

Steamboat Chp
Scattered Water Line II

NNDOJ
Initial Eligibility
Determination



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 #: HK0220

Date & Time Received: 11/15/22 16:36

Date & Time of Response: 11/29/2022 8:00 PM

Entity Requesting FRF: Steamboat Chapter

Title of Project: Scattered Water Line II

Administrative Oversight: Department of Water Resources

Amount of Funding Requested: \$1,480,000

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: 5.15 Drinking Water: Other Water 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.

Appendix A

Per

BFS-31-21

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Steamboat Chapter (Steamboat Commission Government) Date prepared: 08/23/2022

Chapter's mailing address: P.O. Box 117 Ganado, AZ 86505 phone & email: (928) 736 - 2631/2633 website (if any): steamboat.navajochapters.org

This Form prepared by: Stephanie Curley phone/email: (928) 736 - 2631/2633
Acting Commission Manager steamboat@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Scattered Water Line II

Chapter President: Jefferson Kee phone & email: (928)736-2631, steamboat@navajochapters.org
Chapter Vice-President: Ernest Tsosie phone & email: (928)736-2631, steamboat@navajochapters.org
Chapter Secretary: Kerrie L. Ashley phone & email: (928)736-2631, steamboat@navajochapters.org
Chapter Treasurer: Juliuson Bitusie, Manuel Rico, Jr. phone & email: (928)736-2631, steamboat@navajochapters.org
Chapter Manager or CSC: Stephanie Curley phone & email: (928)736-2631, steamboat@navajochapters.org
DCD/Chapter ASO: Dereck Echohawk phone & email: (928)266-3153, ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Tribal Utility Authority, Navajo Nation Office of Environmental Health document attached

Amount of FRF requested: \$1,480,000.00 FRF funding period: Upon Approval 10/1/22-9/30/25
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:

Steamboat Community is in need of a water line and sewer project development and infrastructure for 30 homes. Clean water is necessary to every home for everyday use: safe drinking water and sanitation facilities. Location to be served will be within Steamboat Community.

document attached

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

The Steamboat Community Water line project will benefit each home to have access to daily water usage for cooking, cleaning, personal hygiene, and consumption. There are homes that are hauling water on a daily basis to survive these conditions, therefore, this water line project will greatly benefit our community members. By helping reduce our community members chances of COVID 19 by having running water.

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

Projects will be initiated once all funding are secured and given Notice To Proceed, these projects are in "Shovel Ready" category. All homes will be served with running water by the end of 2026. In the case of any changes or delays occurs, all funding will and should be encumbered

document attached

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

Steamboat Chapter Administration will be responsible for initiating the projects, in collaboration with NTUA, OEH, and NECA.

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:

All maintenance will be maintained by homeowners.

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:

Expenditure Category:

5.15 Drinking Water - Other Water Infrastructure

Steamboat Community Scattered Water Line Project II - will benefit each home to have access to daily water usage for cooking, cleaning, personal hygiene, and consumption. So that it may be used for safe drinking water and sanitation facilities.

document attached

Part 3. Additional documents.

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

Scattered Water Line Project II Plan, costs associated with project.

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: Stephanie Curley
Signature of Proposer/CONTRACT PERSON

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

Approved by: Stephanie Curley
Signature of Chapter Manager or CSC

Approved by: [Signature]
Signature of DCO/Chair/ASO

Approved to submit for Review: Sisa Jyrum, NNFRFO
Signature of DCO Director

Appendix J:
Project Budget
Summary
Per
CJN-29-22

Signed

Budget

Forms 1, 2 & 4

(Other budget forms if needed)

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: New Program Title: Steamboat Division of Community
 Prepared By: Stephanie Curley Phone No.: 928-736-2931 Division/Branch: Development
 Email Address: steamboat@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds	10/1/22-9/30/25	1,480,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance	6		1,480,000	1,480,000
				9000 Capital Outlay				
				TOTAL		\$0.00	1,480,000.00	1,480,000
				PART IV. POSITIONS AND VEHICLES				
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
				TOTAL				
				PART V. POSITIONS AND VEHICLES				
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
				TOTAL				

