25th NAVAJO NATION COUNCIL
LEGISLATION SPONSORSHIP WITHDRAWAL

I, Honorable Rickie Nez, Primary Sponsor of proposed legislation hereby withdraw my sponsorship of the proposed legislation. The legislation tracking number is 0192-23.

If there are any co-sponsors, they may re-sponsor the same bill by beginning a new legislation.

SPONSOR SIGNATURE: _____

DATE: 10-10-23

Office of Legislative Services • Post Office Box 3390 • Window Rock, AZ 86515
(928) 871-6380 / 7254 • Fax (928) 871-7259

LEGISLATIVE SUMMARY SHEET

Tracking No. 0192-23

DATE: August 3, 2023

TITLE OF RESOLUTION: 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 RICKIE NEZ'S DELEGATE REGION (CHAPTERS: T'IISTOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSE' DAA' KAAN, NEWCOMB, SAN JUAN)

PURPOSE: This resolution, if approved, will enact Hon. Rickie Nez's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan)

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD
Website Posting Time/Date 2:00 PM/08-04-23
Posting End Date: 08/09/23
Eligible for Action: 08/10/23

Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

25th NAVAJO NATION COUNCIL — 1st Year, 2023

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0192-23

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 RICKIE NEZ'S DELEGATE REGION (CHAPTERS: T'IISTOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSE' DAA' KAAN, NEWCOMB, SAN JUAN)

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 ("NNFRF") 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).

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. All projects listed in the Hon. Rickie Nez's Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Rickie Nez's Delegate Region Projects Plan does *not* exceed the amount of $8,802,340, as set forth in CJN-29-22, Section Three (F).

D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Rickie Nez's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan) as set forth in **Exhibit A**.

SECTION THREE. APPROVAL OF HON. RICKIE NEZ'S DELEGATE REGION PROJECT PLAN

A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan) 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.

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Delegate Rickie Nez

CHAPTERS: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Community Bathroom Additions Project	Division of Community Development	1.14	HK0351	$ 100,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter House Restroom Upgrade (ADA Compliance and Touchless Fixtures) Project	Division of Community Development	1.4	HK0352	$ 100,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Buildings (Upgrade to Ventilation System) Project	Division of Community Development	1.4	HK0353	$ 150,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Community Waste Water Project	Division of Community Development	5.5	HK0354	$ 100,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Building Bathroom Renovation Project	Division of Community Development	1.4	HK0355	$ 100,000.00
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Community Electrical Project	Division of Community Development	2.18	HK0356	$ 283,528.33
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Community Potable Water Project	Division of Community Development	1.14	HK0357	$ 285,528.33
Division of Community Development	*Newcomb Chapter	Newcomb Chapter Building Bathroom and Kitchen Update Project	Division of Community Development	1.4	HK0358	$ 150,000.00
Division of Community Development	*Upper Fruitland Chapter	*Upper Fruitland Chapter Community Cemetery Project	Division of Community Development	6.1	HK0344	$ 370,556.67
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Mobile Shower and Restroom Unit	Division of Community Development	1.14	HK0349	$ 175,000.00
					TOTAL:	$ 1,814,613.33

*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: Delegate Rickie Nez

CHAPTERS: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01.....				$ 1,814,613.33
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Purchase of Heavy-Duty Truck	Division of Community Development	1.14	HK0350	$ 100,000.00
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Leach Fields Project	Division of Community Development	5.5	HK0561	$ 220,500.00
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Cemetery and Rose Garden Project	Division of Community Development	6.1	HK0562	$ 100,500.00
Division of Community Development	*Upper Fruitland Chapter	Upper Fruitland Chapter Warehouse Project	Division of Community Development	1.14	HK0605	$ 500,500.00
Division of Community Development	*Tiis Tsoh Sikaad Chapter	*Tiis Tsoh Sikaad Chapter New Chapter House Complex Project	Division of Community Development	6.1	HK0604	$ 1,667,056.00
		UN-ALLOCATED AMOUNT				$ 4,399,170.67
					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."

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 #: HK0351

Date & Time Received: 12/20/22 14:58

Date & Time of Response: 12/30/22 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: ~~Newcomb Chapter Community Bathroom~~ Additions Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $100,000.00

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

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: **MacArthur Stant**

Signature of DOJ Reviewer: MacArthur Stant

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946 Newcomb, NM 87455 phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally Newcomb Chapter Manager (CONTACT PERSON'S name and title) phone/email: 505-696-3400 ndbenally@nnchapters.org (CONTACT PERSON'S info)

Title and type of Project: Newcomb Chapter Community Bathroom Additions Project

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

☐ document attached

Amount of FRF requested: $100,000 FRF funding period: ~~2023 - 2025 (3/1/2022 - 11/30/2025)~~ 01/01/2022 – 12/31/2026
(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:

Newcomb community has members that have potable water in their homes but do not have indoor bathrooms have applied for this assistance. Some community members have bathrooms but are in need of upgrades also have applied for this assistance, the Chapter has recieved 18 applications. The Chapter will contract this bathroom addition to a contractor to construct, it will be an addtion to community members homes or upgrades to the existing restrooms. OEH, IHS and NTUA will assist in final waterlne connections. The Chapter did not state the amount of FRF requested because the Chapter does not have the expertise for this cost construction.

☐ document attached

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

Newcomb community members that have bathrooms will result in some COVID needs being met. Having easy accessiblity to an indoor bathroom provides community members with a place to go for personal hygiene activities. This includes use of the toilet, washing their hands, brushing their teeth, taking a bath, or taking a shower. As we know washing hands is one of keys to COVID prevention.

☐ 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:

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Dec 11, 2022 - Resolution
Winter 2023 - NN and DOJ Review
Spring 2023 - Seek Bids
Summer 2023 - Contract Bid Award
Fall 2023 to Summer 2024 - Construction
Challenges: Review time from Navajo Nation

☐ document attached

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

Newcomb Chapter Administration and Elected Officials will be responsible for 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:

Each community home owner that recieved the bathroom addition or upgrade is responsible for the maintenance and operations costs after the project has been completed.

☐ 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:

Other Public Health Services^1.14

The Newcomb Chapter is seeking funds for the bathroom additions or bathroom upgrades that have submitted an application. The Chapter will contract the projects to a contractor. The project will be coordinated with the homeowner and the third party project manager (OEH, IHS, NTUA). The goal is to provide running water and septic for the applicants. Making these bathroom additions and upgrads will greatly benefit the homeowners and their immediate family members during and after the pandemic.

☐ document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.

☐ 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: 12/12/22
signature of Preparer/CONTACT PERSON

Approved by: David Holyk
signature of Chapter President (or Vice-President)

Approved by: 12/12/22
signature of Chapter Manager or CSC

Approved by: 12/19/2022
signature of DCD/Chapter ASO

Approved to submit for Review: Lisa Lynn, NNFRFO
signature of DCD Director

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FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Newcomb Chapter Community Bathroom Additions Project Division/Branch: DCD/Executive Branch

Prepared By: Norman Benally Phone No.: 505-696-3400 Email Address: ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	FY23-FY25	100,000.00	100%
	~~3/1/2023-11/30/2025~~		
	01/01/2022-12/31/2026		
	TOTAL:	$100,000.00	100%

PART III. BUDGET SUMMARY	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	6		100,000	100,000
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
	TOTAL	$0.00	100,000.00	100,000

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: Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

APPROVED BY: Pearl Yellowman
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director / Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title: Newcomb Chapter Community Bathroom Additions Project

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actu
1. Goal Statement: Communty Homes connected to potable water Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work					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:								

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

Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12-16-22
Division Director/Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Newcomb Chapter Community Bathroom Additions Project 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	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Community Bathroom Additons)		100,000
6960	Subcontracttor Services	100,000	
	TOTAL	100,000	100,000

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NEWCOMB CHAPTER – NAVAJO NATION
P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and

2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and

4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside $8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and

5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local and tribal governments, including $20 billion specifically designated for tribal governments; and

6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and

7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

   a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
   b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

   c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

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d. Make necessary investments in water, sewer, and/or broadband infrastructure.

8. The NAABIK'IYATI' Committee and Navajo Nation Council plans include Allocating $1,166,003,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Water and Wastewater Projects, Broadband Projects, Home Electricity Connection Projects, Housing and Housing Renovation Projects, Bathroom Additions Projects and Hardship Assistance.

9. Pursuant to Legislation 0257-21, the Newcomb Chapter has prioritized projects for the Fiscal Recovery Funds as: (1) ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

NOW THEREFORE BE IT RESOLVED THAT:

The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of $1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

CERTIFICATION

We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December 2022.

Motioned: Donna Benally

Seconded: Henry Thomas

David Randolph Sr., Chapter President

Donna L. Benally, Chapter Secretary/Treasurer

Willamena Smith, Chapter Vice President

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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 #: HK0352

Date & Time Received: 12/20/22 15:00

Date & Time of Response: 12/30/22 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: ~~Newcomb Chapter House Restroom No Touch~~ and ADA Standards Upgrades

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $100,000.00

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

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

U.S. Department of Treasury Reporting Expenditure Category: 1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: **MacArthur Stant**

Signature of DOJ Reviewer: MacArthur Stant

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946 Newcomb, NM 87455 phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally Newcomb Chapter Manager (CONTACT PERSON'S name and title) phone/email: 505-696-3400 ndbenally@nnchapters.org (CONTACT PERSON'S info)

Title and type of Project: Newcomb Chapter House Resttoom No Touch and ADA Standards Upgrades

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

01/01/2022 - 12/31/2026 ☐ document attached

Amount of FRF requested: $100,000 FRF funding period: ~~2023 - 2025 (3/1/2022 - 11/30/2025)~~
(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:

The funds will be used on these buildings to renovate the Newcomb Chapter restroom to no touch fixtures and to upgrade to the ADA Standards. All sinks, toilets, hand dryers and other restroom fixtures will be no touch (attached is a scope of work).

☐ document attached

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

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to upgrade their restroom facilities with no-touch fixtures. The restrooms will be renovated to comply with ADA Standards. These Chapter buildings will become a safer healthier offices for the administration, community members and visitors.

☐ 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:

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Dec 11, 2022 - Resolution
Winter 2023 - NN and DOJ Review
Spring 2023 - Seek Bids
Summer 2023 - Contract Bid Award
Fall 2023 to Summer 2024 - Construction
Challenges: Review time from Navajo Nation

☐ document attached

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

Newcomb Chapter Administration and Elected Officials will be responsible for 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:

Newcomb Chapter Administration will be responsible for rhe operations and maintenance costs for the project once completed.

☐ 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:

COVID-19: Aid to Impacted Industries^ 1.10

The Newcomb Chapter is seeking funds to upgrade their buildings to the ADA Standards. To comply with the ADA Standards it will certain benefit the effort to minimize or stop the spread of COVID 19, as well as, any other viruses.

☐ document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.
Scope of Work is attached.

☐ 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: 12/12/22
signature of Prepared CONTACT PERSON

Approved by:
signature of Chapter President (or Vice-President)

Approved by: 12/12/22
signature of Chapter Manager or CSC

Approved by: 12/19/2022
signature of DCD/Chapter ASO

Approved to submit for Review: Lisa Lynn, ANFRFO
signature of DCD Director

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THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Newcomb Chapter Buildings Upgrade to ADA Standards Division/Branch: DCD/Executive Branch

Prepared By: Norman Benally Phone No.: 505-696-3400 Email Address: ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	FY23-FY25	100,000.00	100%
	~~3/1/2023-11/30/2025~~		
	01/01/2022 12/31/2026		
	TOTAL:	$100,000.00	100%

PART III. BUDGET SUMMARY	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	6		100,000	100,000
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	100,000.00	100,00

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: Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

APPROVED BY: Pearl Yellowhorse
Division Director / Branch Chief's Printed Name

Pearl Yellowhorse 12.16.22
Division Director / Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Newcomb Chapter Buildings Upgrade to ADA Standards

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Chapter builidings complies with ADA Standards								
Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work					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:								

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

Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director/Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Newcomb Chapter Buildings Upgrade to ADA Standards 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	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Building to ADA Standards)		100,000
6960	Subcontracttor Services	100,000	
	TOTAL	100,000	100,000

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NEWCOMB CHAPTER

P.O. Box 7946 • Newcomb, NM 87455 • Telephone: 505-696-3300 • Fax: 505-696-5475

NEWCOMB CHAPTER ARPA PROJECT
SCOPE OF WORK

Project Title:
To comply with ADA Standards, the Newcomb Chapter House and its buildings will undergo upgrades to ADA standards. The Chapter House, the Senior Citizens Center, the Head Start School, the Old Chapter House and the Dine College Outreach Facility are housed in separate buildings that belong to the Newcomb Chapter Government.

Background Narrative:
To comply with the ADA Standards it will certain benefit the effort to minimize or stop the spread of COVID 19, as well as, any other viruses. Newcomb Chapter will upgrade their building facilities to ADA Standards. The list below is what the Chapter would introduce as a general scope of work.

Work Plan:
Newcomb Chapter House: A complete renovation of the Chapter's restroom, the list below is not inclusive, other items maybe added:

- Men's Restroom:
  - Expand the toilet stall to comply with ADA standards
- Ladies Restroom:
  - Expand one toilet stall to comply with ADA standards
- Restroom doors and administration office door:
  - Construct and install all main doors that will comply with the ADA standards

Head Start Building: A complete renovation of the Head Start's restroom, the list below is not inclusive, other items maybe added: *Note: All hand dryers will need to comply with NN OEH requirements

- Front door needs to have an ADA Handicap entrance
- Restrooms will have rails mounted alongside toilets.

Dine College Outreach Facility:

- Front door needs to have an ADA Handicap entrance
- Restrooms will have rails mounted alongside toilets.

Old Chapter House Building:

- Restrooms will have rails mounted alongside toilets.

David Randolph Sr, President Willamena Smith, Vice President
Donna Benally Sec. /Treasurer Lawrence Gould, Grazing Representative
Rickie Nez, Council Delegate

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Results Expected:

- No-touch fixtures will minimize the spread of any virus
- Restroom fixtures must meet ADA requirements
- The ventilation system will help in minimizing the air to stay in one place
- All tasks are done correctly and meet the required standards
- Project will be completed safely, on time, within the budget

Responsible Staff:

- Norman Benally, Newcomb Chapter Manager
- David Randolph, Newcomb Chapter President
- Rena Yazzie – Senior Citizen Center
- Charlotte Charleston – Head Start School

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NEWCOMB CHAPTER – NAVAJO NATION
P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and

2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and

4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside $8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and

5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local and tribal governments, including $20 billion specifically designated for tribal governments; and

6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and

7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

   a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
   b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

   c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

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d. Make necessary investments in water, sewer, and/or broadband infrastructure.

8. The NAABIK'IYATI' Committee and Navajo Nation Council plans include Allocating $1,166,003,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Water and Wastewater Projects, Broadband Projects, Home Electricity Connection Projects, Housing and Housing Renovation Projects, Bathroom Additions Projects and Hardship Assistance.

9. Pursuant to Legislation 0257-21, the Newcomb Chapter has prioritized projects for the Fiscal Recovery Funds as: (1) ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

NOW THEREFORE BE IT RESOLVED THAT:

The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of $1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

CERTIFICATION

We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December 2022.

