



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 #: HK0691-2

Date & Time Received: 12/12/2023 at 14:29

Date & Time of Response: 1/9/24 at 17:00

Entity Requesting FRF: Nazlini Chapter Government

Title of Project: Convenience Store/Gas Station/ Post Office/Laundromat

Administrative Oversight: Division of Economic Development

Amount of Funding Requested: \$10,000,000

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
 (3) Government Services/Lost Revenue
 (2) Premium Pay
 (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: _____


6.1 Provision of Government Service

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: Navalyn R. Platero

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.



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HE
Deputy /

CLAH
General

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

RFS/HK Review #: HK0691

Date & Time Received: 11/09/23 at 15:11

Date & Time of Response: 11/16/23 at 15:30

Entity Requesting FRF: Nazlini Chapter Government

Title of Project: Convenience Store/Gas Station/ Post Office/Laundromat

Administrative Oversight: Division of Economic Development

Amount of Funding Requested: \$10,000,000

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:

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 confirm that the Nazlini Chapter Government will own the infrastructure (the facility) housing the store, gas station, post office and laundromat.

Name of DOJ Reviewer: Lorenzo Curley

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.

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HK0691: Convenience Store/ Gas Station/ Post Office/ Laundromat

1. Please confirm that the Nazlini Chapter Government will own the infrastructure (the facility) housing the store, gas station, post office and laundromat.

- a. Yes, I do confirm that Nazlini Chapter Government will be owning the facility. We will also be working closely with RBO to obtain the lease and work with DCD on the design and then Nazlini will be sole owner of the facility.



Melissa, Winney, Chapter Manager
Nazlini Chapter Government



Date

THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Nazlini Chapter Government Date prepared: May 1, 2023

Chapter's mailing address: P.O. Box 7387, Nazlini, Arizona 86540-7387 phone & email: (928) 755-5900
website (if any): _____

This Form prepared by: Melissa Winney, Chapter Manager phone/email: (928) 755-5900

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Convenience Store/Gas Station/Post Office/Laundromat

Chapter President: Lee V. Bigwater phone & email: lbigwater@naataanii.org

Chapter Vice-President: Joseph Dedman phone & email: josephdedman32@gmail.com

Chapter Secretary: JoAnn Dedman phone & email: asdzaaltsui@hotmail.com

Chapter Treasurer: JoAnn Dedman phone & email: asdzaaltsui@hotmail.com

Chapter Manager or CSC: Melissa Winney, Chapter Mgr. phone & email: mwinney@nnchapter.org

DCD/Chapter ASO: Edgerton Gene, Sr. Prog./Proj. Sp. 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: \$10,000,000 FRF funding period: May 2023 - December 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:

This Nazlini Convenience Store/Gas Station/Post Office & Laundromat project will consist of a facility capable of housing a store, gas station, post ofc. & laundromat for service to the community & tourists/visitors. This project will provide opportunities for direct benefits to residents & guest for food, fuel, & cleaning of clothes for healthy living by expanding & improving community services. This C-Store/Gas Station/PO/Laundromat will directly address deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation. Access to utilities & government services facilitates sustainable economic & social growth & can drastically increase the quality of healthcare provided. document attached

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

Most rual communities on the Navajo Nation lack access to governmental services & COVID-19 impeded these operations. This project will contribute & strengthens the local community by directly mitigating & preparing for local situations to address the needs for the community members. This project will assist in promoting public health & economic stimulus & the Navajo people directly benefit from 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:

Based on the funding, the project end date will be December 31, 2026 with all funds being incurred before December 31, 2024. Navajo Nation Budget Form 2 are attached for phase goals per quarter of funding period.

document attached

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

The Nazlini Chapter Government Chapter Manager will be implementing the NN ARPA Funding Act & Nazlini Chapter C-Store/Gas Station/Post Office & Laundromat project in coordination with the NN Division of Economic Development & the Regional Business Development Office.

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:

Nazlini Chapter Government will be responsible for operation and maintenance of the Chapter C-Store/Gas Station/Post Office/Laundromat, no additional cost or recurring cost will be incurred by Nazlini Chapter Government once project is completed.

