



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 #: HK 0441

Date & Time Received: 4/5/23 at 11:24

Date & Time of Response: 4/13/23 at 10:02

Entity Requesting FRF: Low Mountain Chapter

Title of Project: Low Mountain Chapter Heating/Cooling System Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$30,000

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: _____

1.4 Prevention in Congregate Settings

☐ Missing Form

☐ Supporting documentation missing

☐ Project will not be completed by 12/31/2026

☐ Ineligible purpose

☐ Submitter failed to timely submit CARES reports

☐ Additional information submitted is insufficient to make a proper determination

[illegible]

Signature of DOJ Reviewer: MacArthur Stant
Digitally signed by MacArthur Stant
Date: 2023.04.13 10:03:33 -06'00'

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: Low Mountain Chapter Date prepared: 10/26/2022

Chapter's mailing address: PO Box 4416 phone/email: (928) 725 - 3700 / lowmountain@navajochapters.org
Blue Gap, AZ. 86520 website (if any): http://lowmountain.nndes.org

This Form prepared by: Mareita Denny, Project Manager. phone/email: (505) 979 - 3001 / mareitajdenny@yahoo.com
Roger George, Chapter Vice President. (928) 401 - 1935 / rgeorge@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Low Mountain Chapter Heating/Cooling System Project

Chapter President: Ben L. Gonnie phone & email: (928) 313 - 8726 / m63563963@gmail.com

Chapter Vice-President: Roger B. George phone & email: (928) 401 - 1935 / rgeorge@naataanii.org

Chapter Secretary: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com

Chapter Treasurer: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com

Chapter Manager or CSC: Ella Nelson, AMS / Acting CSC phone & email: (928) 814 - 7122 / enelson@navajochapters.org

DCD/Chapter ASO: Robert Jumbo, ASO - ASC / DCD phone & email: rjumbo@nndcd.org

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

☐ document attached

Amount of FRF requested: \$30,000.00 FRF funding period: November 1, 2022-December 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:

Chapter House Heating/Cooling System Project: The Low Mountain chapter house with a nonfunctional or unsafe primary heating system and no secondary heating system is available. Officials, Staff, and Visitors with the imminent cold winter and the lack of the Chapter interior heat faces a life-threatening crisis especially for individuals who become exposed to extreme indoor/outdoor temperatures can adversely affect their health and/or well-being within days of heat loss. A chapter member's health (i.e., elderly, veterans, children, people with disabilities, employees, officials, etc.), can likely be endangered if heat is not available. Unforeseen circumstances as layoffs and cold sickness can become a hardship. A furnace replacement purchased and/or a reliable and reasonable vendor or hire an HVAC contractor are under considerations. Utilizing ARPA funding will help to address the latter to purchase a new furnace system and its installation or contract out. COVID-19 is still on the rise and loss of body heat and weakness can make us vulnerable to the COVID-19 infectious disease. The Low Mountain Chapter House is used as a shelter for some overcrowded family members during Covid-19, heating and cooling system is in dire need.

☐ document attached

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

Due to the ever-increasing uncertainty when it comes to the weather (climate changes) a new heating/cooling system will benefit those that use the chapter building during meetings and other events.

☐ 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

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

ASAP to remedy the need for heat loss and making heat available for the chapter house, the acting CSC/AMS is already making preparations. She will take charge and coordinate with ARPA funding sources, DCD, and local officials. Completion schedules first phase December 31st, 2022. Incurring cost for all funding by December 31st, 2024 no challenges.

☐ document attached

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

Project manager, an appointed temporary employee to coordinate implementing the project with the acting Community Service Coordinator (CSC).

☒ 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 Low Mountain chapter will be charged with operation and maintenance costs per annual budget.

☐ 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:

1.7. Replacing the heating/cooling system helps the operational use of the Low Mountain Chapter building that is integral to the community.

☒ document attached

Part 3. Additional documents.

