



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

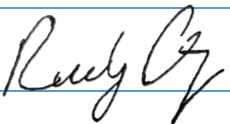
U.S. Department of Treasury Reporting Expenditure Category: _____

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: _____

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.

ROCK SPRINGS CHAPTER

Tse'chí'ízhí

P.O Box 4608 Yahtahey, NM 87375

Phone#: (505) 371-5100 Fax#: (505) 371-5103

E-mail: rocksprings@navajochapters.org

RSC 03-16-020

RESOLUTION OF THE ROCK SPRINGS CHAPTER

Recall Resolution NO. RSC 11-10-008, To Amend and Insert New Language, Requesting the Fiscal Recover Fund (FRF) Office to release the \$513,993.80 pursuant to CJN-29-22 to pay the block fee in order for the broadband project to be started/completed in Rock Springs community.

WHEREAS:

1. The Rock Springs Chapter is a duly recognized Chapter of the Navajo Nation Government pursuant to 26 NNC Section 3 and 11 NNC, Part I, Section 10; and
2. Pursuant to Title 26, NNC Section 1(B), Rock Springs Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendations to the Navajo Nation and other Local Agencies for appropriate actions; and
3. The Rock Springs Chapter, as part of Honorable Delegate Seth Damon's Region, was allocated funds from the American Rescue Plan Act (ARPA) Delegate Regional Expenditure Plan to provide services to the Community of Rock Springs Chapter; and
4. Rock Springs Chapter is requesting the Fiscal Recovery Fund (FRF) Office to release the \$513,993.80, which is included in the overall expenditure plan for the infrastructure funds under Broadband, to Sacred Wind Communications; and
5. Rock Springs Chapter shall work with Sacred Winds Communication to start/complete the broadband project in the Community.

NOW, THEREFORE BE IT RESOLVED THAT:

1. Rock Springs Chapter respectfully requests the Fiscal Recover Fund (FRF) Office to release the \$513,993.80 to Sacred Wind Communications in order for the broadband project to be started/completed.

ROCK SPRINGS CHAPTER

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P.O Box 4608 Yahtahey, NM 87375

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2. Rock Springs 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.

CERTIFICATION

WE, HEREBY CERTIFY that the foregoing resolution was duly considered by the Rock Springs Chapter at a duly called community chapter meeting at Rock Springs, of the Navajo Nation, (McKinley County), New Mexico at which a quorum was present and that same was approved by a vote of 13 In Favor, 0 Opposed, 1 Abstained, on the **16th** day of **March 2023**.

MOTIONED: Sandra Help

SECONDED: Alyssa Keeto

Harriet K Becenti
Harriet K Becenti, Chapter President
Rock Springs Chapter

Jasper Long
Jasper Long, Vice-President
Rock Springs Chapter

Latonya M. Johnson
Latonya M. Johnson, Secretary/Treasurer
Rock Springs Chapter

Rocksprings
Chapter
Broadband

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: Rock Springs Chapter Date prepared: 11/10/2022

Chapter's mailing address: Post Office Box 4608 phone/email: (505) 371-5100
Yahtahey, New Mexico website (if any): rocksprings@navajochapters.org

This Form prepared by: Sherman Yazzie, CSC phone/email: (505) 371-5100
syazzie@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Broadband \$513,993.80

Chapter President: Harriett K. Becenti phone & email: (505) 879-9593

Chapter Vice-President: Jasper Long phone & email: (505) 870-2443

Chapter Secretary: Latonya Johnson phone & email: (505) 219-6378

Chapter Treasurer: Latonya Johnson phone & email: (505) 219-6378

Chapter Manager or CSC: Sherman Yazzie phone & email: (505) 371-5100 syazzie@nnchapters.org

DCD/Chapter ASO: Guarena Adeky phone & email: (505) 488-8476 gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Nation Division of Community Development, Sacred Wind Communications, Rock Springs Chapter. document attached

Amount of FRF requested: \$513,993.80 FRF funding period: January 2023-September 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:

Sacred Wind Communications will oversee and administer the \$513,993.80 in ARPA funds for Broadband project. The project will deploy high-speed broadband to improve connectivity; enable telework capabilities, provide access to data and information about healthcare and communications in support of COVID-19 mitigation related operations and services; reduce the time needed to deliver high quality telehealth; support Navajo educational institutions broadband requirements to deliver and support instruction that will help retain students and faculty; enable home schooling, online schooling, allow students to attend school from home rather. Broadband will serve the Rock Springs Community. document attached

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

The broadband will benefit the Rock Springs community with high quality & high-speed broadband, enable the Rock Springs community, access critical information, telework, participate in online learning, take advantage of telehealth services and reduce the time needed to collect the inform the community about pandemic and other health related issues. 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:

Project will be completed by September 2026 if funds are to be disbursed in January 2023. Rock Springs Chapter, DCD ARPA, NNDOJ & Sacred Wind Communications will conduct procurement for broadband & complying with CJN-29-22 legislation guidelines/ reports. Collaborating with our Gallup/Baca ASC SPPS Guarena Adeky.

document attached

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

The Division of Community Development ARPA, NNFRF, & Non-LGA Chapter.

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 Rock Springs Chapter will be fully responsible for the operations 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:

New Expenditure Category 5.21, Broadband; Other Projects.

The Interim Final Rule, the Navajo Nation is permitted to use these funds to address the economic impacts of COVID-19 by building stronger communities.

document attached

Part 3. Additional documents.

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

1. 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/CONTRACT PERSON

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

Approved by: 
signature of CSC

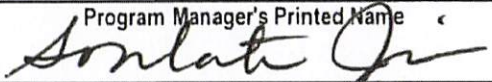
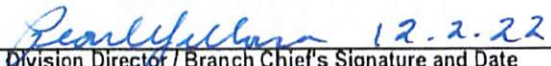
Approved by: 
signature of Chapter ASO

Approved to submit for Review: 
signature of DCD Director



FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>K - (New)</u>		Program Title: <u>Rock Springs Broadband</u>		Division/Branch: <u>Division of Community Developer</u>				
Prepared By: <u>Sherman Yazzie</u>		Phone No.: <u>(505) 371-5100</u>		Email Address: <u>syazzie@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
NNFRF FUNDS	01/01/2023 <u>04/30/2026</u>	513,993.80	100%	2001 Personnel Expenses				
CJN-29-22				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6		513,993.80	513,993.80
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	513,993.80	513,993.80
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
				TOTAL:		\$513,993.80	100%	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Sonlata Jim-Martin, ASC Department Manger</u>				APPROVED BY: <u>Dr. Pearl Yellowman, 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.: <u>K - (New)</u>			Program Name/Title: <u>Rock Springs Broadband</u>						
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:									
Section 3: CJN-29-22 DRP Resolution establishing Business Unit Numbers									
Program Performance Measure/Objective:									
DCD ARPA/NNFRF/OMB Setup Business Unit Numbers				6		6		6	
2. Goal Statement:									
Broadband Procurement									
Program Performance Measure/Objective:									
DCD ARPA Prepare Task Order				6		6		6	
3. Goal Statement:									
Award Notice									
Program Performance Measure/Objective:									
Select A/E vendor				6		6		6	
4. Goal Statement:									
Produce Construction Schedule									
Program Performance Measure/Objective:									
				6		6		6	
5. Goal Statement:									
Monitoring & Close-Out									
Program Performance Measure/Objective:									
Monitor project rough completion and prepare close-out reports				6		6		6	
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
Sonlastsa Jim-Martin, ASC Department Manager _____ Program Manager's Printed Name  _____ Program Manager's Signature and Date				Dr. Pearl Yellowman, Director _____ Division Director/Branch Chief's Printed Name  12.2.22 _____ Division Director/Branch Chief's Signature and Date					

FY 2023

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Rock Springs Broadband</u>		Business Unit No.: <u>K - (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)
6	9020 - Capital Outlay - Infrastructure - Communications Section 3: CJN-29-22 DRP Resolution establishing Business Unit Numbers DCD ARPA/NNFRF/OMB Setup Business Unit Numbers Broadband Procurement DCD ARPA Prepare Task Order Award Notice Select A/E vendor Produce Construction Schedule Monitoring & Close-Out	513,994	513,994
TOTAL		513,994	513,994

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>K - (New)</u> Project Title: <u>Rock Springs Broadband</u> Project Description: <u>Improve broadband connectivity within the Community of Rock Springs Chapter</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>Communication</u> Planned Start Date: <u>1/1/2023</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Sherman Yazzie, CSC</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. Date: <u>09/30/2026</u>											
	FY <u>2023</u>									FY <u>2024</u>																				
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date: <u>09/30/2026</u>					
	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
Planning																														
Design																														
Construct																														
Construction Administration																														
Close-Out																														
PART V.	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								
Expected Quarterly Expenditures	64,249.25			64,249.25			64,249.25			64,249.25			64,249.25			64,249.25			64,249.25			64,249.25			\$513,994.00					

