



**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

**The Navajo Nation | Yideeskáadi Nitsáhákees**

May 25, 2023

**TRANSMITTAL**

TO : Calvin Castillo, Executive Director  
 Division of Community Development (DCD)

FROM : CMS  
 Cordell Shortey, Contracting Officer  
 Contracts & Grants Section (CGS) / OMB

SUBJECT : BU on Projects / Activities for Coyote Canyon Chapter, Naschitti Chapter, Twin Lakes Chapter, and Tohatchi Chapter- ARPA Funds Allocated to Delegate Notah Region

**I. Information on Contract (per Original Award):**

Coyote Canyon Chapter, Mexican Springs Chapter, Naschitti Chapter, Tohatchi Chapter, and Bahastl'a'a' Chapter	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract	Funding Agency	CFDA No. - Federal
CAP-20-23	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Term - Begin and End Date
	\$ 8,802,340.00	

**II. Data Entered in FMIS Regarding:**

New Contract or Grant Company No. 8059 Business Unit (K#) K2115142 to K2115153

Contract Mod No. \_\_\_\_\_

Amt of Budget Increase \$4,558,189.73 \$0.00 to \$4,558,189.73

AMOUNT FROM TO

Budget Period - Extend End Date: From \_\_\_\_\_ To \_\_\_\_\_

Other, specify: \_\_\_\_\_

**Authorizing Document - Attached:**

Contract / Agreement - Date executed \_\_\_\_\_

NNC / Committee Resolution - No. & Date \_\_\_\_\_

Other, specify: NN Council Resolution CAP-20-23

**III. Comments by CGS:**

This transmittal documents 1st budgets entered in FMIS on \$8.8 mil ARPA funds allocated to CD Nathan Notah Region. Budget first received on May 12, 2023 electronically and received again on May 17, 2023 as hardcopy is authorized for implementation pursuant to FY 2023 NN BIM Appendix L Section II. B. and concurred by Navajo Nation Fiscal Recovery Fund (NN FRF) Office by memorandum of May 12, 2023. Y-T-D budget in FMIS for CD Notah Region totals \$4,558,189.73. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters the respective Council Delegate service aka Region.

*Handwritten signature/initials*

Attachment  
 Copy: Contract files  
 Contract Accounting / OOC / DPM  
 Tom Platero, Executive Director - NN FRF Office

Revised February 2023



**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

**The Navajo Nation | Yideeskáadi Nitsáhákees**

May 25, 2023

**TRANSMITTAL**

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 Division of Community Development (DCD)

FROM : cmg  
 Cordell Shortey, Contracting Officer  
 Contracts & Grants Section (CGS) / OMB

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Title of Contract	Funding Agency	CFDA No. - Federal	
CAP-20-23	\$ 8,802,340.00	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Fiscal Year	Term - Begin and End Date

**II. Data Entered in FMIS Regarding:**

New Contract or Grant Company No. 8059 Business Unit (K#) K2115142 to K2115153

Contract Mod No. \_\_\_\_\_

Amt of Award 4,558,189.73 45 to 45

AMOUNT FROM TO

Budget Period - Extend End Date: From \_\_\_\_\_ To \_\_\_\_\_

Other, specify: \_\_\_\_\_

**Authorizing Document - Attached:**

Contract / Agreement - Date executed \_\_\_\_\_

NNC / Committee Resolution - No. & Date \_\_\_\_\_

Other, specify: NN Council Resolution CAP-20-23

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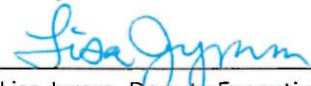


**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákces

**MEMORANDUM**

**TO :** Dominic Beyal, Director  
 Navajo Nation Office of Management & Budget  
  
 Cordell Shortey, Contracting Officer  
 Navajo Nation Office of Management & Budget

**FROM :**   
 Lisa Jymm, Deputy Executive Director  
 Navajo Nation Fiscal Recovery Fund Office

**DATE :** May 12, 2023

**SUBJECT :** CAP-20-23 – Allocation of \$8,802,340 in Navajo Nation Fiscal Recovery Funds per Delegate Nathan Notah’s Delegate Region. NNFRFO is requesting new business units in the amount of \$4,558,189.73.



