



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** **VICE PRESIDENT**

August 4, 2023

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

RE: *CJY-51-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CAP-21-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Herman M. Daniels, Jr.'s Delegate Region (Chapters: Tsaah Bii Kin, Navajo Mountain, Shonto, Oljato), to Include Additional Projects for this Delegate Region*

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-51-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Daniel's Delegate Region in the amount of \$2,405,791.34.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very 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 inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline 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 the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Nygren", written over a large, stylized blue scribble.

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 CAP-21-23, THE NAVAJO NATION FISCAL RECOVERY FUND
 DELEGATE REGION PROJECT PLAN FOR HONORABLE HERMAN M. DANIELS, JR.'S
 DELEGATE REGION (CHAPTERS: TSAH BII KIN, NAVAJO MOUNTAIN, SHONTO,
 OIJATO), 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-21-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Herman M. Daniels, Jr.'s Delegate Region (Chapter: Tsah Bii Kin, Navajo Mountain, Shonto, Oljato) 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. The 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 NNFRF 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-21-23, 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 HERMAN M. DANIELS, JR.'S DELEGATE REGION (CHAPTERS: TSAH BII KIN, NAVAJO MOUNTAIN, SHONTO, OLJATO), was signed into law by the President of the Navajo Nation on May 5, 2023.
- D. CAP-21-23, 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. All additional projects listed in the Hon. Herman M. Daniels, Jr.'s Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Herman M. Daniels, Jr.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Herman M. Daniels, Jr.'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. Herman M. Daniels, Jr.'s Delegate Region (Chapters: Tsah Bii Kin, Navajo Mountain, Shonto, Oljato) as set forth in **Exhibit A**.

SECTION THREE. AMENDING CAP-21-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE HERMAN M. DANIELS, JR.'S DELEGATE REGION (CHAPTERS: TSAH BII KIN, NAVAJO MOUNTAIN, SHONTO, OLJATO), 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 Hon. Herman M. Daniels, Jr.'s Delegate Region (Chapters: Tsah Bii Kin, Navajo Mountain, Shonto, Oljato) 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 21 in Favor, and 00 Opposed, on this 18th day of July 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

7/27/23

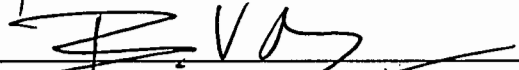
DATE

Motion: Honorable George H. Tolth
Second: Honorable Rickie Nez

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 4 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

Exhibit A

COUNCIL DELEGATE: Hon. Herman M. Daniels, Jr.

CHAPTERS: Tsah Bii Kin, Navajo Mountain, Shonto, Ojato

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-21-23 on May 5, 2023				\$ 3,487,559.00
Division of Community Development	*Tsah Bii Kin Chapter	Tsah Bii Kin Chapter Warehouse Project	Division of Community Development	6.1	HK0503	\$ 1,267,200.00
Division of Community Development	*Tsah Bii Kin Chapter	Tsah Bii Kin Chapter House-Wiring and Electrification Project	Division of Community Development	2.18	HK0504	\$ 425,446.34
Division of Community Development	*Tsah Bii Kin Chapter	Tsah Bii Kin Chapter Renovation Project	Division of Community Development	2.18	HK0505	\$ 713,145.00
		UNALLOCATED AMOUNT				\$ 2,908,989.66
					TOTAL:	\$ 8,802,340.00

*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."



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 0503

Date & Time Received: 5/17/23 at 17:04

Date & Time of Response: 5/19/23 at 17:00

Entity Requesting FRF: Ts'ah Bii Kin Chapter

Title of Project: Ware House

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,267,200

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:

6.1, Provision of Government Services

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- Missing Form
- Supporting documentation missing
- Project will not be completed by 12/31/2026
- Ineligible purpose
- Submitter failed to timely submit CARES reports
- Additional information submitted is insufficient to make a proper determination
- Expenditure Plan incomplete
- Funds will not be obligated by 12/31/2024
- Incorrect Signatory
- Inconsistent with applicable NN or federal laws

Other Comments: Please note that we have modified the expenditure category from 1.14 (Other Public Health Services) to 6.1 (Government Services). Given the intended uses of the warehouse and the amount of funding involved, the government services category is a better fit for the Project.