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

ROCK SPRINGS CHAPTER

Tse'chi'izhi

P.O Box 4608 Yahtahay, NM 87375

Phone#: (505) 371-5100 Fax#: (505) 371-5103

E-mail: rocksprings@navajochapters.org

RSC 11-10-008

RESOLUTION OF THE ROCK SPRINGS CHAPTER

Requesting the Fiscal Recover Fund (FRF) Office to release the \$513,993.80 pursuant to CJN-29-22 to pay the block fee in order for the broadband project to be started/completed in Rock Springs community.

WHEREAS:

1. The Rock Springs Chapter is a duly recognized Chapter of the Navajo Nation Government pursuant to 26 NNC Section 3 and 11 NNC, Part I, Section 10; and
2. Pursuant to Title 26, NNC Section 1(B), Rock Springs Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendations to the Navajo Nation and other Local Agencies for appropriate actions; and
3. The Rock Springs Chapter, as part of Honorable Delegate Seth Damon's Region, was allocated funds from the American Rescue Plan Act (ARPA) Delegate Regional Expenditure Plan to provide services to the Community of Rock Springs Chapter; and
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NOW, THEREFORE BE IT RESOLVED THAT:

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CERTIFICATION

ROCK SPRINGS CHAPTER

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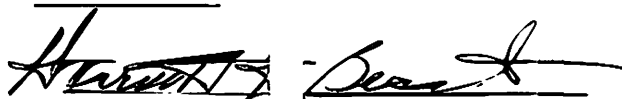


CERTIFICATION

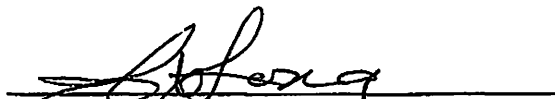
WE, HEREBY CERTIFY that the foregoing resolution was duly considered by the Rock Springs Chapter at a duly called community chapter meeting at Rock Springs, of the Navajo Nation, (McKinley County), New Mexico at which a quorum was present and that same was approved by a vote of 8 In Favor, 0 Opposed, 1 Abstained, on the 10th day of November 2022.

MOTIONED: TISHA CURTIS

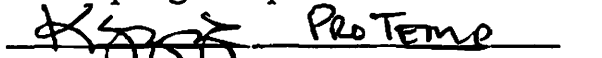
SECONDED: STEVE DANIELS



Harriet K Becenti, Chapter President
Rock Springs Chapter



Jasper Long, Vice President
Rock Springs Chapter


Latonya M. Johnson, Secretary/Treasurer
Rock Springs Chapter



Quotation

875 E US Highway 491
 Yatahay NM 87375
 Phone (505) 905-6013
 Fax (505) 905-6001

DATE 9/14/2022
 Quotation # 2899
 CUSTOMER ID 7843

TO Sherman Yazzie
 Rock Springs Chapter
 Community Service Coordinator
syazzie@navaiochapters.org

*Quote valid for: 60 Days
 Prepared by: Kim Kirk*

Comments or special instructions:

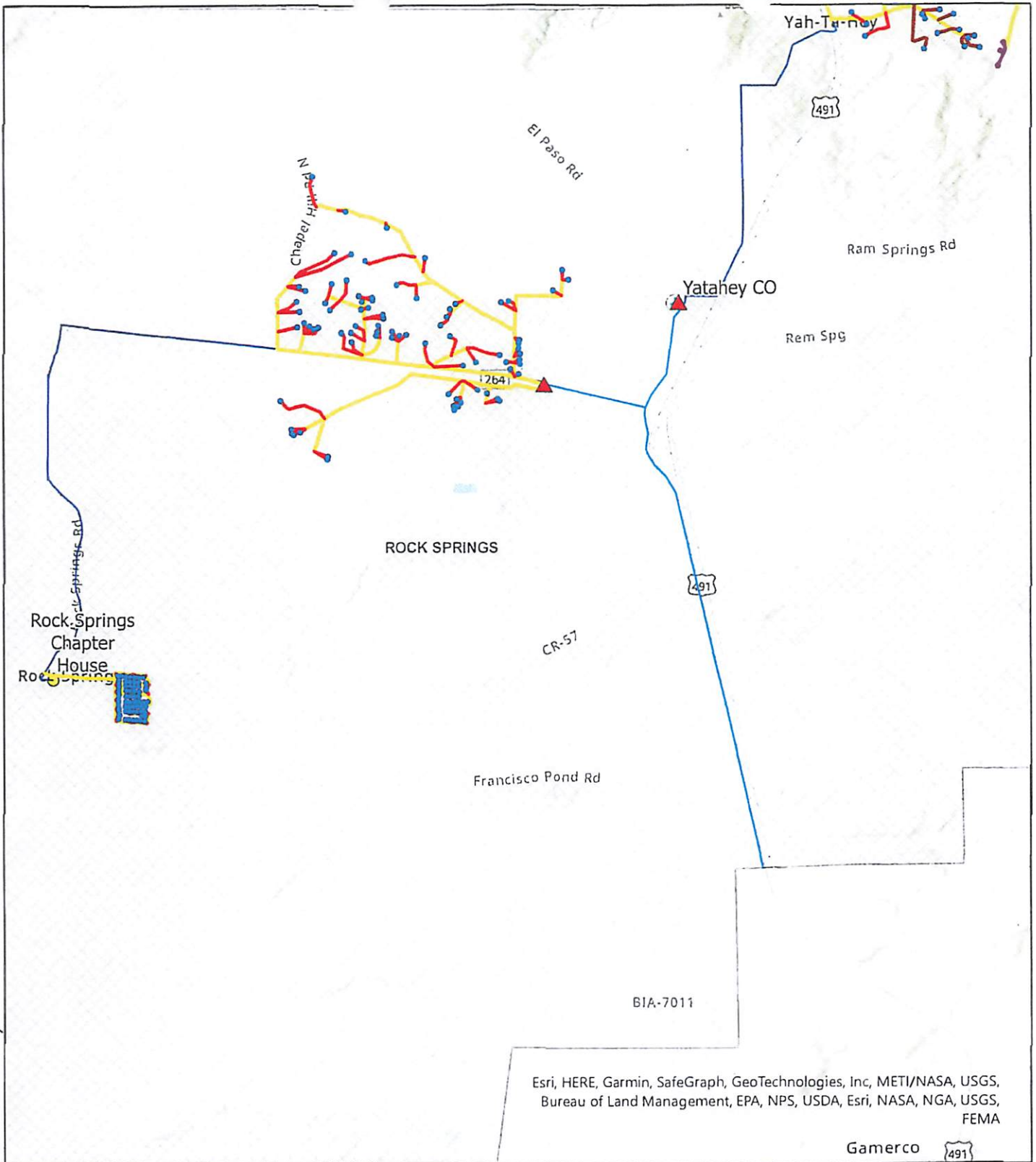
DESCRIPTION	Quantity (Options)	Term (Months)	Unit Price	Non-Recurring	Special Construction
Rock Springs Chapter Fixed Wireless Buildout					
Communications On Wheels	1		\$ 135,600.00	\$ 135,600.00	Waived
Radio Access Network	1		\$ 102,090.00	\$ 102,090.00	
Labor	1		\$ 38,050.00	\$ 38,050.00	
Electronics (and cabinets)	1		\$ 35,670.00	\$ 35,670.00	
Engineering	1		\$ 85,750.00	\$ 85,750.00	
Right of Way	1		\$ 45,890.00	\$ 45,890.00	
Electric	1		\$ 25,900.00	\$ 25,900.00	
Fencing	1		\$ 18,780.00	\$ 18,780.00	
taxes				\$ 26,263.80	
Note:		Total	\$ 487,730.00	\$ 513,993.80	-

Non Rurring Charge does not include taxes, fees and other charges as required by law.

ACCEPTANCE SIGNATURE: _____ DATE: _____

THANK YOU FOR YOUR BUSINESS!

2 to 3 years

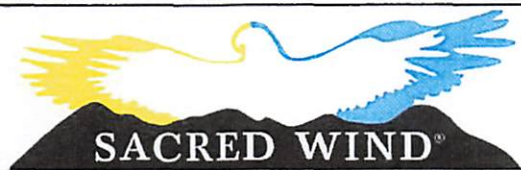


Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, Esri, NASA, NGA, USGS, FEMA