Motioned: Donna Benally

Seconded: Henry Thomas

David Randolph Sr., Chapter President

Donna L. Benally, Chapter Secretary/Treasurer

Willamena Smith, Chapter Vice President

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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 #: HK0353

Date & Time Received: 12/20/22 at 15:03

Date & Time of Response: 01/06/23 at 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: Newcomb Chapter Buildings (Ventilation Systems)

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $150,000

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

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

U.S. Department of Treasury Reporting Expenditure Category: 1.4 (Prevention in Congregate Settings)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

Name of DOJ Reviewer: **MacArthur Stant**

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946 Newcomb, NM 87455 phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally Newcomb Chapter Manager (CONTACT PERSON'S name and title) phone/email: 505-696-3400 ndbenally@nnchapters.org (CONTACT PERSON'S info)

Title and type of Project: Newcomb Chapter buildings (Ventilation Systems)

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

☐ document attached

Amount of FRF requested: $150,000 FRF funding period: ~~2023 - 2025 (3/1/2022 - 11/30/2025)~~ 01/01/2023 - 12/30/2026
(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:

The funds will used to install new ventilation systems at the Chapter House and the Head Start buildings. As we have been taught through COVID, buidling air movement is important. Installing a new ventilation systems will minimize the spread of virus of any kind.

☐ document attached

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

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to have a new ventilation systems installed in the Chapter House and Head Start buildings. All individuals that enter the building will benefit from the new ventialtions systems.

☐ 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:

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Dec 11, 2022 - Resolution
Winter 2023 - NN and DOJ Review
Spring 2023 - Seek Bids
Summer 2023 - Contract Bid Award
Fall 2023 to Summer 2024 - Construction
Challenges: Review time from Navajo Nation

☐ document attached

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

Newcomb Chapter Administration and Elected Officials will be responsible for 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:

Newcomb Chapter Administration will be responsible for the operations and maintenance costs for the project once completed.

☐ 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:

COVID-19: Aid to Impacted Industries^ 1.10

The Newcomb Chapter is seeking funds for the installing ventilation systems. The Chapter House and the Head Start buildings do not have proper ventilation systems that will keep air moving in the cold and hot seasons (the ventilation systems will have a heater and cooling systems). Making these renovations would greatly benefit community and administrative members during and after the pandemic.

☐ document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.
Scope of Work is attached.

☐ 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: 12/12/22
signature of Preparer/CONTACT PERSON

Approved by: David Nelson
signature of Chapter President (or Vice-President)

Approved by: 12/12/22
signature of Chapter Manager or CSC

Approved by: Sonlate Jones 12/19/2022
signature of DBO/Chapter ASO

Approved to submit for Review: Lisa Lynn, NNFRF
signature of DCD Director

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THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Newcomb Chapter - Ventilation Systems Division/Branch: DCD/Executive Branch

Prepared By: Norman Benally Phone No.: 505-696-3400 Email Address: ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	~~FY23-FY25~~	150,000.00	100%
	~~3/1/2023-11/30/2025~~		
	01/01/2022 12/30/2026		
	TOTAL:	$150,000.00	0%

PART III. BUDGET SUMMARY	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	6		150,000	150,000
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	150,000.00	150,000

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: Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

APPROVED BY: Pearl Yellowman
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director / Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Newcomb Chapter - Ventilation Systems

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Chapter builidings become safe against virus Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work					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:								

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

Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

Division Director/Branch Chief's Printed Name

12.16.22
Division Director/Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ___ of ___
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Newcomb Chapter - Ventilation Systems 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	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Ventilations Systems)		150,000
6960	Subcontracttor Services	150,000	
6990	Subcontracttor Services		
	TOTAL	150,000	150,000

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NEWCOMB CHAPTER

P.O. Box 7946 • Newcomb, NM 87455 • Telephone: 505-696-3300 • Fax: 505-696-5475

NEWCOMB CHAPTER ARPA PROJECT
SCOPE OF WORK

Project Title:
Chapter House and the Head Start buildings will have a new ventilation systems installed. All constructions and upgrades must meet ADA standards.

Background Narrative:
In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to have a new ventilation systems installed in the Chapter House and Head Start buildings. The list below is what the Chapter would introduce as a general scope of work.

Ventilation System:

- The Chapter House will be first priority to have a ventilation system installed. This ventilation system will include a heater and air conditioner with new vent pipes that leads to all rooms
- The Head Start building will be second priority to have a ventilation system installed. This ventilation system will include a heater and air conditioner with new vent pipes that lead to all rooms

Results Expected:

- No-touch fixtures will minimize the spread of any virus
- Restroom fixtures must meet ADA requirements
- The ventilation system will help in minimizing the air to stay in one place
- All tasks are done correctly and meet the required standards
- Project will be completed safely, on time, within the budget

Responsible Staff:

- Norman Benally, Newcomb Chapter Manager
- David Randolph, Newcomb Chapter President
- Rena Yazzie – Senior Citizen Center
- Charlotte Charleston – Head Start School

David Randolph Sr, President Willamena Smith, Vice President
Donna Benally Sec. /Treasurer Lawrence Gould, Grazing Representative
Rickie Nez, Council Delegate

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NEWCOMB CHAPTER – NAVAJO NATION
P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and

2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and

4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside $8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and

5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local and tribal governments, including $20 billion specifically designated for tribal governments; and

6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and

7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

   a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
   b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

   c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

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d. Make necessary investments in water, sewer, and/or broadband infrastructure.

8. The NAABIK'IYATI' Committee and Navajo Nation Council plans include Allocating $1,166,003,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Water and Wastewater Projects, Broadband Projects, Home Electricity Connection Projects, Housing and Housing Renovation Projects, Bathroom Additions Projects and Hardship Assistance.

9. Pursuant to Legislation 0257-21, the Newcomb Chapter has prioritized projects for the Fiscal Recovery Funds as: (1) ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

NOW THEREFORE BE IT RESOLVED THAT:

The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of $1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

CERTIFICATION

We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December 2022.

Motioned: Donna Benally

Seconded: Henry Thomas

David Randolph Sr., Chapter President

Donna L. Benally, Chapter Secretary/Treasurer

Willamena Smith, Chapter Vice President

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DOCUMENT CHECKLIST

TO DOJ for Governance Certified Chapters

Submit all documents according to this checklist. If all documents are not attached, packet will be returned to division/program.

Division/Program Information:

Date Submitted: December 11, 2022

Program/Division: CDC/Excutive Branch - Newcomb Chapter

Contact Person: Norman Benally

Phone: 505-696-3400 Email: ndbenally@nnchapters.og

Documents needed for processing:

- [xx] Appendix A - Request Form & Expenditure Plan
- [XX] Appendix B - Budget Forms (Form 1, 2, 3, 4, 5, Appendix J as needed)
- [XX] Approved Chapter Resolution supporting the project
- [XX] Required Signatures:
  - [ ] Preparer
  - [ ] Chapter President/Vice President
  - [ ] Chapter Manager/CSC
  - [ ] DCD ASC
  - [ ] DCD Division Director
  - [ ] NNFRFO Director

Notes:

Newcomb Chapter Ventilations Systems Project

Reviewed by:

NN Fiscal Recovery Fund Office

Date

DISCLAIMER: For guidance purposes only. Additional information may be required.

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

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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 #: HK0354

Date & Time Received: 12/20/22 15:04

Date & Time of Response: 01/06/23 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: ~~Newcomb Chapter Community Waste Water Project~~

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $100,000.00

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

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

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):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: **MacArthur Stant**

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946 Newcomb, NM 87455 phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally Newcomb Chapter Manager (CONTACT PERSON'S name and title) phone/email: 505-696-3400 ndbenally@nnchapters.org (CONTACT PERSON'S info)

Title and type of Project: Newcomb Chapter Community Waste Water Project

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

☐ document attached

Amount of FRF requested: $100,000 FRF funding period: ~~2023 - 2025 (3/1/2022 - 11/30/2025)~~ 01/01/2022 - 12/31/2026
(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:

Some Newcomb community members do not have a septic tank in their homes have applied for this assistance (they have also submitted applications for potable water assistance). Some community members have septic tanks but are in need of upgrades, they have applied as well. The Chapter has received 19 applications. The Chapter will contract this septic tank system to a contractor to construct or replace their deficient septic tank system. OEH, IHS and/or NTUA would be a party involved in this project. The Chapter did not state the amount of FRF requested because the Chapter does not have expertise for this cost construction.

☐ document attached

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

Newcomb community members that have system tank systems will result in some COVID needs being met. Proper disposal of waste water is absolutely important and is a key to a healthy life for the family. Having good functional waste systems will allow the family to having a healthy life. With COVID, we have learned keeping our homes and ourselves clean is one of keys to COVID prevention.

☐ 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:

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Dec 11, 2022 - Resolution
Winter 2023 - NN and DOJ Review
Spring 2023 - Seek Bids
Summer 2023 - Contract Bid Award
Fall 2023 to Summer 2024 - Construction
Challenges: Review time from Navajo Nation

☐ document attached

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

Newcomb Chapter Administration and Elected Officials will be responsible for 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:

Each community home owner that recieves the septic tank system or replacement are responsible for the maintenance and operations costs after the project has been completed.

☐ 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:

Other Public Health Services^1.14

The Newcomb Chapter is seeking funds for the septic tanks to be installed or replaced for homeowners that have submitted an application. The Chapter will contract the projects to a contractor. The project will be coordinated with the homeowner and the third party project manager (OEH, IHS, NTUA). The goal is to provide septic tank systems for the applicants. Proper waste water systems will greatly benefit the homeowners and their immediate family memebers during and after the pandemic.

☐ document attached

Part 3. Additional documents.

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

Chapter Resolution is attached, names of applicants and completed applications.

☐ 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: 12/12/22 (signature of Preparer/CONTACT PERSON)

Approved by: (signature of Chapter President (or Vice-President))

Approved by: 12/12/22 (signature of Chapter Manager or CSC)

Approved by: 12/19/2022 (signature of DCD Chapter ASO)

Approved to submit for Review: Lisa Lynn, NNFRFO (signature of DCD Director)

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FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Newcomb Chapter Community Waste Water Project Division/Branch: DCD/Executive Branch

Prepared By: Norman Benally Phone No.: 505-696-3400 Email Address: ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	FY23-FY25	100,000.00	100%
	~~3/1/2023-11/30/2025~~		
	01/01/2022-12/31/2024		
	TOTAL:	$100,000.00	100%

PART III. BUDGET SUMMARY	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	6		100,000	100,000
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	100,000.00	100,000

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: Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

APPROVED BY: Pearl Yellowman 12.16.22
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director / Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Newcomb Chapter Community Waste Water Project

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Communty Homes connected to potable water								
Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work					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:								

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

Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director/Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Newcomb Chapter Community Waste Water Project 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	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Waste Water Project)		100,000
6960	Subcontracttor Services	100,000	
	TOTAL	100,000	100,000

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NEWCOMB CHAPTER – NAVAJO NATION
P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and

2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and

4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside $8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and

5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local and tribal governments, including $20 billion specifically designated for tribal governments; and

6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and

7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

   a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
   b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

   c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

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d. Make necessary investments in water, sewer, and/or broadband infrastructure.

8. The NAABIK'IYATI' Committee and Navajo Nation Council plans include Allocating $1,166,003,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Water and Wastewater Projects, Broadband Projects, Home Electricity Connection Projects, Housing and Housing Renovation Projects, Bathroom Additions Projects and Hardship Assistance.

9. Pursuant to Legislation 0257-21, the Newcomb Chapter has prioritized projects for the Fiscal Recovery Funds as: (1) ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

NOW THEREFORE BE IT RESOLVED THAT:

The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of $1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

CERTIFICATION

We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December 2022.

Motioned: Donna Benally

Seconded: Henry Thomas

David Randolph Sr., Chapter President

Donna L. Benally, Chapter Secretary/Treasurer

Willamena Smith, Chapter Vice President

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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 #: HK0355

Date & Time Received: 12/20/22 15:12

Date & Time of Response: 01/06/23 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: Bathroom renovations to Newcomb Chapter buildings (no touch fixtures and ventilation systems)

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $100,000.00

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

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

U.S. Department of Treasury Reporting Expenditure Category: 1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: **MacArthur Stant**

Signature of DOJ Reviewer: MacArthur Stant

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946 Newcomb, NM 87455 phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally phone/email: 505-696-3400
Newcomb Chapter Manager ndbenally@nnchapters.org
CONTACT PERSON'S name and title *CONTACT PERSON'S info*

Title and type of Project: Bathroom renovations to Newcomb Chapter buildings (no touch fixtures and ventilation systems)

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known
☐ document attached

Amount of FRF requested: $100,000 FRF funding period: ~~2023 – 2025 (3/11/2022 - 11/30/2025)~~ 01/01/2023 – 12/31/2026
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:

The funds will be used to construct a ladies and men restrooms. This building has one one restroom that is shared by both sexes. Having two restrooms will allow for be safer and will provide a place for cleanng and using the facility. No touch fixtures will be installed in the ladies and men restrooms. The renovation will also include construction to comply with ADA Standards.

☐ document attached

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

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to construct two restrooms with no-touch restroom fixtures. The construction will meet ADA standards to accomodate the handicap community members. The upgrades will benefit the adminstration and community members with or without disabilities.

☐ 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:

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FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: New | Program Title: Old Newcomb Chapter House - Restroom Construction | Division/Branch: DCD/Executive Branch

Prepared By: Norman Benally | Phone No.: 505-696-3400 | Email Address: ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	FY23-FY25	100,000.00	100%
	~~3/1/2023-11/30/2025~~		
	01/01/2022 - 12/31/2026		
	TOTAL:	$100,000.00	100%

PART III. BUDGET SUMMARY	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	6		100,000	100,000
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	100,000.00	100,000

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: Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

APPROVED BY: Pearl Yellowman
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director / Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title: Old Newcomb Chapter House - Restroom Construction

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Chapter builidings become safe against virus Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work					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:								

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

Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

Pearl Yellowhorse
Division Director/Branch Chief's Printed Name

Pearl Yellowhorse 12.16.22
Division Director/Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ___ of ___
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Old Newcomb Chapter House - Restroom Construction 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	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Restroom Construction)		100,000
6960	Subcontracttor Services	100,000	
	TOTAL	100,000	100,000

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NEWCOMB CHAPTER

P.O. Box 7946 • Newcomb, NM 87455 • Telephone: 505-696-3300 • Fax: 505-696-5475

NEWCOMB CHAPTER ARPA PROJECT
SCOPE OF WORK

Project Title:
Male and female restrooms will be constructed in the Old Chapter House building. The constructed restrooms will have no-touch restroom fixtures. All constructions and upgrades must meet ADA standards.

Background Narrative:
This building has one restroom, this restroom is shared by the women and men. Restrooms are an important resource to wash hands that is shared in an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to renovate and upgrade their building facilities with no-touch restroom fixtures and new ventilation systems. The Chapter buildings will have their restroom sinks and kitchen sinks replaced to ensure any possible embedded viruses are eliminated. The renovations and upgrades will meet ADA standards for all buildings. The list below is what the Chapter would introduce as a general scope of work.

Work Plan:
Old Chapter House Building:

- Install restrooms
  - Men's Restroom:
    - Install one hand washing sink
    - Install one no-touch toilet
    - Install one no-touch hand dispenser for soap
    - Install one no-touch hand dryer
  - Ladies Restroom:
    - Install one no-touch hand washing sink
    - Install one no-touch toilet
    - Install one no-touch hand dispenser for soap
    - Install one no-touch hand dryer

Results Expected:

- No-touch fixtures will minimize the spread of any virus
- Restroom fixtures must meet ADA requirements
- The ventilation system will help in minimizing the air to stay in one place
- All tasks are done correctly and meet the required standards
- Project will be completed safely, on time, within the budget

Responsible Staff:

- Norman Benally, Newcomb Chapter Manager
- David Randolph, Newcomb Chapter President

David Randolph Sr, President Willamena Smith, Vice President
Donna Benally Sec. /Treasurer Lawrence Gould, Grazing Representative
Rickie Nez, Council Delegate

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NEWCOMB CI. PTER – NAVAJO NATION
P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and

2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and

4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside $8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and

5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local and tribal governments, including $20 billion specifically designated for tribal governments; and

6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and

7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

   a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
   b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

   c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

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d. Make necessary investments in water, sewer, and/or broadband infrastructure.

