



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 #: HK0294

Date & Time Received: 12/08/22 12:13

Date & Time of Response: 13 December 2022; 11:22 am

Entity Requesting FRF: Dennehotso Chapter

Title of Project: Scattered Septic Cleaning Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$191,326.35

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: 5.5, Clean Water: Other Sewer

Infrastructure

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 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | 12/31/2024 |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | <input type="checkbox"/> Inconsistent with applicable NN or |
| <input type="checkbox"/> Additional information submitted is
insufficient to make a proper determination | federal laws |

Other Comments: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:  _____

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.

APPENDIX A

**THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Dennehotso Chapter Date prepared: 10/5/2022

Chapter's P.O. Box 2301 phone & email: 928-658-3300
mailing address: Dennehotso AZ 86535 website (if any): Dennehotso@navajochapters.org

This Form prepared by: Maricelyn Smith-Williams phone/email: 928-658-3300
Chapter Manager
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Scattered Septic Cleaning Service

Chapter President: Larry Tuni phone & email: 928-658-3300, Larrytuni@naataanii.org

Chapter Vice-President: Tully Begay phone & email: 928-658-3300, Tbegay@naataanii.org

Chapter Secretary: Julia Richards phone & email: 928-658-3300, jrichards@navajochapters.org

Chapter Treasurer: _____ phone & email: _____

Chapter Manager or CSC: Maricelyn Smith-Williams phone & email: 928-658-3300, msmith-williams@nnchapters.org

DCD/Chapter ASO: _____ phone & email: _____

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

☐ document attached

Amount of FRF requested: 191,326.35 FRF funding period: January 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:

The \$191,326.35 funds will be used by Dennehotso Chapter for Scattered Septic cleanout project for approximately 402 clients tanks are full & are requesting assistance, due to the COVID-19 pandemic tribal families have lost their jobs and are struggling financially. 6 services regions within the Chapter boudary will be provided septic tanks cleanout, priority will be given to members living in remote locations to mitigate COVID-19 pandemic.

☐ document attached

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

The septic cleaning project will benefit low income families, high risk elders and members impacted by COVID-19, who are on fixed income, struggling financially and live in remote areas of Dennehotso Chapter Boundaries, to minimize the spread of COVID-19 Depending on the family size, a septic tank will require a cleanout every 6 months to five years.

☐ 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

FY 22 ; Dennehotso Chapter obtains 3 prices quotes from potential vendors who will provide septic tank cleaning out within the Dennehotso Chapter boundary. FY 23 to FY 26, selected vendor will provide septic tank clean out for 402 families.

☐ document attached

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

Dennehotso Chapter Admin will be responsible for implementing the Septic Tank Clean out Project for the residents of Dennehotso.

☐ 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:

After the project is complete, the home owners will be responsible for the operations and maintenance of their septic tanks. This is a one-time assistance for the clients.

☐ 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:

5.5 Infrastructure Water and Sewer Clean Water Other Sewer Infrastructure.

The funds will be used by Dennehotso Chapter for scattered septic cleanout project for approximately 402 clients that need their septic tanks cleaned out to mitigate the COVID-19 pandemic.

☐ document attached

Part 3. Additional documents.

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

- Program Budget Summary Budget Forms
- 3 Quotes
- Chapter Resolution DCHOCT-005-0023

☒ 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:

M. Smith Williams
signature of Preparer/CONTACT PERSON

Approved by:

[Signature]
signature of Chapter President (or Vice-President)

Approved by:

M. Smith Williams
signature of Chapter Manager or CSC

Approved by:

signature of DCD/Chapter ASO

Approved to submit
for Review:

[Signature] 12.5.22
signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Dennehotso Chapter <i>Septic Cleaning</i></u>		Division/Branch: <u>Division of Community Development / Ex.</u>	
Prepared By: <u>Maricelyn Smith-Williams</u>		Phone No.: <u>928-853-3300</u>		Email Address: <u>msmith-williams@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	1/1/2023-12/31/2026	191,326.35	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	<i>6</i>	<i>6</i>	191,326.35	191,326.35
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL			191,326.35	191,326.35

