

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:	
\square (1) Public Health and Economic Impact	· ·
☐ (3) Government Services/Lost Revenue	☐ (4) Water, Sewer, Broadband Infrastructure
U.S. Department of Treasury Reporting Exp	enditure Category:

Procedures): ☐ Expenditure Plan incomplete ☐ Missing Form ☐ Supporting documentation missing ☐ Funds will not be obligated by \square Project will not be completed by 12/31/202612/31/2024 ☐ Ineligible purpose ☐ Incorrect Signatory ☐ Submitter failed to timely submit CARES reports ☐ Inconsistent with applicable NN or ☐ Additional information submitted is insufficient federal laws to make a proper determination Other Comments: Name of DOJ Reviewer: Signature of DOJ Reviewer:

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF

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.

Re: Mexican Water Chapter Bathroom Addition Project

Thu 1/26/2023 2:16 PM

To:Leonora Henderson < lhenderson@navajo-nsn.gov>;

Good morning,

This is in response to the questions you have for our FRF project on the bathroom additions.

- 1. What are the eligible criteria for a household to seek assistance?
 - We have two clients listed on the SDS listing with OEH, which will be assisted.
- 2. Will all those eligible receive assistance or will households be prioritized given limited resources?
 - The chapter will be assisting only those that are on the SDS listing with OEH.
- 3. Is there a maximum amount or limit that households will receive in terms of goods and services?
- The chapter will be working with OEH on the project for the two clients and will be allocated between the two clients but estimated at \$40,000 each for each client.
- 4. Will households receive cash assistance or will the Chapter be responsible for providing goods and services.
- The Chapter will work with OEH and they will work on the project. The contact person with OEH is Craig Ute. He has been informed that we are requesting these funds for the two clients.

I am hopeful that this answers the questions you have on our project. If you need further information or have any other questions, please contact us.

Thank you,

Phoebe Begay, Sr. Accountant Mexican Water Chapter

On Fri, Jan 13, 2023 at 11:22 AM Mexican Water Chapter < mexicanwater@navajochapters.org > wrote:

----- Forwarded message ------

From: Leonora Henderson < lhenderson@navajo-nsn.gov>

Date: Fri, Jan 13, 2023 at 10:52 AM

Subject: Mexican Water Chapter Bathroom Addition Project

To: Mexican Water Chapter < mexicanwater@navajochapters.org, cyanito@naataanii.org, csagg@navjochapters.org, csagg@navjochapters.org, csagg@navjochapters.org

Cc: Lisa Jymm < <u>Jiymm@navajo-nsn.gov</u>>, Michael M. Tsosie < <u>mmtsosie@navajo-nsn.gov</u>>, Shirlene S. Johnson < <u>ssjohnson@navajo-nsn.gov</u>>, Tiannalese M. Taylor < <u>ttaylor@navajo-nsn.gov</u>>

Greetings!

Please see attached initial eligibility determination letter from DOJ. They have not made a determination and are requesting additional information. Please provide a response to the questions on the letter and submit it to our office and we will re-submit it to DOJ for your chapter. Thank You.

Leonora Henderson, MBA Senior Program & Project Specialist Navajo Nation Fiscal Recovery Fund Office P.O. Box 2469

Window Rock, Arizona 86515 Business Phone: (928) 309-5532 Business Cell Phone: (928)270-8407 Email: lhenderson@navajo-nsn.gov

NAVAJO NATION FISCAL RECOVERY FUND



Phoebe Begay, Sr Accountant Mexican Water Chapter

WARNING: External email. Please verify sender before opening attachments or clicking on links.



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 #: HK0359	_	
Date & Time Received: 12/20/22 15:	:55	
Date & Time of Response: 12 January 2023;	8:39 am	
Entity Requesting FRF: Mexican Water Cha	ipter	
Title of Project: Bathroom Additions		
Administrative Oversight: <u>Division of Comm</u>	nunity Development	
Amount of Funding Requested: \$80,000.00		
Eligibility Determination:		
☐ FRF eligible		
☐ FRF ineligible ☐ Additional information requested		
Zi Additional information requested		
FRF Eligibility Category:		
\square (1) Public Health and Economic Impact	(2) Premium Pay	
☐ (3) Government Services/Lost Revenue	\Box (4) Water, Sewer, 1	Broadband Infrastructure
4,320,00 -27 Y		
W.C. D.		Oracle and a control of
U.S. Department of Treasury Reporting Expe	enditure Category: To b	e determined.

