



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 #: _____

Date & Time Received: _____

Date & Time of Response: _____

Entity Requesting FRF: _____

Title of Project: _____

Administrative Oversight: _____

Amount of Funding Requested: _____

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: _____

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: _____

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.

**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: Crystal Chapter Date prepared: 10/26/23

Chapter's PO Box 775 phone/email: 505.777.2800, crystal@navajochapters.org
mailing address: Navajo, NM 87328 website (if any): https://crystal@navajochapters.org

This Form prepared by: Kristin Damon phone/email: 505.777.2800
Community Services Coordinator kdamon@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Crystal Chapter Multi Purpose Building Maintenance

Chapter President: Patricia Slim phone & email: 928.206.8652, pslim@naataanii.org

Chapter Vice-President: LaVerne Johnson phone & email: 505.906.1205, ljohnson@naataanii.org

Chapter Secretary: Marchelle Hardy phone & email: 505.979.2850, mhardy@navahochapters.org

Chapter Treasurer: Marchelle Hardy phone & email: 505.979.2850, mhardy@navahochapters.org

Chapter Manager or CSC: Kristin Damon phone & email: 505.777.2800, kdamon@nnchapters.org

DCD/Chapter ASO: _____ phone & email: _____

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known.
_____ ☐ document attached

Amount of FRF requested: \$216,000. RF funding period: 1/1/2024 - 12/31/2026
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:

Purchase materials and hire labor to complete maintenance & repairs for Crystal Chapter Multi-Purpose Building (MPB). Outsourced projects priorities include 1) HVAC replacements & repairs of furnaces and air conditioners; 2) concrete apron replacement – MPB has incurred structural water damage due to slope of concrete and rain gutter leakage towards the base of the MPB foundation; 3) replace damaged sidewalks and areas where water is freezing into ponds for safety of Chapter members, especially the handicapped and elderly; 4) secure building with additional cameras and upgraded server; 5) light-pole bulb replacements; 6) replace roof caulking around exterior pipes and (See attached file)

☒ document attached

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

The Crystal MPB will benefit the Navajo Nation, Crystal chapter members, children from surrounding communities attending Navajo Head Start and seniors from Crystal and Navajo receiving lunch and activity participation. Crystal MPB provides the facility for Chapter Administration, Navajo Nation Head Start and the Senior Center. It can offer showers, exercise space and meeting facilities when repair and maintenance is up-to-date. (See attached file)

☒ 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:

January 2024 – December 31, 2026.

☐ document attached

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

Navajo Nation DCD

☐ 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:

Crystal Chapter will be responsible for budgeting and costs of periodic, scheduled maintenance and operation checks.

☐ 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:

6.1 - Provision of government services responding to the COVID-19 public health emergency.

Crystal Chapter MPB serves the Crystal community. It has a senior population dependent upon the Sr. Center located in the Chapter House and the Head Start School servicing children from Crystal and Navajo. The Chapter was the community hub of pandemic services and distribution during COVID-19 providing PPEs, MREs, sanitation goods, water, non-perishable food and heating supplies. It is critical to complete the FS/WTI installation for a safe meeting place for all members.

☐ document attached

Part 3. Additional documents.

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

- Crystal Chapter MPB Maintenance (itemized list)
- Crystal Chapter Budget

☐ 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]
signature of Preparer/CONTACT PERSON

Approved by: [Signature]

signature of Chapter President (or Vice-President)

Approved by: [Signature]
signature of CSC

Approved by: [Signature]

signature of Chapter ASO

10/30/2023

Approved to submit
for Review: [Signature]

signature of DCD Director

Crystal Chapter Multi-Purpose Building Maintenance

Appendix A

- a. Purchase materials and hire labor to complete maintenance & repairs for Crystal Chapter Multi-Purpose Building (MPB). Outsourced projects priorities include 1) HVAC replacements & repairs of furnaces and air conditioners; 2) concrete apron replacement – MPB has incurred structural water damage due to slope of concrete and rain gutter leakage towards the base of the MPB foundation; 3) replace damaged sidewalks and areas where water is freezing into ponds for safety of Chapter members, especially the handicapped and elderly; 4) secure building with additional cameras and upgraded server; 5) light-pole bulb replacements; 6) replace roof caulking around exterior pipes and rock facade intersecting with metal roofing and other miscellaneous items. A more complete list of areas needing maintenance is attached.

