



The Navajo Nation
Yideeskáadi Nitsáhákees

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

August 30, 2023

Honorable Crystalene Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: CAU-73-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CMY-39-23 and CAP-11-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Steven R. Arviso's Delegate Region (Chapters: Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), to Include Additional Projects for this Delegate Region

Dear Speaker Curley,

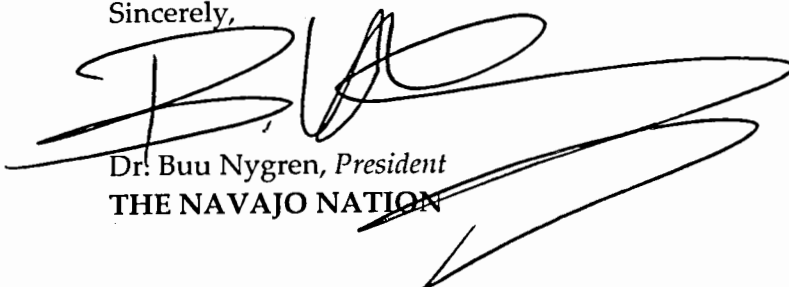
I am pleased to sign into law Resolution CAU-73-23 approving the amendments to the Fiscal Recovery Funds Delegate Regional Plan for Honorable Steven R. Arviso's Delegate Region for a total of \$6,220,434. 58 out of a potential allocated amount of \$8,802,340.00.

My Administration supports the plans of these Chapters we have worked very hard to put together their Regional Plans and are working closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice-President and we will work together to overcome it. As you know, my Administration has been working to put in place quicker and more flexible Navajo Nation systems. I look forward to working with you and the entire Council to improve Navajo Nation systems so that we are supporting our communities and taking advantage of this historic funding.

I do want us to be cognizant that the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This date is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on a proposed timeline.

Now let's get to work!

Sincerely,



Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
 AMENDING CMY-39-23 AND CAP-11-23, THE NAVAJO NATION FISCAL
 RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE STEVEN R.
 ARVISO'S DELEGATE REGION (CHAPTERS: CHURCHROCK, IYANBITO, MARIANO
 LAKE, PINEDALE, SMITH LAKE, THOREAU), TO INCLUDE ADDITIONAL
 PROJECTS FOR THIS DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law 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).
- D. Navajo Nation Council Resolution No. CAP-11-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Steven R. Arviso's Delegate Region (Chapter: Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) be approved by a Navajo Nation Council resolution and signed into law by 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).
- E. Navajo Nation Council Resolution No. CMY-39-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Steven R. Arviso's Delegate Region (Chapter: Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) be approved by a Navajo Nation Council resolution and signed into law by 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 TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, Section Three, states, in part and among other things, that
1. The Navajo Nation hereby approves total funding for the NNFRRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
 2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
 3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).

4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
 5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CAP-11-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE STEVEN R. ARVISO'S DELEGATE REGION (CHAPTERS: CHURCHROCK, IYANBITO, MARIANO LAKE, PINEDALE, SMITH LAKE, THOREAU), was signed into law by the President of the Navajo Nation on May 4, 2023.
- D. CAP-11-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution 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).
- E. The Navajo Nation Council Resolution No. CMY-39-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CAP-11-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE STEVEN R. ARVISO'S DELEGATE REGION (CHAPTERS: CHURCHROCK, IYANBITO, MARIANO LAKE, PINEDALE, SMITH LAKE, THOREAU), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the President of the Navajo Nation on June 8, 2023.
- F. CMY-39-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution 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).

- G. All additional projects listed in the Hon. Steven R. Arviso's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Steven R. Arviso's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- H. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Steven R. Arviso's Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Steven R. Arviso's Delegate Region (Chapters: Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) as set forth in Exhibit A.

SECTION THREE. AMENDING CMY-39-23 AND CAP-11-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE STEVEN R. ARVISO'S DELEGATE REGION (CHAPTERS: CHURCHROCK, IYANBITO, MARIANO LAKE, PINEDALE, SMITH LAKE, THOREAU), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Steven R. Arviso's Delegate Region (Chapters: Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution 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 FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 16 in Favor, and 00 Opposed, on this 25th day of August 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

8/28/23

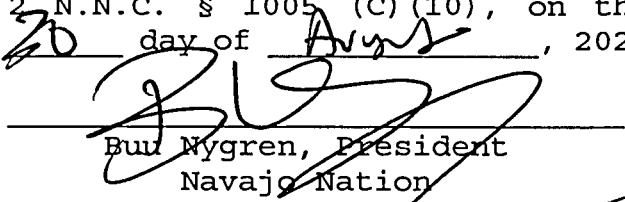
DATE

Motion: Honorable Amber Kanazbah Crotty
Second: Honorable Lomardo Aseret

Speaker Crystalyne Curley not voting

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 20 day of April, 2023.



