



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

The Navajo Nation | Yideeskáądi Nitsáhákees

March 3, 2023

TRANSMITTAL

TO : Jason John, Director
 Department of Water Resources (DWR) / DNR

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

SUBJECT : Drinking Water: Cistern Systems - ARPA Funds Allocated to DWR / DNR

I. Information on Contract (per Original Award):

Drinking Water: Cistern Systems	U.S. Treasury American Recovery Plan Act (ARPA)		21.027
Title of Contract	Funding Agency		CFDA No. - Federal
CJN-29-22	\$ 84,000,000.00	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Fiscal Year	Term - Begin and End Date

II. Data Entered in FMIS Regarding:

New Contract or Grant Company No. 8059 Business Unit (K#) K211559

Contract Mod No. _____

Amt of Award _____ to _____
 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 CJN-29-22

III. Comments by CGS:

Budget received on February 8, 2023 is authorized for implementation pursuant to FY 2023 NN BIM Appendix L Section II. B. and concurred by Navajo Nation Fiscal Recovery Fund (NN FRF) Office on July 18, 2022. CGS received complete packet until 3/2/2023 to set up budget and issue this Transmittal.

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

Received 3/2/23 5:33pm.

8/3/23

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT

MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : Dr. Rudy Shenala, Executive Director
Division of Natural Resources

Jason John, Department Manager
Department of Water Resources
Division of Natural Resources

FROM : Lisa Jynn, Deputy Executive Director
Navajo Nation Fiscal Recovery Fund Office

DATE : July 18, 2022

SUBJECT : CJN 29-22 - Allocation of \$1,070,298,867 in Navajo Nation Fiscal Recovery Funds and \$215,000,000 to the Division of Natural Resources / Department of Water Resources.

The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting budgets totaling \$215,000,000 for the Division of Natural Resources/Department of Water Resources per CJN 29-22, Exhibit 1, as listed in the table below:

Exhibit	Description	Category	\$
1-1	Wastewater: Centralized Wastewater Treatment	5.1	\$33,075,338
1-2	Wastewater: Collection and Conveyance	5.2	\$6,008,874
1-3	Drinking Water: Distribution and Transmission	5.10	\$10,030,000
1-4	Drinking Water: Transmission and Distribution	5.11	\$51,085,784
1-5	Drinking Water: Source	5.12	\$29,330,000
1-6	Drinking Water: Storage	5.14	\$1,000,000
1-7	Drinking Water: Cistern Systems	5.15	\$84,000,000
	Total Funding for DNR/DWR		\$215,000,000

As applicable, prepare Budget Forms 2, 3, and 4 in accordance Budget Form 1 in approved Navajo Nation Council resolution CJN 29-22.

If you have any questions, please feel free to contact me by phone at (928) 309-5535 or by email at myron.lizer@navajonation.net.

Thank you.

Navajo Nation Fiscal Recovery Fund Office (NNFRFO)
PO Box 2469 Window Rock, AZ 86515
(928) 309-5532

DOCUMENT CHECKLIST

**Please submit all documents as one proposal with this checklist, otherwise
proposal will be returned to division/program.**

Division/Program Information:



Date Submitted: 2/8/2023
Program/Division: Dept of Water Resources/DNR
Contact Person: Jason John, Dept Mngr III
Phone: 928-349-1198

Email: jasonjohn@navajo-nsn.gov

Documents needed for processing:

- Initial Eligibility Determination from NNDOJ
- Appendix A per BFS-31-21 (Check one:)
 - NN Govt. Units
 - a. Attach a FRF Request Form, Expenditure Plan
 - Non-Governance Certified Chapters
 - a. Attach a duly approved Chapter Resolution supporting the project.
 - Governance Certified Chapters
 - a. Attach a duly approved Chapter Resolution supporting the project.
 - NN Owned Entities
 - a. Attach a duly approved Resolution from the Board of Directors.
 - External Entities
 - a. Attach a duly approved Resolution from the Board of Directors.
 - b. Registration Documents from DED - Business Regulatory Dept.
 - c. Certificate of Good Standing from DED - Business Regulatory Dept.
- CJN-29-22 Appendix J - Project Budget Schedule per Budget Instructions Manual.
- Signed Budget Forms 1, 2, and 4 (Other Budget Forms as needed)

Notes:

Per CJN-29-22, \$84M to DWR/DNR for Cistern System 5.15 Drinking Water : Cistern Projects

Reviewed by:

Arnold Jake, Principal Accountant
Fiscal Recovery Fund Office

Feb. 8, 2023
Date

Signed Budget

Forms 1, 2, and 4

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: now Program Title: 5.15 Water Line-Cistem-Septic Projects Division/Branch: Natural Resources/Executive
 Prepared By: Jason John Phone No.: (928)349-1188 Email Address: jasonjohn@navajo-nsn.gov

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			
CJN-29-22 Fiscal Recovery Funds		10/1/22-9/30/26	84,000,000	100%	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
					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		84,000,000	84,000,000
					9000 Capital Outlay			
					9500 Matching Funds			
					9500 Indirect Cost			
TOTAL						\$0	84,000,000	84,000,000

