

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 0810
Date & Time Received: 4/09/24 at 15:12
Date & Time of Response: 04/17/24 at 17:00
Entity Requesting FRF: Beclabito Chapter
Title of Project: Septic System Improvement and Replacement
Administrative Oversight: Division of Community Development
Amount of Funding Requested: \$134,609.00
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:

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures): Expenditure Plan incomplete Missing Form Funds will not be obligated by Supporting documentation missing Project will not be completed by 12/31/2026 Incorrect Signatory Ineligible purpose Submitter failed to timely submit CARES reports Inconsistent with applicable NN or Additional information submitted is insufficient to make a proper determination Other Comments: Project documents contemplate septic cleaning, repair, and installation for individual homes. Because septic repair and installation (construction) is contemplated, DCD is identified as Administrative Oversight. Name of DOJ Reviewer: Erika Pirotte Signature of DOJ Reviewer: Erika R. Pirotte

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.

APPENDIX A

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

Part 1. Identification of parties.

Governance-Certified Chapter Beclabito	Date prepared: 01/03/24
Chapter's HC-61 Box 20	phone & email: 928-656-3265
mailing address: Shiprock, NM 87420	website (if any): beclabito@navajochapters.org
This Form prepared by: Melissa Kelly	phone/email: 928-656-3565
President	mkelly@naataanii.org
CONTACT PERSON'S name and title	CONTACT PERSON'S Info
Title and type of Project: Septic System Improvement and Re	placement
Chapter President: Melissa Kelly	phone & email: 928-656-3265; mkelly@naataanii.org
Chapter Vice-President: Hazel Sherman	phone & email: 928-656-3265, hsherman@naataanii.org
Chapter Secretary: Susie John	phone & email: 928-656-3865, sajohn@navajochapters.org
Chapter Treasurer: Susie John	phone & emzii: 928-656-3265, sajohn@navajochapters.org
Chapter Manager or CSC: Vacant	phone & emzii: 928-656-3265, beclabito@navajochapters.org
DCD/Chapter ASO; Eliza-Beth Washburne	phone & email: eliza-beth@nndcd.org
List types of Subcontractors or Subrecipients that will be paid with FRF (if kr	nown): Rainer Construction, LLC
	document attached
Amount of FRF requested: \$134,609.00 FRF funding period: 1/	11/24-7/30/25
	indicale 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 and what COVID-related needs will be addressed:	the funds will be used, for what purposes, the location(s) to be served,
Septic cleaning for residents who overused sewer infidesign and construct for septic system repair or repla project will be for sewage removal and/or installing ne project will address on of the major sanitation deficier outbreak of COVID-19.	cement including leach field replacement. This ew leach field systems for family homes. This
	document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Nav	rajo communities, or the Navajo People:
The benefits to the Navajo Nation's communities and minimized. Quality of life will be increased by repairin who cannot afford home improvements. Beclabito Chresultant depression will be alleviate making a more support and leadership. Safety and security are adde	ig homes for low income community members, hapter believes the low socio-economic levels and healthy community strengthen by community
(c) A prospective timeline showing the estimated date of completion of the that may prevent you from incurring costs for all funding by December 3 or Project(s) by December 31, 2026:	

APPENDIX A

Funding - Jan/Feb 2024; Review and approval process through Navajo Nation departments and entities from May through June 2024; contracting with entities for plan, design and construction in August 2024 through October 2024; procurement and construction to be completed by July 2025.
☐ document attached
(d) Identify who will be responsible for implementing the Program or Project:
Procured contractors will deploy their equipment, vehicles and personnel to identified and scheduled customers. In facilitating and reporting progress to this funding sources, the Chapter Manager will submit reports and implement the project once funding is obtained.
(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 homeowners will be responsible for their own homes once they sign a release form after septic cleaning and work are completed.
☐ 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:
Infrastructure 5.3 Clean Water Decentralized wastewater Pursuant to the U.S. Treasury guidelines and funding objectives this decentralized wastewater project addresses conditions that contributed to poor public health & economic outcomes during the pandemic. By concentrating in areas with limited economic opportunities and inadequate or poor housing quality access to resources facilitates improved health outcomes including services that connect residents with health care resources & public assistance & build healthier environments such as housing services to support healthy living environments & neighborhoods conducive to mental and physical wellness. Access to utilities facilitates sustainable economic, social growth & can drastically increase the quality of healthcare provided.
bentatiached
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 Approved by: Approved by:
Approved by: Signature of Propagation Contract Person Approved by: Signature of Chapter Manager or CSC Approved to submit 04/09/2024 Signature of DCD Director Signature of DCD Director

