



**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 #:** HK0756

**Date & Time Received:** 03/06/24 at 10:00

**Date & Time of Response:** 3/11/24 at 17:00

**Entity Requesting FRF:** Oljato Chapter

**Title of Project:** Front End Loader 2024 John Deere 724P

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$388,173.00

**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: \_\_\_\_\_  
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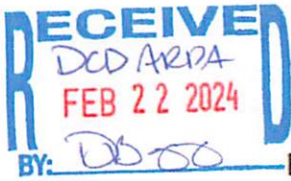
Name of DOJ Reviewer: Navalyn R. Platero

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: Oljato Chapter Date prepared: 2/21/2024

Chapter's P.O. Box 360455 phone/email: (435) 727-5850
mailing address: Monument Valley, UT 86536 website (if any): oljato@navajochapters.org

This Form prepared by: Calvin Tsosie, Acting CSC phone/email: (928) 429-0096
cetsoisie@nndcd.org

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Front End Loader 2024 JOHN DEERE 724P

Chapter President: Willis Begay phone & email: 928.278.7277 wbegay@naataanii.org

Chapter Vice-President: Jean Holiday phone & email: 602.313.2614 jholiday@naataanii.org

Chapter Secretary: Marietta Bedonie phone & email: 435.205.0212 mbedonie@navajochapters.org

Chapter Treasurer: Marietta Bedonie phone & email: 435.205.0212 mbedonie@navajochapters.org

Chapter Manager or CSC: Calvin Tsosie, Acting CSC phone & email: 928.429.0096 cetsoisie@nndcd.org

DCD/Chapter ASO: Elaine Benally phone & email: 928.429.9713 ebenally@nndcd.org

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

document attached

Amount of FRF requested: \$388,173.00 FRF funding period: 2/21/2024 - 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:

The 2023 John Deere 724P Motor Front End Loader will be used for road clearance during emergencies for snow, blow sand and sand bar removal and repairing washouts during inclement weather during emergencies on the community routes for Oljato Chapter members. The Front End Loader will be used to unload and load food, water and hay during emergencies and clear debris around the community cemetery, and to assist in mitigating COVID 19.

document attached

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

The Front End Loader will be used to remove blow sand, sand bars and 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, 2026:

The estimated purchase date September 2026 or sooner.

document attached

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

The Ojato Chapter and the Kayenta ASC will be responsible for purchasing the Front End Loader 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 Front End Loader, the Ojato Chapter will be responsible for the operation and preventive maintenance costs of the heavy equipment using the Navajo Nation Funds. The price quotation includes a 60 month comprehensive warranty and 3000 hours of preventative maintenance.

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 Ojato Chapter will assist community members with road clearances for emergency and non emergency access to community member during emergencies. The Front End Loader will be used to sand removal off roadways, debris removal at the Community Cemetery, snow and ice removal, blow sand removal and assist with home site lease clearance process. It will be used to load and unload food, waters and hay during Chapter deliveries.

document attached

**Part 3. Additional documents.**


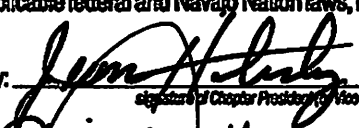
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):



**1. Cost Estimates (2 Pages)**

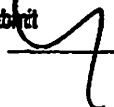
Chapter Resolution attached

**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 Preparer:  Approved by:   
signature of Preparer/CONTACT PERSON signature of Chapter President/Asst-President

Approved by:  Approved by:   
signature of OIG signature of Chapter ISSO

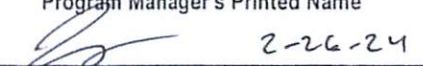
Approved to submit for Review:   
signature of DCD Director

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I Business Unit No.: New Program Title: Oljato Chapter - Front End Loader 2024 John Deere 724P Division/Branch: Executive/DCD  
 Prepared By: Calvin Tsosie, Acting ASC Phone No.: 928-429-0096 Email Address: [cetsosie@nndcd.org](mailto:cetsosie@nndcd.org)

