



HOUSING MANUFACTURING PLAN

ABOUT THE COVER PHOTO
The confluence of the *Colorado River* and the *Little Colorado River* is very significant to Navajo. It is a beginning place. This plan offers a new beginning ... a fresh start for healthier living through improved, affordable housing.

NAHATA DZIIL



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL



HOUSING MANUFACTURING PLAN



When I first set eyes on the dilapidated homes and harsh living conditions of the Navajo people, I asked myself if I was still in America.

That was 14 years ago.

How could this be a part of the United States of America? How could the Navajo people send soldiers to battle to defend America when we have already passed laws and policies to create these terrible living conditions? How can people live without running water in their homes? Do they really leave their homes and walk down a trail to an outhouse just to go to the bathroom? Is this my America?

Something triggered deep within me. We all confront unfairness and tragedy. And somehow, almost all the time, we just continue along our way. What can really be done about it anyway? How could I possibly make a difference?

But for some reason, this was different. And that was 170 trips ago.

I live in Oregon with a nice home and a beautiful family. Every morning, I turn on the water without thinking about it. I flip on the light switch. I have a good job ... and sometimes I take it for granted.

This time, at least for me, it was different. I knew how to write grants. I knew how to advocate. And, as I have now spent time in four Navajo ceremonies, I am beginning to understand why this mission is so important to me.

If you care about the future of the Navajo Nation and its beautiful people, I ask you to read every word in this plan. If you are a decision maker at Navajo that can implement this plan, please take this seriously.

The clock is ticking. The decisions that are made in the next 90 days will determine how housing is built on the Navajo Nation by the Navajo people for the Navajo people... forever.

You can ignore this report and go to your next committee meeting. Or you can be the leader that changes Navajo forever. Nice homes serving Navajo people can be built and delivered for the right price. There is plenty of ARPA money ... and then there is other federal funding ... forever.

It is time that we all work together. Divisions, departments, enterprises, and businesses. Navajos ... and people who look like me. This is the most important thing I could do with my life. With this plan, I am leaving instructions that could change everything.

Please, I urge you. Read this plan. Do the right thing. – Brian Cole



Building Communities is a community and economic development strategic planning company with a focus on Indian Country, especially the Navajo Nation and the Hopi Tribe. **Building Communities** has been active on the Navajo Nation since 2010 completing economic development strategic plans, business plans, feasibility studies and advocacy for job-creating economic development projects.



A CALL FOR ACTION

This **Housing Manufacturing Plan** for **Nahata Dził** is produced and distributed on February 29, 2024. Leap Day. An opportunity for the Navajo Nation to take a giant leap forward and forever change the way housing is produced and distributed on the Navajo Nation. One hundred twenty-two days remain until the Navajo ARPA funding obligation deadline of June 30, 2024. This is a plan that *cannot* sit on the shelf. It must be acted upon immediately, or this window of opportunity may close—potentially forever.

The timeline on the following page provides a glimpse of where we have been and where we need to be by the end of 2026. It has been nearly 60 years since the Bennett Freeze was enacted. We can begin to reverse these impacts in the next 34 months if we start now. The monumental events that will transpire over the next three years, as illuminated in this report (which takes the reader from the issues at hand to the “**Shovel Ready**” space of plan-execution), will finally produce game-changing results and resolve.

The allocation of \$2.07 billion of federal funding through the American Rescue Plan Act (ARPA) to the Navajo Nation creates the possibility of *game changing* housing and economic conditions. While other ARPA funding will go directly to stick-built and the purchase of off-Reservation manufactured housing, the opportunity to build, operate, and sustain a Navajo-based housing manufacturing plant creates a potential *paradigm shift* for Navajo.

The typical methodology to plan and build new housing on Navajo has stemmed from the annual receipt of federal funding, mostly from U.S. Housing and Urban Development (HUD). HUD funding, passed through the Tribally Designated Housing Entity (TDHE)—the Navajo Housing Authority (NHA)—has been the mainstay for housing construction. In addition, the Navajo Nation Division of Community Development (CCD) Community Housing and Infrastructure Department (CHID) has contributed to housing improvements.

With the targeted and strategic expenditure of ARPA funding for a housing manufacturing plant, the opportunity exists for large-scale, sustainable housing development—**Navajo homes built by Navajo people for Navajo people**.

It is the intention of this plan to outline how the Navajo Nation can build, operate, and forever-sustain plant operations to construct homes for the Navajo people. With a projected need of 50,000 homes on the Navajo Nation, the market for the manufacturing plant is endless. The real challenge will be strong management and continued strategic investment of financial resources to maintain and potentially expand plant operations.

Funding provided by the Navajo Nation American Rescue Plan Act (ARPA). Navajo Nation ARPA funding was approved as CJN-29-22. Section 10 of the legislation focused upon housing investments. Exhibits L-3 and L-4 provided funding for this planning effort and for the potential development of one or more Navajo-based housing manufacturing plants.



1966

THE BENNETT FREEZE • 43-year development ban on 1.5 million acres of Navajo lands by the U.S. Federal Government

2009

PRESIDENT OBAMA ENDS THE FREEZE • The time was right for a turnaround; a time to improve difficult living conditions for tens of thousands

2020

THE GLOBAL PANDEMIC AND LOCKDOWN

2021

ARPA • THE AMERICAN RESCUE PLAN ACT • Funding for Short- and Long-Term Economic Development

2024

MAKING A DIFFERENCE • Strategic Planning: NHLCO and Building Communities Manufactured Housing Study: Plan and Implementation

2025

FIRST WAVE OF SPENDING | CONSTRUCTION • Welcome Home: Manufacturing Facility and a New Wave of Manufactured Homes

2027

... THE TRANSITION BEGINS

MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL





CONTENTS | PAGE

SHORT-CUT TO EXECUTIVE SUMMARY

17

SECTION 1.0 A LIFE-CHANGING INVESTMENT

23

SECTION 2.0 MEETING THE DEADLINES

29

SECTION 3.0 TALKING IN CODE: NAVAJO LAND WITHDRAWAL PROCESS

37

SECTION 4.0 INVENTORYING EXISTING HOUSING MANUFACTURING INTERESTS AND SITES AT NAVAJO

53

SECTION 5.0 METHODOLOGY TO IDENTIFY EXPERTS MANUFACTURED HOUSING PLANT CONSTRUCTION AND MANUFACTURED HOME PRODUCTION

SECTION 6.0 ECONOMICS ... HOW MANY AND HOW MUCH?

59

SECTION 7.0 MANUFACTURED HOUSING BEST PRACTICES

79

SECTION 8.0 MEETING GEOGRAPHIC LOCATION/ DISTRIBUTION REQUIREMENTS

85

SECTION 9.0 SUSTAINING “LIFE AFTER ARPA”

89

SECTION 10.0 APPENDICES NOT INCLUDED IN THIS EDITION

96

EXECUTIVE SUMMARY

For decades, Navajo Nation leaders have traveled to Washington D.C. requesting funding to address the impacts of the Bennett Freeze and Forced Relocation. The policies and federal actions to address the Navajo-Hopi Land Dispute left the 20,000 people impacted by the Bennett Freeze with dilapidated homes, a lack of infrastructure, a lack of economic opportunity, and a lifetime of despair. The Federal Relocation Program, which was always opposed by the Navajo Nation, left thousands of Navajos detached from their homeland leading to generations of people impacted by alcoholism, drug abuse, and suicide.

To this day, the hundreds of trips by Navajo leaders to Washington D.C. have not brought back the financial resources to address the problem. Dating back to 2008, a study found that the impacts to the Former Bennett Freeze Area (FBFA) alone totaled \$4.7 billion.

Then came the pandemic. By many accounts, the impacts of the Coronavirus devastated the people of the Navajo Nation as much as anywhere in the world. Harmful federal policy combined with a worldwide pandemic left the Navajo Nation on lockdown, seemingly forever separated from the growth and progress of all the Navajo border towns.

If there is a silver lining in any of this, it is the \$2.07 billion of federal funding relief to the Navajo Nation stemming from the pandemic – the American Rescue Plan Act (ARPA).

In 2022, the 24th Navajo Nation Council passed legislation directing the use of the ARPA funding. A total of \$145.55 million was set aside for housing. The uses of the housing funding could go to: 1) new stick-built housing, 2) manufactured housing, and 3) the construction of one or more housing manufacturing plants.

Notably, the only “sub-region” of the Navajo Nation to receive an ARPA funding allocation was the FBFA and the Navajo Partitioned Lands (NPL). Due to advocacy by the Navajo Hopi Land Commission Office (NHLCO), supported by the Navajo Thaw Team, \$15.55 million was set-aside to be managed by NHLCO. Of this amount, \$14.0 million was for the purchase of manufactured housing and \$1.55 million was for the completion of a housing manufacturing plan for Nahata Dziil.

The intention of this legislation dates back to April 11, 2022. The intention was to deliver new housing to the FBFA and NPL. Nahata Dziil Commission Governance (NDCG), a partner in the Navajo Thaw activities, was to receive the housing manufacturing plan.

The underlying intention, should a plan find a manufacturing plant on Navajo to be feasible, was that Nahata Dziil would host the housing manufacturing plant.

The Navajo Thaw, which historically had only been focused on FBFA and Nahata Dziil, was to be expanded in two ways to serve the NPL Chapters. First, NPL Chapters would receive a portion of the housing produced by a housing manufacturing plant—either off-Reservation or a new plant on Navajo. Second, NPL Chapters would benefit from planning intended to position them for development funding. All of this was incorporated into legislation which became **Exhibit L-4** of Section 10 of CJN-29-22. **See box at right** ➤

The role of Building Communities

The Navajo Nation engaged the services of Building Communities in September of 2019 to “make the case for \$4 billion”. This phrase has become the mantra of the effort to benefit the FBFA and Nahata Dziil. Building Communities completed Chapter Recovery Plans for all nine FBFA Chapters and for Nahata Dziil Commission Governance. In addition, in 2022, Building Communities was directed by NHLCO to begin an outreach and planning initiative to the NPL Chapters which is summarized in **APPENDICES: Addendum 25.0**

In the Spring of 2023, under the leadership of the new Nygren/Montoya Administration, NHLCO entered into a sole-source contract with Building Communities to complete the Housing Manufacturing Plan for Nahata Dziil and to advise NHLCO on the expenditure of its \$14.0 million allocation for manufactured housing.

Simultaneous to this, Building Communities was directed to coordinate with all relevant Navajo housing entities including the Division of Community Development (DCD) Community Housing and Infrastructure Department (CHID), the Navajo Nations Veterans Administration (NNVA), the Navajo Housing Authority (NHA), and the Navajo Nation Division of Economic Development (NNDED).



SPECIAL PROVISIONS FROM EXHIBIT L-4

\$14.0 million

will be expended to purchase and transport modular homes that will serve the people of the 23 impacted Chapters (the nine Bennett Freeze Area Chapters and the 14 NPL Chapters)

\$1.55 million

will be expended to develop a plan for a manufactured housing plant on the Nahata Dziil Chapter

EXECUTIVE SUMMARY

The intention of this coordinating directive, consistent with the Building Communities contract, was to usher in an era of collaboration amongst the entities involved in Navajo housing development. Most important amongst these collaborative discussions was dialogue with CHID related to the allocation of \$30 million for the construction of up to three housing manufacturing plants at five potential locations.

Dialogue with CHID began in May of 2023, three months prior to the execution of the Building Communities contract. Once the contract was executed, more frequent and formalized conversations with CHID ensued. By January of 2024, the result of this dialogue was a broad understanding of how the remaining \$24.0 million of CHID funding to construct a housing manufacturing plant could be integrated with the \$14.0 million of funding held by NHLCO to purchase the output of a Navajo-based housing manufacturing plant.

Consistent with the directive in CJN-29-22 Section 10 Exhibit L-3, an analysis needed to be completed of the viable locations for housing manufacturing plant operations at up to three of five possible locations: Chinle, Gallup, Sanders (Nahata Dził), Shiprock, and Tuba City.

This Plan has examined the alternate housing manufacturing plant locations. In addition, this Plan makes a recommendation for a **singular plant** to be constructed and operated at **Nahata Dził** 1.2 miles south of Exit 325 on Interstate-40.

In making this recommendation, the alternate sites were eliminated based upon many factors including insufficient land, lack of infrastructure, endangered species considerations, and floodplain considerations.

PROJECT REPORTS

#	Date Rec'd	Name
1	04/27/23	Navajo Housing Renaissance Overview
2	05/08/23	Navajo Housing Renaissance Work Plan
3	05/18/23	Navajo Housing Manufacturing Study Outline
4	05/22/23	NHLCO Regional Manufactured Housing Facilities Plan Scope
5	05/23/23	Navajo Housing Plan Presentation
6	06/22/23	Navajo Housing Renaissance Project Overview
7	09/29/23	Frequently Asked Questions
8	10/04/23	Building Communities Contract and Scope of Work
9	10/04/23	NHLCO Report #81
10	10/05/23	NHLCO Letter Addressing NHLC Questions
11	10/10/23	Weekly Report on Business Conducted
12	10/17/23	NHLCO Resolutions
13	10/17/23	NHLCO Report #82
14	10/17/23	Weekly Report on Business Conducted
15	10/19/23	2023 Expenditure Policy
16	10/19/23	Housing Assessment Forms
17	10/23/23	Letter to DOI on Housing Questions
18	10/24/23	Updated Letter to DOI on Housing Questions
19	10/24/23	Weekly Report on Business Conducted
20	10/30/23	Close out Documentation for Previous Contract
21	10/30/23	NHLCO/CHID Meeting Notes
22	10/30/23	Two-phased Approach to Creating a Sustainable Manufactured Housing Industry at Navajo
23	10/31/23	NHLCO Report #83
24	10/31/23	Updated NHLCO Letter Addressing NHLC Questions
25	10/31/23	Weekly Report on Business Conducted
26	11/02/23	NHLCO Letter Addressing NHLC Questions
27	11/02/23	NHLCO Reports November 2019 to November 2023
28	11/07/23	Weekly Report on Business Conducted
29	11/08/23	Preparation for Two-day NHLC Planning Session
30	11/09/23	Grath RFP (and all Exhibits)
31	11/14/23	Weekly Report on Business Conducted
32	11/17/23	Manufactured Housing Overview PowerPoint
33	11/20/23	RFP No. NHLCO-2023-01-ARPA Housing Manufactured
34	11/28/23	NHLCO Work Session Agenda
35	11/28/23	NHLCO CHID Memorandum of Understanding
36	11/28/23	Weekly Report on Business Conducted
37	11/29/23	NHLCO Executive Session Presentation
38	12/01/23	Navajo Three NFL Documentation
39	12/05/23	Weekly Report on Business Conducted
40	12/06/23	Resolutions by NDGC
41	12/08/23	Exit Report
42	12/08/23	Memo to NHLCO with Notification of Timeline Shift
43	12/08/23	NHLCO CHID Memorandum of Understanding
44	12/08/23	Summary of CJN-29-22
45	12/11/23	NHLCO Report #84
46	12/12/23	NHLCO Preparation
47	12/12/23	Weekly Report on Business Conducted
48	12/19/23	Weekly Report on Business Conducted
49	12/20/23	NHLCO Report #85
50	12/20/23	RFP No. NHLCO-2023-01-ARPA Housing Manufactured
51	12/21/23	BC Letter to DOI on Utilization of \$30 Million
52	12/21/23	Research on Manufactured Housing Plant Size and Requirements
53	01/02/24	Weekly Report on Business Conducted
54	01/09/24	BC Letter to NHLCO on Business Conducted
55	01/08/24	BC Letter to NHLCO Action Report for January 4 and January 5
56	01/16/24	Weekly Report on Business Conducted
57	01/17/24	BC Letter to NHLCO on Project Update
58	01/22/24	Memo to NHLCO on NFL Planning Activities
59	01/23/24	Weekly Report on Business Conducted
60	01/24/24	NHLCO/CHID MOU History of NHA Funding for the Technical Team
61	02/24/24	Memo to NHLCO with Notification of Timeline Shift (Recent)
62	01/26/24	Joint Meeting on Manufactured Housing Plant Agenda
63	01/26/24	Project Gantt Chart
64	01/28/24	Issues to be Presented by NDGC
65	01/29/24	5 Documents to Prepare President Nygren for 01/28 meeting
66	01/29/24	Project Update #2
67	01/30/24	Weekly Report on Business Conducted
68	02/06/24	Weekly Report on Business Conducted
69	02/08/24	Project Update #3
70	02/12/24	Project Update #4
71	02/13/24	Weekly Report on Business Conducted



In order to make the conclusions and recommendations offered in this Plan, specialized experience and expertise in Native American-based housing manufacturing was sought. Building Communities has been advised by **Dynamic Homes, LLC** a 50-year old Detroit Lakes, Minnesota-based housing manufacturing operation owned by **Ho-Chunk, Inc.** of the Winnebago Tribe of Nebraska.

Ho-Chunk originally purchased Dynamic Homes to provide quality, new housing for single-family tribal members, and multi-family housing in the new Ho-Chunk Village on the Winnebago Reservation. Since inception, their goal was to lead their Mid-Western marketplaces by delivering quality, custom products and outstanding customer service/support. Today they are a well-known, highly-respected, award-winning industry specialist in the design and construction of Manufactured Homes of the same size/price-range/variety as that which this plan calls for.

The top-line conclusion of Building Communities based on the counsel of Dynamic Homes is twofold: **1)** the \$24.0 million remaining for the construction of a housing manufacturing plant is sufficient for a 120,000 square foot facility employing 50 laborers and 20 additional administrative and other professionals, and **2)** the \$14.0 million allocation to NHLCO is sufficient to produce **144 homes** prior to the ARPA expenditure deadline of **December 31, 2026**.

As detailed in **Section 5.0**, ARPA funding can be used to jumpstart the establishment of a Navajo manufactured housing sector. The development of **144 homes** is significant, as there are few, if any, Navajo stick-built housing contractors that can build six or more homes in any given year. The housing manufacturing plant at Nahata Dził can be a paradigm-shift for the Navajo Nation.

If the Nation intends to successfully implement the vision of the Nygren Administration to construct 1,000 new homes – and begin to address the estimated deficiency of 50,000 homes throughout the Navajo Nation – it must begin with manufactured housing. Locating such manufacturing on the Navajo Nation creates jobs for the Navajo people and revenue for the Nation itself.

EXECUTIVE SUMMARY

RECOMMENDATIONS

This housing manufacturing plan for Nahata Dził makes three recommendations.

First, the ARPA funding obligation deadline of June 30, 2024 must be met by entering into agreements for: 1) the construction of the \$24.0 million manufactured housing plant at Nahata Dził, and 2) the allocation of \$14.0 million from NHLCO to purchase the output the plant.

Second, the Findings and Recommendations of **Section 9.0 “Sustaining Life After ARPA”** must be met. In other words, by ushering in this new era of Navajo housing funding collaboration, key entities such as DCD CHID, NHA, Navajo Nation Gaming Enterprise (NNGE), and others must collaborate to build new Navajo communities utilizing Navajo housing funding resources to purchase the long-term output of the housing manufacturing plant at Nahata Dził.

Finally, the intent of the ARPA legislation to broaden the Navajo Thaw Chapter Recovery Planning to be inclusive of the NPL Chapters should commence. This planning should be integrated into existing Navajo (Navajo Thaw) planning along with similar planning completed at the Hopi Tribe and the San Juan Southern Paiute Tribe. The result of such planning will position the Navajo Nation to successfully collaborate with neighboring Tribes to address the ultimate big picture—finally securing the resources of sufficient magnitude to address the impacts of the FBFA and NPL.

“THINK FOR THE FUTURE”

HOUSING MANUFACTURING PLAN FOR NAHATA DZIIL FEBRUARY 2024



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL



SECTION 1.0 A LIFE-CHANGING INVESTMENT

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SECTION 1.0 A LIFE-CHANGING INVESTMENT

Life-changing *and* Game-Changing on several levels: Funding of this nature will certainly produce results - tangible assets that will far and away *affect* and *significantly improve* the quality of life of all to be awarded the gift of good housing. But another key factor in the life-and-game-changing equation is that the Navajo people can, *at long last*, have a direct hand in shaping their destiny - their future. By the hard-earned work of their own hands, they can actually be at the helm of change in a very hands-on manner—calling the shots, as it were. This section gives some background and sets the tone for a great success story ...

KEY POINTS

- (1) A Powerful Message from **NHLCO**
- (2) The NHLC Delegates and their Territories
- (3) An overview of **CJN-29-22, SECTION 10** including
- (4) Exhibits L-3 and L-4
- (5) Funding Table



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL





SECTION 1.0

A LIFE-CHANGING INVESTMENT

The Navajo Hopi Land Commission (**NHLC**) is a nine-member board and subset of the 24 Delegates, with the responsibility of developing and overseeing policy for the 24 impacted chapters that they serve. Each of the nine delegates (see map on the following page) represents one or more Chapters. In 2023, the **NHLC** released a strong statement that can be found in its entirety at [APPENDICES: Addendum 1.0](#). Here is an excerpt:

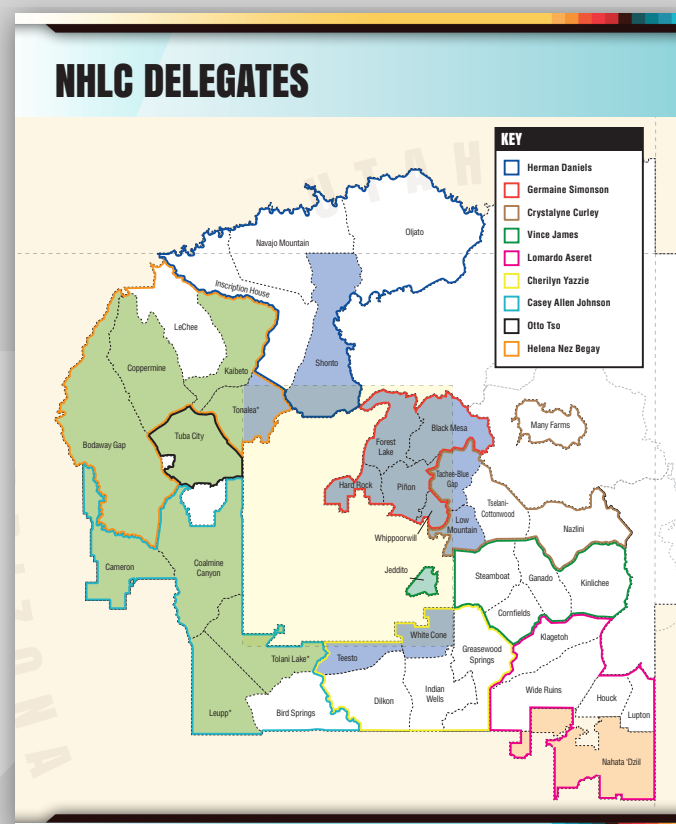
“... the Navajo Nation government is committed to holding the United States responsible and accountable for the impacts the forced relocation of Navajo families and decades of development freezes imposed on Navajo communities ...”

... these Relocatees were promised, among other things, decent, safe, sanitary and adequate homes, and humane treatment, but often received much less. To this day, surviving Relocatees are still fighting to receive their benefits and fair treatment ...

... the Nation has asked that the Commissioner be tasked with evaluating all of the negative impacts of the forced relocation and construction freezes and, working closely with the Navajo Nation and impacted communities, propose a plan of remediation.”



The Nine NHLC Delegates and their Territories



SECTION 1.0 A LIFE-CHANGING INVESTMENT • LEGISLATION

At last, the time has come for “*Recovery*”. Through the tireless work of the NHLC Delegates and with the sorely-needed aid of government ARPA funding, the time is upon us to stand, deliver and make a difference. A review of the new enabling/appropriating legislation - with a particular focus on **CJN-29-22, SECTION 10** reveals the following:

Review of CJN 29-22
September 13, 2023
(Nighthawk Updated December 8, 2023)

Office	Funding	Use	Expenditure Category	Administrative Oversight	Legislative Oversight
CHID	\$50 million	New housing projects, as long-term housing security	Services for unhoused persons (Expenditure Category 2.15)	NNDCD	RDC
NNVA	\$50 million	New housing projects, as long-term housing security	Services for unhoused persons (Expenditure Category 2.15)	NNVA	HEHS
CHID	\$30 million	Design and construction of up to three regional housing manufacturing facilities with locations in Tuba City, Sanders, Chinle, Shiprock, or Gallup areas	Long-term housing security: Affordable housing (Expenditure Category 2.15)	NNDCD	RDC
NHLCO	\$15.55 million	Housing for the Former Bennett Freeze Area and Navajo Partitioned Lands. Purchase modular homes for people within the 23 impacted Chapters; planning of a manufactured housing plant at Nahata Dziil Chapter	Long-term housing security: Affordable housing (Expenditure Category 2.15)	NNDCD	RDC

Office	Approval Oversight Body	Special Condition #1	Special Condition #2	Special Condition #3
CHID	RDC by Resolution	Need-based	ADA	Federal distribution by Designated Region
NNVA	HEHS by Resolution	Need-based	ADA	-
NHLCO	NHLC by Resolution	Need-based	ADA	-

Special Provisions from Exhibit L-4 (\$15.55 Million to NHLCO)

- \$14 million will be expended to purchase and transport modular homes that will serve the people of the 23 impacted Chapters (the nine *Former Bennett Freeze Area* Chapters and the 14 *NPL* Chapters)
- \$1.55 million will be expended to develop a plan for a manufactured housing plant on the Nahata Dziil Chapter
 - The plant will create the capacity for the Navajo Nation to make a long-term impact to the overcrowding problem
 - Create jobs for Relocatees from the Navajo-Hopi Land Dispute
 - Expand effort to provide planning and development funding for the 14 Chapters of NPL
- NHLCO to issue an RFP for a qualified non-profit organization with experience in housing maintenance to provide training and support for benefitting families
- The eligibility criteria will be reviewed and approved by NHLC Resolution

Page 1 of 2

See **APPENDICES: Addendum 26.0**

Special Provisions from Exhibit L-4 (\$15.55 Million to NHLCO)

- \$14 million will be expended to purchase and transport modular homes that will serve the people of the 23 impacted Chapters (the nine *Former Bennett Freeze Area* Chapters and the 14 *NPL* Chapters)
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 - The plant will create the capacity for the Navajo Nation to make a long-term impact to the overcrowding problem
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 - Expand effort to provide planning and development funding for the 14 Chapters of NPL
- NHLCO to issue an RFP for a qualified non-profit organization with experience in housing maintenance to provide training and support for benefitting families
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SECTION 1.0 A LIFE-CHANGING INVESTMENT • FUNDING

OFFICE	FUNDING	USE	EXPENDITURE CATEGORY
CHID	\$50 MILLION	New housing projects, as long-term housing security	Services for unhoused persons (Expenditure Category 2.15)
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NHLCO	\$15.55 MILLION	Housing for the Former Bennett Freeze Area and Navajo Partitioned Lands. Purchase modular homes for people within the 23 impacted Chapters; planning of a manufactured housing plant at Nahata Dziil Chapter	Long-term housing security: Affordable housing (Expenditure Category 2.15)

SECTION 2.0 COMPLIANCE: MEETING THE DEADLINES

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SECTION 2.0 COMPLIANCE: MEETING THE DEADLINES

The DEADLINE to obligate ARPA funding is June 30, 2024 and the DEADLINE to expend all ARPA funding is December 31, 2026.

KEY POINTS

- (1) Legislation (CJN-29-22)
- (2) December 31, 2026 ... What are the OPTIONS?
- (3) Section 6.1: U.S. Treasury Department Requirements
- (4) The NNFRF: Fiscal Recovery Fund Office
- (5) *We have a CHOICE as to where we will be in 2026 ... Let's Make The Right One!*



MANUFACTURED HOUSING PLAN FOR NAHATA DZIL

2. respond to workers performing COVID-19 public health emergency to eligible workers;

SECTION 2.0

COMPLIANCE: MEETING THE DEADLINES

4. make necessary investments in wireless broadband infrastructure.
- H. The U.S. Department of Treasury has issued that the use and expenditure of Fiscal Recovery under one of the four categories above recipients must report each expenditure eighty-three (83) "Expenditure Categories" Appendix 1 to the U.S. Department of Treasury Reporting Guidance for State and Local Fiscal Recovery as Exhibit A.

I. Pursuant to ARPA:

1. Fiscal Recovery

4. Any funds not obligated or expended for eligible uses by the dates set forth above in sections I (1) and (2) must be returned to U.S. Treasury, including any unobligated or unexpended funds that have been provided to sub-recipients and contractors as part of the award closeout process.

Page 3 of 28

C.TN-29-22

3. Costs incurred by the Navajo Nation prior to March 3, 2021 are not eligible.

4. Any funds not obligated or expended for eligible uses by the dates set forth above in sections I (1) and (2) must be returned to U.S. Treasury, including any unobligated or unexpended funds that have been provided to sub-recipients and contractors as part of the award closeout process.

- J. While its acceptance of Fiscal Recovery Funds obligates the Navajo Nation to comply with ARPA and other federal laws and regulations, the Navajo Nation can and will fulfill these obligations while retaining and exercising its sovereignty allocating and disbursing Fiscal Recovery Funds.

- K. On July 23, 2021, the Navajo Nation Council adopted Resolution No. CJY-41-21, incorporated herein by reference, establish the Navajo Nation Fiscal Recovery Fund ("NNFRF") into which the Navajo Nation's allocation of \$2,079,461,464 has been deposited. Resolution CJY-41-21 also adopted an expenditure authorization and approval process for the allocation of funds from the NNFRF.

1. The Navajo Nation Council mandated the Budget and Finance Committee to adopt application and review procedures, as an expenditure plan template, to be used by all requesting Navajo Nation Fiscal Recovery Funds. Resolution CJV-41-21, Section Four. The Budget and Finance Committee approved Resolution No. BFS-31-21 which established the Navajo Nation Fiscal Recovery Fund application procedures, and an expenditure plan template. Resolution F is incorporated herein by reference.

4. To ensure the Navajo Nation's compliance with ARPA Four of Resolution CJY-41-21 directed the Navajo Department of Justice ("NDOJ") to perform "a comprehensive determination of whether the Navajo Nation meets the legal requirements of the Federal Recovery Funds Program (ARPA and applicable Navajo Nation laws, regulations, policies and procedures." Resolution BFS-31-21 "NDOJ's initial determination of whether the Navajo Nation meets the application procedures, forms, and an expert template, which requires, among other things, involvement of the entity with administrative oversight over the Funds, the Navajo Administrative Committee, and the Navajo Department of Justice and responsibility to monitor the implementation of an approved FRF Expenditure Plan and the expenditure of awarded funds. The Navajo Department of Justice's administrative oversight are set forth in Section Seven of the FRF Procedures. Exhibit 1

Page 4 of 28

The American Rescue Plan Act, Section 501(c)(29)
The Coronavirus State Fiscal Recovery Fund

May 11, 2021

DLINES

Allocation Methodology

ARPA provided a territorial, and tribal govern... the difference between... (\$0.5 billion each... their seasonally adjusted... the Bureau of

- **States and DC:**
 - (1) \$0.755 billion to DC (i.e., the federal government)
 - (2) \$0.755 billion distributed equally across state governments to the 50 states provided in the CARES Act

Timing

APRA provided Treasury with the discretion to make CSFRF payments to states in one or two tranches, based on state unemployment levels. Treasury released guidance specifying that payments will be made in two tranches for states with unemployment levels at the time of Treasury certification that payments will be made in two tranches, consisting of payment delivery instructions and an authorized representative signature, through the Treasury submission portal to receive CSFRF payments. All other states are to receive payments in two tranches, with all first tranches are requested to be made no later than 12 months after Treasury certifies the first round of payments. Treasury's guidance also stated that payments to tribal governments are to be made in a single installment, also by May 2021. For states receiving two tranches, all payments are to remain available until May 2021 and June 2021. Payments to tribal governments are to remain available until December 31, 2024. Amounts not spent or used for eligible purposes must be repaid to Treasury.

APRA Uses

APRA specifies that funding provided through the CARES Act:

- respond to the COVID-19
- be used for eligible purposes must be repaid to Treasury.

- COVID-19 public health emergency and its negative economic impacts; replace premium pay to essential workers or grants to employers with essential workers;
- 27, 2020, reduced by the projected revenue, relative to projections issued before January 27, 2020, reduced by the projected budgetary effect of certain tax cuts enacted after March 3, 2021 (to prevent payments from offsetting the effect of such tax cuts); or
- make necessary investments in water, sewer, or broadband infrastructure.

Table 1. CSFRF Payments by State

State	(in billions of dollars)	Projected # of Payments
Alabama	2,120	2
Alaska	1,012	2
American Samoa	0.479	1
Arizona	4,183	2

Page

G. Pursuant to Section 9901 of Al are specifically intended to:

1. respond to the COVID-19 public health emergency, negative economic impacts, households, small businesses, to impacted industries such as hospitality;

2. respond to workers performing

Congressional Research Service

(2) \$19 billion allocated to all tribal governments through a process to be determined by the Secretary of the Treasury; and

- Territories:** \$4.5 billion set-aside for Puerto Rico, American Samoa, Guam, the Commonwealth of Northern Mariana Islands, and the U.S. Virgin Islands, with
 - (1) \$2.25 billion allocated equally across the five territories (0.45 billion each); and
 - (2) \$2.25 billion allocated based on relative population.

Timing

ARPA provided Treasury with the discretion to make CSFRF payments to states in one or two tranches, based on state unemployment levels. Treasury released [guidance](#) specifying that payments will be made in one installment for states with unemployment levels at the time of Treasury certification that are more than two percentage points higher than February 2020 levels. (State governments must complete certification, consisting of payment delivery instructions and an authorized representative signature, through the [Treasury submission portal](#) to receive CSFRF payments.) All other states are to receive payments in two installments, with all first payments made in May 2021. For states receiving two tranches, the second tranche payments are required to be made no later than 12 months after Treasury certifies the first round of payments. Treasury's guidance also stated that payments to all territorial governments will be made in a single installment, also in May 2021. Payments to tribal governments are to be made in two installments—May 2021 and June 2021—with the latter based on unemployment data. All payments are to remain available until December 31, 2024, with funded projects completed no later than December 31, 2026. Amounts not spent or used for ineligible purposes must be repaid to Treasury.

Eligible Uses

ARPA specifies that funding provided through the CSERF is generally only to be used to

- respond to the COVID-19 public health emergency and its negative economic impacts;
- provide premium pay to essential workers or grants to employers with essential workers;
- replace lost, delayed, or decreased revenue, relative to projections issued before January 27, 2020, reduced by the projected budgetary effect of certain tax cuts enacted after March 3, 2021 (to prevent payments from offsetting the effect of such tax cuts); or
- make necessary investments in water, sewer, or broadband infrastructure.

CSFRF recipients may transfer funds to private nonprofit groups, special purpose units of state or local governments, or public benefit corporations involved in the transportation of passengers or cargo. **Table** shows the total CSFRF payments provided to state, tribal, and territorial governments and the projected number of installations that Treasury will use to make payments.

Table 1. CSFRF Payments by State and Territory
(in billions of dollars)

State	Total Allocation	Projected # of Payments
Alabama	2.120	2
Alaska	1.012	2
American Samoa	0.479	1
Arizona	4.183	2

See **APPENDICES: Addendum 5.0**

Page 4 of 28

SECTION 2.0 COMPLIANCE: MEETING THE DEADLINES

ARPA prescribes that all funding must be obligated by December 31, 2024 and expended by December 31, 2026 per the U.S. Treasury rules and [Treasury Guidelines](#). The Navajo Nation has expedited the obligation deadline - calling for the funds to be obligated by June 30, 2024 - a wise move, since it provides a six-month cushion. There are four possible outcomes for 2026 - but only ONE is acceptable and **MUST** happen ...

12-31-26: Nothing happens at all



1

2

Meeting the U.S. Treasury Department [requirements](#) (Section 6.1) is guaranteed - everything has passed through the Navajo Nation Department of Justice (DOJ) and has been approved - this manufactured housing plan and associated recommendation to construct and operate a housing manufacturing plant is deemed an eligible use of funds.

The construction of the manufacturing plant and the associated manufactured homes is the **BEST** option to create a long-term paradigm shift as to how the Navajo Nation constructs and places homes throughout the land.

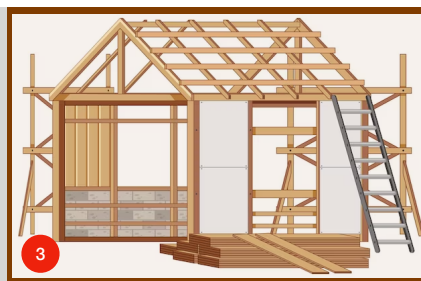
12-31-26: Navajo Nation returns the money



2

0

12-31-26: No Plant; invest in stick-build instead



3

2

See [APPENDICES: Addendum 3.0](#) for the original 2021 press release entitled, “**Navajo Nation establishes the Fiscal Recovery Fund Office for the American Rescue Plan Act**”

See [APPENDICES: Addendum 4.0](#) for **SECTION TEN (detail) APPROVAL OF HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES EXPENDITURE PLAN** Fiscal Recovery Fund Housing Projects and Manufactured Housing Facilities Expenditure Plan that includes Housing, Veterans Housing, Housing Manufacturing Facilities, and Housing for the Former Bennett Freeze Area and Navajo Partitioned Lands Projects, as set forth in **Exhibits L and L-1 through L-4**.