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 _____, 2023 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 _____, 2023.

Buu Nygren, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Hon. Steven R. Arviso

Exhibit A

CHAPTERS: Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau

| FUNDING RECIPIENT | SUBRECIPIENT | EXPENDITURE PLAN / PROJECT | ADMIN OVERSIGHT | FRF CATEGORY | DOJ REVIEW # | AMOUNT |
|-----------------------------------|-----------------|---|-----------------------------------|--------------|--------------|-----------------|
| | | TOTAL AMOUNT APPROPRIATED in CAP-11-23 on May 4, 2023 | | | | \$ 902,209.12 |
| | | TOTAL AMOUNT APPROPRIATED in CMY-39-23 on June 8, 2023 | | | | \$ 4,141,169.79 |
| Division of Community Development | None Identified | Iyanbito Chapter Eligible Community Members and Rental and Utility Assistance Project | Division of Community Development | 2.2 | HK0301-2 | \$ 10,000.00 |
| Division of Community Development | None Identified | Mariano Lake Chapter Special Duty Pay for Essential Employees | Division of Community Development | 4.1 | HK0325-2 | \$ 49,999.00 |
| Division of Community Development | None Identified | Smith Lake Chapter Long Term Housing for Un-Housed People Project | Division of Community Development | 2.15 | HK0470-2 | \$ 350,000.00 |
| Division of Community Development | None Identified | Smith Lake Chapter Public Sector Workforce Project | Division of Community Development | 2.15 | HK0469-2 | \$ 300,000.00 |
| Division of Community Development | None Identified | Smith Lake Chapter Assistance for Community Members In-Need Project | Division of Community Development | 2.2 | HK0471-2 | \$ 467,056.67 |
| | | | | | | |
| | | | | | | |
| | | UN-ALLOCATED AMOUNT | | | | \$ 2,581,905.42 |

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

TOTAL: \$ 8,802,340.00



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 #: HK 470-2

Date & Time Received: 6/22/23 at 10:54

Date & Time of Response: 7/6/23 at 1103 am

Entity Requesting FRF: Smith Lake Chapter

Title of Project: Long Term Security - Services for Unhoused Persons 2.16/New Constructed Homes

Administrative Oversight: DCD

Amount of Funding Requested: \$350,000

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

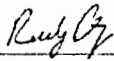
U.S. Department of Treasury Reporting Expenditure Category:
2.15, Long-term Housing Security: Affordable Housing

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: Rudy Anaya, Tax and Finance Unit

Signature of DOJ Reviewer: 

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.



SMITH LAKE CHAPTER The Navajo Nation

Box 60 • Smith Lake, New Mexico 87365 • Phone: 505.786.2141 • Fax: 505.786.2143 • Email:
smithlake@navajochapters.org

Dr. Buu Nygren, NN President

Richelle Montoya, NN Vice President

Steven Arviso, Council Delegate

INITIAL ELIGIBILITY DETERMINATION

Long term security-Services for Unhoused Persons 2.16 New Constructed Homes

Additional Information:

1. What is the criteria to be approved for a new home/how will recipients be selected? Please be specific, and include any family size and income limitations, as well as any other specific needs of the intended recipients.

The client has to be a registered voter, social security, documentation from other Agencies verifying individual housing needs. The selected recipient selection is based on being a high-risk client's illness under medical care, elderly limited physical mobility, veterans, clients living in old houses built in 1960s beyond repair. The Chapter does a home assessment and Chapter Coordinator determines if client is listed on new home list. The Chapter will work with Senior Center and Head Start Center data as who needs help with their housing needs to verify selection.

The housing choice with the Smith Lake Chapter based on the community members has various family size and very low-income families, the elderly, and the disabled to afford decent, safe, and decent housing. Because many families' member who needs a place to stay, it is not common for generations to live in a single household, many in a two-bedroom home.

The Chapter Administration accepts and review housing applications. The recipients will have to provide their homesite leases, plat survey, archeological, and environmental clarences.

2. Please explain how the cost estimates was determined and how BITCO was selected as the contractor.

The Chapter Administration did not specifically not select as our contractor. Bitco is an alternative and they gave the Chapter the courtesy of drafting the cost estimates. The Chapter will further look into a company that will provide more new homes for our community. The cost will matter and the size of the homes for our recipients.

3. Please describe how the estimated size and cost per home compares to homes in the area.

The homes in the Smith Lake area are 8 ft. height 26X30 in general a substandard housing. The housing assistance programs within the Navajo Nation builds for people in need of housing as a basic homestyle with kitchen, living room and the one or two-bedroom houses. It depends on the number of people in the household. The estimated cost would be an average cost of 40,000 to 50,000.

Currently the cost of housing material has double due to the pandemic it is more for the same type of homes built by the other housing programs. The estimated cost of a simple basic home would be 80,000 to 90,000. Which the Chapter request with ARPA fundings will only buy two homes.

