



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:

- ☐ (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: _____

- ☐ 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

Other Comments:

Name of DOJ Reviewer: _____

Signature of DOJ Reviewer: Randy Cz

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.

Page 2 of 2

**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: Ramah Navajo Chapter Date prepared: 11/10/2022

Chapter's HC 61 Box 13 phone/email: (505) 775-7140 / 7142
mailing address: Ramah, New Mexico 87321-9601 website (if any): www.ramahnavajo.org

This Form prepared by: David Jose - Chapter President phone/email: (505) 593-3621 DavidJose@ramahnavajo.org
Gilbert Maria - Chapter Community Development Department Director (505) 870-0418 GilbertMaria@ramahnavajo.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Ramah Rocky Ridge Water Well Project - ARPA 5.13 Drinking Water: Source

Chapter President: David Jose phone & email: (505) 593-3621 / 876-9521 DavidJose@ramahnavajo.org
Chapter Vice-President: Chancey Martinez phone & email: (505) 870-4818 cmartinez@navajochapters.org
Chapter Secretary: Dixie Begay phone & email: (505) 876-9524 dixiebegay@ramahnavajo.org
Chapter Treasurer: Dixie Begay phone & email: (505) 876-9524 dixiebegay@ramahnavajo.org
Chapter Manager or CSC: Brenda Yazzie phone & email: (505) 876-9517 BYazzie@ramahnavajo.org
DCD/Chapter ASO: Guarena Adeky phone & email: (505) 905-1050 gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Engineering firm and construction contractors

Amount of FRF requested: \$2,934,113 FRF funding period: Start Date: January 2023; End Date: December 2024
indicate Project starting and ending/deadline date ☐ document attached

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 Project will construct a critically needed new water well at the Chapter's Detention Center site to serve Ramah's Rocky Ridge Water System. The system currently only has one water source, a shallow well that does not produce enough water to meet the community's needs, and critically needs an additional/backup water source. The existing well recently was out of service. Drinking water and fire protection is needed for existing homes and existing/planned Chapter facilities, which include a new police station/additional homes. The new well will provide reliable, safe and clean water used to help minimize/fight the COVID pandemic our community has been dealing with for years.

☐ document attached

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

The new well will benefit Chapter members in many ways. The additional water provided to the area will allow for needed development currently on hold due to lack of water service and fire protection to be completed. The water system will be provided with a critically needed backup source and be able to provide enough water to meet demand. The clean water will improve public health and dramatically increase economic growth/quality of life of residents.

☐ document attached

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:

Procurement for design services is planned to start as soon as funds are secured. An engineering firm is planned to be under contract by January 2023, allowing procurement for construction services after design is done to commence by May of 2023. Construction is expected to be completed by June of 2024, allowing all funds to be fully expended by December of 2024.

☐ document attached

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

Jason John, Director, Navajo Department of Water Resources

☐ 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:

Ramah Navajo Utility Authority (RNA) is currently responsible for the operation and maintenance of the Chapter's water systems, including any improvements such as the proposed project. RNA is fully in support of the project and agrees to operate and maintain the new well using operational funds water users pay for their water service.

☐ 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:

5.13 - Drinking Water: Source

This project will design and construct a new water well to provide drinking water and provide fire protection for the Rocky Ridge water system, which serves the northern portion of the Chapter.

☐ document attached

Part 3. Additional documents.

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

A Chapter resolution approving this project is attached. The Chapter approved using the land needed for the project.

