

RESOLUTION OF THE
 NAABIK'ÍYÁTI' STANDING COMMITTEE
 25th NAVAJO NATION COUNCIL -- First Year, 2023

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE RICKIE NEZ'S DELEGATE REGION (CHAPTERS: T'IISTSOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSÉ DAAK'ÁÁN, NEWCOMB, SAN JUAN)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Naabik'íyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. § 700(A).
- B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23, mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.
- C. Navajo Nation Council Resolution No. CAU-74-23, which amended CJN-29-22 and CJY-41-21, included and incorporated herein by reference, delegated the Naabik'íyáti' Committee as the final approval authority for Delegate Region Project Plans funded through Navajo Nation's Fiscal Recovery Funds.

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, as amended by CAU-74-23, Section Three, now 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 two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, 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. CAU-74-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22; DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the President of the Navajo Nation on September 6, 2023.
- D. CJN-29-22, as amended by CAU-74-23, Section Three, now 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 two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).
- E. All projects listed in the Hon. Rickie Nez's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Rickie Nez'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. Rickie Nez's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistsoh Sikaad, Nenahnezad, Upper Fruitland, Tsé Daak'áán, Newcomb, San Juan) as set forth in Exhibit A.

SECTION THREE. APPROVAL OF HON. RICKIE NEZ'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistsoh Sikaad, Nenahnezad, Upper Fruitland, Tsé Daak'áán, Newcomb, San Juan) 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 and approved by resolution of the Naabik'íyáti' Committee.

SECTION FIVE. EFFECTIVE DATE

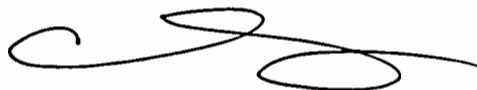
This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

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 Naabik'íyáti' Committee of 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 19 in Favor, and 00 Opposed, on this 12th day of October 2023.



Honorable Crystalyne Curley, Chairwoman
Naabik'íyáti' Committee

10/17/2023

Date

Motion: Honorable Vince R. James
Second: Honorable Curtis Yanito

Chairwoman Crystalyne Curley not voting

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Rickie Nez

CHAPTERS: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Community Bathroom Additions Project	Division of Community Development	1.14	HK0351	\$ 100,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter House Restroom Upgrade (ADA Compliance and Touchless Fixtures) Project	Division of Community Development	1.4	HK0352	\$ 100,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Buildings (Upgrade to Ventilation System) Project	Division of Community Development	1.4	HK0353	\$ 150,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Community Waste Water Project	NN Environmental Protection Agency	5.5	HK0354	\$ 100,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Building Bathroom Renovation Project	Division of Community Development	1.4	HK0355	\$ 100,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Community Electrical Project	Division of Community Development	2.18	HK0356	\$ 283,528.33
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Community Potable Water Project	Division of Community Development	1.14	HK0357	\$ 285,528.33
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Building Bathroom and Kitchen Update Project	Division of Community Development	1.4	HK0358	\$ 150,000.00
Division of Community Development	*Upper Fruitland Chapter	*Upper Fruitland Chapter Community Cemetery Project	Division of Community Development	6.1	HK0344	\$ 370,556.67
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Mobile Shower and Restroom Unit	Division of Community Development	1.14	HK0349	\$ 175,000.00
					TOTAL:	\$ 1,814,613.33

*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 FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Rickie Nez

CHAPTERS: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01.....				\$ 1,814,613.33
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Purchase of Heavy-Duty Truck	Division of Community Development	1.14	HK0350	\$ 100,000.00
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Leach Fields Project	NN Environmental Protection Agency	5.5	HK0561	\$ 220,500.00
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Cemetery and Rose Garden Project	Division of Community Development	6.1	HK0562	\$ 100,500.00
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Warehouse Project	Division of Community Development	1.14	HK0605	\$ 500,500.00
Division of Community Development	*Tiis Tsoh Sikaad Chapter	*Tiis Tsoh Sikaad Chapter New Chapter House Complex Project	Division of Community Development	6.1	HK0604	\$ 1,667,056.00
		UN-ALLOCATED AMOUNT				\$ 4,399,170.67
					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

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 #: HK0351

Date & Time Received: 12/20/22 14:58

Date & Time of Response: 12/30/22 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: ~~Newcomb Chapter Community Bathroom Additions Project~~

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$100,000.00

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

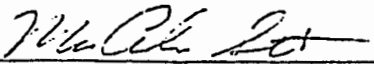
- (1) Public Health and Economic Impact
 (2) Premium Pay
 (3) Government Services/Lost Revenue
 (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health 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 | |

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

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

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

Title and type of Project: Newcomb Chapter Community Bathroom Additions Project

Chapter President: David Randolph phone & email: 505-478-7746/dvrdrsr491@outlook.com

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

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

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

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

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

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

01/01/2022 - 12/31/2024 document attached

Amount of FRF requested: \$100,000 FRF funding period: 2023 - 2025 (3/1/2022 - 11/30/2025)
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Newcomb community has members that have potable water in their homes but do not have indoor bathrooms have applied for this assistance. Some community members have bathrooms but are in need of upgrades also have applied for this assistance, the Chapter has recieved 18 applications. The Chapter will contract this bathroom addition to a contractor to construct, it will be an addition to community members homes or upgrades to the existing restrooms. OEH, IHS and NTUA will assist in final waterline connections. The Chapter did not state the amount of FRF requested because the Chapter does not have the expertise for this cost construction. document attached

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

Newcomb community members that have bathrooms will result in some COVID needs being met. Having easy accessibility to an indoor bathroom provides community members with a place to go for personal hygiene activities. This includes use of the toilet, washing their hands, brushing their teeth, taking a bath, or taking a shower. As we know washing hands is one of keys to COVID prevention. document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

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

document attached

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

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

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Each community home owner that recieved the bathroom addition or upgrade is responsible for the maintenance and operations costs after the project has been 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:

Other Public Health Services^1.14

The Newcomb Chapter Is seeking funds for the bathroom additions or bathroom upgrades that have submitted an application. The Chapter will contract the projects to a contractor. The project will be coordinated with the homeowner and the third party project manager (OEH, IHS, NTUA). The goal is to provide running water and septic for the applicants. Making these bathroom additions and upgrads will greatly benefit the homeowners and their immediate family members during and after the pandemic.

document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.

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] 12/16/22
signature of Preparer/CONTACT PERSON

Approved by:

[Signature]
signature of Chapter President (or Vice-President)

Approved by:

[Signature] 12/16/22
signature of Chapter Manager or CSC

Approved by:

[Signature] 12/19/2022
signature of DCD/Chapter ASO

Approved to submit for Review:

[Signature] NMTFO
signature of DCD Director

**THE NAVAJO NATION
 PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:	Business Unit No.: <u> </u> New	Program Name/Title: <u>Newcomb Chapter Community Bathroom Additions Project</u>
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:		
PART III. PROGRAM PERFORMANCE CRITERIA:		
1. Goal Statement:		
Community Homes connected to potable water		
Program Performance Measure/Objective:		
Hire A Contractor to construct according to scope of work		
2. Goal Statement:		
		1
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.		
	Program Manager's Printed Name <u>Norman Benally</u> <i>Norman Benally</i> 12/12/22 Program Manager's Signature and Date	Division Director/Branch Chief's Printed Name <u>[Signature]</u> Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

FY 2023

Page of
BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Newcomb Chapter Community Bathroom Additions Project</u> Business Unit No.: <u> </u> New					
PART II. DETAILED BUDGET: <div style="display: flex; justify-content: space-between;"> (A) (B) </div>					
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	(C)	Total by MAJOR Object Code (LOD 4)	(D)
6500	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Community Bathroom Additions)	100,000		100,000	
6960	Subcontractor Services				
TOTAL		100,000		100,000	



NEWCOMB CHAPTER – NAVAJO NATION

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

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

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

WHEREAS:

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

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

NOW THEREFORE BE IT RESOLVED THAT:

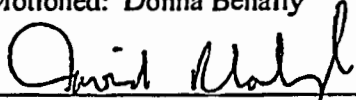
The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of \$1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades,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

CERTIFICATION

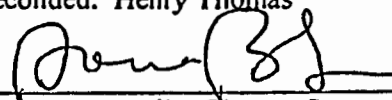
We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December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

Motioned: Donna Benally

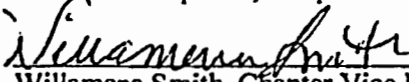
Seconded: Henry Thomas



David Randolph Sr., Chapter President



Donna L. Benally, Chapter Secretary/Treasurer



Willamena Smith, Chapter Vice President



NAVAJO NATION 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 #: HK0352

Date & Time Received: 12/20/22 15:00

Date & Time of Response: 12/30/22 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: ~~Newcomb Chapter House Restroom No Touch~~ and ADA Standards Upgrades

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$100,000.00

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: 1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

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

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

Title and type of Project: Newcomb Chapter House Restroom No Touch and ADA Standards Upgrades

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

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

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

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

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

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

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known
01/01/2022 - 12/31/2024 document attached

Amount of FRF requested: \$100,000 FRF funding period: 2023 - 2025 (3/1/2022 - 11/30/2025)
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The funds will be used on these buildings to renovate the Newcomb Chapter restroom to no touch fixtures and to upgrade to the ADA Standards. All sinks, toilets, hand dryers and other restroom fixtures will be no touch (attached is a scope of work).

document attached

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

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

document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

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

document attached

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

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

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

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

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

COVID-19: Aid to Impacted Industries^ 1.10

The Newcomb Chapter is seeking funds to upgrade their buildings to the ADA Standards. To comply with the ADA Standards it will certainly benefit the effort to minimize or stop the spread of COVID 19, as well as, any other viruses.

document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.
Scope of Work is attached.

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: [Signature] 12/12/22
signature of Preparer/CONTACT PERSON

Approved by: [Signature]
signature of Chapter President (or Vice-President)

Approved by: [Signature] 12/12/22
signature of Chapter Manager or CSC

Approved by: [Signature] 12/19/2022
signature of (2) Chapter ASO

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

**THE NAVAJO NATION
 PROGRAM BUDGET SUMMARY**

FY 2023

PART I. Business Unit No.: <u> </u> New <u> </u>		Program Title: <u>Newcomb Chapter Buildings Upgrade to ADA Standards</u>		Division/Branch: <u>DCD/Executive Branch</u>				
Prepared By: <u>Norman Benally</u>		Phone No.: <u>505-696-3400</u>		Email Address: <u>ndbenally@nncnchapters.org</u>				
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total				
NN Fiscal Recovery Funds		FY23-FY25	100,000.00	100%				
		3/1/2023-11/30/2025						
		12/31/2026						
PART III. BUDGET SUMMARY					Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
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				100,000	100,000	
7000	Special Transactions							
8000	Public Assistance							
9000	Capital Outlay							
9500	Matching Funds							
9500	Indirect Cost							
TOTAL						\$0.00	100,000.00	100,000.00
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>Norman Benally</u>		APPROVED BY: <u><i>Norman Benally</i></u>		Division Director / Branch Chief's Printed Name				
Program Manager's Printed Name		Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date				
<u>Norman Benally</u>		<u>12/16/22</u>		<u>Norman Benally 12-16-22</u>				

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No.: <u> </u> <u>New</u>		Program Name/Title: <u>Newcomb Chapter Buildings Upgrade to ADA Standards</u>							
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement:		Chapter buildings complies with ADA Standards		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Program Performance Measure/Objective:		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
2. Goal Statement:		Hire A Contractor to construct according to scope of work									
		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.

Norman Benally
Program Manager's Printed Name
12/16/22
Program Manager's Signature and Date

Doreen Williams
Division Director/Branch Chief's Printed Name
12.16.22
Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No.: <u> </u>	
Program Name/Title: <u>Newcomb Chapter Buildings Upgrade to ADA Standards</u>		New	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(U)
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 6960	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Building to ADA Standards) Subcontractor Services	100,000	100,000
TOTAL		100,000	100,000



NEWCOMB CHAPTER

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

NEWCOMB CHAPTER ARPA PROJECT SCOPE OF WORK

Project Title:

To comply with ADA Standards, the Newcomb Chapter House and its buildings will undergo upgrades to ADA standards. The Chapter House, the Senior Citizens Center, the Head Start School, the Old Chapter House and the Dine College Outreach Facility are housed in separate buildings that belong to the Newcomb Chapter Government.

Background Narrative:

To comply with the ADA Standards it will certain benefit the effort to minimize or stop the spread of COVID 19, as well as, any other viruses. Newcomb Chapter will upgrade their building facilities to ADA Standards. The list below is what the Chapter would introduce as a general scope of work.

Work Plan:

Newcomb Chapter House: A complete renovation of the Chapter's restroom, the list below is not inclusive, other items maybe added:

- Men's Restroom:
 - Expand the toilet stall to comply with ADA standards
- Ladies Restroom:
 - Expand one toilet stall to comply with ADA standards
- Restroom doors and administration office door:
 - Construct and install all main doors that will comply with the ADA standards

Head Start Building: A complete renovation of the Head Start's restroom, the list below is not inclusive, other items maybe added: *Note: All hand dryers will need to comply with NN OEH requirements

- Front door needs to have an ADA Handicap entrance
- Restrooms will have rails mounted alongside toilets.

Dine College Outreach Facility:

- Front door needs to have an ADA Handicap entrance
- Restrooms will have rails mounted alongside toilets.

Old Chapter House Building:

- Restrooms will have rails mounted alongside toilets.

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

Results Expected:

- No-touch fixtures will minimize the spread of any virus
- Restroom fixtures must meet ADA requirements
- The ventilation system will help in minimizing the air to stay in one place
- All tasks are done correctly and meet the required standards
- Project will be completed safely, on time, within the budget

Responsible Staff:

- Norman Benally, Newcomb Chapter Manager
- David Randolph, Newcomb Chapter President
- Rena Yazzie – Senior Citizen Center
- Charlotte Charleston – Head Start School

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



NEWCOMB CHAPTER – NAVAJO NATION

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

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

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

WHEREAS:

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

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

NOW THEREFORE BE IT RESOLVED THAT:

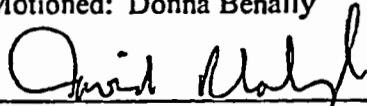
The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of \$1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades,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

CERTIFICATION

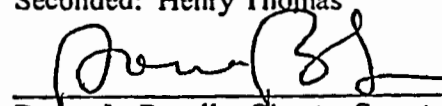
We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December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

Motioned: Donna Benally

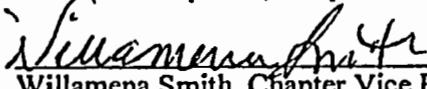
Seconded: Henry Thomas



David Randolph Sr., Chapter President



Donna L. Benally, Chapter Secretary/Treasurer



Willamena Smith, Chapter Vice President



NAVAJO NATION 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 #: HK0353

Date & Time Received: 12/20/22 at 15:03

Date & Time of Response: 01/06/23 at 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: Newcomb Chapter Buildings (Ventilation Systems)

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$150,000

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

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

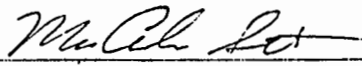
U.S. Department of Treasury Reporting Expenditure Category: 1.4 (Prevention in Congregate Settings)

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: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

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

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

Title and type of Project: Newcomb Chapter buildings (Ventilation Systems)

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

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

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

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

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

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

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

01/01/2023 - 12/30/2026 document attached

Amount of FRF requested: \$150,000 FRF funding period: 2023-2025 (3/1/2022- 11/30/2025)
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The funds will used to install new ventilation systems at the Chapter House and the Head Start buildings. As we have been taught through COVID, buidling air movement is important. Installing a new ventilation systems will minimize the spread of virus of any kind.

document attached

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

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to have a new ventilation systems installed in the Chapter House and Head Start buildings. All individuals that enter the building will benefit from the new ventiactions systems.

document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

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

document attached

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

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

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

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

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

COVID-19: Aid to Impacted Industries^ 1.10

The Newcomb Chapter is seeking funds for the installing ventilation systems. The Chapter House and the Head Start buildings do not have proper ventilation systems that will keep air moving in the cold and hot seasons (the ventilation systems will have a heater and cooling systems). Making these renovations would greatly benefit community and administrative members during and after the pandemic.

document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.
Scope of Work is attached.

