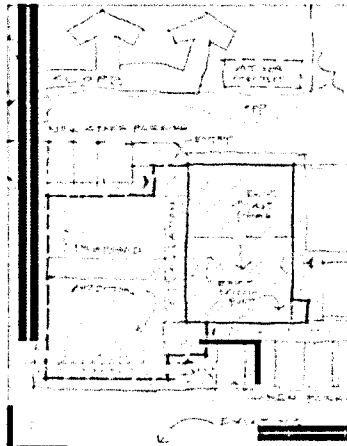
Submitted To:

Nathan Wero, NCARB, CDT
Indigenous Design Studio + Architecture, LLC
3737 Princeton Drive, NE, Suite 130
Albuquerque, New Mexico 87107

Submitted By:

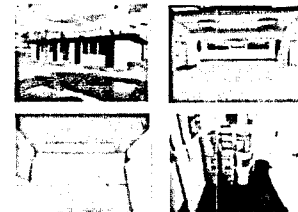
GEOMAT Inc.
915 Malta Avenue
Farmington, New Mexico 87401

May 16, 2018
GEOMAT Project 182-2990



ASTM PHASE II ENVIRONMENTAL SITE ASSESSMENT REPORT MARIANO LAKE CHAPTER HOUSE RENOVATION MARIANO LAKE, MURKIN COUNTY, NEW MEXICO

March 30, 2018



2737 Princeton Drive NE, Ste. 130
Albuquerque, NM 87107
Phone: (505) 226-2862
Fax: (505) 226-2862

1412 Southwest Lane
Farmington, NM 87401
Phone: (505) 327-1872
Fax: (505) 327-1872

liné bā, Inc. Project No. 182-2990

Mariano Lake Chapter

• • •

Contact Information:
Leandra K. James, CSC
Myrna M. Williams, AMS
P.O. Box 164
Smith Lake, NM 87365
(505) 786-2182
ljames@navajochapters.org

SUBJECT MATTER EXPERT



Indigenous Design Studio + Architecture, LLC



Indigenous Design Studio + Architecture, LLC

STATEMENTS BY SUBJECT MATTER EXPERT

Project: New MPB Senior Center, Mariano Lake Chapter, Navajo Nation, New Mexico

Owner: Leandra K. James, Mariano Lake Chapter, Community Services Coordinator, (505) 786-2182

Architect's Office: Indigenous Design Studio + Architecture (IDS+A), Albuquerque, New Mexico, (505) 225-2565

IDS+A CEO/President, Tamarah R. Begay (Architect)

Tamarah R. Begay has over fourteen (14) years of experience in the Architectural and Planning profession. Mrs. Begay's credentials include the following: Certifications that include LEED AP BD+C, National Council of Architectural Registration Board, Construction Specification Institute Construction Document Technologist and Architectural Licenses in the States of, NM(#5192), AZ (#54592), UT(#9633363-0301), CO(#00404286), NV(#7577), OK(#A7081).

PROJECT EVALUATION STATEMENTS BY SUBJECT MATTER EXPERT

The existing Mariano Lake Chapter requires immediate action to remediate the facility. From IDS+A's point of view the current building was built approximately in 1952. The facility has served its life cycle use and is showing signs of safety and the wellbeing concerns of its users. The building materials of the exterior and interior walls, including the roof system, mechanical and electrical systems are deteriorating and have exceeded its life expectancy. The current facility does not meet the latest building codes, fire ratings, life safety codes and the American Disabilities Act (ADA) requirements and standards. At the time of the opening of the facility it had operated and provided minimal services by staff to its community members. With current growing services required and an increase of its community members the staff requirements of spatial needs and updated technologies to assist clients were lacking. The outdated facility needs to expand and be designed efficiently to assist staff support in providing the services of the changes and challenges of the community's current and future needs.

The facility staff has maintained the existing building to the best of its ability by repairing and updating areas as needed that have included yearly maintenance of patching up walls and roof leaks, repairing doors and windows, replacing weatherstripping and finishes in providing a safe environment for its community members, however the building system and materials have exceeded its life cycle expectancy and are in need of complete demolition. Past materials use in the facility, per the Hazardous Material Investigation report had found lead paint, asbestos in the roof system, and mercury in the lighting systems, to be properly abated. A commercial grade design will include new construction materials to prolong the life expectancy of the facility with efficient mechanical and electrical building systems designed to latest building codes and standards and per geotechnical soils investigation recommendation of the foundation systems.

