



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 #: HK0739

Date & Time Received: 01/12/24 at 11:27

Date & Time of Response: 1/22/24 at 17:00

Entity Requesting FRF: Sheep Springs Chapter

Title of Project: Bathroom Addition, Renovation + Upgrades

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$316,860.00

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:
1.14, Other Public Health Services

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: Veronica Blackhat, AAG - Natural Resources Unit

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.

REVIEWED

By Dawnell Begay at 3:46 pm, Jan 11, 2024

APPENDIX A

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Sheep Spring Chapter (Tooh Haltsooi) Date prepared: 6/6/23

Chapter's P.O. Drawer i phone & email: 505-732-5408
mailing address: Shhoh Spring, New Mexico 87364 website (if any): sheepsprings@navajochapters.org

This Form prepared by: Kevin M. Begay, EM phone/email: 505-732-5408
Kevin Martin Begay Executive Manager kmbegay@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Bathroom Addition, Renovation + Upgrades.

Chapter President: Brian T. Yazzie phone & email: 505-732-5408/yazziebrian2436@gmail.com

Chapter Vice-President: Louise Charley phone & email: 505-302-8007/louisecharley74@gmail.com

Chapter Secretary: Adrienne Joe phone & email: 505-360-5138/@navajo-nsn.gov

Chapter Treasurer: Adrienne Joe phone & email:

Chapter Manager or CSC: Kevin M. Begay phone & email: 505-879-1636/kmbegay@nnchapters.org

DCD/Chapter ASO: Elizabeth Washburne phone & email: 505-979-1901/eliza-beth@nncd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Contractors, subcontractors and local laborers
document attached

Amount of FRF requested: 316,860.00 FRF funding period: 01/01/2023-09/30/2026
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:

Bathroom renovation/upgrades to fund the modernization of bathrooms that were built in the 1960 to 1980s to meet ADA compliance requirements and to assist, elders with accessible bathrooms. The bathroom renovation/upgrades will include remodel, walk-in shower with safety rails, handicap toilet, bathroom sink, replaces floors-walls-fixtures, upgrade water heater, upgrade plumbing, or purchase prefabricated stand alone bathrooms, as needed. Community homes that have inefficient bathrooms and who are in need will recieve the services based off assessments.
document attached

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

The ARPA bathroom renovation/upgrades will provide access to sanitizing, daily hygiene care to mitigate Covic-19 and help eliminate unsanitary conditions.
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:

APPENDIX A

This project will successfully help community members in need of bathroom renovations, upgrades or completion of current bathroom additions. Construction schedules to be based of the community assessments and current needs. Chapter will obligate the funds no later than September 30, 2024 and will fully expend the funds no later than September 30, 2026.

document attached

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

Sheep Springs Chapter with the assistance of DCD ARPA, NNFRF will be the oversite of the bathroom renovation/upgrade project utilizing PEP workers, as well, as certified contractors hired to complete bathroom renovation.

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 maintenance and operations of the bathroom renovations/upgrades will be the responsibility of the bathroom renovation/upgrade recipients(s) after the 1-year construction warranty has ended.

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:

1.14 Other Public Health Services. Bathroom renovation/upgrade will build healthier community environments.

document attached

Part 3. Additional documents.

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

Chapter approved resolution for this project.

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: Kevin M. Peary
Signature of Preparer CONTACT: 462-5030

Approved by: Laurie Charley
Signature of Chapter President/Chapter Manager

Approved by: [Signature]
Signature of Chapter Manager/ CSC

Approved by: [Signature]
Signature of Chapter Manager/ CSC

Approved to submit for Review: [Signature]
Signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I Business Unit No.: <u>New</u>		Program Title: <u>Sheep Springs Chapter - Bathroom Addition, Renovation + Upgrades</u>		Division/Branch: <u>Executive/DCD</u>				
Prepared By: <u>Kevin M. Begay</u>		Phone No.: <u>505.732.5408</u>		Email Address: <u>pcbegay@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 FUNDS	1/1/23-9/30/23	316,860.00	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				0.00
				7000 Special Transactions				0.00
				8000 Public Assistance	6		316,860	316,860.00
				9000 Capital Outlay				0.00
				9500 Matching Funds				0.00
				9500 Indirect Cost				0.00
				TOTAL		50.00	316,860.00	316,860.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:								
		\$316,860.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Jaron Charley, Department Manager</u>			APPROVED BY: <u>Arbin Mitchell, Executive Director</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u>01/11/2024</u>			<u>01/11/2024</u>					
Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					



**THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES**

PART I. PROGRAM INFORMATION:				
Business Unit No.:	New	Program Name/Title:	Sheep Springs Chapter - Bathroom Addition, Renovation + Upgrades	
PART II. PROGRAM PERFORMANCE CRITERIA:				
			1st QTR	2nd QTR
			Goal	Goal
1. Program Performance Measure:				
Provide proper sanitation facilities for community members in need.				
Assist with bathroom additions for 5 homes				5
2. Program Performance Measure:				
3. Program Performance Measure:				
4. Program Performance Measure:				
5. Program Performance Measure:				
PART III. CONCURRENCE/APPROVAL:				
_____ Jaron Charley, Department Manager Program Manager's Printed Name		_____ Arbin Mitchell, Executive Director Division Director/Branch Chief's Printed Name		
_____ Program Manager's Signature and Date		_____ Division Director/Branch Chief's Signature and Date		

01/11/2024

01/11/2024

**THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES**

PART I. PROGRAM INFORMATION:	
Business Unit No.: <u> New </u>	Program Name/Title: <u> Steep Springs Chapter - Bathroom Addition, Renovation + Upgrades </u>
PART II. PROGRAM PERFORMANCE CRITERIA:	
Resolution TC-2023-030 Supporting the Fiscal Recovery Fund Request for Project Bathroom Additions.	
PART III. CONCURRENCE/APPROVAL:	
<u> Jaron Charley, Department Manager </u> Program Manager's Printed Name	<u> Arbin Mitchell, Executive Director </u> Division Director/Branch Chief's Printed Name
<u>  01/11/2024 </u> Program Manager's Signature and Date	<u>  </u> Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Sheep Springs Chapter - Bathroom Addition, Renovation + Upgrades</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)
8500	Infrastructure (non cap) 8535 Bathroom Additions 316,860 Provide bathroom additions for families within Sheep Springs Chapter community in need.	316,860	316,860
TOTAL		316,860	316,860

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u>										PART II. Project Information																													
Project Title: <u>Sheep Springs Chapter - Bathroom Additions, Renovation + Upgrades</u>										Project Type: <u>Addition/Renovation/Upgrades</u>																													
Project Description: <u>To provide bathroom additions, renovation and upgrades to families/community members in need.</u>										Planned Start Date: <u>01/01/23</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										Planned End Date: <u>9/30/26</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.																			
										FY 2024				FY 2025				9/30/2026																					
										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	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S						
Plan Design Construct Completion													X	X		X	X					X	X	X	X	X	X	X	X	X	X	X	X						
PART V.										\$		\$		\$		\$		\$		\$		\$		\$		PROJECT TOTAL													
Expected Quarterly Expenditures														316,860.00												316,860.00													



P.O. Box Drawer I, Sheepsprings, New Mexico 87364 Phone: (505) 732-5408 Fax: (505) 732-5409

Email: sheepsprings@navajochapters.org

RESOLUTION OF THE TOOH HALTSOOI COUNCIL OF NAATAANII CHAPTER

Supporting the Fiscal Recovery Fund Request for Project Bathroom Additions

RESOLUTION TC- 2023.-030

Whereas:

1. Pursuant to 26 N.N.C Section 3 (A) the Tooh Haltsooi Council of Naataanii Chapter is a duly recognized Certified Chapter of the Navajo Nation Government as of August 24, 2007 per TCDAU-23-07, as listed at 11 N.N.C., part 1. of section 10; and
2. Pursuant to 26.N.N.C., Section 1 (B) the Tooh Haltsooi Council of Naataanii Chapter is vested with the authority to review all matters affecting the community and to make appropriated correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. Pursuant to Title 26, N.N.C., Section 3 (A) of The Navajo Nation Local Governance Act, the Tooh Haltsooi Council of Naataanii Chapter exists as a local unit government, recognized as a political subdivision of the Navajo Nation, authorized to review all matters affecting the community; and
4. The Tooh Haltsooi Council of Naataanii Chapter recognize Community homes that have inefficient bathrooms and who are in need will receive the services based off assessments; and.
5. The Tooh Haltsooi Council of Naataanii Chapter the need for bathroom renovation/upgrades to fund the modernization of bathrooms that were in the 1960 to the 1980 to meet ADA compliance requirements and to assist, elders with acc. bathrooms. community members to receive Home Renovations services.

6. NOW, THEREFORE BE IT RESOLVED THAT:


The Tooh Haltsooi Council of Naataanii Chapter Hereby Supports the Fiscal Recovery Fund Request for Project Bathroom Additions.

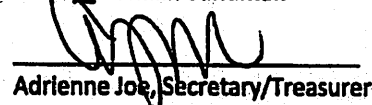
CERTIFICATION

We, hereby, certify that the foregoing Resolution was considered by the Tooh Haltsooi Council of Naataanii Chapter at a duly called meeting in Sheep Springs, New Mexico at which a quorum of Chapter Member was present and that the same as passed by a vote of 9 in favor 0, Opposed 1, Abstained on this 19th day of MAY, 2023.

Motion by Ernest Smith

Second by Franklin Sandman


Louise Charley, Delegate President


Adrienne Joe, Secretary/Treasurer

Brian T. Yazzie
Chapter President

Louise Charley
Vice President

Adrienne Joe
Sec./Treasurer

Jimson Bryant
Grazing Official

Hon. Amber K. Crotty
Council Delegate