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>Maricelyn Smith-Williams</u> Program Manager's Printed Name <i>Ms. Smith-Williams</i> <u>2/1/2022</u> Program Manager's Signature and Date	APPROVED BY: <u>Dr. Yellowman</u> Division Director / Branch Chief's Printed Name <i>Dr. Yellowman</i> <u>12.5.22</u> Division Director / Branch Chief's Signature and Date

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title:

Dennehotso Chapter

septic cleaning

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:

A scattered septic tank cleaning project to assist clients in Dennehotso Chapter boudaries

Program Performance Measure/Objective:

To assit 402 registered voters with septic tank cleaning

100		100		100		102	
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2. Goal Statement:

Program Performance Measure/Objective:

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3. Goal Statement:

Program Performance Measure/Objective:

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4. Goal Statement:

Program Performance Measure/Objective:

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5. Goal Statement:

Program Performance Measure/Objective:

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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Maricelyn Smith-Williams

Program Manager's Printed Name

M. Smith-Williams 2/1/2022

Program Manager's Signature and Date

Dr., Yellowman

Division Director/Branch Chief's Printed Name

Dr. Yellowman 12.5.22

Division Director/Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: _____

Dennehotso Chapter

septic cleaning

Business Unit No.: _____

NEW

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 Sencos: to hire a company listed in the Navajo Nation source list to assist 409 Dennehotso residents with septic tank cleaning	191,326.35	191,326.35
TOTAL		191,326.35	191,326.35

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

**Page 1 of 2
PROJECT FORM**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Dennehotso Chapter</u> Project Description <u>Septic Cleaning</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>Septic Cleaning</u> Planned Start Date: <u>1/1/2023</u> Planned End Date: <u>12/31/2023</u> Project Manager: <u>Maricelyn Smith-Williams</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																	
		1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date					
		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
01/01/2023 - 3/31/2023 Septic Cleaning		x	x	x	x	x	x	x	x	x	x	x	x																		
																															</



DENNEHOTSO CHAPTER
.25 Miles North of MP 417.5 on HWY 160
PO Box 2301
Dennehotso, Arizona 86535

Larry Tuni, Chapter President
Tully Begay, Chapter Vice-President
Julia Richards, Chapter Sec./Treasurer
Kenneth Johnson, Grazing Official
Nathaniel Brown, Council Delegate

TELEPHONE: 928.658.3300/3301 FAX: 928.658.3304 EMAIL: dennehotso@navajochapters.org

Johnathan Nez
President

DCHOCT-005-2023

Myron Lizer
Vice-President

RESOLUTION OF DENNEHOTSO CHAPTER

Approving the Appendix, A, the Navajo Nation Fiscal Recovery Funds Request Form & Expenditure Plan for Dennehotso Chapter's Scattered Septic Cleanout Project for Approximately 402 Chapter Members, to Mitigate the COVID-19 Pandemic.

WHEREAS:

1. Pursuant to 26 N.N.C Section 3 (A), the Dennehotso Chapter continues as a certified chapter of the Navajo Nation Government, as listed at 11 N.N.C, part 1, section 10; AND
2. Pursuant to 26 N.N.C Section 1 (B), the Dennehotso 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 Dennehotso Chapter is requesting funding from the ARPA funding pool in the amount of \$191,326.35; the funds will be used for the Scattered Septic Cleanout Project plan for approximately 402 voting members, to mitigate the COVID-19 Pandemic; AND
4. Due to the ongoing COVID-19 Pandemic, some Chapter Members have lost their jobs and are struggling financially, therefore they cannot afford to pay for their septic cleanout; AND
5. For the Septic Cleanout Project, priority will be given to low-income families, high risk elders who are on a fixed income and those members living in remote areas of Dennehotso Chapter boundaries; AND
6. The Dennehotso Chapter will advertise through the Navajo Nation, announcing a Competitive Sealed Bidding.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Dennehotso Chapter hereby approves the Appendix A, the Navajo Nation Fiscal Recovery Funds Request Form & Expenditure Plan for Dennehotso Chapter's Scattered Septic Cleanout Project for Approximately 402 Voting Members, for the requested funding amount \$191,326.35; attached as Appendix "A" to mitigate the COVID-19 Pandemic.

