



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

The Navajo Nation | Yideeskáadi Nitsáhákees

August 30, 2023

TRANSMITTAL

TO : Calvin Castillo, Executive Director
 Division of Community Development (DCD)

FROM : 
 Cordell Shortey, Contracting Officer
 Contracts & Grants Section (CGS) / OMB

SUBJECT : BU on Projects / Activities for St. Michaels Chapter and Oaksprings Chapter- ARPA Funds
Allocated to Delegate Brenda Jesus

I. Information on Contract (per Original Award):

St. Michaels Chapter and Oaksprings Chapter	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract	Funding Agency	CFDA No. - Federal
CMY-37-23	\$ 8,802,340.00	2022
Grant No.	Amount	Fiscal Year
		Term - Begin and End Date
		03/11/2021 to 12/31/2026

II. Data Entered in FMIS Regarding:

New Contract or Grant Company No. 8059 Business Unit (K#) K2115207 & K2115208

Contract Mod No. _____

Amt of Budget Increase \$8,802,340.00 \$0.00 to \$8,802,340.00

AMOUNT FROM TO

Budget Period - Extend End Date: From _____ To _____

Other, specify: _____

Authorizing Document - Attached:


Contract / Agreement - Date executed _____

NNC / Committee Resolution - No. & Date _____

Other, specify: NN Council Resolution CMY-37-23

III. Comments by CGS:

This transmittal documents 1st budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Brenda Jesus Region. Y-T-D budget in FMIS for CD Jesus Region totals \$8,802,340. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters the respective Council Delegate service aka Region.

 Attachment
 Copy: Contract files
 Contract Accounting / OOC / DPM
 Tom Platero, Executive Director - NN FRF Office

Revised February 2023

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Delegate Brenda Jesus

CHAPTERS: Oaksprings, St. Michaels

K2115207
K2115208

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	St. Michaels Chapter House Renovation and Addition Project	Division of Community Development	6.1	HK0386	\$ 6,000,000.00
Division of Community Development	None Identified	Oak Springs Chapter House Kitchen Addition Project	Division of Community Development	6.1	HK0390	\$ 2,802,340.00
		UNALLOCATED AMOUNT				\$ 0.00
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."



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

June 8, 2023

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

RE: CMY-37-23 An action relating to the Naabik'iyáti', Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Brenda Jesus Delegate Region (Chapters: Oak Springs, St. Michaels)

Dear Speaker Curley,

I am pleased to sign into law this resolution CMY-37-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Jesus Delegate Region in the amount of \$8,802,340.00.

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,

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;
APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION
PROJECT PLAN FOR HONORABLE BRENDA JESUS' DELEGATE REGION
(CHAPTERS: OAK SPRINGS, ST. MICHAELS)

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).

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 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. All projects listed in the Hon. Brenda Jesus' Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Brenda Jesus'

Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Brenda Jesus' Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Brenda Jesus' Delegate Region (Chapters: Oak Springs, St. Michaels) as set forth in Exhibit A.

SECTION THREE. APPROVAL OF HON. BRENDA JESUS' DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Brenda Jesus' Delegate Region (Chapters: Oak Springs, St. Michaels) 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 18 in Favor, and 00 Opposed, on this 26th day of May 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

5/31/23


DATE

Motion: Honorable George H. Tolth
Second: Honorable Seth Damon

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 10 day of July, 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 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 #: HK 0390

Date & Time Received: 1/3/23 at 16:26

Date & Time of Response: 17 January 2023; 6:31 pm

Entity Requesting FRF: Oak Springs Chapter

Title of Project: Chapter House Kitchen Addition Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$2,802,340

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):

- | | |
|--|--|
| <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: Adjua Adjei-Danso



Signature of DOJ Reviewer:

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This 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: Oak Springs Chapter Date prepared: 12/01/22

Chapter's P.O. Box 486 phone/email: (928) 871-6179
mailing address: Window Rock, AZ 86515 website (if any): oaksprings@navajochapters.org

This Form prepared by: Flavian Tabaha phone/email: (928) 871-6179
Community Service Coordinator ftabaha@nnchapters.org
CONTACT PERSON'S name and title *CONTACT PERSON'S info*

Title and type of Project: Oak Springs Chapter House Kitchen Addition/Renovation Project

Chapter President: Ben Smith phone & email: (602) 615-0087 / bensmith_lwi75@citlink.net

