

NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH Attorney General HEATHER CLAH Deputy Attorney General

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

RFS/HK Review #: HK0369-2
Date & Time Received: 02/27/24 at 12:37
Date & Time of Response: 3/05/24 at 17:00
Entity Requesting FRF: Tolani Lake Chapter
Title of Project: Heavy Duty Work Truck & Flatbed Trailer
Administrative Oversight: Division of Community Development
Amount of Funding Requested: \$135,468.00
Eligibility Determination: FRF eligible FRF ineligible Additional information requested
FRF Eligibility Category:
(1) Public Health and Economic Impact (2) Premium Pay
(3) Government Services/Lost Revenue (4) Water, Sewer, Broadband Infrastructure
U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services
o. 1, Frovision of Government Services

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

Disclaimers:

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

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

APPENDIX A

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

Part 1. Identification of parties.

Non-Governance Certified Chapter Tolani Lake Chapter requesting FRF:	Date prepared: 12/01/22
	phone/email: 928-686-3285/tolanilake@navajochapters.org
Chapter's HC 61 Box 3001 mailing address: Winslow, AZ 86047	website (if any):
This Form prepared by: Tom Yazzie, CSC	phone/email: 928-686-3285
Tom Yazzie, Community Service Coordinator	tomyazzie@nnchapter.org
CONTACT PERSON'S name and title	CONTACT PERSON'S Info
Title and type of Project: HEAVY DUTY WORK TR	UCK & FLATBED TRAILER
Chapter President: Leland Dayzie	phone & email: 928-978-4503/lkdayzie@naataanii.org
Chapter Vice-President: Anna Begay	phone & email: 928-853-6945/Sinagua93.ab@gmail.com
Chapter Secretary: Rena Edwards	phone & email: 928-401-9446/nakaidine@gmail.com
Chapter Treasurer: Rena Edwards	phone & email: 928-401-9446/nakaidine@gmail.com
Chapter Manager or CSC: Tom Yazzie	_ phone & email: 928-686-3285/tomyazzie@nnchapters.org
DCD/Chapter ASO: Pearl Yellowman	phone & email: 928-871-7172/pyellowman@navajo-nsn.gov
Amount of FRF requested: 135,468 FRF funding period: 01	/01/2023-09/30/2026 document attached
The latter of th	indicate Project starting and ending/deadline date
Part 2. Expenditure Plan details.	
(a) Describe the Program(s) and/or Project(s) to be funded, including how and what COVID-related needs will be addressed:	the funds will be used, for what purposes, the location(s) to be served,
Tolani Lake Chapter will procure purchase of a Heavy	
chapter's backhoe within the chapter boundaries for he housing construction, bathroom additions, repair dam	
materials, utilize for cemetery purposes during the Co	
	☐ document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Nav	
The purchase of Tolani Lake Heavy-Duty Truck and I the Tolani Lake community with bathroom additions b heavy supplies & materials on the job sites. Will be us roads, and accommodate burial site with the backhoo	by digging trenches, site preparations, handling s for mast backfilling location, repair damage e.
(a) Dravido a prospostivo timplino observing the estimated data of several	document attached
(c) Provide a prospective timeline showing the estimated date of comple	cuon of the froject and/of each phase of the froject. 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