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures): ☐ Expenditure Plan incomplete ☐ Missing Form ☐ Supporting documentation missing ☐ Funds will not be obligated by 12/31/2024 \square Project will not be completed by 12/31/2026☐ Incorrect Signatory ☐ Ineligible purpose ☐ Inconsistent with applicable NN or ☐ Submitter failed to timely submit CARES reports federal laws ☐ 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 are the eligibility criteria for households to seek assistance? For example, will it be limited to households physically located within the Chapter? 2. Will all those eligible receive assistance or will households 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? Name of DOJ Reviewer: Adjua Adjei-Danso 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.

APPENDIX A

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

Part 1. Identification of parties.

or Project(s) by December 31, 2026:

Governance-Certified Chapter Mexican Water Chapter requesting FRF:	Date prepared: 11/23/2022
	phone & email: 928-429-0943 mexicanwater@navejochapters.org
Chapter's Red Mesa TP#1019, HC 61 Box 38 mailing address: Teec Nos Pos, AZ 86514	website (if any): mexicanwater. navajochapters.org
This Form prepared by: Phoebe Begay, Sr. Accounta	nt phone/email: 928-429-0943/0986/1054
This to the properties by.	pcbegay@nnchapters.org
CONTACT PERSON'S name and title	CONTACT PERSON'S Info
Tille and type of Project: Scattered Bathroom addition	for 2 clients
Chapter President: Curtis Yanito	phone & email: 928-429-0943 cyanito@naataanii.org
Chapter Vice-President: Cassandra Beletso	phone & email: 928-429-0943 cheletso@unhsinc.org
Chapter Secretary: Clifford L. Sagg	nhone & email: 928-429-0943 csagg@navajochapters.org
Chapter Treasurer: Clifford L. Sagg	phone & email: 928-429-0943 csagg@navajochapters.org
Chapter Manager or CSC:	phone & email: 928-429-0943 mexicanwater@navajochapters.org
DCD/Chapter ASO: Calvin Tsosie	phone & email: 928-429-0096 cetsosie@nndcd.org
List types of Subcontractors or Subrecipients that will be paid with FRF (if Amount of FRF requested: 80,000.00 FRF funding period: F	Y2022 to December 2026 indicate Project starting and ending/deadiine date
Part 2. Expenditure Plan details.	
 (a) Describe the Program(s) and/or Project(s) to be funded, including hor and what COVID-related needs will be addressed: 	
Funds will be used to assist 2 clients for bathroom a need indoor plumbing and running water for bathroo	ddition projects. The list is attached. Clients oms to reduce the spead of Covid-19.
	☐ document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, N	lavajo communities, or the Navajo People:
The benefits of a bathroom addition are to mitigate cleaning surfaces is one way of reducing the spreadindoor plumbing. The chapter and OEH will work to listing for the clients.	the spread of covid-19.Washing hands oπen and do footing the definition of the bathroom addition will provide
	☐ document attached
(c) A prospective timeline showing the estimated date of completion of that may prevent you from incurring costs for all funding by December	the Project and/or each phase of the Project. Disclose any challenges er 31, 2024 and/or fully expending funds and completing the Program(s)

APPENDIX A

Mecian Water Chapter obtain 3 quotes from vendors for a backhoe. Projected completion of project with the assistnace of OEH will be by December 2026.
□ decument attached
☐ document attached
(d) Identify who will be responsible for implementing the Program or Project:
The Mexican Water Chapter with technical assistance from Administrative Service Center and OEH will be responsible for the implementation of the bathroom addition.
will be responsible for the implementation of the state o
(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded
prospectively
Once the project is completed, the homeowner will be responsible for the operation and maintenance of 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:
1.14 Other Public Health Services: Other The Mexican Water Chapter scattered bathroom addition
has 2 clients. The Indian Health Service and Office of Environmental has determined the project
feasible and has been identified on their SCS report.
**·
•
☐ 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 live to Bassack
Preparer: Approved by: signature of Preparer/CONTACTORERSON Approved by: signature of Chapter President (or Vice-President)
Approved by: Approved by: Approved by: Signature of DCD/Chapter ASO
Approved to submit Qc O DOWN ANTICEO
for Review:

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 3 BUDGET FORM 1

NDING SOURCE(S)	Fiscal Year Term 10 1 2 2 2 2 2 2 2 2 2	Amount 80,000.00	% of Total 100	PARTIII. BUDGET SUMMARY	Fund Type	(A) NNC Approved	(B)	(C) Difference
	1 -130/20				Code	Original Budget	Proposed Budget	(Column B - A)
				2001 Personnel Expenses				•
				3000 Travel Expenses				•
				3500 Meeting Expenses				
le a la mi				4000 Supplies				•
	R.			5000 Lease and Rental				
	day sheet			5500 Communications and Utilities				•
				6000 Rep. 80,000,00 laintenance		Ð		
				6500 Contractual Services	6	_80,000.00	80,000.00	80,000.
				7000 Special Transactions				
				8000 Public Assistance				•
	Market M.			9000 Capital Outlay				•
				9500 Matching Funds				•
				9500 Indirect Cost				
					TOTAL	80,000.00	80,000.00	80,000.0
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions	Budgeted:	0	0	
	TOTAL:	80,000.00	100	Total # of Permanently Assigned	d Vehicles:	0	0	

FY 2023

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page 2 of 3 BUDGET FORM 2

ART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR		2nd QTR		3rd QTR		4th QTR	
II III. PROGRAM PERFORMANCE CHITERIA.	. Go	-	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Area: Scattered bathroom projects to assist clients.									
Goal Statement:		, –		0		1	Г	1	Г
To assist 2 clients with bathroom additions. 2. Program Performance Area:						•			
Goal Statement:		_					1	1	1
3. Program Performance Area:					With the state of		-		202
Goal Statement:				e			Т		
4. Program Performance Area:									
Goal Statement:			1				Т		T
5. Program Performance Area:			L						
Goal Statement:							Name of the last o		

FY <u>2023</u>

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3 BUDGET FORM 4

ART I. PROC	GRAM INFORMATION: Program Name/Title: Mexican Water Chapter Bathron Add funs Busines	ss Unit No.: NEW	
PART II. DET	TAILED BUDGET: (B)	(C)	(D)
(A) Object Code		Total by DETAILED	Total by MAJOR
(LOD 6)	Object Code Description and Justification	Object Code	Object Code
		00.000.00	80,000.0
	Supplies: pruchas bathroom additiona materials for 2 clients indentified by OEH.	80,000.00	
6500	Contractual Services: to hire a certified company that will complete the bathroom addition project		
			-
			1
		TOTAL 80,000.0	0 80,00



MEXICAN WATER CHAPTER



Red Mesa TP#1019, HC 61 Box 38 · Teec Nos Pos, AZ 86514 · (928) 429-0986

Mexican Water Chapter

RESOLUTION OF MEXICAN WATER CHAPTER

APPROVING THE APPENDIX A, THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST FORM AND EXPENDITURE PLAN FOR MEXICAN WATER CHAPTER'S CONSTRUCTION OF BATHROOM ADDITION FOR TWO CHAPTER MEMBERSHIP.

WHEREAS,

1. Pursuant to 26 N.N.C., Section 102 (B); which permits Mexican Water Chapter to exercise local governance authorities contained within 26 N.N.C. Section 103, with the exception of land administration authority pursuant to 26 N.N.C. Section (D) (1); and

2. Pursuant to 26 N.N.C., Section 3 (A) the Mexican Water Chapter is a recognized certified Chapter of the Navajo

Nation government, as listed at 11 N.N.C. part 1, section 10; and

3. Pursuant to CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA); and

4. The Mexican Water Chapter is requesting funding from the ARPA funding pool in the amount of \$80,000 for the construction of bathroom additions for 2 clients; and

5. The clients do not have bathrooms additions with adequate indoor plumbing, potable running water, nor waterline

extension which creates a risk of Covid-19 spread; and

6. The Mexican Water Chapter will work in cooperation with IHS Service Unit, Office of Environmental health for the construction of bathroom additions and installation of waterline; and

7. The Mexican Water Chapter will advertise through the Navajo Times newspaper for an invitation for bid to potential vendors operating on and off the Navajo Nation, announcing a Competitive Sealed Bidding.

