



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** **VICE PRESIDENT**

August 4, 2023

Honorable Crystalyne Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: *CJY-51-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CAP-21-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Herman M. Daniels, Jr.'s Delegate Region (Chapters: Tsaah Bii Kin, Navajo Mountain, Shonto, Oljato), to Include Additional Projects for this Delegate Region*

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-51-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Daniel's Delegate Region in the amount of \$2,405,791.34.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Nygren", written over a large, stylized blue scribble.

Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
 AMENDING CAP-21-23, THE NAVAJO NATION FISCAL RECOVERY FUND
 DELEGATE REGION PROJECT PLAN FOR HONORABLE HERMAN M. DANIELS, JR.'S
 DELEGATE REGION (CHAPTERS: TSAH BII KIN, NAVAJO MOUNTAIN, SHONTO,
 OIJATO), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- D. Navajo Nation Council Resolution No. CAP-21-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Herman M. Daniels, Jr.'s Delegate Region (Chapter: Tsah Bii Kin, Navajo Mountain, Shonto, Oljato) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. The Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' 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 AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND

PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).

5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L)(5) and (L)(6).
- C. The Navajo Nation Council Resolution No. CAP-21-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE HERMAN M. DANIELS, JR.'S DELEGATE REGION (CHAPTERS: TSAH BII KIN, NAVAJO MOUNTAIN, SHONTO, OLJATO), was signed into law by the President of the Navajo Nation on May 5, 2023.
- D. CAP-21-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- E. All additional projects listed in the Hon. Herman M. Daniels, Jr.'s Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Herman M. Daniels, Jr.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Herman M. Daniels, Jr.'s Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Herman M. Daniels, Jr.'s Delegate Region (Chapters: Tsah Bii Kin, Navajo Mountain, Shonto, Oljato) as set forth in **Exhibit A**.

SECTION THREE. AMENDING CAP-21-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE HERMAN M. DANIELS, JR.'S DELEGATE REGION (CHAPTERS: TSAH BII KIN, NAVAJO MOUNTAIN, SHONTO, OLJATO), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Herman M. Daniels, Jr.'s Delegate Region (Chapters: Tsah Bii Kin, Navajo Mountain, Shonto, Oljato) set forth in **Exhibit A**.

- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 18th day of July 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

7/27/23

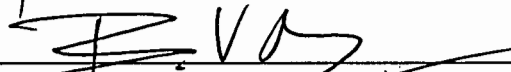
DATE

Motion: Honorable George H. Tolth
Second: Honorable Rickie Nez

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 4 day of April, 2023.



Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2023 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2023.

Buu Nygren, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Herman M. Daniels, Jr.

CHAPTERS: Tsah Bii Kin, Navajo Mountain, Shonto, Ojato

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-21-23 on May 5, 2023				\$ 3,487,559.00
Division of Community Development	*Tsah Bii Kin Chapter	Tsah Bii Kin Chapter Warehouse Project	Division of Community Development	6.1	HK0503	\$ 1,267,200.00
Division of Community Development	*Tsah Bii Kin Chapter	Tsah Bii Kin Chapter House-Wiring and Electrification Project	Division of Community Development	2.18	HK0504	\$ 425,446.34
Division of Community Development	*Tsah Bii Kin Chapter	Tsah Bii Kin Chapter Renovation Project	Division of Community Development	2.18	HK0505	\$ 713,145.00
		UNALLOCATED AMOUNT				\$ 2,908,989.66
					TOTAL:	\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."



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 #: HK0504

Date & Time Received: 5/17/23 at 17:31

Date & Time of Response: 5/19/23 at 17:00

Entity Requesting FRF: Ts'ah Bii Kin Chapter

Title of Project: House Wiring and Electrification

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$425,446.34

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:

2.18 Housing Support: Other Housing Assistance

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: Navalyn R. Platero

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.

