



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 #: HK0266

Date & Time Received: 12/5/2022 17:30

Date & Time of Response: 12 December, 2022; 11:57 am

Entity Requesting FRF: Bodaway Gap Chapter

Title of Project: Affordable Housing/Bodaway Gap Chapter Housing

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,760,468

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: 2.15, Long-term Housing

Security: Affordable Housing

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: 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.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Bodaway Gap Chapter Date prepared: 11/09/2022

Chapter's mailing address: PO Box 1546 phone & email: 928-283-3493 bodaway@navajochapters.org
The Gap, AZ 86020 website (if any): bodaway.navajochapters.org

This Form prepared by: Andrea Dawes phone/email: 928-283-3493
Chapter Manager adawes@nnchapters.org

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: 3.10 Long Term Housing Security -Affordable Housing *Bodaway Gap / Chap Housing*

Chapter President: Dorothy Lee phone & email: 928-283-3493 dorothylee@naataanii.org

Chapter Vice-President: Lee Yazzie, Jr. phone & email: 928-283-3493 lyazziejr@naataanii.org

Chapter Secretary: Loretta T. Seweingyama phone & email: 928-283-3493 ltsinigine@navajochapters.org

Chapter Treasurer: Loretta T. Seweingyama phone & email: 928-283-3493 ltsinigine@navajochapters.org

Chapter Manager or CSC: Andrea Dawes phone & email: 928-283-3493 adawes@nnchapters.org

DCD/Chapter ASO: Milford Maloney phone & email: 928-283-3341 mmaloney@nndcd.org

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

☐ document attached

Amount of FRF requested: 1,760,468 FRF funding period: January 1, 2023 - September 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:

The Bodaway Gap Chapter is requesting \$1,760,468 to construct new housing and/or purchase modular/mobile homes to assist Navajo families throughout the Bodaway Gap Chapter Community. The Chapter wants to provide stable homes for multi-generational and multi-family units who had returned back to the Navajo Nation due to the COVID-19 pandemic.

☐ document attached

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

This will provide stable homes to those in need, those with limited economic opportunities and needed sanitary infrastructure for community members recovering from COVID-19. This also benefits caretakers that live in the same homes.

☐ 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

Design for homes - 01/01/2023 - 04/01/2023

Advertisement for construction through 164 process with assistance from FRF Team 04/01/2023 - 06/01/2023

Construction: 06/01/2023 - 09/30/2026

☐ document attached

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

The Bodaway Gap Chapter Officials and Administrative Staff

☐ 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:

Homeowners will be responsible for all repair and maintenance once construction is complete

☐ 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:

3.10 Long Term Housing Security -Affordable Housing

Provide new homes for Community families that will help address homelessness by offering housing support and improve access to secured and stable affordable housing.

☐ document attached

Part 3. Additional documents.

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

Design for homes - 01/01/2023 - 04/01/2023

Advertisement for construction through 164 process with assistance from FRF Team 04/01/2023 - 06/01/2023

Construction: 06/01/2023 - 09/30/2026

☐ 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

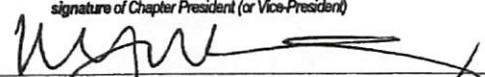
Approved by:


signature of Chapter President (or Vice-President)

Approved by:


signature of Chapter Manager or CSC

Approved by:


signature of DCD/Chapter ASO

Approved to submit
for Review:


signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 6
BUDGET FORM 1



PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Bodaway Gap Chapter</u> Affordable Housing		Division/Branch: <u>DCD</u>	
Prepared By: <u>Andrea Dawes, Chapter Manager</u>		Phone No.: <u>928-283-3493</u>		Email Address: <u>adawes@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 Fund	01/01/23 - 09/30/26	1,760,468.00	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	0	1,760,468	1,760,468
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	1,760,468.00	1,760,468

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

TOTAL: \$1,760,468.00 100%	
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PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: <u>Sonlatsa Jim-Martin, Department Manager II</u> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">  Program Manager's Signature and Date </div> <div style="text-align: center;"> 12/05/2022 </div> </div>	APPROVED BY: <u>Dr. Pearl Yellowman, Division Director</u> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> Division Director / Branch Chief's Printed Name  Division Director / Branch Chief's Signature and Date </div> <div style="text-align: center;"> 12/5/22 </div> </div>
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**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:Business Unit No.: NEW

Program Name/Title:

Bodaway Gap Chapter

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

Resolution BA-11-012-23: Purchase 26 homes for multi-generational and multi-family units that have returned to the Navajo Nation due to COVID-19 pandemic, within the FRF funding period: January 1, 2023 to September 30, 2026

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

FY 2023 complete design of homes to be built or purchased for community

Program Performance Measure/Objective:

complete designs of homes that will be constructed or purchased by April 1, 2023

		1					
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2. Goal Statement:

Start and complete 164 process with assistance from FRF Team

Program Performance Measure/Objective:

Advertise bids for construction or purchase of homes by June 01, 2023

				1			
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3. Goal Statement:

Start or purchase homes 06/01/23 - 09/30/2023

Program Performance Measure/Objective:

Homes to be constructed or purchased

						1	
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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.