Name of DOJ Reviewer: MacArthur Stant II

Signature of DOJ Reviewer: MacArthur Stant

Digitally signed by MacArthur Stant
Date: 2023.05.19 12:05:44 -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@nndojo.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.

Inscription House Warehouse

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Ts'ah Bii Kin Chapter Date prepared: 10/7/2022

Chapter's mailing address: PO Box 1755 Kaibeto, AZ 86053 phone & email: (928) 672-2337 tsahbiikin@navajochapters.org
website (if any): tsahbiikin.navajochapters.org

This Form prepared by: Earl L Sombrero phone/email: (928) 673-8004
Earl L Sombrero, Chapter Manager esombrero@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Ware House

Chapter President: Gerladine Chee phone & email: (928) 660-2231 gchee@naataanii.org

Chapter Vice-President: Chancy Nodestine phone & email: (928) 401-8451 cnodestine@naataanii.org

Chapter Secretary: Dellard Curley phone & email: (928) 814-6230 dcurley@navajochapters.org

Chapter Treasurer: Dellard Curley phone & email: (928) 814-6230 dcurley@navajochapters.org

Chapter Manager or CSC: Earl L Sombrero phone & email: (928) 673-8004 esombrero@nnchapters.org

DCD/Chapter ASO: Calvin Tsosie phone & email: (928) 429-0096 cetsosie@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Upon funding the Chapter will solicit a vendor for this project. document attached

Amount of FRF requested: \$1,267,200.00 FRF funding period: 10/01/2022 - 12/31/2026
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 scattered warehouse proposal will bring forth the needed space for the storage of necessities during any and all emergencies in the future. During the past several years when the Navajo Nation was hit with a world wide pandemic, the Ts'ah Bii Kin Chapter had not proper space available to store personal protective equipment nor other items that would need to be stored for distribution to the community. By establishing a storage facility for such use would greatly benefit the community.

document attached

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

The intent of the project is to bring forth a place that would house items that come in bulk for community distribution. Furthermore, this would also provide an opportunity to have a place to store heavy equipment and other vehicles that would be used for distributions or to assist community members in any emergency situations. This Tsah Bii Kin Chapter understands that warehouse facilities provide perfect PPE storage because you are able to lock your PPE away. When the Chapter gets this warehouse it will ensure that it limits the amount of people who can access this

document attached

(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:

APPENDIX A

Solicit consultant by RFP 2nd Qrt of FY 2023
Ware house construction will begin in 3rd Qrt of FY 2023 and tentitively complete by the 3rd Qrt of FY 2024

document attached

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

The Ts'ah Bii Kin Chapter and Appropriate Entities will ensure completion of 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 Ts'ah Bii Kin Chapter will solicit funds for O&M

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 intent of the project is to bring forth a place that would house items that come in bulk for community distribution. Furthermore, this would also provide an oppotunity to have a place to store heavy equipment and other vehicles that would be used for distributions or to assist community members in any emergency situations. This Ts'ah Bii Kin Chapter understands that warehouse facilities provide perfect PPE storage because you are able to lock your PPE away. When the Chapter gets this warehouse it will ensure that it limits the amount of people who can access this space. This will also help to keep all PPE dry and well maintained. Currently, with the Chapter not having such a space it is hard for us to store such bulk items for safe keeping. When we order any items for distribution, we have to distribute them the same day that they arrive as we do not have the storage space.

document attached

Part 3. Additional documents.

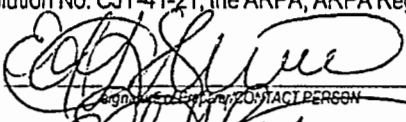
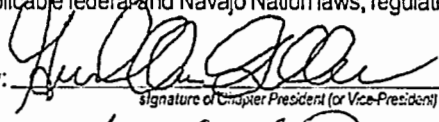
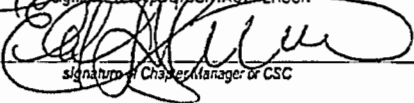

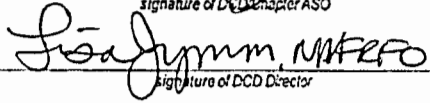
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Chapter Resolution (Forthcoming October 14, 2022)
Proposal
Budget Forms
Project Schedule