**Inscription House
House Wiring and
Electrification**

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Ts'ah Bii Kin Chapter Date prepared: 10/7/2022

Chapter's mailing address: PO Box 1755 Kaibeto, AZ 86053 phone & email: (928) 672-2337 tsahbiikin@navajochapters.org
website (if any): tsahbiikin.navajochapters.org

This Form prepared by: Earl L Sombrero phone/email: (928) 673-8004
Earl L Sombrero, Chapter Manager esombrero@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: House Wiring and Electrification

Chapter President: Gerladine Chee phone & email: (928) 660-2231 gchee@naataanii.org

Chapter Vice-President: Chancy Nodestine phone & email: (928) 401-8451 cnodestine@naataanii.org

Chapter Secretary: Dellard Curley phone & email: (928) 814-6230 dcurley@navajochapters.org

Chapter Treasurer: Dellard Curley phone & email: (928) 814-6230 dcurley@navajochapters.org

Chapter Manager or CSC: Earl L Sombrero phone & email: (928) 673-8004 esombrero@nnchapters.org

DCD/Chapter ASO: Calvin Tsosie phone & email: (928) 429-0096 cetsosie@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Upon funding the Chapter will solicit a vendor for this project. document attached

Amount of FRF requested: \$425,446.34 FRF funding period: 10/01/2022 - 12/31/2026
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 scattered house wiring and power line extension project upon completion will provide a power source to homes where medications can be refrigerated for those individuals that are required to store their medications related to their illnesses. Further, having this much needed amenity would also give our constituents the ability to operate oxygen concentrator equipment for their individual needs. In addition, the power source will prevent the spoilage of perishable foods, lighting for youth to study in the evening so that they are successful in their educational endeavors, and home lighting outside the homes will enable visibility during the night especially for those with vision impairment. document attached

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

The intent of the project is to increase the standard of living condition for all residents of Ts'ah Bii Kin Chapter by providing the needed and reliable power source to refrigerate medication for community members who are diabetic, preventing spoilage of perishable foods, operation of oxygen concentrator equipment for those with a respiratory condition. In addition, give all an opportunity to increase their life expectancy, increase visibility at night, and maximize student academic achievement. 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:

Solicit consultant by RFP 2nd Qrt of FY 2023
House Wiring start and completion by 4th Qrt FY 2023
Electrification start and completion from November 2023 through June 2024

document attached

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

The Ts'ah Bii Kin Chapter and Appropriate Entities will ensure completion of 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:

All right of ways, poles, and lines will be turned over to Navajo Tribal Utility Authority for O&M

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:

3.12 House Wiring and Powerline Extension
The intent of the project is to increase the standard of living condition for all residents of Ts ' ah Bii Kin Chapter by providing the needed and reliable power source to refrigerate medication for community members who are diabetic, preventing spoilage of perishable foods, operation of oxygen concentrator equipment for those with a respiratory condition. In addition, give all an opportunity to increase their life expectancy, increase visibility at night, and maximize student academic achievement.

document attached

Part 3. Additional documents.

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

Chapter Resolution (Forthcoming October 14, 2022)
Proposal
Budget Forms
Project Schedule

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] Approved by: [Signature]
signature of Preparer/CONTRACT PERSON signature of Chapter President (or Vice-President)

Approved by: [Signature] Approved by: [Signature]
signature of Chapter Manager or CSC signature of DCD Chapter ASO

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

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: Earl L. Sombbrero New Program Title: House Wiring Division/Branch: Division of Community Developer
 Prepared By: Earl L. Sombbrero Phone No.: (928) 673-8004 Email Address: Isahbiikin@navajochapters.org

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Difference or Total
					Fund Type Code	NNC Approved Original Budget	Proposed Budget	
ARRA FUND		10/1/22 - 9/30/26	425,446.34	100%				
					001 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		20,000	20,000
					7000 Special Transactions			
					8000 Public Assistance		405,446.34	405,446.34
					9000 Capital Outlay			
					9500 Matching Funds			
					9500 Indirect Cost			
					TOTAL		425,446.34	425,446.34

PART IV. POSITIONS AND VEHICLES
 Total # of Positions Budgeted: 0
 Total # of Vehicles Budgeted: 0

APPROVED BY: Earl L. Sombbrero Program Manager's Printed Name Division Director / Branch Chief's Printed Name
10/1/22 Program Manager's Signature and Date 10.31.22 Division Director / Branch Chief's Signature and Date

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

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	a) Ts'ah Bii Kin Chapter Resolution No. Forthcoming	
	b) NTUA Preliminary Construction Cost – Forthcoming	
	c) Community Assessment Data	

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Ts'ah Bii Kin Chapter (Inscription House)

