



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

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

RFS/HK Review #: HK 0680-2

Date & Time Received: 5/9/24 at 16:05

Date & Time of Response: May 24, 2024 @ 9:30 am

Entity Requesting FRF: Crystal Chapter

Title of Project: John Deer 6WD 672G Grader

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$425,000.00

Eligibility Determination:

- FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

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

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

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(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: Please note we have modified the requested expenditure code from 1.14 (Other Public Health Services) to 6.1 (Provision of Government Services) in order to be consistent with similar projects previously determined to be an eligible use of the Nation's Fiscal Recovery Funds.

Please also note that the supplemental request increases the project amount to \$425,000.

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: *Lorenzo Curley*

Disclaimers:

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

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

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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Crystal Chapter Date prepared: 04/14/23

Chapter's mailing address: PO Box 775 Navaio, NM 87328 phone/email: 505.777.2800, crystal@
 website (if any): https://crystal.navajoch

This Form prepared by: Kristin Damon phone/email: 505.777.2800
Community Services Coordinator kdamon@nnchapters
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: John Deer 6WD 672G Grader

Chapter President: Patricia Slim phone & email: 928.206.8562, pslim@naata

Chapter Vice-President: LaVerne Johnson phone & email: 505.906.1205, ljohnson@na

Chapter Secretary: Marchelle Hardy phone & email: 505.979.2850, mhardy@na

Chapter Treasurer: Marchelle Hardy phone & email: 505.979.2850, mhardy@na

Chapter Manager or CSC: Kristin Damon phone & email: 505.777.2800, kdamon@nr

DCD/Chapter ASO: Derek Echohawk phone & email: 928-266-3153, ddechohawk@

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

document attached

Amount of FRF requested: \$425,000. FRF funding period: 10/1/23 - 12/31/26
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

Funding will be used to purchase a new John Deer 6WD 672G series Grader. It will be used to clear and open up roads to Chapter Members in all seasons. Cleared roads in all seasons allows for members to utilize transportation to provide for themselves, whether it be food, heat, PEP, or sanitation. Roads have to be open for members to travel out as well as emergency and Chapter vehicles to be able to travel in providing any of the above assistance. Remote members live at the base of the Chuska Narbono Pass with heavier snowfall and members residing in the flats of Milk

document attached

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

The Heavy Equip Operator Crystal Chapter is already familiar with driving and providing maintenance for John Deer heavy duty equipment. Current grader is very old and run-down. Crystal Chapter provides the initial grading services for Chapter Members allowing for Emergency vehicle access, opening up roads to individuals with 1) medical needs, 2) elderly, and 3) rest of the community. Assistance from NDOT does not arrive until 4-5 days later in grading

document attached

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

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

Oct 1, 2023 - December 31, 2026

document attached

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

DCD, NNFRF and NON-LGA Chapter.

document attached

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

The Crystal Chapter Heavy Equipment Operator will be responsible for the operations and ongoing maintenance of the John Deer Grader.

document attached

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

1.12 - Other Public Health Services - Crystal Chapter is located at the base of the Chusca Mountains at about 7,000 - 7,500 feet elevation. The Chapter experiences a higher amount of precipitation (snow and rain) affecting the safety of transportation on roads; almost all are dirt. A new Grader is the means to open up ALL Chapter roads for emergency vehicles, allow medical needs members to get out for appointments or emergency vehicles access into homes. Cleared roads also allow other vehicles to deliver PPE, sanitation, water, food and heating supplies including wood, coal and wood pellets to community members. The grader is also utilized to help retrieve vehicles that are stuck in snow or mud.

document attached

Part 3. Additional documents.

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

- Crystal Chapter John Deer 6WD 672G Grader Quotes - 4Rivers Equipment, Farmington, NM, ~~Stetz Equipment, Farmington, NM,~~ and RDO Equipment, Flagstaff, AZ
- CRY-04-2023-016

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: Kristi Damon
signature of Preparer/CONTACT PERSON

