

**TO RESCIND CB-106-18 AND TO APPROVE FUNDING FOR CONSTRUCTION OF ATOKA
WELLNESS CENTER EXPANSION**

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO RESCIND Council Bill CB-106-18 titled TO APPROVE FUDING FOR CONSTRUCTION OF ATOKA WELLNESS CENTER EXPANSION.

TO APPROVE funding for construction of the Atoka Wellness Center Expansion in Atoka, Oklahoma (“Expansion”).

WHEREAS, in CB-106-18, the Tribal Council (the “Council”) of the Choctaw Nation of Oklahoma (“Nation”) determined it was in the best interest of the Nation to expand the existing Atoka Wellness Center, and allocated up to One Million Three Hundred Twenty Six Thousand Three Hundred Twenty Eight Dollars (\$1,326,328.00) for the Expansion (the “Previously Approved Construction Costs”). See Exhibit A;

WHEREAS, since the passage of CB-106-18, the proposed construction costs of the Expansion has increased to One Million Six Hundred Seventy Five Thousand Five Hundred Nineteen Dollars and 89/100 (\$1,675,519.89) (the “New Expansion Construction Costs”). See Exhibit B;

WHEREAS, the Council has determined that it is in the best interest of the Nation to rescind the allocation of funds for the Previously Approved Construction Funds;

WHEREAS, the Council has determined that it is in the best interest of the Nation to approve the allocation of the New Expansion Construction Costs for the construction of the Expansion; and

WHEREAS, the Council has determined that it is in the best interests of the Nation to fund the New Expansion Construction Costs from the Nation’s unrestricted case (“Unrestricted Cash”).

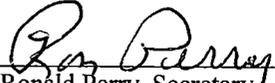
THEREFORE BE IT ENACTED by the Council that this Bill be cited as approval that CB-106-18 is hereby rescinded.

BE IT FURTHER ENACTED by the Council that this Bill be cited as approval for the funding of the New Expansion Construction Cost, which funding shall come from Unrestricted Cash.

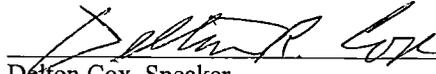
BE IT FURTHER ENACTED by the Council that this Bill be cited as an acknowledgement that the Chief of the Nation, or his designee, is authorized to prepare, execute, deliver and file any and all agreements, certificates, instruments and documents, in such form and with such terms and provisions as the Chief of the Nation, or his designee, may approve, and to take such other action as he, she or they may deem proper or appropriate, to carry out the intent and purposes of the foregoing enactments.

CERTIFICATION

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on January, 12, 2019. I further certify that the foregoing Council Bill CB- 56 -19 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.



Ronald Perry, Secretary
Choctaw Nation Tribal Council



Delton Cox, Speaker
Choctaw Nation Tribal Council



Gary Batton, Chief
Choctaw Nation of Oklahoma

Date 1-15-19

Purpose/Need of Council Bill: This bill rescinds CB-106-18 and approves more funding for the construction of the Atoka Wellness Center Expansion (Expansion). This bill approves \$349,192.00 more than requested in the previous council bill. More funds are needed to complete the expansion because of a recommendation by State Fire Marshalls to build a road behind the Expansion. The new funding will also pay for new sound and security systems for the Expansion.

Title of Council Bill: TO RESCIND CB-106-18 AND TO APPROVE FUNDING FOR CONSTRUCTION OF ATOKA WELLNESS CENTER EXPANSION

Agency: Choctaw Nation Health Service Authority

Budget: \$1,675,519.89

Match Required: NA

Request by Project Director: Joe Bray, Senior Project Manager, Health Services Authority, Teresa Jackson, SEO Member Services

Exhibit A

CB-106-18

TO APPROVE FUNDING FOR
CONSTRUCTION OF ATOKA WELLNESS CENTER EXPANSION

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE funding for construction of an Atoka Wellness Center Expansion in Atoka, Oklahoma (the "Expansion").

WHEREAS, the Council has determined that it is in the best interests of the Nation to expand the existing Atoka Wellness Center; and

WHEREAS, the Council has determined that it is in the best interests of the Nation to allocate up to One Million Three Hundred Twenty Six Thousand Three Hundred Twenty Eight Dollars (\$1,326,328.00) for the Expansion; and

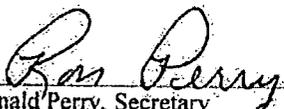
WHEREAS, the Council has determined that it is in the best interests of the Nation to fund the Expansion from the Nation's unrestricted cash ("Unrestricted Cash").