12-31-26: New Factory producing New Homes!



4

6



SECTION 3.0 TALKING IN CODE: NAVAJO LAND WITHDRAWAL PROCESS

L



SECTION 3.0 TALKING IN CODE: NAVAJO LAND WITHDRAWAL PROCESS

The first essential step to develop land on the Navajo Nation is the land withdrawal process. For projects at Nahata Dził, this process must also be coordinated with the Office of Navajo and Hopi Indian Relocation (ONHIR). This process has been initiated with the Navajo General Land Development Department (GLDD).

The GLDD staff has been very responsive, and the next steps are laid out in the information that follows in this section.

KEY POINTS

- (1) Land Withdrawal Designation Regulations
- (2) Land Withdrawal Process
- (3) Resources and Code
- (4) NNHPD, NNCRPA and NNFGD
- (5) A Low Sensitivity Site



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL



SECTION 3.0 TALKING IN CODE: NAVAJO LAND WITHDRAWAL PROCESS

Developing land in Indian Country comes with additional, unique processes given that much of the land is held in trust by the federal government with an obligation to protect tribal treaty rights, lands, assets, and resources, as well as a duty to carry out the mandates of federal law with respect to American Indian and Alaska Native tribes and villages. This section summarizes the unique land withdrawal process.

LAND WITHDRAWAL DESIGNATION REGULATIONS

Land Withdrawal Process

One essential step for developing land on the Navajo Nation is to conform with the land withdrawal process. This begins with consultation with the General Land Development Department (GLDD) which has been accomplished by Building Communities. Steady and responsive submittals to GLDD will ensure a timely process. In June of 2015, by resolution of the Navajo Nation Council's Resource and Development Committee (RDC), the process for land withdrawal on the Navajo Nation was amended (see [APPENDICES: Addendum 8.0](#) for the resolution, RDCJN-33-15). RDC is the final approving authority for all land withdrawals on the Navajo Nation.

Additionally, the newly crafted Administrative Rules and Regulations for Land Withdrawals were *approved*, which established a more efficient process and approval system for land withdrawals. While the codified Biological and Cultural Resource surveys, as well as a legal land survey, remain in place, the approach for a Navajo Governmental entity to withdraw land for governmental use is streamlined, inasmuch as there is no burdensome requirement that the entity make application for, nor gain approval of, a Business Site Lease.

Development projects on the Nahata Dziil Chapter face a unique governance and regulatory environment. In addition to the processes and procedures established by the Navajo Nation, a separate federal office provides support and governance activities associated with Nahata Dziil—the Office of Navajo and Hopi Indian Relocation (ONHIR). Over the past eight months, the leadership at Nahata Dziil Commission Governance joined with Building Communities to make the staff at ONHIR aware of this planning and potential development activity. Continued consultation with ONHIR is required as the project moves forward.



The Navajo Nation General Land Development Department (**GLDD**) has established a two-step Land Withdrawal Application for community development and industrial development. **Step One** consists of **four** segments:

- 1) a cover letter from the entity describing the intended use of the land,
- 2) a legal survey or GPS coordinates,
- 3) a supporting Chapter resolution, and,
- 4) grazing permittee consent.

Upon receipt of these, the GLDD then designates, or reserves, that land for future use.

Step Two is the requirement for both a Biological and Cultural Resource survey.

These survey documents are submitted to the Navajo Nation Fish and Wildlife Department and the Navajo Nation Historic Preservation Department respectively. Each Department then reviews the survey, and finding no cultural or biological endangerment, issue a Compliance Form. Only after these compliance forms are recorded by GLDD can any site disturbance begin.

Resources and Code

Navajo Nation Historic Preservation Department; Navajo Nation Cultural Resources Protection Act (NNHPD) (NNCRPA): Navajo Nation Historic Preservation Department (NNHPD) is charged with review and approval of cultural resource permits for any land disturbance on the Nation. (see [APPENDICES: Addendum 28.0](#)) Excerpt from [pages 4-5](#):

§ 1004. Historic Preservation Department

The Navajo Nation Historic Preservation Department (hereafter referred to as the “Department”) within the Division of Resources shall be the Navajo Nation’s agency responsible for the protection, preservation and management planning for the Navajo Nation’s cultural resources. The department shall be directed by the Navajo Nation Historic Preservation Officer (hereafter referred to as the “Preservation Officer”) who shall advise the President of the Navajo Nation, the Navajo Nation Tribal Council, the divisions, departments, programs, agencies, authorities, enterprises and any other instrumentalities of the Navajo Nation, the federal, state and local governments, private organizations and individuals on matters pertaining to cultural resource preservation to achieve the goals of this Act on Navajo lands, and on lands in which the Navajo people have a historical interest. The Department shall conduct such other activities authorized in accordance with the Department’s approved Plan of Operation.

§ 1005. Archaeology Department:

The Navajo Nation Archaeology Department (hereafter referred to as the “Archaeology Department”) within the Division of Resources shall be the Navajo Nation’s agency for providing cultural resources services to project sponsors.



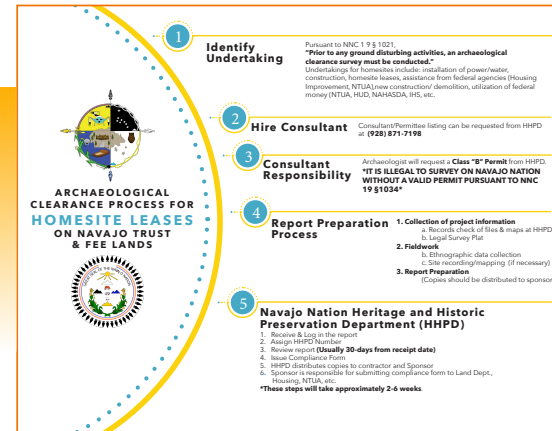
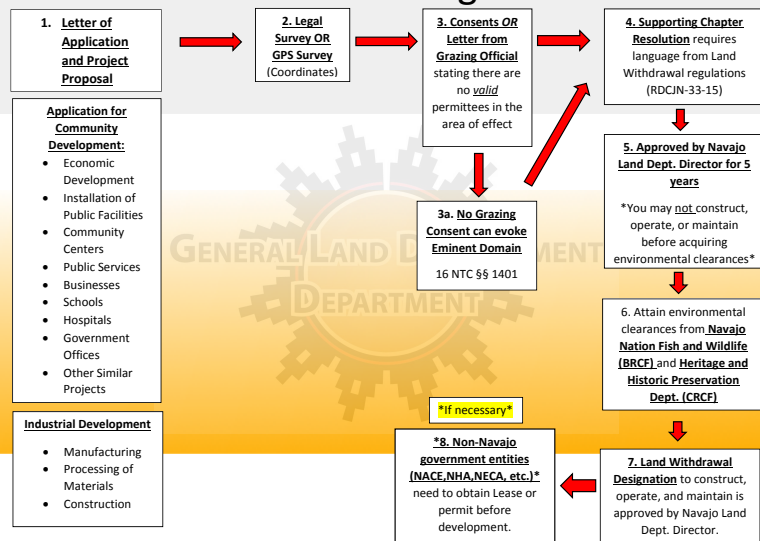
SECTION 3.0 TALKING IN CODE: NAVAJO LAND WITHDRAWAL PROCESS

In its efforts of **Protecting, Maintaining, and Balancing Navajo Cultural Heritage in a Changing World**, the NNHPD has, as its vision statement, and operational directive, the vital role of affirming nearly every land use application on the Navajo Nation does not infringe upon any culturally sensitive areas. The prime aspect of this process is the work of a qualified and Navajo Nation vetted professional whose certification is monitored regularly. The cultural professional makes the initial request for a permit dependent upon the type of survey required. In the case of surveying for the manufactured housing facility, a **Class B** permit is anticipated. This permit allows for a simple sight-evaluation of the area under consideration by the cultural professional, and a follow-up report to the NNHPD, who in turn has a 10-day response time to issue an approval.

General Land Development Department: Flowchart

of withdrawal process | application document (see APPENDICES: Addendum 27.0)

Land Withdrawal Designation Process

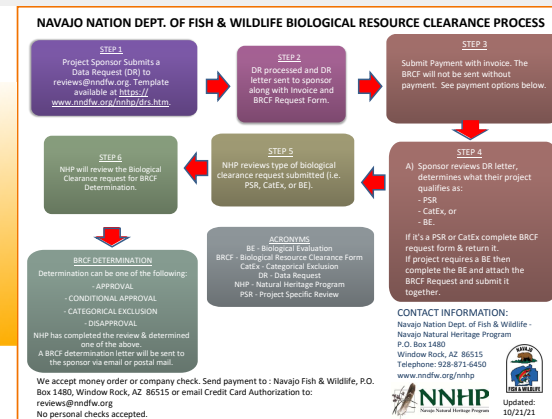


Archeology Process Chart

Visit:

<https://hpd.navajo-nsn.gov/>

(see APPENDICES: Addendum 29.0)



Navajo Heritage Program (NNHP), of the **Navajo Nation Fish and Game Department (NNFGD)** is responsible for the biological resources clearance form (BRCF) of the overall land withdrawal process; Visit:

https://www.nndfw.org/nnhp/nnhp_home.htm

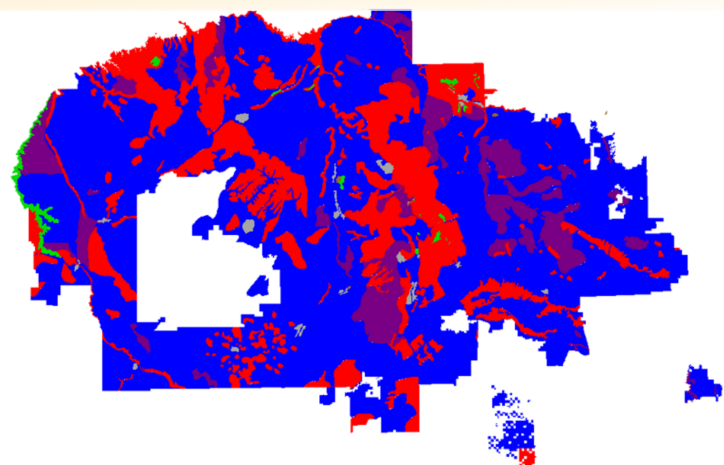
(see APPENDICES: Addendum 30.0)

SECTION 3.0 TALKING IN CODE: NAVAJO LAND WITHDRAWAL PROCESS

Our proposed manufactured housing facility site at Nahata Dziil is in an area defined by the NNHP as a **Community Development Area**, or **Low Sensitivity Area** for any biological/environmental restrictions.

Further detail on this information can be found here: <https://www.nndfw.org/zones/rcp.html>

The identification of this area as **Low Sensitivity** adds to the positive factors for development within a narrow window of opportunity.

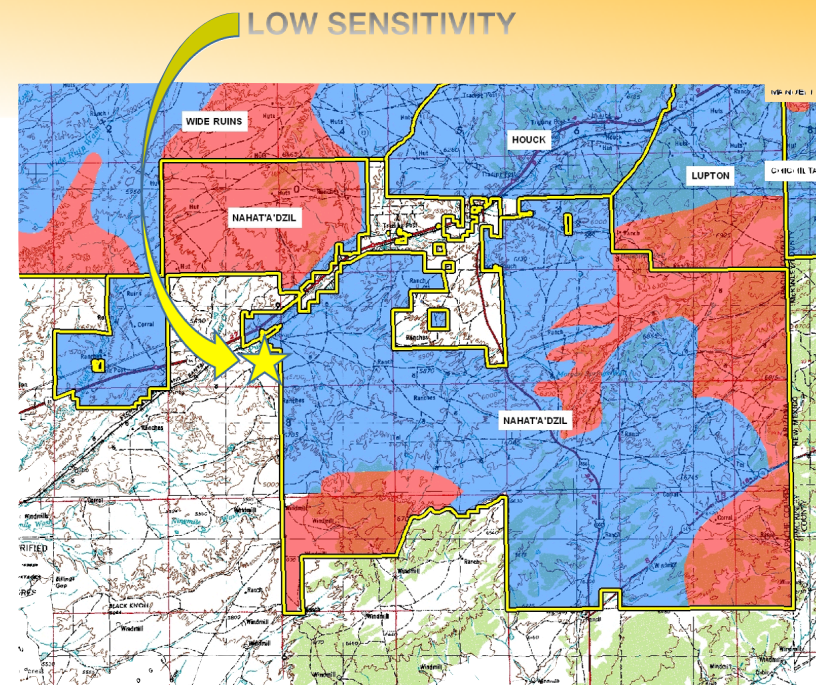


AREA 1 (RED) HIGH SENSITIVITY
AREA 2 (PURPLE) MODERATE SENSITIVITY
AREA 3 (BLUE) LOW SENSITIVITY
AREA 4 (GRAY) COMMUNITY DEVELOPMENT
AREA 5 (GREEN) BIOLOGICAL PRESERVES
AREA 6 (BROWN) RECREATIONAL AREAS



The Nahata Dziil Site

Considered to be both a 'Community Development' and a 'Low Sensitivity' area.



SECTION 4.0 INVENTORYING EXISTING HOUSING MANUFACTURING INTERESTS/SITES AT NAVAJO



SECTION 4.0 INVENTORYING EXISTING HOUSING MANUFACTURING INTERESTS/SITES AT NAVAJO



Unacceptable and overcrowded—two terms used to describe many present-day Navajo living/housing conditions. The 18-person Implementation Team, who are ever-determined to drive change through economic development, have created a **Navajo Housing Renaissance** to aid those affected with a transition from the dark(er) times to a positive future condition. ARPA funding will be used to drive this modern-day renaissance by providing the means to build a factory on Navajo land, staffed by Navajo people, with the end result being the production of “free” manufactured homes gifted to the most dire cases within the FBFA and NPL chapters. An extensive research survey has identified the right site ...

KEY POINTS

- (1) A Real Housing Crisis
- (2) Strong Implementation Team in Place for a Housing Renaissance
- (3) Housing Manufacturing Plant Site Evaluation • February 2024
- (4) Why Nahata Dził? *Planning with Strength*
- (5) Shovel Ready!
- (6) “The President is Coming!”

MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL





Sadly, the 40-year development moratorium that lasted from 1966-2006 (and, arguably, extends to this day) has created deplorable living conditions affecting 20,000 people in Western Navajo.

The Navajo Nation is the largest Native American Indian Tribe in the United States – both in terms of population and land mass. Similar to other federally-recognized Tribes, the Navajo Nation suffers from deplorable economic and livability conditions.

It has often been said that the Navajo Nation, a land mass the size of the state of West Virginia, is a third-world nation inside of the world's indispensable country, the United States. When compared to the U.S., Navajo: has 10 times the unemployment rate, one third the per capita income, 100 times the percentage of homes without water and 1,000 times the percentage of homes without power, triple the poverty rate, one fourth the educational attainment, six times the percentage of homes under \$100,000 in value, and double the percentage of its population without healthcare coverage.

For 40 years, the *Bennett Freeze* has literally “frozen” development opportunities for 20,000 Navajo people. Under the Freeze our people have endured deplorable living conditions, deficient or non-existent infrastructure, overcrowded and dilapidated housing, and negligible job opportunities, all of which has resulted in a decades-long condition of hopelessness.

When one fully understands the deplorable economic and housing conditions at the Navajo Nation, it is not surprising to find the largest geographic concentration of poverty in the United States to be centered in Northeast Arizona.

SECTION 4.0 INVENTORYING EXISTING HOUSING MANUFACTURING INTERESTS/SITES AT NAVAJO

A Real Housing Crisis: Within the rural Navajo Nation, few are left out in the cold, but many people live on top of each other with two to three families in a trailer or small house. A 2011 study commissioned by the Navajo Housing Authority (NHA) showed about half of the tribe lives in unacceptable and overcrowded conditions. Additionally, over 10,000 veterans live on the Navajo Nation and many live in poor and overcrowded conditions, often without running water or electricity. The 2011 study concluded that 34,100 housing units needed to be built, but current estimates suggest the number being closer to **50,000**.

On the employment scene, typically, Tribal and Federal government are the largest employers but the scarcity of jobs and lack of overall economic opportunity mean that, for the Navajo on the reservation, unemployment is ten times higher than the U.S. average and per capita income is four times lower. Often, heads of household are forced to leave the reservation to seek work, and grandparents take on the job of raising their grandchildren. In order to survive, extended families pool their resources to try and provide for their basic needs.

Finally, the remoteness and limited resources of many reservation communities make it difficult to provide adequate housing. Both homelessness and overcrowding are chronic problems. Because many families will not turn away any family member who needs a place to stay, it is not uncommon for several generations to live in a single household, many in only a one or two-bedroom structure.

The current housing problem is made worse by the fact that much existing housing is sub-standard and in desperate need of repair. Despite recent efforts by many, the need for adequate housing on reservations is acute. About one-third of Navajo homes are deficient in plumbing and kitchen facilities and do not have bedrooms.

On the reservation, an estimated 32% of all homes lack electricity, 31% do not have indoor plumbing, and 38% lack running water. In terms of sheer numbers, about 15,000 homes on the reservation are not connected to electricity. More homes are connected to electric power all the time, but even the current rate of 700 newly-connected homes per year cannot keep up with the demand.



What is remarkable about Indian Country's massive and forgotten housing crisis is that it would not exist if the U.S. government and society in general simply cared enough to devote adequate resources to putting roofs over the heads of people who need and deserve them.

Bottom line—If ever there was a place and time in history that NEEDS new home construction, it is Navajo today!

Creation of a Navajo Team: Since the very beginning of the Navajo Hopi Land Dispute, there have been Navajo members and leaders that have desired to make a difference – to reverse the impacts of the Bennett Freeze and Forced Relocation. But what is different today is the result of one man: **Thomas Tso**.

In 2015, Thomas Tso was serving the Bodaway Gap Chapter as its Grazing Officer, and was working with his Chapter leadership and staff to begin developing a plan that would actually make a difference. Tom's passion led to the creation of Native Builders LLC—a Navajo-owned consulting company that could reach out to Chapters and Navajo Nation leadership to create and implement a plan that would finally bring the federal resources to the Nation to make a difference. It was at this time that Tom reached out to Brian Cole, President of Building Communities. Cole was just discovering the impacts of the Bennett Freeze, and could not believe how the United States had pitted one Indian Tribe against another and created a development moratorium. It was at that point that Tom and Brian reached out to other Navajo volunteers to build and implement a plan.



Thomas Tso, Native Builders, LLC, pictured in 2018

By September of 2019, this became known as the Navajo Thaw. The full name was referred to as the Navajo Thaw Implementation Plan, underscoring the intent not simply to write a plan, but to coordinate with everyone to seek and utilize the human, financial, and technical resources to make a difference. Tom's company, Native Builders LLC, received the contract from the Navajo Nation to conduct the nine Former Bennett Freeze Area Chapter Recovery Plans and the Navajo Thaw Regional Recovery Plan. Native Builders LLC subcontracted with Building Communities to assist with the planning and advocacy.

Thomas Tso passed away in January of 2021 due to complications associated with the Coronavirus. Tom was very proud of his company, and he wanted to see his work and legacy continued.

SECTION 4.0 INVENTORYING EXISTING HOUSING MANUFACTURING INTERESTS/SITES AT NAVAJO

Today, the **Navajo Thaw Team** is comprised of **18** individuals all yearning to make a difference. Some members of the team have attended a weekly telephone call dating back to 2014. All of the members of the team want to see the success of the Nygren Administration, the 25th Navajo Nation Council, and the improved well-being of all of Navajo.

The depth and breadth of the Navajo Thaw initiative is explained on its always-updated website, www.navajothaw.com.

Under leadership of the NHLCO Executive Director in January of 2023, the housing element of the Navajo Thaw initiative was referred to as the **Navajo Housing Renaissance**.

A Housing Renaissance

The Team sees this exciting period in Navajo history as coming out of The Dark Ages - just as Europe emerged from its own period of darkness and despair in 1453 CE. Remember the real definition of the original **Renaissance**:

“... a period in history and a *cultural movement* marking the transition from the **Middle Ages** to **modernity**, covering the 15th and 16th centuries and characterized by an effort to revive and surpass the ideas and achievements of classical antiquity; it occurred after the crisis of the Late Middle Ages and was associated with *great social change* in most fields and disciplines, including art, architecture, politics, literature, exploration and science.”

For Navajo, the comparison is striking! It really is a time of transition - from something dark and cold to a more modern way of life in which the spirit of the Nation will be ‘revived’. The **Navajo Thaw Implementation Team** understands the vision and requirement to advance from *planning* to **implementation**. The Housing Renaissance will take critical action steps mobilize the vision to *action*, at last.

For the manufacturing plant, the key **implementation** decision is all about location, location, location. On the following pages, many factors and considerations are reviewed - leading to the recommendation to build the manufacturing plant at Nahata Dziil. This entails surveying alternate sites, creating and considering site location criteria, traveling to sites and consulting experts on Navajo development land, considering the factors of “shovel ready” land, and ultimately recommending one top development location.

SURVEY

HOUSING MANUFACTURING PLANT SITE EVALUATION BUILDING COMMUNITIES • FEBRUARY 2024

Background

The Navajo Nation Council passed CJN-29-22 Section 10, allocating \$145.55 million for housing improvements and studies benefitting the Navajo Nation. Of this amount, Exhibit L-3 allocated \$30 million to the Division of Community Development (DCD) Community Housing and Infrastructure Department (CHID) for the construction of up to three housing manufacturing plants. Building Communities has completed research, and concludes that there is sufficient funding for the construction of **ONE** housing manufacturing plant. Building Communities recommends the construction and operation of a 120,000 square foot manufacturing plant situated on a minimum of 20-acres with accessibility to the road and highway system to transport completed homes into the Former Bennett Freeze Area (FBFA) and Navajo Partitioned Lands (NPL) Chapters.

Five siting criteria (see below) were utilized to evaluate “shovel-ready” development sites at **Chinle, Gallup, Sanders** (Nahata Dziil), **Shiprock**, and **Tuba City**.

1	A minimum of 20-acres
2	Adequate water and power infrastructure
3	Adequate ingress/egress to the manufacturing site and access to the State, Federal, and Tribal transportation system
4	Timely path forward for land withdrawal
5	Chapter/community support (in the form of a resolution)

In addition to the land and infrastructure requirements, of paramount importance is the ability to *obligate* American Rescue Plan Act (ARPA) funding before the June 30, 2024 deadline established by the Navajo Nation. In addition, the development and operations of a manufacturing plant with the ability to produce homes prior to the ARPA *expenditure* deadline of December 31, 2026 is a determining factor.

After completing outreach and research with a variety of sources, Building Communities recommends the development of a 120,000 square foot housing manufacturing plant at a 27-acre site on the Nahata Dziil Chapter. The table and information that follows provides additional background on the recommendation being made by Building Communities.



SURVEY

CHAPTER/SITE	LOCATION	STATUS	UTILITIES	COMMENTS
Tuba City	Multiple sites evaluated	Private; Undeveloped	Standard residential electric parallels site; water line fronts property	Three parcels recorded in Coconino County, total 23-acres +/-; 95% of property is rated as slope, generally from NW to SW; sandy soil; follow up with Western RBDQ yielded no suitable acreage available within the Tuba City Chapter
	36.12939, -111.24520			
Shiprock	Ayani Neez Blvd and Sheep Rd	Trust Land	Commercial electric (three-phase) on site; two 1,000 gallon propane tanks	Steel building on approximate three-acre site under fence; previously used as warehouse/shipping for Navajo Wool Program; adjacent open field of approximately 10-acres; Veterans non-profit is pursuing use of property for anticipated housing manufacturing
	36.76750, -108.69430			
Nahata Dził/ Navajo Springs	Kerr Mcgee Rd and Route 2015	Trust/ ONHIR	Commercial power, (3-phase) is located at the Wool Barn site which would require an aerial crossing over the main road, covering approximately 500 feet; water supply is 8" main	Initial suggested site known as the Wool Barn was amended by NDCG Resolution to pursue acreage directly Southwest, approximately 75-acres. This area presents additional growth acreage for various community development pursuits by the Chapter. Initial identification and recommendation to use 27-acres +/-
	35.11993, -109.52937			
Gallup/Rock Springs, Tsayatoh, Manuelito				Recently signed appropriation by President Nygren awarded \$6 million of ARPA funds to Southwest Indian Foundation to augment their manufactured housing facility in Gallup. This would appear to satisfy the requirement of CJN-29-22, Exhibit L-3, for a location in the Gallup area
Chinle	Adjacent to NTUA	Chinle Industrial Park	Vacant lot, approximately two-acres; as per Navajo Nation business website there is currently no available acreage for 20+ acres	Chinle is virtually 'land-locked' in the sense that no adequate commercial land is available for development
	36.16336, -109.58366			

see [APPENDICES: Addendum 6.0](#)

SURVEY

ADDITIONAL COMMENTS/OBSERVATIONS

Tuba City

The Tuba City location is ideal in terms of a place where the finished product from the plant could be distributed to the FBFA and NPL beneficiaries with the least cost. Offsetting this is the distance from Tuba City to the Interstate system which provides a lifeline of building materials. In addition, meeting site requirements for 20 acres proved problematic. Finally, there are other factors impacting the Tuba City location: 1) much of the area is in a flood zone, 2) there is a question about probable soil contamination from previous business operations at some locations, and 3) it is understood that there is insufficient waste water system capacity for the manufactured housing development. An area near the Western Navajo Fairgrounds was offered by the Navajo General Land Development Department. However, this siting is interrupted by homesite leases, lending additional burden for gaining clearance for a housing manufacturing facility.

Gallup

Through the Regional Business Development Office in Gallup, an industrial area near the Fire Rock casino was examined. Construction is currently underway for a new commercial warehouse facility and is expected to be completed in early 2025. There are sufficient utilities at the site. It is understood that the current construction of this manufacturing plant will yield 65,000 sq. ft. The site may have sufficient acreage to expand to 120,000 square feet. It is estimated that an additional \$17 million is needed for project completion. Further examination of development sites at Gallup were suspended upon learning that the Gallup-based Southwest Indian Foundation has received ARPA funding for capacity expansion.

Why Nahata Dził? The Building Communities Site Survey Study concludes that **Nahata Dził** is the optimal site location. For five years, the Nahata Commission Governance has completed and worked to implement its Transition Plan. The Transition Plan plan is based upon the very meaning of the name Nahata Dził itself: '**Planning with Strength**' - and that is a key element inherent in the people there.

Planning with Strength requires leadership and vision. The Nahata Dził Commission Governance is committed to providing both. The vision is tied to the Transition Plan anchored by a belief that the essential promise made by the United States government to not only relocated families, but to foster an environment for job creation and improved quality of life will be realized. Rarely, however, is the vision put on paper in a manner in which it can be systematically implemented. The vision of building and operating a new manufacturing plant, built for the express purpose of building new manufactured homes for the Navajo people is clear. In one Navajo word, the vision is *Sihasin*, which means "assurance." We are developing and implementing this Plan with hope based on the reality of the ARPA funding ... and assurance.



SECTION 4.0 INVENTORYING EXISTING HOUSING MANUFACTURING INTERESTS/SITES AT NAVAJO

Planning with Strength requires capacity. Capacity means having the requisite human, financial and technical capabilities in order to turn the vision and plan into action and results.

Planning with Strength requires authority. Nahata Dził is unique throughout Navajo Nation in that it operates as a Commission Governance. It enjoys an Alternative Form of Government and is a Certified Chapter which gives it much authority, but not all of the authority – with the approval of the additional authority needed in terms of business site leasing, home site leasing, Section 17 organization, and subsurface mineral rights, success is guaranteed.

Planning with Strength requires dedicated funding. Once the plan is fully implemented, Nahata Dził will have long-term economic and financial security and sustainability. The natural resources and locational assets already exist to create jobs and produce revenues that will allow Nahata Dził to be independent from government subsidies in the future.

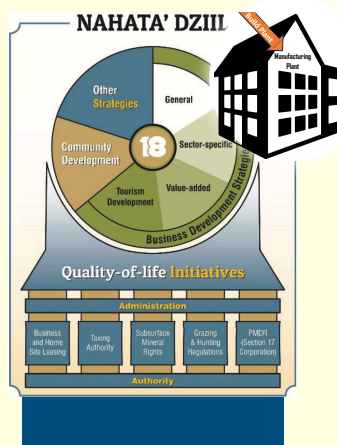
Planning with Strength requires respect. Respect is not free. Respect is earned – and the people of Nahata Dził intend to earn that respect – initially, by hosting the newest, modern factory in the Nation and eventually becoming the first ‘center’ of all-Navajo manufactured home production for the Nation.

The selection of **Nahata Dził** as factory location of choice falls right in line with the original Nahata Dził 2020 Transition Plan and its four elements:

The first two elements, **Authority** and **Administration**, are designed to build the capacity of Nahata Dził in order that the people can provide for themselves and sustain the livability and economic gains.

The second two elements, **Strategies** and **Initiatives**, represent the specific activities to be undertaken to create jobs and improve local quality of life.

The figure shows how each of the four elements interrelate to create a holistic approach to realizing **success**



SHOVEL READY

“SHOVEL READY” is a term that was thrown around loosely following the Great Recession of the late 2000’s as the U.S. government looked for ways to jumpstart the depressed economy. Today, the term is mainly used when referring to projects that, if given stimulus money, will have the most immediate impact on local employment and the economy. A lot of work goes into preparing a plot of land for construction. In an effort to reach this critical phase, various barriers must be overcome. Clearance is only given after viable plans are presented, the soil is tested, environmental concerns are addressed, and so forth. Once a project secures shovel ready status, it generally means that it is ready to go. At this point, planning should have reached an advanced enough stage for building work to take place within a very short timeframe. In our case, ‘Shovel Ready’ is the phrase used to describe a construction project that is considered to be at an advanced enough stage of development for building to begin soon and generally implies that planning is more or less complete, approval permits are in place, and laborers can get to work once sufficient funding is secured ... and, within the Navajo Nation, it also represents that the land has been **withdrawn** or is well along in the **process of expedited withdrawal** and has sufficient infrastructure (water and sewer) and road access and very often telecommunications in place or very close to being in place.

Site Control is another way to phrase an acceptable end-result and, as such, was at the heart of this research and report. Knowing that a minimum of 20 acres was required to erect either a tilt-up concrete structure or a traditional steel industrial building, and that, from first dollar spent, the construction process would take just over a year (projected factory open date: July 15, 2025) were meaningful factors in the decision process, with all roads leading to **Nahata Dził** as the ideal choice to meet the ARPA deadline of June 2024.



SECTION 4.0 INVENTORYING EXISTING HOUSING MANUFACTURING INTERESTS/SITES AT NAVAJO

The Recommended Site is 27 acres 1.2 miles south of Interstate 40 at Exit 325 (Navajo, Arizona). The site offers transportation access, water and power infrastructure, expandability, and **unanimous local support**.



Other I-40 Sites Considered

Because the Interstate system offers significant advantages both in terms of sourcing building materials and transporting the finished housing product, three additional sites along Interstate 40 were briefly evaluated.

Ortega Site (Exit 341 at I-40)

The site was recommended for evaluation by the Nahata Dził commissioners, but was then removed from consideration in favor of the location south of Navajo, Arizona.

Pinta Site (Exit 320 at I-40)

Nahata Dził Commission Governance has significant development plans for the Pinta project that could include housing manufacturing on the north side. This site was then removed from consideration in favor of the site south of Navajo, Arizona.

Turquoise Ranch (Exit 245 at I-40) just west of Winslow

This development site provides tremendous access and visibility to the interstate system. The CJN-29-22 Exhibit L-3 language did not allow for full consideration of this site.

Although the instructions in Exhibit L-4 of Section 10 of CJN-29-22 directed this Manufactured Housing Plan to be focused upon Nahata Dził, it was not a forgone conclusion at the onset of this analysis that a site on the Nahata Dził Chapter would ultimately be recommended.

Given the requirement in the scope of work to coordinate with other Navajo Nation Divisions such as the Division of Community Development Community Housing and Infrastructure Department, Building Communities also examined alternate potential development sites at Chinle, Gallup, Shiprock, and Tuba City.

The ultimate decision to recommend the development site at Nahata Dził was based primarily on the land availability and infrastructure characteristics of each of the five locations. Secondly, the examination of Nahata Dził is consistent with Exhibit L-4 to develop a plan focused upon the New Lands area.

6. Under Section Ten of said Resolution, Approval of Housing Projects and Manufactured Housing Facilities Expenditure Plan, the 24th Navajo Nation Council approved \$145,550,000 for "housing, veterans housing, housing manufacturing facilities and housing for the Former Bennett Freeze Area and Navajo Partitioned Lands Projects"; and

*First Navajo Nation President
to ever visit NDCG.*

2:00 PM

**TUESDAY, JANUARY
30, 2024**

NDCG West meeting hall

NAHATA DZIIL COMMISSION GOVERNANCE

meets with Honorable

DR. BUU NYGREN

NAVAJO NATION PRESIDENT



7. The Resolution goes on to state unambiguously, "Fifteen million five hundred fifty thousand dollars (\$15,550,000) to the Navajo Hopi Land Commission Office for Housing for the Former Bennett Freeze Area and Navajo Partitioned Lands and for planning of a homes for people within the twenty-three (23) impacted Chapters and for planning of a manufactured housing plant in Nahata Dził Chapter, as Long-Term Housing Security; Affordable Housing...."; and

9. The NDCG is humbled that the 24th Navajo Nation Council would determine that the Nahata Dził community would be the ideal location for the manufactured housing plant; and

8. Appendix A of the Resolution which is the Navajo Nation Fiscal Recovery Funds Request Form and Expenditure Plan for Navajo Nation Government Units, it states "First, \$14,000,000 will be expended to purchase and transport modular homes that will serve the people of the 23 impacted Chapters (the nine Bennett Freeze Chapters and the 14 NPL Chapters). Second, \$1,550,000 will be expended to develop a plan for a manufactured housing plant on (sic) the Nahata Dził Chapter. The Plant will create the capacity for the Navajo Nation to make a long-term impact to the overcrowding problem and to create jobs for Relocates from the Navajo-Hopi Land Dispute" (see attachment); and



Darryl Ahasteen, President. Lyndale Curley, Vice-President LaVonne Tsosie, Secretary. Loretta Bahe, Treasurer, Mae Horseman, Member. Lomardo Aseret, Co

Box 400 Sanders, AZ 86512 Ofc# 928-688-2150 Fax #928-688-2235 Email: nahatadzil@n

RESOLUTION OF NAHATA DZIIL COMMISSION GOVERNANCE

NDCG-2024-01-014

Respectfully Requesting the 25th Navajo Nation Council; Office of the President and President; Office of Navajo & Hopi Indian Relocation and Navajo/Hopi Land Commission Honor and Fully Support the Intent of 24th Navajo Nation Council Resolution CJN-29-Entirety and To Ensure the Recommendations for the Housing Project Recommended for Sanders, Arizona a.k.a Nahata Dził Chapter be Incorporated Without Further Delay

WHEREAS:

1. On April 18, 1991, the Nahata Dził Chapter was certified to Navajo Nation Council Resolution CAP-36-91, thus giving the Chapter authority to promote, protect and preserve the interest and safety of its community, people, programs, finances, and
2. The Transportation and Community Development Commission by Resolution TCDCAU-66-02 approved governing pursuant to its Five Management System, in accordance with further authorized the NDCG to exercise local government powers pursuant to 26 N.N.C. § 103 (D)(1); and
3. On January 20, 2008, the Nahata Dził Chapter changed its name to the NDCG; and
4. Pursuant to P.L. 93-531, the Office of Navajo & Hopi Indian Relocation and Navajo/Hopi Land Commission created as the federal entity under the executive authority to oversee the entire relocation process and responsible administrative responsibility of overseeing all activities and
5. The 24th Navajo Nation Council, in their infinite wisdom, titled "An Action Relating to the Naabik'i yiti" Allocating \$1,070,298,867 of Navajo Nation Fiscal Recovery Fund Expenditure



Darryl Ahasteen, President, Lyndale Curley, Vice President, LaVonne Tsosie, Secretary, Loretta Bahe, Treasurer, Mae Horseman, Member, Lomardo Aseret, Co

February 29, 2024

Dear President Dr. Buu Nygren:

Thank you for taking the time to visit with the people of Nahata Dził on January 30, 2024.

When the Navajo Nation legislation was approved in 2022, it was our understanding that the FBFA and NPL would get the homes, and, if feasible, we would get the manufacturing plant.

Now that we all know that the plant is feasible, we unanimously request this beautiful partnership with your administration to make this happen!

Count us as the chief supporters of your "1000 Homes" initiative!

Sincerely,
Nahata Dził Commission Governance

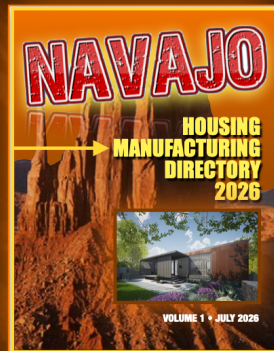
Darryl Ahasteen, President
Lyndale Curley, Vice President • LaVonne Tsosie, Secretary,



January 30, 2024

SECTION 5.0
METHODOLOGY TO IDENTIFY MANUFACTURED HOUSING PLANT CONSTRUCTION
COMPANIES AND MANUFACTURED HOME PRODUCTION COMPANIES

One of the ultimate outcomes of this project is the *identification and profiling* of all Navajo residential housing **contractors**. The creation of a **directory** would be of great help to housing contractors as well as Navajo people that are seeking home improvements and/or new home construction



SECTION 5.0
METHODOLOGY TO IDENTIFY MANUFACTURED HOUSING PLANT CONSTRUCTION
COMPANIES AND MANUFACTURED HOME PRODUCTION COMPANIES

In order to move this project forward, two obligations must be made by the Navajo Nation prior to **June 30, 2024**. First, a company must be selected that can build the 120,000 sq. ft. manufacturing plant. Second, a company skilled in the production of manufactured housing must be selected. Ideally, these selections would be made through the same process, ensuring that the specifications of the manufacturing plant conform to the needs of the home manufacturer.