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

1. Goal Statement:

Provide House Wiring and Electrification to 22 Homes

Program Performance Measure/Objective:

To complete house wiring and electrification to 22 homes by 4th quarter FY 23

2. Goal Statement:

Program Performance Measure/Objective:

3. Goal Statement:

Program Performance Measure/Objective:

4. Goal Statement:

Program Performance Measure/Objective:

5. Goal Statement:

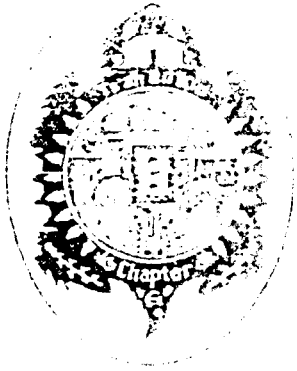
Program Performance Measure/Objective:

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

Earl Sombren
Program Manager's Printed Name
[Signature]
Program Manager's Signature and Date 10/7/22

Earlyellon 10.31.22
Division Director/Branch Chief's Printed Name
[Signature] 10.31.22
Division Director/Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Ts'ah Bii Kin Chapter (Inscription House) <i>Housewiring</i>	
		Business Unit No.: <u> </u> New	
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)
	Navajo Nation American Recovery Plan Act Funds House Wiring and Electrification Project		
6500	Assistance 6510: House Wiring of 22 Homes within the Ts'ah Bii Kin Community (\$20,000.00) Estimated 570 sq. ft. of house wiring for several homes at \$35.00 a sq ft. This project will be contracted out via Request for Proposals process.	20,000	20,000
8000	Assistance 8715: Electrification of 22 Homes within the Ts'ah Bii Kin Community (\$405,446.34) Electrification of 22 Homes Estimated cost in accordance to previous projects.	405,446	405,446
TOTAL		425,446.34	425,446.34



Ts'ah Biik'in Chapter

Resolution No. 2022-283

Resolution No. 2022-283

Resolution No. 2022-283

Resolution
Title
Ts'ah Biik'in Chapter
2022-283

Ken Happy Begay

Herman Francis

REAFFIRMING RESOLUTION PER 2022-283-000 APPROVING AND SUPPORTING THE AMERICAN RESCUE PLAN ACT FUND REGIONAL EXPENDITURE PLAN PROJECTS FOR THE TS'AH BI'IK'IN CHAPTER TO INCLUDE HOUSE WIRING AND ELECTRIFICATION IN THE AMOUNT OF \$425,446.34, HOME RENOVATION PROJECTS IN THE AMOUNT OF \$713,145.00; AND THE WAREHOUSE PROJECT IN THE AMOUNT OF \$1,267,200.00; AFFIRMING THAT THE TS'AH BI'IK'IN CHAPTER WILL ONLY USE AWARDED FUNDS IN COMPLIANCE WITH THE ARPA, THE ARPA REGULATIONS, AND ALL OTHER APPLICABLE NAVAJO AND FEDERAL LAWS AND REGULATIONS

WHEREAS:

1. Pursuant to N.N.C. Section 2, the Ts'ah Biik'in Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at N.N.C. Chapter section 10, and vested with the authority to discuss all matters affecting the Navajo people and its Nation; and
2. Pursuant to N.N.C. Section 10, the Ts'ah Biik'in Chapter is vested with the authority to review all matters affecting the community and, appropriate, resolutions, where necessary, to provide recommendations to the Navajo Nation and other Navajo chapters for appropriate resolutions;
3. The Ts'ah Biik'in Chapter reaffirms its agreement per HR 2022-283-000 approving and supporting the American Rescue Plan Act Fund Regional Expenditure Plan Projects for the Ts'ah Biik'in Chapter to include House Wiring and Electrification in the amount of \$425,446.34, Home Renovation Projects in the amount of \$713,145.00, and the Warehouse Project in the amount of \$1,267,200.00; Affirming that the Ts'ah Biik'in Chapter will only use awarded funds in compliance with the ARPA, the ARPA regulations, and other applicable Navajo and Federal laws and regulations; and
4. The Ts'ah Biik'in Chapter believes that it is in the best interest of the community and will benefit the members who are still without electric, need home improvements, and storage more for mass vaccination sites when necessary; and
5. These projects will better improve the quality of life of the community; and

