



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

The Navajo Nation | Yideeskáadi Nitsáhákees

December 29, 2023

TRANSMITTAL

TO : Arbin Mitchell, Executive Director
Division of Community Development (DCD)

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

SUBJECT : Navajo Nation Fiscal Recovery Funds (NNFRF) for DCD - Central Support & Regulatory Services

I. Information on Contract (per Original Award):

Division of Community Development - Central Support & Regulatory Services	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract	Funding Agency	CFDA No. - Federal
CJY-41-21	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Term - Begin and End Date
	\$ 5,887,727.76	

II. Data Entered in FMIS Regarding:

☒ New Contract or Grant Company No. 8059 Business Unit (K#) K2115464

☐ Contract Mod No. _____

☐ Amt of Budget Increase \$5,887,727.76 \$0.00 to \$5,887,727.76

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: Approved Memorandum of August 25, 2023 by President Dr. Nygren

III. Comments by CGS:

Budget received on December 19, 2023 is authorized for implementation pursuant to FY 2024 NN BIM Appendix K Section II and approved by President Dr. Nygren on August 25, 2023. The budget was submitted very untimely which DCD need to resolve. Also, DCD requested \$20,000,000 which NDOJ concurred with. However, DCD was allocated only \$5,887,727.76.

Attachment

Copy: Contract files

Contract Accounting / OOC / DPM

Tom Platero, Executive Director - NN FRF Office

Revised February 2023

12115444



DR. BUU NYGREN **PRESIDENT**

RICHELLE MONTOYA **VICE PRESIDENT**

The Navajo Nation | Yideeskáadi Nitsáhákees

August 25, 2023

Navajo Nation Division of Community Development

Mr. Calvin Castillo, Division Director

PO Box 1904

Window Rock, AZ 86515



APPROVAL of Navajo Nation Fiscal Recovery Funds (NNFRF) for NNFRF Central Support & Regulatory Services – Division of Community Development

By Resolution CJY-41-21, Navajo Nation Council established the Navajo Nation Fiscal Recovery Fund (NNFRF) and the Expenditure Authorization Process for ARPA funding. The resolution was signed into law on August 2, 2021. SECTION SEVEN of the resolution includes an immediate allocation of Navajo Nation Fiscal Recovery Funds to fund central support and regulatory programs.

The NN Division of Community Development submitted a project description form for Project Management Services for ARPA Funded Construction Projects. The Department of Justice has reviewed the form and determined the project eligible. The following is a summary of their determination:

Description	Amount	Approved Expenditure Category
Project Management Services	\$5,887,727.76*	3.5 Public Sector Capacity

* Only \$5,887,727.76 is being awarded due to limitation of funds availability

Included with this memo is the DOJ eligibility determination form for the Division of Community Development, Office of Management & Budget (OMB) and the Office of the Controller (OOC) records. Please submit a copy of the entire signed project description forms to include the necessary Navajo Nation BIM forms to OMB in order to establish the budgets to move forward with your project.

The resolution contains additional provisions, including a section to authorize funding for central support and regulatory services and a section authorizing the establishment of a NN Fiscal Recovery Fund Office within the Office of the President and Vice-President (OPVP).

Sincerely,

A handwritten signature in black ink, appearing to be "Buu Nygren", written over a horizontal line.

Buu Nygren, President

THE NAVAJO NATION



THE NAVAJO NATION
AAI CHECK OFF LIST
FOR NEW COMPANY or BUSINESS UNIT

NOTIFICATION ON NEW COMPANY AND BUSINESS UNIT ADDED, PLEASE COMPLETE AAI CHECK OFF LIST

Company	*New Business Unit	Description	*Facility/Job Site#
8059	K2115464	US Treasury – Dept. of Community Development Construction Project - FRF	55261
ENTERED BY (Step A to F) :		EXPLANATION/REFERENCE NO:	DATE:
Germaine Jones		Setup New Business Unit	12/20/2023