4. If known, please explain whether the home construction projects would qualify for any federally funded housing programs, including but not limited to the national Housing Trust Fund, Indian Housing Block Grant Program, the Indian Community Development Block Grant program, or the BIA Housing Improvement Program.

No, federally funded program that provides housing assistance through new construction to the needy Navajo families living in substandard housing and have no other resource for housing assistance.

The funding we proposed is for the ARPA funds. Which to serve at least 5 or 6 applicants from the Smith Lake community.

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: Smith Lake Chapter Date prepared: 11/28/2022

Chapter's Smith Lake Chapter phone/email: (505) 786-2141
mailing address: PO Box 60, Smith Lake, NM 87365 website (if any): smithlake.navajochapters.org

This Form prepared by: June Chavez phone/email: (505) 786-2141
Community Services Coordinator jchavez@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Long Term Security - Services for Unhoused Persons 2.16/ New Constructed Homes

Chapter President: Anselm Morgan phone & email: sky_horse007@yahoo.com
Chapter Vice-President: Heather Yazzie-Kinlecheeny phone & email: hyazziekinlecheeny@naataanii.org
Chapter Secretary: Tyson Ramone phone & email: tyson.ramone@navajochapters.org
Chapter Treasurer: Tyson Ramone phone & email: tyson.ramone@navajochapters.org
Chapter Manager or CSC: June Chavez phone & email: jchavez@nnchapters.org
DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): BITCO Corporation
 document attached

Amount of FRF requested: 350,000.00 FRF funding period: 07/15/2022 - 09/30/2026
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 Smith Lake Chapter is requesting for \$350,000.00 to address the housing need in the community. The Long Term Housing Security: Services for unhoused persons (2.16) will assist Navajo Families in need will help eliminate the spread of COVID-19 among families living in multi-generational houses and provide new homes for homeless families. Burnouts which will provide sanitary infrastructure (water/ww and electricity) to help combat/mitigate COVID-19 during the pandemic.

document attached

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

The Long Term Security services for unhoused persons (2.16) will benefit Smith Lake Chapter community members in need of stable homes to provide a healthy and safe environment. Providing assistance with new constructed homes to the needy Navajo families in Smith Lake area. To ensure decent housing to the Navajo families facing pandemic challenges in our community.

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:

Housing projects will be completed by September 30, 2026. Smith Lake Chapter is tiering the housing (modular) projects into small manageable portions to ensure completion within the funding time frame. Progress will be reported to the Chapter Administration and Officials on a quarterly basis.

document attached

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

Smith Lake Chapter will be working in conjunction with BITCO Corporation construction supervisors and property managers at all priorities to ensure the safe implementation of all Housing (modular) projects. The site supervisors will report to BITCO Corporation CEO Jasmine Bitsui on a weekly basis.

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:

BITCO Corporation will be responsible for operation and maintenance costs for the Housing (Modular) project once completed. Smith Lake Chapter will fund these costs through ARPA funds CJN-29-22 and any other sources of funding Smith Lake Chapter receives in the future.

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:

Long Term Housing Security: Services for Unhoused Persons

BITCO Corporation will be completing the Housing (Modular) projects at each residential site. The completed house (modular) will have much needed internal and external home renovations, ensuring longevity and safety of each home. The completion of these houses (modular) projects will provide Smith Lake community members a complete home.

document attached

Part 3. Additional documents.

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

Chapter Resolution
Client listing

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: Jessie Choney
Signature of Preparer/CONTACT PERSON

Approved by: [Signature]
Signature of Chapter President (or Vice-President)

Approved by: Jessie Choney
Signature of CSC

Approved by: [Signature]
Signature of Chapter SO

Approved to submit for Review: [Signature] MNFRFO
Signature of DCO Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: K - (New) Program Title: Smith Lake Chapter (New Homes) Division/Branch: DCD/ASC
 Prepared By: June Chavez, CSC Phone No.: 505-786-2141 Email Address: jchavez@nnchapters.org

| 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 ARPA Funding - CJN-29-22 | 6/15/22 06/15/22-06/15/26 | 350,000.00 | 100% | 2001 Personnel Expenses | | | | |
| | | | | 3000 Travel Expenses | | | | |
| | | | | 3500 Meeting Expenses | | | | |
| | | | | 4000 Supplies | | | | |
| | | | | 5000 Lease and Rental | | | | |
| | | | | 5500 Communications and Utilities | | | | |
| | | | | 6000 Repairs and Maintenance | 6 | | 350,000 | 350,000 |
| | | | | 6500 Contractual Services | | | | |
| | | | | 7000 Special Transactions | | | | |
| | | | | 8000 Public Assistance | | | | |
| | | | | 9000 Capital Outlay | | | | |
| | | | | 9500 Matching Funds | | | | |
| | | | | 9500 Indirect Cost | | | | |
| | | | | TOTAL | | \$0.00 | 350,000.00 | 350,000 |
| TOTAL: | | | | PART IV. POSITIONS AND VEHICLES | | (D) | (E) | |
| | | | | Total # of Positions Budgeted: | | 0 | 0 | |
| | | | | Total # of Vehicles Budgeted: | | 0 | 0 | |