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

1. Project proposals.
2. Memorandum.
3. Project listing.
4. Others.

☐ 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 CSC

Approved by:

signature of Chapter ASO

12/12/2022

Approved to submit
for Review:

signature of DCD Director



DR. BUU NYGREN **PRESIDENT**

RICHELLE MONTOYA **VICE PRESIDENT**

The Navajo Nation | Yideeskáadi Nitsáhákees

April 04, 2023

Navajo Nation Department of Justice
Window Rock, Arizona 86515

RE: JUSTIFICATION – LMC/ARPA HEATING/COOLING.

Dear Sir/Madam:

I am writing this as a justification on behalf of Low Mountain Chapter regarding the ARPA Heating and Cooling Project.

Sir/Madam, please understand that the LMC ARPA Heating/Cooling Project is to install Heating/Cooling system in the Low Mountain Chapter House Building, which is utilized for Emergency Shelter since majority of our community members are living in one house of two or more families, which creates high risk of COVID-19 infections; therefore, the Low Mountain Chapter utilized the chapter house building for shelter during this pandemic.

Sir/Madam, attached hereto is a cost estimate, which has material listing and labor cost from a Contractor and since the ARPA proposal process, Legislation process, and creating a Navajo Nation Business Unit is time consuming, I believe \$30,000.00 is sufficient enough to use the amount differences if the cost should rise during this time frame.

Your utmost understanding and approval consideration will be greatly appreciated. If you should have any further questions and/or need more information, please don't hesitate to contact me at 505-979-3001.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mareita Denny", is written over a horizontal line.

Mareita Denny, Project Manager
Low Mountain Chapter

04/05/2023

xc: Chapter Officials – (3)
Ella F. Nelson, AMS/Acting CSC
File

FY 2023

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

 Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>LOW MOUNTAIN CHAPTER HVAC Project</u>		DCD/Executive	
Prepared By: <u>MAREITA DENNY, Project Manager</u>		Phone No.: <u>928-725-3700</u>		Email Address: <u>lowmountain@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 ARPA FUNDS	11/1/22 - 12/31/26	30,000.00	100%					
				2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay	6		30,000.00	30,000.00
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL			30,000.00	30,000.00
TOTAL:								
				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>Sonlasta Jim-Martin</u> Program Manager's Printed Name <u><i>Sonlasta Jim-Martin</i></u> 12/12/2022 Program Manager's Signature and Date	APPROVED BY: <u>Dr. Pearl Yellowman</u> Division Director / Branch Chief's Printed Name <u><i>Pearl Yellowman</i></u> 12.13.22 Division Director / Branch Chief's Signature and Date
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FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.:

NEW

Program Name/Title:

LOW MOUNTAIN CHAPTER

Heating & Cooling**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:

Install Heating/Cooling for Chapter Building.

Program Performance Measure/Objective:

Install Heating and Cooling system for Chapter Building used for Shelter.

						1	
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2. Goal Statement:

Program Performance Measure/Objective:

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3. Goal Statement:

Program Performance Measure/Objective:

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4. Goal Statement:

Program Performance Measure/Objective:

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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.

Sonlasta Jim-Martin

Program Manager's Printed Name

Sonlasta Jim-Martin12/12/2022

Program Manager's Signature and Date

Dr. Pearl Yellowman

Division Director/Branch Chief's Printed Name

Dr. Pearl Yellowman12.13.22

Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		LOW MOUNTIAN CHAPTER <i>Heating & Cooling</i> Business Unit No.: <i>NEW</i>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
9050	Building 9054 - Building Improvement (Heating/Cooling) in Chapter House Building used for emergency community shelter.	30,000.00	30,000.00
TOTAL		30,000.00	30,000.00

**RESOLUTION OF THE
LOW MOUNTAIN CHAPTER**

LMC-2023-012

SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO FUND THE LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$30,000.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS FOR THE LOW MOUNTAIN CHAPTER HEATING AND COOLING SYSTEM REPLACEMENT PURCHASES.