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:  Approved by: 
Approved by:  Approved by: 
Approved to submit for Review: 

PART I. Business Unit No.: _____		New		Program Title: _____		Phone No.: _____		Email Address: _____		Division/Branch: <u>Division of Community Developer</u>	
Prepared By: <u>Earl L Sombbrero</u>		Fiscal Year / Term		Amount		% of Total		PART III. BUDGET SUMMARY		NNC Approved Original Budget	
ARPA / NNFRE		10/1/22 - 12/31/25		1,267,200.00		100%		Fund Type Code		Proposed Budget	
								2001 Personnel Expenses			
								3000 Travel Expenses			
								3500 Meeting Expenses			
								4000 Supplies			
								5000 Lease and Rental			
								5500 Communications and Utilities			
								6000 Repairs and Maintenance			
								6500 Contractual Services			
								7000 Special Transactions			
								8000 Public Assistance			
								9000 Capital Outlay		1,267,200	
								9500 Matching Funds			
								9500 Indirect Cost			
								TOTAL		1,267,200.00	
								PART IV. POSITIONS AND VEHICLES		(E)	
								Total # of Positions Budgeted:		0	
								Total # of Vehicles Budgeted:		0	
								TOTAL:		\$1,267,200.00	
								PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.			
SUBMITTED BY: <u>Earl L Sombbrero</u>		Program Manager's Printed Name		APPROVED BY: <u>Paula Sillman</u>		Division/Director / Branch Chief's Printed Name		10.31.22			
11.10.22		Program Manager's Signature and Date		10.31.22		Division/Director / Branch Chief's Signature and Date					

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

Sonlatsa Jim-Martin, Department Manager I

Paula Sillman
Division/Director / Branch Chief's Signature and Date
10.31.22

Earl L Sombbrero
Program Manager's Printed Name
11.10.22

Paula Sillman
Division/Director / Branch Chief's Signature and Date
10.31.22

PART I. PROGRAM INFORMATION:
 Business Unit No.: New Program Name/Title: warehouse
 Ts'ah Bil Kin Chapter (Inscription House)

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: Provide a Ware House to Store Items for Emergencies Program Performance Measure/Objective: To complete a ware house for emergency storage by the end of the 4th Qrt of FY 2024								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, Department Manager II
 Program Manager's Printed Name 11.10.22
 Signature and Date

Division Director/Branch Chief's Printed Name 10.23.23
 Signature and Date

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Business Unit No.:	
Ts'ah Bii K'in Chapter (Inscription House)		Warehouse	
		New	
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)
9000	<p>Navejo Nation American Recovery Plan Act Funds</p> <p>Ware House Project</p> <p>Buildings</p> <p>9052: Ware House (\$1,267,200.00)</p> <p>To plan, design, and construct a ware house to the benefit of the community. To be used for storage during emergencies. Project will be contracted through the request for proposals process.</p>	1,267,200	1,267,200
TOTAL		1,267,200	1,267,200

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: New												PART II. Project Information											
Project Title: TBKC House Wiring and Electrification Project												Project Type: ARPA Funds											
Project Description To house wire and electrify 22 homes within the T'sah Bii Kin Community												Planned Start Date: 10/1/2022											
Check one box: <input type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification												Planned End Date: 12/31/2026											
Project Manager: Earl L. Sombrero												Expected Completion Date if project exceeds 8 FY Qtrs.											
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.						FY 2023						FY 2024											
Ware House RFP Solicitation and Selection Start of Project and Complete						1st Qtr. O N D		2nd Qtr. J F M		3rd Qtr. A M J		4th Qtr. J A S		1st Qtr. O N D		2nd Qtr. J F M		3rd Qtr. A M J		4th Qtr. J A S		Date: 12/31/26	
						O N D		J F M		A M J		J A S		O N D		J F M		A M J		J A S		O N D	
Expected Quarterly Expenditures						\$		\$		\$		\$		\$		\$		\$		PROJECT TOTAL			
						\$		\$		\$		\$		\$		\$		\$		\$1,267,200.00			

TS'AH BII KIN CHAPTER

Warehouse Proposal

Amount of Funds Requested

\$1,267,200.00

Submitted by

Earl Sombbrero, Chapter Manager
Vernon Willie, Planner

Date Submitted

September 16, 2022

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	b) DCD Preliminary Construction Cost	

I. Abstract

The scattered warehouse proposal will bring forth the needed space for the storage of necessities during any and all emergencies in the future. During the past several years when the Navajo Nation was hit with a world wide pandemic, the Ts'ah Bii Kin Chapter had not proper space available to store personal protective equipment nor other items that would need to be stored for distribution to the community. By establishing a storage facility for such use would greatly benefit the community.

