



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

The Navajo Nation | Yideeskáadi Nitsáhákees

March 3, 2023

TRANSMITTAL

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

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

SUBJECT : Bathroom Additions - ARPA Funds Allocated to DCD

I. Information on Contract (per Original Award):

Bathroom Additions		U.S. Treasury American Recovery Plan Act (ARPA)		21.027
Title of Contract		Funding Agency		CFDA No. - Federal
CJN-29-22	\$ 150,000,000.00	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#) K211565

☐ 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 CJN-29-22

III. Comments by CGS:

Budget received on February 16, 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 July 18, 2022. CGS received complete packet until 3/2/2023 to set up budget and issue this Transmittal. To not delay execution of allocation, CGS entered budget in FMIS although NNBFs 2 - 4 are illegible. DCD will need to provide NNBFs immediately.

Attachment

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

Revised February 2023

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT

MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : Dr. Pearl Yellowman, Executive Director
Division of Community Development

James Adakai, Deputy Executive Director
Division of Community Development

Patrick Dalgai, Department Manager II
Community Housing & Infrastructure Dept.
Division of Community Development

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

DATE : July 18, 2022

SUBJECT : CJN-29-22 – Allocation of \$1,070,298,867 in Navajo Nation Fiscal Recovery Funds and \$326,400,000 to the Division of Community Development.

The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting budgets totaling \$326,400,000 for the Division of Community Development per CJN-29-22, Exhibits K, L, and M, as listed in the table below:

Exhibit	Description	Category	\$
K	Housing Support: Connecting homes to electricity	2.18	\$96,400,000
L-1	New Housing: CHID	2.15	\$50,000,000
L-3	Housing Manufacturing	2.15	\$30,000,000
M	Bathroom Additions	1.14	\$150,000,000
Total Funding for DCD			\$326,400,000

K211565

As applicable, prepare Budget Forms 2, 3, and 4 in accordance Budget Form 1 in approved Navajo Nation Council resolution CJN-29-22.

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.



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

The Navajo Nation | Yideeskáadi Nitsáhákees

-MEMORANDUM

To : Cordell Shortey, Contracting Officer
Contracts & Grants Section
Office of Management & Budget
(Signature)

From : Tom Platero, Executive Director
Fiscal Recovery Fund Office
Navajo Nation

Date : February 16, 2023

Subject : Fiscal Recovery Fund Business Unit Set-Up

Attached are 2 packets of documents for your office to set-up 2 Business Unit accounts in the NN's Financial Management Information System (FMIS) and to issue the Transmittal Letter/Business Unit numbers. Both projects are approved and funded from the NN Fiscal Recovery Fund (Co/Fund #8059) pursuant to NN Council resolution CJN-29-22, Exhibits:

- Exhibit "K" - \$96,400,000 for Connecting Homes to Electricity to be administered by the Capital Projects Management Department (CPMD) within the Division of Community Development.
- Exhibit "M-1" - \$150,000,000 for Bathroom Additions to be administered by the Executive Administration Office of the Division of Community Development.

Both project documents have been reviewed and acknowledged by the current DCD Division Director Mr. Calvin Castillo. Mr. Castillo has provided his signature on documents "Attachment A" and the Budgets for both projects and the current Chief of Staff, Mr. Patrick Sandoval, has provided his signature on the same documents for the \$150,000,000 Bathroom Additions project.

Please set-up these BU Accounts and issue the Transmittal Letter and BU Accounts as soon as possible to give the recipients the maximum time allowed to complete these projects within the established deadlines for the use of this fund.

Thank you and if you have any questions or require additional information, please contact Mr. Arnold Jake, Principal Accountant with FRF Office, via e-mail.

Signed Budget Forms

Budget Forms 1,2 and 4

Per most recent approved Budget Instructions Manual

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>NNFRF 1.14: Bathroom Additions</u>		Division/Branch: <u>Division of Community Development/Executive</u>	
Prepared By: <u>Shawna Ballay</u>		Phone No.: <u>505.382.4745</u>		Email Address: <u>sballay@nndcd.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	
NNFRF (C-JN-29-22)		10/2022-09/2023	150,000,000.00	100%	
PART III. BUDGET SUMMARY					
		Fund Type Code	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				
8000	Public Assistance	6	150,000,000	150,000,000	0
9000	Capital Outlay				
9500	Matching Funds				
9500	Indirect Cost				
TOTAL			\$150,000,000.00	150,000,000.00	0
PART IV. POSITIONS AND VEHICLES					
TOTAL: \$150,000,000.00			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: <u>Dr. Pearl Yellowman, Executive Director</u>		APPROVED BY: <u>Paulson Chaco, Chief of Staff</u>			
<u>Shawna Ballay</u> Program Manager's Signature and Date		<u>10/11/22</u> Division Director / Branch Chief's Signature and Date			

