



**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):**

- Missing Form
- Supporting documentation missing
- Project will not be completed by 12/31/2026
- Ineligible purpose
- Submitter failed to timely submit CARES reports
- Additional information submitted is insufficient to make a proper determination
- Expenditure Plan incomplete
- Funds will not be obligated by 12/31/2024
- Incorrect Signatory
- Inconsistent with applicable NN or federal laws

Other Comments: \_\_\_\_\_  
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Name of DOJ Reviewer: \_\_\_\_\_

Signature of DOJ Reviewer:         *Vm Blukht*        

**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: Nageezi Chapter Date prepared: 01/27/2023

Chapter's mailing address: Post Office Box 100 Nageezi NM 87037 phone/email: (505) 960-7200 website (if any): \_\_\_\_\_

This Form prepared by: Ervin Chavez, Chapter President phone/email: (505) 960-7200 nageezi@navajochapters.org

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Nageezi Chapter Heavy Equipment Bull Dozer/ Heavy Duty Trailer Project

Chapter President: Ervin Chavez phone & email: (505) 960-7200 nageezi@navajochapters.org

Chapter Vice-President: Rory Jaquez phone & email: (505) 960-7200 nageezi@navajochapters.org

Chapter Secretary: Jessica Platero phone & email: (505) 960-7200 nageezi@navajochapters.org

Chapter Treasurer: Jessica Platero phone & email: (505) 960-7200 nageezi@navajochapters.org

Chapter Manager or CSC: Ervin Chavez phone & email: (505) 960-7200 nageezi@navajochapters.org

DCD/Chapter ASO: Casey Begay phone & email: (505) 786-2091 casey\_begay@nndcd.org

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

document attached

Amount of FRF requested: \$250,000 FRF funding period: 1/01/2023 - 9/30/2026

*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:

**Heavy Equipment (Bull Dozer) and Heavy Duty Trailer Project. Requesting \$250,000.00 to purchase a bull dozer and heavy duty trailer to haul the equipment. Within Nageezi community there are numerous roads that is not paved. During covid-19 emergency response team had challenges getting into areas where roads were not accessible.**

document attached

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

**The Navajo Nation and its citizen will benefit by having a bull dozer to clear road ways to make it accessible for Nageezi Chapter Members. Equipment will also be used to clear approved house construction sites within Nageezi community.**

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:

In accordance with ARPA time line, the chapter will coordinate with Community Development Department to purchase the equipment by September 30, 2026 or funds incumbered by September 30, 2024

document attached

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

Community Service Coordinator will be responsible for implementation.

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:

Nageezi Chapter will be resposponsible for the operating and maintentance costs.

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 Governmet Services**

Bull dozer and heavy duty trailer to haul the equipment is much needed in Nageezi Community. Within the community there are numerous roads that is not paved. During covid-19 emergency response team had challenges getting into areas where roads were not accessible.

document attached

**Part 3. Additional documents.**

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

Budget Forms and Chapter Resolution

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 CSC

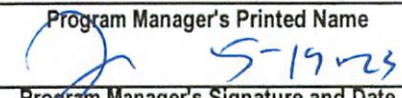
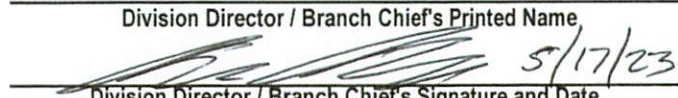
Approved by:   
signature of Chapter ASO

Approved to submit for Review:   
signature of DCD Director

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page 1 of 4  
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u> Program Title: <u>Nageezi Chapter Heavy Equipment Bull Dozer Project</u> Division/Branch: <u>Executive</u>								
Prepared By: <u>Ervin Chavez, Chapter President</u> Phone No.: <u>(505) 960-7200</u> Email Address: <u>nageezi@navajochapters.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 Funds	1/1/2023-9/30/2026	250,000.00	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	6	0	250,000	250,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	250,000.00	250,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:				\$250,000.00	100%			
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, Division Director</u>				
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name				
 5-19-23				 5/17/23				
Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date				

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

<b>PART I. PROGRAM INFORMATION:</b>												
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>Nageezi Chapter Heavy Equipment Bull Dozer/ Heavy Duty Trailer Project</u>									
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>												
<u>CJN-29-22 Navajo Fiscal Recovery Fund On The Navajo Nation</u>												
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>					1st QTR		2nd QTR		3rd QTR		4th QTR	
					Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:												
<u>Purchase a Bull Dozer and Hauling trailer</u>												
Program Performance Measure/Objective:												
<u>Provide community members with bull dozer serives for needed projects</u>					1		1		1		1	
2. Goal Statement:												
<u></u>												
Program Performance Measure/Objective:												
<u></u>												
3. Goal Statement:												
<u></u>												
Program Performance Measure/Objective:												
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4. Goal Statement:												
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Program Performance Measure/Objective:												
<u></u>												
5. Goal Statement:												
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Program Performance Measure/Objective:												
<u></u>												
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>												
James Adakai, Deputy Director					Calvin Castillo, Division Director							
_____ Program Manager's Printed Name					_____ Division Director/Branch Chief's Printed Name							
<u>James Adakai</u> Program Manager's Signature and Date					<u>Calvin Castillo</u> Division Director/Branch Chief's Signature and Date				<u>5/19/23</u>			

FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Nageezi Chapter -Heavy Equipment Bull Dozer/ Heavy Duty Trailer Project</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)
6500	<b>Revenue Replacement: 6.1 Provision of Government Services</b> Provide Nageezi community members with needed services.  <b>Contractual Services</b> 6510- Professional Services Purchase Bull Dozer and Heavy Duty Hauling Trailer	250,000	250,000
<b>TOTAL</b>		250,000	250,000

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>NEW</u> Project Title: <u>NAGEEZI CHAPTER - HEAVY EQUIPMENT</u> Project Description <u>Nageezi Chapter Heavy Equipment Dozer/ Trailer Project</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														<b>PART II.</b> Project Information Project Type: <u>PURCITA SE</u> Planned Start Date: <u>Januaury 01, 2023</u> Planned End Date: <u>30-Sep-26</u> Project Manager: <u>Ervin Chavez, Chapter President</u>																			
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV.</b> Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.														Expected Completion Date if project exceeds 8 FY Qtrs. Date: <u>9/30/2026</u>																		
	FY 2024												FY 2025												Date: <u>9/30/2026</u>								
	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			
Heavy Equipment Dozer/ Trailer Request for Bid																																	
Purchase Contract Agreement																																	
Close Out																																	
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL											
Expected Quarterly Expenditures	250,000.00																		\$250,000.00														

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





**NAGEEZI CHAPTER**  
**Eastern Agency**

Buu Nygren., Navajo Nation President

Richelle Montoya, Navajo Nation Vice President

**RESOLUTION OF NAGEEZI CHAPTER**

**EASTERN AGENCY, DISTRICT 19**

**RESOLUTION # NC 23-042**

**APPROVING THE PROPOSED BUDGET OF \$250,000.00 FOR PURCHASE OF A BULLDOZER AND HAULING TRAILER WITH APPROPRIATION THROUGH THE \$8.8 MILLION COUNCIL DELEGATE REGIONAL PROJECTS**

**WHEREAS:**

Pursuant to 26 N.N.C. 1(B), the Nageezi Chapter is delegated to the governmental authority to make decision over local matters consistent with Navajo Law, Custom and Tradition and under 11 N.N.C. Part 10 also delegated authority to make local decisions in the best interest and welfare of the community members; and,

Nageezi Chapter with the population of 2500 to 3000 residents, registered and non-registered, is made up of (09) sub-communities including and not limited to Nageezi, Lybrook, Twin Pines, Blanco, Kimbeto, Chaco Canyon, Escavada, Betoni Wash, Kinnadiz and Dzilth-na-o-dith-hle, being one of the largest land based Navajo Chapter in Eastern Navajo Agency of the Navajo Nation; and,

Nageezi Chapter continues dealing with pandemic of COVID 19 and requesting practice of COVID 19 safety, asking families to stay in place at their residence, as much as possible.

Nageezi Chapter realizes community people reside in areas of dirt roads which gets impassable as well as caring for their livestock which they depend for their income and food.

Nageezi Chapter experienced major rainfalls where massive dirt and paved roads were damaged and became impassable. The people need to have access to major paved roads for their daily needs of food and living materials.

**NOW THEREFORE BE IT RESOLVED THAT** Nageezi Chapter approves the proposed budget of \$250,000.00 for the purchase of a bull dozer and hauling trailer, to make damage repairs to family access roads and broken livestock earthen water storages from the massive rainfalls from

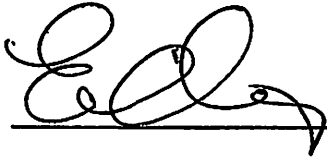
summer/fall of 2022. These family access road repairs are needed so families can travel to purchase their daily living needs from stores, using the Regional Council Delegate Projects.

Nageezi Chapter ("Chapter") affirms that 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.

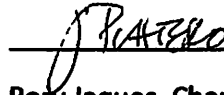
## C E R T I F I C A T I O N

**WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION NC 23-042** was duly presented and discussed at duly called meeting of Nageezi Chapter, Navajo Nation, (New Mexico), at which a quorum was present, motioned by Loreen Rafael seconded by Wallace Castillo , was voted on with 14 in favor, 00 opposed and 01 abstained, this 06<sup>th</sup> day of February, 2023

**ATTEST: NC 23-042**



**Ervin Chavez, Chapter President**



**Rory Jaques, Chapter Vice President or**

**Jessica Platero Chapter Secretary**



**NAGEEZI CHAPTER  
EASTERN NAVAJO AGENCY  
District 19**

*Buu Nygren*  
*Navajo Nation President*

*Richelle Montoya*  
*Navajo Nation Vice-President*

March 3, 2023

RE: Delegation of Authority

Nageezi Chapter does not have a Community Services Coordinator employed, so I hereby Delegate Chiffon Harrison's Accounts Maintenance Specialist's signature on the ARPA Appendix A and the Expenditure Plans to indicate the validity and to make documentation official.

A handwritten signature in black ink, appearing to read "Ervin Chavez", written over a horizontal line.

Ervin Chavez

*Nageezi Chapter President*