



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0361

Date & Time Received: 12/20/22

Date & Time of Response: 12 January 2023; 8:29 am

Entity Requesting FRF: Mexican Water Chapter

Title of Project: Backhoe Purchase

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$206,055.38

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

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 | |

Name of DOJ Reviewer: Adjua Adjei-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.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Mexican Water Chapter Date prepared: 11/23/2022
 Chapter's mailing address: Red Mesa TP#1019, HC 61 Box 38 phone & email: 928-429-0943 mexicanwater@navajochapters.org
Teec Nos Pos, AZ 86514 website (if any): mexicanwater.navajochapters.org
 This Form prepared by: Phoebe Begay, Sr. Accountant phone/email: 928-429-0943/0986/1054
pcbegay@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Backhoe for burial assistance and transporting and delivering PPE supplies & food off of truck.

Chapter President: Curtis Yanito phone & email: 928-429-0943 cyanito@naataanii.org
 Chapter Vice-President: Cassandra Beletso phone & email: 928-429-0943 cbeletso@unhsinc.org
 Chapter Secretary: Clifford L. Sagg phone & email: 928-429-0943 csagg@navajochapters.org
 Chapter Treasurer: Clifford L. Sagg phone & email: 928-429-0943 csagg@navajochapters.org
 Chapter Manager or CSC: Phoebe Begay, Acting CM phone & email: 928-429-0943 mexicanwater@navajochapters.org
 DCD/Chapter ASO: Calvin Tsosie phone & email: 928-429-0096 cetosie@nndcd.org

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

Amount of FRF requested: \$206,055.38 FRF funding period: 10/1/23 - 12/30/26 ☐ document attached
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:

Funds will be used to purchase a backhoe to be used for burial assistance for Covid-19 related deaths for chapter membership. In addition, it will be used to unload and load food, water, PPE supplies from semi trucks and cargo truck.

☐ document attached

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

The benefits of a warehouse is to assist families with backhoe services for burial assistance. Any assistance helps families relieve stress and financial burdens. Having a backhoe readily available helps covid patients and families the delay of the burial services. Also with the backhoe (forklift) unload and loading supplies will alleviate time periods to a minimum.

☐ document attached

(c) 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:

APPENDIX A

Mecian Water Chapter obtain 3 quotes from vendors for a backhoe. Complete purchase by December 2024.

☐ document attached

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

The Mexican Water Chapter and Administrative Service Center will be responsible for the implementation of the purchase of backhoe.

☐ 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:

Once the project is completed, The Mexican Water Chapter will be responsible for the operations and maintenance costs of the backhoe.

☐ 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 Service. The Mexican Water Chapter will assist families with covid-19 related deaths by using backhoe for burial digging.

☐ document attached

Part 3. Additional documents.

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

☐ Chapter Resolution attached

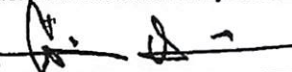
Part 4. Affirmation by Funding Recipient.

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 (or Vice-President)

Approved by:


signature of Chapter Manager or GSO

Approved by:


signature of DCD/Chapter ASO

Approved to submit
for Review:


signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Mexican Water Chapter Backhoe</u>		Division/Branch: <u>D.O./Executive Mexican Water Chapter</u>	
Prepared By: <u>Phoebe Begay, Sr. Accountant</u>		Phone No.: <u>(928) 429-0943</u>		Email Address: <u>pcbegay@nnchapters.org</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY																																																												
<u>ARPA Funds</u>	<u>10/1/2023</u> <u>9/30/2026</u>	<u>\$ 206,055.38</u>	<u>100%</u>																																																													
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PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

<p>Sonlatsa Jim-Martin, ASC Department Manager</p> <p>SUBMITTED BY: Program Manager's Printed Name & Signature/Date</p> <p><u>Sonlatsa Jim-Martin</u> <u>12/19/2022</u></p> <p>SUBMITTED BY: Program Manager's Signature and Date</p>	<p><u>Pearl Yellow</u></p> <p>APPROVED BY: Division Director/Branch Chief's Printed Name</p> <p><u>Pearl Yellow</u> <u>12.16.22</u></p> <p>APPROVED BY: Division Director/Branch Chief's Signature and Date</p>
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FY 2023THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.:

0-NEW

Program Name/Title:

Mexican Water Chapter

-Backhoe

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

CAP-34-88 To direct the Chapter Administration and Management control system, by promoting efficiency and accountability to the chapter membership, and to effectuate plans of action to improve the standard of living to the chapter membership.