Discussions with DCD CHID have found a path forward in which this could happen if all of the coordinating offices work together.

KEY POINTS

- (1) Collaboration
- (2) Plan "A" and Plan "B"
- (3) Survey of Housing Builders
- (4) Top Responders



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL



Collaboration Required

This led to the development of a draft **Request for Proposals (RFP)** which is presented in full in **APPENDICES: Addendum 9.0**. The RFP would require respondents to demonstrate their interest and capability of not only building the housing manufacturing plant, but also operating the manufactured home production.

It was noted in the RFP that collaborative responses would be encouraged. That is, given that there are few, if any, companies that build both manufacturing plants and manufactured homes, it was anticipated that respondents would team up in order to meet both objectives.


The RFP was ready for release in mid-November 2023 at the same time that communications were underway with the Navajo Nation Fiscal Recovery Fund (FRF) Office and DCD CHID.

At this time, NHLCO became aware of separate, but somewhat similar, RFPs being issued by DCD CHID and the FRF Office. It was agreed at this time to *suspend* the NHLCO RFP in favor of teaming with DCD CHID and the FRF Office in order that the housing construction marketplace would not be confused by multiple, yet similar, requests from the Navajo Nation.


Shortly thereafter, DCD CHID issued their RFP and received a strong response from bona fide Navajo contractors. Although the responses did not relate to manufactured plant construction, they all related to residential home construction. By early January 2024, it was preliminary/informally agreed between Building Communities and DCD CHID that the top responses to the DCD CHID RFP would be evaluated for potential selection as the short-term operator of the manufacturing plant. **“Short term” would mean through December 31, 2026.**

It was also noted between Building Communities and DCD CHID that all of the manufactured homes being produced at the Navajo-based manufacturing plant would be distributed free of charge. This was an essential consideration for DCD CHID, as CHID did not want to be burdened with the responsibility of housing financial considerations (such as how payments might be received by the Navajo Nation).


In short, there was a meeting of the minds between Building Communities and DCD CHID of a short-term, government-operated housing manufacturing plant on Navajo. These discussions were happening simultaneous to a decision being formulated by Building Communities to recommend the manufactured plant operations take place at Nahata Dził just south of Navajo, Arizona.



NAVAJO NATION
NAVAJO-HOPI LAND COMMISSION (NHLCO)
Version 1.0



NAVAJO CHID
Community Housing and Infrastructure Department



NAVAJO NATION – DIVISION OF COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT (CHID)

Request for Qualifications (RFQ) No. DCD-CHID-2023-02-ARPA Housing (Design, Construction, and Delivery of Manufactured, Modular, and Custom-Built Homes)

Request for Proposals (RFP) No. DCD-CHID-2023-02-ARPA
Construction of One or Two Housing Units
Production of Manufactured or Modular Housing

Issue Date: **Saturday, November 18, 2023**
Issue Date: **Sunday, November 19, 2023**
Issue Date: **Thursday, November 23, 2023**
Issue Date: **Thursday, November 23, 2023**
Addendum Pre-Proposal: **Tuesday, November 28, 2023**
RFP Proposals Due: **Wednesday, December 6, 2023**
MST = Mountain Standard Time

Southwest Builders
Higher Purpose Homes
Colby Shepherd, Red Arrow Homes
Navajo Engineering & Construction Authority

Based in Dineen: This company is on May 6, 2023
Go Forward in Utah: Dineen
1798: www.higherpurposehomes.com
This information was provided by Patrick Sandow on May 10, 2023
Jeffrey Hestley, jehf@navajoco.gov

Request for Qualifications (RFQ) No. DCD-CHID-2023-02-ARPA
Housing (Design, Construction, and Delivery of Manufactured,
Modular, and Custom-Built Homes)

Addendum No. 1 - Dated 12/13/2023

Company	Notes
Top Bear's	Jamie was able to get the forwar able to get the forwar
Nahson Homes	Curry
Bitco	Spoke to Jeremiah Bitco (CEO) Jeremiah Bitco (CEO) infrastructure. Investing in phuture. Investing in phuture of Utah. Ready-made medical. Ready-made medical
	Brian met with Scott Luft of Red with Scott Luft of sluff@bitcoincorp.com bitcoincorp.com
Red Feather	Collaborating with Red Feathering with Red Feather project: https://www.redfeather-https://www.redfeather-network.html rk.html
NECA	Have yet to reach out as the as to reach out as the companies above prior to move above prior to move to Grants that connect through Grants that connect through
Altair Advisors	Spoke to Steve Gundersen about Steve Gundersen about contractors into homes. He contractors into homes. He
Secondary Recommendations	
American First Solutions, LLC	Spoke to and emailed McBride and emailed McBride email in Jan '22 n Jan '22
Evise Construction Company, Inc	Spoke to and emailed Savaris and emailed Savaris email in Jan '22 n Jan '22
Open Canyon Construction, LLC	Left VtHs and emailed Leroy Davis and emailed Leroy Davis email in Jan '22 n Jan '22
Local Construction	Left VtHs and emailed in Nov, 4 and emailed in Nov, 22
Smally/Woodruff Construction, LLC	Spoke to and emailed MaryLuo and emailed MaryLuo email via email in Jan '22 n email in Jan '22
FreeNorthstar Construction	Left VtHs and emailed in Nov, 4 and emailed in Nov, 22
Our Seasons Construction, LLC	Spoke to and emailed Albert k and emailed Albert k Jan '22
AM Corporation	Spoke to Char and emailed Leo Char and emailed Leo via email in Jan '22 n Jan '22
A.O.B. Construction, LLC	Jamie called and emailed on called and emailed on the questionnaire on the questionnaire
Amir Construction, LLC	Jamie called and emailed on called and emailed on the questionnaire on the questionnaire
CLC, LLC	Jamie called and emailed on called and emailed on the questionnaire on the questionnaire
	Send Sirs indicates that he's working to establish a housing project.
	Send Sirs indicated he could be a housing provider.
	Based in Dineen: This company was certified as the Housing Worksho on May 6, 2023
	Go Forward in Utah: Dineen, email@highway.com (303) 798-1798: www.higherpurposehomes.com
	This information was provided at the NHLCO/CHID meeting convened by Patrick Sandow on May 10, 2023
Site Authority	Jeffrey Hestley, jehf@navajoco.gov; (505) 232-7067 ext. 7067; (505) 408-1448; www.navajoco.gov

SECTION 5.0 METHODOLOGY TO IDENTIFY MANUFACTURED HOUSING PLANT CONSTRUCTION COMPANIES AND MANUFACTURED HOME PRODUCTION COMPANIES

With a general understanding of “who would build the homes” through December 2026, the second question needed to be addressed: “*who would build the manufacturing plant.*”

Given that funding to construct one or more manufactured housing plants is described in Exhibit L-3, discussions ensued between Building Communities and CHID on this matter.

Foremost in these discussions is language in the L-3 Expenditure Plan naming *Sparrow Group* as a possible company that would construct the plant. Building Communities requested CHID to seek a legal interpretation on this matter. On one hand, the identification of a singular company could help serve to expedite the contractor selection process. On the other hand, neither Building Communities nor the DCD CHID staff had the legal understanding of the significance of the language in Exhibit L-3. Building Communities is not familiar with any further discussions nor decisions on this matter, as Building Communities has been prevented from continued communications with DCD CHID.

As noted in this plan and in the Building Communities Scope of Work, one of the paramount considerations is timely obligation of the ARPA funds (prior to June 30, 2024) and timely expenditure of such funds (December 31, 2026). As of the submittal of this housing manufacturing plan on February 29, 2024, resolution of these matters leading to obligating ARPA funding is of critical urgency.

Survey of Housing Builders

In December of 2021, well before legislation was developed to fund the housing manufacturing plan and the allocation of \$14.0 million for NHLCO to purchase manufactured housing, Building Communities conducted a survey of all housing manufacturing interests on the Navajo Nation.

One of the top goals of the Navajo Nation is to create job opportunities for its people. This means fostering the success of existing and start-up Navajo businesses.

With this in mind, Building Communities reached out to every known Navajo business involved with residential construction. This would include all stick-built housing contractors as well as manufactured housing interests. See [APPENDICES: Addendum 7.0](#) for the 2021 Contact List and [APPENDICES: Addendum 8.0](#) for example responses.



Building Communities consulted a variety of sources to identify most – if not all – such home building interests. **The Navajo Source List** (Priority #1 and #2 companies), the **Dineh Chamber of Commerce**, and information provided by the **Navajo Housing Authority** and other sources was considered.

The next step was to develop a survey of all such home building interests which would identify the company name, contact information, longevity of business, nature of the residential construction, and capacity of the business to produce homes.

In total, **51** Navajo businesses were identified. For each of the businesses, the survey was distributed by email on two occasions. In addition, Building Communities reached out by telephone to determine if the survey had been received by the company and to encourage responses to the survey. Unfortunately, only five responses were received by the survey process. Given the holistic and proactive effort by Building Communities, this signaled an early conclusion: *there are very few Navajo-owned home building companies that have the capacity to address the massive housing deficiency on the Navajo Nation.*

The five entities that did respond are notable, and briefly profiled below here

Tallsalt Advisors • “100% Native American-Owned” • Well connected and the only respondent that produced a detailed, colorful proposal (modular home construction) Interest level: high

Nizhoni Homes • “Woman-owned small business” • Responded with a hand-written proposal • Interest level: high but size-constrained

Red Feather • “*People-centered Housing Solutions for Native Homeowners*” • Eager to work on our projects but concerned about the their sheer size • Interest level: high - but sized-constrained

Bitco • Privately held entrepreneurial-driven business that was changing focus at the time but interested in speaking to future large-scale projects • Interest level: moderate to high

NECA • Navajo Engineering & Construction Authority • Stated mission: “To be the premier heavy construction contractor ...” serving Navajo • More of a general contractor/advisor that could organize crews and services • Interest level: moderate

SECTION 6.0 ECONOMICS: HOW MANY AND HOW MUCH?

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SECTION 6.0 ECONOMICS: HOW MANY AND HOW MUCH?

The Navajo Nation is immediately faced with “the \$38 million question.” That is, \$24 million is available for the manufactured housing plant construction and \$14 million is available for the purchase of the product produced at the manufacturing plant.

In this section, we make the case that this investment of \$38 million is very wise, as it will produce more quality homes of lower cost than any other option. The assumptions utilized in this section are derived from informed leaders in the field of Native American-owned and managed manufactured housing.

KEY POINTS

- (1) Turning The Corner
- (2) Dynamic Homes, LLC
- (3) Key Factors for Success / Assumptions
- (4) The Factory
- (5) The Equation Example A
- (6) The Equation Example B ... and The Answer
- (7) 2024-2027 Timeline
- (8) Invitation to Site Tour
- (9) Recap



MANUFACTURED HOUSING PLAN FOR NAHATA DZIL

SECTION 6.0**ECONOMICS: HOW MANY AND HOW MUCH?**

For 40 years, development opportunities for over 20,000 Navajo people have literally been 'frozen' as they have endured deplorable living conditions, deficient or non-existent infrastructure, overcrowded and dilapidated housing, and negligible job opportunities, all of which has resulted in a decades-long condition of hopelessness.

HOPELESS is a condition unbecoming of the Navajo. A great time of positive change is upon us and for many, "*overcrowded and dilapidated housing*" is soon to become a bad memory from a distant past. We are turning the corner and ready to make a difference.

The extensive work produced in the creation of a comprehensive market and site evaluation survey has helped to both illuminate and capture the essence of the legislation. Although it was suggested that up to **five** separate sites be examined for future factory placement locations, *facts, statistics, logic* and *professional advice* from *industry leaders* has clearly indicated that there can be **one** - and ONLY ONE factory built at the appropriate site, which **Nahata Dziil** has proven to be.

Now that we have a proper fix on the factory and its ideal location, it is time to get straight to the heart of the matter: **output** ...what will be possible? We certainly know numbers for how many Navajo people are out there suffering and seeking a better quality of life through new, modern housing, so the question of the hour is ...

HOW MANY HOMES can we produce ... and AT WHAT COST?

Before we disclose the research-based assumptions that will provide reasonable answers to these all-important questions, it is necessary that we present a brief backstory about the industry professional that has served as both counselor and advisor on certain aspects of the study, Minnesota-based "**Dynamic Homes, LLC**" and its CEO, **Paul Okeson**.



Dynamic Homes, LLC is based in Detroit Lakes, Minnesota and has operated a manufacturing plant since 1969. The company is owned by **Ho-Chunk, Inc.**, the award-winning economic development corporation of the *Winnebago Tribe* of Nebraska. Ho-Chunk, Inc. originally purchased Dynamic Homes to provide quality, new housing for single-family tribal member purchase, and multi-family housing in the new Ho-Chunk Village on the Winnebago Reservation. Dynamic Homes is an industry specialist in the design and construction of Manufactured Homes of the same size/price-range/variety as what this plan calls for. It has a network of "Builders/Dealers" that connect its produced products to the marketplace.

The main take-away from hours of discussions with Paul and his Leadership Team is that once a factory is built and deemed fully-operational, plant operations *must* be efficient. One example of this would be to keep the actual cutting of lumber minimized in favor of maximizing assembly floor space and labor.

Key considerations in the manufacturing plant planning process include

- Overhead rate • Labor rate • Accounting • Drafting • Utilities • Insurance
- Other (which is generally geographically-specific needs)

For the purposes of this report, it has been agreed that the 'right' amount of square footage needed for success is **120,000 sq. ft.**, which remains the firm answer to the question of recommended sizing of the manufacturing plant at Nahata Dziil. Additionally, the 27-acres anticipated at Nahata Dziil should be sufficient for a plant of that size.

KEY FACTORS FOR SUCCESS

Operations Staffing

It is estimated that 50 direct labor jobs would be established through the operations of this housing manufacturing plant.

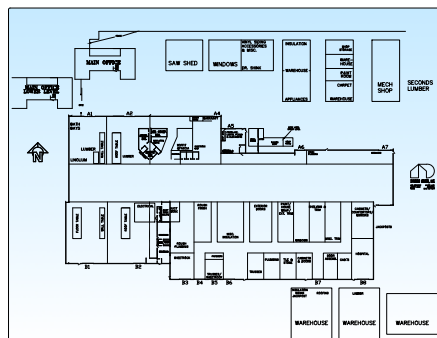
Admin Staffing

In addition, an estimated 20 professional jobs would be necessary to operate and manage the facility.

SECTION 6.0 ECONOMICS: HOW MANY AND HOW MUCH?

The Factory

Paul Okeson and team strongly believe that the **\$24 million** funding is the right amount for Nahata Dziil - adequate to construct the **120,000 sq. ft.** plant needed. This equates to ~\$200 per sq. ft. Since the **Dynamic Homes** plant is of similar size, he has shared plant drawings to give us a better sense of space requirement and workflow at a progressive plant. The existing plant as pictured is the result of multiple expansions, over time, totaling 120,000 sq. ft.



More to Consider ...

The initial ARPA funding basically provides a cushion against financial loss - it is a guaranteed government subsidy that will lead to job-training for the staff (and ample time to become proficient at their jobs) which ensures a smooth transition in 2027 when we will be on our own.

Water requirements for the Nahata Dziil manufacturing plant are limited. Primarily, the only demand for water relates to restroom use. That being said, there needs to be sufficient water supply and pressure to support the fire suppression/sprinkler system. A determination on the capacity of the existing **eight-inch** waterline is needed. If insufficient water pressure exists, a new water storage tank would need to be a part of the project design.

Building maintenance costs are factored into the overall manufactured home production cost.

Utilities Example

Dynamic Homes shared their annual usage (plant only) to help give some perspective:

Gas (heat only) **\$17,167** December 2022 – December 2023 • Average for the year: **\$1,430.64**

All Others (City Utilities, electric, water, sewer, storm water, street light) **\$73,961.08**

December 2022 – December 2023 • Average for the year, **\$6,163.42**

Example of Median Salary Ranges

A Manufactured Building or Mobile Home Factory Worker (assembly) in Arizona will normally get an average wage ranging between \$23,330 to \$52,200 depending on tenure and industry expertise. Factory technical jobs range on average from \$36,300 to \$60,000, annually.



Build Time

The anticipated timeframe to build the manufacturing plant is **12 months**.

Primary Critical Success Factor (at Launch Date):

Labor availability: It is anticipated that six months will be needed before labor is “up to speed” / fully equipped to meet the anticipated production schedule

Manufactured Housing Production Capacity

The primary considerations for manufacturing capacity relates to:

- 1) Plant size (estimated at 120,000 sq. ft.), and
- 2) Labor availability (estimated at 50 laborers)
 - 50 workers at 40 hours per week = 2,000 man hours

Qualified Assumptions

TWO (2) sq. ft. can be produced **per man hour**, therefore, **50 employees** would equal **4,000 sq. ft. per week**

This equates to

16,000 sq. ft. per month

With a maximum size assumption of **1,500 sq. ft. per home**, **TEN (10) HOMES** can easily be built per month, and this equation relates to

120 HOMES annually

and using a “**cost of production**” of **\$90 per sq. ft.** (see below) produced at a cost of

\$135,000 per unit

In general, **the cost of production is \$80-\$100 per sq. ft.**



SECTION 6.0
ECONOMICS: HOW MANY AND HOW MUCH? EXAMPLE A

Let's look at it this way

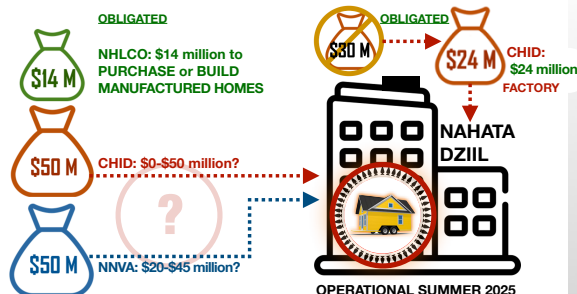
PLAN ASSUMPTIONS	Factory Size: 120,000 sq. ft. Labor Force: 50 Workers	PRODUCTION					
	50 workers @40 Hours per week = 2000 Man Hours 2000 man hours = TWO (2) sq. ft. of Production per Hour 2 sq. ft x 40 Hours x 50 Workers = 4,000 sq. ft. per week 4,000 sq. ft. per Week = 16,000 sq. ft. per Month	# HOMES PRODUCED PER MONTH	# HOMES PRODUCED PER YEAR	COST OF PRODUCTION	WITHIN FACTORY CAPACITY?	WITHIN ARPA BUDGET?	COMPLETED UNIT PRICE
CAPACITY	16,000 sq. ft. of Production per Month				sq. ft. of Model multiplied by monthly number of homes produced	Completed Unit Price multiplied by annual number of homes produced	Current average Cost of Production (see page 63) multiplied by the sq. ft. of Model
ASSUMED COST OF PRODUCTION	Range: \$80.00 per sq. ft. to \$100.00 per sq. ft. Due to the crucial need for efficient operations with maximum output, this exercise has chosen a Cost of Production of \$90.00 per sq. ft. for PRODUCT A						
PRODUCT A	1500 sq. ft. Manufactured Home	10	120	\$90.00 per sq.ft.	YES	NO	\$135,000

SECTION 6.0 ECONOMICS: HOW MANY AND HOW MUCH?

The Funding

Before we can examine our workflow equation and the multi-year plant production timeline, it would be wise to do a quick review of the obligated and possible and /or probable funding table:

NHLCO: \$14 million for the purchase/construction of 'X' number of (manufactured) homes (obligated); + **CHID:** \$24 million for building the plant (obligated) + other funds being held by **NNVA / CHID**



The Equation

In the original scope of work for this project, the assumption used was that every Manufactured Navajo Home produced in the new plant would measure out to be a **1500 sq. ft.** (one size for all recipients), and there would be a total of ten (10) homes produced each month (120/annually).

The NHLCO ARPA award is **\$14 million** and the tried, tested and qualified equation applied for cost analysis suggested an operational staff number of **50 workers**, putting in **40 hour weeks**, producing product at the rate of two (2) sq. ft. per man hour, to equal **4,000 sq. ft.** of product **per week**, or approximately **16,000 sq. ft. per month**. (see Page 63)

Knowing that the *general* cost of production in a plant of this type can run anywhere from **\$80 to \$100 per sq. ft.**, we chose the middle of the road figure of **\$90 per sq. ft.** as our Nahata DZIIL production cost rate. That said, our original size choice of **1500 sq. ft.** would cost **\$135,000** to produce ($1500 \times \$90 = \$135,000$) and, producing the assumed quantity of ten (10) of these units each month (15,000 sq. ft. per month) would fall well within the plant's assumed capacity (16,000 sq. ft. per month) - see page 63.

But, will there be enough ARPA-driven NHLCO money to produce a year's worth of product? **No.** The \$14 million award would run out at about the 100-home mark (or at eight [8] per month). A new assumption was used to bring the size down slightly to **1200 sq. ft.**

A New Assumption: 1200 sq. ft. Factory-Built Homes

MODEL SIZE IN SQ. FT.	1500	1200
COST OF PRODUCTION	GOAL \$80-100/sq. ft. \$90 /Sq. Ft.	\$80 /Sq. Ft.
UNIT COST	GOAL \$120,000 \$135,000	\$96,000
MONTH GOAL	GOAL 10 8	12
ANNUAL OUTPUT	GOAL 120 96	144
NHLCO-ARPA PAY-OUT	GOAL \$14.0 Million \$13.0 Million	\$13.8 Million

Less is more

After settling into a few months of basic operations and establishing a proper workflow, we believe (and this belief is backed by our professional advisors) that we could very quickly 'tweak' and tighten the formula for maximum efficiency and output. By downsizing our original expectation (1500 sq. ft. floor plan) to **1200 sq. ft.**, we have a built-in savings/efficiency.

Next, because the 'cost of production' formula is on a sliding scale (\$80 - \$100 per sq. ft.), we originally went down the middle of the road with an opening figure of \$90 - but, realistically, in an effort to get more homes out there, sooner (which is the over-arching goal) we must now recommend the lower end of that cost scale and go into the first crucial year of operation at the **\$80 per sq. ft. level**. This brings the cost of manufacturing each home down to a very manageable **\$96,000** per unit and it allows us to add **two (2)** more units to the monthly run which equates to **24 MORE homes produced annually**, for a 2026 total of **144 homes** delivered to those who need them most.

The 'extra' benefit derived from pushing/holding the cost of production down while increasing monthly/annual output is achievable and allows us to operate safely within the parameters of:

- The ARPA funding (under the \$14 million award)
- The assumed factory capacity (16,000 sq. ft. per month)

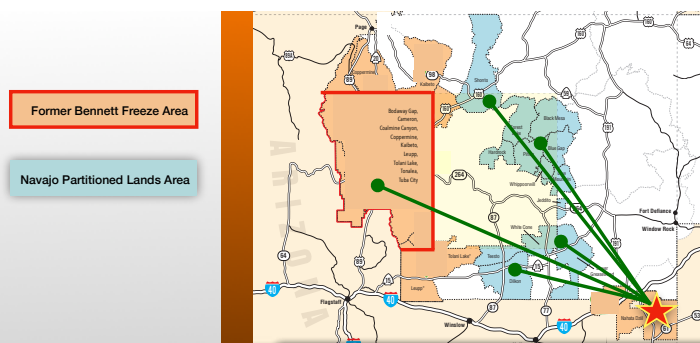


SECTION 6.0
ECONOMICS: HOW MANY AND HOW MUCH?

... so, let's *re-look* at it this way

PLAN ASSUMPTIONS	Factory Size: 120,000 sq. ft. Labor Force: 50 Workers
	50 workers @40 Hours per week = 2000 Man Hours 2000 man hours = TWO (2) sq. ft. of Production per Hour 2 sq. ft x 40 Hours x 50 Workers = 4,000 sq. ft. per week 4,000 sq. ft. per Week = 16,000 sq. ft. per Month
CAPACITY	16,000 sq. ft. of Production per Month
ASSUMED COST OF PRODUCTION	Range: \$80.00 per sq. ft. to \$100.00 per sq. ft. Due to the crucial need for efficient operations with maximum output, this exercise has chosen a Cost of Production of \$90.00 per sq. ft. for PRODUCT A and \$80.00 per sq. ft. for PRODUCT B
PRODUCT A	<div>1500</div> <div>1500 sq. ft. Manufactured Home</div> <div>10</div> <div>120</div> <div>\$90.00 per Sq.Ft.</div> <div>YES</div> <div>NO</div> <div>\$135,000</div>
PRODUCT B *NEW Product of Choice	<div>1200</div> <div>1200 sq. ft. Manufactured Home</div> <div>12</div> <div>144</div> <div>\$80.00 per Sq.Ft.</div> <div>YES</div> <div>YES</div> <div>~\$96,000</div>
see APPENDICES: Addendum 11.0	

SECTION 6.0 ECONOMICS: HOW MANY AND HOW MUCH?



After-Production Delivery Costs:

In the best case scenario depicted here, on [Page 71](#) the new factory at Nahata Dziil, operating at full capacity, will produce a total of 144 homes (12 per month) in 2026 for a cost of approximately \$96,000 each.

The next step will be to get the new homes placed in the prescribed areas of **FBFA** and **NPL** ([APPENDICES: Addendum 22.0](#)) a process that requires two important services and cash outlays:

- Transportation for delivery
- Foundation at homesite and hook-up

Assumed Ancillary Costs:

TRAVEL TO DESTINATION

End-use destinations within the FBFA and NPL range anywhere from 50-200 miles Using 'Dynamic Homes' as a model, a 150-mile delivery trip ... **~\$3,000**

SET-UP COSTS

Includes MEP (Mechanical, Electrical and Plumbing), handicapped accessibility, 'button-up', roll-on set, installation and Piers with Blocking ... **~\$14,000**

~\$17,000

1500 sq. ft. HOME
at a production cost of
\$90 per sq. ft.

10 Homes per month

120 Homes Annual

Original Assumption
Production Cost per 1500 sq. ft. Home

\$135,000

1200 sq. ft. HOME
at a production cost of
~\$80 per sq. ft.

12 Homes per month
NEW GOAL

144 Homes Annual
NEW GOAL

Efficiency Assumption
Production Cost per 1200 sq. ft. Home

~\$96,000

Approximate costs of
Delivery and Full Set-up

~\$17,000

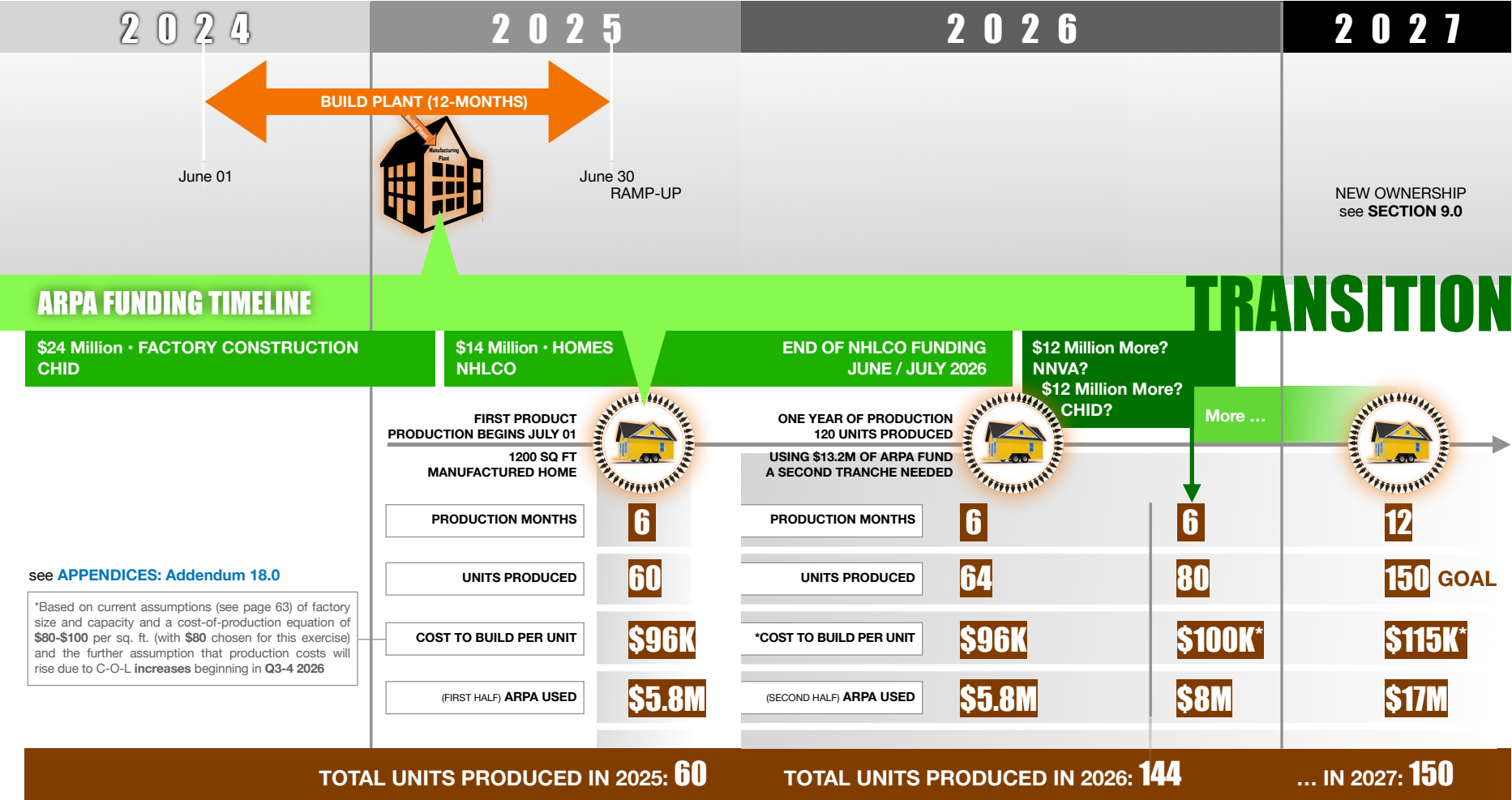
IDEAL "MOVE IN"
TOTAL COST OF HOME

~\$113,000

see [APPENDICES: Addendum 17.0](#)



SECTION 6.0
ECONOMICS: HOW MANY AND HOW MUCH?



SECTION 6.0
ECONOMICS: HOW MANY AND HOW MUCH?

Checklist

Overhead rate	TBD Overhead rate
Labor rate	TBD Labor rate
Accounting	TBD Accounting
Drafting	TBD Drafting
Utilities	TBD Utilities
Insurance	TBD Insurance
Other	Other

References for This Section

- see [APPENDICES: Addendum 11.0](#) How Many-How Much?
- see [APPENDICES: Addendum 12.0](#) Dynamic Homes Plant Floor Plan
- see [APPENDICES: Addendum 13.0](#) Checklist Graphic
- see [APPENDICES: Addendum 14.0](#) Dynamic Homes Background and [INVITATION](#)
- see [APPENDICES: Addendum 15.0](#) Funding Recap Chart
- see [APPENDICES: Addendum 16.0](#) New Assumption
- see [APPENDICES: Addendum 17.0](#) The Full Process Math
- see [APPENDICES: Addendum 18.0](#) The 2024-2027 Time Line
- see [APPENDICES: Addendum 19.0](#) Nahata Dziil Commission Governance
- see [APPENDICES: Addendum 20.0](#) "The Steps" PowerPoint

Invitation to Visit / Tour:

Building Communities is strongly **recommending** that a Delegation from the Navajo Nation travel to **Detroit Lakes, MN** to meet Paul and Team, enjoy a VIP Tour of the **Dynamic Homes** Plant, examine its workflow and then participate in a dialogue related to the business planning requirements for our project. See [APPENDICES: Addendum 14.0](#) for more detail and the **OFFICIAL INVITE**. Building Communities offers another special thanks to **Paul Okeson** for spending many hours of intense conversation to help sort through the details and hurdles of the various pre-planning stages.



NOTES

This turned out to be a good spot for a NOTES page given the importance of this section and the data that it conveys. It needs to be noted that Building Communities engaged a number of professional advisors who were well-versed in the tools of the trade. They became our mentors, sounding board and directors all along the research path.

Most prominently, we offer special thanks and a debt of gratitude to Mr. Paul Okeson, CEO of "Dynamic Homes". Paul was with us every step of the way this plan and its assumptions - including the ones that might seem either a little "crazy" or down-right "preposterous" to some. As our front-line Industry Expert, Fact-Checker, and Key Advisor, Paul [and other appropriate members of his team such as Jim Cossette and Andy Strand in Operations, Liz Holzer (General Manager) and Terry VanWatermolen (Director of Sales)] answered every single one of our questions with fact-based reality that came directly from their own factory floor and 50 years of hands on experience and expertise as leaders in the field.

Dynamic Homes has successfully built housing projects for Indian Tribes over the last 30+ years throughout the Midwest, with many years of experience in commercial and tribal construction. We were amazed to learn that their own Minnesota-based factory is just about the same size (120,000+ sq. ft.) as the one we are proposing to build at Nahata Dziil - so close they were that Paul even offered blue-print-like drawings of the plant's floor plan and work-flow for us to study - and copy - for our project! We learned right up front from him that building homes in a properly controlled environment ensures quality and eliminates delays, resulting in a faster build and a quicker return on investment.

For over 50 years, it has been the company goal to lead their marketplaces by delivering quality, custom modular products and outstanding customer service and support. They are well-recognized and award-winning leaders serving Minnesota, North Dakota, South Dakota, Iowa, Wisconsin, Nebraska—but, unfortunately not Arizona! Their primary product is highly customized, moderately priced single- and multi-family modular housing ranging from a small two-bedroom unit to large-scale apartment complex sizing. They have the knowledge, experience, track record and plant-operating 'know-how' ... and good advice - which they are not at all afraid to share. They have even invited us, and a small delegation of Navajo leaders, to come to their factory for a VIP visit and a high-level Q&A session - where ALL questions can and will be answered by a panel of experts - including "How can you possibly build a 1200 sq. ft. manufactured home for only \$96,000? That sounds CRAZY!"

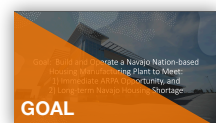
Well, it's not. Why? Because they said so. And we believe them - and their amazing track record.

Plus, "... if that's the way they can do it in Minnesota, and we can match it down here in Arizona ... all the better for everyone, right? RIGHT!"

SECTION 6.0 ECONOMICS: HOW MANY AND HOW MUCH?

Recap of Section/Epilogue

Because the material presented in this section of the report is so vital and meaningful to the successful accomplishment of the goals at hand, we have chosen to 'say it all again' in Reader's Digest-like format (with some pictures) ... see full PowerPoint Presentation [HERE](#)



01. The Goal: Build and Operate a Navajo Nation-based Housing Manufacturing Plant at Nahata Dziil

- Immediate ARPA opportunity
- Long-Term Navajo housing shortage



02. A Mutually Beneficial Partnership

- NHLCO
- CHID



03. Two Sources of ARPA Funding

- DCD CHID: \$30 million (less \$6 million to SWIF): **\$24 million available** to build Housing Plant (**Exhibit L-3**)
- NHLCO: **\$14 million** to Purchase Homes (**Exhibit L-4**)

BUILDING THE PLANT and BUILDING THE HOMES



04. Finding The Ideal Location

- **Nahata Dziil** chosen as the best "Shovel Ready" location over these other contenders: Chinle • Gallup (SWIF Site) • Shiprock • Tuba City



05. Resolution of Support

- Nahata Dziil Commission Governance
- See **APPENDICES: Addendum 19.0**



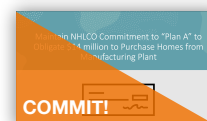
06. Coordination of the Land Withdrawal Process

General Land Development Department and ONHR



07. Meet ARPA Funding Obligation Deadlines

- **Review** Responses to *Existing* CHID RFP: Is there a stand-out performer that should be interviewed for their capacity as plant operator? See **SECTION 4.0**
- **Coordinate** Plant Design and Construction with selected Operator of the Manufacturing Plant
- **Coordinate** with selected manufactured housing plant operator to determine a portion of the home production needs to be expedited at an existing off-Navajo plant



08. Maintain the Commitment to 'Plan A'

- **NHLCO** Obligation of \$14 million to Purchase Homes from Manufacturing Plant



09. Factory Production and Output

- Stick to a plan that is able to **increase** annual output goals with ease: 2025 (half-year): **60** Units; 2026: **144** Units; 2027 (Transition year): **150** units ...

