

**TITLE 2 – GOVERNMENT ADMINISTRATION
PART V – GOVERNMENT ACCOUNTABILITY
CHAPTER 5-6 – GRANTS AND CONTRACTS ADMINISTRATION**

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CHAPTER 5-6 – GRANTS AND CONTRACTS ADMINISTRATION

Legislative History: Enacted on November 28, 2018 by Resolution No. C11-268-18 and Ordinance No. 31-18

Amended on January 8, 2020 by Resolution No. C01-10-20 and Ordinance No. 04-20.

Section 10 Intent & Policy (2 PYTC § 5-6-10)

- (A) It is the intent of the Tribe to develop a uniform and centralized set of procedures for the administration of the Tribe's grants and contracts.
- (B) It is the policy of the Tribe that all Tribal Divisions, Departments, and Programs follow these procedures to ensure the orderly administration of grants and contracts and the accountability to the Yaqui people and the funding agencies.

Section 20 Objectives (2 PYTC § 5-6-20)

The objective of these procedures are:

- (A) To define the roles and responsibilities for all departments.
- (B) To provide guidelines to Tribal Divisions, Departments and Programs for all areas of grant and contract process (i.e., initial, proposal, post award, renewals, etc.);
- (C) To ensure and maintain good standing with outside agencies and organizations (i.e., funding sources, auditors, vendors, etc.); and
- (D) To ensure quality services are provided to the tribal communities.

Section 30 Grants and Contracts Program (2 PYTC § 5-6-30)

- (A) There shall be a Grants and Contracts Program which shall be assigned the responsibility for administering these provisions, and ensuring compliance with Tribal policies.
- (B) The Grants and Contracts Program is authorized to make rules consistent with this Chapter to further elaborate the procedures expressed in this Chapter. The rules may be compiled in the form of a manual to be reviewed by the Tribal Council and made available to all Divisions, Departments and Programs.
- (C) The Grants and Contracts Program shall be supervised administratively by the Finance Director.
- (D) All grant applications shall be submitted to the Grants and Contracts Program for review prior to submitting the application to the Tribal Council or funding agencies.
- (E) If required by these provisions or the provisions of the Fiscal Management Code, the Grants and Contracts Program will submit the application for the Office of the Attorney General to review.
- (F) If reviewed and approved, the Grants and Contracts Program will submit all grant applications to the Tribal Council for their review and approval except as provide by section 40 (B) of this Chapter.

- (G) The Grants and Contracts Program shall be included in the negotiations of all grants and proposed contracts.

Section 40 Resolution Requirement; Exceptions (2 PYTC § 5-6-40)

- (A) All grant applications must be approved by the Pascua Yaqui Tribal Council by resolution.
- (B) The Chairman of the Tribe may sign grant and submit a grant application without a resolution if:
 - (1) There are exigent circumstance that prevent the application from being considered by the Tribal Council prior to application deadline, and
 - (2) The total grant amount is less than one hundred thousand dollars (\$100,000),
 - (3) The Division, Department, Program submitting the application can demonstrate that the requirements set forth in C07-109-04 are met.
- (C) Any grant submitted pursuant to subsection (B) of this Chapter, if awarded must be supported by a Council resolution before it is accepted by the Tribe.

Section 50 Attorney General Review (2 PYTC § 5-6-50)

- (A) All grant applications shall be reviewed by the Office of the Attorney General.
- (B) All proposed contracts shall be reviewed by the Office of the Attorney General except as follows:
 - (1) All proposed contracts under \$50,000 using the unaltered standard form of contract approved by the Office of the Attorney General do not require review by the Office of the Attorney General.
 - (2) All proposed contracts under \$10,000 not using the standard form of contract do not need review by the Office of the Attorney General.
- (C) All proposed contracts that contain terms that include provisions for arbitration or waiver of sovereign immunity shall be reviewed by the Office of the Attorney General regardless of the amount of the contract.
- (D) All Intergovernmental Agreements and Memorandum of Agreements with outside agencies shall be reviewed by the Office of the Attorney General.
- (E) If approved by the Office of the Attorney General and required by the Code, the Office of the Attorney General will prepare the resolution for Tribal Council review, and sign off on the appropriate agenda request form and Chairman's signature routing form.