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer:

[Signature] 12/12/22
signature of Preparer/CONTACT PERSON

Approved by:

[Signature]
signature of Chapter President (or Vice-President)

Approved by:

[Signature] 12/12/22
signature of Chapter Manager or CSC

Approved by:

[Signature] 12/19/2022
signature of DCD/Chapter ASO

Approved to submit for Review:

[Signature]
signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page of
BUDGET FORM 1

PART I. Business Unit No.: <u> </u> New <u> </u> Program Title: <u>Newcomb Chapter - Ventilation Systems</u> Division/Branch: <u>DCD/Executive Branch</u>		Prepared By: <u>Norman Benally</u> Phone No.: <u>505-696-3400</u> Email Address: <u>ndbenally@nncchapters.org</u>	
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
			100%
INN Fiscal Recovery Funds	FY23-FY25	150,000.00	
	3/1/2023-11/30/2023		
	5/1/2023-12/31/2026		
PART III. BUDGET SUMMARY			
	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget
			(C) Difference or Total
	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	150,000	150,000
	7000 Special Transactions		
	8000 Public Assistance		
	9000 Capital Outlay		
	9500 Matching Funds		
	9500 Indirect Cost		
	TOTAL	50,000	150,000.00
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>Norman Benally</u>		APPROVED BY: <u>Norman Benally</u>	
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name	
<u>12/12/22</u>		<u>12.16.22</u>	
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date	

PART I. PROGRAM INFORMATION:
 Business Unit No: New Program Name/Title: Newcomb Chapter - Ventilation Systems

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: Chapter buildings become safe against virus Program Performance Measure/Objective: Hire A Contractor to construct according to scope of work						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.
 Program Manager's Printed Name: Norman Benally
 Signature: *Norman Benally* Date: 12/12/22
 Division Director/Branch Chief's Printed Name:
 Signature: Date: 12.16.22
 Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:		Newcomb Chapter - Ventilation Systems		Business Unit No.:	New
Program Name/Title:					
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(U)		
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Subject Code (LOD 6)	Total by MAJOR Subject Code (LOD 4)		
6500	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Ventilations Systems)	150,000	150,000		
6960	Subcontractor Services				
6990	Subcontractor Services				
TOTAL		150,000	150,000		



NEWCOMB CHAPTER

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

NEWCOMB CHAPTER ARPA PROJECT SCOPE OF WORK

Project Title:

Chapter House and the Head Start buildings will have a new ventilation systems installed. All constructions and upgrades must meet ADA standards.

Background Narrative:

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to have a new ventilation systems installed in the Chapter House and Head Start buildings. The list below is what the Chapter would introduce as a general scope of work.

Ventilation System:

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

Results Expected:

- No-touch fixtures will minimize the spread of any virus
- Restroom fixtures must meet ADA requirements
- The ventilation system will help in minimizing the air to stay in one place
- All tasks are done correctly and meet the required standards
- Project will be completed safely, on time, within the budget

Responsible Staff:

- Norman Benally, Newcomb Chapter Manager
- David Randolph, Newcomb Chapter President
- Rena Yazzie – Senior Citizen Center
- Charlotte Charleston – Head Start School

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



NEWCOMB CHAPTER – NAVAJO NATION

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

FY2023
NWCB-120521-019

Resolution of the Newcomb Chapter

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

WHEREAS:

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

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

NOW THEREFORE BE IT RESOLVED THAT:

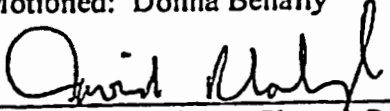
The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of \$1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades,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

CERTIFICATION

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

Motioned: Donna Benally

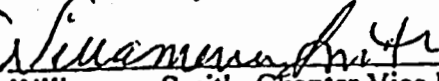
Seconded: Henry Thomas



David Randolph Sr., Chapter President



Donna L. Benally, Chapter Secretary/Treasurer



Willamena Smith, Chapter Vice President



DOCUMENT CHECKLIST
TO DOJ for Governance Certified Chapters

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

Division/Program Information:

Date Submitted: December 11, 2022

Program/Division: CDC/Excutive Branch - Newcomb Chapter

Contact Person: Norman Benally

Phone: 505-696-3400

Email: ndbenally@nnchapters.org

Documents needed for processing:

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

Notes:

Newcomb Chapter Ventilations Systems Project

Reviewed by:

NN Fiscal Recovery Fund Office

Date

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

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



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 #: HK0354

Date & Time Received: 12/20/22 15:04

Date & Time of Response: 01/06/23 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: ~~Newcomb Chapter Community Waste Water Project~~

Administrative Oversight: Navajo Environment Protection Agency

Amount of Funding Requested: \$100,000.00

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

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

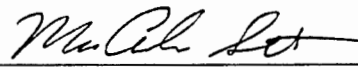
U.S. Department of Treasury Reporting Expenditure Category: 5.5 Clean Water: Other Sewer Infrastructure

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: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

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

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

Title and type of Project: Newcomb Chapter Community Waste Water Project

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com
Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com
Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com
Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com
Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org
DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known
01/01/2022 - 12/31/2026 document attached

Amount of FRF requested: \$100,000 FRF funding period: 2023 - 2025 (3/1/2022 - 11/30/2025)
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Some Newcomb community members do not have a septic tank in their homes have applied for this assistance (they have also submitted applications for potable water assistance). Some community members have septic tanks but are in need of upgrades, they have applied as well. The Chapter has received 19 applications. The Chapter will contract this septic tank system to a contractor to construct or replace their deficient septic tank system. OEH, IHS and/or NTUA would be a party involved in this project. The Chapter did not state the amount of FRF requested because the Chapter does not have expertise for this cost construction. document attached

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

Newcomb community members that have system tank systems will result in some COVID needs being met. Proper disposal of waste water is absolutely important and is a key to a healthy life for the family. Having good functional waste systems will allow the family to having a healthy life. With COVID, we have learned keeping our homes and ourselves clean is one of keys to COVID prevention. document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

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

document attached

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

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

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Each community home owner that receives the septic tank system or replacement are responsible for the maintenance and operations costs after the project has been 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:

Other Public Health Services^1.14

The Newcomb Chapter is seeking funds for the septic tanks to be installed or replaced for homeowners that have submitted an application. The Chapter will contract the projects to a contractor. The project will be coordinated with the homeowner and the third party project manager (OEH, IHS, NTUA). The goal is to provide septic tank systems for the applicants. Proper waste water systems will greatly benefit the homeowners and their immediate family members during and after the pandemic.

document attached

Part 3. Additional documents.

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

Chapter Resolution is attached, names of applicants and completed applications.

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] 12/12/22
 Signature of Preparer/CONTACT PERSON

Approved by: *[Signature]*
 Signature of Chapter President (or Vice-President)

Approved by:

[Signature] 12/12/22
 Signature of Chapter Manager of CSC

Approved by: *[Signature]* 12/19/2022
 Signature of DCD Chapter ASO

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

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page of
BUDGET FORM 1.

PART I. Business Unit No.: <u> </u> New <u> </u> Program Title: <u>Newcomb Chapter Community Waste Water Project</u> Division/Branch: <u>DCD/Executive Branch</u>		Prepared By: <u>Norman Benally</u> Phone No.: <u>505-696-3400</u> Email Address: <u>ndbenally@nnc Chapters.org</u>						
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Original Budget	(B) Proposed Budget	(C) Difference or Total
INN Fiscal Recovery Funds	FY23-FY25	100,000.00		2001 Personnel Expenses				
	01/01/2023-12/31/2025			3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6		100,000	100,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
TOTAL:						\$0.00	100,000.00	100,000
PART IV. POSITIONS AND VEHICLES						(D)	(E)	
TOTAL: \$100,000.00 /100%						0	0	0
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.						Total # of Positions Budgeted:		
						Total # of Vehicles Budgeted:		
SUBMITTED BY: <u>Norman Benally</u> Program Manager's Printed Name						APPROVED BY: <u>Norman Benally</u> Division Director / Branch Chief's Printed Name		
<u>12/16/22</u> Program Manager's Signature and Date						<u>12.16.22</u> Division Director / Branch Chief's Signature and Date		

PART I. PROGRAM INFORMATION:
 Business Unit No.: New Program Name/Title: Newcomb Chapter Community Waste Water Project

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: Community Homes connected to potable water								
Program Performance Measure/Objective: Hire A Constructor to construct according to scope of work			1					

1. Goal Statement:
 Community Homes connected to potable water
 Program Performance Measure/Objective:
 Hire A Constructor to construct according to scope of work

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.

Norman Benally
 Program Manager's Printed Name
Norman Benally
 Program Manager's Signature and Date
12/16/22

Division Director/Branch Chief's Printed Name
Gregory L. ...
 Division Director/Branch Chief's Signature and Date
12.16.22

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

FY 2023

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Newcomb Chapter Community Waste Water Project</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)		(B)	
Object Code (LOD 6)		Object Code Description and Justification (LOD 7)	
6500	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Waste Water Project)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6950	Subcontractor Services	100,000	100,000
		TOTAL	100,000



NEWCOMB CHAPTER – NAVAJO NATION

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

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

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

WHEREAS:

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

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

NOW THEREFORE BE IT RESOLVED THAT:

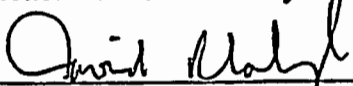
The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of \$1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades,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

CERTIFICATION

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

Motioned: Donna Benally

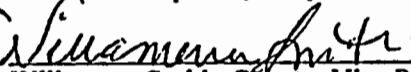
Seconded: Henry Thomas



David Randolph Sr., Chapter President



Donna L. Benally, Chapter Secretary/Treasurer



Willamena Smith, Chapter Vice President



NAVAJO NATION 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 #: HK0355

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

Date & Time of Response: 01/06/23 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: Bathroom renovations to Newcomb Chapter buildings (no touch fixtures and ventilation systems)

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$100,000.00

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: 1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

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

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

Title and type of Project: Bathroom renovations to Newcomb Chapter buildings (no touch fixtures and ventilation systems)

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com
Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com
Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com
Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com
Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org
DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known
01/01/2023 - 12/31/2024 document attached

Amount of FRF requested: \$100,000 FRF funding period: 2023 - 2025 (3/1/2022 - 11/30/2025)
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The funds will be used to construct a ladies and men restrooms. This building has one one restroom that is shared by both sexes. Having two restrooms will allow for be safer and will provide a place for cleanng and using the facility. No touch fixtures will be installed in the ladies and men restrooms. The renovation will also include construction to comply with ADA Standards.

document attached

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

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to construct two restrooms with no-touch restroom fixtures. The construction will meet ADA standards to accomodate the handicap community members. The upgrades will benefit the adminstration and community members with or without disabilities.

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:

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: New Program Title: Old Newcomb Chapter House - Restroom Construction Division/Branch: DCD/Executive Branch
 Prepared By: Norman Benally Phone No.: 505-696-3400 Email Address: ndbenally@nncchapters.org

PART II. FUNDING SOURCE(S)		Fiscal Year / Item	Amount	% of Total	PART III. BUDGET SUMMARY			(C)
NN Fiscal Recovery Funds		FY23-FY25	100,000.00	100%	Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference or Total
		341222-11307025			2001			
		0110112022-			3000			
		121312326			3500			
					4000			
					5000			
					5500			
					6000			
					6500		100,000	100,000
					7000			
					8000			
					9000			
					9500			
					9500			
					TOTAL	\$0.00	100,000.00	100,000

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.
 SUBMITTED BY: Norman Benally Program Manager's Printed Name
12/12/22 Program Manager's Signature and Date
 APPROVED BY: Paul Williams Division Director / Branch Chief's Printed Name
12.16.22 Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:
 Business Unit No: New Program Name/Title: Old Newcomb Chapter House - Restroom Construction

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: <u>Chapter buildings become safe against virus</u> Program Performance Measure/Objective: <u>Hire A Contractor to construct according to scope of work</u>						1		
2. Goal Statement: <u> </u> Program Performance Measure/Objective: <u> </u>								
3. Goal Statement: <u> </u> Program Performance Measure/Objective: <u> </u>								
4. Goal Statement: <u> </u> Program Performance Measure/Objective: <u> </u>								
5. Goal Statement: <u> </u> Program Performance Measure/Objective: <u> </u>								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.
 Program Manager's Printed Name: Norman Benally
 Signature: oib Date: 12/16/22
 Division Director/Branch Chief's Printed Name: Deborah Lopez
 Signature: Deborah Lopez Date: 12.16.22
 Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Old Newcomb Chapter House - Restroom Construction</u> 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 Subject Code (LOD 6)	Total by MAJOR Subject Code (LOD 4)
6500 6990	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Restroom Construction) Subcontractor Services	100,000	100,000
TOTAL		100,000	100,000



NEWCOMB CHAPTER ARPA PROJECT SCOPE OF WORK

Project Title:

Male and female restrooms will be constructed in the Old Chapter House building. The constructed restrooms will have no-touch restroom fixtures. All constructions and upgrades must meet ADA standards.

