



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:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |
- _____

U.S. Department of Treasury Reporting Expenditure Category: _____

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

[illegible]

Name of DOJ Reviewer: _____

Signature of DOJ Reviewer: MRodis

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 NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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: Tohatchi Chapter Date prepared: 02/10/2023

Chapter's P.O. Box 287 phone/email: (505) 733-2845
mailing address: Tohatchi, NM 87325 website (if any): Tohatchi@navajochapters.org

This Form prepared by: Janice Begay phone/email: (505) 733-2845
Office Specialist mallison@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Bathroom Addition (10x10)

Chapter President: Harry Moore, Jr. phone & email: (505) 870-9082 smoore@naataani.org

Chapter Vice-President: Mike Halona phone & email: (505) 797-1822 mhalona@nnld.org

Chapter Secretary: Jean Crawford phone & email: (505) 400-2836 jcrawford@navajochapters.org

Chapter Treasurer: Jean Crawford phone & email: (505) 400-2836 jcrawford@navajochapters.org

Chapter Manager or CSC: Maria Allison phone & email: (505) 733-2845 mallison@nnchapters.org

DCD/Chapter ASO: Dereck Echohawk phone & email: (505) 288-3153 ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Building Contractor, Subcontractor
☐ document attached

Amount of FRF requested: \$250,610 FRF funding period: 05/01/2023 - 09/30/2026
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:

This project will construct 10 bathroom additions on homes within the Tohatchi Community. Funds will purchase building material and supplies for the construction. The project will provide an adequate bathroom to improve basic quality of life, meet health care needs, and sanitation needs. Providing indoor bathroom use prevents the spread of health-related illnesses that may cause increased vulnerability to COVID-19 complications. Office of Environmental Health, Indian Health Services, and Navajo Tribal Utility Authority will assist in final waterline connections.

☐ document attached

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

This project will benefit 10 Tohatchi community members by providing home bathroom additions necessary for sanitation and hygiene safety. The Chapter will assist the contractor with the bathroom additions by delivering materials to project sites. This project will promote public health and hygiene by addressing major sanitation needs to prevent and reduce COVID-19 infection and other illnesses by providing proper sanitation facilities.

☐ 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

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

Tohatchi Community Chapter will purchase materials for the bathroom addition through local building material vendors. The project will be completed by September 2026 to 10 homes.

☐ document attached

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

The Tohatchi Chapter will be responsible for implementing and completing the project by September 2026. Tohatchi Chapter will coordinate efforts with the Office of Environmental Health and Indian Health Service for inclusion on their respective waterline construction project listings.

☐ 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 homeowner will be responsible for the operation, maintenance, and repair upon project completion. Tohatchi Chapter incurs no additional cost or recurring cost upon project completion.

☐ 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:

Other Public Health Services: 1.14

Pursuant to the U.S. Treasury guidelines and funding objectives, this bathroom addition project addresses conditions that contributed to poor public health and economic outcomes during the COVID-19 Pandemic. Providing an adequate bathroom facility for family use promotes good health and wellness; prevents COVID-19 infection and other illnesses. Families will receive running water and septic tank for hygiene and sanitation needs in a community disproportionately impacted by COVID-19.

☐ document attached

Part 3. Additional documents.

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

Tohatchi Community Chapter Resolution Number: TOH: 026-03-2023 is attached.

☒ 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 CSC

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

Approved by: 
signature of Chapter ASO

Approved to submit
for Review:


signature of DCD Director

FY 2023



**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Tohatchi Chapter - Bathroom Addition</u>		Division/Branch: <u>DCD/Executive</u>	
Prepared By: <u>Maria Allison</u>		Phone No.: <u>(505) 733-2845</u>		Email Address: <u>mallison@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
NN Fiscal Recovery Funds	05/01/23-09/30/26	\$250,610	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				
				7000 Special Transactions				
				8000 Public Assistance	6	0	\$250,610	\$250,610
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	\$250,610	\$250,610

