



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 #: HK 0303

Date & Time Received: 12/13/2022 at 16:48

Date & Time of Response: 12/15/2022 17:00

Entity Requesting FRF: Tselani-Cottonwood Chapter

Title of Project: Warehouse Building

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,055,000

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 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: _____

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This 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: Tselani-Cottonwood Chapter Date prepared: 10/18/2022
Chapter's mailing address: PO Box 1139 phone/email: (928) 725-3765
Chinle, Arizona 86503 website (if any): tselani@navajochapters.org
This Form prepared by: Charlene Wallace phone/email: (928) 725-3763
Coordinator cwallace@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Warehouse Building

Chapter President: Thomas Gorman phone & email: (928) 675-5881
Chapter Vice-President: Nelson Charley, Sr. phone & email: (928) 349-0064
Chapter Secretary: Elliot Bryant phone & email: (928) 383-1103
Chapter Treasurer: _____ phone & email: _____
Chapter Manager or CSC: Charlene Wallace phone & email: (928) 725-3763
DCD/Chapter ASO: Robert Jumbo phone & email: (928) 674-2320

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): 164 NN Source List
 document attached

Amount of FRF requested: 1,055,000.00 FRF funding period: 4/30/23 - 9/30/24
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 Chapter received and purchased a 2021 John Deere 672G for a primary usage of maintaining residential roads during non and emergencies. Covid 19 has affected the community and during the emergency the chapter utilizes the equipment to reach families in the remote areas. The Chapter does not have a warehouse to store the equipment and to prevent any weather damages, the Chapter is requesting to a warehouse for heavy equipment and also for storing hand sanitizers, cases of water, and cleaning supplies for community distribution. The Chapter needs to store PPE.

document attached

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

The equipment is used daily for community projects and request for clearing homesite for new dwellings. Equipment is also used for family funerals within the 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:

The funding not being incurred or released for construction to proceed.

document attached

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

Navajo Nation Community Development and Navajo Nation Source List-contract of 164 Process

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 Chapter

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 Chapter and Regional Projects;

document attached

Part 3. Additional documents.

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

Updated Chapter proposal. Chapter Resolution is forthcoming.

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: Wallace signature of Preparer/CONTACT PERSON

Approved by: [Signature] signature of Chapter President (or Vice-President)

Approved by: Wallace signature of CSC

Approved by: [Signature] signature of Chapter ASO

Approved to submit for Review: Susan J. Gunn, NTRFO signature of DCD Director

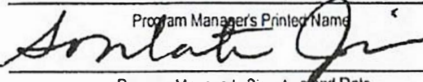

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u> Program Title: <u>Warehouse Building</u> <i>Tselani-Cottonwood Chapter</i> Division/Branch: <u>Community Development</u>			
Prepared By: <u>Charlene Wallace</u>		Phone No.: <u>928-725-3763</u>	Email Address: <u>cwallace@nnc Chapters.org</u>
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
ARPA FUNDS	<u>10/1/22 - 9/30/24</u>	1,055,000.00	100%
PART III. BUDGET SUMMARY			
Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
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			
8000 Public Assistance			
8000 Public Assistance			
9000 Capital Outlay	6	1,055,000.00	1,055,000.00
9500 Matching Funds			
9500 Indirect Cost			
TOTAL	\$0 00	1,055,000.00	1,055,000.00
PART IV. POSITIONS AND VEHICLES			
Total # of Positions Budgeted:		(D)	(E)
Total # of Permanently Assigned Vehicles:			
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.			
Sonlata Jim-Martin, Department Manager II SUBMITTED BY: Program Manager's Printed Name <i>Sonlata Jim-Martin</i> 12/06/2022 SUBMITTED BY: Program Manager's Signature and Date		Dr. Pearl Yellowman, Executive Director APPROVED BY: Division Director/Branch Chief's Printed Name <i>Pearl Yellowman</i> 12.6.22 APPROVED BY: Division Director/Branch Chief's Signature and Date	

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:		<i>Tsclani - Cottonwood Chapter</i>							
Business Unit No.: <u>NEW</u>	Program Name/Title: <u>Warehouse Building</u>								
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:									
CAP-34-98: 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 for 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: <u>ARPA Fund for Capital Outlay</u>									
Goal Statement: <u>To obtain a 3-bay warehouse for Chapter equipment</u>									
2. Program Performance Area: <u></u>									
Goal Statement: <u></u>									
3. Program Performance Area: <u></u>									
Goal Statement: <u></u>									
4. Program Performance Area: <u></u>									
Goal Statement: <u></u>									
5. Program Performance Area: <u></u>									
Goal Statement: <u></u>									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
<u>Sonlata Jim-Martin, Department Manager II</u> Program Manager's Printed Name  Program Manager's Signature and Date 12/06/2022					<u>Pearl Yellowman, Executive Director</u> Division Director/Branch Chiefs Printed Name  Division Director/Branch Chiefs Signature and Date 12.6.22				

