



DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

March 22, 2023

TRANSMITTAL

TO : Calvin Castillo, Executive Director
 Division of Community Development (DCD)

FROM : *CMS*
 Cordell Shortey, Contracting Officer
 Contracts & Grants Section (CGS) / OMB

SUBJECT : Chinle Chapter House - ARPA Funds Allocated to Delegate Claw Region

I. Information on Contract (per Original Award):

| Chinle Chapter House | | U.S. Treasury American Recovery Plan Act (ARPA) | | 21.027 |
|----------------------|-----------------|---|---------------------------|--------------------|
| Title of Contract | | Funding Agency | | CFDA No. - Federal |
| CD-70-22 | \$ 1,756,490.00 | 2022 | 03/11/2021 to 12/31/2026 | |
| Grant No. | Amount | Fiscal Year | Term - Begin and End Date | |

II. Data Entered in FMIS Regarding:

- New Contract or Grant Company No. 8059 Business Unit (K#) K211578 - K211582
- Contract Mod No. _____
- Amt of Award _____ to _____
AMOUNT FROM TO
- Budget Period - Extend End Date: From _____ To _____
- Other, specify: _____

Authorizing Document - Attached:

- Contract / Agreement - Date executed _____
- NNC / Committee Resolution - No. & Date _____
- Other, specify: NN Council Resolution CD-68-22

III. Comments by CGS:

Budget received on March 14, 2023 is authorized for implementation pursuant to FY 2023 NN BIM Appendix L Section II. B. and concurred by Navajo Nation Fiscal Recovery Fund (NN FRF) Office by memorandum of February 27, 2023. CGS received complete packet until 3/14/23 to set up budget and issue this Transmittal. To not delay execution of allocation, CGS entered budget in FMIS at Level of Detail (LOD) 6 although budget was submitted at different Level of Details and not 6.

Attachments
 Attachment
 Copy: Contract files
 Contract Accounting / OOC / DPM
 Tom Platero, Executive Director - NN FRF Office

Revised February 2023



DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTOYA *VICE PRESIDENT*


The Navajo Nation | Yideeskáądi Nitsáhákees

MEMORANDUM



TO : Dominic Beyal, Director
 Navajo Nation Office of Management & Budget

 Cordell Shortey, Contracting Officer
 Navajo Nation Office of Management & Budget

FROM : 
 Lisa Jymm, Deputy Executive Director
 Navajo Nation Fiscal Recovery Fund Office

DATE : February 27, 2023

SUBJECT : CD-70-22 – Allocation of \$8,802,340 in Navajo Nation Fiscal Recovery Funds per Delegate Shawna Claw’s Delegate Region. NNRFO is requesting new business units in the amount of \$1,756,490.

The Navajo Nation Fiscal Recovery Fund Office (NNRFO) is requesting new business units equaling \$1,756,490 per CD-70-22. The \$7,045,850 was previously requested by NNRFO in a prior memo. The current NNRFO request is listed in the table below:

| No. | Description | Category | \$ |
|---------------|---|----------|-----------------------|
| 1 | Chinle/Ft. Defiance Alcohol and Substance Abuse Recovery – Day At A Time Club, Inc. | 1.13 | \$250,000.00 |
| 2 | Chinle Chp Equipment Project | 6.1 | \$288,500.00 |
| 3 | Chinle Chp Wellness Center | 2.22 | \$750,000.00 |
| 4 | Chinle Chp Emergency Funding | 6.1 | \$250,500.00 |
| 5 | Chinle Chp N8095 Road Crossing Project | 2.22 | \$217,490.00 |
| TOTAL: | | | \$1,756,490.00 |

K211578
 K211579
 K211580
 K211581
 K211582

Due to the change in administration, FRFO is in the process of providing these project documents contained in this resolution to the newly appointed DCD Division Director for his review, acknowledge and signature. Attached are copies of the resolution with updated signatures and documents.

FRFO will be forwarding these documents to OMB, upon obtaining the signature of the current DCD Director Calvin Castillo, to set-up the new business units in FMIS/JDE.

If you have any questions, please feel free to contact me by phone at (928) 309-5535 or by email at ljymm@navajo-nsn.gov. Thank you.