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

SUBMITTED BY: Sonlatsa Jim Martin APPROVED BY: Pearl Yellowman
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
Sonlatsa Jim Martin Pearl Yellowman 12.2.22
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

| | | | | | | | | | |
|---|--|---------|---|--|--------|---------|--------|---------|--------|
| PART I. PROGRAM INFORMATION: | | | | | | | | | |
| Business Unit No.: <u> K - (New) </u> | | | Program Name/Title: <u> Smith Lake Chapter (New Homes) </u> | | | | | | |
| PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: | | | | | | | | | |
| PART III. PROGRAM PERFORMANCE CRITERIA: | | | | | | | | | |
| | | 1st QTR | | 2nd QTR | | 3rd QTR | | 4th QTR | |
| | | Goal | Actual | Goal | Actual | Goal | Actual | Goal | Actual |
| 1. Goal Statement: | | | | | | | | | |
| <u>Provide housing to community members in need of a home</u> | | | | | | | | | |
| Program Performance Measure/Objective: | | | | | | | | | |
| <u>Assist by building homes for those in need</u> | | | | 1 | | 1 | | 1 | |
| 2. Goal Statement: | | | | | | | | | |
| _____ | | | | | | | | | |
| Program Performance Measure/Objective: | | | | | | | | | |
| _____ | | | | | | | | | |
| 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 | | | | Pearl Yellowman | | | | | |
| _____ Program Manager's Printed Name | | | | _____ Division Director/Branch Chief's Printed Name | | | | | |
| <u>Sonlatsa Jim</u> | | | | <u>Pearl Yellowman 12.2.22</u> | | | | | |
| _____ Program Manager's Signature and Date | | | | _____ Division Director/Branch Chief's Signature and Date | | | | | |

FY 2023

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3
 BUDGET FORM 4

| PART I. PROGRAM INFORMATION: | | | |
|---|---|---------------------------------------|------------------------------------|
| Program Name/Title: <u>Smith Lake Chapter (New Homes)</u> | | Business Unit No.: <u>K - (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) |
| 6 | 9000 - Capital Outlay Purchase modular homes for unhoused Smith Lake Community Members | 350,000 | 350,000 |
| TOTAL | | 350,000 | 350,000 |



SMITH LAKE CHAPTER

The Navajo Nation

P.O. Box 60 Smith Lake, New Mexico 87365

Phone: 505.786.2141 Fax: 505.786.2143

Email: smithlake@navajochapters.org

Dr. Buu Nygren, NN President

Richelle Montoya, NN Vice President

Steven R. Arviso, Council Delegate

RESOLUTION OF SMITH LAKE CHAPTER SLC-03/2023-005

ACCEPTING AND APPROVING THE UTILIZATION OF THE AMERICAN RESCUE PLAN ACT (ARPA) DELEGATE REGIONAL CHAPTER FUNDING ALLOCATION TO SMITH LAKE CHAPTER IN THE AMOUNT OF \$1,467,056.67 FOR FOUR (4) COMMUNITY-CENTERED PROJECTS AND EXPENDITURE PLANS

WHEREAS:

1. Smith Lake Chapter is a duly recognized and certified local government of the Navajo Nation Government, pursuant to 26 N.N.C. Local Governance Act, under Section 1, whereas the Navajo Nation Council Delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition, and other enactments stated within this law.
2. The Smith Lake Chapter membership recognizes the requested amendments from the Navajo Nation Department of Justice (DOJ) and Navajo Nation Fiscal Recovery Fund Office (NNFRF) to the previously approved ARPA Resolution No. SLC-10/2022-001 REQUESTING THE NAVAJO NATION COUNCIL RESOURCES & DEVELOPMENT COMMITTEE (RDC) TO APPROVE & ENACT LEGISLATION TO AUTHORITY CONSENT FOR INFRASTRUCTURE PROJECTS FUNDED BY ARPA/NNFRF & OTHER FUNDING SOURCES THAT WILL BENEFIT & MEET THE BASIC NECESSITIES OF HOUSING, WATER, POWER & TELECOMMUNICATIONS FOR NAVAJO PEOPLE. On October 21st, 2022, this resolution passed by a vote of 17 in favor, 0 opposed, and 2 abstained.
3. Smith Lake Chapter was allocated \$1,467,056.67 under the Navajo Nation Council Legislation CJN-29-22 for Chapter and Regional Projects; and
4. Smith Lake Chapter established and prioritized four (4) Delegate Regional Expenditure Plans in accordance with the NNFRFO and the Division of Community Development (DCD) policies; and
5. The Smith Lake Chapter membership discussed and agreed to propose the following community-centered projects and budgets:
 - A. Assistance for Community Members in Need - \$467,056.67
 - B. Home Renovation Assistance - \$350,000.00
 - C. Long Term Security – Services for Unhoused Persons - \$350,000.00
 - D. Public Sector Workforce – Other - \$300,000.00
6. Smith Lake Chapter recognized the need for these projects to improve the quality of life for its residents while combating and recovering from the COVID-19 pandemic; and
7. Smith Lake Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Smith Lake Chapter, hereby, accepts and approves the utilization of the American Rescue Plan Act (ARPA) Delegate Regional Chapter Funding allocation to the Smith Lake Chapter in the amount of \$1,567,056.67 for four (4) community-centered projects and expenditure plans.





