



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
*OFFICE OF THE ATTORNEY GENERAL*

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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: \_\_\_\_\_  
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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.

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: Dennehotso Chapter Date prepared: 06/12/2023

Chapter's P.O. Box 2301 phone/email: 928-658-3301  
mailing address: Dennehotso Az 86535 website (if any): msmith-williams@nnchapters.org

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

Title and type of Project: Chapter Watering Point Upgrade

Chapter President: Larry Tuni phone & email: 928-658-3300, Larrytuni15@gmail.com

Chapter Vice-President: Tully Begay phone & email: 92-658-3300, Tbegay@navajochapters.org

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

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

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

DCD/Chapter ASO: Calvin Tsosie phone & email: 928-810-1624

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

Amount of FRF requested: \$ 83,835.40 FRF funding period: June 9, 2023 - Sept. 30, 2026  document attached  
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:

Chapter Watering Point Upgrade, the funding purpose and plan is to upgrade the existing chapter watering point for water line to a 3 inch or wider and lift it 3 feet up, coin machine upgrade, to purchase a new structure that houses the water system manhoe below ground, foundation, upgrade the electrical wiring, breaker box, drop line CDEC. Community members utilize the watering point for water use in homes, cooking, bathing to prevent futhure infection of the COVID-19. Chapter does own a 3000 gallon water truck to deliever potable water to homes with cistern systems and for an easier fill with the turck.

document attached

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

Consumable water benefits all Navajo Nation members, home owners that need drinking water for daily useage, in or around Dennehotso Chapter and neighboring communities.

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:

Once the funds are approved, the funds will be used to upgrade the chapter watering point as soon as possible before Sept 30, 2026

document attached

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

The Chapter Manager and Administrative Assistant will be responsible for implementing 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.

The Chapter will be responsible for the maintenance and operation costs to maintain the operation of the watering point.

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 Source

Provision of governmental services 6.1

*Upgrade our current watering point.  
So community members can access watering point  
24/7.*

document attached

**Part 3. Additional documents.**

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

Quotes for watering point

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]* 6/13/23  
Signature of Chapter President (or Vice-President)

Approved by: *M. Smith Williams*  
Signature of CSC

Approved by: *Sarah Harrison* 06/29/2023  
Signature of Chapter ASC

Approved to submit for Review: *[Signature]*  
Signature of DCD Director

FY 23/24

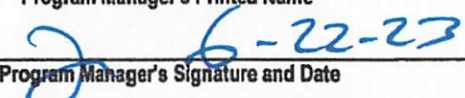
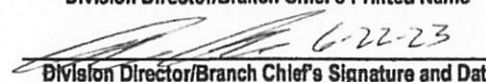
THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>DENNEHOTSO - WATERING POINT UPGRADE</u>		DIVISION OF COMMUNITY DEVELOPMENT				
Prepared By: <u>Maricelyn Smith-Williams</u>		Phone No.: <u>928-658-3300</u>		Email Address: <u><a href="mailto:msmith-williams@nnchapters.org">msmith-williams@nnchapters.org</a></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
ARRPA - FRF	6/12/23-9/30/25	83,835.40	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				
				7000 Special Transactions				
				8000 Public Assistance	6		83,835.40	83,835.40
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	83,835.40	83,835.40
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		<u>0</u>	<u>0</u>	
				Total # of Vehicles Budgeted:		<u>0</u>	<u>0</u>	
TOTAL:		\$83,835.40	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>James Adakai, Deputy Director</u>			APPROVED BY: <u>Calvin Castillo, Executive Director</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u>[Signature]</u> Program Manager's Signature and Date			<u>[Signature]</u> Division Director / Branch Chief's Signature and Date					

FY 23/24

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

Page 2 of 3  
BUDGET FORM 2

<b>PART I. PROGRAM INFORMATION:</b>									
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>DENNEHOTSO - WATERING POINT UPGRADE</u>						
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>									
APPROVE OF WATERING POINT UPGRADE									
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
TO PAY FOR THE UPGRADE OF EXISTING WATER POINT									
Program Performance Measure/Objective:									
Provide watering point system access at anytime to community members		1		1		1		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:									
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>									
James Adakai, Deputy Director				Calvin Castillo, <i>Executive Director</i>					
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					

FY 23/24

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>DENNEHOTSO - WATERING POINT UPGRADE</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)
8000	8545 - waterline upgrade , upgade current wating point, access is convient for community members	83,835.40	83,835.40
TOTAL		83,835.40	83,835.40

