

# THE NAVAJO NATION


JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



March 28, 2022

## TRANSMITTAL

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

FROM :   
Cordell Shortey, Contracting Officer  
Contracts and Grants Section / OMB

SUBJECT : DWR - Water Sources; Fiscal Recovery Funds (FRF)- Defunded CARES Act

### I. Information on Contract (per Original Award):

Department of Water Resources		U.S. Treasury American	21.019
Title of Contract		Recovery Plan Act (ARPA)	CFDA No. - Federal
CJY-41-21	\$ 4,193,774.54	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#) K211542

☐ 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 CJY-41-21

### III. Comments by CGS:

Budget received on March 24, 2022 is authorized for implementation pursuant to FY 2022 NN BIM Appendix L Section II.B and approved by Mr. Tom Platero. CGS made minor edits to NNBF 1 and 4 to reflect amount allocated by President Nez on October 9, 2021.

Attachment

Copy: Contract files  
Contract Accounting / OOC / DPM  
Tom Platero, Interim E.D. - NN FRF Office

Revised April 2018



Office of Management and Budget ♦ Post Office Box 646 ♦ Window Rock, AZ 86515  
(928) 871-6470 Telephone ♦ (928) 871-6567 Facsimile

FY 2022

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page 1 of 3  
BUDGET FORM 1

K211542

PART I. Business Unit No.: <u>new</u>		Program Title: <u>DWR Water Sources</u>		Division/Branch: <u>Natural Resources/Executive</u>	
Prepared By: <u>Jason John</u>		Phone No.: <u>(928)349-1198</u>		Email Address: <u>jasonjohn@navajo-nsn.gov</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	Original Budget	Proposed Budget	Difference or Total
CJY41-21 ARPA Defunded CARES	10/1/21 - 9/30/25	4,193,775.00	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			830,000	830,000
				7000	Special Transactions					
				8000	Public Assistance	6			3,363,775	3,363,775
				9000	Capital Outlay					
				9500	Matching Funds					
				9500	Indirect Cost					
				<b>TOTAL</b>				\$0.00	4,193,775.54	4,193,775

PART IV. POSITIONS AND VEHICLES		
Total # of Positions Budgeted:	(D)	(E)
Total # of Vehicles Budgeted:		0
		0

**TOTAL: \$4,193,775.00 100%**

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

SUBMITTED BY: <u>Jason John, Department Manager III</u>	APPROVED BY: <u>Rudolph R. Shebala, Executive Director</u>
Program Manager's Printed Name	Division Director / Branch Chief's Printed Name
<u>2-16-2022</u>	<u>2/16/22</u>
Program Manager's Signature and Date	Division Director / Branch Chief's Signature and Date

# Ed. it by C.S.  
mjs/2022



FY 2022

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

Page 2 of 3  
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: new

Program Name/Title:

DWR Water Sources

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

Pursuant to RDCC-79-16: A) The Department of Water Resources shall provide stewardship to manage, provide comprehensive water planning, compile information on existing surface and groundwater resources, coordination of the development and utilization of the Navajo Nation's waters to manage existing uses and to plan for future adequate water resources for domestic, industrial, agricultural, recreation, wildlife, aquatic life and other beneficial uses for maximum beneficial use to enhance the natural and human environment and exercise the sovereignty of the Navajo Nation over its waters, etc.

PART III. PROGRAM PERFORMANCE CRITERIA:

FY2022		FY2023		FY2024		FY2025	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Planning/Design Thoreau Baca Well Pumphouse and Water Supply Lines

Program Performance Measure/Objective:

Plan and Design Thoreau Baca Well Pumphouse and Water Supply Lines

2. Goal Statement:

Construction - Thoreau Baca Well Pumphouse and Water Supply Lines

Program Performance Measure/Objective:

Construct Thoreau Baca Well Pumphouse and Associated Waterlines

3. Goal Statement:

Planning/Design - G80 Water Supply Well

Program Performance Measure/Objective:

Plan and Design G80 Water Supply Well

4. Goal Statement:

Construction - G80 Water Supply Well

Program Performance Measure/Objective:

Contract and Construction for Construction of G80 Water Supply Well

5. Goal Statement:

Program Performance Measure/Objective:

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

Jason John, Department Manager III

Program Manager's Printed Name

Rudolph R. Shebala, Executive Director

Division Director/Branch Chief's Printed Name

Program Manager's Signature and Date

2-16-2022

Division Director/Branch Chief's Signature and Date

2/16/22

FY 2022

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3  
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: \_\_\_\_\_