Throughout COVID-19, the Chapter MPB was utilized to store, then distribute PPE and sanitation items to provide individuals with air-borne and physical protection; water, bulk storage of non-perishable food to sustain members; and heating supplies such as wood, coal and wood pellets. The Chapter continues to store PPE to distribute during periodic reported increases with infections, and when requested by Chapter Members for safety measures. The Crystal MPB is the hub for storage and distribution services for COVID related assistance for Crystal chapter members.

- b. The Crystal MPB will benefit the Navajo Nation, Crystal chapter members, children from surrounding communities attending Navajo Head Start, Seniors from Crystal and Navajo receiving lunch and activity participation and recipients of health care support from the CHR. Crystal MPB provides the facility for Chapter Administration, Navajo Nation Head Start, Navajo Nation Senior Center and CHR office. Once repairs and maintenance are up-to-date, it can provide showers, exercise space and meeting facilities. Crystal MPB opened to Chapter Members 10 years ago, September 2023. Since its initial opening no funds or labor resources were budgeted, then utilized to maintain an operable condition of the building other than Head Start maintenance.

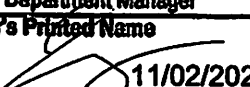

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u> New </u>		Program Title: <u>Crystal Chapter-Multi Purpose Building Maintenance</u>		Division/Branch: <u>DCD/Executive</u>				
Prepared By: <u>Kristin Damon</u>		Phone No.: <u>505.777.2800</u>		Email Address: <u>kdamon@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	1/1/24-12/31/26	\$216,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance	6		36,000	36,000
				6500 Contractual Services	6		180,000	180,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	216,000.00	216,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:		\$216,000.00	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, Division Director</u>				
<u>Program Manager's Printed Name</u>				<u>Division Director / Branch Chief's Printed Name</u>				
<u>11/02/2023</u>				<u>11/2/23</u>				
<u>Program Manager's Signature and Date</u>				<u>Division Director / Branch Chief's Signature and Date</u>				

FY 2024

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:												
Business Unit No.:		New		Program Name/Title:		Crystal Chapter-Multi Purpose Building Maintenance						
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:												
Plans to purchase materials and hire labor to repair and replace much needed maintenance work on the Crystal Chapter - Multi Purpose Building.												
PART III. PROGRAM PERFORMANCE CRITERIA:												
					1st QTR		2nd QTR		3rd QTR		4th QTR	
					Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:												
Make the Crystal Chapter House a safer place to serve the community.												
Program Performance Measure/Objective:												
Hire sub-contractors for major repairs / maintenance.											1	
2. Goal Statement:												
Preserve the structural integrity of the Crystal MPB by completing replacements, repairs & maint.												
Program Performance Measure/Objective:												
Hire sub-contracts to complete major replacements, repairs & maint. Hire carpenters to complete											1	
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.												
Jaron Charley, Department Manager					Arbin Mitchell, Division Director							
Program Manager's Printed Name					Division Director/Branch Chief's Printed Name							
 11/02/2023					 11/2/23							
Program Manager's Signature and Date					Division Director/Branch Chief's Signature and Date							

FY 2024

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Crystal Chapter-Multi Purpose Building Maintenance	Business Unit No.: New
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)
6020	Supplies Building Repair & Maint Supplies	36,000	36,000
6860	Subcontracted Services 6870 Subcontracted Services	180,000	180,000
TOTAL		216,000	216,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page 1 of 1
PROJECT FORM

