



**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 #:** HK 795

**Date & Time Received:** 04/01/24 at 14:49

**Date & Time of Response:** 04/18/24 at 17:00

**Entity Requesting FRF:** Bodayay Gap Chapter

**Title of Project:** 1.7 Capital Investment for Public Facilities: Multi-purpose Building

**Administrative Oversight:** DCD

**Amount of Funding Requested:** \$7,526,651.00

**Eligibility Determination:**

- FRF eligible
- FRF ineligible
- Additional information requested

**FRF Eligibility Category:**

- (1) Public Health and Economic Impact
- (3) Government Services/Lost Revenue
- (2) Premium Pay
- (4) Water, Sewer, Broadband Infrastructure

**U.S. Department of Treasury Reporting Expenditure Category:** 6.1 Provision of Government 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 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 expenditure code from the requested 1.7 (Capital Investment for Public Facilities: Multi-purpose Building) to 6.1 (Provision of Government Services) to be consistent with similar previously approved projects.

A contractor has seemingly already been chosen for this Project; DOJ recommends ensuring that all procurement requirements - Navajo and federal - have been adhered to and documented.

Name of DOJ Reviewer: Katherine Belzowski

Signature of DOJ Reviewer: Katherine Belzowski

Digitally signed by Katherine Belzowski  
Date: 2024.04.18 07:01:13 -06'00'

**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](mailto: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 GOVERNANCE-CERTIFIED CHAPTERS

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Bodaway Gap Chapter Date prepared: 03/11/2024

Chapter's PO Box 1546 phone & email: 928-283-3493 bodaway@navajochapters.org  
mailing address: Cameron, AZ 86020 website (if any): bodaway.navajochapters.org

This Form prepared by: Andrea Dawes phone/email: 928-283-3491 adawes@nnchapters.org  
Chapter Manager

*CHAPTER CONTACT PERSON'S name and title*

Title and type of Project: 1.7 Capital Investment for Public Facilities: Multi-purpose Building

Chapter President: Dorothy Lee phone & email: 928-283-3493 dorothylee@naataanii.org

Chapter Vice-President: Lee Yazzie, Jr. phone & email: 928-283-3493 lyazziejr@naataanii.org

Chapter Secretary: Loretta T. Seweinyawma phone & email: 928-283-3493 ltsinigine@navajochapters.org

Chapter Treasurer: Loretta T. Seweinyawma phone & email: 928-283-3493 ltsinigine@navajochapters.org

Chapter Manager or CSC: Andrea Dawes phone & email: 928-283-3491 adawes@nnchapters.org

DCD/Chapter ASO: Milford Maloney phone & email: 928-283-3342 mmaloney@nndc.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Sole source contract requested under IDIQ contract with JSRa that is working with the Navajo Nation  document attached

Amount of FRF requested: \$7,526,651.00 FRF funding period: March 18, 2024 - September 30, 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:

The Bodaway Gap Chapter Multi-Purpose Building project will include design and construction of 8,810 sq. ft. new building to provide support services of the community including restrooms, public showers, meeting room, conference, HVAC upgrades and accessibility upgrades. The project will be located at the Bodaway Gap Chapter compound. The COVID-19 related needs for the community include proper public showers, access to public health staff and Chapter admin staff. The multipurpose will also second as a shelter when needed and an Incident Command Post during wether related or man-made disasters.  document attached

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

Most rural communities on the Navajo Nation lack access to governmental services, safe location for families during weather or man-made disasters and an Incident Command Center for local CERT, Navajo Nation, County and State Emergency Teams. The benefits from this project will contribute and strengthen direct mitigation, preparedness, response & recovery. Promote public health and economic development.  document attached

2024-03-19 14:20:31





**APPENDIX A**

(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:

03/18/2024 - 04/02/2024	Obtain a supporting resolution, design the buliding with JSRa
04/02/2024 - 06/28/2024	Submit to NN Council for approval and awarding
05/03/2024 - 09/30/2026	Construction and build of new multipurpose building including any challenges with timeline

document attached

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

Bodaway Gap Chapter Administration and Chapter Officials 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 Bodaway Gap Chapter will be responsible for operation 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:

**1.7 Capital Invetment for Public Facilities: Multi-purpose Building**

The Bodaway Gap Chapter is seeking funds for a new multi-purpose building. The current chapter house does not meet the growth of staff and programs to assist community members from Shadow Mountain to Marble Canyon within the Bodaway Gap Chapter service area. The multi-purpose building will house offices for the Chapter Administration, Senior Center Staff, a Community Health Representative, Police & EMT suboffice, meeting hall for Meetings and senior center meals. A computer room and fitness center to help with cultural revitalization, healthy living workshops, assistance with online applications: jobs, school, scholarships. A large conference that will second as an Incident Command Post with the meeting hall as a shelter.

