



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 #: HK793

Date & Time Received: 04/26/24 at 05:54

Date & Time of Response: 4/30/24 at 9:29am

Entity Requesting FRF: Kaibeto Chapter

Title of Project: 1.7 Capital Investment for Public Facilities: Multi-Purpose Building

Administrative Oversight: DCD

Amount of Funding Requested: \$7,526,651.00

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: Please note that we have modified the expenditure code from the requested 1.7 (Capital Investment for Public Facilities: Multi-purpose Building) to 6.1 (Provision of Government Services) to be consistent with similar previously approved projects.

A contractor has seemingly already been chosen for this Project; DOJ recommends ensuring that all procurement requirements - Navajo and Federal - have been adhered to and documented.

Name of DOJ Reviewer: Katherine Belzowski

Signature of DOJ Reviewer: Katherine Belzowski

Digitally signed by Katherine Belzowski
Date: 2024.04.30 09:29:57 -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 **NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Kaibeto Chapter Date prepared: 3/11/2024

Chapter's P.O. Box 1761 phone/email: 928 673-5850/kaibeto@navajochapters.org
mailing address: Kaibeto, Arizona 86053 website (if any): kaibeto.navajochapters.org

This Form prepared by: Ella Dodson-Slick phone/email: 928 205-8525
Community Service Coordinator edodson-slick@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: 1.7 Capital Investment for Public Facilities: Multi Purpose Building

Chapter President: Tom Franklin, Jr. phone & email: 28 640-3345 tfranklinjr@naataanii.org

Chapter Vice-President: Yolanda Ellis-Bileen phone & email: 928 206-1647 yebileen@naataanii.org

Chapter Secretary: Linda Israel phone & email: 928 429-0824 lisrael@navajochapters.org

Chapter Treasurer: Same as Above phone & email: Same as Above

Chapter Manager or CSC: Ella Dodson-Slick phone & email: edodson-slick@nnchapters.org/ 928 205-8525

DCD/Chapter ASO: Milford Maloney phone & email: mmilford@navajo-nsn.gov

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Sole source contract requested under IDIQ contract with JSRa that is working with the Navajo Nation document attached

Amount of FRF requested: \$7,526,651.00 FRF funding period: March 18, 2024 - September 30, 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 Kaibeto Chapter Multi-Purpose Building will include Design and Construction of 8,810 sq. ft. new building to provide support services of the community including Restrooms, Public Showers, Meeting Rooms, conference Room, HVAC upgrades and accessibility upgrades. The Multi-Purpose will also second as a Shelter when needed and an Incident Command Post during Weather Related or Man-Made Disasters.

document attached

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

The Multi-Purpose building will benefit the communities, Navajo Nation Departments, Public Safety Departments by allowing a Central Location accessible near the Main Highway for immediate assistance. The building will also second as a Shelter for families needing a safe location to stay during Weather or Man-Made disasters as well as an Incident Command Center for Local CERT, Nava

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

(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:

03/18/2024 - 04/02/2024	Obtain a supporting resolution, design the building with JSRa
04/02/2024 - 06/28/2024	Submit to NN Council for approval and awarding
05/03/2024 - 09/30/2026	Construction and build of new multipurpose building including any challenges with timeline

document attached

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

Kaibeto Chapter Administration and Chapter Officials will be responsible for implementing the project.

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 Kaibeto Chapter will be responsible for operation and maintenance costs for the project once 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:

1.7 Capital Investment for Public Facilities: Multi-purpose Building

The Kaibeto Chapter is seeking funds for a new multi-purpose building. The current chapter house does not meet the growth of staff and programs to assist community members within the Kaibeto Chapter service area. The multi-purpose building will house offices for the Chapter Administration, Senior Center Staff, a Community Health Representative, Police & EMT suboffice, meeting hall for Meetings and senior center meals. A computer room and fitness center to help with cultural revitalization, healthy living workshops, assistance with online applications: jobs, school, scholarships. A large conference that will second as an Incident Command Post with the meeting hall as a shelter.

document attached

Part 3. Additional documents.