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
ARPA FUNDS	2/21/24-9/30/26	388,173.00	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	6	0	388,173.00	388,173.00
				7000 Special Transactions				0.00
				8000 Public Assistance				0.00
				9000 Capital Outlay				0.00
				9500 Matching Funds				0.00
				9500 Indirect Cost				0.00
				TOTAL		\$0.00	388,173.00	388,173.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:				\$388,173.00	100%			

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Jaron Charley, Department Manager APPROVED BY: Arbin Mitchell, Executive Director  
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name  
 2-26-24  
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

**THE NAVAJO NATION  
PROGRAM PERFORMANCE MEASURES**

<b>PART I. PROGRAM INFORMATION:</b>				
Business Unit No.:	New	Program Name/Title:	Ojato Chapter - Front End Loader 2024 John Deere 724P	
<b>PART II. PROGRAM PERFORMANCE CRITERIA:</b>				
		1st QTR	2nd QTR	3rd QTR
		Goal	Goal	Goal
1. Program Performance Measure: To purchase a new front end loader				
To be used to make roads accessible during emergencies for school buses, non-emergency or emergency vehicles				1
2. Program Performance Measure:				
3. Program Performance Measure:				
4. Program Performance Measure:				
5. Program Performance Measure:				
<b>PART III. CONCURRENCE/APPROVAL:</b>				
_____ Jaron Charley, Department Manager Program Manager's Printed Name		_____ Arlin Mitchell, Executive Director Division Director/Branch Chief's Printed Name		
_____ Program Manager's Signature and Date 2-26-24		_____ 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:**         Ojato Chapter - Front End Loader 2024 John Deere 724P        

**PART II. PROGRAM PERFORMANCE CRITERIA:**

To purchase front end loader to make roads better accessible for community members, school buses and emergency vehicle during emergency purposes especially to mitigate COVID-19.

**PART III. CONCURRENCE/APPROVAL:**

        Jeron Charley, Department Manager        

**Program Manager's Printed Name**

         2-26-24          
**Program Manager's Signature and Date**

        Arbin Mitchell, Executive Director        

**Division Director/Branch Chief's Printed Name**

                  
**Division Director/Branch Chief's Signature and Date**

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Oljato Chapter - Front End Loader 2024 John Deere 724P</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)
6990	SUBCONTRACTED SERVICES		388,173
6990	SUBCONTRACTED SERVICES To purchase front end loader	388,173.00	
		388,173	
<b>TOTAL</b>		<b>388,173</b>	<b>388,173</b>



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>NEW</u> Project Title: <u>Ojato Chapter - Front End Loader 2024 John Deere 724P</u> Project Description: <u>To purchase front end loader</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input checked="" type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification	<b>PART II. Project Information</b> Project Type: <u>Equipment Purchase</u> Planned Start Date: <u>2/21/2024</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>DCD</u>
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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 8 FY Qtrs.							
	FY 2024														FY 2025																					
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			12/23/2026											
	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						
2/21/2024 Funds Awarded				X	X	X	X																													
5/1/2024 Purchase Fort End Loader Water Delivery								X	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x												
9/30/2026 Closeout paperwork, quality check project, final payments sent out.																																				

<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL														
Expected Quarterly Expenditures							388,173.00																								388,173.00					

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



# Investment Proposal (Quote)

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

Proposal for:  
 OLJATO CHAPTER  
 P.O. BOX 360455  
 MONUMENT VALLEY, UT, 84536  
 SAN JUAN

Investment Proposal Date: 2/20/2024  
 Pricing Valid Until: 3/19/2024  
 Deal Number: 1746545  
 Customer Account#: 0096048  
 Sales Professional: Buzz Ivcek  
 Phone: (928) 526-0639  
 Fax: (928) 526-2498  
 Email: Blvicek@rdoequipment.com

### Comments

The Navajo Nation 6% sales tax is being charged and RDO is reporting and paying to the Navajo Nation as required.

