



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 #: _____

Date & Time Received: _____

Date & Time of Response: _____

Entity Requesting FRF: _____

Title of Project: _____

Administrative Oversight: _____

Amount of Funding Requested: _____

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: _____

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: _____

Signature of DOJ Reviewer: Rodgerick Begay

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 GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Nahata Dziil Commission Governance Date prepared: 11/30/22

Chapter's Box #400 phone & email: 928-688-2150/nahatadziil@navajochapters.org
mailing address: Sanders, AZ 86512 website (if any): nahatadziil@navajochapters.org

This Form prepared by: Patricia Bitsue phone/email: 505-728-0335
Commission Manager pbitsue@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Nahata Dziil Commission Governance Roof Repair and Replacement

Chapter President: Darryl Ahasteen phone & email: 928-266-3278/dtahasteen@yahoo.com
Chapter Vice-President: Lyndale Curley phone & email: 928-331-8799/lcurley@naataanii.org
Chapter Secretary: LaVonne Tsosie phone & email: 928-245-0638/ltsosie03@yahoo.com
Chapter Treasurer: Loretta Bahe phone & email: 928-399-0479/baheloretta@gmail.com
Chapter Manager or CSC: Patricia Bitsue phone & email: 505-728-0335/pbitsue@nnchapters.org
DCD/Chapter ASO: Patricia Begay, ASC phone & email: 505-862-1265/pdbegay@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Nahata Dziil Roof Repair and Replacement
☐ document attached

Amount of FRF requested: 549,600.00 FRF funding period: May 1, 2023 to Sept. 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:

Nahata Dziil Commission Governance has approximately 442 homes that were built in 1979 or later. The NDCG and vendor will develop roof assessment. The location to be served are Middle Wells, Little Silversmith, East Mill and Parker Draw, these home were built 30 years ago. Roofs are in need of repair from the weather damage, exposures to cracks, water leaks, and mold. NDCG will prioritize homes that were affected by outdated roof tiles, and replacement for safety to improve living conditions.

☒ document attached

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

This roof project will improve the livelihood of the families and increase better living conditions.

☒ 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:

APPENDIX A

NDCG Administration staff will work with the contractors and request for weekly updates and ensure that the project will be completed. We will be following the Navajo Business Regulatory Act, the project will be May 1, 2023 and completed by Sept. 30, 2026.

☒ document attached

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

NDCG Administration office will accept application for roof repairs with criteria and supporting documents required. We will request information from Senior Center program, CLHP, Commissioners and other available resources.

☒ 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:

NDCG Administration staff will provide educational awareness of how to maintain their homes, the individual home owner will be responsible for the up keep of their roof by periodically inspections for damages, and preform proper care by cleaning roof of debris.

☒ 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:

3. Services to Disproportionately Impacted Communities 3.12: Housing Support: Other Housing Assistance. Roofs are in need of repair from the weather damage, exposures to cracks, water leaks, and mold. NDCG will prioritize homes that were affected by outdated roof tiles, and replacement for safety to improve living conditions.

☒ document attached

Part 3. Additional documents.

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

NDCG RESOLUTION # NDCG-2023-025

☐ 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**

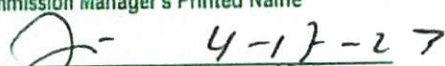
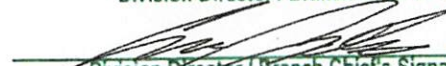
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BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u> Program Title: <u>Nahata Dził Commission Governance Roof Repair and Replacement</u>				Division of Community Division/Branch: <u>Development/Executive Branch</u>				
Prepared By: <u>Patricia Bitsue</u>		Phone No.: <u>928-688-5099</u>		Email Address: <u>pbitsue@nnchapters.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
ARPA FUNDS	5-1-23/9-30-26	549,600.00	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	6	0	549,600	549,600
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		0	549,600.00	549,600
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:		\$549,600.00	100%					

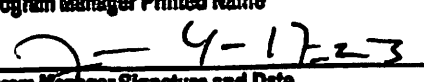

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: <u>James Adakai, Deputy Director</u> Commission Manager's Printed Name <u></u> Commission Manager's Signature and Date	APPROVED BY: <u>Calvin Castillo, Executive Director</u> Division Director / Branch Chief's Printed Name <u></u> <u>4/18/2023</u> Division Director / Branch Chief's Signature and Date
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FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:									
Business Unit No.: <u>NEW</u>		Program Name/Title: <u>Nahata Dził Commission Governance Roof Repair and Replacement</u>							
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
RESOLUTION # <u>NDCG-2023-025</u>									
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 complete roof replacement for 5 homes in each community (Middle Well, Little Siversmith, East MII & Parker Draw)									
Program Performance Measure/Objective: 5 homes per quarter from each community		10		10		10		10	
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 Adakel, Deputy Director					Calvin Castillo, Executive Director				
_____ Program Manager Printed Name					_____ Division Director/Branch Chief's Printed Name				
 Program Manager Signature and Date					 4/18/2023 Division Director/Branch Chief's Signature and Date				

