



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 #: _____

Date & Time Received: _____

Date & Time of Response: _____

Entity Requesting FRF: _____

Title of Project: _____

Administrative Oversight: _____

Amount of Funding Requested: _____

Eligibility Determination:

- ☐ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- | | |
|--|---|
| <input 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: _____

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: _____

Signature of DOJ Reviewer: Rodgerick Begay

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.



MEMORANDUM

TO : Whom It May Concern

FROM : Tom Platero
Tom Platero, Executive Director
NAVAJO NATION FISCAL RECOVERY FUND OFFICE

DATE : May 22, 2023


SUBJECT : IMPLEMENTATION OF BFMY-08-23

Chapter Appendix A packets were prepared using the old forms and requirements under BFS-31-21. On May 9, 2023, the Navajo Nation Budget and Finance Committee passed BFMY-08-23 which amended certain appendices in BFS-31-21.

For purposes of this memorandum, the Appendix packet was changed in two ways: 1) the Appendix A form was updated; and 2) there is no longer a need that a Chapter resolution is required to be submitted containing a statement that the "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." This statement is incorporated into the new Appendix A form.

Currently, there are pending packets that used the old Appendix A form and/or lack the requisite Chapter Resolution. In the interest of time and given the effectiveness of BFMY-08-23, the FRF Office will resume the processing of pending packets despite it containing the old Appendix A form and/or the lack of the requisite Chapter Resolution. This will apply only for pending packets. All new requests will utilize the new Appendix A forms.

If you should have any questions, please contact me by email at t.platero@navajo-nsn.gov. Thank you.



Red Rock Chapter Warehouse Project

**THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Red Rock (Tse' Lichii') Chapter Date prepared: 11/17/22

Chapter's P.O. Box 2548 phone/email: (505) 905-8071/redrock@navajochapters.org
mailing address: Gallup, NM 87305 website (if any): redrock.navajochapters.org

This Form prepared by: Leatrice Nelson phone/email: (505) 905-8071/redrock@navajochapters.org
Leatrice Nelson, AMS/Delegated CSC lnelson@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Red Rock (Tse' Lichii') Warehouse Project

Chapter President: Louise Hoskie phone & email: (505) 905-8134/lhoskie@naataanii.org

Chapter Vice-President: Ida M. Nelson phone & email: (505) 905-8134/lnelson@naataanii.org

Chapter Secretary: Grace Boyne phone & email: grace48boyne@gmail.com

Chapter Treasurer: Grace Boyne phone & email: grace48boyne@gmail.com

Chapter Manager or CSC: Leatrice Nelson-Delegated phone & email: (505) 905-8071/lnelson@nnchapters.org

DCD/Chapter ASO: Guarena Adeky-SPPS phone & email: (505)905-1050/gadeky@nndcd.org

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

Amount of FRF requested: \$800,000.00 FRF funding period: December 2022 to September 30, 2024 ☐ 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:

The Red Rock Chapter Warehouse Project; The Red Rock Chapter Administration is requesting funds from the FRF for a large storage warehouse. The main purpose for this warehouse is to store goods (non perishable food), masks, cleaning supplies, Covid 19 home tests and park vehicles for emergencies; (deliver essentials) and keep more essential inventory on hand.

☒ document attached

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

The Red Rock community would benefit from a storage warehouse to be built, that will house supplies that are available on hand and ready for distribution. Due to the unpredictableness of the Covid 19 virus, it is very important to have essential supplies (food, masks, cleaning supplies & home Covid 19 tests) ready for distribution to the Red Rock community members.

☐ document attached

(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

APPENDIX A

Program(s) or Project(s) by December 31, 2026:

Request FRF funds from the Delegated Region for the short fall to cover the completion of the warehouse storage project.

Year; 2023 Request for funds

Year; 2024-2026; Plan, design, construct and complete.

☐ document attached

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

Red Rock Chapter Administration, Chapter Officials & CLUPC

Division of Community Development-ARPA

Red Rock Chapter Council Delegate

Vendor; Build commercial storage warehouse

NTUA, NECA, CDEC & Water Resources Dept.

☐ 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 Red Rock Chapter will own and maintain the storage warehouse building; clean, organize essential supplies, pay utilities and secure building.

☐ 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 storage warehouse falls under this category; it will facilitate as an emergency storage for daily essential needs to be distributed to community members during the Covid 19 pandemic and the waves of Covid 19 outbreak there after. The Red Rock Chapter will respond to the Covid 19 as a public health emergency.

