



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 #: HK0366-2

Date & Time Received: 01/17/2023 at 14:33

Date & Time of Response: 23 January 2023; 1:02 pm

Entity Requesting FRF: Tsidi To'ii (Birdsprings) Chapter

Title of Project: Home Renovation for Community Members

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,278,504.00

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: 2.18 Housing Support:
Other Housing Assistance

<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	

[illegible]

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: Adjua Adjei-Danso Digitally signed by Adjua Adjei-Danso
Date: 2023.01.23 13:05:35 -07'00'

Digitally signed by Adjua Adjei-Danso
Date: 2023.01.23 13:05:35 -07'00'

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 NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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.



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0366

Date & Time Received: 12/20/22 17:15

Date & Time of Response: 12/30/22 17:00

Entity Requesting FRF: Tsidi To'ii (Birdspring)

Title of Project: Home Renovation for Community Members

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,278,504.00

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: _____

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: This is likely an FRF eligible project, however further information is being requested to provide a full evaluation:

1. What is the eligibility criteria for households to seek assistance? For example, will it be limited to households physically located within the Chapter or households in need of certain kinds of assistance?
2. Will all those eligible receive assistance or will households or particular projects be prioritized given limited resources?
3. Is there a maximum amount or limit that households will receive in terms of goods and services?
4. Will households receive cash assistance or will the Chapter be responsible for providing goods and services?
5. Will all assistance be related to home renovations (e.g. roof repair, window replacements, doors (interior and exterior), siding replacement, drywall, floor tile replacement, painting (interior and exterior), and kitchen renovation)? Please describe any other assistance that may be eligible.
6. Please explain how painting, floor tile replacements, and kitchen renovations relate to the homes being structurally unsafe to live in.

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: If you wish to provide the additional information requested 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 can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

Other Comments: This is an FRF eligible project, however further information is being requested to provide a full evaluation:

1. What is the eligibility criteria for households to seek assistance? For example, will it be limited to households physically located within the Chapter or households in need of certain kinds of assistance?
Eligibility Criteria: Home must be located within the Birdsprings Chapter Boundary. Home must be in need of minor to major renovation to meet safety and health purposes. Home Owner must be a member of the Birdsprings Community. Home owner must use dwelling as a primary residence for more than a year. A homesite lease required unless home was built more than 10 years ago. No Income requirement.
2. Will all those eligible receive assistance or will households or particular projects be prioritized given limited resources? Those that meet eligibility will get a one-time assistance of up to \$15,000.00 for renovation of their home, but, elders, the disabled and multi-generational homes will be a priority.
3. Is there a maximum amount or limit that households will receive in terms of goods and services? A maximum of \$15,000.00 per home for cost of materials. Cost maybe lower due to the type of renovation is needed per home. Ex: Home needs only windows at \$250.00 per window is \$1000.00. That home will only be assisted with \$1,000.00. Labor will be provided by the chapter.
4. Will households receive cash assistance or will the Chapter be responsible for providing goods and services? No cash assistance. The chapter will be responsible for the purchase of materials and labor will be hired by chapter utilizing a portion of the ARPA funds.
5. Will all assistance be related to home renovations (e.g. roof repair, window replacements, doors (interior and exterior), siding replacement, drywall, floor tile replacement, painting (interior and exterior), and kitchen renovation)? Please describe any other assistance that may be eligible. Yes, The project will concentrate on renovation of homes. Which will include a bathroom renovation those homeowners that do not qualify under any other Bathroom Addition/Assistance. Bathroom must already exist for renovation, such as installation of toilet, sink, floor and shower for cleanliness. Cost or assistance per home will not change with the inclusion of the Bathroom renovation.
6. Please explain how painting, floor tile replacements, and kitchen renovations relate to the homes being structurally unsafe to live in? Painting: When substandard drywalls and exterior panels are replaced, paint needs to be applied to finish off the walls and extend the life of the materials as well as act as a sealant from the cold and heat. If dry walls are not finished, it will fall apart and give off dust which will become a health hazard when inhale. Floor tile replacement: chipped and cracked tiles cause a tripping hazard for elders, disabled persons, children etc., thus, floor tile replacement will be needed for safety. Kitchen renovation: this is so homeowners can have adequate place to prepare healthy and nutritional meals as well as sanitize cookware/utensils/food. All the above renovations along with others listed in Question #5 are to assist homeowners with the needed materials to upgrade their homes making it safe and sanitary while eliminating and combating COVID-19.

