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NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL Attorney General KIMBERLY A. DUTCHER Deputy Attorney General

DEPARTMENT OF JUSTICE INITIAL ELIGIBILITY DETERMINATION FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0332

Date & Time Received: <u>12/19/22</u> 17:14

Date & Time of Response: <u>12/22/22</u> 17:00

Entity Requesting FRF: ____Blue Gap/Tachee Chapter

Title of Project: <u>Cellular Service Tower - Provision of Gov't Services</u>

Administrative Oversight: ____Division of Community Development

Amount of Funding Requested: \$750,000.00

Eligibility Determination: ⊠ FRF eligible □ FRF ineligible

□ Additional information requested

FRF Eligibility Category:

- ☑ (1) Public Health and Economic Impact☑ (3) Government Services/Lost Revenue
- \Box (2) Premium Pay
- \Box (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

□ Missing Form	Expenditure Plan incomplete
□ Supporting documentation missing	\Box Funds will not be obligated by
\Box Project will not be completed by 12/31/2026	12/31/2024
□ Ineligible purpose	□ Incorrect Signatory
□ Submitter failed to timely submit CARES reports	\Box Inconsistent with applicable NN or
□ Additional information submitted is insufficient to make a proper determination	federal laws
Other Comments:	
Name of DOJ Reviewer: MacArthur Stant	
Signature of DOJ Reviewer: Multh Lot	

Disclaimers: An NNDOJ Initial Eligibility Determination will be 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 NON-GOVERNANCE CERTIFIED CHAPTERS

Part 1. Identification of parties.

Non-Governance Certified Chapter BLUE GAP/TACHEE requesting FRF:	CHAPTER Date prepared: 10/18/22
Chapter's POST OFFICE BOX 4497 mailing address: BLUE GAP, ARIZONA 86520	phone/email: (928) 349-0507
mailing address: BLUE GAP, ARIZONA 86520	website (if any): tachee@navajochapters.org
This Form prepared by: BETTY ASKIE	phone/email: bvaskle@navajochapters.org
	(928) 313-4347
CONTACT PERSON'S name and title	CONTACT PERSON'S Info
Title and type of Project: Cellular Service Tower - PRC	OVISION OF GOV'T SERVICES
Chapter President: Marcus Tulley	_ phone & email:mtulley@naataanii.org (480) 226-0293
Chapter Vice-President: Marcinda Lameman	phone & email: mlameman@yahoo.com (928) 679-5843
Chapter Secretary: Betty V. Askie	phone & email: bvaskie@navajochapters.org (928) 313-4347
Chapter Treasurer. Betty V. Askie	phone & email: bvaskle@navajochapters.org (928) 313-4347
Chapter Manager or CSC: Vacant	phone & email: (928) 349-0507
DCD/Chapter ASO: Edgerton Gene, Sr. Prog/Proj Sp	phone & email: (928) 674-2251 egene@nndcd.org
List types of Subcontractors or Subrecipients that will be paid with FRF (If I	mown): project will be advertised
	document attached
Amount of FRF requested: \$750,000 FRF funding period: O	ctober 2022 to December 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 project objective is to contract and install a cellular service tower adjacent to the Burntcorn Community Building to improve wireless communication to all infrastructure readily available to the proposed site. This project will provide logistical support and assist in mitigating, preparing, responding to, and recovering from emergency situations through improved communications for medical personnel and access to broadband services for students and community members. The project will also address deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation by enabling an immediate response from medical service units and providing internet service accessibility for students to continue their education.

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

The Burntcorn Valley community lacks reliable cellular services for emergency situations and for students to access educational services remotely. A cellular tower will improve communication and strengthen local direct services with responders mitigating, preparing, and responding to cases of COVID-19, and contributing to the overall recovery from future outbreaks.

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:

Project will immediately be advertised for bids when funds become available and completed within 8 months after project is awarded to a certified contractor. Budget forms will be adjected to conform with the project award and schedule. Monthly project progress meetings will be held to ensure completion within the established timeline.

document attached

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

The Chapter administration staff will be tasked with ensuring procurement procedures are followed and monitoring project progress. Staff will collaborate with the contractor to ensure timelines are followed and that all work activities are in compliance with established agreement terms and conditions.