II. Introduction

Primary Intent and Outcome of the Project

The intent of the project is to bring forth a place that would house items that come in bulk for community distribution. Furthermore, this would also provide an opportunity to have a place to store heavy equipment and other vehicles that would be used for distributions or to assist community members in any emergency situations.

This Ts'ah Bii Kin Chapter understands that warehouse facilities provide perfect PPE storage because you are able to lock your PPE away. When the Chapter gets this warehouse it will ensure that it limits the amount of people who can access this space. This will also help to keep all PPE dry and well maintained. Currently, with the Chapter not having such a space it is hard for us to store such bulk items for safe keeping. When we order any items for distribution, we have to distribute them the same day that they arrive as we do not have the storage space.

History of the Planned Project

Under the direction of the chapter officials a multiyear priority list has been established with regard to the development of main infrastructures (power line extensions, solid waste station, waste water provisions, road improvement, erosion control, and housing) within the chapter community to better address the constituents' needs in this sparsely populated community.

During the past several years we have come to experience a world wide pandemic. We were never ready for this type of pandemic so we did not know or understand what it is that we needed to do. During this time we were fortunate to have delivery of distribution items from food to personal protective equipment. At one point we were supplied with over 20 pallets of items that we could not find storage for. We had to improvise and try to fit most of the things in our building creating havoc. Some items we had no choice but to leave outside in the open. This is the reason that the Ts'ah Bii Kin Chapter deems it necessary to establish a ware house solely for this purpose

Funding Agency Background Information

Ts'ah Bii Kin Chapter, through hard work and persistency, is making advances to address the needs of the local constituents. Ts'ah Bii Kin Chapter utilizes the Five Management System for direction and guidance to remain in compliance. Ts'ah Bii Kin Chapter has never been sanctioned for misuse of funds by the tribe and/or by the federal government. All proceeds related to the projects will be contracted to the NTUA for engineering and construction services in a timely manner to expend federal funds.

III. Needs for and Goals of Project

Need for the Project

Without a doubt, the project when completed will enrich the Chapter's ability to store items that might be needed in the future for the community. Further, this is also a sure way of safe guarding all chapter assets and to ensure that there is enough storage for all items upon delivery. There is an understanding that if we are able to have the needed storage capacity, we would not have a need to rush our distributions when we receive items for such activities.

IV. Scope of Work

Roles of the Principal Consultants, Developers, Researchers, and other Key Personnel that may be involved in the Project.

The Proposed warehouse project should consist of furnishing all labor, materials, equipment, and incidentals necessary for the construction and completion of the warehouse.

In coordination with the respective agencies, the Ts'ah Bii Kin Chapter has already provided a space that is within the Chapter tract, land which has already been withdrawn for any activities such as this.

Provide a Chart showing the relationship of key personnel to each other.

<u>Ts'ah Bii Kin Chapter</u>	<u>Consultant</u>
Geraldine Chee	
Earl L Sombrero	
Vernon Willie	

Provide a projected sequence of activities on a plan schedule.

Discuss goals and objectives for Ts'ah Bii Kin Chapter and outline in a Strategic Plan.

Complete Need Documentation



Solicit Warehouse Consultant



Fund and Construct Warehouse

Complete

V. Budget

Provide a line item budget for all anticipated expenses utilizing established Navajo Nation Office of Management and Budget (OMB) forms (attached).

All funding related will be contracted out by Ts'ah Bii Kin Chapter with the guidance from the Division of Community.