The existing site development and infrastructure does not meet the daily functions of staff operations and the growing community needs. The existing drainage does not allow for proper positive drainage at the perimeter of the building and no drainage management to off-site flooding and erosion protection. The existing site access and vehicle circulation pattern were not designed for safe access for staff and community members per ADA requirements and deliveries. Existing concrete sidewalks are crumbling, cracking and upheaving causing community members with hazardous accessibilities. The existing utilities, sizing, capacities, and materials are also outdated and in need of replacement. The civil engineering plans incorporate grading and drainage design from an updated topographic survey. The parking lot will include new ADA parking spaces and sidewalks per ADA guidelines and standard for sidewalks, parking, signage and handicap accessibility. Utility upgrades would be coordinated with local utilities providers for latest requirements in materials and equipment to be used and safety parameters for client consumption and energy efficiency. The yearly deteriorating of the building and systems greatly affects air quality, temperature control, water damage that staff maintenance consistently year after year, it will eventually become beyond repair, the materials and equipment are outdated and



Indigenous Design Studio + Architecture, LLC

no longer available causing longer lead time for repairs and interruptions that could result in facility closures.

Currently, the Chapter has completed the demolition phase of the existing facility and is presently in a steel modular building.

The Mariano Lake Chapter has provided services to its residents and the general public to the best of their ability within a facility that is deteriorating due to its age and within a structure that has no room for addition or renovation. The facility is located in a rural remote community where it is heavily relied on and a necessity to its staff and community members in providing vital services and programs locally. The citizens and staff will greatly benefit with a commercial grade facility built to the latest senior center spatial requirements with building codes and energy efficient equipment, and ADA guidelines required to operate efficiently in providing for its growing senior citizens clients and programs.

The proposed new facility is construction ready.

The anticipated facility Construction Cost: \$10,031,897.00.
(See attached Estimated Total Overall Project Budget Breakdown)

Mariano Lake Chapter

• • •

Contact Information:

Leandra K. James, CSC

Myrna M. Williams, AMS

P.O. Box 164

Smith Lake, NM 87365

(505) 786-2182

ljames@navajochapters.org

Tamarah Begay

Tamarah Begay, AIA
Principal-in-Charge
Indigenous Design Studio + Architecture

BUDGET

Mariano Lake Chapter Multi-Purpose Facility
Estimated Overall Project budget
Updated: April 2022

DEMOLITION COSTS	Item	Notes
\$217,800.00	Building Demolition (Existing Building)	Completed Activity
CONSTRUCTION COSTS	Item	Notes
\$8,330,000.00	Maximum Allowable Construction Costs (MACC)	11,900 sf x \$700/sf New Construction
\$833,000.00	Location Factor - 10%	
\$499,800.00	Navajo Nation Sales Tax @ 6%	
\$9,662,800.00	CONSTRUCTION COST TOTAL WITH TAX	
SOFT COSTS	Item	Notes
\$833,000.00	Furniture, Furnishings, and Equipment (FF&E)	Estimated @ 10% of Maximum Allowable Construction Cost
\$178,500.00	Technology	\$15/sf
\$5,000.00	Fire flow investigation	
\$37,000.00	Special inspection and testing during construction	Estimated, code requirement, structural will outline the scope of testing during CDs
\$500,000.00	Estimated cost for fire pump, generator, and tank	Possibility of inadequate water pressure / flow for building fire sprinkler system
\$28,000.00	Third party plan review	
\$600,000.00	Parking Lot	
\$700,000.00	Building Relocation	Current Administration Bldg.-P,D,C Activities
\$94,890.00	Navajo Nation Sales Tax @ 6% on soft cost items above	
\$1,666,000.00	Owner's contingency	20% of the MACC
\$91,000.00	Professional fees	Bidding/Negotiation, Construction Administration, Warranties and Reimbursables Includes applicable Navajo Nation Sales Tax, and Reimbursables
\$150,000.00	Site/utilities contingency	Estimated
\$4,883,390.00	SOFT COST TOTAL	
\$1,516,190.00	SUB-TOTAL ESTIMATED PROJECT COST	
\$1,614,293.00	Obligated Funds	
\$2,900,000.00	Obligated Funds	
\$4,514,293.00		
\$10,081,897.00	TOTAL ESTIMATED PROJECT COST	

Mariano Lake Chapter

• • •

Contact Information:
Leandra K. James, CSC
Myrna M. Williams, AMS
P.O. Box 164
Smith Lake, NM 87365
(505) 786-2182
ljames@navajochapters.org

