



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:

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

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.

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: Pinon Chapter Date prepared: 12/01/2022

Chapter's mailing address: P. O. Box 12 phone & email: 928-725-3710/3711
Pinon Arizona 86510 website (if any): _____

This Form prepared by: Sharon A. Begay phone/email: 928-725-3710/3711
Chapter Manager

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Housing Septic & Leech field repair or replacement for Pinon Community

Chapter President: Bessie S. Allen phone & email: 928-313-4983

Chapter Vice-President: Bill Yazzie phone & email: 928-383-6113

Chapter Secretary: Ramona Nalwood phone & email: 928-675-7520

Chapter Treasurer: Ramona Nalwood phone & email: 928-675-7520

Chapter Manager or CSC: Sharon A. Begay phone & email: 928-675-7021

DCD/Chapter ASO: Edgerton Gene phone & email: 928-674-2251

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

☐ document attached

Amount of FRF requested: 260,468.00 FRF funding period: December 2022 to 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:

The Pinon Chapter is requesting \$260,468.00 to repair or replace existing septic/leechfield systems to assist Navajo families. Throughout this COVID-19 pandemic stay at home orders, all families stayed home and some septic/leechfield systems were overloaded since they were not built to sustain the large number of family members. Bathrooms will become usable again by replacing or repairing the systems. This program will address public health challenges that partly caused the impact on the Navajo Nation and Pinon Community.

☐ document attached

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

Currently there are a high number of homes in the Pinon community that lack access to one or more of the following utilities: electricity, water, wastewater and broadband. ARPA Septic/leechfield repair or replacement will provide one utility to a home that lacks this and will assist in promoting public health. The Pinon community members receiving this repair or replacement will directly benefit from this program.

☐ 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

This program estimates the successful completion of approximately 15 septi/leechfield repair or replacements and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 31, 2026.

☐ document attached

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

Pinon Chapter Manager and Officials will be the oversight of the contractor.

☐ 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:

Homeowners are responsible for the operation and maintenance of the repair or replacement of septic/leechfield following completion.

☐ 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 falls under the new expenditure Category 1.14 Other Public Health Services- for Septic tank and leech field

Providing home septic system repairs for Navajo families in need will help to address the public health housing support and improving access to safe & secure restrooms as well as support healthy living environments and neighborhoods conducive to mental and physical wellness.

☐ document attached

Part 3. Additional documents.

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

This program estimates the successful completion of approximately 15 septi/leechfield repair or replacements and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 31, 2026.

☐ 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

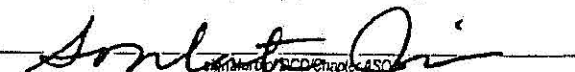
Approved by:


signature of Chapter President (or Vice-President)

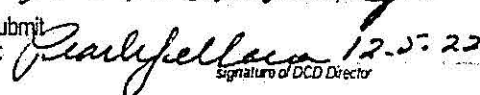
Approved by:


signature of Chapter Manager of CSC

Approved by:


signature of Chapter President (or Vice-President)

Approved to submit
for Review:


signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

APPENDIX B

BUDGET FORM 1

K2115198

PART I. Business Unit No.: <u>ARPA FUNDS</u>		Program Title: <u>Septic + Leach Field Repair</u>		Pinon Chapter		Division/Branch: <u>ASC/DCD</u>	
Prepared By: <u>Sharon A. Begay</u>		Phone No.: <u>928-725-3710</u>		Email Address: <u>sabegay@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
ARPA FUNDS	2022 to 2026	260,468.00	100%					
	<u>12/1/22 - 12/31/26</u>			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	<u>6</u>	<u>0</u>	260,468	<u>260,468</u>
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	260,468.00	<u>260,468</u>

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	<u>0 KW</u>	<u>0 KW</u>
Total # of Vehicles Budgeted:	<u>0 KW</u>	<u>0 KW</u>

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u>Sonfatsa Jim- Martin, ASC Manager</u> Program Manager's Printed Name <u><i>Sonfatsa Jim</i></u> Program Manager's Signature and Date	APPROVED BY: <u>Pearl Yellowman, DCD Director</u> Division Director / Branch Chief's Printed Name <u><i>Pearl Yellowman</i></u> <u>12.2.22</u> Division Director / Branch Chief's Signature and Date

AB 5/19/23

FY 2023 ^{KW}THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage ____ of ____
BUDGET FORM 2K2115198

PART I. PROGRAM INFORMATION:

Business Unit No.: New ^{KW}

Program Name/Title:

Pinon Chapter Septic & Leechfield Repair. ^{KW}

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:

Repair or replace 10 septic / leechfield by June 2026 ^{KW}

Program Performance Measure/Objective:

Repair or replace 3 septic / leechfield projects each quarter. ^{KW}

3		3		3		3	
---	--	---	--	---	--	---	--

^{KW}^{KW}^{KW}^{KW}

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.