Page 1 of 3 BUDGET FORM 1

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

			2	and makes a standard and and				
	Men	Title:	pecia	Beciabito Chapter - Septic System Improvement and	Overnent and	Division Branch.	Division Branch: Community Development	, moman
PAKI I. Business Unit No.:	New	Program inte:		Vehiacement			community Deve	Iopinem
Prepared By: Melissa K	Melissa Kelly, President	Phone No.:	No.:	928-656-3265	Email Address:		beclabito@navajochapters.org	org
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund YY Type	(A) NNC Approved	(8)	(C) Difference or
ARPA FUNDS	1/1/24-7/30/25	\$ 134,609.00	100%		Code	Original Budget	Proposed Budget	Total
				2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
			1	5500 Communications and Utilities	ties			
				6000 Repairs and Maintenance				
			8	6500 Contractual Services			0	
				7000 Special Transactions				
				8000 Public Assistance	9		\$ 134,609.00	\$ 134,609.00
				9000 Capital Outlay				
				9500 Matching Funds				
		ā		9500 Indirect Cost				
					TOTAL	80.00	\$ 134,609.00	\$ 134,609.00
				PART IV. POSITIONS AND VEHICLES	ICLES	(a)	(E)	
				Total # of Posi	Total # of Positions Budgeted:			
	TOTAL:	\$134,609.00	100%	Total # of Veh	icles Budgeted:			
PART V. I HEREBY ACKNOWLEDO	GE THAT THE INF	ORMATION CON	TAINED	PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	MPLETE AND AC	CURATE.		
SUBMITTED BY: Jaro	Jaron Charley Department Manager II	ment Manager II		APPROVED BY:	Arbin Mitc	Arbin Mitchell, Executive Director	HOL	
	Program Manager's Printed Name	Printed Name		0	ivision Director	Division Director / Branch Chief's Printed Name	inted Name	
	1/	04/09/2024	124				04/09/2024	24
Prog	Program Mapager's Signatu	ignature and Date		Divis	ion Director / Br	Division Director / Branch Chief's Signature and Date	ture and Date	

FY 2024

Page 2 of 3 BUDGET FORM 2

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2024

PART I. PROGRAM INFORMATION:					. 3.5
Business Unit No.: New Program Name/Title:		Chapter - Septic Syster	Beclabito Chapter - Septic System Improvement and Replacement	placement	
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:					
To drain old sewage and repair, replace orconstruct new septic systems and leach fields for community members in need.	nity members in need.				
PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR	OPL	do	ih Q	
	Goal Actual	Goal Actual	Goal Actual	Goal Actual	П
1. Goal Statement:					
Overused sewer system structures will be rehabilitated.					
Program Performance Measure/Objective:					Т
To help defray the cost of septic tank issues for community, so their septic systems receive the					-
best care and attention it needs for longevity				09	$\overline{}$
2. Goal Statement:					
	3-2				
Program Performance Measure(Objective:					
3. Goal Statement:					1
Durram Darformance Nessure/Objective:					
4. Goal Statement:					
Program Performance Measure/Objective:					22
5. Goal Statement:	3				
Program Performance Measure/Objective:					
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.	HLY REVIEWED.		(
Jame Charley, Department Manage II		Arbin Mitchell, Execut	ive Director		
Program Managar's Printed Name	Divisi	Division Director/Branch Chiefs Printed Name	ler's Printed Name		
04/09/2024			/ N 04/09/2024	72024	
Program Manager's Signature and Date	Division	Division Director/Branch Chief's Signature and Date	's Signature and Date		
					ı