Other Comments: This is an FRF eligible project, however further information is being requested to provide a full evaluation:

1. What is the eligibility criteria for households to seek assistance? For example, will it be limited to households physically located within the Chapter or households in need of certain kinds of assistance?
Eligibility Criteria: Home must be located within the Birdsprings Chapter Boundary. Home must be in need of minor to major renovation to meet safety and health purposes. Home Owner must be a member of the Birdsprings Community. Home owner must use dwelling as a primary residence for more than a year. A homesite lease required unless home was built more than 10 years ago. No Income requirement.
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**THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Tsidi To'ii (Birdsprings) Chapter Date prepared: 9/23/2022

Chapter's mailing address: HC-61 Box K Winslow, AZ 86047 phone & email: (928) 686-3233
website (if any): birdsprings@navajochapters.org

This Form prepared by: Dolly Wagoner phone/email: (928) 686-3233
Chapter Manager dwagoner@nnchapter.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Home Renovation for Community Members

Chapter President: Vernice Wagner phone & email: 928-266-7618/wagnervernice68@gmail.com
Chapter Vice-President: Geneva Sangster phone & email: 928-587-4732/geneva.sang58@gmail.com
Chapter Secretary: Mitzi Begay phone & email: 602-339-8867/mitzi.begay@nnchapter.org
Chapter Treasurer: Mitzi Begay phone & email: Same
Chapter Manager or CSC: Dolly Wagoner phone & email: 928-686-3233/dwagoner@nnchapter.org
DCD/Chapter ASO: Eunice Begay, SPPS phone & email: 928-654-3433/ebegay@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Home Improvements material vendors and PEP temporary employees ☐ document attached

Amount of FRF requested: \$1,278,504.00 FRF funding period: January 3, 2023 - December 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:

There are many homes in the Tsidi To'ii Chapter community that are structurally unsafe to live in. A portion of the ARPA Chapter Funding will be used for home reovations for Tsidi To'ii community memebbers; Roof repair, Window replacements, Doors (interior/exterior), Sidings replacement, Drywall, Floor tile replacement, Painting (interior/exterior), Kitchen renovation, etc.

☐ document attached

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

Tsidi To'ii Chapter will assist community memebbers with dilapitated homes with reovations to bring their homes to acceptable living conditions. Priority will be emphasized to homes of repairs only and to assist the elderlies, handicap individuals, and multi generational family homes. An estimate of 71+ homes will be identifies for this project.

☐ 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:

See attach timeline. Approved Chapter resolution and comprehensive budget.

☐ document attached

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

Dolly Wagoner, Chapter Manager & Jeannie James, Admin Assistant.
Oversite only of project: Vernice Wagner, Chapter President and Mitzi Begay, Sec/Treasurer

☐ 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:

Tsidi To'ii Chapter will do a one time assistance for families, thearafter it's homeowners responsibility to maintain or upkeep their home.

☐ 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:

Appendix A 3.12 Housing Support: Other Housing Assistance
Tsidi To'ii Chapter will assist community members with dilapidated homes with renovations to bring it to acceptable living conditions. To assist the elderly, handicap, and multi generation population families. The goal is to provide families with safe living conditions during and post Covid conditions.

☐ document attached

Part 3. Additional documents.