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







SUBMITTED BY: [Signature] Program Manager's Printed Name: Stephanie Curley
 Date: 10.1.22

APPROVED BY: [Signature] Division Director / Branch Chief's Printed Name: Stephanie Curley
 Date: 11.1.22



[Handwritten initials] 4/19/23

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:	Business Unit No.: <u>NEW</u>	Program Name/Title:	STEAMBOAT CHAPTER																																																																																																								
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:	STEAMBOAT CHAPTER WATER LINE NNFRF PROJECT																																																																																																										
PART III. PROGRAM PERFORMANCE CRITERIA:	<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="2">1st QTR</th> <th colspan="2">2nd QTR</th> <th colspan="2">3rd QTR</th> <th colspan="2">4th QTR</th> </tr> <tr> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> </tr> </thead> <tbody> <tr> <td colspan="8">1. Goal Statement: Water line project to 30 Community Members Home</td> </tr> <tr> <td colspan="8">Program Performance Measure/Objective: To connect water line requirements from NTUA to 30 homes; materials</td> </tr> <tr> <td colspan="2">1</td> <td colspan="2">1</td> <td colspan="2">1</td> <td colspan="2">1</td> </tr> <tr> <td colspan="8">2. Goal Statement:</td> </tr> <tr> <td colspan="8">Program Performance Measure/Objective:</td> </tr> <tr> <td colspan="8">3. Goal Statement:</td> </tr> <tr> <td colspan="8">Program Performance Measure/Objective:</td> </tr> <tr> <td colspan="8">4. Goal Statement:</td> </tr> <tr> <td colspan="8">Program Performance Measure/Objective:</td> </tr> <tr> <td colspan="8">5. Goal Statement:</td> </tr> <tr> <td colspan="8">Program Performance Measure/Objective:</td> </tr> </tbody> </table>			1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	1. Goal Statement: Water line project to 30 Community Members Home								Program Performance Measure/Objective: To connect water line requirements from NTUA to 30 homes; materials								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:							
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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.	<table style="width:100%;"> <tr> <td style="width: 50%; text-align: center;"> James Adakai, Deputy Director Program Manager's Printed Name  Program Manager's Signature and Date <u>3-13-23</u> </td> <td style="width: 50%; text-align: center;"> Calvin Castillo, Division Director Division Director/Branch Chief's Printed Name  Division Director/Branch Chief's Signature and Date <u>3/13/2023</u> </td> </tr> </table>			James Adakai, Deputy Director Program Manager's Printed Name  Program Manager's Signature and Date <u>3-13-23</u>	Calvin Castillo, Division Director Division Director/Branch Chief's Printed Name  Division Director/Branch Chief's Signature and Date <u>3/13/2023</u>																																																																																																						
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Handwritten initials/signature

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:		Steamboat Chapter		Business Unit No.: NEW	
Program Name/Title:					
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)		
8000 8545	Public Assistance Infrastructure - Water Line - to purchase water line materials to hook up water to 30 Community Members home	1,480,000	1,480,000		
TOTAL		1,480,000	1,480,000		

LOD(6)

Handwritten signature and date: 1/18/23

Chapter Resolutions
and Other
Supporting
Documents

STEAMBOAT COMMISSION GOVERNMENT

Jefferson Kee, *Commission President*
Ernest Tsosie, *Commission Vice President*
Kerrie Begaye, *Commission Secretary/Treasurer*
Juliuson Bitauic, *Commission Member*
Manuel Rico, Jr., *Commission Member*



Vince James, *Council Delegate*
Duane Yazzie, *Grieving Committee Member*
Vacant, *Commission Manager*
Stephanie Curley, *Administrative Assistant*

P.O. Box 117 Ganado, Arizona 86503 • Phone (928)736-2631-33 • Fax (928)736-2631 • www.steamboat.mnrcs.org