### 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 724P	\$518,071.00
			Customer Discount NAVAJO NATION SOURCEWELL CONTRACT #5795 35%	(\$181,324.85)
			Freight in FACTORY FREIGHT	\$14,570.00
			Freight Out DELIVERY	\$3,885.00
			Prep / Reconditioning PRE-DELIVERY	\$5,545.00
			Warranty -John Deere Comprehensive-36 Months, 3000 Hours,Deductible: 200, Exp Date: 2/20/2027	\$5,454.00
			<b>Item Subtotal:</b>	<b>\$366,200.15</b>
			<b>Equipment Subtotal:</b>	<b>\$366,200.15</b>

### Purchase Order Totals

<b>Balance:</b>	\$366,200.15
<b>AZ STATE TAX:</b>	\$21,972.01
<b>AZ COUNTY TAX:</b>	\$0.00
<b>AZ CITY TAX:</b>	\$0.00
<b>Sales Tax Total:</b>	\$21,972.01
<b>Sub Total:</b>	\$388,172.16
<b>Cash with Order:</b>	\$0.00
<b>Balance Due:</b>	<b>\$388,172.16</b>

**Equipment Options**

<b>Qty</b>	<b>Serial Number</b>	<b>Year . Make / Model</b>	<b>Description</b>
1	TBD	2024 JOHN DEERE 724P	6071DW 724 P Wheel Loader 0202 United States 0259 English 0351 Translated Text Labels 0400 Standard Loader 0451 Standard Z-BAR 0614 Level 1 Trim 0654 Level 1 Performance 8065 Cold Weather Starting 8505 Guards - Transmission & Bottom 0951 Rear Camera (Primary Display) 1100 Less Detection System 1602 Steering Wheel 1301 Left Side Steps 183E JDLink™ 2201 Less Payload Scale w/ Cycle Counter 4067 John Deere 9.0L - FT4/SV 6522 Rear Counterweight & Rear Hitch w/ Pin 7026 Joystick Controls 7053 Two Function Hydraulics 5127 Michelin XHA2 - 23.5R25 L3 1-Star Radial Tires w/ 3 PC Rims 5552 Standard Front Fenders 7402 Hydraulic Coupler - JRB 418 Pattern 7807 4.75 YD (3.63 CM) Enhanced Performance 7458 Bolt-On Cutting Edge 7502 76 Inch (1930mm) Wide Fork Frame 7703 72 Inch (1829mm) Construction Tines



## 25<sup>TH</sup> NAVAJO NATION COUNCIL

HONORABLE HERMAN M. DANIELS, JR.

25<sup>th</sup> Navajo Nation Council

February 22, 2024

Navajo Nation Fiscal Recovery Fund Office  
Attn: Ms. Leonora Henderson, Senior Programs and Project Specialist  
PO Box 2469  
Window Rock, Arizona 86515

Subj: Request for Changeover  
Re: Oljato Chapter ARPA Projects

Dear Ms. Henderson,

On behalf of Oljato Chapter, please accept this letter regarding the changeover request for the 10 Bathroom Additions in the proposed amount of \$420,000.00 to a new 2024 John Deere 724P Front End Loader for \$388,172.16. The reason for the request is due to duplication of the Bathroom Additions project which is budgeted under the DCD-ARPA Projects Listing.

Oljato Chapter and the community would greatly benefit from new heavy equipment which is available for purchase and is an eligible project.

I would greatly appreciate your time and consideration regarding this request. If you have any questions, I may be contacted at [hdaniels@navajo-nsn.gov](mailto:hdaniels@navajo-nsn.gov) or (928) 380-7281. Thank you for your time and have a great day.

Sincerely,

Herman M. Daniels, Jr.  
Council Delegate  
Naatsis'Aan, Oljato, Shonto, and Ts'ah Bii Kin Chapters.  
25<sup>th</sup> Navajo Nation Council