



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: _____

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: _____

Signature of DOJ Reviewer: _____

Disclaimers:

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.

An NNDOJ Initial Eligibility Determination is 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 NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.Non-Governance Certified Chapter requesting FRF: SAN JUANdate prepared: APRIL 25, 2023Chapter's PO BOX 1636phone/email: (505)960-6916mailing address: FRUITKAND, NM 87416website (if any): sanjuan@navajochapters.orgthis Form prepared by: DINAH PAULphone/email: (505)960-6916San Juan Chapter Managerdpaul@nnchapters.orgCONTACT PERSON'S name and titleCONTACT PERSON'S infotitle and type of Project: SanJuanChapter N362 Repair Road ProjectChapter President: Sam Beephone & email: (505)960-6916/sbee@naataanii.orgChapter Vice-President: Sophina Tylerphone & email: (505)960-6916/Sodathler77@hotmail.comChapter Secretary: Audrey Nezphone & email: (505)960-6916/anez@navajochapters.orgChapter Treasurer: Audrey Nezphone & email: (505)960-6916/anez@navajochapters.orgChapter Manager or CSC: Dinah Paulphone & email: (505)960-6916/dpaul@navajochapters.org

DCD/Chapter ASO: _____

phone & email: _____

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): UNKNOWN☐ document attachedAmount of FRF requested: \$717,040.00FRF funding period: 5/1/23 - 12/31/26Indicate 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:

San Juan Chapter N362 Repair Road Project includes design, engineering, and construction of an existing Bureau of Indian Affairs (BIA) Route N362. The funds will be used to begin design and engineering of repairing the road. The N362 repair road project will be located at Lower Fruitland, NM. The COVID-19 related needs with the public use, public health needs, school bus traffic and an secondary emergency route for our community members.

☐ document attached

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

The San Juan Chapter N362 Repair Road Project would benefit the Navajo Nation, San Juan Chapters Lower Fruitland community, and our Navajo people by providing a secondary road. The community is currently driving through a rough road.

☐ 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: Begin 5/1/23-12/31/24

San Juan Chapter N362 Repair Road Project timeline: San Juan Chapter resolution 12/12/22,

Proposals Spring 2023, Contract Award Summer 2023

Construction Fall 2023. Challenges would include Navajo Nation review timeline.

☐ document attached

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

San Juan Chapter will be responsible for implementing the Repair Road 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:

The Navajo BIA Roads Department will be responsible for 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:

San Juan Chapter is seeking funding for the design and engineering for the N362 Repair Road Project. The N362 route is a public route that serves hundreds of residents that reside with the area. The rough road has affected medical routes school bus route, and overall impacted the San Juan Chapter Lower Fruitland community secondary route in driving the rough road.

☐ document attached

Part 3. Additional documents.

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

San Juan Chapter Resolution 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: D. Paul
signature of Preparer/CONTACT PERSON

Approved by:

signature of Chapter President (or Vice-President)

Approved by: D. Paul
signature of CSC

Approved by:

signature of Deputy ASO

Approved to submit
for Review.

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>San Juan Chapter - N362 Repair Road</u>		Division/Branch: <u>DCD/Executive Director</u>	
Prepared By: <u>Dinah Paul</u>		Phone No.: <u>(505)906-6916</u>		Email Address: <u>dpaul@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	5/1/23-12/31/26	717,040.00	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		717,040	717,040
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	717,040.00	717,040

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>Jayon Charley, Program Manager II</u> Program Manager's Printed Name <u>09/19/2023</u> Program Manager's Signature and Date	APPROVED BY: <u>Calvin Castillo, Executive Director</u> Division Director / Branch Chief's Printed Name <u>9/19/2023</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.: <u>NEW</u>			Program Name/Title: <u>San Juan Chapter - N382 Repair Road</u>						
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
To direct the Chapter administration and management control system, by promoting efficiency and accountability to the chapter membership and to effectuate plans of action to improve the standards of living for the chapter membership. See attached Resolution CD-88-82.									
PART III. PROGRAM PERFORMANCE CRITERIA:									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
To repair N382 road									
Program Performance Measure/Objective:									
Safe driving for the people.								1	
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.									
<u>Jaxon Charley, Program Manager II</u> Program Manager's Printed Name					<u>Calvin Castilla, Executive Director</u> Division Director/Branch Chief's Printed Name				
<u>09/19/2023</u> Program Manager's Signature and Date					<u>9/19/2023</u> Division Director/Branch Chief's Signature and Date				