(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 selected cellular service provider will be responsible for the maintenance and upkeep of the cellular tower facility once it's completed, including routine maintenance services.

document attached

Chapter Resolution 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:

Categories: Revenue Replacement: 6.1 Provision Government Services

Pursuant to the established guidelines and funding objectives, will enable staff to address and provide improved direct services for community members seeking COVID-19 related services which are now being rendered out of the chapter house. Currently, the Burntcorn community does not have reliable cellular for emergency purposes or reach medical health immedaitely. Without adequate facilities, community members are limited in recieving efficient and quality services, leaving community members to endure hardship. A new cellular tower will improve communication and immediate services in event of emergency. This will also provide improved internet sevices for students to continue their education, obtain essential information, share resources, assist and advocate for community members in need of housing, transportation, health, and other related services.

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A): Chapter Resolution BGCH22-11-004

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 Betty Diffe	Approved by:
5 0	signature of Chapter President (pr+kce-fresident)
Approved by:	Approved by: South Signature of Chapter ASO
C	Approved to submit for Review. MFREED
	signature of DCD Director

FY 2023

THE NAVAJO NATION PROGRAM BUDGET SUMMARY



PART II. FUNDING SOURCE(S) Fiscal Year /Term Amount % of Total PART III. BUDGET SUMMARY Fund Type Code (A) (B) NN Fiscal Recovery Funds I9/1/22-13/29 9 750,000.00 100% 2001 Personnel Expenses NNC Approved Original Budget Proposed 3000 Travel Expenses 3000 Travel Expenses I I I 4000 Supplies I I I I I	3) (C) Difference or
PART II. FUNDING SOURCE(S) /Term Amount Total PART III. BUDGET SUMMARY Fund Type Code (A) (B) NN Fiscal Recovery Funds 19/1/22-5/29/9 / 750,000.00 100% 2001 Personnel Expenses Original Budget Proposed	Difference or
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3000 Travel Expenses 3500 Meeting Expenses 4000 Supplies	AmountTotalPART III. BUDGET SUMMARYFund Type(A)(B)(C)54/9 9750,000.00100%Personnel ExpensesDifference or Total2001Personnel Expenses3000Travel ExpensesImage: CodeProposed BudgetDifference or Total3000Travel ExpensesImage: Code3500Meeting ExpensesImage: CodeImage: CodeImage: Code3000Travel ExpensesImage: CodeImage: CodeImage: CodeImage: CodeImage: CodeImage: Code3000Travel ExpensesImage: CodeImage: CodeImage: CodeImage: CodeImage: CodeImage: Code4000SuppliesImage: CodeImage: CodeImage: CodeImage: CodeImage: CodeImage: CodeImage: Code5000Lease and RentalImage: CodeImage: Code
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5000 Lease and Rental	etty V. Askie Phone No.: (928) 313-4347 Email Address: Dvaskie@navajochapters.org Fiscal Year Amount Total PART III. BUDGET SUMMARY Fund Type (A) (B) (C) Ifference or 19/150-5049 9 750,000.00 100% 2001 Personnel Expenses Image: Code NC Approved Difference or Total 3000 Travel Expenses Image: Code 3500 Meeting Expenses Image: Code Total 4000 Supplies Image: Code Image: Code Image: Code Image: Code Total 6000 Rease and Rental Image: Code Image: Code Image: Code Total Image: Code Total 6000 Rease and Rental Image: Code Image: Code Image: Code Total Image: Code Total Image: Code Total Image: Code Total Image: Code
Betty V. Askie Phone No: (928) 313-4347 Email Address: byaskie@navaiochapters.org DING SOURCE(s) Fiscal Year Amount Yo of Total PART III. BUDGET SUMMARY Fund Type (A) (B) (C) DING SOURCE(s) Fiscal Year Amount Yo of Total PART III. BUDGET SUMMARY Fund Type (A) (B) (C) Differen 2001 Personnel Expenses 2001 2001 Personnel Expenses 2001 3000 Travel Expenses 2001 4000 Supplies <td></td>	
6000 Repairs and Maintenance	
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	ie Phone No.: (928) 313-4347 Email Address: byaskie@navajochapters.org al Year Amount % of Total PART III. BUDGET SUMMARY Fund Type (A) (B) (C) al Year 2001 Personnel Expenses Image: Code Proposed Budget Difference or Original Budget Difference or Orig
9000 Capital Outlay	
9500 Matching Funds	
9500 Indirect Cost	
TOTAL \$0.00 750,00	0.00 0
PART IV. POSITIONS AND VEHICLES (D) (E)
Total # of Positions Budgeted:	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
Dividenti Dividiti Dividiti Dividiti Dividiti	
Program Manager's Printed Name Division Director / Branch Chief's Printed Name	-72
Program Manager's Signature and Date Division Difector / Branch Chief's Signature and Dat	

