



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 #: HK0288

Date & Time Received: 12/07/22 17:07

Date & Time of Response: 12/14/22 14:30

Entity Requesting FRF: Kayenta Chapter

Title of Project: Scattered Bathroom Additions

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$960,000

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: 1:14 (Other Public Health 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 | |

Name of DOJ Reviewer: Rodgerick T. Begay

Signature of DOJ Reviewer: *Rodgerick Begay*

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: Kayenta Chapter date prepared: 9/23/2022
Chapter's P.O. BOX 1088 phone/email: 928-882-1110
mailing address: Kayenta, AZ 86033 website (if any): kayenta@navajochapters.org
this Form prepared by: Pearl J. Begay, Acting Chapter Manager phone/email: 928-882-1110, pearlbegay@nnchapters.org

CONTACT PERSON'S name and title: _____ CONTACT PERSON'S info: _____
title and type of Project: Scattered Bathroom Addition

Chapter President: Dalton J. Singer phone & email: 928-882-1110 dsinger@naataanii.org
Chapter Vice-President: Sally Chee phone & email: _____
Chapter Secretary: Genevieve Benally phone & email: 928-882-1110 gbenally@navajochapters.org
Chapter Treasurer: Genevieve Benally phone & email: _____
Chapter Manager or CSC: _____ phone & email: _____
DCD/Chapter ASO: Calvin Tsosie phone & email: cetsosie@nndcd.org

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

Amount of FRF requested: \$960,000.00 FRF funding period: 10/1/22 to 31 December 2026 10/1/22 - 12/31/26 document attached
indicate Project starting and ending/teedline 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 Kayenta Chapter scattered Bathroom Addition Project has 23 clients that are in need of waterline extension, installation of scattered cistern tanks. The list of clients needing bathroom addition is attached. The clients requesting installation of waterline & bathroom additions never had indoor plumbing or running water, and they are at risk to the spread of COVID-19. Kayenta Chapter and IHS have team up to mitigate the spread of COVID-19 by extending the waterline, installing of scattered cistern tanks

Funds will be use by Kayenta Chapter for the construction of the Bathroom Additions within chapter boundaries. document attached

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

The project will benefit th 23 clients to mitigate COVID-19, they will receive indoor plumbing, running water, bathroom additions. The Kayenta Chapter, OEH has developed a scope of work, supplies & materials listing for standard ADA bathroom additions. The ADA bathrooms will be larger in size and would require a walk in showers which possibly change some of the material listing. 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 A

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

2022/24: Funding for Bathroom Addition Project will be bidded out to a certified construction company. At least 2 bathroom additions be completed by selected vendor, if not foundation lay out for 22'. For 23' & 24', 20 bathroom additions be constructed and IHS will installed the waterline extension and scattered cistern system. document attached

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

Kayenta Chapter Administration and Kayenta IHS-OEH will be responsible for implementing the project for the 23 clients. 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:

Once the bathroom Addition project is complete, it will be the responsibility of the home owner to maintain the operation and maintenance cost. 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:

5. Infrastructure Water and Sewer. Clean water: Other Sewer Infrastructure and Drinking water: Storage and other water infrastructure and Other.
The Kayenta Chapter scattered Bathroom Addition Project has 23 clients that are in need of waterline extension, installation of scattered cistern tanks. The Indian Health Service and Office of Environmental has determined the Project feasible and has been identified as funded on their SCS Report. 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. C.JY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

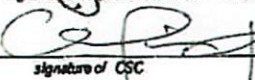
Chapter's Preparer:


signature of Preparer/CONTACT PERSON

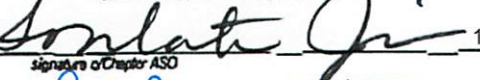
Approved by:


signature of Chapter President (or Vice-President)

Approved by:


signature of CSC

Approved by:


signature of Chapter ASO

12/06/2022

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 108115</u>		Program Title: <u>Kayenta Chapter Scattered Bathroom Add</u>		Division/Branch: <u>Division of Community Development</u>				
Prepared By: <u>Pearl J. Begay</u>		Phone No.: <u>928-882-1110</u>		Email Address: <u>kayenta@navajochapters.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
<u>ARPA/NUFGE</u>	<u>10/1/22-12/31/22</u>	<u>960,000</u>	<u>100%</u>	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
Navajo Nation Fiscal Recovery Funds				4000 Supplies	<u>6</u>	750,000	<u>750,000</u>	<u>750,000</u>
				5000 Lease and Rental				
				5500 Communications and Utilities				
Navajo Nation Fiscal Recovery Funds				6000 Repairs and Maintenance				
				6500 Contractual Services	<u>6</u>	210,000	<u>210,000</u>	<u>210,000</u>
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		960,000.00	<u>960,000</u>	<u>960,000</u>
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
TOTAL:		<u>960,000</u>	<u>100%</u>					
		<u>\$0.00</u>	<u>0%</u>					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Pearl J. Begay</u>			APPROVED BY: <u>Pearl J. Begay</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u>10/3/22</u>			<u>12.6.22</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.: 408115 New

Program Name/Title:

Kayenta Chapter

Scattered Bathroom Add.