FY 2023

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

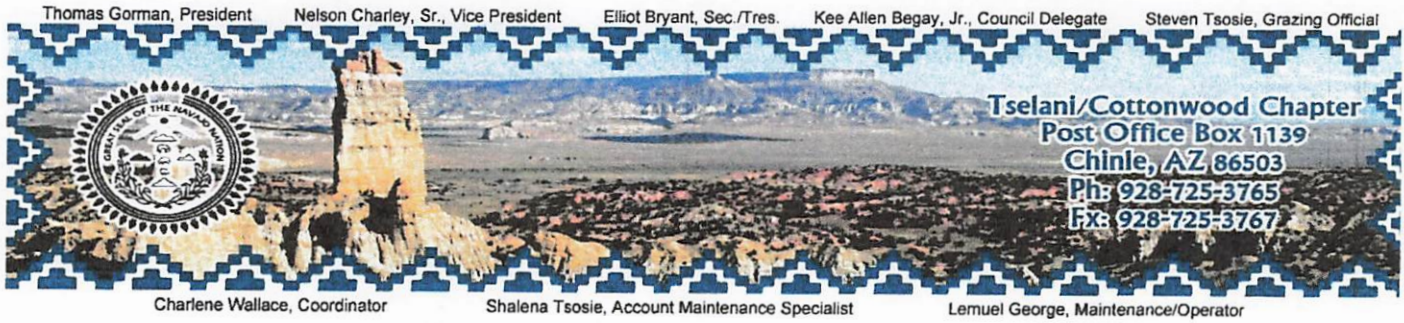
Page 3 of 3
 BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tselani - Cottonwood Chapter</u>		Business Unit No.: <u>NEW</u>	
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
7	9000 Capital Outlay		1,055,000.00
	9052 Obtain a 3-bay warehouse to store Chapter equipment: Backhoe, Water Truck & Grader. Storing PPE for community distribution.	1,055,000.00	
TOTAL		1,055,000.00	1,055,000.00

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>6.1 Chapter and Regional Projects</u> Project Description: <u>Develop, construct and establish a warehouse.</u>										PART II. Project Information Project Type: <u>Chapter and Regional Projects</u> Planned Start Date: <u>4/3/2023</u> Planned End Date: <u>9/30/2026</u> Project Manager: _____																										
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Restoration <input type="checkbox"/> Budget Modification																																				
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 6 FY Qtrs.																			
	FY 2023								FY 2024								Date																			
	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						
01/01/2023 - 03/01/2023 Preliminary clearances & 184 Process				x	x	x	x	x	x																											
06/01/2023 - 09/01/2023 Pre Construction Site Work										x	x	x																								
08/01/2023-12/31/2026 Construction & completion of the project													x	x	x	x	x	x	x	x	x	x	x	x	x	x	x									
PART V. Expected Quarterly Expenditures	\$			\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								

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



RESOLUTION OF THE TSELANI-COTTONWOOD CHAPTER

TSEL-23-738

REQUESTING THE SUPPORT AND APPROVAL OF UTILIZING AMERICAN RESCUE PLAN ACT (A.R.P.A.) FOR THE CONSTRUCTION OF A THREE BAY WAREHOUSE 50'X80' WITH 4000 SQUARE FEET TO PROPERLY STORE THE CHAPTER EQUIPMENT

WHEREAS:

1. Tselani-Cottonwood is governed by the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C. §4021 et seq. And 26 N.N.C. S103; AND
2. Pursuant to 2 N.N.C. §102 (A), the Navajo Nation Council is governing body of the Navajo Nation and by the Navajo Nation Code Title 26 Local Governance Act as a unit of government with delegated authority to make decision over local matters that are consistent with the existing with the Navajo Nation; AND
3. The Navajo Nation Sihasin Fund was utilized to purchase the Motor Grader heavy equipment with the purposes of 12 N.N.C. § 2502 (A) (1) and is in the best interests of Navajo communities and the Navajo People; AND
4. Tselani-Cottonwood Chapter is in need of a warehouse to store and secure the assets, of the newly acquired a motor grader, backhoe and the Chapter water truck; AND
5. The goal of the investment is the longevity of the equipment by properly securing the equipment, avoiding the harsh weather, unnecessary repairs and extending the lifetime of the equipment.

NOW, THEREFORE BE IT RESOLVED THAT:


1. The Tselani-Cottonwood Chapter requesting the support and approval of utilizing American Rescue Plan Act (A.R.P.A.) for the construction of a three bay warehouse 50'X80' with 4000 square feet to properly store the Chapter equipment.

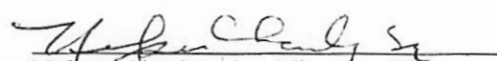
CERTIFICATION


I, hereby, certify that the foregoing resolution was considered by Tselani-Cottonwood Chapter at a duly called meeting at Cottonwood, Navajo Nation (Apache, County, Arizona) at which a quorum was present and that same was passed by a vote of 8 in favor, 0 opposed and 3 abstained on this 14 day of November, 2022.