Chapter Vice-President: Darryle Nelson phone & email: (928) 666-0944 / darrylenelson_65@yahoo.com

Chapter Secretary: Arlene Radisch phone & email: (928) 206-9402 / arleneradisch@hotmail.com

Chapter Treasurer: Same as Chapter Secretary phone & email: _____

Chapter Manager or CSC: Flavian Tabaha phone & email: (928) 871-6179 / ftabaha@nnchapters.org

DCD/Chapter ASO: Derek Echohawk phone & email: (928) 871-7515 / ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Dyron Murphy Architects
4505 Montbel Place NE, Albuquerque, NM 87107 document attached

Amount of FRF requested: \$2,802,340.00 FRF funding period: April 1, 2023 - December 30, 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:

The Oak Springs Chapter House is located in Oak Springs, Arizona, Fort Defiance Agency. The chapter house was built 1974. The fund will be used to complete the construction of the Kitchen Addition. The \$2,804,340.00 will cover the cost to renovate the existing building structure 4,755 sq.ft; new addition 1,505 sq.ft., which will total 6,260 sq. ft. Addition will feature a commercial kitchen facility, shower, assemble area, men & women restrooms, storage areas, large mechanical room, main entrance.

document attached

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

The expanded facility will provide open space to improve public health and create positive social environment to the people in attendance for chapter community meetings, CLUPC meetings, Veterans meetings, health fairs, social events. The kitchen will be an asset for community events.

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

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

Sole source procurement by Dyron Murphy Architects with estimated construction to start in Spring 2023 and full completion in 2024. The challenges will be post Covid-19 inflation costs.

document attached

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

The NN-Division of Community Development/CPMD Project Manager is the oversight and the Dyron Murphy Architect will ensure completion of the project. The Oak Springs Chapter Officials are the stakeholders who provide update information to the community members at their chapter meetings. The Oak Springs Chapter is a non-governance certified chapter.

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:

Oak Springs Chapter will be responsible to budget each fiscal year for the operation, building repairs and maintenance cost and the chapter will practice liability prevention by ensuring premium insurance coverage are paid by the deadline as required by the NN Risk Management. The General Contractor will be responsible for warranty coverage for all system, finishes, operation of the building for 12 month after completion of the project.

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:

6.1 Provision of Government Services - per Navajo Nation Council Resolution CJN-29-22, Infrastructure improvements became a Navajo Nation ARPA/NNFRF eligible project.

The Oak Springs Chapter facility/building is over 48 years old; however, does not have a kitchen, which was deleted due to lack of funds during time the chapter house was built. The chapter house had some repair/maintenance issues, which are corrected. Thus, due to cold weather and awaiting for construction to begin in Spring 2023 with ARPA funds; the chapter will conduct majority of virtual meetings.

document attached

Part 3. Additional documents.

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

- 1. Oak Springs Chapter Resolution.
- 2. Budget.
- 3. Dyron Murphy Contract.
- 4. Floor Plan

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: Elizabeth Kumpner
Signature of Preparer/CONTACT PERSON

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

Approved by: [Signature]
signature of CSC

Approved by: [Signature] 12/15/2022
Signature of Chapter AGO

Approved to submit for Review: Lisa Jynn, NNFRF
Signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 2
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Cok Springs Chapter / Chapter / (Phone Addition/Renovation) Division/Branch: DCD / Executive Branch
 Prepared By: Flavian Tabaha Phone No.: (928) 871-6179 Email Address: fltabaha@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A)	(B)	(C)
						NNC Approved Original Budget	Proposed Budget	Difference or Total
NN Fiscal Recovery Funds	<u>10/1/22 9/30/26</u>	2,802,340.00	100%					
				2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance	<u>6</u>			
				9000 Capital Outlay	<u>8850</u>	<u>0</u>	2,802,340	2,802,340
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	2,802,340.00	<u>2,802,340.00</u>
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		—	—	
				Total # of Vehicles Budgeted:		—	—	
TOTAL:		\$2,802,340.00	100%					

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

SUBMITTED BY: Sonlatsa Jim-Martin, Department Manager APPROVED BY: Dr. Pearl Yellowman, Division Director, DCD
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
Sonlatsa Jim-Martin 12/15/2022 Pearl Yellowman 12.15.22
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