NOW THEREFORE BE IT RESOLVED THAT:

The Ts'ah Biik'in Chapter hereby reaffirms its agreement per HR 2022-283-000 approving and supporting the American Rescue Plan Act Fund Regional Expenditure Plan Projects for the Ts'ah Biik'in Chapter to include House Wiring and Electrification in the amount of \$425,446.34, Home Renovation Projects in the amount of \$713,145.00, and the Warehouse Project in the amount of \$1,267,200.00; Affirming that the Ts'ah Biik'in Chapter will only use awarded funds in compliance with the ARPA, the ARPA regulations, and other applicable Navajo and Federal laws and regulations.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by Esch Brick Chapter at a duly called meeting, at which a quorum was present in person virtually and was passed by a vote of 46 in favor, 0 opposed and 0 abstained on this 15th day of March 2023.

Attest: [Signature] Secretary [Signature]
[Signature]
Credence Co. Exec. President

TS'AH BII KIN CHAPTER

**Ts'ah Bii Kin Chapters'
Scattered House Wiring
& Electrification
Initiative Proposal**

2022

Amount of Funds Requested

\$425,446.34

Submitted by

Earl Sombrero, Chapter Manager
Vernon Willie, Planner

Date Submitted

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I. Abstract

The scattered house wiring and power line extension project upon completion will provide a power source to homes where medications can be refrigerated for those individuals that are required to store their medications related to their illnesses. Further, having this much needed amenity would also give our constituents the ability to operate oxygen concentrator equipment for their individual needs. In addition, the power source will prevent the spoilage of perishable foods, lighting for youth to study in the evening so that they are successful in their educational endeavors, and home lighting outside the homes will enable visibility during the night especially for those with vision impairment.

II. Introduction

Primary Intent and Outcome of the Project

The intent of the project is to increase the standard of living condition for all residents of Ts'ah Bii Kin Chapter by providing the needed and reliable power source to refrigerate medication for community members who are diabetic, preventing spoilage of perishable foods, operation of oxygen concentrator equipment for those with a respiratory condition. In addition, give all an opportunity to increase their life expectancy, increase visibility at night, and maximize student academic achievement.

History of the Planned Project

Under the direction of the chapter officials a multiyear priority list has been established with regard to the development of main infrastructures (power line extensions, solid waste station, waste water provisions, road improvement, erosion control, and housing) within the chapter community to better address the constituents' needs in this sparsely populated community.

Beginning with 2010, the chapter has established a five year phase in project plan for the power line extension and electrification projects, which will accommodate regionalized areas of the chapter community due to its vastness. Recently, Ts'ah Bii Kin Chapter had secured funds from the Sihazin Funds in the amount of \$1.4M dollars for three projects, house wiring, electrification, and solid waste transfer station. Currently the house wiring has been completed and next is to start the electrification distribution. Formerly, the chapter was also successful in obtaining funds from the Abandoned Mine Land (AML) for house wiring projects; Ts'ah Bii Kin Chapter has paid \$92,383.20 to Navajo Tribal Utility for the Tohajichi'li Power Line Project for the acquisition of an Easement for a Right of Way.

Ts'ah Bii Kin Chapter has budgeted funds in Fiscal Year 2012 to have the project construction ready. As with previous project experiences, the chapter officials and staff are collaborating and coordinating with all applicable entities to meet all requirements and specifications to complete the proposed power line extension project. The proposal for the Ts'ah Bii Kin Power Line Extension and Electrification Project has been completed and turned in. As of proposal date, Ts'ah Bii Kin Chapter has allocated matching funds in the amount of \$96,925.00. Ts'ah Bii Kin Chapter Staff and representatives from Navajo Tribal Utility Authority have met and completed a Feasibility Study on the Proposed Project.

In this current proposal, the objective is to electrify every home in the Ts'ah Bii Kin community whether they may only need a power line extension or both, a power line extension and their home wired. As oppose to the past where electrification and house wiring were completed by areas, recently with the Tohajichi'li Power Line Extension and Electrification Project and earlier with the Whirlwind Rock Power Line Project. In analyzing the needs of the community, those with immediate needs such as the disabled, the elderly, and school age children are spread throughout the community, therefore electrifying Ts'ah Bii Kin community by areas is not feasible because that would mean choosing and meeting the needs of one community over another.

