



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 820

Date & Time Received: 04/17/24 at 16:52

Date & Time of Response: 4/30/24 17:00

Entity Requesting FRF: Pinon Chapter

Title of Project: Intergovernmental Office Complex in Pinon, AZ

Administrative Oversight: DCD

Amount of Funding Requested: \$15,000,000.00

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:
6.1, Provision of Government Services

**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:** The Documents indicate that the Project may lease space to the Bureau of Indian Affairs. Please note that federal law prohibits the Nation from entering into 105(l) leases for buildings constructed with FRF.

Name of DOJ Reviewer: Katherine Belzowski

Signature of DOJ Reviewer: Katherine Belzowski

Digitally signed by Katherine Belzowski  
Date: 2024.04.30 09:23:05 -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 GOVERNANCE-CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Pinon Chapter Date prepared: 04/10/2024

Chapter's mailing address: P.O. Box 127 phone & email: 928-725-3710 pinon@navajochapters.org  
Pinon, AZ 86510 website (if any): https://pinon.navajochapters.org/

This Form prepared by: Charles A. Begay, Sharon A. Begay phone/email: 480-742-1522 cb5231@gmail.com  
Sabegayennchapters.org

*CHAPTER CONTACT PERSON'S name and title*

Title and type of Project: Intergovernmental Office Complex in Pinon, AZ

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: 928-221-4021

Chapter Treasurer: Ramona Nalwood phone & email: 928-221-4021

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): Building Contractor/ Construction Firm

document attached

Amount of FRF requested: \$15,000,000 FRF funding period: 04/10/2024 - 12/31/2026

*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 \$15,000,000 to construct and operate an Intergovernmental Office Complex in order to accommodate multiple governmental agencies and small businesses within one convenient location. A complex such as this would provide essential long-term leases of office space to the Navajo Nation, Bureau of Indian Affairs, Navajo County and State of Arizona divisions, departments and programs for the delivery of services/ programs to the Pinon community and Dzil Yijiin region. Having these agencies located in one space will improve accessibility to the necessary services/ programs which are needed during emergency situations, such as the COVID-19 pandemic.

document attached

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

The Pinon community and the Dzil Yijiin region will be impacted by a new Intergovernmental Office Complex; many Navajo people will benefit from this project. Currently, most of the essential programs and offices are located in Chinle, Window Rock, and other areas outside of Pinon, for which our local residents must travel to for services. This project will provide greater accessibility to governmental services and eliminate unnecessary traveling, especially during emergencies such as COVID-19.

document attached



**APPENDIX A**

(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:

The construction of the Intergovernmental Office Complex will be successfully completed to provide greater accessibility to governmental services for the region. Bidding and design will be completed by October 31, 2024 and construction may take 15 months to complete with all funds being fully expended by December 31, 2026. Some challenges would be meeting the Navajo Nation deadlines, review process and having to make any corrections to documents for funding.  document attached

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

NNDCD will oversee the subrecipient agreement with the Pinon Chapter to ensure that a sufficient Intergovernmental Office Complex is constructed in a timely manner.  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 Pinon Chapter will be responsible for the costs associated with the operations and maintenance of the Intergovernmental Office Complex once it is complete and shall budget for the safekeeping of the building. An chapter employee will provide maintenance and oversee daily operations of the facility.  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 6.1 - Provision of Government Services:  
The Pinon Chapter is seeking funds to construct and operate an Intergovernmental Office Complex to provide improved accessibility to governmental agencies and services. Having multiple governmental programs/ services available in one location will be helpful for the community, especially during dire times such as the COVID-19. This project is critical for the Pinon community and Dzil Yijiin region because it can also help promote these different agencies to work together for the benefit of our Navajo People. As a chapter we are planning for the future and the Intergovernmental Office Complex in Pinon, AZ will help our region recover from the COVID-19 pandemic and help us be prepared for any future emergency situation which may occur.  document attached

**Part 3. Additional documents.**


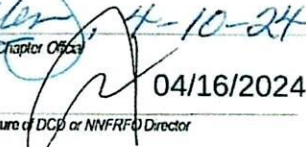
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Pinon Chapter Resolution PIN 00-00 < ???