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>NEW</u>													<b>PART II.</b> <b>Project Information</b>																						
Project Title: <u>DENNEHOTSO - WATERING POINT UPGRADE</u>													Project Type: <u>CHAPTER WATERING POINT</u>																						
Project Description <u>TO UPGRADE WATERING POINT</u>													Planned Start Date: <u>6/12/2023</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													Planned End Date: <u>9/30/2026</u>																						
													Project Manager: <u>Maricelyn Smith-Williams</u>																						
<b>PART III.</b>	<b>PART IV.</b> Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																																		
List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	FY <u>2023</u>												FY <u>2024</u>												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.			Date										
To upgrade lines, card access for community use 24/7	O	N	D	J	F	M	A	M	J	Jul	A	S	x	x	O	N	D	J	F	M	A	M	J	Jul	A	S	x	x	x	O	N	D	J	F	M
	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL										
Expected Quarterly Expenditures																									\$83,835.40										

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





**AquaFlow Int'l, Inc.**  
 5375 N Dodge Ave.  
 Flagstaff, AZ 86004  
 928-380-6164

# Estimate

DATE	ESTIMATE #
6/7/2023	2395

BILL TO
<b>Dennehotso Chapter</b> P.O Box 2301 Dennehotso, AZ 86535 United States

RECEIVED

JUN 07 2023

Name: L. Esker

ITEM	DESCRIPTION	QTY	RATE	TAX	AMOUNT
Note	This Quote is for replacing the water loading station with a card-based system like NTUA uses. The Quote includes a turnkey system to be mounted on the raised 88"x48" concrete raised slab. Power is to be provided by the Chapter to the location.	1	0.00		0.00
Note	Site Prep:	1	0.00		0.00
Misc	Site prep: Dig a foundation for the overhead arm for the station. Mix and Pour concrete for the Support arm foundation with anchor bolts embedded. Estimate on site 3 days (3 trips) for our crew of 4. Remove current loading arm and piping for the station above the slab. Mount and install the enclosure to the slab. Mount and install the overhead support post. **** Electric to be run by the chapter to the slab to the enclosure before installation. *****	1	14,990.00	T	14,990.00
Misc	Concrete 80# bags and mixer	1	990.00	T	990.00
Note	System:	1	0.00		0.00
Misc	48" x 88" x 48" Enclosure. Frame is 2"x2" square steel tubing. It is powder coated, skinned in Alum sheeting, the color is white. There is 2" of ridged insulation throughout. Inside is coated in white FRP panels. There is a 60amp sub panel electric box, light with switch, one outlet.	1	17,990.00	T	17,990.00
2" Water Componets	2" water components for the AquaFlow or AquaTrack water systems. Includes a (Zurn/Wilkins 975 XL2 or Equivalent) backflow device, flow sensor, electric controled valve and drain valve. Includes piping inside the enclosure.	1	4,490.00	T	4,490.00
2" Overhead support	The 2" water line overhead support post is made of 4" 11gage square steel tubing's. Upside down "L" shaped in design. The post is powder coated to prevent rust. The post has Unistrut clamps to hold the water pipes and add strength for the loading stand. The support bolts down like a light post to bolts in the slab. The post is 14' 6" tall and has a 8' arm.	1	5,890.00	T	5,890.00

All Quotes are valid for 120 days.

Subtotal	79,090.00
6.00% Tax	4,745.40
<b>Total</b>	<b>83,835.40</b>

**AquaFlow Int'l, Inc.**  
 5375 N Dodge Ave.  
 Flagstaff, AZ 86004  
 928-380-6164

# Estimate

DATE	ESTIMATE #
6/7/2023	2395

**BILL TO**

**Dennehotso Chapter**  
 P.O Box 2301  
 Dennehotso, AZ 86535  
 United States

ITEM	DESCRIPTION	QTY	RATE	TAX	AMOUNT
2" Piping	Piping for the outside of the support post. Water pipe to be 2" galvanized piping with two 90's. Piping will connect to a 2" galvanized pipe coming out of the enclosure and out to the 2" Food Grade hose.	1	970.00	T	970.00
AquaFlow II Site	AquaFlow II Site controller and power supplies. The control panel interfaces the valve and flow sensor with the customer interface.	1	17,990.00	T	17,990.00
AquaFlow Office	AquaFlow Office Encoder and power supply. This is the re-value station for use in your office to add money to customers cards.	1	12,990.00	T	12,990.00
Cards	Custom Printed Cards	200	4.00	T	800.00
Installation	Installation over sight of the enclosure to the concrete (provided by customer) slab. Water Hookup and system made ready for use. (customer shall provide an electrician to hook up the sub-panel box in the enclosure.) A Lifting device shall be provided by customer onsite, such as a Backhoe, Forklift, or Excavator to help set the enclosure. Installation is to be onsite in AZ, USA. Includes Delivery to your location. Training and installation to be completed with the delivery. On site estimate: 1 Day	1	1,990.00	T	1,990.00
Term 4	A \$50,000 deposit required to start production of the system(s). The balance of the project is due Net 10 Days from Delivery. (If the Delivery is delayed more than 30 days from AquaFlow Completion of the project, the balance then becomes due.) There is a 3.5 percent (\$25.00 minimum) late charge on all past due accounts, and 2 percent (\$25.00 minimum) every 30 days thereafter. AquaFlow Int'l Inc. will be ready to install system within 4 to 8 weeks of receipt of the deposit depending on the number of customers in front of you.	1	0.00		0.00
Warranty	System is warranted against factory defect for one year. Not included in this warrantee are: Acts of God, Acts of War, Acts of Terrorism, Accidents (except by AquaFlow Int'l Inc personal), Power related Issues (such as lightning strikes or power surges), or vandalism.	1	0.00		0.00
Sales Tax	Sales Tax laws are forever changing. "Sales Tax" or "Use Tax" (or alike) is the responsibility of the Customer. Arizona does not require "Sales Tax" on out of state sales. Check with your State agency if these taxes apply to you.	1	0.00		0.00
All Quotes are valid for 120 days.		Subtotal			79,090.00
		6.00% Tax			4,745.40
		<b>Total</b>			<b>83,835.40</b>