Funding Agency Background Information

Ts'ah Bii Kin Chapter, through hard work and persistency, is making advances to address the needs of the local constituents. Ts'ah Bii Kin Chapter utilizes the Five Management System for direction and guidance to remain in compliance. Ts'ah Bii Kin Chapter has never been sanctioned for misuse of funds by the tribe and/or by the federal government. All proceeds related to the projects will be contracted to the NTUA for engineering and construction services in a timely manner to expend federal funds.

III. Needs for and Goals of Project

Need for the Project

Without a doubt, the project when completed will enrich the standard of living conditions for all residents by addressing their basic needs: in refrigeration of medication particularly for those with diabetic condition, the operation of oxygen concentrator equipment for those with lung conditions, the safeguarding and keeping of perishable food resulting in a reduction in trips to the store and cost savings on fuel for low income families.

The accessibility to electricity will allow students in the Ts'ah Bii Kin community to further their educational endeavors because the students are utilizing unreliable solar, kerosene lanterns, and oil lanterns to light their homes. With candles and

kerosene lanterns they provide a low-quality light source, making it difficult for children to read and do homework.

Third, the use of kerosene is harmful because simple kerosene lanterns where exposed to particulate matter concentrations significantly greater than the amount present in the ambient air such exposure can present long-term health risks. Kerosene lanterns also produce CO2 emissions, causing harm to the environment. The average kerosene lantern, when used for four hours per night, produces over 100 kilograms of CO2 emissions per year.

People to be serviced

A total of approximately 55 occupants in 22 scattered homes located within roughly 100 square miles in the Ts'ah Bii Kin Chapter community. All 22 Ts'ah Bii Kin residents are in need of power line extension to their homes, and of these 22 applicants 5 have become deceased, 6 applicants are in need of house wiring. Of these 22 applicants, 8 of the applicants being elderly, 4 of the applicants being disabled, 22 school age children, and finally, other individuals who are not under any of these categories. Of the applicants, 65 percent of the applicants are a special population that are in need of electricity due to their age, their disability, or for their education.

The Impact and Benefits of the Project

The impact and benefits of the proposed power line extension for Ts'ah Bii Kin will have multiple influential impacts on individuals, and families. First the rate of recurrence by individuals with health related conditions will be reduced. In fact, the positive effects will filter to the outside entities such as Indian Health Service clinics and hospitals by reduction of outpatient visits. Those being serviced will be able to refrigerate their medication particularly for those with diabetes condition, those with lung conditions utilizing oxygen concentrator equipment, and finally, the safeguarding and keeping of perishable food, which will reduce frequent trips to the store and cost savings on fuel for low income families.

Second, the electrification of homes will allow students to use electricity to enhance their studies. And it allows for increased access to media and also, educational benefits from higher educational attainment by students of electrified households, which results in higher future earnings. With the Ts'ah Bii Kin community being remote, access to post-secondary educational institutions is nonexistent, therefore community members turn to post-secondary institutions with online programs. With online programs, access to a wireless network is needed because much of the communication between their professor and the student is online. Also, online classes require classroom materials to be accessed online and submitted online. Also, due to significant population of Ts'ah Bii Kin Chapter lacks electricity, any document scanning, copying, faxing, and so forth are done elsewhere.

Third, electrification will reduce the amount of monies our Community spends towards Fuel and other expenses, while making repetitive trips to get perishable food items. Electrification will also reduce the likelihood, of failing grades due to poor lighting.

Goals, components and design, Labor, contract costs, and related activities

- As of proposal date, Ts'ah Bii Kin Chapter has completed assessment forms throughout the Community. And through the assessment it has been determined that 22 homes at this present time are without electricity in their homes.
- Ts'ah Bii Kin Chapter officials and staff and representatives from Navajo Tribal Utility Authority will meet and share the required information such as the National Electrical Code Standards and Compliances and the need for an independent electrician to complete the house wiring and the contract will be administered by CBDG in the first phase if CBDG awards the funds.

IV. Scope of Work

Roles of the Principal Consultants, Developers, Researchers, and other Key Personnel that may be involved in the Project.