The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting new business units equaling \$4,558,189.73 per CAP-20-23. The current NNFRFO request is listed in the table below:

No.	Description	Category	\$
1	Coyote Canyon Chp Motor Grader	6.1	\$433,835.03
2	Coyote Canyon Chp Housing Modernization, Renovations and Weatherization Proj	2.18	\$600,000.00
3	Coyote Canyon Chp SYEP and PEP Funding	2.37	\$406,633.00
4	Naschitti Chp Bathroom Additions Proj	1.14	\$551,748.70
5	Naschitti Chp Rural Addressing Proj	1.14	\$70,000.00
6	Twin Lakes Chp Water and Sewer Infrastructure	5.5	\$200,000.00
7	Twin Lakes Chp Scattered Waterline	5.11	\$200,000.00
8	Tohatchi Chp Bathroom Additions Project	1.14	\$250,610.00
9	Tohatchi Chp House Wiring Proj	2.18	\$91,445.00
10	Tohatchi Chp Septic System and Leach Field Proj	5.5	\$950,918.00
11	Tohatchi Chp Waterline Extension Proj	5.11	\$278,000.00
12	Naschitti Chp House Wiring Proj	2.18	\$525,000.00
<b>TOTAL:</b>			<b>\$4,558,189.73</b>

K2115142  
 K2115143  
 K2115144  
 K2115145  
 K2115146  
 K2115147  
 K2115148  
 K2115149  
 K2115150  
 K2115151  
 K2115152  
 K2115153

If you have any questions, please feel free to contact me by phone at (928) 309-5535 or by email at [ljymm@navajo-nsn.gov](mailto:ljymm@navajo-nsn.gov). Thank you.

CC: Germaine Jones, Deputy Contracting Officer, OMB  
 Christine Chavez, Director, Contract Acctg/OOC



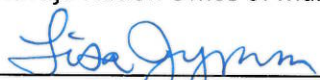
**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

The Navajo Nation | Yideeskáadi Nitsáhákees

**MEMORANDUM**

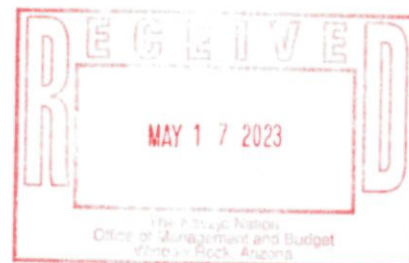
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		<b>TOTAL:</b>	<b>\$4,558,189.73</b>

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CC: Germaine Jones, Deputy Contracting Officer, OMB  
 Christine Chavez, Director, Contract Acctg/OOC



**The Navajo Nation** **DR. BUU NYGREN** **PRESIDENT**  
**Yideeskáądi Nitsáhákees** **RICHELLE MONTOYA** **VICE PRESIDENT**

May 4, 2023

Honorable Crystalyne Curley, Speaker  
Navajo Nation Council  
Post Office Box 3390  
Window Rock, AZ 86515

RE: *CAP-20-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahasil'a'a')*

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-20-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Notah's Delegate Region in the amount of \$4,558,189.73.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,

  
Dr. Buu Nygren, *President*  
THE NAVAJO NATION

RESOLUTION OF THE  
 NAVAJO NATION COUNCIL  
 25<sup>th</sup> NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION  
 PROJECT PLAN FOR HONORABLE NATHAN NOTAH'S DELEGATE REGION  
 (CHAPTERS: COYOTE CANYON, MEXICAN SPRINGS, NASCHITTI, TOHATCHI,  
 BAHASTL'A'A')

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. The Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation . . . See CJN-29-22, Section Three (B).
  2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
  3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
  4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
  5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. All projects listed in the Hon. Nathan Notah's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Nathan

Notah's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Nathan Notah's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') as set forth in Exhibit A.

#### SECTION THREE. APPROVAL OF HON. NATHAN NOTAH'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

#### SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

#### SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

#### SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions



of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 22 in Favor, and 00 Opposed, on this 18<sup>th</sup> day of April 2023.



