



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 #: HK 0705

Date & Time Received: 12/01/23 at 16:47

Date & Time of Response: Dec. 11, 2023 at 1400

Entity Requesting FRF: Tse Si Ani Chapter

Title of Project: Cemetery Road Project

Administrative Oversight: NN Dept of Transportation

Amount of Funding Requested: \$300,000.00

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 we have revised the expenditure code from 3.4 Public Sector Capacity to 6.1 Provision of Government Services to be consistent with previously approved projects.

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: *Lorenzo Curley*

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@nndo.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: Tse Si Ani Chapter Date prepared: 11/17/23

Chapter's PO Box 403 phone & email: lupton@navajochapters.org
mailing address: Lupton, AZ 86508 website (if any): _____

This Form prepared by: Yvonne Murphy phone/email: 928-688-2128
Tse Si Ani Chapter President 602-376-9600
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Cemetery Road Project

Chapter President: Yvonne Murphy phone & email: 602-376-9600

Chapter Vice-President: Margaret Yazzie phone & email: 505-979-0400

Chapter Secretary: Marlene Apachee phone & email: 928-245-2840

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

Chapter Manager or CSC: Shawn Goodluck phone & email: 928-688-2128

DCD/Chapter ASO: Derek Echohawk phone & email: 928-871-7182

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____
 document attached

Amount of FRF requested: \$300,000 FRF funding period: December 1, 2023 to December 31, 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:

This road project will provide an all-weather community cemetery access road for members of the Navajo Nation and Navajo veterans. Project will include pre-planning, planning, design, and construction phases that includes surveys, clearances, advertisement, hiring, grading, clearing, leveling, culvert installation, purchasing of road construction materials, and other related road construction costs involved.

document attached

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

COVID-19 is still a prevalent pandemic that continues to plague the lives of Navajo families and communities. The community suffered the loss of loved ones to COVID-19 leaving them to find places to bury their loved ones. By providing an all-weather road to the cemetery will provide families a peace of mind and comfort their loved one will be nearby and can visit their loved ones throughout the year.

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:

The project will begin as soon as funds are encumbered no later than December 2024 and funds will be expended by December 31, 2026.

document attached

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

Tse Si Ani Chapter

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:

Tse Si Ani Chapter will be responsible for overseeing the operations. Maintenance will be maintained upon agreement with NNDOT and the chapter.

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:

This project is covered under Expenditure Category 3.4 Public Sector Capacity: Effective Service Delivery. Under the Treasury's final rule Tse Si Ani Chapter is permitted to use these funds to address economic impacts of COVID-19 by providing adequate access/roadway to the community cemetery and delivery of effective 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 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 UCD Chapter ASC

Approved to submit for Review: _____ signature of SCD Director

FY 2024

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Tse Si Ani Chapter Cemetery Road Project Division/Branch: Division of Community Development
 Prepared By: Yvonne S. Murphy, TSA President Phone No.: 928-688-2128 Email Address: pintosprings96@gmail.com



PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A)	(B)	(C)
						NNC Approved Original Budget	Proposed Budget	Difference or Total
NNFRF Funds	12/1/23	300,000.00	100%					
	12/31/26			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	300,000	300,000.00
				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	300,000.00	300,000.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
		TOTAL:	\$300,000.00	100%				

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

SUBMITTED BY: Jaron Charley, Program Manager APPROVED BY: Arvin Mitchell, Director
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
[Signature] 11-28-23 [Signature]
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

FY 2024

THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES

PART I. PROGRAM INFORMATION:						
Business Unit No.:	<u>NEW</u>	Program Name/Title:	<u>Tse Si Ani Chapter Cemetery Road Project</u>			
PART II. PROGRAM PERFORMANCE CRITERIA:						
			1st QTR Goal	2nd QTR Goal	3rd QTR Goal	4th QTR Goal
1. Program Performance Measure: To provide an adequate roadway to the community cemetery for the community and veterans.						
			1	1	1	1
2. Program Performance Measure: Prepare, begin, and complete all necessary steps for cemetery road project by the end of the funding period.						
			1	1	1	1
3. Program Performance Measure:						
4. Program Performance Measure:						
5. Program Performance Measure:						
PART III. CONCURRENCE/APPROVAL:						
<u>Jaron Charley, Program Manager</u> Program Manager's Printed Name		<u>Arbin Mitchell, Director</u> Division Director/Branch Chief's Printed Name				
 <u>11-29-23</u> Program Manager's Signature and Date		 Division Director/Branch Chief's Signature and Date				

FY 2024

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tse Si Ani Chapter Cemetery Road Project</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)
8000	Public Assistance		
68500	Chapter Community Cemetery Project to include pre-planning, planning, design and construction to provide an adequate all-wether road to the community cemetery.	300,00	300,000
TOTAL		-	300,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Tse Si Ani Chapter Cemetery Road Project</u> Project Description: <u>To provide adequate access to community cemetery for enrolled members of the NN and veterans</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>Cemetery Road Project</u> Planned Start Date: <u>Dec. 01, 2023</u> Planned End Date: <u>Dec. 31, 2026</u> Project Manager: <u>Chapter Manager/Chap President</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.											
	24												25																							
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			26											
	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	M						
Begin preliminary plans for road construction			x																																	
Advertise for RFPS for Construction Contractor						x																														
Hire Construction Contractor following TSA FMS Procurement policy.																																				
Surveys, clearances, and other related contractual services for the planning, design and construction of road.									x																											
Begin construction of roadway.												x																								
Complete road construction																											x									
PART V.	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL														
Expected Quarterly Expenditures	20,000.00			80,000.00			80,000.00			120,000.00			0.00			0.00			0.00			0.00			\$300,000.00											

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

RECEIVED
NOV 28 2023
BY: DVS