**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:  4-10-24  
signature of Chapter Officer  
Approved to submit for Review:  04/16/2024  
signature of DCD or NNFRFO Director

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

|                            |  |                  |                                      |                                      |            |  |                 |   |                     |                  |  |
|----------------------------|--|------------------|--------------------------------------|--------------------------------------|------------|--|-----------------|---|---------------------|------------------|--|
| PART I. Business Unit No.: |  | New              |                                      | Program Title:                       |            | Pinon Intergovernmental Office Complex   |                 | Division/Branch:                                |                     | Executive/D CD   |  |
| Prepared By:               |  | Charles A. Begay |                                      | Phone No.:                           |            | 480-742-1522   |                 | Email Address:                                  |                     | cb5231@gmail.com |  |
| PART II. FUNDING SOURCE(S) |  |                  | Fiscal Year / Term                   | Amount                               | % of Total | PART III. BUDGET SUMMARY   |                 |   |                     |                  |  |
| NN Fiscal Recovery Fund    |  |                  | 4/10/24 - 4/30/24                    | 15,000,000.00                        | 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  | 6               | 15,000,000                                      | 15,000,000.00       |                  |  |
|                            |  |                  |                                      |                                      |            | 7000 Special Transactions  |                 |   | 0.00                |                  |  |
|                            |  |                  |                                      |                                      |            | 8000 Public Assistance   |                 |   | 0.00                |                  |  |
|                            |  |                  |                                      |                                      |            | 9000 Capital Outlay  | 6               |   | 0.00                |                  |  |
|                            |  |                  |                                      |                                      |            | 9500 Matching Funds  |                 |   | 0.00                |                  |  |
|                            |  |                  |                                      |                                      |            | 9500 Indirect Cost   |                 |   | 0.00                |                  |  |
|                            |  |                  |                                      |                                      |            | TOTAL  |                 | \$0.00  | 15,000,000.00       | 15,000,000.00    |  |
|                            |  |                  |                                      |                                      |            | PART IV. POSITIONS AND VEHICLES  |                 |   |                     |                  |  |
|                            |  |                  |                                      |                                      |            | Total # of Positions Budgeted:   |                 |   |                     |                  |  |
|                            |  |                  |                                      |                                      |            | Total # of Vehicles Budgeted:  |                 |   |                     |                  |  |
|                            |  |                  |                                      |                                      |            | PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. |                 |   |                     |                  |  |
| SUBMITTED BY:              |  |                  | Jaron Charley, Department Manager II | APPROVED BY:                         |            | Arbin Mitchell, Executive Director   |                 | Division Director / Branch Chief's Printed Name |                     |                  |  |
|                            |  |                  |                                      |                                      |            |  |                 | 04/16/2024                                      |                     |                  |  |
|                            |  |                  |                                      | Program Manager's Signature and Date |            | Division Director / Branch Chief's Signature and Date  |                 |   |                     |                  |  |

|  |  |  |  |                                     |         |         |
|--|--|--|--|-------------------------------------|---------|---------|
| <b>PART I. PROGRAM INFORMATION:</b>  | Business Unit No.: <u>                    </u> | Program Name/Title: <u>                    </u>  | Pinon Intergovernmental Office Complex |                                     |         |         |
|  | New  |  |  |                                     |         |         |
| <b>PART II. PROGRAM PERFORMANCE CRITERIA:</b>  |  |  | 1st QTR                                | 2nd QTR                             | 3rd QTR | 4th QTR |
|  |  |  | Goal                                   | Goal                                | Goal    | Goal    |
| <p><b>1. Goal Statement/ Objective:</b><br/>To construct and operate an Intergovernmental Office Complex to improve access to crucial governmental programs/ services.</p> <p><b>Program Performance Measure:</b><br/>Completion of the building and operation of the facility, with tenants moving into office spaces.</p>                  |  |  |  |                                     |         |         |
| <p><b>2. Goal Statement/ Objective:</b><br/>To ensure greater accessibility to government programs/ services for the Pinon community and Dzil Yijjin region.</p> <p><b>Program Performance Measure:</b><br/>Reduction in travel time that residents of Pinon and surrounding communities spend to access governmental programs/ services</p> |  |  |  |                                     |         |         |
| <p><b>3. Goal Statement/ Objective:</b><br/>To provide improved efficiency of governmental programs and services for all of our community members.</p> <p><b>Program Performance Measure:</b><br/>Less time locating government agencies, more participation in governmental programs and collaboration among different agencies.</p>        |  |  |  |                                     |         |         |
| <p><b>4. Goal Statement/ Objective:</b></p> <p><b>Program Performance Measure:</b></p>   |  |  |  |                                     |         |         |
| <p><b>5. Goal Statement/ Objective:</b></p> <p><b>Program Performance Measure:</b></p>   |  |  |  |                                     |         |         |
| <p><b>PART III. CONCURRENCE/APPROVAL:</b></p>  |  |  |  |                                     |         |         |
| <p>Jaron M. Charley, Department Manager II</p> <p>Program Manager's Printed Name</p>   |  | <p>Arbin Mitchell, Executive Director</p> <p>Division Director/Branch Chief's Printed Name</p> |  | <p>04/16/2024</p> <p>04/16/2024</p> |         |         |
| <p>Program Manager's Signature and Date</p>  |  | <p>Division Director/Branch Chief's Signature &amp; Date</p>                                   |  |                                     |         |         |