DWR Water Sources

Business Unit No.: \_\_\_\_\_

new

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
6500 CONTRACTUAL	American Rescue Plan Act 2021 - Defunded Cares - DWR Water Sources	830,000	830,000
6830	Other Technical Services	830,000	
6865 Technical Services Expense	Thoreau Baca Well Pumphouse and Water Supply Lines	50,000.00	
6865 Technical Services Expense	G80 Water Supply Well	780,000.00	
	Total	830,000.00	
8000 ASSISTANCE		3,363,775	3,363,775
8500	Infrastructure (Non-Cap)	3,363,775	4,554
8550 Water/Wastewater	Thoreau Baca Well Pumphouse and Water Supply Lines	243,774.54	
8550 Water/Wastewater	G80 Water Supply Well	3,120,000.00	
		3,363,774.54	
TOTAL		4,193,779	4,554

\*Edit by GCS. 10/2/2022

# THE NAVAJO NATION

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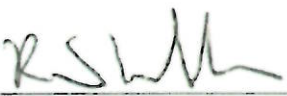
JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



October 1, 2021

## MEMORANDUM

TO: ALL DEPARTMENT MANAGERS  
DIVISION OF NATURAL RESOURCES

FROM:   
Rudolph R. Shebala, Executive Director  
Division of Natural Resources

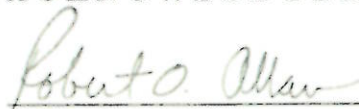
SUBJECT: Delegation of Authority for Fiscal Year 2022

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Please be advised that in the event that I, Division Director of the Division of Natural Resources, is not in the office or otherwise unavailable, Mr. Robert O. Allan, Principal Attorney, Division of Natural Resources, shall be delegated authority as Acting Division Director of the Division of Natural Resources. This is a standing authority until further notice.

Please cooperate with Mr. Allan in this standing delegation of authority. Should you have any questions, please contact me.

## ACKNOWLEDGED:

  
Robert O. Allan, Principal Attorney  
Division of Natural Resources



# THE NAVAJO NATION PROJECT BUDGET SCHEDULE

**RECEIVED**  
2:06 pm, Mar 24 2022  
The Navajo Nation  
Office of Management and Information  
Window Rock, Arizona

PART I. Business Unit No.: new

Project Title: DWR Water Sources

Project Description Design and Construction of Thoreau-Baca Well Pumphouse and G80 Water Supply Well

Check one box:

☒ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☐ Budget Modification

PART II. Project Information  
Project Type: Water Supply  
Planned Start Date: 3/1/2022  
Planned End Date: 9/30/2025  
Project Manager: Jason John

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.

	2023				2024				2025			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	A	M	J	A
1 Thoreau-Baca Well Pumphouse Design	O	N	D	J	F	M	A	M	J	Jul	A	S
Construct												
2 G80 Water Supply Well Design												
Construct												
PART V.												
Expected Quarterly Expenditures	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	500,000.00	700,000.00	2,193,775.00	PROJECT TOTAL			
									\$4,193,775.00			

FOR OMB USE ONLY:

Resolution No:

FMS Set Up Date:

Company No:

OMB Analyst:



**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 #:** HK0020

**Date & Time Received:** 9/24/21 7:13am

**Date & Time of Response:** 10/01/2021 2:15 pm MDT

**Entity Requesting FRF:** Department of Water Resources

**Title of Project:** Drinking Water Source Projects

**Administrative Oversight:** Navajo Tribal Utility Authority

**Amount of Funding Requested:** \$4,193,775

**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:** 5.13

**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: 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.



# NAVAJO NATION DEPARTMENT OF JUSTICE



☐ RESUBMITTAL

## REQUEST FOR SERVICES

DOJ

DATE / TIME

RFS #: \_\_\_\_\_

UNIT: \_\_\_\_\_

\*\*\* FOR NDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. \*\*\*

### CLIENT TO COMPLETE

DATE OF REQUEST: 9/22/2021 ENTITY/DIVISION: Executive Branch  
CONTACT NAME: Paulson Chaco, Chief of Staff DEPARTMENT: Office of President & Vice President  
PHONE NUMBER: (928) 955-6453 E-MAIL: paulsonchaco@navajo-nsn.gov

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):  
*Subject to CJY-41-21 - Section 5 for UUFB and Sihasin Reimbursements Request DOJ review of Fiscal Recovery Fund expenditure plan for eligibility determination for DWR's CARES Reimbursements.*

DEADLINE: Click here to enter a date. REASON:

### DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: REVIEWING ATTORNEY/ADVOCATE:

DATE TIME OUT OF UNIT: PREPARED BY (initial):

### DOJ ATTORNEY / ADVOCATE COMMENTS

REVIEWED BY: (PRINT) DATE / TIME:

DOJ Secretary Called: for Document Pick Up on at By:

PICKED UP BY: (PRINT) DATE / TIME:



THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: _____ NEW _____		Program Title: _____ Section 6 CARES: 5.13 Drinking Water Source _____		Division/Branch: _____ DNR - DWR	
Prepared By: _____ Jason John		Phone No.: _____ 928.349.1198		Email Address: _____ <a href="mailto:jasonjohn@navajo-nsn.gov">jasonjohn@navajo-nsn.gov</a>	

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	NC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds			4,193,774.54		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		\$ 830,000.00			
					7000	Special Transactions					
					8000	Public Assistance					
					9000	Capital Outlay		\$ 3,363,774.54			
					9500	Matching Funds					
					9500	Indirect Cost					
					TOTAL		\$	4,193,774.54	0.00		0

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		0	0
Total # of Vehicles Budgeted:		0	0

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

<p>SUBMITTED BY: _____</p> <p>Jason John, Department Manager</p> <p>Program Manager's Printed Name</p> <p><i>[Signature]</i> 9-22-2021</p> <p>Program Manager's Signature and Date</p>	<p>APPROVED BY: _____</p> <p>Dr. Rudy Shebala, Division Director</p> <p>Division Director / Branch Chief's Printed Name</p> <p>_____ Division Director / Branch Chief's Signature and Date</p>
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**THE NAVAJO NATION  
SIHASIN, UUF, AND CARES PROJECT DESCRIPTION FORM**

- 1) This form needs to be submitted separately for each project type being proposed.
- 2) This form needs to be returned to: paulsonchaco@navajo-nsn.gov

**Part 1. Identification of parties.**Entity Requesting Funds: Department of Water Resources

(NN Governmental Unit, Enterprise, Chapter, Etc.)

Entity Mailing Address: P.O. Box 678 Fort Defiance, AZ 86504Form Prepared by: Jason John phone/email: jasonjohn@navajo-nsn.govTitle & type of Project: Drinking Water Source ProjectsAmount of FRF Funds Being Requested: \$4,193,774.54**Part 2. Project 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:

Projects include water supply wells to prevent water shortages in Church Rock, Iyanbito, Manuelito, Thoreau, and Baca Chapters.Currently all of these chapters are experiencing water shortages, which creates public health risks if residents run out of water;these risks are exacerbated by the COVID-19 crisis.Funds will be used to drill wells and connect the wells to regional water systems to serve these chapters.☐ document attached

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

The wells will provide water supply for multiple chapters to help prevent water service outagesfor existing NTUA customers, allow IHS to extend water service to familiescurrently hauling water, and facilitate economic development in the Church Rock Industrial Park.☐ 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:

G80 Well: Final design complete February 2022, Driller under contract June 2022, Construction complete June 2023.Thoreau Well: Design already complete, Contractor under contract March 2022, Construction complete March 2023.☐ document attached



(d) Identify who (person within the Entity) will be responsible for implementing the Project:

☐ 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:

G80 Well: Operation and maintenance will be performed by City of Gallup. See attached contract between COG and NTUA.

Thoreau Well: Operation and maintenance will be performed by NTUA, using revenue from NTUA customers.

☐ document attached

(f) State which of the (66) Fiscal Recovery Fund eligibility expenditure categories in Exhibit B the proposed Project or Program falls under, and explain the reasons why:

**5.13 - Drinking Water: Source**

**These projects will construct water supply wells.**

☐ document attached

**Part 3. Additional documents.**

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

Table indicating CARES NNFRF balance for each specific project

Water Treatment and Conveyance Contract between NTUA and City of Gallup

**Part 4. Affirmation by Funding Recipient.**

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this project 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:

Signature of Preparer: 

Printed Name of Preparer Jason John

Expenditure Category		Project Name	CARES Amt	Encumbered Via CIA-01-21	Balance for CARES NNFRF	Comments
Code	Description					
5.13	Drinking Water: Source	Thoreau Baca Well Pumphose and Water Supply Lines	\$ 1,000,000.00	\$ 706,225.46	\$ 293,774.54	
5.13	Drinking Water: Source	G80 Water Supply Well	\$ 3,900,000.00	\$ -	\$ 3,900,000.00	
		Drinking Water: Source TOTAL			\$ 4,193,774.54	