



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 #: _____

Date & Time Received: _____

Date & Time of Response: _____

Entity Requesting FRF: _____

Title of Project: _____

Administrative Oversight: _____

Amount of Funding Requested: _____

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: _____

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: _____

Name of DOJ Reviewer: _____

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: Teec Nos Pos Chapter Date prepared: 5/4/2023

Chapter's P.O. Box 106 phone/email: (480) 708.8657
mailing address: Teec Nos Pos, AZ 86514 website (if any): teecnospos@navajochapters.org

This Form prepared by: Calvin Tsosie, SPPS phone/email: (928) 429-0096
cetsosie@nndcd.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Motor Grader

Chapter President: Kenny Victor phone & email: 928.278.7277 kvictor@naataanii.org

Chapter Vice-President: Verma Francisco phone & email: 602.313.2614 vfrancisco@naataanii.org

Chapter Secretary: Daron Yellowhorse phone & email: 435.205.0212 dyellowhorse@navajochapters.org

Chapter Treasurer: Daron Yellowhorse phone & email: 435.205.0212 dyellowhorse@navajochapters.org

Chapter Manager or CSC: Lucinda Tomchee, CSC phone & email: 928.605.7745 ltomchee@nnchapters.org

DCD/Chapter ASO: Sarah Harrison phone & email: 928.489.8199 sharrison@nndcd.org

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

☐ document attached

Amount of FRF requested: \$460,799.27 FRF funding period: 8/1/2023 - 8/30/2024
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:

The 2023 John Deere 672G Motor Grader will be used for road grading during emergencies for snow, blow sand removal and repairing washouts during inclement weather on the community routes for Teec Nos Pos Chapter members. The Motor Grader will be used to clear debris around the community cemetery.

☐ document attached

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

The Motor Grader will be used to backfilled washout out roadways in the community, maintain and make roads passable roads for bus routes, emergency and non-emergency vehicles.

☐ 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

APPENDIX A

Program(s) or Project(s) by December 31, 2023:

August 01, 2023 to August 30, 2024

☐ document attached

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

The Teo Nos Pos Chapter and the Kayenta ASC will be responsible for purchasing the Motor Grader and getting proper insurance through NN Risk Management.

☐ 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:

Upon the purchase of the Motor grader, the Teo Nos Pos Chapter will be responsible for the operation and preventative maintenance costs of the heavy equipment using the Navajo Nation Funds. The price quotation includes a 60 moth comprehensive warranty and 3000 hours of preventative maintenance.

☐ document attached

(f) State which of the 68 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:

8.1 Provision of Government Services. The Teo Nos Pos Chapter will assist community members with road grading, sand removal off roadways, debris removal at the Community Cemetery, snow and ice removal, blow sand removal and assist with home site lease clearing.

☐ document attached

Part 3. Additional documents.

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

1. Approving Chapter Resolution No. TNPCN-05-15-2023-R-75
2. Cost Estimates (2 Pages)

☐ 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
Proposer: 

Approved by: 

Approved by: 

Approved by: 

Approved to submit
for Review: 

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>Teec Nos Pos Chapter Motorgrader</u>		Division/Branch: <u>DCD/ASC</u>	
Prepared By: <u>Lucinda Tomchee, CSC</u>		Phone No.: <u>(480) 708-8657</u>		Email Address: <u>ltomchee@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 Fiscal Recovery Fund	<u>8/1/23 - 8/30/24</u>	460,799.27	100%	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	<u>4</u>		<u>460,799.27</u>	<u>460,799.27</u>
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL			<u>460,799.27</u>	<u>460,799.27</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>James Adakai, Deputy Director</u>	APPROVED BY: <u>Calvin Castillo, Executive Director</u>	
Program Manager's Printed Name	Division Director / Branch Chief's Printed Name	
 Program Manager's Signature and Date	 Division Director / Branch Chief's Signature and Date	

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:Business Unit No.: NEW

Program Name/Title:

Teec Nos Pos Chapter Motorgrader

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**PART III. PROGRAM PERFORMANCE CRITERIA:**

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

1. Goal Statement:

To purchase a new Motorgrader

Program Performance Measure/Objective:

To be used for road blading, snow, ice and sand removal.

				1			
--	--	--	--	---	--	--	--

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.

