



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

The Navajo Nation | Yideeskáadi Nitsáhákees

April 3, 2023

TRANSMITTAL

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

FROM : CSH
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		21.027
Title of Contract	Plan Act (ARPA)		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#) K211583 - K211591
☒ Contract Mod No. Internal Modification No. 1
☒ Amt of Award Increase \$7,045,950.07 \$1,756,490.00 to \$8,802,340.07
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 29, 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 10, 2023. CGS previously entered budgets (K211578 to K211582) in the amount of \$1,756,490. Therefore, all budgets are now entered into FMIS for Resolution CD-70-22 in the amount of \$8,802,340.07. To not delay execution of allocation, CGS entered budget in FMIS although budgets did not comply with FY 2023 NN BIM Appendix L Section III. B. 3..

Attachment

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

Revised February 2023

(Ready for BU Setup)

As of February 10, 2023

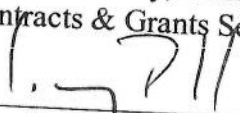
F. CD-70-22: Council Delegate Shawna Claw	Description of CD Project	Approved NN	Approved	Appendix A	Budget Forms	Program	Approved	Amount	Notes	Ready for OMB
		Council Signed Resolution	DOJ IED	w/ Signatures	1,2,4	Budget Summary	Chapter Resolution			
Ka1583 ✓	1. Chinle Chp Bathroom Additions Project	X	X	X	X	X	X	\$ 1,725,000.00	New DCD Exc Director signed budgets	22. X
Ka1584 ✓	2. Chinle Chp Earth and Dam Project	X	X	X	X	X	X	\$ 1,997,153.38	New DCD Exc Director signed budgets	23. X
Ka1585 ✓	3. Chinle Chp House Renovation Project	X	X	X	X	X	X	\$ 800,000.00	New DCD Exc Director signed budgets	24. X
Ka1586 ✓	4. Chinle Chp South Manuelito Well Traffic Study	X	X	X	X	X	X	\$ 15,000.00	New DCD Exc Director signed budgets	25. X
Ka1587 ✓	5. Chinle Chp Vendor Village Project	X	X	X	X	X	X	\$ 37,743.69	New DCD Exc Director signed budgets	26. X
Ka1588 ✓	6. Chinle Chp and Office of Dine Youth	X	X	X	X	X	X	\$ 50,000.00	New DCD Exc Director signed budgets	27. X
Ka1589 ✓	7. Chinle Chp CYEP and PEP Funding	X	X	X	X	X	X	\$ 1,150,953.00	New DCD Exc Director signed budgets	28. X
Ka1590 ✓	8. Chinle Chp Watering Point Pavement Project	X	X	X	X	X	X	\$ 70,000.00	New DCD Exc Director signed budgets	29. X
Ka1591 ✓	9. Chinle Chp Warehouse	X	X	X	X	X	X	\$ 1,200,000.00	New DCD Exc Director signed budgets	30. X
	Chinle/Ft. Defiance Alcohol and Substance Abuse Recovery Center - Day At A Time Club, Inc.	X	X	X	*	*	X	\$ 250,000.00	The appendix A is not fully signed or the copy does not show the signatures. There are no budget forms included.	
	11. Chinle Chp Equipment Project	X	X	X	X	X	X	\$ 288,500.00	The appendix A is not fully signed or the copy does not show the signatures.	
	12. Chinle Chp Wellness Center	X	X	X	X	X	X	\$ 750,000.00	The appendix A is not fully signed or the copy does not show the signatures. The budget forms do not have signatures.	
	13. Chinle Chp Emergency Funding	X	X	X	X	X	X	\$ 250,500.00	The appendix A is not fully signed or the copy does not show the signatures. The budget forms do not have signatures.	
	14. Chinle Chp N8095 Road Crossing Project	X	X	X	X	X	X	\$ 217,490.00	The appendix A is not fully signed or the copy does not show the signatures. The budget forms do not have signatures.	
	Total: \$ 8,802,340.07									



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

The Navajo Nation | Yideeskáadi Nitsáhákees
MEMORANDUM

TO : Cordell Shortey, Contracting Officer
Contracts & Grants Section/NN OMB

FROM : 
Tom Platero, Executive Director
Fiscal Recovery Fund Office/NN

DATE : February 10, 2023

SUBJECT : ARPA/FRF Chapter/Regional Expenditure Plans – CD-70-22
Request to Set-up Project Accounts in FMIS/JDE



