



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 0428

Date & Time Received: 3/30/23 at 14:41

Date & Time of Response: 4/10/23 at 1026 am

Entity Requesting FRF: Whippoorwill Chapter

Title of Project: New House Electric and Powerline Extension Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$60,000

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: _____

2.15, Long-term Housing Security: Affordable Housing

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Whippoorwill Chapter Date prepared: Nov 28, 2022

Chapter's P.O. Box 279 phone & email: (928) 725-3728
mailing address: Pinon, Az 86510 website (if any): whippoorwill@navajochapters.org

This Form prepared by: Mareita Denny phone/email: (928) 725-3728
Chapter Manager whippoorwill@navajochapters.org

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: New Homes Electric and Powerline Extension Project

Chapter President: Aaron Yazzie phone & email: (928) 383-2751

Chapter Vice-President: Gerald Ahasteen phone & email: (928) 781-7251

Chapter Secretary: Phillip Tom Jr. phone & email: (928) 675-7343

Chapter Treasurer: Phillip Tom Jr. phone & email: (928) 675-7343

Chapter Manager or CSC: Mareita Denny phone & email: (928) 725-3756

DCD/Chapter ASO: Ella Kay phone & email: (928) 725-3728

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Chapter intends to contract this project to
local businesses using DED Source List or Sole Source and coordinate with NTUA or OEH ☐ document attached

Amount of FRF requested: \$60,000.00 FRF funding period: May 01, 2023 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:

This Electric and Powerline Project is critical and connection must be planned before completion of New House Construction. And application for utility connection must be submitted earlier due to NTUA work schedule. This portion of Electric and Powerline Extension will occur in conjunction with new house construction. New houses are provided to families whom are susceptible to virus particularly COVID and to control the spread of virus.

☐ document attached

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

New houses construction benefits the elderlies, handicapped, disabled Veterans, and any families who have lived in dilapidated shelters. Any Right of Ways for utilities to new house will first be studied if Right of Way can be waived. Discussion on Right of Way issue will be cleared by NTUA and BIA before completion.

☐ 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:

Electric and Powerline Extension application will be submitted for process on January 2024 for all new houses constructed by December 2025. NTUA will have schedule for this project and chapter should anticipate a holdup on project because other projects similiar to our will be ongoing. If so, chapter should make alternative plan to avoid any delays.

☐ document attached

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

Whippoorwill Chapter will implement this project and coordinate plans with NTUA.

☐ 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 will be responsible for maintenance as required by NTUA from meter loop to the house. NTUA will be responsible from main powerline to meterbox. This is a standard respective cost operation duties between homeowners and NTUA.

☐ 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:

Fiscal Recovery Fund expenditure categories- Housing Support: Other Housing Assistance 2.18

To complete New House Construction, basic utility connection budget is necessary.

☐ document attached

Part 3. Additional documents.

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

Chapter Electric and Powerline Extension Resolution is 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)

Approved by:  signature of Chapter Manager or CSC

Approved by:  signature of DCD/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>WHIPPOORWILL CHAPTER - Electric and Powerline Ext.</u>		Division/Branch: <u>DCD/Executive</u>	
Prepared By: <u>Mareita Denny</u>		Phone No.: <u>928-725-3727</u>		Email Address: <u>whippoorwill@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 ARPA FUNDS	<u>5-01-2023</u> <u>12-31-2026</u>	60,000.00	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	0	60,000.00	60,000.00
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	60,000.00	60,000.00

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>3-30-23</u> Program Manager's Signature and Date </div>	APPROVED BY: <u>Calvin Castillo</u> Division Director / Branch Chief's Printed Name <div style="text-align: center;">  <u>3/28/2023</u> Division Director / Branch Chief's Signature and Date </div>

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: NEWProgram Name/Title: WHIPPOORWILL CHAPTER - ELECTRIC AND POWERLINE EXTENSION PROJECT**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:To assist community members with Powerline Extension Infrastructure.**Program Performance Measure/Objective:**Assist 3-Clients with Powerline Extnsion Infrastructure.