☐ document attached

Part 3. Additional documents.

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

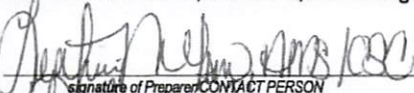
1. Resolution

☐ Chapter Resolution attached

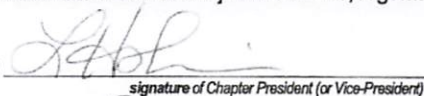
Part 4. Affirmation by Funding Recipient.

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:

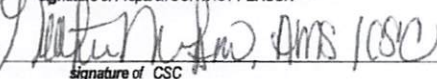
Chapter's
Preparer:


signature of Preparer/CONTACT PERSON

Approved by:


signature of Chapter President (or Vice-President)

Approved by:


signature of CSC

Approved by:


signature of Chapter ASO

Approved to submit
for Review:


signature of DCD Director

FY 2023

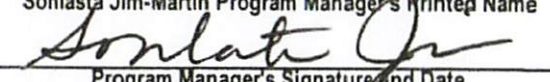
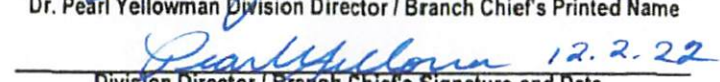
THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>K - (New)</u>				Program Title: <u>RED ROCK (TSE'LIHII) CHAPTER</u>		Warehouse Division/Branch: <u>DCD-Executive</u>			
Prepared By: <u>Leatrice Nelson, AMS/Delegated CSC</u>				Phone No.: <u>(505) 905-8071</u>		Email Address: <u>redrock@navajochapters.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
NNFRF FUNDS	7/15/05	460,000.00	100%					
CJN-29-22	<u>Dec 2022 - Sept 30 2023</u>	<u>800,000</u>		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	<u>6</u>		<u>300,000</u>	<u>300,000</u>
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	<u>800,000</u> 460,000.00	<u>800,000</u>
				PART IV. POSITIONS AND VEHICLES				
						(D)	(E)	
				Total # of Positions Budgeted:		<u>0</u>	<u>0</u>	
				Total # of Vehicles Budgeted:		<u>0</u>	<u>0</u>	
		<u>800,000</u>						
		460,000.00	100%					

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: <u>Sonlatsa Jim Martin</u> <u>Sonlatsa Jim-Martin Program Manager's Printed Name</u>  <u>Program Manager's Signature and Date</u>	APPROVED BY: <u>Pearl Yellowman</u> <u>Dr. Pearl Yellowman Division Director / Branch Chief's Printed Name</u>  <u>Division Director / Branch Chief's Signature and Date</u>
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FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: K - (New)

Program Name/Title:

RED ROCK (TSE' LICHII) CHAPTER

Warehouse

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Goal Statement:

To complete project development within Chapter compound

Program Performance Measure/Objective:

Warehouse/Community Public Bldg. & Facilities Construction

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

1

2. Goal Statement:

Monitor Active Construction, Meetings, Close out

Program Performance Measure/Objective:

Site Inspection, Meetings, Close out, Final Inspections

1

1

1

1

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.

Sonlatsa Jim-Martin

Sonlatsa Jim-Martin, Program Manager's Printed Name



Program Manager's Signature and Date


Pearl Yellowman, Division Director/Branch Chief's Printed
Division Director/Branch Chief's Signature and Date 12.2.22

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>RED ROCK (TSE'LICHII) CHAPTER</u> <u>(Warehouse)</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)
Request	Funds; Short fall request from DRP with Appendix A (Reequest Form & Expenditure Plan), Appendix B (Budget Forms) and Resolution	800,000	800,000
Plan	Implementing Project coordination with entities; RRC Admin, RRC Officials, RRC CLUPC, DCD, Council Delegate (DRP), NTUA, NECA, Dept. of Water and Storage Warehouse Vendor along with other Resources and/or other entities upon request.		
Design	Implement Plan for construction. Identify storage warehouse to built on Red Rock Chapter compound.		
Construct	Monitor and Implement construction of storage warehouse.		
Closeout	Completion of storage warehouse project.		
TOTAL		800,000	800,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page 1 of 1
PROJECT FORM