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Dr. Buu Nygren, NN President

Richelle Montoya, NN Vice President

Steven R. Arviso, Council Delegate

**RESOLUTION OF SMITH LAKE CHAPTER
SLC-03/2023-005**

**ACCEPTING & APPROVING THE UTILIZATION OF THE AMERICAN RESCUE PLAN ACT (ARPA)
DELEGATE REGIONAL CHAPTER FUNDING ALLOCATION TO SMITH LAKE CHAPTER IN THE
AMOUNT OF \$1,467,056.67 FOR FOUR (4) COMMUNITY-CENTERED PROJECTS & EXPENDITURE
PLANS**

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Smith Lake Chapter at a duly called Chapter Meeting at the Smith Lake Chapter (Navajo Nation), at which a quorum was present and that same was passed by a vote of 16 in favor, 0 opposed, and 3 abstained on the 21st day of March 2023 in Smith Lake, Navajo Nation.

Anselm Morgan, President

Motioned by: JD Kinlacheeny

Seconded by: Edmund Henry

Heather Yazzie-Kinlacheeny, Vice President

Tyson Ramone, Secretary/Treasurer





SMITH LAKE CHAPTER

The Navajo Nation

P.O. Box 60 Smith Lake, New Mexico 87365

Phone: 505.786.2141 Fax: 505.786.2143

Email: smithlake@navajochapters.org

Jonathan Nez, NN President

Myron Liser, NN Vice President

Edmund Yazzie, Council Delegate

RESOLUTION OF SMITH LAKE CHAPTER SLC-10/2022-001

REQUESTING THE NAVAJO NATION COUNCIL RESOURCES & DEVELOPMENT COMMITTEE (RDC) TO APPROVE & ENACT LEGISLATION TO AUTHORIZE CONSENT FOR INFRASTRUCTURE PROJECTS FUNDED BY ARPA/NNRF & OTHER FUNDING SOURCES THAT WILL BENEFIT & MEET THE BASIC NECESSITIES OF HOUSING, WATER, POWER, & TELECOMMUNICATIONS FOR NAVAJO PEOPLE

14. We need a bold solution to allow critical infrastructure projects that benefit the Navajo people to move forward and meet funding deadlines, while still respecting the rights and concerns of the Grazing Permittees; and
15. The most effective solution to this problem is to enact legislation that allows the Navajo Nation to approve TAAs and/or ROW consents in a timely manner to benefit Navajo people and chapters; and
16. A potential legislative solution for the Resources and Development Committee (RDC) to consider by enactment of legislation is a situation, where Grazing Permittees cannot be found or are unwilling to give consents under the following conditions:
 - A. The project must provide a public benefit to the Navajo people, such as water and power supply and distribution, service line extensions, or economic/community development; and
 - B. The Project Sponsor(s) shall document their efforts to reach out to the Grazing Permittee(s) prior to construction to give them the opportunity to ask questions and voice their concerns, how contact/notification was made, why consent was not obtained, and what effort was made to mediate peacemaking efforts; and
 - C. Reasonable efforts typically consist, at the minimum, of at least three (3) attempt to contact permittees by phone, email, mail and/or person; and
 - D. The Grazing Permittee shall have thirty (30) days to respond to the project sponsor and, in the absence of such a response, they shall be deemed to have waived any objection to the project.
 - E. A Grazing Permittee not having an updated tally count or who is otherwise out of compliance with the grazing lease cannot raise objection; and
 - F. There shall be at least one (1) peacemaking session with an elected official to allow the Grazing Permittee to state his/her grounds for the objection or to reach an agreement; and
 - G. If an infrastructure project traverses more than one (1) grazing permit, obtaining consent from 50% or more of the grazing permittees affected by the overall project shall be deemed sufficient for project approval. Consent for every single grazing permit shall not be required. If an infrastructure project traverses only one (1) grazing permit, consent from the grazing permittee(s) shall not be required; and
 - H. The Project Sponsor(s), Chapter officials and their designees shall be authorized to obtain consent signatures; and
 - I. This option/waiver is only for infrastructure projects, such as water, wastewater, electric, telecommunications, that benefit the Navajo people, and shall apply regardless of project funding source; and
 - J. This policy shall not apply to projects such as oil and gas or other projects that do not benefit the Navajo people.
 - K. This streamline policy shall "sunset" on December 31st, 2026, unless extended by RDC.
17. This option would provide the following benefits:
 - A. Expedite delivery of basic and life-essential services to the Navajo people; and
 - B. Meet stringent funding deadlines to avoid loss of funding; and
 - C. Streamline administrative processes for a specific time to achieve completion of necessary and essential basic infrastructure to the Navajo people; and
 - D. Create jobs for Navajo people by getting projects into construction; and
 - E. Respecting rights of Grazing Permittee(s) by employing appropriate communication and attempts to obtain consent for the delivery of basic infrastructure to existing homesteads, with the understanding that certain waivers may result due to non-consent.

