



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

The Navajo Nation | Yideeskáądi Nitsáhákees

November 8, 2023

TRANSMITTAL

TO : Arbin Mitchell, Executive Director
 Division of Community Development (DCD)

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

SUBJECT : BU on Projects / Activities for Becenti Chapter, Lake Valley Chapter, Nahodishgish Chapter, Tse'ii'ahi Chapter, Whiterock Chapter, Huerfano Chapter, Nageezi Chapter, and Crownpoint Chapter- ARPA Funds Allocated to Delegate Danny Simpson

I. Information on Contract (per Original Award):

Becenti Chapter, Lake Valley Chapter, Nahodishgish Chapter, Tse'ii'ahi Chapter, Whiterock Chapter, Huerfano Chapter, Nageezi Chapter, and Crownpoint Chapter	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
_____	_____	_____
Title of Contract	Funding Agency	CFDA No. - Federal
CJY-65-23; CMY-42-23	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Term - Begin and End Date
	\$ 8,802,340.00	

II. Data Entered in FMIS Regarding:

New Contract or Grant Company No. 8059 Business Unit (K#) K2115290 to K2115315

Contract Mod No. _____ Internal Modification No. 1

Amt of Budget Increase \$4,600,557.00 \$1,872,319.00 to \$6,472,876.00

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 CJY-65-23

III. Comments by CGS:

This transmittal documents 2nd budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Danny Simpson Region. Y-T-D budget in FMIS for CD Danny Simpson totals \$6,472,876. 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

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Danny Simpson

CHAPTERS: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint

K2115210
K2115211
K2115212
K2115213
K2115214
K2115215
K2115216
K2115217
K2115218

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN CMY-42-23 on June 8, 2023				\$ 1,872,319.00
Division of Community Development	None Identified	Becenti Chapter Hazard/Premium Pay for Essential Workers	Division of Community Development	4.1	HK0498	\$ 115,000.00
Division of Community Development	None Identified	Becenti Chapter Bathroom Additions and Renovation Project	Division of Community Development	1.14	HK0481	\$ 178,000.00
Division of Community Development	None Identified	Nageezi Chapter Purchase of Heavy-Duty Equipment Project	Division of Community Development	6.1	HK0517	\$ 250,000.00
Division of Community Development	None Identified	Nageezi Chapter Warehouse Project	Division of Community Development	1.14	HK0516	\$ 200,000.00
Division of Community Development	None Identified	Nageezi Chapter Community Cemetery Project	Division of Community Development	6.1	HK0518	\$ 50,000.00
Division of Community Development	None Identified	Crownpoint Chapter Septic Cleaning Project	Division of Community Development	5.5	HK0502	\$ 30,000.00
Division of Community Development	None Identified	Crownpoint Chapter Cleaning Supplies Project	Division of Community Development	1.14	HK0514	\$ 50,000.00
Division of Community Development	None Identified	Crownpoint Chapter Utility Assistance Project	Division of Community Development	2.2	HK0289-2	\$ 150,000.00
Division of Community Development	None Identified	Crownpoint Chapter Half-Acre Homesite Project	Division of Community Development	2.23	HK0290-2	\$ 300,000.00

TOTAL: \$ 3,195,319.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Danny Simpson

