

The Navajo Nation Dr. Buu Nygren President Yideeskáadi Nitsáhákees RICHELLE MONTOYA VICE PRESIDENT

Date:

November 21, 2024

To:

Dominic Beyal, Executive Director Office of Management & Budget

Cordell Shortey, Contracting Officer

Contracts and Grants Section Office of Management & Budget

From:

Jason John, Department Manager III Department of Water Resources

Re: Department of Water Resources Fiscal Recovery Fund

The Department of Water Resources decreases Fiscal Recovery Fund amounts allocated through two Navajo Nation resolutions as listed in Table 1.

Table 1

				Business		
No.	Description	Resolution	Category	Unit	Ar	mount
1	Water Resources	CJY-41-21	5.11	K211543	\$	567,801.81
2	Water Resources	CJY-41-21	5.13	K211542	\$	3,943,774.54
3	Water Resources	CJY-41-21	5.15	K2115548	\$	480,000.00
4	Water Resources	CJN-29-22	5.2	K211552	\$	6,008,874.00
5	Water Resources	CJN-29-22	5.11	K211561	\$	5,628,973.62
6	Water Resources	CJN-29-22	5.13	K211566	\$	1,650,000.00
7	Water Resources	CJN-29-22	5.14	K211562	\$	95,029.15
		-		Total	\$	18,374,453.12

If you have questions, please contact Jason John, Director, Department of Water Resources, at jasonjohn@navajo-nsn.gov, or (928) 349-1198.





The Navajo Nation Dr. Buu Nygren President

Yideeskáadi Nitsáhákees | Think for the Future

October 31, 2024

Honorable Crystalyne Curley, Speaker Office of the Speaker Navajo Nation Council P.O. Box 3390 Window Rock, AZ 86515

RE: CO-41-24, An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending Navajo Nation Council Resolution No. CJN-29-22 Section 11 Approval of the Bathroom Additions Expenditure Plan to include Renovations of Existing Bathrooms; Waiving Navajo Nation Council approval and authorizing Administrative Approval of Amendments to the Navajo Nation Fiscal Recovery Fund Bathroom Additions Expenditure Plan; Reallocating Fiscal Recovery Funds approved in CJN-29-22.

Dear Honorable Members of the 25th Navajo Nation Council:

I am pleased to sign this legislation into law to expand the Navajo Nation Fiscal Recovery Funds (NNFRF) Bathroom Additions Expenditure Plan to include additional funding for bathroom additions, as well as for bathroom renovations.

I know from personal experience how important it is to renovate bathrooms – especially for our elderly. Those who already have existing bathrooms within their homes can now benefit from renovations to make their current restrooms ADA accessible and / or to repair or replace existing structures or fixtures as necessary to make the existing bathroom safe, sanitary, and compliant with industry standards.

Through this legislation, additional FRF in the amount of \$50,177,055.00 are being added to the Expenditure Plan. I support adding these FRF for bathroom additions and renovation as this FRF are being reallocated from projects because the funds could not be obligated by the end of this year. The total amount of FRF for the Expenditure Plan is now \$100,177,055.00. These additional funds will allow more Navajo people to receive much need bathrooms and renovations. The Division of Community Development has spent over sixty percent of its current allocation of NNFRF and is turning away individuals in certain regions due to lack of funding. These additional funds will allow DCD to serve more people.

The existing NNFRF Bathroom Addition Expenditure Plan will need to be updated to include renovations and the additional dollars, and the updated Plan will need my approval I am directing the Division of Community Development, the Navajo Nation Fiscal Recovery Office, and the Department of Justice to submit the revised plan to me by December 6, 2024.

Sincerely,

Dr. Buu Nygren, President THE NAVAJO NATION one of the one hundred twenty-five (125) "Expenditure Categories" set forth in Appendix 1 to the U.S. Department of Treasury's Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds which is incorporated herein by reference.