PART III. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Program Performance Area:

To purchase a new backhoe.

Goal Statement:

To be used for covid-19 burial assistance and unloading/loading PPE, & other supplies.

0		0		0		1	
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2. Program Performance Area:

Goal Statement:

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3. Program Performance Area:

Goal Statement:

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4. Program Performance Area:

Goal Statement:

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5. Program Performance Area:

Goal Statement:

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

Sonlatsa Jim-Martin, ASC Department Manager

Program Manager's Printed Name

Sonlatsa Jim 12/19/2022
Program Manager's Signature and DatePearlyfella
Division Director/Branch Chief's Printed NamePearlyfella
Division Director/Branch Chief's Signature and Date

12.14.22

FY 2023

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Mexican Water Chapter	Business Unit No.:
		Backhoe	NEW
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
7000	5500 Communicatons and Utilities Special Transaction: to purchase a new backhoe to be used for covid 19 related burial assistance and for unloading PPE's and other supplies.	206,055.38	206,055.38
TOTAL		206,055.38	206,055.38



MEXICAN WATER CHAPTER



Red Mesa TP#1019, HC 61 Box 38 • Teec Nos Pos, AZ 86514 • (928) 429-0986

Mexican Water Chapter

MWCDEC06-017

RESOLUTION OF MEXICAN WATER CHAPTER

APPROVING THE APPENDIX A, THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST FORM AND EXPENDITURE PLAN FOR MEXICAN WATER CHAPTER'S PURCHASE OF A NEW BACKHOE FOR EMERGENCY BURIAL ASSISTANCE FOR COVID-19 RELATED DEATHS, TO UNLOAD AND LOAD PPE's, WATER, WOOD, COAL, AND FOOD FROM SEMI AND CARGO TRUCKS TO MITIGATE THE COVID-19 PANDEMIC.

WHEREAS,

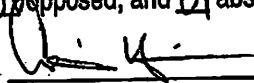
1. Pursuant to 26 N.N.C., Section 102 (B); which permits Mexican Water Chapter to exercise local governance authorities contained within 26 N.N.C. Section 103, with the exception of land administration authority pursuant to 26 N.N.C. Section (D). (1); and
2. Pursuant to 26 N.N.C., Section 3 (A) the Mexican Water Chapter is a recognized certified Chapter of the Navajo Nation government, as listed at 11 N.N.C. part 1, section 10; and
3. Pursuant to CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA); and
4. The Mexican Water Chapter is requesting funding from the ARPA funding pool in the amount of \$206,055.38 for a new backhoe; the funds will be used for emergency burial assistance for COVID-19 related deaths for its chapter membership and to unload and load PPE's, water wood, coal, food and other valuable asset to mitigate the COVID-19 Pandemic; and
5. The Mexican Water Chapter will not use the backhoe to grade road for residents; and
6. The Mexican Water Chapter will advertise through the Navajo Times newspaper for an invitation for bid to potential vendors operating on and off the Navajo Nation, announcing a Competitive Sealed Bidding.

NOW THEREFORE BE IT RESOLVED THAT;

1. The Mexican Water Chapter hereby approves Appendix A, the Navajo Nation Fiscal Recovery Funds Request Form and Expenditure Plan for Mexican Water Chapter's purchase of a new backhoe for emergency burial assistance for covid-19 related deaths, to unload and load PPE's, water, wood, coals and food from semi and cargo trucks to mitigate the covid-19 pandemic; and
2. The Mexican Water Chapter Administration will be responsible for the operation and maintenance cost of the backhoe.
3. The Mexican Water Chapter Administration shall initiate the procurement of backhoe in Fiscal Year 2023, and the estimated date of completion of the project will be before December 31, 2026.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Mexican Water Chapter membership, at a duly called Chapter Meeting at which a quorum was present and that the same was enacted by a vote of 25 in favor, 0 opposed, and 0 abstained, this 06th day of December 2022.


