LEGISLATIVE SUMMARY SHEET
Tracking No. 0094-23

DATE: May 1, 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 BRENDA JESUS' DELEGATE REGION (CHAPTERS: OAK SPRINGS, ST. MICHAELS)

PURPOSE: This resolution, if approved, will enact Hon. Brenda Jesus' Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Oak Springs, St. Michaels)

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

5-DAY BILL HOLD PERIOD: A Johnson
Website Posting Time/Date: 6:28pm; 05-03-23
Posting End Date: 05-08-23
Eligible for Action: 05-09-23

Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

25th NAVAJO NATION COUNCIL — 1st Year, 2023

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0094-23

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 BRENDA JESUS' DELEGATE REGION (CHAPTERS: OAK SPRINGS, ST. MICHAELS)

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).

B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).

C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION TWO. FINDINGS

A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING $1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars ($211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars ($8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation . . .. *See* CJN-29-22, Section Three (B).
2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department,

to implement the projects rather than directly to the Chapters. *See* CJN-29-22, Section Three (D).

3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. *See* CJN-29-22, Section Three (E).
4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars ($8,802,340). *See* CJN-29-22, Section Three (F).
5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. *See* CJN-29-22, Section Three (L)(5) and (L)(6).

C. All projects listed in the Hon. Brenda Jesus' Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Brenda Jesus' 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. Brenda Jesus' Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Brenda Jesus' Delegate Region (Chapters: Oak Springs, St. Michaels) as set forth in **Exhibit A**.

SECTION THREE. APPROVAL OF HON. BRENDA JESUS' DELEGATE REGION PROJECT PLAN

A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Brenda Jesus' Delegate Region (Chapters: Oak Springs, St. Michaels) set forth in **Exhibit A.**

B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.

C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Delegate Brenda Jesus

CHAPTERS: Oaksprings, St. Michaels

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	St. Michaels Chapter House Renovation and Addition Project	Division of Community Development	6.1	HK0386	$ 6,000,000.00
Division of Community Development	None Identified	Oak Springs Chapter House Kitchen Addition Project	Division of Community Development	6.1	HK0390	$ 2,802,340.00
		UNALLOCATED AMOUNT				$ 0.00
					TOTAL:	$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0386

Date & Time Received: 1/3/23 at 10:44

Date & Time of Response: 17 January 2023; 6:18 pm

Entity Requesting FRF: St. Michaels Chapter

Title of Project: St. Michaels Chapter House Renovation and Addition Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $6,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☒ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

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

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

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

Other Comments: Please be reminded that an Initial Eligibility Determination does not serve as an opinion on the reasonableness of the amount requested. For this Project, please note the following in particular:

1) The amount requested is more than double what has been requested in other Chapter house renovations/ additions.

2) Projects with large, round dollar amounts such as this are more likely to be targets for additional scrutiny with U.S. Department of Treasury audits.

3) A contractor has seemingly already been chosen for this Project; DOJ recommends ensuring that all procurement requirements - Navajo and federal - have been adhered to and documented.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: Adjua Adjei-Danso Digitally signed by Adjua Adjei-Danso Date: 2023.01.17 18:24:03 -07'00'

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 **NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: St. Michaels Chapter Date prepared: 10/25/22

Chapter's mailing address: P.O. Box 829 St. Michaels, AZ 86511 phone/email: (928) 871-7842 website (if any): stmichaels@navajochapters.org

This Form prepared by: Clara Bia St. Michaels Chapter Secretary/Treasurer phone/email: (928) 863-8594 cbia@navajochapters.org
CONTACT PERSON'S name and title *CONTACT PERSON'S info*

Title and type of Project: St. Michaels Chapter House Renovation and Addition Project

Chapter President: Marybeth Sage phone & email: (505) 713-7768 / mbsage79@gmail.com

Chapter Vice-President: Curran Hannon phone & email: (928) 890-7864 / channon@navajochapters.org

Chapter Secretary: Clara Bia phone & email: (928) 863-8594 / cbia@navajochapters.org

Chapter Treasurer: Same as Chapter Secretary phone & email: _____

Chapter Manager or CSC: Vacant phone & email: _____

DCD/Chapter ASO: _____ phone & email: _____

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Buffalo Design Architects
10899 Montgomery Blvd NE, Suite A, Albuquerque, NM 87111 ☑ document attached

Amount of FRF requested: $6,000,000.00 FRF funding period: January 1, 2023 - December 30, 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The St. Michaels Chapter House is located in St. Michaels, Arizona, Fort Defiance Agency. The chapter house was built 1959. The fund will upgrade the existing deteriorated community public facility to meet code compliance, provide a quality community productivity building for chapter meetings, health fairs, social events. The $6,000,000.00 will cover the cost to renovate the existing building structure 3,385 sq.ft.; include cost for a building addition of approximate 5,800 sq.ft. Addition will feature a community public assemble area, commercial grade kitchen facility w/dining area,men & women restrooms, storage areas, large mechanical room, main entrance...

☐ document attached

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

The expanded facility will provide open space to improve public health and create positive social environment to the people in attendance for chapter community meetings, CLUPC meetings, Veterans meetings, health fairs and social events.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

Program(s) or Project(s) by December 31, 2026:

Sole source procurement by Buffalo Design Architects with estimated construction to start in Spring 2023 and full completion in 2024. The challenges will be post Covid-19 inflation costs.

☐ document attached

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

The NN-Division of Community Development/CPMD Project Manager is the oversight and the Buffalo Design Architect will ensure completion of the project. The St. Michaels Chapter Officials are the stakeholders who provide update information to the community members at their chapter meetings. The St. Michaels Chapter is a non-governance certified chapter.

☐ 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:

St. Michaels Chapter will be responsible to budget each fiscal year for the operation, building repairs and maintenance cost and the chapter will practice liability prevention by ensuring premium insurance coverage are paid by the deadline as required by the NN Risk Management.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

6.1 Provision of Government Services - per Navajo Nation Council Resolution CJN-29-22, Infrastructure improvements became a Navajo Nation ARPA/NNFRF eligible project.

he St. Michaels Chapter facility/building is over 63 years old, aged stone structure and presently experiencing leaky roof, no air conditioning system, no heating system and not utilizing the poor conditioned kitchen. The chapter community member meetings are held in the assembly room only; however, the men & women bathrooms are functional. Thus, due to cold weather and awaiting for construction to begin in Spring 2023 with ARPA funds; the chapter will conduct majority of vertical meetings and may use their warehouse if necessary.

☐ document attached

Part 3. Additional documents.

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

1. St. Michaels Chapter Resolution.
2. Memo-St. Michaels Chapter House Historic Building Status.
3. Buffalo Design Contract

☑ 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: Clara Bia
signature of Preparer/CONTACT PERSON

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

Approved by: Vacant - n/a
signature of CSC

Approved by: Sonlate Jr 12/15/2022
signature of Chapter ASO

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

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: St. Michaels Chapter House Renovation and Addition Division/Branch: DCD / Executive Branch

Prepared By: Clara Bia Phone No.: (928) 871-7862 Email Address: cbia@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/22 - 12/30/26	6,000,000.00	100%
	TOTAL:	$6,000,000.00	100%

PART III. BUDGET SUMMARY		Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001	Personnel Expenses				
3000	Travel Expenses				
3500	Meeting Expenses				
4000	Supplies				
5000	Lease and Rental				
5500	Communications and Utilities				
6000	Repairs and Maintenance				
6500	Contractual Services				
7000	Special Transactions				
8000	Public Assistance				
9000	Capital Outlay	9050 → 6	0	6,000,000	6,000,000
9500	Matching Funds				
9500	Indirect Cost				
	TOTAL		$0.00	6,000,000.00	$6,000,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	6

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

SUBMITTED BY: Sonlatsa Jim-Martin, Department Manager
Program Manager's Printed Name
Sonlatsa Jim-Martin 12/15/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Pearl Yellowman, Division Director, DCD
Division Director / Branch Chief's Printed Name
Pearl Yellowman 12.15.22
Division Director / Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New Program Name/Title: St. Michaels Chapter House Renovation and Addition

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

CJN-29-22 Navajo Nation Fiscal Recovery Fund for the St. Michaels Chapter Renovation and Addition Project to upgrade the deteriorating existing facility to meet the code compliance, quality spacious environment for public health towards community members' facility usage.

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 complete the chapter renovation & addition design, construction, equipment/furnishings Program Performance Measure/Objective: Architectural, Mechanical, plumbing, electrical, ADA codes, parking lot.	1		1		1		1	
2. Goal Statement: ___ Program Performance Measure/Objective:								
3. Goal Statement: ___ Program Performance Measure/Objective:								
4. Goal Statement: ___ Program Performance Measure/Objective:								
5. Goal Statement: ___ Program Performance Measure/Objective:								

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

Program Manager's Printed Name

Program Manager's Signature and Date: 12/15/2022

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date: 12.15.22

ST. MICHAELS CHAPTER – P.O. BOX 829 – ST. MICHAELS, ARIZONA 86511
PHONE: 928-871-7842 - EMAIL: STMICHAELS@NAVAJOCHAPTERS.ORG



Marybeth Sage, President
Curran Hannon, Vice-President
Clara Bia, Secretary/Treasurer
Edison Wauneka, Council Delegate
Ernest Nez, Grazing Official

Navajo Nation President Myron Lizer, Navajo Nation Vice President

RESOLUTION OF THE ST. MICHAELS CHAPTER
No. SMC 2022-040

Approving & Supporting the St. Michaels Chapter requesting for Navajo Nation American Rescue Plan Act (ARPA) Infrastructure Fund for Construction Costs and/or Equipment Improvement to Renovate and Expand the existing St. Michaels Chapter House Facility in the Amount of six million ($6Million)

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A), St. Michaels Chapter is a duly certified chapter of the Navajo Nation Government with vested authority and responsibility to provide and address local planning within the community; and

2. Pursuant to 26 N.N.C., Section 1 (8), St. Michaels Chapter is delegated the governmental authority to make decision over local matters affecting the community and to make appropriate correction consistent with the Navajo Nation laws and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and

3. Pursuant to 26 N.N.C 101 (A), the St. Michaels Chapter is mandated to adopt and operate under a Five Management System, adopted in July 2010; and

4. The St. Michaels Chapter House was built in 1959 and has been providing services to the St. Michaels chapter community over 63 years and in need of renovation with addition to accommodate increased population, modernize communication technology, and new era into the COVID-19 pandemic; and

5. St. Michaels Chapter recognizes the allocated Navajo Nation Sihasin Fund to the chapter governance for the chapter house renovation and addition in the amount of two million dollars ($2,000,000) per the CAP-35-18 Sihasin project list. And with the additional requested fund from the American Rescue Plan Act Fund $6,000,000 will total $8,000,000 for the project; and

6. The St. Michaels Chapter acknowledges the pre-conference sessions began September 2019, with Buffalo Design Architect, who is awarded the Contract, followed by continuous effective planning meetings for the chapter house addition and renovation project; and

7. The St. Michaels Chapter acknowledges the Resolution CEM-20-03-11 that the Navajo Nation Commission on Emergency Management and Navajo Nation President Jonathan Nez declared a Public Health State of Emergency on Navajo Nation, March 11, 2020, due to COVID-19 outbreak. Thereafter, CAP-20-20, April 13, 2020 declared Travel Restriction of Navajo Chapters to conduct planning meetings and chapter regular meetings through teleconference/video conferencing for COVID-19 mitigation and remote work plan; and

8. The St. Michaels Chapter acknowledges the assigned Project Manager, Capital Project Management Department, Division of Community Development to the Chapter Addition and Renovation Project retired September 30, 2021, which also resulted in an effort for continuity; and

9. St. Michaels Chapter acknowledges the "Notice to Proceed" and Contract became effective January 2022. Therefore, the project was scheduled to move forward on the programming and concept phase, schematic design, design development and construction; and

10. The St. Michaels Chapter recognizes during the COVID-19 pandemic, the material cost increased and professional services that resulted in a shortfall to fulfill the project specifically the construction and timeline; and

11. The St. Michaels Chapter is considered project ready with the design deliverables in place, architect was solicited and obtained for third-party contract services to complete the project based on the Navajo Nation Council Resolution CJA-03-21 – approved timeline extension to four years; and

12. The St. Michaels Chapter recognizes the need for additional funds to complete the chapter house addition and renovation which is essential to accommodate the community to conduct their planning and chapter and other meetings to further adequately enhance the growth and enrich their future. The impact of COVID-19 has had an impact to the community and the people need encouragement toward healing through social events in the facility; and

13. The St. Michaels Chapter and community members desire to begin plans for a ceremonial "Ground Breaking" event in Spring of 2023 to begin actual construction of the Chapter House Addition and Renovation subsequently.

NOW THEREFORE, BE IT RESOLVED

1. The St. Michaels Chapter membership hereby Support and Approve the St. Michaels Chapter requesting for additional funds from the Navajo Nation American Rescue Plan Act (ARPA) Infrastructure Project for Construction Costs and/or Equipment Improvement of the St. Michaels Chapter House Addition and Renovation in the amount of Six Million Dollars ($6,000,000).

SMC 2022-040

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by St. Michaels Chapter at a duly called regular chapter meeting at St. Michaels, NAVAJO NATION (ARIZONA), at which a quorum was present and that the same was passed by a vote of 17 in favor, 0 opposed, and 1 abstained, on this 16 day of November, 2022

Motion: Austin Yazzie

Second: Carol Thomas

Marybeth Sage, Chapter President

12-01-22

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 #: HK 0390

Date & Time Received: 1/3/23 at 16:26

Date & Time of Response: 17 January 2023; 6:31 pm

Entity Requesting FRF: Oak Springs Chapter

Title of Project: Chapter House Kitchen Addition Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $2,802,340

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 Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

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

Other Comments: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: 

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

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

ırt 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Oak Springs Chapter Date prepared: 12/01/22

Chapter's mailing address: P.O. Box 486 Window Rock, AZ 86515 phone/email: (928) 871-6179 website (if any): oaksprings@navajochapters.org

This Form prepared by: Flavian Tabaha Community Service Coordinator *CONTACT PERSON'S name and title* phone/email: (928) 871-6179 ftabaha@nnchapters.org *CONTACT PERSON'S info*

Title and type of Project: Oak Springs Chapter House Kitchen Addition/Renovation Project

Chapter President: Ben Smith phone & email: (602) 615-0087 / bensmith_iwl75@citlink.net

Chapter Vice-President: Darryle Nelson phone & email: (928) 666-0944 / darrylenelson_65@yahoo.com

Chapter Secretary: Arlene Radisch phone & email: (928) 206-9402 / arleneradisch@hotmail.com

Chapter Treasurer: Same as Chapter Secretary phone & email:

Chapter Manager or CSC: Flavian Tabaha phone & email: (928) 871-6179 / ftabaha@nnchapters.org

DCD/Chapter ASO: Derek Echohawk phone & email: (928) 871-7515 / ddechohawk@nndcd.org

'st types of Subcontractors or Subrecipients that will be paid with FRF (if known): Dyron Murphy Architects
4505 Montbel Place NE, Albuquerque, NM 87107 ☑ document attached

Amount of FRF requested: $2,802,340.00 FRF funding period: April 1, 2023 - December 30, 2024
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The Oak Springs Chapter House is located in Oak Springs, Arizona, Fort Defiance Agency. The chapter house was built 1974. The fund will be used to complete the construction of the Kitchen Addition. The $2,804,340.00 will cover the cost to renovate the existing building structure 4,755 sq.ft; new addition 1,505 sq.ft., which will total 6,260 sq. ft. Addition will feature a commercial kitchen facility, shower, assemble area, men & women restrooms, storage areas, large mechanical room, main entrance.

☐ document attached

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

The expanded facility will provide open space to improve public health and create positive social environment to the people in attendance for chapter community meetings, CLUPC meetings, Veterans meetings, health fairs, social events. The kitchen will be an asset for community events.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

Program(s) or Project(s) by December 31, 2026:

Sole source procurement by Dyron Murphy Architects with estimated construction to start in Spring 2023 and full completion in 2024. The challenges will be post Covid-19 inflation costs.

☐ document attached

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

The NN-Division of Community Development/CPMD Project Manager is the oversight and the Dyron Murphy Architect will ensure completion of the project. The Oak Springs Chapter Officials are the stakeholders who provide update information to the community members at their chapter meetings. The Oak Springs Chapter is a non-governance certified chapter.

☐ 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:

Oak Springs Chapter will be responsible to budget each fiscal year for the operation, building repairs and maintenance cost and the chapter will practice liability prevention by ensuring premium insurance coverage are paid by the deadline as required by the NN Risk Management. The General Contractor will be responsible for warranty coverage for all system, finishes, operation of the building for 12 month after completion of the project.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

6.1 Provision of Government Services - per Navajo Nation Council Resolution CJN-29-22, Infrastructure improvements became a Navajo Nation ARPA/NNFRF eligible project.

The Oak Springs Chapter facility/building is over 48 years old; however, does not have a kitchen, which was deleted due to lack of funds during time the chapter house was built. The chapter house had some repair/maintenance issues, which are corrected. Thus, due to cold weather and awaiting for construction to begin in Spring 2023 with ARPA funds; the chapter will conduct majority of virtual meetings.

☐ document attached

Part 3. Additional documents.

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

1. Oak Springs Chapter Resolution.
2. Budget.
3. Dyron Murphy Contract.
4. Floor Plan

☑ 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: Elizabeth Kruger
Signature of Preparer/CONTACT PERSON

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

Approved by: [signature]
signature of CSC

Approved by: [signature] 12/15/2022
Signature of Chapter ASC

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

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Oak Springs Chapter / Chapter Kitchen Addition/Renovation Division/Branch: DCD / Executive Branch

Prepared By: Flavian Tabaha Phone No.: (928) 871-6179 Email Address: ftabaha@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/22 - 9/30/26	2,802,340.00	100%
	TOTAL:	$2,802,340.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance	6			
9000 Capital Outlay	~~8850~~	0	2,802,340	2,802,340
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	2,802,340.00	~~2,802,340~~ 0

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

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

SUBMITTED BY: Sonlatsa Jim-Martin, Department Manager
Program Manager's Printed Name

Sonlatsa Jm 12/15/2022
Program Manager's Signature and Date

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

Pearl Yellowman 12.15.22
Division Director / Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New **Program Name/Title:** Oak Springs Chapter / Chapter Kitchen Addition/Renovation

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

CJN-29-22 Navajo Nation Fiscal Recovery Fund for the Oak Springs Chapter Renovation and Addition Project to upgrade the deteriorating existing facility to meet the code compliance, quality spacious environment for public health towards community members' facility usage.

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 complete the chapter renovation & addition design, construction, equipment/furnishings **Program Performance Measure/Objective:** Architectural, Mechanical, plumbing, electrical, ADA codes, parking lot.	1		1		1		1	
2. Goal Statement: **Program Performance Measure/Objective:**								
3. Goal Statement: **Program Performance Measure/Objective:**								
4. Goal Statement: **Program Performance Measure/Objective:**								
5. Goal Statement: **Program Performance Measure/Objective:**								

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

Sonlatsa Jim-Martin, ASC Department Manager
Program Manager's Printed Name

Sonlatsa Jim 12/15/2022
Program Manager's Signature and Date

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

Pearl Yellowman 12.15.22
Division Director/Branch Chief's Signature and Date

FY _____

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Oak Springs Chapter / Chapter Kitchen Addition/Renovation **Business Unit No.:** New

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
9000	NNFRF CAPITAL OUTLAY		2,802,340
9050	9052 Building - Construction services for Oak Springs Chapter Community Building Project for the Oak Springs Community, All site, civil, parking lot, infrastructure hook-ups and building hook ups will be vertical construction. Project consist of new addition and renovation of the existing chapter building, new construction consist of expansion development to the existing chapter building to the South section of the chapter building. New construction will include steel/wood structure, concrete slab on grade, roofing system, mechanical components-plumbing, HVAC, plumbing, fire suppression, insultation, drywall-hang tape texture, painting all finish décor and equipment. ADA compliant, UBC and all federal codes rules and regulations.	2,802,340	
	TOTAL	2,802,340	2,802,340

PART I Business Unit No _____

Project Title: Oak Springs Chapter - Commercial Kitchen Addition

Project Descriptic ARPA funds to supplement the Oak Springs Chapter Commercial Kitchen addition for construction costs and/or equipment improvements , including inspections at quarterly phases of construction and quarterly reporting with coordination by ownership and contracto

Check one box:

PART II. Project Information

Project Type: Capital Outlay

Planned Start Date: Feb 2023

Planned End Date: Sept 2024

Project Manager: Flavian Tabaha, CSC

PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.

PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.

	FY 2023												FY 2024												Expected Completion Date if project exceeds 8 FY Qtrs.
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date_____
	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	P	J	J	A	S	
PLANS	X	X	X																						
PURCHASES				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
INSTALLATIONS				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
INSPECTIONS			X			X			X			X			X			X			X			X	
QUARTERLY REPORTINGS			X			X			X			X			X			X			X			X	

PART V.	FY 2023				FY 2024				PROJECT TOTAL
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	
Expected Quarterly Expenditures	$ 386,000.00	$ 350,000.00	$ 350,000.00	$ 350,000.00	$ 350,000.00	$ 350,000.00	$ 350,000.00	$ 316,340.00	2,802,340.00

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

OAK SPRINGS

President
Ben Smith
Vice-President
Darryle S. Nelson
Secretary/Treasurer
Arlene Radisch
Grazing Representative
Melvin Harry

Council Delegate
Edison J. Wauneka
Chapter Coordinator
Flavian Tabaha
Account Maint. Spec.
VACANT

OSC-11152022-008

RESOLUTION OF THE OAK SPRINGS CHAPTER

APPROVING AND SUPPORTING THE OAK SPRINGS CHAPTER REQUESTING FOR THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO SUPPLEMENT THE CHAPTER'S KITCHEN ADDITION PROJECT FOR THE CHAPTER FACILITY EXPANSION CAPITAL PROJECT AND CONSTRUCTION COSTS AND/OR EQUIPMENT IMPROVEMENTS IN THE AMOUNT OF TWO MILLION, EIGHT HUNDRED TWO THOUSAND, THREE HUNDRED FORTY DOLLARS ($2,802,340.00)

WHEREAS:

1. The Oak Springs Chapter is a recognized Chapter of the Navajo Nation Government organized and consistent with the Navajo Nation Council Resolution CAP-34-98, also known as the Navajo Nation Local Governance Act and is codified in title twenty-six (26) of the Navajo Nation Code; and
2. Title twenty-six (26) of the Navajo Nation Code allows Oak Springs Chapter to make decisions over local matters consistent with Navajo law and is under supervision of Division of Community Development ("DCD") until it becomes an LGA certified chapter. This authority, in the long run, will improve community decision making, allow communities to excel and flourish, enable Navajo leader to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation; and
3. The Oak Springs Chapter provides services to the Oak Springs and Pine Springs community membership thus the chapter house does not have a kitchen in the last several decades; and
4. The Oak Springs Chapter recognize the allocate Navajo Nation Fiscal Recovery Fund (NNFRF) to the chapter governance for the chapter house renovation and addition in the amount of two million eight hundred two thousand three hundred forty dollars ($2,802,340.00) per the CJN-21-22 ARPA project list. And with the additional requesting $2,802,340.00 ARPA fund plus $2,000,000 will total $4,802,340.00 for the project; and
5. The Oak Springs Chapter acknowledges the pre-conference sessions with Dyron Murphy Architect beginning of September 2019 and several effective planning meetings were held into early March 2020, thus who is awarded the contract for the chapter kitchen addition project; and
6. The Oak Springs Chapter acknowledges the Resolution CEM-20-03-11 that the Navajo Nation Commission on Emergency Management and Navajo Nation President Jonathan Nez declared a Public Health State of Emergency on Navajo Nation, March 11, 2022 due to Covid-19 outbreak. Thereafter, CAP-20-20, April 13, 2020; Navajo Nation Travel Restriction, Navajo Chapters to conduct planning meetings and chapter regular meetings thru teleconference/ video conferencing for Covid-19 mitigation and remote work planning were established across the Navajo Nation; and
7. The Oak Springs Chapter acknowledges the assigned Project Manager, Capital Project Management Department, Division of Community Development to the Chapter Kitchen Addition Project retired September 30, 2021, which also resulted in an effort for continuity; and

8. The Oak Springs Chapter acknowledges that regardless of the pandemic and retired CPMD- project manager, the chapter officials and staff continued moving forward through telecommunication for the update project meetings; and
9. The Oak Springs Chapter acknowledges the "Notice to Proceed" and Contract became effective January 3, 2022. Therefore, the project was scheduled to move forward on the programming and concepts phase, schematic design, design development and construction; and
10. The Oak Springs Chapter recognizes during the Covid-19 pandemic the material cost increased and professional services that resulted in a shortfall to fulfill the project specifically the construction and timeline; and
11. The Oak Springs Chapter house is considered project ready with the design deliverable in place, architect was solicited and obtained for third-party contract services to complete the project based on the Navajo Nation Council Resolution CJA-03-21 – approved timeline extension to four years; and
12. The Oak Springs Chapter recognizes the need for additional funds to complete the kitchen addition, which is essential to provide public health safety such as sanitation during the chapter community member's events on holidays or family gatherings to enrich healing during the people's social time specifically protecting against the impact of Covid-19 and the chapter house renovation will enhance opportunities to provide health fairs and meets relevant to health/ medical education.

NOW, THERFORE BE IT RESOLVED THAT:

1. The Oak Springs Chapter membership hereby supports and approves the requesting additional American Rescue Plan Act (ARPA) funds to supplement the chapter's kitchen additional capital outlay project from the Navajo Nation American Rescue Recovery Fund (NNFRF) capital project for construction costs and/or equipment improvements in the amount of two million eight hundred two thousand three hundred forty dollars ($2,802,340.00).

CERTIFICATION

We hereby certify the foregoing resolution was duly considered by the community members of Oak Springs Chapter, Arizona (Navajo Nation) at a duly called chapter meeting, at which a quorum was present and the same was passed by a vote of 8 in favor, 0 opposed and 1 abstained on this 15th day of **November, 2022.**

Motion: Cecilia Wauneka Second: Robert Smith Sr.

Ben Smith, Chapter President
Oak Springs Chapter

P.O. Box 486, Window Rock, Arizona 86515
Telephone: (928) 871-6179 Fax: (928) 871-6182 Email Address: oaksprings@navajochapters.org

Oak Spring Chapter Revnotion Building Project Scope of Work (SOW) Plan

Project Manager: TBD
Sponsor: Navajo Nation
Prepared by: NN CPMD

Background History: An Architecture/Engineering Firm, will produce a complete set of construction document plan to allow for an overall Renovation of 6,323 sq. ft. building for the Oak Springs Chapter Renovation Building. The firm will design the facility within the new Oak Springs Center 12 acres tract with all new parking lots area by the proper grading and drainage of run off precipitation and providing handicap accessibility for all community members break area, an office, a kitchen expansion, overflow parking, and the interior assembly area by the proper ADA accessibility for the facility. This was a need for the community due to a lack of a facility and growing number enrollment through the Oak Springs's community.

Work Plan: Phase one (1) of the A/E Firm will be awarded and the A/E firm will develop a full set of Construction Documents; plan, design, specifications, and construction administer the 6,323 sq. ft. project. All Civil, Structural, Architectural, Mechanical, plumbing, and Electrical drawings will be coordinated thru the hired Architect to comply with the all applicable ADA codes, local, state, and federal codes. Phase two (2) will consist of utilizing the construction funds to construct the building to a full complete turn-key facility.

Budget Detail: Phase One (1)-A/E Design On-going December 2023

Project Cost	Sihasin Funds	Other Funds
Architect/Engineer/Programming (Under Contract)	$386,082.47	NN (DMA Contract)
Geo-technical Soil Survey (Under Contract)		NN (DMA Corporation Contract)
Bidding and Award		NN Included
Construction Administration		NN Included
Topographic Survey		Included
Construction Cost Estimate		Included
Civil Engineer		Included
Navajo Nation Tax 6%		
	(2nd Yr. Award)$386,082.47	
		Total: (Under Contract-$392,000.00

Budget Detail: Phase Two (2)-Construction- Pending Spring 2023/2024

Project Cost	ARPA (TJN-29-22) Funds	Other Funds
Construction	Pending	NN $2,802,340.00
Equipment/Furnishings	Pending	Included
Parking lot	Pending	Included
On-Site Infrastructure	Pending	Included
Off-Site Infrastructure NTUA/ROW/3-Phase Ext.	Pending	Included
	(Sihasin) Pending Request	
Navajo Nation Tax 6%		$2,802,340.00
	Additional Const. Need	

		Total: $2,802,340.00

Project Goal/Performance Measures

- ~~A/E Solicitation: August 2022- Completed~~
- ~~A/E Interviews September 2022-Completed~~
- ~~Navajo Nations Procurement Process April-May 2022~~
- ~~Award A/E June 2022~~
- ~~A/E firms issued Notice to proceed to implement Plan and Design work- June 2022~~
- ~~A/E firm and Stakeholders kick off meeting on June/July- 2022~~
- ~~Programming and design in progress by A/E Firm July 2022~~
- Schematic Design to be completed- Fall 2022
- Design Development September 2022
- Construction Documents/specification development- November 2022- Completed
- Bidding on Construction January 2023
- Bids on project /Cost Negotiation with Contractor-January-February 2023
- Navajo Nations Procurement Process February 2023
- Award Contractor Company contract March 2023
- Construction Ground breaking on site with contractor April/May 2023
- Construction Starts Mid-May 2023
- Excavation, rough plumbing/sewer line, footing, foundation walls, and concrete floor completed –March-May 2023
- Exterior walls, windows, exterior doors, and roof trusses are completed – June-July 2023
- Finish roofing is installed and exterior walls painted –August 2023
- Rough electrical wiring, insulation, drywalls, and interior walls installed –July 2023
- Drywalls taped, interior walls painted, finish flooring installed –August 2023
- Electrical lighting, wall switches, outlets, finish plumbing are completed – September 2023
- Conduct testing on electrical and mechanical systems - October 2023
- Construction completion date – October 2023
- No Changes to the design shall be rendered unless the NN-Architect authorizes it.
- All communication shall be channeled through the NN-Capital Project Management Department office and at no time shall the Design Team initiate changes made by the sponsors/Chapters.
- Establish meeting dates during the design phases to assure exact percentage of completion. This should be aligned with the payment application submitted.

Problem/Opportunity Definition

With numerous violations from the office of Environmental Health department, the existing Oak Springs Chapter building is still operating on chapter planning meetings with Limited space and offices, and need they updated commercial kitchens and ADA standards restrooms.

Proposed Solution

Develop and construction a new Renovation facility for the Oak Springs community.

Major project activities

1. Provide service to the elders and growing enrollment for the community.

Required parking lot to be constructed for the Renovation building.

Major Obstacles

1. Inflation cost to material/labor/ Insurance

2. Project funds

Risks

1. Project may idle till Construction Funds are established
2. Traffic count study and permission to survey the deceleration land need to be considered for left hand turn into future facility development.
3. With Project construction funds not established, all Building codes will have to be updated within 3 years.
4. Inflation cost of materials if construction project idles.

Schedule/Milestone Overview

Estimated Project Completion Date: 03/2024

Major Milestones

Pre-Award meeting with the Vendor

Include all the NN CPMD stakeholders at kick off meeting

A/E firm and Stakeholders kick off meeting on March 2023

Complete Construction Documents and Specification by A/E Firm 02/2023

Bidding on Construction

Award Contractor Company

Construction Ground breaking on site with contractor

Project Completion & Review

External Milestones Affecting the Project

A/E Funds established by sponsor/client

Construction Funds Established by sponsors/client

Impact of Late Delivery

Results Expected: As the Navajo Nations Lead Agency, NN CPMD will proceed as scheduled and execute the contracts and monitor the design, payments and oversee the design and construction of the new facility for the community of Oak Springs, Arizona.

Responsible Staff *(include Project Manager and Fiscal Contact):*
Name: Edison Wauneka
Title: LDA- Elizabeth Kuipers
Address: P.O. Box 3390 Window Rock, AZ 86515
Email: ejwauneka@navajo-nsn.gov
Phone: 928-871-7160

Name: Flavin Tapaha/CPMD PM TBD
Title: Project Manager-TBD
Address: P.O. Box 1510 Window Rock, AZ 86515
Email: james_adakai@nndcd.org
Phone: 928-871-6737

NOTICE TO PROCEED

TO: Dyron Murphy Architects, P.C.
4505 Montbel Place North East
Albuquerque New Mexico 87107

DATE: January 03, 2022

PROJECT: Oak Springs Chapter Renovation/Design of Chapter Building Oak Springs, Navajo Nation, Arizona

You are hereby notified to commence WORK in accordance with the Agreement dated, on or before **January 03, 2022** and you are to complete the WORK within **240** consecutive calendar days thereafter. The date of completion of all WORK is therefore **August 31, 2022.**

THE NAVAJO NATION

Capital Projects Management Department

BY: _____

TITLE: **James Adakai, Delegate DM**

CONTRACT NO.: ***CO15087***

BUSINESS UNIT NO.	*AMOUNT ENCUMBERED*
General Funds	**$386,082.47**

AMT. OF CONTRACT NOT TO EXCEED: **$386,082.47**

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by **Dyron Murphy** of **Dyron Murphy Architects, PC** this 03 day of January, 2022.

BY: _____

TITLE: _____

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax No.: (928) 871-7576



Honorable Crystalyne Curley
Speaker
25th Navajo Nation Council

MEMORANDUM

TO: Hon. Brenda Jesus, Council Delegate
25th Navajo Nation Council

FROM: Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: May 1, 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 BRENDA JESUS' DELEGATE REGION (CHAPTERS: OAK SPRINGS, ST. MICHAELS)**

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: _0094-23__ **SPONSOR:** Brenda Jesus

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 Brenda Jesus' Delegate Region (Chapters: Oak Springs, St. Michaels)

Date posted: May 3, 2023 6:28 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
(928) 871-7586

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.*