



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 #: HK0382

Date & Time Received: 12/30/22 at 16:58

Date & Time of Response: 10 January 2023; 3:56 pm

Entity Requesting FRF: Blue Gap/Tachee Chapter

Title of Project: ADA Accessibility Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$200,000

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: 2.22 (Strong Healthy

Communities: Neighborhood Features that Promote Health and Safety)

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 the Project was submitted under expenditure category 6.1 (provision of government service), but we have issued this Initial Eligibility Determination under expenditure category 2.22 because it is a more favorable category.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: 

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.

**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 ADA ACCESSIBILITY PROJECT - 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: 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 known): project will be advertised
 document attached

Amount of FRF requested: \$200,000 FRF funding period: January 01, 2023 to December 30, 2023
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 install concrete ramps, stoops, walkways, rails, and entrance doors to the chapter house for community members with disabilities to seek COVID-19 related services. This project will enable staff to provide logistical support and mitigate, prepare, respond, and recover from emergency situations and expand/improve community services to those who have a need for accessible accommodations at the chapter house. This project will allow staff to promote and respond to deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation. Access to the public building and government services facilitates sustainable economic and social growth, and ensures equitable services relating to COVID-19 are made available to all community members. document attached

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

The Blue Gap chapter house lacks ADA accessibility which hinders those with disabilities to access government services relating to COVID-19. The project will strengthen local, direct services, and help with mitigating, preparing, responding and recovery of local government services and local emergency situations to address the needs of the community. This project will promote public health and economic stimulus, and the community will directly benefit from this project. 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:

Project will immediately be advertised for bids when funds become available and completed within 8 months after project award to a certified contractor. Budget forms will be adjected to comform 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.

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 project will enable chapter staff to provide improved direct services for community members seeking COVID-19 related services. 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 and accessibility, staff are limited in rendering efficient and quality services, leaving community members, especially those with disabilities, to endure hardship. Installing ADA features to the chapter house 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 BGCH22-11-003; Budget Forms 1, 2, 4; Project Schedule, Contractor Estimate

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 Askee
signature of Preparer/CONTACT PERSON

Approved by: [Signature]
signature of Chapter President (or Vice-President)

Approved by: [Signature]
for signature of CSC

Approved by: [Signature]
signature of Chapter ASO

Approved to submit for Review: [Signature]
signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 4
BUDGET FORM 1

PART I. Business Unit No.: New 105001 Program Title: Blue Gap/Tochee Chp. ADA Accessibility Division/Branch: Executive
 Prepared By: Betty V. Askie Phone No.: (928) 313-4347 Email Address: bvaskie@navajochapters.org

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>4/1/23-12/30/23</u>	200,000.00	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>	199,500	<u>199,500</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				
				TOTAL		\$0.00	200,000.00	<u>200,000</u>
TOTAL: \$200,000.00 100%				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: Betty V. Askie, Chapter Secretary APPROVED BY: Dr. Pearl Yellowman, Division Director
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
Betty Askie - 12/06/22 [Signature]
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

Sonlata Jim 12.6.22

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

Page 2 of 4
BUDGET FORM 2

PART I. PROGRAM INFORMATION:								
Business Unit No.: <u>New</u>			Program Name/Title:			Blue Gap/Tachee Chapter <u>ADA Accessibility</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 house ADA accessibility								
Program Performance Measure/Objective:								
Assist community with governmental and emergency services	2		2		2		2	
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.								
<u>Betty Askie</u> Program Manager's Printed Name				Dr. Pearl Yellowman, Division Director Division Director/Branch Chief's Printed Name				
<u>Betty Askie 12/06/22</u> Program Manager's Signature and Date				<u>[Signature] 12-7-22</u> Division Director/Branch Chief's Signature and Date				

