



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 0775

Date & Time Received: 03/25/24 at 10:04

Date & Time of Response: 04/22/24 at 3:00pm

Entity Requesting FRF: Division of Community Development

Title of Project: Shiprock Skate Park Project (Revenue Replacement: Provision of Gov't Services)

Administrative Oversight: DCD

Amount of Funding Requested: \$100,000.00

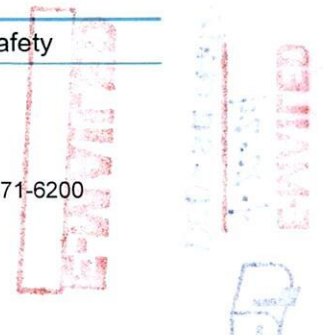
Eligibility Determination:

- 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:
2.22, Strong Healthy Communities: Neighborhood Features that Promote Health and Safety



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 note we have modified the expenditure code from the requested 6.1 (Government Services) to 2.22 (Strong Healthy Communities) to be consistent with other previously approved similar projects.

Name of DOJ Reviewer: Katherine Belzowski

Signature of DOJ Reviewer: Katherine Belzowski

Digitally signed by Katherine Belzowski
Date: 2024.04.22 14:50:52 -06'00'

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 NAVAJO NATION GOVERNMENT UNITS

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Community Development Date prepared: 2/12/2024
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: Dwayne Waseta, Department Mgr. phone/email: (928) 871-6717
P.O. Box 1510, Window Rock, Arizona 86515 website (if any): www.cpmc.nndcd.org

Form prepared by: Eugenia Charles-Newton phone/email: (928) 871-7160
Council Delegate - 25th Navajo Nation Council
CONTACT PERSON'S name, title and Department, Program, Office, etc. CONTACT PERSON'S info

Title & type of Project: Shiprock Skate Park Project (Revenue Replacement: Provision of Gov't Services)

NN Government Unit's Director or Manager: Dwayne Waseta phone & email: (928) 871-6717, dwaseta@nndcd.org

Division Director (if any): Arbin Mitchell phone & email: (928) 871-7172, arbinmitchell@navajo-nsn.gov

Branch Chief: Dr. Buu Nygren, President phone & email: presidentnygren@navajo-nsn.gov

Funding Recipient will be working with: Arbin Mitchell, Division Director on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

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

Amount of FRF requested: \$100,000.00 FRF funding period: February 12, 2024 - December 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 Shiprock Skate Park Project will assist in promoting healthy living with exercise & workouts. This skate park is a purpose-built recreational environment made for skateboarding, BMX, scootering, wheelchairs & aggressive inline skating. This project will build ramps, grinding rails, benches & boxes where freestyle athletes can learn new tricks and hone their skills. This 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 life & healthy living.

document attached

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

Most rural communities on the Navajo Nation lack access to government services & COVID-19 impeded these operations. The Navajo Nation experienced substantially greater rate of COVID-19 mortality compared with other racial & ethnic groups. This project will contribute & strengthens the general welfare of the community. This project will assist in promoting public health, healthy living & an economic stimulus & the directly benefit people.

document 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:

NN Government Unit
Preparer: 
signature of Preparer/CONTACT PERSON

Approved by:  CPMD. 3. 11. 24
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit
for Review: 
signature of Branch Chief or Division Director

Print Name, Title,
Branch or Division: Arbin Mitchell, Division Director
print name and indicate title or position
Division of Community Development
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2024

PART I Business Unit No.: <u>NEW</u>		Program Title: <u>Shiprock Skate Park (6.1 Revenue Replacement - Provision</u>		Division/Branch: <u>Executive</u>				
Prepared By: <u>Eugenia Charles-Newton</u>		Phone No.: <u>(928) 871-7160</u>		Email Address: <u>echarles-newton@navajo-nsn.gov</u>				
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			
NN Fiscal Recovery Funds		2/1/24 - 12/30/26	100,000.00	100%	Fund Type Code	Original Budget	Proposed Budget	Difference or Total
					2001 Personnel Expenses			0.00
					3000 Travel Expenses			0.00
					3500 Meeting Expenses			0.00
					4000 Supplies			0.00
					5000 Lease and Rental			0.00
					5500 Communications and Utilities			0.00
					6000 Repairs and Maintenance			0.00
					6500 Contractual Services			0.00
					7000 Special Transactions			0.00
					8000 Public Assistance			0.00
					9000 Capital Outlay	6	100,000.00	100,000.00
					9500 Matching Funds			0.00
					9500 Indirect Cost			0.00
					TOTAL		\$0.00	100,000.00
					TOTAL		100,000.00	100,000.00
					PART IV. POSITIONS AND VEHICLES			
					Total # of Positions Budgeted:		(D)	(E)
					0		0	0
					Total # of Vehicles Budgeted:		0	0
					0		0	0
					PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.			
					SUBMITTED BY: <u>Dorothy Wasta, Dept Manager</u>			
					APPROVED BY: <u>Arbin Mitchell, Division Director - DCD</u>			
					Program Manager's Printed Name: <u>Arbin Mitchell</u>			
					Division Director / Branch Chief's Printed Name: <u>Arbin Mitchell</u>			
					Program Manager's Signature and Date: <u>[Signature] 2/16/24</u>			
					Division Director / Branch Chief's Signature and Date: <u>[Signature]</u>			