TASK	✓	TASK DESCRIPTION	APPLIC	TASK EXPLANATION
A. Create New Fund		1. Copy Address Book Record – “O” Search Type (Company ST)	P01012	Use “COPY” of similar Address Book. Complete vital fields: 1) Enter Tax ID 860092335, 2) Related Address tab-5 th Address Number field enter “10” (Gen Fund)
		2. Add Fund/Company (CO)	P0010	Use “ADD” in CO Names & Numbers-Setup, use CO 10 info, *CO Number. & *CO Address number are identical.
B. Create Balance Sheet Business Unit		Create Balance Sheet BU by Copying	P0006	Use “COPY” of similar Balance Sheet (BS) Business Unit
C. Attach Objects to Balance Sheet BU		1. Operating	P09804	Copy from Model “1” Bus Unit to BS Business Unit (Object range 0100 thru 0999 only)
D. Create New Business Unit *:		1. a) Operating BU (or)	P0006	Use “COPY” of similar Business Unit.
		3. a) Operating BU- Create AB Facility	P0006	In BU Master “More” tab-Address Number (Job Site) field-Visual Assist search type “F” (facility), select AB#
	✓	1. b) Project BU (Job)	P51006	Use “COPY” of similar Project BU
	✓	2. Project Job Dates	P51006	Create extended master, set job dates
	✓	3. b) Project BU-Create AB Facility	P51006	In Job Master “More” tab-Address Number (Job Site) field- Visual Assist search type “F” (facility), select AB#
E. Attach Objects to Business Unit		1. a) Operating (or)	P09804	“Copy” from model BU 2 to IS BU (Obj 1000 thru 9999)
	✓	1. b) Projects BU (Job)	P51091	“Copy” from Job Cost Code “CG1” Chart Type to Job #
F. Create ICCC AAI (New CO only)		1. Operating BU (or)	P0012	“Copy” similar Company “ICCC” AAI item no. Change BU and CO Fields only (must be identical)
		2. Project BU		
SET-UP VERIFIED BY:			DATE:	COMMENTS/ACTION:
			12/27/23	Verified new BU#.

AUTOMATIC ACCOUNTING INSTRUCTIONS (Forward to responsible section/module immediately)					
MODULE	ITEM#	AAI DESCRIPTION	APPLIC	INITIAL	DATE
GEN ACCT'G	ICCC	Intercompany Settlements	P0012	New Company Only	
ACCOUNTS PAYABLE	PB	Default Bank Account (10.0120.02)	P0012	New Company Only	
	PC	Payable Class Code	P0012	New Company Only	
	PCPREP	Prepaid Voucher Offset	P0012	New Company Only	
	PCRETN	Retainage (Contract)	P0012	New Company Only	
	PKD	Discounts Available	P0012	No Discounts	
	PKL	Discounts Lost	P0012	No Discounts	
FIXED ASSETS	DEPN	*Depreciation Default Values	P12002	New BU's	
PURCHASING	4320	Received Not Vouchered	P40950	New Company Only	
		*Setup Hold Codes for each new BU(B1)	P42090	New BU's	
		*Review Hold Budget Review Hold (RW)	P42090	New BU's	
		Set default A/B for each BU		New Company Only	
		Add Purchasing Tolerance rules	P4322	New Company Only	
		*Set-up Branch/Plant Constant & Set-up Address Number	P41001	New BU's	
SECURITY	Not yet	BU Security		Not Applicable	