Background Narrative:

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

Work Plan:

Old Chapter House Building:

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

Results Expected:

- No-touch fixtures will minimize the spread of any virus
- Restroom fixtures must meet ADA requirements
- The ventilation system will help in minimizing the air to stay in one place
- All tasks are done correctly and meet the required standards
- Project will be completed safely, on time, within the budget

Responsible Staff:

- Norman Benally, Newcomb Chapter Manager
- David Randolph, Newcomb Chapter President

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



NEWCOMB CHAPTER – NAVAJO NATION

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

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

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

WHEREAS:

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

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

NOW THEREFORE BE IT RESOLVED THAT:

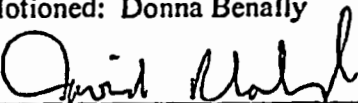
The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of \$1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades,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

CERTIFICATION

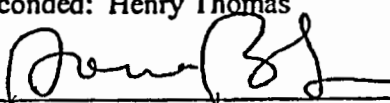
We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December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

Motioned: Donna Benally

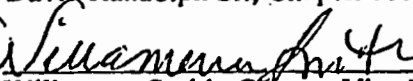
Seconded: Henry Thomas



David Randolph Sr., Chapter President



Donna L. Benally, Chapter Secretary/Treasurer



Willamena Smith, Chapter Vice President



DOCUMENT CHECKLIST
TO DOJ for Governance Certified Chapters

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

Division/Program Information:

Date Submitted: December 11, 2022

Program/Division: CDC/Excutive Branch - Newcomb Chapter

Contact Person: Norman Benally

Phone: 505-696-3400

Email: ndbenally@nnchapters.org

Documents needed for processing:

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

Notes:

Newcomb Chapter Old Building Restroom Construction

Reviewed by:

NN Fiscal Recovery Fund Office

Date

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

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



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 #: HK0356

Date & Time Received: 12/20/22 15:08

Date & Time of Response: 12 January 2023; 9:19 am

Entity Requesting FRF: Newcomb Chapter

Title of Project: Chapter Community Electrical Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$283,528.33

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: Adjua Adjei-Danso

Signature of DOJ Reviewer:  _____

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

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

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

Title and type of Project: Newcomb Chapter Community Electrical Project

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com
Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com
Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com
Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com
Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org
DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known
01/01/2022 - 12/31/2026 document attached

Amount of FRF requested: \$283,528.33 FRF funding period: 2023 - 2025 (3/1/2022 - 11/30/2025)
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The funds will be used to connect homes to electricity. Electricity provides: proper lighting system/heating and cooler systems/allows families to store food longer/have instant hot water for family daily use/electronic uses/cleaning homes, etc. The Chapter has received 12 applications. The project will be coordinated with the homeowner and the third party project manager NTUA. The Chapter did not state the amount of FRF requested because the Chapter does not have the expertise for this cost construction. With pandemic here, these home were at a great disadvantage. document attached

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

Newcomb community members that have electricity will result in some COVID needs being met. In today's world electricity is a key resource for every family. As stated above it provides many is a key to a healthy life for the family. The families that recieve electricity will greatly benefit and will lead to healthier lives. document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

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

document attached

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

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

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Each community home owner that recieves electricity are responsible for the maintenance and operations costs after the project has been 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:

Other Public Health Services^1.14

The Newcomb Chapter is seeking funds for the installation of electricity to community members homes. The project will be coordinated with the homeowner and the third party project manag NTUA. Having electricity in homes will greatly benefit the homeowners and their immediate family members during and after the pandemic.

document attached

Part 3. Additional documents.

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

Chapter Resolution is attached, names of applicants and completed applications.

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] 12/12/22
signature of Preparer/CONTACT PERSON

Approved by:

[Signature]
signature of Chapter President (or Vice-President)

Approved by:

[Signature] 12/12/22
signature of Chapter Manager or CSC

Approved by:

[Signature] 12/19/2022
signature of DCD/Chapter ASO

Approved to submit for Review:

[Signature] NVFRFD
signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page of
BUDGET FORM

PART I. Business Unit No.: New Program Title: Newcomb Chapter Community Electrical Connections Division/Branch: DCD/Executive Branch
 Prepared By: Norman Benally Phone No.: 505-696-3400 Email Address: ndbenally@nncchapters.org

PART II. FUNDING SOURCE(S)		Fiscal Year Item	Amount	% of Total	PART III. BUDGET SUMMARY				
NN Fiscal Recovery Funds					Fund Type Code	(A) NNC Original Budget	(B) Proposed Budget	(C) Difference Total	
		FY23-FY25	283,528.33	100%					
		3472023-14302025			2001	Personnel Expenses			
		010112022-1213112024			3000	Travel Expenses			
					3500	Meeting Expenses			
					4000	Supplies			
					5000	Lease and Rental			
					5500	Communications and Utilities			
					6000	Repairs and Maintenance			
					6500	Contractual Services	283,528	283,528	
					7000	Special Transactions			
					8000	Public Assistance			
					9000	Capital Outlay			
					9500	Matching Funds			
					9500	Indirect Cost			
					TOTAL		\$0.00	283,528.33	21

PART IV. POSITIONS AND VEHICLES

Total # of Positions Budgeted:	(D)	0	(E)	0
Total # of Vehicles Budgeted:	(D)	0	(E)	0

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

SUBMITTED BY: Norman Benally APPROVED BY: Paul Robinson
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
12/18/22 12.18.22
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:	Business Unit No.: <u> </u> New	Program Name/Title: <u> </u>	Newcomb Chapter Community Electrical Connections																																																																																																																																																																																
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THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:
 Program Name/Title: Newcomb Chapter Community Electrical Connections Business Unit No.: New

PART II. DETAILED BUDGET:

Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C)		(U)
		Total by DETAILED Subject Code (LOD 6)	Total by MAJOR Subject Co. (LOD 4)	Total by MAJOR Subject Co. (LOD 4)
6500 6960	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Electrical connections to community Homes) Subcontractor Services	\$ 283,528.33		\$ 283,528.33
TOTAL		\$ 283,528.33		\$ 283,528.33



NEWCOMB CHAPTER – NAVAJO NATION

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

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

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

WHEREAS:

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



DOCUMENT CHECKLIST
TO DOJ for Governance Certified Chapters

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

Division/Program Information:

Date Submitted: December 11, 2022

Program/Division: CDC/Excutive Branch - Newcomb Chapter

Contact Person: Norman Benally

Phone: 505-696-3400

Email: ndbenally@nnchapters.org

Documents needed for processing:

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

Notes:

Newcomb Chapter Community Electrical Connection

Reviewed by:

NN Fiscal Recovery Fund Office

Date

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

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



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 #: HK0357

Date & Time Received: 12/20/22 15:09

Date & Time of Response: 01/06/23 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: Newcomb Chapter Community Potable Water Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$285,528.33

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:


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

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health 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 | |

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

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

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

Title and type of Project: Newcomb Chapter Community Potable Water Project

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

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

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

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

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

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

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

Amount of FRF requested: \$283,528.33 FRF funding period: 2023 - 2025 (3/1/2022 - 11/30/2025)
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Newcomb community members that have potable water in their homes but do not have indoor restrooms have applied for this assistance. Some community members have restrooms but are in need of upgrades also have applied for this assistance. The Chapter will contract this bathroom addition to a contractor to construct, it will be an addition to community members homes or upgrades to the existing restrooms. OEH, IHS and NTUA will assist in final waterline connections. The Chapter did not state the amount of FRF requested because the Chapter does not have the expertise for this cost construction. document attached

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

Newcomb community members that have potable water will result in some COVID needs being met. As the saying goes, "water is life." Water will provide homes with uses that will combat the COVID Virus in the homes. document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

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

document attached

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

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

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Each community home owner that recieved potable water are responsible for the maintenance and operations costs after the project has been 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:

Other Public Health Services^1.14

The Newcomb Chapter is seeking funds for the potable water to be piped to the community members homes and these members have submitted applications. The project will be coordinated with the homeowner and the thrid party project manager (OEH, IHS, NTUA). The goal is to provide running water and septic for the applicants. Making these homes having potable water will greatly benefit the homeowners and their immediate family memebers during and after the pandemic.

document attached

Part 3. Additional documents.

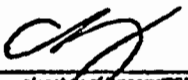
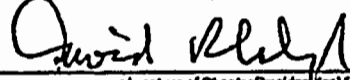
List here all additional supporting documents attached to this FRF Expenditure Plan (or Indicate N/A):

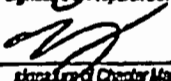
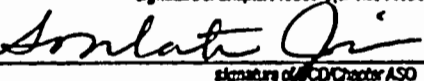
Chapter Resolution is attached.


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:  12/12/20 Approved by: 
signature of Preparer/CONTACT PERSON signature of Chapter President (or Vice-President)

Approved by:  12/12/20 Approved by:  12/19/2022
signature of Chapter Manager or CSC signature of COO/Chapter ASO

Approved to submit for Review:  Lisa Jymm. NNFRCO
signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:
 Business Unit No: New
 Program Name/Title: Newcomb Chapter Community Water Project

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: Chapter buildings become safe against virus Program Performance Measure/Objective: Hire A Constructor to construct according to scope of work							1	
2. Goal Statement:								
3. Goal Statement:								
4. Goal Statement:								
5. Goal Statement:								

1. Goal Statement:
Chapter buildings become safe against virus
Program Performance Measure/Objective:
Hire A Constructor to construct according to scope of work

2. Goal Statement:

3. Goal Statement:

4. Goal Statement:

5. Goal Statement:

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

Program Manager's Printed Name: Norman Benally
 Program Manager's Signature and Date: *Norman Benally* 12/12/22

Division Director/Branch Chief's Printed Name: *Norman Benally*
 Division Director/Branch Chief's Signature and Date: *Norman Benally* 12.16.22

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

FY 2023

PART I. PROGRAM INFORMATION:		New	
Program Name/Title: <u>Newcomb Chapter Community Water Project</u>		Business Unit No.: <u> </u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(U)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Subject Code (LOD 6)	Total by MAJOR Subject Code (LOD 4)
6500 6960	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Water Line Connections) Subcontractor Services	\$233,528.33	233,528.33
TOTAL		\$233,528.33	233,528.33



NEWCOMB CHAPTER – NAVAJO NATION

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

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

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

WHEREAS:

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

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

NOW THEREFORE BE IT RESOLVED THAT:

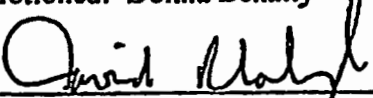
The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of \$1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades,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

CERTIFICATION

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

Motioned: Donna Benally

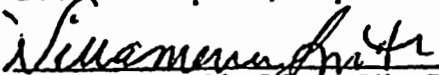
Seconded: Henry Thomas



David Randolph Sr., Chapter President



Donna L. Benally, Chapter Secretary/Treasurer



Willamena Smith, Chapter Vice President



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0358

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

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

Entity Requesting FRF: Newcomb Chapter

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

Administrative Oversight: ~~Division of Community Development~~

Amount of Funding Requested: \$150,000.00

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

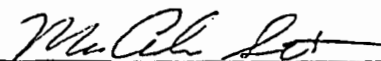
- (1) Public Health and Economic Impact
- (2) Premium Pay
- (3) Government Services/Lost Revenue
- (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

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

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

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

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com
Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com
Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com
Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com
Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org
DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

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

Amount of FRF requested: \$150,000 FRF funding period: 2023 - 2025 (3/1/2022 - 11/30/2025)
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The Senior Citizens Center, the Old Chapter House and the Dine College Outreach buildings belong to the Newcom Chapter Government. The Senior Citizens Center, the Dine College outreach and Old Chapter House buildings will have their restrooms and kitchen areas upgraded to have no-touch fixtures. All sinks, toilets, hand dryers and other restroom fixtures will be no touch (attached is a scope of work).

document attached

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

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

document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

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

document attached

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

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

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

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

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

COVID-19: Aid to Impacted Industries^ 1.10

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

document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.
Scope of Work is attached.

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

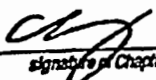
Chapter's Preparer:


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

12/19/2022

Approved to submit for Review:


signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

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

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 Total
NN Fiscal Recovery Funds		FY23-FY25	150,000.00	100%	2001	Personnel Expenses					
		01/01/2023-12/31/2025			3000	Travel Expenses					
					3500	Meeting Expenses					
					4000	Supplies					
					5000	Lease and Rental					
					5500	Communications and Utilities					
					6000	Repairs and Maintenance					
					6500	Contractual Services	6		150,000	150,000	
					7000	Special Transactions					
					8000	Public Assistance					
					9000	Capital Outlay					
					9500	Matching Funds					
					9500	Indirect Cost					
					TOTAL			\$0.00	150,000.00	150,000.00	
					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: Norman Benally Program Manager's Printed Name
[Signature] 12/16/22 Program Manager's Signature and Date

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

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:		Business Unit No.: <u> </u> New		
Program Name/Title: <u>Bathroom and Kitchen Upgrades Newcomb Chapter Buildings</u>				
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(D)	
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)	
6500	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (No Touch Upgrades)	150,000	150,000	
6960				Subcontractor Services
6990				Subcontractor Services
TOTAL		150,000	150,000	



NEWCOMB CHAPTER ARPA PROJECT SCOPE OF WORK

Project Title:

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

Background Narrative:

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

Work Plan:

Newcomb Chapter House:

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

Senior Citizen Center

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

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

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

Dine College Outreach Facility:

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

Old Chapter House Building:

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

Ventilation System:

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

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



NEWCOMB CHAPTER – NAVAJO NATION

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

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

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

WHEREAS:

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

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

NOW THEREFORE BE IT RESOLVED THAT:

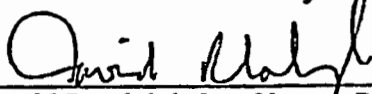
The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of \$1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades,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

CERTIFICATION

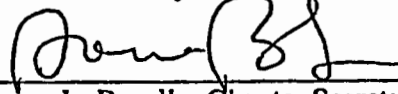
We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December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

Motioned: Donna Benally

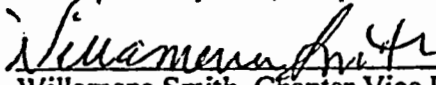
Seconded: Henry Thomas



David Randolph Sr., Chapter President



Donna L. Benally, Chapter Secretary/Treasurer



Willamena Smith, Chapter Vice President



NAVAJO NATION 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 #: HK0344 [REISSUED]

Date & Time Received: 12/20/2022 9:48 A.M

Date & Time of Response: 12/27/2022 5:00 P.M; Reissued 3/1/2023 5:00 P.M.

Entity Requesting FRF: Upper Fruitland Chapter Government

Title of Project: Upper Fruitland Community Cemetery

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$370,556.67

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input checked="" type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (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: DOJ is reissuing this initial eligibility determination in order to correct an error with the identified Administrative Oversight entity. We recommend that the Administrative Oversight entity for this expenditure plan be the Division of Community of Development rather than the Upper Fruitland Chapter Government.

In accordance with, Council resolution CJN-29-22, Section 3(E), "[t]he Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Departments, 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."