CHAPTERS: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint

K2115309
K2115300
K2115301
K2115302
K2115303
K2115304
K2115305
K2115306
K2115307

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01.....				\$ 3,195,319.00
Division of Community Development	None Identified	Crownpoint Chapter Water-Point Upgrade Project	Division of Community Development	5.11	HK0515	\$ 25,000.00
Division of Community Development	None Identified	Lake Valley Chapter Septic-Cleaning Project	NN Environmental Protection Agency	5.5	HK0439	\$ 100,000.00
Division of Community Development	None Identified	Lake Valley Chapter Employ of Waterline/Powerline ROW Agent	Division of Community Development	2.18	HK0571	\$ 50,000.00
Division of Community Development	None Identified	Tse'ii'ahi Chapter Heavy Equipment (Major Parts) Replacement (Blades, Bucket, Tires) Project	Division of Community Development	6.1	HK0543	\$ 10,000.00
Division of Community Development	None Identified	Tse'ii'ahi Chapter Septic Tank Cleaning Project	Division of Community Development	5.5	HK0574	\$ 40,000.00
Division of Community Development	None Identified	Tse'ii'ahi Chapter Home Renovations Project	Division of Community Development	2.18	HK0575	\$ 402,644.00
Division of Community Development	None Identified	Tse'ii'ahi Chapter Bathroom Additions (ADA Compliant) Project	Division of Community Development	1.14	HK0576	\$ 300,000.00
Division of Community Development	*White Rock Chapter	White Rock Chapter Community Home/Bathroom Renovations Project	Division of Community Development	2.18	HK0577	\$ 600,000.00
Division of Community Development	*White Rock Chapter	White Rock Chapter Warehouse Project	Division of Community Development	1.14	HK0578	\$ 150,000.00

TOTAL: \$ 4,872,963.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Danny Simpson

CHAPTERS: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint

K2115328
K2115306
K2115310
K2115311
K2115312
K2115313
K2115314
K2115315

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 02.....				\$ 4,872,963.00
Division of Community Development	*White Rock Chapter	White Rock Chapter Community Rural Addressing Project	Division of Community Development	1.14	HK0579	\$ 75,000.00
Division of Community Development	None Identified	Huerfano Chapter Bathroom Additions/Waterlines Project	NN Department of Water Resources	5.11	HK0580	\$ 77,000.00
Division of Community Development	None Identified	Huerfano Chapter Solar System Project	Division of Community Development	2.18	HK0581	\$ 174,000.00
Division of Community Development	None Identified	Huerfano Chapter Septic System Cleaning Project	Division of Community Development	5.5	HK0602	\$ 33,000.00
Division of Community Development	None Identified	Huerfano Chapter Waterline Extension/Septic System Installation for Home Upgrades Project	NN Department of Water Resources	5.11	HK0603	\$ 182,885.00
Division of Community Development	None Identified	Becenti Chapter Housing Renovation Project	Division of Community Development	2.18	HK0582	\$ 255,000.00
Division of Community Development	None Identified	Nahodishgish Chapter Home Improvements Project	Division of Community Development	2.18	HK0614	\$ 753,028.00
Division of Community Development	None Identified	Crownpoint Chapter Hazard/Premium Pay for Employees Project	Division of Community Development	4.1	HK0538-2	\$ 50,000.00
		UN-ALLOCATED AMOUNT				\$ 2,329,464.00

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*

August 4, 2023



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

RE: *CJY-65-23 An Action Relating to The Naabik'iyáti' Committee and Navajo Nation Council; Amending CMY-42-23, The Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Danny Simpson's Delegate Region (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint), To Include Additional Projects for this Delegate Region*

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-65-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Simpson's Delegate Region in the amount of \$4,600,557.

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;
 AMENDING CMY-42-23, THE NAVAJO NATION FISCAL RECOVERY FUND
 DELEGATE REGION PROJECT PLAN FOR HONORABLE DANNY SIMPSON'S
 DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY, NAHODISHGISH,
 STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI, CROWNPOINT), TO
 INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNERF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- D. Navajo Nation Council Resolution No. CMY-42-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Danny Simpson's Delegate Region (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;

HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand

three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).

5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CMY-42-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE DANNY SIMPSON'S DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY, NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI, CROWNPOINT), was signed into law by the President of the Navajo Nation on June 8, 2023.
- D. CMY-42-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. S 164(A) (17) and 2 N.N.C. §§ 1005(C) (10), (11), and (12).
- E. All additional projects listed in the Hon. Danny Simpson's Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Danny Simpson's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Danny Simpson's Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Danny Simpson's Delegate Region (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint) as set forth in **Exhibit A**.

SECTION THREE. AMENDING CMY-42-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE DANNY SIMPSON'S DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY, NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI, CROWNPOINT), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Danny Simpson's Delegate Region (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint) 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.

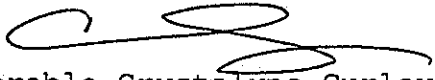
This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

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 19th day of July 2023.


Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

7/27/23


DATE

Motion: Honorable Shaandiin Parrish
Second: Honorable Brenda Jesus

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 4 day of August, 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

193

Navajo Nation Council Summer Session

7/19/2023
07:24:07 PM

Amd# to Amd#	Legislation 0133-23: Amending	PASSED
MOT Parrish, S	CMY-42-23, the Navajo Nation	
SEC Jesus, B	Fiscal Recovery Fund Delegate	
	Region Project Plan for....	

Yeas : 18

Nays : 0

Excused : 1

Not Voting : 4

Yea : 18

Begay, H	Daniels, H	Nez, R	Simpson, D
Begay, N	James, V	Notah, N	Slater, C
Charles-Newton, E	Jesus, B	Parrish, S	Tolth, G
Claw, S	Johnson, C	Simonson, G	Yazzie, C
Crotty, A	Nez, A		

Nay : 0

Excused : 1

Damon, S

Not Voting : 4

Arviso, S	Aseret, L	Tso, O	Yanito, C
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Presiding Speaker: Curley, C



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL



ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

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

RFS/HK Review #: HK 0574

Date & Time Received: 6/15/23 at 14:54

Date & Time of Response: 6/23/23 at 1105

Entity Requesting FRF: Tse'ii'ahi' Chapter

Title of Project: Septic Tank Cleaning Project

Administrative Oversight: DCD

Amount of Funding Requested: \$40,000.00

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: Rudy Anaya, Tax and Finance Unit

Signature of DOJ Reviewer: _____  _____

Disclaimers:
If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form I, and other supporting documents. Please email your resubmission to arpa@nndoj.org. Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

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

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

DUB

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Tse'ii'ahi' Chapter Date prepared: 01/31/2023

Chapter's P.O. Box 247 mailing address: Crownpoint, NM 87313 phone/email: 505-786-2247 website (if any): standingrock@navajochapters.org/

This Form prepared by: Janice Padilla phone/email: 505-801-7601
Community Services Coordinator janpadia@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Septic Tank Cleaning Project

Chapter President: Johnny Johnson phone & email: 505-906-5255; jjsndem@yahoo.com

Chapter Vice-President: Phyllis Willeto-Lancer phone & email: 505-879-5756; pwilleto04@yahoo.com

Chapter Secretary: Alva R. Tom phone & email: 505-870-7152; artom@navajochapters.org

Chapter Treasurer: Alva R. Tom phone & email: 505-870-7152; artom@navajochapters.org

Chapter Manager or CSC: Janice Padilla phone & email: 505-786-2247; janpadia@nnchapters.org

DCD/Chapter ASO: Myrtis Begay phone & email: 505-786-2093; msbegay@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Septic tank pumping services; Plumbing services document attached

Amount of FRF requested: \$40,000 FRF funding period: January 1, 2023 to September 30, 2026
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This project will promote health and sanitation by maintaining and improving water and sewer infrastructure within Tse'ii'ahi' Chapter. The project will promote clean water and sanitation by improving decentralized wastewater treatment at the household level. Project funds will be used to pump and clean out septic tanks for an estimated 80 homes in Tse'ii'ahi' Chapter. Together with adequate clean water supply, adequate wastewater disposal promotes health and helps prevent the spread of disease such as COVID-19. document attached

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

Even though this project is implemented at an individual household level, the disease transmission prevention benefits and protection of ground water sources through proper treatment benefit the neighbors, extended family members, and Tse'ii'ahi' and Navajo community at large. 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:

Jan 2023 - Solicit competitive bids from at least 3 qualified contractors; Feb 2023 - Submit qualified, low bidder's contract for approval; Apr 2023 - Contract awarded; May 2023 - Contractor work begins; Dec 2023 - Project complete

document attached

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

A projects manager will be hired using funds requested separately. This manager will work closely with the Chapter CSC and officials to procure the Contractor, review progress and recommend payments, and coordinate closely with the Contractor, residents affected by project, Chapter staff and Chapter Officials throughout the project. [Also mention oversight by other NN departments? DCD?]

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:

[Discuss how to address this. O&M of these systems is usually by the homeowner. Training/retraining on what is ok to put down drains can help, but ultimately these systems need to be pumped again in future]

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:

As described above, septic tank cleaning is part of ensuring adequate water and sewer infrastructure at the residential level. Specifically, the project provides for Decentralized Wastewater, Expenditure Category 5.3.

document attached

Part 3. Additional documents.