Of the 14 projects approved in CD-70-22, 9 of them have complete packages with the following documents:

1. DOJ issued Initial Eligibility Determination,
2. FRF Request Form & Expenditure Plan for either a) Non-Governance Certified Chapter or b) Governance Certified Chapter.
3. OMB Budget Forms 1, 2, 3 and 4 -**The budgets have been reviewed and re-signed by the newly appointed DCD Division Director – Mr. Calvin Castillo.**
4. OMB BIM Appendix J – Project Budget Schedule (i.e., Gantt Chart)
5. Chapter Resolutions and Other Supporting Documents.

The other 5 project packages are either missing documents and/or require revisions which the FRFO Staff are working with the Chapters to obtain.

Attached is a listing and a copy of the 9 project packets that are ready for Business Unit Accounts to be set-up in FMIS. We are requesting your office to set-up the 9 BU accounts in FMIS. The remaining 5 project packets will be sent to your office when they are complete.

Please contact our office if you have any questions or require any additional information. Thank you.

Cc: Tom Platero, FRFO Executive Direct
Lisa Jymm, FRFO Deputy Director
File

ATTACHMENTS

- Project Checklist CD-70-22
- 9 Project Packet Documents

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 #: HK0208

Date & Time Received: 11/15/22 14:28

Date & Time of Response: 11/22/22 5:00 p.m.

Entity Requesting FRF: Chinle Chapter Government

Title of Project: Chinle Chapter Earth and Dam Project

Administrative Oversight: DCD

Amount of Funding Requested: \$1,997,153.38

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: Kristen A. Lowell

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 PO BOX 1809
mailing address: Chinle, AZ 86503 phone & email: (928) 674-2052
website (if any): chinle@navajochapters.org
This Form prepared by: Dr. Rosanna Jumbo-Fitch phone/email: (928) 225-1658
Chinle Chapter President rosanna.jumbo@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Chinle Chapter Earth and Dam 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/sclaw@navajochapters.org
Chapter Secretary: Roann Burbank phone & email: (928) 674-2052/rburbank@navajochapters.org
Chapter Treasurer: Roann Burbank phone & email: (928) 674-2052/rburbank@navajochapters.org
Chapter Manager or CSC: Walton Yazzie, Manager phone & email: (505)910-9473/wyazzie@navajochapters.org
DCD/Chapter ASC: _____ phone & email: _____

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

Amount of FRF requested: 1,997,153.⁰⁰~~38~~ FRF funding period: 2023-2025 ☐ 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:

Chinle Chapter Government Earth and Dam Project includes design and construction of necessary earth berms, dikes, levees, and sediment removals in order to prevent future flooding and erosion across the Chinle community. The funds will be used to prepare the engineering design and complete construction. The earth and dam project will be located North of the Chinle Chapter, map is provided. The COVID-19 related needs of eliminating additional imminent threats to life and safety will be reduced and/or eliminated once project is completed.

☐ document attached

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

The Chinle Chapter Government Earth and Dam Project would benefit the Navajo Nation, Chinle community, and our Navajo people by providing solutions for life and safety for the Chinle Chapter members that reside along the Chinle Wash. The construction of flood mitigation methods would help to provide safe living conditions for the 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:

Chinle Chapter Government Earth and Dam 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-Spring 2024. Challenges would include Navajo Nation review timeline.

☐ document attached

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

Chinle Chapter Government will be responsible for implementing the project.

☐ document attached

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

Chinle Chapter Government will be responsible for operations and maintenance costs for the project once completed.

☐ document attached

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

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

Chinle Chapter is seeking funding for earth and dam for the safety of our community residents. The infrastructure would prevent community members from being flooded; loss of homes, loss of household goods, loss of life, and overall provide safe living conditions for each community member living along the Chinle wash.

☐ 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, 2021 application, emergency management document, Army Corps of Engineer report, and letters to Navajo Nation and monsoon season assistance.