James Adakai, Deputy Director
Program Manager's Printed Name ^{KW}Calvin Castillo, Executive Director
Division Director/Branch Chief's Printed Name ^{KW}[Signature] 5-8-23
Program Manager's Signature and Date[Signature]
Division Director/Branch Chief's Signature and Date

AG 5/19/23

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ___ of ___
BUDGET FORM 4

K2115198

PART I. PROGRAM INFORMATION:

Program Name/Title: Pinon Chapter-Septic & Leachfield Repair.

Business Unit No.: NEW

AB

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)
6500	Contractual Services		
6520	Consulting		
	6530 - consulting fees		
	6540 - consulting expenses		
	$ \begin{array}{r} 234 \\ 30,324 \\ + 30,324 \\ \hline 60,648 \\ 468 \end{array} $	$ \begin{array}{r} 60,648 \\ 468 \end{array} $	$ \begin{array}{r} 60,648 \\ 468 \end{array} $
8000	Assistance		
8500	Infrastructure (non cap)		
	8550 Water/Wastewater		
	8555 Chapter Projects		
	$ \begin{array}{r} 100,000 \\ + 100,000 \\ \hline 200,000 \end{array} $	$ \begin{array}{r} 200,000 \\ 468 \end{array} $	$ \begin{array}{r} 200,000 \\ 468 \end{array} $
TOTAL		260,648	260,648

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**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page 1 of 1
PROJECT FORM

K215198

PART I. Business Unit No.: <u>New</u> Project Title: <u>Pinon Chapter: Septic & Leach field repair or replacement</u> Project Description <u>Delegate Regional Projects Plan</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>Pinon Chapter: septic & leach field</u> Planned Start Date: <u>5/1/2023</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Div of Community Development</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.																												Expected Completion Date if project exceeds 8 FY Qtrs.											
		FY <u>2023</u>														FY <u>2024</u>																				Date <u>2026</u>					
		1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			O		N								D		J		F	
		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										
Setting Up Business Units - OMB Procurement (Bidding, Contracts) Labor and Construction Phase Project Close Outs		Data for Setting Up Business Units - OMB <div style="background-color: black; height: 15px; width: 100%;"></div> Data for Procurement (Bidding, Contracts) <div style="background-color: black; height: 15px; width: 100%;"></div> Data for Labor and Construction Phase <div style="background-color: black; height: 15px; width: 100%;"></div> Data for Project Close Outs <div style="background-color: black; height: 15px; width: 100%;"></div>																																							
PART V. Expected Quarterly Expenditures		\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL															
								10%															90%			100%															

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

AB 5/22/23



PIÑON CHAPTER

Post Office Box 127 • Piñon, Arizona 86510 • (928) 725-3710/3711 • FAX (928) 725-3712

RESOLUTION # 23-01 OF PINON CHAPTER THE NAVAJO NATION, PINON, ARIZONA

APPROVING, PRIORITIZING AND SUBMITTING PINON CHAPTER'S LISTED PROPOSED PROJECT FOR FULL FUNDINGS FROM THE AMERICAN RESCUE PLAN ACT, PURSUANT TO CJN-29-22, AS PROJECTS IN EXHIBIT A, B, AND C, TO COMBAT COVID 19 PANDEMIC.

WHEREAS:

1. THE Navajo Nation Council by Resolution CS-34-98, enacted the Navajo Nation Local Governance Act and Codified it under the Navajo Nation Code; AND
2. That pursuant to Title 26 NNC, Section B-1&2, Pinon Chapter is an LGA Certified Chapter government of the Navajo Nation Government, thus acts on this foregoing resolution pursuant to the authority vested to Pinon Chapter to recognize, address and advocate for the local needs, its interests, and matters consistent with the Navajo Nation Laws, which includes Navajo customs and traditions; AND
3. That the Navajo Nation Council enacted Resolution CIN-29-22, \$1,070,298,867. the Navajo Nation Fiscal Recovery Fund Expenditure Plans for the Navajo Nation Chapters and Regional Projects; Public Safety, Emergency Communications, E911, Rural Addressing, Cyber Security, Public Health Projects, Hardship Assistance, Water and Waste Water Projects, Broadband Projects, Home Electricity Connections, Electric Capacity Projects, Housing Projects, and Manufactured Housing, Bathroom Additions, and Construction Contingency fundings, AND
4. That the Pinon Chapter, hereby, submits their listed proposed projects, (see Exhibit A), pursuant to CJN-29-22, to Division of Community Development ARPA Portal via our Council Delegate, Jimmy Yellowhair, for consideration by the Navajo Nation Council; AND
5. That the Pinon, hereby, submits their Chapter's listed proposed projects, (see Exhibit B), pursuant to CJN-29-22, via our Council Delegate, Jimmy Yellowhair, for ARPA funding consideration from the Delegate Regional distribution; AND

6. That the Pinon Chapter, hereby, submits, pursuant to CJN-29-22, their Chapter's listed proposed projects with listed recipients that was duly considered and recommended by Chapter Resolution to the Navajo Hopi Land Commission, (see Exhibit C), from the Navajo Partition Land allocation for Modular Homes; AND
7. That it is in the best Health interests of Pinon Chapter and its community to have the Navajo Nation Council to fully consider to fully ARPA fund all of the Pinon Chapter's listed proposed projects on the attached Exhibits.

NOW, THEREFORE, BE IT RESOLVED THAT:

THE Pinon Chapter, hereby, pursuant to CJN-29-22, Approves and Recommends The Submission of the Chapter's Proposed Projects listed on the attached Exhibit A, Exhibit B and Exhibit C for Full Fundings Consideration by the Navajo Nation Council from Funds Allocated by the United States Congress, the American Rescue Plan Act, to Combat the Health Pandemic, COVID 19.

CERTIFICATION

WE, the undersigned, hereby, certified that the foregoing resolution was duly considered at a duly called Pinon Chapter meeting at which a quorum was present and same was duly discussed and acted upon by a vote of 35 in favor, 0 opposed and 14 abstained On the 10th day of October, 2022, at Pinon Chapter House, the Navajo Nation, Pinon, Arizona.

Motioned by: Laverne Gorney

Seconded by: Danny Luman

Bessie S. Allen
Bessie S. Allen, Chapter President

Bill Yazzie
Bill Yazzie, Chapter Vice-President

Ramona Nalwood
Ramona Nalwood, Chapter Secretary/Treasurer

CONCURRED; Council Delegate

Legislation CIN-29-22: \$8,802,340 mil per Delegate

Pinon Chapter equal distribution \$1,760,468 per 5 chapters

\$ 260,468.00	1	Septic & Leech field repairs: 10 repairs @ \$20,000 each
\$ 1,000,000.00	2	New Housing- 5 families have HSL
\$ 500,000.00	3	Housing renovations @ \$5000.00 ea = 100 homes
\$ 1,760,468.00		TOTAL

Job K2115198 US TREASURY-PINON SEPTIC LFRRP

Thru Date 5/31/2023

Project

Cost Code	Cost Type	Description	L P M D E C U M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1710	Program Revenue	6 B N		260,468.00-	260,468.00-			260,468.00-		1.00
1710	Program Revenue	6 T		260,468.00-	260,468.00-			260,468.00-		1.00
1705	CG Revenue	5 T		260,468.00-	260,468.00-			260,468.00-		1.00
1700	External C/G Revenue Source	4 T		260,468.00-	260,468.00-			260,468.00-		1.00
1000	Revenues	3 T		260,468.00-	260,468.00-			260,468.00-		1.00
6520	Consulting	6 B N		60,468.00	60,468.00			60,468.00		1.00
6520	Consulting	6 T		60,468.00	60,468.00			60,468.00		1.00
6510	Professional Services	5 T		60,468.00	60,468.00			60,468.00		1.00
6500	Contractual Services	4 T		60,468.00	60,468.00			60,468.00		1.00
8500	Infrastrure (non cap)	6 B N		200,000.00	200,000.00			200,000.00		1.00
8500	Infrastrure (non cap)	6 T		200,000.00	200,000.00			200,000.00		1.00
8010	Public	5 T		200,000.00	200,000.00			200,000.00		1.00
8000	Assistance	4 T		200,000.00	200,000.00			200,000.00		1.00
2000	Expenses	3 T		260,468.00	260,468.00			260,468.00		1.00