**THE NAVAJO NATION
 PROGRAM PERFORMANCE MEASURES**

FY 2024

1st QTR	Goal	2nd QTR	Goal	3rd QTR	Goal	4th QTR	Goal
PART I. PROGRAM INFORMATION: Business Unit No.: <u>NEW</u> Program Name/Title: <u>Shiprock Skate Park (§.1 Revenue Replacement - Provision of Govt Services)</u>							
PART II. PROGRAM PERFORMANCE CRITERIA:							
1. Program Performance Measure: Construct a skate park a purpose-built recreational environment made for skateboards, BMX, scootering, wheelchair.							
1		1		1		1	
2. Program Performance Measure: To provide an environment to promote healthy living with exercise & workouts for athletes & kids.							
3. Program Performance Measure:							
4. Program Performance Measure:							
5. Program Performance Measure:							
PART III. CONCURRENCE/APPROVAL:							
<u>DWAYNE WASSER</u> Program Manager's Printed Name				<u>3.11.24</u> Program Manager's Signature and Date			
<u>Artin Michel, Division Director - DCD</u> Division Director/Branch Chief's Printed Name				<u>[Signature]</u> Division Director/Branch Chief's Signature and Date			

THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES

FY 2024

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW Program Name/Title: Shiprock Skate Park (6.1 Revenue Replacement - Provision of Govt Services)

PART II. PROGRAM PERFORMANCE CRITERIA:

The Navajo Nation Chapters Plan of Operations is reference in Title 26 of the Navajo Nation Code.

PART III. CONCURRENCE/APPROVAL:

DWAYNE WASTON, Dept. Manager
Program Manager's Printed Name

2/16/24

Program Manager's Signature and Date

Atbip-Mitchell, Division Director - DCD
Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2024

PART I. PROGRAM INFORMATION:		Business Unit No.:	NEW
Program Name/Title: Shiprock Skate Park (6.1 Revenue Replacement - Provision of Govt Services)			
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)
9050 9052	Buildings (Capital Outlay) Buildings Contract services for the construction of a skate park, a purpose-built recreational environment for skateboarding & biking Revenue Replacement: Provision of Government Services - ARPA Shiprock Skate Park Project: This project will assist promoting healthy living with exercise & workouts. This skate park is a purpose-built recreational environment made for skateboarding, BMX, soccering, wheelchairs & aggressive inline skating. This project will build ramps, grinding rails, benches & boxes where freestyle athletes can learn new tricks & hone their skills. This 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 life & healthy living.	100,000.00	100,000.00
TOTAL		100,000.00	100,000.00

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u>	PART II. Project Information
Project Title: <u>Shiprock Skate Park Project (6.1 Revenue Replacement - Provision of Government Services)</u>	Project Type: <u>Skate Park</u>
Project Description: <u>This project will assist in promoting healthy living with exercise & workouts. This skate park is a purpose-built recreational environment made for skating & biking.</u>	Planned Start Date: <u>2/12/2024</u>
Check one box: <input type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification	Planned End Date: <u>12/30/2026</u>
	Project Manager: <u>Dwayne Waseta</u>

PART III. List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	FY 2024								FY 2025								Expected Completion Date if project exceeds 8 FY Qtrs.		
	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
Finance (Securing Funds)																			
Contracting Procurement Process																			
Contract Completed																			
Purchase & Construction					XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX
PART V. Expected Quarterly Expenditures	\$																		PROJECT TOTAL
																			\$100,000.00

RECEIVED
FEB 15 2024
BY: D. [Signature]

APPENDIX A

(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:

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 Capital Projects Management Department (CPMD) Department Manager will be implementing the NN ARPA Funding Act & the Shiprock Skate Park 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 Capital Project Management Department and the Division of Community Development will be responsible for the completion of this project, no additional cost or recurring cost will be incurred by CPMD when 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 objectives, this project 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 to support healthy living environments & communities conducive to mental & physical wellness. The exacerbation of health disparities during the pandemic & pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. This project will support access to services for healthy living.

document attached

Part 3. Additional documents.

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

[Empty box for listing additional supporting documents]