James Adakai, Deputy Director

Program Manager's Printed Name

Program Manager's Signature and Date

Calvin Castillo, Executive Director

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

 5/25/23

FY 2023

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Teec Nos Pos Chapter Motorgrader</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)
	5500 Communications and Utilities		460,799.27
7000	Special Transaction:	460,799.27	
TOTAL		460,799.27	460,799.27

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page 1 of 1
PROJECT FORM

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Teec Nos Pos - Motor Grader</u> Project Description: <u>The Chapter will be purchasing a Motor Grader</u> Check one box: <input checked="" 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>Purchase Motorgrader</u> Planned Start Date: <u>1-Aug-23</u> Planned End Date: <u>8/30/24</u> Project Manager: <u>Lucinda Tomchee</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. <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="12">FY_2023_____</th> <th colspan="12">FY_2024_____</th> <th colspan="6">Expected Completion Date if project exceeds 8 FY Qtrs.</th> </tr> <tr> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> <th colspan="6">Date</th> </tr> <tr> <th>O</th><th>N</th><th>D</th><th>J</th><th>F</th><th>M</th><th>A</th><th>M</th><th>J</th><th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th><th>J</th><th>F</th><th>M</th><th>A</th><th>M</th><th>J</th><th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th><th>J</th><th>F</th><th>M</th> </tr> </thead> <tbody> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td><td>X</td> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td> <td>X</td><td>X</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td><td>X</td><td>X</td><td>X</td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>X</td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> </tbody> </table>																								FY_2023_____												FY_2024_____												Expected Completion Date if project exceeds 8 FY Qtrs.						1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date						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											X	X																													X	X	X																																		X	X	X																														X							
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PART V. Expected Quarterly Expenditures		\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL																																																																																																																																																																																																																
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FOR OMB USE ONLY: Resolution No: _____ FMIS Set Up Date: _____ Company No: _____ OMB Analyst: _____



PO BOX 106 TEEC NOS POS
HIGHWAY 160 BIA SCHOOL ROAD #5114
TELEPHONE (928) 656 - 3662

NAVAJO NATION, ARIZONA 86514
CHAPTER GOVERNMENT BUILDING
FAX (928) 656 - 3661

RESOLUTION OF TEEC NOS POS CHAPTER

TNPCH-05-15-2023-R-75

SUPPORTING AND APPROVING THE APPENDIX A, THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST FORM AND EXPENDITURE PLAN FOR TEEC NOS POS CHAPTER TO PURCHASE A NEW MOTOR GRADER IN THE AMOUNT OF \$460,799.27 FOR RESIDENTIAL ROAD BLADING, HEALTH AND SAFETY CONDITIONS FOR ALL RESIDENTS WITH AN EMPHASIS ON MITIGATING THE SPREAD OF COVID-19.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Teec Nos Pos Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10 and
2. Pursuant to 26 N.N.C., Section 1 (B) Teec Nos Pos Chapter 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. The Teec Nos Pos Chapter is requesting funding from the ARPA funding in the amount of \$460,799.27 to purchase a new Motor Grader; the Motor Grader will be used residential grading to fix road washouts, snow, ice and sand removal; and
4. The Motor Grader is to serve Utah and Arizona residents of Teec Nos Pos Chapter to address residential road blading, health and safety issues to improve the standard of living to all residents, with an emphasis on the mitigating the spread of COVID-19 of the community; and
5. The Teec Nos Pos Chapter affirms the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations and policies.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Teec Nos Pos Chapter hereby supports and approve the Appendix A, the Navajo Nation Fiscal Recovery Funds request form and Expenditure Pan for Teec Nos Pos Chapter to purchase a new Motor Grader in the amount of \$460,799.27 for road blading, snow, ice and sand removal during emergencies to mitigate COVID-19 Pandemic.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Teec Nos Pos Chapter at a duly called meeting in Teec Nos Pos, Navajo Nation, Arizona at which a quorum of chapter members was present. Resolution was Motioned by: Jack Jim and Seconded by: Arlene Ayze that the same was passed by a vote of 20-in favor, 00 opposed and 4 abstained on this 15th day of May, 2023.

Hon. Kenny Victor, Chapter President

Hon. Verma Francisco, Chapter Vice-President

Hon. Daron Yellowhorse, Secretary/Treasurer

Hon. Curtis Yantio, Council Delegate

CHAPTER OFFICIALS

Kenny Victor
PRESIDENT

Verma Francisco
VICE PRESIDENT

Daron Yellowhorse
SECRETARY/TREASURER

Robert Redhouse
GRAZING OFFICIAL

Curtis Yantio
COUNCIL DELEGATE

ADMINISTRATION

Lucinda Tomchee
CHAPTER SERVICE COORDINATOR



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:
TEEC NOS POS CHAPTER
PO BOX 106
TEEC NOS POS, AZ, 86514
APACHE

Investment Proposal Date: 5/3/2023
Pricing Valid Until: 5/17/2023
Deal Number: 1656525
Customer Account#: 3225004
Sales Professional: Buzz Ivcek
Phone: (928) 526-0639
Fax: (928) 526-2498
Email: Blivcek@rdoequipment.com