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.			
SUBMITTED BY: <u>James Addakai, Deputy Director</u>		APPROVED BY: <u>Calvin Castillo, Executive Director</u>	
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name	
 <u>4/4/23</u> Program Manager's Signature and Date		 Division Director / Branch Chief's Signature and Date	

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page ____ of ____
BUDGET FORM 2

PART I. PROGRAM INFORMATION:									
Business Unit No.: _____		New _____		Program Name/Title: _____		Tohatchi Chapter - Bathroom Addition			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
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 bathroom addition on approved waterline projects									
Program Performance Measure/Objective: To build bathroom addition to (10) homes								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 Addakai, Deputy Director				Calvin Castillo, <i>Executive Director</i>					
_____ Program Manager's Printed Name				_____ Division Director/Branch Chief's Printed Name					
<i>4/4/23</i>				<i>[Signature]</i>					
_____ Program Manager's Signature and Date				_____ Division Director/Branch Chief's Signature and Date					

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page ____ of ____
PROJECT FORM

PART I. Business Unit No.: <u>New</u> Project Title: <u>Tohatchi Chapter - Bathroom Addition</u> Project Description: <u>Purchase and Construct Bathroom for (10) homes</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>Bathroom Addition</u> Planned Start Date: <u>05/01/23</u> Planned End Date: <u>12/01/26 9/30/24</u> Project Manager: <u>Maria Allison</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. <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <th colspan="14">FY 2023</th> <th colspan="14">FY 2024</th> <th colspan="2" rowspan="3"> Expected Completion Date if project exceeds 8 FY Qtrs. <u>September 30</u> Date <u>December 2026</u> </th> </tr> <tr> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> </tr> <tr> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th><th>J</th><th>F</th><th>M</th> </tr> <tr> <td colspan="2" rowspan="3" style="text-align: left; vertical-align: top;"> Finance (Securing Funds) Planning Construction </td> <td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td></td><td></td><td></td><td>X</td><td></td><td></td> </tr> <tr> <td colspan="2" style="vertical-align: top;"> PART V. Expected Quarterly Expenditures </td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2">\$</td> <td colspan="2" style="text-align: right;">PROJECT TOTAL</td> <td colspan="6"></td> </tr> <tr> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2">\$250,610</td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="6" style="text-align: right;">\$250,610.00</td> </tr> </table>																												FY 2023														FY 2024														Expected Completion Date if project exceeds 8 FY Qtrs. <u>September 30</u> Date <u>December 2026</u>		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	M	Finance (Securing Funds) Planning Construction		X	X	X	X	X	X																														X	X	X	X	X																													X	X	X	X	X	X	X	X	X	X	X				X			PART V. Expected Quarterly Expenditures		\$		\$		\$		\$		\$		\$		\$		\$		\$		\$		PROJECT TOTAL												\$250,610																				\$250,610.00					
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FOR OMB USE ONLY: Resolution No: _____ FMIS Set Up Date: _____ Company No: _____ OMB Analyst: _____

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tohatchi Chapter - Bathroom Addition</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)
6000	Other Contractual Services		\$250,610
	6000 - To purchase bathroom materials for (10) Tohatchi community members	\$250,610	
8500	Infrastrure (non-cup)		
	8535 - Bathroom Additions		
TOTAL		\$250,610	\$250,610



THE NAVAJO NATION TOHATCHI COMMUNITY CHAPTER

Post Office Box 287 Tohatchi, New Mexico 87325 Tel: (505) 733-2845/2846 FAX: (505) 733-2847

Harry "Sonny" Moore, Jr.
Chapter President

W. Mike Halona
Chapter Vice-President

Jean Crawford
Chapter Secretary/Treasurer

Gerald Moore
Grazing Official

Nathan Notah
Council Delegate

RESOLUTION OF THE TOHATCHI CHAPTER **SUPPORTING AND APPROVING TOHATCHI CHAPTER'S EXPENDITURE** **PLANS FOR PROJECTS LISTED UTILIZING THE NAVAJO NATION FISCAL** **RECOVERY FUND FOR BATHROOM ADDITIONS IN THE TOTAL AMOUNT** **OF \$250,610.00.**

