

Low Mtn Chp New
Homes Electric and
Powerline Extension



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0335

Date & Time Received: 12/16/22 14:00

Date & Time of Response: 12/28/22 17:40

Entity Requesting FRF: Low Mountain Chapter

Title of Project: New Homes Electric and Powerline Extension

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$60,000

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: 2.18 (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: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

**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: LOW MOUNTAIN CHAPTER Date prepared: 11/28/2022

Chapter's mailing address: PO BOX 4416 Blue Gap, Arizona 86520 phone/email: 928-725-3700 website (if any): lowmountainchapter

This Form prepared by: Mareita Denny, Project Manager phone/email: 505-978-3001 mareitadenny@yahoo.com
Roger George, Chapter Vice-President phone/email: 928-401-1935 rgeorge@naataanli.org
CONTACT PERSON'S name and title CONTACT PERSON'S title

Title and type of Project: NEW HOMES ELECTRIC AND POWERLINE EXTENSION.

Chapter President: Ben L. Gonnie phone & email: 928-313-8726 m63563863@gmail.com
Chapter Vice-President: Roger B. George phone & email: 928-401-1935 rgeorge@naataanli.org
Chapter Secretary: Rose Ann Charley phone & email: 928-386-3511 girlyazzie1947@hotmail.com
Chapter Treasurer: Roses Ann Charley phone & email: 928-386-3511 girlyazzie1947@hotmail.com
Chapter Manager or CSC: Ella Nelson, Acting phone & email: 928-814-7122 enelson@navajochapters.org
DCD/Chapter ASO: Robert Jumbo, ASO-ASC-DCD phone & email: 928-674-2251 rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Tribal Utility Authority

document attached

Amount of FRF requested: 60,000.00 FRF funding period: February, 2023 - December 31, 2025
Indicate Project starting and ending/taadinoo data

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:

This electric and powerline project is critical and connection must be planned before completion of new house construction. An application for utility connection must be submitted earlier due to NTUA work load and schedule. This portion of Electric and powerline extension will occur in conjunction with new house construction. New houses are provided to families who are susceptible to virus particularly COVID and to control the spread of virus.

document attached

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

New houses construction benefits the elderly, handicapped, disabled, and any families who lived in dilapidated shelters. Any rights of ways for utilities to new house will be first studied if ROW can be waived. Discussion of ROW issue will be cleared by NTUA and BIA before completion.

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:

Procurement type: Practice Sole Source Procurement beginning March 01, 2024.
Construction by NTUA.

Project Period: Begin March 13, 2023 and ending December 2025.

document attached

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

Low Mountain chapter and the administration.

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:

Homeowners will be responsible for maintenance as required by NTUA from meter loop to the house. NTUA will be responsible from main powerline to meterhead. This is standard respective cost operation duties between homeowners and NTUA.

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:

Fiscal Recovery Fund expenditure categories - Housing Support: Other Housing Assistance 2.18

To complete new house construction, basic utility connection budget is necessary.

document attached

Part 3. Additional documents.

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

Low Mountain Chapter Resolution.

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: [Signature]
Signature of Preparer/CONTACT PERSON

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

Approved by: [Signature]
Signature of CEO

Approved by: [Signature] 12/12/2022
Signature of Chapter ASO

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

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: LOW MOUNTAIN CHAPTER Powerline Extension DCB/Emerche

Prepared By: MARLETA UEMAY, Project Manager Phone No.: 928-728-0700 Email Address: lumen@navajonation.org

PART II. FUNDING SOURCES	Fiscal Year	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	NMC Approved Original Budget	Proposed Budget	Difference or Total
SUN/ASPA FUNDS	2/1/23 - 12/31/23	60,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				9500 Communications and Utilities				
				9900 Repairs and Maintenance				
				6000 Contracted Services				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Meeting Funds				
				9900 Indirect Cost				
				TOTAL			60,000.00	60,000.00
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.				PART IV. POSITIONS AND VEHICLES		(D)	(E)	(C)
SUBMITTED BY: <u>Sandra Jim Martin</u> Program Manager's Printed Name				Total # of Positions Budgeted:		0	0	
APPROVED BY: <u>Marleta Uemay</u> Program Manager's Signature and Date 12/11/2022				Total # of Vehicles Budgeted:		0	0	
Division Director / Branch Chief's Printed Name				Division Director / Branch Chief's Signature and Date				

James Adakai, Deputy Director

Calvin Castillo, Executive Director

2-10-23

2/10/2023

inf 3/16/23

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION

Business Unit No.: Nov

Program Name/Title:

LEW MOUNTAIN CHAPTER

Powerline Extension

PART II. PLAN OF OPERATION (RESOLUTION NUMBER/PURPOSE OF PROGRAM)

1. Goal Statement:

Assist Community Members with Powerline Extension.