... AND, AT THE END OF THE DAY:

**HOW MANY HOMES can we produce
... and AT WHAT COST?**

**BY 2026: 144 HOMES PER YEAR
AT A COST OF ~\$100,000 EACH!**

SECTION 7.0 MANUFACTURED HOUSING BEST PRACTICES

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SECTION 7.0 MANUFACTURED HOUSING BEST PRACTICES

Regular contact with and/or membership within any one of a number of Trade Organizations and Industry Associations would be of great benefit to our continued education on the the dynamics of the market. Joining these quality organizations (as well as keeping informed through their various publications) will prove to be the best method of staying current with the code - and the best practices in the construction industry, whether it be zoning, stick-build, modular or manufacturing housing fabrication. This will keep Navajo Leadership both informed and *conformed* to the latest practices, provisions and legislation—like the future itself ... always in motion.

KEY POINTS

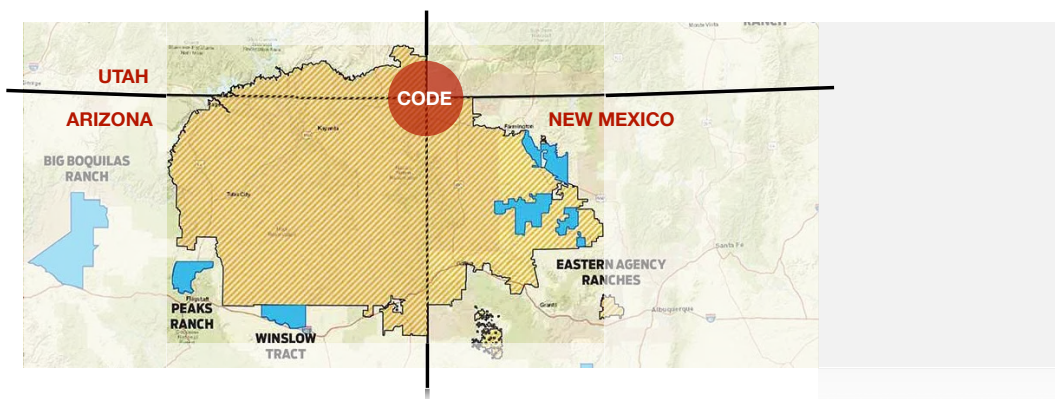
- (1) Best of Class Standards
- (2) Industry Associations
- (3) Code of Ethics: *Manufactured Housing of Arizona*
- (4) Other Resources
- (5) Terminology



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIIL



SECTION 7.0 MANUFACTURED HOUSING BEST PRACTICES



Best of Class Standards

In determining the highest standard of Best Practices for the plant at Nahata Dziil and its eventual output, Dynamic Homes recommended that an examination of the building code standards and practices for all three relevant states (Arizona, New Mexico, and Utah) be examined.

From there, Navajo should determine which of these three states has the highest established building standards and go with that one—doing so for its set of standards and not necessarily its contractors since it is our goal to keep the employment opportunities associated with these projects within the Navajo Nation. The point is to find the best standards *regardless of the state that they emanate from* and then use those standards as our gold standard for compliance at our plant.

Industry Associations

There is a plethora of meaningful and relevant information ‘out there’ - too much to even *reference* here, but as a start point, it has been recommended that we join various Industry Trade Associations, with [Manufactured Housing Communities of Arizona](#) being in the top spot.



Example of *Manufactured Housing of Arizona* Code of Ethics, the ‘Voice of Arizona’s Factory-Built Housing Industry’

MANUFACTURED HOUSING INDUSTRY OF ARIZONA Code of Ethics

OUR paramount responsibility is to our customers. I shall present myself to all customers in a manner, which brings respect and prestige to the association and to the industry.

ASSOCIATION members shall contribute constructively to the public image of manufactured housing living, and enjoyment in Arizona and the country.

ASSOCIATION members shall merchandise their industry, products and services honestly, without false promises or misrepresentation, giving good value to their customers.

IN the correct conduct of our individual business, we pledge to refrain from any act that would bring discredit to our industry or association, or any individual member thereof.

IN our advertising and promotion endeavors, we pledge to emphasize the positive aspects and actual benefits of manufactured housing, and to refrain from any such endeavors that might deceive or mislead the public or include false claims.

ASSOCIATION members and their employees shall offer their merchandise and service on its merits and shall refrain from attacking competitors or their methods of doing business.

WE further pledge that all obligations to our customers contained in guarantees or warranties offered in connection with manufacture, sale and installation of our homes will be properly fulfilled within a reasonable period of time.

ASSOCIATION members shall not engage in methods of operation that are unlawful, unsanitary or detrimental to the health and welfare of the public.

MANUFACTURED housing community owners shall subscribe in principle and practice to respect their responsibilities to the tenants within their park and shall maintain their park in such a fashion as to constructively improve the public image of manufactured housing living.

AS members of a progressive industry, we encourage research to develop higher standards of construction of our industry products, so that each manufactured home purchaser may receive the greatest value possible for every dollar.

TO work with all association members as a united team and to support the state association in principle and in practice, and to encourage others to do so.

WE assume these responsibilities with the understanding that to do so is part of our obligation as members of the Manufactured Housing Industry of Arizona.

As members of the Manufactured Housing Industry of Arizona, we subscribe to the principles set forth in the MHI/AZ Code of Ethics and pledge to comply with the specific standards of conduct established by the code.

SECTION 7.0 MANUFACTURED HOUSING BEST PRACTICES

“Manufactured Housing Communities of Arizona (MHCA) is a non-profit trade association created in 1947 to protect and promote the interests of manufactured housing community owners. MHCA does this in many different ways, including tackling legislative and legal issues, educating community owners and managers, and working to improve Arizona’s manufactured housing ...”

Additionally, many lessons can be learned and an abundance of meaningful and relevant information can be found from a study of the various key industry associations and publications, with intent of applying many pertinent industry trends to specific Navajo needs.

See **APPENDICES: Addendum 21.0** for a **J.D. POWER** list of **National and Regional Manufactured Housing Associations** that we should consider joining soon. By doing so, we can be sure of:

- Review and receipt of relevant industry materials, specifications and building codes
- Relevant Navajo Rules and regulations for business operations within Navajo Nation
- Current industry studies
- Research

Other Resources

{A-Z} Building Zone: Arizona Trade and Construction Associations: *“Arizona’s Premier Construction and Home Improvement Resource. Arizona Builders’ Zone is primarily a **directory** of contractors and home improvement companies and suppliers that are either located in Arizona or do business in our great state. Additionally we feature construction and home improvement **resources** in the form of articles, infographics and video”.*

Manufactured Housing Institute *“The Manufactured Housing Institute is the only national trade organization representing all segments of the factory-built housing industry. We are your trusted partner, advocate and industry leader”.*

Manufactured Housing Industry of Arizona claiming to be **The Voice of Arizona’s Factory-Built Housing Industry** *“The Manufactured Housing Industry of Arizona (MHIA) is an organization dedicated to the promotion and protection of the factory built housing industry in Arizona. With a membership of over 100 individual businesses, the MHIA has become a potent force in Arizona, respected by both the government and the private sector. What this means for the prospective homebuyer is lower costs, fewer restrictions, more options, less worries”.*



Terminology

The terminology surrounding manufactured homes can be confusing. Quite frequently, the terms *mobile home* and *manufactured home* and *modular home* are used interchangeably.

But to professionals in the industry, the terminology is very descriptive, and differentiates one product from another.

As directed in the ARPA legislation and consistent with the needs of the Navajo people, this is a plan for manufactured homes.

Manufactured Homes A manufactured home, as its name implies, has its standardized parts constructed and assembled in a factory, and then is transported to an affixed location (the final home site). This is in contrast to a traditional home which is built from the ground up on an individual lot. While a traditional home may have a basement and usually sits on a foundation, manufactured homes typically do not. But this does not mean that manufactured homes are on wheels or meant to be a mobile residence. Manufactured homes can be set up at their permanent location on concrete blocks, metal piers, or other substantial tie-downs. Manufactured homes typically can be “uprooted” and moved again. But, typically manufactured homes are not meant to be mobile.

Modular Homes A modular home is a prefabricated structure that is built off-site and assembled on-site. Modular homes sit on a slab or foundation where they are pieced together. Modular homes are very similar to manufactured homes, except (among other differences) modular homes are built to different codes. Modular homes are typically built in sections in a climate-controlled factory and transported to the location where a builder assembles the home-like building blocks on top of a permanent foundation.

In Short, What is the Difference?

- **Manufactured Homes** are transported in one piece to a site and can be relocated, whereas **Modular Homes** are assembled on a site and anchored to a foundation
- **Manufactured Homes** are subject to federal HUD standards which regulate their design, energy efficiency, and safety; **Modular Homes** are subject to local, state, and regional building codes

SECTION 8.0 MEETING GEOGRAPHIC LOCATION/DISTRIBUTION REQUIREMENTS

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SECTION 8.0 MEETING GEOGRAPHIC LOCATION/DISTRIBUTION REQUIREMENTS

One of the most important decisions for Navajo leaders is “who should benefit from the project?” More specifically, “*who should get the homes?*”

This section provides recommendations related to the very important role of local Chapter leadership. It is the Chapter leaders that best understand the conditions of the area homes, and the needs of the people that inhabit the homes. The role of the Chapters and the criteria to make housing-allocation decisions are described here.

KEY POINTS

- (1) Identification of Housing Beneficiaries Through Chapter Resolution
- (2) Who Gets The Homes?
- (3) Who Decides?
- (4) The Process
- (5) Timely Decision Making



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL



SECTION 8.0 MEETING GEOGRAPHIC LOCATION/DISTRIBUTION REQUIREMENTS

Identification of Housing Beneficiaries Through Chapter Resolution

Who should get the free homes?

One of the most challenging decisions on the Navajo Nation is: *“who should benefit from the availability of free homes?”*

The second question is: *“who should decide this?”*

While there is not a “perfect answer” to these questions, there is no substitution for Chapter leadership. It is the Chapter leaders that know their people and their respective needs the best. Therefore, it is recommended that every Chapter in the Former Bennett Freeze Area and the Navajo Partitioned Land area should pass a resolution prioritizing a list of recommended beneficiaries for free homes through this initiative.

The next question relates to the criteria that Chapter leadership should utilize in making such a prioritization list. The preliminary high-level recommended criteria for Chapter decision-making is shown in the box.

As the table indicates, the three primary criteria relate to age, veteran status, and disability. Given that the ARPA-funded manufactured housing is limited, benefits should go to this population of greatest need.

RECOMMENDED HOUSING BENEFICIARY SELECTION CRITERIA	
CRITERIA	WEIGHT
Head of Household Above 65 Years of Age	30%
Veteran	30%
Disability	30%
Discretion of Chapter Leadership	10%
Location within FBFA or NPL	Mandatory
TOTAL	100%



SECTION 8.0 MEETING GEOGRAPHIC LOCATION/DISTRIBUTION REQUIREMENTS

Each Chapter should be required to pass a resolution identifying the names and locations of recommended beneficiaries. At a minimum, each Chapter should provide a list of at least three individuals. Chapters should be required to complete “beneficiary nomination forms” supplied by NHLCO.

NHLCO should set an unalterable deadline which must be met by Chapters. Chapters should receive two advance warnings indicating that if the deadline is missed, their Chapter should be excluded from nominating potential beneficiaries from their Chapter. This “name them or lose it” policy should be well promoted. In other words, there should be no surprises to the Chapters or the members of their Chapters if this mandatory deadline is missed.

A Policy of ‘Tough Love’

It has been demonstrated that timely decision making without the existence of deadlines is problematic. Therefore, a ‘Tough Love’ (mandatory and enforceable deadlines) policy is recommended.

Subsequent to the deadline, NHLCO should convene a review and screening committee to identify beneficiaries from all responsive Chapters. Given the limitation of \$14.0 million, a *total estimated number of homes to be distributed* should be published. The NHLCO selection committee should make the ultimate determination as to the beneficiaries from the new, free housing. Chapter leadership should be advised of the beneficiaries, and provisions should be made to ensure that Home Site Leases and other requirements are in place prior to the fabrication of homes.

A Home Site Lease should be a requirement for all beneficiaries.

SECTION 9.0 SUSTAINING “LIFE AFTER ARPA”

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SECTION 9.0 SUSTAINING “LIFE AFTER ARPA”

The success of the housing manufacturing plant is almost guaranteed with the support of the ARPA funding for both plant construction and plant production/operations. The key will be the transition from 2026 to 2027 when the era of ARPA support has passed. The projects and initiatives profiled in this section pave a path for long-term sustainability of the manufacturing operations—well beyond 2027.

KEY POINTS

- (1) Sustainability: What Happens After December 31, 2026?
- (2) What If?
- (3) Team Navajo
- (4) Development Activity of Navajo Nation Gaming Enterprise
- (5) Echo Cliffs Health Clinic and Housing Project
- (6) The First Nahata Dziil Pinta Project
- (7) “Think For The Future”



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL



SECTION 9.0 SUSTAINING “LIFE AFTER ARPA”

The ultimate objective of developing a housing manufacturing plant on the Navajo Nation is **long-term**

SUSTAINABILITY

The existence of funding to build a housing manufacturing plant creates a dynamic whereby there is no long-term debt on the facility itself. Furthermore, the availability of a minimum of \$14.0 million of ARPA funding to purchase and distribute the product from the manufacturing plant also creates a beneficial, albeit artificial, business dynamic.

But what happens *after* December 31, 2026?

It just takes a short drive between the Petrified Forest National Park (Exit 311) and the Arizona/New Mexico border (Exit 359) on Interstate 40 to see many empty buildings from a bygone era. Where once Route 66 created an economic lifeline for Northern Arizona, today many of the buildings are vacant, and even the ones that are “in business” are severely underperforming. What makes the Navajo Nation any different in 2027 with respect to this manufacturing building?

As the graphic below shows, the development and operations of the housing manufacturing plant needs to be viewed in **TWO PHASES**. First, through December 2026, the plant will be operated by the **Navajo Nation**. Building Communities recommends **CHID** to perform the operations ...

2024-2026 ...



GOVERNMENT-OWNED

HOMES
DELIVERED to FBFA and NPL
at “NO CHARGE”

120,000 sq. ft. Plant

First of all, at the end of 2026, the following will be in place:

- A 120,000 square foot manufacturing facility will be in existence, debt free
- 50 laborers, mostly Navajo, will be trained in the skill and the art of manufactured housing
- All of the requirements to build, transport, and maintain the housing stock will be known to Navajo leadership and the operators of the manufacturing plant
- The Navajo Nation will continue to receive funding from the Federal government to build and improve housing

In other words, the manufactured housing plant at Nahata Dziil will have become a *business incubator*. The purpose of a business incubator is to facilitate business and job creation for the future. This will be the status when the clock strikes midnight for the year 2026.

This means that the 34 months (March 2024 – December 2026) between the publishing of this plan and the closing of ARPA presents an opportunity to create the partnerships and agreements to create a sustainable manufactured housing industry.

Throughout 2025 and 2026, future “sales” opportunities will be identified in order to shift the operations paradigm from government-owned to a more traditional business-like model.

... 2027—and BEYOND!

SUSTAINABLE BUSINESS MODEL

HOMES
SOLD
Throughout Navajo Nation

Expandable 120,000 sq. ft. Plant



SECTION 10
SUSTAINING "LIFE AFTER ARPA"

**WHAT
IF?**

... the bulk of new housing built and located on the Navajo Nation in 2027 and beyond was constructed at the Nahata Dziil housing manufacturing plant?

**WHAT
IF?**

... future grant funding was utilized to expand the size of the manufacturing plant and therefore the ability to build more than 144 homes per year?

**WHAT
IF?**

... the Navajo Housing Authority worked collaboratively with the OPVP and DCD CHID to direct tens of millions of dollars annually to the manufacturing plant?

**WHAT
IF?**

... the future planning by the Navajo Nation Gaming Enterprise (NNGE) and other collaborators to build "Flagstaff East" at the Cosnino Exit placed Navajo manufactured homes within the development?

**WHAT
IF?**

... Tuba City Regional Healthcare Corporation, in conjunction with Indian Health Service, "spec'd" Navajo manufactured homes for the 92 homes slated to be designed and constructed at the Echo Cliffs Health Clinic?

**WHAT
IF?**

... Nahata Dziil advances the Pinta Project on Interstate-40 and develops housing for Relocatees working at the new destination attraction which can become the "front door to the Navajo Nation"?

**WHAT
IF?**

... we designed workforce housing for the housing manufacturing plant at Nahata Dziil and utilized our own product in the shadows of the manufacturing plant itself?



**WHAT
IF?**

... the Hopi Tribe were to commit some of their ARPA or other funding for housing benefiting their citizenry?

**WHAT IF NAVAJO NATION BECAME THE
"MANUFACTURED HOUSING CAPITAL OF
THE WORLD" FOR INDIAN COUNTRY?**

ALL of these outcomes are possible. The only requirement is collaboration.

The Navajo Nation is not unique in the way that it operates in "government silos." Every city and every state in America deals with this dynamic.

"This is my money, not yours." ... "The rules that we have do not permit us to talk to you." ... "We have a different building code standard so we cannot work with you."

And on and on and on.

What is needed is Team Navajo. This would be a new collaboration between NHLCO, NNDCD CHID, NNDED, NNGE, NHA, NNVA, and every other entity partially or fully responsible for housing development on the Navajo Nation.

One reason why Building Communities entered into a 42-month contract with the Navajo Nation is to build these partnerships and dynamics. It is in the scope of work between the Navajo Nation and Building Communities to conduct such outreach. (A draft of the Scope of Work developed by Building Communities for the agreement actually included a required Memorandum of Agreement to be developed amongst the various entities. This deliverable in the Scope of Work was deleted by the Navajo Nation. Building Communities recommends that we reinstate this deliverable ... and reinstate the contract.)

SECTION 9.0 SUSTAINING "LIFE AFTER ARPA"

Building Communities is aware of many projects on the Navajo Nation that could create significant demand for the manufactured housing produced at Nahata Dziil beginning in 2027. Proactive communication between the manufacturing plant and such development activity is essential to create a smooth transition from government-owned and operated manufacturing (2025-2026) to a more business-like (selling rather than giving-away) approach.

The 34 months between the publishing of this plan and the end of ARPA creates an opportunity to lock in future home sales beginning in 2027 and potentially extending to 2030 and beyond. The following is a high-level description of some of these development projects in the conceptualization and design stages.

Development Activity of Navajo Nation Gaming Enterprise

One of the greatest development success stories in all of Navajo is the work that has been conducted to build and operate four gaming establishments. Navajo Nation Gaming Enterprise (NNGE) is skilled in advancing the development process. NNGE has a series of projects in the conceptualization and design stage between Flagstaff, Arizona and Twin Arrows. Routine communications between NNGE and the manufactured housing operations could lock in sufficient plant capacity for several years beyond 2026. Some of these developments may be on fee land.

Echo Cliffs Health Clinic and Housing Project

After a decade of advocacy by local citizens on the Coppermine and Bodaway Gap Chapters, Tuba City Regional Health Care Corporation has now broke ground on a new \$130 million health clinic. In addition to the clinic, funding is in place for 92 homes to support the health care workforce. 2024 is the perfect opportunity for emerging dialogue between the manufacturing plant and Tuba City Regional to scope this possibility.

Nahata Dziil Pinta Project

For decades, one of the top development sites in all of Navajo is at the Pinta Exit (Exit 320 on Interstate 40) on the Nahata Dziil Chapter. A master plan has been completed for a family entertainment complex on the south side of the Interstate, and housing and transportation development on the north side. Should the Pinta Project gain momentum, locating new manufactured housing as a part of the overall complex would be most fitting.

The above three project concepts are just the beginning. As noted throughout this Plan, successfully sustaining a manufactured home industry on the Navajo Nation will require a significantly greater level of collaboration between Divisions, Departments, Enterprises, and businesses.



pictured; Business Card from The Office of The President (<https://opvp.navajo-nsn.gov/>) that features the most powerful and timely advice to The Nation: "THINK FOR THE FUTURE"

YIDEESKÁADI NITSÁHÁKEES

The Navajo Nation will not solve its long-term housing problem using the methodology of the past.

In 2024 and beyond, new partnerships and collaborations must be formed, funding must be coordinated, programming must be done collaboratively, and **people must be served.**

SECTION 10 APPENDICES

TABLE OF CONTENTS

110	ADDENDUM 2.0: Navajo THAW NPL Documentation
131	ADDENDUM 3.0: NHLC Brochure ©2023
133	ADDENDUM 4.0: NHLC Delegates and their Territories
134	ADDENDUM 5.0: CJN-29-22 Review
135	ADDENDUM 6.0: Section 9901 (ARPA; P.L. 117-2)
139	ADDENDUM 7.0: 2021 Fiscal Recovery Fund Office Press Release
143	ADDENDUM 8.0: Resolution, RDCJN-33-15
152	ADDENDUM 9.0: Land Withdrawal Designation Process Chart
153	ADDENDUM 10.0: Clearance Process for Homesite Leases Chart
154	ADDENDUM 11.0: NNHP Fish & Wildlife Biological Resource Clearance Process
155	ADDENDUM 12.0: Manufacturing Housing Plant Construction Site Preliminary Survey
159	ADDENDUM 13.0: NHLCO-BC RFP • NOVEMBER 2023 • NOT ISSUED
180	ADDENDUM 14.0: Contractor Search List 2021-2022-2023
181	ADDENDUM 15.0: Contractor Survey Form (November 2021)
183	ADDENDUM 16.0: Dynamic Homes Factory Floor Plan Drawing

ADDENDUM 1.0:

CJN-29-22
SECTION 10
EXHIBITS
L-3 | L-4


184	ADDENDUM 17.0: ARPA Funding Recap
185	ADDENDUM 18.0: A New Assumption
186	ADDENDUM 19.0: How Many How Much Graphic
187	ADDENDUM 20.0: Delivering Homes from Nahata Dziil (Map)
188	ADDENDUM 21.0: The Full Process Math
189	ADDENDUM 22.0: The 2024-2027 Timeline
190	ADDENDUM 23.0: TBD Checklist
191	ADDENDUM 24.0: Dynamic Homes, LLC Profile
192	ADDENDUM 25.0: INVITATION to Tour Dynamic Homes Factory + Q&A
193	ADDENDUM 26.0: <i>The Steps to Building a Factory</i> PowerPoint Presentation
196	ADDENDUM 27.0: Resolution of Nahata Dziil Commission Governance
197	ADDENDUM 28.0: J.D. Power: Contractor List
198	ADDENDUM 29.0: Life After ARPA: 2027 and Beyond ...
199	ADDENDUM 30.0: Miscellaneous Items



MANUFACTURED HOUSING PLAN FOR NAHATA DZIIL



ADDENDUM 1.0: CJN-29-22 • SECTION 10 • EXHIBIT L-3



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
L-3

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

RFS/HK Review #: HK0170-2

Date & Time Received: 14 April, 2022; 9:54 am

Date & Time of Response: 14 April, 2022; 10:24 am

Entity Requesting FRF: Community Housing & Infrastructure Department

Title of Project: Housing Manufacturing Facilities

Administrative Oversight: Division of Community Development

Amount of Funding Requested: ~~\$~~0,000,000

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: 2.15 (Long-term Housing Security: Affordable Housing)

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

Page 1 of 2

PAGE 98 OF 207

ADDENDUM 1.0: CJN-29-22 • SECTION 10 • EXHIBIT L-3

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NAVAJO NATION GOVERNMENT UNITS

Part 1. Identification of parties.

NN Government Unit Requesting FRF: Community Housing & Infrastructure Department (CHID) Date prepared: 04/12/2022
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's P.O. Box 2389 phone/email: 928.871.6468
 mailing address: Window Rock, Arizona 86515 website (if any): _____

Form prepared by: Patrick Dalgai, Department Manager II phone/email: pat_dalgai@nnchid.org
Community Housing & Infrastructure Dept.
CONTACT PERSON'S name, title and Department, Program, Office, etc. 928.871.6468
CONTACT PERSON'S info

Title & type of Project: 2.18 Long-Term Housing Security: Services for Unhoused Persons

NN Government Unit's Director or Manager: Patrick Dalgai phone & email: 928.871.6468
 Division Director (if any): Pearl Yellowman phone & email: 928.871.7172
 Branch Chief: Jonathan Nez, President phone & email: 928.871.7000

Funding Recipient will be working with: Division of Community Development on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.
Indicate Recipient's Name

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
The Sparrow Group, Priority 1 General Contractor ☐ document attached

Amount of FRF requested: \$0,000,000 FRF funding period: September 2022 - December 2026
Indicate Project starting and ending/active 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 \$50 million funding will provide design and construction funds for the Navajo Nation Community Housing & Infrastructure Department to construct up to five (5) regional housing manufacturing facilities to be used by all Navajo Nation housing programs and entities to provide newly constructed homes to homeless Navajo residents at a lower cost and more efficient method of construction.

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:
 This project is intended to provide a means of constructing homes faster for the Navajo people to help reduce the substandard, unsafe, and overcrowded living conditions in which the Navajo people are currently living in. It will benefit the Navajo Nation long-term, the communities and the people by finally producing affordable homes.

- Page 1 of 3 - ☐ document attached

PAGE 99 OF 207



ADDENDUM 1.0: CJN-29-22 • SECTION 10 • EXHIBIT L-3

APPENDIX A

THE NAVAJO NATION
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NN Government Unit's P.O. Box 2389 phone/email: 928.871.6468
mailing address: Window Rock, Arizona 86515 website (if any): _____

Form prepared by: Patrick Dalgai, Department Manager II phone/email: pat_dalgai@nnchid.org
Community Housing & Infrastructure Dept. 928.871.6468
CONTACT PERSON'S name, title and Department, Program, Office, etc. CONTACT PERSON'S info

Title & type of Project: 2.18 Long-Term Housing Security: Services for Unhoused Persons

NN Government Unit's Director or Manager: Patrick Dalgai phone & email: 928.871.6468

Division Director (if any): Pearl Yellowman phone & email: 928.871.7172

Branch Chief: Jonathan Nez, President phone & email: 928.871.7000

Funding Recipient will be working with: Division of Community Development on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.
Indicate Sponsor/owner/Grant

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
The Sparrow Group, Priority 1 General Contractor ☐ document attached

Amount of FRF requested: \$0,000,000 FRF funding period: September 2022 - December 2026
Indicate Project starting and ending/active 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 \$50 million funding will provide design and construction funds for the Navajo Nation Community Housing & Infrastructure Department to construct up to five (5) regional housing manufacturing facilities to be used by all Navajo Nation housing programs and entities to provide newly constructed homes to homeless Navajo residents at a lower cost and more efficient method of construction.

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

This project is intended to provide a means of constructing homes faster for the Navajo people to help reduce the substandard, unsafe, and overcrowded living conditions in which the Navajo people are currently living in. It will benefit the Navajo Nation long-term, the communities and the people by finally producing affordable homes.

☐ document attached

- Page 1 of 3 -



ADDENDUM 1.0: CJN-29-22 • SECTION 10 • EXHIBIT L-3

APPENDIX A

(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:

The project timeline includes awarding a contract and notice to proceed within 60 days of the passage of the legislation authorizing this project. Site selection and land withdrawals are still required for three of the five selected locations. All five locations are: Tuba City (site selected), Sanders (site selected), Chinle, Shiprock and Gallup area. Issues and challenges we expect to encounter are material availability due to the Navajo Nation getting a late start on projects and manufacturer supply, manufacturing and delivery capacity being severely limited due to COVID and other ARPA activity/ projects nationwide.

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

These projects will be jointly implemented by DCD and Veteran's Administration.

This project will fall under category: 2.18 Long-term Housing Security: Services for Unhoused Persons.

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively: ☐ document attached

Once the facilities are complete, they will fall under the jurisdiction of DCD, DED, NNVA, NHA and NHLCO. O&M costs are yet to be determined.

(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: ☐ document attached

These projects will be jointly implemented by DCD and Veteran's Administration.

This project will fall under category: 2.18 Long-term Housing Security: Services for Unhoused Persons.

Part 3. Additional documents.

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

N/A


- Page 2 of 3 -



ADDENDUM 1.0: CJN-29-22 • SECTON 10 • EXHIBIT L-3



ADDENDUM 1.0: CJN-29-22 • SECTION 10 • EXHIBIT L-4



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
L-4

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

RFS/HK Review #: HK0189

Date & Time Received: 4/13/22 21:35

Date & Time of Response: 14 April, 2022; 3:28 pm

Entity Requesting FRF: Navajo Hopi Land Commission Office

Title of Project: Housing for the Former Bennett Freeze Area and NPL

Administrative Oversight: Navajo Nation Division of Community Development

Amount of Funding Requested: \$15,550,000

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: 2.15 (Long-term Housing Security: Affordable Housing)

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Page 1 of 2




ADDENDUM 1.0: SECTION 10 • EXHIBIT L-4

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

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

Other Comments:

Name of DOJ Reviewer: Adjua Adjci-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.

Page 2 of 2



ADDENDUM 1.0: SECTON 10 • EXHIBIT L-4

APPENDIX A

(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.

06/01/22-Project Commencement; 08/01/22-Administrative Team Formed; 09/01/22 Outreach to all 24 Chapters Requesting Prioritized Housing Waiting List; 09/01/22-Manufacturing Plant Study Begins; 09/01/22-RFP issued for Modular Housing; 12/01/22 Contractor(s) Selected for Modular Housing; 06/01/23 First batch of 16 homes delivered; 08/01/23 Completion of Manufacturing Plant Study; 06/01/24 Second batch of 17 homes delivered; 06/01/25 Third batch of 17 homes delivered. Challenges relate to the ability of the housing contractor to maintain schedule and costs given strong construction economy.

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

NHLCO will oversee the project. NHLCO will award a contract to a qualified project administrator to ensure compliance with ARPA and Navajo Nation requirements.

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively: ☐ document attached

NHLCO will issue an RFP for a qualified non-profit organization with experience in housing maintenance to provide training and support for benefiting families. NHLCO has already identified at least one capable non-profit which will respond to the RFP. The non-profit will have the capacity to attract funding and provide home maintenance services.

(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: ☐ document attached

3.10 Housing Support: Affordable Housing

ARPA makes provisions that housing projects for Native American Tribes are eligible expenses.

Part 3. Additional documents. ☐ document attached

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

- Page 2 of 3 -



ADDENDUM 1.0: SECTON 10 • EXHIBIT L-4

APPENDIX A

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.

NN Government Unit Preparer: Robert K. Black, Jr. Signature of NN Government Unit Preparer Approved by: Robert K. Black, Jr. Signature of NN Government Unit Preparer Date: 2023-04-12 10:42:07 -0500

Approved to submit for Review: Paulson Chaco Signature of NN Government Unit Preparer Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff Signature of NN Government Unit Preparer Office of the President and Vice President Signature of NN Government Unit Preparer



ADDENDUM 1.0: SECTON 10 • EXHIBIT L-4

FY 2022 to 2026

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 2
BUDGET FORM I

PART I. Business Unit No.: AFWA FUNDUS

Prepared By:

Program Title: Navajo-Hopi Land Commission Office

Phone No.:

Division/Branch: OVP / Executive Branch

Email Address:

PART II. FUNDS SOURCES)

AFWA FUNDUS

Fiscal Year From	Amount Total	% of Total	Paid To Date	(A) MHC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2022 TO 2026	\$14,000,000	100%				

PART III. BUDGET SUMMARY

2001 Personal Expenses	3000 Travel Expenses	3500 Meeting Expenses	4000 Supplies	5000 Leases and Rentals	5500 Communications and Utilities	6000 Repairs and Maintenance	6500 Contractual Services	7000 Special Transactions	8000 Public Assistance	8500 Capital Outlay	8500 Matching Funds	9500 Indirect Cost
TOTAL												

TOTAL \$14,000,000

100%

PART IV. POSITIONS AND VEHICLES

Total # of Positions Budgeted:

Total # of Vehicles Budgeted:

(D)	(E)

TOTAL

\$0

\$0

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

SUBMITTED BY:

Robert Black, Jr., Executive Director

Program Manager's Printed Name

APPROVED BY:

Pauline Chispa, Chief of Staff

Signature and Date

4/12/22

DIVISION DIRECTOR / BRANCH CHIEF'S Signature and Date

4/12/22



ADDENDUM 2.0: Navajo THAW NPL Documentation

Navajo Thaw NPL Documentation

Outline of Document

Meetings Agendas

October 22, 2022 NPL Meeting Agenda
November 16, 2022 NPL Meeting Agenda
November 30, 2022 NPL Meeting Agenda

Meeting Notes

October 22, 2022 NPL Meeting Notes
November 16, 2022 NPL Meeting Notes
November 30, 2022 NPL Meeting Notes

Meeting Sign-in Sheets

October 6, 2022 NPL Meet Sign-in
October 22, 2022 NPL Meet Sign-in

Directory

Navajo Thaw NPL 2022 Project Directory



Navajo Thaw/Dzil Yiziin Planning Session

Saturday, October 22, 2022

9 am – 2 pm (Arizona Time)

10 am – 3 pm MDT

Twin Arrows Conference Room (To be Confirmed)

1. Call to Order – Stan Robbins
2. Invocation
3. Self-introductions and Sign-up Sheet
4. Introduction of Building Communities and the Work of the Navajo Thaw – Brian Cole
5. Purpose/History/Goals of Dzil Yiziin Regional Council – Percy Deal and Other NPL Leaders
6. Goals of the “NPL Extension” to the Navajo Thaw – Brian Cole
7. Brainstorming of Dzil Yiziin Priorities/Projects/Expectations
8. Establishing a Communications Protocol on How we Proceed Together
9. Other Business
10. Next Meeting
11. Adjourn



Navajo Thaw/NPL/Dzil Yijiin Planning Session
November 16, 2022
9 am – 12 (noon) MST
Zoom Meeting

1. Call to Order – Stan Robbins
2. Invocation
3. Self-introductions
4. Brief Update on the Work of the Navajo Thaw – Brian Cole
5. Potential Assistance From NAU
6. Purpose/History/Goals of Dzil Yijiin Regional Council – Percy Deal and Other NPL Leaders (any updates since the October 22 meeting)
7. Brainstorming of NPL/Dzil Yijiin Priorities/Projects/Expectations
8. Other Business
9. Next Meeting
10. Adjourn



Navajo Thaw/NPL/Dzil Yijiin Planning Session
November 30, 2022
9 am – 12 (noon) MST
Zoom Meeting

1. Call to Order – Stan Robbins
2. Invocation
3. Self-introductions
4. Brief Update on the Work of the Navajo Thaw – Brian Cole
5. Potential Assistance From NAU
6. Brainstorming of NPL/Dzil Yijiin Priorities/Projects/Expectations
7. Other Business
8. Next Meeting
9. Adjourn

Building Communities is inviting you to a scheduled Zoom meeting.

Topic: Navajo Thaw/NPL/Dzil Yijiin #3

Time: Nov 30, 2022 09:00 AM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/86102396567?pwd=Ym8xckF0cVdOV0RTZTV2c2NsMjJ2UT09>

Meeting ID: 861 0239 6567

Passcode: 808517

If by Phone Only: (346) 248-7799



NPL/Dzil Yiziin/Navajo Thaw Planning Session
Saturday, October 22, 2022
9 am – 2 pm (Arizona Time)
Twin Arrows Conference Facility
MEETING NOTES

1. Call to Order

Stan Robbins with the Navajo Thaw Team called the meeting to order shortly after 9 am MST.

2. Invocation

The invocation was provided by Mae-Gilene Begay.

3. Self-introductions and Sign-up Sheet

See Attachment A for the meeting attendees.

4. Introduction of Building Communities and the Work of the Navajo Thaw

Brian Cole presented a PowerPoint that provided some background on the effort of the Navajo Thaw and some thoughts on how we can all work together to make progress. A copy of the PowerPoint is shown at Attachment B.



Percy Deal explains the geography, the challenges...and the opportunities by working together

5. Purpose/History/Goals of Dzil Yiziin Regional Council

Percy Deal summarized the history and goals of the region.

