



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 #: HK0816

Date & Time Received: 04/11/2024 at 15:12

Date & Time of Response: 04/22/24 at 17:00

Entity Requesting FRF: Red Lake # 18

Title of Project: Purchase of Backhoe Loader

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$200,000.00

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
 (3) Government Services/Lost Revenue
 (2) Premium Pay
 (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: A quote for tire purchases was included in the documents.
We are issuing the IED with the understanding that a backhoe will be purchased.
Please resubmit the project if that is not the case.

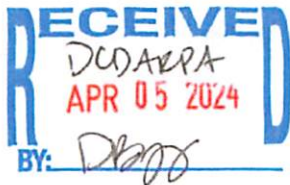
Name of DOJ Reviewer: Veronica Blackhat, AAG-NRU

Signature of DOJ Reviewer: 

Disclaimers:

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

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



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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Red Lake #18 Chapter Date prepared: 3/20/24

Chapter's PO Box 130 phone/email: (505) 777-2810
mailing address: Navajo, NM 87328 website (if any): redlake18@navajochapters.org

This Form prepared by: Kathleen Shurley phone/email: (505) 777-2810
Community Services Coordinator kshurley@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Purchase of Backhoe Loader

Chapter President: Arval T. McCabe phone & email: (505)930-0911/arvaltmccabe@yahoo.com

Chapter Vice-President: Roger L. James phone & email: (928)255-9124/rjames@naataaii.org

Chapter Secretary: Loberta Redhouse phone & email: (505)567-1117/redhouse@navajochapters.org

Chapter Treasurer: Loberta Redhouse phone & email: (505)567-1117/redhouse@navajochapters.org

Chapter Manager or CSC: Kathleen Shurley phone & email: (505)777-2810 kshurley@nnchapters.org

DCD/Chapter ASO: Derek Echohawk phone & email: (928)871-6221 dechohawk@nndcd.org

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

Amount of FRF requested: \$200,000.00 FRF funding period: 10/01/23 - 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 Backhoe Loader. The chapter intends to use the new backhoe loader to assist with burial needs in the community. Also, the backhoe will be used to clear roads for community members and for emergency personnel to gain access to residential homes during inclement weather in emergency situations.
 document attached

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

A new backhoe loader will ensure the community has road clearing service during inclement weather to allow community members and emergency personnel to mobilize in getting assistance or getting the necessary services needed. Outside assistance or resource response is not immediate.
 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:

Procurement, Acquisition of Equipment, and Close out Project by 12/31/2026.

Begin date: 10/1/23 End 12/31/24

document attached

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

Chapter Officials, Administrative Staff, Council Delegate, and the Navajo Division of Community Development - CPMD

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 Red Lake Chapter will be responsible for the operation and repair/maintenance of the new Backhoe Loader.

document attached

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

6.1 Provision of Government Services

The new backhoe loader will ensure that community roads are cleared during adverse weather conditions, so that community members are able to travel in and out from their residential homes and get necessary supplies, hospital appointments, schools, etc. The community members rely on the chapter for burial assistance needs. Local resources are limited and response time is slow for snow clearing and burial assistance service.

document attached

Part 3. Additional documents.

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

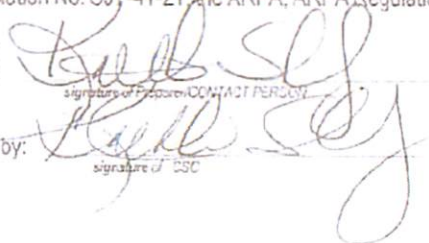
Infrastructure Capital Improvement Plan Supporting Resolution (Red Lake Chapter #18) Resolution No. RLC-07-23-24

Chapter Resolution attached

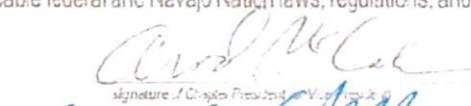
Part 4. Affirmation by Funding Recipient.

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:

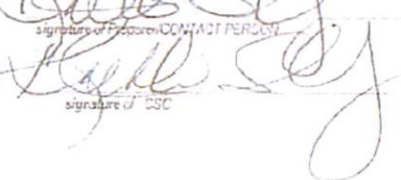
Chapter's Preparer:


signature of Preparer/CONTACT PERSON

Approved by:


signature of Chapter President (V. of Article II)

Approved by:

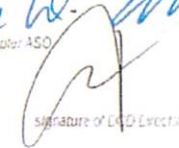

signature of CSC

Approved by:


signature of Chapter ASO

04/05/2024

Approved to submit for Review:


signature of LEO Director

FY_2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I Business Unit No.: <u>NEW</u>		Program Title: <u>Red Lake Chapter-Backhoe Loader</u>		Division/Branch: <u>Div. of Comm. Dev/Executive</u>				
Prepared By: <u>Kathleen Shurley</u>		Phone No.: <u>505-777-2810</u>		Email Address: <u>kshurley@nnchapters.org</u>				
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN ARPA FUNDS	10/1/23-12/31/26	200,000.00	100%	2001 Personnel Expenses				0.00
				3000 Travel Expenses				0.00
				3500 Meeting Expenses				0.00
				4000 Supplies				0.00
				5000 Lease and Rental				0.00
				5500 Communications and Utilities				0.00
				6000 Repairs and Maintenance				0.00
				6500 Contractual Services				0.00
				7000 Special Transactions				0.00
				8000 Public Assistance				0.00
				9000 Capital Outlay	5	0	200,000	200,000.00
				9500 Matching Funds				0.00
				9500 Indirect Cost				0.00
				TOTAL		\$0.00	200,000.00	200,000.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:		\$200,000.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Jaron M. Charley, Department Manager II</u>				APPROVED BY: <u>Arbin Mitchell, Division Director</u>				
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name				
<u>04/05/2024</u>				<u>04/05/2024</u>				
Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date				

THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES

PART I. PROGRAM INFORMATION:				
Business Unit No.:	NEW	Program Name/Title:	Red Lake Chapter Backhoe Loader	
PART II. PROGRAM PERFORMANCE CRITERIA:				
		1st QTR	2nd QTR	3rd QTR
		Goal	Goal	Goal
1. Program Performance Measure:				
Backhoe will assist the community in clearing and maintaining roads				
Purchase of Backhoe				
				1
2. Program Performance Measure:				
3. Program Performance Measure:				
4. Program Performance Measure:				
5. Program Performance Measure:				
PART III. CONCURRENCE/APPROVAL:				
Jaron M. Charley, Department Manager II _____ Program Manager's Printed Name		Arbin Mitchell, Division Director _____ Division Director/Branch Chief's Printed Name		
_____ Program Manager's Signature and Date		_____ Division Director/Branch Chief's Signature and Date		
04/05/2024		04/05/2024		

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Red Lake <i>Chopter</i>-Backhoe <i>Loader</i></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)
9000	CAPITAL OUTLAY		200,000.00
9140	Equipment		
	9142 Purchase of Loader Backhoe	200,000.00	
TOTAL		200,000.00	200,000.00

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Red Lake Chapter - Backhoe Loader</u> Project Description: <u>The Backhoe will assist the community in cleaning and maintaining roads.</u> Check one box: <input type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification															PART II. Project Information Project Type: <u>Leader Backhoe Purchase</u> Planned Start Date: <u>10/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Kathleen Shurley</u>																								
PART III. List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct., N = Nov., D = Dec., etc																				Expected Completion Date if project exceeds 3 FY Qtrs Date <u>12/31/26</u>																		
	2023										2024																												
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.																	
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M									
Business Unit - OMB								X	X																														
Procurement										X	X	X	X	X	X																								
Acquisition of Backhoe																X	X	X	X	X	X	X	X	X															
Project Close Outs																									X	X	X												
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL														
Expected Quarterly Expenditures																																		<u>209,000.</u>					

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

ESTIMATE
2123819

4/3/2024

TREADWORKS
 PO BOX 122
 KIRTLAND, NM 87417
 505-598-1055

IINA' BA'
 PO BOX 2606
 FARMINGTON, NM 87499
 505-320-4026

YEAR	MAKE	MODEL	MILEAGE	TAG	TERMS	P.O. NO.	SALESMAN
			0		NET 30		HT

PART NO.	DESCRIPTION	MECH	QTY	PRICE	AMOUNT
94703	12.5/80-18/12 HERCULES SUPER LUG R4 BACKHOE		2	399.99	799.98
	DISMOUNT AND MOUNT		2	25.00	50.00
98517	19.5L-24/12 HERCULES STRONG GUARD B-R4		2	789.99	1579.98
	DISMOUNT AND MOUNT		2	65.00	130.00
94014644	1400X24 BKT TRAC GRADER PLUS 16 PLY		6	689.99	4139.94
	DISMOUNT AND MOUNT (NO BALANCE)		6	65.00	390.00
	SERVICE CALL		1	75.00	75.00
	FUEL SURCHARGE PORTAL TO PORTAL		210	1.05	220.50
		SALES TAX			503.13
		TOTAL DUE			7888.53
		AMOUNT PAID			0.00
		AMOUNT DUE			7888.53

Customer Authorization
 Signature _____

RICHARDS TIRE SERVICE

450 ROB ROY STREET
 PO BOX 1433
 GALLUP, NM 87301

Estimate

Date	Estimate #
10/13/2023	20608

Name / Address
STANDING ROCK CHAPTER NR 9

Description	Qty	Rate	Project	
			Total	
TIRE SALE NEW 12.5-80-18 FRONT BACKHOE 12PLY	2	312.00	624.00	
TIRE SALE NEW 19.5L-24 REAR BACKHOE 12PLY	2	550.00	1,100.00	
TIRE SALE NEW 1400R-24 ROAD GRADER RADIAL	6	1,046.00	6,276.00	
TRUCK PORT TO PORT SERVICE TO CHAPTER HOUSE	8	85.00	680.00	
MOUNT 4 TIRES ON BACKHOE AND 6 TIRES ON ROAD GRADER				
OTR O RING	6	10.00	60.00	
TRUCK FUEL SURE CHARGE	1	70.00	70.00	
QUOTE SUBJECT TO CHANGE			Subtotal	58,810.00
			Sales Tax (8.06%)	5710.09
			Total	59,520.09