Honorable Crystalyne Curley, Speaker  
25<sup>th</sup> Navajo Nation Council

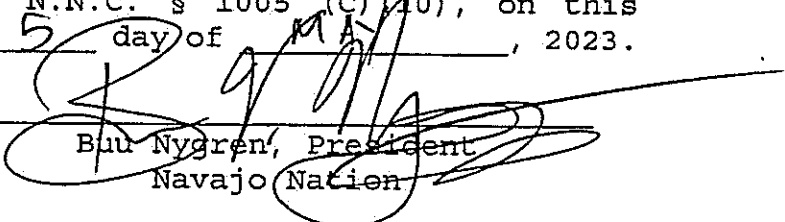
4/27/23  
DATE

Motion: Honorable Rickie Nez  
Second: Honorable George H. Tolth

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 5 day of MAY, 2023.

  
Buu Nygren, President  
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (11), on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

**Exhibit A**

**COUNCIL DELEGATE:** Delegate Nathan Notah

**CHAPTERS:** Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahast'a'a'

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Coyote Canyon Chapter Motor Grader	Division of Community Development	6.1	HK0360	\$ 433,835.03
Division of Community Development	None Identified	Coyote Canyon Chapter Housing Modernization, Renovation and Weatherization Project	Division of Community Development	2.18	HK0409	\$ 600,000.00
Division of Community Development	None Identified	Coyote Canyon Chapter SYEP and PEP Funding	Division of Community Development	2.37	HK0408	\$ 406,633.00
Division of Community Development	None Identified	Naschitti Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0416	\$ 551,748.70
Division of Community Development	None Identified	Naschitti Chapter Rural Addressing Project	Division of Community Development	1.14	HK0417	\$ 70,000.00
Division of Community Development	None Identified	Twin Lakes Chapter Water and Sewer Infrastructure	Division of Community Development	5.5	HK0456	\$ 200,000.00
Division of Community Development	None Identified	Twin Lakes Chapter Scattered Waterline	Department of Water Resources	5.11	HK0449	\$ 200,000.00
Division of Community Development	None Identified	Tohatchi Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0444	\$ 250,610.00
Division of Community Development	None Identified	Tohatchi Chapter House Wiring Project	Division of Community Development	2.18	HK0443	\$ 91,445.00
Division of Community Development	None Identified	Tohatchi Chapter Septic System and Leach Field Project	Division of Community Development	5.5	HK0446	\$ 950,918.00

\*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

**TOTAL:** \$ 3,755,189.73

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

**Exhibit A**

COUNCIL DELEGATE: Delegate Nathan Notah

CHAPTERS: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a'

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 3,755,189.73
Division of Community Development	None Identified	Tohatchi Chapter Waterline Extension Project	Department of Water Resources	5.11	HK0442	\$ 278,000.00
Division of Community Development	None Identified	Naschitti Chapter House Wiring Project	Division of Community Development	2.18	HK0419	\$ 525,000.00
		UN-ALLOCATED AMOUNT				\$ 4,244,150.27

\*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

TOTAL: \$ 8,802,340.00

**NAVAJO NATION**

78

4/18/2023

Navajo Nation Council Spring Session

01:06:38 PM

<b>Amd# to Amd#</b>	Legislation 0067-23: Approving	<b>PASSED</b>
MOT Nez, R	the Navajo Nation Fiscal	
SEC Tolth, G	Recovery Fund Delegate Region	
	Project Plan for Honorable....	

**Yeas : 22**

**Nays : 0**

**Excused : 1**

**Not Voting : 0**

**Yea : 22**

Arviso, S	Damon, S	Nez, R	Slater, C
Aseret, L	Daniels, H	Notah, N	Tolth, G
Begay, H	James, V	Parrish, S	Tso, O
Begay, N	Jesus, B	Simonson, G	Yanito, C
Charles-Newton, E	Johnson, C	Simpson, D	Yazzie, C
Claw, S	Nez, A		