6. Goals of the NPL Extension to the Navajo Thaw

Needed Information From all Chapters

- Chapter CLUPs (or CLUPs in-progress)
- Projects on each Chapter Community Infrastructure Plan (CIP) list
- Descriptive material on projects being advanced for “Delegate Region” ARPA funding (\$8.8 million per Delegate Region)
- Other relevant documentation



- Outreach to BIA, IHS, and other federal information and programmatic sources

Documentation to be Further Researched by Building Communities

- General Accounting Office (GAO) Report
 - A response by Dzil Yiziin and Navajo Nation to GAO Report
- Impacts of NGS and Peabody Coal closure
- Section 13 (put this “back in” P.L. 93-531)
- Eligibility language for “coal impacted communities”
- Synthesize information from the 2021 Build Back Better Regional Challenge (BBBRC) proposal
- Second Generation beneficiaries position paper

Needs and Recommendations as Expressed by Chapter Leaders

- Conduct a study of impacts
 - Special study on the impacts to the people that relocated to Nahata Dził
- Analyze the national federal impacted schools legislation which provides payments to New Mexico localities
 - This could be amended to benefit Navajo (payment in lieu of taxes)





Technical Amendments

- Possibility of augmenting the Technical Amendments with NPL documentation and requests

Impacts to NPL

- Limit of 10 sheep per Grazing Area (two low; limits quality of life)

Report K. Black, Jr. Responding to Delegate James

- An upcoming Congressional Hearing is unlikely due to the current disagreements on some issues between Navajo and Hopi
- HR6141 (Technical Amendments) – Near-term approval of the Technical Amendments is unlikely due to opposition by Hopi
- Navajo Thaw – gaining respect and increased likelihood of future funding success
- Appointment of the ONHIR Commissioner – Hopi is opposed to such an appointment due to their general dissatisfaction with ONHIR
- Current litigation – portions of one of the two cases has been dismissed

Existing ONHIR Funding Balance

- It was noted that ONHIR has between \$15 million - \$19 million in its fund. There may be an opportunity to approach ONHIR for a portion of this funding for priority NPL needs

NPL Standalone

- Potential legislation that would just benefit the NPL
- Request for recovery funding (not just relocation)
- Would address the second generation needs
- Documentation was supposed to be polished and then submitted to Congress but this did not happen



Attachment A
Dzil Yiziin/Navajo Thaw Planning Session
Saturday, October 22, 2022 | 9 am – 2 pm (Arizona Time)
Twin Arrows Casino and Resort
Sign-in Sheet

Name	Organization	Phone	Email
Allen, Bessie S.	Pinon Chapter	(928) 725-3710	lokaasanii@gmail.com
Begay, Mae-Gilene	Forrest Lake Chapter	(928) 637-4898	mgbegay@yahoo.com
Begay, Sharon A.	Pinon Chapter	(928) 725-3710	sabegay@nnchapters.org
Benally, Fern	BMRB	(928) 429-8655	dinehtah.007@gmail.com
Black, Robert	NHLCO	(928) 871-6441	robertblackjr@navajo-nsn.gov
Chief, Carmenlita	NAU	(480) 415-7302	Carmenlita.chief@nau.edu
Cole, Brian	Navajo Thaw/Building Communities	(928) 814-3710	bc@buildingcommunities.us
Deal, Percy	Big Mountain	(928) 205-7332	Deal.percy@gmail.com
Francis, Sophia	Teesto Chapter	(928) 657-8042	sophiafrancis@navajochapter.org
James, Vince	24 th NNC	(928) 287-2831	vincejames@navajo-nsn.gov
Maxx, Raymond	Tuba City	(928) 514-6117	Rrmaxx07@yahoo.com
Naize, Johnny	Whippoorwill Chapter	(928) 725-3713	jnaize15@yahoo.com
Nalwood, Ramona	Pinon Chapter	(928) 675-7520	R2000.monalwood@yahoo.com
Paul, Rodger R.	Jeddito	(928) 738-2276	rodgerpaul@gmail.com
Robbins, Stan	Building Communities	(928) 707-9170	Srobbins7826@gmail.com
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Tsosie, Mary	Pinon Chapter	(928) 725-3710	Pinonchapter05@yahoo.com
White, Brenda	Forest Lake Chapter	(928) 600-0365	Brendawhite304@yahoo.com
Whitethorne-Benally, E.	Shonto Community Governance	(928) 209-1849	ewbenally@nnchapters.org
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Yazzie, Aaron	Whippoorwill Chapter	(928) 383-2751	rezboy_larod@yahoo.com
Yazzie, Bill	Pinon Chapter	(928) 725-3710	Yayazzie02@yahoo.com
Yellowhair, Jimmy	24 th NNC	(928) 381-4327	jyellowhair@navajo-nsn.gov

This was developed from a hand-written sign-in sheet. As such, some information may not be 100% accurate. Please review and provide corrections as needed.



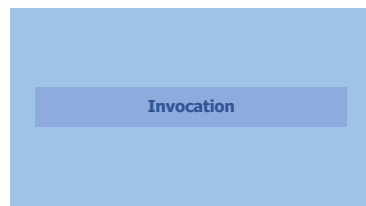
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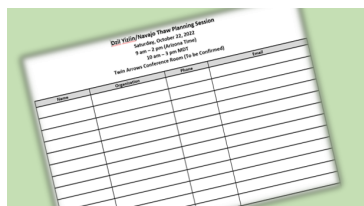
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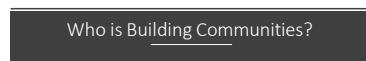
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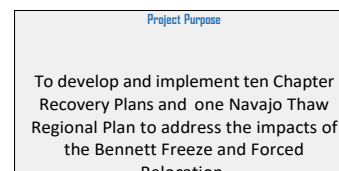


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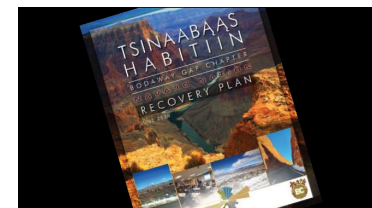


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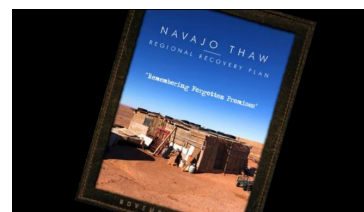
Page 5 of 8



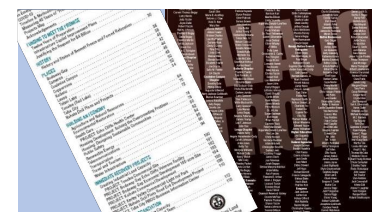
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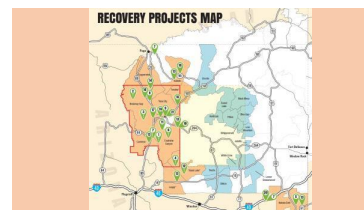
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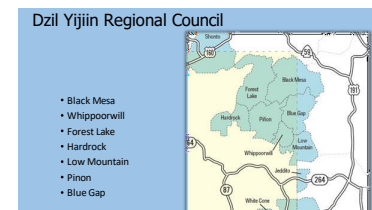
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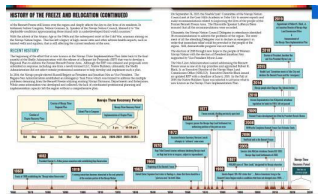


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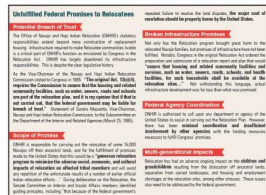


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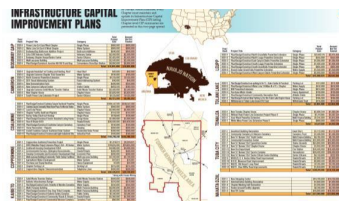
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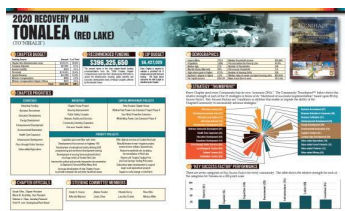
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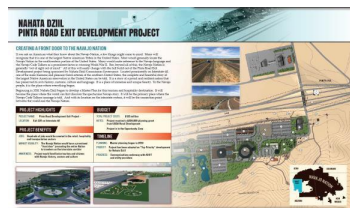
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Topic	Remarks
Coordinating Navajo Affairs	• Navajo Area Land Commission (NALC)
Planning Navajo Affairs	• Navajo Area Community Development (Community Planning & Infrastructure Department) (CPID)
Education Navajo Affairs	• Navajo Area Education (NAE)
Health Navajo Affairs	• Navajo Area Health (NAH)
Transportation Navajo Affairs	• Navajo Area Transportation (NAT)
Recreation Navajo Affairs	• Navajo Area Recreation (NAR)
Other Navajo Affairs	• Navajo Area Other (NAO)

19



20

Discussion

- History and Priorities of Dzil Yijin Regional Council
- Existing and Past Plans
- Future Expectations
- Future Meetings

21



22



Navajo Thaw/NPL Planning Session
November 16, 2022
MEETING NOTES
9 am – 12 pm MST

1. Call to Order

The meeting was called to order by Stan Robbins at 9:25 am MST.

2. Invocation

Mae-Gilene Begay provided the invocation.

3. Self-introductions

Attendees included Brian Cole, Building Communities; Paris Tom, Jeddito; Stan Robbins, Navajo Thaw Team; Robert Black, NHLCO; Roland Smallcanyon, Shonto Community Governance; Representative, Whitecone; Elizabeth Whitehorse-Benally, Shonto Community Governance; Raymond Maxx, Navajo Thaw Team; Bobby Robbins, Navajo Thaw Team; Elmer Clark, Teesto; Patsy Yazzie, NHLCO; Carmenlita Chief, NAU; Roman Bitsui, Former NHLCO Executive Director; Eunice Begay, Dilkon ASC; Mae-Gilene Begay, Forest Lake; Phillip Tom, Whippoorwill; Stanley Yazzie; Percy Deal, Dził Yijjin; Larry Biltah, Black Mesa; Leland Dayzie, Tolani Lake; Germaine Simonson, Hard Rock; Clara Tsosie, Teesto; and Dorothy Yazzie, Black Mesa. In addition, there were two additional attendees that did not introduce themselves. In total, it was estimated that 10 of the 13 NPL Chapters had representation.

4. Brief Update on the Work of the Navajo Thaw

As Brian Cole had provided an overview of the Navajo Thaw at the two previous meetings, he provided a shorter presentation here. He directed everyone to www.navaiothaw.com.

5. Potential Assistance from NAU

Carmenlita Chief stated that she is finalizing the prototype of a survey that will help to identify the housing and infrastructure needs of the region.

Chief then recommended that Building Communities provide more information to the Chapters on the type and timing of the information that would be beneficial to complete this planning work.

6. Purpose/History/Goals of Dził Yijjin Regional Council

Stan Robbins asked Percy Deal to provide his thoughts on the status of the planning effort and how to move forward. Mr. Deal noted that six weeks is insufficient time to generate the type of plan needed by NPL. Mr. Deal believes that there is expertise within NPL that could work to put the plan together. Mr. Deal explained how he would like to advance a \$500,000 funding request to the NHLCO for this work. In his opinion, similar funding might be accessed to continue the work of the Navajo Thaw. Percy Deal stressed that if we do planning, we need to do it right.



Roman Bitsui noted that it might be advantageous for the local group to access a portion or all of the additional funding provided through NHLCO for the Navajo Thaw expansion work benefiting NPL.

Bitsui summarized his understanding of the composition of a planned Navajo Thaw Roundtable which would appoint 16 Navajo members to direct expenditures made by ONHIR. He also made reference to the funding amounts that might go to Navajo and Hopi.

Bitsui stated that Building Communities and the Navajo Thaw can develop a document and then provide that document to NPL so that it can be included in the work being developed by NPL. Brian Cole affirmed that the document could be utilized in this fashion once it is complete.

Bitsui requested that a copy of the congressional language be provided so they could review it. He provided some history on how their suggested language was not ultimately added to HB-6141. He stated that the language needed to be developed by Navajo and submitted to Congress.

Robert Black provided an update on the availability of funding through his office. There was some discussion about approaching the NHLCO to support a funding request of this nature.

7. Brainstorming of NPL/Dził Yijjin Priorities/Projects/Expectations

Delegate-elect Germaine Simonson noted that she is from Hard Rock and has previously provided testimony in public hearings related to the impacts of Forced Relocation. She stated that the Hard Rock Chapter does have information that could be valuable to this planning effort. The remainder of Delegate-elect Simonson's comments referenced the mental and behavioral health impacts of relocation to the people.

Larry Biltah from Black Mesa asked what they can do to help. He stated that they will do everything they can to provide information and to help.

Leland Dayzie of Tolani Lake noted that a small portion of the Tolani Lake Chapter is in NPL. He referred to this portion as the 501 and 502 strip. He estimated this might be 15 homes. Dayzie stated that they are getting good support from CHOICE Humanitarian, the distribution of ARPA funding, and the work of Brian Cole and Building Communities and the Navajo Thaw Team. He also recognized Bobby Robbins. Dayzie made mention of some concerns related to funding drawdowns.

Paris Tom from Jeddito stated that they have their Capital Improvement Plan projects, ARPA projects, and a Chapter Plan and this information could be shared as a part of this planning project.

8. Other Business

There was no other business discussed.



9. Next meeting

The next meeting is scheduled for Wednesday, November 30 at 9 am MST by Zoom. Stan Robbins indicated that there would be a pre-meeting including Percy Deal, Roman Bitsui, Mae-Gilene Begay, Brian Cole, and himself.

10. Adjourn

The meeting was adjourned at 12:05 pm MST.



**Navajo Thaw/NPL Planning Session
November 30, 2022
MEETING NOTES
9 am – 12 pm MST**

1. Call to Order

The meeting was called to order by Stan Robbins at 9:21 am MST.

2. Invocation

Stan Robbins asked Rodger Paul to provide the invocation.

3. Self-introductions

Rodger Paul, Jeddito; Sharon Begay, Pinon; Fern Benally, Forest Lake; Johnny Naize, Whippoorwill; Stan Robbins, Navajo Thaw; Brian Cole, Building Communities; Raymond Maxx, Navajo Thaw; Marietta Denny; Philip Tom, Whippoorwill; Leroy Willie, Jeddito; Jay Begay, Hardrock; Carletta Spencer, Jeddito; Paris Tom, Jeddito; and Robert Black, NHLCO.

4. Brief Update on the Work of the Navajo Thaw

Brian Cole presented a brief background on the Navajo Thaw and the work being done in NPL.

5. Potential Assistance from NAU

No report.

6. Brainstorming of NPL/Dzil Yijiin Priorities/Projects/Expectations

Robert K. Black, Jr. indicated that he had heard from Roman Bitsui and Percy Deal. Mr. Bitsui and Mr. Deal are recommending that the NPL effort “go it alone” from the Navajo Thaw effort. Mr. Black then indicated that this meeting would conclude the efforts by the consulting team to provide additional planning services to NPL.

Paris Tom voiced his support that the Navajo Thaw should proceed as such a great amount of planning was done. He indicated he would coordinate with Dzil Yijiin Regional Council.

Johnny Naize asked if the deadline to submit documentation was still relevant. Robert K. Black indicated that any information submitted to the Navajo Thaw consulting team would be forwarded along to Percy Deal and Roman Bitsui.

Johnny Naize then requested that a letter come from Robert Black explaining the circumstances.

Stan Robbins concluded the meeting by thanking everyone for their efforts and wished everyone great success and a good holiday season.

7. Other Business

There was no other business discussed.



8. Next meeting

There is no next meeting scheduled.

9. Adjourn

The meeting was adjourned at 11:05 pm MST.

October 6, 2022 Dzil Yiziin Regional Council Meeting Forest Lake Chapter

Date	Name	Organization	Phone#	E-mail Address
10/6/22	Ma Gilene Begay	Forest Lake Chapter	848-4848	mbegay@xanadu.com
10/6/22	Stan Robinson	Chambers Chapter	928-267-9170	strobbs7826@gmail.com
10/6/22	Brian Cole	Building Communities	928-841-3710	bc@buildingcommunities.us
10/6/22	Ramona Nalwood	Pinon Chapter	928-835-7520	naize15@yahoo.com
10/6/22	Betty Askie	Blue Gap Chapter	928-313-4347	braskie@navajochapters.org
10/6/22	Brehan White	Forest Lake	(800) 0365	brehanwhite304@yahoo.com
10/06/2022	Raphael Boy	Forest Lake	928-514-9998	raphelboy@yahoo.com
	Rose Charley	Low Mtn		
	Christina A. Coangue	Hardrock CSC		
	Phillip Tom	Whippoorwill		
	Luke Nez	Genchi		
	Antoinette Nez	Blue Gap CSC		
	Ella Mae Benally	Pinon Lake CSC		
	Myra Tule	Blue Gap		mtule@nataani.org
	Edwin Gena	Chinle ASC	928-674-2251	edena@nndcd.org
	Rene Begay	Genchi		
	Stearns Yazzie	Chinle ASC, OS		
	Betty Asie	Blue Gap		
	J.R. Begay	Hardrock - Pres		
	Lynne Begay	Black Mesa - VP		
	Lynn Begay	Hardrock - Sec		
	Roger George	Low Mtn		
	Jimmy Yellowhair	Council Village		
	Storia Johns	WDA - Village Chair	928-380-1978	stjohns@earthlink.net
6/6/22	Ramona Nalwood	Whippoorwill	928-3127	
	Patty Del	Hardrock	928-805-1782	
6-6-22	Bessie S. Allen	Pinon Chapter	928-725-3710	
6-6-22	B.W. Yazzie	Pinon Chapter	928-725-3710	
6-6-22	Jimmy Yellowhair	24th NNC	(928) 318-4327	jyellowhair@navajo-nsn.gov
6-6-22	Dorothy R. Yazzie	BAC, BUIPC	520-307-0932	dyazzie@yahoo.com



Dzil Yiziin/Navajo Thaw Planning Session Saturday, October 22, 2022 | 9 am - 2 pm (Arizona Time) Twin Arrows Casino and Resort Sign-in Sheet

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Shorty, Norma Jensen	Teesto Chapter	(623) 363-845	Norma.jensenshorty@gmail.com
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Tom, Phillip Jr.	Whippoorwill Chapter	(928) 625-7343	Philliptom2021@gmail.com
Tsosie, Mary	Pinon Chapter	(928) 725-3710	Pinonchapter05@yahoo.com
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Yazzie, Bill	Pinon Chapter	(928) 725-3710	rezboy_larod@yahoo.com
Yellowhair, Jinny	24th NNC	(928) 381-4327	jyellowhair@navajo-nsn.gov

This was developed from a hand-written sign-in sheet. As such, some information may not be 100% accurate. Please review and provide corrections as needed.



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Charley, PH				uman238@gmail.com
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Cole, Brian				bc@buildingcommunities.us
Daysie, Leland	Tolani Lake	President	(928) 686-3289	lksdayzie@navajochapters.org



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Salabye, Robert	Whitecone	President	(928) 654-3900	
Shonto Chapter				shonto@navajochapters.org



ADDENDUM 3.0: NHLC Brochure ©2023



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				glojohns@gmail.com

The Navajo Nation government is committed to holding the United States responsible and accountable for the impacts the forced re-location of Navajo families and decades of development freezes imposed on Navajo communities.

Historical Background:

In 1882, United States President Chester Arthur issued an Executive Order creating conflicting land interests between the the Navajo Nation and the Hopi Tribe.

This land dispute led to the 1974 Navajo Hopi Settlement Act (Relocation Act), which partitioned the disputed area into the Navajo Partitioned Lands (NPL) and the Hopi Partitioned Lands (HPL) and legislated for the forced relocation of Navajo citizens from their ancestral homes on the HPL.

While Congress initially believed that 1,000 Navajos would need to be relocated, the actual number has been over 16,000. To facilitate the relocation and administer benefits to Relocates, Congress created the Office of Navajo and Hopi Indian Relocation (ONHIR). ONHIR is directed by a Commissioner appointed by the U.S. President. This role has been vacant since 1994.

Impacted Communities:

To date, the relocation of Navajos remains incomplete, and many Navajos have not received the full benefits or humane treatment promised to them under the Relocation Act. The Relocation Act benefits were to be provided to the heads of households that were relocated.

These Relocates were promised, among other things, decent, safe, sanitary and adequate homes, and humane treatment, but often received much less. To this day, surviving Relocates are still fighting to receive their benefits and fair treatment.

Many of these fights are the result of ONHIR not having a Commissioner since 1994. Without a Commissioner, ONHIR has shirked away from its obligation of working with the Nation and its citizens and instead focused on shutting down the Relocation.

The impact of the relocation has extended far beyond the heads of relocated households.

The descendants of the heads of households have suffered significantly due to the trauma, poor planning, and poor execution of the relocation by the Federal government, including the Federal government's lack of foresight to provide Relocation Act benefits to descendants. Further, the NPL also suffered from a development freeze and it (as well as other communities that received Relocates) were not provided with the resources necessary to take in and support the influx of citizens.

As a result, those 'host' communities have faced unique and challenging difficulties. In 1934, Congress passed legislation clarifying the western boundary of the Navajo Nation. This legislation created a separate land dispute between the Navajo Nation and the Hopi Tribe.



This land dispute led to the institution of the Bennett Freeze by the Federal Government in 1966, which was a devastating development freeze on over 1.5 million acres, and which lasted until 2009.

Since lifting the Bennett Freeze in 2009, Congress has not provided any direct funding to facilitate the rehabilitation of the Former Bennett Freeze Area (FBFA) or repair damages that the Freeze inflicted upon the families, infrastructure, and land. As a result, communities within the FBFA have suffered from decades of maltreatment as a result of the actions of the Federal government.

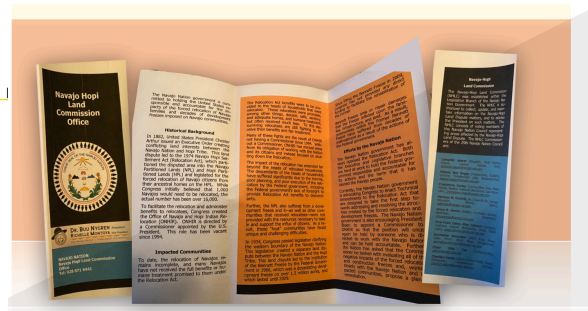
Efforts by The Navajo Nation:

The Navajo Nation government has always opposed the Relocation Act.

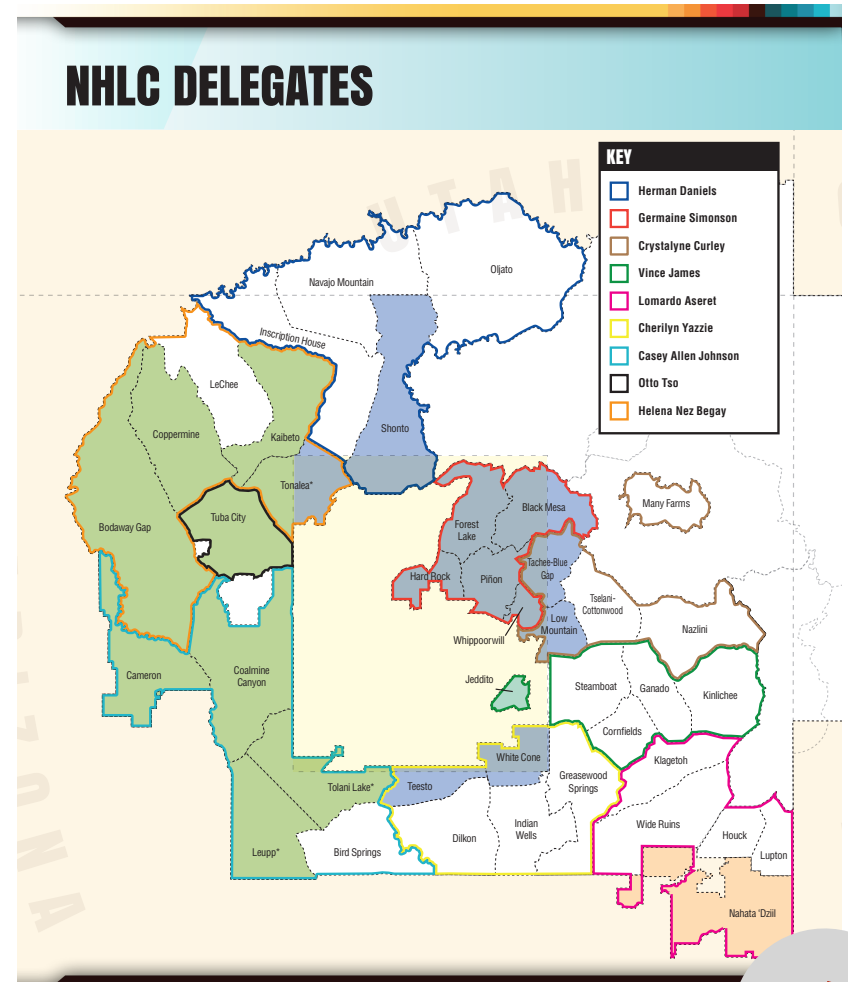
Both the Executive and Legislative branches are hard at work to hold the Federal government responsible and accountable for its actions and the harm that it has caused the Navajo people. Currently, the Navajo Nation government is advocating Congress to enact **Technical Amendments to the Relocation Act** that are designed to take the first step towards addressing and resolving the atrocities created by the forced relocation and development freezes.

The Navajo Nation government is also encouraging President Biden to appoint a Commissioner to ONHIR so that the position will once again be held by someone who is directed to work with the Navajo Nation and can be held accountable.

Further, the Nation has asked that the Commissioner be tasked with evaluating all of the negative impacts of the forced relocation and construction freezes and, working closely with the Navajo Nation and impacted communities, propose a plan of remediation.



ADDENDUM 4.0: NHLC Delegates and their Territories





ADDENDUM 5.0: CJN-29-22 Review

Review of CJN 29-22
September 13, 2023
(Slightly Updated December 8, 2023)

Section 10. Approval of Housing Projects and Manufactured Housing Facilities Expenditure Plan					
Office	Funding	Use	Expenditure Category	Administrative Oversight	Legislative Oversight
CHID	\$50 million	New housing projects, as long-term housing security.	Services for unhoused persons (Expenditure Category 2.15)	NNDCD	RDC
NNVA	\$50 million	New housing projects, as long-term housing security.	Services for unhoused persons (Expenditure Category 2.16)	NNVA	HEHS
CHID	\$30 million	Design and construction of up to three regional housing manufacturing facilities with locations in Tuba City, Sanders, Chinle, Shiprock, or Gallup areas.	Long-term housing security: Affordable housing (Expenditure Category 2.15)	NNDCD	RDC
NHLCO	\$15.55 million	Housing for the Former Bennet Freeze Area and Navajo Partitioned Lands. Purchase modular homes for people within the 23 impacted Chapters; planning of a manufactured housing plant at Nahata Dziil Chapter.	Long-term housing security: Affordable housing (Expenditure Category 2.15)	NNDCD	RDC

Approval of Eligibility Criteria is as Follows:				
Office	Approval Oversight Body	Special Condition #1	Special Condition #2	Special Condition #3
CHID	RDC by Resolution	Need-based	ADA	Equal distribution by Delegate Region
NNVA	HEHS by Resolution	Need-based	ADA	-
NHLCO	NHLC by Resolution	Need-based	ADA	-

Special Provisions from Exhibit L-4 (\$15.55 Million to NHLCO)

- \$14 million will be expended to purchase and transport modular homes that will serve the people of the 23 impacted Chapters (the nine Bennett Freeze Chapters and the 14 NPL Chapters)
- \$1.55 million will be expended to develop a plan for a manufactured housing plant on the Nahata Dziil Chapter
 - The plant will create the capacity for the Navajo Nation to make a long-term impact to the overcrowding problem
 - Create jobs for Relocates from the Navajo-Hopi Land Dispute
 - Expand effort to provide planning and development funding for the 14 Chapters of NPL
- NHLCO to issue an RFP for a qualified non-profit organization with experience in housing maintenance to provide training and support for benefitting families
- The eligibility criteria will be reviewed and approved by NHLC Resolution

Page 1 of 2

ADDENDUM 6.0: ARPA; P.L. 117-2 (Section 9901)



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INSIGHT

The American Rescue Plan Act, Section 9901 — The Coronavirus State Fiscal Recovery Fund

May 11, 2021

Section 9901 of the American Rescue Plan Act of 2021 (ARPA; P.L. 117-2) provides a total of \$362 billion in general federal payments to state, local, tribal, and territorial governments, \$220 billion of which is directed to the Coronavirus State Fiscal Recovery Fund (CSFRF). Similar assistance was provided through the \$150 billion [Coronavirus Relief Fund](#) established in the CARES Act (P.L. 116-136). This Insight summarizes the assistance provided to the CSFRF, as established in Section 9901 of ARPA. Allocations sorted by state and territory are provided in [Table 1](#). Additional guidance on allocations, timing, and eligible uses are available at the [Treasury State and Local Assistance website](#). (ARPA also created the Coronavirus Local Fiscal Recovery Fund [CLFRF], discussed in a [companion Insight](#).)

Allocation Methodology

ARPA provided a total of \$219.8 billion through the CSFRF, distributed differently across state, territorial, and tribal governments:

- States and DC:** \$195.3 billion to the 50 states and the District of Columbia (DC), with
 - (1) \$0.755 billion to DC (i.e., the difference between DC's allocation and the minimum allocation to the 50 states provided in the CARES Act);
 - (2) \$25.5 billion distributed equally across state governments (\$0.5 billion each);
 - (3) \$169.045 billion distributed to states (and DC) in proportion to their seasonally adjusted unemployed population from October through December 2020, as measured by the [Bureau of Labor Statistics](#); and
 - (4) Adjustments to ensure that each state and DC receives a total of at least \$1.25 billion from the CSFRF and [Coronavirus Local Fiscal Recovery Fund](#), a separate fund for local governments established in Section 9901.
- Tribal Governments:** \$20 billion provided for tribal governments, with
 - (1) \$1 billion allocated equally across all tribal governments; and

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(2) \$19 billion allocated to all tribal governments through a process to be determined by the Secretary of the Treasury; and

- **Territories:** \$4.5 billion set-aside for Puerto Rico, American Samoa, Guam, the Commonwealth of Northern Mariana Islands, and the U.S. Virgin Islands, with
 - (1) \$2.25 billion allocated equally across the five territories (0.45 billion each); and
 - (2) \$2.25 billion allocated based on relative population.

Timing

ARPA provided Treasury with the discretion to make CSFRF payments to states in one or two tranches, based on state unemployment levels. Treasury released [guidance](#) specifying that payments will be made in one installment for states with unemployment levels at the time of Treasury certification that are more than two percentage points higher than February 2020 levels. (State governments must complete certification, consisting of payment delivery instructions and an authorized representative signature, through the [Treasury submission portal](#) to receive CSFRF payments.) All other states are to receive payments in two installments, with all first payments made in May 2021. For states receiving two tranches, the second tranche payments are required to be made no later than 12 months after Treasury certifies the first round of payments. Treasury's guidance also stated that payments to all territorial governments will be made in a single installment, also in May 2021. Payments to tribal governments are to be made in two installments—May 2021 and June 2021—with the latter based on unemployment data. All payments are to remain available until December 31, 2024, with funded projects completed no later than December 31, 2026. Amounts not spent or used for ineligible purposes must be repaid to Treasury.

Eligible Uses

ARPA specifies that funding provided through the CSFRF is generally only to be used to

- respond to the COVID-19 public health emergency and its negative economic impacts;
- provide premium pay to essential workers or grants to employers with essential workers;
- replace lost, delayed, or decreased revenue, relative to projections issued before January 27, 2020, reduced by the projected budgetary effect of certain tax cuts enacted after March 3, 2021 (to prevent payments from offsetting the effect of such tax cuts); or
- make necessary investments in water, sewer, or broadband infrastructure.

CSFRF recipients may transfer funds to private nonprofit groups, special purpose units of state or local governments, or public benefit corporations involved in the transportation of passengers or cargo. **Table 1** shows the total CSFRF payments provided to state, tribal, and territorial governments and the projected number of installments that Treasury will use to make payments.

Table 1. CSFRF Payments by State and Territory
(in billions of dollars)

State	Total Allocation	Projected # of Payments
Alabama	2.120	2
Alaska	1.012	2
American Samoa	0.479	1
Arizona	4.183	2

State	Total Allocation	Projected # of Payments
Arkansas	1.573	2
California	27.017	1
Colorado	3.829	1
Connecticut	2.812	1
Delaware	0.925	1
DC	1.802	1
Florida	8.817	2
Georgia	4.854	2
Guam	0.554	1
Hawaii	1.642	1
Idaho	1.094	2
Illinois	8.128	1
Indiana	3.072	2
Iowa	1.481	2
Kansas	1.584	2
Kentucky	2.183	2
Louisiana	3.011	1
Maine	0.997	2
Maryland	3.717	1
Massachusetts	5.286	1
Michigan	6.540	2
Minnesota	2.833	2
Mississippi	1.806	2
Missouri	2.685	2
Montana	0.906	2
Nebraska	1.040	2
Nevada	2.739	1
New Hampshire	0.995	2
New Jersey	6.245	1
New Mexico	1.752	1
New York	12.745	1
North Carolina	5.439	2
North Dakota	1.008	1

Northern Mariana Islands	0.482	1
Ohio	5.368	2
Oklahoma	1.870	2
Oregon	2.648	1
Pennsylvania	7.291	1
Puerto Rico	2.470	1
Rhode Island	1.131	1
South Carolina	2.499	1
South Dakota	0.974	2
Tennessee	3.726	2
Texas	15.814	1
U.S. Virgin Islands	0.515	1
Utah	1.378	2
Vermont	1.049	2
Virginia	4.294	1
Washington	4.428	2
West Virginia	1.355	2
Wisconsin	2.533	2
Wyoming	1.068	2
Tribal Governments	20.000	2
Total	219.800	-

Source: U.S. Treasury.

Note: Items may not sum to total due to rounding.

Author Information

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Specialist in Public Finance

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ADDENDUM 7.0: Fiscal Recovery Fund Office Press Release (2021)



The Navajo Nation
Office of the President and Vice President

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FOR IMMEDIATE RELEASE

October 4, 2021

Navajo Nation establishes the Fiscal Recovery Fund Office for the American Rescue Plan Act

WINDOW ROCK, Ariz. – On Monday, Navajo Nation President Jonathan Nez issued Executive Order No. 008-2021, establishing the Navajo Nation Fiscal Recovery Fund (NNFRF) Office dedicated to overseeing and implementing the Coronavirus State and Local Fiscal Recovery Funds program authorized by the American Rescue Plan Act (ARPA). The establishment of the office was authorized through Resolution CJY-41-21, which was approved by the 24th Navajo Nation Council and signed into law in August.

On Sept. 23, President Nez and Chief of Staff Paulson Chaco presented the plan of operation for the Navajo Nation Fiscal Recovery Fund Office to the Naabik'iyáti' Committee. Council delegates voted 17-3 to accept the report, allowing the Office of the President and Vice President to move forward with the establishment of the office. The office will be located at the Navajo Division of Transportation Emergency Operation Center.

"With the establishment of the Navajo Nation Fiscal Recovery Fund Office, the Navajo Nation is prepared to move forward with the initial distributions of the American Rescue Plan Act funds for defunded CARES Act allocations and appropriations that were funded through the Sihasin Fund and the UUFB, which were previously authorized. As for new projects, Resolution CJY-41-21 requires that we work with the Navajo Nation Council to finalize and fund them. We do hear the concerns of our people and we understand the need to expedite the internal processes to expend the funds as quickly as possible, while providing accountability and ensuring compliance with federal requirements each step of the way. This is a once in a lifetime opportunity to improve the quality of life for our people now and future generations," said President Nez.

The NNFRF Office will be a clearinghouse for APRA related activities including educating the public on NNFRF matters, collaborating with Navajo Nation departments and offices, reviewing and approving NNFRF projects, overseeing NNFRF projects and ensure Navajo Nation compliance with Fiscal Recovery Funds provisions of ARPA and Navajo Nation laws.

The NNFRF Office will have a team dedicated to the oversight and implementation of the NNFRF funds that will consist of an Executive Director and staff in three (3) main oversight programs to



include: 1) *Central Support* for the financial management, personnel management, reporting, and general accounting; 2) *Infrastructure Delivery Support* with a team of industry specific project managers, schedulers, and technical writers to oversee broadband, water, wastewater, housing, education, economic development, and other related projects; and 3) *Regulatory Support* with a team dedicated to address regulatory reviews for FRF approved projects.

Resolution CJY-41-21 also allocated 10-percent of the Navajo Nation's American Rescue Plan Act funds for central support service and regulatory costs. The Office of the President and Vice President is responsible for apportioning \$36 million, annually over five years, to Executive Branch programs and offices to implement the Fiscal Recovery Funds. The annual five-year allocation will cover administrative and support costs at a rate much lower than the standard 17-percent Indirect Cost that is provided for federal funds for tribes. The Office of the Speaker was also allocated \$20 million for the same purpose.

The Office of the Controller has created a website to help keep the public informed – the website is available at <https://navajonationarpa.org> and is currently being further developed.

"The Navajo Nation is obligated to account for all American Rescue Plan Act funds. The funding that the Executive Branch was allocated is safe and accounted for and will begin to be expended for administrative, central support service, and regulatory costs now that the Fiscal Recovery Fund Office is established. The funds will be used over a five-year period to fully implement the American Rescue Plan Act funds," added President Nez.

The Navajo Nation has received its final distribution of Coronavirus State and Local Fiscal Recovery Funds funding with a total appropriation of \$2,079,461,464 from the U.S. Treasury. It will take a dedicated team to manage these funds over the next 4-5 years. The Nez-Lizer Administration is working diligently with the 24th Navajo Nation Council to prepare expenditure plans and legislation for more broadband, water, wastewater, and other infrastructure projects throughout the Nation.

###

For the latest news from the Office of the President and Vice President, please visit <http://www.opvp.navajo-nsn.gov/> or find us on Facebook, Twitter, and Instagram.



EXECUTIVE ORDER NO. 008-2021

EXECUTIVE ORDER RELATED TO ESTABLISHMENT OF THE NAVAJO NATION FISCAL RECOVERY FUND OFFICE;

NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
OCTOBER 4, 2021

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters. 2.N.N.C. §1005 (A);
2. The President shall have the power to issue an executive order for the purpose of interpreting, implementing, or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2.N.N.C. §1005 (C)(14);
3. The American Rescue Plan (ARP) Act of 2021 was passed by the United States Senate on March 6, 2021 and was signed by President Biden on March 11, 2021 and whereas the bill includes \$1.9 trillion in funding for individuals, businesses, and state, local, and tribal governments;
4. Navajo Resolution CJY-41-21 authorized the Office of the President and Vice President to establish a Navajo Nation Fiscal Recovery Fund Office within the Office of the President and Vice President;
5. An Executive Order shall have the force of law upon the recipient. 2 N.N.C. § 1005(C)(14).