Sonlatsa Jim-Martin, Department Manager II Sonlatsa Jim 12-6-22

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Blue gap/Tachee Chapter</u>		<u>AOA Accessibility</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)
	Revenue Replacement: Provision of Government Services-ARPA Chapter House Accessibility Project. The Blue Gap/Tachee Chapter project will consist of completing concrete stoops, walkways, ramps, raising entrance doors to ensure ADA accessibility requirement to provide essential COVID-19 related services. The project will directly address deficiencies connected to high outbreak of COVID-19 on the Navajo nation and serve as logistical support, assist in mitigating, preparing, responding and recovery from emergency situation and ensuring improving direct services.		
7000	Special Transactions		
7440	Print Advertisement	500	500
	Advertise project per NN Procurement Laws		
9000	Capital Outlay		
9052	Buildings	199,500	199,500
	Construct and complete 30x40 administration building		
TOTAL		200,000	200,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>New</u> Project Title: <u>Blue Gap/Tachee Chapter-Chapter ADA Accessibility (6.1 Revenue Replacement: Provision of Gov't. Services)</u> Project Description: <u>Project will consist of installing ADA concrete ramps, stoops, walks, railing, 4-36" metal frames/doors to entry ways to compliance with Codes and requirements. To improve accessibility for COVID-19 related services</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>Chapter ADA Accessibility</u> Planned Start Date: <u>Dec-22</u> Planned End Date: <u>Dec-28</u> Project Manager: <u>Jonas Begay&Chapter Vpresident</u>															
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 2023												FY 2024								Date December 31, 2026									
	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	Jul	A	S	O	N	D	J	F	M	A	M		J	Jul	A	S	O	N	D	J	F
Finance (Securing funds)	X	X																												
Planning and Design				X	X	X																								
Contracting Procurement Process							X	X	X																					
Contract Completed										X	X	X																		
Construction/Completion													X	X	X	X	X	X	X	X	X	X	X					X		
PART V.	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$		
Expected Quarterly Expenditures				500.00			75,000.00			100,000.00			24,500.00												PROJECT TOTAL					
																									\$200,000.00					

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

BLUE GAP/TACHEE CHAPTER

P.O. Box 4427
Blue Gap, Arizona 86520
Ph: (928) 349-0507 Fax: (928) 223-7770

KEE ALLEN BEGAY, JR., COUNCIL DELEGATE
COORDINATOR

VACANT COMMUNITY SERVICES

BGCH: 22-11-003

RESOLUTION OF RESOLUTION BLUE GAP/TACHEE CHAPTER

THE BLUE GAP/TACHEE CHAPTER APPROVES AND SUBMITS THE BLUE GAP/TACHEE CHAPTER HOUSE ADA ACCESSIBILITY PROJECT IN THE AMOUNT OF \$200,000 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 Chapter House ADA Accessibility Project in the amount of \$200,000 to help mitigate and provide direct community services in containing the spread of COVID-19 by providing a meeting location, meal servicing center and temporary shelter to contain the spread of the virus in each household; AND
6. The Blue Gap/Tachee Chapter building lacks the ADA accessibility to the Chapter House for community members with disability can access the building for assistance with COVID-19 related situations and services.



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 \$200,000 from the ARPA funding to improve community services and accessibility to Chapter House Building in mitigating and addressing COVID-19 health issues.
2. The Blue Gap/Tachee Chapter building lacks accessibility to the chapter house for obtaining services for COVID-19 related services and issues. Improving the accessibility will help students with disability to access the internet service library center to continue their education.
3. The Blue Gap/Tachee Chapter wishes to improve chapter building to provide direct services and provide ADA accessibility to community members with disability.
4. 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: Timmie Dagi SECONDED BY: Tuckie V. Brubaker

[Signature]

Marcus Tulley, President

[Signature]

Vacant, Vice President

[Signature]

Betty Askie, Secretary/Treasurer

Franklin Tsosie, Grazing Official

Kee Allen Begay, Jr., Council Delegate

Marcus Tulley, President

Vacant, Vice President

Betty V. Askie, Sec./Treasurer

Franklin Tsosie, Grazing Representative



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

Project Name: Blue Gap Chapter – Chapter House Upgrades
Blue Gap, Arizona

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

Chapter House Upgrades: Sidewalks, ADA Parking, Door Replacements, Restroom Upgrades, and Roofing Replacement

- Place and finish 5'-0" concrete sidewalks around Chapter House and to front entrance
- Place and finish ADA parking pad on south parking area
- Remove concrete stoop and sidewalk at west entrance and replace with concrete ADA ramp and handrails
- Remove and replace 4 exterior doors and 1 interior door
- Renovate and upgrade Men's and Women's restrooms to be ADA accessible
- Remove existing T-Lock asphalt shingles and replace with corrugated metal roofing
- Remove and replace damaged fascia
- Install new gutters and downspouts

Cost of Materials, Equipment Rentals and Delivery	\$66,825.00
Cost of Labor	\$60,900.00
Cost of Insurance, Overhead and Profit	\$18,836.00
Navajo Nation Tax	\$8,794.00



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:

One Hundred Fifty-Five Thousand, Three Hundred Fifty-Five Dollars

and No Cents..... \$155,355.00

Approval Signature:

Date:

Lorenzo Nelson, Owner – Little Mountain Builders