**Nay : 0**

**Excused : 1**

Crotty, A

**Not Voting : 0**

**Presiding Speaker: Curley, C**

# **Twin Lakes Chapter Water and Sewer Infrastructure**



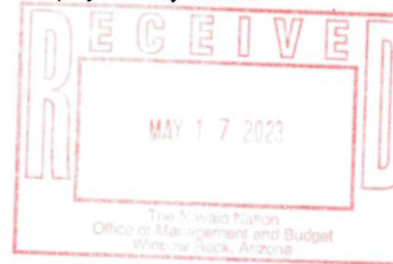


NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS



RFS/HK Review #: HK 0456

Date & Time Received: 4/5/23 at 17:26

Date & Time of Response: 04/12/2023 at 1635

Entity Requesting FRF: Twin Lakes Chapter

Title of Project: Combine Water and Sewer Infrastructure

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$200,000.00

Eligibility Determination:

- FRF eligible (checked)
FRF ineligible
Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
(2) Premium Pay
(3) Government Services/Lost Revenue
(4) Water, Sewer, Broadband Infrastructure (checked)

U.S. Department of Treasury Reporting Expenditure Category:
5.5, Clean Water: Other Sewer Infrastructure

**Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):**

- |  |  |
|--|--|
| <input type="checkbox"/> Missing Form  | <input type="checkbox"/> Expenditure Plan incomplete                     |
| <input type="checkbox"/> Supporting documentation missing  | <input type="checkbox"/> Funds will not be obligated by 12/31/2024       |
| <input type="checkbox"/> Project will not be completed by 12/31/2026                                     | <input type="checkbox"/> Incorrect Signatory                             |
| <input type="checkbox"/> Ineligible purpose  | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports                                 |  |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination |  |

Other Comments: We have modified the requested expenditure code from 6.1 (Provision of Government Services) to 5.5 (Clean Water: Other Sewer Infrastructure). 5.5 is a more favorable category because it is not limited to the amount of the Nation's lost revenue.

Name of DOJ Reviewer: Erika Pirotte

Signature of DOJ Reviewer: Erika Pirotte

Digitally signed by Erika Pirotte  
Date: 2023.04.12 16:32:58 -0600

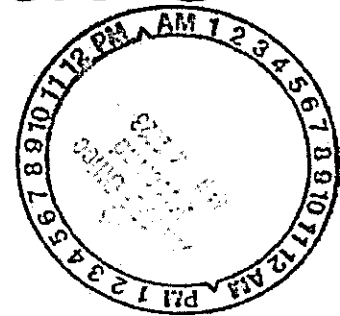
**Disclaimers:**  
If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. Please email your resubmission to arpa@nndoj.org. Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.



3/27/2023  
Scanned to DCD

# Twin Lakes Combine Water and Sewer Infrastructure



**THE NAVAJO NATION  
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN  
FOR NON-GOVERNANCE CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Twin Lakes Chapter Date prepared: 03/02/2023

Chapter's mailing address: P.O. Box 4424 Yatahey, NM 87375 phone/email: (505) 735-2600 website (if any): twinlakes@navajochapters.org

This Form prepared by: Juanita Tom phone/email: (505) 733-2603  
Community Service Coordinator jrtom@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Combine Water and Sewer Infrastructure

Chapter President: Elouise Begay phone & email: (505) 735-2603  
Chapter Vice-President: Tom Begay phone & email: (505) 567-0193 tbegay@navajochapters.org  
Chapter Secretary: Joan Nez phone & email: (505) 480-0730 jnez@navajochapters.org  
Chapter Treasurer: Joan Nez phone & email: (505) 480-0730 jnez@navajochapters.org  
Chapter Manager or CSC: Juanita Tom phone & email: (505) 735-2603 jrtom@nnchapters.org  
DCD/Chapter ASO: Patricia Begay, SPPS phone & email: (928) 871-7515 pdbegay@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): \_\_\_\_\_  document attached

Amount of FRF requested: \$200,000 FRF funding period: 03/02/2023 - 09/30/2026  
Indicate Project starting and ending/deadline date

**Part 2. Expenditure Plan details.**

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This project will repair or replace existing septic/leachfield systems to homes within the Twin Lakes Community. Non-functioning bathrooms will be operational after replacement or repair of the septic/leachfield systems. Providing indoor bathroom use prevents the spread of health-related illnesses that may cause increased vulnerability to COVID-19 complications.

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

This project will benefit Twin Lakes Community members by providing septic/leach field repairs/replacement necessary for sanitation and hygiene safety. This project will promote public health and hygiene by addressing major sanitation needs to prevent and reduce COVID-19 infection and other illnesses by providing proper sanitation facilities.