PART I. Business Unit No.: <u>New</u> Project Title: <u>Crystal Chapter MPB Maintenance</u> Project Description: <u>a. Purchase materials, hire labor and out-source projects to complete maintenance & repairs for Crystal Chapter Multi-Purpose Buildin</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>Capital Outlay</u> Planned Start Date: <u>1/1/2024</u> Planned End Date: <u>12/31/2026</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>12/31/26</u>					
	FY 24												FY 25																	
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date <u>12/31/26</u>					
	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
Identify Sub-Contractors for HVAC replacements				X	X																									
Maint., Concrete Apron and Sidewalk replacements.																														
Enter into contract agreements.					X	X																								
HVAC replacements & maint. Installation							X	X	X	X																				
Concrete Apron and Sidewalk installations							X	X	X	X	X	X																		
Other miscellaneous maintenance/repairs							X	X	X	X	X	X	X	X	X	X	X	X	X											
Inspections								X	X	X	X	X	X	X	X	X	X	X	X	X										
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures																									<u>216,000.</u>					

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



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

DCDA-M24010

MEMORANDUM

TO : DCD Department and Program Staff
All Concerned

FROM : Arbin Mitchell, Division Director, NNDCD Digitally signed by Arbin Mitchell
Division Director, NNDCD
Date: 2023.11.02 09:11:55 -0600
Arbin Mitchell, Division Director
Division of Community Development

DATE : November 2, 2023


SUBJECT : DELEGATION OF AUTHORITY

Please be notified that Mr. Norbert Nez will be delegated in my capacity as the Division Director for Division of Community Development during my absence from the office on November 2, 2023 at 8:00AM to November 3, 2023 at 5:00PM.

This delegation includes handling administrative matters and signatory authority, except those matters he feels requires my attention.

Your assistance and cooperation are appreciated. Thank you.

ACKNOWLEDGED BY:


Norbert Nez, Computer Operations Manager
Division of Community Development

C.

Crystal Chapter House Maintenance Repairs

- **HVAC**
 - o Furnaces – one furnace with settings that needs to be update, four furnaces removed and replaced, one external (not certain what it is) needs to be removed
 - o Air Conditions – there is no urgency to repair/replace Air Conditioners, but extra funds can be used for maintenance/repairs/replacements.
- **Leaking**
 - o main hall as well as throughout the MPB
 - Atrium on NE leaking down on side of rocks
 - Sr. Center above stove??
 - Sr. Center kitchen above windowed wall
 - Sr. Center Janitor closet (north of kitchen)
 - o Replace caulking around all roofing pipes w/'silicone' caulking material – Brutal Rubber expands and contracts with metal roofing, comes in matching metal roofing colors
 - o Re-caulk rain gutters
 - o Check valley where leaking occurred during winter storms
 - o Snow tabs have fallen off – all should be checked to make certain tight
- **Mold**
 - o Ceiling in Sr. Kitchen by front window
- **Concrete !!!**
 - o Door entrances – all concrete slopes towards the door entrances except front and Sr. Center doors
 - During extreme cold conditions, water is getting under the concrete, then freezing raising the height concrete at doors preventing entrance/exit !!!
Safety Issue !!!
 - Back equipment exit door
 - Back Conference Room door
 - Main Hall door exit to water heater room
 - Past fall we first saw problems – ground down concrete and door jams
 - o Back door (heavy equipment area) – pond of water, eventually ice forms - SAFETY
 - o Head Start front door – pond of water, then ice - SAFETY
 - o Concrete Apron – at least 80% of building has inward sloping concrete apron
 - o Most of the apron around the building is cracked, chipped & uneven
 - o Front sidewalks are uneven and dangerous for Seniors and children, especially when it is dark
 - o Chicken wire visible around much of the stucco exterior along the base