Name of DOJ Reviewer: MacArthur Stant

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 GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 9, 2022

Chapter's mailing address: Upper Fruitland Chapter phone & email: (505) 960-5032 upperfruitland@navajochapters.org
P.O. Box 1257 Fruitland, NM 87416 website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Manager phone/email: (505) 960-5032
akee@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Upper Fruitland Community Cemetery

Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanii.org
 Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org
 Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
 Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
 Chapter Manager or CSC: Alvis Kee phone & email: (505) 960-5032 akee@nnchapters.org
 DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____
 _____ 01 30 document attached

Amount of FRF requested: 370,556.67 FRF funding period: January 2023 - December 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 Upper Fruitland Community Cemetery will provide a site where many loved ones will be interred especially those affected from the COVID-19 Pandemic. The Upper Fruitland community and Navajo Nation were severely impacted from the pandemic having saturated their Rose Garden cemetery to capacity and requiring the construction of a new site. The land has already been withdrawn, surveyed, required archaeological studies completed and is basically shovel ready for continuing development. The project will address the deficiencies connected to the outbreak of the COVID-19 on the Navajo Nation. The governmental services will facilitate sustainable economic and social growth. document attached

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

Most rural communities on the Navajo Nation lack access to governmental services and COVID-19 impeded these operations. The Navajo Nation experienced substantially grater rates of COVID-19 mortality compared to other racial and ethnic groups. Those living on the Navajo Nation are vulnerable to the virus, due to the high rates of poverty, over crowded liing conditions and limited access to high-quality medical facilities. This project will assist and directly benefit the Navajo people. 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:

Based upon the funding, the project completion date will be December 31, 2026 with all funds being encumbered before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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 Upper Fruitland Chapter administration will be tasked with the facility's with maintenance while ensuring budgeting meets operational necessities.

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:

Categories: REVENUE REPLACEMENT: 6.1 - Provision of Government Services

Pursuant to the U.S. Treasury guidelines and funding objectives, this Upper Fruitland Community Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. The Upper Fruitland Community cemetery will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

document attached

Part 3. Additional documents.

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

Chapter resolution # FRUI-2022-12-305

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]
signature of Preparer/CONTACT PERSON

Approved by: [Signature]
signature of Chapter President (or Vice President)

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

Approved by: [Signature] 12/19/2022
signature of DCD/Chapter ASO

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

Based upon the funding, the project completion date will be December 2026 with all funds being incurred before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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:

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document attached

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Categories: REVENUE REPLACEMENT: 6.1 - Provision of Government Services
Pursuant to the U.S. Treasury guidelines and funding objectives, this Upper Fruitland Community Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. The Upper Fruitland Community cemetery will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

document attached

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Chapter Resolution attached

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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

**THE NAVAJO NATION
 PROGRAM BUDGET SUMMARY**

PART I. Business Unit No.: _____ New _____ Program Title: Community Cemetery Project
 Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@ninchapters.org Division/Branch: Executive

PART II. FUNDING SOURCE(S)		Fiscal Year / Item	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	NMC Approved Original Budget	Proposed Budget	Difference or Total
ARPPA FUNDS		<u>01/01/2022 - 12/31/2024</u>	<u>370,556.67</u>	<u>100</u>	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	<u>6</u>			<u>500</u>	<u>500</u>
					8000	Public Assistance					
					9000	Capital Outlay	<u>6</u>			<u>\$ 370,056.67</u>	<u>\$370,056.67</u>
					9500	Matching Funds					
					9500	Indirect Cost					
TOTAL:								\$0.00	370,556.67	\$370,556.67	

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

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

SUBMITTED BY: Sonlata Jim-Martin 12/19/2022
 Program Manager's Printed Name
 Program Manager's Signature and Date

APPROVED BY: Dr. Pearl Yellowman
 Division Director / Branch Chief's Printed Name
 Division Director / Branch Chief's Signature and Date 12.16.22

**THE NAVAJO NATION
 PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:
 Business Unit No: New Program Name/Title: Upper Fruitland Chapter - 8.1 Community Cemetery Project

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:
 The Navajo Nation Chapters Plan of Operation is in reference to Title 28 of the Navajo Nation Code.

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 provide funds for the construction of a new cemetery for Upper Fruitland community Program Performance Measure/Objective: To assist the community and surrounding communities with a location for the final resting place	5		5		5		5	
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.

Program Manager's Printed Name: Sonlisa Jim-Martin Date: 12/19/2022
 Program Manager's Signature and Date: *Sonlisa Jim-Martin*

Division Director/Branch Chief's Printed Name: Dr. Pearl Yellowman
 Division Director/Branch Chief's Signature and Date: *Dr. Pearl Yellowman* 12.16.22

**THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Upper Fruitland Chapter -6.1</u> Business Unit No.: _____ 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)
	Revenue Replacement Provision of Government Services - ARPA Chapter Wellness Project. This Upper Fruitland Community cemetery project will provide a comprehensive construction of a planned site. The Upper Fruitland community cemetery is an expression of its community - it is a repository for or higher square footage based on fund availability. This warehouse will provide logistical support and assist in mitigating, preparing, responding and recovering from emergency situations and improving community services. This warehouse will address deficiencies connected to the large volume of COVID-19 on the Navajo Nation. The construction of this new warehouse will be capable of meeting the needs of the Upper Fruitland community. This meansing a facility meeting the necessary foot space and infrastructure such as mechanical equipment, plumbing, electrical...etc. for the proper and effective operation.		
7000	Special Transactions		
7440	Print Advertising	500	500
	Advertisement for project in accordance with Procurement Procedures.		
9000	Capital Outlay		
9052	Buildings	370,057	370,057
	Purchase of aluminum frame and steel supports of about 60 foot x 100 foot or higher square footage		
	TOTAL	370,557	370,557

**THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>New</u>	
Program Name/Title: <u>Upper Fruitland Chapter-6.1</u>		Community cemetery project	
PART II. DETAILED BUDGET:		(C)	(D)
(A)	(B)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)		
	Revenue Replacement: Provision of Government Services - ARPA Chapter Wellness Project. This Upper Fruitland Community cemetery project will provide a comprehensive construction of a planned site. The Upper Fruitland community cemetery is an expression of its community - it is a repository for higher square footage based on fund availability. This warehouse will provide logistical support and assist in mitigating, preparing, responding and recovering from emergency situations and improving community services. This warehouse will address deficiencies connected to the large volume of COVID-19 on the Navajo Nation. The construction of this new warehouse will be capable of meeting the needs of the Upper Fruitland community. This meaning a facility meeting the necessary foot space and infrastructure such as mechanical equipment, plumbing, electrical...etc. for the proper and effective operation.		
7000	Special Transactions		
7440	Print Advertising	500	500
	Advertisement for project in accordance with Procurement Procedures.		
9000	Capital Outlay		
9052	Buildings		
	Purchase of aluminum frame and steel supports of about 60 foot x 100 foot or higher square footage		
		<u>\$ 370,056.61</u>	<u>\$ 370,056.61</u>
TOTAL		\$ 370,056.61	\$ 370,056.61

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: _____ New _____ Program Title: Upper Fruitland Chapter -6.1 Division/Branch: Executive

Prepared By: Alys Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nncapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year Item	Amount	% of Total	PART III. BUDGET SUMMARY			(C) Difference or Total
				Fund Type Code	(A) NMC Approved Original Budget	(B) Proposed Budget	
ARPA Funds	01/01/22-12/31/2026	\$379,556.67	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	6		500
				8000 Public Assistance			
				9000 Capital Outlay	6		\$379,556.67
				9500 Matching Funds			
				9500 Indirect Cost			
				TOTAL		\$0.00	379,556.67
PART IV. POSITIONS AND VEHICLES						(D)	(E)
Total # of Positions Budgeted:						0	0
Total # of Vehicles Budgeted:						0	0
TOTAL: \$379,556.67							100%

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

SUBMITTED BY: Sonlatsa Jim-Martin Program Manager's Printed Name
 Program Manager's Signature and Date: *Sonlatsa Jim-Martin* 12/19/2022

APPROVED BY: Dr. Pearl Yellowman Division Director / Branch Chief's Printed Name
 Division Director / Branch Chief's Signature and Date: *Pearl Yellowman* 12-16-22

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

FY 2023

PART I. PROGRAM INFORMATION:		Community Cemetery Project					
Business Unit No.:	New	Program Name/Title:	Upper Fruitland Chapter -6.1				
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:							
The Navajo Nation Chapters Plan of Operation is in reference to Title 28 of the Navajo Nation Code.							
PART III. PROGRAM PERFORMANCE CRITERIA:							
1. Goal Statement:	To provide funds for the construction of a new cemetery for Upper Fruitland community	Program Performance Measure/Objective:	To assist the community and surrounding communities with a location for the final resting place	1st QTR	2nd QTR	3rd QTR	4th QTR
				Goal	Actual	Goal	Actual
2. Goal Statement:				5	5	5	5
3. Goal Statement:							
4. Goal Statement:							
5. Goal Statement:							

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

_____ Program Manager's Printed Name Sonlata Jim-Martin _____ Program Manager's Signature and Date 12/19/2022	_____ Division Director/Branch Chief's Printed Name Dr. Pearl Yellowman _____ Division Director/Branch Chief's Signature and Date Pearl Yellowman 12/16/22
--	---

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: _____ New _____ Program Title: Community Cemetery Project Division/Branch: Executive
 Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org
 Upper Fruiland Chapter -6.1

PART II. FUNDING SOURCE(S)		Fiscal Year Item	Amount	% of Total	PART III. BUDGET SUMMARY			
ARPA Funds		01/01/2022 12/31/2026	\$370,556.67	100%	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
					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	6	500	500
					8000 Public Assistance			
					9000 Capital Outlay	6	370,056.67	370,056.67
					9500 Matching Funds			
					9500 Indirect Cost			
TOTAL:					TOTAL	\$0.00	370,556.67	370,556.67

PART IV. POSITIONS AND VEHICLES

Total # of Positions Budgeted:	(D)	0	(E)	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: Sonlatsa Jim-Martin Program Manager's Printed Name
 APPROVED BY: Dr. Pearl Yellowman Division Director / Branch Chief's Printed Name
Resubmission 12-16-22 Division Director / Branch Chief's Signature and Date

**THE NAVAJO NATION
 PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:		Community Community Project	
Business Unit No.:	New	Program Name/Title:	Upper Fruitland Chapter -6.1
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:			
The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code.			
PART III. PROGRAM PERFORMANCE CRITERIA:			
1. Goal Statement:			
To provide funds for the construction of a new cemetery for Upper Fruitland community			
Program Performance Measure/Objective:			
To assist the community and surrounding communities with a location for the final resting place	5	5	5
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.			
_____ Sontlisa Jim-Martin Program Manager's Printed Name		_____ Dr. Pearl Yellowman Division Director/Branch Chief's Printed Name	
_____ Program Manager's Signature and Date		_____ Pearl Yellowman 12.16.23 Division Director/Branch Chief's Signature and Date	

The Navajo Nation
 Upper Fruitland Chapter
 P.O. Box 1257
 Fruitland, New Mexico 87416
 (505) 960-5032/9811
 Fax: (505) 960-5033
Upperfruitland@Navalochapters.org



Rickie Nez, Council Delegate
 Lynelle Etsitty, President
 Lisa Byrd, Vice-President
 Dora Smith, Secretary/Treasurer
 Albert Lee, Farm Board Representative
 Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF \$1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;
2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;
3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the \$8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of \$1,467,056.67; and.
4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
GRAND TOTAL:			1,467,056.67

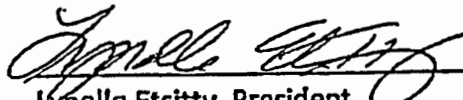
5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

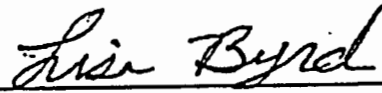
NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of \$1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.


Lynelle Etsitty, President

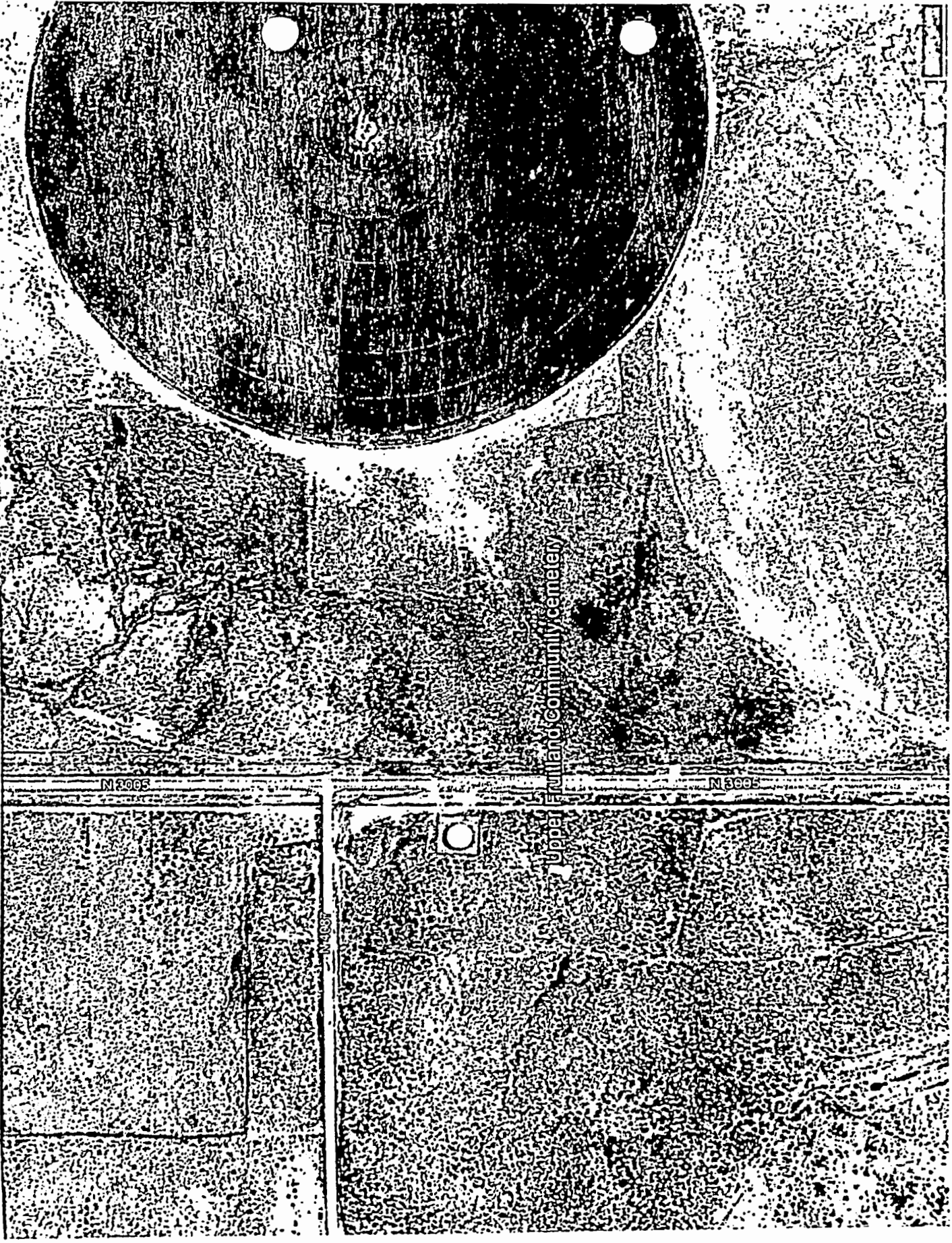

Lisa Byrd, Vice-President


Dora Smith, Secretary/Treasurer


Rickle Nez, Council Delegate

ny cemetery

nd south of NAPI road 4087 or about a mile south of Ojo Amarillo rental homes in Upper Fruitland

