



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):

- | | |
|--|--|
| <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: _____

Signature of DOJ Reviewer: MRodis

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: Torreón/Star Lake Chapter Date prepared: 03/02/2023

Chapter's mailing address: PO Box 1024, Cuba, New Mexico 87013 phone/email: 505-731-2336 torreón@navajochapters.org

website (if any): torreón.navajochapters.org

This Form prepared by: Evangeline Tachine, CSC phone/email: 505-731-2336

etachine@nnchapters.org

CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: House Wiring and Rewiring of Older Homes

Chapter President: Vacant phone & email: _____

Chapter Vice-President: Mario Atencio phone & email: 505-731-2336 mariortorreónvp@gmail.com

Chapter Secretary: Sherry Begaye phone & email: 505-731-2336 sherry_wb@yahoo.com

Chapter Treasurer: Sherry Begaye phone & email: 505-731-2336 sherry_wb@yahoo.com

Chapter Manager or CSC: Evangeline Tachine phone & email: 505-731-2336 etachine@nnchapters.org

DCD/Chapter ASO: _____ phone & email: _____

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

☐ document attached

Amount of FRF requested: \$470,000.00 FRF funding period: March 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:

Torreón Chapter House Wiring & Rewiring Project will include electrical house wiring and rewiring of older homes within the Torreón Chapter community. These funds will be used to rewire old homes & wire homes, identified in the community needs assessment, to prepare for connection to the electrical powerline grid or to alternative renewable energy source by NM licensed electricians. The project will be in collaboration with Jemez Mountains Electric Co-op, Inc. for inspection and electrical hookups. House wiring will directly address one of the major sanitation deficiencies connected to the high outbreak of COVID-19, and to increase the quality of healthcare.

☐ document attached

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

The project will meet an essential community need by providing safe electrical power for cooking, refrigeration, heating & cooling, lighting, security lighting, water temperature, electrical equipment operations, and life-saving medical needs. All contributing to the general health and cleanliness of homes.

☐ 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 project start date will be March 2023 with the end project date of December 31, 2026 with all funding being encumbered 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:

Torreon Chapter Administration will be responsible for implementing and overseeing the project progression and completion with the coordination of Jemez Mountains Electric Co-op, Inc., the NM licensed electricians, and Division of Community Development.

☐ 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:

Recipients will be responsible for operation and maintenance of installed electrical wiring once the 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: Negative Economic Impact: 2.18 - Housing Support (other housing support)

The project will address the conditions that contributed to poor public health & economic outcomes during the pandemic. The house wiring and rewiring of older homes will build healthier environments. With access to electricity, it facilitates economic stability, 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 and Budget Forms attached.

☐ 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)

Pro-Tem

03/15/2023

Approved by:

signature of CSC

Approved by:

signature of Chapter ASO

Approved to submit
for Review:

signature of DCD Director

FY 2023

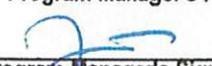
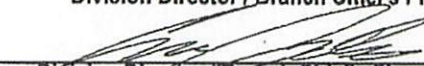
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Torreon House Wiring & Rewiring of Older Homes</u>		Division/Branch: <u>DCD/Executive Branch</u>	
Prepared By: <u>Evangeline Tachine, CSC</u>		Phone No.: <u>505-731-2336</u>		Email Address: <u>etachine@nnchapters.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	FY23-26	470,000.00	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				
				7000 Special Transactions				
				8000 Public Assistance	6		470,000	470,000
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	470,000.00	470,000

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 <div style="text-align: center;">  <u>3-14-23</u> Program Manager's Signature and Date </div>	APPROVED BY: <u>Calvin Castillo, Division Director</u> Division Director / Branch Chief's Printed Name <div style="text-align: center;">  <u>3/14/2023</u> Division Director / Branch Chief's Signature and Date </div>

FY 2023THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title:

Torreon House Wiring & Rewiring of Older Homes

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Identify homes that need electrical wiring

Program Performance Measure/Objective:

Assess the eligibilty of the homes for wiring/rewiring of older homes

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2. Goal Statement:

Obtain price quotes from New Mexico licensed electricians

Program Performance Measure/Objective:

Identify electricians to work on electrical wiring of homes

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3. Goal Statement:

Monitor, project management and closeout

Program Performance Measure/Objective:

Chapter Administration and Division of Community Development

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4. Goal Statement:

Program Performance Measure/Objective:

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5. Goal Statement:

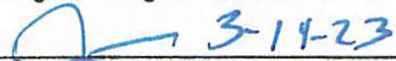
Program Performance Measure/Objective:

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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

