



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

[illegible]

Name of DOJ Reviewer:

Signature of DOJ Reviewer: Mr. Cih Lot

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 NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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.



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 #: HK0270

Date & Time Received: 12/6/2022 at 10:00

Date & Time of Response: 12/12/2022 5:00 PM

Entity Requesting FRF: Chinle Chapter Government

Title of Project: Chinle Chapter Warehouse

Administrative Oversight: Division of Community Services

Amount of Funding Requested: \$1,200,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- ☐ (1) Public Health and Economic Impact
☒ (3) Government Services/Lost Revenue
☐ (2) Premium Pay
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services

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: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This 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: Chinle Chapter Government Date prepared: 10-19-2022

Chapter's mailing address: PO BOX 1809 phone & email: (928) 674-2052
Chinle, AZ 86503 website (if any): chinle@navajochapters.org

This Form prepared by: Dr. Rosanna Jumbo-Fitch phone/email: (928) 225-1658
Chinle Chapter President rosanna.jumbo@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Chinle Chapter Warehouse

Chapter President: Dr. Rosanna Jumbo-Fitch phone & email: (928) 225-1658/rosanna.jumbo@naataanii.org

Chapter Vice-President: Shawna Claw phone & email: (928) 674-2052/sclaw@navajochapters.org

Chapter Secretary: Roann Burbank phone & email: (928) 674-2052/rburbank@navajochapters.org

Chapter Treasurer: Roann Burbank phone & email: (928) 674-2052/rburbank@navajochapters.org

Chapter Manager or CSC: Walton Yazzie, Manager phone & email: (505)910-9473/wyazzie@navajochapters.org

DCD/Chapter ASO: _____ phone & email: _____

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known; proposal for estimate is attached.

☒ document attached

Amount of FRF requested: 1,200,000.00 FRF funding period: 2023-2025 10/1/2023 - 9/30/2025
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:

Chinle Chapter Government Warehouse Project includes construction of a new warehouse. The funds will be used to prepare the project site, purchase a building, and the construction of the building. The warehouse will be located on the Chinle Chapter compound. The proposed use of the warehouse is to assist our community members with their health, safety, and welfare concerns: to house construction materials for community (bathroom) projects, heavy equipment storage, firewood storage, hay and grain storage, tool and equipment storage, refrigeration section for community food supply, and COVID-19 materials (masks, hand sanitizer) storage.

☐ document attached

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

The Chinle Chapter Government Warehouse Project would benefit the Navajo Nation, Chinle community, and our Navajo people by providing solutions for any emergency response for the Chinle Chapter and surrounding communities. The proposed warehouse would be able to properly store, organize, and distribute materials and supplies to our community members.

☐ 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:

Chinle Chapter Government Warehouse timeline: Chinle Chapter resolution 10/17/22, Navajo Nation and DOJ review submissions Winter 2022, Funding/Proposals Spring 2023, Contract Award Summer 2023, Construction Fall 2023-Winter 2023. Challenges would include Navajo Nation review timeline.

☐ document attached

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

Chinle Chapter Government 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:

Chinle Chapter Government 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:

Aid to Tourism, Travel, or Hospitality^ 2.35

Chinle Chapter has been the centralized Point of Distribution (POD) during the height of the COVID-19 pandemic; serving surrounding communities supplies (hand sanitizer, masks, disinfecting supplies, food, water, and other necessities). During this time, Chinle Chapter stored all materials and supplies in the Chinle Chapter house and storage was limited to the Chapter house room. In serving over 10,000 community members, the Chapter needs a organized and safe space to organize and distribute supplies. This would require additional building space, in which, the community will be able to access store supplies and materials for their households.

☐ 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, Warehouse location map, Proposal of building, Previous 2021 supporting resolution, Previous 2021 supporting documents.

☒ 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 4
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Chinle Warehouse</u>		Division/Branch: <u>DCD/Executive Branch</u>					
Prepared By: <u>Walton Yazzie</u>		Phone No.: <u>928.674.2052</u>		Email Address: <u>wyazzie@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 Funds		FY23-FY25	1,200,000.00	100%	2001 Personnel Expenses				
		10/1/23-9/30/25			3000 Travel Expenses				
					3500 Meeting Expenses				
					4000 Supplies				
					5000 Lease and Rental				
					5500 Communications and Utilities				
					6000 Repairs and Maintenance				
					6500 Contractual Services	6		1,200,000	1,200,000
					7000 Special Transactions				
					8000 Public Assistance				
					9000 Capital Outlay				
					9500 Matching Funds				
					9500 Indirect Cost				
					TOTAL		\$0.00	1,200,000.00	1,200,000
					PART IV. POSITIONS AND VEHICLES				
							(D)	(E)	
					Total # of Positions Budgeted:		0	0	
					Total # of Vehicles Budgeted:		0	0	
TOTAL:			\$1,200,000.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.									
SUBMITTED BY: <u>Walton Yazzie</u>					APPROVED BY: <u>Lisa Symm</u>				
Program Manager's Printed Name					Division Director / Branch Chief's Printed Name				
<u>Walton Yazzie</u> 10-24-22					<u>Lisa Symm, NNFRFO</u>				
Program Manager's Signature and Date					Division Director / Branch Chief's Signature and Date				

