



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 606-2

Date & Time Received: 03/21/24 at 15:14

Date & Time of Response: 05/15/24 at 17:00

Entity Requesting FRF: Chilchinbeto Chapter

Title of Project: Contractual for Ground Prep for Housing and Operational Service

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$300,000.00

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:
2.15, Long-term Housing Security: Affordable Housing



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

- Missing Form
- Supporting documentation missing
- Project will not be completed by 12/31/2026
- Ineligible purpose
- Submitter failed to timely submit CARES reports
- Additional information submitted is insufficient to make a proper determination

- Expenditure Plan incomplete
- Funds will not be obligated by 12/31/2024
- Incorrect Signatory
- Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Erika Pirotte

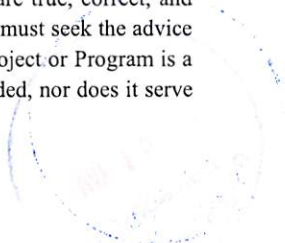
Signature of DOJ Reviewer: Erika R. Pirotte

Digitally signed by Erika R. Pirotte
Date: 2024.05.15 10:37:36 -06'00'

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.



STATE OF TEXAS

COUNTY OF DALLAS

Know all men by these presents, that I, the undersigned, do hereby certify that the following is a true and correct copy of the original as the same appears in the records of the County of Dallas, State of Texas, to-wit:



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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Chilchinbeto Chapter Date prepared: 02-20-2024

Chapter's mailing address: PO Box 1681 Kayenta, Arizona 86033 phone & email: 928-697-5681 website (if any): chilchinbeto@navajochapters.org

This Form prepared by: Eugene Badonie phone/email: 928-697-5681
Eugene Badonie, Chapter Manager
CHAPTER CONTACT PERSON'S name and title

Title and type of Project: Contractual for ground prep for housing and operational service

Chapter President: Paul Madson phone & email: 928-640-0735 pmadson@naataanii.org

Chapter Vice-President: Thomas Bradley phone & email: 928-429-9672 tbradley@naataanii.org

Chapter Secretary: Virginia White phone & email: 928-349-2648 virgiechinle@yahoo.com

Chapter Treasurer: Virginia White phone & email: 928-349-2648 virgiechinle@yahoo.com

Chapter Manager or CSC: Eugene Badonie phone & email: 928-697-5681 ebadonie@nnchapters.org

DCD/Chapter ASO: Elaine Benally phone & email: 928-429-9713 ebenally@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Subcontractor

document attached

Amount of FRF requested: \$300,000.00 FRF funding period: April 1st, 2024 - December 31, 2024
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:

The changes that the chapter made to the previous housing request were a result of the fewer ARPA housing becoming available to the individual chapters. Now, the chapter will need only less than half the number of houses previously offered. To complete prep work, the chapter may use general contractor or contractual services for equipment rental, hauling gravel, piping, foundation, supplies, or personnel. Any cost saved, the chapter will purchase one additional house for the one remaining unhoused individual. Many of these unhoused people were compromised with COVID-19 to live with other relatives.

document attached

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

The project will reduce the lack of housing in the Navajo Nation and the Chilchinbeto community. Too many people live in poor and unhealthy conditions. Families are forced to raise their kids in very dilapidated dwelling that their parents built in 1940, the 50, or the 60's. The project will definitely reduce the poor living conditions and transition families into new homes with proper foundations, and amenities. The longevity of homes depends on how well the ground prep is put together.

document attached



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

The only thing that will challenge the timely completion will be the late appropriation of funds into the chapter account so funds could be expended soon. if this does not happen, then the chapter will have to deal with the price increase as we wait too long. Time frame is April 1st, 2024 - December 31, 2024.

document attached

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

Chilchinbeto Chapter administration will be responsible to put this program and the project together. They will do the plan to engage a contractual assignments, trenching, piping, and make the necessary supplu purchase.

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 Chilchinbeto Chapter government administration will get the funds deposite into the account. They will drawdown the funds upon needed on the groundwork, hiring a tractor consutant, do the purchasing, and layout the groundwork.

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:

3:11 - Long Term - Housing Security: Services for unhoused person: In order to provide for the unhoused person, the house must be well secured and viable to withstand the wind and the rainstorms. That's the reason why the ground prep is very important. These homes have to be very secured for he house so they will last a long time.

document attached

Part 3. Additional documents.

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

Modification letter is included.

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: *Eugene Sabine* signature of Preparer/CONTACT PERSON

Approved by: *[Signature]* signature of Chapter Official

Approved to submit for Review: *[Signature]* signature of DCD or NNFRFO Director

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THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I Business Unit No.: <u>New</u>		Program Title: <u>Chilchinbeto Ground Prep and purchases</u>		Division/Branch: <u>Div. OF Comm. Development</u>				
Prepared By: <u>Eugene Badonie</u>		Phone No.: <u>928-697-5681</u>		Email Address: <u>ebadonie@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
ARPA- Fiscal Recovery Fund	4/1/24 -12/31/24	300,000.00	100%	2001 Personnel Expenses				0.00
				3000 Travel Expenses				0.00
				3500 Meeting Expenses				0.00
				4000 Supplies				0.00
				5000 Lease and Rental				0.00
				5500 Communications and Utilities				0.00
				6000 Repairs and Maintenance				0.00
				6500 Contractual Services	6		300,000	300,000.00
				7000 Special Transactions				0.00
				8000 Public Assistance				0.00
				9000 Capital Outlay				0.00
				9500 Matching Funds				0.00
				9500 Indirect Cost				0.00
				TOTAL		\$0.00	300,000.00	300,000.00
TOTAL: \$300,000.00 100%				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Jaron Charley, Dept Manager</u>				APPROVED BY: <u>Arvin Mitchell, Division Director</u>				
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name				
<u>[Signature]</u> Program Manager's Signature and Date				<u>[Signature]</u> Division Director / Branch Chief's Signature and Date				

