



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

DUB

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Tse'ii'ahi' Chapter Date prepared: 01/31/2023

Chapter's mailing address: P.O. Box 247 phone/email: 505-786-2247
Crownpoint, NM 87313 website (if any): standingrock@navajochapters.org/

This Form prepared by: Janice Padilla phone/email: 505-801-7601
Community Services Coordinator janpadia@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Septic Tank Cleaning Project

Chapter President: Johnny Johnson phone & email: 505-906-5255; jjsndem@yahoo.com
Chapter Vice-President: Phyllis Willeto-Lancer phone & email: 505-879-5756; pwilleto04@yahoo.com
Chapter Secretary: Alva R. Tom phone & email: 505-870-7152; artom@navajochapters.org
Chapter Treasurer: Alva R. Tom phone & email: 505-870-7152; artom@navajochapters.org
Chapter Manager or CSC: Janice Padilla phone & email: 505-786-2247; janpadia@nnchapters.org
DCD/Chapter ASO: Myrtis Begay phone & email: 505-786-2093; msbegay@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Septic tank pumping services; Plumbing services document attached

Amount of FRF requested: \$40,000 FRF funding period: January 1, 2023 to September 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:

This project will promote health and sanitation by maintaining and improving water and sewer infrastructure within Tse'ii'ahi' Chapter. The project will promote clean water and sanitation by improving decentralized wastewater treatment at the household level. Project funds will be used to pump and clean out septic tanks for an estimated 80 homes in Tse'ii'ahi' Chapter. Together with adequate clean water supply, adequate wastewater disposal promotes health and helps prevent the spread of disease such as COVID-19.

document attached

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

Even though this project is implemented at an individual household level, the disease transmission prevention benefits and protection of groundwater sources through proper treatment benefit the neighbors, extended family members, and Tse'ii'ahi' and Navajo community at large.

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:

Jan 2023 - Solicit competitive bids from at least 3 qualified contractors; Feb 2023 - Submit qualified, low bidder's contract for approval; Apr 2023 - Contract awarded; May 2023 - Contractor work begins; Dec 2023 - Project complete

document attached

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

A projects manager will be hired using funds requested separately. This manager will work closely with the Chapter CSC and officials to procure the Contractor, review progress and recommend payments, and coordinate closely with the Contractor, residents affected by project, Chapter staff and Chapter Officials throughout the project. [Also mention oversight by other NN departments? DCD?]

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:

[Discuss how to address this. O&M of these systems is usually by the homeowner. Training/retraining on what is ok to put down drains can help, but ultimately these systems need to be pumped again in future]

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:

As described above, septic tank cleaning is part of ensuring adequate water and sewer infrastructure at the residential level. Specifically, the project provides for Decentralized Wastewater, Expenditure Category 5.3.

document attached

Part 3. Additional documents.

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

Chapter Resolution
Budget Forms

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

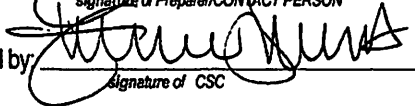
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: 

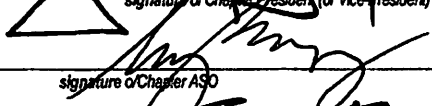
signature of Preparer/CONTACT PERSON

Approved by: 

signature of Chapter President (or Vice-President)

Approved by: 

signature of CSC

Approved by: 

signature of Chapter ASO

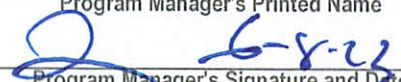
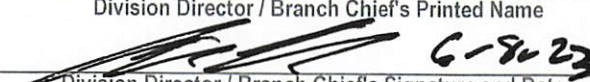
Approved to submit for Review: 

signature of Director

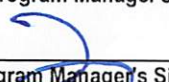
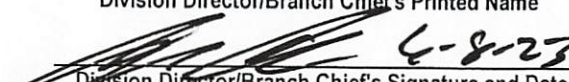
FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 4
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>DCD/ Tse'ii'ahi' (Standing Rock) Chapter</u>		Division/Branch: <u>DCD / Executive</u>				
Prepared By: <u>Janice Padilla, CSC</u>		Phone No.: <u>505-786-2247/2248</u>		Email Address: <u>standingrock@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 Fiscal Recovery Funds	1/1/23-9/30/26	40,000.00	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		40,000	40,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	40,000.00	40,000
TOTAL: \$40,000.00 100%				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
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>			APPROVED BY: <u>Calvin Castillo, Division Director</u>					
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					

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:									
Business Unit No.: <u>NEW</u>			Program Name/Title:			DCD/ Tse'ii'ahi' (Standing Rock) Chapter			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: CJN-29-22 Navajo Fiscal Recovery Fund on the Navajo Nation									
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 septic tank cleaning for community membership									
Program Performance Measure/Objective: Assist 100 community membership to septic tank cleaning		25		25		25		25	
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, Director</u> Division Director/Branch Chief's Printed Name					
 Program Manager's Signature and Date				 Division Director/Branch Chief's Signature and Date					

