

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 : CMM5
Cordell Shortey, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : DWR - Water Treatment; 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	\$ 405,000.00	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#) K211544

☐ 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.

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

K211544

PART I. Business Unit No.: <u>new</u>		Program Title: <u>DWR Water Treatment-Smith Lake</u>		Division/Branch: <u>Natural Resources/Executive</u>	
Prepared By: <u>Jason John</u>		Phone No.: <u>(928)349-1198</u>		Email Address: <u>jasjohn@navajonm.gov</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
CJY-41-21 ARPA Defunded CARES	10/1/21-9/30/2024	405,000.00	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		405,000	405,000
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
TOTAL:							405,000.00	405,000

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

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> Program Manager's Printed Name Program Manager's Signature and Date	APPROVED BY: <u>Rudolph R. Shebala, Executive Director</u> Division Director / Branch Chiefs Printed Name Division Director / Branch Chiefs Signature and Date
---	--

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

1-10-2022
 [Signature]

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: new

Program Name/Title:

DWR Water Treatment-Smith Lake

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

Pursuant to RDCO-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:

Obtain Bids for Construction

Program Performance Measure/Objective:

Seek Bids and Process Contract for Construction

2. Goal Statement:

Construction

Program Performance Measure/Objective:

Construct Treatment Plant and Associated Waterlines

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.

Jason John, Department Manager (II)

Program Manager's Printed Name

Rudolph R. Shebata, Executive Director

Division Director/Branch Chief's Printed Name

Program Manager's Signature and Date

Division Director/Branch Chief's Signature and Date

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 Treatment-Smith Lake _____	
		Business Unit No.: _____ new _____	
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 ASSISTANCE	American Rescue Plan Act 2021 -Defunded Carres - Smith Lake Water Treatment		405,000
8500	Infrastructure (non-cap) 8550 Water/Wastewater	405,000	
	Smith Lake Water Treatment		405,000
TOTAL		405,000	405,000

1-18-2022

THE NAVAJO NATION


JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



October 1, 2021

MEMORANDUM

TO: ALL DEPARTMENT MANAGERS
DIVISION OF NATURAL RESOURCES

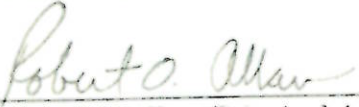
FROM: 
Rudolph R. Shebala, Executive Director
Division of Natural Resources

SUBJECT: Delegation of Authority for Fiscal Year 2022

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

Page 1 of 1
PROJECT FORM

PART I. Business Unit No.: <u>New</u>															PART II. Project Information Project Title: <u>Smith Lake Water Treatment</u> Project Type: <u>Water/Wastewater</u> Planned Start Date: <u>3/1/2022</u> Planned End Date: <u>9/30/2024</u> Project Manager: <u>Jason John</u>										
Project Description <u>Construct Water Treatment Facilities and Associated Waterlines</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																									
PART III. List Project Task separately, such as Plan, Design, Construct, Equip or Furnish. Obtain Bids and Construction Contract Construct Treatment Facilities										PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.															
										FY <u>2022</u>					FY <u>2024</u>					Expected Completion Date if project exceeds 8 FY Qtrs.					
		1st Qtr.		2nd Qtr.		3rd Qtr.		4th Qtr.		1st Qtr.		2nd Qtr.		3rd Qtr.		4th Qtr.		9/30/2024							
		O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M						
												1											1		
PART V. Expected Quarterly Expenditures																				PROJECT TOTAL					
		\$		\$		\$		\$		\$		405,000.00		\$		\$		\$		\$405,000.00					



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 #: HK0028

Date & Time Received: 9/24/21 9:06am

Date & Time of Response: 10/01/21 3:45pm MDT

Entity Requesting FRF: Department of Water Resources

Title of Project: Drinking Water Treatment – Smith Lake

Administrative Oversight: Navajo Tribal Utility Authority

Amount of Funding Requested: \$405,000

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: 5.10

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



REQUEST FOR SERVICES

☐ RESUBMITTAL

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
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 Johnphone/email: jasonjohn@navajo-nsn.govTitle & type of Project: Drinking Water Treatment - Smith LakeAmount of FRF Funds Being Requested: \$405,000.00**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:

Funds will be used to construct water treatment plant site and upgrade or replace waterlines connecting to the water treatment plant site.

Project is located in Smith Lake Chapter, McKinley County, New Mexico.

Project will improve drinking water quality for chapter members, which is essential for human health. By allowing chapter members to drink water from their taps, it reduces need for families to leave their homes to buy bottled water, thereby reducing potential exposure to COVID-19.

☐ document attached

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

Project will improve drinking water quality to Navajo People living in Smith Lake Chapter, which will improve people's health and quality of life. It will also reduce economic burden of having to buy and haul drinking water.

☐ 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:

- Design completed: June 2022

- Construction funding encumbered: September 2022

- Construction completed: September 2024

☐ 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:

Project will be owned and operated by NTUA. NTUA is a professional and experienced utility operator, with accounting systems in place that include funding stream to cover O&M of water infrastructure.

☐ 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:

5.10 - Drinking Water: Treatment

This project will construct water treatment facilities, including treatment plant site work and connection water lines.

☐ document attached

Part 3. Additional documents.

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

See attached spreadsheet.

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

THE NAVAJO NATION PROGRAM BUDGET SUMMARY


FY _____

PART I. Business Unit No.:		NEW		Section 6 CARES: 5.10 Water Treatment		Division/Branch:		DNR - DWR	
Prepared By:		Jason John		Phone No.:		928.349.1198		Email Address:	
								jasonjohn@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY		Fund Type Code	(A) NNC Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds			405,000.00		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				
					9000	Capital Outlay		\$ 405,000.00		
					9500	Matching Funds				
					9500	Indirect Cost				
					TOTAL		\$	405,000.00	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.

SUBMITTED BY:	Jason John, Department Manager	APPROVED BY:	Dr. Rudy Shebala, Division Director
	Program Manager's Printed Name		Division Director / Branch Chief's Printed Name
	 9-22-2021		
	Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date

Code	Expenditure Category		Project Name	CARES Amt	Encumbered		Balance for	Comments
	Description				Via CIA-01-21			
5.10	Drinking Water: Treatment		Smith Lake Water Treatment	\$ 575,000.00	\$ 170,000.00		\$ 405,000.00	
			Drinking Water: Treatment TOTAL				\$ 405,000.00	