Program Performance Measure/Objective:

Assist Community Members with Powerline Extension.

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:

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

PART III. I HEREBY CERTIFY THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Signature: *[Signature]*
 Date: 12/12/2022
 Program Manager's Printed Name: _____
 Program Manager's Signature and Date: _____

Signature: *[Signature]*
 Date: 12.15.22
 Director's Printed Name: _____
 Director's Signature and Date: _____

James Adakai, Deputy Director
2-10-23

Calvin Castillo, Executive Director
2/10/2023

[Handwritten initials]

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION: LOW MOUNTAIN CHAPTER Powerline Extension Business Unit No.: New

PART II. DETAILED BUDGET:

(A)	(B)	(C)	(D)
Object Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
8530	Infrastructure - (non-cap) 8540 - Powerline Extension Asset 3-Community Mountain with Powerline Extension @ \$20,000.00 = \$80,000.00.	80,000.00	80,000.00
TOTAL		80,000.00	80,000.00

Handwritten signature

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: NEW

Project Title: Low Mountain Chapter Powerline Extension Project

Project Description: Powerline Extension for new unit houses.

Check one box: Original Budget Budget Revision Budget Reallocation Budget Modification

PART II. Project Information

Project Type: Powerline Extension Project

Planned Start Date: 02/01/2023

Planned End Date: 12/31/2025

Project Manager: Mamella Denny

PART III.

List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.

PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.

	FY 2023				FY 2024				Expected Completion Date if project exceeds 8 FY Qtrs. Date: 12/31/2025	
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.		
1) Assessment/Eligibility - New Homes		X								
2) Utility/Clearances - ROW			X							
3) Draw Sole Source Contract - NTUA - Submit Sole Source Contract to DOJ - Award Contract with Money Drawdown				X						
5) Construction - Inspection					X	X	X	X	X	
6) Completion - Final Inspection								X	X	
7) Close Out - Compile Reports/Expenditures									X	
PART V. Expected Quarterly Expenditures	\$ 0.00	\$ 0.00	\$ 0.00	\$ 60,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	PROJECT TOTAL \$60,000.00

FOR OMB USE ONLY:

Resolution No: _____

FMS Set Up Date: _____

Company No: _____

OMB Analyst: _____

RESOLUTION OF THE (LMC)
LOW MOUNTAIN CHAPTER
NAVAJO NATION GOVERNMENT

SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO FUND THE LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$60,000.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT (ARPA) FOR LOW MOUNTAIN CHAPTER POWERLINE EXTENSION PROJECT TO ASSIST [3] COMMUNITY MEMBERS.

WHEREAS:

1. Pursuant to Title 26 N.M.C., § 3 (A) and as listed pursuant to Title 11 N.M.C., Part 1 § 10 the LMC is a duly recognized certified Chapter of the Navajo Nation government and as such may preserve or promote community interests;

AND,

2. Pursuant to Title 26 N.M.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government and to recognized as a local tribal entity vested with the authority to review all matters affecting the community and to make appropriate recommendations to the Navajo Nation concerning matters that are in the best interest of the community; AND,

3. Low Mountain Chapter will be constructing 3 New houses for overcrowding and shortage of housing, which will need to be connected with Powerline; AND,

4. According to a community assessment conducted by Low Mountain Chapter, we have identified 3 families to assist new homes with and they will need electricity and powerline extension to the new constructed houses; AND,

5. These newly house construction will need electricity and powerline extension for children's educational and (E911) emergency need.

NOW, THEREFORE BE IT RESOLVED, THAT:

Supporting Resolution Requesting the Navajo Nation To Fund The Low Mountain Chapter In The Amount Of \$60,000.00 From The Navajo Nation Fiscal Recovery Funds Request And Expenditure Plans As Authorized By The American Rescue Plan Act (ARPA) For Low Mountain Chapter Powerline Extension Project to assist 3 Community members.

Motion By: John Pelton

Second By: Sullivan, John

C-E-R-T-I-F-I-C-A-T-I-O-N

We hereby certify that the foregoing Chapter resolution was duly considered by the Low Mountain Chapter at a duly called Chapter meeting at Low Mountain Chapter, Low Mountain (Navajo Nation), Arizona, at which a quorum was present and that the same was passed by a vote of 11 in favor, 0 opposed, 2 abstained on this 10 day of Nov, 2022.

Ben L. Gomis, Chapter President
10th day of Nov, 2022

Roger B. George, Chapter Vice President
Rose Ann Charley, Chapter Secretary/Treasurer