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

JSRa Multipurpose Building Prototype Site Adaptations Executive Summary
 Honorable Helena Nez-Begay Support Letter
 Chapter Land Information

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: Tom Franklin
signature of Preparer/CONTACT PERSON

Approved by: Linda Israel
signature of Chapter Official

Approved to submit for Review: _____
signature of DCD or NNFRFO Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I Business Unit No.: NEW Program Title: Kaibeto Chapter - Capital Investment for Public Facilities: Multi-Purpose Bldgs Division/Branch: DCD/Executive

Prepared By: Ella Dodson-Slick, CSC Phone No.: 928-673-5852 Email Address: edodson-slick@nnchapters.org

PART II. FUNDING SOURCE(S)		Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY		
Fund Type Code	Original Budget	Proposed Budget	Difference or Total				
NN Fiscal Recovery Fund	7,526,651.00	100%					
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	0				7,526,651	7,526,651.00
7000 Special Transactions							0.00
8000 Public Assistance							0.00
9000 Capital Outlay							0.00
9500 Matching Funds							0.00
9500 Indirect Cost							0.00
TOTAL			\$0.00			7,526,651.00	7,526,651.00

PART IV. POSITIONS AND VEHICLES

Total # of Positions Budgeted:	(D)	(E)
0	0	0
Total # of Vehicles Budgeted:		
0		

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Tom Franklin Program Manager's Printed Name
Tom Franklin Program Manager's Signature and Date

APPROVED BY: Arbin Mitchell Division Director / Branch Chief's Printed Name
Arbin Mitchell Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Kai Ito Chapter: Capital Investment Public Facilities: Multi-Purpose Bldg.

PART II. PROGRAM PERFORMANCE CRITERIA:

1st QTR	2nd QTR	3rd QTR	4th QTR
Goal	Goal	Goal	Goal

1. Program Performance Measure:
Design Multi-purpose building

Work with JSRa in design and construction plan for new multipurpose building

		1	
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2. Program Performance Measure:
Construction of Multipurpose Building

New build start to be completed by 09/30/2024

			1
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3. Program Performance Measure:

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4. Program Performance Measure:

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5. Program Performance Measure:

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PART III. CONCURRENCE/APPROVAL:

Tom Franklin
Program Manager's Printed Name

Tom Franklin
Program Manager's Signature and Date

Arbin Mitchell
Division Director/Branch Chief's Printed Name

Arbin Mitchell
Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2024

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Kaibeto Super: Capital Investment for Public Facilities: Multi-Purpose Building</u>				Business Unit No.: _____ NEW	
PART II. DETAILED BUDGET:					
(A) (B) (C) (D)					
Object Code (LOD 6) 6500	Object Code Description and Justification (LOD 7) CONTRACTUAL SERVICES Construction of new Multi-Purpose Building at 8,810 sq. ft.	Total by DETAILED Object Code (LOD 6) 7,526,651	Total by MAJOR Object Code (LOD 4) 7,526,651		
TOTAL			7,526,651	7,526,651	

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Kaibeto Chapter - Multi-Purpose Building</u> Project Description: <u>Construction of a Multi-Purpose Building for the Kaibeto Communities to have access to governmental services, shelter during disaster location for an Incident Command Center.</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>New Construction</u> Planned Start Date: <u>3/18/2024</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Ella Dodson-Slick, CSC/DCD</u>
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PART III. List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	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 2026						FY 2025															
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Date													
05/03/2024 - 09/30/2026 Construction and build of building including any challenges with timeline	O	N	D	J	F	M	A	M	J	J	F	M	A	S	O	N	D	J	F	M		
	x	x	x	x	x	x	x	x	x	x	x	x	x									
PART V.																						PROJECT TOTAL
Expected Quarterly Expenditures	\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	\$7,526,651.00