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

Chapter Resolution
Budget Forms

Chapter Resolution attached

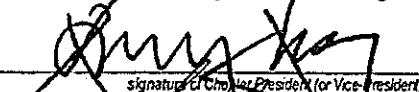
Part 4. Affirmation by Funding Recipient.

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:

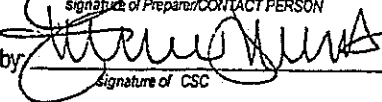
Chapter's Preparer:


signature of Preparer/CONTACT PERSON

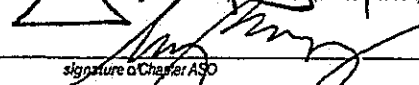
Approved by:


signature of Chapter President (or Vice-President)

Approved by:


signature of CSC

Approved by:


signature of Chapter ASO

Approved to submit for Review:


signature of Director



The Navajo Nation
 Tse'ii'ahi' (Standing Rock) Chapter
 PO Box 247
 Crownpoint, New Mexico 87313
 Phone: 505.786.2247/2248
 Fax: 505.786.2249
 Email: standingrock@navajochapters.org

Dr. Ben Nyeon, Navajo Nation President

Kathleen Mervyn, Navajo Nation Vice President

**RESOLUTION OF THE TSE'II'AHII' CHAPTER
 RESOLUTION NO.: TSEII.0323.0302**

**REQUESTING TO THE 25TH NAVAJO NATION COUNCIL AND FISCAL RECOVERY FUNDS(FRF) OFFICE
 TO FUND THE SEPTIC TANK CLEANING PROJECT IN THE AMOUNT OF \$40,000.**

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Tse'ii'ahi' Chapter is duly recognized certified Chapter of the Navajo Nation Government, as listed at 111 N.N.C., part 1, Section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B) Tse'ii'ahi' Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other Local agencies for appropriate action; and

PROJECT DESCRIPTION	AMOUNT
SEPTIC TANK CLEANING	\$40,000

3. The COVID-19 pandemic has resulted in global shortage of raw materials, good, services necessary to address the needs of the Tse'ii'ahi' Chapter resident, businesses and governmental units.

NOW THEREFORE BE IT RESOLVED THAT:

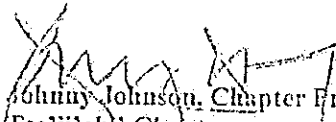
1. Tse'ii'ahi' Chapter is requesting the 25th Navajo Nation Council and Fiscal Recovery Fund (FRF) Office to fund the Septic Tank Cleaning Project in the amount of \$40,000.
2. Tse'ii'ahi' Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF expenditure plan in compliance with the ARPA, ARPA Regulations, and with all applicable Federal and Navajo Nation Laws, Regulations, and Policies for the Septic Tank Cleaning Project.

CERTIFICATION

I, hereby certify that this foregoing resolution was considered by the people of the Tse'ii'ahi' Chapter at a duly called chapter meeting held at Tse'ii'ahi' Chapter, at which an official quorum was present and was passed by a vote of 08 in favor, none opposed, and 02 abstention on this 21st day of March.

Motion by: Velvet Kalleco

Second by: Felda Yazzie


 Johnny Johnson, Chapter President
 Tse'ii'ahi' Chapter

5/2023.jp

Johnny Johnson, Chapter President
 Phyllis Willetto-Lancer, Chapter Vice-President
 Alva R. Tom, Chapter Secretary/Treasurer

Janice Padilla, Community Service Coordinator
 Vacant, Account Maintenance Specialist
 Clinton Jim, Land Board Member

