



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:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (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: lorenzo Curley

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: **TSAILE/WHEATFIELDS CHAPTER**

Date prepared: **3/18/23**

Chapter's PO BOX C18
mailing address: **TSAILE, AZ 86556**

phone/email: **(928) 724-2220**
website (if any): **tsaile@navajochapters.org**

This Form prepared by: **DARICE NEWMAN**
DARICE NEWMAN, COMMUNITY SVC COORDINATOR
CONTACT PERSON'S name and title

phone/email: **(928) 724-2220**
dnewman@navajochapters.org
CONTACT PERSON'S info

Title and type of Project: **Community Roads Improvement**

Chapter President: **DEVON BEGAY**

phone & email: **(505) 399-0414, dbegay@naataanii.org**

Chapter Vice-President: **STANLEY KEDELTY**

phone & email: **(505) 860-9798, skedelty@naataanii.org**

Chapter Secretary: **MARINDA DECHEE**

phone & email: **(928) 797-6569, mdechec@navajochapters.org**

Chapter Treasurer: **SAME AS ABOVE**

phone & email:

Chapter Manager or CSC: **DARICE NEWMAN**

phone & email: **(928) 724-2220, dnewman@nnchapters.org**

DCD/Chapter ASO: **CHINLE/EDGERTON GENE**

phone & email: **(928) 674-2251, egene@nndcd.org**

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

☐ document attached

Amount of FRF requested: **\$1,094,062** FRF funding period: **April 1, 2023 - December 13, 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:

The Tsaile/Wheatfields Chapter will use the funds to repair and reinforce the local roads of N7700, N8079 and N8077. During the pandemic, it was more apparent that the residents living on these routes were severely impacted and had to forego basic care, needs and daily activities away from the roads. With these roads repaired and reinforced, the residents will be able to have access to basic needs, the ability to travel for appointments, schools, purchasing food, wood and other items needed to ensure they have adequate supplies on hand. The Chapter will ensure that the funds expended will address public challenges that partly caused the unequal impact on the Navajo Nation.

☐ document attached

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

Within the Tsaile/Wheatfields Chapter, the residents had to wait for heavy equipment machinery to clear and ensure safe roads to travel out; having the roads safe will allow easier access to healthcare, less stress and students would attend school regularly. The Tsaile/Wheatfields Chapter residents will directly benefit from the road improvements.

☐ 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:

This project estimates the successful completion of the roads and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 13, 2026.

☐ document attached

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

DCD will be the oversight of the sub-recipient agreement with Tsaille/Wheatfields Chapter and the appropriate roads agency to complete the road improvements.

☐ 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 of the roads will be by the Navajo Department of Transportation and the chapter.

☐ 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. The road improvements addresses the conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity.

☐ document attached

Part 3. Additional documents.

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

Resolution and memorandum from NDOT

☐ 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:

On Neuman, CSC
signature of Preparer/CONTACT PERSON

Approved by:

Deron Begay
signature of Chapter President (or Vice-President)

Approved by:

On Neuman CSC
signature of CSC

Approved by:

E. Johnson
signature of Chapter ASO

Approved to submit
for Review:

[Signature]
signature of DCD Director

FY 2023

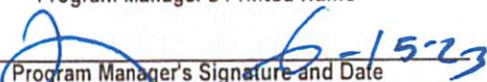
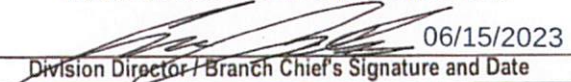
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 13
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>				Program Title: <u>Tsaile/Wheatfields Chapter - Roads Improvement Projects</u>		Division/Branch: <u>Div. of Comm. Dev/ Chinle ASC</u>		
Prepared By: <u>Darice Newman</u>				Phone No.: <u>(928) 724-2220</u>		Email Address: <u>dnewman@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	4/1/23 - 12/13/26	1,094,062.00	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		1,094,062	1,094,062
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	1,094,062.00	1,094,062

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>James Adakai, Deputy Director</u>	APPROVED BY: <u>Calvin Castillo, Executive Director</u>	
Program Manager's Printed Name	Division Director / Branch Chief's Printed Name	
 Program Manager's Signature and Date	 Division Director / Branch Chief's Signature and Date	

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

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BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: NEW

Program Name/Title:

Tsaile/Wheatfields Chapter - Roads Improvement Projects**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:****PART III. PROGRAM PERFORMANCE CRITERIA:**

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Utilize ARPA funding to repair and reinforce local roads N7700, N8079 and N8077

Program Performance Measure/Objective:

Repair and reinforce local roads for community members daily usage.