DESIGN

PRE-FINAL CD SUBMITTAL
Mariano Lake Chapter Administrative Complex
 DECEMBER 6TH 2019

INDEX OF DRAWINGS

NO.	DESCRIPTION	DATE	BY	CHKD.
1	COVER SHEET	12/06/19	JL	MS
2	GENERAL NOTES	12/06/19	JL	MS
3	SECTION 100 - EXISTING	12/06/19	JL	MS
4	SECTION 200 - PROPOSED	12/06/19	JL	MS
5	SECTION 300 - UTILITIES	12/06/19	JL	MS
6	SECTION 400 - LANDSCAPE	12/06/19	JL	MS
7	SECTION 500 - STRUCTURE	12/06/19	JL	MS
8	SECTION 600 - MECHANICAL	12/06/19	JL	MS
9	SECTION 700 - ELECTRICAL	12/06/19	JL	MS
10	SECTION 800 - PLUMBING	12/06/19	JL	MS
11	SECTION 900 - FINISHES	12/06/19	JL	MS
12	SECTION 1000 - SPECIALTIES	12/06/19	JL	MS
13	SECTION 1100 - FURNITURE	12/06/19	JL	MS
14	SECTION 1200 - EQUIPMENT	12/06/19	JL	MS
15	SECTION 1300 - SIGNAGE	12/06/19	JL	MS
16	SECTION 1400 - SECURITY	12/06/19	JL	MS
17	SECTION 1500 - ACCESSIBILITY	12/06/19	JL	MS
18	SECTION 1600 - SUSTAINABILITY	12/06/19	JL	MS
19	SECTION 1700 - HISTORIC PRESERVATION	12/06/19	JL	MS
20	SECTION 1800 - ARCHITECTURAL RECORD	12/06/19	JL	MS
21	SECTION 1900 - CONSTRUCTION ADMINISTRATION	12/06/19	JL	MS
22	SECTION 2000 - PROJECT CLOSEOUT	12/06/19	JL	MS

PROJECT LOCATION

NOT FOR CONSTRUCTION

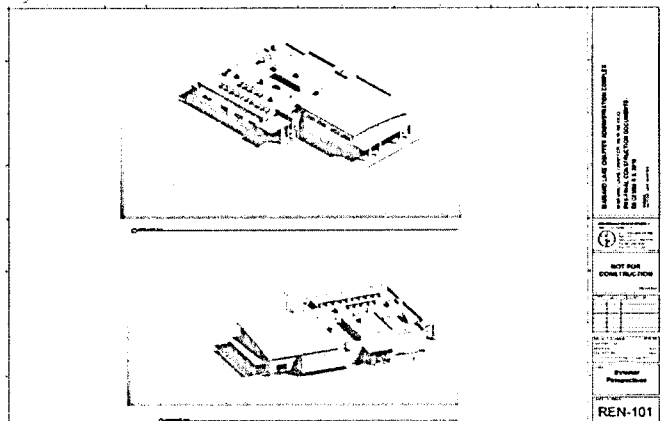
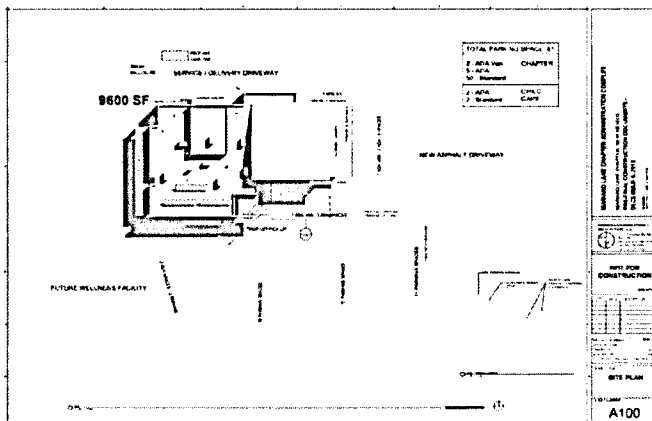
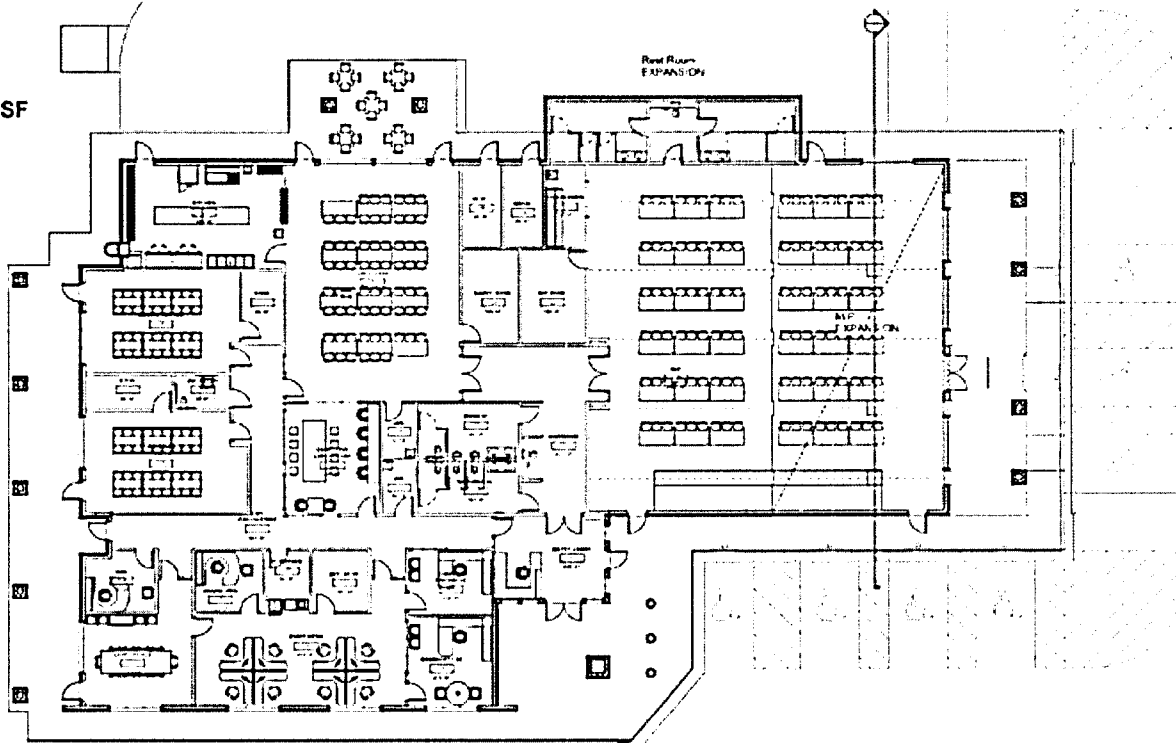
COVER SHEET

