



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: Division of Community Development

Amount of Funding Requested: _____

Eligibility Determination:

- ☐ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |
- _____

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

- ☐ 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

[illegible]

Name of DOJ Reviewer: _____

Signature of DOJ Reviewer: Vm Blumh

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 NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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: Counselor Chapter

Date prepared: 12/19/2022

Chapter's mailing address: P.O. Box 93 Counselor, NM 87018

phone/email: (575)568-4311/counselor@navajochapters.org

website (if any): counselor.navajochapters.org

This Form prepared by: Samuel Sage , CSC

phone/email: (505)360-5865

Samuel Sage, CSC

(575) 568-4311

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Cedar Hill Powerline Extension

Chapter President: Damien Augustine

phone & email: (505) 635-9345daugustine@navajo-nsn.org

Chapter Vice-President: Harry Domingo, Sr.

phone & email: (505) 330-4314domingohrs2003@yahoo.com

Chapter Secretary: Danny Augustine

phone & email: (505) 787-9300danny.augustine@navajochapters.org

Chapter Treasurer: Danny Augustine

phone & email: (505) 787-9300danny.augustine@navajochapters.org

Chapter Manager or CSC: Samuel Sage

phone & email: (505) 360-5865counselor@navajochapters.org

DCD/Chapter ASO: Myrtis Begay

phone & email: msbegay@nndcd.org

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

☐ document attached

Amount of FRF requested: \$304,143.54 FRF funding period: September 30, 2022-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:

This project is a planning, design and construction project for a distribution powerline extension and associated service lines, expected to total 11 miles in length. This project will provide electrical power to 15 existing homes (72 beneficiaries) within the Counselor Chapter community.

☐ document attached

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

Electricity is needed for the 15 homes and for the improvement of their quality of life and safety. The Navajo Nation, community and Navajo people will benefit.

☐ 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

APPENDIX A

Program(s) or Project(s) by December 31, 2026

April 16, 2023 - Resolution, Summer 2023-NN& DOJ Review, Summer 2023 - Seek Bids, Fall 2023-
Contract Bid Awarded, Winter 2023-Spring 2024-Construction, Challenges: ReviewTime from NN.

☐ document attached

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

Jemez Mountains Electric Cooperative (JMEC) provides electricity in the area. JMEC would be contracted to maintain the electric line.

☐ 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

NTUA contract with JMEC will be responsible for operations and maintenance 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:

This project is covered under Expenditure Category 2.18 Other Housing Support. By providing electricity to homes that currently do not have electric, ARPA provided these funds to the chapters to make necessary investments in Powerline infrastructure. This is a necessary investment in powerline infrastructure.

☐ document attached**Part 3. Additional documents.**

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A).
Chapter Resolution approved and accepted on the community project.

☐ 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]
signature of Preparer/CONTACT PERSON

Approved by:

[Signature]
signature of Chapter Vice President

Approved by:

[Signature]
signature of CEO

Approved by:

[Signature]
signature of Chapter ASD

07/24/2023

Approved to Submit
for Review

[Signature]
signature of DCD Director

Page 2 of 2

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>Counselor Chapter - Cedar Hill Powerline Extension</u>		Division/Branch: <u>DCD/EXECUTIVE</u>				
Prepared By: <u>Samuel Sage</u>		Phone No.: <u>(575) 568-4311</u>		Email Address: <u>counselor@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 Fund	9/30/22-12/31/26	304,143.54	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	0	304,143.54	304,143.54
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	304,143.54	304,143.54
TOTAL: \$304,143.54 100%				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>		APPROVED BY: <u>Calvin Castillo, Executive Director</u>						
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name						
<u>7-13-23</u>		<u>7/13/2023</u>						
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date						

