

Low Mtn Chp
Drainage/Septic System
Project



**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 #: HK0312

Date & Time Received: 12/16/22 13:46

Date & Time of Response: 12/28/2022 5:00 PM

Entity Requesting FRF: Low Mountain Chapter

Title of Project: ~~Drainage/Septic System Project - Failed Septic Services~~

Administrative Oversight: _____

Amount of Funding Requested: \$140,000.00

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: 5.5 Clean Water: Other Sewer Infrastructure

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: Kristen A. Lowell

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: 10/26/2022

Chapter's mailing address: PO Box 4416 phone/email: (928) 725 - 3700 / lowmountain@navajochapters.org
Blue Gap, AZ. 86520 website (if any): http://lowmountain.ndes.org

This Form prepared by: Mareita Denny, Project Manager. phone/email: (505) 879 - 2001 / mareitadenny@earthlink.net
Roger George, Chapter Vice President. phone/email: (928) 401 - 1935 / rgeorge@naataanil.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Drainage/ Septic System Project - Failed Septic Services

Chapter President: Ben L. Ginnie phone & email: (928) 313 - 8726 / m63563963@gmail.com

Chapter Vice-President: Roger B. George phone & email: (928) 401 - 1935 / rgeorge@naataanil.org

Chapter Secretary: Rose A. Charley phone & email: (928) 388 - 3511 / girlyazzie1947@hotmail.com

Chapter Treasurer: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com

Chapter Manager or CSC: Ella Nelson, AMS / Acting CSC phone & email: (928) 814 - 7122 / enelson@navajochapters.org

CCD/Chapter ASO: Robert Jumbo, ASO - ASC / DCD phone & email: rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): NTUA, I.H.S. OR CONTRACTOR

document attached

Amount of FRF requested: \$140,000.00 FRF funding period: January 1, 2023-December 31, 2024
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:

Drainage/Septic System Project/Failed Septic Services: According to LMC project plans, the 2021 needs assessments, approximately 18 homes were in dire need of drainage septic system replacements. Homes built in the early 1980s and drainage/septic systems installed early 1980s and in May and June 2022 many of these systems have failed to operate or function properly for home ownership. The LMC did give the Sterling Foundation a price quote of \$262,568.00 for the replacement project but they deemed this to be costly and excessive for the foundation to assist funding the drainage system project.

With the COVID-19 pandemic still on the Navajo Nation, the local officials concerns are in some homes where there are more than one family. It's critical when the family needs to quarantine and go into isolation due to COVID-19 infection of other family members. The overcrowding and closeness within these home situations become critical that leads to rampant unchecked growth or spread of COVID-19 infections of the whole household.

Upon completion of the proposed drainage/septic system, replacement projects will effectuate a better living condition for all the family members and improve their health environments as well.

document attached

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

Whether we know it or not, living conditions within our communities have been cited as comparable to third world living (Gallup Independent) It is impossible to succinctly describe the many factors that have contributed to the challenges that our communities face today, but the following facts about the most pressing issues of economic, health and better homes gives a hint of what life is like for many of our chapter's memberships. The lack of better homes is a public health crisis where some family, due to the pandemic, the LMC may have some of the worst social and economic outcomes. We are more likely to be negatively affected by funding cuts, lack of the same and policy changes. We can just hope for the best with this ARPA funding request. The Navajo Nation can learn from this and can be very beneficial.

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:

ARPA funding meeting the specified needs will expedite to carry or cause to go with haste completion on or before December 31st, 2024 or fully expand funds and completion of project by December 31st, 2026. Precise scheduling and commitment, funding can be incurred by December 31st, 2024.

document attached

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

Main responsibility with the appointed project manager and community service coordinator in coordination with Chapter officials. Chapter advisements and some trainings to home ownership with primary responsibilities and maintenance upkeep.

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:

Selected home ownerships will be charged with operations and maintenance upkeep and costs for the project once completed prospectively. Maybe deferred to the Navajo Nation Aging Services Program.

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:

5.4 Under this category, because bathrooms are an important support necessity for cleanliness, especially for the elderly population, people with disabilities, single parents, children and older veterans.

document attached

Part 3. Additional documents.

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

1. Existing chapters, proposal for support information
2. June 4th, 2022 Kee Allen Begay Jr. Delegates memorandum.
3. others.