G001

Mariano Lake Chapter

Contact Information:
 Leandra K. James, CSC
 Myrna M. Williams, AMS
 P.O. Box 164
 Smith Lake, NM 87365
 (505) 786-2182
 ljames@navajochapters.org

9600 SF



SCOPE OF WORK

PROJECT TITLE: New Multi-Purpose Building Renovation and Addition

NAME OF TRIBAL ENTITY: Mariano Lake Chapter – Navajo Nation

BUDGET: \$10,031,897.00

PERFORMANCE MEASURES:

- Within twelve (18) months, we will be constructing a new multi-purpose building.
- Within twelve (18) months, we will complete the plan, design and construction activities of relocating the steel modular building.

TIME FRAME/MILESTONES:

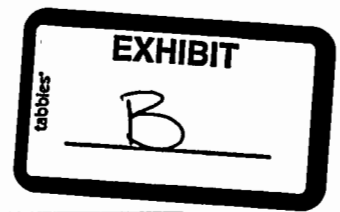
- Stakeholders Kick off meeting: 1st Month
- Solicitations: 1st Month
- Interviews: 2nd Month
- Awards: 3rd Month
- Execution of Contracts: 3rd and/or 4th Month
- Pre-Construction Meetings: 4th and/or 5th Month
- New Building Construction: 6th Month to 18 Month
- Steel Modular Building Planning & Designs: 6th Month to 9th Month
- Steel Modular Building Relocation Construction: 10th Month to 18th Month
- Construction Close outs: 16th Month to 18th Month
- Grant Closeout: 18th Month

RESPONSIBLE PROJECT STAFF:

- Ms. Leandra K. James, Community Services Coordinator, Mariano Lake Chapter, Work No. (505) 786-2180, Work Email: ljames@navajochapters.org
- Mr. Andy Thomas, Project Manager, Capital Projects Management Department, Work No. (928) 871-6739, Work Email: andy_thomas@nndcd.org



MARIANO LAKE CHAPTER
PO BOX 164
Smith Lake, NM 87365
Phone (505) 786-2180/2182 Fax (505) 786-2181
Email: marianolake@navajochapters.org