document attached

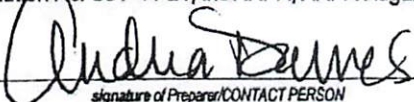
**Part 3. Additional documents.**


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

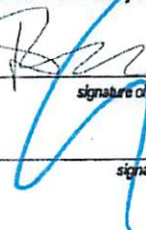
JSRa Multipurpose Building Prototype Site Adaptations Executive Summary  
Honorable Helena Nez-Begay Support Letter  
Chapter Land Information

**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 Official

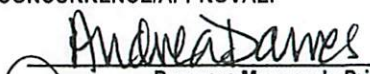

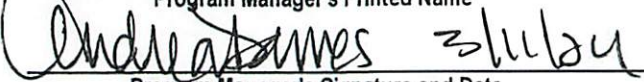
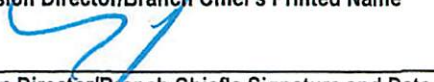
Approved to submit for Review:  signature of DCD or NNFRFO Director

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I Business Unit No.: <u>NEW</u>		Program Title: <u>Bodaway Gap Chapter - Capital Investment for Public Facilities: Multi-Purpose Building</u>		Division/Branch: <u>DCD/Executive</u>				
Prepared By: <u>Andrea Dawes, Chapter Manager</u>		Phone No.: <u>928-283-3493</u>		Email Address: <u>adawes@nnchapters.org</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
NN Fiscal Recovery Fund	<sup>13</sup> 04/02/24-09/30/26	7,526,651.00	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	7,526,651	7,526,651.00
				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	7,526,651.00	7,526,651.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:		\$7,526,651.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Andrea Dawes</u>			APPROVED BY: <u>Arbin Mitchell</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u>Andrea Dawes 3/14/24</u>			<u>[Signature]</u>					
Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					



THE NAVAJO NATION  
PROGRAM PERFORMANCE MEASURES

<b>PART I. PROGRAM INFORMATION:</b>				
Business Unit No.:	NEW	Program Name/Title: <u>Bodaway Gap Chapter - Capital Investment For Public Facilities: Multi-Purpose Building</u>		
<b>PART II. PROGRAM PERFORMANCE CRITERIA:</b>				
	1st QTR	2nd QTR	3rd QTR	4th QTR
	Goal	Goal	Goal	Goal
1. Program Performance Measure: Design Mult-purpose building				
Work with JSRa in design and construction plan for new multipurpose building				
			1	
2. Program Performance Measure: Construction of Multipurpose Building				
New build start to be completed by 09/30/2024				
				1
3. Program Performance Measure:				
4. Program Performance Measure:				
5. Program Performance Measure:				
<b>PART III. CONCURRENCE/APPROVAL:</b>				
 Program Manager's Printed Name		 Division Director/Branch Chief's Printed Name		
 Program Manager's Signature and Date		 Division Director/Branch Chief's Signature and Date		

THE NAVAJO NATION  
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION: <b>Bodaway Gap Chapter - Capital Investment For Public</b>			
Program Name/Title: <u>Facilities: Multi-Purpose Building</u>		Business Unit No.: <u>NEW</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  Construction of new Multi-Purpose Building at 8,810 sq. ft.	7,526,651	7,526,651
<b>TOTAL</b>		<b>7,526,651</b>	<b>7,526,651</b>



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.:</b> <u>NEW</u> Project Title: <u>Bodaway Gap Chapter - Capital Investment for Public Facilities: Multi-Purpose Building</u> Project Description: <u>Construction of a Multi-Purpose Building for the Bodaway Communities to have access to governmental services, shelter during disas location for an Incident Command Center.</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification														<b>PART II. Project Information</b> Project Type: <u>New Construction</u> Planned Start Date: <u>3/18/2024</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Andrea Dawes, CM</u>																			
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b>																		Expected Completion Date if project exceeds 8 FY Qtrs.														
	FY 2024												FY 2025								Date												
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			O	N	D	J	F	M			
03/18/2024 - 04/02/2024 Resolution and Design	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M			
04/02/2024 - 06/28/2024 Submit project to NN Council for approval and awarding						x	x	x	x																								
05/03/2024 - 09/30/2026 Construction and build of building including any challenges with timeline							x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x									
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL											
Expected Quarterly Expenditures	0.00			0.00			3,763,325.50			0.00			0.00			0.00			0.00			0.00			\$3,763,325.50								