8. The NAABIK'IYATI' Committee and Navajo Nation Council plans include Allocating $1,166,003,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Water and Wastewater Projects, Broadband Projects, Home Electricity Connection Projects, Housing and Housing Renovation Projects, Bathroom Additions Projects and Hardship Assistance.

9. Pursuant to Legislation 0257-21, the Newcomb Chapter has prioritized projects for the Fiscal Recovery Funds as: (1) ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

NOW THEREFORE BE IT RESOLVED THAT:

The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of $1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

CERTIFICATION

We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December 2022.

Motioned: Donna Benally

Seconded: Henry Thomas

David Randolph Sr., Chapter President

Donna L. Benally, Chapter Secretary/Treasurer

Willamena Smith, Chapter Vice President

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NAVAJO NATION FISCAL RECOVERY FUND

DOCUMENT CHECKLIST
TO DOJ for Governance Certified Chapters

Submit all documents according to this checklist. If all documents are not attached, packet will be returned to division/program.

Division/Program Information:

Date Submitted: December 11, 2022

Program/Division: CDC/Excutive Branch - Newcomb Chapter

Contact Person: Norman Benally

Phone: 505-696-3400 Email: ndbenally@nnchapters.og

Documents needed for processing:

- [xx] Appendix A - Request Form & Expenditure Plan
- [XX] Appendix B - Budget Forms (Form 1, 2, 3, 4, 5, Appendix J as needed)
- [XX] Approved Chapter Resolution supporting the project
- [XX] Required Signatures:
  - [ ] Preparer
  - [ ] Chapter President/Vice President
  - [ ] Chapter Manager/CSC
  - [ ] DCD ASC
  - [ ] DCD Division Director
  - [ ] NNFRFO Director

Notes:

Newcomb Chapter Old Building Restroom Construction

Reviewed by:

NN Fiscal Recovery Fund Office

Date

DISCLAIMER: For guidance purposes only. Additional information may be required.

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

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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 #: HK0356

Date & Time Received: 12/20/22 15:08

Date & Time of Response: 12 January 2023; 9:19 am

Entity Requesting FRF: Newcomb Chapter

Title of Project: Chapter Community Electrical Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $283,528.33

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: 2.18 (Housing Support: Other Housing Assistance)

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

_____

Name of DOJ Reviewer: Adjua Adjei-Danso

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946 Newcomb, NM 87455 phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally Newcomb Chapter Manager *CONTACT PERSON'S name and title* phone/email: 505-696-3400 ndbenally@nnchapters.org *CONTACT PERSON'S info*

Title and type of Project: Newcomb Chapter Community Electrical Project

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

☐ document attached

Amount of FRF requested: $283,528.33 FRF funding period: ~~2023 - 2025 (3/1/2022 - 11/30/2025)~~ 01/01/2022 - 12/31/2026
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:

The funds will be used to connect homes to electricity. Electricity provides: proper lighting system/heating and cooler systems/allows families to store food longer/have instant hot water for family daily use/electronic uses/cleaning homes, etc. The Chapter has received 12 applications. The project will be coordinated with the homeowner and the third party project manager NTUA. The Chapter did not state the amount of FRF requested because the Chapter does not have the expertise for this cost construction. With pandemic here, these home were at a great disadvantage.

☐ document attached

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

Newcomb community members that have electricity will result in some COVID needs being met. In today's world electricity is a key resource for every family. As stated above it provides many is a key to a healthy life for the family. The families that recieve electricity will greatly benefit and will lead to healthier lives.

☐ 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:

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Dec 11, 2022 - Resolution
Winter 2023 - NN and DOJ Revie..
Spring 2023 - Seek Bids
Summer 2023 - Contract Bid Award
Fall 2023 to Summer 2024 - Construction
Challenges: Review time from Navajo Nation

☐ document attached

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

Newcomb Chapter Administration and Elected Officials will be responsible for 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:

Each community home owner that recieves electricity are responsible for the maintenance and operations costs after the project has been completed.

☐ 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:

Other Public Health Services^1.14

The Newcomb Chapter is seeking funds for the installation of electricity to community members homes. The project will be coordinated with the homeowner and the third party project manag NTUA. Having electricity in homes will greatly benefit the homeowners and their immediate family memebers during and after the pandemic.

☐ document attached

Part 3. Additional documents.

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

Chapter Resolution is attached, names of applicants and completed applications.

☐ 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: 12/12/22
signature of Preparer/CONTACT PERSON

Approved by:
signature of Chapter President (or Vice-President)

Approved by: 12/12/22
signature of Chapter Manager or CSC

Approved by: 12/19/2022
signature of DCD/Chapter ASO

Approved to submit for Review: Lisa Lynn, NNFRFD
signature of DCD Director

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FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM

PART I. Business Unit No.: New **Program Title:** Newcomb Chapter Community Electrical Connections **Division/Branch:** DCD/Executive Branch

Prepared By: Norman Benally **Phone No.:** 505-696-3400 **Email Address:** ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	FY23-FY25	283,528.33	100%
	~~3/1/2023-11/30/2025~~		
	01/01/2022-12/31/2026		
	TOTAL:	$283,528.33	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference 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	6		283,528	283,528
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	283,528.33	28[illegible]8

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: Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

APPROVED BY: Pearl Nelson
Division Director / Branch Chief's Printed Name

Pearl Nelson 12.16.22
Division Director / Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Newcomb Chapter Community Electrical Connections

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Community Homes electrical connections Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work					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:								

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

Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ___ of___
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Newcomb Chapter Community Electrical Connections 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 Co. (LOD 4)
6500	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Electrical connections to community Homes)		
6960	Subcontracttor Services	$233,528.33	$233,528.33
	TOTAL	$233,528.33	$233,528.33

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NEWCOMB CHAPTER – NAVAJO NATION
P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and

2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and

4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside $8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and

5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local and tribal governments, including $20 billion specifically designated for tribal governments; and

6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and

7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

   a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
   b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

   c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

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DOCUMENT CHECKLIST

TO DOJ for Governance Certified Chapters

Submit all documents according to this checklist. If all documents are not attached, packet will be returned to division/program.

Division/Program Information:

Date Submitted: December 11, 2022

Program/Division: CDC/Excutive Branch - Newcomb Chapter

Contact Person: Norman Benally

Phone: 505-696-3400 Email: ndbenally@nnchapters.og

Documents needed for processing:

- [XX] Appendix A - Request Form & Expenditure Plan
- [XX] Appendix B - Budget Forms (Form 1, 2, 3, 4, 5, Appendix J as needed)
- [XX] Approved Chapter Resolution supporting the project
- [XX] Required Signatures:
  - [ ] Preparer
  - [ ] Chapter President/Vice President
  - [ ] Chapter Manager/CSC
  - [ ] DCD ASC
  - [ ] DCD Division Director
  - [ ] NNFRFO Director

Notes:

Newcomb Chapter Community Electrical Connection

Reviewed by:

NN Fiscal Recovery Fund Office

Date

DISCLAIMER: For guidance purposes only. Additional information may be required.

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

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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 #: HK0357

Date & Time Received: 12/20/22 15:09

Date & Time of Response: 01/06/23 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: Newcomb Chapter Community Potable Water Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $285,528.33

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

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: **MacArthur Stant**

Signature of DOJ Reviewer: MacArthur Stant

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946 Newcomb, NM 87455 phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally Newcomb Chapter Manager *CONTACT PERSON'S name and title* phone/email: 505-696-3400 ndbenally@nnchapters.org *CONTACT PERSON'S info*

Title and type of Project: Newcomb Chapter Community Potable Water Project

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491.outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

☐ document attached

Amount of FRF requested: $283,528.33 FRF funding period: ~~2023 - 2025 (3/1/2022 - 11/30/2025)~~ 01/01/2023 - 12/31/2026
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:

Newcomb community members that have potable water in their homes but do not have indoor restrooms have applied for this assistance. Some community members have restrooms but are in need of upgrades also have applied for this assistance. The Chapter will contract this bathroom addition to a contractor to construct, it will be an addtion to community members homes or upgrades to the existing restrooms. OEH, IHS adn NTUA will assist in final waterlne connections. The Chapter did not state the amount of FRF requesteed becasue the Chapter does not have the expertise for this cost construction.

☐ document attached

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

Newcomb community members that have potable water will result in some COVID needs being met. As the saying goes, "water is life." Water will provide homes with uses that will combat the COVID Virus in the homes.

☐ 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:

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Dec 11, 2022 - Resolution
Winter 2023 - NN and DOJ Review
Spring 2023 - Seek Bids
Summer 2023 - Contract Bid Award
Fall 2023 to Summer 2024 - Construction
Challenges: Review time from Navajo Nation

☐ document attached

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

Newcomb Chapter Administration and Elected Officials will be responsible for 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:

Each community home owner that recieved potable water are responsible for the maintenance and operations costs after the project has been completed.

☐ 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:

Other Public Health Services^1.14

The Newcomb Chapter is seeking funds for the potable water to be piped to the community members homes and these members have submitted applications. The project will be coordinated with the homeowner and the thrid party project manager (OEH, IHS, NTUA). The goal is to provide running water and septic for the applicants. Making these homes having potable water will greatly benefit the homeowners and their immediate family memebers during and after the pandemic.

☐ document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.

☐ 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: _____ 12/12/28
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of Chapter President (or Vice-President)

Approved by: _____ 12/12/28
signature of Chapter Manager or CSC

Approved by: _____ 12/19/2022
signature of DCD Chapter ASO

Approved to submit for Review: Lisa Lynn, NNFRFO
signature of DCD Director

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FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Newcomb Chapter Community Water Project Division/Branch: DCD/Executive Branch

Prepared By: Norman Benally Phone No.: 505-696-3400 Email Address: ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	FY23-FY25	283,528.33	100%
	~~3/1/2023-11/30/2025~~ 01/01/2022-12/31/2026		
	TOTAL:	$283,528.33	100%

PART III. BUDGET SUMMARY	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	6		283,528.33	283,528.33
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
	TOTAL	$0.00	283,528.33	283,528.33

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: Norman Benally
Program Manager's Printed Name

12/12/11
Program Manager's Signature and Date

APPROVED BY: Pearl Yellowman
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12-16-22
Division Director / Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

Page ___ of __
BUDGET FORM

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title: Newcomb Chapter Community Water Project

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Chapter builidings become safe against virus Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work					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:								

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

Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

Division Director/Branch Chief's Printed Name

12.16.22
Division Director/Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Newcomb Chapter Community Water Project 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	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Water Line Connections)		
6960	Subcontracttor Services	$233,528.33	$233,528.33
	TOTAL	$233,528.33	$233,528.33

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NEWCOMB CHAPTER – NAVAJO NATION
P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and

2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and

4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside $8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and

5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local and tribal governments, including $20 billion specifically designated for tribal governments; and

6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and

7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

   a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
   b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

   c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

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d. Make necessary investments in water, sewer, and/or broadband infrastructure.

8. The NAABIK'IYATI' Committee and Navajo Nation Council plans include Allocating $1,166,003,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Water and Wastewater Projects, Broadband Projects, Home Electricity Connection Projects, Housing and Housing Renovation Projects, Bathroom Additions Projects and Hardship Assistance.

9. Pursuant to Legislation 0257-21, the Newcomb Chapter has prioritized projects for the Fiscal Recovery Funds as: (1) ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

NOW THEREFORE BE IT RESOLVED THAT:

The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of $1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

CERTIFICATION

We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December 2022.

Motioned: Donna Benally

Seconded: Henry Thomas

David Randolph Sr., Chapter President

Donna L. Benally, Chapter Secretary/Treasurer

Willamena Smith, Chapter Vice President

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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 #: HK0358

Date & Time Received: 12/20/22 15:12

Date & Time of Response: 12/29/22 17:00

Entity Requesting FRF: Newcomb Chapter

Title of Project: Bathroom and Kitchen Upgrades Newcomb Chapter Buildings (no touch fixtures)

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $150,000.00

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

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

U.S. Department of Treasury Reporting Expenditure Category: 1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: **MacArthur Stant**

Signature of DOJ Reviewer: MacArthur Stant

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Newcomb Chapter Government Date prepared: 12/11/2022

Chapter's mailing address: PO Box 7946 Newcomb, NM 87455 phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org

This Form prepared by: Norman Benally Newcomb Chapter Manager (CONTACT PERSON'S name and title) phone/email: 505-696-3400 ndbenally@nnchapters.org (CONTACT PERSON'S info)

Title and type of Project: Bathroom and Kitchen Upgrades Newcomb Chapter Buildings (no touch fixtures)

Chapter President: David Randolph phone & email: 505-478-7746/dvrdsr491@outlook.com

Chapter Vice-President: Willamena Smith phone & email: 505-427-1993/willamenas7878@yahoo.com

Chapter Secretary: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Treasurer: Donna Benally phone & email: 505-860-9428/benally_d@hotmail.com

Chapter Manager or CSC: Norman Benally phone & email: 505-696-3400/ndbenally@nnchapters.org

DCD/Chapter ASO: Elizabeth Washborne phone & email: 505-368-1026/eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

☐ document attached

Amount of FRF requested: $150,000 FRF funding period: ~~2023 - 2025 (3/1/2022 - 11/30/2025)~~ 01/01/2023 – 12/31/2026
(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:

The Senior Citizens Center, the Old Chapter House and the Dine College Outreach buildings belong to the Newcom Chapter Government. The Senior Citizens Center, the Dine College outreach and Old Chapter House buildings will have their restrooms and kitchen areas upgraded to have no-touch fixtures. All sinks, toilets, hand dryers and other restroom fixtures will be no touch (attached is a scope of work).

☐ document attached

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

In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to upgrade their building facilities with no-touch fixtures in the restrooms and kitchen areas. These Chapter buildings will become a safer healthier offices for the administration, community members and visitors.

☐ 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:

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Dec 11, 2022 - Resolution
Winter 2023 - NN and DOJ Review
Spring 2023 - Seek Bids
Summer 2023 - Contract Bid Award
Fall 2023 to Summer 2024 - Construction
Challenges: Review time from Navajo Nation

☐ document attached

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

Newcomb Chapter Administration and Elected Officials will be responsible for 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:

Newcomb Chapter Administration will be responsible for the operations and maintenance costs for the project once completed.

☐ 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:

COVID-19: Aid to Impacted Industries^ 1.10

The Newcomb Chapter is seeking funds for the upgrades to the restrooms and kitchen areas. Installing a no-touch fixtures will greatly minimize viruses to be passed on. These upgrades will be in the Senior Citizens and Dine College Outreach buildings. Making these renovations would greatly benefit community and administrative members during and after the pandemic.

☐ document attached

Part 3. Additional documents.

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

Chapter Resolution is attached.
Scope of Work is attached.

☐ 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 Chapter Manager or CSC

Approved by: _____ signature of DCD/Chapter ASO 12/19/2022

Approved to submit for Review: _____ signature of DCD Director

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FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM

PART I. Business Unit No.: New **Program Title:** Bathroom and Kitchen Upgrades Newcomb Chapter Buildings **Division/Branch:** DCD/Executive Branch

Prepared By: Norman Benally **Phone No.:** 505-696-3400 **Email Address:** ndbenally@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	FY23-FY25	150,000.00	100%
	~~3/1/2023-11/30/2025~~		
	01/01/2022-12/31/2026		
	TOTAL:	$150,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference 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	6		150,000	150,000
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	150,000.00	15[illegible]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: Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

APPROVED BY: Pearl Yellowman
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director / Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

Page ___ of ___
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title: Bathroom and Kitchen Upgrades Newcomb Chapter Buildings

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Chapter builidings become safe against virus Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work					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:								

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

Norman Benally
Program Manager's Printed Name

12/12/22
Program Manager's Signature and Date

Pearl Gilmore
Division Director/Branch Chief's Printed Name

Pearl Gilmore 12.16-22
Division Director/Branch Chief's Signature and Date

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FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Bathroom and Kitchen Upgrades Newcomb Chapter Buildings 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	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (No Touch Upgrades)		150,000
6960	Subcontracttor Services	150,000	
6990	Subcontracttor Services		
	TOTAL	150,000	150,000

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NEWCOMB CHAPTER

P.O. Box 7946 • Newcomb, NM 87455 • Telephone: 505-696-3300 • Fax: 505-696-5475

NEWCOMB CHAPTER ARPA PROJECT
SCOPE OF WORK

Project Title:
Renovation of the restrooms for the Newcomb Chapter House buildings. The Senior Citizens Center, the Head Start School, the Old Chapter House and the Dine College Outreach Facility are housed in three separate buildings that belong to the Newcomb Chapter. These buildings will have their restrooms upgraded to have no-touch restroom fixtures. The Chapter House and the Head Start buildings will have a new ventilation systems installed. Male and female restrooms will be constructed in the Old Chapter House building. All constructions and upgrades must meet ADA standards.

Background Narrative:
In an effort to minimize or stop the spread of COVID 19, as well as, any other viruses, the Newcomb Chapter would like to renovate and upgrade their building facilities with no-touch restroom fixtures and new ventilation systems. The Chapter buildings will have their restroom sinks and kitchen sinks replaced to ensure any possible embedded viruses are eliminated. The renovations and upgrades will meet ADA standards for all buildings. The list below is what the Chapter would introduce as a general scope of work.

Work Plan:
Newcomb Chapter House:

- Kitchen:
  - One hand washing sink
  - Install one no-touch faucet
  - Install one no-touch hand dispenser for soap
  - Install two no-touch hand sanitizers
  - Install one no-touch hand dryer
  - Install two large sinks with no-touch faucets
- Lobby Area:
  - Install two no-touch hand sanitizers
- Restroom doors and administration office door:
  - Construct and install all main doors that will comply with the ADA standards

Senior Citizen Center

  - Lobby Area:
  - Install two no-touch hand sanitizers
  - Install one no-touch hand washing sink
  - Install one no-touch hand dryer
  - Install one no-touch hand dispenser for soap
- Men's Restroom:
  - Install two hand washing sinks

David Randolph Sr, President Willamena Smith, Vice President
Donna Benally Sec. /Treasurer Lawrence Gould, Grazing Representative
Rickie Nez, Council Delegate

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    - Install one no-touch hand dryer
    - Install one no-touch soap dispenser
  - Front door needs to have an ADA Handicap entrance
  - Kitchen Area:
    - Install one three compartment sink
    - Install one no-touch hand dryer
    - Install one hand washing sink
    - Install one no-touch hand sanitizer
  - Lobby Area:
    - Install two small no-touch hand washing sinks
    - Install one no-touch soap dispenser

Dine College Outreach Facility:

- Lobby Area:
  - Install one no-touch hand sanitizer
- Men's Restroom:
  - Install one hand washing sink
  - Install one no-touch toilet
  - Install one no-touch hand dispenser for soap
  - Install one no-touch hand dryer
- Ladies Restroom:
  - Install one no-touch hand washing sink
  - Install one no-touch toilet
  - Install one no-touch hand dispenser for soap
  - Install one no-touch hand dryer

Old Chapter House Building:

- Install restrooms
  - Men's Restroom:
    - Install one hand washing sink
    - Install one no-touch toilet
    - Install one no-touch hand dispenser for soap
    - Install one no-touch hand dryer
  - Ladies Restroom:
    - Install one no-touch hand washing sink
    - Install one no-touch toilet
    - Install one no-touch hand dispenser for soap
    - Install one no-touch hand dryer

Ventilation System:

- The Chapter House will be first priority to have a ventilation system installed. This ventilation system will include a heater and air conditioner with new vent pipes that leads to all rooms
- The Head Start building will be second priority to have a ventilation system installed. This ventilation system will include a heater and air conditioner with new vent pipes that lead to all rooms

David Randolph Sr, President Willamena Smith, Vice President
Donna Benally Sec. /Treasurer Lawrence Gould, Grazing Representative
Rickie Nez, Council Delegate

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NEWCOMB CHAPTER – NAVAJO NATION
P.O. Box # 7946, Newcomb, New Mexico 87455; Phone: 505.686-3300 Fax: 505.696.5475

FY'2023
NWCB-120521-019

Resolution of the Newcomb Chapter

APPROVING THE NEWCOMB CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS FOR PLANNING, DESIGNING, CONSTRUCTION, PURCHASING AND INSTALLATION OF PROJECTS

WHEREAS:

1. The Newcomb Chapter is a duly certified Chapter governmental of the Navajo Nation with delegated authority to adopt ordinances and to adopt plans on matters of local concerns in the best interest of its local community membership; and

2. Pursuant to 26 N.N.C Section 1 (B) Newcomb Chapter is vested with the authority to review all matters affecting the community and make appropriate correction when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. The Newcomb Chapter is aware that World Health Organization (WHO) declared a public health emergency of international concern related to the outbreak of the coronavirus (COVID-19), a highly contagious and fatal respiratory virus on January 30, 2020. The U.S. Department of Health and Human Services declared a public health emergency related to COVID-19 outbreak on January 31, 2020. The WHO declared a global pandemic due to COVID-19 on March 11, 2020; and

4. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, Economic Security Act (CARES Act), Pub L. No. 116-136, 134 Stat. 281 (2020). The CARES Act, at Title V, §5001, entitled Coronavirus Relief Funds which set aside $8 Billion in emergency aid for Tribal Governments for the COVID-19 Pandemic; and

5. In response to the pandemic, on March 11, 2021 United States President Joseph Biden sign the American Rescue Plan Act (ARPA) into law, which establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (Together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local and tribal governments, including $20 billion specifically designated for tribal governments; and

6. As of November 1, 2021, the United States Treasury has allocated two million seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA; and

7. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

   a. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality; and
   b. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

   c. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

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d. Make necessary investments in water, sewer, and/or broadband infrastructure.

8. The NAABIK'IYATI' Committee and Navajo Nation Council plans include Allocating $1,166,003,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Water and Wastewater Projects, Broadband Projects, Home Electricity Connection Projects, Housing and Housing Renovation Projects, Bathroom Additions Projects and Hardship Assistance.

9. Pursuant to Legislation 0257-21, the Newcomb Chapter has prioritized projects for the Fiscal Recovery Funds as: (1) ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

NOW THEREFORE BE IT RESOLVED THAT:

The Newcomb Chapter Membership hereby approves pursuant Legislation 0257-21; the Newcomb Chapter's American Rescue Plan Act (ARPA) Projects in the amount of $1,467,056.67.00 for Planning, Designing, Construction, Purchasing and Installation of Projects. Projects include: ADA Chapter Facilities upgrades, (2) Old Chapter House Restroom, (3) Newcomb Chapter Restrooms, (4) Chapter Facilities Ventilation Systems, (5) Install No-Touch Fixtures, (6) Electrical Upgrades and Connections, (7) Wastewater facility upgrades and installation, (8) Bathroom Additions, and (9) Upgrades or connection of Potable water.

CERTIFICATION

We, hereby certify that the foregoing Chapter Resolution was considered by the Newcomb Chapter membership at a duly called Chapter meeting at Newcomb, Navajo Nation (New Mexico) at which a quorum was present and hat same was passed by a vote of 09 in favor, 00 opposed, 00 abstained this 11th day of December 2022.

Motioned: Donna Benally

Seconded: Henry Thomas

David Randolph Sr., Chapter President

Donna L. Benally, Chapter Secretary/Treasurer

Willamena Smith, Chapter Vice President

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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 #: HK0344 [REISSUED]

Date & Time Received: 12/20/2022 9:48 A.M

Date & Time of Response: 12/27/2022 5:00 P.M; Reissued 3/1/2023 5:00 P.M.

Entity Requesting FRF: Upper Fruitland Chapter Government

Title of Project: Upper Fruitland Community Cemetery

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $370,556.67

Eligibility Determination:

- [x] FRF eligible
- [ ] FRF ineligible
- [ ] Additional information requested

FRF Eligibility Category:

- [ ] (1) Public Health and Economic Impact
- [x] (3) Government Services/Lost Revenue
- [ ] (2) Premium Pay
- [ ] (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1 Provision of Government Services

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- [ ] Missing Form
- [ ] Supporting documentation missing
- [ ] Project will not be completed by 12/31/2026
- [ ] Ineligible purpose
- [ ] Submitter failed to timely submit CARES reports
- [ ] Additional information submitted is insufficient to make a proper determination
- [ ] Expenditure Plan incomplete
- [ ] Funds will not be obligated by 12/31/2024
- [ ] Incorrect Signatory
- [ ] Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this initial eligibility determination in order to correct an error with the identified Administrative Oversight entity. We recommend that the Administrative Oversight entity for this expenditure plan be the Division of Community of Development rather that the Upper Fruitland Chapter Government. In accordance with, Council resolution CJN-29-22, Section 3(E), "[t]he Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Departments, 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."

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: MacArthur Stant

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 1, 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.

APPENDIX A

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 9, 2022

Chapter's mailing address: Upper Fruitland Chapter P.O. Box 1257 Fruitland, NM 87416 phone & email: (505) 960-5032 upperfruitland@navajochapters.org website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Manager phone/email: (505) 960-5032 akee@nnchapters.org

CONTACT PERSON'S name and title — CONTACT PERSON'S info

Title and type of Project: Upper Fruitland Community Cemetery

Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanii.org

Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org

Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Manager or CSC: Alvis Kee phone & email: (505) 960-5032 akee@nnchapters.org

DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

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

Amount of FRF requested: 370,556.67 FRF funding period: January 01 2023 - December ~~31~~ 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:

The Upper Fruitland Community Cemetery will provide a site where many loved ones will be interred especially those affected from the COVID-19 Pandemic. The Upper Fruitland community and Navajo Nation were severly impacted from the pandemic having saturated their Rose Garden cemetery to capacity and requiring the construction of a new site. The land has already been withdrawn, surveyed, required archaelogical studies completed and is basically shovel ready for continuing development. The project will address the deficiencies connected to the outbreak of the COVID-19 on the Navajo Nation. The governmental services will facilitate sustainable economic and social growth. ☒ document attached

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

Most rural communities on the Navajo Nation lack access to governmental services and COVID-19 impeded these operations. The Navajo Nation experienced substantially grater rates of COVID-19 mortality compared to other racial and ethnic groups. Those living on the Navajo Nation are vulnerable to the virus, due to the high rates of poverty, over crowded liing conditions and limited access to high-quality medical facilities. This project will assist and directly benefit the Navajo people. ☐ 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:

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Based upon the funding, the proj[illegible] completion date will be December 3[illegible] 2026 with all funds being incumbered before December 31, 2024. The Navajo Nation Budget form[illegible] are attached and illustrate the phase goals per quarter of funding period.

☐ document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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:

The Upper Fruitland Chapter administration will be tasked with the facility's with maintenance while ensuring budgeting meets operational necessities.

☐ 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:

Categories: REVENUE REPLACEMENT: 6.1 - Provision of Government Services

Pursuant to the U.S. Treasury guidelines and funding objectives, this Upper Fruitland Community Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. The Upper Fruitland Community cemetery will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

☐ document attached

Part 3. Additional documents.

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

Chapter resolution # FRUI-2022-12-305

☒ 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 Chapter Manager or CSC

Approved by: _____ signature of DCD/Chapter ASO 12/19/2022

Approved to submit for Review: Lisa Lynn, NNFRFC signature of DCD Director

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Based upon the funding, the pro . completion date will be December 2026 with all funds being incumbered before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

☐ document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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:

The Upper Fruitland Chapter administration will be tasked with the facility's with maintenance while ensuring budgeting meets operational necessities.

☐ 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:

Categories: REVENUE REPLACEMENT: 6.1 - Provision of Government Services

Pursuant to the U.S. Treasury guidelines and funding objectives, this Upper Fruitland Community Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. The Upper Fruitland Community cemetery will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

☐ document attached

Part 3. Additional documents.

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

Chapter resolution # FRUI-2022-12-305

☒ Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

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Chapter's Preparer: _____ signature of Preparer/CONTACT PERSON

Approved by: _____ signature of Chapter President (or Vice-President)

Approved by: _____ signature of Chapter Manager or CSC

Approved by: _____ signature of DCD/Chapter ASO

Approved to submit for Review: _____ signature of DCD Director

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THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Community Cemetery Project Upper Fruitland Chapter -6.1 Division/Branch: Executive

Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPPA FUNDS	01/01/2022-12/30/2026	370,556.67	100
	TOTAL:	370,556.67	100

PART III. BUDGET SUMMARY	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	6		500	500
8000 Public Assistance				
9000 Capital Outlay	6		$370,056.67	$370,056.67
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	370,556.67	$370,556.67

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: Sonlatsa Jim-Martin
Program Manager's Printed Name

Sonlatsa Jim 12/19/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Pearl Yellowman
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director / Branch Chief's Signature and Date

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FY ____2023_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter -6.1 Community Cemetery Project

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

The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To provide funds for the construction of a new cemetery for Upper Fruitland community								
Program Performance Measure/Objective: To assist the community and surrounding communities with a location for the final resting place	5		5		5		5	
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.

Sonlatsa Jim-Martin
Program Manager's Printed Name

Sonlatsa Jim 12/19/2022
Program Manager's Signature and Date

Dr. Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12/16.22
Division Director/Branch Chief's Signature and Date

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FY ____2023_____

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Upper Fruitland Chapter -6.1 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)
	Revenue Replacement: Provision of Government Services - ARPA Chapter Wellness Project. This Upper Fruitland Community cemetery project will provide a comprehensive construction of a planned site. The Upper Fruitland community cemetery is an expresion of its ommunity - it is a repository foot or higher square footage based on fund availability. This warehouse will provide logistical support and assist in mitigating, preparing, responding and recovering from emergncy situations and improving community services. This warehous will address deficiencies connected to the large volume of COVID-19 on the Navajo Nation. The construction of this new wreehouse will be capable of meeting the needs of the Upper Fruitland community. This meaning a facility meeting the necessary floot space and infrastructure such as mechanical equipmenet, plumbing, electrical...etc. for the propere and effective operation.		
7000	Special Transactions		
7440	Print Advertising Advertisement for project in accordance with Procurement Procedures.	500	500
9000	Capital Outlay		
9052	Buildings Purchase of aluminum frame and steel supports of about 60 foot x 100 foot or higher square footagle	370,057	370,057
	TOTAL	370,557	370,557

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THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Community cemetery Project Upper Fruitland Chapter -6.1 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)
	Revenue Replacement: Provision of Government Services - ARPA Chapter Wellness Project. This Upper Fruitland Community cemetery project will provide a comprehensive construction of a planned site. The Upper Fruitland community cemetery is an expresion of its ommunity - it is a repository foot or higher square footage based on fund availability. This warehouse will provide logistical support and assist in mitigating, preparing, responding and recovering from emergncy situations and improving community services. This warehous will address deficiencies connected to the large volume of COVID-19 on the Navajo Nation. The construction of this new wreehouse will be capable of meeting the needs of the Upper Fruitland community. This meaning a facility meeting the necessary floot space and infrastructure such as mechanical equipmenet, plumbing, electrical...etc. for the propere and effective operation.		
7000	Special Transactions		
7440	Print Advertising		
	Advertisement for project in accordance with Procurement Procedures.	500	500
9000	Capital Outlay		
9052	Buildings		
	Purchase of aluminum frame and steel supports of about 60 foot x 100 foot or higher square footagle	$370,056.67	$370,056.67
	TOTAL	$370,556.67	$370,556.67

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FY ____2023_____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Upper Fruitland Chapter -6.1 Division/Branch: Executive

Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA Funds	01/01/2022-12/30/2026	$370,556.67	100%
TOTAL:		$370,556.67	100%

PART III. BUDGET SUMMARY	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	6		500	500
8000 Public Assistance				
9000 Capital Outlay	6		$370,556.67	$370,556.67
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	370,556.67	$370,556.67

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: Sonlatsa Jim-Martin
Program Manager's Printed Name

Sonlatsa Jim 12/19/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Pearl Yellowman
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12-16-22
Division Director / Branch Chief's Signature and Date

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FY ____2023_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter -6.1 Community Cemetery Project

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

The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To provide funds for the construction of a new cemetery for Upper Fruitland community								
Program Performance Measure/Objective: To assist the community and surrounding communities with a location for the final resting place	5		5		5		5	
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.

Sonlatsa Jim-Martin
Program Manager's Printed Name

Sonlatsa Jim 12/19/2022
Program Manager's Signature and Date

Dr. Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director/Branch Chief's Signature and Date

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FY ____2023_____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Community Cemetery Project Upper Fruitland Chapter -6.1 Division/Branch: Executive

Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA Funds	01/01/2022 12/31/2026	$370,556.67	100%
	TOTAL:	$370,556.67	100%

PART III. BUDGET SUMMARY	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	6		500	500
8000 Public Assistance				
9000 Capital Outlay	6		370,056.67	370,056.67
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	370,556.67	370,5[illegible].67

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: Sonlatsa Jim-Martin
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Dr. Pearl Yellowman
Division Director / Branch Chief's Printed Name

Pearl Yellowman 12-16-22
Division Director / Branch Chief's Signature and Date

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FY ____2023_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter -6.1 Community Cemetery Project

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

The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To provide funds for the construction of a new cemetery for Upper Fruitland community								
Program Performance Measure/Objective: To assist the community and surrounding communities with a location for the final resting place	5		5		5		5	
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.

Sonlatsa Jim-Martin
Program Manager's Printed Name

Dr. Pearl Yellowman
Division Director/Branch Chief's Printed Name

Program Manager's Signature and Date

Pearl Yellowman 12.16.22
Division Director/Branch Chief's Signature and Date

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The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
Fax: (505) 960-5033
Upperfruitland@Navajochapters.org

Rickie Nez, Council Delegate
Lynelle Etsitty, President
Lisa Byrd, Vice-President
Dora Smith, Secretary/Treasurer
Albert Lee, Farm Board Representative
Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF $1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;

2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;

3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the $8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of $1,467,056.67; and.

4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

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06	Cemetery; Upper Fruitland Community	6.1	370,556.67
		GRAND TOTAL:	1,467,056.67

5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of $1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.

Lynelle Etsitty, President

Lisa Byrd, Vice-President

Dora Smith, Secretary/Treasurer

Rickie Nez, Council Delegate

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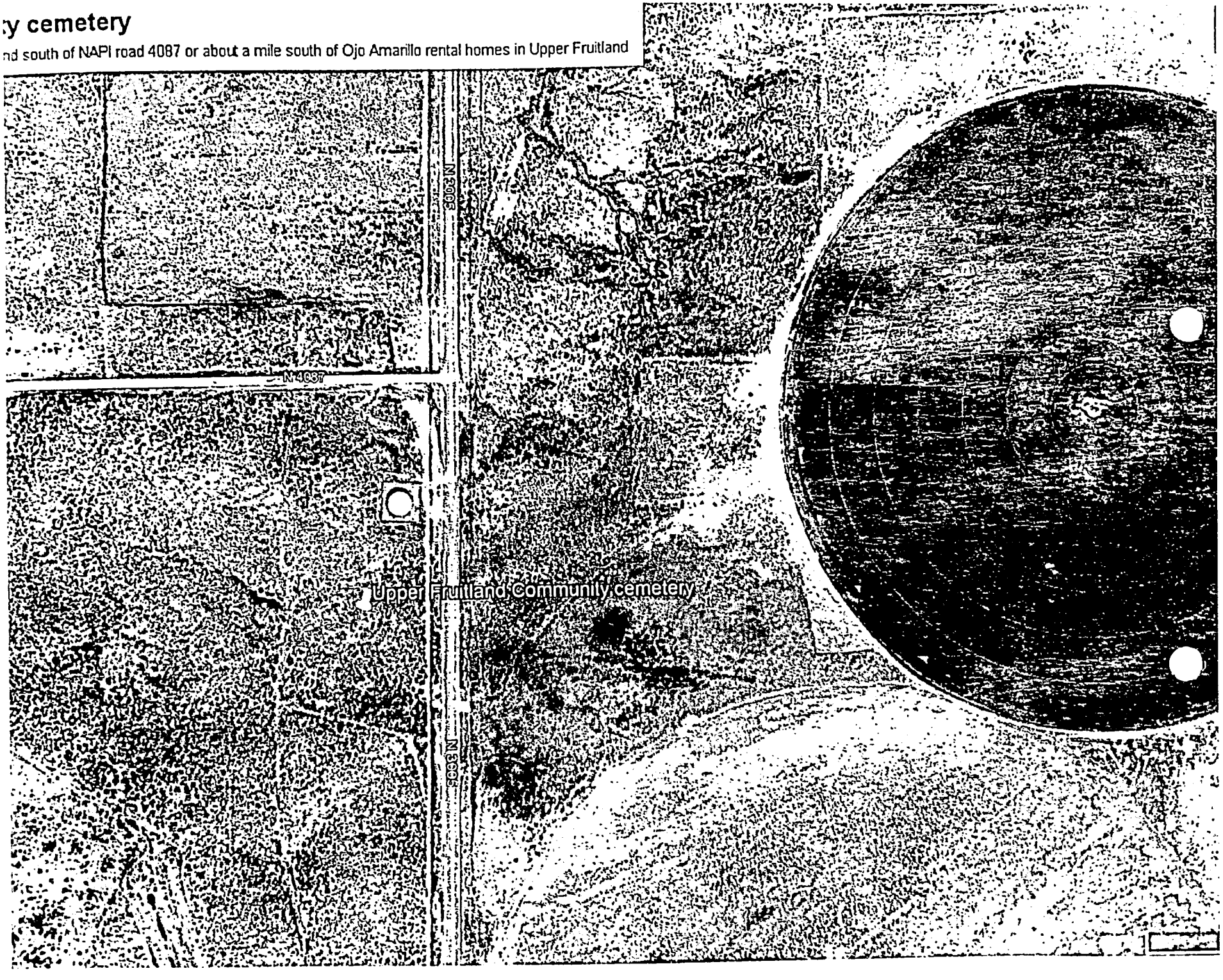
ty cemetery

nd south of NAPI road 4087 or about a mile south of Ojo Amarillo rental homes in Upper Fruitland



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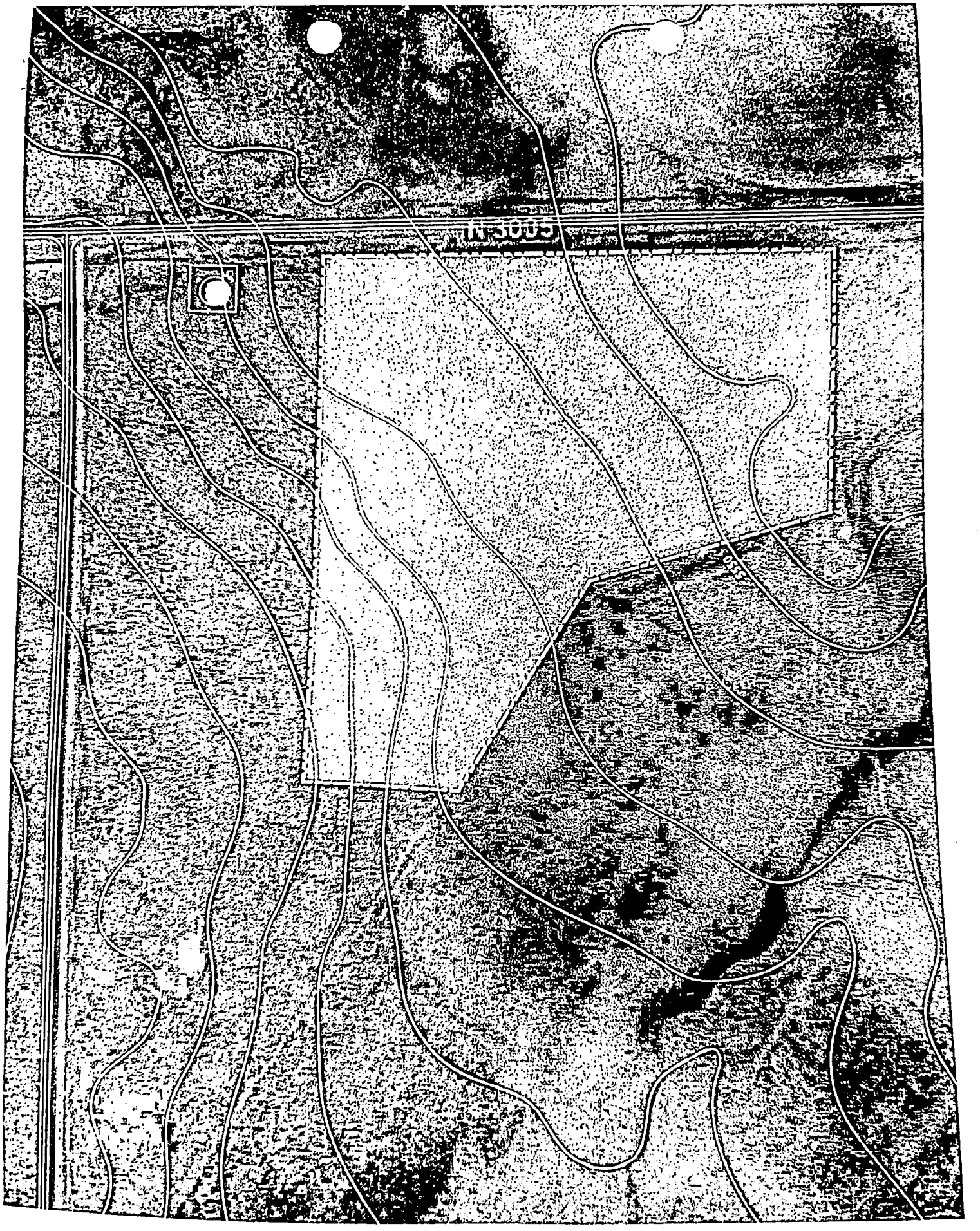

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NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

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 #: HK0349

Date & Time Received: 12/20/22 10:56

Date & Time of Response: 01/06/23 17:00

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Moveable Restroom Shower Combo

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $175,000.00

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

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: **MacArthur Stant**

Signature of DOJ Reviewer: MacArthur Stant

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

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 1, 2022

Chapter's mailing address: Upper Fruitland Chapter phone & email: (505) 960-5032 upperfruitlad@Navajochapters.org

P.O. Box 1257 Fruitland, NM 87416 website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Manager phone/email: (505) 960-5032 akee@nnchaptrs.org

CONTACT PERSON'S name and title — CONTACT PERSON'S info

Title and type of Project: Moveable Restroom Shower Combo

Chapter President: Lynelle Etsitty phone & email: (505) 208-0201 lcetsitty@naataanii.org

Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org

Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Manager or CSC: Alvis Kee phone & email: (505) 215-4471 akee@nnchapters.org

DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliza-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Vip To Go, 115 B South Wagon Wheel Boerne, Texas 78015 ☐ document attached

Amount of FRF requested: 175,000.00 FRF funding period: Starting ~~Jan 2023 ending Feb 2024~~

Indicate Project starting and ending/deadline date

01/01/2023 – 12/30/2026

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:

The purchasing a moveable trailer with six stations of restroom and shower combinations will serve residences that were severly impacted from COVID-19 because of their lack of lavatory and showers to maintain their hygiene. The high volume number of homes on the Navajo Nation lack access to water and wastewater services which contributed to major sanitation deficiencies connected to the soaring outbreak of COVID-19.

☒ document attached

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

The elevated number of homes upon the Navajo Nation lack access to one or more of the following utilities; electricity, water, wastewater and broadband. Residents of the United States require these utilities to ensure they live healthy in their daily lives; therefore, this moveable restroom and shower combination will provide access for citizens lacking at least two of these utilities. This asset will assist in promoting public health and economic stimulus.

☐ 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:

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The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this project.

☐ document attached

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

Based upon the funding, the project completion date will be December 31, 2026 with all funds being incumbered before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

☐ 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:

The chapter administration will ensure the property is entered upon the Upper Fruitland Chapter's fixed assets and tasked with the responsibilty of budgeting for the fixed asset's operation and maintenance.

☐ 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:

WATER AND SEWER. 5.3 Clean Water: Decentralized Wastewater
REVENUE REPLACEMENT. 6.1 Provision of Government Services
Pursuant to the U.S. Treasury guidelines and funding objectives, this Upper Fruitland Community Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. This fixed asset will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

☐ document attached

Part 3. Additional documents.

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

FRUI-2022-12-305

☐ 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 Chapter Manager or CSC

Approved by: _____ signature of DCD/Chapter ASO 12/19/2022

Approved to submit for Review: Lisa Lynn, NNFRFO
signature of DCD Director

FY ____2023_____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM

PART I. Business Unit No.: NEW ~~108091~~ Program Title: Upper Fruitland Chapter Moveable Restroom Shower Combo Division/Branch: Div. of Comm. Develop.

Prepared By: Alvis Kee Phone No.: 505.960.5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA Funds	01/01/2023-12/31/2026	$175,000.00	100%

FY ____2023_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW ~~100091~~ Program Name/Title: Upper Fruitland Chapter

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

To provide citizens with the quality of life necessary to get through the COVID-19 Pandemic

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To purchase a six-station restroom/shower combination trailer **Program Performance Measure/Objective:** To provide residents with an opportunity to use restrooms and showers during pandemic	1		50		50		50	
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.

Soniatsa Jim-Martin
Program Manager's Printed Name

Soniatsa Jim 12/19/2022
Program Manager's Signature and Date

Dr. Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director/Branch Chief's Signature and Date

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FY ____2023_____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM

PART I. Business Unit No.: NEW ~~108091~~ Program Title: Moveable Restroom and Shower Combo Upper Fruitland Chapter Division/Branch: Div. of Comm. Develop.

Prepared By: Alvis Kee Phone No.: 505.960.5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA Funds	01/01/2022 12/31/2026	$175,000.00	100%

FY ____2023_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION: NEW

Business Unit No.: ~~408001~~ **Program Name/Title:** Upper Fruitland Chapter

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:
To provide citizens with the quality of life necessary to get through the COVID-19 Pandemic

Moveable Restroom and Shower Combo

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actu
1. Goal Statement: To purchase a six-station restroom/shower combination trailer **Program Performance Measure/Objective:** To provide residents with an opportunity to use restrooms and showers during pandemic	1		50		50		50	
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.

Sonlatsa Jim-Martin
Program Manager's Printed Name

Program Manager's Signature and Date

Dr. Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director/Branch Chief's Signature and Date

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The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
Fax: (505) 960-5033
Upperfruitland@Navajochapters.org

Rickie Nez, Council Delegate
Lynelle Etsitty, President
Lisa Byrd, Vice-President
Dora Smith, Secretary/Treasurer
Albert Lee, Farm Board Representative
Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF $1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;

2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;

3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the $8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of $1,467,056.67; and.

4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

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06	Cemetery; Upper Fruitland Community	6.1	370,556.67
		GRAND TOTAL:	1,467,056.67

5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of $1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.

Lynelle Etsitty, President

Lisa Byrd, Vice-President

Dora Smith, Secretary/Treasurer

Rickie Nez, Council Delegate

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FY ____2023_____

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Movenable Restroom Shower Combo Upper Fruitland Chapter

Business Unit No.: ~~108094~~ 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)
	Clean Water: Decentalized Wastewater - ARPA Septic Syste Clean-out or Replacement program. This project will consist of contracting several septic system cleaning entities to clean out the domestic wastewater systems already in place. The project will also be to replace or install leach field systems to homes to ensure clean water can exit as wastewater. This cleaning, replacement or installation of septic/leach systems will directly address one of the major sanitation deficiences connected to the large volume of COVID-19 outbreak upon the Navajo Nation. There are a large capacity of homes on the Navajo Nation that lack access to the basic utilities of electricity, water, wastewater and broadband. Many residents require use of these utilities in their daily lives to live the healthy lifestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus.		
6410	**Vehicle R&M - External**		175,000
6430	Specialized Vehicles	175,000	
	Purchase a six station restroom and shower combo trailer		
7000	**Special Transactions**		
7440	Printing Advertising		
	Advertisement for professional vendors capable of fullfilling this project in accordance with Procurement Procedures	500	
	TOTAL	175,500	$175,000

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THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PROJECT FORM

PART I. Business Unit No.: New

Project Title: Combination Restroom and Shower trailer

Project Description To purchase a combination restroom and shower trailer to be towed to various locations in the Upper Fruitland community for citizens to properly maintain their hygiene needs

Check one box: ☐ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☐ Budget Modification

PART II. Project Information

Project Type: Combination trailer

Planned Start Date: 1/9/2023

Planned End Date: 12/31/2026

Project Manager: Alvis Kee

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.

	FY ____												FY ____												Expected Completion Date if project exceeds 8 FY Qtrs. Date_____					
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.							
	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
Finance (securing funding)				XXX	XXX																									
Planning & Design																														
Contracting Proceduremet Process						XXX	XXX	XXX	XXX	XXX	XXX	XXX																		
Contract Completed													xxx	xxx	xxxx															
Construction																											XXX			

PART V. Expected Quarterly Expenditures

$	$	$	$	$	$	$	$	PROJECT TOTAL
0.00	50,000.00	125,000.00	0.00	0.00	0.00	0.00	0.00	$175,000.00

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

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Gmail

Alvis Kee <akee@nnchapters.org:

Restroom Trailers

Arendina Selneck <Arendinas@johntogo.com>
To: Alvis Kee <akee@nnchapters.org>

Wed, Aug 24, 2022 at 11:27 AM

Alvis,

For a 6 Stall Shower Combo to buy would be around $120K. You would need a truck with hitch to pull the trailer. Most of our vehicles are the F-2500 but we also have some small truck for the smaller trailers.

Please let me know if you need any other information.

Thanks,

Arendina

[Quoted text hidden]

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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 #: HK0350

Date & Time Received: 12/20/22

Date & Time of Response: 12 January 2023; 10:02 am

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Heavy-Duty Truck

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $100,000

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: 1.14 Other Public Health

Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

This project is connected with the project titled Moveable Restroom Shower Combo reviewed and found eligible at HK0349. Specifically, the heavy-duty truck that will be purchased under this project will be used to move the restroom/shower equipment. Given this connection, the expenditure code has been updated for consistency.

Name of DOJ Reviewer: Adjua Adjei-Danso

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.

Based upon the funding, the proj(completion date will be December 3 :026 with all funds being incumbered before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

☐ document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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:

The chapter administration will ensure the property is entered upon the Upper Fruitland Chapter's fixed assets and tasked with the responsibilty of budgeting for the fixed asset's operation and maintenance.

☐ 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:

WATER AND SEWER. 5.3 Clean Water: Decentralized Wastewater
REVENUE REPLACEMENT. 6.1 Provision of Government Services
Pursuant to the U.S. Treasury guidelines and funding objectives, this Upper Fruitland Community Cemetery will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. This fixed asset will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

☐ document attached

Part 3. Additional documents.

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

Chapter resolution # FRUI-2022-12-305

☒ 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 Chapter Manager or CSC

Approved by: _____ signature of DCD/Chapter ASO 12/19/2022

Approved to submit for Review: Lisa Lynn, NNFRFO signature of DCD Director

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FY ____2023_____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM

PART I. Business Unit No.: New Program Title: Upper Fruitland Chapter -6.1 & 7.1 Heavy Duty Truck Division/Branch: Executive

Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA Funds		$100,000.00	100%

FY ____2023_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter -6.1 & 7.1 Heavy Duty Truck Project

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

The Navajo Nation Chapters Plan of Operation in reference to Title 26 of the Navajo Nation Code

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To purchase a heavy duty truck								
Program Performance Measure/Objective: To use vehicle for towing combination restroom and shower trailer for citizens sanitation needs	1		20		30		30	
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.

Sonlatsa Jim-Martin
Program Manager's Printed Name

Sonlatsa Jim 12/19/2022
Program Manager's Signature and Date

Dr. Pearl Yellowman
Division Director/Branch Chief's Printed Name

Pearl Yellowman 12.16.22
Division Director/Branch Chief's Signature and Date

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FY ____2023_____

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Upper Fruitland Chapter -6.1 & 7.1 Heavy Duty Truck Project 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)
	Clean Water: Decentalized Wastewater - ARPA Septic Syste Clean-out or Replacement program. This project will consist of contracting several septic system cleaning entities to clean out the domestic wastewater systems already in place. The project will also be to replace or install leach field systems to homes to ensure clean water can exit as wastewater. This cleaning, replacement or installation of septic/leach systems will directly address one of the major sanitation deficiences connected to the large volume of COVID-19 outbreak upon the Navajo Nation. There are a large capacity of homes on the Navajo Nation that lack access to the basic utilities of electricity, water, wastewater and broadband. Many residents require use of these utilities in their daily lives to live the healthy lifestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus as heavy duty truck tows the combination restroom and trailer to strategic sites through the community.		
6410	Vehicle R & M - External		
6420	Automobile		
	Purchase a heavy-duty truck with towing package	100,000	100,000
	TOTAL	100,000	100,000

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THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PROJECT FOI

PART I. Business Unit No.: New

Project Title: Upper Fruitland Chapter - Heavy Duty Truck

Project Description To purchase a vehicle capable of towing a combination restroom and shower trailer, which will provide much needed sanitation needs for community members without such facilities at their homes.

Check one box: ☑ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☐ Budget Modification

PART II. Project Information

Project Type: Heavy Duty Truck

Planned Start Date: 1/9/20:

Planned End Date: 12/31/20:

Project Manager: Alvis Kee

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 F s.

	FY ____												FY ____																	
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date 12/31/2026				
	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
Finance (securing funding)				XXX	XXX																									
Planning & Design																														
Contracting Proceduremet Process						XXX	XXX																							
Contract Completed								xxx	xxx																					
Construction																											XXX			

PART V.	$	$	$	$	$	$	$	$	PROJECT TOTAL
Expected Quarterly Expenditures	0.00	50,000.00	50,000.00	0.00	0.00	0.00	0.00	0.00	$100,000.00

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

The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
Fax: (505) 960-5033
Upperfruitland@Navajochapters.org

Rickie Nez, Council Delegate
Lynelle Etsitty, President
Lisa Byrd, Vice-President
Dora Smith, Secretary/Treasurer
Albert Lee, Farm Board Representative
Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF $1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;

2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;

3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the $8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of $1,467,056.67; and.

4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

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06	Cemetery; Upper Fruitland Community	6.1	370,556.67
		GRAND TOTAL:	1,467,056.67

5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of $1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.

Lynelle Etsitty, President

Lisa Byrd, Vice-President

Dora Smith, Secretary/Treasurer

Rickie Nez, Council Delegate

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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 0561

Date & Time Received: 06/14/23 at 11:43

Date & Time of Response: 6/21/23 at 17:00

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Leach Fields

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $220,500.00

Eligibility Determination:

- [x] FRF eligible
- [ ] FRF ineligible
- [ ] Additional information requested

FRF Eligibility Category:

- [ ] (1) Public Health and Economic Impact
- [ ] (2) Premium Pay
- [ ] (3) Government Services/Lost Revenue
- [x] (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category:
5.5 Clean Water: Other Sewer Infrastructure

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- [ ] Missing Form
- [ ] Supporting documentation missing
- [ ] Project will not be completed by 12/31/2026
- [ ] Ineligible purpose
- [ ] Submitter failed to timely submit CARES reports
- [ ] Additional information submitted is insufficient to make a proper determination
- [ ] Expenditure Plan incomplete
- [ ] Funds will not be obligated by 12/31/2024
- [ ] Incorrect Signatory
- [ ] Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Navalyn R. Platero

Signature of DOJ Reviewer: Navalyn R. Platero

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 1, 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.

APPENDIX A

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 1, 2022

Chapter's mailing address: Upper Fruitland Chapter P.O. Box 1257 Fruitland, NM phone & email: (505) 960-5032 upperfruitland@navajochapters.org website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee Manager (CONTACT PERSON'S name and title) phone/email: (505) 960-5032 akee@nnchapters.org (CONTACT PERSON'S info)

Title and type of Project: Leach Fields

Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanii.org

Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org

Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Manager or CSC: Alvis Kee phone & email: (505) 215-4471 akee@nnchapters.org

DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): There are at least five (5) septic cleaning services within about a 20 mile radius of Upper Fruitland, NM. ☐ document attached

Amount of FRF requested: 220,500.00 FRF funding period: January 9, 2023 to December 31, 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:

There is no wastewater treatment plant for many residences, so this project will consist of contracting for leach field replacement or installation for Upper Fruitland community members homes. The project will provide sewage removal, replacement or installation of leach field systems to residences because of the need for clean water to exit as waste water. The cleaning, replacement or installation of leach field systems will ultimately address one of the major sanitation deficiencies affiliated with the high outbreak of COVID-19 upon the Navajo Nation.

☐ document attached

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

There is a large number of residences on the Navajo Nation which lack access to one or more of the following utilities; electricity, water, wastewater and broadband. Residents of the Navajo Nation require these utilities to improve upon their quality of life. This project will address one of the utility services necessary for homes upon the Navajo Nation, improving the water and wastewater systems and thus promoting public health and economic stimulus.

☐ 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:

Based upon the funding, the project completion date will be December 31, 2026 with all funds being incumbered before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.

☐ document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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:

The task of maintaining their septic tanks will remain with the residential owner. The Upper Fruitland Chapter will only plan, coordinate, maintain records and liaison with the company or companies selected to clean out the septic systems.

☐ 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:

Categories: WATER AND SEWER 5.3 Decentralized Wastewater Collection and Conveyance.

Pursuant to the U.S. Treasury guidelines and funding objectives, this wastewater project will address the conditions that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunities and connecting residents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. The leach fields will support a healthier environment. Access to government services that facilitates sustainable economic, social growth and increase the quality of life and healthcare provided.

☐ document attached

Part 3. Additional documents.

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

Chapter resolution # 2022-12-305

☐ 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 Primary CONTACT PERSON

Approved by: _____ signature of Chapter President or Vice President

Approved by: _____ signature of Chapter Manager or CSC

Approved by: _____ signature of DCD/Chapter ASO

Approved to submit for Review: _____ signature of DCD Director

FY ___2023_____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Upper Fruitland Chapter Leech Field Division/Branch: Executive

Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
Fiscal Recovery Funds	1/1/23-12/31/26	220,500	100%

BUDGET FORM 2

FY ____2023_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter - Leach Field

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

To clean out residential septic systems and/or replace deteriorating septic systems

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To contract out leach field systems cleaning for 476 homes in Upper Fruitland community								
Program Performance Measure/Objective: To clean out leach field systems for 476 homes in Upper Fruitland community	125		125		125		101	
2. Goal Statement: To replace or upgrade 12 septic systems for various Upper Fruitland community homes								
Program Performance Measure/Objective: To install or upgrade 12 septic systems for various Upper Fruitland community homes	3		3		3		3	
3. Goal Statement:								
Program Performance Measure/Objective:			1		1		1	
4. Goal Statement:								
Program Performance Measure/Objective:			1		1		1	
5. Goal Statement:								
Program Performance Measure/Objective:			1		1		1	

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

James Adakai, Deputy Director
Program Manager's Printed Name

3-31-23
Program Manager's Signature and Date

Calvin Castillo, Director
Division Director/Branch Chief's Printed Name

3/31/2023
Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

I. PROGRAM INFORMATION:
Program Name/Title: Upper Fruitland Chapter Leach Field Business Unit No.: New

II. DETAILED BUDGET:

(A) ect de D 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Cod (LOD 4)
	Clean Water: Decentalized Wastewater - ARPA Septic Systo Clean-out or Replacement program. This project will consist of contracting several septic system cleaning entities to clean out the domestic wastewater systems already in place. The project will also be to replace or install leach field systems to homes to ensure clean water can exit as wastewater. This cleaning, replacement or installation of septic/leach systems will directly address one of the major sanitation deficiences connected to the large volume of COVID-19 outbreak upon the Navajo Nation. There are a large capacity of homes on the Navajo Nation that lack access to the basic utilities of electricity, water, wastewater and broadband. Many residents require use of these utilities in their daily lives to live the healthy lifestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus.		
6500	Contractural Services		
6510	Professoinal Services		
	Contract services for cleaning out, replacing or installing leach field systems to homes for clean water to have a proper system where wastewater exits.	220,000	220,000
7000	Special Transactions		
7440	Printing Advertising		
7410	Advertisement for professional vendors capable of fulfilling this project in accordance with Procureme	500	500
	TOTAL	220,500	220,500

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PROJECT FORM

PART I. Business Unit No.: New

Project Title: Upper Fruitland Chapter - Leach Field

Project Description: This project consist of contracting for leach field cleaning, relacement or installation services for Upper Fruitland community members. The completion of the project will permit many outlying homes with clean water to exit as wastewater.

Check one box: ☑ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☐ Budget Modification

PART II. Project Information

Project Type: Leach Field

Planned Start Date: 1/9/2023

Planned End Date: 12/31/2026

Project Manager: Alvis Kee

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. Date 12/31/2026

	FY ____												FY ____																	
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.							
	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
Finance (securing funding)			XXX	XXX	XXX																									
Planning & Design					XXX	XXX																								
Contracting Proceduremet Process							XXX	XXX	XXX																					
Contract Completed										XXX	XXX	XXX																		
Construction													XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX			XXX			

PART V. Expected Quarterly Expenditures

$	$	$	$	$	$	$	$	PROJECT TOTAL
500.00	35,000.00	35,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	$220,500.00

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

R.A. Biel Plumbing & Heating
1205 TROY KING RD, FARMINGTON, 87401,
United States
(505) 327-7755

Estimate 11511144
Job 11460205
Estimate Date 7/24/2020
Customer PO

Billing Address
Pam Aparicio
PO Box 6181
Farmington, NM 87499 USA

Job Address
[redacted] Highway,
mile marker [redacted]
right down the hill from
[redacted] at the
stop light, 1st cattlegaurd to
the left, is the road to her
house, [redacted] have to
meet the tech right there
Fruitland, NM 87416 USA

Estimate Details

INSTALLATION OF NEW SEPTIC SYSTEM: R.A. BIEL PLUMBING & HEATING, INC. PROPOSES TO PROVIDE MATERIAL, EQUIPMENT AND LABOR FOR THE INSTALLATION OF A NEW SEPTIC SYSTEM FOR THE APARICIO HOME LOCATED NEAR THE 27 MM ON N36 NORTH OF NORTHERN EDGE CASINO.

Task #	Description	Quantity	Your Price	Your Total
SEPMOD	REPLACEMENT OF EXISTING SEPTIC SYSTEM: TO INCLUDE: - NEW PRE-CAST SEPTIC TANK FOR EXISTING HOME. - INSTALLATION OF NEW LEACH FIELD. - ABANDON EXISTING SEPTIC SYSTEM. - PUMPING OF TANK. - INSTALLATION OF SEPTIC SYSTEM PER UPC. - SYSTEM IS WARRANTIED FOR 1 YEAR. - CONNECT NEW SEPTIC SYSTEM TO EXISTING HOMES DRAIN LINE. TO EXCLUDE: - ADDITIONAL WORK NOT MENTIONED. SEPTIC SYSTEM #1 - 1000 GALLON TANK, PRECAST OR PLASTIC. - 750 SQ. FT. OF LEACH FIELD. FOR THE AMOUNT OF $6,289.00 PLUS TAX SEPTIC SYSTEM #2 - 1200 GALLON SEPTIC TANK, PRECAST OR PLASTIC. - 875 SQ. FT OF LEACH FIELD. FOR THE AMOUNT OF $7,289.00 PLUS TAX	1.00	$7,289.00	$7,289.00

RECIEVED
OCT 15 2020
UPPER FRUITLAND CHAPTER

Potential Savings $0.00

Sub-Total	$7,289.00
Tax	$601.34
Total	$7,890.34

Thank you for choosing R.A. Biel Plumbing & Heating

Payment of half down upon acceptance with balance due upon completion. Interest of 2.0% per month to be charged on past due amount after 15 days. Parts or materials will not be ordered until the initial half down payment has been received by R. A. Biel Plumbing & Heating, Inc.
NOTE: Credit card payments will be charged and additional 3% processing fee.
All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, vandalism, theft, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. In the event it becomes necessary for us to incur any collection costs or suits to collect under this Agreement, the undersigned promises to pay such additional costs of collection and such sums as the court adjudges reasonable as Attorney's fees on said suit.

The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
Fax: (505) 960-5033
Upperfruitland@Navajochapters.org

Rickie Nez, Council Delegate
Lynelle Etsitty, President
Lisa Byrd, Vice-President
Dora Smith, Secretary/Treasurer
Albert Lee, Farm Board Representative
Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF $1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;

2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;

3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the $8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of $1,467,056.67; and.

4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
		GRAND TOTAL:	1,467,056.67

5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of $1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.

Lynelle Etsitty, President

Lisa Byrd, Vice-President

Dora Smith, Secretary/Treasurer

Rickie Nez, Council Delegate

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 #: HK0562

Date & Time Received: 06/14/23 at 11:51

Date & Time of Response: 06/20/20 at 17:00

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Cemetery; Rose Garden

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $100,500.00

Eligibility Determination:

- [x] FRF eligible
- [ ] FRF ineligible
- [ ] Additional information requested

FRF Eligibility Category:

- [ ] (1) Public Health and Economic Impact
- [x] (3) Government Services/Lost Revenue
- [ ] (2) Premium Pay
- [ ] (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category:
6.1: Provision of Government Services

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- [ ] Missing Form
- [ ] Supporting documentation missing
- [ ] Project will not be completed by 12/31/2026
- [ ] Ineligible purpose
- [ ] Submitter failed to timely submit CARES reports
- [ ] Additional information submitted is insufficient to make a proper determination
- [ ] Expenditure Plan incomplete
- [ ] Funds will not be obligated by 12/31/2024
- [ ] Incorrect Signatory
- [ ] Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: MacArthur Stant Digitally signed by MacArthur Stant Date: 2023.06.20 16:56:56 -06'00'

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 1, 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.

APPENDIX A

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 9, 2022

Chapter's mailing address: P.O. Box 1257 phone & email: (505) 960-5032 upperfruitland@navajochapters.org

website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Manager phone/email: (505) 960-5032 akee@nnchapters.org

CONTACT PERSON'S name and title *CONTACT PERSON'S info*

Title and type of Project: Cemetery; Rose Garden

Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanii.org

Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org

Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Manager or CSC: Alvis Kee phone & email: (505) 960-5032 akee@nnchapters.org

DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

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

Amount of FRF requested: 100,500.00 FRF funding period: January 2023 - December 31, 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 requires rehabilitation of a debilitated fencing around the Rose Garden Cemetery which the Chapter is responsible for and has reached its capacity as a result of the COVID-19 Pandemic. The fencing previously installed was an old barbed wire type and there are many sections that have been either missing or worn down. In addition it is located just east of the Northern Edge Casino and because it is a visual scar, a large dirt berm was erected between the casino and the cemetery. Therefore to improve upon the cemetery a presentable enclosure would be constructed especially for those families who lost love ones as a result of this Pandemic. ☒ document attached

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

The location of the cemetery just east of the Northern Edge Casino affects the Navajo Nation economic because there are many Navajo citizens respect for their traditional upbringing of showing respect for those who have made their journey into the next stage of being and will often avoid sight of burial grounds. The replacement of the cemetery's exterior appearance which is much more acceptable to the Navajo People and will improve upon the Navajo Nation's economy at it's casino. ☐ 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:

Based on the funding, the project end date will be December 31, 2026 with all funds being incumbered before December 31, 2024. Navajo Nation Budget form 2 are attached for phase goals per quarter of funding period.

☐ document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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:

The Upper Fruitland Chapter has and will continue to be responsible for the operations and maintenance of the Rose Garden cemetery, no additional cost or recurring cost should be incurred by the chapter once the projct is completed.

☐ 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:

Categories: REVENUE REPLACEMENT: 6.1 - Provision of Government Services

Pursuant to the U.S. Treasury guidelines and funding objectives, this Rose Garden Cemetery will address the conditoins that contributed to the poor health and economic outcomes during the Pandemic. By concentrating in areas with limited economic opportunites and connecting rsidents with public assistance building healthier environments such as: government services to support communities conducive to mental and physical wellness. The exacerbation of health disparities during the Pandemic and role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. The Rose Garden cemetery will support a healthier enrivonment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.

☐ document attached

Part 3. Additional documents.

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

Chapter resolution # 2022-12-305

☒ 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 Manager or CSC

Approved by: _____ signature of Chapter President (or Vice President)

Approved by: _____ signature of DCD/Chapter ASO

Approved to submit for Review: _____ signature of DCD Director

FY ____2023_____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Upper Fruitland Chapter Cemetery Rose Garden Division/Branch: Executive

Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
Fiscal Recovery Fund	1/9/23-12/31/26	100,500	100%
		100,500	
	TOTAL:	~~$0.00~~	100%

PART III. BUDGET SUMMARY	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	6		100,000	100,000
6500 Contractual Services				
7000 Special Transactions	6		500	500
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	100,500.00	100,500

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

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

SUBMITTED BY: James Adakai, Deputy Director
Program Manager's Printed Name

3-31-23
Program Manager's Signature and Date

APPROVED BY: Calvin Castillo, Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

FY ___2023_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter · Cemetery Rose Garden

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

To upgrade and improve upon the Rose Garden Cemetery which has many COVID-19 victims final resting place

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To provide funds for the rehabilitation of the Rose Garden cemetery in Upper Fruitland Program Performance Measure/Objective: To improve upon the appearance of the cemetery where many COVID-19 victims rest	1		1		1		1	
2. Goal Statement: Program Performance Measure/Objective:			1		1		1	
3. Goal Statement: Program Performance Measure/Objective:			1		1		1	
4. Goal Statement: Program Performance Measure/Objective:			1		1		1	
5. Goal Statement: Program Performance Measure/Objective:			1		1		1	

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

James Adakai, Deputy Director
Program Manager's Printed Name

Calvin Castillo, Director
Division Director/Branch Chief's Printed Name

3-31-23
Program Manager's Signature and Date

Division Director/Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:

Program Name/Title: Upper Fruitland Chapter Cemetery Rose Field 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)
	Revenue Replacement: Provision of Government Services - ARPA Chapter Cemetery Project. This Upper Fruitland Chapter cemetery project will provide a comprehensive rehabilitation of the cemetery property. The Rose Garden cemetery is an expression of the community - it is a repository of the history of this place and it serves the profound needs of the present. During COVID-19, Upper Fruitland was directly impacted by the deaths from this disease and will need to improve upon the image of this cemetery. The cemeery project will directly address deficiencies connected to the COVID-19 outbreeak on the Navajo Nation. These improvement are necessary as it affects the economy with the cultural impact upon attendance at the Northern Edge Casino next door.		
6200	External Contractors		
6270	Landscaping Services		
	The project will provide a comprehensive rehabilitation of the cemetery i.e. replacement of exterior boundaries and entrance/exit control gate.	100,000	100,000
7000	Special Transactions		
7440	Printing Advertisement		
	Advertisement for potential vendors for projct in accordance with Procurement Procedures.	500	500
	TOTAL	100,500	100,500

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PROJECT FORM

PART I. Business Unit No.: New

Project Title: Upper Fruitland Chapter - Rose Garden Cemetary

Project Description To upgrade the visual condition of the Rose Garden Cemerly where many COVID-19 remains have been buried

Check one box: ☑ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☐ Budget Modification

PART II. Project Information

Project Type: Rose Garden Cemetary

Planned Start Date: 1/9/2023

Planned End Date: 12/31/2026

Project Manager: Alvis Kee

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.

	FY ____												FY ____												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.			Date 12/31/2026					
	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	...
Finance (securing funding)			XXX	XXX	XXX																									
Planning & Design					XXX	XXX																								
Contracting Procedurement Process							XXX	XXX	XXX																					
Contract Completed										XXX	XXX	XXX																		
Construction													XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX						

PART V. Expected Quarterly Expenditures

1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	PROJECT TOTAL
$ 0.00	$ 500.00	$ 25,000.00	$ 25,000.00	$ 25,000.00	$ 25,000.00	$ 0.00	$ 0.00	$100,500.00

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

cemetery

n Edge Casino. Or south of mile marker 27.7 Navajo Hwy 36 in Upper Fruitland

FRUI 2022-12-305

The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
Fax: (505) 960-5033
Upperfruitland@Navajochapters.org

Rickie Nez, Council Delegate
Lynelle Etsitty, President
Lisa Byrd, Vice-President
Dora Smith, Secretary/Treasurer
Albert Lee, Farm Board Representative
Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF $1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;

2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;

3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the $8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of $1,467,056.67; and.

4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
		GRAND TOTAL:	1,467,056.67

5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of $1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.

Lynelle Etsitty, President

Lisa Byrd, Vice-President

Dora Smith, Secretary/Treasurer

Rickie Nez, Council Delegate

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 #: HK0605

Date & Time Received: 06/23/23 at 15:43

Date & Time of Response: June 28, 2023 at 10:30 a.m.

Entity Requesting FRF: Upper Fruitland Chapter

Title of Project: Warehouse

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $500,500.00

Eligibility Determination:

- [x] FRF eligible
- [ ] FRF ineligible
- [ ] Additional information requested

FRF Eligibility Category:

- [x] (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:
1.14, Other Public Health Services

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- [ ] Missing Form
- [ ] Supporting documentation missing
- [ ] Project will not be completed by 12/31/2026
- [ ] Ineligible purpose
- [ ] Submitter failed to timely submit CARES reports
- [ ] Additional information submitted is insufficient to make a proper determination
- [ ] Expenditure Plan incomplete
- [ ] Funds will not be obligated by 12/31/2024
- [ ] Incorrect Signatory
- [ ] Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: lorenzo Curley

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 1, 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 RECC FUNDS REQUEST FORM & EXPI TURE PLAN
FOR GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Upper Fruitland Chapter Date prepared: Dec 9, 2022

Chapter's mailing address: P.O. Box 1257 Fruitland, NM 87416 phone & email: (505) 960-5032 upperfruitland@navajochapters.org

website (if any): www.upperfruitland.org

This Form prepared by: Alvis Kee, Chapter Manager phone/email: (505) 960-5032 akee@nnchapters.org

CONTACT PERSON'S name and title — CONTACT PERSON'S info

Title and type of Project: Warehouse

Chapter President: Lynelle Etsitty phone & email: (520) 208-0201 lcetsitty@naataanii.org

Chapter Vice-President: Lisa Byrd phone & email: (505) 686-2224 lbyrd@naataanii.org

Chapter Secretary: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Treasurer: Dora Smith phone & email: (505) 686-7544 dasmith@navajochapters.org

Chapter Manager or CSC: Alvis Kee phone & email: (505) 215-4471 akee@nnchapters.org

DCD/Chapter ASO: Eliza-Beth Washburne phone & email: (505) 368-1020 eliz-beth@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____ ☐ document attached

Amount of FRF requested: 500,500.00 FRF funding period: 1/1/23 – 12/31/24
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 requires purchasing a Warehouse to be constructed upon the Upper Fruitland Chapter property. The Chapter has 3 heavy equipments, 2 flatbed trailers, and 2 vehicles which are consistently being used to transport or distribute supplies during this COVID-19 pandemic. This warehouse will be used to not only be used for vehicle maintenance but to store sanitizing supplies, non-perishable food, equipment and used for COVID related functions in the interest of citizens welfare providing qualify healthcare while permitting economic & social growth. The warehouse anticipated size is 60 foot x 100 foot with large bay doors. ☒ document attached

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

This project benefits not only the Chapter, but Community and the Navajo Nation as this COVID-19 Pandemic continues to affect our citizens welfare. The construction of this warehouse will enable to chapter to effectively store much needed distribution necessities (food, PPE, sanitizing or medical supplies) vehicles and provide maintenance opportunities during inclement weather conditions. It would also allow a safe meeting site with proper ventilation for resources preparing for COVID activities ☐ 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:

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Based upon the funding, the project completion date will be December 31, 2026 with all funds being incumbered before December 31, 2024. The Navajo Nation Budget funds are attached and illustrate the phase goals per quarter of funding period.

☐ document attached

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

The Chapter Manager will be delegated the responsibility for budgeting, procurements, liaison with various entities and local citizens on progress up until the project and required documentations are completed applicable to this 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:

The Upper Fruitland Chapter administration will be tasked with the facility's maintenance while ensuring budgeting meets operational necessities.

☐ 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:

6: REVENUE REPLACEMENT
6.1 Provision of Government Services
The Upper Fruitland Chapter warehouse will provide a centalized, safe and secure site for storing large quantities of supplies, equipment and vehicles necessary to handle urgent to emergency situations which affects the local community it serves e.g. like this COVID-19 Pandemic has required.

1. PUBLIC HEALTH
1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency
The Upper Fruitland Chapter warehouse will provide a storage location where urgent to emergency supplies can be accounted for and distributed to citizens in need of sanitizing or food supplies during the COVID-19 Pandemic.

☐ document attached

Part 3. Additional documents.