[Handwritten Signature] 7/20/23

[Handwritten Signature] 7/20/23

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:												
Business Unit No.: <u>New</u>			Program Name/Title: <u>Oak Springs Chapter / Chapter Kitchen Addition/Renovation</u>									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:												
<u>CJM-20-22 Navajo Nation Fiscal Recovery Fund for the Oak Springs Chapter Renovation and Addition Project to upgrade the deteriorating existing facility to meet the code compliance, quality spacious environment for public health towards community members' facility usage.</u>												
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>To complete the chapter renovation & addition design, construction, equipment/furnishings</u>												
Program Performance Measure/Objective:												
<u>Architectural, Mechanical, plumbing, electrical, ADA codes, parking lot.</u>					1		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.												
<u>Sonlatsa Jim-Martin, ASC Department Manager</u> Program Manager's Printed Name						<u>Dr. Pearl Yellowman, Executive Director</u> Division Director/Branch Chief's Printed Name						
<u>Sonlatsa Jr</u> 12/15/2022 Program Manager's Signature and Date						<u>Pearl Yellowman 12.15.22</u> Division Director/Branch Chief's Signature and Date						

[Signature] 12/20/23

FY _____

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page ___ of ___
BUDGET FORM 4

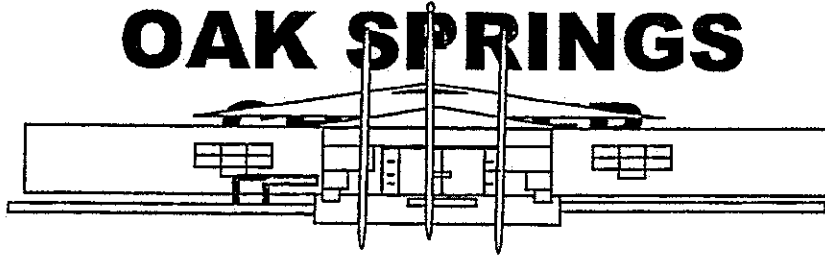
PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Oak Springs Chapter / Chapter Kitchen Addition/Renovation</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
9000 <i>9050</i>	NNFRF CAPITAL OUTLAY <i>Building Art</i> 9052 Building - Construction services for Oak Springs Chapter Community Building Project for the Oak Springs Community. All site, civil, parking lot, infrastructure hook-ups and building hook ups will be vertical construction. Project consist of new addition and renovation of the existing chapter building, new construction consist of expansion development to the existing chapter building to the South section of the chapter building. New construction will include steel/wood structure, concrete slab on grade, roofing system, mechanical components-plumbing, HVAC, plumbing, fire suppression, insulation, drywall-hang tape texture, painting all finish décor and equipment. ADA compliant, UBC and all federal codes rules and regulations.	2,802,340	2,802,340
TOTAL		2,802,340	2,802,340

PART I Business Unit No _____ Project Title: <u>Oak Springs Chapter - Commercial Kitchen Addition</u> Project Descriptive: <u>ARPA funds to supplement the Oak Springs Chapter Commercial Kitchen addition for construction costs and/or equipment improvements, including inspections at quarterly phases of construction and quarterly reporting with coordination by ownership and contract</u> Check one box: _____														PART II. Project Information Project Type: <u>Capital Outlay</u> Planned Start Date: <u>Feb 2023</u> Planned End Date: <u>Sept 2024</u> Project Manager: <u>Flavian Tabaha, CSC</u>															
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.														Expected Completion Date if project exceeds 8 FY Qtrs.														
	FY 2023												FY 2024								Date								
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.							
	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	P	J	J	A	S					
PLANS	X	X	X																										
PURCHASES				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					
INSTALLATIONS				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					
INSPECTIONS			X			X			X			X			X			X			X			X					
QUARTERLY REPORTINGS			X			X			X			X			X			X			X			X					
PART V.	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL							
Expected Quarterly Expenditures	386,000.00			350,000.00			350,000.00			350,000.00			350,000.00			350,000.00			350,000.00			316,340.00			2,802,340.00				

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

OAK SPRINGS

President
Ben Smith
Vice-President
Darryle S. Nelson
Secretary/Treasurer
Arlene Radisch
Grazing Representative
Melvin Harry



Council Delegate
Edison J. Wauneka
Chapter Coordinator
Flavian Tabaha
Account Maint. Spec.
VACANT