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:									
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>Counselor Chapter - Cedar Hill Powerline Extension</u>						
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
RESOLUTION: #COUN-2023-04-003									
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>To raise standard of living by constructing powerline extension for families</u>									
Program Performance Measure/Objective:									
<u>Complete the Cedar hill powerline extension.</u>								15	
2. Goal Statement:									
<u></u>									
Program Performance Measure/Objective:									
<u></u>									
3. Goal Statement:									
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Program Performance Measure/Objective:									
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4. Goal Statement:									
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Program Performance Measure/Objective:									
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5. Goal Statement:									
<u></u>									
Program Performance Measure/Objective:									
<u></u>									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
James Adakai, Deputy Director					Calvin Castillo, Executive Director				
_____ 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				

FY 2023

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

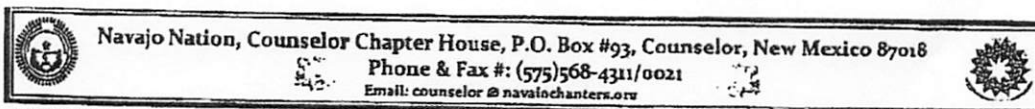
Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Counselor Chapter - Cedar Hill Powerline Extension</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)
8000	Assistance 8750 To supplement the Cedar Hill Powerline Extension for 15 community homes.	304,143.54	304,143.54
TOTAL		304,143.54	304,143.54

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page 1 of 1
PROJECT FORM

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Counselor Chapter Cedar Hill Powerline Extension</u> Project Description: <u>Powerline Extension to 15 homes.</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															PART II. Project Information Project Type: <u>Powerline Extension</u> Planned Start Date: <u>9/30/2022</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Chapter Staff</u>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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. <table border="1" style="width:100%; border-collapse: collapse; font-size: 0.8em;"> <tr> <th align="center" colspan="12">FY <u>23</u></th> <th align="center" colspan="12">FY <u>24</u></th> <th align="center" colspan="6" rowspan="2">Expected Completion Date if project exceeds 8 FY Qtrs. Date <u>12/31/24</u></th> </tr> <tr> <th align="center" colspan="3">1st Qtr.</th> <th align="center" colspan="3">2nd Qtr.</th> <th align="center" colspan="3">3rd Qtr.</th> <th align="center" colspan="3">4th Qtr.</th> <th align="center" colspan="3">1st Qtr.</th> <th align="center" colspan="3">2nd Qtr.</th> <th align="center" colspan="3">3rd Qtr.</th> <th align="center" colspan="3">4th Qtr.</th> </tr> <tr> <td></td><td>O</td><td>N</td><td>D</td> <td>J</td><td>F</td><td>M</td> <td>A</td><td>M</td><td>J</td> <td>Jul</td><td>A</td><td>S</td> <td>O</td><td>N</td><td>D</td> <td>J</td><td>F</td><td>M</td> <td>A</td><td>M</td><td>J</td> <td>Jul</td><td>A</td><td>S</td> <td>O</td><td>N</td><td>D</td> <td>J</td><td>F</td><td>M</td> </tr> <tr> <td>PLAN</td> <td></td><td></td><td></td> <td></td><td></td><td>XXX</td> <td>XXX</td><td>XXX</td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> 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Damien Augustine, Chapter President
 Harry Domingo, Chapter Vice-President
 Danny Augustine, Chapter Secretary/ Treasurer
 Daniel Augustine, Land Board Member

George Tolth, Council Delegate
 Samuel Sage, Community Services Coord.
 Martha Aragon, Acct. Maint. Specialist

**RESOLUTION OF COUNSELOR CHAPTER
 COUNSELOR, NEW MEXICO
 #COUN-2023-04-003**

**RESOLUTION OF COUNSELOR CHAPTER APPROVING AND REQUESTING NAVAJO NATION
 OFFICE OF PRESIDENT AND VICE-PRESIDENT, NAABIK'IYATI' COMMITTEE, NAVAJO
 NATION COUNCIL AND BUDGET & FINANCE COMMITTEE TO SUPPORT AND APPROVE THE
 COUNSELOR CHAPTER EXPENDITURE PLAN FOR POWERLINE PROJECT (CEDAR HILL) IN
 THE AMOUNT OF \$304,143.54 FROM THE ARPA FUNDS.**

WHEREAS:

1. Per Resolution CAP-34-98, the Navajo Nation Council adopted the Local Governance Act and through the adoption of this Act delegated to the Navajo Nation Chapters governmental authority with respect to all local issues/ matters consistent with Navajo Nation Laws, customs and traditions; and
2. Counselor Chapter delegated to act within its authority will improve community decisions making, allowing communities to excel and flourish, enabling Navajo Nation leaders to lead towards a prosperous future of its community; and improve the strength and sovereignty of the Navajo Nation; and
3. Counselor Chapter knows that the Fiscal Recovery Funds are specifically intend to respond to the COVID-19 public health emergency and its negative economic impacts including assistance to households and respond to workers performing essential work during the COVID-19 public health emergency by providing hazard and premium pay to eligible workers; and
4. Counselor Chapter believes it is in the best interest of the community and its chapter to support and approve the Counselor Chapter Expenditure Plan for the benefit of its community especially during the on-going COVID-19 pandemic.

NOW THEREFORE BE IT RESOLVED:

1. Counselor Chapter hereby approves and request the Navajo Nation President and Vice President, the 'Naabik'iyati' Committee, Navajo Nation Council and the Budget & Finance Committee to support and approve the Counselor Chapter Cedar Hill Powerline Extension Expenditure Plan in the amount of \$304,143.54 from ARPA Funds.

CERTIFICATION

We hereby certify that the forgoing was duly considered by Counselor Chapter at a duly called meeting at Counselor Chapter, Navajo Nation, New Mexico, at which a quorum was present and that same was passed by a vote of 15 in Favor, 0 opposed and 2 abstained on this 14th day of April, 2023.

Motion: Daniel Augustine
Damien Augustine
 Damien Augustine, Chapter President

Danny Augustine
 Danny Augustine, Chapter Secretary/ Treasurer

Daniel Augustine
 Daniel Augustine, Land Board Member

Second: Rose Ann Keetso
Harry Domingo Sr.
 Harry Domingo, Sr., Chapter Vice-President

George Tolth
 George Tolth, Council Delegate

Counselor Chapter

Client Home Assessment Check-off List Form for_Cedar Hill_Project

No.	Names	Type of Home			House Wired		Service Pole		Meter Box		Homesite Lease		Need Letter of Compliance?		ROW YES (OR) No	Remarks
		Frame	Trailer	Hogan	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No		
1	Wilbur Sala		X		X			X		X	X			X	NO	Widower - unemployed
2	Dan Willie	X				X		X		X				X	NO	Mr. deceased - Mrs. still lives @ house.
3	Roselyn Sam		X		X			X		X	X			X	NO	Spouse employed w/ railroad.
4	Emma Herrera	X				X		X		X	X			X	NO	elder - social security receipt.
5	Johnny Toledo	X				X		X		X					NO	elder - unemployed
6	Rose C. Pinto	X				X		X		X	X			X	NO	Single parent - receiving assistance.
7	Joanne Lopez	X				X		X		X	X			X	NO	elder - P/T employed
8	Mary T. Chiquito	X				X		X		X	X			X	NO	elder - social security recip.
9	Eloise Antoncio	X				X		X		X	X			X	NO	P/T employed
10	Rita Herrera	X				X		X		X	X			X	NO	elder - social security receipt.
11	Wilhelmina Sam		X		X			X		X	X			X	NO	Young single parent on assistance.
12	Johnnie Herrera		X		X			X		X	X			X	NO	Elder - retired RR worker.
13	Ben Armijillo	X				X		X		X				X	NO	Mr. deceased - Mrs. still lives @ house.
14	Cora Bunnie	X			X			X		X				X	NO	House is abandon - windows broken out.
15	Matilda Bunny	X				X		X		X				X	NO	House burnt down.
16	Shelann Sandoval	X			X			X		X	X			X	NO	Spouse employed in APD.
17	Caroline Sam		X		X		X			X	X			X	NO	Resident doesn't live there. Lives in Crownpoint.
18																
19																
20																
21																
22																
24																
25																

Samuel Sage, CSC (575)568-4311/counselor@navajochapters.org

Name/Title/Telephone No. & Email Address

Date