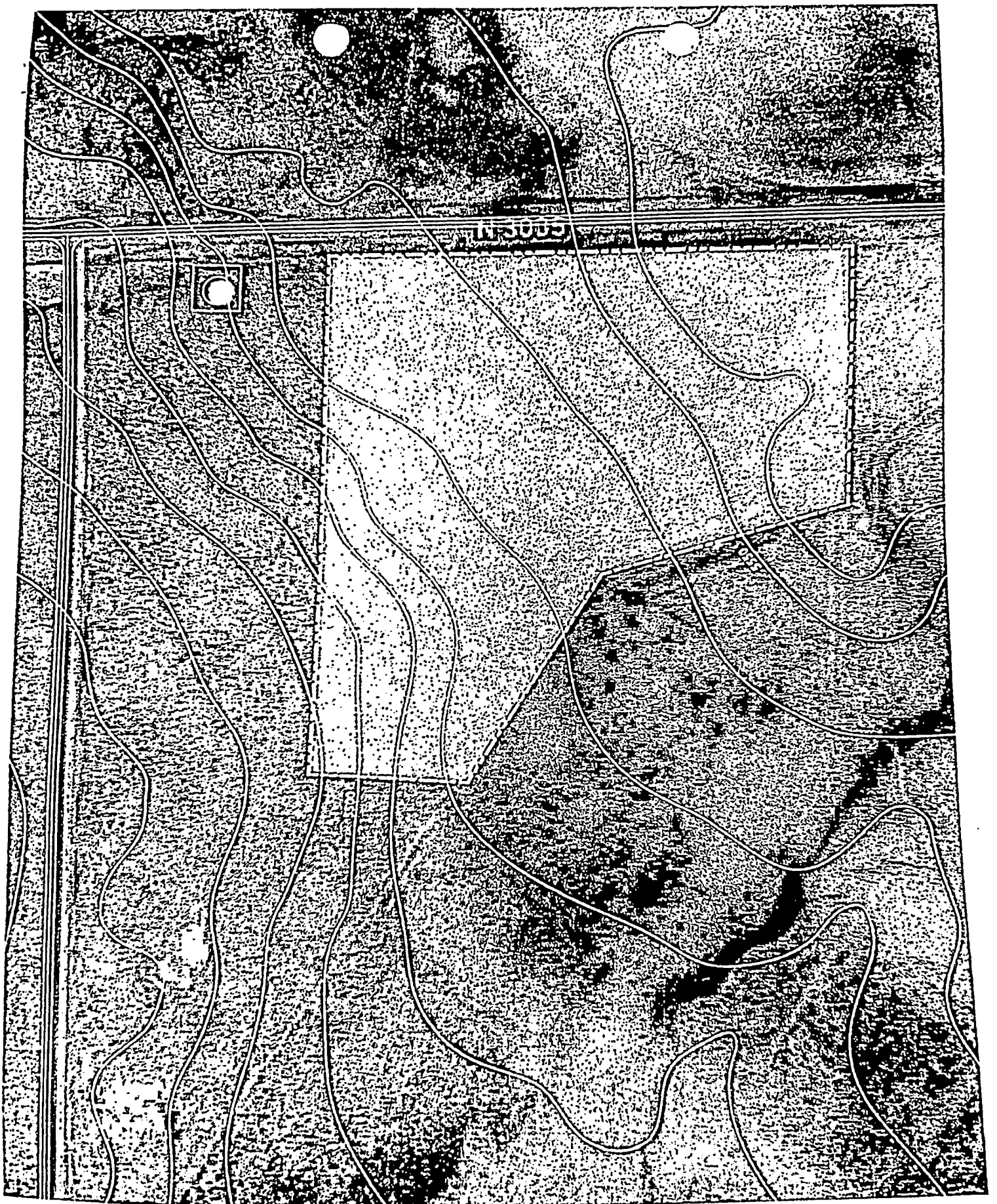


N 2005

N 3695

Upper Fruitland Community Cemetery

Upper





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 #: HK0349

Date & Time Received: 12/20/22 10:56

Date & Time of Response: 01/06/23 17:00

Entity Requesting FRF: Upper Eruitland Chapter

Title of Project: Moveable Restroom Shower Combo

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$175,000.00

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

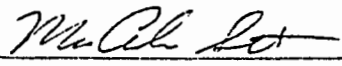
- (1) Public Health and Economic Impact
 (2) Premium Pay
 (3) Government Services/Lost Revenue
 (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health 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 | |

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

ALBUQUERQUE

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 1, 2022

Chapter's mailing address: Upper Fruitland Chapter phone & email: (505) 960-5032 upperfruitlad@Navajochapters.org
P.O. Box 1257 Fruitland, NM 87416 website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Manager phone/email: (505) 960-5032
akee@nnchapters.org

CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Moveable Restroom Shower Combo

Chapter President: Lynelle Etsitty phone & email: (505) 208-0201 lcetsitty@naataanii.org
Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org
Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
Chapter Manager or CSC: Alvis Kee phone & email: (505) 215-4471 akee@nnchapters.org
DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Vip To Go, 115 B South Wagon Wheel Boerne, Texas 78015 document attached

Amount of FRF requested: 175,000.00 FRF funding period: Starting Jan 2023 ending Feb 2024

Indicate Project starting and ending/deadline date
01/01/2023 - 12/30/2026

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 purchasing a moveable trailer with six stations of restroom and shower combinations will serve residences that were severely impacted from COVID-19 because of their lack of lavatory and showers to maintain their hygiene. The high volume number of homes on the Navajo Nation lack access to water and wastewater services which contributed to major sanitation deficiencies connected to the soaring outbreak of COVID-19.

document attached

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

The elevated number of homes upon the Navajo Nation lack access to one or more of the following utilities; electricity, water, wastewater and broadband. Residents of the United States require these utilities to ensure they live healthy in their daily lives; therefore, this moveable restroom and shower combination will provide access for citizens lacking at least two of these utilities. This asset will assist in promoting public health and economic stimulus.

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:

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this project.

document attached

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

Based upon the funding, the project completion date will be December 31, 2026 with all funds being incurred before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

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 administration will ensure the property is entered upon the Upper Fruitland Chapter's fixed assets and tasked with the responsibility of budgeting for the fixed asset's operation and maintenance.

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:

WATER AND SEWER. 5.3 Clean Water: Decentralized Wastewater REVENUE REPLACEMENT. 6.1 Provision of Government Services
Pursuant to the U.S. Treasury guidelines and funding objectives, this Upper Fruitland Community Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. This fixed asset will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

document attached

Part 3. Additional documents.

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

FRUI-2022-12-305

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]
Signature of Preparer/CONTACT PERSON

Approved by: [Signature]
Signature of Chapter President (or Vice-President)

12/19/2022

Approved by: [Signature]
Signature of Chapter Manager or CSC

Approved by: [Signature]
Signature of DCD/Chapter ASO

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

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

Prepared By: Avis Kee Phone No.: 505.960.5032 Email Address: akee@nncchapters.org
 Program Title: Upper Fruitland Chapter Division/Branch: Div. of Comm. Develop.
 Fiscal Year / Term: NEW 10809T 11/01/2022-12/31/2022 Moveable Restroom Shower Combo

PART I. 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 Total
ARRPA Funds	11/01/2022-12/31/2022	\$175,000.00	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				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay	6		175,000	175,000
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	175,000	175,000
PART IV. POSITIONS AND VEHICLES						(D)	(E)	
TOTAL: \$175,000.00				100%		0	0	
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: Sonlisa Jim-Martin 12/19/2022 APPROVED BY: Dr. Pearl Yellowman
 Program Manager's Printed Name Program Manager's Signature and Date Division Director / Branch Chief's Printed Name
Sonlisa Jim-Martin 12.16.22 Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:	Business Unit No.: <u>NEW -400099</u>	Program Name/Title: <u>Upper Fruitland Chapter</u>																									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:	<u>To provide citizens with the quality of life necessary to get through the COVID-19 Pandemic</u>																										
PART III. PROGRAM PERFORMANCE CRITERIA:	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">1st QTR</th> <th colspan="2">2nd QTR</th> <th colspan="2">3rd QTR</th> <th colspan="2">4th QTR</th> </tr> <tr> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>50</td> <td></td> <td>50</td> <td></td> <td>50</td> <td></td> </tr> </tbody> </table>			1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	1		50		50		50	
1st QTR		2nd QTR		3rd QTR		4th QTR																					
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual																				
1		50		50		50																					
1. Goal Statement:	<u>To purchase a six-station restroom/shower combination trailer</u>																										
Program Performance Measure/Objective:	<u>To provide residents with an opportunity to use restrooms and showers during pandemic</u>																										
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>Sonlatsa Jim-Martin</u> Program Manager's Printed Name <u>12/19/2022</u> Program Manager's Signature and Date	<u>Dr. Pearl Yellowman</u> Division Director/Branch Chief's Printed Name <u>12.16.22</u> Division Director/Branch Chief's Signature and Date																									

**THE NAVAJO NATION
 PROGRAM BUDGET SUMMARY**

PART I. Business Unit No.: NEW 100091 Program Title: Movable Restroom and Shower Lombo Division/Branch: Upper Fruitland Chapter Div. of Comm. Develop.
 Prepared By: Avis Kee Phone No.: 505.960.5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)		Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY			(C)	
					Fund Type Code	NNC Original Budget	Proposed Budget	Difference Total	
<u>ARPA Funds</u>		<u>01/01/2022</u> <u>12/31/2026</u>	<u>\$175,000.00</u>	<u>100%</u>					
					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	500	500	
					8000	Public Assistance			
					9000	Capital Outlay	175,000	175,000	
					9500	Matching Funds			
					9500	Indirect Cost			
TOTAL							\$0.00	175,500	175,500

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.
 SUBMITTED BY: Sonlatsa Jim-Martin Program Manager's Printed Name
Dr. Pearl Yellowman Division Director / Branch Chief's Printed Name
Deany Yellowman 12.16.22 Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:	Business Unit No.: <u>NEW</u>	Program Name/Title: <u>Upper Fruitland Chapter</u>				
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:	<p>To provide citizens with the quality of life necessary to get through the COVID-19 Pandemic</p> <p style="text-align: right;"><i>Movable Restroom and Shower Combo</i></p>					
PART III. PROGRAM PERFORMANCE CRITERIA:						
1. Goal Statement:						
To purchase a six-station restroom/shower combination trailer						
Program Performance Measure/Objective:						
To provide residents with an opportunity to use restrooms and showers during pandemic						
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.						

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1		50		50		50	

 Program Manager's Printed Name
 Sonlatsa Jim-Martin

 Program Manager's Signature and Date
Sonlatsa Jim-Martin 10.16.22

 Division Director/Branch Chief's Printed Name
 Dr. Pearl Yellowman

 Division Director/Branch Chief's Signature and Date

The Navajo Nation
 Upper Fruitland Chapter
 P.O. Box 1257
 Fruitland, New Mexico 87416
 (505) 960-5032/9811
 Fax: (505) 960-5033
 Upperfruitland@Navajochapters.org



Rickie Nez, Council Delegate
 Lynelle Etsitty, President
 Lisa Byrd, Vice-President
 Dora Smith, Secretary/Treasurer
 Albert Lee, Farm Board Representative
 Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF \$1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;
2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;
3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the \$8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of \$1,467,056.67; and.
4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
GRAND TOTAL:			1,467,056.67

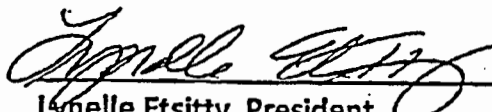
- The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

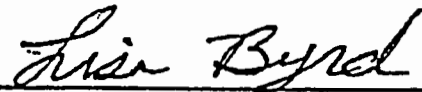
NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of \$1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.


 Lynelle Etsitty, President


 Lisa Byrd, Vice-President


 Dora Smith, Secretary/Treasurer


 Rickie Nez, Council Delegate

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

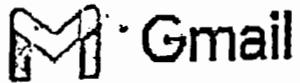
PART I. PROGRAM INFORMATION:
 Program Name/Title: Upper Fruitland Chapter Business Unit No.: NEW -48889#

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MP OR Object Code (LOD 4)
	<p>Clean Water/Decentralized Wastewater - ARPA Septic Syste Clean-out or Replacement program. This project will consist of contracting several septic system cleaning entities to clean out the domestic wastewater systems already in place. The project will also be to replace or install leach field systems to homes to ensure clean water can exit as wastewater. This cleaning, replacement or installation of septic/leach systems will directly address one of the major sanitation deficiencies connected to the large volume of COVID-19 outbreak upon the Navajo Nation. There are a large capacity of homes on the Navajo Nation that lack access to the basic utilities of electricity, water, wastewater and broadband. Many residents require use of these utilities in their daily lives to live the healthy lifestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus.</p>		
6410	Vehicle R&M - External		175,000
6430	Specialized Vehicles Purchase a six station restroom and shower combo trailer		
7000	Special Transactions		500
7440	Printing Advertising Advertisement for professional vendors capable of fulfilling this project in accordance with Procurement Procedures		
	TOTAL	175,500	\$ 175,000

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: <u>New</u>		PART II. Project Information							
Project Title: <u>Combination Restroom and Shower trailer</u>		Project Type: <u>Combination trailer</u>							
Project Description: <u>To purchase a combination restroom and shower trailer to be towed to various localions in the Upper Fruitland community for citizens to properly maintain their hygiene needs</u>		Planned Start Date: <u>1/9/2023</u>							
Check one box: <input type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification		Planned End Date: <u>12/31/2026</u>							
		Project Manager: <u>Alvis Kee</u>							
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.									
	FY <u> </u>								
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Date
Finance (securing funding)	O N D	J F M XXX XXX	A M J	J A S	O N D	J F M	A M J	A S	O N D J F M
Planning & Design									
Contracting Procurement Process		XXX XXX XXX XXX XXX XXX	XXX XXX XXX XXX XXX XXX						
Contract Completed					xxx xxx xxx				
Construction									XXX
\$		\$	\$	\$	\$	\$	\$	\$	
Expected Quarterly Expenditures	0.00	50,000.00	125,000.00	0.00	0.00	0.00	0.00	0.00	PROJECT TOTAL
									\$175,000.00

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



Alvis Kee <akee@nnchapters.org>

Restroom Trailers

Arendina Selneck <Arendinas@johntogo.com>
To: Alvis Kee <akee@nnchapters.org>

Wed, Aug 24, 2022 at 11:27 AM

Alvis,

For a 6 Stall Shower Combo to buy would be around \$120K. You would need a truck with hitch to pull the trailer. Most of our vehicles are the F-2500 but we also have some small truck for the smaller trailers.

Please let me know if you need any other information.