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Kaibeto Chapter - Multi-Purpose Building</u> Project Description: <u>Construction of a Multi-Purpose Building for the Kaibeto Communities to have access to governmental services, shelter during disaster location for an Incident Command Center.</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>New Construction</u> Planned Start Date: <u>3/18/2024</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Ella Dodson-Slick, CSC/DCD</u>
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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 2024						FY 2025											
	1st Qtr. O N D	2nd Qtr. J F M	3rd Qtr. A M J	4th Qtr. J A S	1st Qtr. O N D	2nd Qtr. J F M	3rd Qtr. A M J	4th Qtr. J A S	1st Qtr. O N D	2nd Qtr. J F M	3rd Qtr. A M J	4th Qtr. J A S		Date O N D J F M				
03/18/2024 - 04/02/2024 Resolution and Design																		
04/02/2024 - 06/28/2024 Submit project to NN Council for approval and awarding																		
05/03/2024 - 09/30/2026 Construction and build of building including any challenges with timeline																		
PART V. Expected Quarterly Expenditures	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	PROJECT TOTAL \$3,763,325.50	

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



The Resolution of
K'ai'Bii'Tó Chapter

**SUPPORT TO AND APPROVE THE NAVAJO NATION FISCAL RECOVERY FUND
EXPENDITURE PLANS FOR CHAPTERS AND REGIONAL PROJECTS IN THE
AMOUNT OF \$7,526,651.00 TO DESIGN AND CONSTRUCT THE K'AI'BII'TO
CHAPTER MULTIPURPOSE BUILDING**

WHEREAS:

1. Pursuant to Navajo Nation Code Title 26, Section 3, The K'ai'Bii'Tó Chapter is certified and recognized by the Navajo Nation Council, as listed in Navajo Nation Code Title 11, Part 1, Section 10, thereby is delegated the governmental authority with respect to local matters; and,
2. Pursuant to Navajo Nation Code Title 26, Section 1 (B), The K'ai'Bii'Tó Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendations to the Navajo Nation, State, and Federal Agencies for appropriate actions; and,
3. Pursuant to Navajo Nation Code Title 26, Section 1 (B), The K'ai'Bii'Tó Chapter is given governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; and
4. Honorable Navajo Nation Council Helena Nez Begay had recognized that the K'ai'Bii'Tó Chapter and its communities are located in rural Navajo and lack access to basic governmental services, shelter in place during weather related and man-made disasters and an Emergency Incident Command Post; and
5. The Multipurpose Building will accommodate the Chapter Administration, Senior Center Staff, Community Health Representative, Police & EMT Suboffice, Meeting Hall to accommodate meetings, and events; and
6. The Following Navajo Nation Fiscal Recovery Fund Documents will be attached:
 - a. Appendix A – Request Form & Expenditure Plan
 - b. Appendix B – Navajo Nation Budget Forms
 - c. Approving Chapter Resolution

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The K'ai'Bii'Tó Chapter Supports and Approves the Navajo Nation Fiscal Recovery Fund Expenditure Plans for the Chapter and Regional Project in the amount of \$7,526,651.00 to design and construct a K'ai'Bii'Tó Chapter Multipurpose Building.



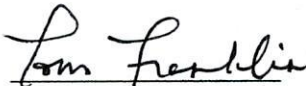
The Resolution of
K'ai'Bii'Tó Chapter

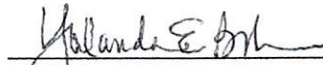
CERTIFICATION

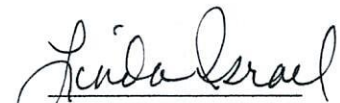
We, hereby, certify that the foregoing resolution was duly considered at a duly called K'ai'Bii'Tó Chapter Meeting in Kaibeto, (Navajo Nation) Arizona at which a quorum was present and the same was passed by a vote of **22** In Favor, **00** Opposed, and **01** Abstained, on this **26th** day of **March** 2024.

Motioned By: Clyde Sampson

Seconded By: Elizabeth Augustine


Tom Franklin, Jr.,
Chapter President


Yolanda Ellis-Bileen,
Chapter Vice President


Linda Israel,
Secretary/Treasurer