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

Approved by: Kristi Damon
signature of CSC

Approved by: John W. [Signature] 10/02/2023
signature of Chapter ASO

Approved to submit for Review: [Signature]
signature of DCD Director

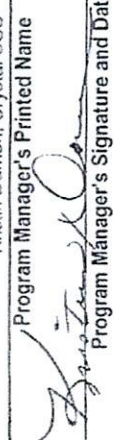

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: <u> </u> New		Program Title: <u>John Deer Grader</u>		Division/Branch: <u>Div of Community Development</u>	
Prepared By: <u>Kristin Damon</u>		Phone No.: <u>505.777.2800</u>		Email Address: <u>kdamon@nncchapters.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	
NIN Fiscal Recovery Funds		<u>10/1/23 - 12/31/26</u>	<u>425,000.</u>	100%	
PART III. BUDGET SUMMARY					
	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total	
2001	Personnel Expenses				
3000	Travel Expenses				
3500	Meeting Expenses				
4000	Supplies				
5000	Lease and Rental				
5500	Communications and Utilities				
6000	Repairs and Maintenance				
6500	Contractual Services				
7000	Special Transactions				
8000	Public Assistance				
9000	Capital Outlay		<u>425,000.</u>		<u>425,000.</u>
9500	Matching Funds				
9500	Indirect Cost				
TOTAL		\$0.00	<u>425,000.</u>		<u>425,000</u>
PART IV. POSITIONS AND VEHICLES					
			(D)	(E)	
Total # of Positions Budgeted:					
Total # of Vehicles Budgeted:					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
SUBMITTED BY: <u>Kristin Damon, Crystal CSC</u>		APPROVED BY: <u>Calvin Castillo, Division Director</u>			
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name			
<u>Kristin Damon</u>		<u>Calvin Castillo</u>			
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date			
<u>[Signature]</u>		<u>[Signature]</u>		<u>10/02/2023</u>	

Jaron M. Charley, Department Manager II

**THE NAVAJO NATION
 PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:	Business Unit No.: <u>New</u>	Program Name/Title: <u>John Deer Grader</u>				
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:	Crystal Chapter Resolution CRY-04-2023-016. Utilize 'Chapter' grader to service main community roads as well as roads into 1 - medical needs, 2 - elderly, and the remainder of Crystal member's residents during varying road conditions.					
PART III. PROGRAM PERFORMANCE CRITERIA:						
1. Goal Statement:	1st QTR	2nd QTR	3rd QTR	4th QTR		
Utilize 'Chapter Grader' for clearing/grading of roads in all seasons.	Goal	Goal	Goal	Goal	Goal	
Program Performance Measure/Objective:	Actual	Actual	Actual	Actual	Actual	
Chapter-owned heavy equipment grader to service roads throughout the community during all seasons.			X		X	
2. Goal Statement:						
Program Performance Measure/Objective:						
3. Goal Statement:						
Program Performance Measure/Objective:						
4. Goal Statement:						
Program Performance Measure/Objective:						
5. Goal Statement:						
Program Performance Measure/Objective:						
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.						
	Program Manager's Signature and Date  Kristin Damon, Crystal CSC 10/02/2023		Division Director/Branch Chief's Signature and Date  Calvin Castillo, Division Director Division Director/Branch Chief's Printed Name 10/02/2023			

Jaron M. Charley, Department Manager II

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION: Program Name/Title: <u>John Deer 672G Series 6WD Grader</u> Business Unit No.: <u>New</u>			
PART II. DETAILED BUDGET:			
(A)	(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)
9142	Equipment: Purchase new John Deer 6WD grader (quotes attached). Purchase to be complete by 12/31/23.	425,000.	425,000.
TOTAL		425,000.	425,000.



JOHN DEERE

Investment Proposal (Quote)

RDO Equipment Co.
5500 East Penstock Avenue
Flagstaff AZ, 86004
Phone: (928) 526-0639 - Fax: (928) 526-2498

Proposal for:
CRYSTAL CHAPTER
P.O. BOX 775
NAVAJO, NM, 87328
MCKINLEY

Investment Proposal Date: 1/9/2024
Pricing Valid Until: 2/8/2024
Deal Number: 1733468
Customer Account#: 2800983
Sales Professional: Buzz Ivcek
Phone: (928) 526-0639
Fax: (928) 526-2498
Email: Blvick@rdoequipment.com

Equipment Information

Quantity	Serial Number Stock Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD TBD	0	New 2024 JOHN DEERE 672G	\$366,975.86
			Freight in FACTORY FREIGHT	\$5,500.00
			Freight Out DELIVERY	\$2,500.00
			Other 6 ea. TIRE CHAINS AND ADJUSTERS AND ONE EXTRA SET OF CUTTING EDGES W/HARDWARE	\$6,540.00
			Item Subtotal:	\$381,515.86
			Equipment Subtotal:	\$381,515.86

Purchase Order Totals

Balance:	\$381,515.86
NM STATE TAX:	\$18,598.90
NM COUNTY TAX:	\$6,199.63
Sales Tax Total:	\$24,798.53
Sub Total:	\$406,314.39
Cash with Order:	\$0.00
Balance Due:	\$406,314.39

