



**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: \_\_\_\_\_

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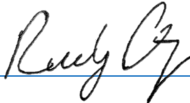
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\_\_\_\_\_

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](mailto: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.

**APPENDIX A**

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

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: OJO ENCINO CHAPTER Date prepared: 02152023

Chapter's mailing address: HCR 79 BOX 1500 phone & email: 5057312263; ojoencino@navajochapters.org  
OJO ENCINO, NM 87013 website (if any): ojoencino.navajochapters.org

This Form prepared by: GLORIA CHIQUITO phone/email: 5057312262  
CHAPTER MANAGER gchiqto@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: OJO ENCINO SEPTIC CLEAN OUT AND REPAIR FAILED SEPTIC SYSTEMS

Chapter President: GEORGE WERITO, JR phone & email: 5057312263; georgeweritojr@gmail.com

Chapter Vice-President: BRANDON SAM phone & email: 5057312263; bsam980@gmail.com

Chapter Secretary: KYLE AUGUSTINE phone & email: 5057312263; augustinekyle@yahoo.com

Chapter Treasurer: KYLE AUGUSTINE phone & email: 5057312263; augustinekyle@yahoo.com

Chapter Manager or CSC: GLORIA CHIQUITO, CHAPTER MANAGER phone & email: 5057312262; gchiqto@nnchapters.org

DCD/Chapter ASO: Myrtis Begay phone & email: msbegay@nndcd.org, 505 780 2092

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Contractor - West Construction

☐ document attached

Amount of FRF requested: \$102,000.00 FRF funding period: OCTOBER 1, 2023 - DECEMBER 31, 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:

Ojo Encino Chapter Septic Clean Out and Repairing the failed Septic systems, is a dire need for the Community. The Septics were built in the 80's for community members and some systems have failed. The Funds will be used to do a clean out and repair those systems that have failed. The Project is located 30 miles SW of Cuba, New Mexico in Ojo Encino Community in McKinley and Sandoval Counties. Needs will be met by having a safe running water with indoor plumbing to wash hands and shower periodically to reduce the COVID-19 infections among family members, 75 homes for septic clean out and 12 homes for repairs to failed septic systems

☐ document attached

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

Ojo Encino Chapter community members will benefit by correcting the failed septic systems and cleaning out the septic systems, so that each individual family will continue to have safe water running through their home

☐ document attached

(c) 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:

## APPENDIX A

Ojo Encino Chapter will work with the Fiscal Recovery Office and the Division of Community Development, to ensure the project is completed by the Deadline of December 31, 2026. Planning to begin 10/01/2023, Design to begin 1/01/2024, Construction to begin 4/01/2024 and completion to be 12/31/2026

☐ document attached

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

Ojo Encino Chapter Manager will implement the project with coordination from the 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:

Once the project is completed, the home owner will be responsible for the operation and maintenance

☐ 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:

5.4 : Clean Water: Combined Sewer Overflows

Under this category, the bathroom will work properly with clean running water and promote healthy environments in the home. It will also mitigate the COVID-19 pandemic

☐ document attached

### Part 3. Additional documents.

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

Ojo Encino Chapter Resolution and all Budget Forms are 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: Mary C. [Signature]  
signature of Preparer/Chapter Manager

Approved by: [Signature]  
signature of Chapter President (or Vice President)

Approved by: [Signature]  
signature of Chapter Manager or CEO

Approved by: [Signature]  
signature of DCD Chapter AGO

Approved to submit  
for Review: [Signature]  
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>ICINO SEWER CLEAN OUT &amp; REPAIR OF FAILED SEPTIC SY</u>		Division/Branch: <u>DCD/EXECUTIVE BRANCH</u>	
Prepared By: <u>GLORIA CHIQUITO, CM</u>		Phone No.: <u>(505)731-2263</u>		Email Address: <u><a href="mailto:gioencino@navajochapters.org">gioencino@navajochapters.org</a></u>	


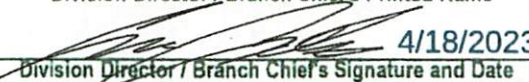
  

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds	10/1/23	102,000.00	100%					
	TO 12/31/2026			2001 Personnel Expenses				
				3000 Travel Expenses				
				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	0	102,000	102,000
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	102,000.00	102,000

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 Adaki, Deputy Director</u>	APPROVED BY: <u>Calvin Castillo, DCD Executive Director</u>		
Program Manager's Printed Name	Division Director / Branch Chief's Printed Name		
 4-18-23	 4/18/2023		
Program Manager's Signature and Date	Division Director / Branch Chief's Signature and Date		

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

## PART I. PROGRAM INFORMATION:

Business Unit No.: NewProgram Name/Title: OJO ENCINO SEWER CLEAN OUT & REPAIR OF FAILED SEPTIC SYSTEMS

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

RESOLUTION: OJOEN 02-07-2023/005

## PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: <u>Septic Clean Out for Community Members</u> Program Performance Measure/Objective: <u>Assist 75 homes for Qualified Community Members for Septic Clean out</u>	20		20		20		15	
2. Goal Statement: <u>Repair Failed Septic Systems for Community Members</u> Program Performance Measure/Objective: <u>Assist 12 homes for Qualified Community Members for failed Septic Systems</u>	6		6					
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.