RETURN COMPLETED FORM TO ISSUING DEPARTMENT

****NEW BUDGET****

Job K2115464 US TREASURY- DCD CONSTRCT- FRF
Project

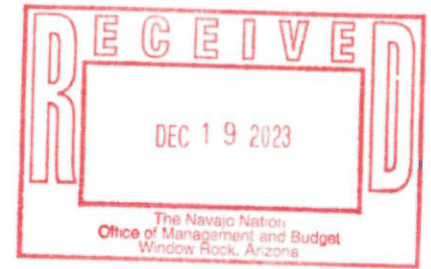
Cost Code	Cost Type	Description	L P M DE C UM	Original	Revised	Actual	Open Commit	Budget	% Revised	% Revised
				Budget Amt	Budget Amt	Amount	Amount	Balance	Spent	Remaining
	1710	Program Revenue	6 B N	5,887,727.76-	5,887,727.76-			5,887,727.76-		1.00
	1710	Program Revenue	6 T	5,887,727.76-	5,887,727.76-			5,887,727.76-		1.00
	1705	CG Revenue	5 T	5,887,727.76-	5,887,727.76-			5,887,727.76-		1.00
	1700	External C/G Revenue Sourc	4 T	5,887,727.76-	5,887,727.76-			5,887,727.76-		1.00
	1000	Revenues	3 T	5,887,727.76-	5,887,727.76-			5,887,727.76-		1.00
	6960	Subcontracted Services	6 B N	5,887,727.76	5,887,727.76			5,887,727.76		1.00
	6960	Subcontracted Services	6 T	5,887,727.76	5,887,727.76			5,887,727.76		1.00
	6950	Subcontracted Services	5 T	5,887,727.76	5,887,727.76			5,887,727.76		1.00
	6500	Contractual Services	4 T	5,887,727.76	5,887,727.76			5,887,727.76		1.00
	2000	Expenses	3 T	5,887,727.76	5,887,727.76			5,887,727.76		1.00



**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 #: HKA0010

Date & Time Received: 8/10/2023 at 16:12

Date & Time of Response: 8/17/2023 at 15:00

Entity Requesting FRF: Division of Community Development

Title of Project: Project Management Services for ARPA Funded Construction Projects

Administrative Oversight: Office of the President and Vice President

Amount of Funding Requested: \$20,000,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- | | |
|---|---|
| <input checked="" type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

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

3.5, Public Sector Capacity: Administrative Needs

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: Please note that we have modified the requested expenditure code from 7.1 (Administrative Expenses) to 3.5 (Public Sector Capacity: Administrative Needs).

The modified expenditure code is a better fit for Treasury's reporting purposes.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: *MRodis*

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 NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Division of Community Development Date prepared: 8/8/23
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's P.O. Box 1904 phone/email: 928-871-7182
mailing address: Window Rock AZ 86515 website (if any): www.nndcd.org

Form prepared by: Calvin Castillo, Division Director phone/email: 928-871-7172
Navajo Nation Division of Community Development ccastillo@nndcd.org
CONTACT PERSON'S name, title and Department, Program, Office, etc. CONTACT PERSON'S info

Title & type of Project: Project Management Services for ARPA Funded Construction Projects.

NN Government Unit's Director or Manager: Calvin Castillo, Director phone & email: 928-871-7182 ccastillo@nndcd.org

Division Director (if any): Calvin Castillo, Director phone & email: 928-871-7182 ccastillo@nndcd.org

Branch Chief: Patrick Sandoval, Chief of Staff phone & email: 928-871-7160 psandoval@navajo-nsn.gov

Funding Recipient will be working with: Office of the President and Vice President on the Project and
Indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

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

Not Determined Yet ☒ document attached

Amount of FRF requested: \$20,000,000 FRF funding period: September 1, 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:

In collaboration with the FRF Office, The Navajo Nation Division of Community (DCD) has determined that it needs to help to manage the expenditure and encumbrance of FRF Funds in order to ensure that funds are encumbered by June 30, 2024. DCD has administrative oversight over the ARPA Funding of the Chapter and Regional Projects(\$211,256,148), Home Electric Connections (\$96,400,000), New Housing(\$50,000), Housing Manufacturing(\$30,000,000), Housing for former Bennett Freeze and NPL(\$15,550,000) and Bathroom Additions (\$150,000,000). DCD must retain a project management firm to aid in the construction management of the above mentioned projects.

☐ document attached

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

Ensuring that FRF Funds are fully encumbered will improve the quality of life on the Navajo Nation. The funds that are currently being encumbered are going to projects meant to improve the living conditions of the Navajo people on the Navajo Nation. The funds will also go to improve community facilities on the Nation.

☐ document attached

APPENDIX A

- (c) Provide 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:

September 1: Issue Request for Statement of Qualifications; September 30: Review Submissions; October 16: Issue RFP to most qualified responders; October 30: Review Submission; November 6: Contact Highest Scoring Responder; November 20: Start date for Project Management Firm; December 25: All funds should be encumbered on the FMIS system.