Sonlat fi 12.6.22

Sonlatsa Jim-Martin, Department Manager II



THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA



PART I. PROGRAM INFORMATION:						C	211	
Business Unit No.: New Program Name/Title	ð:		1	Blue Gap/Ta	chee Chap	oter (owe	C
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:				is unit water and the second				
The Navajo Nation Chapters Plan of Operation is referenced in Title 26 of the Navajo Nation Codes	s.							
PART III. PROGRAM PERFORMANCE CRITERIA:		t QTR	2nd	QTR	310	QTR	4th	QTR
4.0-1011	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:								
Provide funding for community cellular tower for Bumtcorn community	_							
Program Performance Measure/Objective:								
Assist community with governmental and emergency services	1		1		1		1	
2. Goal Statement:								
Conduct 8 progress meeting with selected contractor	-							
Program Performance Measure/Objective:								
Conduct 2 construction progress meetings per quarter	2		2		2		2	
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 THOROUG	HLY REVIE		New of Longing Longing					
Program Manager's Printed Name		Dr. Pe	earl Yel	lowman, I Branch Chi	Division	Director	5	
Courter Alle - inlation -		. Divisio	n Director	Branch Chi			25	
Betty Askie - 12/06/22			15		l		12	-
Program Manager's Signature and Date		Division	Director/B	ranch Chief	s Signatur	e and Date		
				the second s				

Sonlatsa Jim-Martin, Department Manager II

Sonlat pr 12.6.22



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THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION



PART I. F	ROGRAM INFORMATION: Brogger Nemolities		
	Program Name/Title: Blue gap/Tachee Chapter Business Unit No.:	Ven	
	DETAILED BUDGET:		
(A)	(B)	(C)	(D)
Object		Total by	Total by
Code	Object Code Description and Justification (LOD 7)	DETAILED Object Code	MAJOR Object Code
(LOD 6)		(LOD 6)	(LOD 4)
	Revenue Replacement: Provision of Government Services-ARPA Chapter Administration Project. The Blue Gap/Tachee Chapter admisnitration project will consist of working installing a cellular tower for the Burntoom Valley community to Improve communication and Internet services for the residents and students. Project will work with selected cellular service company to identify most suitable site. Project will also benefit and address the high outbreak of COVID-19, on the Navajo nation and serve as logisticalassist in mitigating, preparing, repsonding and recovery from emergency situation and ensuring improving direct services.	,,	
7000	Special Transactions	500	500
7440	Print Advertisement		
	Advertsie project per NN Procurement Laws		
8000			
9052	Capital Outlay Buildings	749,500	749,500
3002	Constuct and complete 30x40 adminnistration building		
	Concert and complete down demails belowing		
	TOTAL	750,000	750,000