Locks/Doors

- Sr. Kitchen back door – requires lock replaced
- Conference Rm exterior door – doesn't close tight for locking unless slammed from both sides
- Front door is having problems closing tight now too
- Secure metal door to closet in CSC – keys get locked in door – cannot utilize a secure area w/safe
- EVERY exterior door needs maintenance
 - All middle door seals replaced
 - All bottom thresholds replaced
 - Sr. Center Kitchen – one back door needs the middle lock bar replace (I think)
 - Interior mechanical room – replace door sweeps too
 - Check exterior Water Heater Room exterior door
 - 16 (need to confirm) middle door seals – height = 7' (112')

Structural

- Paint chipping – looks like there was no primer applied – chips showed up in 2014 photos
- Large meeting hall
 - Two light fixtures need plastic covering replaced
- Exercise Room
 - Two light fixtures need plastic covering replaced
- Ceiling panels (15-20) need to be replaced in Main Hall, Exercise Rm and Sr. Center

Electric

- Replace light sensor on NE side of roof – leaking into electrical room – CHECK ROOF for source of leak
- 5 exterior lights w/new bulbs don't work
- Parking Lot light bulbs need replacement (waiting on quote from Navajo Electric)
- The east side furnace in the Main Hall is tied into the same circuit as at least half of the wall outlets of the Main Hall

Flooring

- Tile flooring throughout structure needs to be re-glued or replaced
-

Safety

- Fire / Smoke Alarms need testing
- Cameras – new computer terminal for recording (Personal opinion - every room with exit door should have a camera) – ***did not evaluate Head Start
 - 5+ new cameras should be installed inside & outside MPB
 - Exterior areas include: Trash drop, NE side by entrance to water heater, outside exercise room

- Interior areas include: Front Conference room, Back conference room, back hall to fitness room, fitness room, Sr. Center
 - **Personal opinion** – EVERY room with external access should have a camera
- Emergency Lighting checked (excluding Head Start)– Areas missing lighting attachment
 - Fitness Room
 - Back Hall
- Back Conference Room
- Interior Paint – some hallways/rooms are due for updated paint job
- Exterior – started in 2014 (photos)
 - Rock façade around columns has broken/fallen off
 - Paint on overhang for sidewalks – needs to be repainted
 - Front Gate and fencing (fencing is falling apart on south side)
- **Head Start school**
 - 4/20 – Furnace not consistent, morning temp – 50 degrees, at times blowing cold air
 - Back door – water comes in – slope of concrete outside door & rain/snow – the rain gutter allows for water to come towards the concrete pad/entrance
 - No trench for the rain gutter take-away – across from back door
 - Front door – frozen pond, rain gutters are not caulked tight
 - Would like tile at back door installed to replace carpet
 - Exterior front-entry door has key lock problem
 - Exterior back door to play area needs new door sweep
 - Ceiling tiles show leakage
- **Sr. Center**
 - Stove
 - Leakage
 - Increase height of stove pipe outside
 - Replace floor tiles – edges rolling up
 - Replace ceiling tiles
- **Sr. Kitchen**
 - Stove Hood – separated on right side
 - Ice Machine – water leakage, cracks in tile grout
 - Drain to exterior of building – exterior pipe cracked off leaving exposure for mice to enter
 - Middle ceiling vent has plastic on it to prevent sand coming into kitchen during spring winds
 - Kitchen back door – monsoon rains brought water in
 - Tile cracking and grout at back doors is cracked and breaking apart
 - Fix sheetrock
 - Electrical – exterior outlets do not work outside the conference rm door
 - Main hall threshold – able to kick it out

- **Current Repair Status**

- Exterior building lighting – bulbs replace, but 5-6 outlets do not work (electrical)
- Alarm system repaired – Haven't been able to set when back Sr. Kitchen door was only chained shut
- HVAC – Contract wording has to be modified before putting back out for bids
- One contractor (Navajo Electric) in to replace lights in parking lot
- Concrete – one quote (August 2023) for sidewalks