



**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 #:** HK 0341

**Date & Time Received:** 12/20/2022 at 09:18

**Date & Time of Response:** 12/28/2022 5:00 PM

**Entity Requesting FRF:** Blue Gap/Tachee Chapter

**Title of Project:** Chapter Warehouse Building - Provision of Gov't Services

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$450,000

**Eligibility Determination:**

- ☒ FRF eligible  
☐ FRF ineligible  
☐ Additional information requested

**FRF Eligibility Category:**

- ☐ (1) Public Health and Economic Impact  
☒ (3) Government Services/Lost Revenue  
☐ (2) Premium Pay  
☐ (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: \_\_\_\_\_

Name of DOJ Reviewer: **Kristen A. Lowell**

Signature of DOJ Reviewer: 

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This 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: BLUE GAP/TACHEE CHAPTER Date prepared: 10/18/22  
 Chapter's mailing address: POST OFFICE BOX 4497 phone/email: (928) 349-0507  
BLUE GAP, ARIZONA 86520 website (if any): tachee@navajochapters.org  
 This Form prepared by: BETTY ASKIE phone/email: bvaskie@navajochapters.org  
(928) 313-4347  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: CHAPTER WAREHOUSE BUILDING - PROVISION 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: bvaskie@navajochapters.org (928) 313-4347  
 Chapter Manager or CSC: Vacante 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 known): project will be advertised

Amount of FRF requested: \$450,000 FRF funding period: October 2022 to December 2026 ☒ document attached  
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 construct a 4,000 square feet pre-engineered/fabricated modular metal framed building and steel support. Building is 40'x100'x 16' structure. This warehouse will provide logistical support and assist in mitigating, preparing, responding and recovering from emergency situation and expanding/improving community services. This warehouse will indirectly address deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation. Access to utilities and government services facilitates sustained economic and social growth and can drastically increase the quality healthcare provided and storage of supplies in addressing and mitigating the spread of COVID-19.

☐ document attached

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

Most rural communities on the Navajo Nation lack access to government services and COVID-19 impeded these operations. This warehouse project will contribute and strengthen the local direct services, mitigations, preparedness, response and recovery of local government services and local emergency situations to address the needs of the community. This project will assist promoting public health and economic stimulus and directly benefit the community.

☐ 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



Program(s) or Project(s) by December 31, 2026:

Based on the funding, the project end date will be December 31, 2026 with funding being incurred before December 31, 2024. Navajo Nation Budget Form 2 are attached for phase goals per quarter of funding period.

☐ document attached

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

The Chapter administration will be tasked with implementing the Navajo Nation ARPA Funding Act and Chapter Warehouse 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 Blue Gap Chapter will be responsible for the maintenance and upkeep of the facility once it's completed. Routine maintenance will be provided by the Public Employment Program (PEP) workers and more technical services will be provided by licensed contractors.

☐ 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:

Categories: Revenue Replacement: 6.1 Provision Government Services

Pursuant to the established guidelines and funding objectives, the chapter administration building 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 chapter house is not in compliance with ADA standards and cannot accommodate a large capacity which causes staff to meet with community members outside. Without adequate facilities, staff are limited in rendering efficient and quality services, leaving community members to endure hardship. A renovated administration building will improve the staff's ability to communicate information, distribute essential items, share resources, assist and advocate for community members in need of housing, transportation, health, and other related services.

☐ document attached

### Part 3. Additional documents.

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

Chapter Resolution #BGCH22-11-02; Budgets form 1, 2, & 4; Project Schedule; Cost estimates

☐ 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: Betty Skie  
signature of Preparer/CONTACT PERSON

Approved by: M. Lumanan  
signature of Chapter President (or Vice-President)

Approved by: E. Lumanan  
signature of CSC

Approved by: S. Lumanan  
signature of Chapter ASO

Approved to submit for Review: S. Lumanan, NMFCD  
signature of DCD Director



FY 2023

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page 1 of 4  
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u> <u>105001</u>		Program Title: <u>Blue Gap/Tachee Chapter Warehouse</u> <u>Office of Management and Budget</u>		Division/Branch: <u>Executive</u>	
Prepared By: <u>Betty V. Askie</u>		Phone No.: <u>(928) 313-4347</u>		Email Address: <u>bvaskie@naataanii.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 Fiscal Recovery Funds	<u>10/1/22-03/24</u>	450,000.00	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	<u>6</u>	<u>0</u>	449,500	<u>449,500</u>
				7000 Special Transactions	<u>6</u>	<u>0</u>	500	<u>500</u>
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
<b>TOTAL</b>						\$0.00	450,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
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: <u>Betty V. Askie, Chapter Secretary</u> Program Manager's Printed Name <u>Betty Askie-12/06/22</u> Program Manager's Signature and Date	APPROVED BY: <u>Dr. Pearl Yellowman, Division Director</u> Division Director / Branch Chief's Printed Name <u>[Signature]</u> <u>12-7-22</u> Division Director / Branch Chief's Signature and Date

Sonlatsa Jr 12.6.22

FY 2023THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIAPage 2 of 4  
BUDGET FORM 2

PART I. PROGRAM INFORMATION:										
Business Unit No.: <u>New</u>			Program Name/Title:			Blue Gap/Tachee Chapter <u>Warehouse</u>				
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:										
The Navajo Nation Chapters Plan of Operation is referenced in Title 26 of the Navajo Nation Codes.										
PART III. PROGRAM PERFORMANCE CRITERIA:			1st QTR		2nd QTR		3rd QTR		4th QTR	
			Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:										
Provide funding for chapter administration building for Blue Gap/Tachee Chapter										
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 THOROUGHLY REVIEWED.										
Program Manager's Printed Name <u>Betty Askie</u>					Dr. Pearl Yellowman, Division Director					
Program Manager's Signature and Date <u>Betty Askie 12/06/2022</u>					Division Director/Branch Chief's Printed Name <u>[Signature] 12-7-22</u>					
					Division Director/Branch Chief's Signature and Date					



FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

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**BUDGET FORM 4**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: _____		Blue gap/Tachee Chapter <u>Warehouse</u>	Business Unit No.: <u>New</u>
<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)
	Revenue Replacement: Provision of Government Services-ARPA Chapter Administration Project. The Blue Gap/Tachee Chapter Warehouse project will consist of completion of 100'X40'X16' metal pre-engineered building that include interior, graveled floor, interior electrical wiring, lighting, one bay roll-up door, one 36' metal door, 4 windows. The project will will directly address deficiencies connected to high outbreak of COVID-19 on the Navajo nation and serve as logistical support, assist in mitigating, preparing, repsonding and recovery from emergency situation and ensuring improving direct services.		
7000	Special Transactions		
7440	Print Advertisement	500	500
	Advertsie project per NN Procurement Laws		
9000	Capital Outlay		
9052	Buildings	449,500	449,500
	Constuct and complete 30x40 administration buolding		
<b>TOTAL</b>		450,000	450,000

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PROJECT FORM

**FOR OMB USE ONLY:** Resolution No: \_\_\_\_\_ FMIS Set Up Date: \_\_\_\_\_ Company No: \_\_\_\_\_ OMB Analyst: \_\_\_\_\_





KEE ALLEN BEGAY, JR., COUNCIL DELEGATE  
COORDINATOR

VACANT COMMUNITY SERVICES

BGCH: 22-11-002

## RESOLUTION OF RESOLUTION BLUE GAP/TACHEE CHAPTER

THE BLUE GAP/TACHEE CHAPTER APPROVES AND SUBMITS THE CHAPTER WAREHOUSE BUILDING PROJECT IN THE AMOUNT OF \$450,000 FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING PURSUANT TO CJN-29-22.

### WHEREAS:

1. 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
2. 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
3. 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
4. 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
5. The Blue Gap/Tachee Chapter approves the submittal of the Warehouse Project in the amount of \$450,000 to help mitigate and provide direct community services in containing the spread of COVID-19 and distribution of supplies; AND
6. The Blue Gap/Tachee Chapter building lacks to store and protect COVID-19 related supplies to distribute to the community members to help contain the spread of COVID-19. The 4,000 square feet pre-engineered metal building will be used as a receiving and distribution center for all COVID-19 related supplies.





KEE ALLEN BEGAY, JR., COUNCIL DELEGATE  
COORDINATOR

VACANT COMMUNITY SERVICES

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Blue Gap/Tachee Chapter requests approval of \$450,000 from the ARPA funding to construct a 4,000 square feet pre-engineered metal building to receive and distribute supplies that may be received to mitigate and fight COVID-19 virus and contain the spread in our community area.
2. The Blue Gap/Tachee Chapter lacks the infrastructure and space to store temperature sensitive supplies and protection from the elements. Further, COVID-19 pandemic has resulted in global shortage of raw materials, goods and services necessary to address the needs of the Blue Gap/Tachee/Burntcorn community. The metal building will address that need.
3. 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: 13 in favor, 00 opposed, and 03 abstained on this 4th day of November, 2022.

MOTIONED BY: Jimmie Daagi

SECONDED BY: Jackie V. Burbank

Marcus Tulley  
Marcus Tulley, President

Marcindae Lammman  
Vacant, Vice President

Betty Askie  
Betty Askie, Secretary/Treasurer

Franklin Tsosie, Grazing Official

Kee Allen Begay, Jr., Council Delegate





LITTLE MOUNTAIN BUILDERS

PO BOX 2667 WINDOW ROCK, AZ 86515 • FAX: (928) 729 - 2127

COMMITMENT • QUALITY • EXCELLENCE • MOBILE: (928) 206 - 7096

## ESTIMATE

**Submitted to:**

Marcus Tulley, Chapter President  
Blue Gap Chapter  
PO Box 4427  
Blue Gap, Arizona 86520

**Date:**

October 21, 2022

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**Project Name:** Blue Gap Chapter – New Warehouse Construction  
Blue Gap, Arizona

Little Mountain Builders will provide labor, materials and equipment for the following tasks listed below:

**Construction of a New 100' x 40' Warehouse Building at the Blue Gap Chapter**

- Clear and grub with site grading
- Place and finish concrete footing with rebar reinforcement and compaction
- Place and finish concrete stem wall with rebar reinforcement
- Install anchor bolts for metal structure
- Backfill and compaction
- Erect 100' x 40' metal structure
- Apply corrugated metal panels and roofing
- Install 20-foot rollup door and 3 entrance doors with hardware
- Install 2 windows
- Floor will be gravel (Provided by Owner)

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Cost of Materials, Equipment Rentals and Delivery .....	\$253,889.00
Cost of Labor .....	\$74,550.00
Cost of Insurance, Overhead and Profit .....	\$41,333.00
Navajo Nation Tax .....	\$22,187.00



LITTLE MOUNTAIN BUILDERS

PO BOX 2667 WINDOW ROCK, AZ 86515 • FAX: (928) 729 - 2127

COMMITMENT • QUALITY • EXCELLENCE • MOBILE: (928) 206 - 7096

In the Total Sum of:

Three Hundred Ninety-One Thousand, Nine Hundred, Fifty-Nine Dollars

and No Cents..... \$391,959.00

Approval Signature:

Date:

10/21/2022

Lorenzo Nelson, Owner – Little Mountain Builders