James Adakai, Deputy Director

Program Manager's Printed Name


Program Manager's Signature and DateCalvin Castillo, Division Director

Division Director/Branch Chief's Printed Name


Division Director/Branch Chief's Signature and Date

3/14/2023

FY 2023

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Torreon House Wiring & Rewiring of Older Homes</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
8000	Assistance		470,000
8530	Housewiring: Electrical wiring of homes identified by New Mexico licensed electricians. Prices will vary per home depending on the amount of work to be completed per home.	470,000	
TOTAL		470,000	470,000

Page 1 of 1
PROJECT FORM

FOR OMB USE ONLY:	Resolution No:	FMIS Set Up Date:	Company No:	OMB Analyst:
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Torreón/Star Lake Chapter

Post Office Box 1024 Cuba, New Mexico 87013
505.731.2336 – Fax 505.731.1514 – torreon@navajochapters.org

George H. Tolth

Vacant

Mario P. Atencio

Sherry Begaye

Alex Sandoval

Council Delegate

Chapter President

President Pro-Temp/VP

Chapter Secretary/Treasurer

Land board

RESOLUTION OF TORREON/STAR LAKE CHAPTER

REQUESTING AND APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR TORREON/STAR LAKE CHAPTER IN THE AMOUNT OF \$1,100,292.50 FOR THE FOLLOWING CHAPTER PROJECTS LISTING OF THE TORREON/STAR LAKE CHAPTER.

WHEREAS:

01. The Torreón/Star Lake Chapter is a recognized chapter of the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C.4021 et seq. and 26 N.N.C. S102, and
2. Pursuant 2 N.N.C. S102 (a), The Navajo Nation Council is governing the body of the Navajo Nation; and by resolution CAP-34-98, the Navajo Nation Council approved the "Local Governance Act" wherein the Navajo Nation Council delegated governmental authority to the Chapters of the Navajo Nation to address matters of local concern with Navajo Law, Custom, and Tradition; and
3. The Torreón/Star Lake Chapter is a non-certified Chapter of the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C. 4021 et seq. and 26 N.N.C. S103; and
4. The Torreón/Star Chapter realized the Navajo Nation Council approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region Project Plans approved by the Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) (17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12); and
5. The purposes of the NNFRF and the Chapter and Regional Projects Expenditure Plans, "Delegate Region" shall mean all the Navajo Nation Chapters, both LGA Certified and Non-LGA Chapters, Townships, represented by a Navajo Nation Council Delegates; and
6. The Torreón/Star Lake Chapter realized the Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that the Navajo Nation must obligate FRF funds by that date. Treasury's Final Rule provides that "incurred" shall have the same meaning given to "financial obligation" under the Uniform Guidance at 2 CFR 200.1: "Financial obligations, when referencing a recipient's

or sub-recipients use of funds under a Federal award, means orders placed for property and services, contracts and sub-awards made, and similar transactions that require payment"; and

7. The Torreon/Star Lake Chapter realized the Fiscal Recovery Fund period performance runs from March 3, 2021, until December 31, 2026, meaning that all FRF-funded projects must be completed, and funds must be fully expended by December 31, 2026; and
8. The Torreon/Star Lake Chapter recognizes the need for these projects to improve the quality of life for its residents while combating and recovering from COVID-19 and the number of requests is only a fraction of what the chapter needs to substantially improve the community of Torreon/Star Lake Chapter for a safe, healthy, and habitable home environment.

NOW, THEREFORE BE IT RESOLVED THAT:

1. Requesting, Accepting, and Approving CJN-290-22, American Rescue Plan Act (ARPA) Funding in the amount of \$1,100,292.50 million for the Torreon/Star Lake Chapter to be utilized for Torreon Priority One (1) Water/Wastewater Systems, and Priority Two (2) Home Electric Systems.
2. The Torreon/Star Lake Chapter hereby approves and identified projects for the American Rescue Plan Act and prioritized these projects as follows:


PROJECTS DESCRIPTION:	CATEGORY:	AMOUNT:
1. Repair/Replace Failed/Clean Out Septic Systems	5.4	\$630,000.00
2. House Wiring/Rewiring Projects	2.18	\$470,000.00

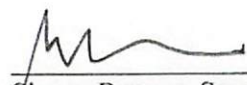
Motion made by Alan Trujillo

Seconded made by John Rico

C-E-R-T-I-F-I-C-A-T-I-O-N

We, HEREBY CERTIFY that the foregoing resolution was duly considered by the Torreon/Star Lake Chapter at a duly called community chapter meeting at Torreon/Star Lake Chapter of the Navajo Nation, (Sandoval County), New Mexico at which a quorum was present and that same was approved by a vote of 19 in favor, 0 Opposed, 2 Abstained, on the **05th** day of **March 2023**.


Mario P. Atencio, President Pro-Tem/VP


Sherry Begaye, Secretary/Treasurer