



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:

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

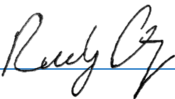
U.S. Department of Treasury Reporting Expenditure Category: _____

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

- 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
- Expenditure Plan incomplete
- Funds will not be obligated by 12/31/2024
- Incorrect Signatory
- Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: _____

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.

**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: Lake Valley Date prepared: 11/19/2022

Chapter's mailing address: PO Box 190 phone/email: (505) 786-2190
Crownpoint, NM 87313 website (if any): lakevalley@navajochapters.org

This Form prepared by: Lucinda Begay phone/email: (505)786-2184
Community Services Coordinator lucinda.begay@nnchapters.org
CONTACT PERSON'S name and title *CONTACT PERSON'S info*

Title and type of Project: Bathroom Additions/Renovations

Chapter President: Tony Padilla phone & email: (505) 320-9902 tpadillajr@naataanii.org

Chapter Vice-President: Edison Tso phone & email: 9505) 360-8827 etso@naatanii.org

Chapter Secretary: Betty S. Dennison phone & email: (505) 860-3109 bdennison@navajochapters.org

Chapter Treasurer: Betty S. Dennison phone & email: (505) 860-3109 bdennison@navajochapters.org

Chapter Manager or CSC: Lucinda Begay phone & email: (505) 786-2190 lucinda.begay@nnchapters.org

DCD/Chapter ASO: Casey Begay phone & email: _____

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

Amount of FRF requested: 200,000 FRF funding period: 3/1/2023 to 9/30/2026
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:

The Lake Valley Chapter will purchase the materials to construct and complete the bathroom addition and bathroom fixtures for the membership of Lake Valley community existing homes. The bathroom is essential to improve the sanitation and to decrease of the virus. Some of the Lake Valley community members are not accomodate to these bathroom facilities to prevent virus related.

document attached

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

The project will benefit the Lake Valley Navajo communities of safe sanitation and to reduce of the affect of the virus. This project will benefit the elders and high risk individuals.

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:

The Chapter Administration and Chapter officials will work diligently with the community of the dire need of projects. The challenges to prevent from incurring costs is to have the temporary workers to do the construction of bathroom additions. The Chapter will monitor the timelines to completing the projects

document attached

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

The Lake Valley Chapter administration and will coordinate, collaborate and communicate for the responsible for implementing the project.

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 Lake Valley Chapter members(owners) will be responsible for the operations and maintenance cost for the projects cost once it 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:

6.1
Lake Valley Chapter will provide the bathroom facilities for the families to enhance with health homeliving standard to prevent the COVID virus.

document attached

Part 3. Additional documents.

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

Resolution
Budgets Form

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: <u>Y.O. Bly</u> <small>signature of Preparer/CONTACT PERSON</small>	Approved by: <u>[Signature]</u> <small>signature of Chapter President (or Vice-President)</small>
Approved by: <u>Y.O. Bly</u> <small>signature of CSC</small>	Approved by: <u>[Signature]</u> <small>signature of Chapter ASO</small>
	Approved to submit for Review: <u>[Signature]</u> <small>signature of DCD Director</small>

FY 2023



THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Bathroom Addition Renovation

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>LAKE VALLEY CHAPTER</u>		Division/Branch: <u>NNCD / Executive</u>	
Prepared By: <u>Lucinda Begay</u>		Phone No.: <u>(505) 786-2190</u>		Email Address: <u>lakevalley@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
AARPA Funds	3/1/23 to 9/30/26	200,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies	6		200,000	200,000
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	200,000.00	200,000

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>James Adakai, Deputy Director</u> Program Manager's Printed Name  Program Manager's Signature and Date <u>2-9-23</u>	APPROVED BY: <u>Calvin Castillo, Division Director</u> Division Director / Branch Chief's Printed Name  Division Director / Branch Chief's Signature and Date <u>2/9/2023</u>

FY 2023

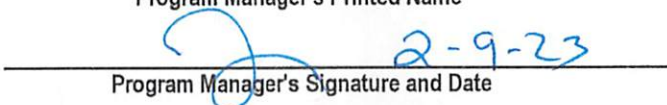
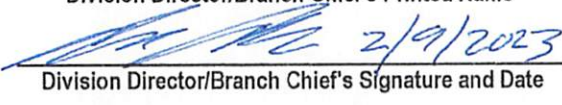
THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:
Business Unit No.: NEW Program Name/Title: LAKE VALLEY CHAPTER - Bathroom Addition / Renovation

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:
Lake Valley Chapter Resolution No: LVC-OCT16-002

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To provide an appropriate bathroom facility to prevent from Virus and Illness								
Program Performance Measure/Objective: To services the Lake Valley community members with appropriate bathroom facilities.	1		1		1		1	
2. Goal Statement:								
Program Performance Measure/Objective:								
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>James Adakai, Deputy Director</u> Program Manager's Printed Name	<u>Calvin Castillo, Division Director</u> Division Director/Branch Chief's Printed Name
 Program Manager's Signature and Date	 Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Bathroom Addition / Renovation