CC: Germaine Jones, Deputy Contracting Officer, OMB
 Christine Chavez, Director, Contract Acctg/OOC

Chinle Chp N8095
Road Crossing Project

NNDOJ
Initial Eligibility
Determination



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 #: HK0274

Date & Time Received: 12/06/22 17:15

Date & Time of Response: 12/12/2022 17:00

Entity Requesting FRF: Chinle Chapter Government

Title of Project: Chinle Chapter N8095 Road Crossing Project

Administrative Oversight: Navajo Division of Transportation

Amount of Funding Requested: \$217,490.00

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: 2.22 Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

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.

Appendix A

Per

BFS-31-21

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Chinle Chapter Government Date prepared: 10-19-2022

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

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

Title and type of Project: Chinle Chapter N8095 Road Crossing Project

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

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

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

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

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

DCD/Chapter ASO: _____ phone & email: _____

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

document attached

Amount of FRF requested: 217,489.93 FRF funding period: 2023-2025 10/1/22-9/30/25
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

Chinle Chapter Government N8095 Road Crossing Project includes design, engineering, and construction of an existing road low water crossing. The funds will be used to begin design and engineering of the low water crossing. The N8095 road crossing project will be located at Chinle, AZ (map is provided). The COVID-19 related needs with the use of the low water crossing for public use, public health needs, school bus traffic, and an secondary emergency route for our community members.

document attached

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

The Chinle Chapter N8095 Road Crossing Project would benefit the Navajo Nation, Chinle community, and our Navajo people by providing a secondary road crossing over the major washway. The community has currently closed the road crossing due to a wash out in 2021.

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

Chinle Chapter Government N8095 Road Crossing Project timeline: Chinle Chapter resolution 10/17/2022, Navajo Nation and DOJ review submissions Winter 2022, Proposals Spring 2023, Contract Award Summer 2023, Construction Fall 2023. Challenges would include Navajo Nation review timeline.

document attached

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

Chinle Chapter Government will be responsible for implementing the project.

document attached

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

The Navajo BIA Roads Department will be responsible for operations and maintenance costs for the project once completed.

document attached

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

COVID-19 Aid to Impacted Industries^ 1.10

Chinle Chapter is seeking funding for the design and engineering for the N8095 low water crossing. The N8095 route is a public route that serves hundreds of residents that reside within the area. The road wash out has affected medical routes, mail routes, school bus route, and overall impacted the Chinle Chapter community secondary route in crossing the washway.

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, Topo map, NDOT TTIP draft, 2021 TTIP resolution, NDOT powerpoint, N8095 support letter, and N8095 monsoon letter.

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:  12/06/2022
signature of DCD/Chapter AS

Approved to submit for Review: 
signature of DCD Director

Appendix J:
Project Budget
Summary
Per
CJN-29-22

Signed

Budget

Forms 1, 2 & 4

(Other budget forms if needed)

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

| PART I. Business Unit No.: <u>New</u> | | Program Title: <u>Chinle N8095</u> | | Division/Branch: <u>DCD / Executive Branch</u> | | |
|---------------------------------------|------------|------------------------------------|------------------------------|--|---------------------|---------|
| Prepared By: <u>Walton Yazzie</u> | | Phone No.: <u>928.674.2052</u> | | Email Address: <u>wyazzie@nncchapters.org</u> | | |
| PART II. FUNDING SOURCE(S) | | PART III. BUDGET SUMMARY | | (A) | (B) | (C) |
| Fiscal Year / Term | Amount | Fund Type Code | NNC Approved Original Budget | Proposed Budget | Difference or Total | |
| FY 23-FY25 | 217,489.93 | 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 | 217,489.93 | 217,490 | |
| | | 7000 Special Transactions | | | | |
| | | 8000 Public Assistance | | | | |
| | | 9000 Capital Outlay | | | | |
| | | 9500 Matching Funds | | | | |
| | | 9500 Indirect Cost | | | | |
| TOTAL: | | TOTAL | | \$0.00 | 217,489.93 | 217,490 |
| 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: Walton Yazzie
Program Manager's Printed Name