THEREFORE:

I, Jonathan Nez, President of the Navajo Nation and I, Myron Lizer, Vice President of the Navajo Nation, by the authority vested in us, hereby issue the following order:

1. The Navajo Nation Fiscal Recovery Fund Office is established to provide support to quickly and judiciously direct the planning and use of the American Rescue Plan funds under the leadership of the President and Vice President;
2. The Navajo Nation Fiscal Recovery Fund Office shall be staffed by a team of Executive Branch employees with representation from, but not limited to, the Office of Management and Budget, Department of Justice, Division of General Services,

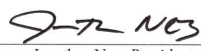


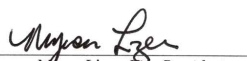
Environmental Protection Agency, Fish and Wildlife Department, General Land Development Department, Heritage and Historic Preservation Department, Navajo Land Department, Division of Community Development and the Office of the President and Vice President, as shown in the attached Plan of Operation and Organizational Chart;


3. The Office of the Controller shall be offered an opportunity to provide full time staffing at the Navajo Nation Fiscal Recovery Fund Office to provide fiscal support;
4. A physical office of the Navajo Nation Fiscal Recovery Fund Office shall be established at the Navajo Nation Division of Transportation in Tse Bonito, New Mexico;
5. The full-time personnel at the Navajo Nation Fiscal Recovery Fund Office shall be supplemented with part time personnel and contract personnel as necessary to fulfill the mission of the Office;
6. The Executive Director of the Navajo Nation Fiscal Recovery Fund Office may establish Working Groups to provide guidance and direction to the Navajo Nation Fiscal Recovery Fund Office; and,
7. All Navajo Nation Branches, Divisions, Departments, programs, offices, Chapters, Enterprises, and Navajo casinos shall comply with and adhere to the instructions of this Executive Order.

The provisions of this order shall be implemented consistent with the laws of the Navajo Nation and in a manner that advances the highest welfare of the People.

EXECUTED this 4th day of October 2021


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION

ATTEST: 
Doreen N. McPaul, Attorney General
Navajo Nation Department of Justice



ADDENDUM 8.0: Resolution. RDCJN-33-15

RDCJN-33-15

RESOLUTION OF THE RESOURCES AND DEVELOPMENT COMMITTEE OF THE 23RD NAVAJO NATION COUNCIL --- FIRST YEAR, 2015

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; DELEGATING AUTHORITY TO THE DIRECTOR OF THE NAVAJO LAND DEPARTMENT TO APPROVE LAND WITHDRAWALS ON THE NAVAJO NATION; AND APPROVING THE ADMINISTRATIVE RULES AND REGULATIONS FOR LAND WITHDRAWALS

BE IT ENACTED:

Section One. Findings

- A. Pursuant to 2 N.N.C. §502(B)(2), the Resources and Development Committee is authorized to give final approval of all land withdrawals; and
- B. Pursuant to 2 N.N.C. §501(B)(3), the Resources and Development Committee is authorized to delegate its powers to appropriate divisions of the Navajo Nation for efficiency and streamlining of government processes provided the Committee first grants final approval of rules and regulations governing such delegations and rescission of such delegations; and
- C. The current system of processing land withdrawals is confusing, time consuming, and inconsistent. It has resulted in delay and loss of development on the Navajo Nation; and
- D. Therefore, there is a need to delegate the authority to approve land withdrawals to the Director of the Navajo Land Department to streamline the land withdrawal process; and
- E. The process of reviewing documents associated with land withdrawals is an administrative task that can be performed by the Director of the Navajo Land Department; and
- F. The Resources and Development Committee finds it is in the best interest of the Navajo Nation to approve the delegation of authority.



RDCJN-33-15

Section Two. Delegation to the Director of the Navajo Land Department to Process Land Withdrawals and Approval of the Administrative Rules and Regulations for Land Withdrawals

- A. The Resources Committee of the Navajo Nation Council hereby approves the delegation of authority to the director of the Navajo Land Department, Division of Natural Resources, to approve Land Withdrawals on the Navajo Nation.
- B. The Navajo Nation hereby approves the Administrative Rules and Regulations, attached hereto as Exhibit "A".

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Nation Council Chambers, Window Rock, Navajo Nation (Arizona), at which quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 0 abstain this 16th day of June, 2015.

Benjamin Bennett, Vice-Chairperson
Resources and Development Committee

Motion: Honorable Benjamin Bennett
Second: Honorable Davis Filfred
Vote : 3-0 (Vice Chair not voting)



LAND WITHDRAWAL DESIGNATION REGULATIONS

§ 1. Purpose.

The purpose of these Regulations is to clarify and expedite the Land Withdrawal Designation process on the Navajo Nation, and explains that a Land Withdrawal Designation does not authorize development or disturbance on Navajo Nation land. This Land Withdrawal Designation process does not apply to how to get a lease. Prior to any development on the land, a lease must be obtained in addition to the withdrawal. The purpose of a Land Withdrawal Designation is to designate an area of land for future development by,

- a. Ensuring that the rights of grazing permittees, who are in compliance with their grazing permits, are properly addressed as applicable and as required under 16 N.N.C. §§ 1401 *et seq.* and to prevent any subsequent claims to the land; and
- b. Ensuring that the affected Chapter supports the Land Withdrawal Designation and use of the land.

§ 2. Scope.

These regulations apply to all Land Withdrawal Designations on the Navajo Nation.

§ 3. Delegation

- a. The Resources and Development Committee hereby delegates to the Director of the Navajo Land Department the power and authority to give final approval of all Land Withdrawal Designations on the Navajo Nation. The Director may sub-delegate this authority to a person under the Director's supervision, but this delegation of authority shall not be re-delegated to any other Department or Division within the Nation without the consent and approval of the Resources and Development Committee of the Navajo Nation Council.
- b. Resources and Development Committee hereby delegates authority to the Navajo Land Department to administer and manage Land Withdrawal Designations on the Navajo Nation, with the express power to adopt rules to further implement these regulations.

§ 4. Definitions.



- a. Community Development: Community Development encompasses infrastructure, economic development projects, installation of public facilities, community centers, housing, public services, businesses, schools, hospitals, government offices, and other similar projects.
- b. Designation Holder: Any person or entity who has obtained a Land Withdrawal Designation.
- c. Industrial Development: Economic activity concerned with the manufacture, and processing of materials or construction.
- d. Land Withdrawal Designation: A formal action used to designate and reserve a parcel of land for:
 - i. Community Development
 - ii. Industrial Development
- e. The Navajo Nation Business Site Leasing Regulations of 2005 (Business Site Leasing Regulations): Navajo Nation regulations that make business site leases mandatory for all businesses operating on the Navajo Nation.
- f. The Navajo Nation General Leasing Regulations of 2013 (General Leasing Regulations): Navajo Nation regulations that apply to all leases and permits for the use or possession of Navajo Nation trust land, with the exception of business and mineral leases.
- g. The Navajo Nation Government: The Navajo Nation Government is comprised of the legislative, executive, and judicial branches, as well as political subdivisions. For the purpose of land use, ownership, and these regulations, enterprises, businesses, housing authorities, or other entities created or owned by the Navajo Nation are not entities of the Navajo Nation Government.
- h. The Navajo Nation Trust Land Leasing Act of 2000 (Navajo Leasing Act, 25 U.S.C. §415(e)): A federal law that regulates the leasing of Navajo Nation lands. It allows the Nation to lease certain lands without Secretarial approval.
- ~~x~~ i. Resolution of Support: A Resolution of Support is a resolution passed by an affected Chapter stating that they are in support of a particular entity or business locating within their chapter on withdrawn land.

§ 5. Use and Occupation of Navajo Nation Land.



A Land Withdrawal Designation does not authorize an entity outside the Navajo Nation Government to use, occupy, or disturb Navajo Nation land. The Navajo Leasing Act, Business Site Leasing Regulations, and General Leasing Regulations apply to all land use on the Navajo Nation. A lease is always required if the land is being developed by any entity outside the Navajo Nation Government.

§ 6. Land Withdrawal Designations for Navajo Nation Government.

The Navajo Leasing Act, Business Site Leasing Regulations, and General Leasing Regulations do not apply to the Navajo Nation Government. The Navajo Nation Government may develop on land designated by a Land Withdrawal Designation without a lease for government purposes only.

§ 7. Procedure to Acquire a Land Withdrawal.

- a. Every individual, chapter, or entity desiring a Land Withdrawal Designation on the Navajo Nation shall submit an Application for Land Withdrawal to the Navajo Land Department (NLD). The Application shall be accompanied by the following supporting documents:
 - i. A letter of application or cover letter;
 - ii. A proposal for the planned use of the land; and
 - iii. A legal survey or GPS land description indicating the location.
- b. An entity requesting a Land Withdrawal Designation shall then submit their proposal to the Chapter to obtain a Resolution of Support.
 - i. All Chapter Resolutions should contain standard language approving a Land Withdrawal for either community development or industrial development.
 - ii. Resolutions of Support for community development Land Withdrawal Designations shall contain the following language: "The _____ Chapter hereby supports and recognizes this land withdrawal for community development, which may include, but is not limited to, the following purposes: housing, education, economic development, healthcare facilities, public use, or governmental use. Industrial development is not supported for this area." To change the use, Chapter approval must be obtained.



- iii. Resolutions of Support for industrial development Land Withdrawal Designations shall contain the following language: "The _____ Chapter hereby supports and recognizes this Land Withdrawal Designation for the sole purpose of industrial development. Industrial development shall be considered the economic activity concerned with the manufacture, and processing of materials or construction." To change the use, Chapter approval must be obtained.
- iv. Once the Chapter Resolution of Support is passed by the affected Chapter, return the signed Resolution of Support to the NLD.
- c. The NLD will acquire the necessary consent from all grazing permittees holding a valid grazing permit with an interest in the land as applicable and required under 16 N.N.C. sections 1402 *et seq.* Consent will include infrastructure that supports the development and no additional consents are necessary.
- d. In the event the grazing permittees will not consent, but the proposed project is in the best interest of the community and the Navajo Nation, the appropriate authorities may undertake eminent domain as allowed pursuant to 16 N.N.C. §§ 1401-1403.
- e. Approval from NLD.
 - i. If all requirements are met, the NLD will approve the Land Withdrawal Designation. NLD will subsequently record the Land Withdrawal Designation on the Navajo land title recording system.
 - ii. The NLD will not approve and record a Land Withdrawal Designation until all required documents are provided for review.
- f. If the Designation Holder is not the Navajo Nation Government, they must then begin the leasing process pursuant to The Navajo Leasing Act, Business Site Leasing Regulations, or General Leasing Regulations prior to any development, disturbance, use, or occupation of the land.

§ 8. Change in purpose.

- a. If the Designation Holder changes the purpose of the Land Withdrawal Designation, they must go back to the affected Chapter to obtain a new Resolution of Support.
- b. If a Chapter, as Designation Holder, wishes to permit an outside entity use of a portion of or the entire Land Withdrawal Designation, the Chapter must relinquish



the Land Withdrawal Designation and the outside entity must apply for their own Land Withdrawal Designation in their name for their specific purpose.

§ 9. Duration and Renewal.

- a. All Land Withdrawals shall be issued for a term of no more than five (5) years, with the possibility of extension of the term every five years thereafter, so long as the Designation Holder is not in violation of any provision set forth in these Regulations. The term shall be determined by NLD on a case-by-case basis.
- b. If the Designation Holder wishes to extend the Land Withdrawal Designation, the Designation Holder shall give written notice to NLD ninety (90) days prior to expiration of the original term. Renewal of the Land Withdrawal Designation will be at the sole discretion of NLD.
- c. A Land Withdrawal Designation will be terminated if any provision set forth in these Regulations is violated by a Designation Holder.
- d. A Land Withdrawal will be removed from the Navajo Nation land title recording system and open to other applicants for Land Withdrawal Designation or other land use at the expiration of the term or if the Land Withdrawal Designation is terminated for any reason. In the case of a Land Withdrawal Designation for a portion of a pre-existing Chapter land withdrawal, the area will revert back to the Chapter withdrawal status prior to the Land Withdrawal Designation application.

§ 10. Environmental Review Process.

- a. No environmental review is required for Land Withdrawal Designations issued to the non-Navajo Nation Government entities; however, when the entity obtains a lease, the General Leasing Regulations require environmental review.
- b. Since the Navajo Nation Government is not required to obtain a lease prior to development on the land, when the Navajo Nation Government obtains a Land Withdrawal Designation for Navajo Nation Governmental use, an environmental review must be completed.
- c. In the event that a Land Withdrawal Designation was done by the Navajo Nation Government, but the Navajo Nation Government relinquished the Land Withdrawal Designation for use by another non-Navajo Nation Governmental entity, the new Designation Holder must still undergo environmental review when a lease is obtained. Each program conducting an environmental review will determine if the use is



consistent with the former environmental review and will determine whether further analysis needs to be conducted.

§ 11. Oversight and Enforcement.

- a. Every department within the Navajo Nation Government that is responsible for such oversight shall work to ensure that all Land Withdrawal Designations are in compliance with these Regulations and other applicable Navajo Nation law.
- b. The Navajo Nation shall have the authority to enforce the provisions set forth in these Regulations in accordance with applicable Navajo Nation and federal law.

§ 12. Penalties.

- a. If a Designation Holder develops or otherwise disturbs the land without first having a valid lease, the Designation Holder is subject to trespass, and a penalty will be assessed by the NLD. 16 N.N.C. §§ 2251 and 2252.

§ 13. Transfer of Land Withdrawal Designations.

The NLD will approve transfers of Land Withdrawal Designations if the following conditions are met:

- a. Consent from the original Designation Holder has been acquired.
- b. The original Designation Holder or the transferee are not in violation of the Land Withdrawal Designation;
- c. No development or disturbance has taken place on the land in question;
- d. The purpose of the new Designation Holder is in accordance with the Resolution of Support, or a new Resolution of Support has been obtained;
- e. The transferee agrees to be bound by the terms of the Land Withdrawal Designation; and
- f. The NLD finds no compelling reason to withhold approval.

§ 14. Review and Amendments.

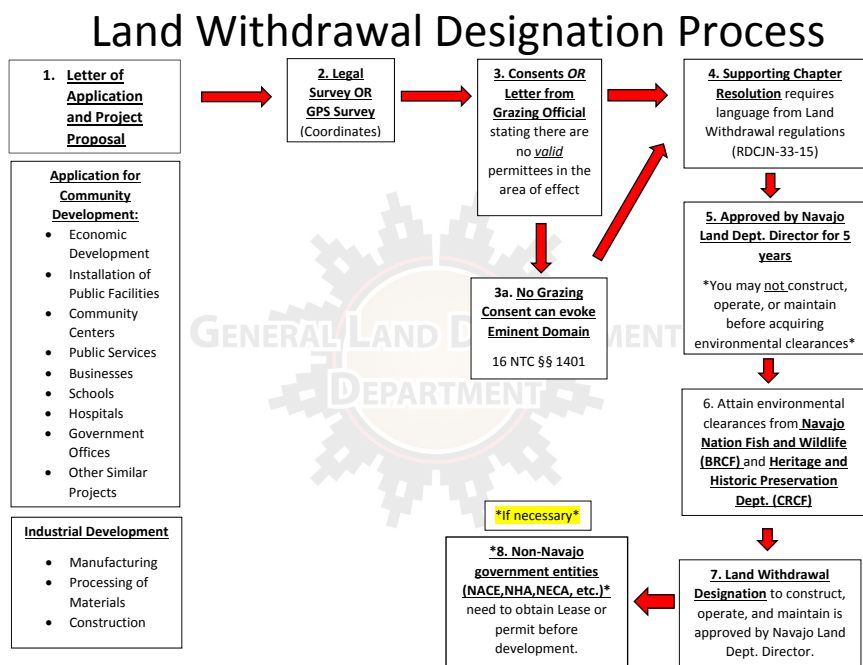


The scope and administration of this delegation of authority to the Director of the Navajo Land Department and Administrative Regulations may be amended or rescinded by the Resources and Development Committee of the Navajo Nation Council.

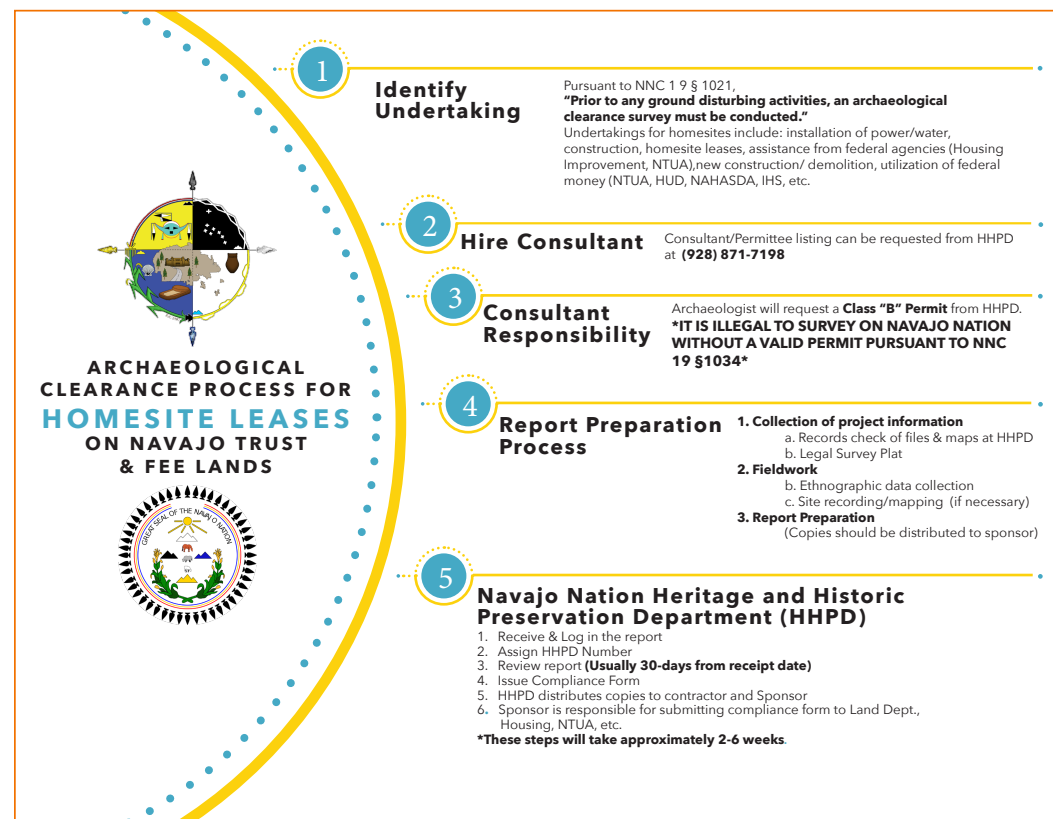
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ADDENDUM 9.0: Land Withdrawal Designation Process Chart



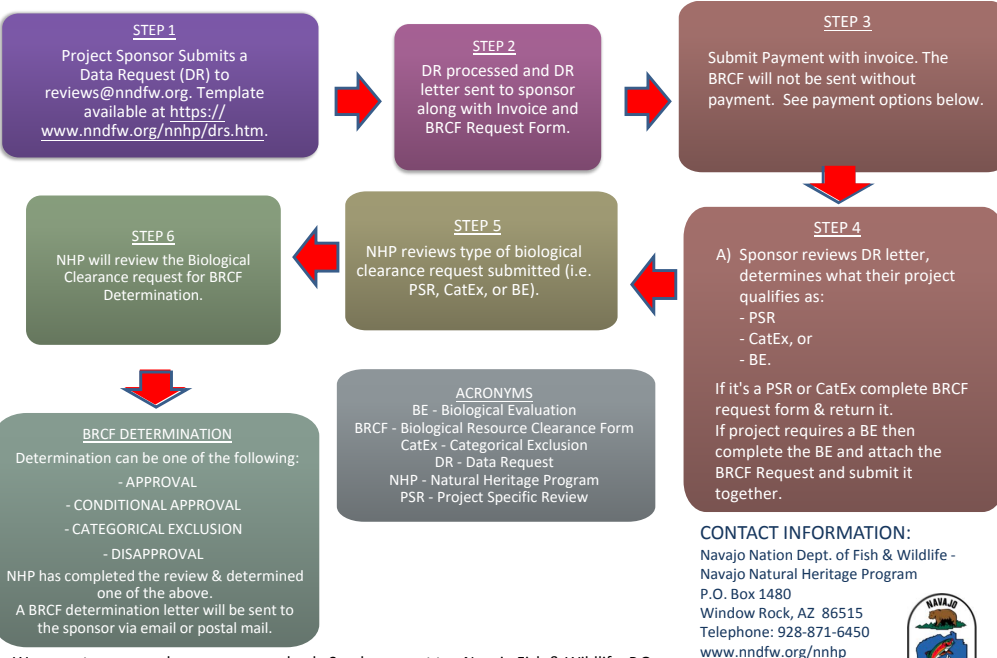
ADDENDUM 10.0: Clearance Process for Homesite Leases Chart





ADDENDUM 11.0: NNHP Fish and Wildlife Biological Resource Clearance Process Chart

NAVAJO NATION DEPT. OF FISH & WILDLIFE BIOLOGICAL RESOURCE CLEARANCE PROCESS



We accept money order or company check. Send payment to : Navajo Fish & Wildlife, P.O. Box 1480, Window Rock, AZ 86515 or email Credit Card Authorization to: reviews@nndfw.org
 No personal checks accepted.



ADDENDUM 12.0: Manufacturing Housing Plant Construction Site Preliminary Survey

Housing manufacturing Plant Site Evaluation Building Communities February 2024

Background

The Navajo Nation Council passed CJN-29-22 Section 10, allocating \$145.55 million for housing improvements and studies benefitting the Navajo Nation. Of this amount, Exhibit L-3 allocated \$30 million to the Division of Community Development (DCD) Community Housing and Infrastructure Department (CHID) for the construction of up to three housing manufacturing plants.

Building Communities has completed research, and concludes that there is sufficient funding for the construction of one housing manufacturing plant. Building Communities recommends the construction and operation of a 120,000 square foot manufacturing plant situated on a minimum of 20-acres with accessibility to the road and highway system to transport completed homes into the Former Bennett Freeze Area (FBFA) and Navajo Partitioned Lands (NPL) Chapters.

Five siting criteria (shown at right) were utilized to evaluate "shovel-ready" development sites at Chinle, Gallup, Sanders (Nahata Dził), Shiprock, and Tuba City.

Site Evaluation Characteristics

1. A minimum of 20-acres
2. Adequate water and power infrastructure
3. Adequate ingress/egress to the manufacturing site and access to the State, Federal, and Tribal transportation system
4. Timely path forward for land withdrawal
5. Chapter/community support (in the form of a resolution)

In addition to the land and infrastructure requirements, of paramount importance is the ability to *obligate* American Rescue Plan Act (ARPA) funding before the June 30, 2024 deadline established by the Navajo Nation. In addition, the development and operations of a manufacturing plant with the ability to produce homes prior to the ARPA *expenditure* deadline of December 31, 2026 is a determining factor.

After completing outreach and research with a variety of sources, Building Communities recommends the development of a 120,000 square foot housing manufacturing plant at a 27-acre site on the Nahata Dził Chapter.

The table and information that follows provides additional background on the recommendation being made by Building Communities.



Manufactured Housing Plant construction sites
PRELIMINARY SURVEY

Chapter/Site	Location	Status	Utilities	Comments
Tuba City/San Juan Southern Paiute Tribe	Moenave St & Maloney St	Private; undeveloped	Standard residential electric parallels site; water line fronts property	Three parcels recorded in Coconino County, total 23-acres +/-; 95% of property is rated as slope, generally from NW to SW; sandy soil; follow up with Western RBDO, Edbert Little yields no suitable acreage available within Tuba City Chapter.
	36.12939, -111.24520			
Shiprock	Ayani Neez Blvd & Sheep Road	Trust Land, withdrawn for commercial	Commercial electric (three-phase) on site; two 1,000 gallon propane tanks	Steel building on approximate three-acre site under fence; previously used as warehouse/shipping for Navajo Wool Program; adjacent open field of approximately 10-acres; Veterans non-profit is pursuing use of property for anticipated housing manufacturing;
	36.76750, -108.69430	by Crownpoint Chapter		
Nahata Dził/Navajo Springs	Kerr Megee Rd & Rt 2015	Trust/ONHIR	Commercial power, three-phase, is located at the Wool Barn site, which would require an aerial crossing over the main road, covering approximately 500 feet; water supply is 8" main.	Initial suggested site known as the Wool Barn was amended by NDCG Resolution to pursue acreage directly Southwest, approximately 75-acres. This area presents additional growth acreage for various community development pursuits by the Chapter. Initial identification and recommendation to use 27-acres +/-.
	35.11993, -109.52937			

Page 2 of 3



Gallup/Rock Springs, Tsayotah, Manuelito				Recently signed appropriation by President Nygren awarded \$6 million of ARPA funds to Southwest Indian Foundation to augment their manufactured housing facility in Gallup. This would appear to satisfy the requirement of CJN-29-22, Exhibit L-3, for a location in the Gallup area.
Chinle	Adjacent to NTUA Chinle electronics 36.16336, -109.58366	Chinle Industrial Park	Vacant lot, approximately two-acres; as per Navajo Nation business web site there is currently no available acreage for 20+ acres	Chinle is virtually 'land-locked' in the sense that no adequate commercial land is available for development.

Additional comments/observations

- Tuba City: Considerations for the 23-acre Kerley Valley area were applied for Tuba City. However, there are a number of negative indicators for this siting: 1) the area is basically in a flood zone, 2) there is a question about probable soil contamination from previous business operations, and 3) a significant lacking in the wastewater operating plant for the area already having US EPA sanctions. An area south and east of the Western Navajo Fairgrounds was offered by the Navajo General Land Development Department. However, this siting is interrupted by homesite leases, lending additional burden for gaining clearance for a housing manufacturing facility.
- Gallup: Through the Regional Business Development Office in Gallup, an industrial area near the Fire Rock casino was examined. Construction is currently underway for a new commercial warehouse type facility and is expected to be completed in early 2025. There are sufficient utilities at the site. It is understood that the current construction of this manufacturing plant will yield 65,000 square feet. The site may have sufficient acreage to expand to 120,000 square feet. It is estimated that an additional \$17 million is needed for project completion.

Page 3 of 3



CHAPTER/SITE	LOCATION	STATUS	UTILITIES	COMMENTS
Tuba City	Multiple sites evaluated	Private; Undeveloped	Standard residential electric parallels site; water line fronts property	Three parcels recorded in Coconino County, total 23-acres +/-; 95% of property is rated as slope, generally from NW to SW; sandy soil; follow up with Western RBDO yielded no suitable acreage available within the Tuba City Chapter
	36.12939, - 111.24520			
Shiprock	Ayani Neez Blvd and Sheep Rd	Trust Land	Commercial electric (three-phase) on site; two 1,000 gallon propane tanks	Steel building on approximate three-acre site under fence; previously used as warehouse/shipping for Navajo Wool Program; adjacent open field of approximately 10-acres; Veterans non-profit is pursuing use of property for anticipated housing manufacturing
	36.76750, -108.69430			
Nahata Dził/ Navajo Springs	Kerr Mcgee Rd and Route 2015	Trust/ ONHIR	Commercial power, (3-phase) is located at the Wool Barn site which would require an aerial crossing over the main road, covering approximately 500 feet; water supply is 8" main	Initial suggested site known as the Wool Barn was amended by NDCG Resolution to pursue acreage directly Southwest, approximately 75-acres. This area presents additional growth acreage for various community development pursuits by the Chapter. Initial identification and recommendation to use 27-acres +/-
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Chinle	Adjacent to NTUA	Chinle Industrial Park	Vacant lot, approximately two-acres; as per Navajo Nation business website there is currently no available acreage for 20+ acres	Chinle is virtually 'land-locked' in the sense that no adequate commercial land is available for development
	36.16336, - 109.58366			

ADDENDUM 13.0: NHLCO-BC RFP • NOVEMBER 2023 * NOT ISSUED



NAVAJO NATION

NAVAJO-HOPI LAND COMMISSION OFFICE (NHLCO)

Version 5

Request for Proposals (RFP) No. NHLCO-2023-01-ARPA
Construction of One or Two Housing Manufacturing Plant(s) and the
Production of Manufactured Homes from those Plant(s)

Issue Date: **Saturday, November 18, 2023** (Gallup Independent)

Issue Date: **Sunday, November 19, 2023** (Albuquerque Journal)

Issue Date: **Thursday, November 16, 2023** (Arizona Daily Sun)

Issue Date: **Thursday, November 16, 2023** (Navajo Times)

Mandatory Pre-Proposal: **Tuesday, November 21, 2023 @ 1:30 PM (MST)**

RFP Proposals Due: **Wednesday, December 27, 2023 @ 4:00 PM (MST)**

MST = Mountain Standard Time





TABLE OF CONTENTS

SECTION 1: OVERVIEW.....	3
SECTION 2: SCHEDULE OF ACTIVITIES.....	5
SECTION 3: PROPOSAL REQUIREMENTS.....	8
A. PROPOSAL SUBMISSION.....	8
B. PROPOSAL FORMAT.....	9
C. SCOPE AND EVALUATION CRITERIA.....	9
D. PROPOSAL REVIEW PROCESS.....	10
E. PROPOSAL EVALUATION.....	10
F. AWARD OF CONTRACT.....	11
SECTION 4: SCOPE OF WORK.....	11
A. SHORT-TERM AND LONG-TERM MANUFACTURED HOUSING INDUSTRY ON THE NAVAJO NATION.....	11
B. PROJECT CONSIDERATIONS.....	14
C. DESIGN CRITERIA / SPECIFICATIONS.....	16
D. SCOPE OF SERVICES AND DELIVERABLES.....	17
E. PROJECT IMPLEMENTATION SCHEDULE.....	18
F. COST PROPOSAL BID REQUIREMENTS.....	18
SECTION 5: LICENSING AND INSURANCE REQUIREMENTS.....	19
SECTION 6: PROPOSAL SELECTION PROCESS AND EVALUATION CRITERIA.....	19
SECTION 7: RFP EXHIBITS.....	21



REQUEST FOR PROPOSAL NAVAJO NATION NHLCO

Construction of One or Two Housing Manufacturing Plant(s) and the Production of Manufactured Homes from those Plant(s)

ISSUED: November 15, 2023

RPP NO. NHLCO-2023-01-ARPA

SECTION 1: OVERVIEW

The Navajo-Hopi Land Commission Office (NHLCO) is one of three Navajo entities that has received an allocation of American Rescue Plan Act (ARPA) funding for housing improvements on the Navajo Nation. The other two Navajo offices receiving an ARPA allocation for housing include the Division of Community Development (DCD) Community Housing & Infrastructure Department (CHID) and the Navajo Nation Veterans Administration (NNVA).

NHLCO has received \$14.0 million for the purchase, location and installation of manufactured housing on geographic subsets of the Navajo Nation inclusive of the Former Bennett Freeze Area (FBFA) (Bodaway Gap, Cameron, Coalmine Canyon, Coppermine, Kaibeto, Leupp, Tolani Lake, Tonalea, Tuba City) and the Navajo Partitioned Lands (NPL) (Black Mesa, Dilkon, Forest Lake, Greasewood Springs, Hardrock, Indian Wells, Jeddito, Low Mountain, Pinon, Shonto, Tachee-Blue Gap, Teesto, Whipporwill, Whitecone).

In addition, NHLCO is responsible for the development of a manufactured housing study. This study will make recommendations on the location and operations of one or more housing manufacturing plants with a special focus on Nahata Dziil Commission Governance, one of the 110 Navajo Nation Chapters. Nahata Dziil bisects Interstate 40 in Apache County, Arizona. The primary development location identified by Nahata Dziil Commission Governance is 1.2 miles south of Exit 325 on Interstate 40. Additional information about this development site will be released in the form of an Addendum (see Addendums section).

An additional \$100 million of ARPA funding has been allocated to NNVA and CHID. CHID has released a separate Request for Proposals related to the \$50 million of ARPA funding that can be utilized for the purchase of manufactured homes. NNVA is working to obligate their \$50 million





for housing (which can be used to purchase manufactured housing) by the Navajo Nation ARPA obligation deadline of June 30, 2024.

It is the intent of NHLCO to coordinate with NNVA and CHID to make portions of their combined \$100 million available for purchase of manufactured housing associated with this Request for Proposal.

What can we say more specifically about the likelihood of available funding from NNVA and CHID?

All potential offerors are encouraged to review this Request for Proposal (RFP) carefully, especially for mandatory requirements.

The Navajo Nation through the NHLCO intends to award a single contract or multiple contracts to respondents that can demonstrate: 1) the capacity to construct one or more housing manufacturing plants, and 2) the capacity to construct manufactured homes within those plant(s) and deliver/install those homes on their ultimate destination on the Navajo Nation.

There are two ARPA deadlines that must be met by the Navajo Nation. First, the Navajo Nation must *obligate* its ARPA funding by June 30, 2024. “Obligate” means that the Navajo Nation will have its funding under contract with qualified respondents by June 30, 2024. Second, all ARPA funding shall be *expended* by December 31, 2026. As such, all manufactured homes to be constructed shall be completed, delivered, and inhabitable at its final location by December 31, 2026.

In short, successful respondents to this RFP shall demonstrate the capacity to build manufactured housing plants and to build and install manufactured homes within those plants while meeting the scheduling deadlines required of ARPA funding.

While NHLCO is primarily focused upon the development of a housing manufacturing plant at Nahata Dziil, Navajo Nation ARPA legislation also requires an examination of potential development sites at Chinle, Gallup, Shiprock, and Tuba City.

RFP At-a-Glance

Respondents to this RFP must have the financial, technical, and business capacity to: 1) build the housing manufacturing plant, and 2) build, deliver, and install the manufactured homes produced within the manufacturing plant.

It is anticipated that respondents may need to team-up with one or more other companies to have such financial, technical, and business capacity.

Two federal ARPA deadlines must be met. First, the Navajo Nation must *obligate* its ARPA funding with successful respondent(s) by June 30, 2024. This means that the work must be under contract by that

RFP # NHLCO-2023-01-ARPA

4 | Page



date. Second, respondents must complete all construction and manufactured home production and delivery by December 31, 2026.

The Navajo Nation is offering two “buckets” of funding. First, the Navajo Nation has up to **\$24 million** to build one or more manufacturing plants. Second, the Navajo Nation has a minimum of \$14 million to purchase the manufactured homes produced from within the plant(s). The Navajo Nation anticipates having additional ARPA funding to purchase manufactured homes. Respondents to the RFP must forecast the required manufacturing plant size and quarterly production of manufactured homes given varying levels of funding ultimately offered by the Navajo Nation for manufactured homes.

Finally, respondents are allowed to offer proposals utilizing creative manufactured housing solutions such as shipping container retrofits, modular homes, tiny homes, steel-framed modulars, wood-framed modulars, panelized homes, and 3D-printed homes can be proposed.

RFP at a Glance	
Project Contact Person	Regan Hawthorne Building Communities Contractor to NHLCO (505) 870-6909 (Mobile) Email: rh@buildingcommunities.us
How to Obtain the RFP Documents	Online at www.navajothaw.com/navajo-housing-renaissance-rfp
How to Submit a Proposal	Submit one (1) original and four (4) identical copies of the RFP proposal as outlined in Section 3 A
Proposal Submittal Return Location and Deadline	Via U.S. mail at the following address by 4 pm MST on Wednesday, December 27, 2023: Attention: Sarah Slim Executive Director Navajo-Hopi Land Commission Office (NHLCO) P.O. Box 2549 Window Rock, AZ 86515
Mandatory Pre-Proposal Meeting	Tuesday, November 21, 2023 @ 1:30 PM (MST) via Zoom Meeting
Acknowledgement of Receipt Form and RFP Questions Due	Tuesday, November 28, 2023
RFP Response to Questions	Tuesday, December 5, 2023
RFP Proposals Due	Wednesday, December 27, 2023
NOTE: NHLCO reserves the right to deviate from this timeline and/or modify the Scope of Service at any time.	Notices of any such decisions or modifications will be located at www.navajothaw.com/navajo-housing-renaissance-rfp

SECTION 2: SCHEDULE OF ACTIVITIES

RFP # NHLCO-2023-01-ARPA

5 | Page



This section of the RFP outlines and describes the major events of the selection process and specifies general requirements.

RFP Schedule of Activities	Date
Issue of RFP	Saturday, November 18, 2023 (Gallup Independent); Sunday, November 19, 2023 (Albuquerque Journal); Thursday, November 16, 2023 (Arizona Daily Sun and Navajo Times)
Mandatory Pre-Proposal Meeting	Tuesday, November 21, 2023 @ 1:30 PM (MST) via Zoom Meeting
Acknowledgement of Receipt Form and RFP Questions Due	Tuesday, November 28, 2023
RFP Response to Questions	Tuesday, December 5, 2023
RFP Proposals Due	Wednesday, December 27, 2023
Official Opening and Evaluation of Proposals	TBD
Interviews (As Applicable)	TBD
Award Date of Qualified Respondent	TBD

1. **Acknowledgement of Receipt:** An "Acknowledgement of Receipt Form" (See Exhibit A) is to be signed and returned by electronic mail (email) only to the Project Contact no later than **November 28, 2023 @ 5:00 PM (MST)** in order to be included in the procurement distribution lists. The procurement distribution list will be used for the distribution of written responses to questions and any RFP addendums as applicable. Failure to return this form shall constitute a presumption of receipt and rejection of the RFP, and the potential offerors organization name shall not appear on the distribution list for answers of amendments to the RFP. Include the e-mail address of the individual appointed to receive the questions responses on the "Acknowledgement of Receipt Form."

