

Attachment #5
To Intergovernmental Agreement between
The NAVAJO NATION and SAN JUAN COUNTY, UTAH
For Road Projects

AUTHORITY:

Attachment #5 is to be appended to the Master Intergovernmental Agreement (IGA), amending and revising certain sections of the IGA and updating sections in Contract No. CO10906 for road maintenance and improvement projects between the Navajo Nation (NATION) and San Juan County, Utah (COUNTY) as contemplated in Sections 1.1 and 2.1 of the IGA.

AMMENDMENT:

Section 2.5 will be amended and revised as follows:

Specific roads subject to this agreement. The Nation B Roads, as described in Attachment 5, are the only roads subject to this IGA. Updates to Attachment 4 may be made from time to time upon the express written mutual agreement of both Parties.

Section 2.11 will be amended and revised as follows:

Agreement length and renewal. This IGA shall become effective sixty (60) days subsequent to signing by all parties and shall continue to be binding upon the parties until December 31, 2029. This IGA shall be reviewed annually by the appropriate governing bodies of the County and the Nation and may be renewed for an additional five (5) year terms subject to the availability of funds. Unless renewed, this IGA terminates automatically at the end of the term specified in this section.

SCOPE OF WORK:

Routine Maintenance on various Tribal Routes in the Northern and Western Agencies

Routine maintenance as authorized under a stand-alone Road Maintenance IGA between the Navajo Nation and San Juna County, Utah; fully executed in February 2020. Agreement is attached hereto as Attachment #5. The various roads are located in the Northern and Western Agencies within the boundaries of the Navajo Nation. The roads in each Agency were designated by Navajo DOT as routes that should receive routine maintenance. The roads will receive routine maintenance including snow removal and flood repairs on a quarterly basis and as-needed basis in adverse weather conditions, to provide as adequate network of roads for residents and visitors.

Attachment #5– Projected Maintenance Cost

Location	Description	Quantity	Cost	Navajo DOT Account Number
Norther Tribal Routes: 403, 404, 415, 436, 437, 439,	Routine Quarterly Maintenance and snow removal	1	\$258,860.00	<u>CO1854</u>

445, 449, 452, 463, 4041, 4181 Western Tribal Routes: 427, 428, 431, 491, 494	Per attached Road List and Maps			
	TOTAL NDOT COST		\$258,860.00	

Payment to the COUNTY:

Per section 5.A. of the Master IGA, the NATION shall provide the COUNTY **\$250,000.00** in funding for the PROJECT. This funding shall be placed in an account established by the COUNTY and will be utilized for the work described in the Scope of Work of this Attachment.

Upon mutual agreement of both parties, project termini may be altered that fall within the same scope as described in this attachment. **Altered PROJECTS would commence once upfront/startup funding has been received by the COUNTY unless there is sufficient funding remaining from the initial payment to the COUNTY.**

IN WITNESS WHEREOF, the PARTIES have executed this Attachment "5" to the Intergovernmental Agreement between the Navajo Nation and San Juan County, Utah on the dates affixed by their signatures.

SAN JUAN COUNTY

THE NAVAJO NATION

 Jamie Harvey
 San Juan County Board of Commissioners
 117 South Main
 P.O. Box #9
 Monticello, Utah 84535

 Buu Nygren, President
 Navajo Nation
 P.O. Box 7440
 Window Rock, AZ 86515

 Date Signed

 Date Signed

APPROVED AS TO FORM

BY _____
 Navajo Nation Legal Counsel

 Date Signed

BY _____
Brittney Ivins
San Juan County Attorney

Date Signed