APPENDIX A

Disamonda and Daile 1/ VI. Div. 1 and see	AFFLINDIA
Program(s) or Project(s) by December 31, 2026:	
01/01/2023 - 06/30/2023: Obtain three (3) quotes and obtai 07/01/2023 - 12/30/2023: Vehicle and Trailer delivered to T	in Purchase Order. olani Lake Chapter and Close out PO's.
	☐ document attached
(d) Identify who will be responsible for implementing the Program or Project:	
Leland Dayzie, Chapter President, Anna Begay, Vice Presi	dent and Tom Yazzie, CSC will be
responsible for implementing the purchase of the Tolani La	ke Heavy-Duty Truck and Trailer.
 (e) Explain who will be responsible for operations and maintenance costs for the prospectively: 	
Tolani Lake Chapter's Heavy-Duty Truck and Trailer will be	the responsibility of Tolani Lake Chapter
for all its operations & maintenance expenditures through the	ne its Annual & Carryover Budget.
	☐ document attached
(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attack	
proposed Program or Project falls under, and explain the reason why:	
This project will fall under FRF expenditure category: 6.1 Government Services	
o.1 Government Services	
	☐ document attached
Part 3. Additional documents.	C) document attached
	1 - 6 - 1 - 10 - 6 - 1000
List here all additional supporting documents attached to this FRF Expenditure Pl	an (or indicate N/A):
Tolani Lake Chapter Resolution # TLS-12-1B-2022 Appendix A - Request Form & Expenditure Plan	
Appendix B - Budget Forms (1,2,4)	
Appendix J - Project Budget Shedule	
	☐ Chapter Resolution attached
Part 4. Affirmation by Funding Recipient.	
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implem	entation of this FRF Expenditure Plan shall be in accordance
with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applica	ble federal and Navajo Nation laws, regulations, and policies:
Chapter's	(XMM)
Preparer:Approved by:	XIII
and the same	signature of Chaptef President (of Vice-President)
Approved by: Approved by:	VVVV
Approved to subn	signature of Theorier ASO
for Review: _	signlature of DCD Director

FY_2023

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page ____ of _3 BUDGET FORM 1

						+FLATBEDTIZA	ILER					
PART I. Business Unit No.:	New	Program Title:		olani Lake Chapter - HEAVY DUTY WO	RKTRUCI	Division/Branch:	DCD/Executive B	ranch				
Prepared By:	om Yazzie	Phone				tomyazz						
PART II. FUNDING SOURCE(S) NN Fiscal Recovery Funds	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type	(A) NNC Approved	(B)	(C) Difference or				
THE ISOUTH COVERY FUNGS	1/1/23-	135,468.00	100%	2004 Personnel France	Code	Original Budget	Proposed Budget	Total				
	9/30/26			2001 Personnel Expenses								
				3000 Travel Expenses			****					
				3500 Meeting Expenses								
				4000 Supplies								
				5000 Lease and Rental								
				5500 Communications and Utilities								
				6000 Repairs and Maintenance								
				6500 Contractual Services								
				7000 Special Transactions								
				8000 Public Assistance								
		-		9000 Capital Outlay	6	0	135,468	135,468				
				9500 Matching Funds								
				9500 Indirect Cost								
					TOTAL	\$0.00	135,468.00	135,468				
		7		PART IV. POSITIONS AND VEHICLES		(D)	(E)					
				Total # of Positions B	udgeted:	0	0					
TOTAL: \$135,468.00 100% Total # of Vehicles Budgeted: 5												
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.												
SUBMITTED BY:	SUBMITTED BY: Tom Yazzie APPROVED BY: Doubleful Service Coordinator's Printed Name Division Director Branch Chief's Printed Name											
Commun	nity Service Coordi	nator's Printed N	ame	Divisi	on Directo	Branch Chief's Pri	inted Name					
Community	Service Coording	tor's Signature ar	/2/2.				ture and Date	2,20				

FY 2023

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page 2 of 3 BUDGET FORM 2

PART I. PROGRAM INFORMATION:								
Business Unit No.: New	Program Name/Title:		Tolani Lal	ke Chapter -	HEAV	YDUTY W	ORK TE	uck
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOS	SE OF PROGRAM:				4 T. A	TBED T		
To purchase heavy duty wor	VK. Truckand Plate	red train	ler to	22219	+		12/110	
To purchase heavy duty wor community in mitigating	COVID19.	0.00	- 6	aggiz)/			
PART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR	2nd	QTR	3rd	QTR	4th	QTR [
4.0-10-4	Go	al Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:								
Complete acquisition of Heavy-Duty Dump Truck & Heavy Trans	sport Trailer							
Program Performance Measure/Objective:	-	-						Name and the second
Follow NN Procurement Process to complete the purchase							2	
2. Goal Statement:								
Project Management, Meetings, and Closeout Project								
Program Performance Measure/Objective:	5							
	3		3		3		3	
3. Goal Statement:								
Program Performance Measure/Objective:								
						T		
4. Goal Statement:								
Program Performance Measure/Objective:								
5. Goal Statement:								
Program Performance Measure/Objective:								
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORM	ATION HAS BEEN THOROUGHLY RE	VIEWED.	2			WORLD THE REAL PROPERTY.	*********	
Tom Yazzie			earle	selle	man			
Community Service Coordinator's Printed Nam		Divisio	n Director	Branch Chie	ef's Printed	Name		
Community Service Coordinator's Signature and	2/22		0	male	1006	ner la	2.2.22	
Community Service Coordinator's Signature and	Date	Division I	Director/Bra	anch Chief	Signature	and Date		