OSC-11152022-008

RESOLUTION OF THE OAK SPRINGS CHAPTER

APPROVING AND SUPPORTING THE OAK SPRINGS CHAPTER REQUESTING FOR THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO SUPPLEMENT THE CHAPTER'S KITCHEN ADDITION PROJECT FOR THE CHAPTER FACILITY EXPANSION CAPITAL PROJECT AND CONSTRUCTION COSTS AND/OR EQUIPMENT IMPROVEMENTS IN THE AMOUNT OF TWO MILLION, EIGHT HUNDRED TWO THOUSAND, THREE HUNDRED FORTY DOLLARS (\$2,802,340.00)

WHEREAS:

1. The Oak Springs Chapter is a recognized Chapter of the Navajo Nation Government organized and consistent with the Navajo Nation Council Resolution CAP-34-98, also known as the Navajo Nation Local Governance Act and is codified in title twenty-six (26) of the Navajo Nation Code; and
2. Title twenty-six (26) of the Navajo Nation Code allows Oak Springs Chapter to make decisions over local matters consistent with Navajo law and is under supervision of Division of Community Development ("DCD") until it becomes an LGA certified chapter. This authority, in the long run, will improve community decision making, allow communities to excel and flourish, enable Navajo leader to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation; and
3. The Oak Springs Chapter provides services to the Oak Springs and Pine Springs community membership thus the chapter house does not have a kitchen in the last several decades; and
4. The Oak Springs Chapter recognize the allocate Navajo Nation Fiscal Recovery Fund (NNFRF) to the chapter governance for the chapter house renovation and addition in the amount of two million eight hundred two thousand three hundred forty dollars (\$2,802,340.00) per the CJN-21-22 ARPA project list. And with the additional requesting \$2,802,340.00 ARPA fund plus \$2,000,000 will total \$4,802,340.00 for the project; and
5. The Oak Springs Chapter acknowledges the pre-conference sessions with Dyron Murphy Architect beginning of September 2019 and several effective planning meetings were held into early March 2020, thus who is awarded the contract for the chapter kitchen addition project; and
6. The Oak Springs Chapter acknowledges the Resolution CEM-20-03-11 that the Navajo Nation Commission on Emergency Management and Navajo Nation President Jonathan Nez declared a Public Health State of Emergency on Navajo Nation, March 11, 2022 due to Covid-19 outbreak. Thereafter, CAP-20-20, April 13, 2020; Navajo Nation Travel Restriction, Navajo Chapters to conduct planning meetings and chapter regular meetings thru teleconference/ video conferencing for Covid-19 mitigation and remote work planning were established across the Navajo Nation; and
7. The Oak Springs Chapter acknowledges the assigned Project Manager, Capital Project Management Department, Division of Community Development to the Chapter Kitchen Addition Project retired September 30, 2021, which also resulted in an effort for continuity; and

8. The Oak Springs Chapter acknowledges that regardless of the pandemic and retired CPMD- project manager, the chapter officials and staff continued moving forward through telecommunication for the update project meetings; and
9. The Oak Springs Chapter acknowledges the "Notice to Proceed" and Contract became effective January 3, 2022. Therefore, the project was scheduled to move forward on the programming and concepts phase, schematic design, design development and construction; and
10. The Oak Springs Chapter recognizes during the Covid-19 pandemic the material cost increased and professional services that resulted in a shortfall to fulfill the project specifically the construction and timeline; and
11. The Oak Springs Chapter house is considered project ready with the design deliverable in place, architect was solicited and obtained for third-party contract services to complete the project based on the Navajo Nation Council Resolution CIA-03-21 – approved timeline extension to four years; and
12. The Oak Springs Chapter recognizes the need for additional funds to complete the kitchen addition, which is essential to provide public health safety such as sanitation during the chapter community member's events on holidays or family gatherings to enrich healing during the people's social time specifically protecting against the impact of Covid-19 and the chapter house renovation will enhance opportunities to provide health fairs and meets relevant to health/ medical education.

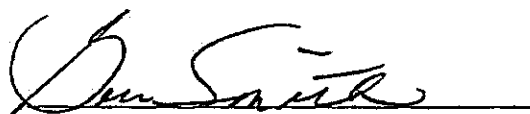
NOW, THEREFORE BE IT RESOLVED THAT:

1. The Oak Springs Chapter membership hereby supports and approves the requesting additional American Rescue Plan Act (ARPA) funds to supplement the chapter's kitchen additional capital outlay project from the Navajo Nation American Rescue Recovery Fund (NNFRF) capital project for construction costs and/or equipment improvements in the amount of two million eight hundred two thousand three hundred forty dollars (\$2,802,340.00).