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# Estimate

DATE	ESTIMATE #
6/7/2023	2395

<b>BILL TO</b>
Dennehotso Chapter P.O Box 2301 Dennehotso, AZ 86535 United States

ITEM	DESCRIPTION	QTY	RATE	TAX	AMOUNT
Force Majeure	Force Majeure. In no event shall the Trustee be responsible or liable for any failure or delay in the performance of its obligations hereunder arising out of or caused by, directly or indirectly, forces beyond its control, including, without limitation, strikes, work stoppages, accidents, acts of war or terrorism, civil or military disturbances, nuclear or natural catastrophes or acts of God, and interruptions, loss or malfunctions of utilities, communications or computer (software and hardware) services; it being understood that the Trustee shall use reasonable efforts which are consistent with accepted practices in the banking industry to resume performance as soon as practicable under the circumstances.	1	0.00	T	0.00
2nd Year	The Vendor offer an extended Maintenance and Warranty extension on a yearly basis. The optional continuing year maintenance fee currently is \$ 1598.00 per year for the first bay, and \$850.00 per year per bay for more than one bay. The maintenance fee covers the expedited shipping of repair parts. The continuing Maintenance fee is included in the maintenance, and it covers any software upgrades and phone Technical Support for the system. All System upgrades will be shipped to the customer at no further cost including shipping. Customer shall be billed for parts not covered under the Warranty.	1	0.00		0.00

All Quotes are valid for 120 days.	Subtotal	79,090.00
	6.00% Tax	4,745.40
	<b>Total</b>	<b>83,835.40</b>

**AquaFlow Int'l, Inc.**  
 5375 N Dodge Ave.  
 Flagstaff, AZ 86004  
 928-380-6164

# Estimate

DATE	ESTIMATE #
6/7/2023	2395

<b>BILL TO</b>
Dennehotso Chapter P.O Box 2301 Dennehotso, AZ 86535 United States

ITEM	DESCRIPTION	QTY	RATE	TAX	AMOUNT
General Info	<p>OEM Manufacture: AquaFlow Int'l, Inc. (AFI) is an OEM manufacture located in the State of Arizona. No contractor's license is required by the state as an OEM Manufacture. While AFI maintains \$4M Liability Insurance, AFI does not provide Bonds or Sureties for their systems.</p> <p>AFI also does not accept Retainage on project payments. System Deposits and Delivery: AFI manufactures the system to order and does not start manufacturing a project until the Deposit and the PO are received and available for use. Manufacturing of a project typically takes between 6 to 8 weeks to complete, depending on the number of projects in front of yours. A schedule or deadline shall be determined upon receipt of the deposit. ACH payment of the deposit, and the payments, are desired to reduce mail and or hold times on available funds. Checks are accepted and are subject to fund availability times. Backflow Testing and Certification: AFI is not a certifier of Backflow devices. AFI uses only NEW backflow devices and the backflows cannot be certified until the system is installed and running water. Therefore, the backflow certification is the sole responsibility of the contractor or the end user. Water line Preparation: All water lines must be flushed of all debris. Any debris in the line may damage the water components in the water system, and that damage is NOT covered under warranty. Installation Labor:</p> <p>AFI is NOT a licensed contractor in any state. Therefore, all installation labor is to be provided by the contractor or end user. AFI shall act as oversight for installing the system. All Site Work Required: Any, and all, site work required to get the site ready for use, or prepared for delivery of the system, falls to the contractor or the end customer. Choice of the laws to govern the sale, and the Jurisdiction for any actions stemming from the sale of the system(s) shall be governed by the State of Arizona, in the county of Coconino AZ. A Signed PO is valid with the payment of the Deposit.</p>	1	0.00		0.00
All Quotes are valid for 120 days.		Subtotal			79,090.00
		6.00% Tax			4,745.40
		<b>Total</b>			<b>83,835.40</b>