WHEREAS:

1. Pursuant to Title 26 N.N.C., § 3 (A) and as listed pursuant to Title 11 N.N.C., Part 1 § 10 the LMC is a duly recognized certified Chapter of the Navajo Nation government and as such may preserve or promote community interests; AND,
2. Pursuant to Title 26 N.N.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government and recognized as a local tribal entity vested with the authority to review all matters affecting the community and to make appropriate recommendations to the Navajo Nation concerning matters that are in the best interest of the community; AND,
3. The low Mountain Chapter recognizes that the financing of the public infrastructure electrical services equipment purchases is needful and especially the Heating and Cooling System cost to commit (money) and expend for future benefits or advantages for Chapter staff and the community.
4. The LMC hereby moves to request the Division of Community Development to assist with this urgent (emergency) need to purchase and install the Chapter heating system due to the ever-increasing uncertainty when it comes to the weather (climate changes) forecast as the evident and eminent cold freezing weather during the week of October 23, 2022 day average temperatures 40-50 degrees and with no heater in the interior Chapter House, it was COLD!

NOW, THEREFORE BE IT RESOLVED THAT:

1. Supporting Resolution Requesting, The Navajo Nation to fund The Low Mountain Chapter in the amount of \$30,000.00 From The Navajo Nation Fiscal Recovery Funds Request and Expenditure Plans for The Low Mountain Chapter Heating And Cooling System Replacement Purchases.
2. Low Mountain Chapter affirms that the Chapter will only use 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.

Motion By: John Pekin

Second By: Sullivan John

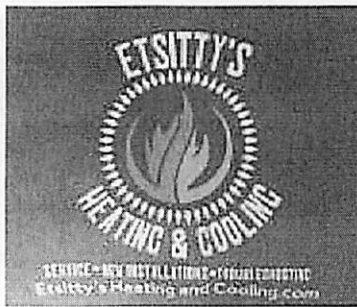
C-E-R-T-I-F-I-C-A-T-I-O-N

We, hereby certify that the foregoing Chapter resolution was duly considered by the Low Mountain Chapter at a duly-called Chapter meeting at Low Mountain Chapter, Low Mountain (Navajo Nation), Arizona, at which a quorum was present and that the same was passed by a vote of 11 in favor, 0 opposed, 2 abstained on this 10th day of November 2022.

Ben L. Gonnle
Ben L. Gonnle, Chapter President

Roger B. George
Roger B. George, Chapter Vice President

Rose Ann Charley
Rose Ann Charley, Chapter Secretary/Treasurer



Etsitty's Heating and Cooling

Business Number 5052252038

5057176665

www.etsittysheatingandcooling.com

lawrence.etsitty@icloud.com

ESTIMATE

EST9016

DATE

11/05/2022

TOTAL

USD \$22,978.44

TO

Low Mountain Chapter House The Navajo Nation

P.O. Box #4416 BlueGap, Arizona 86520

☎ 9287253700

📠 9287253703

lowmountain@navajochapters.org

DESCRIPTION	RATE	QTY	AMOUNT
5 Ton Furnace, Evaporator coil, condenser unit Remove existing equipment and install new equipment. Furnace, Evaporator coil, and outdoor condenser unit.	\$9,000.00	2	\$18,000.00
Copper Line sets Copper Line set are used to connect indoor unit with outdoor unit for the cooling section.	\$350.00	2	\$700.00
Nitrogen pressure test Nitrogen pressure test. When New Part is installed to locate leak areas	\$500.00	1	\$500.00
Vacuum lines prepare to release Refrigerant charge. In preparation to release charge. Once Nitrogen test is completed Copper line sets have to be clear of any Non-Condensable's Gases Such as Air, Water, ect.	\$300.00	2	\$600.00
Trip Charge 3 100-200 mile Radius	\$250.00	1	\$250.00
Sheet Metal Sheet metal: 22 Gauge well be used to Re-modify existing ductwork. To fit new equipment going in place. Has to be build out on the field	\$500.00	2	\$1,000.00
Lodging Well be Lodging out in Near by town	\$250.00	1	\$250.00

SUBTOTAL

\$21,300.00

TAX (7.88%)

\$1,678.44

TOTAL

USD \$22,978.44