Thanks,

Arendina

[Quoted text hidden]



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 #: HK0350

Date & Time Received: 12/20/22

Date & Time of Response: 12 January 2023; 10:02 am

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Heavy-Duty Truck

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$100,000

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health

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 | |

This project is connected with the project titled Moveable Restroom Shower Combo reviewed and found eligible at HK0349. Specifically, the heavy-duty truck that will be purchased under this project will be used to move the restroom/shower equipment. Given this connection, the expenditure code has been updated for consistency.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: _____



Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 9, 2022

Chapter's Upper Fruitland Chapter phone & email: (505) 960-5032 upperfruitland@navajochapters.org
 mailing address: P.O. Box 1257, Fruitland, NM 87416 website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Manager phone/email: (505) 960-5032
akee@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Heavy Duty Truck

Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanli.org
 Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org
 Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
 Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
 Chapter Manager or CSC: Alvis Kee phone & email: (505) 960-5032 akee@nnchapters.org
 DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

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

Amount of FRF requested: 100,000.00 FRF funding period: January 2023 - December 31, 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:

This funds will be used to purchase a heavy duty truck needed to tow the combination restroom and shower mobile trailer to strategic sites within the Upper Fruitland community especially during inclement weather which affect the unpaved roads. The COVID-19 Pandemic severely impacted the Navajo Nation causing a high number of infections to citizens and even fatalities. The United States Center of Disease Control stringently advocated washing or sanitizing hands, social distancing and wearing of masks. This vehicle towing the combination trailer will provide the opportunity for citizens to maintain their hygiene necessities while the facility is periodically sanitized. document attached

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

The elevated number of homes upon the Navajo Nation lack access to one or more of the following utilities; electricity, water, wastewater and broadband. Residents of the United States require these utilities to ensure they live healthy in their daily lives; therefore, using this truck to move the combination restroom and shower will provide access for citizens lacking at least two of these utilities. This asset will assist in promoting public health and economic stimulus. 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:

Based upon the funding, the project completion date will be December 31, 2026 with all funds being incurred before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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 administration will ensure the property is entered upon the Upper Fruitland Chapter's fixed assets and tasked with the responsibility of budgeting for the fixed asset's operation and maintenance.

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:

WATER AND SEWER. 5.3 Clean Water: Decentralized Wastewater REVENUE REPLACEMENT. 6.1 Provision of Government Services
Pursuant to the U.S. Treasury guidelines and funding objectives, this Upper Fruitland Community Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. This fixed asset will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

document attached

Part 3. Additional documents.

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

Chapter resolution # FRUI-2022-12-305

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]
signature of Project CONTACT PERSON

Approved by: [Signature]
signature of Chapter President (or Vice President)

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

Approved by: [Signature] 12/19/2022
signature of DCD Chapter ASO

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

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: New Program Title: Upper Fruitland Chapter - 6.1 & 7.1 Division/Branch: Executive
 Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nncchapters.org
Heavy Duty Truck

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			(C) Difference Total
				Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	
ARPA Funds		\$ 127,000.00	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			
				7000 Special Transactions			
				8000 Public Assistance			
				9000 Capital Outlay	6	100,000	100,000
				9500 Matching Funds			
				9500 Indirect Cost			
				TOTAL		\$0.00	100,000
				PART IV. POSITIONS AND VEHICLES			
				Total # of Positions Budgeted:		(D)	(E)
				Total # of Vehicles Budgeted:		0	0
				TOTAL:		\$ 127,000.00	100%

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

SUBMITTED BY: Sonlata Jim-Martin 12/19/2022
 Program Manager's Printed Name
 Program Manager's Signature and Date

APPROVED BY: Dr. Pearl Yellowman
 Division Director / Branch Chief's Printed Name
 Division Director / Branch Chief's Signature and Date 12.16.22

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2023

Business Unit No.: New Program Name/Title: Upper Fruiland Chapter -6.1 & 7.1 Heavy Duty Truck Project

PART I. PROGRAM INFORMATION:

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

The Navajo Nation Chapters Plan of Operation in reference to Title 26 of the Navajo Nation Code

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1			20		30			

1. Goal Statement:

To purchase a heavy duty truck

Program Performance Measure/Objective:

To use vehicles for towing combination restroom and shower trailer for citizens sanitation needs

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.

Program Manager's Printed Name: Sonlatsa Jim-Martin 12/19/2022
 Program Manager's Signature and Date: [Signature]

Dr. Pearl Yellowman
 Division Director/Branch Chief's Printed Name
[Signature] 12.16.22
 Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:
 Program Name/Title: Heavy Duty Truck Project Business Unit No.: New
Upper Fruitland Chapter-6.1 & 7.1

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
6410 6420	<p><u>Clean Water Decentralized Wastewater - ARPA Septic Sys to Clean-out or Replacement program. This project will consist of contracting several septic system cleaning entities to clean out the domestic wastewater systems already in place. The project will also be to replace or install leach field systems to homes to ensure clean water can exit as wastewater. This cleaning, replacement or installation of septic/leach systems will directly address one of the major sanitation deficiencies connected to the large volume of COVID-19 outbreak upon the Navajo Nation. There are a large capacity of homes on the Navajo Nation that lack access to the basic utilities of electricity, water, wastewater and broadband. Many residents require use of these utilities in their daily lives to live the healthy lifestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus as heavy duty truck tows the combination restroom and trailer to strategic sites through the community.</u></p> <p>Vehicle R & M - External Automobile Purchase a heavy-duty truck with towing package</p>	100,000	100,000
TOTAL		100,000	100,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>New</u> Project Title: <u>Upper Fruiland Chapter - Heavy Duty Truck</u> Project Description: <u>To purchase a vehicle capable of towing a combination restroom and shower trailer, which will provide much needed sanitation needs for community members without such facilities at their homes.</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	PART II. Project Information Project Type: <u>Heavy Duty Truck</u> Planned Start Date: <u>1/9/20</u> Planned End Date: <u>12/31/20</u> Project Manager: <u>Ahris Keop</u>
--	--

List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	FY <u> </u>												Expected Completion Date if project exceeds 8 F						
	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																		
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.							
Finance (securing funding)	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	N	
Planning & Design																			
Contracting Procedurement Process																			
Contract Completed																			
Construction																			
PART V.																			
Expected Quarterly Expenditures	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	PROJECT TOTAL
	0.00	50,000.00	50,000.00	50,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$100,000.00

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

The Navajo Nation
 Upper Fruitland Chapter
 P.O. Box 1257
 Fruitland, New Mexico 87416
 (505) 960-5032/9811
 Fax: (505) 960-5033
Upperfruitland@Navajochapters.org



Rickie Nez, Council Delegate
 Lynelle Etaiity, President
 Lisa Byrd, Vice-President
 Dora Smith, Secretary/Treasurer
 Albert Lee, Farm Board Representative
 Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF \$1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;
2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;
3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the \$8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of \$1,467,056.67; and.
4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
GRAND TOTAL:			1,467,056.67

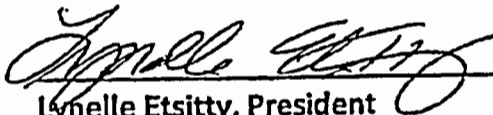
5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

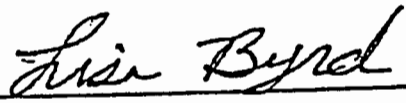
NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of \$1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.


Lynelle Etsitty, President


Lisa Byrd, Vice-President


Dora Smith, Secretary/Treasurer


Rickle Nez, Council Delegate



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 #: HK 0561

Date & Time Received: 06/14/23 at 11:43

Date & Time of Response: 6/21/23 at 17:00 Reissued: 8/1/23 at 5:00 pm

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Leach Fields

Administrative Oversight: Environment Protection Agency

Amount of Funding Requested: \$220,500.00

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: _____


5.5 Clean Water: Other Sewer Infrastructure

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: _____
Error in administrative oversight corrected to EPA. NRP 8.1.23

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.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 1, 2022

Chapter's Upper Fruitland Chapter phone & email: (505) 960-5032 upperfruitland@navajochapters.org
 mailing address: P.O. Box 1257 Fruitland, NM website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee phone/email: (505) 960-5032
Manager akee@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S title

Title and type of Project: Leach Fields

Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanii.org
 Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org
 Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmlth@navajochapters.org
 Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
 Chapter Manager or CSC: Alvis Kee phone & email: (505) 215-4471 akee@nnchapters.org
 DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): There are at least five (5) septic cleaning services within about a 20 mile radius of Upper Fruitland, NM. document attached

Amount of FRF requested: 220,500.00 FRF funding period: January 2023 to December 31, 2026
Indicate Project starting and ending dates, no 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:

There is no wastewater treatment plant for many residences, so this project will consist of contracting for leach field replacement or installation for Upper Fruitland community members homes. The project will provide sewage removal, replacement or installation of leach field systems to residences because of the need for clean water to exit as waste water. The cleaning, replacement or installation of leach field systems will ultimately address one of the major sanitation deficiencies affiliated with the high outbreak of COVID-19 upon the Navajo Nation. document attached

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

There is a large number of residences on the Navajo Nation which lack access to one or more of the following utilities; electricity, water, wastewater and broadband. Residents of the Navajo Nation require these utilities to improve upon their quality of life. This project will address one of the utility services necessary for homes upon the Navajo Nation, improving the water and wastewater systems and thus promoting public health and economic stimulus. 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:

APPENDIX A

Based upon the funding, the project completion date will be December 31, 2026 with all funds being incurred before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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 task of maintaining their septic tanks will remain with the residential owner. The Upper Fruitland Chapter will only plan, coordinate, maintain records and liaison with the company or companies selected to clean out the septic systems.

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.

Categories: WATER AND SEWER 5.3 Decentralized Wastewater Collection and Conveyance.

Pursuant to the U.S. Treasury guidelines and funding objectives, this wastewater project will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. The leach fields will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and increase the quality of life and healthcare provided.

document attached

Part 3. Additional documents.

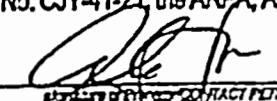
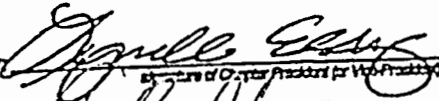
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

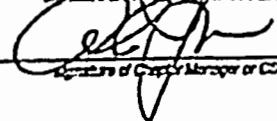

Chapter resolution # 2022-12-305


Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer:  Approved by: 
Signature of Contract Person Signature of Chapter President for Voted Position

Approved by:  Approved by: 
Signature of Chapter Manager of CCC Signature of DCO or other ASO

Approved to submit for Review: 
Signature of DCO Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: New Program Title: Upper Fruitland Chapter *Leach Field* Division/Branch: Executive
 Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) HHC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
<i>Fiscal Recovery Funds</i>	<i>1/1/23 - 12/31/23</i>	<i>220,500</i>	<i>100%</i>	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	0	220,000	220,000
				7000 Special Transactions	6	0	500	500
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	220,500.00	220,500
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
TOTAL:		<i>220,500</i> 50,000	<i>100%</i>					

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

SUBMITTED BY: James Adakai, Deputy Director APPROVED BY: Calvin Castillo, Director
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
[Signature] 3-31-23 *[Signature]* 3/31/2023
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

FY 2023

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter - Leach Field

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

To clean out residential septic systems and/or replace deteriorating septic systems

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 contract out leach field systems cleaning for 476 homes in Upper Fruitland community

Program Performance Measure/Objective:

To clean out leach field systems for 476 homes in Upper Fruitland community

125		125		125		101	
-----	--	-----	--	-----	--	-----	--

2. Goal Statement:

To replace or upgrade 12 septic systems for various Upper Fruitland community homes

Program Performance Measure/Objective:

To install or upgrade 12 septic systems for various Upper Fruitland community homes

3		3		3		3	
---	--	---	--	---	--	---	--

3. Goal Statement:

Program Performance Measure/Objective:

		1		1		1	
--	--	---	--	---	--	---	--

4. Goal Statement:

Program Performance Measure/Objective:

		1		1		1	
--	--	---	--	---	--	---	--

5. Goal Statement:

Program Performance Measure/Objective:

		1		1		1	
--	--	---	--	---	--	---	--

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

James Adakai, Deputy Director
Program Manager's Printed Name

[Signature] 3-31-23
Program Manager's Signature and Date

Calvin Castillo, Director
Division Director/Branch Chief's Printed Name

[Signature] 3/31/2023
Division Director/Branch Chief's Signature and Date

2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

I. PROGRAM INFORMATION:

Program Name/Title: Upper Fruitland Chapter Leach Field Business Unit No.: New

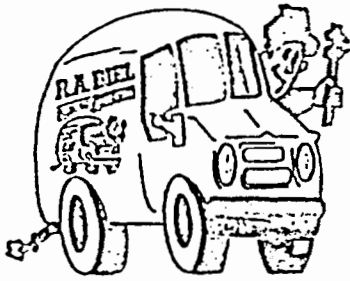
II. DETAILED BUDGET:

Object Code (D 6)	(B) Object Code Description and Justification (LOD 7)	(C)	(D)
		Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	Clean Water: Decentralized Wastewater - ARPA Septic System Clean-out or Replacement program. This project will consist of contracting several septic system cleaning entities to clean out the domestic wastewater systems already in place. The project will also be to replace or install leach field systems to homes to ensure clean water can exit as wastewater. This cleaning, replacement or installation of septic/leach systems will directly address one of the major sanitation deficiencies connected to the large volume of COVID-19 outbreak upon the Navajo Nation. There are a large capacity of homes on the Navajo Nation that lack access to the basic utilities of electricity, water, wastewater and broadband. Many residents require use of these utilities in their daily lives to live the healthy lifestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus.		
6 500	Contractual Services		
6 510	Professional Services Contract services for cleaning out, replacing or installing leach field systems to homes for clean water to have a proper system where wastewater exits.	220,000	220,000
7 300	Special Transactions		
7 440	Printing Advertising		
7 410	Advertisement for professional vendors capable of fulfilling this project in accordance with Procurement	500	500
TOTAL		220,500	220,500

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>Now</u> Project Title: <u>Upper Fruitland Chapter - Leach Field</u> Project Description: <u>This project consist of contracting for leach field cleaning, replacement or installation services for Upper Fruitland community members</u> <u>The completion of the project will permit many outlying homes with clean water to exit as wastewater.</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												PART II. Project Information Project Type: <u>Leach Field</u> Planned Start Date: <u>1/9/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>AMS Kee</u>																																																																																								
PART III.	PART IV. 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.	<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <th colspan="12">FY</th> <th colspan="12">FY</th> <th colspan="5">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> <th colspan="5">Date 12/31/2026</th> </tr> <tr> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> </tr> </table>												FY												FY												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 12/31/2026					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
FY												FY												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 12/31/2026																																																																												
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																																																																							
Finance (securing funding)			XXX	XXX	XXX																																																																																															
Planning & Design				XXX	XXX																																																																																															
Contracting Proceduremet Process							XXX	XXX	XXX																																																																																											
Contract Completed									XXX	XXX	XXX																																																																																									
Construction												XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX							XXX																																																																						
PART V.	\$		\$			\$			\$			\$			\$			\$			PROJECT TOTAL																																																																															
Expected Quarterly Expenditures	\$00.00		\$35,000.00			\$35,000.00			\$30,000.00			\$30,000.00			\$30,000.00			\$30,000.00			\$220,500.00																																																																															

FMS Set Up Date: _____ Company No: _____ OMB Analyst: _____



R.A. Biel Plumbing & Heating
 1205 TROY KING RD, FARMINGTON, 87401,
 United States
 (505) 327-7755

Estimate 11511144
 Job 11460205
 Estimate Date 7/24/2020
 Customer PO

Billing Address
 Pam Aparicio
 PO Box 6181
 Farmington, NM 87499 USA

Job Address
~~_____~~ Highway,
 mile marker ~~_____~~
 right down the hill from
~~_____~~ at the
 stop light, 1st cattleguard to
 the left, is the road to her
 house, ~~_____~~ have to
 meet the tech right there
 Fruitland, NM 87416 USA

Estimate Details

INSTALLATION OF NEW SEPTIC SYSTEM: R.A. BIEL PLUMBING & HEATING, INC. PROPOSES TO PROVIDE MATERIAL, EQUIPMENT AND LABOR FOR THE INSTALLATION OF A NEW SEPTIC SYSTEM FOR THE APARICIO HOME LOCATED NEAR THE 27 MM ON N36 NORTH OF NORTHERN EDGE CASINO.