FY 2023THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage 2 of 4
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title:

Chinle Warehouse

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:

New warehouse to protect euipment that is utilized to serve the Chinle community and serrounding areas

Program Performance Measure/Objective:

To complete construction of Warehouse

				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:

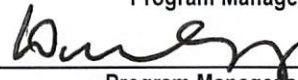
Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

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

Walton Yazzie

Program Manager's Printed Name

 10-24-22

Program Manager's Signature and Date

Lisa Symm

Division Director/Branch Chief's Printed Name

 11-15-22

Division Director/Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 4
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Chinle Warehouse</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 (LOD 4)		1,200,000
6960	Subcontracted Services		
6990	Subcontracted Services Contractors to build warehouse for Chinle Chapter.	1,200,000	
TOTAL		1,200,000	1,200,000

Page 4 of 4
PROJECT FORM

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

Chinle Chapter Government

THE NAVAJO NATION

Dr. Rosanna Jumbo-Fitch

PRESIDENT

Shawna Claw

VICE PRESIDENT

RoAnn Burbank

SECRETARY/TREASURER

Eugene Tso

COUNCIL DELEGATE

Oscar Bia

GRAZING COMMITTEE MEMBER

RESOLUTION OF THE CHINLE CHAPTER

NAVAJO NATION

CHIN-OCT-22-070

APPROVING THE SELECTION OF THE WAREHOUSE PROJECT FOR THE INCLUSION ON THE CHINLE CHAPTER DELEGATE REGION IN THE AMOUNT OF \$1,200,000.00.

WHEREAS:

1. Pursuant to Navajo Nation Code, Section 4001 (d) and 4028 (2), (b) the Chinle Chapter is established and certified as a local government entity of the Navajo Nation vested with the authority to review all matters affecting the chapter and submit appropriate recommendations to the Navajo Nation government of other local agencies by resolutions; and
2. To support the efforts of the Navajo Nation to mitigate the effects of the COVID-19 Pandemic, the American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to develop the basic infrastructure to improve lives of people who have lived without water, electricity and "basic services to support their daily activities, health, and welfare"; and
3. The Navajo Nation Council approved CJN-29-22, in response to the COVID-19 Pandemic in the best interest of the people: "An Action Relating to the Naabik'iyati' Committee and Navajo Nation Council; Allocating \$1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding"; and
4. The Chinle Chapter Government has attended several meetings with Navajo Nation Division of Community Development, Navajo Tribal Utility Authority, and the Fiscal Recovery Fund Office; and
5. The eligible attached Exhibit: Chinle Chapter Warehouse was selected as a Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$ 1,200,000.00 for the Chinle Chapter Government; and
6. The total amount for Chinle Chapter Delegate Region is \$ 8,802,340.00.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter Government hereby approves the selection of Chinle Chapter Warehouse as a selected Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$1,200,000.00.

CERTIFICATION

We hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting at which time a quorum was present. A motion was made by Pamela Bia and seconded by Myron McLaughlin and the same was passed by a vote of 8 in favor, 1 opposed, and 1 abstained, this 17th day of October, 2022.



Dr. Rosanna Jumbo-Fitch, President



Shawna Claw, Vice President



RoAnn Burbank, Secretary/Treasurer

Warehouse Budget	Costs
Building per attached proposal	\$ 525,792.54
Framing and Drywall	\$ 75,000.00
Electrical	\$ 18,000.00
Mechanical	\$ 15,000.00
Paint and Finishes	\$ 8,000.00
Infrastructure upgrade (electrical, plumbing, and mechanical)	\$ 50,000.00
Pavement and Parking Lot	\$ 15,000.00
Security Cameras	\$ 6,000.00
Sidewalks	\$ 5,000.00
Subtotal Estimated Cost	\$ 717,792.54
Contracting Fees (O&P, Taxes, General Requirements)	\$ 358,896.27
Land Survey and EA	\$ 50,000.00
Contingency	\$ 73,311.19
Total Estimated Budget	\$ 1,200,000.00