☒ 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:

James Maria
signature of Preparer/CONTACT PERSON

Approved by:

James Maria
signature of Chapter President (or Vice-President)

Approved by:

James Maria
signature of CSC

Approved by:

James Maria
signature of Chapter ASC

Approved to submit
for Review:

Lisa J. J. J.
signature of DCD Director

FY 2023


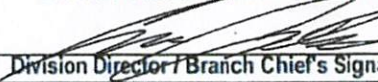
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 1
BUDGET FORM 1

PART I. Business Unit No.: <u>new</u>		Program Title: <u>Water</u> <u>ARPA 5-13 Drinking Water Source - Ramah Well</u>		Division/Branch: <u>Ramah Chapter</u>	
Prepared By: <u>David Jose</u>		Phone No.: <u>505-593-3621</u>		Email Address: <u>Project</u> <u>DavidJose@ramahnavajo.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 NNFRF	1/1/23-12/31/24	2,934,113.00	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	6		300,000	300,000
				7000 Special Transactions				
				8000 Public Assistance	7/6		2,634,113	2,634,113
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	2,934,113.00	2,934,113

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.		
SUBMITTED BY: <u>James Adakai, DCD Deputy Director</u> Program Manager's Printed Name <div style="text-align: center;">  <u>12-21-22</u> Program Manager's Signature and Date </div>	APPROVED BY: <u>Calvin Castillo, Division Director</u> Division Director / Branch Chief's Printed Name <div style="text-align: center;">  <u>4/12/2023</u> Division Director / Branch Chief's Signature and Date </div>	

FY 2023THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage ___ of ___
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NewProgram Name/Title: Reimburse Navajo / Well Construction

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:

Provide drinking water to community

Program Performance Measure/Objective:

Construct a needed water well

							1
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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.

James Adakai, Deputy Director
Program Manager's Printed Name
Program Manager's Signature and Date5-23-23Calvin Castillo, Director
Division Director/Branch Chief's Printed Name
Division Director/Branch Chief's Signature and Date05/23/2023

FY 2023

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

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		Ramah Chapter <u>Water Well Project</u>	Business Unit No.: <u>K - (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 Assistance	This project consists of constructing a new drinking water well for the Ramah Chapter to serve the Rocky Ridge Water System.	2,634,113	\$ 2,634,113
6500 Contractual Services	Project management, construction, observation and construction administration will be provided throughout the life of the project.	300,000	\$ 300,000
TOTAL		\$ 2,934,113	\$ 2,934,113

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

David Jose
President

RAMAH NAVAJO CHAPTER
HC 61, Box 13
Ramah, New Mexico 87321-9601
(505) 240-8000

Jamie Henio
Council Delegate
Navajo Nation Council

Wancey K. Martinez
Vice-President

Tribal Office



Dixie M. Begay
Secretary/Treasurer

Rodger Martinez
Member
Eastern Navajo Land Board

RESOLUTION OF THE RAMAH NAVAJO CHAPTER

NO. 082207

Approving to Design and Construct a New Water Well and Related Connecting Pipeline to Convey Drinking Water and Provide Fire Protection for the Rocky Ridge Water System, Which Serves the Northern Portion of the Chapter Community; and the Water System is Managed, Operated and Maintained under the Auspices of the Ramah Navajo Utility Authority (RNAU).

Whereas:

1. Pursuant to Navajo Tribal Council Resolution CJ-20-55, the Ramah Navajo Chapter is a certified Chapter of the Navajo Nation and the Chapter is uniquely situated as satellite community of the Navajo Nation; and
2. Pursuant to 21 Navajo Nation Code §51-60, §§ 1.A; there is established the RNAU within the Ramah Navajo Chapter; and
3. By Resolution RNC-82-15, the Ramah Navajo Chapter established the RNAU and its Articles of Establishment and Bylaws to provide utility services to the community; By Resolution RNC-0786223, the Ramah Navajo Chapter established the Plan of Operation for RNAU; and By Resolution ACS-151-86, the Advisory Committee of the Navajo Tribal Council incorporated and adopted the Articles of Establishment and Bylaws and the Plan of Operation for RNAU; and
4. By Resolution CAP-34-98, the Navajo Nation Council enacted the Navajo Nation Local Governance Act codified as 26 Navajo Nation Code (N.N.C.), establishing a new title exclusively for political subdivisions of the Navajo Nation to address the governmental function of chapters that improves the governmental structure and provides the opportunity for local chapters to make decisions over local matters; and allowing communities to excel and flourish, enable Navajo leaders to lead toward a prosperous future and improve the strength and sovereignty of the Navajo Nation, including custom and tradition; and
5. By Resolution 041614, the Ramah Navajo Chapter adopts and endorses the RNAU's Finance, Property, Personnel, Procurement and Utility Policies and Procedures, with By-Laws, presented as amendments and superseding all prior management and operation policy and procedures, via a public hearing on April 15, 2016 at the Ramah Navajo Chapter House; and
6. By Resolution CJN-29-22, the 24th Navajo Nation Council approves Leg. 0086-22, as amended, regarding the NNFRF (ARPA) Expenditure Plan to include Chapter and Regional Projects Expenditure Plan which allow the Council Delegates to select for their regions under the NNFRF Expenditure Plan. Navajo Nation Council approved Resolution CJN-29-22 then was signed into law on July 15, 2022 by the OPVP; and