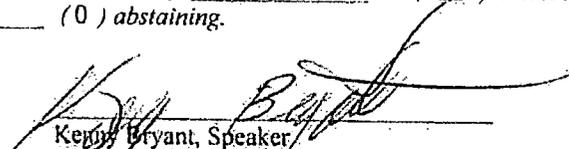
THEREFORE BE IT ENACTED by the Council that this Bill be cited as approval for the construction of the Expansion with funds from Unrestricted Cash.

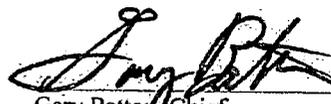
BE IT FURTHER ENACTED the Council that this Bill be cited as an acknowledgment that the Chief of the Nation, or his designee, is authorized to prepare, execute, deliver and file any and all agreements, certificates, instruments and documents, in such form and with such terms and provisions as the Chief of the Nation, or his designee, may approve, and to take such other action as he, she or they may deem proper or appropriate, to carry out the intent and purposes of the foregoing enactments.

CERTIFICATION

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that eleven (11) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on April 14, 2018. I further certify that the foregoing Council Bill CB-106-18 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes, and zero (0) abstaining.


Ronald Perry, Secretary
Choctaw Nation Tribal Council


Kenny Bryant, Speaker
Choctaw Nation Tribal Council


Gary Batto, Chief
Choctaw Nation of Oklahoma

Date 5-15-18

EXHIBIT B

CNCA INTERNAL - PROJECT TRACKING/CONTINUATION SHEET													
PROJECT NUMBER:		57170118					APPLICATION NO: 5						
PROJECT NAME:		Atoka Wellness Center Expansion					APPLICATION DATE: 10/20/2018						
GC OR CM NAME:		Candor Building Solutions					PERIOD TO: 10/20/2018						
CNCA PROJECT MANAGER:		Stacy Brown											
A ITEM NO.	B DESCRIPTION OF WORK	C ORIGINAL SCHEDULED VALUE	D CM - SOV and/or CONTINGENCY TRANSFERS	E REVISED SCHEDULED VALUE	F WORK COMPLETED		G OWNER DIRECT PAY INVOICES / ITEMS			H TOTAL COMPLETED AND STORED TO DATE (D+E+F+G+H)	I PERCENT COMPLETE (I + C)	J BALANCE TO FINISH (C - I)	K RETAINAGE (IF VARIABLE RATE) 10% of Above the Line Costs
					G PREVIOUS APPLICATION (D + E)	H THIS PERIOD	I OWNER DIRECT PAY ITEMS (STORED MATERIALS)	J OWNER DIRECT PAY ITEMS PREVIOUS MONTH	K OWNER DIRECT PAY ITEMS THIS APPLICATION				
1	"Above the Line" Costs:												
2	General Contractor/Construction Manager Costs	\$968,791.89		\$968,791.89	\$558,890.98			\$121,092.12		\$679,983.10	70%	\$288,808.79	\$55,889.10
3	GC/CM Change Order # 001: Start and Stop with CNHSA \$ 49738.31		\$49,738.31	\$49,738.31						\$0.00	0%	\$49,738.31	\$0.00
4	GC/CM Change Order # 002: Pad rework 5176.50	\$0.00	\$5,176.50	\$5,176.50						\$0.00	0%	\$5,176.50	\$0.00
5	GC/CM Change Order #003: Fire lane 56700.04	\$0.00	\$56,700.04	\$56,700.04						\$0.00	0%	\$56,700.04	\$0.00
	GC/CM Change Order #004: additional floor boxes \$ 4857.19	\$0.00	\$4,857.19	\$4,857.19						\$0.00	0%	\$4,857.19	\$0.00
	RFP 4R - add millwork, electric and plumbing, \$8425.47 minus credit taken Big ass Fan \$8970 total change \$1455.47	\$0.00	\$1,455.47	\$1,455.47						\$0.00	0%	\$1,455.47	\$0.00
	RFP 05	\$0.00	\$0.00	\$0.00						\$0.00		\$0.00	\$0.00
	RFP 06 revised site grading Duncan and sons \$30722.86	\$0.00	\$30,722.86	\$30,722.86						\$0.00	0%	\$30,722.86	\$0.00
	RFP 06 sod \$ 25,000 & Sprinklers \$15,000	\$0.00	\$40,000.00	\$40,000.00						\$0.00	0%	\$40,000.00	\$0.00
6	RFP 06 Top soil 20,000, labor \$8,000 \$3,000 fine grade allowance	\$0.00	\$31,000.00	\$31,000.00						\$0.00	0%	\$31,000.00	\$0.00
	RFP 06 Trickle channel and Pad and parking blocks, 12906.85	\$0.00	\$12,906.85	\$12,906.85						\$0.00	0%	\$12,906.85	\$0.00
	RFP 07	\$0.00	\$0.00	\$0.00						\$0.00		\$0.00	\$0.00
	RFP 08 \$1,000 glass break sensors and door sensor	\$0.00	\$1,000.00	\$1,000.00						\$0.00	0%	\$1,000.00	\$0.00
	Add 23 days General conditions	\$0.00	\$25,912.00	\$25,912.00						\$0.00	0%	\$25,912.00	\$0.00
	AV install	\$0.00	\$15,943.00	\$15,943.00						\$0.00	0%	\$15,943.00	\$0.00
	Fees	\$0.00	\$15,729.69	\$15,729.69						\$0.00	0%	\$15,729.69	\$0.00
7	SubTotal "Above the Line" Costs:	\$968,791.89	\$291,141.91	\$1,259,933.80	\$558,890.98	\$0.00	\$0.00	\$121,092.12	\$0.00	\$679,983.10	53.97%	\$579,950.70	\$55,889.10
8													
9	"Below the Line" Costs:												
10	540000 - CNCA Contingency (~10%)	\$96,977.00	\$56,682.78	\$153,659.78						\$0.00	0%	\$153,659.78	\$0.00
11	540000 - Owner Contingency (~2%)	\$20,300.00		\$20,300.00						\$0.00	0%	\$20,300.00	\$0.00
12	500000 - Architect/Engineer Design Costs	\$63,259.00	\$1,367.31	\$64,626.31	\$57,509.67					\$57,509.67	89%	\$7,116.64	\$0.00
13	510000 - Testing & Observation Services	\$13,500.00		\$13,500.00	\$7,044.40					\$7,044.40	52%	\$6,455.60	\$0.00
14	490000 - Equipment Allowance: Push pedal pull 96164.88 45 design 4236.95 mnj tvs 3681	\$140,000.00		\$140,000.00		\$104,082.83				\$104,082.83	74%	\$35,917.17	\$0.00
15	610000 - FF&E (CNOIT, LV, Access Control Surveillance) Allowance it equipment 7574	\$15,000.00		\$15,000.00		\$7,574.00				\$7,574.00	50%	\$7,426.00	\$0.00
	630000 - Owner General Conditions	\$8,500.00		\$8,500.00						\$0.00	0%	\$8,500.00	\$0.00
	630000 - Owner G.C.'s - (Misc. Items, IT, etc.)	\$0.00		\$0.00						\$0.00		\$0.00	\$0.00