- C. The Navajo Nation's current Navajo Nation Fiscal Recovery Funds ("NNFRF") expenditure authorization and approval process for the allocation of funds from the NNFRF as set forth in Navajo Nation Council Resolutions Nos. CJN-29-22, Exhibit 1, (exhibits not included) and CJY-41-21, attached as Exhibit 2 (exhibits not included), mandates that NNFRF Expenditure Plans be adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12). CJN-29-22, Section One (B) and Section Seventeen.
- D. The NNFRF Bathroom Additions Expenditure Plan approved by CJN-29-22, attached herein as Exhibit 3, only authorizes new Bathroom Addition projects, including building new ADA compliant bathrooms, connecting the home to electricity, providing the home with drinking water through a water cistern or connection to a waterline, providing the home with a septic tank or connecting to a sewer system. approved expenditure plan also includes a water heater, wall heater, toilet, bathroom sink, and utility sink for the bathroom addition." "The approved CJN-29-22 Section 11 Bathroom Addition Expenditure Plan did not renovation of existing bathrooms, which has restricted the extent of otherwise FRF-eligible bathroom renovation projects."
- E. The expansion of the NNFRF Bathroom Additions Expenditure Plan to include Expenditure Category 5.5 and shall authorize the use of Section 11 NNFRF funding for bathroom additions, as well as for bathroom renovations. This amendment expanding the Section 11 expenditure plan to include bathroom renovations is in the best interest of the Nation. It will address the needs of several Navajo Nation Chapters and Delegate Regions in which fewer residents need new bathroom additions but many residents could benefit from renovations to their existing bathrooms to make them ADA accessible and/or to repair or replace existing structures or fixtures as necessary to make the existing bathroom safe, sanitary, and compliant with industry standards.

Division of Community Development for bathroom additions and renovations.

- Fiscal Recovery Fund allocation of \$14,437,686 from the Department of Water Resources in Resolution CJN-29-22, Section 7(B), to the Department of Community Development, for bathroom additions and renovations in Resolution CJN-29-22, Section 11.
- 3. Fiscal Recovery Fund allocation of \$30,747,794 from the Division of Community Development for home electrical connections in Resolution CJN-29-22, Section 9(B)(1), to the Department of Community Development, for bathroom additions and renovations in Resolution CJN-29-22, Section 11.
- B. The reallocated amount from Resolution CJN-29-22 totals \$50,177,055.

SECTION SIX. SAVING CLAUSE

Should any provision(s) of this Action be determined invalid by the Navajo Nation Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the remainder of the Action shall remain the law of the Navajo Nation.

SECTION SEVEN. EFFECTIVE DATE

The provisions of this Action shall become effective upon adoption by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION EIGHT, DIRECTIVES

A. The Division of Community Development, Navajo Nation Fiscal Recovery Office, and Department of Justice shall work collaboratively with the local chapters to revise the NNFRF Bathroom Addition Expenditure Plan, CJN-29-22 Exhibits M and M-1, to add Other Sewer Infrastructure (Expenditure Category 5.5) Bathroom Renovation projects and expeditiously submit the revised Bathroom Addition and Bathroom Renovation Expenditure Plan to the Office of President and Vice-President for President approval.

ACTION BY THE NAVAJO NATION PRESIDENT:

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

, 2024.

Buu Nygren, President Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this day of ______, 2024 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of ______, 2024.

Buu Nygren, President Navajo Nation



November 26, 2024 TRANSMITTAL TO : Jason John, Department Manager Department of Water Resources (DWR)/DNR **FROM** Contracts & Grants Section (CGS) / OMB SUBJECT : <u>DWR-Water Transmission & Distribution</u>; Fiscal Recovery Funds (FRF) - Defunded CARES Act Information on Contract (per Original Award): I. U.S. Treasury American Recovery Department of Water Resources Plan Act (ARPA) 21.019 Title of Contract **Funding Agency** CFDA No. - Federal CJY-41-21 \$ 31,556,346.22 2022 03/11/2021 to 12/31/2026 Grant No. Amount Fiscal Year Term - Begin and End Date II. Data Entered in FMIS Regarding: 10 New Contract or Grant Company No. 8059 Business Unit (K#) K211543 4 Contract Mod No. Internal Modification No. 1 1 Amt of Budget Decrease \$567,801.81 \$31,556,346.22 to \$30,988,544.41 **AMOUNT** FROM TO Budget Period - Extend End Date: From To Other, specify: **Authorizing Document - Attached:** Contract / Agreement - Date execute NNC / Committee Resolution - No. & Date Other, specify: NN Council Resolution CO-41-24