Page 3 of 3 BUDGET FORM 4

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

	(0)	Total by MAJOR Ubject Code (LOD 4)	\$ 134,609.00	\$ 134,609.00
New	(2)	Total by DETAILED UDJECT CODE (LOD 6)	\$ 134,609,00	134,609.00
Business Unit No.:				TOTAL
Beclabito Chapter - Septic System Improvement and Replacement	(8)	Object Code Description and Justification (LOD 7)	INFRASTRUCTURE 6550 WATERWATER WasteWater - Septic systems: 60 homes for septic cleaning services, possible \$300,000.00 replacement of septic system as needed \$134,609.00	
PART I. PROGRAM INFORMATION: Program Name/Title:	DETAILED BUDGET:		INFRASIRUCTURE 8550 WATERWASTEWATER WasteWater - Septic systems: 60 homes for septir replacement of septic system as needed \$ 134,609,00 replacement of septic system as needed \$ 134,609,00	
PART I. P	PART II. I	Object Code (LOD 6)	0038	

PROJECT BUDGET SCHEDULE THE NAVAJO NATION

Page 1 of 1 PROJECT FORM

PART I. Business Unit No.: New		١																	-	PART II.	ایے		٦	Project Information	Infor	matic	Ę	9
Project Title: Beclabito Chapter - Septic System Improvement and Replacement	er - Septic S	stem	Impro	мете	nt and	Repla	овше	Ę											٦	Project	Project Type:	S	eptic	Septic System Improvement	E D	roven	Bent	
	т Ітргочет	ent a	nd Re	placen	neut														ጎ	Jame	Planned Start Date:	age.		111124	-		Jan	Jan-24
																				Yanne	Planned End Date:	ae: 	2	Jul-25	•	7130125	2/0	S.
Check one box:	2 Original Budget	dget		- B	dget R	☐ Budget Revision		D But	Budget Reallocation	alloca	tion		udget	Modi	☐ Budget Modification	Ę				Project	Project Manager:		CPMD					1
PART III.	PART IV.	Use	Fiscal	Year (3	uarter	s to co	mplet	3 the is	forms	dion b	Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.	0=0	St.:	= No	v; D=	Dec	etc.				ſ	Exos	Expected Completion Date if	Zomo,	ation	Date	-
List Project Task separately; such				ш	FY 2024	4										Æ	FY 2025						poi	project exceeds 8 FY Qtrs.	spea	8 F	Sign	ا نہ :
as Plan, Design, Construct, Equip or Furnish.	1st Otr.		2nd	2nd Otr.		3rd Otr.	Ę.		4th Otr.	ï.	-	1st Otr.		72	2nd Ofr.		Æ	3rd Otr.		4	4th Qtr.		S	Date 7/30/25	18	125	ا ما	
Documents Prep and Approval	2	2	ر 2 ک	₩ ¾		¥ ×	~	3	4	S	0	z	۵	r	ш	Σ	⋖	Æ	7	DÇ.	∢	S	0	z	٥	r	L L	Σ
Review & Approval Process					3	3	3	3																				
Procurement Process		75-							3	3	3																	
Construction and Project Close-Out												·	3	3	3	3	3	3	3									
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				- x-														\neg	\neg									
PART V.	69		\$	5,000.	8		5,000.00	8	24,6	24,609.00	69		,	8	\$ 100,000.00	-	8			8		7	1	8	PROJECT TOTAL	101	ار	T
Expected Quarterly Expenditures					\dashv			\dashv			_								\dashv					₩.	\$134,609.00	8		

FOR OMB USE ONLY:

Resolution No:

FMIS Set Up Date:

Company No:

OMB Analyst: