

# 25<sup>th</sup> NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Honorable F	Rickie Nez, Primary
Sponsor of proposed leg	gislation hereby withdraw my
sponsorship of the propo	sed legislation. The legislation
tracking number is 0192	2-23.
If there are any co-spon same bill by beginning a r	sors, they may re-sponsor the new legislation.
SPONSOR SIGNATURE:  DATE:	10-10-23

#### 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 P	PERIOD_	<>}	11	0
					108-64-23
Posting End	Date:	08	09	123	<b>.</b>
Eligible for	Action:	08	10	23	

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Naabik'íyáti' Committee Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION 2 25th NAVAJO NATION COUNCIL — 1st Year, 2023 3 INTRODUCED BY 4 5 6 **Primary Sponsor** 7 8 TRACKING NO. 0192-23 9 10 AN ACTION 11 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION 12 COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND 13 DELEGATE REGION PROJECT PLAN FOR HONORABLE RICKIE NEZ'S 14 15 DELEGATE REGION (CHAPTERS: T'IISTOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSE' DAA' KAAN, NEWCOMB, SAN JUAN) 16 17 **BE IT ENACTED:** 18 19 SECTION ONE. AUTHORITY 20 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. 21 §102(A). 22 B. The Naabik'íváti' Committee is a standing committee of the Navajo Nation Council 23 with the delegated responsibility to hear proposed resolution(s) that require final 24 action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9). 25 C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, 26 mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region 27 Project Plans be approved by Navajo Nation Council resolution and signed into law

§§ 1005 (C) (10), (11), and (12).

by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C.

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#### **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 HOUSING MANUFACTURED 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).
- 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.

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	Exhibit	mb, San Juan
INAVAJO INATION FISCAL NECOVENT FOND DELEGATE NEGION FINSECT FERM	ь регесате: Delegate Rickie Nez	снартекs: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan

COUNCIL

	,					
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 *Newcomb Development Chapter	*Newcomb Chapter	Newcomb Chapter Community Waste Water Project	Division of Community Development	5.5	HK0354	\$ 100,000.00
Division of Community *Newcomb Development Chapter	*Newcomb Chapter	Newcomb Chapter Building Bathroom Renovation Project	Division of Community Development	1.4	HK0355	\$ 100,000.00
Division of Community *Newcomb Development Chapter	*Newcomb Chapter	Newcomb Chapter Community Electrical Project	Division of Community Development	2.18	HK0356	\$ 283,528.33
Division of Community *Newcomb Development Chapter	*Newcomb Chapter	Newcomb Chapter Community Potable Water Project	Division of Community Development	1.14	HK0357	\$ 285,528.33
Division of Community *Newcomb Development Chapter	*Newcomb Chapter	Newcomb Chapter Building Bathroom and Kitchen Update Project	Division of Community Development	1.4	HK0358	\$ 150,000.00
Division of Community *Upper Fruitland Development Chapter	*Upper Fruitland Chapter	*Upper Fruitland Chapter Community Cemetery Project	Division of Community Development	6.1	HK0344	\$ 370,556.67
Division of Community *Upper Fruitland Development Chapter	*Upper Fruitland Chapter	Upper Fruitland Chapter Mobile Shower and Restroom Unit	Division of Community Development	1.14	HK0349	\$ 175,000.00

\*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."

Page 1 of 2

TOTAL: \$ 1,814,613.33

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CHAPTERS:	T'iistoh Sikaad,	снартевs: T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan	ſse' Daa' Kaan	, Newcor	nb, San Ju	an
FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF	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
*Per CJN-29-22, Sectio Chapters through sub-n	on Three (E), the "Navajo ecipient agreements to i	*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	to LGA-Certified I maintain		TOTAL:	\$ 8,802,340.00
Administrative Oversigr	nt over such tunding and	I Delegate Kegion Project Pians."	Dane 2 of 2	Of 2		

Page 2 of 2



### 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:12/20/2214:58_	<u>.</u> 
Date & Time of Response: 12/30/22 17:	00
Entity Requesting FRF:Newcomb Chapter_	
Title of Project: — Newcomb-Chapter-Commu	unity-Bathroom-Additions Project
Administrative Oversight:Division_of_Comm	unity_Development
Amount of Funding Requested: \$100,000.00	· 
Eligibility Determination:	
☐ FRF ineligible	
☐ Additional information requested	
FRF Eligibility Category:	
	☐ (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):				
insufficient to make a proper determination  Name of DOJ Reviewer: MacArthur Stant  Signature of DOJ Reviewer: July Call Late	<del>/</del>			

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.

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

Part 1.	Ideni	tification	of	parties.
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Governance-Certified Chapter Newcomb Chapter Governmen requesting FRF:	t Date prepared: 12/11/2022		
, , , , , , , , , , , , , , , , , , , ,	phone & email: 505-696-3300		
Chapter's PO Box 7946 mailing address: Newcomb, NM 87455	website (fany): ndbenally@nnchapters.org		
This Form prepared by: Norman Benally	phone/email: 505-696-3400		
Newcomb Chapter Manager  CONTACT PERSON'S name and title	ndbenally@nnchapters.org		
Title and type of Project: Newcomb Chapter Community			
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		
ChapterManageror 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 kn	own): Not known  2022 — 12   31   2026		
Amount of FRF requested: \$100,000 FRF funding period: 20	23 - 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 t and what COVID-related needs will be addressed:	he funds will be used, for what purposes, the location(s) to be served,		
Newcomb community has members that have potable water in their homes but do not have indoor pathrooms 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 addition to community members homes or upgrades to the existing restrooms. OEH, IHS and NTUA will assist in inal waterine connections. The Chapter did not state the amount of FRF requested because the Chapter does not have the expertise for this cost construction.			
b) Explain how the Program or Project will benefit the Navajo Nation, Nav			
Newcomb community members that have bathrooms daving easy accessiblity to an indoor bathroom providersonal hygiene activities. This includes use of the toaking a bath, or taking a shower. As we know washing a bath, or taking a shower.	des community members with a place to go for bilet, washing their hands, brushing their teeth,		

(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:

☐ document attached

	APPENDIX A
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 Natio	on document attached
(d) Identify who will be responsible for implementing the Prog	
	sted Officials will be responsible for the project.
(a) Explain who will be recognible for energions and main	tenance costs for the Project once completed, and how such costs will be funded
prospectively:	ishance costs for the Project once completed, and now such costs will be funded
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 proposed Program or Project falls under, and explain the rea	calegories in the attached U.S. Department of the Treasury Appendix 1 listing the
Other Public Health Services^1.14	ison wny:
Other Public Health Services 1, 14	
The Newcomb Chapter is seeking funds for	r 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 th	nird party project manager (OEH, IHS, NTUA). The goal is
to provide running water and septic for the	applicants. Making these bathroom additions and upgrads
	elr immediate family members during and after the
pandemic.	
	☐ document attached
Part 3. Additional documents.	LI document attached
List here all additional supporting documents attached to the	is FRF Expenditure Plan (or Indicate N/A):
Chapter Resolution is attached.	
	☐ Chapter Resolution attached
Part 4. Affirmation by Funding Recipient.	
., .	
El Minn Haciniant affirms that its resolut of Diseas December	
	Funds and the implementation of this FRF Expenditure Plan shall be in accordance
with Resolution No. CJY-41-21, the ARPA, ARPA Regulation	Funds and the implementation of this FRF Expenditure Plan shall be in accordance
with Resolution No. CJY-41-21, the ARPA, ARPA Regulation	Funds and the implementation of this FRF Expenditure Plan shall be in accordance ons, and with all applicable federal and Navajo Nation laws, regulations, and policies
with Resolution No. CJY-41-21, the ARPA, ARPA Regulation	Funds and the implementation of this FRF Expenditure Plan shall be in accordance
with Resolution No. CJY-41-21, the ARPA, ARPA Regulation Chapter's Preparer:    J   Z   E Z	Funds and the implementation of this FRF Expenditure Plan shall be in accordance ons, and with all applicable federal and Navajo Nation laws, regulations, and policies  Approved by:  Approved by:  Approved by:  12/19/2022
with Resolution No. CJY-41-21, the ARPA, ARPA Regulation Chapter's JAIZEZ Preparer: signature of Proportion CONTACT PERSON  Approved by: (2/12/22)	Funds and the implementation of this FRF Expenditure Plan shall be in accordance ons, and with all applicable federal and Navajo Nation laws, regulations, and policies  Approved by:  Approved by:  Signature of Chapter President for Vice President
with Resolution No. CJY-41-21, the ARPA, ARPA Regulation Chapter's Preparer:    J   Z   E Z	Funds and the implementation of this FRF Expenditure Plan shall be in accordance ons, and with all applicable federal and Navajo Nation laws, regulations, and policies:  Approved by:  Approved by:

- Page 2 of 2 -

FY 2223

# PROGRAM BUDGET SUMMARY THE NAVAJO NATION

Page of BUDGET FORM 1

Difference or 100,00r 100,000 Total © DCD/Executive Branch ndbenally@nnchapters.org Proposed Budget 100,000.00 100,000 回 0 <u>@</u> Cally Hance Chief's Printed Name Division/Branch: NNC Approved Original Budget \$0.00 6 0 PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. Total # of Vehicles Budgeted: TOTAL Total # of Positions Budgeted: Email Address: Fund Type Code Newcomb Chapter Community Bathroom Additions Project 9 PART IV. POSITIONS AND VEHICLES 5500 Communications and Utilities PART III. BUDGET SUMMARY 6000 Repairs and Maintenance 7000 Special Transactions 6500 Contractual Services 2001 Personnel Expenses 3500 Meeting Expenses 8000 Public Assistance 5000 Lease and Rental 3000 Travel Expenses 9500 Matching Funds 9000 Capital Outlay 9500 Indirect Cost 505-696-3400 4000 Supplies 100% % of Total 123% Phone No.: Program Title: 100,000,001 \$100,000.00 Amount TOTAL 3/12023 11/20/20/20 12/3/1226 Fiscal Year FY23-FY25 Пеrm Norman Benally New PART II. FUNDING SOURCE(S) PART I. Business Unit No.: NN Fiscal Recovery Funds Prepared By:

APPROVED BY:

23/21/2

Program Manager's Printed Name

Norman Benally

SUBMITTED BY:

Program Manager's Signature and Date

FY 3023

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERI

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ON:				
Business Unit No.: New	Program Name/Title:	Newcomb Chapter Community Bathroom Additions Project	Bathroom Additions Dr.	ţ.
PART II. PLAN OF OPERATIONIRESOLUTION NUMBER/PURPOSE OF PROGRAM:	ROGRAM:			njeci
PART III. PROGRAM PERFORMANCE CRITERIA:		1st OTR   2nd OTR	Sed OTB	177 O 177
	ŢŢ	Goal Actual Goal Actual	Goal Actual	4th Q1R Goal Actu
1. Goal Statement:				1
Community Homes connected to potable water				
Program Performance Measure/Objective:				
Hire A Constractor to construct according to scope of work				
2. Goal Statement:				_
Program Performance Measure/Objective:				
	[			_
3. Goal Statement:				
December 2 and second 10 and 1				
riogiani renomance measure Opjethye.				
4. Goal Statement:		7		
Program Performance Measure/Objective:			-	
5. Goal Statement:				-
Program Performance Measure/Objective:				
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.	HAS BEEN THOROUGHLY	REVIEWED.		
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name	rs Printed Name	
12/2/2/ Klo	d	Daly 180	in stilled	3
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date	Signature and Date	

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page of BUDGET FORM 4

	(0)	Total by Total by DETAILED MAJOR UDJect Code UDJect Co. (LOD 6) (LOD 4)	100,000	100,000 100,000
Business Unit No.: New		1 10 10 10 10 10 10 10 10 10 10 10 10 10		TOTAL
Newcomb Chapter Community Bathroom Additions Project	(B)	Object Code Description and Justification (LOD 7)	Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Community Bathroom Additions) Subcontractior Services	
PART I. PROGRAM INFORMATION: Program Name/Title:	DETAILED BUDGET:		Contractor Services - Contractor to perf	
PART I. PR	PART II. D (A)	Object Code (LOD 6)	0969	



#### 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

Page Two FY'2023 NWCB-121122-019 Supporting Legislation 0257-21:

- 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 <u>09</u> in favor, <u>00</u> opposed, <u>00</u> abstained this 11<sup>th</sup> day of December 2022. Seconded: Henry Thomas

Motioned: Donna Benally

Willamena Smith, Chapter Vice President

Donna L. Benally, Chapter Secretary/Treasurer



#### 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:12/20/2215:0	0
Date & Time of Response: 12/30/22 17	:00
Entity Requesting FRF:Newcomb_Chapter	<u> </u>
Title of Project: —Newcomb—Chapter—Hou- Upgrades	se-Restroom-No-Touch and ADA Standards
Administrative Oversight:Division of Comr	nunity_Development
Amount of Funding Requested: \$100,000.00	
Eligibility Determination:	
☐ FRF ineligible	
☐ Additional information requested	
FRF Eligibility Category:	
	☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue	(4) Water, Sewer, Broadband Infrastructure

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 ☐ Expenditure Plan incomplete ☐ Supporting documentation missing ☐ Funds will not be obligated by ☐ Project will not be completed by 12/31/2026 12/31/2024 ☐ Ineligible purpose ☐ Incorrect Signatory ☐ Submitter failed to timely submit CARES reports ☐ Inconsistent with applicable NN or ☐ Additional information submitted is federal laws insufficient to make a proper determination Name of DOJ Reviewer: MacArthur Stant Signature of DOJ Reviewer: Ma Call Lot

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.

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

#### Part 1. Identification of parties.

Governance-Certified Chapter Newcomb Chapter Governme requesting FRF:	nt .		
Chapter's PO Box 7946			
mailing address: Newcomb, NM 87455	phone & email: 505-696-3300 website (if any): ndbenally@nnchapters.org		
This Form prepared by: Norman Benally			
Newcomb Chapter Manager	phone/email: 505-696-3400		
CONTACT PERSON'S name and title	ndbenally@nnchapters.org  CONTACT PERSON'S info		
Title and type of Project: Newcomb Chapter House Resttoo	m 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		
ChapterManagerorCSC: 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    Oldownorm   Not known   Oldownorm   Oldo			
Amount of FRF requested: \$100,000 FRF funding period: 20	023 - 2025 (3/1/2022 - 11/30/20 <del>25)</del>		
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 and what COVID-related needs will be addressed:	the funds will be used, for what purposes, the location(s) to be served,		
The funds will be used on these buildings to renovate ixtures and to upgrade to the ADA Standards. All sir ixtures will be no touch (attached is a scope of work)	nks, toilets, hand dryers and other restroom		
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	document attached document attached		
n an effort to minimize or stop the spread of COVID			
Chapter would like to upgrade their restroom facilities renovated to comply with ADA Standards. These Choffices for the administration, community members a	with no-touch fixtures. The restrooms will be apter buildings will become a safer healthier		
	☐ document attached		
c) A prospective timeline showing the estimated date of completion of the that may prevent you from incurring costs for all funding by December or Project(s) by December 31, 2026:	e Project and/or each phase of the Project. Disclose any challenges 31, 2024 and/or fully expending funds and completing the Program(s)		

·	APPENDIX A
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	
Newcomb Chapter Administration and Elected	
:	
	document attached
(e) Explain who will be responsible for operations and maintena prospectively:	ance costs for the Project once completed, and how such costs will be funded
Newcomb Chapter Administration will be resp project once completed.	consible for rhe operations and maintenance costs for the
	☐ document attached
(f) State which of the 66 Fiscal Recovery Fund expenditure cate proposed Program or Project falls under, and explain the reason	egories in the attached U.S. Department of the Treasury Appendix 1 listing the
COVID-19: Aid to Impacted Industries <sup>1</sup> 1.10	t Wily.
•	
with the ADA Standards it will certain benefit t	ograde their buidings to the ADA Standards. To comply 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 F	RF Expenditure Plan (or indicate N/A):
Chapter Resolution is attached.	
Scope of Work is attached.	
	☐ Chapter Resolution attached
Part 4. Affirmation by Funding Recipient.	
Fall 4. Authoritation by I unding recorpions	nds 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 Of 12/12/12	Annually Javed Alaly
Preparer: Signature of Principal CONTRACT PERSON	algorature of Chapter President for Vice-President 12/19/2022
Approved by: 12/12/22	
signature of Chapter Manager or CSC	Approved by: signature of QUOChapter ASO

-Page 2 of 2 -

FY 2023

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page of BUDGET FORM 1

PART I. Business Unit No.:	New	Program Title:	Newcorr	Program Title: Newcomb Chapter Buildings Upgrade to ADA Standards	Standards	Division/Branch:	DCD/Executive Branch	anch
Prepared By: Norm	Norman Benally	Phone No.:	No.:	505-696-3400 Emai	Email Address:	ndbenall	ndbenally@nnchapters.org	
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund	(A) NNC Approved	(B)	(C) Difference or
NN Fiscal Recovery Funds	FY23-FY25	100,000.00	1,001		Code	Original Budget	Proposed Budget	Total
	3742023 11202026			2001 Personnel Expenses				
	2/10/12021			3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	9		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		(a)	(E)	
				Total # of Positions Budgeted:	Budgeted:	0	0	
	TOTAL:	\$100,000.00	3001	Total # of Vehicles Budgeted:	Budgeted:	0	0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION	OGE THAT THE INF	CRMATION CON	ITAINED I	CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	TE AND AC	URATE.		
SUBMITTED BY:	Norman Benally	enally		APPROVED BY:	Landblellonge	new		
	Program Manager's Printed Name	Printed Name		Divi	isjøh Directo	División Director / Branch Chlef's Printed Name	nted Name	
	PILOT (2/12)	2/12/22	N.	Disipil	n Director	Division Director Branch Chief's Signature and Date	2. /6.22 ure and Date	
	Stain managa							

7777	276	
i	<b>}</b>	

PART I.

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page of BUDGET FORM 2

PART I. PROGRAM INFORMATION:  Residence (Infl Not New Program Name/Fille:	Newcomb Chapter Buildings Upgrade to ADA Standards
RESOLUTION NUMBER/PURPOSE OF PR	
PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR 2nd QTR 3rd QTR 4th QTR Goal Actual Goal Actual
1. Goal Statement: Chanter huiliding complies with ADA Standards	
Program Performance Measure/Objective: Hire A Constractor to construct according to scope of work	-
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 Signature and Date  Display 1	LY REVIEWED,  Consistent of the Chief's Printed Name  Control of Marian 12.16.2  Division Director Branch Chief's Signature and Date

Page of BUDGET FORM'4

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

100,000 100,000 (U)
Total by
MAJOR
Ubject Cod
(LOD 4) 100,000 100,000 (C)
Total by
DETAILED
Ubject Code
(LOD 6) New TOTAL **Business Unit No.:** Object Code Description and Justification (LOD 7) Newcomb Chapter Buildings Upgrade to ADA Standards Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Building to ADA Standards) (8) PART I. PROGRAM INFORMATION: Program Name/Title: PART II. DETAILED BUDGÉT: Subcontractor Services Object Code (LOD 6) 6500 6960

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:
  - o Expand the toilet stall to comply with ADA standards
- Ladies Restroom:
  - o Expand one toilet stall to comply with ADA standards
- Restroom doors and administration office door:
  - o 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

#### Résults 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



#### **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

- 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.
- 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 11<sup>th</sup> day of December 2022.

Motioned: Donna Benally

David Randolph Sr., Chapter President

Willamena Smith, Chapter Vice President

Donna L. Benally, Chapter Secretary/Treasurer

Seconded: Henry Thomas



#### 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_Chapt	ter
Title of Project:Newcomb-Chapter-Buil	dings-(Ventilation-Systems)
Administrative Oversight:Division of Con	nmunity_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

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

Returned for the following reasons (Ineligibility Rea	asons / Paragraphs 5. E. (1) - (10) of FRF
Procedures):	
☐ Missing Form	☐ Expenditure Plan incomplete
☐ Supporting documentation missing	☐ Funds will not be obligated by
☐ Project will not be completed by 12/31/2026	12/31/2024
☐ Ineligible purpose	☐ Incorrect Signatory
☐ Submitter failed to timely submit CARES reports	☐ Inconsistent with applicable NN or
☐ Additional information submitted is insufficient to make a proper determination	federal laws
Other Comments:	
Name of DOJ Reviewer: MacArthur Stant	
Signature of DOJ Reviewer: Ma Cell Let	

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.

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

#### Part 1. Identification of parties.

or Project(s) by December 31, 2026:

Governance-Certified Chapter Newcomb Chapter Government requesting FRF:	nt Date prepared: 12/11/2022									
Chapter's PO Box 7946	phone & email: 505-696-3300									
mailing address: Newcomb, NM 87455	website (if any): ndbenally@nnchapters.org									
This Form prepared by: Norman Benally	phone/email: 505-696-3400									
Newcomb Chapter Manager  CONTACT PERSON'S name and title	ndbenally@nnchapters.org									
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  OI   OI   2023 -   2   30   2026   document attached										
Amount of FRF requested: \$150,000 FRF funding period: 20	023 - 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 and what COVID-related needs will be addressed:	the funds will be used, for what purposes, the location(s) to be served,									
The funds will used to install new ventilation systems buildings. As we have been taught through COVID, been ventilation systems will minimize the spread of vi	ouidling air movement is important. Installing a									
	☐ document attached									
b) Explain how the Program or Project will benefit the Navajo Nation, Nav										
n 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 willdings. 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 that may prevent you from incurring costs for all funding by December										

- Page 1 of 2 -

	<u>APPENDIX A</u>
Dec 11, 2022 - Resolution	
Winter 2023 - NN and DOJ Review Spring 2023 - Seek Blds	
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 Progra	
Newcomb Chapter Administration and Electe	
	,
1	
(a) Explain who will be responsible for operations and mainter	ance costs for the Project once completed, and how such costs will be funded
prospectively:	mino costs for the traject of the composite, and find start costs that be introdu
	consible for rhe operations and maintenance costs for the
project once completed.	
(0 On to 1) to 100 CC Front Documents	document attached
<ul> <li>(1) State which of the 60 Fiscal Recovery Fund expenditure call proposed Program or Project falls under, and explain the reaso</li> </ul>	legories in the attached U.S. Department of the Treasury Appendix 1 listing the
COVID-19: Aid to Impacted Industries^ 1.10	ii way,
OOVID 1017 ad to inspacted inducation 11.10	
The Newcomb Chapter is seeking funds for the	he installing ventilation systems. The Chapter House and
file Heacolin Chapter is seeking littles for a	
the Head Start buildings do not have proper v	ventilation systems that will keep air moving in the cold
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will	have a heater and cooling systems). Making these
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community	
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community	have a heater and cooling systems). Making these
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community	have a heater and cooling systems). Making these
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community	have a heater and cooling systems). Making these
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community	have a heater and cooling systems). Making these
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community	have a heater and cooling systems). Making these and administrative members during and after the
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community pandemic.	have a heater and cooling systems). Making these
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the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community pandemic.  Fart 3. Additional documents.  List here all additional supporting documents attached to this Figure 1 is a stracked.	have a heater and cooling systems). Making these and administrative members during and after the  document attached  RF Expenditure Plan (or indicate N/A):
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the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community bandemic.  Part 3. Additional documents.  List here all additional supporting documents attached to this Fishapter Resolution is attached.  Cope of Work is attached.  Cope of Work is attached.  Cope of Work is attached.	have a heater and cooling systems). Making these and administrative members during and after the  document attached  RF Expenditure Plan (or indicate N/A):  Chapter Resolution attached
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the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community bandemic.  Part 3. Additional documents.  List here all additional supporting documents attached to this Fishapter Resolution is attached.  Cope of Work is attached.  Cope of Work is attached.  Cope of Work is attached.	have a heater and cooling systems). Making these and administrative members during and after the    document attached    RF Expenditure Plan (or indicate N/A):   Chapter Resolution attached    Indicate N/A   Chapter Resolution attached    Approved by:   Stgrature of Chapter Resident (strength President)
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community bandemic.  Part 3. Additional documents.  List here all additional supporting documents attached to this Fishapter Resolution is attached.  Cope of Work is attached.	have a heater and cooling systems). Making these and administrative members during and after the    document attached    RF Expenditure Plan (or indicate N/A):   Chapter Resolution attached    Indicate N/A   Chapter Resolution attached    Approved by:   Signature of Chapter Resident for Vice President   12/19/2022
the Head Start buildings do not have proper vand hot seasons (the ventilation systems will renovations would greatly benefit community bandemic.  Part 3. Additional documents.  List here all additional supporting documents attached to this Fishapter Resolution is attached.  Cope of Work is attached.	have a heater and cooling systems). Making these and administrative members during and after the    document attached    RF Expenditure Plan (or indicate N/A):   Chapter Resolution attached    Indicate N/A   Chapter Resolution attached    Approved by:   Stgrature of Chapter Resident (strength President)
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- Page 2 of 2 -

FY 2°23

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page of BUDGET FORM 1

PART I. Business Unit No.:	New	Program Title:		Newcomb Chapter - Ventilation Systems	Systems	Division/Branch:	DCD/Executive Branch	anch
Prepared By: Norm	Norman Benally	Phone	No.:	505-696-3400	Email Address:		1V@r	
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	ARY Type	I (A)	(B)	(C) Difference or
NN Fiscal Recovery Funds	FY23-FY25-	150,000.00	132%		Code		Proposed Budget	Total
	3/17023-11/30/2025		:	2001 Personnel Expenses				
	2202/10/10			3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities	tilities			
				6000 Repairs and Maintenance	es			
				6500 Contractual Services	9		150,000	150,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
					TOTAL	AL \$0.00	150,000.00	150,000
				PART IV. POSITIONS AND VEHICLES	EHICLES	(a)	(E)	
				Total # of P	Total # of Positions Budgeted:	o :pa	0	
	TOTAL	\$150,000.00	%0	Total # of \	Total # of Vehicles Budgeted:	ed: 0	0	
PART V. 1 HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	GE THAT THE INF	ORMATION CON	TAINED	N THIS BUDGET PACKAGE IS (	OMPLETE AND	ACCURATE.		
SUBMITTED BY:	Norman Benally	enally		APPROVED BY:	Parly	Jans Wellownan	A Laboratory	
	Program Manager's Printed Name	Printed Name	,		Division	rector/ Branch Uniers r	rinted Name	
	KID	(2/12)	122		Can	Jan Lall John A. 16.	14.16.22	
Prog	Program Manager's Signature and Date	gnature and Date			DIVISION DIEC	of Diamer Smere Series		

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page of BUDGET FORM 2

Program Name/Title: Newcomb Chanter - Ventilation Systems		1st QTR   2nd QTR   3rd QTR   4t   Goal   Actual   Goal   Actual   Goal												NFORMATION HAS BEEN THOROUGHLY REVIEWED.  Division DirectoriBranch Chief's Printed Name  Division DirectoriBranch Chief's Printed Name  Division DirectoriBranch Chief's Signature and Date  Date
PART I. PROGRAM INFORMATION: Business Unit No.: New	PART II. PLAN OF OPERATIONIRESOLUTION NUMBER/PURPOSE OF PROGRAM:	PART III. PROGRAM PERFORMANCE CRITERIA:	1. Goal Statement: Chanter huilidings become safe against vints	Program Performance Measure/Objective:	Hire A Constractor to construct according to scope of work	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  Norman Benally  Program Manager's Printed Name  CALACA  Program Manager's Signature and Date

Page of BUDGET FORM 4

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

150,000 150,000 (U)
Total by
MAJOR
Ubject Code
(LOD 4) 150,000 150,000 (C)
Total by
DETAILED
UDJECT CODE
(LOD 6) New TOTAL **Business Unit No.:** Object Code Description and Justification (LOD 7) Newcomb Chapter - Ventilation Systems Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Ventilations Systems) <u>@</u> PART I. PROGRAM INFORMATION: Program Name/Title:\_\_\_ PART II. DETAILED BUDGET: (A) Subcontractor Services Subcontractfor Services Object Code (LOD 6) 069 0969

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



#### **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 I, 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
  - 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

Page Two FY'2023 NWCB-121122-019 Supporting Legislation 0257-21:

- 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. Seconded: Henry Thomas

Motioned: Donna Benally

David Randolph Sr., Chapter President

Willamena Smith, Chapter Vice President

Donna L. Benally, Chapter Secretary/Treasurer

#### NAVAJU-NAHUN-FISCAL KECUVEKY-FUNU



### 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 & Expend	
Appendix B - Budget Forms (Form 1, 2	
XX Approved Chapter Resolution support	ing 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 Projections	ect
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



#### 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:12/20/2215:04	-
Date & Time of Response: 01/06/23 17:00	
Entity Requesting FRF: Newcomb Chapter	
Title of Project: — Newcomb-Chapter-Communit	y Waste Water Project
Administrative Oversight:	<u>y D</u> evelopment
Amount of Funding Requested: \$100,000.00	<del></del>
Eligibility Determination:	
⊠ FRF eligible	
☐ FRF ineligible	
☐ Additional information requested	
FRF Eligibility Category:	
☐ (1) Public Health and Economic Impact ☐	(2) Premium Pay
□ (3) Government Services/Lost Revenue ⊠	(4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.5 Clean Water: Other Sewer Infrastructure Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures): ☐ Missing Form ☐ Expenditure Plan incomplete ☐ Supporting documentation missing ☐ Funds will not be obligated by ☐ Project will not be completed by 12/31/2026 12/31/2024 ☐ Ineligible purpose ☐ Incorrect Signatory ☐ Submitter failed to timely submit CARES reports ☐ Inconsistent with applicable NN or ☐ Additional information submitted is federal laws insufficient to make a proper determination Other Comments: Name of DOJ Reviewer: \_\_\_MacArthur Stant\_\_\_\_\_\_ Signature of DOJ Reviewer: Macal Lat

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.

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

#### Part 1. Identification of parties.

Governance-Certified Chapter Newcomb Chapter Government requesting FRF:	t Date prepared: 12/11/2022
Chapter's PO Box 7946	phone & email: 505-696-3300
Chapter's PO Box 7946 mailing address: Newcomb, NM 87455	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: 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
	12022 - 12   3   12026
Amount of FRF requested FRF landing period	23 - 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 to and what COVID-related needs will be addressed:	he funds will be used, for what purposes, the location(s) to be served,
Some Newcomb community members do not have a sassistance (they have also submitted applications for members have septic tanks but are in need of upgrad received 19 applications. The Chapter will contract thor replace their deficient septic tank system. OEH, IH project. The Chapter did not state the amount of FRF expertise for this cost construction.	potable water assistance). Some community es, they have applied as well. The Chapter has is septic tank system to a contractor to construct S and/or NTUA would be a party involved in this
(b) Explain how the Program or Project will benefit the Navajo Nation, Nav	ajo communities, or the Navajo People:
Newcomb community members that have system tan being met. Proper disposal of waste water is absolute family. Having good functional waste systems will allo COVID, we have learned keeping our homes and our	ely important and is a key to a healthy life for the low the family to having a healthy life. With
	document attached
(c) A prospective timeline showing the estimated date of completion of the that may prevent you from incurring costs for all funding by December 3 or Project(s) by December 31, 2026:	e Project and/or each phase of the Project. Disclose any challenges 31, 2024 and/or fully expending funds and completing the Program(s)

- Page 1 of 2 -

	APPENDIX A
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 Natio	n
	document attached
(d) Identify who will be responsible for implementing the Prog	ram or Project:
Newcomb Chapter Administration and Elect	ted Officials will be responsible for the project.
	☐ document attached
prospectively:	enance costs for the Project once completed, and how such costs will be funded
Each community home owner that recieves the maintenance and operations costs after	the septic tank system or replacement are responsible for the project has been completed.
	document attached
proposed Program or Project falls under, and explain the reas	ategories in the attached U.S. Department of the Treasury Appendix 1 listing the son why:
Other Public Health Services^1.14	
I he Newcomb Chapter is seeking funds for	the septic tanks to be installed or replaced for
	ation. The Chapter will contract the projects to a with the homeowner and the third party project manager
	septic tank systems for the applicants. Proper waste water
	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 ap	
,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
•	
	☐ Chapter Resolution attached
Part 4. Affirmation by Funding Recipient.	
, —	and and the final annual of an effect of PMP Phone Phone Phone shall be be accordance.
	unds and the implementation of this FRF Expenditure Plan shall be in accordance s, and with all applicable federal and Navajo Nation laws, regulations, and policies:
Chapter's 12/12/22	_ Approved by: Javid llall
Signature of PreparadCONTACT PERSON	elignature of Chapter President (d Vice-President)
Approved by: 18/12/82	Approved by:
signatiford Chapter Manager & CSC	Approved to submit \$25 a mm. NVF7CF0
	for Review:

- Page 2 of 2 -

FY 2023

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page of BUDGET FORM 1.

PART I. Business Unit No.:	New	Program Title:	Newc	Newcomb Chapter Community Waste Water Project	e Water Project	Division/Branch:	DCD/Executive Branch	ranch
Prepared By: Norm	Norman Benally	Phone No.:	ا يو:	505-696-3400	Email Address:		ndbenally@nnchapters.org	
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund ARY Type	(A) NNC Approved	(B)	(C) Difference or
NN Fiscal Recovery Funds	FY23-FY25	100,000.00	%00/		Code		Proposed Budget	Total
	34172023-1113012028			2001 Personnel Expenses				
	1202116110			3000 Travel Expenses				/
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities	Hilities			
				6000 Repairs and Maintenance	eol			
				6500 Contractual Services	9		100,000	100,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
					TOTAL	۱۲ \$0:00	100,000.00	100,000
				PART IV. POSITIONS AND VEHICLES	EHICLES	(a)	(E)	
				Total # of P	Total # of Positions Budgeted:	d:	0	
	TOTAL	\$100,000.00	30P1	Total # of \	Total # of Vehicles Budgeted:	q:	0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	GE THAT THE INF	ORMATION CON	TAINED	N THIS BUDGET PACKAGE IS	COMPLETE AND	ACCURATE.		
SUBMITTED BY:	Norman Benally	nally		APPROVED BY:	Kearl	distance	12.16.22	
	Program Manager's Printed Na	Printed Name	,		Division Dig	Division Director / Branch Chief's Printed Name	rinted Name	
	121 (16)	12/21	42		June 1	an Miller	Miller Jane 12.16.33	7.
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# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page of	BUDGET FORM 2

PART I. PROGRAM INFORMATION:						
Business Unit No.: New	Program Name/Title:	Ne	Newcomb Chapter Community Waste Water Project	unity Waste Water Pro	ject	
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:	PROGRAM:					
PART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR	2nd QTR	3rd QTR	4th QTR	2
		Goal Actual	Goal Actual	Goal Actual	Goal	Actival
1. Goal Statement:	·					<u></u>
Communty Homes connected to potable water						
Program Performance Measure/Objective:						
Hire A Constractor to construct according to scope of work				1		
2. Goal Statement:						
Deserte Deformance Heartwellhinships						
riogiam remoninance measura 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.	N HAS BEEN THOROUGH	LY REVIEWED.	a Milo Por	,		
Program Manager's Printed Name		Sivio	Division Director/Branch Chief's Printed Name	of's Printed Name		
۱ ۳		Z enz	Stelloren	12.16.22		
Trogramentagers Solgitature and Date		INISIOI	Wivision Director/Branch Chief's Signature and Date	Signature and Date		

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

FY 2273

Page of BUDGET FORM 4

_	(U)	Total by MAJOF Ubject Co (LOD 4)	100,000	100,000
New	(2)	Total by DETAILED Ubject Code (LOD 6)	100,000	100,000
Business Unit No.:				TOTAL
Newcomb Chapter Community Waste Water Project	· (B)	Object Code Description and Justification (LOD 7)	Contractor Services Subcontractor Services	
PART I. PROGRAM INFORMATION: Program Name/Title:	DETAILED BUDGET:		Contractor Services - Contractor to perfo	
PART I. P	PART II. (A)	Object Code (LOD 6)	0069	



#### **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

- 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.
- 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 <u>09</u> in favor, <u>00</u> opposed, <u>00</u> abstained this 11<sup>th</sup> day of December 2022.

Motioned: Donna Benally

David Randolph Sr., Chapter President

Willamena Smith, Chapter Vice President

Donna L. Benally, Chapter Secretary/Treasurer

Seconded: Henry Thomas



#### 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:12/20/2215:12	<del></del>
Date & Time of Response: 01/06/23 17	:00
Entity Requesting FRF: Newcomb Chapter	
Title of Project:Bathroom_renovations_to_! and ventilation systems)	Newcomb-Chapter-buildings (no touch fixtures
Administrative Oversight: <u>Division of Comm</u>	unity Development
Amount of Funding Requested: \$100,000.00	<del></del>
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

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 ☐ Expenditure Plan incomplete ☐ Supporting documentation missing ☐ Funds will not be obligated by ☐ Project will not be completed by 12/31/2026 12/31/2024 ☐ Ineligible purpose ☐ Incorrect Signatory ☐ Submitter failed to timely submit CARES reports ☐ Inconsistent with applicable NN or ☐ Additional information submitted is federal laws insufficient to make a proper determination Name of DOJ Reviewer: MacArthur Stant Signature of DOJ Reviewer: Mack Let

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

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.

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

#### Part 1. Identification of parties.

and the transfer of partico.	
Governance-Certified Chapter Newcomb Chapter Government requesting FRF:	Date prepared: 12/11/2022
Chapter's PO Box 7946	phone & email: 505-696-3300
mailing address: Newcomb, NM 87455	website (if any): ndbenally@nnchapters.org
This Form prepared by: Norman Benally	phone/email: 505-696-3400
Newcomb Chapter Manager  CONTACT PERSON'S name and title	ndbenally@nnchapters.org
Title and type of Project: Bathroom renovations to Newcomb Chapter	ter buildings (no touch lixtures and ventuation 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 I	$\frac{(1)}{2}$ $(1$
	023 - 2025 (3/1/2022 - 11/30/2025)  indicate Project starting and ending/deadline date
Amount of FRF requested: \$100,000 FRF funding period: 2	indicate Project starting and ending/deadline date
m	
Part 2. Expenditure Plan details.  (a) Describe the Program(s) and/or Project(s) to be funded, including how	with a funds will be used, for what purposes, the location(s) to be served,
(a) Describe the Program(s) and/or Project(s) to be funded, including now and what COVID-related needs will be addressed:	Will full do will be detected that the property of the propert
The funds will be used to construct a ladies and mer	restrooms. This building has one one restroom
The funds will be used to construct a ladies and mer that is shared by both sexes. Having two restrooms cleaning and using the facility. No touch fixtures will be acceptant to come	be installed in the ladies and men restrooms.
cleaning and using the facility. No touch lixtures will the renovation will also include construction to com-	ply with ADA Standards.
The renovation will also include construction	
	document attached
m. C.d. Alaucia Mation N	Lucia communities, or the Navaio People:
(b) Explain how the Program or Project will benefit the Navajo Nation, No. In an effort to minimize or stop the spread of COVID an effort to minimize or stop the spread of COVID and the spread of CO	19. as well as, any other viruses, the Newcomb
In an effort to minimize or stop the spread of COVIE Chapter would like to construct two restrooms with the construct two restrooms.	no-touch restroom fixtures. The construction will benefit the
Chapter would like to construct two restrooms with meet ADA standards to accommodate the handicap of meet ADA standards to accommodate the handicap of the meet ADA standards to accommodate the meet ADA stan	community members. The upgrades will belief the
meet ADA standards to accomposite the handleap cadminstration and community members with or with	
ii and the of completion of	the Project and/or each phase of the Project. Disclose any challenges
(c) A prospective timeline showing the estimated date of completion of that may prevent you from incurring costs for all funding by December 31, 2026.	er 31, 2024 and/or fully expending funds and completing the Programms
	1 of 2 -
i ugo	

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2023

Page of BUDGET FORM 1

PART I. Business Unit No.:	New	Program Title:	Old Nev	Program Title: Old Newcomb Chapter House - Restroom Construction	Construction	Division/Branch:	DCD/Executive Branch	Iranch
Prepared By: Norm	Norman Benally	Phone No.:	No:	505-696-3400	Email Address:	ndbena	ndbenally@nnchapters.org	
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Y Fund	(A) NNC Approved	(B)	(C)
NN Fiscal Recovery Funds	FY23-FY25	100,000.00	100%		Code	Original Budget	Proposed Budget	Total
	3412023-11/30/2025			2001 Personnel Expenses				
	12/3/12/21			3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities	ies			•
				6000 Repairs and Maintenance				
				6500 Contractual Services	9		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	CLES	(D)	(E)	
				Total # of Posi	Total # of Positions Budgeted:	0	0	
	TOTAL:	\$100,000.00	1003	Total # of Veh	Total # of Vehicles Budgeted:	0	0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	GE THAT THE INF	ORMATION CONT	AINED IN	THIS BUDGET PACKAGE IS CON	IPLETE AND AC	CURATE.		
SUBMITTED BY:	Norman Benally	nally		APPROVED BY:	ANTHI	Pana		
	Program Manager's Printed Name	Printed Name			Division Directo	Division Director / Branch Chief's Printed Name	inted Name	
	Ty (2/2/22	12/22		***	Sen Birector	Division Director I Branch Chief's Signature and Date	' 2 - 16 . 22. ture and Date	
BOL	ialli maliayer o o	diamic and park						

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

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Page\_

4th QTR Goal Old Newcomb Chapter House - Restroom Construction Actual 3rd QTR Goal 2nd QTR bal Actual Goal Actual 1st QTR PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED Goal Program Name/Title: PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: Hire A Constractor to construct according to scope of work PART III. PROGRAM PERFORMANCE CRITERIA Program Performance Measure/Objective: New Chapter builidings become safe against virus Program Performance Measure/Objective: Program Performance Measure/Objective: Program Performance Measure/Objective: Program Performance Measure/Objective: PART I. PROGRAM INFORMATION: **Business Unit No.:** 3. Goal Statement: 5. Goal Statement: 4. Goal Statement: 2. Goal Statement: 1. Goal Statement:

Jel Lynner 12.16, 28. Granch Chief's Signature and Date

Division Director

Program-Manager's Signature and Date

Norman Benally Program Manager's Printed Name

ranch Chief's Printed Name

Page of BUDGET FORM 4

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

100,000 100,000 (U)
Total by
MAJOR
UBJECT COOL
(LOD 4) 100,000 100,000 (C)
Total by
DETAILED
Ubject Code
(LOD 6) New TOTAL **Business Unit No.:** Object Code Description and Justification (LOD 7) Old Newcomb Chapter House - Restroom Construction Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Restroom Construction) <u>B</u> PART I. PROGRAM INFORMATION: Program Name/Title: PART II. DETAILED BUDGET: (A) Subcontracttor Services (100 6) 6500 6960 Object Code

Y 202

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
  - o 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



#### NEWCOMB CL. 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
- 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
- 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
- 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
- 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
- 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

Page Two FY'2023 NWCB-121122-019 Supporting Legislation 0257-21:

- 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.
- 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 <u>09</u> in favor, <u>00</u> opposed, <u>00</u> abstained this 11<sup>th</sup> day of December 2022.

Motioned: Donna Benally

David Randolph Sr., Chapter President

Willamena Smith, Chapter Vice President

Donna L. Benally, Chapter Secretary/Treasurer

Seconded: Henry Thomas



### 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 Inform	nation:	
Date Submitted: Decem	ber 11, 2022	
Program/Division: CDC/Excu	ive Branch - Newcomb Chapter	
Contact Person: Norma	n Benally	
Phone: 505-69	6-3400	Email: ndbenally@nnchapters.og
	x A - Request Form & Exper	
XX Appendi	B - Budget Forms (Form 1)	, 2, 3, 4, 5, Appendix J as needed)
XX Approve	d Chapter Resolution suppo	orting the project
XX Required	Signatures:	
Chapter I DCD ASC	President/Vice President Manager/CSC  Sion Director  Director	
Notes:		
Newcomb Chapter	Old Building Restroom C	onstruction
Reviewed by:		
NN Fisc	al 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



#### **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:12/20/2215:08					
Date & Time of Response: 12 January 2023; 9:19 am					
Entity Requesting FRF: Newcomb Chapter					
Title of Project: Chapter Community Electrical Project					
Administrative Oversight: <u>Division of Comm</u>	unity Development				
Amount of Funding Requested: \$283,528.33					
Eligibility Determination:					
⊠ FRF eligible					
☐ FRF ineligible					
☐ Additional information requested					
FRF Eligibility Category:					
	☐ (2) Premium Pay				
☐ (3) Government Services/Lost Revenue	☐ (4) Water, Sewer, Broadband Infrastructure				
<b>U.S. Department of Treasury Reporting Expen</b> Housing Assistance)	diture Category: 2.18 (Housing Support: Other				

#### Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures): ☐ Missing Form ☐ Expenditure Plan incomplete ☐ Supporting documentation missing ☐ Funds will not be obligated by ☐ Project will not be completed by 12/31/2026 12/31/2024 ☐ Ineligible purpose ☐ Incorrect Signatory ☐ Submitter failed to timely submit CARES reports ☐ Inconsistent with applicable NN or ☐ Additional information submitted is federal laws insufficient to make a proper determination 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.

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

#### Part 1. Identification of parties.

Government	t Date prepared: 12/11/2022
Chapter's PO Box 7946	phone & email: 505-696-3300
mailing address: Newcomb, NM 87455	website (fany): ndbenally@nnchapters.org
This Form prepared by: Norman Benally	phone/email: 505-696-3400
Newcomb Chapter Manager  CONTACT PERSON'S name and title	ndbenally@nnchapters.org
Title and type of Project: Newcomb Chapter Community	
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 kr	nown): Not known
al or	2022 - 12/31/2026 document attached
Amount of FRF requested: \$283,528.33 FRF funding period: 26	<del>)23 - 2025 (3/1/2022 - 11/30/2025)</del>
Amount of PRF requested PRF landing period	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 and what COVID-related needs will be addressed:	
The funds will be used to connect homes to electricity system/heating and cooler systems/allows families to family daily use/electronic uses/cleaning homes, etc. project will be coordinated with the homeowner and to Chapter did not state the amount of FRF requested to for this cost construction. With pandemic here, these	The Chapter has received 12 applications. The he third party project manager NTUA. The pecause the Chapter does not have the expertise to home were at a great disadvantage.
	☐ document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	ivajo communities, or the Navajo People:
Newcomb community members that have electricity today's world electricity is a key resource for every for a healthy life for the family. The families that recie healthier lives.	will result in some COVID needs being thet. In
	☐ document attached
(c) A prospective timeline showing the estimated date of completion of that may prevent you from incurring costs for all funding by December or Project(s) by December 31, 2026:  - Page	, 01, 2021 and 0.007

	APPENDIX A
Dec 11, 2022 - Resolution	$\sim$
Winter 2023 - NN and DOJ Revis	
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 F Newcomb Chapter Administration and Elected Of	
Memoring Chapter Administration and Elected Of	inclais will be responsible for the project.
	☐ document attached
(e) Explain who will be responsible for operations and maintenance opposedively:	costs for the Project once completed, and how such costs will be funded
Each community home owner that recieves electroperations costs after the project has been complete the project has been complete.	
	☐ document attached
(f) State which of the 66 Fiscal Recovery Fund expenditure categorie	s 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 tunds for the in	stallation of electricity to community members
nomes. The project will be coordinated with the h	omeowner and the third party project manag NTUA.
nomes. The project will be coordinated with the had a really benefit the	omeowner and the third party project manag NTUA. homeowners and their immediate family memebers
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- Page 2 of 2 -

FY 2023

# PROGRAM BUDGET SUMMARY THE NAVAJO NATION

BUDGET FORM

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<sub>∞</sub> 283,528 Difference Total ሾ DCD/Executive Branch ndbenally@nnchapters.org Proposed Budget 283,528.33 283,528 Œ <u>@</u> Division Pyfector / Branch Chief's Printed Name Division/Branch: NNC Approved **Original Budget** \$0.00 6 0 PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. TOTAL Total # of Positions Budgeted: Total # of Vehicles Budgeted: Email Address: Fund Type Code Program Title: Newcomb Chapter Community Electrical Connections ဖ POSITIONS AND VEHICLES 5500 Communications and Utilities PART III. BUDGET SUMMARY 6000 Repairs and Maintenance Special Transactions Contractual Services 2001 Personnel Expenses 3500 Meeting Expenses 8000 Public Assistance 5000 Lease and Rental 3000 Travel Expenses 9500 Matching Funds APPROVED BY: 9000 Capital Outlay 9500 Indirect Cost 505-696-3400 Supplies PART IV. 4000 6500 2000 100% 130% % of Total Phone No.: \$283,528.33 283,528.33 Amount Norman Benally TOTAL: 3412023-11/30/2026 01/01/2022 FY23-FY25 Fiscal Year Легш Norman Benally New PART II. FUNDING SOURCE(S) PART I. Business Unit No.: NN Fiscal Recovery Funds SUBMITTED BY: Prepared By:

Program Manager's Signature and Date

Program Manager's Printed Name

:Y 0023

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page of 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:	DOG VICTOR OF THE COOR
Communty Homes electrical connections	
Program Performance Measure/Objective:	
Hire A Constractor to construct according to scope of work	
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.	SHLY REVIEWED.
Program Manager's Printed Name	or/Branch Chief's
Program Manager's Signature and Date	Bivision Directof/Branch Chief's Signature and Date

Coopposition of

Page of BUDGET FORM 4

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

	(a)	ED M Sode Ubje	\$283,528, 18283,528,37	\$5.3.5.728.22.	
Business Unit No.: New		סך DEI פניט עט	#283	107Al #723 7 523 73	ירט שליאוויו
Newcomb Chapter Community Electrical Connections	(B)	Object Code Description and Justification (LOD 7)	form the scope of work for Newcomb Chapter (Electrical connections to community Homes)		
PART I. PROGRAM INFORMATION: Program Name/Title:	DETAILED BUDGET:		Contractor Services - Contractor to perform the scope of work for Subcontractor Services		
PART I. P	PART II. (A)	Object Code (LOD 6)	0969		



#### **NEWCOMB CHAPTER - NAVAJO NATIOIN**

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:

- 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
  - 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

#### TVAVAJUTVATIZON FISCALERECOVERY-FIZAD



### 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/Progr	am Information:	
Date Submitted	d: December 11, 2022	
Program/Division	n: CDC/Excutive Branch - Newcomb Chapter	
Contact Persor	: Norman Benally	
Phone	: 505-696-3400	Email: ndbenally@nnchapters.og
Documents nee	eded for processing:	
xx	Appendix A - Request Form & Expen	diture Plan
XX	Appendix B - Budget Forms (Form 1,	2, 3, 4, 5, Appendix J as needed)
XX	Approved Chapter Resolution suppo	rting the project
xx	Required Signatures:	
. [	Preparer	
	Chapter President/Vice President	
<u>_</u>	Chapter Manager/CSC	
<u> </u> _	DCD ASC	
_	DCD Division Director	
L_	NNFRFO Director	·
Notes:		
Newcomb	Chapter Community Electrical Cor	nnection
<u> </u>		
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



#### 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:12/20/2215	:09
Date & Time of Response:01/06/23	17:00
Entity Requesting FRF:Newcomb_Chapt	ter
Title of Project: —Newcomb-Chapter-Com	nmunity-Potable-Water-Project
Administrative Oversight:Division of Con	nmunity 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

Returned for the following reasons (Ineligibility Reprocedures):	asons / Paragraphs 5. E. (1) - (10) of FRF
☐ Missing Form	☐ Expenditure Plan incomplete
☐ Supporting documentation missing	☐ Funds will not be obligated by
☐ Project will not be completed by 12/31/2026	12/31/2024
☐ Ineligible purpose	☐ Incorrect Signatory
☐ Submitter failed to timely submit CARES reports	☐ Inconsistent with applicable NN or
☐ Additional information submitted is	federal laws
insufficient to make a proper determination	
Name of DOJ Reviewer: MacArthur Stant	
Signature of DOJ Reviewer: Mach Lot	

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.

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

Governance-Certified Chapter Newcomb Chapter Governmen requesting FRF:	Date prepared: 12/11/2022
Chapter's PO Box 7946	phone & email: 505-696-3300
mailing address: Newcomb, NM 87455	website (fany): 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: 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 kr	Not known
List types of Subconfidadors of Subrecipients that will be paid with the full of	1) 2023 - 12/31/2026 document attached
Amount of FRF requested: \$283,528.33 FRF funding period: -20	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 and what COVID-related needs will be addressed:	the funds will be used, for what purposes, the location(s) to be served,
Newcomb community members that have potable wa	ter in their homes but do not have indoor
estrooms have applied for this assistance. Some co	mmunity members have restrooms but are in
need of upgrades also have applied for this assistance	
addition to a contractor to construct, it will be an addt o the existing restrooms. OEH, IHS adn NTUA will a	
tid not state the amount of FRF requesteed becasue	
cost construction.	☐ document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	
Newcomb community members that have potable wa As the saying goes, "water is life." Water will provide /irus in the homes.	
	☐ document attached
c) A prospective timeline showing the estimated date of completion of the that may prevent you from incurring costs for all funding by December or Project(s) by December 31, 2026:	e Project and/or each phase of the Project. Disclose any challenges 31, 2024 and/or fully expending funds and completing the Program(s)

- Page 1 of 2 -

	ALLEGON H
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	
Newcomb Chapter Administration and Elected	
(a) Evaluin who will be recognitible for enerations and maintenar	document attached lace costs for the Project once completed, and how such costs will be funded
biospectively:	tion costs for the Froject union completed, and from social costs will be formed
	table water are responsible for the maintenance and
operations costs after the project has been con	npleted.
to Out and the CO Provide Prov	document attached
proposed Program or Project falls under, and explain the reason v	pories in the attached U.S. Department of the Treasury Appendix 1 listing the
Other Public Health Services^1.14	mily.
54157 45115 Hallar Colvidos 1114	
The Newcomb Chapter is seeking funds for the	e potable water to be piped to the community members
homes and these members have submitted ap	plications. The project will be coordinated with the
nomeowner and the third party project manage	r (OEH, IHS, NŤUÁ). The goal is to provide running
homeowners and their immediate family meme	ese homes having potable water will greatly benefit the
in the state of th	beis during and alter the partiernic.
	document attached
Part 3. Additional documents.	
List here all additional supporting documents attached to this FRI	F Expenditure Plan (or Indicate N/A):
Chapter Resolution is attached.	- Designation of the following transport
Chapter Resolution is attached.	
D-44 A65 41 5 11 5 11 5 11	☐ Chapter Resolution attached
Part 4. Affirmation by Funding Recipient.	
Funding Recipient affirms that its receipt of Fiscal Recovery Fund-	
The state of the s	s and the implementation of this FRF Expenditure Plan shall be in accordance
with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, an	s and the implementation of this FRF Expenditure Plan shall be in accordance and with all applicable federal and Navajo Nation laws, regulations, and policies
with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, an	s and the implementation of this FRF Expenditure Plan shall be in accordance and with all applicable federal and Navajo Nation laws, regulations, and policies
Chapter's Preparer: 12/12/29	ad with all applicable federal and Navajo Nation laws, regulations, and policies  Approved by:
with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and Chapter's	Approved by:  Signature of Chapter President  Approved by:  Signature of Chapter President  Approved by:  Signature of Chapter President  Signature of Chapter
Chapter's Preparer: 12/12/29	ad with all applicable federal and Navajo Nation laws, regulations, and policies  Approved by:
Chapter's Preparer: 2/2/20  Approved by: signal for the Chapter Manager or CSC	Approved by:  Approved by:  Approved by:  Signature of Chapter President  12/19/2022  Approved by:  Signature of Chapter President  12/19/2022
Chapter's Preparer: 2/2/20  Approved by: signal for the Chapter Manager or CSC	Approved by:  Ap

FY 2023

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

**BUDGET FORM 1** 

Page\_\_

Difference or 283,528, 33 283,528.3 Total DCD/Executive Branch ndbenally@nnchapters.org Proposed Budget 283,528,33 283,528.33 Division Directory Branch Chief's Signature and Date <u>e</u> Œ Lan Ill ell on control Division Director I Branch Chief's Printed Name Division/Branch: NNC Approved Original Budget \$0.00 0 PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. TOTAL Total # of Positions Budgeted: Total # of Vehicles Budgeted: Email Address: Fund Type Code စ Newcomb Chapter Community Water Project PART IV. POSITIONS AND VEHICLES 5500 Communications and Utilities PART III. BUDGET SUMMARY 6000 Repairs and Maintenance 6500 Contractual Services 7000 Special Transactions 2001 Personnel Expenses 3500 Meeting Expenses 5000 Lease and Rental 8000 Public Assistance 3000 Travel Expenses 9500 Matching Funds APPROVED BY: 9000 Capital Outlay 9500 Indirect Cost 505-696-3400 4000 Supplies 1339 130% % of Total Phone No.: Program Title: Program Manager's Signature and Date 283,528.33 \$283,528.33 Program Manager's Printed Name Amount Norman Benally TOTAL: 3112023 11130/2021 0.13:12022 Fiscal Year FY23-FY25 Лет Norman Benally New PART II. FUNDING SOURCE(S) PART I. Business Unit No.: NN Fiscal Recovery Funds Prepared By: SUBMITTED BY:

FY JU23

## THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page of BUDGET FORM

Page of BUDGET FORM 4

## THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

\$253,528.33 MAJOR Ubject Code (LOD 4) (U) Total by TOTAL \$2 83, 528.33 \$233,528 33 DETAILED Ubject Code (LOD 6) (C) Total by New **Business Unit No.:** Object Code Description and Justification (LOD 7) Newcomb Chapter Community Water Project Contractor Services - Contractor to perform the scope of work for Newcomb Chapter (Water Line Connections) <u>(B</u> PART I. PROGRAM INFORMATION: Program Name/Title: PART II. DETAILED BUDGET: Subcontractor Services Object Code (LOD 6) 0969 6500



### 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

Page Two
FY'2023 NWCB-121122-019
Supporting Legislation 0257-21:

- 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.
- 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 <u>09</u> in favor, <u>00</u> opposed, <u>00</u> abstained this 11<sup>th</sup> day of December 2022.

Motioned: Donna Benally

David Randolph Sr., Chapter President

Willamena Smith, Chapter Vice President

Donna L. Benally, Chapter Secretary/Treasurer

Seconded: Henry Thomas



### 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:12/20/2215:1	2
Date & Time of Response: 12/29/22 1	7:00
Entity Requesting FRF:Newcomb_Chapter	•
Title of Project: —Bathroom-and-Kitchen-Ufixtures)	pgrades Newcomb-Chapter Buildings (no touch
Administrative Oversight:Division-of-Com	munity 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
	•

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 ☐ Expenditure Plan incomplete ☐ Supporting documentation missing ☐ Funds will not be obligated by ☐ Project will not be completed by 12/31/2026 12/31/2024 ☐ Ineligible purpose ☐ Incorrect Signatory ☐ Submitter failed to timely submit CARES reports ☐ Inconsistent with applicable NN or ☐ Additional information submitted is federal laws insufficient to make a proper determination Name of DOJ Reviewer: \_\_\_\_\_MacArthur Stant\_\_\_\_\_ Signature of DOJ Reviewer: Macal Lot

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.

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

Part 1.	Identification of parties.	
---------	----------------------------	--

Governance-Certified Chapter Newcomb Chapter Government PO Roy 7046	ant
Chapter's PO Box 7946 mailing address: Newcomb, NM 87455	
mailing address: Newcomb, NM 87455	phone & email: 505-696-3300
This Form prepared by: Norman Benally	website (if any): ndbenally@nnchapters.org
Newcomb Chapter Manager	phone/email: 505-696-3400
CONTACT PERSON'S name and title	ndbenally@nnchapters.org
Title and type of Project: Bathroom and Kitchen Upgrades I	Newcomb Chapter Buildings (no touch fixtures)
Chapter President: David Randolph	
Chapter Vice-President: Willamena Smith	phone & email: 505-478-7746/dvrdsr491@outlook.com 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:
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 k	nown): Not known
	21 12 023 -12   311 2026 ☐ document attached
Amount of FRF requested: \$150,000 FRF funding period: 20	9 <del>23 - 2025 (3/1/2022 - 11/30/2025)</del>
	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 and what COVID-related needs will be addressed:	the funds will be used, for what purposes, the location(s) to be served,
The Senior Citizens Center, the Old Chapter House a	and the Dine College Outreach buildings belong
to the Newcom Chapter Government. The Senior Cit	tizens Center, the Dine College outreach and Old
Chapter House buildings will have their restrooms an fixtures. All sinks, toilets, hand dryers and other restro	d kitchen areas upgraded to have no-touch
of work).	oom fixtures will be no touch (attached is a scope
	☐ document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Nav	
In an effort to minimize or stop the spread of COVID	
Chapter would like to upgrade their building facilities kitchen areas. These Chapter buildings will become a	a safer healthier offices for the administration.
community members and visitors.	
	□ dagumant attachad
	☐ 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:

Dec 11, 2022 - Resolution	APPENDIX A
Winter 2023 - NN and DOJ Reaw	
Spring 2023 - Seek Bids	
Summer 2023 - Contract Bid Award	
Fall 2023 to Summer 2024 - Construction	
Challenges: Review time from Navajo Natio	i hadaette tneminah 🗀
(d) Identify who will be responsible for implementing the Pro	gram or Project:
Newcomb Chapter Administration and Elec	cted Officials will be responsible for the project.
A Francis and a William Burger	document attached
<ul> <li>e) Explain who will be responsible for operations and main prospectively:</li> </ul>	tenance costs for the Project once completed, and how such costs will be funded
Newcomb Chapter Administration will be reproject once completed.	esponsible for the operations and maintenance costs for the
	☐ document attached
State which of the 66 Fiscal Recovery Fund expenditure opposed Program or Project falls under, and explain the rea	categories in the attached U.S. Department of the Treasury Appendix 1 listing the
OVID-19: Aid to Impacted Industries^ 1.10	0
,	
ne Newcomb Chapter is seeking funds for	the upgrades to the restrooms and kitchen areas.
stailing a no-touch fixtures will greatly min	limize viruses to be passed on. These upgrades will be in
ie Senior Citizens and Dine College Outre	ach buildings. Making these renovations would greatly
enefit community and administrative meml	bers during and after the pandemic.
	☐ document attached
t 3. Additional documents.	
t here all additional supporting documents attached to this	s FRF Expenditure Plan (or indicate N/A):
apter Resolution is attached.	The Experimental for indicatorary.
ope of Work is attached.	
po or vroncio allaonoa.	•
	☐ Chapter Resolution attached
4. Affirmation by Funding Recipient.	
	Funds and the implementation of this FRF Expenditure Plan shall be in accordance s, and with all applicable federal and Navajo Nation laws, regulations, and policies
Resolution No. W1-41-21, UIBARFA, ARFA Regulation	5, and with an applicable regularian ravajo (valion laws, regulations, and policies
pter's Darrer:	Approved by:
aignating a Preparer/CONTACT PERSON	alignature of Chapter President (or Vice-President)
oved by:	Approved by:
signatyle of Chapter Manager or CSC	
$\nu$	Approved to submit

FY 2U23

### PROGRAM BUDGET SUMMARY THE NAVAJO NATION

BUDGET FORM

Page

Difference 150,000 Total DCD/Executive Branch ndbenally@nnchapters.org **Proposed Budget** 150,000.00 150,000 <u>@</u> Œ 0 Handle I for the Printed Name Division Division/Branch: NNC Approved Original Budget \$0.00 <u>e</u> 00 PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. TOTAL Email Address: Total # of Positions Budgeted: Total # of Vehicles Budgeted: Program Title: Bathroom and Kitchen Upgrades Newcomb Chapter Buildings Fund Type Code ဖ PART IV. POSITIONS AND VEHICLES 5500 Communications and Utilities PART III. BUDGET SUMMARY 6000 Repairs and Maintenance 7000 Special Transactions 2001 Personnel Expenses 6500 Contractual Services 3500 Meeting Expenses 8000 Public Assistance 5000 Lease and Rental 3000 Travel Expenses 9500 Matching Funds APPROVED BY: 9000 Capital Outlay 9500 Indirect Cost 505-696-3400 4000 Supplies 1007 \$150,000.00 1.00 % % of Total Phone No.: 150,000.00 Amount Norman Benally TOTAL: 4772023-11130/202 2502/15/21 Fiscal Year FY23-FY25 Летт Norman Benally New PART II. FUNDING SOURCE(S) PART I. Business Unit No.: NN Fiscal Recovery Funds SUBMITTED BY: Prepared By:

Program Manager's Signature and Date

Program Manager's Printed Name

3

FY JU23

## THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Z 2			<del></del>					
Page of BUDGET FORM 2	apter Buildings	ual Goal Actual						1 21
ITERIA	Bathroom and Kitchen Upgrades Newcomb Chapter Buildings	ctual Goal Actual Goal Actual	-					WED.  // Division Director/Branch Chief's Printed Name  // Division Director/Branch Chief's Printed Name  // And // Chief's Signature and Date  Division Director/Branch Chief's Signature and Date
PROGRAM PERFORMANCE CRITERIA	Name/Title:	1st QTR Goal Actual						INFORMATION HAS BEEN THOROUGHLY REVIEWED.  The state of t
	PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:	PART III. PROGRAM PERFORMANCE CRITERIA:  1. Goal Statement:  Chapter buildings become safe against virus	Hire A Constractor to construct according to scope of work  Goal Statement:	Program Performance Measure/Objective: Goal Statement:	Program Performance Measure/Objective: Goal Statement:	Program Performance Measure/Objective: Goal Statement:	Program Performance Measure/Objective:	PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATI  Norman Benally  Program Manager's Printed Name  /////
PART I. PROGRAM INFORMATION: Business Unit No.	PART II. PLAN OF	1. Goal Statement: Chapter buildings	Hire A Constracto	Program Perfom 3. Goal Statement:	Program Perfom 4. Goal Statement:	Program Perform 5. Goal Statement:	Program Per	PART IV. I HEREE

## THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

	(a)	Total by MAJOR Ubject Cod. (LOD 4)	150,000	150,000
New	(2)	Total by DETAILED UDject Code (LOD 6)	150,000	150,000
Business Unit No.:				TOTAL
Bathroom and Kitchen Upgrades Newcomb Chapter Buildings	(B)	Object Code Description and Justification (LOD 7)	Contractor Services - Contractor to perform the scope of work for Newcomb Chapler (No Touch Upgrades) Subcontractor Services	
:NOI	DETAILED BUDGET:		Contractor Services - Contractor to Subcontracttor Services Subcontracttor Services	
ART I. PR	PART II. D (A)	Object Code	0069	

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

### Senior Citizen Center

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

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

### Dine College Outreach Facility:

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



### **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

Page Two FY'2023 NWCB-121122-019 Supporting Legislation 0257-21:

- 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.
- 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 <u>09</u> in favor, <u>00</u> opposed, <u>00</u> abstained this 11<sup>th</sup> day of December 2022.

Motioned: Donna Benally

David Randolph Sr., Chapter President

Villamena Smith, Chapter Vice President

Donna L. Benally, Chapter Secretary/Treasurer

Seconded: Henry Thomas



### 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
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: 6.1 Provision of Government Services

Returned for the following reasons (Ineligibility Reas	sons/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 determin	
Administrative Oversight entity. We recommend that the Adminis	The state of the s
be the Division of Community of Development rather that the	
In accordance with, Council resolution CJN-29-22, Section 3(E), "[t]l	he Navajo Nation Central Government, specifically
the Division of Community Development or other appropriate Nava	ajo Nation Division or Departments, shall manage
and administer funds and Delegate Region Project Plans of	n 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 ma	aintain Administrative Oversight over such funding
and Delegate Region Project Plans."	
Name of DOJ Reviewer: MacArthur Stant	
Signature of DOJ Reviewer: Ma Cal	Lot

### <u>Disclaimers:</u>

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 RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN FOR GOVERNANCE-CERTIFIED CHAPTERS

### Part 1. Identification of parties.

Governance-Certified Chapter Upper Fruitland Chapter	Date prepared: Dec 9, 2022
Chapter's Upper Fruitland Chapter mailing address: P.O. Box 1257 Fruitland, NM 87416	phone & email: (505) 960-5032 upperfuttland@navajochapters.org
mailing address: 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@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 Icetsitty@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 & emaîl: (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 Amount of FRF requested: 370,556.67 FRF funding period: January 15,000 FRF fund	
Part 2. Expenditure Plan details.	
(a) Describe the Program(s) and/or Project(s) to be funded, including ho and what COVID-related needs will be addressed:	w the funds will be used, for what purposes, the location(s) to be served,
(b) Explain how the Program or Project will benefit the Navajo Nation, Not rural communities on the Navajo Nation lack a impeded these operations. The Navajo Nation experimentality compared to other racial and ethnic group yulnerable to the virus, due to the high rates of povernments.	emic. The Upper Fruitland community and Navajo aving saturated their Rose Garden cemetery to a. The land has already been withdrawn, surveyed, sically shovel ready for continuing development. to the outbreak of the COVID-19 on the Navajo stainable economic and social growth document attached lavajo communities, or the Navajo People:  access to governmental services and COVID-19 or increased substantially grater rates of COVID-19 or increase substantially grater
access to high-quality medical facilities. This project	the Project and/or each phase of the Project. Disclose any challenges

(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:

- Page 1 of 2 -

Based upon the funding, the proj completion date will be December ? 2026 with all funds being incumbered before December 31, 2024. The Navajo Nation Budget form. 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
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.
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
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:  Approved by:  Approved
Approved to submit  Signature of Doopfrague ASO  Approved to submit  For Review:  Signature of Doopfrague ASO  Approved to submit  Signature of Doopfrague ASO  Signature of Doopfrague ASO

- Page 2 of 2 -

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incumbered before December 31, 2024. The Navajo Nation Budget forms are attached and illustrate the phase goals per quarter of funding period.
☐ document attache
(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.
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:    Approved by:   Signature of Chapter President for Vice-President   Signature of Chapter President for Vice-President
Approved by:Approved by:signature of DCD/Chapter ASO
Approved to submit for Review:stgnature of DCD Director

- Page 2 of 2 -

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2023

Page 1 of 3 BUDGET FORM 1

PART L. Business Unit No.:	New	Program Title:		Upper Fruitland Chapter -6.1	Lenchey	Project Division/Branch:	Executive	
Prepared By: Alvis Kee, C	Alvis Kee, Chapter Manager	Phone No.:	No.:	(505) 960-5032 Em	Email Address:	akee	akee@nnchapters.org	
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund	(A)	(B)	(2)
ARPPA FUNDS	2/30/2026	370,556.67	100		Code	Original Budget	Proposed Budget	Diliterence of 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	9		009	200
				8000 Public Assistance				
				9000 Capital Outlay	8	•	#372,056.67	4370,056.67
				9500 Matching Funds				
				9500 Indirect Cost				
					TOTAL	\$0.00	370,556.67	\$370,556.1
				PART IV. POSITIONS AND VEHICLES	S	( <u>O</u> )	(E)	
				Total # of Positions Budgeted:	Budgeted:	٥	Ο	
	TOTAL	370,556.67	100	Total # of Vehicles Budgeted:	Budgeted:	0	0	
PART V. I HEREBY ACKNOWLED	GE THAT THE IN	<b>-ORMATION CON</b>	TAINED	PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	ETE AND A	CURATE.		
Signature BY.	Sonlatsa Jim-Martin	-Martin		APPROVED BY:	0	Dr. Pearl Yellowman		
	Program Manager's Punte	Printed Name			Islon Directo	Division Director / Branch Chief's Printed Name	rinted Name	
nak	Late		12/19/2022	ſ	of Official	Division Unestor Assact Chief's Signature and Date		13.16.22
Prog	Program manager s Sigkatu	grature and Date						

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA 2023\_\_

Page 2 of 3 BUDGET FORM 2

PART I. PROGRAM INFORMATION:			3	Lomm undy	
Business Unit No.: New Program Name/Title:		Upper Fruttlan	Upper Fruitland Chapter 6.1	Censter,	
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: The Navajo Netion Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code.					
PART III. PROGRAM PERFORMANCE CRITERIA:	121	2nd QTR	3rd QTR	4th Q	~
1. Goal Statement:	Goal Actual	Goal Actual	GOSI ACTUS	2000	Actual
To provide funds for the construction of a new cemetery for Upper Fruilland community					
Program Performance Heasure/Objective:					
To assist the community and surrounding communities with a location for the final resting place	ro.	5	2	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. 1 HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.	HLY REVIEWED.				$ brack \ $
Soniatsa Jim-Martin Program Manager's Prioted Name	Divis	Dr. Pearl Yellowman Division Director/Branch Chief's Printed Name	rman lef's Printed Name	1	
Frogram Manager's Signature and Date	Division	Division Director/Refact Childred Signature and Date	8 Signature and Dat	22.9/2	- 1

Page 3 of 3 BUDGET FORM 4

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

370,057 370,557 8 MAJOR Object Code (LOD 4) **Total by** 9 န္တ 370,057 370,557 DETAILED Object Code Total by (FOD 6) 9 New TOTAL **Business Unit No.:** 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 Revenue Repiscement: Provision of Government Services - ARPA Chapter Weliness Project. This Upper Fruitland Community cemetery project will toot or higher square footage based on fund availability. This warehouse will provide logistical support and assist in mitigating, preparing, responding and neeting the necessary floot space and infrastructure such as mechanical equipmenet, plumbing, electrical...etc. for the propere and effective operation. provide a comprehensive construction of a planned site. The Upper Fruitland community cemetery is an expression of its ommunity - it is a repositiony Object Code Description and Justification (LOD 7) Purchase of aluminum frame and steel supports of about 60 foot x 100 foot or higher square foolagie Upper Fruitland Chapter -6.1 (8) devertisement for project in accordance with Procurement Procedures. PART I. PROGRAM INFORMATION: Program Name/Title: PART II. DETAILED BUDGET: Special Transactions Print Advertising Capital Outlay Buildings (9 **QOT**) 9000 Object Code 7007 7440

Page 3 of 3 BUDGET FORM 4

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

2023

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옶 \$370,006.67 #373556.47 MAJOR Object Cod/ (LOD 4) Total by 9 \$ 370,056.61 28 DETAILED Object Code (LOD 6) TOTAL \$370,556.67 Total by New **Business Unit No.:** 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 Fruitand community. This meaning a facility Revenue Replacement: Provision of Government Services - ARPA Chapter Wellness Project. This Upper Fruitand Community cemelery project will foot or higher square footage based on fund availability. This warehouse will provide logistical support and assist in mitgating, preparing, responding and ちとうと meeting the necessary floot space and infrastructure such as mechanical equipmenet, plumbing, electrical...etc. for the propere and effective operation. provide a comprehensive construction of a planned site. The Upper Fruitland community cemetery is an expression of its ommunity - it is a repositiony Community considery Object Code Description and Justification (LOD 7) Purchase of aluminum frame and steel supports of about 60 foot x 100 foot or higher square foolagile Upper Fruitland Chapter -6.1 <u>@</u> Advertisement for project in accordance with Procurement Procedures. PART I. PROGRAM INFORMATION: Program Name/Title: PART II. DETAILED BUDGET: (A) Special Transactions Print Advertising Capital Outlay Buildings 9000 (FOD 6) 7000 Object Code

Page\_1\_\_of\_3\_ BUDGET FORM 1

## THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2023

PART L. Business Unit No.:	New	Program Title:		Upper Fruitland Chapter -6.1	6.1		Division/Branch:	Executive	
Prepared By: Alvis Kee, (	Alvis Kee, Chapter Manager	Phone No.:	No.:	(505) 960-5032	Email Address:	ddress:	akee(	akee@nnchapters.org	
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	ARY	Fund	(A)	(8)	(2)
ARPA Funds	12/30/2026	\$379,556.67	100%			Code	Original Budget	Proposed Budget	Difference of Total
				2001 Personnel Expenses	_				 
				3000 Travel Expenses	_				
				3500 Meeting Expenses					
				4000 Supplies				•	·
				5000 Lease and Rental					
				5500 Communications and Utilities	tifities				
				6000 Repairs and Maintenance	80				
				6500 Contractual Services					
				7000 Special Transactions	·	9		500	200
				8000 Public Assistance					
				9000 Capital Outlay		9	•	#370,56.67	19.956/02.54
				9500 Matching Funds					
				9500 Indirect Cost					
						TOTAL	\$0.00	370,556.67	1374, 167
				PART IV. POSITIONS AND VEHICLES	EHICLES	'	(0)	(E)	
				Total # of Positions Budgeted:	ositions Bu	dgeted:	0	0	
	TOTAL	TOTAL: 4770,556.67	12090	Total # of Vehicles Budgeted:	ehicles Bu	dgeted:	Ø	0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION	GE THAT THE IN	FORMATION CON	TAINED	CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	COMPLETI	: AND AC	CURATE.		
SUBMITTED BY:	Soniatsa Jim-Martin	-Martin		APPROVED BY:			Dr. Pearl Yellowman		
	Program Manager's Printed Nan	9 Printed Name			Division	n Directo	Division Director/Branch Chief's Printed Name	inted Name	
Cop.	Set		12/19/2022	*	Division	rector	Division Director   Branch Chief's Signature and Date	16.22 Iture and Date	
70	rogram manager s Sigpature and	igpature and Date							

Page 2 of 3 BUDGET FORM 2

## THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

2023

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Goal Actual 4th QTR cepetery いかいいいののう S General Character 12.16 22 Division Difector Branch Chief's Signature and Date 3rd QTR al Actual Division Director/Branch Chief's Printed Name Upper Fruitland Chapter -6.1 Goal S Dr. Pearl Yellowman Actual 2nd QTR Goal Goal Actual PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. 1st QTR 40 Program Name/Title: The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code. To assist the community and surrounding communities with a location for the finel resting place To provide funds for the construction of a new cemetery for Upper Fruitland community PART II. PLAN OF OPERATIONIRESOLUTION NUMBERIPURPOSE OF PROGRAM: 12/19/2022 Program Manager's Signature and Date Program Manager's Printed Name Sonlatsa Jim-Martin Part III. Program Performance Criteria: Program Performance Measure/Objective: Business Unit No.: PART I. PROGRAM INFORMATION: 4. Goal Statement: 5. Goal Statement: 3. Goal Statement: 1. Goal Statement: 2. Goal Statement:

THE NAVAJO NATION PROGRAM BUDGET SUMMARY 占

Page\_1\_\_of\_3\_ BUDGET FORM 1

PART I. Business Unit No.:	New	Program Title:		Community Cer Upper Fruitland Chapter-6.1	cenutery	アントム Division/Branch:	Executive	
Prepared By: Alvis Kee, C	Alvis Kee, Chapter Manager	r Phone No.:	No.:	(505) 960-5032 Email	Email Address:	akee	akee@nnchapters.org	
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund	(A)	(B)	(C)
ARPA FUNDS	2/2/10/10	13.752,67	1308		Code	Original Budget	<b>Proposed Budget</b>	Dillerence of
	-			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	9		200	200
				8000 Public Assistance				
				9000 Capital Outlay	9		230,026, 67	3.784,078
				9500 Matching Funds				
				9500 Indirect Cost				
					TOTAL	\$0.00	370,556.67	3725.
				PART IV. POSITIONS AND VEHICLES	S	(D)	(E)	
				Total # of Positions Budgeted:	Budgeted:	0	Ø	
	TOTAL	TOTAL: \$ 3 70,536.67 120 %	18%	Total # of Vehicles Budgeted:	Budgeted:	0	0	
PART V. I HEREBY ACKNOWLED	GE THAT THE IN	FORMATION CON	TAINED	PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	ETE AND AC	CURATE.		
SUBMITTED BY:	Sonlatsa Jim-Martin	n-Martin		APPROVED BY:		Dr. Pearl Yellowman		
	Program Manager's Printed	s Printed Name		Dīvis	sion Directo	Division Director / Branch Chief's Printed Name	Inted Name	
		of of Parc Stripe and		Jearl Division	Collector !	Sully Change 12.16.22 Division Director Branch Chief's Signature and Date	16.22 Iture and Date	
Prog	Program manager s Signature	oignature and Date						

Page 2 of 3 BUDGET FORM 2

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

2023

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Actual 4th QTR Doled Centeria いれいいいいつ Goal Garall Place 19.16 200 Division Digestor Branch Chief's Signature and Date Actual Division Director/Branch Chief's Printed Name 3rd QTR Upper Fruitland Chapter -6.1 Goal Ŋ Dr. Pearl Yellowman Goal Actual 2nd QTR Goal Actual PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. 1st QTR 2 Program Name/Title: The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation Code. To assist the community and surrounding communities with a location for the final resting place To provide funds for the construction of a new cemetery for Upper Fruitland community PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: Program Manager's Signature and Date Program Manager's Printed Name Sonlatsa Jim-Martin PART III. PROGRAM PERFORMANCE CRITERIA: Program Performance Measure/Objective: New PART I. PROGRAM INFORMATION: Business Unit No.: 4. Goal Statement: 5. Goal Statement: 3. Goal Statement: 1. Goal Statement: 2. Goal Statement:

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;
- Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governancecertification 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 24<sup>th</sup> 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

### FRUI 2022-12-305

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.

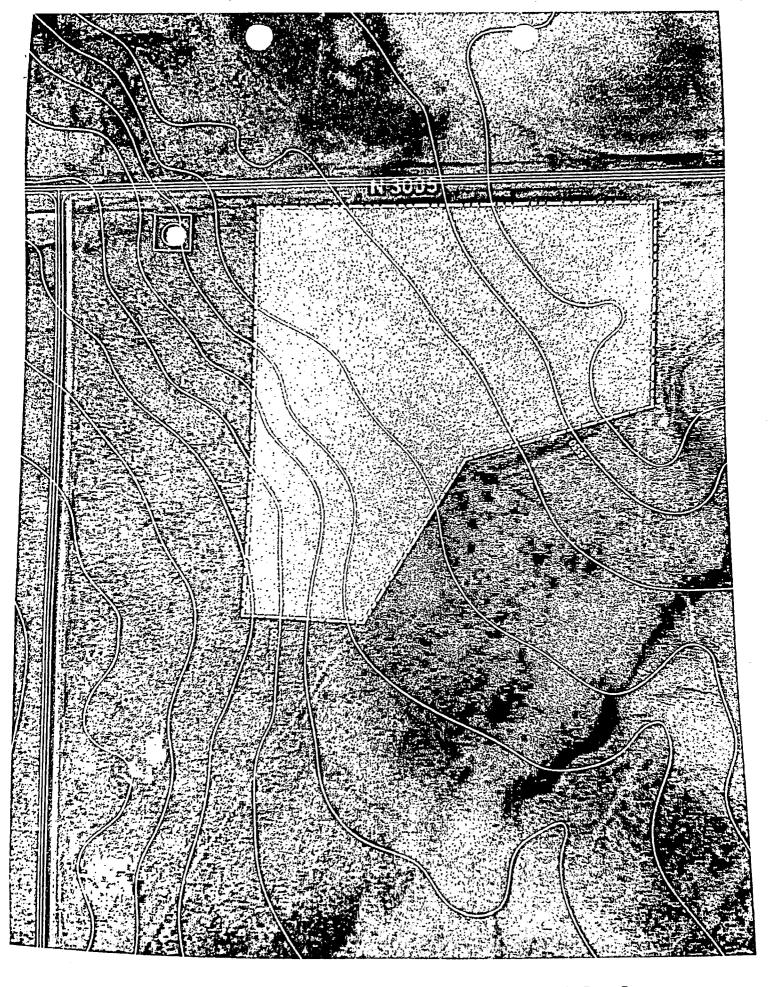
### NOW THEREFORE BE IT RESOLVED THAT:

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 res	solution was approved by the	Upper Fruitland
Chapter at a duly special called meeting held a	t Upper Fruitland Chapter (Nav	ajo 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,
opposed, abstained, this 11 <sup>th</sup> da	y of December 2022.	
Andle Eth	Lisa Byr	d
Lynelle Etsitty, President	Lisa Byrd, Vice-President	
Don	THE STATE OF THE S	
Dora Smith, Secretary/Treasurer	Rickle Nez, Council Delegate	2

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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:01/06/2317:00	<u> </u>
Entity Requesting FRF:Upper_Fruitland_Ch	apter
Title of Project:Moveable-Restroom-Showe	er-Combo
Administrative Oversight:Division of Comm	unity_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

U.S. Department of Treasury Reporting Expenditur Services	re Category: 1.14 Other Public Health
Returned for the following reasons (Ineligibility Reas Procedures):	ons / Paragraphs 5. E. (1) - (10) of FRF
<ul> <li>☐ Missing Form</li> <li>☐ Supporting documentation missing</li> <li>☐ Project will not be completed by 12/31/2026</li> <li>☐ Ineligible purpose</li> <li>☐ Submitter failed to timely submit CARES reports</li> <li>☐ Additional information submitted is insufficient to make a proper determination</li> </ul>	<ul> <li>□ Expenditure Plan incomplete</li> <li>□ Funds will not be obligated by 12/31/2024</li> <li>□ Incorrect Signatory</li> <li>□ Inconsistent with applicable NN or federal laws</li> </ul>
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.

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

### Part 1. Identification of parties.

Governance-Certified Chapter Upper Fruitland Chapter requesting FRF:	Date prepared: Dec 1, 2022
	phone & emaîl: (505) 960-5032 upperfruittad@Navejochapters.org
Chapter's Upper Fruitland Chapter mailing address: P.O. Box 1257 Fruitland, NM 87416	website (frany): www.upperfruitland.org
This Form prepared by: Alvis Kee, Manager	phone/email: (505) 960-5032
	akee@nnchaptrs.org
CONTACT PERSON'S name and title	
Title and type of Project: Moveable Restroom Shower C	Combo
Chapter President: Lynelle Etsitty	phone & email: (505) 208-0201 Icetsitty@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 kn Boerne, Texas 78015	•
Amount of FRE requested: 175,000.00 FRE funding period: Sta	arting <del>Jan 2023 ending Feb 2024</del>
Amount of FRF requested: 175,000.00 FRF funding period: Sta	Indicate Project starting and ending/deadline date
Part 2. Expenditure Plan details.	1101/2013 - 12/30/2016
(a) Describe the Program(s) and/or Project(s) to be funded, including how and what COVID-related needs will be addressed:	the funds will be used, for what purposes, the location(s) to be served,
The purchasing a moveable trailer with six stations of residences that were severly impacted from COVID-1 to maintain their hygiene. The high volume number of water and wastewater services which contributed to resoaring outbreak of COVID-19.	19 because of their lack of lavatory and showers f homes on the Navajo Nation lack access to
	document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	
The elevated number of homes upon the Navajo Nat utilities; electricity, water, wastewater and broadband utilities to ensure they live healthy in their daily lives; combination will provide access for citizens lacking a in promoting public health and economic stimulus.	I. Residents of the United States require these therefore, this moveable restroom and shower
(c) A prospective timeline showing the estimated date of completion of the that may prevent you from incurring costs for all funding by December or Project(s) by December 31, 2026:	ne Project and/or each phase of the Project. Disclose any challenges 31, 2024 and/or fully expending funds and completing the Program(s)

- Page 1 of 2 -

APPENDIX A

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.
(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 responsibility 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 healthler 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 healthler environment. Access to government services that facilitates sustainable economic, social growth and drastically increase the quality of life and healthcare provided.
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. CJV-41-24, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:  Chapter's
Approved by: Approved by: 12/19/2022  Approved by: Approved by: 12/19/2022
Approved to submit for Review. Low a MATTER

Page\_1\_\_cf\_3\_ BUDGET FORM

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

2023

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Difference 175,000 175,010 Total 9 Div. of Comm. Develop. Proposed Budget akee@nnchapters.org 175,000 175,000 Division Director Branch Chief's Signature and Date e 回 Division Director / Branch Chief's Printed Name 0 0 Restour Shower Combo Division/Branch: NNC Approved **Original Budget** Dr. Pearl Yeilowman þ \$0.00 0 D 9 PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. TOTAL Email Address: Total # of Positions Budgeted: Total # of Vehicles Budgeted: Fend Code Code ဖ Moveoble PART IV. POSITIONS AND VEHICLES 5500 Communications and Utilities PART III. BUDGET SUMMARY 5000 Repairs and Maintenance Upper Fruitland Chapter 6500 Contractual Services 2001 Personnel Expenses 7000 Special Transactions 3500 Meeting Expenses 5000 Lease and Rental 8000 Public Assistance 3000 Travel Expenses 9500 Matching Funds 9000 Capital Outlay APPROVED BY: 9500 Indirect Cost 505,960,5032 4000 Supplies 12/19/2022 1007 % of Total TOTAL: \$175,600.00 106% Phone No.: Program Manager's Signature and Date 0.000 271# 125,000.00 Program Title: Program Manager's Printed Name Amount Sonlatsa Jim-Martin Fiscal Year **Tem** 上電子 乙が乙 Alvis Kee PART II. FUNDING SOURCE(S) PART I. Business Unit No.: Prepared By: SUBMITTED BY: ARPA Funds

Page 2 of 3 BUDGET FORM 2

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

2023

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Æ 4th QTR Goal B Hear Office Chief's Signature and Date Actual Division Director/Branch Chief's Printed Name 3rd QTR Upper Fruitland Chapter Goal ଞ Dr. Pearl Yellowman 2nd QTR oal Actual Goal ଅ 1st QTR Goal | Actual PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. Program Name/Title: To provide residents with an opportunity to use restrooms and showers during pandemic To provide citizens with the quality of life necessary to get through the COVID-19 Pandemic PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: - 12/19/2022 Program Manager's Signature and Date To purchase a six-station restroom/shower combination trailer Program Manager's Printed Name Soniatsa Jim-Martin が立て PART III. PROGRAM PERFORMANCE CRITERIA: -1999± Program Performance Measure/Objective: PART 1. PROGRAM INFORMATION: Business Unit No.: 5. Goal Statement: 3. Goal Statement 4. Goal Statement: 2. Goal Statement: 1. Goal Statement:

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

2023

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Page\_1\_\_oi\_3\_ BUDGET FORM

PART I. Business Unit No.:	NEW TORK	Program Title:		Wovesble Bestram was Upper Fruitland Chapter	wand Showe	المات (معمد) المراجد Division/Branch:	Div. of Comm. Develop.	velop.
Prepared By:	Alvis Kee	Phone No.:	No.:	505.960.5032	Email Address:	. akee	akee@nnchapters.org	
PART II. FUNDING SOURCE(S)	Fiscal Year /Tem	Amount	% of Total	PART III. BUDGET SUMMARY	Fund	(A) NNC Approved	(B)	(C) Difference o
ARPAFunds	12/24/2010	\$ 175,005.00	100%			Original Budget	<b>Proposed Budget</b>	To1
				2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				•
				4000 Supplies				
				5000 Lease and Rental				•
				5500 Communications and Utilities	SS			
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions	9		200	200
				8000 Public Assistance				
				9000 Capital Outlay	9		175,000	175,000
				9500 Matching Funds				
				9500 Indirect Cost				_
					TOTAL	\$0.00	175,500	175,500
				PART IV. POSITIONS AND VEHICLES	LES	(D)	(E)	
				Total # of Positions Budgeted:	ns Budgeted:	0	0	
	TOTAL:	TOTAL: \$ 175,60.00	% 001	Total # of Vehicles Budgeted:	les Budgeted:	0	9	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONT	EDGE THAT THE IN	FORMATION CO	NTAINED !	TAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	PLETE AND AC	CURATE.		
SUBMITTED BY:	Sonlatsa Jim-Martin	n-Martin		APPROVED BY:	Δ	Dr. Pearl Yellowman		
	Program Manager's Printed Name	s Printed Name			<b>Division Directo</b>	Division Director / Branch Chief's Printed Name	nted Name	
<b>a</b>	Program Manager's Signature and Date	ignature and Dat		- Ceas	My Llan sion Director I	División Director / Branch Chief's Signature and Date	ure and Date	
					/			

Page\_2\_\_of\_3\_\_ BUDGET FORM 2

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

2023

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4th QTR Morechle Restronand Shows som bo Goal යු Gen Office Control 13.16.22
Univision DifectoriBranch Chief's Signature and Date Actual Division Director/Branch Chief's Printed Name 3rd QTR Upper Fruitland Chapter Goal 22 Dr. Pearl Yellowman Actual 2nd QTR Goal ය Actual PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. 1st QTR Goal Program Name/Title: To provide residents with an opportunity to use restrooms and showers during pandemic To provide citizens with the quality of life necessary to get through the COVID-19 Pandemic PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: Program Manager's Signature and Date To purchase a six-station restroom/shower combination trailer Program Manager's Printed Name Sonlatsa Jim-Martin 7,02 1 PART III. PROGRAM PERFORMANCE CRITERIA: Program Performance Measure/Objective: PART I. PROGRAM INFORMATION: **Business Unit No.:** 4. Goal Statement: 5. Goal Statement: 1. Goal Statement: 2. Goal Statement: 3. Goal Statement:

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 24<sup>th</sup> 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

# FRUI 2022-12-305

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 reso	plution was approved by the	Upper Fruitland
Chapter at a duly special called meeting held at	Upper Fruitland Chapter (Nav	raio 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 11 <sup>th</sup> day	of December 2022.	
Apple Elity	Lisa Byr	d
Lynelle Etsitty, President	Lisa Byrd, Vice-President	
Don	THE	
Dora Smith, Secretary/Treasurer	Rickie Nez, Council Delegate	

Page\_3\_\_of\_\_ BUDGET FORN

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

2023

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Total by
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(LOD 4) 175,00 175,500 **\$** | 75,600 500 DETAILED Object Code (FOD 6) Total by 中 TOTAL **Business Unit No.:** 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 Clean Water: Decentalized Wastewater - ARPA Septic Syste Clean-out or Replacement program. This project will consist of contracting several septic homes to ensure dean water can exit as wastewater. This cleaning, replacement or installation of septic/leach systems will directly address one of the major 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 neathy flestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus. 6220 Novemble Restroom Shower Object Code Description and Justification (LOD 7) Advertisement for professional vendors capable of fullfilling this project in accordance with Procurement Procedures Upper Fruitland Chapter **B** Purchase a six station restroom and shower combo trailer PART I. PROGRAM INFORMATION: Program Name/Title: PART II. DETAILED BUDGET: /ehicle R&M - External Special Transactions Specialized Vehicles Printing Advertising (FOD 6) Object Code 7000 6410 6430 3

# THE NAVAJO NATION PROJECT BUDGET SCHEDULE

Page of PROJECT FORM

PART I. Business Unit No.: New										PART II.			Project	Project Information	ation	
Project Title: Combination Restroom and Shower trailer	estroom and Sho	wer trailer								Project Type:	Jae:	S	Combination trailer	trailer		١
Project Description To purchase a combination restroom and shower trailer to be towed to various locations in the Upper Fruitland community for citizens Planned Start Date:	e a combination	restroom and show	rer trailer to be	towed to various la	cations in the U	pper Fruil	fland com	munity fo	r citizens	Planned	Start Date				1/9/202	202
to properly maintain their hygiene needs	ne needs									Planned	Planned End Date:		12/31/2026	920		
Check one box:	Original Budget	get Budget F	et Revision	Budget Reallocation		Budget Modification	lification			Project	Project Manager.	Alvis Kee	Kee			
PART III.	PART IV. US	Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.	Quarters to co	nplete the informa	tion below. 0 =	Oct.; N=	Nov.; D	- Dec., e	<u>:</u>			ŭ ŭ	) pacted (	Expected Completion Date if	tion Dat	:=
List Project Task separately, such		FY					F					i E	ject ex	project exceeds 8 FY Qtrs.	FYQ	2
as Fian, Design, Consured, Equip or Fumish.	1st Ofr.	2nd Qtr.	3rd Otr.	4th Ofr.	1st Otr.	72	2nd Otr.	310	3rd Otr.	40	4th Otr.	_	Date			7
Finance (securing funding)	о 2 0	J XXX XXX	۲ ۷	3	Ω Ν Ο	7	F	∢	۲ M	Jul	S	0	Z	r a	<u></u>	Σ
Planning & Design															•	
Contracting Proceduremet Process		XX	XX XXX	xxx xxx xxx xxx xxx xxx xxx					-							
Contract Completed					XX XX XX	8										
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PART V.	\$	S	€	€	\$		- €		\$			1_	-\g	PROJECT TOTAL		
Expected Quarterly Expenditures	0.00	50,000.00	125,000.00	00:00	0.00		0.00	°	0.00	0	0.00		\$	\$175,000.00	8	
FOR OMB USE ONLY: Resolution No.	on No:	E.	FMIS Set Up Date:			Company No:	Ş.			NO	OMB Analyst:					



# **Restroom Trailers**

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

Wed, Aug 24, 2022 at 11:27 AN

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]



# **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 Ch	apter
Title of Project: Heavy-Duty Truck	<del></del>
Administrative Oversight: <u>Division of Comm</u>	unity Development
Amount of Funding Requested: \$100,000	
Eligibility Determination:	
☐ FRF eligible	
☐ FRF ineligible	
☐ Additional information requested	
FRF Eligibility Category:	
	☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue	☐ (4) Water, Sewer, Broadband Infrastructure
U.S. Department of Treasury Reporting Expe	nditure Category: 1 14 Other Public Health

Services	
Returned for the following reasons (Ineligibility Re Procedures):	asons / Paragraphs 5. E. (1) - (10) of FRF
☐ Missing Form	☐ Expenditure Plan incomplete
☐ Supporting documentation missing	☐ Funds will not be obligated by
☐ Project will not be completed by 12/31/2026	12/31/2024
☐ Ineligible purpose	☐ Incorrect Signatory
☐ Submitter failed to timely submit CARES reports	☐ Inconsistent with applicable NN or
☐ Additional information submitted is	federal laws
insufficient to make a proper determination	
This project is connected with the project titled Moves found eligible at HK0349. Specifically, the heavy-duty will be used to move the restroom/shower equipment. Generally been updated for consistency.	truck that will be purchased under this project
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.

AFFENUIA A

Based upon the funding, the projession date will be December 3 1, 2026 with all funds being incumbered before December 31, ∠024. 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.
(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 fails 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 healthler 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.
List here all additional supporting documents attached to this FRF Expenditure Plan (or Indicate N/A):
Chapter resolution # FRUI-2022-12-305
Part 4. Affirmation by Funding Recipient.
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. C.IV-41-21, the ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:  Chapter's Preparer:  Approved by:  Approved by:  Approved by:  Approved by:  Approved to submit  For Review:  Approved to submit
Approved to submit Startym NNF725-5

- Page 2 of 2 -

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# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

				Heavy	Duty	Truck			
PART L. Business Unit No.:	New	Program Title:		Upper Fruitland Chapter -8.1 & 7.1	187.1		Division/Branch:	Executive	
Prepared By: Alvis Kee, C	Alvis Kee, Chapter Manager	Phone	88.	(505) 960-5032	Email Address:	dress:	akee(	akee@nnchapters.org	
PART II. FUNDING SCHRCE(S)	Fiscal Year	Amount	% of	DART III BIIDGET SIIMMARY		E de la company	(A)	( <u>a</u> )	5
ARPA FUNDS .		\$ 130,000.00	100%			Code	NNC Approved Original Budget	Proposed Budget	Virretence
				2001 Personnel Expenses					
				3000 Travel Expenses					,-
				3500 Meeting Expenses		_			
				4000 Supplies					
				5000 Lease and Rental					
				5500 Communications and Utilities	Utilities				
				6000 Repairs and Maintenance	ınce				
				6500 Contractual Services					
				7000 Special Transactions			•		
				8000 Public Assistance					
				9000 Capital Outlay		9		100,000	100,000
				9500 Matching Funds					
				9500 Indirect Cost					
						TOTAL	\$0.00	100,000.00	100
				PART IV. POSITIONS AND VEHICLES	VEHICLES	'	(Q)	(E)	L,
				Total # of F	Total # of Positions Budgeted:	geted:	6	. <b>Q</b>	
	TOTAL	TOTAL: \$100, 500.00	16001	Total # of	Total # of Vehicles Budgeted:	geted:	٥	. 0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	GE THAT THE IN	ORMATION CON	TAINED	N THIS BUDGET PACKAGE IS	COMPLETE	AND AC	CURATE.		
SUBMITTED BY:	Sonlatsa Jim-Martin	-Martin		APPROVED BY:		ŏ	Dr. Pearl Yellowman		
	Program Manager's Printed Name	Printed Name			Division	Directo	Division Director / Branch Chief's Printed Name	inted Name	
Cer	Program Manager's Slowfling and Da	Carolina and Date	12/19/2022	**	Division	rector	Division Director Branch Chief's Signature and Date	16.22 Iture and Date	
	O Constitution	Burning Miles							

Page 2 of 3 BUDGET FORM 2

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2023

4th QTR Upper Fruitiand Chapter 6.1 8.7.1 (PUC) POSE Duty Goa ജ Heavy 3rd QTR al Actual Division Directoriffanch Chief's Signature and Date Division Director/Branch Chief's Printed Name Goa ജ Dr. Pearl Yellowman 2nd QTR Goal ន 1st QTR Gosl Actual PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. Program Name/Title: To use vehicle for towing combination restroom and shower trailer for citizens sanitation needs The Navajo Nation Chapters Plan of Operation in reference to Title 26 of the Navajo Nation Code PART II. PLAN OF OPERATIONRESOLUTION NUMBER/PURPOSE OF PROGRAM: 12/19/2022 Program Manager's Signature and Date Program Manager's Printed Name Sonlatsa Jim-Martin PART III, PROGRAM PERFORMANCE CRITERIA: Program Performance Measure/Objective: PART I. PROGRAM INFORMATION: To purchase a heavy duty truck **Business Unit No.:** 5. Goal Statement: 1. Goal Statement: 4. Goal Statement: 2. Goal Statement: 3. Goal Statement:

Page 3 of 3 BUDGET FORM 4

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

FY 2023

100,000 MAJOK Object Code 100,000 Total by (LOD 4) 100,000 100,000 DETAILED Object Code Total by (LOD 6) 9 New TOTAL **Business Unit No.:** sanitation deficiences connected to the large volume of COVID-19 outheast 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 nealthy Efestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus as Clean Water. Decentalized Wastewater - ARPA Septic Syste Clean-out or Replacement program. This project will consist of contracting several septic nomes to ensure dean water can exit as wastewater. This dearning, replacement or installation of septicileach systems will directly address one of the major system cleaning entities to clean out the domestic wastewaler systems already in place. The project will also be to replace or install leach field systems to Heary Duty Truck Project Upper Fruitland Chapter - 6.1 8.7.1 Object Code Description and Justification (LOD 7) neavy duty truck tows the combination restroom and trailer to strategic sites through the community. 9 Purchase a heavy-duty truck with towing package PART I. PROGRAM INFORMATION: Program Name/Title: PART II. DETAILED BUDGET: /ehicle R & M - External Automobile (LOD 6) Object Code 6410 6420 

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

Page \_1\_ of \_ PROJECT FOI

PART I. Business Unit No.: New		1																	2	PART II.			S.	Project Information	forma	tlon	
Project Title: Upper Fruitland Chapter - Heavy Duty Truck	Chapter - Hea	ay D	A To	송									1					İ	7	Project Type:	ğ	矛	Heavy Duty Truck	ty Truc	송	j	ı
Project Description To purchase a vehicle capable of towing a combination restroom and shower trailer, which will provide much needed sanitation needs Planned Start Date:	a vehicle cap	able (	of towir	gac	ombin	ation r	estroo	m and	show	er trail	er, whi	ch will	provi	de mu	ch ne	s pape	anitati	e L	<u>ह</u>	Spanned S	Start Dai	اق				1/9/20	~1
for community members without such facilities at their homes.	such facilities	s at th	eir hon	es.															<u>F.</u>	anned E	Planned End Date:	_   			ï	12/31/20	~
Check one box:	J Original Budget	udget	_	П	Budget Revision	evisio	_	☐ Budget Reallocation	dget R	ealloca	ıtion		Budge	Budget Modification	ificatio	5			Ą.	oject M	Project Manager:		Alvis Kee				
PART III.	PART IV. 1	Jse Fi	Scal Y	ear (F	Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.	arters	lo con	plete	the inf	ormati	pe pe	O ≷	ő	t; N=	Nov.;	0=0	ec., et					٦	Expected Completion Date	Col	nolelic	Da Da	•
List Project Task separately, such				Ŧ		ı										۲		ļ					project exceeds 8 F	excee	ds 8	L.	بسوي
as Fran, Design, Consuror, Equip or Fumish.	1st Ofr.		2nd Otr.	Qtr.		3rd Otr.	ţ.		4th Qtr.	٠	-	1st Ofr.		2	2nd Off.		34	3rd Otr.		4th Otr.	Öţ.	Date.	60	12	12/31/2026		<u> </u>
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Planning & Design														······································	·						·						
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Contract Completed						×	ğ	<u>,</u>												*							
Construction																								×		:-	
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PART V.	s			8	Н	\$		Ц	જ			<b>5</b>	П		S	Н		S		S			PR	PROJECT TOTAL	T TOT	AL	
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FOR OMB USE ONLY: Resolution No:	n No:				FMIS	FMIS Set Up Date:	p Date						S	Company No:	 				ı	OMB	OMB Analyst:						, ,

The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
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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;
- Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governancecertification 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 24<sup>th</sup> 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
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04	Warehouse	6.1 & 1.7	500,500.00
05	Cemetery; Rose Garden	6.1	100,500.00

# FRUI 2022-12-305

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 re	esolution was approved by the	ne Upper Fruitland
Chapter at a duly special called meeting held	at Upper Fruitland Chapter (Na	avajo nation), new
Mexico. A motion to approve was made by _	Robert Allen	and seconded
by Robert Harrison and the	ne same was passed by a vote o	of <u>22</u> in favor,
opposed, abstained, this 11 <sup>th</sup> o	lay of December 2022.	
Smel Tit	Lisa By	nd_
Lynelle Etsitty, President	Lisa Byrd, Vice-President	
Don		
Dora Smith, Secretary/Treasurer	Rickie Nez, Council Delega	te

Scannad with Campanan



# 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:  FRF eligible FRF ineligible Additional information requested
FRF Eligibility Category:
(1) Public Health and Economic Impact (2) Premium Pay (3) Government Services/Lost Revenue (4) Water, Sewer, Broadband Infrastructure
U.S. Department of Treasury Reporting Expenditure Category:  5.5 Clean Water: Other Sewer Infrastructure

# Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures): Missing Form Expenditure Plan incomplete Supporting documentation missing Funds will not be obligated by Project will not be completed by 12/31/2026 12/31/2024 Ineligible purpose Incorrect Signatory Inconsistent with applicable NN or Submitter failed to timely submit CARES reports Additional information submitted is insufficient federal laws to make a proper determination Other Comments: Name of DOJ Reviewer: Navalyn R. Platero Ryper perfor Signature of DOJ Reviewer:\_

## Disclaimers:

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 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 Upper Fruitland Chapter requesting FRF:	Date prepared: Dec 1, 2022
	phone & email: (505) 950-5032 upperformand@nava)ochapters org
Chapter's Upper Fruitland Chapter mailing address: P.O. Box 1257 Fruitland, NM	website (frany): www.upperfruitland.org
This Form prepared by: Alvis Kee	phone/email: <u>(</u> 505) 960-5032
Manager  CONTACT PERSON'S name and title	akee@nnchapters.org
Title and type of Project: Leach Fields	CONTACT PERSON'S Info
Chapter President Lynelle Etsitty	phone & email: (520) 208-0201 Icetsitty@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
Amount of FRF requested: 220,500.00 FRF funding period: Ja	a
Part 2. Expenditure Plan details.	
(a) Describe the Program(s) and/or Project(s) to be funded, including how and what COVID-related needs will be addressed:	· · · · · · · · · · · · · · · · · · ·
There is no wastewater treatment plant for many restor leach field replacement or installation for Upper Fwill provide sewage removal, replacement or installation of the need for clean water to exit as waste water. The field systems will ultimately address one of the major outbreak of COVID-19 upon the Navajo Nation.	ruitland community members homes. The project ation of leach field systems to residences because the cleaning, replacement or installation of leach r sanitation deficiencies affiliated with the high
	document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Nation, Nation is a large number of residences on the Navajo following utilities; electricity, water, wastewater and be these utilities to improve upon their quality of life. The necessary for homes upon the Navajo Nation, impropromoting public health and economic stimulus.	o Nation which lack access to one or more of the proadband. Residents of the Navajo Nation require also project will address one of the utility services bying the water and wastewater systems and thus
(c) A prospective timeline showing the estimated date of completion of that may prevent you from Incurring costs for all funding by December or Project(s) by December 31, 2026:	he Project and/or each phase of the Project. Disclose any challenges r 31, 2024 and/or fully expending funds and completing the Program(s)

- Page 1 of 2 -

APPENDIX A

Based upon the funding, the project completi incumbered before December 31, 2024. The the phase goals per quarter of funding period	on date will be December 31, 2026 with all funds being Navajo Nation Budget forms are attached and illustrate
. I die phase goals per quarter of funding penod	•
·	
(d) Identify who will be responsible for implementing the Progra	□ document attached
The Chapter Manager will be delegated the r	esponsibility for budgeting, procurements, liaison with
various entities and local citizens on progress completed applicable to this project.	s up until the project and required documentations are
(a) Frelate who will be a similar to the similar to	☐ document attached
prospectively.	ance costs for the Project once completed, and how such costs will be funded
The task of maintaining their septic tanks will Chapter will only plan, coordinate, maintain re selected to clean out the septic systems.	remain with the residential owner. The Upper Fruitland cords and liaison with the company or companies
	☐ document attached
(f) State which of the 66 Fiscal Recovery Fund expenditure cate proposed Program or Project falls under, and explain the reason	egories in the attached U.S. Department of the Treasury Appendix 1 listing the
Categories: WATER AND SEWER 5.3 Decen	tralized Wastewater Collection and Conveyance.
the conditions that contributed to the poor hea concentrating in areas with limited economic of assistance building healthier environments su conducive to mental and physical weliness. The Pandemic and role of pre-existing social vulne the pandemic. The leach fields will support a h	rabilities are responsive to the public health impact of nealthier environment. Access to government services owth and increase the quality of life and healthcare
	☐ document attached
Part 3. Additional documents.	
List here all additional supporting documents attached to this FF	RF Expenditure Plan (or indicate NA):
Chapter resolution # 2022-12-305	
	☐ Chapter Resolution attached
Part 4. Affirmation by Funding Recipient.	
Funding Recipient affirms that its receipt of Fiscal Recovery Fund with Resolution No. CJY-41-21, the ARPA Regulations, a	is and the implementation of this FRF Expenditure Plan shall be in accordance and with all applicable federal and Navajo Nation laws, regulations, and policies:
Chapter's	Approved by Marille Estate
Preparer: Strategy of Preparer: Person	a sure of Outro processing or with resident
Approved by:	Approved by:
7(7	Approved to submit
·	for Review.

Page _	_1_	of_	_3_
BUDG	ET F	OR	M 1

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY \_\_\_2023\_\_\_\_

PART I. Business Unit No.:	New	Program Title:		Upper Fruitland Chapter	Fred	Division/Branch:	Executive	
Prepared By: Alvis Kee,			No.:		il Address:	akee	@nnchapters.org	
PART II. FUNDING SOURCE(S) FISCAL RELEVENY Funds	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
				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	220,000	220,000
				7000 Special Transactions	6	0	500	500
	l			8000 Public Assistance				
				9000 Capital Outlay	1			
				9500 Matching Funds				
				9500 Indirect Cost				
					TOTAL	\$0.00	220,500.00	220,500
				PART IV. POSITIONS AND VEHICLES	3	(D)	(E)	_
		220 021-		Total # of Positions	Budgeted:			
	TOTAL:	230.800	100%	Total # of Vehicles				
PART V. I HEREBY ACKNOWLED	SETHAT THE INI	FORMATION CON	ITAINED I	N THIS BUDGET PACKAGE IS COMPLE	TE AND AC	CURATE.	_	
Pr	ogram manager s	Finited Name			A LUST	r / Branch Chief's Pr	inted Name	-
Progr	am Manager's Si	gnature and Date	31-	23 Division	Director /	3/3 Branch Chief's Signa	1/2023 ture and Date	-

Page \_2\_\_ of \_3\_ BUDGET FORM 2

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Y \_\_\_\_2023\_\_\_\_

PART I. PROGRAM INFORMATION:				T								
Business Unit No.: New	Program Name/Title:			<b>U</b> pp	er Fruitland	Chapter -	Leach Frele					
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE To clean out residential septic systems and/or replace deteriorating s												
PART III. PROGRAM PERFORMANCE CRITERIA:		141	QTR	200	QTR	3rc	QTR	4th	QTR			
ANT III. PROGRAMPERI ORIIIANOL ORITERIA.	į-	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actua			
1. Goal Statement:												
To contract cut leach field systems cleaning for 476 homes in Upp	per Fruitland community											
Program Performance Measure/Objective:								· · · · · · · · · · · · · · · · · · ·	,			
To clean out leach field systems for 476 homes in Upper Fruitland	d community	125		125		125		101				
2. Goal Statement:												
To replace or upgrade 12 septic systems for various Upper Fruitla	and community homes											
Program Performance Measure/Objective:												
To install or upgrade 12 septic systems for various Upper Fruitlan	d community homes	3		3		3		3				
3. Goal Statement:												
Program Performance Measure/Objective;	Γ			1	I	1		1				
4. Goal Statement:												
Program Performance Measure/Objective:							· · · · · · · · · · · · · · · · · · ·					
5. Goal Statement:				1		1		11				
5. GOSt Statement												
Program Performance Measure/Objective:												
				1		1		1				
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION S ALAKAI, DODGY D Program Manager's Printed Name  2-3 Program Manager's Signature and Date	ATION HAS BEEN THOROUGHL Avector	Y REVIE	Division		Branch Chiefs	3/31/2	023					

2023	

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page \_3\_ of \_3\_ BUDGET FORM 4

	ROGRAM INFORMATION: Program Name/Title: Upper Fruitland Chapter Loch Field Business Unit No.:	New	-
' II. C	DETAILED BUDGET: (B)	(C)	(D)
ect de D 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	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 Kestyle. This project will at least address the water and wastewater utility services to homes while promoting public health and economic stimulus.		
510	Contractural Services Professoinal Services Contract services for cleaning ouit, replacing or installing leach field systems to homes for clean water to have a proper system where wastewater exits.	220,000	220,000
•	Special Transactions Printing Advertising Advertising to professional vendors capable of fulfilling this project in accordance with Producement	500	( 500
	TOTAL	220 500	220,500

# THE NAVAJO NATION PROJECT BUDGET SCHEDULE

Page \_1\_\_ of \_\_1\_.
PROJECT FORM

· · · · · · · · · · · · · · · · · · ·					,								15.																	
PART L Business Unit No.: New																						PAR	T IL			Proje	ct Info	rmat	on	
Project Title: Upper Fruitian	d Cha	pter -	Leach	Field																_		Proje	ct Typ	e:	Lead	h Field	1			
Project Description This project	t cons	ist of	contra	cting	for lea	ch fiel	d dea	ning,	relace	ment	or ins	tallatk	on ser	vices	for Up	per Fi	uitian	d com	munit	y memt	pers	Plans	ned Sta	at Date	<u></u>				1/9/2	023
The completion of the project v	vill pe	mit m	any o	utlying	home	s with	dea	n wate	r to e	xit as	waste	water									_	Plans	ned En	d Date:				12	/31/2	026
Check one box:	<b>9</b>	Orlgina	l Budg	get		Budg	et Rev	dsion	C	Buc	iget R	ealloc	ation		Budg	et Mo	dificat	tion				Proje	ct Mar	ager.	AMs	Kee				
PART IIL	PAR	T IV.	Use	Fisc	al Yea	r (FY)	Quar	ters to	com	olete t	he inf	rmat	ion be	low. (	0=0	a;N	= Nov	.; D =	Dec.,	elc.					ı Ex	pecter	d Com	pletio	n Dati	 9 B
List Project Task separately; such as Plan, Design, Construct, Equip						FY_												FY		<del>-</del>					pr	oject e	XC860	8 8 F	Y Qt	S-
or Furnish.		1st Qt	r.	;	and Qt	r.	;	3rd Qt	r.		4th Qt	r		1st Qt	r	2	nd Qt	r	3	and Qtr.			4th C	r.	Date	,	12/3	31/202	$\overline{}$	
Finance (securing funding)	0	N	D XXX	) XXX	F XXX	M	A	М	J	Jul	A	S	٥	N	Đ	J	F	М	A	М	J	Jul	۸	S	°	N	D	J	F	М
Planning & Design					xxx	xx																								
Contracting Proceduremet Process							ххх	хх	xxx																					
Contract Completed										xxx	xxx	xxx															i 			
Construction													xx	xxx	xxx	xxx	xxx	xxx	ххх	xxx	×	xxx	xxx	xxx			xx		(	-
	1					<u>L</u>					L	L	<u> </u>	Ļ		┞-	<u>_</u>	<u></u>	<del> </del>	<u> </u>			<u> </u>		╁╌	PR	OJEC	T TO	ſAL	
PART V.	匸	\$		匚	\$			\$_		├-	\$		+-	\$	~	-	0.000.	<u></u>	١,	0.000.00	, 1		30,000	.00			\$220,	500.00	,	
Expected Quarterly Expenditures	<u></u>	500.0	00	1 3	5,000	.00	3	5,000	00	3	0,000.	00	1 3	0,000	.00	1 3	,000.		<u>'</u>											_

con assesses assign Doenlidian No.

FMIS Set Up Date:

OMB Analysi:



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

### 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

Highway,
mile marker
right down the hiil from
stop light, 1st cattlegaurd to
the left, is the road to her
house, 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.

Description Quantity Your Price Your Total Task# REPLACEMENT OF EXISTING SEPTIC SYSTEM: 1.00 \$7,289.00 \$7,289.00 **SEPMOD** 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. RECIEVED

OCT 15 2020 - CONNECT NEW SEPTIC SYSTEM TO EXISTING HOMES DRAIN LINE. TO EXCLUDE: - ADDITIONAL WORK NOT MENTIONED. SEPTIC SYSTEM #1 - 1000 GALLON TANK, PRECAST OR PLASTIC. UPPER FRUITLAND CHAPTER - 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 Potential Savings \$0.00 \$7,289.00 Sub-Total \$601.34 Τax \$7,890,34 Total 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

NOTE: Credit card payments will be charged and additional 3% processing fee.

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 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 extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to extra charge over and above the estimate of the charge of the executed only upon written order, and will be executed only upon written order.

The Navajo Nation
Upper Fruitland Chapter
P.O. Box 1257
Fruitland, New Mexico 87416
(505) 960-5032/9311
Fax: (505) 960-5033
Upperfruitland@Navajochapters.org



Rickle Nez, Council Delegate
Lyncile 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 24<sup>th</sup> 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

# FRUI 2022-12-305

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
		RAND 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 re Chapter at a duly special called meeting held a Mexico. A motion to approve was made by	at Upper Fruitland Chapter (Navalo Nation).	New
by <u>Robert Harrison</u> and th <u>0</u> opposed, <u>1</u> abstained, this 11 <sup>th</sup> d	e same was passed by a vote of 22 in fa	naea avor,
Lynelle Etsitty, President	Lisa Byrd, Vice-President	
Dora Smith, Secretary/Treasurer	Rickle 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:  ✓ 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:  6.1: Provision of Government Services

Returned for the following reasons (Ineligibility Reprocedures):	easons/Paragraphs 5.E.(1)-(10) of FRF
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 -05'00'

### 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.

or Project(s) by December 31, 2026:

Governance-Certified Chapter Upper Fruitland Chapter requesting FRF:	Date prepared: Dec 9, 2022
Chapter's P.O. Box 1257 mailing address:	phone & email: (505) 960-5032 upperfulfand@navajochapters.org
mailing address:	website (frany): www.upperfruitland.org
This Form prepared by: Alvis Kee, Manager	phone/email: (505) 960-5032
CONTACT DESIDOUR	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 Icetsitty@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 I	
Estipes di cascinascio di casicopioni dall'ili so pata meri i a	document attached
Amount of FRF requested: 100,500.00 FRF funding period: Ja	ν,
Amount of PRF requested PRF fullding period	Indicate Project starting and ending/deedline date
Part 2. Expenditure Plan details.	
(a) Describe the Program(s) and/or Project(s) to be funded, including how and what COVID-related needs will be addressed:	with the funds will be used, for what purposes, the location(s) to be served,
This project requires rehabilitation of a debilitated fer	ncing around the Rose Garden Cemetery which
the Chapter is responsible for and has reached its ca The fencing previously installed was an old barbed v	apacity as a result of the COVID-19 Pandemic.
been either missing or worn down. In addition it is loo	cated just east of the Northern Edge Casino and
Therause it is a visual scar, a large dirt herm was ere	cted between the casino and the cemetery.
Therefore to improve upon the cemetery a presental those families who lost love ones as a result of this F	Pandemic. Solution and attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	
The location of the comptent just east of the Norther	n Edge Casino affects the Navajo Nation
economic because there are many Navajo citizens respect for those who have made their journey into	espect for their traditional upplinging of showing of
Inf hurial grounds. The replacement of the cemetery:	s exterior appearance which is much more
acceptable to the Navajo People and will improve up	oon the Navajo Nation's economy at it's casino.
(c) A prospective timeline showing the estimated date of completion of t	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)

	APPENDIX A
Based on the funding, the project end date will be incumbered before December 31, 2024. Navajo to per quarter of funding period.	December 31, 2026 with all funds being Nation Budget form 2 are attached for phase goals
	☐ document attached
(d) Identify who will be responsible for Implementing the Program or I	Project:
The Chapter Manager will be delegated the responsitions entities and local citizens on progress up completed applicable to this project.	onsibility for budgeting, procurements, liaison with until the project and required documentations are
(e) Explain who will be responsible for operations and maintenance prospectively:	costs for the Project once completed, and how such costs will be funded
The Upper Fruitland Chapter has and will continu	e to be responsible for the operations and dditional cost or recurring cost should be incurred by
	☐ document attached
proposed Program or Project fails under, and explain the reason why	
Categories: REVENUE REPLACEMENT: 6.1 - F	rovision of Government Services
public assistance building healthier environments communities conducive to mental and physical withe Pandemic and role of pre-existing social vulne of the pandemic. The Rose Garden cemetery will	or health and economic outcomes during the economic opportunites and connecting reidents with such as: government services to support ellness. The exacerbation of health disparities during erabilities are responsive to the public health impact support a healthier enrivonment. Access to economic, social growth and drastically increase the
Dest 2 Additional desurrents	☐ document attached
Part 3. Additional documents.  List here all additional supporting documents attached to this FRF E	Sympaditum Plan (or indicate NIA):
Chapter resolution # 2022-12-305	Apendiane Flair (or indicate tory).
Onaple: 1630idd011 # 2022-12-303	
	Chapter Resolution attached
Part 4. Affirmation by Funding Recipient.	
with Resolution No. CJY-41-21, the ARPA ARPA Regulations, and v	nd the implementation of this FRF Expenditure Plan shall be in accordance with all applicable federal and Navajo Nation laws, regulations, and policies:
Chapter's Preparer:  Ar  Ar  Ar	proved by: A Provider Products for Non-Products
Approved by: Appro	proved by: I that the
stansture of Charter Manager or CSC	poroved to submit
•	for Review:

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Page\_1\_\_of\_3\_\_ BUDGET FORM 1

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

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Difference or 100,500 100,000 Total 200  $\odot$ Executive Proposed Budget akee@nnchapters.org 100,500.00 100,000 Division Director / Branch Chief's Signature and Date 500 ω <u>(B</u> Division Director / Branch Chief's Printed Name Division/Branch: Salvin Castillo, Directon Original Budget NNC Approved \$0.00 9 PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. (lase Upper Fruitland Chapter Renefers Exides TOTAL Total # of Positions Budgeted: Total # of Vehicles Budgeted: Email Address: Fund Type Code ဖ 9 PART IV. POSITIONS AND VEHICLES 5500 Communications and Utilities PART III. BUDGET SUMMARY 5000 Repairs and Maintenance 7000 Special Transactions 6500 Contractual Services 2001 Personnel Expenses 3500 Meeting Expenses 8000 Public Assistance 5000 Lease and Rental 3000 Travel Expenses 9500 Matching Funds APPROVED BY: 9000 Capital Outlay 9500 Indirect Cost 505) 960-5032 4000 Supplies 0/001 % of Total %ba Phone No.: SUBMITTED BY: JAMPS ACJAKAI, DUDUTY DIYLLTON 5.3 Program Manager's Signature and Date Program Title: Program Manager's Printed Name 00,00 Amount 8:83 100,500 1/6/23-13/26 Alvis Kee, Chapter Manager TOTAL: Fiscal Year Лет New PART II. FUNDING SOURCE(S) Asal llocoven Fund PART I. Business Unit No .: Prepared By:

Page 2 of 3. BUDGET FORM 2

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2023

Actual Upper Fruitland Chapter. Cemosery Rose Golden 4th QTR Goal Actual Division Director/Branch Chief's Signature and Date CAlvin Cashillo, Director
Division Director/Branch Chief's Printed Name 3rd QTR Goal Actual 2nd QTR Goal Actual PART IV. I HEREBY ACKNOWLEDGE THAT THE ABON'E INFORMATION HAS BEEN THOROUGHLY REVIEWED. 1st QTR To upgrade and improve upon the Rose Garden Cemetery which has many COVID-19 victims final resting place Goal Program Name/Title: To provide funds for the rehabilitation of the Rose Garden cemelery in Upper Fruitland To improve upon the appearance of the cemetery where many COVID-19 victims rest PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: James Adakod, Uguty Director Program Managet's Signature and Date Program Manager's Printed Name PART III. PROGRAM PERFORMANCE CRITERIA: Program Performance Measure/Objective: Program Performance Measure/Objective: Program Performance Measure/Objective: Program Performance Measure/Objective: New Program Performance Measure/Objective: PART I. PROGRAM INFORMATION: **Business Unit No.:** 3. Goal Statement: 4. Goal Statement: 5. Goal Statement: 2. Goal Statement: 1. Goal Statement:

Page 3 of 3 BUDGET FORM 4

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. F	PART 1. PROGRAM INFORMATION: Program Name/Title: Upper Fruitland Chapter $Combley$ $Cocced$ Business Unit No.:	New	
PART II. (A)	DETAILED BUDGET: (B)	(2)	(a)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	i otal by MAJOR Object Code (LOD 4)
	Revenue Replacement Provision of Government Services - ARPA Chapter Cemetery Project. This Upper Fruitiand 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 outbreezk on the Navejo 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 Landscaping Services The project will provide a comprehensive rehabilitation of the cemetery i.e. replacement of exterior boundaries and entrancelexit control gate.	100,000	100,000
7000	Special Transactions Printing Advertisement Advertisement for potential vendors for projct in accordance with Procedures.	9009	900
	TOTAL	100,500	100,500

PROJECT BUDGET SCHEDULE THE NAVAJO NATION

Page 1\_of 1\_ PROJECT FORM

12/31/2026 : 1/9/2023 Expected Completion Date if project exceeds 8 FY Qtrs. L Project Information 12/31/2026 Rose Garden Cemetary ۵ z Alvis Kee Date 0 Planned Start Date: Planned End Date: Project Manager: š တ 4th Ofr. Project Type: ⋖ PART II. 3 3rd Ofr. Σ Use Fiscal Year (FY) Quarters to complete the Information below. O = Oct.; N = Nov.; D = Dec., etc. ٧ ₹ Σ Budget Modification 2nd Qtr. Project Description To upgrade the visual condition of the Rose Garden Cementy where many COVID-19 remains have been buried Ľ. \_ ۵ 1st Otr. z Budget Reallocation 0 XXX XXX XXX တ 4th Otr. V 3 XXX XXX XXX 3rd Oir. Budget Revision Z ⋖ Project Title: Upper Fruitland Chapter - Rose Garden Cemetary XXX 2nd Ofr. D J S Original Budget 1st Otr. PART IV. z 0 Contracting Proceduremet Process List Project Task separately, such as Plan, Design, Construct, Equip PART I. Business Unit No.: New Finance (securing funding) or Furnish. Check one box: Contract Completed Planning & Design Construction PART III.

OMB Analyst: Company No: 25,000.00 FMIS Set Up Date: 25,000.00 500.00 0.0 Resolution No: Expected Quarterly Expenditures FOR OMB USE ONLY:

PROJECT TOTAL

\$100,500.00

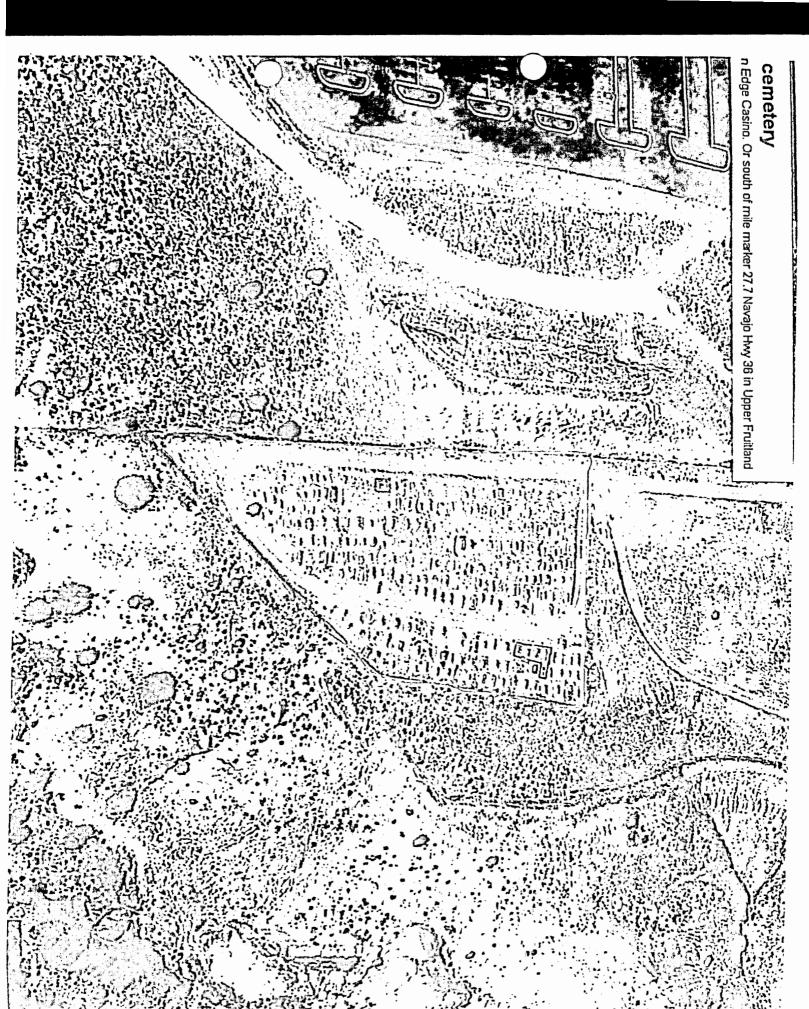
89

**9**.8

25,000.00

25,000.00

PART V.



#### 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;
- Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governancecertification 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 24<sup>th</sup> 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

#### FRUI 2022-12-305

06	Cemetery; Upper Fruitland Community	6.1	370,556.67
	G	RAND 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 rese	olution was approved by the	Upper Fruitland
Chapter at a duly special called meeting held at	Upper Fruitland Chapter (Nav	aio Nation) New
mexico. A motion to approve was made by	Robert Allen	and seconded
by <u>Robert Harrison</u> and the	same was passed by a vote of	22 in favor.
0 opposed, 1 abstained, this 11 <sup>th</sup> day	of December 2022.	
Aprillo IIII	Lisa Byra	1
Lynene Lisitty, President	Lisa Byrd, Vice-President	
Dora Smith Same Tr		
Dora Smith, Secretary/Treasurer	Rickle Nez Council Delegato	



## 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
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
I. C. D
U.S. Department of Treasury Reporting Expenditure Category:  1.14, Other Public Health Services

Procedures):	easons/Paragraphs 5.E.(1)-(10) of FRF
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:	
	MA III
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 & EXPL TURE PLAN FUN GOVERNANCE-CERTIFIED CHAPTERS

### Part 1. Identification of parties.

Governance-Certified Chapter Upper Fruitland Chapter requesting FRF:	Date prepared: Dec 9, 2022
Chapter's P.O. Box 1257 Fruitland, NM 87416 mailing address:	phone & email: (505) 960-5032 upperfruitland@navajohaptersorg
mailing address:	website (frany): www.upperfruitland.org
This Form prepared by: Alvis Kee, Chapter Manager	,
	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   cetsitty@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):
<u> </u>	document attached
Amount of FRF requested: 500,500.00 FRF funding period:	111123 - 12131124
	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.

(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

L(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, 2020 with all funds being incumbered before December 31. D24. The Navejo Nation Budget for a sare attached and illustrate the phase goals per quarter of funding period.
	, and a 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 Fruitiand Chapter edministration will be tasked with the facility's maintenance while ensuring budgeting meets operational necessities.
	□ document attached
	(i) 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
ار	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.
1	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: Approved by Approved by
	et and a contract of the contr
	Approved by: Approved by: Approved by: Approved by:
	Approved to submit
,	for Rovisin.

-Page 2 of 2 -

## THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 3 BUDGET FORM 1

PART I. Business Unit N	lo.: New	Program Title:		Upper Fruitland Chapter - Warehouse		Division/Branch:	DCD/Execut	ve
Prepared By:A	lvis Kee, Chapter Manage	Phone	No.:	(505) 960-5032 Emai	l Address:	akee	@nnchapters.org	
PART II. FUNDING SOUR	Fiscal Year (CE(S) /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type	(A) NNC Approved	(B)	(C) Difference or
NN Fiscal Recovery Funds	1/1/23-12/31/26	50,500.	100%		Code	Original Budget	Proposed Budget	Total
				2001 Personnel Expenses				
				3000 Travel Expenses				
			l	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:	500,500	100%	Total # of Vehicles	Budgeted:	0	0	1
ART V. I HEREBY ACK	NOWLEDGE THAT THE IN	ORMATION CON	TAINED	N THIS BUDGET PACKAGE IS COMPLE	TE AND AC	CURATE.		
SUBMITTED BY:	James Adakai, De Program Manager's			APPROVED BY:		astillo, Executive Direc		-
	r rogram manager a		10	2101				
	Program Manager's Si	-6-2	1-6,	División División	Director	Branch Chief's Signa	06/16/2023	-

## THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page 2 of 3 BUDGET FORM 2

ART I. PROGRAM INFORMATION:								
Business Unit No.: New Program Name/	Title:		Upper	Fruitland C	hapter - W	arehouse		
ART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:	0-4-							
The Navajo Nation Chapters Plan of Operation is in reference to Title 26 of the Navajo Nation (	200e.							
ART III. PROGRAM PERFORMANCE CRITERIA:	Goal	QTR Actual	Goal Goal	QTR Actual	Goal	I Actual	Goal	QTR Actual
1. Goal Statement:	Gozi	Actual	Goal	Actual	Goai	Actual	Goai	Actual
	Th ante							ŀ
To provide funds for the development constrution of a new warehouse for Upper Fruitland C	napte							ĺ
Program Performance Measure/Objective:						T	T .	<del></del>
To assist the community and surrounding communities with governmental and emergency s	service 1	<u> </u>		1	<u> </u>		1	
2. Goal Statement:								
To								
Program Performance Measure/Objective:		1		T				<del></del> -
		l		l	l		<u> </u>	
3. Goal Statement:								
Program Performance Measure/Objective:								
		<u> </u>			<u> </u>	<u> </u>	l	
4. Goal Statement:								
								į
Program Performance Measure/Objective:								
		<u> </u>		<u> </u>	<u> </u>	L	<u> </u>	
5. Goal Statement:								
Program Performance Measure/Objective:					,	,		
			L		<u> </u>	<u> </u>	<u></u>	
ART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOR	OUGHLY REVIE	WED.						
James Adakai, Deputy Director				stillo, Execu			-	
Program Manager's Printed Name		Divisi	on Directo	Branch Ch	ers Prints	Name		
0 6-21-0						06/16/20	23	
Programofanager's Signature and Date		Division	Directolle	ranch Chief	's Signatu	re and Date		

## THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3 BUDGET FORM 4

	PROGRAM INFORMATION: Program Name/Title:	Upper Fruitland Chapter - Warehouse	Business Unit No.:	New	
PART II. (A)	DETAILED BUDGET:	(B)		(C)	(D)
Object Code (LOD 6)		Object Code Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	removing two old debilitating warehouse foot or higher square footage based on recovering from emergincy situations and on the Navajo Nation. The construction	Government Services - ARPA Chapter Wellness Project. This Upper Fruitland chapter warehous es and preparing the site for a siab on grade prefabricated aluminum metal and steel frame building fund availability. This warehouse will provide logistical support and assist in mitigating, preparing, re of improving community services. This warehous will address deficiencies connected to the large wo of this new wreehouse will be capable of meeting the needs of the Upper Fruitland community. This infrastructure such as mechanical equipmenet, plumbing, electricaletc. for the propere and effecti-	about 60 foot x 100 esponding and shume of COVID-19 is meaning a facility		
7000 7440	Special Transactions Print Advertising			[	
7440	Advertisement for project in accordance	with Procurement Procedures.		500	500
9000	Capital Outlay				
9052	Buildings Purchase of aluminum frame and steel	supports including stabs for about 60 foot x 100 foot or higher		500,000	500,000
<u> </u>	<u> </u>		TOTAL	500,500	500,500

# THE NAVAJO NATION PROJECT BUDGET SCHEDULE

#### Page 1 of 1 PROJECT FORM

PART I. Business Unit No.: New																						PAR	RT III.			Proje	ect Inf	orma	tion		]
Project Title: Upper Fruitland	d Cha	pter -	Warel	nouse	(6.1 F	Reven	ue Re	place	ment:	Provi	sions (	of Gov	/emme	ent Se	rvices	s)						Proje	ect Typ	e:	Ware	house	e build	ling			_
Project Description To remove	two o	ld sm	all wa	rehous	es an	nd inst	all a 6	0 fool	x 100	) foot	alumir	num m	netal fr	ame i	stee	l supp	ort bu	ilding.	This	buildir	ng will	Plan	ned St	art Date	2:				1/1/2	2023	
used to provide logistical suppo	ort and	d assi	st in m	nitigati	ng, pr	eparir	ıg, res	pondi	ng to	emerg	gencie	s whil	e impr	roving	upon	local	servic	es.				Płan	ned Er	nd Date:					12/31/	/2026	
Check one box:	ত্র	rigina	d Budg	et		Budg	et Rev	rision	[	Buc	iget R	ealloc	ation		Budg	et Mo	difica	tion				Proje	ect Ma	nager.	Alvis	Kee					
PART III. List Project Task separately; such	PAR	T IV.	Us	e Fisc	al Yea	r (FY)	Опа	ters t	com	plete	the inf	ormat	ion be	low.	0=0	ct.; N	= No	v.; D = FY		etc.							d Com				
as Plan, Design, Construct, Equip or Furnish.		1st Qt	tr.		nd Qt			3rd Q1	r.		4th Qt	r.		1st Q	г.		2nd Q		<del></del>	Grd Qt	r		4th Q	tr.	<del>                                     </del>	<u> </u>	/31/20		1 4		
Finance (securing funding)	0	N	D XXX	J XXX	F XXX	М	A	М	J	Jul	A	S	0	N	D	J	F	М	A	М	J	Jul	A	S	0	N	D	J	F	М	
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.		s	Ц_	نــــا	\$	_	-	<u> </u>		$\vdash$	<u> </u>		_	<u> </u>		-	<u> </u>	<u> </u>	-	\$		-	\$		닏	PR	OJEC	T TO	TAL	щ	1
Expected Quarterly Expenditures		500.00	)	300	0,000.	00	15	0,500.	00	49	,500.0	00					_			<u> </u>							\$500,				]

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:

- 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;
- Under 26 N.N.C. §1(B), the Upper Fruitland Chapter received further governancecertification 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

#### FRUI 2022-12-305

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 res		
Chapter at a duly special called meeting held at Mexico. A motion to approve was made by		
by <u>Robert Harrison</u> and the	same was passed by a vote of	in favor,
opposed, abstained, this 11 <sup>th</sup> da	y of December 2022.	
Apple Elter	Lisa By	nd
Lynelle Etsitty, President	Lisa Byrd, Vice-President	
Don	THE STATE OF THE S	
Dora Smith, Secretary/Treasurer	Rickie Nez, Council Delegat	



## 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
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:
6.1, Provision of Government Services

# Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures): Expenditure Plan incomplete Missing Form Funds will not be obligated by Supporting documentation missing Project will not be completed by 12/31/2026 12/31/2024 Ineligible purpose Incorrect Signatory Inconsistent with applicable NN or Submitter failed to timely submit CARES reports Additional information submitted is insufficient federal laws to make a proper determination 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:

#### 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 RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN FOR GOVERNANCE-CERTIFIED CHAPTERS

## Part 1. Identification of parties.

or Project(s) by December 31, 2026:

Governance-Certified Chapter Tils Tsoh Sikaad Chapter	Date prepared: 06-13-2023
Chapter's P.O. Box 7359	phone & email: (505) 696-5470
Chapter's P.O. Box 7359 mailing address: Newcomb, NM 87455	website (if any): tilstsohsikaad@navajochapters.org
This Form prepared by: Clara Pierce	phone/email: <u>(505)696-5470</u>
Clara Pierce - Chapter Secretary/Treasurer	cpierce@navajochapters.org
CONTACT PERSON'S name and title  Title and type of Project: Navajo Chapter House Comp	CONTACT PERSON'S Info
Chapter President: Harrison LaMone	phone & email: 505-486-1794/ hlamone@naataanli.org
Chapter Vice-President: Edison Smith	phone & ernail: esmith@naatannii.org
Chapter Secretary: Clara Pierce	phone & ernait: 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 it	
	document attached
Amount of FRF requested: 1,667,056.00 FRF funding period: Oc	ct. 1, 2022 to Sept. 30, 2026 Indicate Project starting and ending/deadline date
Part 2. Expenditure Plan details.	anneato e rope a see ang sero en campo o como eco
(a) Describe the Program(s) and/or Project(s) to be funded, including how and what COVID-related needs will be addressed:	the funds will be used, for what purposes, the location(s) to be served,
The Tiis Tsoh Sikaa Chapter is currently housed in a significantly deteriated, safety issues, non-ADA compoutdoor security lighting. The Chapter has inadequa members in a safe environment in response to the C in providing safe and efficient services and good to the information and applications, and other needs that m providing an adequate to store food, emergency equiparts.	pliant doors and restrooms, roof leaks, and poor ite space to serve 500 + registered community OVID- 19 Pandemic. The Chapter has struggled he community with bulk food supplies, PPE, bust be distributed to the community as well as
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	
A new public facility will ensure the community membering space including a commercial kitchen, ADA location to store goods and facilities that are ready to	compliant, good lighting, etc., and will have a
	☐ document attached
(c) A prospective timeline showing the estimated date of completion of the	ne 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)

APPENDIX A

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.
(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
(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
113-112-22-12-012
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:  Approved by:  signature of Preparer CONTACT PERSON:  Approved by:
Approved by: Vacant signature of Chapter Married or CSC Approved by: Approved by: Suprature of COUNTY ASS
Approved to submit for Review

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 3 BUDGET FORM 1

PART I. Business	Unit No.:	NEW	Program Title:	liis Tsol	h Sikaad/Burnham - Navajo Chapter Hot	usa Complex	Division/Branch:	: Div. Of Comm. Deve	Executiv 3		
Prepared By:	CI	lara Pierce	Phone	No.:	505-696-3470 Lima	ail Address:	cpierce@navajochapters org				
PART II. FUNDING	SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Furd Type	(A) NNC Approved	(B)	(C) Difference or		
NN ARPA FUNDS		10/1/22 - 9/30/26	1,667,056.00	100%		Corle	Original Budget	Proposed Budget	Total		
					2001 Personnel Expenses						
			<u> </u>		3000 Travel Expenses						
			l'		3500 Meeting Expenses						
					4000 Supplies						
					5000 Lease and Ren'al						
					5500 Communications and Utilities	1					
					6000 Repairs and Maintenance						
					6500 Contractual Services	6	0	1,67,056	1,667,056		
					7000 Special Transactions	$\top$					
					8000 Public Assistance						
			1		9000 Capital Outlay	1					
					9500 Matching Funds	1					
					9500 Indirect Cost						
		1				TO-AL	\$0.00	1,667,056.00	1,667,056		
					PART IV. POSITIONS AND VEHICLE	s	(D)	(E)			
					Total # of Positions	Budgeted:		· · · · · · · · · · · · · · · · · · ·			
		TOTAL:	\$1,667,056.00	100%	Tota' # of Vehicles	٠ ۴			1		
PART V. I HEREBY					IN THIS BUDGET PACK/ GE IS COMPLE						
SUBMITTED BY:	clar		al Donal	TuDi.	ISION APPROVED BY: Calvi	in Cast		ion Director	<i>-</i>		
	/ \	ram Manager's Sic	_				Branch Chief's Signa	6-17-23			

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page 2 of 3 BUDGET FORM 2

PART I. PROGRAM INFORMATION:							<del></del>		
Business Unit No.: NEW	Program Name/Title:	T	IIS TSOH SI	KAAD/BU	RNHAM - NA	VAJO CHA	APTER HOUS	SE COMPLI	EX
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PI RESOLUTION NO. TTS-RES-22-12-012	ROGRAM:								
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	o the community.								
Program Performance Measure/Objective:									
FOR CONSTRUCTION ONLY.				11					
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:	·								
			l						
ART IV. THEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION I James Acakai Deputa Division Dir Program Managera Printed Name	HAS BEEN THOROUGHLY	Y REVIEV	NED.  Divisio	/vin C n Director	bs/i// Branch Chi	O. Div	ISION DI	rector	_
Program Manager's Signature and Date			Division I	Director/B	anch Chief		and Date		

FY <u>2023</u>

# THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3 BUDGET FORM 4

	Program Name/Title: Tils Tsoh Sikaad/Bumham - Navajo Chapter House Complex Business Unit No.:	NEW	
PART II. I	DETAILED BUDGET: (B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	Constructual Service		1.667,055
6510	Construction Only	1,667,056	
	(Object code is subject to change once it is established)		
			,
	TOTAL	1,667,056	1,667,056

PART I Business Unit No NEW					··········			- · · ·		-								••••				PAI	RT IL			Pro	iect l	nform	natio	n
											ject Ty	roe:	Cha				nplex													
Project Descriptic A new pur										t serv	rice to	the c	commo	unity	in fut:	ite or	rblic t	health	eme	raena	ies.	1 '		Start Da					-	
																				-		1		ind Dat			72020			
Check one box:																						Proj	ject Ma	anager	: Cla	a Pie	rce		_	
PART III.	PAR	RT IV.	U	se Fis	cal Y	ear (F	yα	uarter	s to c	compl	ete th	e info	mati	on be	low.	0=0	Oct.; N	l = No	v.; D	= De	c., etc				ı Ex	pecte	d Cor	noteti	on Da	ate if
List Project Task separately; such as Plan, Design,	L_					FY_	2024						_					FY	202	5									FYC	
Construct, Equip or Furnish.		1st Q	tr.	2	2nd Q	tr.	3	ard Ot	<b>J</b> .		ith Ot	T.		ist Q	T.	2	nd Q	tr.	: ا	ard Q	r.		4th Q	tr.			9/30/	2026		
	0	N	D	J	F	М	Α	м	1	Jul	Α	s	0	N	D	1	F	М	A	М	1	Jul	Α	s	0	N	D	1	F	М
Centracting: Bidding Award						×																								
Site Preparation								x																						
Construction Phase (Start)									x																					
Post Construction																		x												
Close Out																				x							,			
PART V.		\$			S			s			\$			\$	_		5			\$			\$			PR	OJEC	T TO	TAL	_
Expected Quarterly Expenditures																						L			L	\$	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 25<sup>th</sup> Navajo Nation Council

#### MEMORANDUM

TO:

Hon. Rickie Nez, Council Delegate

25th Navajo Nation Council

FROM:

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

Legislative Secretary II
Office of Legislative Services

August 10, 2023; 8:10 AM

Date/Time

## 25<sup>th</sup> 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**

Naabik'iyati' Committee Special Meeting

8/10/2023 08:54:56 AM

Tradamination openial 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