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 Recipient/CONTACT PERSON

Approved by: [Signature]
signature of Chapter President for this Position

Approved by: [Signature]
signature of ESC

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

Approved to submit for Review: [Signature]
signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: New

Program Title: LOW MOUNTAIN CHAPTER SEATC SYSTEM

Prepared By: BAILEY DENNY, Project Manager

Phone No.: 928-726-9780

Program No.: 928-726-9780

Email Address: bailey.denny@navajonation.org

Division: Drainage / Division

Drainage / Division

DCU Executive

PART I. FUNDING SOURCE(S)	Fiscal Year / Item	Amount	% of Total	PART II. BUDGET SUMMARY	Fund Type Code	NIC Approved Original Budget	Proposed Budget	Difference or Total
ANAPRA FUNDS	11/23 - 12/24	140,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Leases and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contract Services				
				7000 Special Transactions				
				8000 Public Assistance	B		140,000.00	140,000.00
				9000 Capital Outlay				
				9500 Matching Funds				
				9900 Indirect Cost				
				TOTAL			140,000.00	140,000.00
				PART IV. POSITIONS AND VEHICLES				
				Total # of Positions Budgeted:	(D)	0	0	0
				Total # of Vehicles Budgeted:	(E)	0	0	0
				TOTAL:		140,000.00	100%	140,000.00

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

SUBMITTED BY:

Sandra Jim Martin
Program Manager's Printed Name
12/12/2022
Program Manager's Signature and Date

APPROVED BY:

D. Pearl Yesheman
Division Director / Branch Chief's Printed Name
12.13.22
Division Director / Branch Chief's Signature and Date

James Adaka, Deputy Director

Calvin Castillo, Executive Director

Handwritten initials

2-10-23

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I PROGRAM DESCRIPTION

Business Unit No: Neu

Program Name/Title

UGM KOUNTAIN CHAPTER
Dr Binagej Spdtk System

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

1. Goal Statement
Add community members with Dadsong/Sqds Requirement.
Program Performance Measure/Target: _____

					14
--	--	--	--	--	----

2. Goal Statement
Add 14 Community Members with Dadsong/Sqds Requirement due to failure of system.
Program Performance Measure/Target: _____

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3. Goal Statement
Program Performance Measure/Target: _____

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4. Goal Statement
Program Performance Measure/Target: _____

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5. Goal Statement
Program Performance Measure/Target: _____

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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Signature Jim Martin, Department Manager II
Program Manager's Printed Name
Jim Martin
12/12/2022
Program Manager's Signature and Date

Dr. Pearl Yellowman, Division Director
Division Director's Printed Name
Pearl Yellowman
12/13/22
Division Director's Signature and Date

James Adakai, Deputy Director
2-10-23

Calvin Castillo, Executive Director
2/10/2023

Jim Martin

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3
BUDGET FORM 4

PART I PROGRAM INFORMATION: Program Name/Title: LOW MOUNTAIN CHAPTER Trash & Sewer Septic System 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)
85300 Infrastructure (non-cep) 85300 - Wastewater: Ruled 14-Community Members with Drinking/Septic System Replacement @ \$10,000.00 = \$140,000.00.		140,000.00	140,000.00
TOTAL		140,000.00	140,000.00

Handwritten signature/initials

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I.

Business Unit No.: NEW
 Project Title: Low Mountain Chapter Drainage/Septic Replacement Project
 Project Description: Construction to replace failed Drainage/Septic System - Replacement.

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

PART II. Project Information
 Project Type: Drainage/Septic Replacement.
 Planned Start Date: 01/01/2023
 Planned End Date: 12/31/2024
 Project Manager: Moneta Denny

PART III.

List
 Prefixed

PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.
 FY 2023
 FY 2024

etc

	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Date: 12/31/2024
1) Assessment/Eligibility			X						
2) Draw Sole Source Contract - Submittal Sole Source Contract to DOJ - Award Contract with Drawdown @ 50%			X						
3) Construction - Inspection				X	X	X	X	X	X
4) Completion - Final Inspection					X	X	X	X	X
5) Close Out - Final Payout									X
PART V. Quarterly Expenditures	\$ ###	\$ ###	\$ ###	\$ ###	\$ ###	\$ ###	\$ ###	\$ ###	PROJECT TOTAL

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 \$140,000.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT (ARPA) FOR THE DRAINAGE/SEPTIC SYSTEM REPLACEMENT PROJECT FOR FAILED SYSTEM FOR 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 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. The Low Mountain Chapter recognizes that the financing of the Community drainage/septic system replacement projects are very critically needed and requires health officials' concerns and coordination with the local Chapter Officials and the Administrative 2021 community needs assessments, 14 homes were determined in dire need of drainage/septic replacement; AND,

4. A lot of the older homes built in the 1960s and the drainage/septic systems installed in the early 1980s, the homeowners are experiencing these difficulties and tripled with COVID-19 still on the Navajo Nation and existing home conditions with respect to need of replacing system; AND,

5. Completion of the proposed Low Mountain Chapter Septic System Pumping project, the effected community members can be able to benefit to a better healthy living standards and improved good health esp. as an actively sought goals or the state of being happy and overall healthy situated family homes.

NOW, THEREFORE BE IT RESOLVED, THAT:

1. Supporting Resolution Requesting The Navajo Nation To Fund The Low Mountain Chapter In The Amount Of \$140,000.00 From The Navajo Nation Fiscal Recovery Funds Request And Expenditure Plans As authorized by the American Rescue Plan Act (ARPA) For The Drainage/Septic System Replacement Projects to assist 14 community membership.

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. Gonnig, Chapter President

Roger B. George, Chapter Vice President

Rose Ann Charley, Chapter Secretary/Treasurer

RBG/tbg