CERTIFICATION

We hereby certify the foregoing resolution was duly considered by the community members of Oak Springs Chapter, Arizona (Navajo Nation) at a duly called chapter meeting, at which a quorum was present and the same was passed by a vote of 8 in favor, 0 opposed and 1 abstained on this 15th day of November, 2022.

Motion: Cecilia Wauneka Second: Robert Smith Sr.



Ben Smith, Chapter President
Oak Springs Chapter

Oak Spring Chapter Revnotion Building Project

Scope of Work (SOW) Plan

Project Manager: TBD
Sponsor: Navajo Nation
Prepared by: NN CPMD

Background History: An Architecture/Engineering Firm, will produce a complete set of construction document plan to allow for an overall Renovation of 6,323 sq. ft. building for the Oak Springs Chapter Renovation Building. The firm will design the facility within the new Oak Springs Center 12 acres tract with all new parking lots area by the proper grading and drainage of run off precipitation and providing handicap accessibility for all community members break area, an office, a kitchen expansion, overflow parking, and the interior assembly area by the proper ADA accessibility for the facility. This was a need for the community due to a lack of a facility and growing number enrollment through the Oak Springs's community.

Work Plan: Phase one (1) of the A/E Firm will be awarded and the A/E firm will develop a full set of Construction Documents; plan, design, specifications, and construction administer the 6,323 sq. ft. project. All Civil, Structural, Architectural, Mechanical, plumbing, and Electrical drawings will be coordinated thru the hired Architect to comply with the all applicable ADA codes, local, state, and federal codes. Phase two (2) will consist of utilizing the construction funds to construct the building to a full complete turn-key facility.

Budget Detail: Phase One (1)-A/E Design On-going December 2023

Project Cost	Sihasin Funds	Other Funds
Architect/Engineer/Programming (Under Contract)	\$386,082.47	NN (DMA Contract)
Geo-technical Soil Survey (Under Contract)		NN (DMA Corporation Contract)
Bidding and Award		NN Included
Construction Administration		NN included
Topographic Survey		Included
Construction Cost Estimate		Included
Civil Engineer		Included
Navajo Nation Tax 6%		
	(2 nd Yr. Award)\$386,082.47	
		Total: (Under Contract-\$392,000.00

Budget Detail: Phase Two (2)-Construction- Pending Spring 2023/2024

Project Cost	ARPA (TJN-29-22) Funds	Other Funds
Construction	Pending	NN \$2,802,340.00
Equipment/Furnishings	Pending	Included
Parking lot	Pending	Included
On-Site Infrastructure	Pending	Included
Off-Site Infrastructure NTUA/ROW/3-Phase Ext.	Pending	Included
	(Sihasin) Pending Request	
Navajo Nation Tax 6%		\$2,802,340.00
	Additional Const. Need	

	Total: - \$2,802,340.00
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Project Goal/Performance Measures

- ~~A/E Solicitation: August 2022 - Completed~~
- ~~A/E Interviews September 2022 - Completed~~
- ~~Navajo Nations Procurement Process April-May 2022~~
- ~~Award A/E June 2022~~
- ~~A/E firms issued Notice to proceed to implement Plan and Design work June 2022~~
- ~~A/E firm and Stakeholders kick-off meeting on June/July 2022~~
- ~~Programming and design in progress by A/E Firm July 2022~~
- Schematic Design to be completed- Fall 2022
- Design Development September 2022
- Construction Documents/specification development- November 2022- Completed
- Bidding on Construction January 2023
- Bids on project /Cost Negotiation with Contractor-January-February 2023
- Navajo Nations Procurement Process February 2023
- Award Contractor Company contract March 2023
- Construction Ground breaking on site with contractor April/May 2023
- Construction Starts Mid-May 2023
- Excavation, rough plumbing/sewer line, footing, foundation walls, and concrete floor completed -March-May 2023
- Exterior walls, windows, exterior doors, and roof trusses are completed - June-July 2023
- Finish roofing is installed and exterior walls painted -August 2023
- Rough electrical wiring, insulation, drywalls, and interior walls installed -July 2023
- Drywalls taped, interior walls painted, finish flooring installed -August 2023
- Electrical lighting, wall switches, outlets, finish plumbing are completed - September 2023
- Conduct testing on electrical and mechanical systems - October 2023
- Construction completion date - October 2023
- No Changes to the design shall be rendered unless the NN-Architect authorizes it.
- All communication shall be channeled through the NN-Capital Project Management Department office and at no time shall the Design Team initiate changes made by the sponsors/Chapters.
- Establish meeting dates during the design phases to assure exact percentage of completion. This should be aligned with the payment application submitted.

