



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 #: HK0271

Date & Time Received: 12/6/2022 at 13:53

Date & Time of Response: 12/12/2022 5:00 PM

Entity Requesting FRF: Dennehotso Chapter

Title of Project: Warehouse

Administrative Oversight: Division of Community Dev.

Amount of Funding Requested: \$1,267,000

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

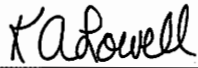
U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services

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: _____

Name of DOJ Reviewer: Kristen A. Lowell

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 GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: The Dennehotso Chapter Date prepared: 10/5/2022

Chapter's P.O. Box 2301 phone & email: 928-658-3300
mailing address: Dennehotso Az 86535 website (if any): Dennehotso@navajochapters.org

This Form prepared by: Maricelyn Smith-Williams phone/email: 928-658-3300
Chapter Manager

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Warehouse

Chapter President: Larry Tuni phone & email: 928-658-3300, Larrytuni15@gmail.com

Chapter Vice-President: Tully Begay phone & email: 928-658-3300, Tbegay@navajochapters.org

Chapter Secretary: Julia Richards phone & email: 928-658-3300, jrichards@navajochapters.org

Chapter Treasurer: _____ phone & email: _____

Chapter Manager or CSC: Maricelyn Smith-Williams phone & email: 928-658-3300, msmith-williams@nnchapters.org

DCD/Chapter ASO: _____ phone & email: _____

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

☐ document attached

Amount of FRF requested: 1,267,200.00 FRF funding period: January 1, 2022 to December 31, 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:

Warehouse Construction needed for community of Dennehotso to store the following;
Food - Items that need to be kept in a dry safe clean environment, free of rodents debris and food kept in a temperature controlled area.
First Aid - Blankets kept in dry clean location, diapers kept in a dry location.
Backhoe/ Chapter Vehicle - Storage from elements of weather and protection from thieves.

☐ document attached

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

The warehouse will offer longevity and protection for the heavy equipment.
PPE's safe from vandalism and protection from weather.

☐ 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

Dennehotso Chapter obtains 3 quotes from potential vendors for construction of new warehouse, utilize the procurement process to obtain quotes to purchase a new warehouse. The proposed work consists of labor, materials, and equipment in the construction of the warehouse. Project is projected to be completed by 12/31/2026. The warehouse construction project is est. to completed followed demolition, imfrastruction site prep, construction and utility installation. The completion date is expected by 12/31/2026.

☐ document attached

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

Dennehotso Chapter & Administrative Services Center will be responsible for the implementaion of the warehouse.

☐ 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 completion of the project will be the responsibility of the Dennehotso Chapter to maintain the operation and maintenance cost.

☐ 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 Dennehotso Chapter warehouse is inadeplorable state and the conditions of the current warehouse is dilapidated, the roof is leaking, the double doors have to be secured with metal bar, and it is beyond repair.

☐ document attached

Part 3. Additional documents.

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

- Program Budget Summery Budget Forms (3 pgs)
- 2 Quotes for warehouse construction
- chapter warehouse construction location (1pg)
- chapter resolution (DCHOCT-007-2023)

☒ 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: M. Smith-Williams
signature of Preparer/CONTACT PERSON

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

Approved by: M. Smith-Williams
signature of Chapter Manager or CSC

Approved by: [Signature]
signature of DCD/Chapter ASD

Approved to submit
for Review: [Signature]
signature of DCD Director

12/06/2022

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

Business Unit		PART I. No.: <u>NEW</u>		Program Title: <u>Dennehotso Chapter Warehouse</u>		Division/Branch: <u>Division of Community Development/ Extension</u>	
Prepared By: <u>Maricelyn Smith-Williams</u>		Phone No.: <u>928-658-3300</u>		Email Address: <u>msmith-williams@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
ARPA	1/1/2023-12/31/2026	1,267,200.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies			223,500	223,500
				5000 Lease and Rental				
				5500 Communications and Utilities			255,000	255,000
				6000 Repairs and Maintenance				
				6500 Contractual Services			150,000	150,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay			427,500	427,500
				9500 Matching Funds			211,200	211,200
				9500 Indirect Cost				
				TOTAL		\$0.00	1,267,200.00	1,267,200.00

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u>Maricelyn Smith-Williams</u> Program Manager's Printed Name <u>Ms. Smith-Williams 2/1/2022</u> Program Manager's Signature and Date	APPROVED BY: <u>Dr. Yellowman</u> Division Director / Branch Chief's Printed Name <u>Dr. Yellowman 12.6.22</u> Division Director / Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title:

Dennehotso Chapter Warehouse

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Goal Statement:

To Purchase a brand new Warehouse

Program Performance Measure/Objective:

to obtain 3 quotes using the Procurement Process to purchase warehouse

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

1

1

1

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.