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

Page 4 of 9 PROJECT FORM 4

	ai			-																		PAR	RT II.			Proj	ect In	format	lon		
Project Title: Blue Gap/Tac	hee C	hapte	r-Cellu	ilar To	ower (Constr	uction	1 (6.1	Reven	ue Re	place	ment:	Provi	dion o	Gov	L. Ser	vices)					Proj	ect Ty	pe:	Cha	pter Co	ellular	Towe	Const	st.	
Project Description Project will	l consi	ist of a	constr	ucting	cellul	lar tov	ver to	impro	ve em	ergen	cy res	ponse	and	interne	t cap	abilitie	s for a	comm	unity o	of Burr	ncom	Plan	ned S	lart Date	e:				Dec	c-:	
•									ani an													Plan	ned E	nd Date	:				Dee	-0	
Check one box:	1 I I	Drigina	al Budg	get	C] Bud	get Re	vision	[✓ Bu	dget F	teallo	ation		Budg	jet Mo	odifica	tion				Proj	ect Ma	nager.							
PART III.	PAR	RT IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																made	10-	- Inka	Data										
List Project Task separately; such as Plan, Design, Construct, Equip						FY	2023								i and			F	Y 202	4									n Date Y Qtrs		
or Furnish.		1st Q	tr.		2nd Q	tr.		3rd Q	tr.		4th Q	Ir.		1st Q	r		2nd Q		T	3rd Q	tr		4th C	W.				ber 31,		-	
	0	N	D	J	F	M	A	M	J	Jul	-	S	0	-	D	J	F	M	A	M	J J	Jul	A	s s	10	N	D	J		N	
Finance (Securing funds)		x	x																											1	
Planning and Design				x	×	x																									
Contracting Procurement Process							x	×	x																						
Contract Completed										x	x	x																			
Construction/Completion													x	x	x	x	x	×	x	x	x	x	х	x			x				
																							-								
ART V.		\$			\$			\$			\$			\$			\$		-	s			\$		PROJECT TOTAL						
Expected Quarterly Expenditures					500.00	0	25	50,000	00	45	0,000	00										9,500	00	\$750,000.00							



KEE ALLEN BEGAY, JR., COUNCIL DELEGATE COORDINATOR VACANT COMMUNITY SERVICES

BGCH: 22-11-004

RESOLUTION OF RESOLUTION BLUE GAP/TACHEE CHAPTER

THE BLUE GAP/TACHEE CHAPTER APPROVES AND SUBMITS THE BURNTCORN VALLEY CELLULAR TOWER CONSTRUCTION AND SERVICE PROJECT IN THE AMOUNT OF \$750,000 FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING PURSUANT TO CJN-29-22.

WHEREAS:

- The Blue Gap/Tachee Chapter is a recognize certified chapter organization of the Navajo Nation in pursuant to the authority of the Navajo Nation Local Governance Act, and the Resolution of the Navajo Nation Council 1997, and the PL 98-638 the Self Determination of 1973; AND
- The Local Community Chapter is responsible for the community goals and the objectives in Meeting their needs with detail planning and developments, and its progress for the local Chapter people and families, it serves; AND
- The Blue Gap/Tachee Chapter was devastated by the effects of COVID-19 including health, loss life of family members, employment, housing insecurity and other impacts that continues to disrupt daily way of life; AND
- The Blue Gap/Tachee Chapter supports the approval of Legislation CJN-29-22 to mitigate and preventing the spread of COVID-19 by containment of the disease through improvement health and living conditions; AND
- The Blue Gap/Tachee Chapter approves the submittal of the Burntcorn Valley Cellular Tower construction and service project in the amount of \$750,000 to help mitigate and provide direct community services in containing the spread of COVID-19; and improve cellular services to the community; AND
- The Blue Gap/Tachee Chapter building lacks reliable cellular service to the Burntcorn Valley community for emergency medical services to COVID-19 related illnesses and important school notification.



KEE ALLEN BEGAY, JR., COUNCIL DELEGATE COORDINATOR VACANT COMMUNITY SERVICES

NOW THEREFORE BE IT RESOLVED THAT:

- The Blue Gap/Tachee Chapter requests approval of \$750,000 from ARPA funding to construct a cellular tower to improve cellular service for the Burntcorn Valley community members. Community members have been without reliable cellular and broadband service for the COVID-19 related illnesses and students in school.
- The Blue Gap/Tachee Chapter wishes to improve cellular and broadband services to the community for emergencies and schooling. The cellular tower site has been identified next to an existing chapter community building and have available electrical service source.
- The Blue Gap/Tachee Chapter requests Kee Allen Begay, Jr., Council Delegate and his assistant Ms. Estelle Benally monitor projects until project are completed.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Blue Gap/Tachee Chapter at a duly called meeting Blue Gap/Tachee, Navajo Nation, Arizona which quorum was Present that same was passed by vote of: ______ in favor, ______ oo__ opposed, and ______ abstained on this ______ day of <u>November, 2022.</u>

MOTIONED BY:

Marcus Tulley, President

Betty Askie, Secretary/Treasurer

Sitty SECONDED BY: VIMMIE

Vacant, Vice President

Franklin Tsosie, Grazing Official

Kee Allen Begay, Jr., Council Delegate

Betty V. Askie, Sec./Treasurer