III. Comments by CGS:

This is 2nd Transmittal on \$31,556,346.22 ARPA funds allocated to DWR. Budget is decreased by \$567,801.81 per Resolution CO-41-24. Y-T-D budget in FMIS totals \$30,988,544.41

Attachment

Copy: Contract files

Contract Accounting / OOC

Lisa Jymm, Executive Director - NN FRF Office



THE NAVAJO NATION SUMMARY OF CHANGES ON EXTERNAL GRANT BUDGET BASED ON CONTRACT MODIFICATION NO.______

(For increase or decrease to initial Annual Funding Awarded Only)

RECEIVED

9:09 am, Nov 05 2024

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

PART I. PROG	GRAM / GRANT INFORMATION:			
Title of P	Program: US TREASURY-WATER TRANS & DI	IST V FMIS Bus	siness Unit No. K21154	i3 ✓
Title of	f Grant :	Grant No.:	CJY-41-2	1 🗸
	DA No.: 21.019 Original Funding Peri			
PART II. BUDG	GET INFORMATION: In Columns A thru C below	v, enter data that is in the	FMIS currently and at	LOD 6.
(A)	(B)	(C)	(D)	(E)
Cost Type	Description	Revised Budget	Amount of Change (+/-) This Mod. *	Adjusted Budget (Sum of C & D)
			Reversions	
✓ 6830	Other Technical Services	10,976,351.72	(38,108.94)	10,938,242.78
				-
/				
8500	Infrastructure (non cap)	20,579,994.50	(529,692.87)	20,050,301.63
		-		-
				
		1		-
		-		-
				-
				-
	TOTALS:	31,556,346.22	(567,801.81)	30,988,544.41
co	ONTRACTS & GRANTS PROGRAM REVENUE:		^	
* On separate page modified budget	<u>ige,</u> provide justification on cost type(s) that are affect will be authorized for use until the change is entered	cted in Column D. This is a d into FMIS by CGS/OMB.	condition for processing	the change. The
PART III. CERTI	IFICATION:			
Program M	Aanager (print): Jason John	Division/Executive Director (print):	A W. Mike I	· · · · · · · · · · · · · · · · · · ·
			VV. IVIIKE P	
Signature	re/Date: 11-4-2024	Signature/Date:	Warm o	4 NOV 24
PART IV. CGS /	OMB USE ONLY	3atun# 1438892		
Verified &			. 1	11 "
Recommend Approval:	2000 11/5/24	Approval for FMIS Entry:	Joy La CAla	iten 11/5/29
-	Contract Analyst - Signature / Date	- mo Endy. —	Contracting Officer	- Signature / Date
Comu			W.S.	olgilatule i Date
Сору:	Contract files Contract A	Accounting/OOC		FY'25 NN BIM



R5551200P NAVAJO NATION
Job Status Inquiry Print

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Thru Date 11/30/2024

Project Job K211543 US TREASURY-WATER TRANS & DIST

		25,108,920,26-	23,828,245.26	1,280,675,00			-	Total:	
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	.97	860,271,83	23,828,245.26	6,300,027.32	30,988,544.41	31.556.346.22	3 T	Expenses	2000
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.04	96	860.271.83	16,096,206.86	3,093,822.94	20,050,301.63	29,977,901.00	. T	Public	8010
.04	.96	860,271.83	16,096,206.86	3,093,822:94	20,050,301.63	29,977,901.00	6 7	Infrastructure (non cap)	8500
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	1,00	,	7,732,038.40	3,206,204,38	10,938,242.78	1,578,145.22)	Contractual Services	6500
	1.00		7,732,038,40	3,206,204,38	10,938,242.78	1,578,445.22	5 T	Technical Services	6800
	1.00	!	7,732,038.40	3,206,204.38	10,938,242.78	1,578,445:22	6 T	Other Technical Services	6830
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84	.16	25,969,192.09-	A CALLERY OF THE CALLERY CALLERY CONTRACTOR OF THE CALLERY CONTRACTOR	5,019,352.32-	30.988,544,41-	31,556,346,22-	4 T	External C/G Revenue Sourc	1700
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	91.	25,969,192.09-		5.019,352,32-	30,988,544,41-	31,556,346.22-	6 T	Program Revenue	1710
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Remaining	Spent	Balance	Amount	Antount	Budget Amt	Budget Amt	DECUM	Description	Code Type
% Revised	% Revised	Budget	Open Commit	Actual	Revised	Original	LPM		Cost Cost