☒ 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 ASD

Approved to submit for Review: 
signature of BCD Director

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

Page 4 of 4
PROJECT FORM

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

Signed Budget

Forms 1, 2 & 4

(Other budget forms if needed)

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 4
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Chinle Earth and Dam Project</u>		Division/Branch: <u>DCD / Executive Branch</u>	
Prepared By: <u>Walton Yazzie</u>		Phone No.: <u>928.674.2052</u>		Email Address: <u>wyazzie@nnchapters.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	
NN Fiscal Recovery Funds		FY 23-FY25	1,997,153.00	100%	
PART III. BUDGET SUMMARY		Fund Type Code	NNC Approved Original Budget	(B)	(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		1,997,153.38	1,997,153
7000 Special Transactions					
8000 Public Assistance					
9000 Capital Outlay					
9500 Matching Funds					
9500 Indirect Cost					
TOTAL			\$0.00	1,997,153.00	1,997,153
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>Walton Yazzie</u>		APPROVED BY: <u>Lisa Tymm</u>		Division Director / Branch Chief's Printed Name	
<u>Walton Yazzie</u>		<u>Lisa Tymm</u>		Division Director / Branch Chief's Signature and Date	
<u>10-24-21</u>		<u>2/9/2023</u>		<u>Received</u>	

1-11-23/123
x edit made by GCS 1-13/21/23

The Navajo Nation
Office of Management and Budget
Window 2023, Arizona

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

Page 2 of 4
BUDGET FORM 2

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>New</u>		Program Name/Title: <u>Chinle Earth and Dam Project</u>									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:													
PART III. PROGRAM PERFORMANCE CRITERIA:													
1. Goal Statement: Planning, Pre-design, & Engineering		1st QTR		2nd QTR		3rd QTR		4th QTR					
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual				
Program Performance Measure/Objective: Hire a Subcontracted													
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>Walton Yazzie</u> Program Manager's Printed Name <u>10.24.22</u> Program Manager's Signature and Date				<u>Lisa Jynn</u> Division Director/Branch Chief's Printed Name <u>Lisa Jynn, NTF30</u> Division Director/Branch Chief's Signature and Date									

S.M. 9/2/23

2/9/2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		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 5)	Total by MAJOR Object Code (LOD 4)
6500 8960 5990	Contractual Services (LOD 4) Chinle Chapter will hire a contractor for this project. Subcontracted Services Subcontracted Services	1,997,153	1,997,153
TOTAL		1,997,153	1,997,153

1.01/ 3/31/23
* Edit made by Cons. 3/23/23

Chapter Resolutions and Other Supporting Documents

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-22-077

APPROVING THE SELECTION OF THE EARTH AND DAM PROJECT FOR THE INCLUSION ON THE
CHINLE CHAPTER DELEGATE REGION IN THE AMOUNT OF \$1,997,153.38.

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 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 CHN-29-22, in response to the COVID-19 Pandemic in the best interest of the people: "An Action Relating to the Naabik'iyari 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 Electrical 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 Earth and Dam was selected as a Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$1,997,153.38 for the Chinle Chapter; and
6. The total amount for Chinle Chapter Delegate Region is \$8,401,340.00.

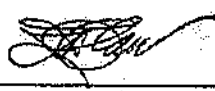
VOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter Government hereby approves the selection of Chinle Chapter Earth and Dam was a selected Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$1,997,153.38.

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 Oscar Bia Sr. and seconded by Natonyazee and the same was passed by a vote of 6 in favor, 2 opposed, and 1 abstained, this 7th day of October, 2022.


Dr. Rosanna Jumbo-Fitch, President


Shawna Claw, Vice President

RoAnn Burbank, Secretary/Treasurer

PO Box 1809 Chinle, Arizona
86503

• P: (928) 674-2052 • F: (928) 674-2079 • chinle@navajochapters.org

Project Estimate for Earth and Dam

General Requirements	\$	436,926.93
Levee, Earth Berm	\$	560,000.00
Site work	\$	280,000.00
Culvert budget	\$	3,500.00
Sediment removal	\$	105,000.00
Equipment Costs	\$	133,000.00
Survey budget	\$	52,500.00
Concrete budget	\$	49,000.00
<u>Subtotal</u>		<u>1,619,926.93</u>
Insurance and GC's	\$	251,764.04
Tax	\$	125,462.41
		<u>\$1,997,153.38</u>