Equipment Options

Qty	Serial Number	Year / Make / Model	Description
1	TBD	2024 JOHN DEERE 672G	8450T 672G MOTOR GRADER with 6WD 1140 John Deere PowerTech PSS 9.0L meets EPA FT4 Emissions 1830 Engine Exhaust W/ Flat Black Stack (FT4 or Stage V only) 1420 Severe Duty Fuel & Water Filtration System 1310 Quick Service Group 9360 Engine Block Heater 9370 Ether Starting Aid 9620 Cold Weather Control Valve Covers 1010 Standard Antler Rack Hydraulic Controls 5030 Low Cab w/ Lower Front and Side Opening Windows 8830 Rear Camera (R4) 8210 Exterior Mounted Rearview Mirrors 8410 AM/FM Radio with Aux and Weather Band (WB) 8310 Lower Front Intermittent Wiper & Washer 6030 No Powered Cab Air Precleaner 6120 Standard Fabric Air Suspension Seat with Armrests and Headrest 8720 No Sound Absorption Package 6520 Base Hydraulics w/ 1 Auxiliary Function Control 6620 Base Hydraulics w/ 1 Auxiliary Function Control 8510 Air Conditioner Refrigerant Charged 9210 Decelerator 2575 No Grade Control Base Kit Installed 2775 No Topcon 3D GPS Grade Control System installed 5815 Hydrau 1610 Hydraulic Pump Disconnect 170K JDLink™ 1910 Blade Impact Absorption System 2060 14 Ft. x 24 In. x 7/8 In. (4.27M x 610mm x 22mm) w/ 8 In. x 3/4 In. (203 x 19mm) Cutting Edge & 5/8 in. (16mm) Hardware 2820 Single Input Gearbox with Slip Clutch 1240 Dual 100 Amp Alternators (200 Amp total) 7160 Deluxe Grading Lights (18 Halogen Lights) 8110 24-to-12 Volt Converter (15 amps peak / 10 amps continuous) 6780 Front-Mounted Dozer Blade, 105 in. x 37.6 in. (2667 mm x 955 mm) 6810 Rear Mounted Ripper/Scarifier Combination with Rear Hitch and Pin 9430 (9) Extra Scarifier Shanks w/Teeth For Rear Ripper/Scarifier 5510 Autoshift Transmission 5710 Transmission Solenoid Valve Guard 4924 No Brand Preference 7820 No Front Fenders 9724 17.5R25 L2 1 STAR NO BRAND PREFERRED WITH 3PC RIM 2605 English Manual W/ English Labels & Decals



EQUIPMENT

1100 Troy King Road
Farmington NM 87401

Albuquerque NM • Cheyenne WY • Colorado Springs CO • El Paso TX • Farmington NM • Fort Collins CO
Frederick CO • Greeley CO • Hobbs NM • Holly CO • Lamar CO • Pueblo CO • Rocky Ford CO • Strasburg CO

Quotation

To: Navajo Nation Crystal Chapter
Po Box 775
Navajo, NM 87328
Attention: Miss Kristin Damon

Date 5.4.2023 rev.1.23.2024
FOB: 4Rivers Farmington
Delivery Date: 30-180 Days ARO
(Quotation Void after 60- Days)

1 Each New 2023 John Deere 672G All Wheel (6wd) Motor Grader Equipped with:
9.0L John Deere Wet Sleeve Engine (548 Cu. In.) Displacement (255 VHP) Final Tier 4 Emissions, Dual 100 amp Alternator (200 amp total), HD Air Cleaner- 9.0L 14in. Adjusting Rotary Ejector Pre-Cleaner, Severe Duty Fuel Filter & Water Filtration, Decelerator, Auto Shift Plus Transmission 8fwd 8rev Gears, Transmission Solenoid Valve Guard, Antler Rack Controls (Traditional), Steering Wheel, Hydraulic Pump Disconnect, 14"x 24"x 7/8" MB (6" Cch 5/8"), Single Input w/Slip Clutch Gearbox, Reversible Overlay End Bits, 17.5-25 16pr G2/L2 Bias Tires with 3pc Rims, Low Cab with Lower Front and Side Opening Windows, Lower Front Intermittent Wiper/Washer, Powered Cab Air Cleaner, Front Fenders, Premium Heated leather/frabric High Back Air Suspension Seat with Arm Rests, Front Mounted Dozer Blade 105" X 37.6", Rear Ripper/Scarifier Combo with Rear Hitch and Pin, 9extra Scfr Shanks and 2 extra Rippers Shanks w/Teeth, Deluxe Grading Lights 18 Halogen with Led Brake and Tail, Converter 10/15amp 24v To 12v, Heated Exterior Mounted Rearview Mirrors, Premium Am Fm/WB/Bluetooth and Aux, Rear Camera, Rear Retractable Sunshade, LH Beacon with Flip Down Bracket, Fire Extinguisher, SMV Sign, Engine Block Heater, Ether Aid Less Canister, Cold Weather Control Valve Covers (cold start packages), Right Side Engine Compartment Light, Tire Chains (6) and Extra Cutting Edges, JD Link Ultimate Life Time Service, Plus all Other Standard Equipment.

NN Crystal Chapter Price using NN Governmental Discounts: \$368,700.00

Optional: 5Yr./3000 Hour Machine care Plan with Travel to Chapter add: 19,742.66

6% tax 23,306.56

Machine Warranty:

12-Months Full Machine Factory Warranty, plus an additional 72-Months/4000 hours whichever occurs first of Powertrain plus Hydraulics extended warranty. FOB a 4Rivers Equipment Facility. Total coverage is 84-months/4000 hours.

Operator Training:

Free of charge for training on operations and maintenance of the machine at time of delivery.

By: David Valdez 505-947-4796 cell

Accepted By: Kristin Damon