



**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 #: HK0358

Date & Time Received: 12/20/22 15:12

Date & Time of Response: 12/29/22 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: Bathroom and Kitchen Upgrades Newcomb Chapter Buildings (no touch fixtures)

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$150,000.00

**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:** 1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)

**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: MacArthur Stant

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: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946  
Newcomb, NM 87455 phone & email: 505-696-3300  
website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally phone/email: 505-696-3400  
Newcomb Chapter Manager ndbenally@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Bathroom and Kitchen Upgrades Newcomb Chapter Buildings (no touch fixtures)

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally\_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally\_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known  
01/01/2023 - 12/31/2026  document attached

Amount of FRF requested: \$150,000 FRF funding period: 2023 - 2025 (3/1/2022 - 11/30/2025)  
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 Senior Citizens Center, the Old Chapter House and the Dine College Outreach buildings belong to the Newcom Chapter Government. The Senior Citizens Center, the Dine College outreach and Old Chapter House buildings will have their restrooms and kitchen areas upgraded to have no-touch fixtures. All sinks, toilets, hand dryers and other restroom fixtures will be no touch (attached is a scope of work).

document attached

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

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to upgrade their building facilities with no-touch fixtures in the restrooms and kitchen areas. These Chapter buildings will become a safer healthier offices for the administration, community members and visitors.

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:

Dec 11, 2022 - Resolution  
Winter 2023 - NN and DOJ Review  
Spring 2023 - Seek Bids  
Summer 2023 - Contract Bid Award  
Fall 2023 to Summer 2024 - Construction  
Challenges: Review time from Navajo Nation

document attached

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

Newcomb Chapter Administration and Elected Officials will be responsible for the project.

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:

Newcomb Chapter Administration will be responsible for the operations and maintenance costs for the project once completed.

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:

COVID-19: Aid to Impacted Industries^ 1.10

The Newcomb Chapter is seeking funds for the upgrades to the restrooms and kitchen areas. Installing a no-touch fixtures will greatly minimize viruses to be passed on. These upgrades will be in the Senior Citizens and Dine College Outreach buildings. Making these renovations would greatly benefit community and administrative members during and after the pandemic.

document attached

**Part 3. Additional documents.**

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

Chapter Resolution is attached.  
Scope of Work 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:  Approved by:   
signature of Preparer/CONTACT PERSON signature of Chapter President (or Vice-President)

Approved by:  Approved by:  12/19/2022  
signature of Chapter Manager or CSC signature of DCD Chapter ASO

Approved to submit for Review:   
signature of DCD Director

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.:     New     Program Title: Bathroom and Kitchen Upgrades Newcomb Chapter Buildings Division/Branch: DCD/Executive Branch  
Prepared By: Norman Benally Phone No.: 505-696-3400 Email Address: ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	(A)	(B)	(C)	
				NCN Approved Original Budget	Proposed Budget	Difference o Total					
NN Fiscal Recovery Funds	FY23-FY25	150,000.00	100%	2001	Personnel Expenses						
	<del>3/1/2023-11/30/2025</del>			3000	Travel Expenses						
	<del>01/01/2022-12/31/2026</del>			3500	Meeting Expenses						
				4000	Supplies						
				5000	Lease and Rental						
				5500	Communications and Utilities						
				6000	Repairs and Maintenance						
				6500	Contractual Services	6		150,000	150,000		
				7000	Special Transactions						
				8000	Public Assistance						
				9000	Capital Outlay						
				9500	Matching Funds						
				9500	Indirect Cost						
				TOTAL				\$0.00	150,000.00	150,000	
				PART IV. POSITIONS AND VEHICLES			(D)	(E)			
				Total # of Positions Budgeted:			0	0			
				Total # of Vehicles Budgeted:			0	0			
TOTAL:		\$150,000.00	100%								

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Norman Benally  
Program Manager's Printed Name  
[Signature] 12/12/22  
Program Manager's Signature and Date

APPROVED BY: [Signature]  
Division Director / Branch Chief's Printed Name  
[Signature] 12.16.22  
Division Director / Branch Chief's Signature and Date

Scanned with CamScanner



FY 2023

THE NAVAJO NATION  
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Bathroom and Kitchen Upgrades Newcomb Chapter Buildings</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	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (No Touch Upgrades)		150,000
6960	Subcontractor Services	150,000	
6990	Subcontractor Services		
<b>TOTAL</b>		150,000	150,000

Scanned with CamScanner



## NEWCOMB CHAPTER

P.O. Box 7946 • Newcomb, NM 87455 • Telephone: 505-696-3300 • Fax: 505-696-5475

### NEWCOMB CHAPTER ARPA PROJECT SCOPE OF WORK

#### Project Title:

Renovation of the restrooms for the Newcomb Chapter House buildings. The Senior Citizens Center, the Head Start School, the Old Chapter House and the Dine College Outreach Facility are housed in three separate buildings that belong to the Newcomb Chapter. These buildings will have their restrooms upgraded to have no-touch restroom fixtures. The Chapter House and the Head Start buildings will have a new ventilation systems installed. Male and female restrooms will be constructed in the Old Chapter House building. All constructions and upgrades must meet ADA standards.

#### Background Narrative:

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to renovate and upgrade their building facilities with no-touch restroom fixtures and new ventilation systems. The Chapter buildings will have their restroom sinks and kitchen sinks replaced to ensure any possible embedded viruses are eliminated. The renovations and upgrades will meet ADA standards for all buildings. The list below is what the Chapter would introduce as a general scope of work.