Sonlata Jim Martin, Department Manager II



12/05/2022

Division Director/Branch Chief's Printed Name



Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:Business Unit No.: NEW

Program Name/Title:

Bodaway Gap Chapter

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

Resolution BA-11-012-23: Purchase 26 homes for multi-generational and multi-family units that have returned to the Navajo Nation due to COVID-19 pandemic, within the FRF funding period:
January 1, 2023 to September 30, 2026

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

Start or purchase homes 10/01/2023 - 06/31/2023

Program Performance Measure/Objective:

Complete purchase of 26 homes

2

2

2

2

2. Goal Statement:

Program Performance Measure/Objective:

3. Goal Statement:

Program Performance Measure/Objective:

4. Goal Statement:

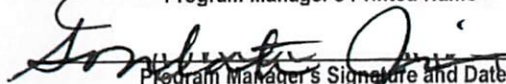
Program Performance Measure/Objective:

5. Goal Statement:

Program Performance Measure/Objective:

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

Sonlata Jim Martin, Department Manager II



12/05/2022

Division Director/Branch Chief's Printed Name



12.5.22

Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:Business Unit No.: NEW

Program Name/Title:

Bodaway Gap Chapter

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

Resolution BA-11-012-23: Purchase 26 homes for multi-generational and multi-family units that have returned to the Navajo Nation due to COVID-19 pandemic, within the FRF funding period:
January 1, 2023 to September 30, 2026

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

Start or purchase homes 06/01/24 - 09/30/2025

Program Performance Measure/Objective:

Complete purchase of 26 homes

2		2		2		2	
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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 CERTIFY THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Sonia J. Jimenez, Department Manager II

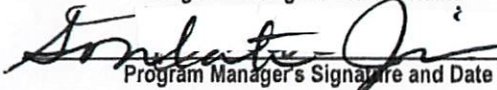

Sonia J. Jimenez 12/05/2022
Program Manager's Signature and Date

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

Pearl Williams
Pearl Williams 12.5.22

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:									
Business Unit No.: <u>NEW</u>		Program Name/Title: <u>Bodaway Gap Chapter</u>				<u>Housing</u>			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
Resolution BA-11-012-23: Purchase 26 homes for multi-generational and multi-family units that have returned to the Navajo Nation due to COVID-19 pandemic, within the FRF funding period: January 1, 2023 to September 30, 2026									
PART III. PROGRAM PERFORMANCE CRITERIA:									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
Start or purchase homes 10/01/25 - 09/30/2026									
Program Performance Measure/Objective:									
Complete purchase of 26 homes		2		2		3		2	
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.									
Sonlata Jim Martin, Department Manager II					Dr. Pearl Yellowman, Division Director				
Program Manager's Printed Name					Division Director/Branch Chief's Printed Name				
									
Program Manager's Signature and Date					Division Director/Branch Chief's Signature and Date				
12/06/2022					12.5.22				

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page 6 of 6
BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Bodaway Gap Chapter <i>Housing</i></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)
6500	CONTRACTUAL SERVICES 10 - 1bed/1bath mobile home \$62,112 x 10 = \$621,120.00 9 - 2bed/2bath mobile home \$67,312 x 9 = \$605,808.00 7 - 3bed/2bath mobile home \$70,712 x 7 = \$494,984.00 Contingency	621,120 605,808 494,984 38,556	1,760,468
TOTAL		1,760,468	1,760,468

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

**Page 1 of 2
PROJECT FORM**

PART I. Business Unit No.: NEW Project Title: 3.10 Long-Term Housing Security - Affordable Housing <i>Boataway Gap Chp Housing</i> Project Description: Purchase 26 homes for multi-generational and multi-family units 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: Housing Planned Start Date: 1/1/2023 Planned End Date: 9/30/2026 Project Manager: Andrea Dawes	
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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 - 04/01/2023 Design of homes																																x	x	x	x																															
04/01/2023 - 06/01/2023 Advertise for construction through 164 process																																						x	x	x																										
06/01/2023-12/31/2026 Purchase of 26 homes																																						x	x	x	x	x	x	x	x	x	x	x	x	x	x	x														
PART V. Expected Quarterly Expenditures																																\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL										