☐ document attached

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

Calvin Castillo, Executive Director, Division of Community Development

☐ 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:

There are no operations and maintenance costs for this project.

☐ 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:

7.1 Administrative Expenses. The cost of project management should be considered an administrative expense.

☐ document attached

Part 3. Additional documents.


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


Please see the Request for Statement of Qualifications

APPENDIX A

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:

NN Government Unit
Preparer:  Approved by: _____
signature of Preparer/CONTACT PERSON signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit
for Review: Carvin Casriuo Print Name, Title,
signature of Branch Chief or Division Director Branch or Division:  8/9/23
print name and indicate title or position
Navajo Nation Division of
indicate Branch or Division
COMMUNITY DEVELOPMENT

FY _____

THE NAVAJO NATION PROGRAM BUDGET SUMMARY



Page ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Navajo Nation ARPA/NNFRF Project Management</u>		Division/Branch: <u>NN DCD</u>	
Prepared By: <u>Kayla Wilson & Alicia Hale</u>		Phone No.: <u>928-309-5532</u>		Email Address: <u>kayla.wilson@navajo-nsn.gov alicia.hale@navajo-nsn.gov</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
ARPA/FRFO-Administrative Cost	9/1/23-12/31/26	5,887,727.76	100%	2001 Personnel Expenses				0.00
				3000 Travel Expenses				0.00
				3500 Meeting Expenses				0.00
				4000 Supplies				0.00
				5000 Lease and Rental				0.00
				5500 Communications and Utilities				0.00
				6000 Repairs and Maintenance				0.00
				6500 Contractual Services	6	0	5,887,727.76	5,887,727.76
				7000 Special Transactions				0.00
				8000 Public Assistance				0.00
				9000 Capital Outlay				0.00
				9500 Matching Funds				0.00
				9500 Indirect Cost				0.00
				TOTAL		\$0.00	5,887,727.76	5,887,727.76

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

TOTAL: \$5,887,727.76 100%	PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.
--------------------------------------	---

SUBMITTED BY: <u>Calvin Castillo, Director, Div of Community Development</u> <div style="text-align: center;"> Program Manager's Printed Name  Program Manager's Signature and Date </div>	APPROVED BY: <u>Patrick Sandoval, Chief of Staff</u> <div style="text-align: center;"> Division Director / Branch Chief's Printed Name  Division Director / Branch Chief's Signature and Date </div>
--	--

Revised 12/20/23

FY _____

**THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES**

Page ____ of ____
BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: NEWProgram Name/Title: Navajo Nation ARPA/NNFRF Project Management**PART II. PROGRAM PERFORMANCE CRITERIA:**

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

1. Program Performance Measure:

Develop monitoring and compliance instruments for quality assurance.

Implement monitoring and evaluate chapters through project managers.

0	0	0	1
---	---	---	---

2. Program Performance Measure:

Conduct meetings with chapters and stakeholder.

Complete coordination meetings on a normal basis.

20	20	20	20
----	----	----	----

3. Program Performance Measure:**4. Program Performance Measure:****5. Program Performance Measure:****PART III. CONCURRENCE/APPROVAL:**Calvin Castillo, Director, Div of Community Development

Program Manager's Printed Name


8/28/22
 Program Manager's Signature and Date
Patrick Sandoval, Chief of Staff

Division Director/Branch Chief's Printed Name


 Division Director/Branch Chief's Signature and Date

FY _____

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>The Navajo Nation ARPA/NNFRFO Project Management</u>		Business Unit No.: <u>NN DCD</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6500	CONTRACTUAL SERVICES		5,887,727.76
6960	Subcontracted Services	5,887,727.76	
	6990- Subcontracted Services		
	IDSA based in Albuquerque		
	Total: \$5,887,727.76		
	* IDIQ Process has been processed.*		
TOTAL		5,887,728	5,887,728

Revised 12/20/23

Page 1 of 1
PROJECT FORM

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