RESOLUTION OF THE MARIANO LAKE CHAPTER

Resolution No: MLC2022-04-04

REQUESTING THE HONORABLE NAVAJO NATION COUNCIL DELEGATES, HONORABLE NAVAJO NATION PRESIDENT NEZ, HONORABLE NAVAJO NATION VICE PRESIDENT LIZER AND THE NAVAJO NATION GOVERNMENT TO FULLY FUND THE "MARIANO LAKE CHAPTER - NEW MULTIPURPOSE BUILDING PROJECT" IN THE TOTAL AMOUNT OF \$10,031,897.00.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 1 (B.1) the Mariano Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B.1) the purpose of the Local Governance Act is to recognize governance at the local level. Through the Navajo Nation Council Delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition; and
3. Pursuant to 26 N.N.C., Section 1 (B.2) enactment of the Local Governance Act allows Chapters to make decisions over local matters. This authority, in the long run, will improve community decision making, allow communities to excel and flourish, enable Navajo leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Through adoption of this Act, Chapters are compelled to govern with responsibility and accountability to the local citizens; and
4. Pursuant to 26 N.N.C., Section 103 (A) the members of each Chapter, at a duly called meeting, are authorized to oversee the authority delegated to the Chapter; and
5. The Mariano Lake Chapter, Community Land Use Planning Committee and Registered Members have diligently completed the planning and design activities for construction of a new Multipurpose Building to replace the demolished Mariano Lake Chapter House, which was identified to have exceeded its useful life; and
6. The Mariano Lake Chapter and registered voters respectfully request the Honorable Navajo Nation Council, Honorable Navajo Nation President Jonathan Nez, Honorable Navajo Nation Vice President Myron Lizer and the Navajo Nation Government to support the Mariano Lake Community Members by funding the "Mariano Lake Chapter - New Multipurpose Building Project" in the total amount of Ten Million Thirty One Thousand Eight Hundred Ninety Seven Dollars (\$10,031,897.00).

NOW, THEREFORE, BE IT RESOLVED THAT:

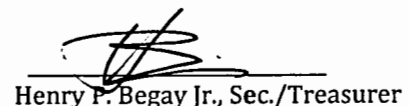
1. The Mariano Lake Chapter and registered voters approve and request the Honorable Navajo Nation Council Delegates, Honorable Navajo Nation President Nez, Honorable Navajo Nation Vice President Lizer and the Navajo Nation Government to fully fund the "Mariano Lake Chapter - New Multipurpose Building Project" in the total amount of Ten Million Thirty One Thousand Eight Hundred Ninety Seven Dollars (\$10,031,897.00).

CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the Mariano Lake Chapter at a duly called meeting in Mariano Lake, Navajo Nation, New Mexico at which a quorum of chapter members were present and that the same was passed by a vote of 11 in favor, 00 opposed and 02 abstained this 14th day of April, 2022.


Jay R. DeGroat, President

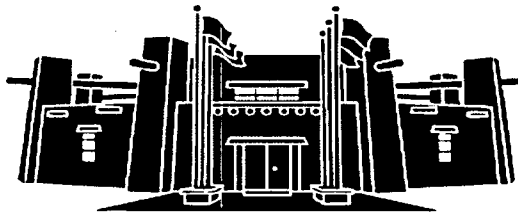
Henry T. Begay, Vice-President


Henry P. Begay Jr., Sec./Treasurer

Jay R. DeGroat, President
Edmund Yazzie, Council Delegate

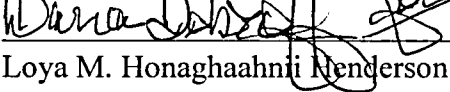
Henry T. Begay, Vice-President
Edmund Henry, Land Board Member

Henry P. Begay Jr., Secretary/Treasurer
Leandra K. James, Community Services Coordinator



MEMORANDUM

TO: Honorable Edmund Yazzie
24th Navajo Nation Council Delegate

FROM: 
Loya M. Honaghaahnii Henderson
Office of Legislative Counsel

DATE: September 13, 2022

SUBJECT: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$10,031,897 FROM THE SÍHASIN FUND FOR THE MARIANO LAKE CHAPTER MULTIPURPOSE BUILDING PROJECT; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §2501 – §2508

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.