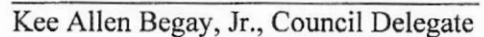
Motioned by Steven Tsosie

Seconded by Anderson Harvey


 Thomas Gorman, Chapter President


 Nelson Charley, Sr., Vice-President


 Elliot Bryant, Secretary/Treasurer


 Kee Allen Begay, Jr., Council Delegate



RESOLUTION OF THE TSELANI-COTTONWOOD CHAPTER

TSEL-18-443

APPROVING AND ADOPTING THE FISCAL YEAR 2018 CHAPTER PROJECT LIST

WHERE AS:

1. The Tselani-Cottonwood Chapter is governed by the Navajo Nation Code Title 26 Local Governance Act as a unit of government with delegated authority to make decision over local matters that are consistent with the existing Navajo laws; AND
2. The Chapter has the obligations to identify, create, and implement projects for capital infrastructure through the Woven Integrated Navajo Data (WIND) System (Exhibit A); AND
3. Therefore, the Chapter will continue to submit project proposals seeking funds through the Navajo Nation, federal, state and other sources; AND
4. The Tselani-Cottonwood Chapter has updated the Chapter projects from one (1) to two (2) year plan and a five (5) year plan, as follows; AND

One/Two Year Plan

Existing Powerline Extension
*(Phase I/II & Scattered Powerline)
Existing Waterline Extension (Whitehill)
Complete Construction of N251
Recertification of CBLUPC
Cell Tower (Tselani South)
Construction of Chapter Warehouse
New Chapter Equipment
Rural Addressing
Gravel Pit
Wellness Center
Windmills & Wells
Feral Horses (Round Up)

Five Year Plan

Powerline Extension
Waterline Extension
Veterans Building
Head Start Building
Convenient Store
Bathroom Addition
Police Substation or Housing
Fire Station
New Senior Center
Public Housing

5. Tselani/Cottonwood Chapter will work closely with the Community Based Land Use Planning Committee to accomplished the plans set forth, and update as necessary, for the betterment of the community.

NOW, THEREAS, BE IT RESOLVED THAT:

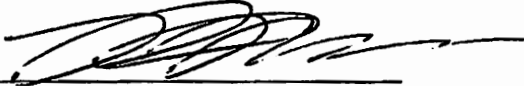
1. The Tselani-Cottonwood Chapter Approves and Adopts the FY2018 Chapter Project List.

CERTIFICATION

I, hereby, certify that the foregoing resolution was considered by Tselani-Cottonwood Chapter at a duly called meeting at Cottonwood, Navajo Nation (Apache, County, Arizona) at which a quorum was present and that same was passed by a vote of 29 in favor, 0 opposed and 2 abstained on this 15 day of April, 2018.

Motioned by Stephen Burbank

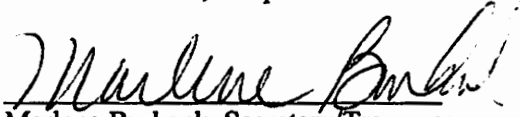
Seconded by Jean Dedman



Thomas Gorman, Chapter President



Caroline Dale, Vice-President



Marlene Burbank, Secretary/Treasurer

Kee Allen Begay, Jr., Council Delegate

Google Maps



Map data ©2021, Map data ©2021 20 ft

Measure distance

Total area: 4,009.55 ft² (372.50 m²)

Total distance: 260.43 ft (79.38 m)

**PRELIMINARY COST ESTIMATE FOR A PRE ENGINEERED
WAREHOUSE FOR HEAVY EQUIPMENT STORAGE.**

3 Bay 50' X 80', 4,000 Square Feet

<u>Preliminary Cost Per Square Footage.....</u>	<u>\$ 264.00</u>
Plans and Design.....	\$150,000.00
Estimated Cost for the Pre-Engineered Building only.....	\$427,500.00
Estimated Cost for Utilities and Infrastructure	\$255,000.00
Foundation and Concrete Slab on Grade.....	\$223,500.00
TOTAL COST	\$1,055,000.00

NOTE: COST MAY VARY ACCORDING TO SITE AND SOIL CONDICTIONS

Chapter Name: Tselani-Cottonwood Chapter Chapter Email: tselani@navajochapters.org

Chapter Manager: Charlene Wallace, CSC Chapter Phone: (928) 725-3763/65

Title	Content
Project Details	Equipment Warehouse to store Chapter Equipment
Project Description	Utilizing the ARPA funding the Chapter will obtain a three bay warehouse to store Chapter equipment. (Backhoe, Water Truck, and a Motor Grader.
Project Objective	The Chapter has obtained heavy equipment for community usage and to protect the lifespan of the equipment, they would need to properly be stored. To maintain and against preventive repairs, the Chapter is in need of a good storage of the Chapter equipment.
Project Cost	Cost estimate with CPMD: \$1,055,000.00
Impact to the Community	Storing the heavy equipment properly with expand the life of the equipment and assist the community when necessary.