James Adaki, Deputy Director

Program Manager's Printed Name

  
Program Manager's Signature and DateCalvin Castillo, DCD Executive Director

Division Director/Branch Chief's Printed Name

  
Division Director/Branch Chief's Signature and Date4/18/2023

FY 2023THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATIONPage 1 of 3  
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>OJO ENCINO SEWER CLEAN OUT &amp; REPAIR OF FAILED SEPTIC SYSTEMS</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)
8500	Infrastructure (non-cap)		
8550	Water/Wastewater:		102,000
	Assist 75 Community Members with Septic Clean Out		
	75 homes X \$400.00 = \$30,000.00	30,000	
	Assist 12 Community Members with Failed Septic Systems		
	12 homes X \$6000.00 = \$72,000.00	72,000	
TOTAL		102,000	102,000



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

Page 1 of 1  
**PROJECT FORM**

<b>PART I. Business Unit No.:</b> <u>NEW</u> Project Title: <u>OJO ENCINO SEPTIC CLEAN OUT AND REPAIR FAILED SEPTIC SYSTEMS</u> Project Description: <u>Correct failed Septic Systems and Clean Out Septic Systems for Community Members</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification														<b>PART II. Project Information</b> Project Type: <u>Community Development</u> Planned Start Date: <u>10/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Gloria Chiquito, Chapter Manager</u>																																																																																																																																																																																																																																																		
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.		<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <th colspan="12">FY <u>2024</u></th> <th colspan="12">FY <u>2026</u></th> <th colspan="6" rowspan="3">Expected Completion Date if project exceeds 8 FY Qtrs.</th> </tr> <tr> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> </tr> <tr> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> </tr> <tr> <td colspan="2" rowspan="4" style="text-align: left; vertical-align: top;">           Plan             Design             Construct             Completion         </td> <td colspan="3" style="background-color: black;"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> </tr> <tr> <td colspan="3"></td> <td colspan="3" style="background-color: black;"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> </tr> <tr> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3" style="background-color: black;"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> </tr> <tr> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3" style="background-color: black;"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> </tr> <tr> <td colspan="2" style="text-align: right;"> <b>PART V.</b> </td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="6" style="text-align: center;">PROJECT TOTAL</td> </tr> <tr> <td colspan="2" style="text-align: right;">           Expected Quarterly Expenditures         </td> <td colspan="2" style="text-align: center;">15,000.00</td> <td colspan="2" style="text-align: center;">15,000.00</td> <td colspan="2" style="text-align: center;">35,000.00</td> <td colspan="2" style="text-align: center;">35,000.00</td> <td colspan="2" style="text-align: center;">2,000.00</td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="6" style="text-align: center;">\$102,000.00</td> </tr> </table>																								FY <u>2024</u>												FY <u>2026</u>												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	A	M	J	Jul	A	S	Plan  Design  Construct  Completion																																																																																																					<b>PART V.</b>		\$		\$		\$		\$		\$		\$		\$		\$		\$		PROJECT TOTAL						Expected Quarterly Expenditures		15,000.00		15,000.00		35,000.00		35,000.00		2,000.00										\$102,000.00					
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FOR OMB USE ONLY:    Resolution No: \_\_\_\_\_    FMIS Set Up Date: \_\_\_\_\_    Company No: \_\_\_\_\_    OMB Analyst: \_\_\_\_\_





OJO ENCINO CHAPTER  
HCK 79 BOX 1500, OJO ENCINO, NEW MEXICO 87013  
PHONE (505)731-2263 or 731-2262; FAX (505)731-1516  
EMAIL: [ojoencino@navajochapters.org](mailto:ojoencino@navajochapters.org)

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**RESOLUTION OF OJO ENCINO CHAPTER**

**RESOLUTION# OJOEN 02-07-2023/005**

**APPROVING IN SELECTION OF THE OJO ENCINO CHAPTER PRIORITY PROJECT LISTING FOR AMERICAN RESCUE PLAN ACT FUNDING INCONCLUSION OF OJO ENCINO CHAPTER DELEGATE REGION IN THE AMOUNT OF 1,100,000.00 MILLION.**

**WHEREAS:**

1. Pursuant to 26 N.N.C., section 3 (A) the Ojo Encino Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11N.N. C. part 1, section 10 and:
2. Pursuant to 26 N.N. C., Section 1 (8) Ojo Encino Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
3. The Ojo Encino Chapter has identified four (4) projects for the American Rescue Plan Act funding in the amount of 1.1 million, which as follows; and
  1. Ojo Encino Community Waste Water Construct in the amount of **\$250,000.00**
  2. Ojo Encino Chapter Bathroom Addition in the amount of **\$421,747.00**
  3. Ojo Encino Septic Clean Out and Repair Failed Septic Systems **\$102,000.00**
  4. Ojo Encino Chapter Renovation in the amount of **\$326,253.00**
4. The Ojo Encino Chapter requests the Navajo Nation Fiscal Recovery Fund Office, Division of Community Development, and the Department of Justice to consider the four (4) projects For Ojo Encino Community.
5. The Ojo Encino Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds (FRF) 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.

**NOW, THEREFORE BE IT RESOLVED THAT:**

1. The Ojo Encino Chapter hereby proposes, supports and approves the requests for funding through the American Rescue Plan Act; and

**CERTIFICATION**

**I HEREBY CERTIFY THAT THE FORGOING REOLUTION WAS CONSIDERED BY THE MEMBERS OF THE OJO ENCINO CHAPTER AT A DULY CALLED MEETING AT THE OJO ENCINO CHAPTER HOUSE AT WHICH A QUORUM WAS PRESENT, AND THAT THE SAME WAS PASSED BY VOTE 18 IN FAVOR, 00 OPPOSED, AND 02 ABSTAINING, THIS 7th DAY OF FEBRUARY, 2023**

Motion: Nancy Largo

Second: Curtis Lopez

George Werito Jr, Chapter President

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George Werito Jr., Chapter President  
Brandon Sam, Chapter Vice President  
Kyle Augustine, Chapter Secretary/Treasurer

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Gloria Chiquito, Chapter Manager  
George Tolth, Council Delegate  
Daniel Augustine, Land Board Member