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:

Categories: Revenue Replacement: 6.1 - Provision of Government Services

Pursuant to the U.S. Treasury guidelines and funding objectives, this warehouse will address the conditions that contributed to poor public health & economic outcomes during the pandemic. By concentrating in areas with limited economic opportunities & inadequate or poor housing quality, the access to resources facilitates improved health outcomes including services connecting residents with healthcare resources, public assistance & build healthier environments such as: government & housing services to support healthy living environments & communities conducive to mental & physical wellness. The exacerbation of health disparities during the pandemic & the role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. This warehouse will a build healthier environment. Access to government services that facilitates sustainable economic, social growth & can drastically increase the quality of healthcare provided

document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate 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: Melina Wiiny
signature of Preparer/CONTACT PERSON

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

Approved by: Melina Wiiny
signature of Chapter Manager or CSC

Approved by: [Signature]
signature of DCD/Chapter ASO

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

FY 2023



THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Nazini Chapter Gov't - Convenience Store Division/Branch: Executive
 Prepared By: Melissa Winney, Chapter Manager Phone No.: (928) 755-9500 Email Address: mwinney@nnchapters.org


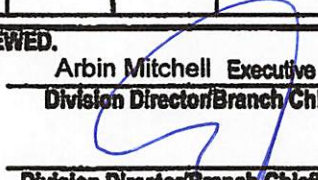
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds	5/1/23-12/31/28	10,000,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6	0	10,000,000.00	10,000,000.00
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	10,000,000.00	10,000,000.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
		TOTAL:	\$10,000,000.00	100%				

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

SUBMITTED BY: Melissa Winney, Chapter Manager APPROVED BY: Arbin Mitchell Executive Director - DCD
 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

10/30/2023
 Jaron Charley, Program Manager

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:												
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>Nazini Chapter Gov't Convenience Store</u>									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:												
The Navajo Nation Chapters Plan of Operations is reference in Title 26 of the Navajo Nation Code.												
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>Provide funds for the development construction of a C-Store/Gas Station/Post Ofc./Laundromat</u>												
Program Performance Measure:												
<u>Assist the community and surrounding area with services to facilitate economic & social growth</u>					1		1		1		1	
2. Goal Statement:												
Program Performance Measure:												
3. Goal Statement:												
Program Performance Measure:												
4. Goal Statement:												
Program Performance Measure:												
5. Goal Statement:												
Program Performance Measure:												
PART IV. I THEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.												
Melissa Winney, Chapter Manager					Arbin Mitchell Executive Director - DCD							
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							
					10/30/2023							

Jaron Charley, Program Manager

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Nazlini Chapter Gov't - <i>Convenience Store</i></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)
6960	Subcontracted Services		
6990	Subcontracted Services The Design Build firm must supply professional services necessary for planning and designing the Nazlini C-Store, Gas Station, Post Office & Laundromat project, including architectural, structural engineering, mechanical and electrical engineering, civil engineering, reports, preliminary cost estimating & other services required for the complete performance of the described Scope Of Work for a fully operational facility. Revenue Replacement: Provision of Government Services - ARPA Chapter C-Store/Gas Station/Post Office/Laundromat Project. This project consist of a facility capable of housing a store gas station, Post Office and laundromat for service to the community & tourists/visitors. This project will provide opportunities for direct benefits to residents & guest for food, fuel and cleaning of clothes for healthy living by expanding & improving community services. This C-Store/Gas Station/Post Office/Laundromat will directly address deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation. The construction of a new project will be capable of meeting the needs of the community. This means a facility design to incorporate the required floor space & infrastructure such as mechancial equipment, plumbing, electrical, etc. for the proper & effective operation of this C-Store, Gas Station, Post Ofc & Laundromat.	10,000,000.00	10,000,000.00
TOTAL		10,000,000.00	10,000,000.00