EXHIBIT B

CNCA INTERNAL - PROJECT TRACKING/CONTINUATION SHEET

PROJECT NUMBER: 57170118
 PROJECT NAME: Atoka Wellness Center Expansion
 GC OR CM NAME: Candor Building Solutions
 CNCA PROJECT MANAGER: Stacy Brown

APPLICATION NO: 5
 APPLICATION DATE: 10/20/2018
 PERIOD TO: 10/20/2018

A ITEM NO.	B DESCRIPTION OF WORK	ORIGINAL SCHEDULED VALUE	CM - SOV and/or CONTINGENCY TRANSFERS	C REVISED SCHEDULED VALUE	D WORK COMPLETED		G OWNER DIRECT PAY INVOICES / ITEMS			I TOTAL COMPLETED AND STORED TO DATE (D+E+F+G+H)	J PERCENT COMPLETE (I + C)	K BALANCE TO FINISH (C - I)	L RETAINAGE (IF VARIABLE RATE) 10% of Above the Line Costs
					PREVIOUS APPLICATION (D + E)	THIS PERIOD	F OWNER DIRECT PAY ITEMS (STORED MATERIALS)	OWNER DIRECT PAY ITEMS PREVIOUS MONTH	OWNER DIRECT PAY ITEMS THIS APPLICATION				
	480000 - Owner Provided Generator & ATS	\$0.00		\$0.00						\$0.00		\$0.00	\$0.00
	SubTotal "Below the Line" Costs:	\$357,536.00	\$58,050.09	\$415,586.09	\$64,554.07	\$111,656.83	\$0.00	\$0.00	\$0.00	\$176,210.90	42.40%	\$239,375.19	\$0.00
	Total Project Budget:	\$1,326,327.89	\$349,192.00	\$1,675,519.89	\$623,445.05	\$111,656.83	\$0.00	\$121,092.12	\$0.00	\$856,194.00	51.10%	\$819,325.89	\$55,889.10

CNCA Project Manager Signature: _____

Date: _____