



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 #: HK0734

Date & Time Received: 01/05/24 at 17:02

Date & Time of Response: 02/06/24 at 17:00

Entity Requesting FRF: Rough Rock Chapter

Title of Project: Tse Ch'izhí Community Water Delivery

Administrative Oversight: Navajo Nation Department of Water Resources (DWR)

Amount of Funding Requested: \$62,924.00

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: _____
Please note that we have modified the requested expenditure code from 5.15, Drinking Water - Other Infrastructure to 1.14, Other Public Health Services because it is a better fit for the Project and is consistent with other previously approved projects.

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: MacArthur Stant

Digitally signed by MacArthur Stant
Date: 2024.02.06 11:41:28 -07'00'

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.

01/02/2024

APPENDIX A

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: TSE CH'IZHI CHAPTER Date prepared: 3/23/24

Chapter's PO BOX 4344 phone/email: (928) 728-3361
mailing address: CHINLE, AZ 86503 website (if any): roughrock@navajochapters.org

This Form prepared by: SYLVIA HADLEY, SECRETARY/TREASURER phone/email: (928) 206-9356
CONTACT PERSON'S name and title shadley@navajochapters.org
CONTACT PERSON'S info

Title and type of Project: TSE CH'IZHI COMMUNITY WATER DELIVERY

Chapter President: BETTY DAILEY phone & email: (505) 408-3292, dallyb628@gmail.com

Chapter Vice-President: JAY R. NEZ phone & email: (505) 908-7773, jrmez@naataanil.org

Chapter Secretary: SYLVIAHADLEY phone & email: (928) 206-9356, shadley@navajochapters.org

Chapter Treasurer: SAME AS ABOVE phone & email: _____

Chapter Manager or CSC: La Verne Jim phone & email: (928)728-3361 lrjim@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: \$62,924 FRF funding period: 11/1/23 - 12/23/26
Indicate Project starting and ending/leadline 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 Tse Ch'izhi Chapter will use the funds to assist community members who need water by delivering water directly to their residence. The Tse Ch'izhi Chapter will assist their community with having this services especially for residents who have no running water. The Tse Ch'izhi Chapter will ensure that the funds expended will address public health 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 Tse Ch'izhi Chapter, a high number of residents lack running running water, thus have to forgo certain areas of sanitation to ensure their health safety. The water delivery will provide residents basic needs to clean and sanitize themselves and items that need to be sanitized. The Tse Ch'izhi Chapter residents will directly benefit from the water delivery.
 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

REVIEWED
By Dawnell Begay at 9:51 am, Jan 02, 2024

APPENDIX A

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

This project estimates the successful completion of delivering to approximately 30 households per month. The Tse Ch'zhi Chapter 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 Tse Ch'zhi Chapter to complete the services needed to facilitate the water delivery.

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 Tse Ch'zhi Chapter will work with these residents on furthering their efforts to have running water to their households.

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:

5.15 Drinking Water- Other Water Infrastructure. Water delivery 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):

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 Preparer: Sylvia Hadley
signature of Preparer (not for personal use)

Approved by: [Signature]
signature of Chapter President (or Vice President)

Approved by: [Signature]
signature of CSC

Approved by: [Signature]
signature of Chapter ASO

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

FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Tsé Ch'izhi Chapter - Water Delivery</u>		Division/Branch: <u>DCD/Executive</u>	
Prepared By: <u>Sylvia Hadley</u>		Phone No.: <u>(928) 728-3361</u>		Email Address: <u>shadley@navajochapters.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	11/1/23-12/31/24	62,924.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6		62,924	62,924
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	62,924.00	62,924
TOTAL:								
		\$62,924.00	100%	PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	

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> Program Manager's Printed Name <u>[Signature]</u> Program Manager's Signature and Date <u>01/02/2024</u>	APPROVED BY: <u>Arbin Mitchell, Executive Director</u> Division Director / Branch Chief's Printed Name <u>[Signature]</u> Division Director / Branch Chief's Signature and Date
---	--

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:										
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>Tsé Ch'izhi Chapter - Water Delivery</u>							
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:										
Goal is to assist community members who are in need of water delivery.										
PART III. PROGRAM PERFORMANCE CRITERIA:										
			1st QTR		2nd QTR		3rd QTR		4th QTR	
			Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:										
<u>Secure Vendor for community water delivery.</u>										
Program Performance Measure/Objective:										
<u>Vendor contract is in place.</u>			1							
2. Goal Statement:										
<u>Deliver drinking water to Tsé Ch'izhi community members who do not have running water.</u>										
Program Performance Measure/Objective:										
<u>Water delivery completed on a monthly basis.</u>			90		90		90		90	
3. Goal Statement:										

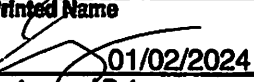
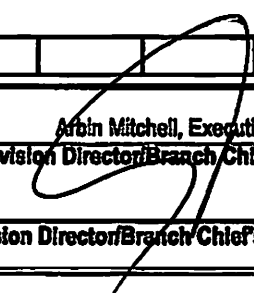
Program Performance Measure/Objective:										

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.										
<u>Jaron Charley, Department Manager</u> Program Manager's Printed Name					<u>Arbin Mitchell, Executive Director</u> Division Director/Branch Chief's Printed Name					
 Program Manager's Signature and Date					 Division Director/Branch Chief's Signature and Date					

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tsé Ch'izhí Chapter - Water Delivery</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		62,924
6960	SUBCONTRACTED SERVICES	62,924	
	6990 Subcontracted Services		
TOTAL		62,924	62,924

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u>													PART II. Project Information																				
Project Title: <u>TSÉ CH'IZHÍ CHAPTER WATER DELIVERY</u>													Project Type: <u>Water Delivery</u>																				
Project Description <u>Assist approved water delivery for households.</u>													Planned Start Date: <u>11/1/2023</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>12/23/2026</u>																				
													Project Manager: <u>Sylvia Hadley</u>																				
PART III.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																																
List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	FY 2023												FY 2024												Expected Completion Date if project exceeds 8 FY Qtrs.								
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			12/23/2026								
	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			
11/1/23 - 1/31/23 Complete 164 process for Water Warriors Accept applications and approve households for water delivery.													x	x	x																		
2/1/24 - 9/30/26 Start and complete household Water Delivery																		x	x	x	x	x	x	x	x	x	x	x	x	x	x		
10/1/26 - 12/13/26 Closeout paperwork, quality check project, final payments sent out.																																	
PART V.	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL											
Expected Quarterly Expenditures													30,000.00			15,000.00			15,000.00			2,924.00			\$62,924.00								

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