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Nazlini Chapter Government - C-Store/Gas Station/Post Office/Laundromat</u> Project Description: <u>Project will consist of a facility capable of housing a store, gas station, post office & laundromat for service to the community & tourists/visitors. This project will provide opportunities for direct benefits to residents & guest for food, fuel & washing clothes.</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>Construction</u> Planned Start Date: <u>5/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Melissa Winney</u>
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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													Date 12/31/2026																																	
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.																																					
	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																													
Finance (Securing Funds)												XX	XX	XX																																													
Planning & Design															XX	XX	XX																																										
Contracting Procurement Process																																																											
Contract Completed																																																											
Construction																																																											
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL																															
Expected Quarterly Expenditures													2,000,000.00			4,000,000.00			2,000,000.00			2,000,000.00			\$10,000,000.00																																		



NAZLINI CHAPTER GOVERNMENT



LEE V. BIGWATER
CHAPTER PRESIDENT

JOSEPH DEDMAN
CHAPTER VICE-PRESIDENT

JOANN DEDMAN
SECRETARY/TREASURER

CRYSTALYNE CURLEY
COUNCIL DELEGATE

IRVIN SHIRLEY
GRAZING REPRESENTATIVE

NAZLINI CHAPTER RESOLUTION NAZL-JULY-23-062

APPROVING THE PROPOSED REQUEST FOR ADDITIONAL AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS AND REQUESTING THE 25TH NAVAJO NATION COUNCIL FOR SUPPORT AND APPROVAL

WHEREAS:

1. Pursuant to N.N.C., Title 26, Section 101, and the Navajo Nation Council Resources and Development Committee Legislation #RDCF-0052-15 dated February 17, 2015, Nazlini Chapter Government was recognized as an LGA Certified Chapter and delegated with the responsibility and authority to make decisions over local chapter matters; AND
2. Pursuant to Resolution CJN-29-22, the Navajo Nation Council approved the allocation of \$1,070,298,867.00 of the Navajo Nation Fiscal Recovery Funds and approved the Fiscal Recovery Fund Expenditure Plans for chapter and regional projects; AND
3. The Navajo Nation Fiscal Recovery Fund Office anticipates that some chapters and organizations will not be able to encumber and expend allocated funds before the deadlines established by the Federal Government; AND
4. Nazlini Chapter would like to take a proactive approach and be prepared with shovel-ready projects to take advantage of this once in a lifetime opportunity; AND
5. Nazlini Chapter will submit the additional proposed projects to the Navajo Nation Fiscal Recovery Fund Office, Division of Community Development and Navajo Department of Justice to determine project eligibility.

NOW THEREFORE BE IT RESOLVED THAT:

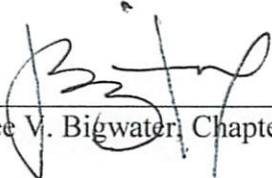
1. The Nazlini Chapter hereby approves the proposed request for additional American Rescue Plan Act (ARPA) projects and budget and requests the 25th Navajo Nation Council for support and approval as listed below.

Page Two
NAZL-JULY-23-062
July 07, 2023

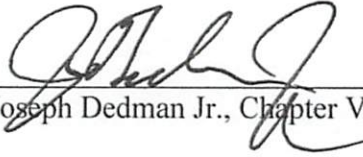
	PROJECT DESCRIPTION	CATEGORY & TITLE	AMOUNT
01	Hazard/Premium Pay	4.1-Premium Pay	\$94,200.00
02	Wood/Pellet Stoves	2.18-Housing Support	\$140,000.00
03	Refrigerators & Ranges	2.18-Housing Support	\$195,000.00
04	PEP Temporary Employment	2.37-Econ Impact Assistance	\$762,178.54
05	Equipment & Machinery	6.1-Prov of Govt Services	\$520,000.00
06	C-Store/Post Office/Laundromat	6.1-Prov of Govt Services	\$10,000,000.00
		GRAND TOTAL	\$11,711,378.54

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered and moved for adoption by Lorraine Nells, seconded by Elbert Woody and passed by a vote of 27 in favor, 0 opposed, 0 abstained, this 7th day of July 2023.



Lee V. Bigwater, Chapter President



Joseph Dedman Jr., Chapter Vice President



JoAnn Dedman, Chapter Secretary/Treasurer

Irvin R. Shirley, Grazing Representative

SCANNED
JUL 07 2023
BY: MSW