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

**APPENDIX A**

Program(s) or Project(s) by December 31, 2026:

Encumber all project funds by December 30, 2024 and all funds expended by December 31, 2026. This project will have a scope of work and timeline to meet the deadline.

document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Department of Community Development, Twin Lakes Chapter Officials and Administration, CLUP-C, Office of Environmental Health, NECA, and NTUA.

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The homeowner will be responsible for the operation, maintenance, and repair upon project completion. Twin Lakes Chapter incurs no additional cost or recurring cost upon project completion.

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Provision of Government Services: 6.1

document attached

**Part 3. Additional documents.**

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Twin Lakes Community Chapter Resolution

Chapter Resolution attached

**Part 4. Affirmation by Funding Recipient.**

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: Juanita Luna  
signature of Preparer/CONTACT PERSON

Approved by: Terrence A. [Signature]  
signature of Chapter President (or Vice-President)

Approved by: [Signature]  
signature of CSC

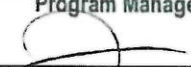
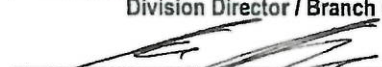
Approved by: Patricia [Signature]  
signature of Chapter ASO

Approved to submit for Review: Lisa [Signature], MAFBEO  
signature of CCD Director

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page \_\_\_ of \_\_\_  
BUDGET FORM 1

PART I. Business Unit No.: <u>K - [New]</u>		Program Title: <u>Twin Lakes Water &amp; Sewer Infrastructure</u>			Division/Branch: <u>Div. Comm. Development</u>			
Prepared By: <u>Juanita Tom</u>		Phone No.: <u>505.735.2603</u>			Email Address: <u>rltom@nnchapters.org</u>			
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds	3/2/23 to 9/30/26	200,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance	<del>6</del> <i>AM</i>		<del>200,000</del> <i>AM</i>	<del>200,000</del> <i>AM</i>
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance	<i>6</i> <i>AM</i>	<i>AM</i>	<i>200,000</i> <i>AM</i>	<i>200,000</i> <i>AM</i>
				9000 Capital Outlay				
				TOTAL		\$0.00	200,000.00	200,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		<i>0</i> <i>AM</i>	<i>0</i> <i>AM</i>	
				Total # of Vehicles Budgeted:		<i>0</i> <i>AM</i>	<i>0</i> <i>AM</i>	
TOTAL:		\$200,000.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>James Adakai, Deputy Director</u>				APPROVED BY: <u>Calvin Castillo, Executive Director</u>				
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name				
 <u>4-4-23</u>				 <u>4/4/23</u>				
Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date				

*J. Adakai 4/17/23*

FY 2023 ~~AT~~

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

Page \_\_\_ of \_\_\_  
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New AT

Program Name/Title: Twin Lakes Water & Sewer Infrastructure AT

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Assist community members with water & sewer infrastructure.

Program Performance Measure/Objective:

Assist 15 community members with repair or replacement of septic/leach

						15	
--	--	--	--	--	--	----	--

2. Goal Statement:

field systems

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

3. Goal Statement:

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

4. Goal Statement:

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

5. Goal Statement:

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

James Ada Keni, Deputy Director  
Program Manager's Printed Name

5-8-23

Program Manager's Signature and Date

Carlton Castillo, Executive Director  
Division Director/Branch Chief's Printed Name

[Signature]

Division Director/Branch Chief's Signature and Date

[Signature]

DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Twin Lakes Chapter Combine Water and Sewer Business Unit No: NEW

PART II. DETAILED BUDGET: \$200,000.00

(A)	(B)	(C)	(D)
Object Code (LOD 6.1)	<p><del>8550: Combine Water/Sewer Infrastructure</del> <del>Object Code Description and Justification (LOD 7)</del>  <b>Requesting Assistance to assist the community for Septic Leech Field overflow.</b> Problematic areas with septic tanks, leech fields and overflow of sewer waste water. Homes were built back in the late 1960's with concrete blocks, and need to install and upgrade new septic tanks and leech field. Due to medical conditions septic services need to be addressed for a safe home environment. <i>sl</i></p>	Total by DETAILED Object Code (LOD 6.1) <del>\$200,000.00</del>	Total by MAJOR Object Code <del>200,000.00</del>
8000 <i>Alt</i> 8500 <i>Alt</i>	<i>Public Assistance Infrastructure (not cap) Alt</i> <i>8550 Water/Wastewater Alt</i>	<i>Alt</i>  <i>200,000 Alt</i>	<i>Alt</i>  <i>200,000 Alt</i>