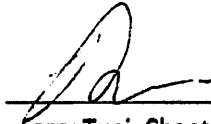
2. The Dennehotso Chapter Administration will be responsible for implementing the Scattered Septic Cleanout Projects for 402 voting members who are registered with Dennehotso Chapter.
3. The Dennehotso Chapter Administration shall initiate the Scattered Septic Cleanout Project in Fiscal Year 2022, and the estimated date of completion of the Project will be before December 31, 2026.
4. After the project is complete, the home owners shall be responsible for the operations and maintenance of their septic tanks. This is a one-time assistant to members who are registered with Dennehotso Chapter.

CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the Dennehotso Chapter at a duly called meeting in DENNEHOTSO, Navajo Nation, Arizona; at which a quorum was present and that the same was passed by a vote of 08 in favor, 00 opposed and 01 abstained this 12th day October, 2022.

Motion by: Evie Tsosie

Second by: Phyllis Yazzie



Larry Tuni, Chapter President
Dennehotso Chapter, Western Navajo Agency

11/21/22, 10:21 AM

Navajochapters.org Mail - Fwd: Quote - NEW QUOTE FOR 185,560

On Nov 21, 2022, at 10:16 AM, Dennehotso Chapter <dennehotso@navajochapters.org> wrote:

Good Morning LePew

Can we get a Quote for the amount 191,326.35

On Mon, Nov 21, 2022 at 9:06 AM Dennehotso Chapter <dennehotso@navajochapters.org> wrote:

Received, thank you.

On Mon, Nov 21, 2022 at 8:56 AM LePew Septic <lepew_inc@yahoo.com> wrote:

Good morning.. Please see below..

Thank you!

- . **\$475.00 PER 1000 gallon tank pump**
- . **\$191,326.35 - we can do 402 tanks
for 191,326**
- . **402 X 475 = \$190,950**

Teresa Gallegos
Office Assistant

LePew, Inc.
970-565-2448

<Small Logo.jpg>

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Invoice



Dennehotso - Navajo Chapter

Invoice date
11/16/2022

Due date
12/16/2022

Lepew, Inc.
P.O. Box 744
Cortez, CO 81321
Phone: 970-565-2448
Fax: 970-512-7132
Email: lepew_inc@yahoo.com
www.lepewseptic.com

Septic Service

Description	Qty	Unit price	Amount
Pump 390 - 1000 gallon tanks	390	475.00	185,250.00
Total			\$ 185,250.00

Notes

Please Pay Promptly From This Invoice
Le Pew Septic Tank Service

RECEIVED

NOV 16 2022

Name: Bhannas

Speedy Sales and Service

P.O. Box 1960

Chinle, AZ 86503

+1 9286745405

www.speedysalesandservices.com



Estimate

ADDRESS

Dennehotso Chapter

P.O. Box 2301

Dennehotso, AZ 86535

SHIP TO

Septic Pump Grouping

ESTIMATE # 1583**DATE** 10/12/2022**EXPIRATION DATE** 11/30/2022

	DESCRIPTION	QTY	RATE	AMOUNT
Septic Pump	Septic Tank Pumping Service is only covered for SOLID WASTE of 1,000 gallon (Standard Size) or less Only. The price includes Drivers Commission, Service Charges, Administrative Fee(s), Insurance, Drive Time, etc.)	320	487.17	155,894.40T

The price DOES NOT include:

- 1) Electric Snake Out's
- 2) Clogs in line or inside the house/building
- 3) Back flow from Drain/Leach Fields

They have to be grouped in 3's in order to keep the discount rate. All customers will be asked to uncover the main septic lid buried 3 feet below ground level. I will provide pictures when Speedy Sales and Services is approved for contract. Thank you and have a great day!

SUBTOTAL

155,894.40

TAX

9,353.66

TOTAL

\$165,248.06

Accepted By

Accepted Date

All Credit/Debit Card Transactions Are Subject To A 5% Processing Fee