Jonathan Nez, Navajo Nation President

THE NAVAJO NATION

Myron Lizer, Navajo Nation Vice President

SGC-2022-09-02

RESOLUTION OF STEAMBOAT COMMISSION GOVERNMENT

THE STEAMBOAT COMMISSION GOVERNMENT IS ACCEPTING AND APPROVING THE ARPA - NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR CHAPTER WATERLINE EXTENSION PROJECT AND CHAPTER WAREHOUSE PROJECT IN THE AMOUNT OF \$1,700,000.00 FOR THE NEEDS OF STEAMBOAT COMMUNITY.

WHEREAS:

1. Pursuant to TCDC Resolution TCDYMT-60-03; Steamboat Chapter is a Local Governance Act ("LGA") certified Chapter authorized to exercise certain governance authorities contained within 26 N.N.C. § 103, with the exception of land administration authority pursuant to 26 N.N.C. § 103 (D) (1); and
2. Pursuant to Navajo Nation Council Resolution No. CO-51-04, Steamboat Chapter is a Governance Certified Chapter authorized to exercise certain authorities within 26 N.N.C; and
3. The Steamboat Chapter is delegated to act within its authority to review all local matters affecting the community members consistent with the Navajo Nation law, including custom and tradition which compel the chapter to govern with the reasonability and accountability to the community members; and
4. The Steamboat community approved on August 23, 2011 an Alternative Form of Government to change to Commission-Manager Style Government; and
5. The Steamboat Commission Government has a short- and long-term Strategic Plan in place to address issues regarding economic, business, community development, industrial park, and social needs within the community; and
6. The Steamboat Commission Government accepts the allocations for the ARPA – NNFRF allocation in the amount of \$1,700,000.00 for Water line extension project and Warehouse Project; and
7. The Steamboat Commission Government supports and accepts the Expenditure Plan to serve Steamboat Community for needs of adequate water supply for homes and a location on the chapter compound to house PPEs, Food supply, and other supplies. [Attachment Appendix A]; and
8. The Steamboat Commission Administration will be the point of contact on all administrative matters.

STEAMBOAT COMMISSION GOVERNMENT

Jefferson Kee, *Commission President*
Ernest Tsosie, *Commission Vice President*
Kerrie Begaye, *Commission Secretary/Treasurer*
Juliuson Bitsuie, *Commission Member*
Manuel Rico, Jr., *Commission Member*



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P.O. Box 117 Gucado, Arizona 86505 • Phone (928)736-2631/33 • Fax (928)736-2631 • www.steamboatindies.org

Jonathan Nez, Navajo Nation President

THE NAVAJO NATION

Myron Lizer, Navajo Nation Vice President

SGC-2022-09-02

NOW THEREFORE BE IT RESOLVED THAT:

THE STEAMBOAT COMMISSION GOVERNMENT IS ACCEPTING AND APPROVING THE ARPA - NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR CHAPTER WATERLINE EXTENSION PROJECT AND CHAPTER WAREHOUSE PROJECT IN THE AMOUNT OF \$1,700,000.00 FOR THE NEEDS OF STEAMBOAT COMMUNITY.

CERTIFICATION

I, hereby certify that foregoing resolution was duly considered by the Steamboat Commission Government at duly called meeting in Steamboat, Navajo Nation, Arizona at which quorum was present, motioned by Juliuson Bitsuie and seconded by Ernest Tsosie and that the same was passed by a vote of 4 in favor and 0 opposed, 1 abstained, this 14th day of September 2022.

Jefferson Kee
Commission President

Steamboat Commission Government

Box 117

Ganado, Arizona 86505

Phone: (928) 736-2631 Fax: (928) 736-2634

Project: Scattered Water Line Project II

Location: Steamboat Rural Area

Nº of Home: 30 Homes

Names: <<ATTACHED>>

Requesting Amount: \$ 1,480,000.00 (NN Fiscal Recovery Fund)

Plan

Purpose:

Upon further study and latest assessment, there are 30 homes that are lacking their everyday necessities like running water, and these homes will definitely benefit or improve their livelihood only if they had access to clean running water or indoor bathroom. Safe clean drinking water is lacking from these homes, they have to haul water and store the water in their storage container for a period of time, which becomes compromised overtime.