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

Chapter resolution # FRUI-2022-12-305

☒ 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 Chapter Manager or CCO)

Approved by: _____ (signature of DCD Chapter ASO)

Approved to submit for Review: _____ (signature of DCD Director)

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FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Upper Fruitland Chapter - Warehouse Division/Branch: DCD/Executive

Prepared By: Alvis Kee, Chapter Manager Phone No.: (505) 960-5032 Email Address: akee@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	1/1/23-12/31/26	500,500.	100%
	TOTAL:	500,500	100%

PART III. BUDGET SUMMARY	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	6		500	500
8000 Public Assistance				
9000 Capital Outlay	6		500,000	500,000
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	500,500	500,500

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: James Adakai, Deputy Director
Program Manager's Printed Name

6-21-23
Program Manager's Signature and Date

APPROVED BY: Calvin Castillo, Executive Director
Division Director / Branch Chief's Printed Name

06/16/2023
Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: Upper Fruitland Chapter - Warehouse

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

The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To provide funds for the development constrution of a new warehouse for Upper Fruitland Chapte Program Performance Measure/Objective: To assist the community and surrounding communities with governmental and emergency servic	1		1		1		1	
2. Goal Statement: To 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.

James Adakai, Deputy Director
Program Manager's Printed Name

6-21-23
Program Manager's Signature and Date

Calvin Castillo, Executive Director
Division Director/Branch Chief's Printed Name

06/16/2023
Division Director/Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:

Program Name/Title: Upper Fruitland Chapter - Warehouse 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)
	Revenue Replacement: Provision of Government Services - ARPA Chapter Wellness Project. This Upper Fruitland chapter warehouse project will removing two old debilitating warehouses and preparing the site for a slab on grade prefabricated aluminum metal and steel frame building about 60 foot x 100 foot or higher square footage based on fund availability. This warehouse will provide logistical support and assist in mitigating, preparing, responding and recovering from emergncy situations and improving community services. This warehous will address deficiencies connected to the large volume of COVID-19 on the Navajo Nation. The construction of this new wreehouse will be capable of meeting the needs of the Upper Fruitland community. This meaning a facility meeting the necessary floot space and infrastructure such as mechanical equipmenet, plumbing, electrical...etc. for the propere and effective operation.		
7000	**Special Transactions**		
7440	**Print Advertising**		
	Advertisement for project in accordance with Procurement Procedures.	500	500
9000	**Capital Outlay**		
9052	**Buildings**		
	Purchase of aluminum frame and steel supports including slabs for about 60 foot x 100 foot or higher	500,000	500,000
	TOTAL	500,500	500,500

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE
PROJECT FORM

PART I. Business Unit No.: New

Project Title: Upper Fruitland Chapter - Warehouse (6.1 Revenue Replacement: Provisions of Government Services)

Project Description To remove two old small warehouses and install a 60 foot x 100 foot aluminum metal frame & steel support building. This building will used to provide logistical support and assist in mitigating, preparing, responding to emergencies while improving upon local services.

Check one box: ☑ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☐ Budget Modification

PART II. Project Information

Project Type: Warehouse building

Planned Start Date: 1/1/2023

Planned End Date: 12/31/2026

Project Manager: Alvis Kee

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.

	FY ____												FY ____												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.			Date 12/31/2026					
	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
Finance (securing funding)			XXX	XXX	XXX																									
Planning & Design					XXX	XXX																								
Contracting Procedurement Process							XXX	XXX	XXX																					
Contract Completed										XXX	XXX	XXX																		
Construction													XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX			xxx			

PART V.	$	$	$	$	$	$	$	$	PROJECT TOTAL
Expected Quarterly Expenditures	500.00	300,000.00	150,500.00	49,500.00					$500,500.00

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

The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
Fax: (505) 960-5033
Upperfruitland@Navajochapters.org

Rickie Nez, Council Delegate
Lynelle Etsitty, President
Lisa Byrd, Vice-President
Dora Smith, Secretary/Treasurer
Albert Lee, Farm Board Representative
Roxanne Lee, Grazing Representative

RESOLUTION OF THE NAVAJO NATION UPPER FRUITLAND CHAPTER

THE UPPER FRUITLAND CHAPTER SUPPORTS AND APPROVES THE AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS AND BUDGETS IN ACCORDANCE WITH EACH DELEGATED REGIONAL EQUAL DISTRIBUTION OF $1,467,056.67

WHEREAS:

1. Under 26 N.N. C. § 3(A), the Upper Fruitland Chapter is a certified Chapter of the Navajo Nation is listed under 11 N.N.C., §10;

2. Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governance-certification of the Five Management System by the Resources and Development Committee of the Navajo Nation Council on February 28, 2012, and is delegated with authority to exercise powers listed in 26 N.N.C. §103;

3. The Upper Fruitland Chapter appreciates 24th Navajo Nation Council Delegate Rickie Nez equal distribution of the $8,802,340.00 amongst his six assigned chapters with Upper Fruitland Chapter allocated the amount of $1,467,056.67; and.

4. The Upper Fruitland Chapter will use the American Rescue Plan Act (ARPA) funds to assist their community with the following projects and budgeted as follows:

#	Project Description	Category	Amount
01	Mobile Combination Shower & Restroom	5.3 & 6.1	175,000.00
02	Heavy Duty Truck	6.1	100,000.00
03	Leach fields	5.3	220,500.00
04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

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06	Cemetery; Upper Fruitland Community	6.1	370,556.67
		GRAND TOTAL:	1,467,056.67

5. The Upper Fruitland Chapter hereby submits these projects to the Navajo Nation Division of Community Development, Navajo Nation Fiscal Recovery Fund Office and the Navajo Nation Department of Justice to determine each project eligibility.

NOW THEREFORE BE IT RESOLVED THAT:

The Upper Fruitland Chapter supports and approves the American Rescue Plan Act (ARPA) projects and budgets in accordance with each delegated regional equal distribution of $1,467,056.67.

CERTIFICATION

WE HEREBY CERTIFIED that the foregoing resolution was approved by the Upper Fruitland Chapter at a duly special called meeting held at Upper Fruitland Chapter (Navajo Nation), New Mexico. A motion to approve was made by Robert Allen and seconded by Robert Harrison and the same was passed by a vote of 22 in favor, 0 opposed, 1 abstained, this 11th day of December 2022.

Lynelle Etsitty, President

Lisa Byrd, Vice-President

Dora Smith, Secretary/Treasurer

Rickie Nez, Council Delegate

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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 604

Date & Time Received: 6/23/23 at 16:20

Date & Time of Response: 6/29/23 at 17:00

Entity Requesting FRF: Tiis Tsoh Sikaad Chapter

Title of Project: Navajo Chapter House Complex

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $1,667,056

Eligibility Determination:

- [x] FRF eligible
- [ ] FRF ineligible
- [ ] Additional information requested

FRF Eligibility Category:

- [ ] (1) Public Health and Economic Impact
- [x] (3) Government Services/Lost Revenue
- [ ] (2) Premium Pay
- [ ] (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category:
6.1, Provision of Government Services

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- [ ] Missing Form
- [ ] Supporting documentation missing
- [ ] Project will not be completed by 12/31/2026
- [ ] Ineligible purpose
- [ ] Submitter failed to timely submit CARES reports
- [ ] Additional information submitted is insufficient to make a proper determination
- [ ] Expenditure Plan incomplete
- [ ] Funds will not be obligated by 12/31/2024
- [ ] Incorrect Signatory
- [ ] Inconsistent with applicable NN or federal laws

Other Comments: Please note that we have modified the category from 1.7 (capital investments to public facilities) to 6.1 (provision of government services) to make the reporting consistent with other similar projects.

Name of DOJ Reviewer: Veronica Blackhat, Asst Attorney General, Natural Resources Unit

Signature of DOJ Reviewer: Vm Blackhat

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 1, 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.

APPENDIX A

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Tiis Tsoh Sikaad Chapter Date prepared: 06-13-2023

Chapter's mailing address: P.O. Box 7359 Newcomb, NM 87455 phone & email: (505) 696-5470 website (if any): tiistsohsikaad@navajochapters.org

This Form prepared by: Clara Pierce phone/email: (505)696-5470
Clara Pierce - Chapter Secretary/Treasurer (CONTACT PERSON'S name and title) cpierce@navajochapters.org (CONTACT PERSON'S info)

Title and type of Project: Navajo Chapter House Complex

Chapter President: Harrison LaMone phone & email: 505-486-1794/ hlamone@naataanii.org

Chapter Vice-President: Edison Smith phone & email: esmith@naatannii.org

Chapter Secretary: Clara Pierce phone & email: cpierce@navajochapters.org

Chapter Treasurer: Clara Pierce phone & email: cpierce@navajochapters.org

Chapter Manager or CSC: vacant phone & email:

DCD/Chapter ASO: Danielle Redhouse phone & email: 505-368-1024/dredhouse@nndcd.org

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

☐ document attached

Amount of FRF requested: 1,667,056.00 FRF funding period: Oct. 1, 2022 to Sept. 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:

The Tiis Tsoh Sikaa Chapter is currently housed in an old stone structure building that has significantly deteriated, safety issues, non-ADA compliant doors and restrooms, roof leaks, and poor outdoor security lighting. The Chapter has inadequate space to serve 500 + registered community members in a safe environment in response to the COVID- 19 Pandemic. The Chapter has struggled in providing safe and efficient services and good to the community with bulk food supplies, PPE, information and applications, and other needs that must be distributed to the community as well as providing an adequate to store food, emergency equipment, and such.

☐ document attached

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

A new public facility will ensure the community members will have safe access to an adequate meeting space including a commercial kitchen, ADA compliant, good lighting, etc., and will have a location to store goods and facilities that are ready to serve in the future public health emergencies.

☐ 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:

Phase 1: Legal survey, chapter resolution, land description, clearances including environmental assessments, arch/biological clearances. Completion 12/31/2023. Phase II: Design & Engineering including master plan, utility plan, etc. 12/31/2023. Phase III: Construction of new chapter house by 12/31/2026

☐ document attached

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

Chapter Officials, administrative staff, Council Delegate, and Navajo Nation Division of Community Development - CPMD.

☐ 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:

The Tiis Tsoh Sikaad chapter will be responsible for operation and maintenance of the facility

☐ 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.

1.7 Capital Investments to Public Facilities that respons to COVID-19 Public Health Emergency.

The new chapter complex will ensure issues with inadequate meeting rooms are addressed. Allow ADA complaince at all levels with plumbing, kitchen facilities and restrooms. A new facility will ensure a stable roof, ADA Compliance, and better security with the chapter compound to respond to public health emergencies.

☐ document attached

Part 3. Additional documents.

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

TTS-RES-22-12-012

☑ 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: Vacant signature of Chapter Manager or CSC

Approved by: signature of DCD/Chapter ASO

Approved to submit for Review: signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Tiis Tsoh Sikaad/Burnham - Navajo Chapter House Complex Division/Branch: Div. Of Comm. Dev/Executive

Prepared By: Clara Pierce Phone No.: 505-696-3470 Email Address: cpierce@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN ARPA FUNDS	10/1/22 - 9/30/26	1,667,056.00	100%
	TOTAL:	$1,667,056.00	100%

PART III. BUDGET SUMMARY	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	6	0	1,667,056	1,667,056
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
	TOTAL	$0.00	1,667,056.00	1,667,056

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

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

SUBMITTED BY: James Adakai, Deputy Division Director
Program Manager's Printed Name

6-21-23
Program Manager's Signature and Date

APPROVED BY: Calvin Castillo, Division Director
Division Director / Branch Chief's Printed Name

6-17-23
Division Director / Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW Program Name/Title: TIIS TSOH SIKAAD/BURNHAM - NAVAJO CHAPTER HOUSE COMPLEX

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

RESOLUTION NO. TTS-RES-22-12-012

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To ensure a safe and adequate new chapter to provide efficiant service to the community. Program Performance Measure/Objective: FOR CONSTRUCTION ONLY.			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:								

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

James Adakai, Deputy Division Director
Program Manager's Printed Name

6-21-23
Program Manager's Signature and Date

Calvin Castillo, Division Director
Division Director/Branch Chief's Printed Name

6.17.23
Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:
Program Name/Title: Tiis Tsoh Sikaad/Burnham - Navajo Chapter House Complex 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	Constructual Service		1,667,056
6510	Construction Only	1,667,056	
	(Object code is subject to change once it is established)		
	TOTAL	1,667,056	1,667,056

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

PART I Business Unit No NEW

Project Title: Navajo Chapter House Complex - Tiis Tsoh Sikaad Chapter

Project Descriptic A new public chapter facility will ensure a safe and efficiant service to the community in future public health emergencies.

Check one box:

PART IL Project Information

Project Type: Chapter House Complex

Planned Start Date: 10/1/2022

Planned End Date: 9/30/2026

Project Manager: Clara Pierce

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.

	FY _2024_												FY _2025_												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.			9/30/2026					
	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
Contracting:																														
Bidding						X																								
Award						X																								
Site Preparation								X																						
Construction Phase (Start)									X																					
Post Construction																		X												
Close Out																				X										

PART V.	$	$	$	$	$	$	$	$	PROJECT TOTAL
Expected Quarterly Expenditures									$1,667,056.00

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

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax No.: (928) 871-7576

Honorable Crystalyne Curley
Speaker
25th Navajo Nation Council

MEMORANDUM

TO: Hon. Rickie Nez, Council Delegate
25th Navajo Nation Council

FROM: Dana Bobroff
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: August 3, 2023

SUBJECT: **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 RICKIE NEZ'S DELEGATE REGION (CHAPTERS: T'IISTOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSE' DAA' KAAN, NEWCOMB, SAN JUAN)**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0192-23__ **SPONSOR: Rickie Nez**

TITLE: 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 Rickie Nez's Delegate Region (Chapters: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan)

***Date posted*: August 4, 2023 2:00 PM**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0192-23

SPONSOR: Honorable Rickie Nez

TITLE: 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 Rickie Nez's Delegate Region (Chapters: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan)

Posted: August 04, 2023 at 2:00 PM

5 DAY Comment Period Ended: August 09, 2023

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Comments/Recommendations	*None*

Jamie Vandever
Legislative Secretary II
Office of Legislative Services

August 10, 2023; 8:10 AM
Date/Time

25th NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
First Year 2023

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0192-23

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 Rickie Nez's Delegate Region (Chapters: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse'daa Kaan, Newcomb, San Juan)

Sponsored by: Honorable Rickie Nez

Has had it under consideration and reports the same that the legislation **PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL**.

Respectfully Submitted,

Honorable Crystalyne Curley, Chairperson
NAABIK'ÍYÁTI' COMMITTEE

10 AUGUST 2023

MAIN MOTION
Motioned by: Honorable Rickie Nez
Seconded by: Honorable Nathan Notah
Vote: 15 In Favor, 0 Opposed (Chairperson Crystalyne Curley Not Voting)

NAVAJO NATION

8/10/2023
08:54:56 AM

Naabik'iyati' Committee Special Meeting

Amd# to Amd#	Consent Agenda: Legislations	PASSED
MOT Nez, R	0159-23, 0158-23, 0192-23	
SEC Notah, N	and 0196-23	

Yeas : 15 **Nays : 0** **Excused : 3** **Not Voting : 5**

Yea : 15

Arviso, S	Crotty, A	Nez, A	Simonson, G
Begay, H	Damon, S	Nez, R	Simpson, D
Begay, N	Jesus, B	Notah, N	Yazzie, C
Claw, S	Johnson, C	Parrish, S	

Nay : 0

Excused : 3

Charles-Newton, E	Daniels, H	Slater, C

Not Voting : 5

Aseret, L	Tolth, G	Tso, O	Yanito, C
James, V			

Presiding Speaker: Curley, C