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

See attach timeline. Approved Chapter resolution and comprehensive 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 of Preparer/CONTACT PERSON

Approved by:


signature of Chapter President (or Vice-President)


Approved by:


signature of Chapter Manager or CSC

Approved by:

 12/20/2022
signature of DCD Chapter ASO

Approved to submit
for Review:


signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page of
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Tsidi To'ii (Birdsprings) Chapter ^{Housing} Renovation</u>		Division/Branch: <u>Div. Comm. Development</u>	
Prepared By: <u>Dolly Wagoner, CM</u>		Phone No.: <u>928.686.3233</u>		Email Address: <u>birdsprings@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
ARPA Home Renovation for CM	01/03/23-12/30/26	1,278,504.00	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				
				7000 Special Transactions				
				8000 Public Assistance	<u>10</u>	<u>1,278,504</u>	1,278,504	<u>1,278,504</u>
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
TOTAL:				TOTAL		<u>\$1,278,504.00</u>	1,278,504.00	<u>1,278,504</u>

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	9	
Total # of Vehicles Budgeted:	0	

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

<p>SUBMITTED BY: <u>Sonlatsa Jim-Martin, Department Manager II</u></p> <p align="center">Program Manager's Printed Name</p> <p align="center"><i>Sonlatsa Jim-Martin</i> 12/05/2022</p> <p align="center">Program Manager's Signature and Date</p>	<p>APPROVED BY: _____</p> <p align="center">Division Director / Branch Chief's Printed Name</p> <p align="center"><i>Pearl L. Loman</i> 11-28-22</p> <p align="center">Division Director / Branch Chief's Signature and Date</p>
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FY _____

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page ____ of ____
BUDGET FORM 2

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

Program Name/Title:

Tsidi To'li (Birdsprings) Chapter

*Housing Renovation***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:Provide housing renovation, modification to community residents.**Program Performance Measure/Objective:**Conduct Surveys, Identify community members in need of home renovation for safe living.

18		18		18		17	
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2. Goal Statement:Identify community members that need improvement to homes.**Program Performance Measure/Objective:**Conduct a survey or assessment to identify homes that need renovation.

71							
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3. Goal Statement:Obtain materials needed to complete renovations of homes.**Program Performance Measure/Objective:**Get listing of items for homes, get price quotations and delivery materials for renovations.

18		18		18		17	
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4. Goal Statement:Hire temporary labors to complete & assist with home revovation and chapter improvement**Program Performance Measure/Objective:**Provided employment to community member labors to assist in completing projects

6							
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5. Goal Statement:**Program Performance Measure/Objective:**

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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Somata Jim-Martin, Department Manager II

Program Manager's Printed Name

12/05/2022

Program Manager's Signature and Date

Division Director/Branch Chief's Printed Name

Pearl L. Loman 11.28.22
 Division Director/Branch Chief's Signature and Date

FY _____

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Tsidi To'ii (Birdsprings) Chapter</u> Business Unit No.: <u>NEW</u> Housing Renovation			
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)
	HOME RENOVATION FOR COMMUNITY MEMBERS PROJECT		1,278,504
6101	Temporary Employment Expense	198,504	
	6 Temporary Public Employment Project Employees x 2000 hours each = \$180,000.00		
6103	FICA: \$11,160.00		
6104	Medicare: \$2,610.00		
6106	SUTA: \$3,294.00		
6108	Workmends Comp: \$1,440.00		
	TOTAL: \$198,504.00		
6724	Financial Assistance - Building Materials		
	Purchases of Building Material for minor and major renovation of community members homes. \$ 1,080,000.00	1,080,000	
	Purchase of doors, window, roofing materials, siding, flooring, etc estimate of 71 homes:		
	TOTAL: \$1,080,000.00		
TOTAL		1,278,504	1,278,504