FY 2024

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

|                                     |   |                                       |                                    |
|-------------------------------------|---|---------------------------------------|------------------------------------|
| <b>PART I. PROGRAM INFORMATION:</b> |   |                                       |                                    |
| Program Name/Title:                 | Pinon Intergovernmental Office Complex  | Business Unit No.:                    | New                                |
| <b>PART II. DETAILED BUDGET:</b>    |   |                                       |                                    |
| (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: To construct a Intergovernmental Office Complex in Pinon, AZ. | 15,000,000                            | 15,000,000                         |
| <b>TOTAL</b>                        |   | <b>15,000,000</b>                     | <b>15,000,000</b>                  |

# THE NAVAJO NATION PROJECT BUDGET SCHEDULE

| PART I. Business Unit No. <u>New</u>   |                | Project Information                                   |          |          |                |          |          |          |   |    |    |    |    |    |    |    |    |    |    |    |
|--|----------------|---|----------|----------|----------------|----------|----------|----------|---|----|----|----|----|----|----|----|----|----|----|----|
| Project Title: <u>Pinon Intergovernmental Office Complex</u>   |                | Project Type: <u>Intergovernmental Office Complex</u> |          |          |                |          |          |          |   |    |    |    |    |    |    |    |    |    |    |    |
| Project Description: <u>To construct and operate an Intergovernmental Office Complex which will improve accessibility and efficiency of governmental programs and services being provided to the Pinon community and the surrounding Dził Yííin region.</u>  |                | Planned Start Date: <u>4/5/2024</u>                   |          |          |                |          |          |          |   |    |    |    |    |    |    |    |    |    |    |    |
| Check one box<br><input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification  |                | Planned End Date: <u>12/31/2024</u>                   |          |          |                |          |          |          |   |    |    |    |    |    |    |    |    |    |    |    |
|  |                | Project Manager: <u>Chapster Manager</u>              |          |          |                |          |          |          |   |    |    |    |    |    |    |    |    |    |    |    |
| PART II. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.   |                |   |          |          |                |          |          |          |   |    |    |    |    |    |    |    |    |    |    |    |
|  | FY <u>2024</u> |   |          |          | FY <u>2025</u> |          |          |          | Expected Completion Date if project exceeds 6 FY Quarters |    |    |    |    |    |    |    |    |    |    |    |
|  | 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   | J  | A  | S  | O  | N  | D  | J  | J  | F  | M  |    |
| PART III.<br>List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.<br><br>Process of the Project:<br>Pre-Planning (specifications)<br><br>Procurement Process (Bids/ Review/ Selection/ Purchases)<br><br>Closeout (Construction) | █              | █   | █        | █        | █              | █        | █        | █        | █   | █  | █  | █  | █  | █  | █  | █  | █  | █  | █  | █  |
| PART V.<br>Expected Quarterly Expenditures   | \$             | \$  | \$       | \$       | \$             | \$       | \$       | \$       | \$  | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| <b>PROJECT TOTAL</b>   |                |   |          |          |                |          |          |          |   |    |    |    |    |    |    |    |    |    |    |    |
| <b>\$15,000,000.00</b>   |                |   |          |          |                |          |          |          |   |    |    |    |    |    |    |    |    |    |    |    |





## PIÑON CHAPTER

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

PIN 24-47

RESOLUTION OF THE PINON CHAPTER

PINON, NAVAJO NATION, ARIZONA

RESOLUTION HEREBY REQUESTING THE 25<sup>TH</sup> NAVAJO NATION COUNCIL TO APPROVE REALLOCATED FUNDS FROM THE CJN-29-22 NAVAJO NATION FISCAL RECOVERY FUNDS FOR ADDITIONAL PINON CHAPTER EXPENDITURE PROJECTS FUNDING PLANS.