Maricelyn Smith-Williams

Program Manager's Printed Name

MSmith-Williams 2/1/2022

Program Manager's Signature and Date

Dr. Yellowman

Division Director/Branch Chief's Printed Name

Dr. Yellowman 12.6.22

Division Director/Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		Dennehotso Chapter <u>Warehouse</u>	Business Unit No.: _____ NEW
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)
4000	Supplies: Foundation and concrete slab on grade	223,500	
5500	Communication and Utilities: Estimate cost and infrastructure	255,000	
6500	Contratuel Services: Plan and Design	150,000	
9000	Capital Outlay: Estimated cost for the Pre-Engineered Building Only	427,500	
9500	Marching Funds: Contiguency Plans (Inflation 20%)	211,200	
TOTAL		1,267,200	-

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

**Page 1 of 2
PROJECT FORM**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Dennehotso Chapter</u> Project Description <u>Warehouse</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>Warehouse</u> Planned Start Date: <u>1/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Maricelyn Smith-Williams</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.																												Expected Completion Date if project exceeds 8 FY Qtrs.					
		FY 2023												FY 2024																					
		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				
01/01/2023 - 3/31/2023 Demolition of old Warehouse					x	x	x																												
04/01/2023 - 06/01/2023 Advertise for construction through 164 process								x	x	x																									
06/01/2023-12/31/2026 Construction of Warehouse										x	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: _____

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

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

Preliminary Cost Per Square Footage.....\$ 264.00

Plans and Design.....\$150,000.00

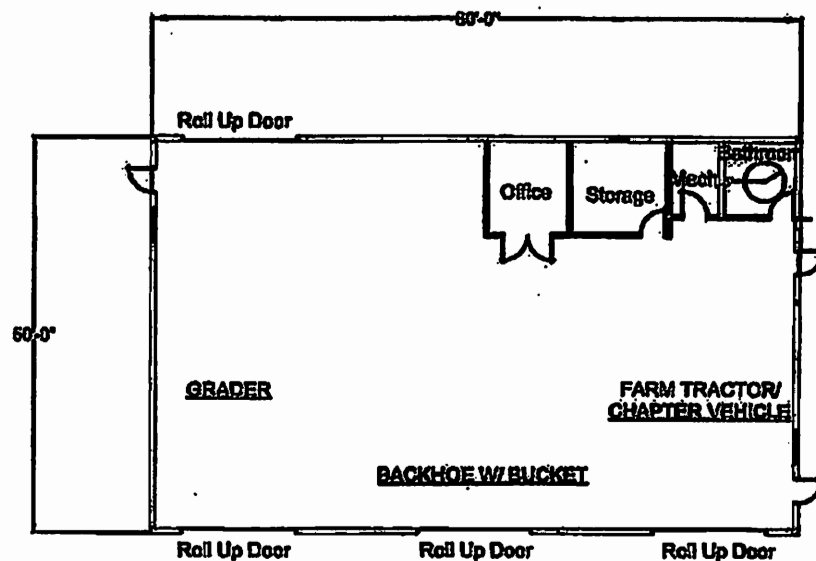
Estimated Cost for the Pre-Engineered Building only.....\$427,500.00

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



3-BAYS METAL WAREHOUSE BUILDING FLOOR PLAN

STRUCTURE:

- A. Size: 80' X 50' Width 14' / 18' Height- Three (3) Bays
- B. 6" 8" Conc. Foundation w/ Cont. Apron
- C. Heavy Duty Steel Frame- Withstand 60 MPH
- D. Manual Roll Up Bay Doors
- E. Ceiling Heaters and Fans
- F. Wall Mounted Exhaust Fans
- G. Industrial Mounted and Sky Lights
- H. Electric Installation (Power line)- Maximum Amps allowed to Accomodate Equipment:

- Mechanical Lift
- Air Compressor
- Welding Machine

I. Adjacent Space for excess fluid staging (oil/ transmission/ gas)

J. Heavy Equipments: Motor Grader, Backhoe w/ Bucket, Farm Tractor, Chapter Vehicle, Gooseneck and Utility Trailer

JUSTIFICATION:

WATER:

There will be water or no water to the new Metal Warehouse Facility, depending on the Chapters' preferences. Safety measures are in place to prevent or aide in the safety stations will be installed according to NN Risk Management and NN OSHA Requirements. In addition, restroom facilities are located in the Chapters and near the Warehouse Facility.

OPERATIONS:

Please take notice that hours of operations and heavy equipment traffic is limited to 8 am to 5 pm and only as requested by community members and Chapters. It is rare that heavy equipment is operation at its full function of 8 am to 5 pm, Monday thru Friday.

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

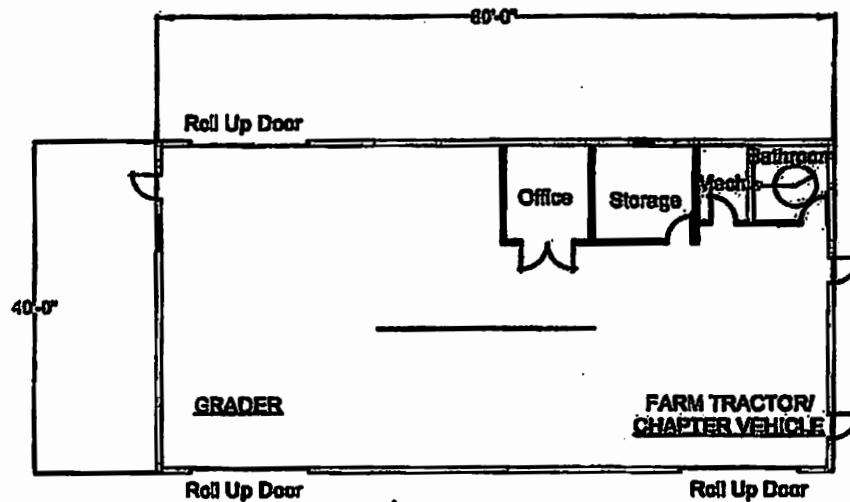
2 Bay: 40' X 60', 2,400 Square Feet

Preliminary Cost Per Square Footage:.....\$ 383.00

Plans and Design.....	\$125,000.00
Estimated Cost for the Pre-Engineered Building only.....	\$385,000.00
Estimated Cost for Utilities and Infrastructure.....	\$215,000.00
Foundation and Concrete Slab on Grade	\$195,300.00

TOTAL COST: \$920,300.00

NOTE: COST MAY VARY ACCORDING TO SITE AND SOIL CONDITIONS.



2-BAYS METAL WAREHOUSE BUILDING FLOOR PLAN

STRUCTURE:

- A. Size: 80' X 40' Width 14' / 18' Height/ Three (2) Bays
- B. 6" / 8" Conc. Foundation w/ Conc. Apron
- C. Heavy Duty Steel Frame- Withstand 80 MPH
- D. Manual Roll Up Bay Doors
- E. Ceiling Heaters and Fans
- F. Wall Mounted Exhaust Fans
- G. Industrial Mounted and Sky Lights
- H. Electric Installation (Power line)- Maximum Amps allowed to Accomodate Equipment:
 - Mechanical Lift
 - Air Compressor
 - Welding Machine
- I. Adjacent Space for excess fluid staging (oil/ transimistor/ gas)
- J. Heavy Equipments: Motor Grader, Backhoe w/ Bucket, Farm Tractor, Chapter Vehicle, Gooseneck and Utility Trailer

JUSTIFICATION:

WATER:

There will be water or no water to the new Metal Warehouse Facility, depending on the Chapters' preferences. Safety measures are in place to prevent or aide in the safety stations will be installed according NN Risk Management and NN OSHA Requirements. In addition, restroom facilities are located in the Chapters and near the Warehouse Facility.