2. **Mandatory Pre-Proposal Meeting** – A mandatory pre-proposal meeting will be conducted at **1:30 PM (MST) on November 21, 2023**, via Zoom at the following link:

Website Link:

<https://us02web.zoom.us/j/88113551222?pwd=QUQzQmUyemtEMnE3Y2laNjtaWEovZz09>

Call in Option: (346) 248-7799

Meeting ID: 881 1355 1222

Passcode: 266538

3. **Deadline to Submit Questions** – Questions regarding this RFP must be submitted in writing

RFP # NHLCO-2023-01-ARPA

6 | Page



by email only to the Project Contact listed below. Written questions as to the intent or clarity of this RFP can be submitted to the Project Contact until **5:00 PM (MST) on Tuesday, November 28, 2023**. Written responses to written questions and any RFP amendments will be distributed in writing and emailed to all parties who obtained the RFP package from NHLCO.

Project Contact:

Mr. Regan Hawthorne

Building Communities

Contractor to NHLCO

(505) 870-6909 (Mobile)

Email: rh@buildingcommunities.us

4. **RFP Addendum / Response to Written Questions** - In the event it becomes necessary to revise any part of the RFP and officially respond to received questions, NHLCO shall issue a written addendum(s) on the specifics of the change and inform all concerned. Response to written questions will be issued no later than **Tuesday, December 5, 2023**. If necessary, additional addendums may be issued after **Tuesday, December 5, 2023**, that may impact schedule or other related circumstances unrelated to received questions. The offeror should acknowledge receipt and review of the addendum(s) under the Letter of Interest.

5. **RFP Proposal Submittal Deadline** – Proposals must be physically submitted or postmarked via U.S. mail to the following address by **Wednesday, December 27, 2023, no later than 4:00 PM (MST)**:

Attention:

Ms. Sarah Slim

Executive Director

Navajo-Hopi Land Commission Office (NHLCO)

P.O. Box 2549

Window Rock, AZ 86515

(928) 673-8229

Email: sarah.slim@navajo-nsn.gov

Any proposals or portion thereof, received or postmarked after the submittal deadline will not be considered and returned to the submitting entity. **No facsimile or emailed proposals will be accepted.**

6. **Rejection of Proposals** – The NHLCO reserves the right to reject any or all proposals and to waive informalities in the proposals received whenever such rejection or waiver is in the best interest of the Navajo Nation.

7. **Proprietary Information** – Any restriction on the use of data contained within any proposal must be clearly stated in the proposal. Each and every page that contains proprietary information must be stamped or imprinted "Proprietary".

RFP # NHLCO-2023-01-ARPA

7 | Page



8. **Ownership of Proposals** – All materials submitted with the RFP accepted for rating shall become the property of NHLCO and not returned to the firm. The NHLCO has the right to use any or all information presented in the responses to this RFP. Disqualification or non-selection of a firm or proposal does not eliminate this right.
9. **Cost Incurred** – The NHLCO is not liable for any cost incurred by the firm prior to issuance of a signed contract award for services.
10. **Contractual Obligation** – The contents of the proposal may become part of contractual obligations of the contract award. Failure of the firm to accept these obligations may result in cancellation of the award for services.
11. **Award of Contract** – Upon selection, the firm will be notified, and a contract will be entered into. The contract shall be effective from the executed date of the contract between the Navajo Nation and the firm.
12. **Standard Contract** – The Navajo Nation reserves the right to incorporate contract provisions which are based on applicable requirements, such as Navajo Nation Laws, Federal, State, and local requirements, etc. into the contract documents.
13. **Taxes** – All work performed, and services provided within the territorial jurisdiction of the Navajo Nation is subject to the Navajo Sales Tax.
14. **Insurance** – The Navajo Nation will require the successful firms, at its sole expense, to procure and maintain adequate and sufficient insurance for all potential liability, such as professional liability, automobile liability, worker's compensation, errors and omissions liability, etc. Insurance requirements will be outlined by the Navajo Nation Risk Management Department prior to any final award of a contract.
15. **Disclaimer** – the Navajo Nation's acceptance or review of any proposal shall not guarantee the execution of any contract, and the proposed contract shall be reviewed by all appropriate departments through the 2 N.N.C. § 164 review process, including the Navajo Nation Department of Justice, for administrative and legal sufficiency, prior to execution by the Navajo Nation. Proposal reviews may also be subject to the Navajo Nation Procurement Code 12 N.N.C. §346. The Navajo Nation reserves the right to reject any proposed contract prior to execution, for improprieties in the procurement process or applicable Navajo Nation or federal laws or regulations, or for failure to submit all requested documents or information.

SECTION 3: PROPOSAL REQUIREMENTS

A. PROPOSAL SUBMISSION

1. Proposal must be submitted in a sealed envelope/box clearly marked:
 - a. "DO NOT OPEN – RFP NO. NHLCO-2023-01-ARPA"
 - b. The name of the firm submitting the proposal shall be written legibly and

RFP # NHLCO-2023-01-ARPA

8 | Page



- shown on the outside of the sealed envelope. Please include the firm's address.
- c. Proposals **must** include the following documents:
 - Letter of Interest
 - Response to Scope and Evaluation Criteria
 - Maximum one-page resumes of each key team member
 - Non-Collusive Affidavit (Exhibit B);
 - Debarment and Suspension (Exhibit C);
 - Affidavit of Responsibility for Subcontractors (Exhibit D);
 - Cost Proposal (Exhibit E); and
 - 1-, 2-, and 3-Bedroom Floor Layouts and Specifications
 - W-9
 - Insurance certificate

B. PROPOSAL FORMAT

1. The firm shall submit one (1) original and four (4) identical copies of their RFP proposal for the evaluation committee members. Appearance of proposal is important and professionalism in proposal presentation should not be neglected. The proposal format are as follows:
 - a. This RFP proposal may not exceed forty (40) single-sided pages (maximum 8 ½" x 11") with one-inch page margins and 11 pt. font size.
 - b. Pages that have photos, charts and graphs will be counted towards the maximum number of pages and font size should be readable.
 - c. The following information is **not** included in the 40-page limit: proposal front and back cover, cover letter on company letterhead, table of content, divider and/or tabs (as long as there is nothing on them), insurance certificate, non-collusive affidavit, non-debarment certificate, affidavit of responsibility for subcontractors, W-9, cost proposal, and maximum 1-page resumes of each key team member. 1-, 2-, and 3-Bedroom Floor Layouts and Specifications will **not** be included in 40-page limit.
 - d. **RFP submittals should be plastic or metal spiral-bound only. Please do not submit RFP proposals in loose-leaf 3-ring binders; these will be considered non-responsive and returned to the firm un-rated.**
 - e. Submissions exceeding the 40-page limit or any resumes exceeding the 1-page limit will be considered non-responsive and will be returned to the Applicant un-rated.

C. SCOPE AND EVALUATION CRITERIA

1. In addition to the information provided in the evaluation and rating table beginning on **Page 19**, respondents are expected to provide the following information in order to effectively compete for project selection.
 - a. **Firm Experience/License:** Respondents shall explain their relevant experience in development projects of this nature. Does the respondent show that the identified team has the capabilities to construct the housing manufacturing plant(s) and the manufactured homes from within the plant(s)?

RFP # NHLCO-2023-01-ARPA

9 | Page



Are examples of past performance provided? Is the respondent showing sufficient certifications and credentials as required in the construction and manufactured housing industry?

- b. **Firm Team:** Does the respondent show an adequate breadth of capacity and capabilities amongst its project team? Does the respondent explain the roles and responsibilities of the various team members?
- c. **Approach and Methodology:** Does the respondent clearly explain its approach/methodology related to all aspects of the development project? Is the approach/methodology consistent with the requirements of this RFP?
- d. **Quality Control:** Is the respondent offering products (both the manufactured housing plant(s) and the manufactured homes being produced within the plant(s)) that are durable? Does the respondent adequately explain and ensure that all aspects of the project can maintain high levels of quality control (construction of manufacturing plant(s), manufacture of homes, delivery and installation of homes)? Does the respondent describe relevant warranties?
- e. **Resources and Ability to Meet Implementation Schedule:** Does the respondent adequately and convincingly explain how the required ARPA deadlines can be met?
- f. **Proposed Cost Proposal/Fee Structure Pricing:** Does the respondent clearly show the anticipated size and cost of the manufactured housing plant(s)? Does the respondent clearly show the quantity and sizing of manufactured homes anticipated to be delivered on a quarterly basis? Is the indicated volume of manufactured homes competitive compared to other respondents? Has the respondent used Exhibit E?
- g. **Creativity/Flexibility:** Does the respondent show awareness and understanding of the complexities of doing business on the Navajo Nation? Is the respondent showing creativity and flexibility to overcome such challenges?
- h. **Navajo Preference:** Is the respondent committed to hiring Navajo labor? Is there an indication of the likely percentage of Navajo labor amongst the total labor force? Has the respondent identified and engaged with Navajo Priority 1 and Priority 2 companies?
- i. **Long-term Sustainability:** Does the respondent understand the challenge of creating a sustainable housing manufacturing industry on the Navajo Nation? Has the respondent offered creative and convincing solutions to this challenge?
- j. **Americans with Disabilities Act:** Respondents will be required to explain how their manufactured home product(s) will conform to requirements of the Americans with Disabilities Act (ADA).

D. PROPOSAL REVIEW PROCESS

1. Receipt of proposals will be verified on the due date specified.

E. PROPOSAL EVALUATION

1. Proposals shall be evaluated and rated in accordance with the criteria outlined in Section 6 – Proposal Selection Process and Evaluation Criteria.
2. The NHLCO will rate the proposals based on total points awarded and the top

RFP # NHLCO-2023-01-ARPA

10 | Page



qualified firm with the highest rating and ranking will be determined as most responsive. The NHLCO reserves the right to interview firms who submitted proposals.

F. AWARD OF CONTRACT

Selecting One or Two Finalists

NHLCO anticipates that its advisory committee will rate and rank proposals, and recommend the top two responses for in-person interviews.

Ultimately, NHLCO anticipates selecting one or two successful respondents. If two respondents are selected, the respondents will be expected to coordinate with one another under the leadership of NHLCO to optimize the quantity and variety of housing solutions for the Navajo people.

1. Upon selection, the firm(s) will be notified, and a contract will be entered into with the NHLCO. Questions regarding the submitted Cost Proposal will be addressed during this time. Failure to address any questions adequately by the firm(s) may result in cancellation of the offer. The NHLCO would then offer the contract to the next highest rated and ranked firm(s).
2. Award and processing of the contract is based on the firm's compliance with Navajo Nation laws.

NHLCO recognizes that some of the terms and specifications in this RFP may be somewhat unique and unusual. That is, there may be terminology and expectations expressed that are outside of the industry practice. NHLCO encourages respondents to be flexible with such terminology, and, should the respondent be successful, open to discussing and negotiating such terminology/circumstances in the negotiation phase between selection and contracting.

SECTION 4: SCOPE OF WORK

A. SHORT-TERM AND LONG-TERM MANUFACTURED HOUSING INDUSTRY ON THE NAVAJO NATION

It is the goal of NHLCO to utilize ARPA funding and the work completed by the successful respondent(s) to this RFP to launch a sustainable housing manufactured industry on the Navajo Nation. Heretofore, this goal has been virtually impossible as the Navajo Nation, like many Indian Reservations, does not have a housing market similar to the rest of the United States. Rather, much of the housing development and typical monthly payments are substantially subsidized. One portion of the scoring criteria relates to how respondents can offer creative solutions and preliminary commitments to meet this vision of a long-term successful manufactured housing industry.

Manufacturing Plant Construction

Respondents to this RFP will be required to describe how they will construct a manufacturing facility in order to produce the manufactured homes inside of the manufacturing plant.

RFP # NHLCO-2023-01-ARPA

11 | Page



The manufacturing plant can be either concrete tilt-up or pre-engineered steel building construction. Respondents will provide information ensuring the furnishing of all labor, materials and other incidentals for the structural design, fabrication, delivery to the site and erection of the manufacturing facility.

It will be up to the respondents to determine the initial size of the manufacturing plant based upon the intended completion of manufactured homes from within that plant given other information provided in this RFP. Respondents are free to offer a phased construction of the manufacturing plant if respondents believe this is in the best interest of the project. Respondents should review [Attachment XXX](#) which provides a high-level overview of a potential two-phased approach to sustainable manufactured housing development on the Navajo Nation.

Manufactured Housing Plant Locations

Respondents to this RFP must assume that the construction and operation of one or more manufactured housing plants will be developed on the Navajo Nation Indian Reservation.

Navajo Nation ARPA legislation contains two provisions related to the location of such manufacturing plant operations. Both provisions are contained in Navajo Nation legislation CJN-29-22 Section 10. Exhibit L-4 calls for an analysis of a manufactured housing plant at Nahata Dziil. Nahata Dziil Commission Governance (NDCG) is the newest of Navajo Nation's 110 Chapters, and is located along Interstate 40.

NDCG has identified a [30-acre](#) site 1.2 miles south of Navajo, Arizona at Exit 325 on Interstate 40. A project location site map is shown as [Attachment XXX](#). Other potential locations identified in Exhibit L-3 of the legislation include the Chinle Chapter, the Shiprock Chapter, the Tuba City Chapter, Sanders (Arizona), and Gallup (New Mexico). At the time of the release of this RFP, NHLCO, through its consultant, is further evaluating the viability of these five development sites.

Building Maintenance

Respondents should explain the policy and practice of building maintenance throughout the project period. In addition, although NHLCO cannot assure respondents of Navajo funding for housing manufacturing beyond December 31, 2026, it will be the responsibility of the respondent to explain how the building will be maintained through December 31, 2028 whether it is operating or not. It is the intention of NHLCO to work with Nahata Dziil to ensure long-term benefit of the manufacturing building beyond the project period.

Permitting and Regulations

NHLCO and its consultant, Building Communities, will provide assistance to successful respondents to this RFP to "navigate the Navajo system." While assistance will be provided, it will be the ultimate responsibility of the successful respondent to meet all relevant regulatory, environmental, and permitting requirements. This also relates to the management of hazardous materials, if applicable.

Potential Initial Home Manufacturing Off-Reservation

NHLCO recognizes that optimizing the production, delivery, and installation of manufactured homes on the Navajo Nation is a great challenge. NHLCO is open to proposals by respondents which indicate that the initial construction and transportation of manufactured homes will be from *existing* manufacturing plants. That is, respondents can propose that an initial "batch" (specify RFP # NHLCO-2023-01-ARPA

12 | Page



the number of homes and the approximate timeframe) can be built off of the Navajo Nation during the time in which the Navajo-based manufacturing plant is being constructed. Respondents are encouraged to explain how Navajo labor will be trained and hired to serve as workers in the housing manufacturing plant(s) (both on- and off-Reservation).

Navajo Employment and Navajo Job Training

One of the top priorities of the Navajo Nation is economic development and job creation. In particular, the Navajo Nation seeks to increase the number of jobs on the Navajo Nation filled by Navajo people. In order for this to be successful, an increase in the job training and skills of the Navajo workforce is needed. Respondents are required to make a statement on their goals and anticipated activities to utilize Navajo labor and to foster Navajo workforce skills development. The contractor to NHLCO, Building Communities will work with successful respondent(s) to access Navajo (and other) workforce development resources and programs.

Manufactured Housing Installation

NHLCO recognizes that the transportation and installation of manufactured homes at various locations throughout the Navajo Nation is very challenging. For some respondents, this may be the first time that the company has considered doing business on the Navajo Nation. Respondents should consider two corresponding factors: 1) it may be advantageous for respondents to this RFP to budget additional time and funding to address these challenges, and 2) the contractor for NHLCO, Building Communities, will be highly responsive to successful respondents to navigate the Navajo Nation procedures. Respondents can count on active and effective efforts to "run interference" on these matters.

Innovative Housing Options

The NHLCO is open to housing technological innovations that are beyond the typical design and construction practices of typical manufactured housing. Respondents are free to propose differing construction methods and practices that can still accomplish the overarching goal of safe, functional, durable housing for Navajo people. Options such as shipping container retrofits, modular homes, tiny homes, steel-framed modulars, wood-framed modulars, panelized homes, 3D-printed homes can be proposed.

Respondents proposing such use of technological innovation will be responsible to explain how their application might provide greater utility at a lower cost than more standard approaches. (While NHLCO reserves the right to award contracts exclusively to these "technological applications," NHLCO anticipates awarding a contract to the more traditional form of manufactured housing production. As such, the "technological option" will likely be considered as an additional (second) contract. In short, respondents proposing traditional manufactured housing operations should be assured that it is likely that NHLCO will award at least one contract for traditional manufactured housing operations.)

Use of Navajo Financial Resources

As noted in this RFP, the Navajo Nation has two types ("buckets") of funding available for the development of the manufactured housing industry.

First, the Navajo Nation [has up to \\$24 million](#) for the construction of manufactured housing plants

RFP # NHLCO-2023-01-ARPA

13 | Page



(and/or alternate housing methodology/technology that fulfills the mission of serving as many Navajo people with desirable, functional, and durable housing solutions).

Secondly, the Navajo Nation has a minimum of \$14 million to purchase the output of the manufactured housing plant(s). During the project period (January 1, 2024 – December 31, 2026), NHLCO will coordinate with NNVA and CHID to determine if additional funding can be utilized to purchase the output of the manufacturing plant(s) developed by respondents to this RFP.

Note that as described earlier in this RFP, a minimum of \$14 million will be allocated for manufactured housing construction, delivery, and installation on the FBFA and NPL Chapters. Any funding available for manufactured housing output purchase beyond the first \$14 million threshold will be available for delivery and installation throughout the Navajo Nation. Respondents should generally assume that such “nation-wide delivery” shall be evenly distributed throughout the Navajo Nation (including locations in New Mexico and Utah as well as Arizona). As such, respondents should be aware of the requirements for manufactured housing for all three states.

NHLCO recognizes that this is a relatively complex and fluid funding dynamic. As such, NHLCO is looking for respondents that embrace this fluidity, and are willing to calibrate the manufacturing plant size and housing units based upon potential changes with funding availability (and other unknown dynamics).

Plant Capacity Expandability

NHLCO controls \$14 million for the purchase of the output of the manufacturing plant. It is the intention of NHLCO to provide all of these funds for this purpose.

Simultaneously, it will be the work of NHLCO and its consultant, Building Communities, to identify additional “market opportunities” for the manufacturing plant. That is, if there is additional ARPA (or other) funding within Navajo for this purpose, NHLCO will approach the successful respondent with opportunities for additional production.

Respondents to this RFP should provide information on the approach and strategy that will be taken if additional funding is made available for manufactured housing development during this project period (up through December 31, 2026). In addition, respondents should consider more long-term plant capacity goals beyond December 31, 2026 as described in the *Short-term and Long-term Manufactured Housing Industry on the Navajo Nation* section.

B. PROJECT CONSIDERATIONS

NHLCO is open to recommendations from respondents in terms of construction specifications that will meet the need of the Navajo people while being consistent with industry practices. The specifications and details provided below are not required, but simply an “opening framework” for consideration by respondents.

The following considerations are being provided to assist your firm in preparing a proposal:



- The offeror must furnish all labor, material, services, and transportation permits to ensure the new manufactured homes are delivered and installed according to the specifications outlined in this proposal.
- Each recipient will have a Nation homesite lease completed prior to the installation and delivery of the units. The offeror will not be responsible for the Nation’s cultural and biological compliance for each homesite prior to the delivery and installation of the manufactured homes.
- NHLCO is estimating that this project and available funding will provide approximately **400 manufactured** homes to recipients throughout the Navajo Nation.
- NHLCO is currently in the process of vetting recipients and will be identifying recipients to receive the following manufactured home units. The offeror’s designs need to meet the following square footage minimum / maximum listed below:
 - 1 Bedroom, 1 Bathroom
 - Square Footage Minimum: 600 sf
 - Square Footage Maximum: 700 sf
 - 2 Bedroom, 1 Bathroom
 - Square Footage Minimum: 700 sf
 - Square Footage Maximum: 800 sf
 - 3 Bedroom, 2 Bathroom
 - Square Footage Minimum: 800 sf
 - Square Footage Maximum: 1000 sf
- Each unit will be required to have a kitchen, cabinets, dining space, living room, laundry room, and other incidental spaces.
- Each unit will be required to have a refrigerator/freezer and cooking stove in the kitchen.
- Each unit shall be designed and constructed to accommodate LP gas for stoves.
- Each unit shall be designed and constructed to accommodate electric furnaces for heat.
- For all units, the design and construction must demonstrate one (1) fully compliant ADA bathroom.
- Each unit will be furnished with a standard set of stairs and handrails for both the front and back doors.
- Skirting - Masonite siding, reinforced by 2” x 4” wood framing and anchored by ½” x 20” rebar.
- The offeror is not responsible for the installation, coordination, and hook-up of any utilities to the unit; however, each unit shall be stubbed out for water, wastewater, and electricity. These utilities will need to be stubbed out 10’ from the unit (and marked with an 8-foot metal stake labeled with the utility name. The offeror shall provide as part of the warranty, assurance of the offeror’s service to address any warranty items that might be discovered during the process of hooking up utilities to the manufactured unit within three (3) years of substantial completion of the unit.
- The Nation is not subject to and will not provide building permits before the homes are ordered.
- Between the time of contractor selection and the final contract with the contractor(s), NHLCO will meet and negotiate with successful respondents to determine a payment system that: 1) meets the needs of the respondent, and 2) minimizes risk to the Navajo Nation. NHLCO will be open to respondents making the case that a portion of the



funding is needed “up front” to address cashflow considerations.

- The Manufacturer / Factory of each unit will be required to conduct inspections in compliance with CFR-Title 24, Part 3280.11. Certificates will be required.
- The Installer: The installation will conform to 24 CFR 3285. The installer must be licensed in the Jurisdictional State of final installation.
- The Nation will contract with a 3rd party inspector to conduct an inspection of each unit as part of the substantial completion after the units are delivered and installed.

C. DESIGN CRITERIA / SPECIFICATIONS

Offeror's shall design and construction all manufactured units in compliance with the U.S. Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards. (24 CFR Part 3280)

The Nation will not provide individual geotechnical reports for each recipient. The cost proposals for each unit need to take into consideration the following specifications for the manufactured unit and foundation.

- Minimum of HUD Manufactured Homes Construction and Safety Standards (24 CFR Part 3280) to include the following construction requirement minimums:
 - Floor 16" on center
 - 2" x 10" Floor Joist
 - ¾ Floor Decking (T&G OSB waferboard, fastened at 6" along seams and 8" in field)
 - 2" x 8" Rim Joint (Un-Treated)
 - 2" x 8" Treated Sill Plate for Foundation
 - Exterior Walls – 16" on Center, 2" x 6' Construction
 - 4' x 8' x 7/16" OSB Wall Sheathing, fasted at 6" along seams and 8" in field
 - ½ x 12" Masonite LP Textured
 - 7/16" x 6" Masonite Fascia
 - 1/3" Composite Board Trim
 - Insulation
 - R-19 Insulation Exterior Walls
 - R-28 Insulation Flooring
 - R-38 wide faced roll fiberglass insulation ceiling
 - Double pane insulated windows
 - 38" x 82" Fiberglass Entry Doors with Leverage Entrance Locksets
 - 2" x 4" Interior Wall Studs
 - 2" x 8" Plumbing Walls
 - Tyvek Vapor Barrier (Exterior Walls)
 - ½" Drywall – Taped / textured / Painted
 - ½" Moisture Resistant Drywall (Shower enclosure – walls / ceilings)
 - Roof/Trusses/Soffits – 2' On Center w 6" Overhang
 - Trusses 2' x 4" Construction, 20# T.C. Live Load, 10# Dead Load, O# Live Load, 10# B.C. Dead Load
 - 4' x 8' x 5/8" OSB
 - 2" x 12" Exterior Headers
 - 38" x 82" Fiberglass Entry Doors



- 2" x 6" x 92-5/8" (Wall behind Water Heater)
- 14-gauge wiring for smoke alarms
- 12-gauge wiring for lighting/receptables.
- 10-gauge wiring for electrical water heaters
- #6 ground wire from service panel to water heater
- Fan with light and heater in bathroom
- AC/DC carbon monoxide / smoke alarms installed in bedroom and diving / living room.
- 100 Amp Homeline / Sq D combination service entrance or equivalent, installed with AFCI breakers where required, GFCI circuits for kitchen and bathroom.
- Roofing
 - Metal roofing fastened to manufactures installation instructions.
 - Pro-Panel metal roofing accessories or equivalent (29 gauge-ridge cap, ridge end cap, rake trim, and drip edge).
 - 30# roofing felt (fastened under metal roof)
- All water supplies lines in ½" – ¾" PEX piping
- Schedule 40 PVC piping in all plumbing.
- Nailing
 - 16d sinkers for framing
 - 8d sinkers for wall sheathing
 - 8d ring shank nails for roof/floor sheathing
 - 8d galvanized ring shank nails for lap siding / exterior trim / soffits
- HUD Wind Zone II
- Foundation System
 - The offeror needs to provide an equivalent foundation design and specification as part of the proposal response.
 - The Foundation system will include Wind Zone II anchors and strapping installation in compliance with 24 CFR 3280.306

D. SCOPE OF SERVICES AND DELIVERABLES

NHLCO is requesting the offerors to design, construct and deliver/install each unit.

Design Phase:

The offeror shall provide with their proposal floor plan layouts and elevations that meet the minimum / maximum square footage requirements as outlined in Section 4.B. Any deviations from these minimum / maximum square footage requirements will need to be described in detail, otherwise the proposal may be considered non-responsive. Designs shall meet the criteria and specifications as outlined in Section 4.C.

Construction/Delivery/Installation Phase:

The offerors shall provide a complete delivery and installation that includes, but is not limited to the following:



- a. Arrange for procurement of all materials and equipment required to manufacture the homes in the certified factories.
- b. Provide US Manufactured Home Construction and Safety Inspection Certificates prior to delivery.
- c. Schedule and manage site operations and maintain a safe work site for all subcontractors.
- d. Equipment manuals delivered to NHLCO.
- e. Conduct a substantial walk-through and inspection with the assigned representative of NHLCO.
- f. At the date of final completion, provide all applicable written warranties, registration, and titles to NHLCO.
- g. Must receive final Certificate of Occupancy from the [put Navajo Nation Office here](#) for the new manufactured home.
- h. Maintenance Performance Period: The successful respondent agrees to participate and make maintenance services available for a period of not less than eighteen (18) calendar months.

Warranty/Title/Registration:

Offerors shall provide a cost proposal for a standard one (1) year warranty and four (4) year optional warranty period for all manufactured homes/items installed as a result of this RFP and any subsequent work order issued. The offeror shall assign any warranties, titles, and registrations to the Navajo Nation.

Any required warranty extended beyond the standard one (1) year warranty can be issued in the form of an option format to include a warranty bond or equivalent.

E. PROJECT IMPLEMENTATION SCHEDULE

The funding for this project is part of the United States American Fiscal Recovery Fund Act (ARPA) which requires all funding to be fully expended no later than December 31, 2026. The Nation has included the following schedule in Legislation CJN-29-22 that outlines specific funding obligation and expenditure periods to ensure the ARPA funding deadline is met. The following dates are critical to the success of this project:

Obligation Deadline for Funding:	June 30, 2024
Fully Expending Funding:	December 31, 2026

The NHLCO is requesting a detailed implementation schedule and work-flow process to be included with the proposal that demonstrates how the offeror can meet the funding expenditure period by designing, building, delivering, and installing the number of units that are quoted in proposals.

The schedule should identify required site visits, inspections, and any additional key milestones for NHLCO's consideration in providing the manufactured homes.

F. COST PROPOSAL BID REQUIREMENTS

The NHLCO is requesting cost proposals to be submitted in compliance with Exhibit E. Any
RFP # NHLCO-2023-01-ARPA 18 | Page



deviations from using Exhibit E or preparing a cost proposal that reflects the same format as Exhibit E will be considered non-responsive.

The cost proposal requires the offeror to clearly indicate how many units can be built, delivered, and installed each quarter starting January 1st, 2024 – June 30, 2026.

SECTION 5: LICENSING AND INSURANCE REQUIREMENTS

The offeror will be required to meet, provide, and maintain a Certificate of Insurance during the term of the contract that meets the following requirements:

- a. Commercial General Liability including but not limited to premises liability, unmodified contractual liability, products and completed operations liability, personal and advertising injury, employment practices liability, and cross liability coverage, covering claims which may arise from or out of Contractor's performance of its obligations hereunder. Policy shall name NHLCO as Additional Insured's:
 - i. \$1,000,000 Per Occurrence
 - ii. \$2,000,000 Aggregate
- b. Auto Liability: If vehicles or mobile equipment are used in the performance of the obligations under this Contract, then Contractor shall maintain liability insurance for all owned, non-owned or hired vehicles with the following minimum
 - i. \$1,000,000 per occurrence
 - ii. Policy shall name NHLCO as Additional Insured's
- c. Worker's Compensation Coverage with Statutory Benefits and Employers Liability Coverage with Minimum Limits:
 - i. \$1,000,000 per person per accident
 - ii. The policy shall be endorsed to waive subrogation in favor of NHLCO; and if applicable, to provide a Borrowed Servant/Alternate Employee Endorsement
- d. All coverage should include a waiver of subrogation.
- e. All coverage should be primary and the Navajo Nation's coverage non-contributory.

SECTION 6: PROPOSAL SELECTION PROCESS AND EVALUATION CRITERIA

All eligible proposals will be reviewed and rated for their qualifications, experience, price, and suitability to complete the Scope of Work. NHLCO intends to retain the successful responders pursuant to a "Best Value" basis, not a "Low Proposal" basis ("Best Value," in that the NHLCO will consider factors other than cost in making the award decision, such as availability, quality, and turnaround time). The Navajo Nation, at its discretion, reserves the right to make an award without further discussion of the proposals submitted. Therefore, proposals should be submitted initially on the most favorable terms, from both technical and price standpoint.

Proposal evaluations will be based solely on the information outlined in the RFP. It is important to include all relevant information and evidence of your firm's record of performance and ability to perform the work.

The Navajo Nation has the right to reject any and all proposals received in response to this RFP
RFP # NHLCO-2023-01-ARPA 19 | Page



such as the right to waive informalities or irregularities in bids. In the event there is deviation from the specifications, the bidders will indicate in writing the exception(s) from the specifications.

Each proposal will be evaluated and rated as follows:

Criteria	MAX POINTS
Firm Experience/License – A copy of the dealer's license issued by the state jurisdiction, manufactured general contractor's license, Installers license, electrician's license, and plumber's license within the States of Arizona, New Mexico, and Utah. This proposal requirement is not intended to count towards the evaluation points; however, could deem the offeror's proposal as non-responsive if the required license(s) are not included with the response.	0
Firm Team – Provide a table / chart that clearly indicates the construction contractor, manufactured housing dealer, and subcontractors to compete the plant construction, and design, construction, and delivery/installation of each manufactured housing unit.	10
Approach / Methodology – Points with be assigned responding to the approach/methodology that the respondent describes in the Scope and Evaluation Criteria.	15
Quality Control – Provide a quality control plan that demonstrates how the offeror will demonstrate an inspection prior to delivery that addresses the minimum design and construction standards.	10
Resources and Ability to Meet Implementation Schedule – Please demonstrate with an implementation schedule that the firm can meet the requested schedule. This evaluation will consider the number of units the offeror indicates can be designed, delivered, and installed each quarter as outlined in Section 4.E and as included in the Exhibit E – Cost Proposal Bid Form.	15
Proposed Cost Proposal / Fee Structure Pricing – Provide your cost proposal as part of your submittal. It does <u>not</u> need to be submitted separately and should be filled out on the attached Cost Proposal Form (Exhibit E). Offeror may provide additional information that elaborates on how pricing was determined.	15
Creativity / Flexibility - Describe how respondent will work with NHLCO to address unknowns such as the ultimate amount of funding available to purchase manufactured home output and any complexities related to working with the Navajo Nation and transporting product on the Navajo Nation.	12
Navajo Preference – NHLCO has a preference for the optimization of Navajo labor in the manufactured homes operations. Respondents can receive up to ten (10) points with a description of the intended policy and practice of hiring Navajo labor. In addition, respondents are encouraged to examine the Navajo Source List to collaborate with Navajo Priority One and Navajo Priority Two companies.	10
Long-term Sustainability – How the respondent demonstrates an understanding and capacity to maintain a long-term manufactured housing presence on the Navajo Nation.	13
TOTAL SCORE	100



SECTION 7: RFP EXHIBITS

The following exhibits are being provided:

- Exhibit A: Acknowledgement of Receipt Form
- Exhibit B: Non-Collusive Affidavit
- Exhibit C: Debarment and Suspension
- Exhibit D: Affidavit of Responsibility for Subcontractors
- Exhibit E: Cost Proposal Bid Form



ADDENDUM 14.0: Contractor Search List 2021-2022-2023

Residential Housing Construction Contractors Navajo Source Documentation		
Company	Status	Next Step(s)
Top Reco's		
Nizhoni Homes	Jamie was able to get the form filled out with the assistance of Cindy Covey.	
Bitco	Spoke to Jeremiah Bitso (CEO, Owner). Refocusing to modular infrastructure. Investing in plant to manufacturing housing from out of Utah. Ready-made medical tents and testing facilities. Brian met with Scott Luft of Bitco on 5/24. Email address is sluft@bitcocorp.com	
Red Feather	Collaborating with Red Feather (Joe Seidenberg) to further the Housing project. https://www.redfeather.org/native-home-resource-network.html	
NCA	Have yet to reach out as the direction was to reach out to the other 4 companies above prior to moving forward here and calling Brett (brett@nca.org) but connect through Ronson Chen)	
Tallsalt Advisors	Spoke to Steve Gundersen about his company retrofitting cargo containers into homes. He did complete the paperwork.	
Secondary Recommendations		
American First Solutions, LLC	Spoke to and emailed McResha in Nov, Dec. Followed up again via email in Jan '22.	
Arviso Construction Company, Inc	Spoke to and emailed Savannah in Nov, Dec. Followed up again via email in Jan '22.	
Aspen Canyon Construction, LLC	Left VMs and emailed Leroy Dempsey in Nov, Dec. Followed up again via email in Jan '22.	
Beall Construction	Left VMs and emailed in Nov, Dec. Followed up again via email in Jan '22.	
Bonally/Woodruff Construction, LLC	Spoke to and emailed Marylou Benavidez in Nov, Dec. Followed up again via email in Jan '22.	
CheerNorthstar Construction	Left VMs and emailed in Nov, Dec. Followed up again via email in Jan '22.	
Four Seasons Construction, LLC	Spoke to and emailed Albert in Nov, Dec. Followed up again via email in Jan '22.	
UAM Corporation	Spoke to Char and emailed Loren Miller in Nov, Dec. Followed up again via email in Jan '22.	
M.O.B. Construction, LLC	Jamie called and emailed on numerous occasions w/o successfully getting the questionnaire completed.	
Rainier Construction, LLC	Jamie called and emailed on numerous occasions w/o successfully getting the questionnaire completed.	
TIC Construction, LLC	Jamie called and emailed on numerous occasions w/o successfully getting the questionnaire completed.	
Whitener Construction, Inc.	Jamie called and emailed on numerous occasions w/o successfully getting the questionnaire completed.	
Zuhne Construction Industries, Inc.	Jamie called and emailed on numerous occasions w/o successfully getting the questionnaire completed.	
JackRabbit Development	Had a meeting with Tahda Antoine where a determination was made to move forward without utilizing their services.	
Other Mentions		
Jim Zwierlein	Former Executive Director to the Navajo Veterans Administration. Highly involved in Veterans housing projects.	
Zenni Homes, LLC Bob & Kristi Worsley	Manuf green, smart homes@ former Navajo Generating Station (2 model homes)	
The Sparrow Group		
Arrow Indian Contractors, Inc.		
Rocket Builds, Tuba City (Johnny Boone)	A reference from Red Feather, Joe (email from Bully on 06.07.22) FB: https://www.facebook.com/johnny.boone.1614 Phone: 928.514.8709 (cell)	

2023 Additions

Harrison Tossie
Roy Star
Southwest Builders

Higher Purpose Homes
Colby Shepherd, Red Arrow Homes
Navajo Engineering & Construction Authority

Sarah Slim indicates that he is working to establish a housing manufacturing plant.
Sarah Slim indicated he could be a housing provider.
Based in Dilkon. This company was identified as the Housing Workshop on May 5, 2023.
Co-Founder is Ethan Deffenbaugh. ethan@hghow.com (970) 799-1798. www.higherpurposehomes.co
This information was provided at the NMLCO/NHA meeting convened by Patrick Sandoval on May 10, 2023.
Jeffery Etsitty; jeff@navajo.net; (505) 210-7067 ext. 7067; (505) 406-1449; www.navajo.net



ADDENDUM 15.0: Survey Form (November 2021)

Navajo I'haaw

Housing "Catalog" Questionnaire

Pushing the Region for Housing Improvements Through ARPA

September 2021



Company Information

Name of Company _____ Tallsalt Advisors, LLC _____

Contact Information (Name, Title): _Steve Gundersen, President _____

Email: _____ steve.gundersen@tallsalt.com _____

Phone Number: _480-433-9760 _____

Address: _60 E. Rio Salado Parkway, Suite 900, Tempe, AZ 85281 _____

Website: _tallsalt.com _____

Years in Business: _15 _____

Navajo Business Opportunity Act (NBOA) Status

- ☒ Navajo Priority 1
☐ Navajo Priority 2
☐ None of the Above

Total gross sales:

2018: _____ confidential; \$0 for homes.