PART IV. POSITIONS AND VEHICLES

(D)	(E)
Total # of Positions Budgeted:	0
Total # of Vehicles Budgeted:	0

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

SUBMITTED BY: Jason John, Department Manager III APPROVED BY: W. Mike Halona, Division Director
Program Manager's Printed Name Division Director / Branch Chief's Printed Name
1/26/2023 1/26/2023
Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date



v-r-f

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

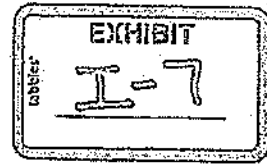
PART I. PROGRAM INFORMATION:		Business Unit No.:	NEW	
Program Name/Title:		5.15 Water Line-Cistern-Septic Projects		
PART II. DETAILED BUDGET:		(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)	
8000 ASSISTANCE	CJN-29-22 Fiscal Recovery Funds - Category 5.1 Clean Water: Water Line - Cistern - Septic System Projects		84,000,000	84,000,000
8780	Entities: .8785 Entity Grants 1,000 scattered locations (Listing will be in subrecipient agreement when finalized) 400 scattered locations (Listing will be in subrecipient agreement when finalized)	\$ 60,000,000 \$ 24,000,000 <u>84,000,000</u>		
TOTAL			84,000,000	84,000,000

1.8M 12/2/23

**Initial Eligibility
Determination
by NN DOJ**



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 #: HK0182

Date & Time Received: 4/12/22 03:53

Date & Time of Response: 4/13/2022 10:10 AM MDT

Entity Requesting FRF: Department of Water Resources

Title of Project: 5:15 Drinking Water- Other Water Infrastructure

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: \$84,000,000

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
- NN Gov't Units -
Per BFS-31-21

**THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources Indicate Department, Program, Office, Division, or Branch Date prepared: 04/12/2022

NN Government Unit's mailing address: P.O. Box 678 phone/email: 928.729.4003
Fort Defiance, AZ 86504 website (if any): _____

Form prepared by: Jason John, Department Manager phone/email: jasonjohn@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc.

CONTACT PERSON'S info

Title & type of Project: 5.13 Drinking Water: Source

NN Government Unit's Director or Manager: Jason John phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources Indicate Branch and/or Division on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

Construction contractors and engineers document attached

Amount of FRF requested: 29,200,000 FRF funding period: When funding received - December 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 consists of nine (9) drinking water source projects as listed on the attached to include constructing new water wells and new pump houses throughout the Nation.

document attached

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

This project consists of constructing new wells for additional water supplies and renovating wells and the pump houses that serve the wells. These project ensures that Navajo people have access to clean drinking water, either in their homes or by hauling from water loading stations. Clean drinking water is necessary for public health and ensuring habitable homes.

document attached

APPENDIX A

(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:

All projects will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026. Each project will have a unique timeline based on their project scope in order to meet the funding deadline objectives upon the issuance of the funding.

document attached

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

Jason John

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 projects will be operated and maintained by NTUA customers or NTUA using revenue from NTUA customers' water bills. Exceptions to the operation and maintenance for any projects that are located outside the jurisdiction of NTUA would be covered by the local water or wastewater utility operator or non NTUA customers as required.

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:

These projects are covered under Expenditure Category 5.13. ARPA provides these funds to the Navajo Nation to make necessary investments in water and sewer infrastructure. This is a necessary investment in water infrastructure. The Interim Final Rule provides the Nation with wide latitude to identify investments in water and sewer infrastructure.

document attached

Part 3. Additional documents.



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


Table indicating 5.13 NNFRF request for projects included.

APPENDIX A

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. C.JY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit
Preparer:  Approved by: 
signature of Preparer (DO NOT WRITE PERSON) signature of NN Government Unit's Chief/Program/Office Director or Manager

Approved to submit
for Review:  Print Name, Title, Branch or Division: Rudy Shebala, Executive Director
signature of Branch Chief or Division Director print name and includes title or position

Natural Resources
include Branch or Division

- Appendix J -

**Project Budget Schedule
Per
Budget Instructions Manual**

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>new</u>		PART II. Project Information	
Project Title: <u>CJN-29-23 Fiscal Recovery Funds - Category 5.15 Clean Water: Water Lines - Cisterns - Septic System Projects</u>		Project Type: <u>Water/Wastewater</u>	
Project Description: <u>Plan, design, permit and construct estimated 400 cistern and/or septic systems across the Navajo Nation. Plan, design, permit and construct estimated 1,000 water line connections and septic systems across the Navajo Nation.</u>		Planned Start Date: <u>10/1/2022</u>	
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification		Planned End Date: <u>12/31/2026</u>	
		Project Manager: <u>Jason John</u>	
PART III. List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.			
Cisterns - Septic System Projects Plan/Design/Permitting Construction Water Line - Septic System Projects Plan/Design/Permitting Construction	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.		
	Expected Completion Data if project exceeds 8 FY Qtrs.		
	FY 2023		
	1st Qtr.	2nd Qtr.	3rd Qtr.
	O N D	J F M	A M A
	J A S	J A S	J A S
	O N D	J F M	A M A
	J A S	J A S	J A S
	O N D	J F M	A M A
	J A S	J A S	J A S
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	J A S	J A S	J A S
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	O N D	J F M	A M A
	J A S	J A S	J A S
	O N D	J F M	A M A
	J A S	J A S	J A S