APPROVED BY: Paullyell...
Division Director / Branch Chief's Printed Name

12/06/22
Program Manager's Signature and Date

12.6.22
Division Director / Branch Chief's Signature and Date

* Rounding error - 273/1723

3-3-23

James Adair, Deputy Director
Division of Community Development

Calvin Castillo, Division Director
Division of Community Development

3/2/2023

| | | | | | | | | |
|--|-------------------------------|---|-----------------|-------------------|-----------------|-------------------|-----------------|-------------------|
| PART I. PROGRAM INFORMATION: | Business Unit No.: <u>New</u> | Program Name/Title: <u>Chimle N8095</u> | | | | | | |
| PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: | | | | | | | | |
| PART III. PROGRAM PERFORMANCE CRITERIA: | | | | | | | | |
| 1. Goal Statement: Safe crossvey for the people Program Performance Measure/Objective: Get it design, engineering, and construction | 1st QTR Goal | 1st QTR Actual | 2nd QTR Goal | 2nd QTR Actual | 3rd QTR Goal | 3rd QTR Actual | 4th QTR Goal | 4th QTR Actual |
| 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: <u>Walton Yazzie</u> _____ Program Manager's Signature and Date: <u><i>Walton Yazzie</i> 12/06/22</u> _____ Division Director/Branch Chief's Printed Name: <u>Calvin Castello</u> _____ Division Director/Branch Chief's Signature and Date: <u><i>Calvin Castello</i> 12.6.22</u> | | | | | | | | |

James Adakai, Deputy Director
3-3-23

Calvin Castello, Division Director
3/2/2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

| | | | |
|------------------------------|--|---------------------------------------|------------------------------------|
| PART I. PROGRAM INFORMATION: | | Business Unit No.: _____ New | |
| Program Name/Title: _____ | | Chinle N8095 | |
| PART II. DETAILED BUDGET: | | | |
| (A) | (B) | (C) | (D) |
| Object Code (LOD 6) | Object Code Description and Justification (LOD 7) | Total by DETAILED Object Code (LOD 6) | Total by MAJOR Object Code (LOD 4) |
| 6500 | Contractual Services Consulting Consulting-Fees <i>Chinle Chapter to hire a consultant.</i> | 48912 | 217,490 |
| 6520 | | 217,490 | 217,490 |
| 6530 | | 9000 | 9000 |
| TOTAL | | 217,490 | 217,490 |

very 8/17/23

**Rounding error. 9/3/17/23*

40
48912

(607)

Chapter Resolutions
and Other
Supporting
Documents

Chinle Chapter Government

THE NAVAJO NATION

Dr. Rosanna Jumbo-Fitch
PRESIDENT

Shawna Claw
VICE PRESIDENT

RoAnn Burbank
SECRETARY TREASURER

Eugene Tso
COUNCIL DELEGATE

Oscar Bia
GRAZING COMMITTEE MEMBER

RESOLUTION OF THE CHINLE CHAPTER NAVAJO NATION CHIN-OCT-22-075

APPROVING THE SELECTION OF THE N8095 ROAD CROSSING PROJECT FOR THE INCLUSION ON THE CHINLE CHAPTER DELEGATE REGION IN THE AMOUNT OF \$217,489.93.

WHEREAS:

1. Pursuant to Navajo Nation Code, Section 4001 (d) and 4028 (2), (b) the Chinle Chapter is established and certified as a local government entity of the Navajo Nation vested with the authority to review all matters affecting the chapter and submit appropriate recommendations to the Navajo Nation government of other local agencies by resolutions; and
2. To support the efforts of the Navajo Nation to mitigate the effects of the COVID-19 Pandemic, the American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to develop the basic infrastructure to improve lives of people who have lived without water, electricity and "basic services to support their daily activities, health, and welfare"; and
3. The Navajo Nation Council approved CJN-29-22, in response to the COVID-19 Pandemic in the best interest of the people: "An Action Relating to the Naabik'iyati' Committee and Navajo Nation Council; Allocating \$1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding"; and
4. The Chinle Chapter Government has attended several meetings with Navajo Nation Division of Community Development, Navajo Tribal Utility Authority, and the Fiscal Recovery Fund Office; and
5. The eligible attached Exhibit: Chinle Chapter N8095 Road Crossing was selected as a Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$217,489.93 for the Chinle Chapter; and
6. The total amount for Chinle Chapter Delegate Region is \$ 8,802,340.00.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter Government hereby approves the selection of Chinle Chapter N8095 Road Crossing was a selected Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$217,489.93.

CERTIFICATION

We hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting at which time a quorum was present. A motion was made by Rosanna Jumbo-Fitch and seconded by Shawna Claw and the same was passed by a vote of 7 in favor, 0 opposed, and 0 abstained this 17th day of October, 2022.

Dr. Rosanna Jumbo-Fitch, President

Shawna Claw, Vice President

RoAnn Burbank, Secretary Treasurer