



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 #: HK0824

Date & Time Received: 05/02/24 at 14:57

Date & Time of Response: 5/15/24 at 17:00

Entity Requesting FRF: Thoreau Chapter

Title of Project: Chapter Facility COVID-19 Mitigation & Prevention

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$301,388.00

Eligibility Determination:

- FRF eligible
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

U.S. Department of Treasury Reporting Expenditure Category:
1.4, Prevention in Congregate Settings



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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: _____

Name of DOJ Reviewer: Navalyn R. Platero

Signature of DOJ Reviewer: 

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.

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**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: Thoreau Chapter Date prepared: 11/08/2023

Chapter's PO Box 899 phone/email: 505.905.0139
mailing address: Thoreau, NM 87323 website (if any): _____

This Form prepared by: Vivinita Bennett phone/email: 505.905.0139
Vivinita Bennett, Community Services Coordinator niabb2@nnchapters.org
CONTACT PERSON'S name and title *CONTACT PERSON'S info*

Title and type of Project: Chapter Facility COVID-19 Mitigation & Prevention

Chapter President: Valerie Arviso phone & email: valeriearviso@gmail.com

Chapter Vice-President: Herman Yellowhorse phone & email: 505.905.0221

Chapter Secretary: Judy Platero phone & email: jkplatero@gmail.com

Chapter Treasurer: Judy Platero phone & email: jkplatero@gmail.com

Chapter Manager or CSC: Vivinita Bennett phone & email: niabb2@nnchapters.org

DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org

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

Amount of FRF requested: \$301,387.42 FRF funding period: December 1, 2023 - September 1, 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 provide Construction Contractors with labor, supplies & materials to implement mitigating measures for the Chapter Facility to protect the staff and customers. To make Chapter improvements, Mitigating COVID-19 measures must be properly constructed and installed, meeting commercial and safety standards. The improvement measures will include but not limited to the following: Ceiling repairs, roof repairs, office customer-window installation, automatic main entrance doors, no-touch soap dispensers, air purifiers, no-touch water faucets, and automatic flushing toilets.

document attached

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

This project will benefit the Chapter community to congregate and request/receive services needed in a place that has taken measures to limit the spread and/or transmission of COVID-19 and other variants. Request contractor to meet certified commercial and safety standards.

document attached

(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:

Projects will be completed by September 2026. With funds anticipated to be disbursed in January 2024. We will be tiering projects into small, manageable sections to ensure completions within the time frame. Progress will be reported to our Chapter ASO and Council Delegate on a quarterly basis or when is is requested.

document attached

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

Guarena Adeky, Navajo Division of Community Development ASO-ASC, Vivinita Bennett, Chapter CSC, Valerie Arviso, Chapter President, Herman Yellowhorse, Vice President, Judy Platero, Secretary Treasurer

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 Chapter Administration and the Officials will be responsible for the operations and maintenance.

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:

1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.): The Chapter is considered a "Congregate setting" and is also a community service entity. It is where our Local Government meetings take place and we provide Community Services.

document attached

Part 3. Additional documents.

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


Chapter Resolution attached


Part 4. Affirmation by Funding Recipient.

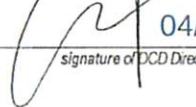
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: 
signature of Preparer/CONTACT PERSON

Approved by: 
signature of Chapter President (or Vice-President)

Approved by: 
signature of CSC

Approved by: 
signature of Chapter ASO

Approved to submit for Review:  04/18/2024
signature of DCD Director

FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Thoreau Chapter
Chapter Facility COVID-19 Mitigation & Prevention Division/Branch: DCO1 Executive
 Prepared By: Vivinita Bennett, CSC Phone No.: 505-905-0139 Email Address: niabb2@nncchapters.org

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	01/01/23-09/30/26	301,387.42	100%					
				2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6		301,387	
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	301,387.42	301,387
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
TOTAL:				\$301,387.42	100%			

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Jaron M. Charley, Department Manager II APPROVED BY: Arbin Mitchell, Executive Director
Program Manager's Printed Name Division Director / Branch Chief's Printed Name
04/18/2024 04/18/2024
Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:									
Business Unit No.: <u> New </u>			Program Name/Title: <u> Chapter Facility COVID-19 Mitigation & Prevention </u>						
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
<i>The funds will be used to provide the Chapter facility COVID-19 mitigation + prevention measures.</i>									
PART III. PROGRAM PERFORMANCE CRITERIA:									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
<u>To take measures to limit transmission and spread of COVID-19 or other variants at the Chapter</u>									
Program Performance Measure/Objective:									
<u>To obtain Contractor to construct, improve, and repair the Chapter building</u>				2		4		1	
2. Goal Statement:									
<u> </u>									
Program Performance Measure/Objective:									
<u> </u>				2		5		1	
3. Goal Statement:									
<u> </u>									
Program Performance Measure/Objective:									
<u> </u>									
4. Goal Statement:									
<u> </u>									
Program Performance Measure/Objective:									
<u> </u>									
5. Goal Statement:									
<u> </u>									
Program Performance Measure/Objective:									
<u> </u>									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
<u>Jaron M. Charley, Department Manager</u>					<u>Arbin Mitchell; Executive Director</u>				
Program Manager's Printed Name					Division Director/Branch Chief's Printed Name				
<u> </u>					<u> </u>				
<u> </u>					<u> </u>				
Program Manager's Signature and Date					Division Director/Branch Chief's Signature and Date				
<u> </u>					<u> </u>				
<u> 04/18/2024 </u>					<u> 04/18/2024 </u>				

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Chapter Facility COVID-19 Mitigation & Prevention</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6	6500 Contractual Services 6980 Subcontractual Services: To hire a Construction Company to construct, improve, and repair Chapter Building to limit transmission and spread of COVID-19 or other variants. Contractor to complete the Chapter Facility COVID-19 mitigation and prevention measures that meet commercial safety standards.	301,387.42	301,387.42
TOTAL		301,387.42	301,387.42

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>New</u> Project Title: <u>Thoreau Chapter Facility COVID-19 Mitigation & Prevention</u> Project Description <u>Implement mitigation and safety measures to limit the spread and/or transmission of COVID-19 and other variants.</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input checked="" type="checkbox"/> Budget Modification													PART II. Project Information Project Type: <u>COVID-19 mitigation/Prevention</u> Planned Start Date: <u>12/1/2023</u> Planned End Date: <u>9/1/2026</u> Project Manager: <u>DCD</u>																	
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																													
	Expected Completion Date if project exceeds 8 FY Qtrs. Date: <u>09/01/2026</u>																													
	FY 2023						FY 2024																							
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.								
	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
BID - Contractor																														
Identify SOW & Materials																														
Procure Materials																														
Construction																														
Close Out Assessment (Inspection)																														
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures							0.00			0.00			0.00			50,000.00			75,000.00			125,000.00			\$301,387.42					

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