Task #	Description	Quantity	Your Price	Your Total
SEPMOD	REPLACEMENT OF EXISTING SEPTIC SYSTEM: TO INCLUDE: - NEW PRE-CAST SEPTIC TANK FOR EXISTING HOME. - INSTALLATION OF NEW LEACH FIELD. - ABANDON EXISTING SEPTIC SYSTEM. - PUMPING OF TANK. - INSTALLATION OF SEPTIC SYSTEM PER UPC. - SYSTEM IS WARRANTED FOR 1 YEAR. - CONNECT NEW SEPTIC SYSTEM TO EXISTING HOMES DRAIN LINE. TO EXCLUDE: - ADDITIONAL WORK NOT MENTIONED.	1.00	\$7,289.00	\$7,289.00
	SEPTIC SYSTEM #1 - 1000 GALLON TANK, PRECAST OR PLASTIC. - 750 SQ. FT. OF LEACH FIELD. FOR THE AMOUNT OF \$6,289.00 PLUS TAX			
	SEPTIC SYSTEM #2 - 1200 GALLON SEPTIC TANK, PRECAST OR PLASTIC. - 875 SQ. FT OF LEACH FIELD. FOR THE AMOUNT OF \$7,289.00 PLUS TAX			

RECIEVED
 OCT 15 2020
 UPPER FRUITLAND CHAPTER

Potential Savings	\$0.00
Sub-Total	\$7,289.00
Tax	\$601.34
Total	\$7,890.34

Thank you for choosing R.A. Biel Plumbing & Heating

Payment of half down upon acceptance with balance due upon completion. Interest of 2.0% per month to be charged on past due amount after 15 days. Parts or materials will not be ordered until the initial half down payment has been received by R. A. Biel Plumbing & Heating, Inc.
 NOTE: Credit card payments will be charged and additional 3% processing fee.
 All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, vandalism, theft, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. In the event it becomes necessary for us to incur any collection costs or suits to collect under this Agreement, the undersigned promises to pay such additional costs of collection and such sums as the court adjudges reasonable as Attorney's fees on said suit.

The Navajo Nation
 Upper Fruitland Chapter
 P.O. Box 1257
 Fruitland, New Mexico 87416
 (505) 960-5032/9811
 Fax: (505) 960-5033
Upperfruitland@Navajochapters.org



Rickie Nez, Council Delegate
 Lynelle Estley, President
 Lisa Eyrd, Vice-President
 Dora Smith, Secretary/Treasurer
 Albert Lee, Farm Board Representative
 Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF \$1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;
2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;
3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the \$8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of \$1,467,056.67; and.
4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
GRAND TOTAL:			1,467,056.67

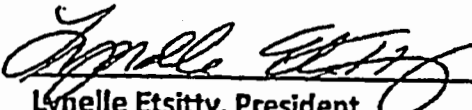
5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.


NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of \$1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.


Lynelle Etsitty, President


Lisa Byrd, Vice-President


Dora Smith, Secretary/Treasurer


Rickle Nez, Council Delegate



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 #: HK0562

Date & Time Received: 06/14/23 at 11:51

Date & Time of Response: 06/20/20 at 17:00

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Cemetery; Rose Garden

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$100,500.00

Eligibility Determination:

- FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category:
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: MacArthur Stant

Digitally signed by MacArthur Stant
Date: 2023.06.20 16:58:58 -06'00'

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@nndo.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 GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 9, 2022

Chapter's mailing address: P.O. Box 1257 phone & email: (505) 960-5032 upperfruitland@navajochapters.org
website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Manager phone/email: (505) 960-5032
akee@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSONS Info

Title and type of Project: Cemetery; Rose Garden

- Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanii.org
- Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org
- Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
- Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org
- Chapter Manager or CSC: Alvis Kee phone & email: (505) 960-5032 akee@nnchapters.org
- DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____ document attached

Amount of FRF requested: 100,500.00 FRF funding period: January 2023 - December 31, 2026
Indicate Project starting and ending/fiscal year 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:

This project requires rehabilitation of a debilitated fencing around the Rose Garden Cemetery which the Chapter is responsible for and has reached its capacity as a result of the COVID-19 Pandemic. The fencing previously installed was an old barbed wire type and there are many sections that have been either missing or worn down. In addition it is located just east of the Northern Edge Casino and because it is a visual scar, a large dirt berm was erected between the casino and the cemetery. Therefore to improve upon the cemetery a presentable enclosure would be constructed especially for those families who lost love ones as a result of this Pandemic. document attached

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

The location of the cemetery just east of the Northern Edge Casino affects the Navajo Nation economic because there are many Navajo citizens respect for their traditional upbringing of showing respect for those who have made their journey into the next stage of being and will often avoid sight of burial grounds. The replacement of the cemetery's exterior appearance which is much more acceptable to the Navajo People and will improve upon the Navajo Nation's economy at its casino. 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:

APPENDIX A

Based on the funding, the project end date will be December 31, 2026 with all funds being incurred before December 31, 2024. Navajo Nation Budget form 2 are attached for phase goals per quarter of funding period.

document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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 Upper Fruitland Chapter has and will continue to be responsible for the operations and maintenance of the Rose Garden cemetery, no additional cost or recurring cost should be incurred by the chapter once the project is 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:

Categories: REVENUE REPLACEMENT: 6.1 - Provision of Government Services

Pursuant to the U.S. Treasury guidelines and funding objectives, this Rose Garden Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. The Rose Garden cemetery will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

document attached

Part 3. Additional documents.

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


Chapter resolution # 2022-12-305

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 Project CONTACT PERSON

Approved by: 
signature of Chapter President for Fiscal Planning

Approved by: 
signature of Chapter Manager or CSC

Approved by: 
signature of DCD Chapter ASO

Approved to submit for Review: 
signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: _____		New		Program Title: <u>Upper Fruitland Chapter Cemetery</u>		Division/Branch: <u>Executive</u>	
Prepared By: <u>Alvis Kee, Chapter Manager</u>		Phone No.: <u>(505) 960-5032</u>		Email Address: <u>akee@nnchapters.org</u>			
PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY		
<u>Fiscal Recovery Fund</u>		<u>1/1/23 - 12/31/26</u>	<u>100,500</u>	<u>100%</u>	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget
					2001 Personnel Expenses		
					3000 Travel Expenses		
					3500 Meeting Expenses		
					4000 Supplies		
					5000 Lease and Rental		
					5500 Communications and Utilities		
					6000 Repairs and Maintenance	100,000	100,000
					6500 Contractual Services		
					7000 Special Transactions	500	500
					8000 Public Assistance		
					9000 Capital Outlay		
					9500 Matching Funds		
					9500 Indirect Cost		
					TOTAL	\$0.00	100,500.00
					PART IV. POSITIONS AND VEHICLES		
					(D)		(E)
					Total # of Positions Budgeted:		
					Total # of Vehicles Budgeted:		
					TOTAL		100,500
							100%

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

SUBMITTED BY: JAMES ASINKAI Deputy Director
Program Manager's Printed Name

APPROVED BY: Calvin Castillo, Director
Division Director / Branch Chief's Printed Name

3-31-27
Program Manager's Signature and Date

[Signature]
Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter - Cemetery Rose Garden

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

To upgrade and improve upon the Rose Garden Cemetery which has many COVID-19 victims final resting place

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 provide funds for the rehabilitation of the Rose Garden cemetery in Upper Fruitland

Program Performance Measure/Objective:

To improve upon the appearance of the cemetery where many COVID-19 victims rest

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.

James Ankwil, Deputy Director

Program Manager's Printed Name

3-31-23

Program Manager's Signature and Date

Calvin Castillo, Director

Division Director/Branch Chief's Printed Name



Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:
 Program Name/Title: Upper Fruitland Chapter Cemetery Vase Field Business Unit No.: New

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
6200	Revenue Replacement Provision of Government Services - ARPA Chapter Cemetery Project. This Upper Fruitland Chapter cemetery project will provide a comprehensive rehabilitation of the cemetery property. The Rose Garden cemetery is an expression of the community - it is a repository of the history of this place and it serves the profound needs of the present. During COVID-19, Upper Fruitland was directly impacted by the deaths from this disease and will need to improve upon the image of this cemetery. The cemetery project will directly address deficiencies connected to the COVID-19 outbreak on the Navajo Nation. These improvements are necessary as it affects the economy with the cultural impact upon attendance at the Northern Edge Casino next door.	100,000	100,000
6270	External Contractors Landscape Services The project will provide a comprehensive rehabilitation of the cemetery i.e. replacement of exterior boundaries and entrance/control gate.	500	500
7000	Special Transactions		
7440	Printing Advertisement Advertisement for potential vendors for project in accordance with Procurement Procedures.		
TOTAL		100,500	100,500

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: New

Project Title: Upper Fruitland Chapter - Rose Garden Cemetary

Project Description: To upgrade the visual condition of the Rose Garden Cemetary where many COVID-19 remains have been buried

Check one box:
 Original Budget
 Budget Revision
 Budget Reallocation
 Budget Modification

PART II. Project Information
 Project Type: Rose Garden Cemetary
 Planned Start Date: 1/9/2023
 Planned End Date: 12/31/2026
 Project Manager: Alvis Kee

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.

	FY _____				FY _____				Date	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.		
Finance (securing funding)	O N D XXX XXX XXX	J F M XXX XXX	A M J XXX XXX	Jul A S XXX XXX XXX	O N D XXX XXX XXX	J F M XXX XXX XXX	A M J XXX XXX XXX	Jul A S XXX XXX XXX	O N D J J F	12/31/2026
Planning & Design		XXX XXX XXX	XXX XXX XXX	XXX XXX XXX						
Contracting Procedure/Process										
Contract Completed										
Construction										
	\$ 0.00	\$ 500.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 0.00	\$	PROJECT TOTAL
PART V. Expected Quarterly Expenditures									\$ 0.00	\$100,500.00

FOR OMB USE ONLY: Resolution No: _____

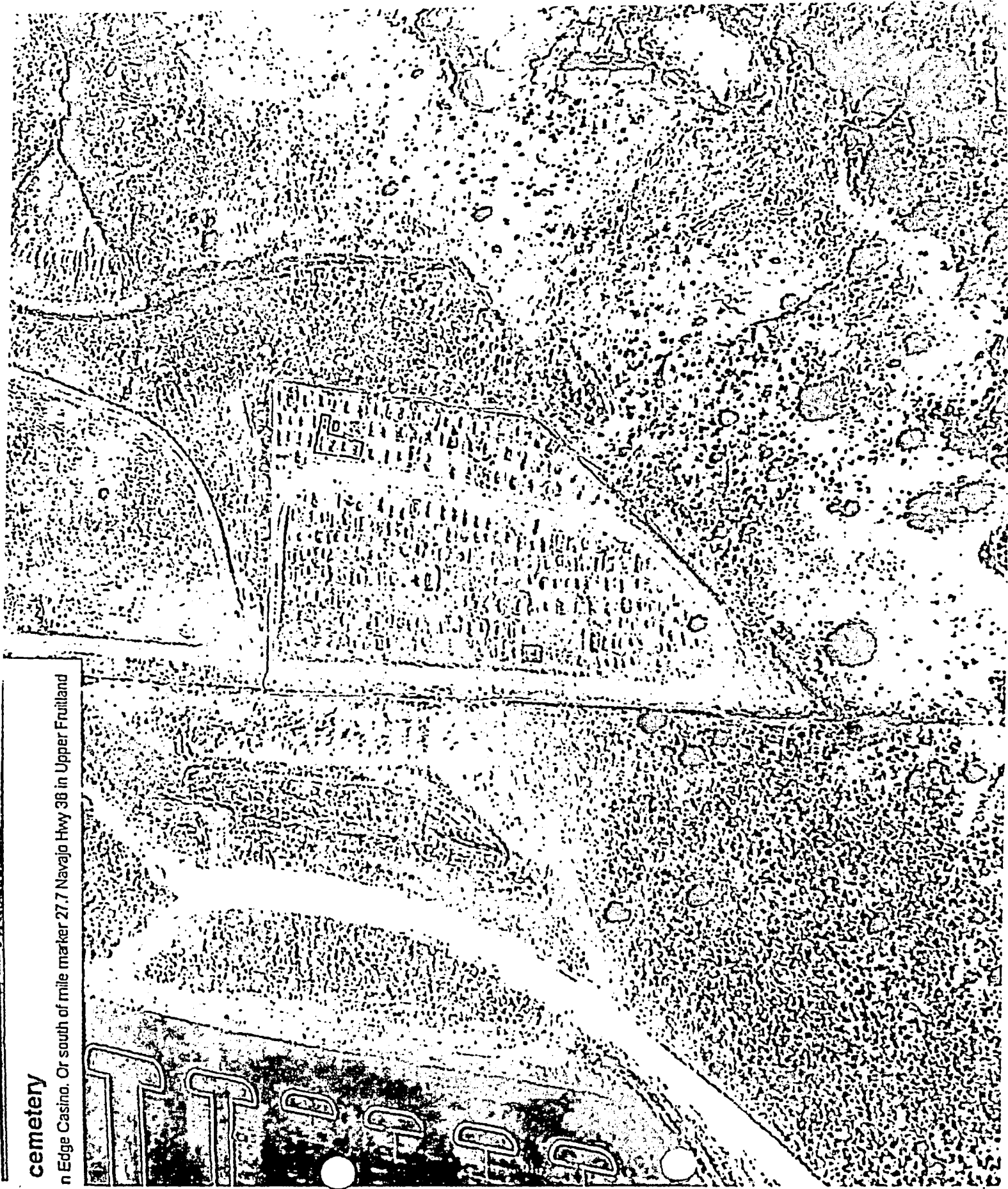
FIMS Set Up Date: _____

Company No: _____

OMB Analyst: _____

cemetery

in Edge Casino. Or south of mile marker 27.7 Navajo Hwy 36 in Upper Fruitland



The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
Fax: (505) 960-5033
Upperfruitland@NavajoChapters.org



Rickie Nez, Council Delegate
Lynelle Etsitty, President
Lisa Byrd, Vice-President
Dora Smith, Secretary/Treasurer
Albert Lee, Farm Board Representative
Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF \$1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;
2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;
3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the \$8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of \$1,467,056.67; and.
4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
GRAND TOTAL:			1,467,056.67

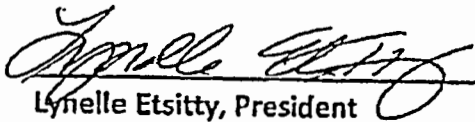
5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

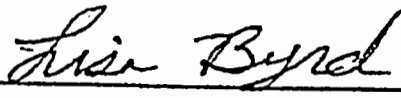
NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of \$1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.