Comments

672GP Price: \$412,951.00 plus 6% Navajo Tax
3000 hour Preventative Maintenance Contract: \$23,068.21 Non-Taxable
Navajo Nation 6% Tax: \$24,777.06
Total Including 6% tax: \$460,799.27

Equipment Information

Quantity	Serial Number Stock Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD TBD	0	New 2023 JOHN DEERE 672G	\$412,951.00
			PM Elite Final Tier 4 - 5 - 3000 Hours	\$23,068.21
			Warranty - John Deere Comprehensive-60 Months, 5000 Hours, Deductible: 200, Exp Date: 5/4/2028	\$0.00
			Item Subtotal:	\$436,019.21
			Equipment Subtotal:	\$436,019.21

Purchase Order Totals

Balance:	\$436,019.21
Total Taxable Amount:	\$412,951.00
AZ STATE TAX:	\$23,125.26
AZ COUNTY TAX:	\$5,368.36
AZ CITY TAX:	\$9,419.41
Sales Tax Total:	\$37,913.03
Sub Total:	\$473,932.24
Cash with Order:	\$0.00
Balance Due:	\$473,932.24

Equipment Options

Qty	Serial Number	Year / Make / Model	Description
1	TBD	2023 JOHN DEERE 672G	<p>1910 Blade Impact Absorption System</p> <p>2050 14 Ft. x 24 In. x 7/8 In. (4.27M x 610mm x 22mm) w/ 6 In. x 5/8 In. (152 x 16mm) Cutting Edge & 5/8 in. (16mm) Hardware</p> <p>2820 Single Input Gearbox with Slip Clutch</p> <p>1240 Dual 100 Amp Alternators (200 Amp total)</p> <p>7160 Deluxe Grading Lights (18 Halogen Lights)</p> <p>8120 24-to-12 Volt Converter (30 amps peak / 25 amps continuous)</p> <p>9290 Flip Down Cab Beacon Bracket (RH)</p> <p>6710 Front Push Block</p> <p>6810 Rear Mounted Ripper/Scarifier Combination with Rear Hitch and Pin</p> <p>9430 (9) Extra Scarifier Shanks w/Teeth For Rear Ripper/Scarifier</p> <p>9440 (2) Extra Ripper Shanks w/Teeth For Rear Ripper/Scarifier</p> <p>9220 5.0 lbs. multi purpose (ABC) Dry Chemical Fire Extinguisher</p> <p>5510 Autoshift Transmission</p> <p>5710 Transmission Solenoid Valve Guard</p> <p>4616 Michelin XTLA</p> <p>7820 No Front Fenders</p> <p>2605 English Manual W/ English Labels & Decals</p> <p>170K JDLINK™</p> <p>1610 Hydraulic Pump Disconnect</p> <p>5815 Hydrau</p> <p>2775 No Topcon 3D GPS Grade Control System installed</p> <p>2575 No Grade Control Base Kit Installed</p> <p>9210 Decelerator</p> <p>9130 Rear Retractable Sun Shade</p> <p>8510 Air Conditioner Refrigerant Charged</p> <p>6650 Grade Pro Controls - Left Side</p> <p>6555 Grade Pro Controls for Rear Ripper or 1 Rear Auxiliary Function</p> <p>8720 No Sound Absorption Package</p> <p>6140 Grade Pro Premium Heated, Leather/Fabric, High-Wide Back Air Suspension Seat</p> <p>6010 Powered Cab Air Precleaner</p> <p>8310 Lower Front Intermittent Wiper & Washer</p> <p>8410 AM/FM Radio with Aux and Weather Band (WB)</p> <p>8210 Exterior Mounted Rearview Mirrors</p> <p>8830 Rear Camera (R4)</p> <p>5060 Grade Pro Low Cab w/ Lower Front and Side Opening Windows</p> <p>1020 Armrest Fingertip Controls</p> <p>1320 No Quick Service Group</p> <p>1420 Severe Duty Fuel & Water Filtration System</p> <p>1830 Engine Exhaust W/ Flat Black Stack (FT4 or Stage V only)</p> <p>1140 John Deere PowerTech PSS 9.0L meets EPA FT4 Emissions</p> <p>8450T 672G MOTOR GRADER with 6WD</p>