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>LAKE VALLEY CHAPTER</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)
4000: Supplies	Purchase Bathroom materials for six homes within Lake Valley Community members	200,000	200,000
TOTAL		200,000	200,000

Lake Valley Chapter

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: <u>NEW</u> Project Title: Bathroom Addition/Renovation Project Description: Installation of Septic Tank 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: Bathroom Addition/Renovation Planned Start Date: 3/1/2023 Planned End Date: 9/30/2026 Project Manager: <u>Chapter Staff</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. Date <u>9/30/26</u>												
	FY <u>25</u>										FY <u>26</u>																						
	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			
Plan																																	
Design																																	
Construct																																	
Completion																																	
	\$			\$			\$			\$				\$			\$			\$			\$			PROJECT TOTAL							
Expected Quarterly Expenditures				20,000.00			75,000.00			75,000.00				15,000.00			15,000.00									\$200,000.00							

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



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

LAKE VALLEY CHAPTER

Danny Simpson, Council Delegate | Tony Padilla, President | Edison Tso, Vice President | Betty S. Dennison, Secretary/Treasurer
 Janice Padilla, Land Board | Lucinda Begay, Community Service Coordinator | Accounts Maintenance Specialist – Vacant

LVC-MAR19-035

RESOLUTION OF LAKE VALLEY CHAPTER

LAKE VALLEY CHAPTER AFFIRMS THAT THE CHAPTER WILL ONLY USE AWARDED FISCAL RECOVERY FUNDS AND IMPLEMENT THIS FRF EXPENDITURE PLAN IN COMPLIANCE WITH THE AMERICAN RESCUE PLAN ACT (ARPA), ARPA REGULATIONS, AND APPLICABLE FEDERAL AND NAVAJO NATION LAWS, REGULATIONS, AND POLICIES.

WHEREAS:

1. Lake Valley Chapter is a certified Navajo Nation Chapter Government, which was created pursuant to the Navajo Nation Council Resolution No. C-J25-55, is delegated governmental authority with respect to local matters consistent with Navajo laws, including customs, traditions, and fiscal matters; and
2. Lake Valley Chapter is empowered by the Navajo Nation Council to review all matters affecting the community to make favorable decisions in the best interest for the general health, safety and welfare of chapter membership through implementation solutions for economic development, cultural preservation, recreation, solid waste management, elderly care, quality housing, public safety; road maintenance; educational support for community students; and
3. Lake Valley Chapter communities understand that in pursuant to the Navajo Nation Code (NNC) Title 26, Local Governance Act, which allows chapters to make decisions over local matters. This authority in the long run all improve community decision-making by allowing committees to excel and flourish, enable Navajo leaders to lead toward a prosperous future, and improve the strength and sovereignty of the Navajo Nation; through adoption of this Act, chapters are compelled to govern with responsibility and accountability to the local citizens; and
4. Lake Valley Chapter community met on February 6, 2023 Planning Meeting to discuss and plan upcoming business items to be placed on the agenda. Council Delegate Danny Simpson provided Chapters under his oversight of equal distribution of \$8,802,340.00 divided by 8 Chapters that equals to \$1,100,292.50 each Chapter; therefore, Lake Valley Chapter will be receiving \$1,100,292.50, so the current AMERICAN RESCUE PLAN ACT (ARPA) Expenditures Plan Adjustments to reflect the amount of \$1,100,000.00 for Lake Valley Chapter Infrastructures Project was done. However, Taylor Pinto (LDA to Council Delegate Danny Simpson) emailed Lake Valley Chapter on March 8, 2023 with information that NN Department of Justice recommended language be added to ARPA Resolution that was previously submitted; and
5. Lake Valley Chapter community adopted Resolution No. LVC-MAR19-035 presented on March 19, 2023 to support the language amended that ARPA Expenditure Plan will only be use awarded Fiscal Recovery Funds accordingly as stated, which is in the best interest of community membership of Lake Valley Chapter.

NOW THEREFORE BE IT RESOLVED THAT:

Lake Valley Chapter of the Navajo Nation hereby approves recommended language by Department of Justice (DOJ) affirms that Lake Valley Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the AMERICAN RESCUE PLAN ACT (ARPA), ARPA Regulations, and Applicable Federal and Navajo Nation Laws, Regulations, and Policies. (ATTACHMENT OF EXPENDITURE PLAN)

CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a vote of eight (8) in favors, zero (0) opposed and four (4) abstained on this 19th day of March 2023. Motion by Nancy Yazzie; and second by Larry Montoya.

 Mr. Tony Padilla Jr., Chapter President

 Mr. Edison Tso, Chapter Vice President

 Mrs. Betty Dennison, Chapter Secretary / Treasurer

 Mr. Danny Simpson, Council Delegate



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

LAKE VALLEY CHAPTER

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**LAKE VALLEY CHAPTER
ARPA PROJECT REQUEST | 1.1 MILLION**

Drill Water Well	\$500,000
Bathroom Addition/Renovation	\$200,000
Chapter Renovation HVAC System	\$150,000
Septic Tank Upgrade	\$100,000
Septic Tank Cleaning	\$100,000
Waterline Powerline Row Agent	\$50,000
TOTAL	\$1,100,000