### WHEREAS:

1. THAT the Navajo Nation Council by their Resolution CS-34-98, Enacted the Navajo Nation Local Governance Act and Codified it under the Navajo Nation Codes, and whereas pursuant to Title 26 NNC, Section B 1 & 2, that the Pinon Chapter is certified as an LGA Certified Governance Chapter of the Navajo Nation Government, thus, acts on this foregoing resolution pursuant to the authority vested to the Pinon Chapter to recognize, address and advocate for its Chapter community's local needs, its interests, and matters consistent with the Navajo Nation Laws, which includes Navajo customs and traditions; AND
2. THAT, the 24th Navajo Nation Council had passed Legislation CJN-29-22, allocating Navajo Nation Fiscal Recovery Funds and Approved the Fiscal Recovery Fund Expenditure Plans on June 30, 2022, which was signed into Law by the Navajo Nation President, Jonathan Nez, on July 15, 2022, pursuant 2 N.N.C. s 1005 (C ) (10). Within the Legislation CJN-29-22, the Navajo Nation Council allocated fiscal recovery funds for: Chapter and Regional Projects; Public Safety, Emergency operations, E911, Rural addressing, Cyber security, Public health projects, Hardship assistance, Water and wastewater projects, Broadband projects, Home electricity connections, Electric capacity projects, Housing projects and Manufactured housing facilities, Bathroom addition projects, Construction contingency funding and reduced Administrative funding housings for local communities to combat the infectious Spread of Covid 19, and Pinon Chapter Community had the highest spread of COVID 19, according to Navajo Nation and Indian Health Services data reports during the Pandemic, AND
3. THAT due to Pinon Chapter community location being in Navajo Partitioned Lands, and horrendous Agency Resources negligence for over fifty (50) years, Navajo Partitioned Lands recipients fell more behind in any developments, that also led to almost no housing development or improvements, thus became easy target of COVID 19 PANDEMIC as families experiencing heavy social/psychological impacts, physical health conditions and economic hardships due very limited employment and can't afford to purchase building materials to improve home, further, housings became dilapidated, overcrowded with second generations, poor or no ventilations, these became very evidences of why Spread of Covid 19 is HIGH, and Pinon is currently on the RED List by IHS for Covid 19 infections.

4. The Fiscal Recovery fund Legislation allows CPMD, through a Sub Recipient Agreement, to transfer the project funds, accountability, and responsibility to LGA certified Chapter at the Chapter' request.

The Pinon Chapter is requesting Fiscal Recovery Funds for Capital Projects:

1. Additional New Housings for Community- \$3,000,000.00
- 2- Purchase of New Motor Grader -\$425,000.00
- 3- New Warehouse to store New Equipment- \$200,000.00
- 4- Complete Outdoor Market & Family Park- \$1,000,000.00
- 5- Construction of Intergovernmental Complex- \$22,000,000.00
- 6- Dzilyjiiin Public Safety Complex- \$43,000,000.00

5. The Pinon Chapter has requested to take over the accountability and responsibility of the Project and Project Funds.

NOW, THEREFORE BE IT RESOLVED THAT:

THE PINON CHAPTER, HEREBY REQUESTING THE 25TH NAVAJO NATION COUNCIL TO APPROVE REALLOCATED FUNDS FROM THE CJN-29-22 NAVAJO NATION FISCAL RECOVERY FUNDS FOR ADDITIONAL PINON CHAPTER EXPENDITURE PROJECTS FUNDING PLANS

#### CERTIFICATION

WE, the undersigned, hereby, certified the foregoing resolution was duly considered at a duly called Pinon Chapter Hybrid Meeting, at Pinon, Navajo Nation, Arizona, where a quorum was present and same was passed with a vote of 34 in favor, 0 opposed, and 0 abstained on this 5th day of April, 2024

  
\_\_\_\_\_

Bessie Allen, Chapter President

  
\_\_\_\_\_

Ramona Nalwood, Secretary/Treasurer

  
\_\_\_\_\_

Bill Yazzie, Vice-President