



## NCA 17-135

### CLASSIFICATION: #28. LANDS AND MINERALS

### A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 28, § 7-101, § 7-102, § 7-103, § 7-104, ENTITLED "Tribal Construction Engineer"

Be it enacted by the National Council of the Muscogee (Creek) Nation:

**SECTION ONE. AMENDMENT.** This amendment shall be codified in Title 28 of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said amendment and its inclusion in pocket parts of the Code of Laws of the Muscogee (Creek) Nation, the Attorney General is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated consistent with the format in the Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts to the Code of Laws and (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment, without further National Council approval:

#### TITLE 28. LANDS AND MINERALS CHAPTER 7. TRIBAL CONSTRUCTION ENGINEER SERVICES

##### § 7-101. Findings

A. The Muscogee (Creek) Nation continues to increase the value of its assets through the constructing and renovating of buildings located on the Nation's property.

B. The Muscogee (Creek) Nation employs a Director of Tribal Construction Services Engineer whose duties include the oversight of construction and renovation on the Nation's properties.

C. There is a need to insure that construction or renovation is aesthetically and architecturally sound; that it is in compliance with construction standards, including applicable building codes, and that the construction or renovations comply with the Nation's Master Plan.

##### § 7-102. Purpose

The purpose of this chapter is to require oversight by the Muscogee (Creek) Nation Director of Tribal Construction Services Engineer on all construction or renovations

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that occur on the Nation's property and to insure that all construction or renovations occur in a uniform manner throughout the Nation's property.

**§ 7-103. Oversight**

**A.** If any branch of the Nation's government, independent agency, board entity or chartered community plans, seeks or requests new construction or renovation on the Nation's property, it shall first submit a request for construction support services to the Director of Tribal Construction Services Engineer, utilizing a form provided by the Director of Tribal Construction Services Engineer.

**B. The oversight authority of the Director of Tribal Construction Services shall include but not be limited to the following:**

- 1. The authority to act as Owner's Representative/Program Manager on behalf of the Nation.**
- 2. The authority to act as a general contractor on the Nation's projects, including the authority to select sub contractors for the Nation's construction projects within the policies and procedures of the Nation.**
- 3. The authority to determine that Tribal Construction Services can self-perform work on the Nation's construction projects, provided that such self performance is limited to a scope of work not to exceed \$500,000.00 (Five Hundred Thousand) dollars unless authorized in writing by the Principal Chief.**
- 4. The authority to oversee or perform demolition of buildings on property owned or purchased by the Nation.**

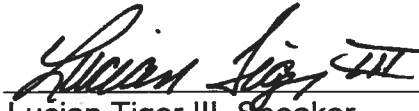
**§ 7-104. Reports**

On a quarterly basis, the Director of Tribal Construction Services Engineer shall provide to the National Council and the Principal Chief a written summary of all projects that have been submitted to the Director of Tribal Construction Services Engineer. The report shall contain, at a minimum, the location of the project, the estimated or actual cost of the project and the party requesting the construction or renovation.

**SECTION TWO. EFFECTIVE DATE.** This Act shall become effective immediately upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution.

**ENACTED** by the Muscogee (Creek) National Council on this 7<sup>th</sup> day of September, 2017.

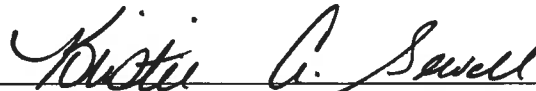
**IN WITNESS WHEREOF**, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



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Lucian Tiger III, Speaker  
National Council  
Muscogee (Creek) Nation

**CERTIFICATION**

I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with **Fourteen** members attending this meeting on the 7<sup>th</sup> day of **September, 2017** and that the above is in conformity with the provisions therein adopted by a vote of 13 in favor, 0 against, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



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Kristie A. Sewell, Recording Secretary  
Muscogee (Creek) National Council

**APPROVAL**

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 7<sup>th</sup> day of September, 2017 to the above Law, **NCA 17-135** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



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James R. Floyd, Principal  
Muscogee (Creek) Nation