Calvin Castillo, Executive Director

Patrick Sandoval, Chief of Staff

10/13/23

2/8/2023

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Business Unit No.		NEW	Program Name/Title	NHTF 1.14: Bedroom Additions									
PART I. PROGRAM INFORMATION				PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM									
CWA92-2: This resolution, if approved, will allocate \$1,070,000.00 of Nevada State Road Revenue Funds for Chapter Assistance Public Safety Emergency Communications, 9516, and Rural Addressing Program Other Security-Police Health Projects, Economic Development Projects, Housing Assistance, Elder and Volunteer Projects, Structural Program Home Electricity Connection and Electricity Capacity Projects, Housing Projects and Manufactured Housing Facilities, Bedroom Addition Projects, Computer Connectivity Funding, and Regional Administrative Funding.				Bedroom Addition Projects, Computer Connectivity Funding, and Regional Administrative Funding									
PART III. PROGRAM PERFORMANCE CRITERIA:				PART IV. PERFORMANCE CRITERIA:									
				1st QTR		2nd QTR		3rd QTR		4th QTR		5th QTR	
				Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement	Funders Sub-Recipient Agreement with NHTA.												
Program Performance Measure/Objective	Have a fully executed sub-recipient agreement with NHTA by Nov/22.												
2. Goal Statement	Initiate Bedroom Addition Recipient Application Vetting Process (On-Going)												
Program Performance Measure/Objective	Complete vetting and approve 1/4 of the bedroom recipients.												
3. Goal Statement	Initiate Planning (Design / ROW / Endorsements) Process for Bedroom Recipients												
Program Performance Measure/Objective	Complete planning process for 10 - 20% of bedroom recipients.												
4. Goal Statement	Initiate Construction for Bedroom Additions with completed Planning Process												
Program Performance Measure/Objective	Complete Construction for approximately 60 - 100 bedroom additions - 1st Year												
5. Goal Statement	Program Performance Measure/Objective												
Dr. Fred Yehannes, Executive Director				Fenton Chase, Chief of Staff									
Program Manager's Printed Name				Debra M. Henshaw, Chief of Staff									
Signature				Signature									
Date				Date									
10.11.22				10/11/22									
Program Manager's Signature and Date				Debra M. Henshaw, Chief of Staff									
Signature				Signature									
Date				Date									
10.11.22				10/11/22									
Program Manager's Signature and Date				Debra M. Henshaw, Chief of Staff									
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10.11.22				10/11/22									
Program Manager's Signature and Date				Debra M. Henshaw, Chief of Staff									
Signature				Signature									
Date				Date									
10.11.22				10/11/22									
Program Manager's Signature and Date													

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WORKSITE CODE	FY 2022 ACTUAL		FY 2023 PROPOSED	
						G/S	SALARY	HOURS	BUDGET

No Positions Available

ADD need to reubmit 1/31/23

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page 4 of 6
BUDGET FORM 4

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>NEW</u>	
Program Name/Title: <u>NAFTRF 2.14: Bathroom Additions</u>			
PART II. DETAILED BUDGET:			
(A)	(B)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)		
8200 - ASSISTANCE			150,000,000
8780	<p>The Division of Community Development with funds from the NAFTRF funds to build ADA compliant bathrooms, connect the homes to electricity, provide the homes with drinking water through either a water cistern or water line, and provide the homes with a septic tank or connect the home to a sewer line.</p> <p>8788 Entry Grants</p> <p>1,000 Bathroom Additions are estimated for completion. Final cost per unit will depend on final estimates required to estimate bathrooms, for requirements. Funding will be through a sub-granted agreement with HTUA and shall include planning, water cisterns, septic cisterns, ROW/permits (as applicable), design work (as applicable), house wiring (as applicable), and the ADA compliant bathroom addition.</p>	150,000,000	
TOTAL		150,000,000	150,000,000

*EPIC need to resubmit.
4/13/23*

—
NN Dept of Justice's

Initial Eligibility Determination

For an allocation of

\$150,000,000

From the Navajo Nation Fiscal Recovery Fund/US ARPA for

Bathroom Additions

Administered and allocated to the

NN Division of Community Development

Approved and authorized via

Navajo Nation Council

Resolution CJN-29-22, Exhibit M-1



**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 #: HK0190

Date & Time Received: 14 April, 2022; 8:22 am

Date & Time of Response: 14 April, 2022; 2:04 pm

Entity Requesting FRF: Division of Community Development

Title of Project: Bathroom Additions

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$150,000,000

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 |
| <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 |

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.