Anselm Morgan, President

Heather Yazzie-Kinalacheony, Vice President
Anthony Begay, Land Board (Smith Lake & Mariano Lake)

Tyson Ramone, Secretary/Treasurer





SMITH LAKE CHAPTER

The Navajo Nation
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Email: smithlake@navajochapters.org

Jonathan Nas, NN President

Myron Liber, NN Vice President

Edmund Yazzie, Council Delegate

**RESOLUTION OF SMITH LAKE CHAPTER
SLC-10/2022-001**

**REQUESTING THE NAVAJO NATION COUNCIL RESOURCES & DEVELOPMENT COMMITTEE (RDC)
TO APPROVE & ENACT LEGISLATION TO AUTHORIZE CONSENT FOR INFRASTRUCTURE
PROJECTS FUNDED BY ARPA/NNFRF & OTHER FUNDING SOURCES THAT WILL BENEFIT & MEET
THE BASIC NECESSITIES OF HOUSING, WATER, POWER, & TELECOMMUNICATIONS FOR NAVAJO
PEOPLE**

NOW THEREFORE BE IT RESOLVED THAT:

- 1. The Smith Lake Chapter membership hereby requests that the Navajo Nation 24th Council Resources & Development Committee (RDC) approve and enact legislation to authorize consent for infrastructure projects funded by ARPA-NNFRF & other funding sources that will benefit and meet the basic necessities of water, power, and telecommunications for Navajo people.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Smith Lake Chapter at a duly called Chapter Meeting at the Smith Lake Chapter (Navajo Nation), at which a quorum was present and that same was passed by a vote of 17 in favor, 0 opposed, and 2 abstained on the 21st day of October 2022 in Smith Lake, Navajo Nation.

Anselm Morgan, President

Motioned by: JD Kinlacheeny
Seconded by: Esther House

Heather Yazzie Kinlacheeny, Vice President

Tyson Ramona, Secretary/Treasurer

Anselm Morgan, President

Heather Yazzie-Kinlacheeny, Vice President
Anthony Begay, Land Board (Smith Lake & Mariano Lake)

Tyson Ramona, Secretary/Treasurer





Building the World into a Better Space

317 Commercial St NE | Albuquerque NM | 87102
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Bitco Corporation is a Navajo 100% owned commercial contractor licensed in Arizona, New Mexico, California with a Civil Engineering License. Please the statement of Bitco's qualifications for the sake of General Construction Services, Project Management and Professional Services. In these uncertain economic times our company finds projects offer gainful employment, and business opportunities for the Navajo laborers & subcontractors on and off the reservation. We find it as our social responsibility to provide our people with opportunity. Furthermore, Bitco has a firm commitment to identify cutting edge technology construction and professional services.

Seeking other Native owned business Bitco's Pro-Native subcontractor labor plan extends beyond a cursory review of the Native Business Source Lists, PTAC lists, through our working relationships, and Native business network.

Maximizing Native labor participation. Bitco maximizes all efforts to hire Native labor by taking a leading role in the enforcement of Navajo preference by our subcontractors, grass roots efforts into the community to find small businesses.

Turnkey experience assures quality controls Bitco will meet customers' target's of time/schedule, budget and specifics building parameters; we provide higher quality, lower costs, shorter schedules, and great customer service.

Bitco's strength is over 30 years of experience We ensure customers receive the highest quality facility with a Navajo cultural signature.