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THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES

PART I. PROGRAM INFORMATION:				
Business Unit No.:	<u>New</u>	Program Name/Title:	<u>Chilchinbeto Ground prep and purchases</u>	
PART II. PROGRAM PERFORMANCE CRITERIA:				
		1st QTR	2nd QTR	3rd QTR
		Goal	Goal	Goal
1. Program Performance Measure: To get the groundwork prepared for the incoming units of housing.		1	1	1
Houses will have stable foundation, footing, and leveled				
2. Program Performance Measure: To have utility in place for the houses		1	1	1
Each unit will have utilities ready for them.				
3. Program Performance Measure: All groundwork will be done appropriately		1	1	1
Skilled workmanship will be visible.				
4. Program Performance Measure:				
5. Program Performance Measure:				
PART III. CONCURRENCE/APPROVAL:				
<u>Jaron Charley, Dept. Manager</u>		<u>Arbin Mitchell, Director</u>		
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name		
<u>2-28-24</u>		<u>[Signature]</u>		
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date		

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**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:				
Program Name/Title:		Chilchinbeto Ground prep and purchases		Business Unit No.: <u>New</u>
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(U)	
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	6200 External Contractors 6280 Ground Prep	300,000,000	300,000	
TOTAL		300,000,000	300,000	

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: <u>New</u> Project Title: <u>Chilchinbeto Chapter -Ground Prep</u> Project Description: <u>The contractor will rough grade the ground, set foundation, cut trench and install utilities and set footing for housing.</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification	PART II. Project Information Project Type: <u>Groundwork prep</u> Planned Start Date: <u>4/1/2024</u> Planned End Date: <u>12/31/2024</u> Project Manager: <u>Eugene Badonie</u>
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PART III.	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.									
List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	2024												2025								12/31/2024									
	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
Call for bid 164 process Construction begins Closeout project							x	x																						
								x	x				x	x	x	x	x													
															x															
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures							150,000.00			150,000.00															\$300,000.00					



Chilchinbeto chapter

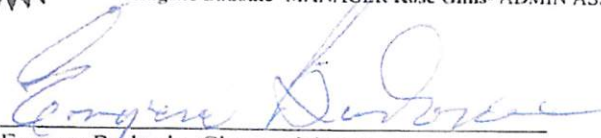
"Home of the World's Largest Navajo Rug"

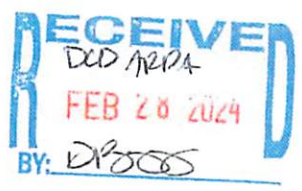
P. O. Box 1681, Kayenta, AZ 86033. East Highway 160 Navajo Rte. 59
 phone: (928) 697-5680/5681 • Fax (928) 697-5691 chilchinbeto@navajochapters.org

Paul Madson- PRESIDENT · Thomas Bradley-VICE PRESIDENT · Virginia White-SEC TREAS
 Delbert Big- GRAZING OFFICIAL · Shaandiin Parrish-COUNCIL DELEGATE

Eugene Badonie- MANAGER Rose Gillis- ADMIN ASSIST. Janita Redmustache- OFFICE ASSISTANT



From: 
 Eugene Badonie, Chapter Manager
 Chilchinbeto Chapter
 Kayenta, Arizona 86033
ebadonie@nncapters.org



Date: February 22, 2024

To: Mr. Arbib Mitchell, Director
 Navajo Department of Community Development
 Window Rock, Az 86515

Re: Modification of budget for (3) projects

Mr. Platero,

The Chilchinbeto Chapter is modifying three (3) project budgets and the timeline. The chapter has realized there are not enough funds to cover the cost of the Chapter house renovation and we have saved \$500,000.00 appropriated for ground prep (HK 0606). Since the chapter is getting only 2 houses, \$500,000.00 is over budgeting for the need. It is appropriate now to inject this \$200,000 into the project modification for the Chilchinbeto Chapter House renovation.

Secondly, the chapter's previous intention to purchase a Septic Service Truck (HK 0492) is now no longer a project for the chapter. The \$180,000.00 proposal will now be split in two (2) ways. First, \$30,000.00 will be added to the \$80,000.00 F350 heavy-duty truck purchase because the price of the truck has increased after a lengthy delay by the tribe. The other \$150,000.00 will be added to the Chapter House renovation.

This happened because the construction was planned to be done by the local workforce, but the policy requires certified personnel and it must be done by a contractor.

The following project need to be modified are:

RFS/HK Review # HK 0606	Ground Prep	Original Amt \$500,000.00	Modified Amt \$300,000.00	Chapter is only getting two house and do not need the large amount.
FRS/HK0440	Chapter House Renovation	\$305,000.00	\$653,768.00	Funds are basically more needed for the renovation.
RFS/HK Review #: HK 0492	Septic Service Truck Purchase	Original Amt. \$180,000.00	Modified Amt \$ 0.00	Septic Service truck is no longer needed.
RFS/HK Review # HK 0491	Purchase of F350 Truck	\$80,000.00	\$110,000.00	Price increase

Please, rescind the original request, apply the new proposed modifications, and send to the DOJ immediately.
 Thanks, Gene

Cc Honorable Shaandiin Parrish
 IDIQ – LAM Corporation
 dbegay@nndcd.or