FY _____

THE NAVAJO NATION
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT

Page ____ of ____
BUDGET FORM 3

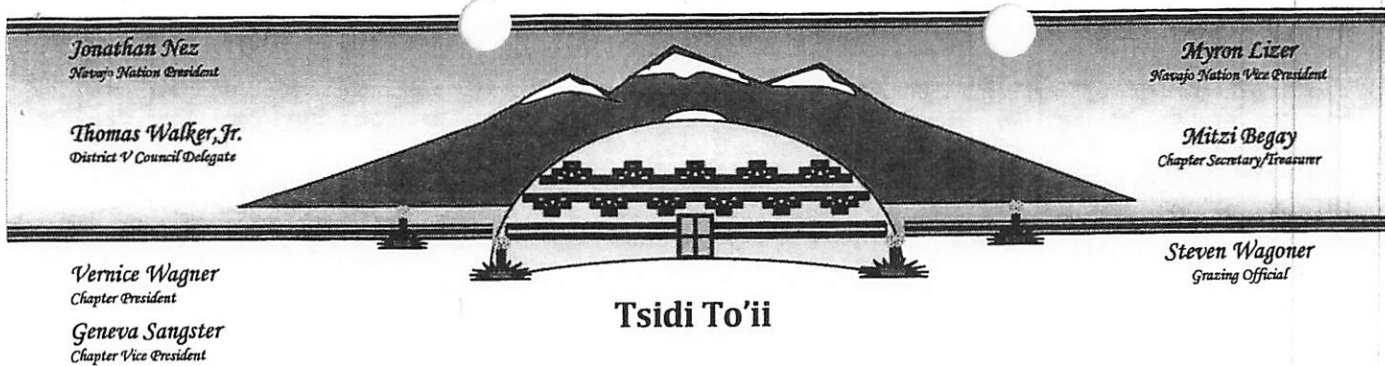
SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2022 ACTUAL		FY 2023 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
1001	NEW	Labor		VACANT	Birdsprings			2000	30,000.00
1002	NEW	Labor		VACANT	Birdsprings			2000	30,000.00
1003	NEW	Labor		VACANT	Birdsprings			2000	30,000.00
1004	NEW	Labor		VACANT	Birdsprings			2000	30,000.00
1005	NEW	Labor		VACANT	Birdsprings			2000	30,000.00
1006	NEW	Labor		VACANT	Birdsprings			2000	30,000.00

TSIDI TO'II CHAPTER - ARPA PROJECT TIMELINE

Project Name: Home Renovation

Cost of Project: \$ 1,265.000.00

[illegible]



RESOLUTION OF TSIDI TO'II CHAPTER WESTERN NAVAJO AGENCY

Resolution No: TT-008-2022

APPROVING AND ADOPTING THE ARPA CHAPTER ALLOCATION
OF \$1,760,468.00 TO MITIGATE COVID – 19 HEALTH CONCERNS
OF THE TSIDI TO'II CHAPTER COMMUNITY.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A), the Tsidi To'ii (Birdsprings) Chapter is a duly recognized chapter of the Navajo Nation Government, as listed at 11 N.N.C., Part 1, Section 10, and
2. The Tsidi To'ii (Birdsprings) Chapter is a certified chapter government of the Navajo Nation in accordance with the Navajo Nation Local Governance Act, 26 N.N.C., Section 1 (B); thereby, vested with the authority to protect and promote the general health, safety, and welfare of the Chapter membership; and
3. As a Certified Chapter, Title 26, Chapter 1, Subchapter 1, Section 1 B.2, was established for Purposes of chapters, such as Tsidi To'ii Chapter to make decisions over local matters. This authority, improves community decision making, allows communities to excel and flourish, and enables local leadership to implement the goals and objectives of the community; and
4. The Tsidi To'ii (Birdsprings) Chapter has as prioritized and outlined ARPA Chapter Projects in which the ARPA Chapter Allocation will be used to assist the community of Tsidi To'ii (Birdsprings) Chapter; and
5. Tsidi To'ii (Birdsprings) Chapter approves and adopts the ARPA Chapter Allocation of \$1,760,468.00 for the ARPA Chapter Projects to mitigate COVID 19 health and safety issues and concerns of the Tsidi To'ii Chapter Community

CERTIFICATION

We, hereby, certify that the foregoing resolution was considered at a dully call chapter meeting at Tsidi To'ii Chapter, Navajo Nation, where a quorum was presented and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstained, this 20th day of September, 2022.

Motion by: Mitzi Begay

Second by: Jeannie James

Vernice Wagner
Vernice Wagner, Chapter President

Mitzi Begay
Mitzi Begay, Chapter Secretary/Treasurer

Geneva Sangster
Geneva Sangster, Vice-President

Steven Wagoner
Steven Wagoner, Grazing Officer

Thomas Walker Jr.
Thomas Walker Jr., Council Delegate