#### Work Plan:

##### Newcomb Chapter House:

- Kitchen:
  - One hand washing sink
  - Install one no-touch faucet
  - Install one no-touch hand dispenser for soap
  - Install two no-touch hand sanitizers
  - Install one no-touch hand dryer
  - Install two large sinks with no-touch faucets
- Lobby Area:
  - Install two no-touch hand sanitizers
- Restroom doors and administration office door:
  - Construct and install all main doors that will comply with the ADA standards

##### Senior Citizen Center

- Lobby Area:
  - Install two no-touch hand sanitizers
  - Install one no-touch hand washing sink
  - Install one no-touch hand dryer
  - Install one no-touch hand dispenser for soap
- Men's Restroom:
  - Install two hand washing sinks

David Randolph Sr, President Willamena Smith, Vice President  
Donna Benally Sec. /Treasurer Lawrence Gould, Grazing Representative  
Rickie Nez, Council Delegate



- Install one no-touch hand dryer
- Install one no-touch soap dispenser
- Front door needs to have an ADA Handicap entrance
- Kitchen Area:
  - Install one three compartment sink
  - Install one no-touch hand dryer
  - Install one hand washing sink
  - Install one no-touch hand sanitizer
- Lobby Area:
  - Install two small no-touch hand washing sinks
  - Install one no-touch soap dispenser

### **Dine College Outreach Facility:**

- Lobby Area:
  - Install one no-touch hand sanitizer
- Men's Restroom:
  - Install one hand washing sink
  - Install one no-touch toilet
  - Install one no-touch hand dispenser for soap
  - Install one no-touch hand dryer
- Ladies Restroom:
  - Install one no-touch hand washing sink
  - Install one no-touch toilet
  - Install one no-touch hand dispenser for soap
  - Install one no-touch hand dryer

### **Old Chapter House Building:**

- Install restrooms
  - Men's Restroom:
    - Install one hand washing sink
    - Install one no-touch toilet
    - Install one no-touch hand dispenser for soap
    - Install one no-touch hand dryer
  - Ladies Restroom:
    - Install one no-touch hand washing sink
    - Install one no-touch toilet
    - Install one no-touch hand dispenser for soap
    - Install one no-touch hand dryer

### **Ventilation System:**

- The Chapter House will be first priority to have a ventilation system installed. This ventilation system will include a heater and air conditioner with new vent pipes that leads to all rooms
- The Head Start building will be second priority to have a ventilation system installed. This ventilation system will include a heater and air conditioner with new vent pipes that lead to all rooms

David Randolph Sr, President    Willamena Smith, Vice President  
 Donna Benally Sec. /Treasurer    Lawrence Gould, Grazing Representative  
 Rickie Nez, Council Delegate



## NEWCOMB CHAPTER – NAVAJO NATION

P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023  
NWCB-120521-019

### Resolution of the Newcomb Chapter

#### APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

#### WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and
2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and
4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside \$8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and
5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided \$362 billion for state, local and tribal governments, including \$20 billion specifically designated for tribal governments; and
6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars (\$2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and
7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:
  - a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
  - b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
  - c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

- d. Make necessary investments in water, sewer, and/or broadband infrastructure.
8. The NAABIK'YATI' Committee and Navajo Nation Council plans include Allocating \$1,166,003,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Water and Wastewater Projects, Broadband Projects, Home Electricity Connection Projects, Housing and Housing Renovation Projects, Bathroom Additions Projects and Hardship Assistance.
9. Pursuant to Legislation 0257-21, the Newcomb Chapter has prioritized projects for the Fiscal Recovery Funds as: (1) ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

**NOW THEREFORE BE IT RESOLVED THAT:**

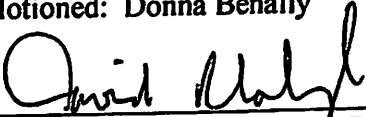
The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of \$1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

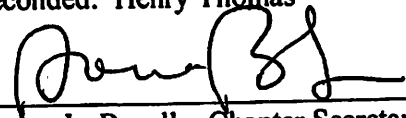
**CERTIFICATION**

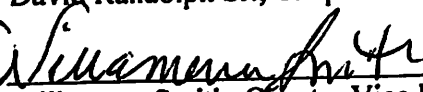
We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11<sup>th</sup> day of December 2022.

Motioned: Donna Benally

Seconded: Henry Thomas

  
\_\_\_\_\_  
David Randolph Sr., Chapter President

  
\_\_\_\_\_  
Donna L. Benally, Chapter Secretary/Treasurer

  
\_\_\_\_\_  
Willamena Smith, Chapter Vice President

# NAVAJO NATION FISCAL RECOVERY FUND



## DOCUMENT CHECKLIST

### TO DOJ for Governance Certified Chapters

Submit all documents according to this checklist. If all documents are not attached, packet will be returned to division/program.

#### Division/Program Information:

Date Submitted: December 11, 2022

Program/Division: CDC/Excutive Branch - Newcomb Chapter

Contact Person: Norman Benally

Phone: 505-696-3400

Email: ndbenally@nnchapters.org

#### Documents needed for processing:

- Appendix A - Request Form & Expenditure Plan
- Appendix B - Budget Forms (Form 1, 2, 3, 4, 5, Appendix J as needed)
- Approved Chapter Resolution supporting the project
- Required Signatures:
  - Preparer
  - Chapter President/Vice President
  - Chapter Manager/CSC
  - DCD ASC
  - DCD Division Director
  - NNFRFO Director

#### Notes:

Bathroom and Kitchen Upgrades Newcomb Chapter Buildings (no touch fixtures)

#### Reviewed by:

\_\_\_\_\_  
NN Fiscal Recovery Fund Office

\_\_\_\_\_  
Date

**DISCLAIMER: For guidance purposes only. Additional information may be required.**

Navajo Nation Fiscal Recovery Fund Office (NNFRFO)  
PO BOX 2469, Window Rock, Arizona 86515  
(928)309-5532