 Lynelle Etsitty, President


 Lisa Byrd, Vice-President


 Dora Smith, Secretary/Treasurer


 Rickie Nez, Council Delegate



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 #: HK0605

Date & Time Received: 06/23/23 at 15:43

Date & Time of Response: June 28, 2023 at 10:30 a.m.

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Warehouse

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$500,500.00

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: _____
1.14, Other Public Health 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: Lorenzo Curley

Signature of DOJ Reviewer: *Lorenzo Curley*

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 RECC FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 9, 2022

Chapter's mailing address: P.O. Box 1257 Fruitland, NM 87416 phone & email: (505) 960-5032 upperfruitland@navajochapters.org
website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Chapter Manager phone/email: (505) 960-5032
akee@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Warehouse

Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanii.org

Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org

Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Manager or CSC: Alvis Kee phone & email: (505) 215-4471 akee@nnchapters.org

DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

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

document attached

Amount of FRF requested: 500,500.00 FRF funding period: 11/1/23 - 12/31/24
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:

This project requires purchasing a Warehouse to be constructed upon the Upper Fruitland Chapter property. The Chapter has 3 heavy equipments, 2 flatbed trailers, and 2 vehicles which are consistently being used to transport or distribute supplies during this COVID-19 pandemic. This warehouse will be used to not only be used for vehicle maintenance but to store sanitizing supplies, non-perishable food, equipment and used for COVID related functions in the interest of citizens welfare providing qualify healthcare while permitting economic & social growth. The warehouse anticipated size is 60 foot x 100 foot with large bay doors. document attached

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

This project benefits not only the Chapter, but Community and the Navajo Nation as this COVID-19 Pandemic continues to affect our citizens welfare. The construction of this warehouse will enable to chapter to effectively store much needed distribution necessities (food, PPE, sanitizing or medical supplies) vehicles and provide maintenance opportunities during inclement weather conditions. It would also allow a safe meeting site with proper ventilation for resources preparing for COVID activities 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:

Based upon the funding, the project completion date will be December 31, 2026 with all funds being incurred before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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 Upper Fruitland Chapter administration will be tasked with the facility's maintenance while ensuring budgeting meets operational necessities.

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:

6: REVENUE REPLACEMENT

6.1 Provision of Government Services

The Upper Fruitland Chapter warehouse will provide a centralized, safe and secure site for storing large quantities of supplies, equipment and vehicles necessary to handle urgent to emergency situations which affects the local community it serves e.g. like this COVID-19 Pandemic has required.

1. PUBLIC HEALTH

1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency

The Upper Fruitland Chapter warehouse will provide a storage location where urgent to emergency supplies can be accounted for and distributed to citizens in need of sanitizing or food supplies during the COVID-19 Pandemic.

document attached

Part 3. Additional documents.

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

Chapter resolution # FRUI-2022-12-305

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]
Signature of Funding Recipient Person

Approved by: [Signature]
Signature of Chapter President (or Vice President)

Approved by: [Signature]
Signature of Chapter Manager or COC

Approved by: [Signature]
Signature of COC Chapter ASD

Approved to submit for Review: [Signature]
Signature of COC Director

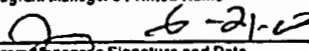

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Upper Fruitland Chapter - Warehouse</u>		Division/Branch: <u>DCDI/Executive</u>				
Prepared By: <u>Alvis Kee, Chapter Manager</u>		Phone No.: <u>(505) 960-5032</u>		Email Address: <u>pkee@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
ANN Fiscal Recovery Funds	11/23-12/31/26	500,500.	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	6		500	500
				8000 Public Assistance				
				9000 Capital Outlay	6		500,000	500,000
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	500,500.	500,500
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted		0	0	
				Total # of Vehicles Budgeted		0	0	
TOTAL:		500,500	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			06/16/2023		

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:									
Business Unit No.: <u> </u> <u>New</u>		Program Name/Title: <u>Upper Fruitland Chapter - Warehouse</u>							
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code.									
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 provide funds for the development construction of a new warehouse for Upper Fruitland Chapter									
Program Performance Measure/Objective:									
To assist the community and surrounding communities with governmental and emergency services		1		1		1		1	
2. Goal Statement:									
To									
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.									
James Adakai, Deputy Director					Calvin Castillo, Executive Director				
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				
					06/16/2023				

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Upper Fruitland Chapter - 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)
	Revenue Replacement: Provision of Government Services - ARPA Chapter Wellness Project. This Upper Fruitland chapter warehouse project will removing two old debilitating warehouses and preparing the site for a slab on grade prefabricated aluminum metal and steel frame building about 60 foot x 100 foot or higher square footage based on fund availability. This warehouse will provide logistical support and assist in mitigating, preparing, responding and recovering from emergency situations and improving community services. This warehouse will address deficiencies connected to the large volume of COVID-19 on the Navajo Nation. The construction of this new warehouse will be capable of meeting the needs of the Upper Fruitland community. This means a facility meeting the necessary foot space and infrastructure such as mechanical equipment, plumbing, electrical...etc. for the proper and effective operation.		
7000	Special Transactions		
7440	Print Advertising Advertisement for project in accordance with Procurement Procedures.	500	500
9000	Capital Outlay		
9052	Buildings Purchase of aluminum frame and steel supports including slabs for about 60 foot x 100 foot or higher	500,000	500,000
TOTAL		500,500	500,500

The Navajo Nation
 Upper Fruitland Chapter
 P.O. Box 1257
 Fruitland, New Mexico 87416
 (505) 960-5032/9811
 Fax: (505) 960-5033
Upperfruitland@Navalochapters.org



Rickie Nez, Council Delegate
 Lynelle Etsitty, President
 Lisa Byrd, Vice-President
 Dora Smith, Secretary/Treasurer
 Albert Lee, Farm Board Representative
 Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF \$1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;
2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;
3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the \$8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of \$1,467,056.67; and.
4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
GRAND TOTAL:			1,467,056.67

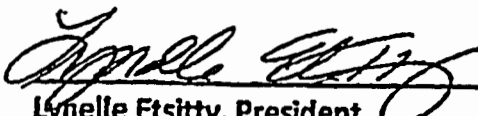
5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

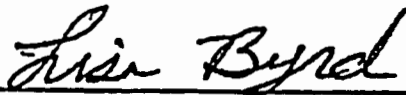
NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of \$1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.


Lynelle Etsitty, President


Lisa Byrd, Vice-President


Dora Smith, Secretary/Treasurer


Rickie Nez, Council Delegate



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 #: HK 604

Date & Time Received: 6/23/23 at 16:20

Date & Time of Response: 6/29/23 at 17:00

Entity Requesting FRF: Tiis Tsoh Sikaad Chapter

Title of Project: Navajo Chapter House Complex

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,667,056

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 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | 12/31/2024 |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | <input type="checkbox"/> Inconsistent with applicable NN or |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | federal laws |

Other Comments: Please note that we have modified the category from 1.7 (capital investments to public facilities) to 6.1 (provision of government services) to make the reporting consistent with other similar projects.

Name of DOJ Reviewer: Veronica Blackhat, Asst Attorney General, Natural Resources Unit

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 GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Tiis Tsoh Sikaad Chapter Date prepared: 06-13-2023

Chapter's P.O. Box 7359 phone & email: (505) 696-5470
mailing address: Newcomb, NM 87455 website (if any): tiistsohsikaad@navajochapters.org

This Form prepared by: Clara Pierce phone/email: (505)696-5470
Clara Pierce - Chapter Secretary/Treasurer cpierce@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Navajo Chapter House Complex

Chapter President: Harrison LaMone phone & email: 505-486-1794/ hlamone@naataanli.org

Chapter Vice-President: Edison Smith phone & email: esmith@naatannii.org

Chapter Secretary: Clara Pierce phone & email: cpierce@navajochapters.org

Chapter Treasurer: Clara Pierce phone & email: cpierce@navajochapters.org

Chapter Manager or CSC: vacant phone & email: _____

DCD/Chapter ASO: Danielle Redhouse phone & email: 505-368-1024/dredhouse@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Engineering Consultants

_____ document attached

Amount of FRF requested: 1,667,056.00 FRF funding period: Oct. 1, 2022 to Sept. 30, 2026
Indicate Project starting and ending/ending 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 Tiis Tsoh Sikaad Chapter is currently housed in an old stone structure building that has significantly deteriorated, safety issues, non-ADA compliant doors and restrooms, roof leaks, and poor outdoor security lighting. The Chapter has inadequate space to serve 500 + registered community members in a safe environment in response to the COVID- 19 Pandemic. The Chapter has struggled in providing safe and efficient services and good to the community with bulk food supplies, PPE, information and applications, and other needs that must be distributed to the community as well as providing an adequate to store food, emergency equipment, and such. document attached

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

A new public facility will ensure the community members will have safe access to an adequate meeting space including a commercial kitchen, ADA compliant, good lighting, etc., and will have a location to store goods and facilities that are ready to serve in the future public health emergencies. 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:

APPENDIX A

Phase 1: Legal survey, chapter resolution, land description, clearances including environmental assessments, arch/biological clearances. Completion 12/31/2023. Phase II: Design & Engineering including master plan, utility plan, etc. 12/31/2023. Phase III: Construction of new chapter house by 12/31/2026

document attached

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

Chapter Officials, administrative staff, Council Delegate, and Navajo Nation Division of Community Development - CPMD.

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 Tiis Tsoh Sikaad chapter will be responsible for operation and maintenance of the facility

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.

1.7 Capital Investments to Public Facilities that responds to COVID-19 Public Health Emergency.

The new chapter complex will ensure issues with inadequate meeting rooms are addressed. Allow ADA compliance at all levels with plumbing, kitchen facilities and restrooms. A new facility will ensure a stable roof, ADA Compliance, and better security with the chapter compound to respond to public health emergencies.

document attached

Part 3. Additional documents.

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

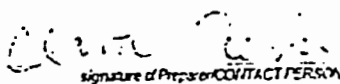
TTS-RES-22-12-012

Chapter Resolution attached

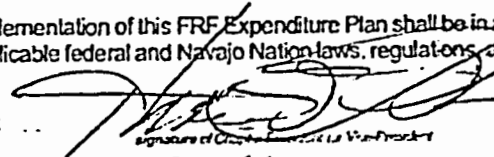
Part 4. Affirmation by Funding Recipient.

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 Official/Chairman

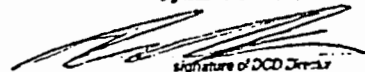
Approved by:

vacant
signature of Chapter Manager or CSC

Approved by:


signature of DCD Director ASD

Approved to submit for Review:


signature of DCD Director

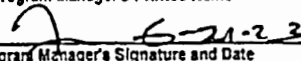

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Tla Taoh Sikaad/Burnham - Navajo Chapter House Complex</u>		Division/Branch: <u>Div. Of Comm. Dev/Executiva</u>				
Prepared By: <u>Clara Pierce</u>		Phone No.: <u>505-696-1470</u>		Email Address: <u>cpierce@navajochapters.org</u>				
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Furd Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN ARPA FUNDS	10/1/22 - 9/30/26	1,667,056.00	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	0	1,667,056	1,667,056
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	1,667,056.00	1,667,056
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
TOTAL:		\$1,667,056.00	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, Division Director</u>					
Program Manager's Printed Name <u>Director</u>			Division Director / Branch Chief's Printed Name					
<u>[Signature]</u> Program Manager's Signature and Date <u>6-21-23</u>			<u>[Signature]</u> Division Director / Branch Chief's Signature and Date <u>6-17-23</u>					

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:									
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>TIIS TSOH SIKAAD/BURNHAM - NAVAJO CHAPTER HOUSE COMPLEX</u>						
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: RESOLUTION NO. <u>TTS-RES-22-12-012</u>									
PART III. PROGRAM PERFORMANCE CRITERIA:									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: <u>To ensure a safe and adequate new chapter to provide efficient service to the community.</u>									
Program Performance Measure/Objective: <u>FOR CONSTRUCTION ONLY.</u>				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>James Adakai, Deputy Division Director</u> Program Manager's Printed Name				<u>Calvin Castillo, Division Director</u> Division Director/Branch Chief's Printed Name					
 Program Manager's Signature and Date				 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>Tlls Tsoh Sikaad/Bumham - Navajo Chapter House Complex</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	Constructual Service		1,667,056
6510	Construction Only (Object code is subject to change once it is established)	1,667,056	
TOTAL		1,667,056	1,667,056

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

PART I Business Unit No <u>NEW</u>													PART II Project Information																
Project Title: <u>Navajo Chapter House Complex - Tis Tsoh Sikaad Chapter</u>													Project Type: <u>Chapter House Complex</u>																
Project Descrip: <u>A new public chapter facility will ensure a safe and efficient service to the community in future public health emergencies.</u>													Planned Start Date: <u>10/1/2022</u>																
Check one box:													Planned End Date: <u>9/30/2026</u>																
													Project Manager: <u>Clara Pierce</u>																
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.																Expected Completion Date if project exceeds 8 FY Qtrs.												
	FY 2024								FY 2025																				
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	8/30/2026																
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
Contracting:																													
Bidding																													
Award																													
Site Preparation																													
Construction Phase (Start)																													
Post Construction																													
Close Out																													
PART V.																			PROJECT TOTAL										
Expected Quarterly Expenditures																			\$1,667,056.00										

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

NAVAJO NATION

Naa'bik'iyati' Committee Regular Meeting

10/12/2023
11:41:26 AM

Amd# to Amd# MOT James, V SEC Yanito, C	New Business: [CONSENT AGENDA] 0226-23;0229-23;0233-23;0237-23 0216-23;0220-23;0225-23;0228-23 0235-23;0236-23;0202-23. . . .
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PASSED

Yeas : 19	Nays : 0	Excused : 3	Not Voting : 1
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Yea : 19

Arviso, S	Claw, S	Nez, R	Tolth, G
Aseret, L	Crotty, A	Notah, N	Tso, O
Begay, H	James, V	Simonson, G	Yanito, C
Begay, N	Johnson, C	Simpson, D	Yazzie, C
Charles-Newton, E	Nez, A	Slater, C	

Nay : 0

Excused : 3

Daniels, H	Parrish, S	Jesus, B
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Not Voting : 1

Damon, S

Presiding Speaker: Curley, C