Primary homes are located within ¼ a mile of NTUA existing waterline, half of these homes are equipped with bathroom facility and ready for hook up.

Partnership:

- o Navajo Tribal Utility Authority
- o Indian Health Service
- o Navajo Engineering Construction Company
- o Department of Community Development

Objective:

To connect all 30 homes with clean running water, bath facility, waste water drain, and leach field and other necessary items. To provide all home with everyday benefits of having running water for drinking, cleaning and other usage.

Scope of Work:

- ✓ Complete clearance for R.O.W., Easements, Arc, PTC, PTT.
- ✓ To install 1,450 linear feet of 4" PVC water line, and 2,664 feet of 2" poly water line, and 2,666 feet of 1" service line to water meter.
- ✓ install all curb stops, domestic stops, gate valves, T-post.
- ✓ Install septic tanks, 4" PVC waste lines, infiltrators, cap, vents (complete leach field)
- ✓ Install all indoor plumbing, (water line, waste lines & vents)
- ✓ Install water heater and fixture.
- ✓ Complete TEST.

Material & Labor Cost: <NECA & NTUA>

Material	u/m	Total
Clearance & Permit; Plan & Design package	30 ea.	\$260,000.00
Equipment, Storage, Transportation fees	Pending	\$120,000.00
Personnel	Pending	\$300,000.00
Construction	30 ea.	\$800,000.00
	TOTAL	\$ 1,480,000.00

Time Frame:

FY 22	FY23	FY24	FY25
Identified 30 home	Allocate Funding		
Collect Data	Notice to Proceed		
Proposal & Resolution		Construction Phase	
			Complete Phases

Close out/Invoice:

<Chapter House and DCD will collaborate on Close-Outs>

STEAMBOAT COMMISSION GOVERNMENT

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Jonathan Nez, Navajo Nation President

THE NAVAJO NATION

Myron Lizer, Navajo Nation Vice President

NAVAJO NATION FISCAL RECOVERY FUND STEAMBOAT COMMISSION GOVERNMENT SCATTERED WATER LINE PROJECT II COMMUNITY LISTING

1.	9284
2.	9284
3.	5054
4.	9284
5.	928-
6.	5054
7.	4804
8.	928-
9.	9284
10.	9284
11.	5054
12.	5054
13.	9284
14.	9284
15.	928-
16.	9284
17.	9284
18.	5054
19.	928-
20.	928-
21.	928-
22.	928-
23.	9284
24.	9284
25.	9284
26.	505-
27.	9284
28.	9284
29.	928-
30.	9284

Consulting Fees (Non-Taxable)	\$	63,246.00
Consulting Fees (Taxable)	\$	35,000.00
Site Prep	\$	4,760,137.00
Tax	\$	287,708.22
 SUB-TOTAL - Fees	 \$	 5,146,091.22
 Consulting Expenses (Non-Taxable)	 \$	 12,329.20
 SUB-TOTAL - Expenses	 \$	 12,329.20
 Building	 \$	 3,628,416.00
Building - Tax	\$	217,704.96
 SUB-TOTAL - Building	 \$	 3,846,120.96
 GRAND TOTAL	 \$	 9,004,541.38
 FEES:		
K211500-6530	\$	72,887.38
K211557-6530	\$	4,785,495.62
 FEES TAX:		
K211557-6530	\$	287,708.22
 CONSULTANT EXPENSES:		
K211557-6540	\$	12,329.20
 BUILDING:		
K211557-5120	\$	3,628,416.00
 BUILDING TAX:		
K211557-5120	\$	217,704.96
 GRAND TOTAL	 \$	 9,004,541.38