OPERATIONS:

Please take notice that hours of operations and heavy equipment traffic is limited to 8 am to 6 pm and only as requested by community members and Chapters. It is rare that heavy equipment is operation at its full function. Please take notice that hours of operations and heavy equipment traffic is limited to 8 am to 6 pm and only as

Dennehotso Chapter Construction of New Warehouse

Table 1. Displays the Projected Cost Estimation for a 3 Bay: 50'x 80', 4,000 sq. ft.

Preliminary Cost Per Square Foot	\$ 316.80
Plan and Design	\$ 150,000.00
Estimated Cost for the Pre-Engineering Building Only	\$ 427,500.00
Estimated Cost for Utilities and Infrastructure	\$ 255,000.00
Foundation and Concrete Slab on Grade	\$ 223,500.00
Contingency (Inflation 20%)	\$ 211,200.00
Total Cost:	\$ 1,267,200.00

Note: Cost May Vary According to Site and Soil Conditions.

Image 1: Displays the location of the Dennehotso Chapter's proposed New Warehouse Construction Site. The location will be in the Same place, see red arrow building will be displayed and replaced.

Lat. 36,8402-Log. -109.8516





DENNEHOTSO CHAPTER
.25 Miles North of MP 417.5 on HWY 160
PO Box 2301
Dennehotso, Arizona 86535

Larry Tuni, Chapter President
Tully Begay, Chapter Vice-President
Julia Richards, Chapter Sec./Treasurer
Kenneth Johnson, Grazing Official
Nathaniel Brown, Council Delegate

TELEPHONE: 928.658.3300/3301 FAX: 928.658.3304 EMAIL: dennehotso@navajochapters.org

Johnathan Nez
President

DCHOCT-007-2023

Myron Lizer
Vice-President

RESOLUTION OF DENNEHOTSO CHAPTER

Approving the Appendix, A, the Navajo Nation Fiscal Recovery Funds Request Form & Expenditure Plan for Dennehotso Chapter's Construction of a New Warehouse Projects for the Storage of PPE's, Water, Wood, Coal, and Food; and to Mitigate the COVID-19 Pandemic.

WHEREAS:

1. Pursuant to 26 N.N.C Section 3 (A), the Dennehotso Chapter continues as a 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), the Dennehotso Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction(s) when necessary and make recommendation(s) to the Navajo Nation and other local agencies for appropriate action(s); AND
3. The Dennehotso Chapter is requesting funding from the ARPA funding pool in the amount of \$1,267,200.00; for a 3 Bay 50' by 80' 4,000 square feet warehouse; the funds will be used for construction of a new warehouse for the secure storage of PPE's, water, wood, coal, food and other valuable assets; and to mitigate the COVID-19 Pandemic; AND
4. The Dennehotso Chapter warehouse is beyond repair, it is dilapidated condition, and the roof is leaking; AND
5. The Dennehotso Chapter is requesting funding in the amount of 1,267,200.00 for a 3 Bay 50' by 80', 4,000 square feet warehouse, and the warehouse will be built on Dennehotso Chapter's property; AND
6. The Dennehotso 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 Dennehotso Chapter hereby approves the Appendix A, the Navajo Nation Fiscal Recovery Funds Request Form & Expenditure Plan for Dennehotso Chapter's


- Construction of a new warehouse project, for the requested funding amount of \$1.2 Million for a 3 Bay 50' by 80', 4,000 square feet warehouse' attached as Appendix "A"
2. The Dennehotso Chapter Administration will be responsible for implementation of the warehouse project, and to maintain the operation and its maintenance cost.
 3. The Dennehotso Chapter Administration shall initiate the construction of the New Warehouse Project 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 Dennehotso Chapter at a duly called meeting in DENNEHOTSO, Navajo Nation, Arizona; at which a quorum was present and that the same was passed by a vote of 09 in favor, 00 opposed and 02 abstained this 12th day October, 2022.

Motion by: Tully Begay

Second by: Phyllis Yazzie



Larry Tuní, Chapter President
Dennehotso Chapter, Western Navajo Agency