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Goal Statement:

A scattered bathroom project to assist clients in Kayenta Chapter boundary

Program Performance Measure/Objective:

To assist 24 clients with bathroom addition

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
6		6		6		6	

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.

Pearl J. Begay
Program Manager's Printed Name

[Signature] 9/30/22
Program Manager's Signature and Date

[Signature]
Division Director/Branch Chief's Printed Name

[Signature] 12.6.22
Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ___ of ___
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Kayenta Chapter</u>		<u>Scattered Bathroom Add.</u>	Business Unit No.: <u>108115 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)
4000	Supplies: purchase bathroom addition materials for 24 clients identified and referred by Kayenta OEH. \$31,250.00 X 24 = \$750,000.00	750,000	960,000
6500	Contractual Services: to hire a certified company that will complete the bathroom addition project. (\$210,000.00)	210,000	
TOTAL		960,000	960,000



Navajo Nation Kayenta Chapter
Post Office Box 1088
Kayenta Chapter, Navajo Nation, AZ 86033
Chapter Resolution



Resolution No: KY22-124-10

Approving the Appendix A, Navajo Nation Fiscal Recovery Funds Request Form & Expenditure Plan for Kayenta Chapter's Construction of Bathroom Additions for Chapter Membership Who Do Not have Running Water or Septic System, to Mitigate the COVID-19 Pandemic.

WHEREAS:

1. Pursuant to 26 N.N.C, § 3(A), the Kayenta Chapter continues as a certified chapter of the Navajo Nation Government, as listed at 11 N.N.C, part 1, § 10; AND
2. Pursuant to 26 N.N.C., § 1(B), the Kayenta Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction(s) when necessary and make recommendation(s) to the Navajo Nation and other local agencies for appropriate action(s); AND
3. The Kayenta Chapter is requesting funding for its membership, from the ARPA funding pool in the amount of \$960,000.00 for the construction of bathroom additions, waterline extensions and installation of scattered cistern tank systems; to mitigate the COVID-19 Pandemic; AND
4. Some of Kayenta Chapter's membership who live in remote locations do not have bathrooms additions with adequate indoor plumbing, potable running water, waterline extension and cistern tank systems; they are at risk to COVID-19 Pandemic; AND
5. The Kayenta Chapter will work in cooperation with Kayenta IHS Service Unit- Office of Environmental Health (OEH) for the construction of bathroom additions and installation of waterline extension and scatter cistern tank systems; AND
6. The Kayenta Chapter will advertised through the Navajo Times newspaper for an Invitation for Bid to potential vendors operating on and off the Navajo Nation, announcing a Competitive Sealed Bidding.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Kayenta Chapter hereby approves the Appendix A, the Navajo Nation Fiscal Recovery Funds Request Form & Expenditure Plan for Kayenta Chapter's Construction of Bathroom Additions for Chapter Membership Who Do Not have Running Water or Septic System, to Mitigate the COVID-19 Pandemic; attached as Appendix "A".
2. The Kayenta Chapter Administration and IHS-OEH will be responsible for implementation of the bathroom additions project.
3. The Kayenta IHS Service Unit-Office of Environmental Health has determined the Bathroom Additions Project feasible, and they have identified the project as funded on their SCS Report.
4. The Kayenta Chapter Administration shall initiate the Construction of the Bathroom Additions in Fiscal Year 2023, and the estimated date of completion of the Project will be before December 31, 2026.

CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the Kayenta Chapter at a duly called meeting in KAYENTA, Navajo Nation, Arizona; at which a quorum was present and that the same was passed by a vote of 05 in favor, 00 Opposed, and 02 abstaining this 03rd day of October, 2022.

Motion: Ben Edwards Second: James Parrish

Dalton Singer
Dalton Singer, President

Sally Chee
Sally Chee, Vice President

Genevieve Benally
Genevieve Benally, Secretary/Treasurer

BATHROOM ADDITIONS LIST
NA-21-LG3 (Kayenta Scattered Waterline Extensions)

Arch still needed to be completed. Construction most likely 2023.

No.	Homeowner	House Type	First Service	COORDINATES		Bathroom Addition Required
				LAT	LONG	
1.	Rose Marie White	E-1(h)	Yes	36°43'19.4"	110°20'45.5"	Yes
2.	Anita Talaswaima	E-1(h)	Yes	36°40'22.3"	110°13'16.6"	Yes
3.	Danielle Salt	E-1(h)	Yes	36°41'54.1"	110°23'30.1"	Yes
4.	Rowena Speck	E-1	Yes	36°43'48.4"	110°18'39.6"	Yes
5.	Susie Williams	E-1(h)	Yes	36°43'26.5"	110°20'56"	Yes
6.	Vernal Bizardi	E-1(h)	Yes	36°39'39.8"	110°24'42.1"	Yes

Subtotal 6 BA

Notes: H-5 = Other Housing E-1 = Existing Housing (h) hogan (m) mobile home

BATHROOM ADDITIONS LIST
NA-20-G08 (Kayenta SU Scattered Housing 2020)

Arch COMPLETED. DESIGN PKG. in process. Fall/Winter 2022 Construction.