Any inquires or clarification contact:



Jeremiah Bitsui
CEO/President
c) 310.749.2975



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www.bitcocorp.com

317 Commercial Street NE | Albuquerque, NM 87102

Bitco Statement of Qualifications as a Navajo General Contractor licensed in Arizona, New Mexico, and California. Historically, our core business has been building modular and commercial structures for the Navajo Nation. We have a long standing history of working for the Navajo Nation with over 45 facilities working for such clients as: Navajo Head Start, Senior Centers, Behavioral Health, Community Development, Chapter Houses, Department of Corrections and Navajo Nation Gaming Enterprises. Our scope of work includes Design-Build construction services specifically for pre-engineered modular buildings. Our goal is to provide a well-designed functional, durable building system that will last generations beyond. Bitco is dedicated to effective communication with the Owner to manage projects from preliminary design to final acceptance. Our "fast track" design-build expertise on the Navajo Nation allows for an expedited construction process from design, construction, permitting, inspections, and final acceptance. This expedited service delivery motivated a niche in providing cutting edge construction solutions to the advantage of our people.

Our company has been focused on the well being and standard of living for our Nation. Therefore, to improve the lives of other Navajos we remain broad based in our strategies & solutions. In the foundational years of our business we focused on work that related to our prior expertise which was just Project Management, Modular Construction, and Civil Construction. More recently we've begun to focus on broad based needs ranging from more permanent pre-built (modular construction), soil stabilization (for dirt roads, pond liners, ditch liners, housing bricks), General Construction Services, and Smart City Infrastructure.

Last yet not least is Bitco's smart community building solutions, with this division we have pre-engineered building systems and other solutions for immediate housing, remote off-grid utility systems, and wireless fiber Internet. The need this opportunity derived from was the challenging housing need for the Navajo Nation, being that small communities and families are spread through 35,000 square miles of land. Infrastructure such as roadways, electricity, gas lines, water, and sewage & waste disposal all add to the challenge. Scalability is a viable factor in traditional infrastructure planning for communities', running a mile of wet & dry utility for one family is excessive however there's still a need.



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CEO Resume



Jeremiah Bitsui

Chief Executive Officer and Bitco Owner

Years of Experience: Bitco Owner/CEO 14 Years, Film/TV 15 years,
Soft Skill Developmental Training Workshops 6 years

Education: Santa Monica College, Associates of Arts 2002, University of
Phoenix, Bachelors of Science Degree, Business Administration

Founded Bitco in 2008 with his late father Edison Bitsui after working along side him in construction for 10 years prior. As a father and son team Bitco completed over \$50 million in construction and road projects. Jeremiah has worked actively in construction management and through every facet of the business from leading demolition crews to executive management. Jeremiah takes an active role in the management and administrative aspect of construction and all phases of planning and project implementation. At a high level of construction and project management he has helped building a casino, a detention facility, and jewelry manufacturing facility. Most recently he has brought a new technology to advance uranium remediation & cleanup on the Navajo Nation. Amid the 2020 pandemic he has brought pre-engineered solutions to front lines to aid the risk in highly vulnerable areas. His skills include high level executive negotiations, team-facilitation, client programming, modular cost evaluation, leadership and course design for training programs. On a personal note Jeremiah is a Husband and Father of two while maintaining his personal work in film/TV. In his past he has devoted time to federal and state government programs such as School-to-Work, Drug Elimination, Tobacco Prevention, High Risk Youth Advocacy & Employment and Training intervention.



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RECENT PROJECT HIGHLIGHTS

Recently Completed Project Highlights



Navajo Arts and Crafts Enterprise Production and Warehouse Facility

State of the art jewelry and crafts production facility with hazardous material drains and waste catch. The two story warehouse serves both product warehouse, and shipping & loading for distribution.

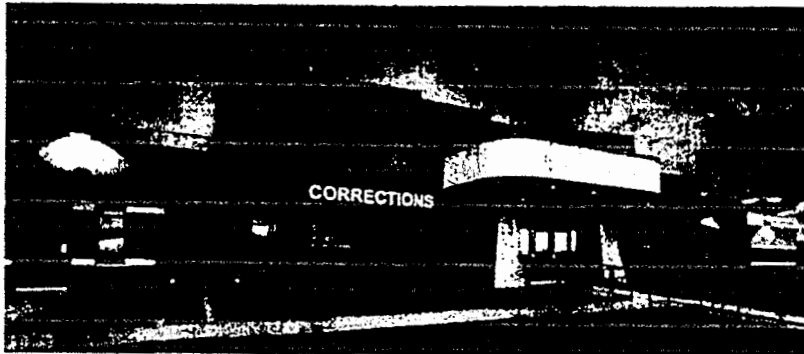
Budget and Square Footage: \$3.5 million 11,130 square feet

Type of Construction: Modular and CMU hybrid

Design/Build dates: July 2016- July 2017

Client: Navajo Arts and Crafts Enterprises

Contact: Available upon request



Kayenta Multipurpose Judicial Complex

Complete 80 bed correctional facility with police substation with armory, the project was Bitco's largest project to date.