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

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

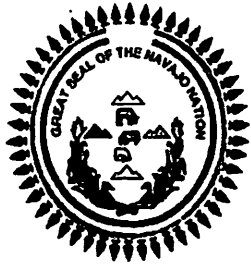
**Page 2 of 2
PROJECT FORM**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>3.10 Long-Term Housing Securtly - Affordable Housing</u> <i>Boraway Gap Chp. Housing</i> Project Description <u>Purchase 26 homes for multi-generational and multi-family units</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>Housing</u> Planned Start Date: <u>1/1/2023</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Andrea Dawes</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 2025												FY 2026																	
	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
06/01/2023-12/31/2026 Purchase of 26 homes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x						

Dorothy Lee
President

Lee Yazzle, Jr.
Vice-President

Loretta T. Sewelngyawma
Secretary Treasurer



THE NAVAJO NATION
Bodaway Gap Chapter
P.O. Box 1546
The Gap, Arizona 86020
Phone: (928) 283-3493 Fax (928) 283-3496
Email: bodaway@navajochapters.org

Leonard Sloan
Grazing Officer

Herbert Zahne
Farm Board Member

Paul Begay
Honorable Council Delegate

Resolution No: BA-11-005-23
Sponsor: Andrea Dawes

THE NAVAJO NATION
RESOLUTION OF THE BODAWAY GAP CHAPTER
Naaltsoos Bee Aa Nahodiitahhii

APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR CHAPTER AND REGIONAL PROJECTS IN THE AMOUNT OF \$1,760,468.00 TO CONSTRUCT NEW HOMES AND/OR PURCHASE MODULAR HOMES

WHEREAS:

1. The Bodaway/Gap Chapter is certified and recognized by the Transportation and Community Development Committee of the Navajo Nation Council, by way of Resolution TCDCD-44-10; and
2. Pursuant to Title 26 of the Navajo Nation Code §1 (B) (1), the Navajo Nation Council delegates the Bodaway/Gap Chapter governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; and
3. Pursuant to Title 26 of the Navajo Nation Code §103 (D), Bodaway/Gap Chapter is vested with the authority and responsibility to review all matters affecting the community and to make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies; and
4. Bodaway/Gap Chapter recognizes that multi-generational and multi-family units that have returned to the Navajo Nation due to the COVID-19 pandemic are in need of new homes due to limited economic opportunities and sanitary infrastructures; and
5. Bodaway/Gap Chapter shall provide the Navajo Nation Fiscal Recover Fund Documents used in this plan as Exhibit A:
 - a. Navajo Nation Fiscal Recovery Fund Document Checklist
 - b. Appendix A – Request Form & Expenditure Plan
 - c. Appendix B – Navajo Nation Budget Forms
 - d. Approving Chapter Resolution

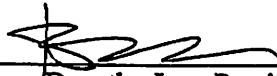
NOW, THEREFORE, BE IT RESOLVED THAT:

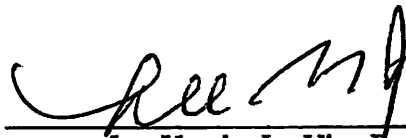
1. Bodaway/Gap Chapter hereby approves the Navajo Nation fiscal recovery fund expenditure plans for chapter and regional projects in the amount of \$1,760,468.00 to construct new homes and/or purchase modular homes.


CERTIFICATION

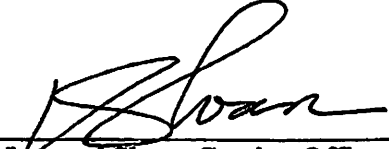
I hereby certify that the foregoing resolution was considered by the Community of Bodaway/Gap at a duly called Chapter Meeting in Bodaway/Gap, (Navajo Nation) Arizona, at which a quorum was present and the same was passed by a Vote of 2 in Favor, 0 Opposed, and 1 Abstained on this 19th day of November, 2022.

Motion by: Loretta T. Seweinyama Seconded by: Lee Yazzie Jr


Dorothy Lee, President


Lee Yazzie, Jr., Vice-President


Loretta T. Seweinyama, Secretary/Treasurer


Leonard Sloan, Grazing Officer

Paul Begay, Council Delegate