PART I. Business Unit No.: <u>New</u> Project Title: <u>Red Rock Chapter (Warehouse Project)</u> Project Description <u>Red Rock (Tse' Lichii) Chapter Storage Warehouse Project</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															PART II. Project Information Project Type: <u>Warehouse Bldg.</u> Planned Start Date: <u>Dec 22 12/1/22</u> Planned End Date: <u>30 Sep 26 9/30/2024</u> Project Manager: _____															
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																								Expected Completion Date if project exceeds 8 FY Qtrs. Date <u>9/30/2024</u>					
	FY 2023												FY 2024																	
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date					
	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
Storage Warehouse FRF Funds				X	X	X	X	X	X																					
Plan										X	X	X	X	X	X	X	X	X												
Design																			X	X	X									
Construct																						X	X	X	X	X	X	Cont'd		
Completion-Close Out (Est'd Sept 2026)																														
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures				<u>114,285⁷²</u>			<u>114,285⁷²</u>			<u>114,285⁷²</u>			<u>114,285⁷²</u>			<u>114,285⁷²</u>			<u>114,285⁷²</u>			<u>114,285⁷⁴</u>			<u>800,000⁰⁰</u>					

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



THE NAVAJO NATION RED ROCK CHAPTER #16

JONATHAN NEZ PRESIDENT
MYRON LIZER VICE PRESIDENT

Loisio Hoskie Chapter President
Ike M. Nelson, Chapter Vice-President
Grace M. Boyne, Chapter Secretary/Treasurer

Seth Damon, 24th Council Delegate
Vacant, Community Service Coordinator
Leatrice Nelson, Account Maintenance Specialist

Resolution of the Tse'Lichil Chapter RRC-016-2023-010

**APPROVING AND SUPPORTING RESOLUTION #CIN-29-22 OF THE 24TH NAVAJO NATION COUNCIL
LEGISLATION FOR CHAPTER AND REGIONAL PROJECTS IN THE AMOUNT OF \$8.8 MILLION TO
IMPLEMENT A NEW WAREHOUSE IN THE AMOUNT OF \$800,000.00 BY THE AMERICAN RESCUE PLAN
(ARPA). REQUEST FROM DELEGATE HONORABLE SPEAKER SETH DAMON'S SHORTFALL EXPENDITURE.**

WHEREAS:

1. Pursuant to 26 N.N.C., Section I, (B, (1), (2) and Section 103, the Tse'Lichil Chapter is recognized as a local government entity and delegated certain authorities and responsibilities with respect to local matters consistent with Navajo Nation law; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Tse'Lichil Chapter has the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, County and State government agencies; and
3. Because of the COVID-19 Pandemic, the United States government passed Legislation ARPA (AMERICAN RESCUE PLAN ACT) to allow the Navajo Nation is to support the COVID-19 public health and economic response by addressing COVID-19 and its support for the public health; and
4. The passage of ARPA (American Rescue Plan Act) is also to pay premium pay to eligible workers performing essential services and to make necessary investments in water, sewer and broadband infrastructure; and
5. The 24th Navajo Nation Council passed and approved Resolution CIN-29-22 which approved the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Chapter and regional projects and rural addressing, water and wastewater projects, broadband projects home electricity connection, and bathroom additions projects; and
6. The Navajo Nation received \$211,256,148 as a total allocation which is to be distributed equally between the 24th Chapters; the total allocation to each chapter is \$8,892,240; and
7. The Tse'Lichil Chapter is in need of a warehouse, large enough to house its equipment such road grader and other equipment; we are requesting that this be approved.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Tse'Lichil Chapter approves and supports Resolution #CIN-29-22 of the 24th Navajo Nation Council legislation which would allow the construction of a warehouse to house its equipment such as the road grader and other equipment.

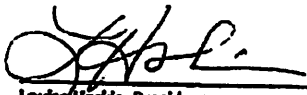
CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by the Red Rock Tse'Lichil Chapter at a duly called meeting at which time a quorum was present and was moved for adoption on this 15th day of November 2022.

1st Motion: Jimmy Morgan

2nd Motion: Lana Garcia

VOTE: 16 - 0 - 4


Louise Hoskie, President


Ida M. Nelson, Vice President


Grace Boyne, Secretary-Treasurer

TSE'LI'CHI (RED ROCK) CHAPTER: POST OFFICE BOX 2548 GALLUP, NM 87305 / PHONE (505) 905-8071 / 8135
FAX: (505) 905-1049 EMAIL: REDROCK@NAVAJOCCHAPTER.ORG OR TSE'LI'CHI.CHAPTER@YAHOO.COM