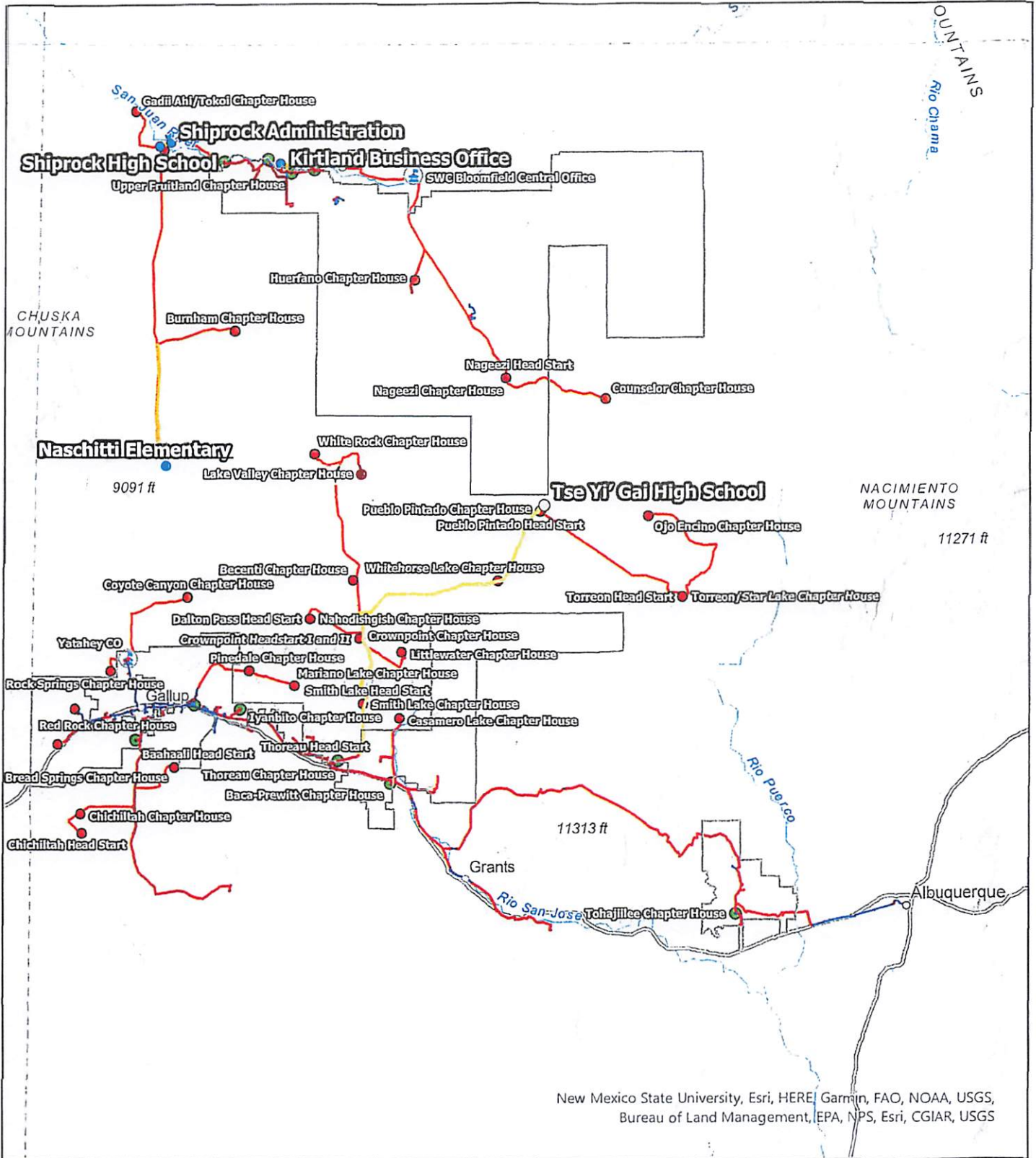
Gamerco 491



- Legend
- Seth Damon Delegate Area
 - ▲ Digital Loop Carrier
 - FTTH Recipient
 - Proposed ARPA Fiber Construction
 - Proposed ARPA Backbone Fiber Construction
 - Future E-Rate Fiber
 - Active E-Rate Fiber
 - Future E-Rate Site
 - 🏠 Sacred Wind Central Office



SACRED WIND
 Seth Damon
 FTTH Rocksprings Chapter

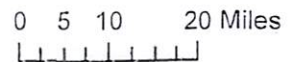


New Mexico State University, Esri, HERE | Garmin, FAO, NOAA, USGS, Bureau of Land Management, EPA, NPS, Esri, CGIAR, USGS