Budget and Square Footage: \$35 million 100,000 sq ft

Type of Construction: Modular and CMU hybrid

Construction Management at Risk Project dates: July 2011 - July 2015

Client: Navajo Nation Department of Corrections

Contact: Available upon request

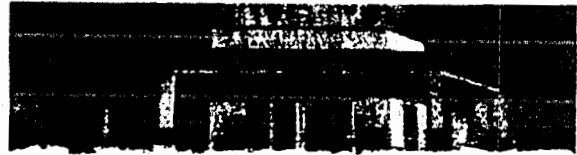
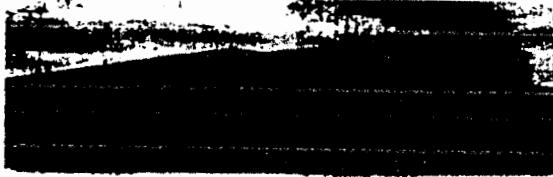


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Kaibeto Behavioral Health Building

As general contractor, BITCO performed the Permanent Modular Steel Construction, transport, erection, site preparation, concrete slab foundation, utility infrastructure and final connections, site improvements, inspections and final agency approval certificates in Window Rock, AZ. BITCO also managed the design services for the Navajo Nation, including space programming, schematics, value engineering to budget, construction drawings & documents, permits, certificate of occupancy.

The project scope Included the building, parking, and associated site work.

Type: New Design-Build to Budget
Self-performed: 40%

Size: 8,940 SF
Contract: \$3,481,000

Design Dates: Jul 2013-Oct 2013
Construction Dates: Oct 2013-Jun 2014

Owner: Navajo Nation
Location: P.O. Box 2425
Window Rock, AZ 86515

Key Issues: Sometimes working with the NTUA can be a hassle and result in project slowdown. BITCO met with them early to ensure faster interaction.

Navajo Nation Reference:

Mike Salabiye
(928) 797-2887
m.salabiye@nndoh.org

Flowing Water Casino

As construction manager at risk (CMAR), BITCO utilized it's expertise in speciality modular construction and site set-up. In this case the design and time restrictions called for renovating 12 relocatable used modular buildings. The final product equated to a brand newly renovated 8,640 square-foot facility features bingo and 120 gaming machines. To-date Flowing Water is the most profitable of all Navajo Nation Gaming Enterprise casinos.

Type: Construction Management at Risk
Self-performed: 60%

Size: 8,640 SF
Contract: \$3.1 million

Design Dates: Mar 2010-August 2010
Construction Dates: Jun 2010-Aug 2010

Owner: Navajo Nation Gaming Enterprise
Location: 1801 W Rte 66 #100,
Flagstaff, AZ 86001

Value Engineering: The owner decided to purchase a modular building compared to site construction because its lack of periodic maintenance was attractive to them for both response time and cost reasons.

Key Issues: BITCO was aware of the lack of service to the two remote facilities, as the weather can be a factor during winter conditions. The closest maintenance staff was in Window Rock, Arizona and it could take a couple of days for them to respond to a service order.

Navajo Nation Reference:

Mary West
(505) 879-2736
mwest@nnge.org



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List of Past Commercial Navajo Projects

ARIZONA Navajo Nation Arts & Crafts Production Facility
NEW MEXICO Flowing Water Casino
ARIZONA Kayenta Multi-Purpose Judicial Complex
ARIZONA Kaibeto – Behavioral Health Services
ARIZONA Ft. Defiance – Behavioral Health Services
NEW MEXICO Crownpoint Veterans Center
NEW MEXICO Littlewater Head Start
NEW MEXICO Flowing Water Casino
ARIZONA Ft. Defiance Behavioral Health Center
NEW MEXICO Alamo Senior Center
NEW MEXICO Nahodeegishi Senior Citizens Center (Crownpoint)
NEW MEXICO Tohatchi Head Start
ARIZONA Lupton Multi Purpose Chapter Building
NEW MEXICO Manuelito Senior Citizens Center
NEW MEXICO Herfano Senior Citizens Center
NEW MEXICO Kayenta Courthouse

Listed Past Road Improvement (Stablization) Projects

Navajo Nation Department of Transportation -- Blue Canyon
Navajo Nation Department of Transportation — White Clay



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List of Professional References

PAST CLIENTS:

Navajo Dept. of Corrections: Delores Greyeyes (928) 871-7555

Navajo Arts & Crafts: Elijah Muskett (928) 871-4090

Navajo Gaming Enterprise: Mary West (505) 879-2736

Navajo Behavioral Health: Mike Salibye (505) 722-2442

PAST PARTNERS:

ESB Design Build: Erica Misuraca (520) 682-9024

AUI INC: Sam Baca (505) 242-4848

PAST SUBCONTRACTORS:

6 Ten: Steven Tenorio (505) 480-8888

Chuck Howe: (928) 310-6898

Apex Modular: Joe Green (469) 715-7693



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