Curtis Yanito, President


Cassandra Beletso, Vice-President


Clifford L. Sagg, Secretary/Treasurer



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:
KAYENTA CHAPTER
PO BOX 1088
KAYENTA, AZ, 860331088
NAVAJO

Investment Proposal Date: 9/21/2022
Pricing Valid Until: 10/5/2022
Deal Number: 1592718
Customer Account#: 5520032
Sales Professional: Buzz Ivcek
Phone: (928) 526-0639
Fax: (928) 526-2498
Email: Blvick@rdoequipment.com

Equipment Information					Cash Price
Quantity	Serial Number Stock Number	Hours (approx.)	Status / Year / Make / Model Additional Items		
1	TBD TBD	0	New 2023 JOHN DEERE 320P		\$234,843.00
			Freight In FACTORY FREIGHT		\$6,500.00
			Freight Out DELIVERY		\$2,880.00
			Prep / Reconditioning PRE-DELIVERY		\$3,300.00
			Customer Discount SOURCEWELL 43%		(\$100,982.49)
			PM Essential Final Tier 4 - 0 - 5000 Hours		\$32,877.38
			Warranty -John Deere Comprehensive-60 Months, 5000 Hours,Deductible: 200, Exp Date: 9/21/2027		\$8,325.00
			Item Subtotal:		\$187,742.89
1	TBD TBD	0	Attachment - New 2023 JOHN DEERE 60" FORK KIT		\$3,750.00
			Equipment Subtotal:		\$191,492.89

Purchase Order Totals	
Balance:	\$191,492.89
Total Taxable Amount:	\$158,615.51
AZ STATE TAX:	\$8,882.47
AZ COUNTY TAX:	\$2,062.00
AZ CITY TAX:	\$3,618.02
Sales Tax Total:	\$14,562.49
Sub Total:	\$206,055.38
Cash with Order:	\$0.00
Balance Due:	\$206,055.38

Equipment Options			
Qty	Serial Number	Year / Make / Model	Description
1	TBD	2023 JOHN DEERE 320P	17C0T 320 P-tier Backhoe Loader 0202 United States 0351 Translated Text Labels 0259 English 1003 Cab 8109 Sun Visor 8146 Left Side Console Storage with Cup Holders 8183 Radio, Bosch Premium Package 8207 Seat, Cloth Air-Suspension 183E JDLink™ 3009 Autoshift Transmission - Mechanical Front Wheel Drive (MFWD) with Limited Slip Differential 4006 John Deere PowerTech™ EWL 4.5L (276 cu. in.) Engine Meets Final Tier 4 and Stage IV Emissions 8075 Diagnostic Oil Sampling Ports 5245 Galaxy 19.5L-24 12PR Rear & 12.5/80-18 10PR Front 6154 Dual Maintenance Free Batteries With Disconnect, Jump Post, and Engine Block Heater 6752 Extendible Dipperstick 6577 1250 lb. (567 kg.) Front Counterweight 7002 Auxiliary Hydraulics with One & Two Way Flow (Hammer & Thumb/Swinger) 7028 Pilot Controls, Two Lever, with Pattern Selection 7041 Loader Coupler, Three-Function Hydraulics, Single Lever 8125 Heavy-Duty Backhoe Bucket Cylinder 7808 24 In. (610 mm.) Wide, Severe-Duty, 7.5 cu. ft. (0.21 cu. m.) Bucket 7712 New Series Multi-Brand Quick Coupler - 42 in. Thumb Ready 7860 92 In. (2.34 m.) Wide, 1.31 cu. yd. (1.0 cu. m.) Long-Lip Coupler Bucket 8027 Thumb - 42 in. 4 Tine 8115 MFWD Driveshaft Guard AT437700 BKH Pin-on Bucket 18 In (457 mm) Severe Duty 5.1 Cu. Ft. (0.14 Cu. M.) AT308139 FORKS, PALLET (2) 60 IN.(1.52M) WITH 60 IN. (1.52
1	TBD	2023 JOHN DEERE 60" FORK KIT	