NOW THEREFORE BE IT RESOLVED THAT;

1. The Mexican Water Chapter hereby approves Appendix A, the Navajo Nation Fiscal Recovery Funds Request Form and Expenditure Plan for Mexican Water Chapter's construction of bathroom additions for two chapter memberships; and

2. The Mexican Water Chapter Administration and IHS-OEH will be responsible for implementation of the bathroom

addition project; and,

3. The Indian Health Service Unit-Office of Environmental Health has determined the bathroom additions project

feasible, and they have identified the project as funded on the SCS Report.

4. The Mexican Water Chapter Administration shall initiate the construction of the bathroom additions in Fiscal Year 2023, and the estimated date of completion of the project will be before December 31, 2026.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Mexican Water Chapter membership, at a duly called Chapter Meeting at which a quorum was present and that the same was enacted by a vote of 25 in favor, 1 popposed, and 1 abstained, this 06th day of December 2022.

Curtis Yanito, President

Cassandra Beletso, Vice-President

Clifford L. Sagg, Secretary/ reasures

HOMES THAT NEED BATHROOM ADDITIONS WHO HAVE APPLIED FOR WATER AND SEWER SERVICES WITH THE SHIPROCK OEH&E.

Homeowner	<u>Chapter</u> Aneth	HOME TYPE Shed
Nora Mae Harvey Patsy Billy	Aneth	House
Heather Atene	Mexican Water	Hogan
Herman Pattersen	Mexican Water	Hogan ,
Travis John	Sweetwater	House
Margarite Begay	Sweetwater	House
Christopher Yazzie	Teec Nos Pos	House
Lula Brink	Teec Nos Pos	House
Nellie Francisco	Teec Nos Pos	House
Lucille Murphy	Teec Nos Pos	House

Craig Ute, Project Engineer Shiprock OEH&E



Fwd: Bathroom addition

1 message

Phoebe Begay <pcbegay@nnchapters.org>

To: Mexican Water Chapter < mexicanwater@navajochapters.org>

Mon, Dec 5, 2022 at 5:54 PM

This is what Craig Ute sent me. This email can be attached after the SDS liting for the Bathroom Additio file

------ Forwarded message ------From: Ute, Craig J. (IHS/NAV) < Craig. Ute@ihs.gov>

Date: Mon, Dec 5, 2022 at 4:45 PM

Subject: RE: Bathroom addition
To: Phoebe Begay pcbegay@nnchapters.org>

The homeowners in the Mexican Water that need bathroom additions are:

Sarah Sagney

Heather Atene

These are the only two homes I have listed that need bathroom additions.

Craig Ute, Project Engineer

From: Phoebe Begay <pcbegay@nnchapters.org>

Sent: Monday, December 5, 2022 3:34 PM

To: Ute, Craig J. (IHS/NAV) < Craig. Ute@ihs.gov>

Subject: Re: Bathroom addition

Good afternoon,

Can you provide us the new list that has Sarah Saganey on the SDS listing. Would appreciate it very much.

Phoebe Begay, Sr. Accountant

Mexican Water Chapter

On Mon, Nov 28, 2022 at 4:26 PM Ute, Craig J. (IHS/NAV) < Craig. Ute@ihs.gov> wrote:

Good afternoon,

Yes as far as I know for the Mexican Water Chapter these two applicants are the only two homes that need a bathroom addition. Unless you know of more homes that we don't know about you could add them in and have them submit an application with us for waterline and sewer facilities service. One correction instead of Herman

Patterson replace his name with Sarah Saganey same location, same home. Any other questions please let me know.

Craig Ute, Project Engineer

From: Phoebe Begay <pcbegay@nnchapters.org>Sent: Monday, November 28, 2022 12:43 PM
To: Ute, Craig J. (IHS/NAV) <Craig.Ute@ihs.gov>Subject: Bathroom addition

Good afternoon,

Mexican Water Chapter is working on the budget for ARPA funding. We got a list that was issued by yourself of clients in need of bathroom addition. On that list there are 2 clients (Heather Atene and Herman Patterson. I wanted to make sure that this list is correct Are you able to send us a list with only the two name. Also I was informed that the project will be about \$40,000. Please verify these amounts for us. Your prompt attention to this matter would be greatly appreciated. Thank you.

Phoebe Begay, Sr Accountant Mexican Water Chapter

Phoebe Begay, Sr Accountant Mexican Water Chapter

Phoebe Begay, Sr Accountant Mexican Water Chapter