**THE NAVAJO NATION
PROJECT PROCESS SCHEDULE**

PART I. Business Unit No.: <u>New</u> Project Title: <u>ARPA FUNDS</u> Project Description: <u>Septic Tank Cleaning</u> Check one box: <input checked="" type="checkbox"/> Original <input type="checkbox"/> Revision <input type="checkbox"/> Reallocation <input type="checkbox"/> Modification										PART II. Project Information Project Type: <u>ARPA FUNDS</u> Planned Start Date: <u>January 1, 2023</u> Planned End Date: <u>September 30, 2026</u> Project Manager: <u>Janice Padilla, CSC</u>																						
PART III. Project Task List: 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 exceeds 8 FY Qtrs. Date <u>9/30/2026</u>													
	FY <u>2024</u>									FY <u>2025</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		
SEPTIC TANK CLEANING																																
100 CLIENTS																																
PROFESSIONAL SERVICE AGREEMENT																																
CLOSE OUT																																
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL							
Expected Quarterly Expenditures	<u>3,000</u>			<u>8,000</u>			<u>8,000</u>			<u>8,000</u>			<u>8,000</u>												<u>40,000</u>							

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



The Navajo Nation
 Tse'ii'ahi' (Standing Rock) Chapter
 PO Box 247
 Crownpoint, New Mexico 87313
 Phone: 505.786.2247/2248
 Fax: 505.786.2249
 Email: standingrock@navajochapters.org

Dr. Buu Nygren, Navajo Nation President

Rachelle Montoya, Navajo Nation Vice-President

**RESOLUTION OF THE TSE'II'AHÍ' CHAPTER
 RESOLUTION NO.: TSEII.0323.0302**

**REQUESTING TO THE 25TH NAVAJO NATION COUNCIL AND FISCAL RECOVERY FUNDS(FRF) OFFICE
 TO FUND THE SEPTIC TANK CLEANING PROJECT IN THE AMOUNT OF \$40,000.**

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Tse'ii'ahi' Chapter is duly recognized certified Chapter of the Navajo Nation Government, as listed at 111N.N.C.. part 1, Section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B) Tse'ii'ahi' Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other Local agencies for appropriate action; and

PROJECT DESCRIPTION	AMOUNT
SEPTIC TANK CLEANING	\$40,000

3. The COVID-19 pandemic has resulted in global shortage of raw materials, good, services necessary to address the needs of the Tse'ii'ahi' Chapter resident, businesses and governmental units.

NOW THEREFORE BE IT RESOLVED THAT:


1. Tse'ii'ahi' Chapter is requesting the 25th Navajo Nation Council and Fiscal Recovery Fund (FRF) Office to fund the Septic Tank Cleaning Project in the amount of \$40,000.
2. Tse'ii'ahi' 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 for the Septic Tank Cleaning Project.

CERTIFICATION

I, hereby certify that this foregoing resolution was considered by the people of the Tse'ii'ahi' Chapter at a duly called chapter meeting held at Tse'ii'ahi' Chapter, at which an official quorum was present and was passed by a vote of 08 in favor, none opposed, and 02 abstention on this 21st day of March.

Motion by: Velvet Kalleco

Second by: Felda Yazzie


 Johnny Johnson, Chapter President
 Tse'ii'ahi' Chapter

5/2023.jp

Johnny Johnson, Chapter President
 Phyllis Willetto-Lancer, Chapter Vice-President
 Alva R. Tom, Chapter Secretary/Treasurer

Janice Padilla, Community Service Coordinator
 Vacant, Account Maintenance Specialist
 Clinton Jim, Land Board Member

Danny Simpson, Council Delegate

Tse'ii'ahi' Chapter Community Septic Tank Listing

1. Julia Clark
2. Magdalena Martin
3. Alice M. Nez
4. Elsie Yazzie
5. Betty Morgan
6. Unabelle Willeto
7. Arlene Coan
8. Bobby Pablo Jr.
9. Jennifer Jones
10. Alfred Murphy Sr.
11. Edgar Etcitty
12. Lester Jim
13. Pricilla Willie
14. Bobby Tso
15. Ray Moran
16. Evelyn Shorty
17. Lindy Billy Jr.
18. Anita Ellsworth
19. Caroline Willie
20. Marie Lee
21. Leroy Billy
22. Nancy Benally
23. Ron Lewis
24. David Lewis
25. Tiffany Lewis
26. Johnny Johnson
27. Jennifer Hildreth
28. Larena James
29. Wendell Begaye
30. Rena Begay
31. Wesley Begaye
32. Jeanette Yazzie
33. Mary Yazzie
34. Laury Yazzie
35. Leonard Yazzie
36. Elvina Harry
37. Angie Garrity
38. Nelson Harry
39. Bobbie Willeto
40. Elsie Yazzie
41. Leonard Jones, Jr.
42. Irene Franklin
43. Judy & Ron Smith
44. Ervin Smith
45. Sharon Begay
46. Juluis Elwood
47. Miranda Elwood
48. Jerry Elwood
49. Etta Silago
50. Linda Jim
51. Edison Leslie
52. Judy Henry
53. Sherry Smith
54. Eileen Harry
55. Linda Begay
56. Ernest Tso
57. Jessica Louis
58. Janice Billy
59. Renette Jones
60. Sadie Peshlakai
61. Wilbur Tso
62. Jennifer Henio
63. Cody Jones
64. Mae Glonazien
65. Irvin James
66. Annie Alfred
67. Elaine Tso
68. Joe Johnson
69. Christine Willeto
70. Matilda Willie