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).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0159-22_

SPONSOR: Edmund Yazzie

TITLE An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$10,031,897 from the Sihasin Fund for the Mariano Lake Chapter Multipurpose Building Project; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. §2501 - §2508

Date posted: September 16, 2022 at 7:21 PM

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) 871-7586**

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

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

LEGISLATION NO.: 0159-22

SPONSOR: Honorable Edmund Yazzie

TITLE: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$10,031,897 from the Síhasin Fund for the Mariano Lake Chapter Multipurpose Building Project; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. §2501 - §2508

Posted: September 16, 2022 at 7:21 PM

5 DAY Comment Period Ended: September 21, 2022

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>



 Legislative Tracking Secretary
 Office of Legislative Services

September 22, 2022; 8:25 AM
 Date/Time

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022

COMMITTEE REPORT

Mr. Speaker,

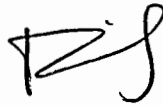
The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION #0159-22: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$10,031,897 FROM THE SÍHASIN FUND FOR THE MARIANO LAKE CHAPTER MULTIPURPOSE BUILDING PROJECT; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §2501 - §2508.
Sponsor: Honorable Edmund Yazzie Co-Sponsor: Honorable Raymond Smith, Jr.

Has had it under consideration and reports a **DO PASS** with no amendments.

And thereafter the legislation was referred to Budget and Finance Committee.

Respectfully submitted,



Rickie Nez, *Chairperson*
Resources and Development Committee of
the 24th Navajo Nation Council

Date: September 28, 2022 – Regular Meeting (Teleconference)

Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Herman M. Daniels

S: Wilson C. Stewart, Jr.

V: 4-0-1 (CNV)

In Favor: Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.

Opposition: None

Excused: None

Not Voting: Thomas Walker, Jr.; Rickie Nez, *Chairperson*

(NOTE: VOTE TALLY attached hereto)

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022


**ROLL CALL
VOTE TALLY SHEET**

LEGISLATION #0159-22: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$10,031,897 FROM THE SÍHASIN FUND FOR THE MARIANO LAKE CHAPTER MULTIPURPOSE BUILDING PROJECT; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §2501 - §2508.
Sponsor: Honorable Edmund Yazzie Co-Sponsor: Honorable Raymond Smith, Jr.

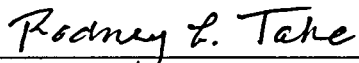
Date: September 28, 2022 – Regular Meeting (Teleconference)
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Herman M. Daniels **S:** Wilson C. Stewart, Jr. **V:** 4-0-1 (CNV)
In Favor: Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.
Opposition: None
Excused: None
Not Voting: Thomas Walker, Jr.; Rickie Nez, *Chairperson*



Honorable Rickie Nez, *Chairperson*
Resources and Development Committee



Rodney L. Tahe, *Legislative Advisor*
Office of Legislative Services

24th NAVAJO NATION COUNCIL

Fourth Year 2022

Mr. Speaker:

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

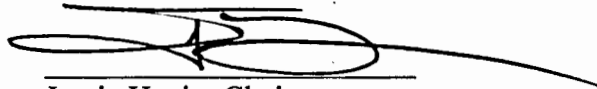
NAVAJO LEGISLATIVE BILL # 0159-22:

An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$10,031,897 from the Sihasin Fund for the Mariano Lake Chapter Multipurpose Building Project; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. §2501 - §2508 *Sponsored by Edmund Yazzie and Raymond Smith, Jr., Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

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

Respectfully submitted,



Jamie Henio, Chairman

Adopted: Laureen Spens
Legislative Advisor

Not Adopted: _____
Legislative Advisor

4 October 2022

The vote was **3** in favor **0** opposed yeas: *Raymond Smith, Jr., Jimmy Yellowhair, Nathaniel Brown*

Main Motion: Jimmy Yellowhair

Second: Elmer P. Begay

BUDGET AND FINANCE COMMITTEE

4 October 2022

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0159-22: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and to the Navajo Nation Council; Allocating \$10,031,897 from the Síhasin Fund for the Mariano Lake Chapter Multipurpose Building Project; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. §2501 - §2508 *Sponsored by Edmund Yazzie and Raymond Smith, Jr., Council Delegates*

Motion: Jimmy Yellowhair

Second: Elmer P. Begay

Vote: 3-0, Chairman not voting

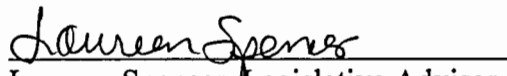
Final Vote Tally:

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

Absent: Elmer P. Begay, Amber K. Crotty



Jamie Henio, Chairman
Budget & Finance Committee



Laureen Spencer, Legislative Advisor
Budget & Finance Committee