External Milestones Affecting the Project

A/E Funds established by sponsor/client

Construction Funds Established by sponsors/client

Impact of Late Delivery

Results Expected: As the Navajo Nations Lead Agency, NN CPMD will proceed as scheduled and execute the contracts and monitor the design, payments and oversee the design and construction of the new facility for the community of Oak Springs, Arizona.

Responsible Staff (include Project Manager and Fiscal Contact):

Name: Edison Wauneka

Title: LDA- Elizabeth Kuipers

Address: P.O. Box 3390 Window Rock, AZ 86515

Email: ejwauneka@navajo-nsn.gov

Phone: 928-871-7160

Name: Flavin Taqaha/CPMD PM TBD

Title: Project Manager-TBD

Address: P.O. Box 1510 Window Rock, AZ 86515

Email: james_adakai@nndcd.org

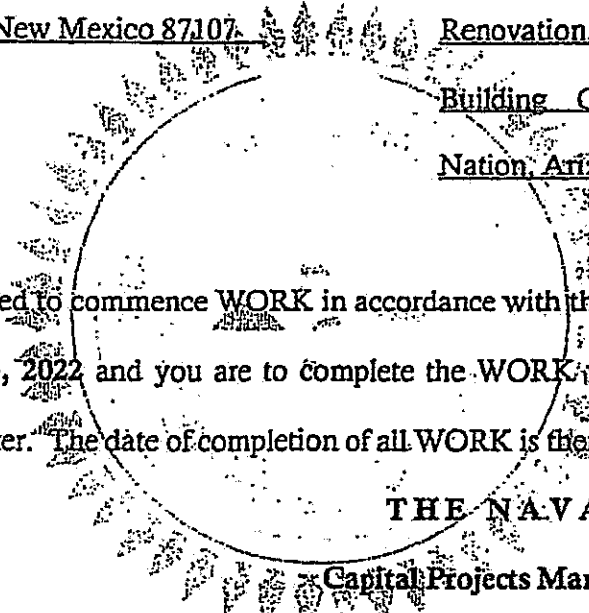
Phone: 928-871-6737

NOTICE TO PROCEED

TO: Dyron Murphy Architects, P.C.
4505 Montbel Place North East
Albuquerque New Mexico 87107

DATE: January 03, 2022
PROJECT: Oak Springs Chapter
Renovation/Design of Chapter
Building Oak Springs Navajo
Nation, Arizona

You are hereby notified to commence WORK in accordance with the Agreement dated, on or before January 03, 2022 and you are to complete the WORK within 240 consecutive calendar days thereafter. The date of completion of all WORK is therefore August 31, 2022.



THE NAVAJO NATION
Capital Projects Management Department

BY: [Signature]
TITLE: James Adakai, Delegate DM

CONTRACT NO.: CO15087

AMOUNT
BUSINESS UNIT NO. *ENCUMBERED*

General Funds \$386,082.47

AMT. OF CONTRACT NOT TO EXCEED:
\$386,082.47

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by

Dyron Murphy of
Dyron Murphy Architects, PC this

03 day of January, 2022.

BY: _____

TITLE: _____

NAVAJO NATION

129

5/26/2023

Navajo Nation Council Special Session

10:57:40 AM

Amd# to Amd#

New Business: Item A.

PASSED

MOT Tolth, G

(Consent Agenda)-Legislations:

SEC Damon, S

0082-23,0094-23,0102-23,0103-23,
0110-23, 0111-23 & 0112-23

Yeas : 18

Nays : 0

Excused : 3

Not Voting : 2

Yea : 18

Arviso, S

Claw, S

Johnson, C

Parrish, S

Aseret, L

Damon, S

Nez, A

Simpson, D

Begay, H

Daniels, H

Nez, R

Tolth, G

Begay, N

James, V

Notah, N

Tso, O

Charles-Newton, E

Jesus, B

Nay : 0

Excused : 3

Yazzie, C

Crotty, A

Slater, C

Not Voting : 2

Yanito, C

Simonson, G

Presiding Speaker: Curley, C