K211543

R5551200P

Job Status Inquiry Print NAVAJO NATION

Project

Job

K211543 US TREASURY-WATER TRANS & DIST

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Page -

Thru Date

11/30/2024

																				Code	Cost
Total:	TSU	2000 Expenses	8000 Assi	8010 Public	8500 Inf				0		_		6830 Ot		1700 Ext				1710 Pr	Турс	Cost
	US TREASURY-WATER TRANS & DISTI	nscs	Assistance	olic	Infrastructure (non cap)	Water/Wastewater	Waterline Ext.	Infrastructure (non cap)	Contractual Services	Technical Services	Other Technical Services	Technical Services Expense	Other Technical Services	Revenues	External C/G Revenue Sourc	CG Revenue	Program Revenue	Prg Rev Earned-Fed Non-	Program Revenue	Description	
1	& DISTI	3 T	4 T	s 7 	6 T	7 N	7 Z	6 BN	4 T	5 T	6 T	7 X	6 B N	3 T	4 T	5 T	6 T	7 N	6 B N	DECUM	LPM
		31,556,346.22	29,977,901.00	29,977,901.00	29,977,901.00			29,977,901.00	1,578,445.22	1,578,445.22	1,578,445.22		1,578,445.22	31,556,346.22-	31,556,346.22-	31,556,346.22-	31,556,346.22-		31,556,346.22-	Budget Amt	Original
		31,556,346.22	20,579,994.50	20,579,994.50	20,579,994.50			20,579,994.50	10,976,351.72	10,976,351.72	10,976,351.72		10,976,351.72	31,556,346.22-	31,556,346.22-	31,556,346.22-	31,556,346.22-		31,556,346.22-	Budget Amit	Revised
1,280,675.00	1,280,675.00	6,300,027.32	3,093,822.94	3,093,822.94	3,093,822.94	94,075.00	2,999,747.94		3,206,204.38	3,206,204.38	3,206,204.38	3,206,204.38		5,019.352.32-	5,019,352.32-	5,019,352.32-	5,019,352.32-	5,019,352.32-		Amount	Actual
21,661,527.09	21,661,527.09	21,661,527.09	14,029,488.69	14,029,488.69	14,029,488.69	300,216.40	13,729,272.29		7,632,038.40	7,632,038.40	7,632,038.40	7,632,038.40								Amount	Open Commit
22,942,202.09-	22,942,202.09-	3,594,791.81	3,456,682.87	3,456,682.87	3,456,682.87	394,291.40-	16,729,020.23-	20,579,994.50	138,108.94	138,108.94	138,108.94	10,838,242.78-	10,976,351.72	26,536,993.90-	26,536,993.90-	26,536,993.90-	26,536,993.90-	5,019,352.32	31,556,346.22-	Balance	Budget
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		:=	.17	.17	.17			1.00	.01	.01	.01		1.00	.84	.84	.84	.84		1.00	ning	ised

Actual + Open Commitment = \$27,961,554.41

K211543

Pending encumberence
Object Code 6830
\$100,000 for 164 Doc 22921 Souder Miller for Smith Lake Project

Pending encumberence
Object Code 8500
\$2,226,990 for 164 Doc 22965 Dooley Construction Solutions for Chichiltah - Vanderwagon Project \$700,000 for 164 Doc 22939 Stewart Brother for Smith Lake Project

\$ 2,926,990 subtotal

\$ 3,026,990 TOTAL for K211543 pending contracts on 11/1/24

\$3,594,791.81 - 3,026,990.00 = \$567,801.81 to be reverted.