						1	
--	--	--	--	--	--	---	--

2. Goal Statement:

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

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.James Adakai, Deputy Director

Program Manager's Printed Name

 6-15-23
Program Manager's Signature and Date
Calvin Castillo, Director

Division Director/Branch Chief's Printed Name

 06/15/2023
Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

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BUDGET FORM 4

PART I. PROGRAM INFORMATION: Tsaile/Wheatfields Chapter Program Name/Title: <u>Roads Improvement Projects</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)
6500	CONTRACTUAL SERVICES		1,094,062
6960	SUBCONTRACTED SERVICES	1,094,062	
	6990 Subcontracted Services- NDOT to provide Road Improvements		
TOTAL		1,094,062	1,094,062

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

**Page 1 of 2
PROJECT FORM**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Tsaile/Wheatfields Chapter: Community Road Improvements</u> Project Description: <u>Road Improvements and Reinforcement of Community Roads N7077, N8079 and N8077</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>Road Improvements</u> Planned Start Date: <u>4/1/2023</u> Planned End Date: <u>12/13/2026</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.								
	FY 2023												FY 2024																				
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			12/31/2026								
	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			
4/1/23 - 12/31/23 Complete agreement with NDOT for services										x	x	x	x	x	x																		
5/1/24 - 9/30/26 Start the road improvements & Reinforcements for Chapter																				x	x	x	x	x	x	x	x	x	x	x			
10/1/26 - 12/13/26 Site touchups from NDOT																																	
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								
Expected Quarterly Expenditures																												\$364,686.00					

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

Page 2 of 2
PROJECT FORM

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



Tsaile/Wheatfields Chapter
Post Office Box C18
Tsaile, Arizona 86556
Phone: (928) 724-2220 Fax: (928) 724-2223

Tsééhilí

TóDzis'á

Tsézhine

Devon Begay, President
Charles R. Chie, Grazing Committee

Stanley Kedefty, Vice President

Marinda DeCie, Secretary/Treasurer
Carl Roessel Slater, Council Delegate

TWFFY23-045

**RESOLUTION OF THE
TSAILE/WHEATFIELDS CHAPTER #038**

**SUPPORTING, RECOMMENDING, AND APPROVAL OF THE TSAILE/WHEATFIELDS
CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PRIORITY PROJECT LISTING IN THE
AMOUNT OF \$1,760,468.00.**

WHEREAS:

1. Pursuant to Navajo Nation Council Resolution No. CJ-20-55, dated December 2, 1955, the Tsaile/Wheatfields Chapter is vested with authority and charged with the responsibility to promote, protect and preserve the interest and general welfare, including the health and safety of its community people; and
2. The Indian Self-Determination Act (P.L. 93-638) of the U. S. Congress and Local Governance Initiatives entitles and support us, Navajo Indians, in initiating plans making decisions, recommendation, request, etc., according to our actual needs and desires; and
3. To support the efforts of the Navajo Nation to mitigate the effects of the COVID-19 Pandemic, the American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to develop basic infrastructure to improve lives of people who have lived without water, electricity and "basic services to support their daily activities, health, and welfare"; and
4. The Navajo Nation Council approved CJN-29-22, in response to the COVID-19 Pandemic in the best interest of the people: "An Action Relating to the Naabik'iyati" Committee and Navajo Nation Council allocation \$1,070,298,867.00 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Chapter Assistance; Public Safety Emergency Communications; E911 and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Waste Water Projects; Broadband Projects; Home Electricity Connection and Electricity Compacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administration Funding"; and
5. The Tsaile/Wheatfields Chapter selected three eligible projects a. The Housing Renovation project; b. PEP Funding; and c. Road Improvement Project to be included in the funding allocated to Tsaile/Wheatfields Chapter; and
6. The total amount allocated under Navajo Nation Council Delegate Carl R. Slater for Tsaile/Wheatfields Chapter is \$1,760,468.00.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Tsaile/Wheatfields Chapter hereby approves and accepts the ARPA fundings to be utilized in accordance with the following chapter project priorities.
 - a. Housing Renovation in the amount of \$460,468.00.
 - b. PEP Funding in the amount of \$205,938.00
 - c. Road Improvements in the amount of \$1,094,062.00
2. The Tsaile/Wheatfields Chapter affirms that the Chapter will only use the awarded Fiscal Recovery Funds and Implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable Federal and Navajo Nation Laws, Regulations and Policies.