Project Cost Estimation	
3 Bay: 50' x 80', 4000 sq. ft.	
Preliminary Cost per Square Feet	\$316.80
Plan and Design	\$150,000.00
Estimated Cost for the Pre-Engineering Building Only	\$427,500.00
Estimated Cost for Utilities and Infrastructure	\$255,000.00
Foundation and Concrete Slab on Grade	\$223,500.00
Contingency (Inflation Costs): 20%	\$211,200.00

Total Costs \$1,267,200.00

Note: Cost May Vary According to Site and Soil Conditions



Ts'ah Bii Kin Chapter

TS'AH BII KIN CHAPTER
1100 N. W. 10th Street
Tulsa, Oklahoma 74103

President
Title
Ts'ah Bii Kin Chapter
(918) 225-7177

Deborah Currier
Title
Terry Happy Beggs
Title
Herman Daniel
Title

REAFFIRMING RESOLUTION TBK 2022-283-001 APPROVING AND SUPPORTING THE AMERICAN RESCUE PLAN ACT FUND REGIONAL EXPENDITURE PLAN PROJECTS FOR THE TS'AH BII KIN CHAPTER TO INCLUDE HOUSE WIRING AND ELECTRIFICATION IN THE AMOUNT OF \$425,446.34; HOME RENOVATION PROJECTS IN THE AMOUNT OF \$713,145.00; AND THE WAREHOUSE PROJECT IN THE AMOUNT OF \$1,267,200.00; AFFIRMING THAT THE TS'AH BII KIN CHAPTER WILL ONLY USE AWARDED FUNDS IN COMPLIANCE WITH THE ARPA, THE ARPA REGULATIONS, AND ALL OTHER APPLICABLE NAVAJO AND FEDERAL LAWS AND REGULATIONS.

WHEREAS:

1. Pursuant to N.N.C. Section 2-1-A, the Ts'ah Bii Kin Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 17 N.S. 30, and is authorized and vested with the authority to discuss all matters affecting the Navajo people and its Nation; and
2. Pursuant to N.N.C. Section 2-1-B, the Chapter is vested with the authority to review all matters affecting the community and take appropriate action, as may be necessary and appropriate, in relation to the Navajo Nation and other local agencies for appropriate action; and
3. The Ts'ah Bii Kin Chapter recently adopted Resolution TBK 2022-283-001 approving and supporting the American Rescue Plan Act Fund Regional Expenditure Plan Projects for the Ts'ah Bii Kin Chapter to include House Wiring and Electrification in the amount of \$425,446.34; Home Renovation Projects in the amount of \$713,145.00; and the Warehouse Project in the amount of \$1,267,200.00; Affirming that the Ts'ah Bii Kin Chapter will only use awarded funds in compliance with the ARPA, the ARPA Regulations, and all other applicable Navajo and Federal Laws and Regulations; and
4. The Ts'ah Bii Kin Chapter believes that it is in the best interest of the community and will benefit members who are still without electric, need home improvements, and storage area for mass vehicle repairs when necessary; and
5. These projects will further improve and address the needs of the community; and

NOW THEREFORE BE IT RESOLVED THAT:

The Ts'ah Bii Kin Chapter hereby reaffirms Resolution TBK 2022-283-001 approving and supporting the American Rescue Plan Act Fund Regional Expenditure Plan Projects for the Ts'ah Bii Kin Chapter to include House Wiring and Electrification in the amount of \$425,446.34; Home Renovation Projects in the amount of \$713,145.00; and the Warehouse Project in the amount of \$1,267,200.00; Affirming that the Ts'ah Bii Kin Chapter will only use awarded funds in compliance with the ARPA, the ARPA Regulations, and all other applicable Navajo and Federal Laws and Regulations.

Date

To strengthen Chapter Services that will further enhance the quality of life for our people, by utilizing the harmonious and abundant practices of self-governance.

Tulsa, Oklahoma, Navajo, April 28, 2023. CHIEF OF CHIEFS: (918) 225-7337, CHIEF OF CHIEFS: (918) 225-7338

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by Es'ah Bui Kin Chapter at a duly called meeting, at which a quorum was present in person virtually and was passed by a vote of 1/2 in favor 0 opposed and 1/2 abstained on this 13th day of March 2023.

Attest: _____

Caldine G. Chee, President



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 #: HK0504

Date & Time Received: 5/17/23 at 17:31

Date & Time of Response: 5/19/23 at 17:00

Entity Requesting FRF: Ts'ah Bii Kin Chapter

Title of Project: House Wiring and Electrification

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$425,446.34

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:

2.18 Housing Support: Other Housing Assistance

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: Navalyn R. Platero

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.