WHEREAS:

TOH: 026-03-2023

1. Pursuant to NNC Section 3(A), the Tohatchi Chapter is a duly recognized certified Chapter of the Navajo Nation Government as listed as 11 NNC. Part 1, Section 10.
2. Pursuant to 26 NNC Section 1(B), the Tohatchi Chapter is vested with the authority to review all matters affecting community to make appropriate corrections when necessary and to make recommendations to the Navajo Nation and other local agencies for appropriate actions.
3. The American Rescue Plan Act (ARPA) of 2021 was passed by the US Senate on March 6, 2021 and signed into law by President Biden on March 11, 2021.
4. Executive Order No. 008-2021, establishing the Navajo Nation Fiscal Recovery Fund (NNFRF) Office dedicated to overseeing and implementing the **Coronavirus State** and Local Fiscal Recovery Funds program authorized by the American Rescue Plan Act (ARPA). The establishment of the office was authorized through Resolution CJY-41-21, which was approved by the 24th Navajo Nation Council and signed into law in August.
5. The devastating effects of COVID-19 on the Navajo Nation, including employment losses, business closures, food and housing insecurity, and other economic disparities.
6. The Fiscal Recovery Funds are intended to support governmental efforts to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by community members, schools, clinic, and businesses.
7. The Navajo Nation Fiscal Recovery Fund Office (NNFRF Office) shall be a clearinghouse that will coordinate, facilitate and implement Fiscal Recovery Fund (FRF) responsibilities. The NNFRF ensures expenditure reviews of FRF eligibility determination.
8. The allocation in the amount of \$1.7 million is the largest allocation made in history to the Tohatchi Chapter which will begin the constructions of waterline extension, powerline extension, solar systems, Navajo Nation Cistern/Septic System, House Wiring, and two (2) homes will be built for two (2) community members.
9. The Tohatchi Chapter ("Chapter") affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Tohatchi Chapter hereby supports and approves the expenditures for Bathroom Additions in the total amount of \$250,610.00 for the Ten (10) recipients as shown in the attach spreadsheet.

CERTIFICATION

We hereby certify that the foregoing resolution was approved by the Tohatchi Chapter at a duly called meeting held at Tohatchi Chapter (Navajo Nation), NM at which a temporary authorized reduced quorum was present and the same was passed by a vote of 10 in favor, 0 opposed, 5 abstained, this 15th day of March 2023.

Motion: Eddie Crank

Second: Carol Tom


Mr. Harry "Sonny" Moore Jr, President

March 15 2023
Date

**Tohatchi Community Chapter
American Rescue Plan Act (ARPA)**

Bathroom Additions (10x10)

Purchase (10x10) ADA bathroom materials and supplies for construction of (10) homes. The (10) homes are all located in the Tohatchi service area. Completion by December 2026.

	Names	Homesite	Telephone	GPS Reading	ROW	Cost
1	Benson Badonie					\$ 9,200
2	Harrison Badonie					\$ 9,200
3	Tom Yazzie Begay					\$ 9,200
4	Ted Etsitty	Yes				\$ 9,200
5	April James	Yes				\$ 9,200
6	Theresa Jimmie	Yes				\$ 9,200
7	Benson Manygoat					\$ 9,200
8	Charlene Roanhorse	Yes				\$ 9,200
9	Manual Shirleson	Yes				\$ 9,200
10	Benson/Cecelia Yazzie	Yes				\$ 9,200
	Sub Total (Materials Only)					\$92,000
	Labor	\$8,500 x 10				\$85,000
	Equipment/Transportation/Trash	\$1,800 x 10				\$18,000
	Taxes	\$5,511 x 10				\$55,110
	Advertise					\$500
	Sub Total (Labor/Equipment/Taxes/Advertise)					\$158,610
	Total Bathroom Addition					\$250,610