



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: _____

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: 

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 NON-GOVERNANCE CERTIFIED CHAPTERS

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Tohatchi Chapter Date prepared: 02/17/2023

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: House Wiring

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) 266-3153 ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Electrical Contractor, Navajo Tribal Utility Authority

☐ document attached

Amount of FRF requested: \$91,445 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 complete house wiring for five (5) homes within the Tohatchi Community. Funds will purchase electrical materials, contractual electrician services, and electrical wiring installation for subsequent NTUA inspection and electrical hook-up. The project will allow electrical grid tie-in to improve the basic quality of life, meet health care needs (refrigeration for perishable foods), medical needs (refrigeration for medicines), and safety needs (house lighting).

☐ document attached

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

This project will benefit five (5) Tohatchi Community members by providing electrical house wiring necessary for lights, electrical devices, and durable medical equipment. The project ensures a habitable, secure home for families to receive basic utilities for heating, medical need, and refrigeration purposes. This project will enhance the basic quality of life for five (5) families who need basic utility services.

☐ 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:

Homes identified for housewiring

Advertise for contractors: October 2023

Purchasing all materials by contractor

The project to complete by September 2026 to five (5) homes

☐ document attached

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

The Tohatchi Chapter will provide oversight of the project until completion. Tohatchi Chapter will coordinate efforts with NTUA to meet code requirements including obtaining Affidavit of House Wiring

☐ 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:

Housing Support: Other Housing Assistance 2.18

Pursuant to the U.S. Treasury guidelines and funding objectives, this powerline extension project addresses conditions that contributed to poor public health and economic outcomes during the COVID-19 Pandemic. Providing house wiring for homes improves sub-standard living conditions; promotes good health and safety; meets infrastructure and environmental health needs. Families will receive basic utilities for heating, medical need, and refrigeration purposes 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: 027-03-2023 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:

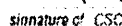
Chapter's
Preparer:


signature of Chapter Preparer

Approved by:


signature of Chapter President (or Vice-President)

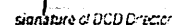
Approved by:


signature of CSC

Approved by:


signature of Chapter ASO

Approved to submit
for Review:


signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

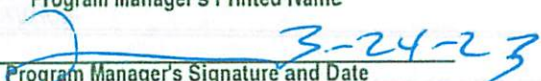

Page ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Tohatchi Chapter - House Wiring</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	\$91,445	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	91,445 \$91,445 OK	91,445 \$91,445 OK
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
TOTAL:				TOTAL		\$0.00	\$91,445	\$91,445

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> Program Manager's Printed Name <u></u> Program Manager's Signature and Date <u>3-24-23</u>	APPROVED BY: <u>Calvin Castillo, Executive Director</u> Division Director / Branch Chief's Printed Name <u></u> <u>3/24/2023</u> 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 - House Wiring

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~~*Complete electrical housing wiring projects*

Program Performance Measure/Objective:

~~To build bathroom addition to (05) homes~~*Provide house wiring to Five (5) homes.*

5

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

Program Manager's Printed Name


 Program Manager's Signature and Date
Calvin Castillo, *Executive Director*

Division Director/Branch Chief's Printed Name


 Division Director/Branch Chief's Signature and Date

3/24/2023

FY 2023

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tohatchi Chapter - House Wiring</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
6000	Subcontracted Services		\$91,445
8500	6000 To provide electrical house wiring to (05) homes to improve the basic quality of life Infrastructure (non-cup) 8530 - House Wiring	\$91,445	
TOTAL		\$91,445	\$91,445

Page ____ of ____
PROJECT FORM

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



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 ELECTRICAL HOUSEWIRING IN THE TOTAL** **AMOUNT OF \$91,445.**

WHEREAS:

TOH: 027-03-2023

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:

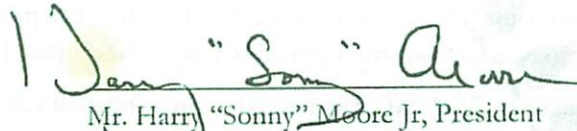
The Tohatchi Chapter hereby supports and approves the expenditures for Electrical House Wiring in the total amount of \$91,445.00 for the Five recipients as shown in the attach spreadsheet.

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 9 in favor, 0 opposed, 3 abstained, this 15th day of March 2023.

Motion: Carol Tom

Second: Teresa Bryant


Mr. Harry "Sonny" Moore Jr, President

March 15 2023
Date

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

Electric Wiring/Hook Up (Including Meter Loop-100/200 Amp)

Electrical project for electrical materials and supplies as needed to housewire homes for Tohatchi service area.
Contractual services to install/implement the housewiring and pass NTUA inspection to get electrical hook-up.
pass NTUA inspection to get electrical hook-up.

	Names	Homesite	Telephone	ROW	GPS Readings	Cost
1	Alice Benallie	Pending				\$5,000
2	Amber Clinton	Yes				\$5,000
3	Pat Dennison	Yes				\$5,000
4	Edison Jones	Yes				\$5,000
5	Arthur Natonabah	Yes				\$5,000
	Sub Total (Materials Only)					\$25,000
	Labor	\$7,500 x 11				\$37,500
	Equipment/Transportation/Trash	\$1,800 x 11				\$9,000
	Taxes	\$3,889 x 11				\$19,445
	Advertise					\$500
	Sub Total (Labor/Equipment/Taxes/Advertise)					\$66,445
	Total Electrical Wiring					\$91,445