Penny Simpson, Council Delegate

Job K2115303 US TREAS -TSEI'PAHI SPTC TK C
Project

Cost Code	Cost Type	Description	L P M D E C U M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1710	Program Revenue	6 B N		40,000.00-	40,000.00-			40,000.00-		1.00
1710	Program Revenue	6 T		40,000.00-	40,000.00-			40,000.00-		1.00
1705	CG Revenue	5 T		40,000.00-	40,000.00-			40,000.00-		1.00
1700	External C/G Revenue Source	4 T		40,000.00-	40,000.00-			40,000.00-		1.00
1000	Revenues	3 T		40,000.00-	40,000.00-			40,000.00-		1.00
8500	Infrastrure (non cap)	6 B N		40,000.00	40,000.00			40,000.00		1.00
8500	Infrastrure (non cap)	6 T		40,000.00	40,000.00			40,000.00		1.00
8010	Public	5 T		40,000.00	40,000.00			40,000.00		1.00
8000	Assistance	4 T		40,000.00	40,000.00			40,000.00		1.00
2000	Expenses	3 T		40,000.00	40,000.00			40,000.00		1.00

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ___ of ___
BUDGET FORM 4

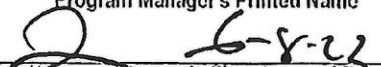

PART I. PROGRAM INFORMATION:					
Program Name/Title: <u>Tse'ii'ahi' Chapter - Septic Tank cleaning project</u>			Business Unit No.: <u>NEW K2115303</u>		
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(D)		
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)		
8000 8500	ASSistance Infrastructure (non cap) 8550 - Water/Waste water	40,000.00	40,000.00		
<p>POSTED 11/01/23</p>					
TOTAL		40,000.00	40,000.00		

Alicia Hale

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 4
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u> K2115303		Program Title: <u>DCD/ Tse'ii'ahi' (Standing Rock) Chapter</u>		Division/Branch: <u>DCD / Executive</u>				
Prepared By: <u>Janice Padilla, CSC</u>		Phone No.: <u>505-786-2247/2248</u>		Email Address: <u>standingrock@navajochapters.org</u>				
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	1/1/23-9/30/26	40,000.00	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	6		40,000	40,000 Att
				7000 Special Transactions				
				8000 Public Assistance	6	8	40,000	40,000 Att
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	40,000.00	40,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		8	8	Att
				Total # of Vehicles Budgeted:		8	8	Att
TOTAL:		\$40,000.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>James Adakai, Deputy Director</u>			APPROVED BY: <u>Calvin Castillo, Division Director</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
								
Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION: <u>K2115303</u>									
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>DCD/ Tse'li'ahl' (Standing Rock) Chapter</u>						
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: <u>CJN-29-22 Navajo Fiscal Recovery Fund on the Navajo Nation</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>Provide septic tank cleaning for community membership</u>									
Program Performance Measure/Objective: <u>Assist 100 community membership to septic tank cleaning</u>		25		25		25		25	
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>James Adakai, Deputy Director</u> Program Manager's Printed Name				<u>Calvin Castillo, Director</u> Division Director/Branch Chief's Printed Name					
<u>[Signature]</u> <u>6-8-23</u> Program Manager's Signature and Date				<u>[Signature]</u> <u>6-8-23</u> Division Director/Branch Chief's Signature and Date					

**THE NAVAJO NATION
PROJECT PROCESS SCHEDULE**

PART I. Business Unit No.: <u>New K2115303</u>													PART II. Project Information																				
Project Title: <u>ARPA FUNDS</u>													Project Type: <u>ARPA FUNDS</u>																				
Project Description: <u>Septic Tank Cleaning</u>													Planned Start Date: <u>January 1, 2023</u>																				
Check one box: <input checked="" type="checkbox"/> Original <input type="checkbox"/> Revision <input type="checkbox"/> Reallocation <input type="checkbox"/> Modification													Planned End Date: <u>September 30, 2026</u>																				
Project Manager: <u>Janice Padilla, CSC</u>																																	
PART III. Project Task List: 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 <u>2024</u>												FY <u>2025</u>												Expected Completion Date if exceeds 8 FY Qtrs.								
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date <u>9/30/2026</u>								
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M			
SEPTIC TANK CLEANING																																	
100 CLIENTS																																	
PROFESSIONAL SERVICE AGREEMENT																																	
CLOSE OUT																																	
PART V. Expected Quarterly Expenditures	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								
	<u>3,000</u>			<u>8,000</u>			<u>8,000</u>			<u>8,000</u>			<u>8,000</u>												<u>40,000</u>								

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