- Ts'ah Bii Kin Chapter Officials/Administrative Staff will coordinate with all applicable entities and monitor the project. The coordination will include the initial planning, review, monitoring, and keeping homeowners informed.
- Ts'ah Bii Kin Chapter will request NTUA to complete the Right of Way and all other necessary Federal required clearances. And NTUA will provide Entrance Inspection and project construction.
- Upon completion of NTUA clearances, Ts'ah Bii Kin will seek funds from CBDG. As with previous projects pertaining to house wiring and electrification, if awarded CBDG requires a significant role in the process, therefore with regard to independent electricians the CBDG administration will most likely contract qualified electricians using the Proposal request that was in compliance with the Navajo Nation Procurement Policy and Procedures. The CBDG administration will have oversight financial responsibility in reference to house wiring project, including contract and SAS process.
- CIO/Window Rock will coordinate applicable inspections with NTUA and Ts'ah Bii Kin regarding the installation of power lines.
- Homeowners will coordinate closely with the Chapter Planner on the overall progress of the project from the planning and other related matters as they arise.

How and when applicant knows they have reached each significant phase of the

project from planning to construction and closeout activities

- Ts'ah Bii Kin Chapter Administration employs a Planner Aide who coordinates and monitors the project progress.
- Completion of the planning of the project has been completed with the Chapter officials and Ts'ah Bii Kin Chapter Administrative staff, which includes the Community Needs Assessment, NTUA for cost estimate and Resolution and Proposal for Construction Funds.
- Upon approval of Ts'ah Bii Kin Chapter Resolution, Ts'ah Bii Kin Chapter will pay the required funds to Navajo Tribal Utility for the Ts'ah Bii Kin Chapter House Wiring and Electrification Initiative Acquisition of Easement for Right of Way. NTUA will ensure that all National Code Standards and Compliance for Service of Entrance Inspection are complied with.
- When funds become available from Capital Improvement Office for construction, these funds will be assigned to NTUA to construct the proposed power line project.
- The closeout phase of the project will be coordinated between the Chapter, NTUA, CIO/Division of Community Development/Window Rock and Office of Management and Budget of Window Rock for all fund resources.

Provide a Chart showing the relationship of key personnel to each other.

<u>Ts'ah Bii Kin Chapter</u>	<u>NTUA</u>	<u>CDBG/Window Rock</u>
Geraldine Chee	Ethelind Johns	Chavez John
Earl L Sombrero	Darlene Begay	James Adakai
Vernon Willie	Loretta Tsosie	Ron Tsosie

Provide a projected sequence of activities on a plan schedule.

Discuss goals and objectives for Ts'ah Bii Kin Chapter and outline in a Strategic Plan.



Complete community assessments.



Create a Ts'ah Bii Kin House Wiring and Electrification Initiative Proposal for construction funds in collaboration with Ts'ah Bii Kin officials, staff, and CLUPC. With a complete Resolution with community approval.



Finally, forward the proposal to NTUA for cost estimate and Right of Way clearances.



Send Ts'ah Bii Kin House Wiring and Electrification Initiative to various entities to request for funds.

V. Budget

Provide a line item budget for all anticipated expenses utilizing established Navajo Nation Office of Management and Budget (OMB) forms (attached).

All funding related will be contracted out by the Ts'ah Bii Kin Chapter with guidance from the Navajo Nation Division of Community Development to Navajo Tribal Utility Authority.

PROJECT	FUNDING SOURCE			
	NTUA	CBDG	MATCHING FUNDS	ARPA Funds
House Wiring				\$20,000.00
Powerline Extension	\$33,000.00			\$405,446.34
TOTAL	\$33,000.00			\$425,446.34

Explain and justify elements of the budget.

VI. Attachments

Attachments and Exhibits

- *Ts'ah Bii Kin Chapter Resolution No. To Be Forthcoming
- *Budget print out from the WIND system
- *NTUA Preliminary Cost Estimate to be Obtained

Provide documentation that supports your need and statement, i.e., Chapter Resolution, Feasibility Study, Survey Results, etc. Additional Supporting Information

***NTUA Feasibility Study Report
Including any additional supporting information, such as testimonials, excerpts
from meeting minutes, pictures, news, clippings, and any other information the
applicant believes that will support the need for the requested funding.**