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

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.: NEW</b> Project Title: <u>Bodaway Gap Chapter -Capital Investment for Public Facilities: Multi-purpose Building</u>													<b>PART II. Project Information</b> Project Type: <u>New Construction</u> Planned Start Date: <u>3/18/2024</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Andrea Dawes, CM</u>																										
Project Description <u>Construction of a Multi-Purpose Building for the Bodaway Communities to have access to governmental services, shelter during disas location for an Incident Command Center.</u>													Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification																										
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b>													Expected Completion Date if project exceeds 8 FY Qtrs.																									
	<b>FY 2026</b>												<b>FY 2025</b>												<b>Date</b>														
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.				O	N	D	J	F	M								
05/03/2024 - 09/30/2026 Construction and build of building including any challenges with timeline	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M									
	x	x	x	x	x	x	x	x	x	x	x	x																											
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			\$			<b>PROJECT TOTAL</b>														
Expected Quarterly Expenditures	0.00			0.00			3,763,325.50			0.00			0.00			0.00			0.00			0.00			0.00			\$7,526,651.00											

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





# BODAWAY GAP CHAPTER

*A Certified Chapter of the Navajo Nation*

Hwy 89 MP 498 N20 The Gap, Arizona 86020  
PO Box 1546 Cameron, Arizona 86020  
Office: (928) 283-3493 Fax: (928) 283-3496  
www.bodaway.navajochapters.org



*Dorothy Lee*  
PRESIDENT

*Lee Yazzie, Jr.*  
VICE PRESIDENT

*Loretta F. Sawcingyawsma*  
SECRETARY/TREASURER

*Leonard Sloan*  
GRAZING OFFICER

*Herbert Zahne*  
FARM BOARD MEMBER

*Helena Nez-Begay*  
COUNCIL DELEGATE

## RESOLUTION OF THE BODAWAY GAP CHAPTER

*Naaltsoos Bee Aa Nahodiitahhii*

**BA-03-042-24**

Sponsor: Andrea Dawes

**APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR CHAPTER AND REGIONAL PROJECT IN THE AMOUNT OF \$7,526,651.00 TO DESIGN AND CONSTRUCT A BODAWAY GAP CHAPTER MULTIPURPOSE BUILDING.**

**WHEREAS:**

1. Pursuant to Navajo Nation Codes Title 26, Section 3 (A), and Title 11, Section 10, the Bodaway/Gap Chapter is certified and recognized by the Navajo Nation Council, as listed at Navajo Nation Code Title 11, part 1, section 10; and
2. Pursuant to Navajo Nation Code Title 26 Section 1 (B) Bodaway/Gap Chapter is vested with the authority and responsibility to review all matters affecting the community, make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. Pursuant to Navajo Nation Code Title 26 Section 1 (B) Bodaway/Gap Chapter is given government authority with respect to local matters consistent with Navajo Law, including custom and tradition; and
4. Honorable Helena Nez-Begay has recognized that the Bodaway Gap Chapter and its communities are located in rural Navajo and lack access to basic governmental services, shelter-in-place during weather related and man-made disasters, and an Emergency Incident Command Center; and
5. The multipurpose building will accommodate the Chapter Administration, Senior Center Staff, Community Health Representative, Police & EMT suboffice, meeting hall to accommodate meetings, events and senior center dining; and
6. The following Navajo Nation Fiscal Recovery Fund documents will be attached:
  - a. Appendix A – Request Form & Expenditure Plan
  - b. Appendix B – Navajo Nation Budget Forms
  - c. Approving Chapter Resolution



**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Bodaway Gap Chapter hereby approves the Navajo Nation Fiscal Recovery Fund Expenditure Plans for the Chapter and Regional Project in the amount of \$7,526,651.00 to design and construct a Bodaway Gap Chapter Multipurpose Building.

**CERTIFICATION**

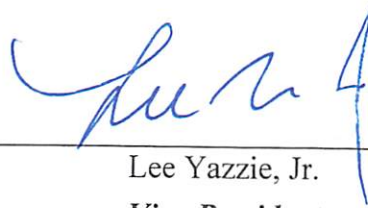
We, the undersigned Chapter Officials hereby certify the foregoing resolution which was discussed and considered by the Bodaway Gap Chapter voting membership at a duly called Regular Chapter Meeting at which a quorum was present and that same was passed on this 23<sup>rd</sup> day of May 2024, by a vote of 33 in favor, 00 opposed and 03 abstained.

MOTION BY: *Theresa Curley*

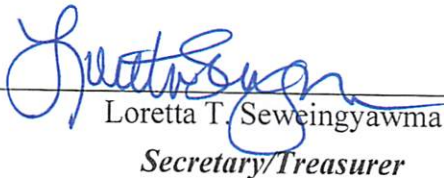
SECONDED BY: *Darlene Curley*



\_\_\_\_\_  
Dorothy Lee  
*President*



\_\_\_\_\_  
Lee Yazzie, Jr.  
*Vice-President*



\_\_\_\_\_  
Loretta T. Seweinyawma  
*Secretary/Treasurer*

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Leonard Sloan  
*Grazing Officer*

\_\_\_\_\_  
Honorable Helena Nez Begay  
*25<sup>th</sup> Navajo Nation Council*