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

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


3-30-23
 Program Manager's Signature and Date
Calvin Castillo

Division Director/Branch Chief's Printed Name


3/28/2023
 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>WHIPPOORWILL CHAPTER - Electric and Powerline Extension Project</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) 8540 - Powerline Extension: Assist 3-Community Members with Powerline Extension @ \$60,000.00	60,000.00	60,000.00
TOTAL		60,000.00	60,000.00

[illegible]



Whippoorwill Chapter

P.O. Box 279

Pinon, AZ 86510

Phone #: (928)725-3727/3728

Fax #: (928)725-3745



Mareita Denny, Chapter Manager

Ella M. Kay, Administrative Assistant

Germaine Simonson, Council Delegate Aaron Yazzie, President Gerald Ahasteen, Vice-President Phillip Tom Jr., Secretary/Treasurer

RESOLUTION OF WHIPPOORWILL CHAPTER

Resolution No. WC-23-29

REQUESTING THE DEPARTMENT OF JUSTICE AND DIVISION OF COMMUNITY DEVELOPMENT TO ACCEPT OUR COMPLETED FISCAL RECOVERY FUND REQUEST FORM AND EXPENDITURE PLAN FOR OUR CHAPTER'S NEW ELECTRIC AND POWERLINE EXTENSION PROJECT SUBJECT TO BE FUND IN THE AMOUNT OF \$60,000.00 BY AMERICAN RESCUE PLAN ACT

WHEREAS:

1. The Resources and Development Committee, pursuant to Legislation RDCD-83-14 certified Whippoorwill Chapter's Five Management System Policies and Procedures and pursuant to 2 N.N.C., §501 (B) (2) (d), 26 N.N.C. §102 and CO-45-12 Section 5(B), upon recommendation by Auditor General's office, further supported the certification, AND
2. Pursuant to Local Governance Act, 26, N.N.C. §101, et seq. to properly administer, to provide accountability in the five personnel and property management, and consistent with Auditor General's Memorandum dated September 9, 2014, AUDIT REPORT No. 14-24, AND
3. The Navajo Nation received American Rescue Plan Act fund to combat and mitigate COVID-19, thereby; this project meets the criteria and eligible under Treasury Expenditure Categories final rule, Drinking Water: Other water infrastructure, AND
4. Whippoorwill Chapter has prepared project under American Rescue Plan Act to construct New Homes within the chapter service area with plan to connect electric or extend powerlines to complement the newly constructed house, AND
5. Most selected families house will be built near existing powerline and waterline to qualify for a waiver of Right of Way by NTUA that will avoid a lengthy process, these type of cooperation between the agencies have always been in the best interest of the people.

NOW THEREFORE IT BE RESOLVE THAT:

1. The Whippoorwill Chapter hereby requests the Department of Justice and Division of Community Development to accept our completed Fiscal Recovery Fund Form and Expenditure Plan for chapter's New Electric and Powerline Extension Project subject to be funded in amount of \$60,000.00 from American Rescue Plan Act.
2. Whippoorwill Chapter hereby affirms that the Chapter will only use awarded Fiscal Recovery Funds 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.

CERTIFICATION

We, the undersigned hereby certify that the foregoing resolution was considered by the Whippoorwill Chapter at a duly called meeting at Whippoorwill, Arizona, Navajo Nation, at which a quorum was present and the same was passed by a Vote 04 in FAVOR, 0 OPPOSED, and 02 ABSTAINED on the November 4th, 2022.

Motioned by Raymond Joe



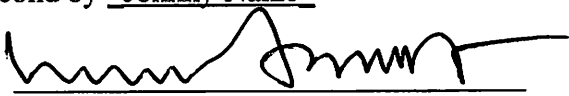
Aaron Yazzie, Chapter President



Philip Tom Jr., Chapter Secretary/Treasurer

Albert Wartz, Grazing Official

Second by Johnny Naize



Gerald Ahasteen, Chapter Vice President

Jimmy Yellowhair, NN Council Delegate