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3 BUDGET FORM 4

ş	ROGRAM INFORMATION: Program Name/Title: Tolani Lake Chapter - HEAVY_DUTY WORK TOUK Business Unit No.: FLATBED TRAILER.	New	
PART II. I (A)	DETAILED BUDGET: (B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	Purchase Heavy-Duty Dump Truck and Heavy-Duty Transport Trailer	(200 0)	135,468
	9140 - Equipment; Purchase Heavy Equipment Hauling Trailer	50,000	100, 100
9160	Vehicle Vehicle		
	9140 - Vehicle Purchase Heavy-Duty	85,468	
	TOTAL	. 135,468	135,468

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: New	RT I. Business Unit No.: New PART II. Project Information																														
Project Title: Tolani Lake CI	hapter	- Pun	chase	Heav	y-Duty	w	<u>or</u> k	< T	euc	KI	FI	Δ7	-13E	か	tri	41	en					Proje	ct Typ	e:	Equip	oment	Acqui	sition			
Project Description Tolani Lake	e Chaj	pter U	tilize t	he AF	RPA F	unds t	o Pun	chase	Heav	y-Dut	y Dum	p Tru	ck and	d Hea	vy Equ	ipmei	nt Hau	ling T	raiter			Plan	ned Sta	art Date	e Jan-23						
																						Plan	ned En	d Date:		Sep-24					
Check one box:	<u> </u>	Original Budget												Tom Yazzie, CSC																	
PART III.	PAR	T IV.	Us	e Fisc	al Yea	ır (FY) Quai	rters to	com	plete	ihe inf	omal	ion be	elow.	0=0	ct.; N	= Nov	.; D =	Dec.,	etc.					E	nada	1 Cam	pletion	Dod		
List Project Task separately; such as Plan, Design, Construct, Equip	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc. FY 2023 FY 2024														ipielioi Is8 F																
or Furnish.		1st Qt	r.	:	2nd Q	r.	L ;	3rd Qt	r.		4th Qt	r.		1st Q	tr.		2nd Qt	r.	3	3rd Qt	r.		4th Qt	r.		Date					
	0	N	D	J	F	М	Α	М	J	Jul	Α	S	0	N	D	J	F	М	Α	М	J	Jul	Α	S	0	N	D	J	F	М	
Obtain price gotes				x	x	x																									
Obtain purchase order	•			İ			x	x	x																İ						
Deliver Vehicle and Trailer					ĺ										1																
Closeout of purchase order			ĺ			Ī				×	X	X	×	×	x																
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PART V.		\$			\$			\$			\$			\$			\$			\$ PROJEC			T TO	AL							
Expected Quarterly Expenditures	<u> </u>		·	<u> </u>				·					13	5,468	.00	<u> </u>									<u> </u>	···	\$135,	468.00)		

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



Resolution of the

TOLANI LAKE CHAPTER WESTERN NAVAJO AGENCY

Resolution: TLS-12-1B-2022

APPROVING THE PURCHASE OF A HEAVY-DUTY DUMP TRUCK AND HEAVY EQUIPMENT FLATBED HAULING TRAILER AS PART OF THE CHAPTER UNDER THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLAN

WHEREAS:

- 1. Pursuant to 26 NNC, Section 3(A). the Tolani Lake Chapter is a duly recognized chapter of the Navajo Nation Government, as listed at 11 NNC, Part 1, Section 10; and
- 2. Pursuant to 26 NNC, Section 1(B), the Tolani Lake Chapter is vested with the authority to review all matters affecting the community to make recommendations to the Navajo Nation and other local agencies for appropriations; and
- 3. Pursuant to CAP -34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (GA); and
- 4. The Tolani Lake Chapter officials demonstrates their ongoing dedication to support the Division of Community Development office assisting with ARPA projects and performs a variety of administrative functions including, drafting of budget guidelines and justifications, monitoring expenditures and approvals, problem solving, monitoring, evaluates progress, preparing reports, correspondence, and presentations; and
- 5. Pursuant to Resolution CJN-29-22, The Navajo Nation Council allocated \$1,760,468 for five (5) chapters within the district 5 and District 3 in response to the impact of the COVID-19 pandemic; and
- 6. The Tolani Lake Chapter has decided and identified to purchase heavy duty equipment dump truck and heavy equipment flatbed hauling trailer for chapter use to benefit the local community; and
- 7. Both heavy duty dump truck and heavy equipment flatbed hauling trailer will be purchased according to the Navajo Nation procurement policies and procedures will be followed, (3) quotes vendor selection will be implemented to the purchase.

NOW THEREFORE BE IT RESOLVED:

1. The Tolani Lake Chapter hereby approves the purchase of a heavy-duty dump truck and heavy equipment flatbed hauling trailer as part of the chapter under the Navajo Nation Fiscal Recovery fund expenditures plan.

Leland K. Dayzie President

Anna M. Begay Vice-President HC 61 Box 3001 Winslow, Arizona 86047 Phone: (928) 686-3285 Fax: (928) 686-3287

Rena Edwards Secretary Treasurer Thomas Walker, Jr. Council Delegate

> Leslie Williams Grazing Official

RESOLUTION NO. TLS-12-1B-2022

CERTIFICATION

We hereby certify that the preceding Resolution was considered in a regularly scheduled Chapter Meeting of the Tolani Lake Chapter, and moved for approval in a duly called meeting at the Tolani Lake Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of ______, in favor, ______ opposed, and ______ abstained on this the _____2nd___ day of December 2022.

MOTIONED BY: Koa

SECONDED BY: Nurna Hausa

MINUTES BY: Rena Edwards - Chapter Secretary/Treasurer

and Duyis

Leland K. Dayzie, President

Anna M. Begay, Vice-President

Rena M. Edwards, Secretary/Treasurer

Leland K. Dayzie President



RESOLUTION OF TOLANI LAKE CHAPTER WESTERN NAVAJO AGENCY

Resolution Number TL-1218B-23

RESOLUTION FOR THE ARPA TITLE FOR 'DUMP TRUCK' BE CHANGE BACK TO 'HEAVY DUTY WORK TRUCK'

WHEREAS:

- 1. Pursuant to 26 N.N.C., Section 3 (A) the Tolani Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed as 11 N.N.C., part 1, section 10; and,
- Pursuant to 26 N.N.C., Section 1 (B) Tolani Lake is vested with the authority to review all matters
 affecting the community and to make appropriate correction when necessary and make
 recommendation to the Navajo Nation and other local agencies for appropriate actions; and,
- 3. ARPA funding for vehicle purchase titled under 'Heavy Duty work truck' was hand written on the appendix as 'dump truck'; and,
- When JSRa had a meeting with the Tolani Lake chapter officials to go over that the legislation, the chapter officials noticed the hand written in 'dump truck'; and,
- 5. Per request by the Tolani Lake chapter officials, the written word, 'dump truck' be removed and go back to 'Heavy Duty work truck'

NOW, THEREFORE, BE IT RESOLVED THAT:

The Tolani Lake Chapter hereby requests the hand written 'dump truck' be removed and the word 'heavy duty work truck' be reinstated and be continued through legislation as 'heavy duty work truck.

CERTIFICATION

We hereby certify that the Foregoing Resolution was considered and moved for approval by the Tolani Lake Chapter at a duly called meeting at Tolani Lake Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 12 in favor, Opposed, and Abstained on the 18th day of December, 2023.

Motion by: Lay Mc Carse

Seconded by: 1 Vlangaret Tom

Minutes by: GABRIELLA MEHL, SECRETARY/TREASURER

Leland Dayzie, Chapter President

Gabriella Mehl, Chapter Sect./Treas.