Appendix “A”

Per BFS-31-21

**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: Division of Community Development Date prepared: 04/13/2022
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's P.O. Box 1904 phone/email: 928.871.7172
mailing address: Window Rock, Arizona 86515 website (if any): _____

Form prepared by: Calvin Castillo phone/email: ccastillo@nndcd.org
Division Director
CONTACT PERSON'S name, title and Department, Program, Office, etc. CONTACT PERSON'S Info

Title & type of Project: 1.14: Public Health Other for Bathroom Additions

NN Government Unit's Director or Manager: Calvin Castillo phone & email: 928.871.7172

Division Director (if any): _____ phone & email: _____

Branch Chief: Dr. Buu Nygren, President phone & email: 928.871.7000

Funding Recipient will be working with: _____ 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):
Sub-recipient Agreement with NTUA, Contracts with NECA and Other General Contracts ☐ document attached

Amount of FRF requested: \$150 Million FRF funding period: September 2022 - December 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:

Bathroom Additions program will use the funds to build ADA compliant bathrooms, connect the home to electricity, provide the home with drinking water through a water cistern or connection to a waterline, and provide the home with a septic tank or connect to a sewer system. Homes will also be provided with a water heater, wall heater, toilet, bathroom sink, and utility sink. Homes across the Navajo Nation will receive the services. This program addresses public health challenges that partly caused the unequal impact of the impact on the Navajo Nation.

☐ document attached

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

A shockingly high number of homes on the Navajo Nation lack access to one or more of the following utilities: electricity, water, wastewater, and broadband. ARPA Bathroom Additions projects will provide one or more utilities to a home that lacks them and will assist in promoting public health and economic stimulus. The Navajo people receiving the utilities will directly benefit from the program.

☐ 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:

This project estimates the successful completion of approximately 30 bathroom additions a month and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 31, 2026.

☐ document attached

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

DCD will be the oversight of the sub-recipient agreement with NTUA and NECA as well as any other general contractors that are hired to complete the construction of the services needed to facilitate the bathroom additions.

☐ 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 maintenance of the bathroom additions, septic systems, and cisterns system will be the responsibility of the bathroom addition recipient(s) after the 1-year construction warranty.

☐ 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:

1.14 Other Public Health Services. The Interim Final Rule states that "[g]iven the exacerbation of health disparities during the pandemic and the role of pre-existing social vulnerabilities in driving these disparate outcomes, services to address health disparities are presumed to be responsive to the public health impacts of the pandemic. Specifically, recipients may... facilitate access to resources that improve health outcomes including services that connect residents with health care resources and public assistance programs and build healthier environments such as: housing services to support healthy living environments and neighborhoods conducive to mental and physical wellness." Bathroom additions addresses the conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity and inadequate or poor housing quality. The program will build healthier environments.

☐ document attached

Part 3. Additional documents.

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


Estimated Cost Per Unit Attached.

Eligibility Criteria for Recipients Attached.

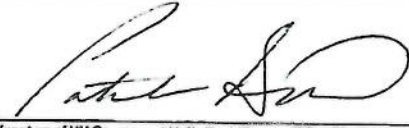
Part 4. Affirmation by Funding Recipient.

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:

NN Government Unit
Preparer:


signature of Preparer/CONTACT PERSON

Approved by:


signature of NN Government Unit's Dept/Program/Office Director or Manager

Approved to submit
for Review:


signature of Branch Chief or Division Director

2/8/2023

Print Name, Title,
Branch or Division:

Patrick Sandoval, Chief of Staff

print name and indicate title or position

Executive, OPVP

indicate Branch or Division

Project Budget Schedule

Per OMB

Budget Instructions Manual

Appendix “J”

(Gantt Chart)

Page ___ of ___
PROJECT FORM

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