Total \$200,000.00

*sl* 5/17/23

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.:</b> <u>NEW</u>															<b>PART II. Project Information</b>																			
Project Title: <u>Twin Lakes (Bahasil'ah) Combine Water/Wastewater Infrastructure</u>															Project Type: <u>8550: Water/Wastewater</u>																			
Project Description: <u>Assist community members to repair and replace old concrete septic tanks, repair leach field and septic cleaning.</u>															Planned Start Date: <u>3/2/2023</u>																			
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification															Planned End Date: <u>9/30/2026</u>																			
Project Manager: <u>Juanita Tom</u>																																		
<b>PART III.</b>	<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b>																																	
List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	FY 2023												FY 2024												Expected Completion Date if project exceeds 8 FY Qtrs.									
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date 09/30/2026									
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M				
Secure Funds / Finance								X	X	X																								
Planning & Designing										X	X	X																						
Hire Laborers													X	X	X	X																		
Purchase Materials													X	X	X	X																		
Construction													X	X	X	X	X	X	X	X	X	X	X	X	X									
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			<b>PROJECT TOTAL</b>												
Expected Quarterly Expenditures																						\$200,000.00												

FOR OMB USE ONLY:    Resolution No: \_\_\_\_\_    FMIS Set Up Date: \_\_\_\_\_    Company No: \_\_\_\_\_    OMB Analyst: \_\_\_\_\_



DR. BU NYGREN  
Navajo Nation President

# Bahastl'ah Chapter

Post Office Box 4424  
Yahtahey, New Mexico 87375  
Phone: 505-735-2600 Fax: 505-735-2605  
[twinlakes@navajochapters.org](http://twinlakes@navajochapters.org)



RICHELLE MONTOYA  
Navajo Nation Vice President

Nathan Notah  
Council Delegate

Vacant  
President

Tom Begay  
Vice-President

Joan M. Nez  
Secretary/Treasurer

Larry Tsosie  
Grazing Official

## RESOLUTION NO: BAH-23-03-16-113

### RESOLUTION OF THE BAHASTL'AH (TWIN LAKES) CHAPTER TO ACCEPT AND APPROVE THE AMERICAN RECOVERY PLAN ACT (ARPA) FUNDING FOR COMBINE WATER AND SEWER INFRASTRUCTURE PROJECT IN THE AMOUNT OF \$200,000.00

#### WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Bahastl'ah Chapter is a duly recognized certified Chapter of the Navajo Nation Government, as listed at 11 N.N.C., Part I, Section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B) Bahastl'ah Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendations of the Navajo Nation and other local agencies for appropriate actions; and
3. To support the efforts of the Navajo Nation to mitigate the effects of the American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to develop the basic anti-infrastructure to improve lives of people who have lived without water, electricity and basic services to support their daily activities, health, and welfare"; and
4. The Bahastl'ah Chapter identified the Water and Sewer/Sewer Overflow Project to assist community members using the American Recovery Plan Act funding in the amount of \$200,000.00; and
5. The Bahastl'ah Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

#### NOW THEREFORE BE IT RESOLVED THAT;

The Bahastl'ah Chapter hereby requests the Navajo Nation Fiscal Recovery Fund, Division of Community Development and then Department of Justice to consider the Bahastl'ah Chapter Water and Sewer/Sewer Overflow project for Twin Lake Community.

#### CERTIFICATION

We hereby certify that the foregoing chapter resolution was duly considered by the Bahastl'ah (Twin Lakes) Chapter at which a quorum was present and the same was passed with a vote 13 in favor, 0 opposed, and 0 abstained on this 26th day of March 2023.

\_\_\_\_\_  
Vacant, President

Joan M. Nez  
Joan Nez, Secretary/Treasurer

Tom Begay  
Tom Begay, Vice President

Motioned By: Shirline Jones

Seconded By: Doreen Sherman