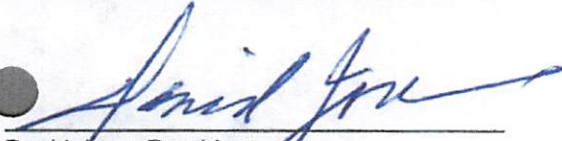
7. The existing shallow well serving the Rocky Ridge Water System is too old and no longer reliable nor cost effective such that it went out of commission recently which required costly repair and constant maintenance and operation by RNUA with limited resources. It is quite obvious a new well will serve the purpose for immediate backup and further meet the demand for abundant, reliable, safe and clean water supply to address the current infamous COVID-19 pandemic and other construction ready infrastructure developments, (i.e.), Judicial District Court Complex, Public Safety Building, and apartments adjacent to Ramah Navajo Detention Center; and
8. It is in the best interest of the Ramah Navajo Chapter and community members that supply of water (Life) must meet the ever-increasing demand not only in emergencies but under any normal circumstances in the future and generations to come. Now is most appropriate time with the NN FRF (ARPA) or funds for development of new wells.

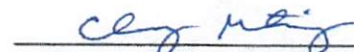
NOW, THEREFORE, BE IT RESOLVED THAT:

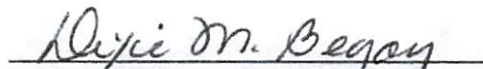
The Ramah Navajo Chapter hereby approves to design and construct a new water well and related connecting pipeline to convey drinking water and provide fire protection for the Rocky Ridge Water System, which serves the northern portion of the Chapter Community. Attached hereto is NN FRF Request Form (A) and Expenditure Plan (B).

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Ramah Navajo Chapter at a duly called meeting in Mt. View, Navajo Nation (New Mexico), at which a quorum was present and that the same was passed by a vote of 06 in favor, 0 opposed, 08 abstained on this 23rd day of August, 2022.


David Jose, President


Chancey K. Martinez, Vice President


Dixie M. Begay, Secretary/Treasurer

Substitute Motioned by: Monica Yazzie
Seconded by: Ruby Frank



MEMORANDUM

TO : Whom It May Concern

FROM : Tom Platero
Tom Platero, Executive Director
NAVAJO NATION FISCAL RECOVERY FUND OFFICE

DATE : May 22, 2023

SUBJECT : IMPLEMENTATION OF BFMY-08-23

Chapter Appendix A packets were prepared using the old forms and requirements under BFS-31-21. On May 9, 2023, the Navajo Nation Budget and Finance Committee passed BFMY-08-23 which amended certain appendices in BFS-31-21.

For purposes of this memorandum, the Appendix packet was changed in two ways: 1) the Appendix A form was updated; and 2) there is no longer a need that a Chapter resolution is required to be submitted containing a statement that the "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." This statement is incorporated into the new Appendix A form.

Currently, there are pending packets that used the old Appendix A form and/or lack the requisite Chapter Resolution. In the interest of time and given the effectiveness of BFMY-08-23, the FRF Office will resume the processing of pending packets despite it containing the old Appendix A form and/or the lack of the requisite Chapter Resolution. This will apply only for pending packets. All new requests will utilize the new Appendix A forms.

If you should have any questions, please contact me by email at t.platero@navajo-nsn.gov. Thank you.