FY 2023

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

**Page 3 of 3
BUDGET FORM 4**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>San Juan Chapter - N362 Repair Road</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)
6960	SUNCONTRACTED SERVICES 6990 - Subcontracted Services Road Repair	\$717,040	\$717,040
	\$717,040.00		
TOTAL		717,040	717,040

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

**Page 1 of 1
PROJECT FORM**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>San Juan Chapter - N362 Road Repair</u> Project Description <u>Work with company to do road repair for N362.</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input checked="" type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification		PART II. Project Type: <u>Repair</u> Planned Start Date: <u>5/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>DCD</u>	
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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. <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <tr> <th colspan="12">FY 2023</th> <th colspan="12">FY 2024</th> <th colspan="4" rowspan="2">Expected Completion Date if project exceeds 8 FY Qtrs.</th> </tr> <tr> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> </tr> <tr> <td>O</td><td>N</td><td>D</td><td>J</td><td>F</td><td>M</td><td>A</td><td>M</td><td>J</td><td>Jul</td><td>A</td><td>S</td> <td>O</td><td>N</td><td>D</td><td>J</td><td>F</td><td>M</td><td>A</td><td>M</td><td>J</td><td>Jul</td><td>A</td><td>S</td> <td>O</td><td>N</td><td>D</td><td>J</td><td>F</td><td>M</td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td>X</td><td>X</td><td>X</td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>																												FY 2023												FY 2024												Expected Completion Date if project exceeds 8 FY Qtrs.				1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			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								X																																					X	X	X																															X	X	X	X	X	X						
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PART V. Expected Quarterly Expenditures	\$		\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL																																																																																																																																																																															
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FOR OMB USE ONLY: Resolution No: _____ FMIS Set Up Date: _____ Company No: _____ OMB Analyst: _____



SAN JUAN CHAPTER

SANJ-2023-07

Rickie Nez
Council Delegate

Sam Bee
President

Sophina Tyler
Vice President

Audrey Nez
Secretary/Treasurer

Herbert Cly
Farm Board Member

Clarence Cly
Grazing Member

RESOLUTION OF SAN JUAN CHAPTER

APPROVING THE AMERICAN RESCUE PLAN FUNDS ALLOCATED FOR SAN JUAN CHAPTER IN THE AMOUNT OF \$1.27 MILLION

WHEREAS:

1. San Juan Chapter is a duly certified Chapter under the Navajo Nation Government pursuant to Resolution No. CD 86 -82 and pursuant to 26 NNC § 103 and they are delegated and authorized to review all matters affecting its community people; and
2. San Juan Chapter recognizes that the community of San Juan is in need of immediate emergencies that benefit the community as a whole; and
3. San Juan Chapter understands that the listed projects are on an estimated cost based only; and
4. San Juan Chapter will consider other projects if necessary to fully expense the total funding of \$1.27 million.

NOW THEREFORE BE IT RESOLVED THAT:


San Juan Chapter and its community people hereby approve the \$1.27 million to addressed emergency related projects based on estimated cost, which include: 1. Repair Road N362 for 2.7 miles; 2. Purchase five (05) mini modular homes for families who are considered high-risk health related recommended by the Community Health Representative; 3. Purchase a 50' x 100' warehouse to store any emergency products for any unforeseen pandemic.

CERTIFICATION

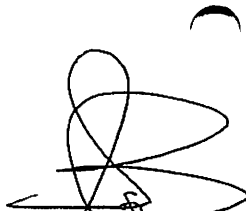
We hereby certify that the foregoing resolution was duly considered by San Juan Chapter at a duly called meeting at San Juan Chapter, (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a voted of 11 in favor, 0 opposed, and 1 abstained on this 12th day of December 2022.

Motion by: Harrison Bee


Second by: Ernest Benally



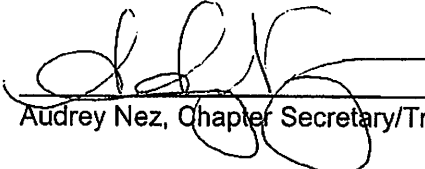
Rickie Nez, Council Delegate



Sam Bee, Chapter President



Sophina Tyler, Vice-President



Audrey Nez, Chapter Secretary/Treasurer