Current Fiber Projects

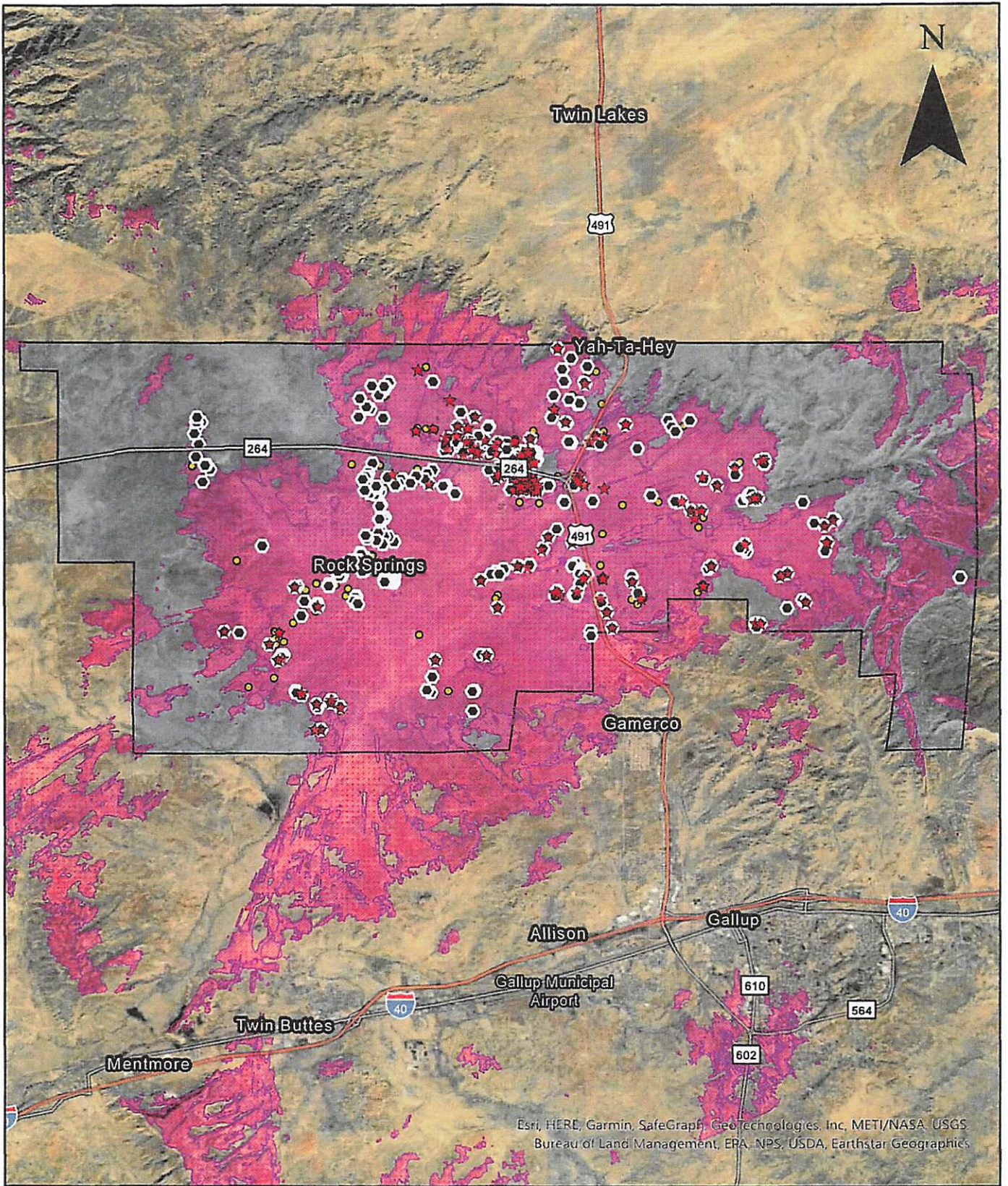
Legend



- Sacred Wind Regulated Territory
- Buried Fiber Plant
- Aerial Fiber Plant
- Tse Ya Gai High School
- Tse Ya Gai Fiber Cable

- CCSD Site
- CCSD Fiber Cable
- Future NNDOE Site
- Completed NNDOE Site
- SWC Central Office





Rocksprings Fixed Wireless

Legend

- ★ SWC Active Subscribers (197)
- Proposed LOS Sites (485)
- NM911 Addresses (557)
- ▭ Rocksprings Chapter Area (1)