2019: _____ confidential; \$0 for homes.

2020: _____ confidential; \$0 for homes.

Housing Options

Options for Homes (Select One):

- ☐ One prototype
☒ Menu of housing options (2-7 prototypes)
☐ Build to suit (build anything)

Style of Building/Building Materials:

- ☐ Stick Built
☐ SIP
☐ Mobile Home



- ☐ Premanufactured
- ☐ Panelized
- ☒ Other: Modern, customized, stand-alone cargo containers _____
- ☐ Other: _____

Details of Home (Please duplicate this page if you have a variety of home types)

Square footage: _____ Approximately 300 sq. ft. _____

Provision for water and wastewater: Self-contained or may be connected to water and sewer systems

Power (Options)

- ☐ Hardline power
- ☐ Solar
- ☒ Both **NOTE:** Solar would include a battery storage system

Housing for isolated site or neighborhood (Circle One) The homes are well-suited to remote locations without utilities.

How many homes of each type can be furnished for each quarter?

With sufficient advance notice (6 months), we can expand capacity to deliver higher volumes.

2021 (last quarter): _____ 0 _____

2022: _____ 34+ _____

2023: _____ 34+ _____

2024: _____ 34+ _____

2025: _____ 34+ _____

2026: _____ 34+ _____

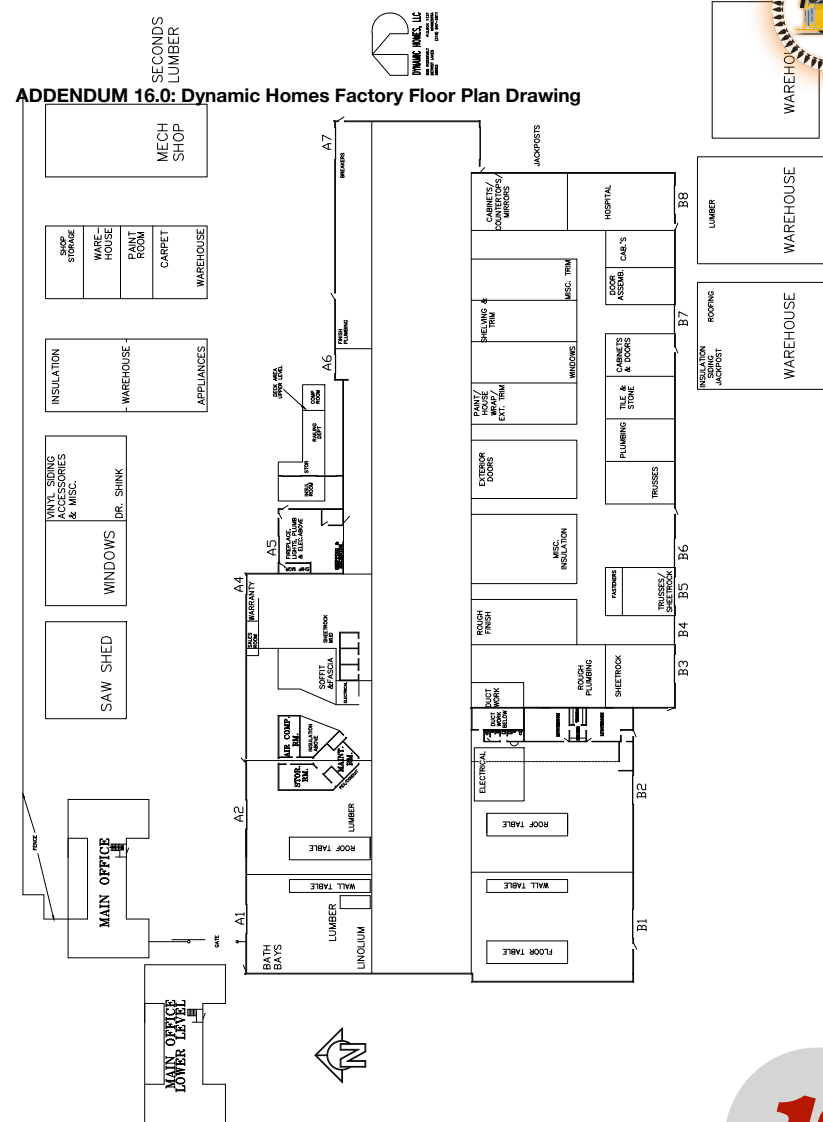
What is the estimated cost for each home?

_____\$114,314 per unit, installed with the electric generator adder option, including NN sales tax.

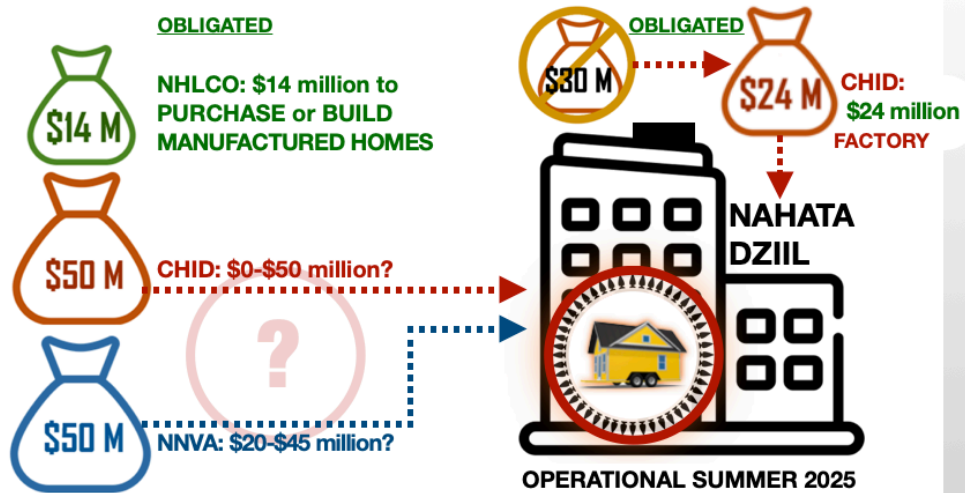
How long can a "not to exceed" price be guaranteed on homes, and how frequent would you need to review it based upon circumstances?

_____**Due to present market conditions, this price is only firm through February 2022. We will review the pricing at the time that a final contracting request is made for the Minimum Order Quantity. For additional units we may be able to set a firm price based on payment terms and/or future prices of components at the time of new orders.**

ADDENDUM 16.0: Dynamic Homes Factory Floor Plan Drawing



ADDENDUM 17.0: Funding Recap Chart



ADDENDUM 18.0: New Assumption



A New Assumption: 1200 sq. ft. Factory-Built Homes

MODEL SIZE IN SQ. FT.	1500	1200
COST OF PRODUCTION	GOAL \$80-100/sq. ft. \$90 /Sq. Ft.	\$80 /Sq. Ft.
UNIT COST	GOAL \$120,000 \$135,000	\$96,000
MONTH GOAL	GOAL 10 8	12
ANNUAL OUTPUT	GOAL 120 96	144
NHLCO-ARPA PAY-OUT	GOAL \$14.0 Million \$13.0 Million	\$13.8 Million



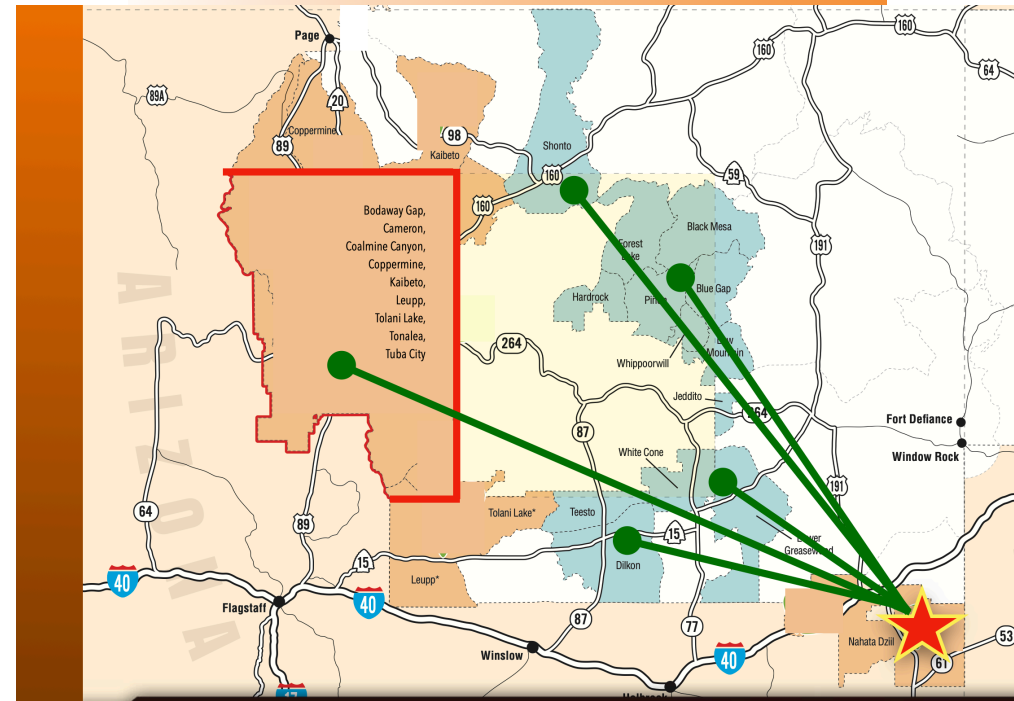
ADDENDUM 19.0 How Many/How Much Equation



ADDENDUM 20.0: Delivering Homes from Nahata Dziil

PLAN ASSUMPTIONS	Factory Size: 120,000 sq. ft. Labor Force: 50 Workers 50 workers @40 Hours per week = 2000 Man Hours 2000 man hours = TWO (2) sq. ft. of Production per Hour 2 sq. ft. x 40 Hours x 50 Workers = 4,000 sq. ft. per week 4,000 sq. ft. per Week = 16,000 sq. ft. per Month	PRODUCTION					COMPLETED UNIT PRICE
		# HOMES PRODUCED PER MONTH	# HOMES PRODUCED PER YEAR	COST OF PRODUCTION	WITHIN FACTORY CAPACITY?	WITHIN ARPA BUDGET?	
CAPACITY	16,000 sq. ft. of Production per Month				sq. ft. of Model multiplied by monthly number of homes produced	Completed Unit Price multiplied by annual number of homes produced	Current average Cost of Production (see page 63) multiplied by the sq. ft. of Model
ASSUMED COST OF PRODUCTION	Range: \$80.00 per sq. ft. to \$100.00 per sq. ft. Due to the crucial need for efficient operations with maximum output, this exercise has chosen a Cost of Production of \$90.00 per sq. ft. for PRODUCT A and \$80.00 per sq. ft. for PRODUCT B						
PRODUCT A	1500 sq. ft. Manufactured Home	10	120	\$90.00 per Sq.Ft.	YES	NO	\$135,000
PRODUCT B *NEW Product of Choice	1200 sq. ft. Manufactured Home	12	144	\$80.00 per Sq.Ft.	YES	YES	\$96,000

see APPENDICES: Addendum 11.0





ADDENDUM 23.0: TBD Checklist

Note: The contents of this chart is an exercise that must be performed prior to the start of Factory Construction. Further research is required to accomplish.

Checklist:

Overhead rate	Overhead rate
Labor rate	Labor rate
Accounting	Accounting
Drafting	Drafting
Utilities	Utilities
Insurance	Insurance
Other	Other



ADDENDUM 24.0: Dynamic Homes, LLC Profile



Dynamic Homes, LLC

525 Roosevelt Ave
Detroit Lakes, MN 56501
(800) 492-4833

Paul Okeson, President/CEO

Liz Holzer, General Manager

Terry VanWatermolen, Director of Sales and Marketing

Dynamic Homes has successfully built housing projects for Indian Tribes over the last 30+ years throughout the Midwest, with many years of experience in **commercial** and **tribal construction**. Our system-built facilities provide the same advantages for businesses as they do for residential properties. Building in a **controlled environment** ensures quality and eliminates delays, resulting in a faster build and a quicker return on your investment.

The Dynamic Homes Mission: **Building Sustainable Modular Homes**

For over 50 years, it has been the goal of Dynamic Homes to lead our marketplace by delivering to our customers a quality, custom modular product and outstanding customer service and support

Our market is defined as follows:
Minnesota, North Dakota, South Dakota, Iowa, Wisconsin, and Nebraska

Our primary product is **highly customized, moderately priced single-family, and multi-family modular housing ranging from small two unit to large scale apartment complex sizing**

We will continue to market our product through independent, authorized builders and we will accomplish this goal by excelling in the following areas:

- Continually provide our customers with new and innovative floor plans •
- Create a relationship where communication between us and the customer is highly regarded •
- Create processes for drafting, estimating, and order processing services that are simple and timely •
- Provide transportation and setting services as part of our standard offerings •



HCI Consulting Model:

ADDENDUM 25.0: Dynamic Homes INVITATION TO TOUR
Dynamic Homes is owned by HoChunk Incorporated (HCI)



Managed by Lance Morgan, HoChunk Incorporated (HCI) ...

<https://www.hochunkinc.com>

... leads with an interesting twist: *no direct 'dealings'* with the tribe it serves.

All of the business decisions for housing manufacturing are *insulated* from them, as Dynamic Homes manages the supply and demand.

"The Winnebago Tribe started Ho-Chunk, Inc. in 1994 to help its people by creating jobs and diversifying the Tribe's revenue. Our mission has since evolved to create both an economy and middle class on the reservation – measurably improving life in less than a generation."



To: Building Communities and Delegates of the Navajo Nation

YOU ARE INVITED TO A VIP FACTORY TOUR

Please join us at our 120,000 sq. ft.
Manufacturing Plant in Detroit Lakes, MN
for a Behind-the-Scenes Tour and an
informative Q&A Session

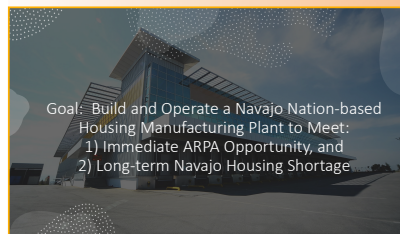
25



ADDENDUM 26.0: "The Steps" PowerPoint (Pages 68-69)



Steps to Build and Operate a
Housing Manufacturing Plant
February 2024



Goal: Build and Operate a Navajo Nation-based
Housing Manufacturing Plant to Meet:
1) Immediate ARPA Opportunity, and
2) Long-term Navajo Housing Shortage

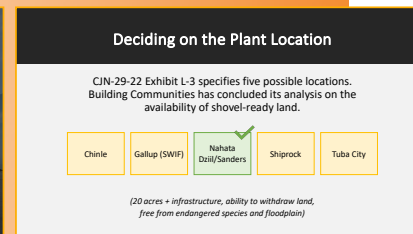


A partnership between the
Navajo Hopi Land Commission
Office (NHLCO) and DCD
Community Housing and
Infrastructure Department
(CHID)

DCD CHID	NHLCO
<div>\$30 million</div> <div>- \$6 million</div> <div>= \$24 million</div> <div>Exhibit L-3</div>	<div>Housing Plant</div> <div>SWIF</div> <div>Available</div> <div>\$14 million to Purchase Homes</div> <div>Exhibit L-4</div>



Part 1: Building the Plant

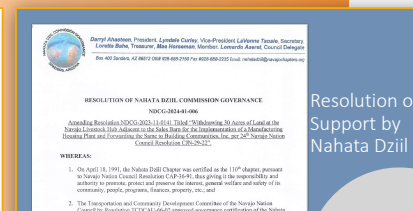
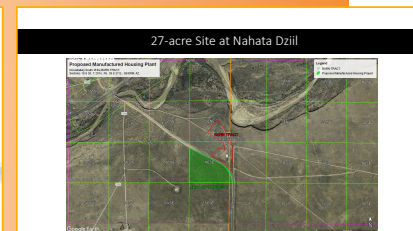


Deciding on the Plant Location

CIN-29-22 Exhibit L-3 specifies five possible locations.
Building Communities has concluded its analysis on the
availability of shovel-ready land.



(20 acres + infrastructure, ability to withdraw land,
free from endangered species and floodplain)



Resolution of
Support by
Nahata Dził

26



ADDENDUM 26.0: "The Steps" PowerPoint (Pages 68-69)

Coordination with General Land Development Department and ONHIR on Land Withdrawal Process



Coordinate Plant Design and Construction with Selected Operator of the Manufacturing Plant

Needed Decision with Respect to Sparrow Group

The 4 year Phase 2.15 Long-Term Housing Security Services for Johnson County, Missouri

BB CommunityCare - Patrick Coughlin - phone: 888.871.3488
 Design/Construct - Patrick Coughlin - phone: 888.871.3488
 Design/Construct - Patrick Coughlin - phone: 888.871.3488
 Design/Construct - Patrick Coughlin - phone: 888.871.3488

Finaly Review also includes: Design of 14 Community Development... in the Project and...
 Research and design for Long-Term Housing Security Services, and all land adjacent to Community...
 The Sparrow Group, Priority 1 General Contractor

Assessment report: 26.002.000 - Final report: 26.002.000 - December 2020 - 12th Annual Report

Part 2: Building the Homes

(a) Decide the (regional) order of the 14 housing units to be used for what is known as the housing to be owned...
 (b) Decide the (regional) order of the 14 housing units to be used for what is known as the housing to be owned...
 (c) Decide the (regional) order of the 14 housing units to be used for what is known as the housing to be owned...

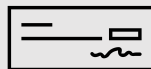
The \$50 million funding will provide design and construction funds for the Navajo Nation Community Housing & Rehabilitation Department for covered up to the 20th regional housing manufacturing...
 facilities to be used by all Navajo Nation housing programs and entities to provide newly constructed...
 homes to homeless Navajo residents as a lower cost and more efficient method of construction.

Part 2: Building the Homes



Either Commit to Sparrow Group or Issue Manufacturing Plant Construction RFP

Maintain NHLCO Commitment to "Plan A" to Obligate \$14 million to Purchase Homes from Manufacturing Plant



Meet ARPA Funding Obligation Deadline

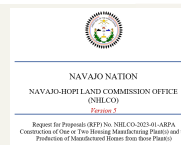
Review Responses to Existing CHID RFP

Is there one or more respondent(s) that should be interviewed related to their interest and capacity to be the manufactured plant operator?



ADDENDUM 26.0: "The Steps" PowerPoint (Pages 68-69)

If yes, either negotiate with one or more of the top RFP respondents or issue a slight modification of the existing NHLCO RFP draft



Obligate one or more contracts with manufactured housing plant operator by ARPA obligation deadline



CHID: Is the \$50 million housing account fully obligated, or can a portion of these funds be directed to the manufacturing plant output?

Veterans: Is the \$50 million housing account fully obligated, or can a portion of these funds be directed to the manufacturing plant output?

Coordinate with selected manufactured housing plant operator to determine if a portion of the home production needs to be expedited at an existing off-Navajo-reservation plant.





ADDENDUM 27.0: Resolution of Nahata Dził Commission Governance



Darryl Ahasteen, President. **Lyndale Curley**, Vice-President **LaVonne Tsosie**, Secretary, **Loretta Bahe**, Treasurer, **Mae Horseman**, Member. **Lomardo Aseret**, Council Delegate

Box 400 Sanders, AZ 86512 Ofc# 928-688-2150 Fax #928-688-2235 Email: nahatadzil@navajochapters.org

RESOLUTION OF NAHATA DZIIL COMMISSION GOVERNANCE

NDCG-2024-01-006

Amending Resolution NDCG-2023-11-0141 Titled "Withdrawing 30 Acres of Land at the Navajo Livestock Hub Adjacent to the Sales Barn for the Implementation of a Manufacturing Housing Plant and Forwarding the Same to Building Communities, Inc. per 24th Navajo Nation Council Resolution CJN-29-22".

WHEREAS:

1. On April 18, 1991, the Nahata Dził Chapter was certified as the 110th chapter, pursuant to Navajo Nation Council Resolution CAP-36-91, thus giving it the responsibility and authority to promote, protect and preserve the interest, general welfare and safety of its community, people, programs, finances, property, etc.; and
2. The Transportation and Community Development Committee of the Navajo Nation Council by Resolution TCDCAU-66-02 approved governance certification of the Nahata



ADDENDUM 28.0: J.D. Power Listing of National and Regional Associations

J.D. POWER

Manufactured Homes > National and Regional Manufactured Housing Associations

National and Regional Manufactured Housing Associations

[Get a Manufactured House Value Report](#) | [Manufactured Homes Information](#)

For information or general questions concerning the purchase of a manufactured home, your National & Regional Manufactured Housing Association is the place to look. It can answer your questions on things such as regulations, permits, processes, and buyers. Due to the important nature of this purchase, such information will be a tremendous bonus.

HUD's MONITORING CONTRACTOR INSTITUTE FOR BUILDING TECHNOLOGY AND SAFETY (IBTS)
505 Huntmar Park Drive
Herndon, VA 20170
<http://ibts.org/services/manufactured-housing.html>
(703) 481-2000
FAX N/A

MANUFACTURED HOME OWNERS ASSOCIATION OF AMERICA
6722 Coach Circle
Brownsville, TX 78521-7257
<http://www.mhcaa.us/>
(956) 831-8502
FAX (956) 831-5334

MANUFACTURED HOUSING ASSOCIATION FOR REGULATORY REFORM
1331 Pennsylvania Avenue NW, Ste 508
Washington, DC 20004
(202) 783-4087
FAX (202) 783-4075

MIDWEST MANUFACTURED HOUSING FEDERATION
1252 Goshen Pike
Millford, OH 45150
(513) 575-0100
FAX N/A

MODULAR BUILDING INSTITUTE
944 Glenwood Station Lane, Ste 204
Charlottesville, VA 22901-1480
<http://www.modular.org/>
(804) 296-3288
FAX (804) 296-3361

NATIONAL ASSOCIATION MANUFACTURED HOUSING INSTITUTE
2101 Wilson Boulevard, Ste 610
Arlington, VA 22201
<http://www.manufacturedhousing.org>
(703) 558-0400
FAX (703) 558-0401

NATIONAL FOUNDATION OF MANUFACTURED HOME OWNERS
62 Hawthorne Circle
Willow Street, PA 17584
(717) 284-4520
FAX (717) 284-4520

NORTH CENTRAL MANUFACTURED HOUSING INSTITUTE
214 SW 6th Street, Ste 206
Topeka, KS 66603-3719
(785) 357-5256
FAX (785) 357-5257
Serving: Iowa, Kansas, Missouri, Nebraska & South Dakota



ADDENDUM 29.0: Life After ARPA Sustainability Graphic

As the graphic below shows, the development and operations of the housing manufacturing plant needs to be viewed in **TWO PHASES**. First, through December 2026, the plant will be operated by the **Navajo Nation**. Building Communities recommends **CHID** to perform the operations ...

2024-2026 ...



see **APPENDICES: Addendum 29.0**

GOVERNMENT-OWNED

HOMES
DELIVERED to FBFA and NPL
at **"NO CHARGE"**

120,000 sq. ft. Plant

Throughout 2025 and 2026, future **"sales"** opportunities will be identified in order to shift the operations paradigm from government-owned to a more traditional business-like model.

... 2027—and BEYOND!

SUSTAINABLE BUSINESS MODEL

HOMES
SOLD
Throughout Navajo Nation

Expandable 120,000 sq. ft. Plant



ADDENDUM 30.0: Miscellaneous: List of Possible Collaboration Partners

Potential Collaborations

During the outreach process to identify housing manufacturing interests and companies, there were several bright spots—companies that are responsive to expansion opportunities and/or currently in production. A summary of these interests is shown in APPENDICES: Addendum

H&B Services LLC • Harrison Begay, Principal/Owner

Address: 2 5, Mi Of General Store Tonalea, AZ 86044

Harrison Begay and his team at H&B Services attended manufactured housing planning sessions dating back to the spring of 2023. Begay has expressed strong interest in the project, and has demonstrated strong leadership skills in building a team of laborers to efficiently produce manufactured housing .

Southwest Indian Foundation (SWIF) •

William McCarthy, CEO and Jeremy Boucher, Project Office

<https://www.southwestindian.com>

Address: 100 West Coal Avenue, Gallup, NM 87301

The Southwest Indian Foundation is a bona fide manufactured housing producer based in Gallup, New Mexico with a long-standing business relationship with the Navajo Housing Authority (NHA). Investment by the Navajo Nation in SWIF is ideally situated to ramp-up production

SWIF received an award of \$6 million from the Community Housing and Infrastructure Department (**CHID**) from an ARPA-driven \$30 million package marked for plant/factory building, leaving **\$24 million** for manufacturing plant construction. See **NEXT PAGE** for the most recent printed information on known-use of these funds.



2024-02-20

Navajo President's Facebook Page



WINDOW ROCK, Ariz. – Navajo Nation Veterans will soon hold keys to their brand-new homes after Navajo Nation President Buu Nygren signs sub-recipient agreement.

“Today is a big day,” said Navajo Nation President Buu Nygren. “Today, my staff and I are making progress to fulfill promises made to our Navajo Veterans over several administrations.”

On Wednesday, President Buu Nygren signed a sub-recipient agreement with Southwest Indian Foundation, to build **40 homes** in the Eastern Agency of the Navajo Nation using ARPA allotted funding.

Southwest Indian Foundation Construction Manager Jeremy Boucher and Housing Coordinator, Jonessa Ramos were joined by Office of the President and Vice President Community Engagement Representative Olin Kieyoomia, Recovery Fund Director Lisa Jym, Program Manager, Myrtis Begay, and Housing Specialist Alvira Teller, represented the Nation Housing Veterans Administration Program at the signing.

“There is no boundary line,” confirmed Mr. Boucher. “We go anywhere and provide services throughout the Navajo Nation.”

According to Mr. Boucher, the cost to build each three-bedroom home is \$198,800, measuring just under 1200 sq. feet, and will include new appliances, wood burning stove, electric, plumbing, water, sewer, and ADA Accessibility ramps.

Boucher stated this project will be built with local Navajo contractors adding to the economy and job opportunities within the Navajo Nation.

“With the new designs made at your directive Mr. President,” said Mr. Kieyoomia. “The new designs helped lower costs, allowing us to serve more Veterans.”

Mr. Kieyoomia explained that President Nygren was insistent on helping more Veterans, resulting in several negotiations to lower the costs.

Additional homes for Navajo Veterans are being planned for other agencies across the Navajo Nation utilizing ARPA funding.

“When we put right people in place, with the right heart and commitment to push the objective, nizhoni things can happen,” said the President. “Today, the hours and efforts of many in my administration who believed in a common goal, and tackling obstacles, resulted in brand new homes for our Veterans that have waited decades to receive.”



In the category of “**Existing Home Production on and Near the Navajo Nation**” it is pretty hard to miss the real success story of ZenniHome, with two fully operational Arizona factories.

ZenniHome • Bob Worsley, Owner

<https://zennihome.com>

Address: Mesa: 29 S. Robson Mesa, AZ 85210 • Page: 1500 N. Desert Paintbrush, Page AZ 86040

“Founded in 2019 ZenniHome brings viable solutions to the housing industry shortage by designing and factory building its models to be easily transported, to have a minimum environmental footprint, to stack in multi-family configurations, and to include leading edge technologies that transform the customer experience of buying, investing, owning, and living.”

Our research has revealed that ZenniHome has created a very ‘modern’ and efficient model to produce small, higher-priced (starting at \$125,000) housing ‘modules’ that are actually ‘stackable’ to achieve a multi-level structure, if need be, for a specific-income urban demographic: their standard home ‘box’ is 320 sq. ft. and their “big” version of that is 640 sq.ft. ZenniHome is a good example and a truly great success story - as a high-end (local) producer in the Generation Z market space, they have achieved fame by creating and shipping amazing ‘stackable’ units into large metropolitan areas. Their extraordinary trajectory and growing market-reach is one to watch, support, and learn from in the years to come.

Boxabl • Paolo Tiramani, Owner/Founder

<https://www.boxabl.com>

Address: 5345 E North Belt Rd. Las Vegas, NV 89115

“Boxabl is an American housing construction technology company based in Las Vegas that utilizes 3D Printing to create its product. After Boxabl hinted that Elon Musk had ordered a Boxabl unit in 2020, the company began to receive media attention for it in August 2021. Musk confirmed his purchase in September 2021.”

While we are not going there yet, Building Communities in its advice to the NHLCO, is familiar with various innovative options using technologies such as 3D computer printing.



BUILDING COMMUNITIES ECONOMIC DEVELOPMENT

DOING THE RIGHT THINGS RIGHT.™

4 N San Francisco Street, Suite D
Flagstaff, AZ 86001
(928) 814-3710
bc@buildingcommunities.us
www.buildingcommunities.us

December 21, 2023

Mr. Arbin Mitchell, Executive Director
Navajo Nation Division of Community Development
PO Box 1904
Window Rock, AZ 86515

Dear Mr. Mitchell:

The Navajo Nation has engaged the services of Building Communities through a Services Contract (CO16087) to assist the Navajo-Hopi Land Commission Office (NHLCO) with: 1) the development of a plan for a manufactured housing plant on the Nahata Dził Chapter, and 2) to assist with the NHLCO's expenditure of \$14 million for manufactured housing. In addition, the contract with Building Communities requires outreach with DCD CHID, Navajo Nation Veterans Administration (NNVA), Navajo Nation Division of Economic Development (NNDED), Navajo Housing Authority (NHA), in addition to Nahata Dził Commission Governance (NDCG) and NHLCO.

Examination of Exhibit L-3 Sites

Exhibit L-3 requires the examination of housing manufacturing sites at Chinle, Gallup, Sanders (Nahata Dził), Shiprock, and Tuba City. The Scope of Work for Building Communities requires that Building Communities perform this analysis which is nearly complete. A preferred site has been identified at Nahata Dził. A site at Shiprock is undergoing additional examination. It appears as if there are not shovel-ready, adequate sites at Chinle and Tuba City. Building Communities understands that funding has been awarded for the expansion of manufacturing operations in Gallup at the Southwest Indian Foundation (SWIF).

As such, Building Communities is currently focused upon potential development sites at Nahata Dził and Shiprock. The primary emphasis is at Nahata Dził given the instruction in Exhibit L-4.

Page 1 of 4

Background

CJN-29-22 Section 10 Exhibit L-3 and Exhibit L-4 relate to the production of manufactured housing on the Navajo Nation.

Exhibit L-3 allocates \$30 million to the Navajo Nation Division of Community Development (DCD) Community Housing and Infrastructure Department (CHID) for the development of up to three housing manufacturing facilities at five potential locations. Exhibit L-4 requires the Navajo-Hopi Land Commission Office (NHLCO) to complete a manufactured housing study for Nahata Dził and to expend \$14 million to purchase manufactured housing for location on Former Bennett Freeze Area (FBFA) and Navajo Partitioned Lands (NPL) Chapters.

In order to optimize benefit for Navajo people needing housing, it is necessary for CHID and NHLCO to coordinate and collaborate.



Development and Issuance of NHLCO RFP

Per the Building Communities Scope of Work, Building Communities has developed a draft Request for Proposals (RFP) for issuance by NHLCO. The purpose of the RFP would be to solicit qualified responses from companies or groups-of-companies that can meet the June 30, 2024 ARPA obligation deadline by building a manufacturing plant and building manufactured homes from within that plant. The RFP has been reviewed by Shawna Ballay of Consensus Planning, the advisor to CHID.

Recommendations

Building Communities makes the following recommendations in order to ensure coordination and optimal benefit to the Navajo people that can benefit from manufactured housing:

1. Conduct an in-person meeting in early January 2024 inclusive of all of the relevant Executive Branch personnel and their respective legal advisors. Building Communities will formulate an agenda designed to address all of the unanswered and emerging "decision-requirements," such as:
 - a. Who will own the manufacturing plant (the Navajo Nation, Nahata Dził Commission Governance, the developer, a Navajo-controlled non-profit corporation)?
 - i. One primary objective will be the control of the plant after December 31, 2026.
 - b. What is the role of ONHIR, if any, in the land withdrawal and business site leasing process? (Building Communities is receiving conflicting messages on this.)
 - c. What is the decision date deadline on the "go-no go" decision to authorize manufactured housing plant construction?
 - i. "Plan A" is the construction of the manufacturing plant and obligation of NHLCO's \$14 million to purchase the homes produced in the plant. "Plan B" is the utilization of NHLCO's \$14 million to purchase manufactured homes from an existing manufacturing plant. We need time to transact this obligation before June 30, 2024.
 1. Building Communities understands that there is a draft IGA being formulated between NHLCO and DCD for Plan B.
 - d. We have anticipated that some form of Memorandum of Agreement (MOA) might be needed between DCD and NHLCO.
 - i. Is such an MOA needed? If so, is Attachment A a good start?
 - e. Does the full amount of \$30 million remain for manufacturing plant construction? (We have heard that \$6 million has been obligated for increased manufactured housing plant capacity in Gallup at SWIF. If this is true, did this impact the \$30 million allocation?)
 - i. As Exhibit L-3 references the Sparrow Group, we need a determination on what this means. Are they necessarily the contractor to build the manufacturing plant? Or does this simply require that they have an opportunity to respond to an RFP?

Page 2 of 4





- f. We understand that an OMB budget form needs to be completed in order to access/utilize the \$30 million for plant construction. We have been asked to develop that form. Would this form be for DCD or NHLCO?
- g. What procedure can we establish right now to optimize the decision-making timelines such as the land withdrawal and business site leasing process? Are we agreed that we can issue the RFP now while we simultaneously advance the land processes?
- h. What can and should we be doing to maximize benefit to Relocates (especially Relocates living at Nahata Dził)?
 - i. This might relate to facilitating NDCG legal authority for business site leasing and taxation which has been a goal of the Chapter.
2. Based upon the outcomes of Recommendation #1 above, review/finalize/issue the NHLCO RFP: *NHLCO-2023-01-ARPA Construction of One or Two Housing Manufacturing Plant(s) and the Production of Manufactured Homes from those Plant(s)*. We may conclude that the RFP for plant construction may need to be issued by DCD instead of NHLCO.

Sincerely,

Brian Cole, President
Building Communities

CC: Sarah Slim, Executive Director
Navajo-Hopi Land Commission Office



Attachment A

Memorandum of Understanding

This Memorandum of Understanding ("MOU") is by and between the Navajo-Hopi Land Commission Office ("NHLCO") and the Division of Community Development ("DCD") Community Housing and Infrastructure Department ("CHID") for the purpose of the utilization of all or a portion of the \$30 million allocated by the Navajo Nation Council for the development of one or more manufactured housing plants.

WHEREAS

1. CJN-29-22 Section 10 Exhibit L-3 allocates \$30 million to DCD CHID for the development of one or more housing manufacturing plants, and
2. CJN-29-22 Section 10 Exhibit L-4 requires that NHLCO complete a manufactured housing plant study and allocates \$14 million for the purchase of manufactured homes, and
3. It is the intention of DCD CHID and NHLCO to coordinate the development of housing manufacturing plant development, and
4. The NHLCO manufactured housing plan has a special focus on manufacturing plant development on the Nahata Dził Chapter, and
5. NHLCO has engaged the services of Building Communities to complete the housing manufacturing plan and to coordinate with DCD CHID on the plan development, and
6. It is in the interest of the Navajo Nation to optimize the manufactured housing funding described in CJN-29-22 Section 10, and
7. NHLCO has directed Building Communities to develop a Request for Proposals (RFP) that references the utilization of between \$24 million - \$30 million for the development of a housing manufacturing plant, and
8. NHLCO will coordinate with DCD CHID on the review of proposals developed by respondents to the NHLCO RFP for the development of a manufactured housing plant.

THEREFORE BE IT RESOLVED that NHLCO and DCD CHID are agreed to reserve \$24 million - \$30 million from CJN-29-22 Exhibit L-3 for the potential development of one or more housing manufacturing plants as described in the NHLCO RFP.

This understanding is agreed to on this _____ day of December, 2023 with the signatures below.

Sarah Slim, Executive Director
Navajo-Hopi Land Commission Office

Arbin Mitchell, Executive Director
Navajo Nation Division of Community Development



Housing Manufacturing Plant Gantt Chart

	2023		2024				2025				2026				2027
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
Site Selection															
Land Withdrawal															
Select Plant Contractor															
Engage Plant Contractor															
Engage Housing Manufacturer															
Meet ARPA Obligation Deadline															
Construct Manufacturing Plant															
Potential Off-site Manufactured Home Construction and Delivery															
Production of On-site Homes															
Planning Long-term Operations															
Ownership Transition Period															
Meet ARPA Expenditure Deadline															
Transition into Sustainable Manufacturing															

MANUFACTURED HOUSING PLAN FOR NAHATA DZIL





HOUSING MANUFACTURING PLAN