FY 2023

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

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BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Nahata Dzili Commission Governance Roof Repair and Replacement</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)
6500	CONTRACTUAL SERVICES 6510 Professional Services Roofing	549,600	549,600
TOTAL		549,600	549,600

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> <div style="text-align: center;">Nahata Dził Commission Governance - Roof Repair/Replacement</div> Project Title: _____ Project Description: <u>Renovate homes that are 35-40 year old homes. Homes from the following areas Middle wells, Little Silversmith, E. Mill & Parker Draw</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 Nahata Dził Commission Governance-Roof Repair/Replacement Project Type: _____ Planned Start Date: <u>May 1, 2023</u> Planned End Date: <u>Sept. 30, 2026</u> Project Manager: <u>Patricia Bitsue</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					FY 2026
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.		
	\$	\$	\$	\$	\$	\$	\$	\$		
	Phase I FY 23/24	\$68,700.00				\$68,700.00				
FY '23/24		\$68,700.00				\$68,700.00				
Phase III FY23/			\$68,700.00				\$68,700.00			
Phase IV FY23/				\$68,700.00				\$68,700.00	\$549,600.00	
PART V.	\$	\$	\$	\$	\$	\$	\$	\$	PROJECT TOTAL	
Expected Quarterly Expenditures	68,700.00	68,700.00	68,700.00	68,700.00	68,700.00	68,700.00	68,700.00	68,700.00	\$549,600.00	

FOR OMB USE ONLY:

Resolution No: NDCG-2023-03-025

FMIS Set Up Date: _____

Company No: _____

OMB Analyst: _____

NAHATA DZIIL COMMISSION GOVERNANCE

Darryl Ahasteen, Commission President
LaVonne Tsosie, Commission Secretary
Mae Horseman, Commission Member

Lyndale Curley, Commission Vice President
Loretta Bahe, Commission Treasurer
Lomardo Aseret, Council Delegate

RESOLUTION OF NAHATA DZIIL COMMISSION GOVERNANCE

NDCG-2023-03-025

Approving the Fiscal Recovery Fund Request Form and Expenditure Plan for Governance-Certified Chapters for a "Roof Repair and Replacement" Project in the Amount of \$549,600.

WHEREAS:

1. The Nahata Dziil Commission Governance (hereinafter "NDCG") is certified by Navajo Nation Council Resolution CAP-36-91 as a local governmental entity of the Navajo Nation government which has the responsibility and authority to promote, protect and preserve the interest and general welfare including the safety of its community, people, programs, finances, property, etc.; and
2. The Transportation and Community Development Committee of the Navajo Nation Council by Resolution TCDCAU-66-02 approved governance certification of the NDCG pursuant to its Five Management System, in accordance with 26 N.N.C. § 102(B), and further authorized the NDCG to exercise local governmental authorities contained within 26 N.N.C. § 103 (D)(1); and
3. On January 20, 2008, the Nahata Dziil Chapter converted its governmental entity and changed its name to the NDCG; and
4. The Nahata Dziil community membership needs repairs to their homes such as roof repairs, electrical wiring, septic tank replacement, bathroom additions, etc.; and
5. The Navajo Nation has unspent funds under the American Rescue Plan Act (hereinafter "ARPA"); and
6. The NDCG has identified several projects and prepared the required Fiscal Recovery Fund Request Form in the amount of \$549,600 for a roof repair and replacement project (see attached Exhibit A); and
7. The NDCG affirms that it will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulation, and with all applicable federal and Navajo Nation laws, regulation, and policies; and

8. The NDCG determines that the intent of this resolution is in the best interest of its community.

NOW THEREFORE BE IT RESOLVED THAT:

The Nahata Dził Commission Governance hereby approves the Fiscal Recovery Fund Request Form and Expenditure Plan for Governance-Certified Chapters for a "Roof Repair and Replacement" project in the amount of \$549,600.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by Nahata Dził Commission Governance at a duly called **REGULAR** meeting at Nahata Dził Commission Governance Meeting Hall, NAVAJO NATION, Sanders, (Arizona), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed and 1 abstained, on this 10th day of February, 2023.



Darryl Ahasteen, President

Motion: Lyndale Curley
Second: Mae Horseman