No.	Homeowner	House Type	First Service	COORDINATES		Bathroom Addition Required
				LAT	LONG	
1.	Shirley Bowsley*	E-1(h)	No	36° 39' 56"	110 °13'12"	Yes

Subtotal 1 BA

Notes: E-1 = New or Like-New Housing; (h) Hogan (m) mobile home; E-1 = Existing Homes

BATHROOM ADDITIONS LIST
NA-19-F91 (Kayenta SU Scattered Housing 2019)

Arch completed. Design Pkg. in process. Fall 2022 Construction.

No.	Name	House Type	First Service	COORDINATES		Bathroom Addition Required
				LAT	LONG	
1.	Caroline Clah*	E-1(h)	Yes	36°49'47.4"	110 °51'54.9"	Yes

Subtotal 1 BA

Notes: H-5 = Other Housing; E-1 = Existing Housing; (h) hogan (m) mobile home

BATHROOM ADDITIONS LIST
NA-18-F75 (Kayenta SU Scattered Housing 2018)

Design Pkg. completed. Summer 2022 Construction.

No.	Name	House Type	First Service	COORDINATES		Bathroom Addition Required
				LAT	LONG	
1.	Lue Kce**c	E-1	Yes	36°47'52.8"	110 °20'00"	Yes

Subtotal 1 BA

Notes: H-5 = Other Housing; E-1 = Existing Housing; (h) hogan (m) mobile home

BATHROOM ADDITIONS LIST
 NA-19-V03 (Kayenta El Capitan North Cisterns)

Arch Clearance
 completed! Design
 Pkg. in process.

No.	Homeowner	House Type	First Service	COORDINATES		Bathroom Addition Required
				LAT	LONG	
1.	Kevin Holiday	E-1(h)	Yes	36°50'05.21"	110°14'33.71"	Yes
2.	Henry Parrish	E-1	Yes	36°50'52.63"	110°13'54.63"	Yes
3.	Beulah Stanley Begay	E-1	Yes	36°50'42.35"	110°12'20.98"	Yes
4.	Johnny Delmar	E-1(h)	Yes	36°50'41.40"	110°12'19.46"	Yes
5.	Mary Stanley Begay	E-1	Yes	36°50'12.42"	110°12'29.20"	Yes
6.	Ernest Evans	E-1(h)	Yes	36°50'11.41"	110°12'29.17"	Yes
7.	John Madison	E-1(h)	Yes	36°49'34.40"	110°10'51.59"	Yes
8.	Mary Atene	E-1	Yes	36°49'07.71"	110°10'58.16"	Yes
9.	Anita Bahe	E-1	Yes	36°49'01.56"	110°10'46.56"	Yes
10.	Shirley Holiday	E-1(h)	Yes	36°48'52.39"	110°11'46.03"	Yes
Subtotal						10 BA

Notes: H-5 = Other Housing; E-1 = Existing Housing; (h) hogan (m) mobile home

BATHROOM ADDITIONS LIST
 NA-18-U65 (Kayenta Skeleton Mesa Cisterns)

Design Pkg. almost
 complete, possible
 construction late
 Summer 2022.

No.	Homeowner	House Type	First Service	COORDINATES		Bathroom Addition Required
				LAT	LONG	
1.	Jerome Begay	E-1(h)	Yes	36°48'25.74"	110°21'26.09"	Yes
Subtotal						1 BA

Notes: H-5 = Other Housing; E-1 = Existing Housing; (h) hogan (m) mobile home

BATHROOM ADDITIONS LIST
 NA-14-T75 (Kayenta Comb Ridge Ph II Waterline Extension)

Design Pkg. still in
 process. Possible
 construction Fall/
 Winter 2022

No.	Homeowner	House Type	First Service	COORDINATES		Bathroom Addition Required
				LAT	LONG	
1.	Patricia Parrish	E-1(h)	Yes	36°47'02.03"	110°06'55.21"	Yes
2.	Bobbie White	E-1(h)	Yes	36°48'51.35"	110°04'20.42"	Yes
3.	Effie Black	E-1(h)	Yes	36°49'21.33"	110°03'29.92"	Yes
4.	Leonard Speck	E-1(h)	Yes	36°48'17.69"	110°05'55.46"	Yes
5.	Kee Clitso	E-1(h)	Yes	36°49'03.18"	110°08'24.75"	Yes
Subtotal						5 BA

Notes: E-1 = New or Like-New Housing; (h) Hogan (m) mobile home; E-1 = Existing Homes