



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 #: HK0491-2

Date & Time Received: 03/28/2024 at 14:38

Date & Time of Response: 4/25/24 at 17:00

Entity Requesting FRF: Chilchinbeto Chapter

Title of Project: Chapter Purchase of an F350 Ford Truck

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$110,000.00

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

NY FBI Office  
Received  
APR 26 2024

**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.



# Chilchinbeto chapter


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phone: (928) 697-5680/5681 • Fax (928) 697-5691 [chilchinbeto@navajochapters.org](mailto:chilchinbeto@navajochapters.org)

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Delbert Big- GRAZING OFFICIAL · Shaandiin Parrish-COUNCIL DELEGATE

Eugene Badonie- MANAGER Rose Gillis- ADMIN ASSIST. Janita Redmustache- OFFICE ASSISTANT



From:   
Eugene Badonie, Chapter Manager  
Chilchinbeto Chapter  
Kayenta, Arizona 86033  
[ebadonie@nnchapters.org](mailto:ebadonie@nnchapters.org)

Date: February 22, 2024

To: Mr. Tom Platero, Director  
ARPA-Fiscal Recovery Fund Office  
Tse Bonito, NM. 87319

Re: Modification of budget for (3) projects

Mr. Platero,

The Chilchinbeto Chapter is modifying three (3) project budgets and the timeline. The chapter has realized there are not enough funds to cover the cost of the Chapter house renovation and we have saved \$500,000.00 appropriated for ground prep (HK 0606). Since the chapter is getting only 2 houses, \$500,000.00 is over budgeting for the need. It is appropriate now to inject this \$200,000 into the project modification for the Chilchinbeto Chapter House renovation.

Secondly, the chapter's previous intention to purchase a Septic Service Truck (HK 0492) is now no longer a project for the chapter. The \$180,000.00 proposal will now be split in two (2) ways. First, \$30,000.00 will be added to the \$80,000.00 F350 heavy-duty truck purchase because the price of the truck has increased after a lengthy delay by the tribe. The other \$150,000.00 will be added to the Chapter House renovation.

This happened because the construction was planned to be done by the local workforce, but the policy requires certified personnel and it must be done by a contractor.  
The following project need to be modified are:

RFS/HK Review # HK 0606	Ground Prep	Original Amt \$500,000.00	Modified Amt \$300,000.00	Chapter is only getting two house and do not need the large amount.
FRS/HK0440	Chapter House Renovation	\$305,000.00	\$653,768.00	Funds are basically more needed for the renovation.
RFS/HK Review #: HK 0492	Septic Service Truck Purchase	Original Amt. \$180,000.00	Modified Amt \$200,000.00	Septic Service truck is no longer needed.
RFS/HK Review # HK 0491	Purchase of F350 Truck	\$80,000.00	\$110,000.00	Price increase

Please, rescind the original request, apply the new proposed modifications, and send to the DOJ immediately.  
Thanks, Gene

Cc Honorable Shaandiin Parrish  
IDIQ – LAM Corporation  
[dbegay@nndcd.or](mailto:dbegay@nndcd.or)

THE NAVAJO NATION  
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN  
FOR GOVERNANCE-CERTIFIED CHAPTERS

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Chilchinbeto Chapter Date prepared: 4-11-2023

Chapter's mailing address: PO Box 1681 Kayenta, Arizona 86033 phone & email: 928-697-5681  
website (if any): chilchinbeto@navajochapters.org

This Form prepared by: Eugene Badonie phone/email: 928-697-5681  
Eugene Badonie, Chapter Manager ebadonie@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Chapter purchase of an F350 Ford Truck

Chapter President: Paul Madson phone & email: 928-640-0735 pmadson@naataanii.org

Chapter Vice-President: Thomas Bradley phone & email: 928-429-9672 tbradley@naataanii.org

Chapter Secretary: Virginia White phone & email: 928-349-2648 virgiechinle@yahoo.com

Chapter Treasurer: Virginia Wite phone & email: 928-349-2648 virgiechinle@yahoo.com

Chapter Manager or CSC: Eugene Badonie phone & email: 928-209-9518 ebadonie@nnchapters.org

DCD/Chapter ASO: Sarah Harrison phone & email: (928) 882-1114 sharrison@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Champion Ford  
701 W. Coal Ave. Gallup, N.M. 87301  document attached

Amount of FRF requested: \$110,000.00 FRF funding period: April 1st, 2023 to September 30, 2024  
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 has a new John Deere backhoe and a used Kubota tractor. We have been renting transportation to haul this equipment for burial services, road maintenance, and trenching for the sewage lines and waterlines. Being the epic center for the COVID-19 pandemic, Chilchinbeto had one of the highest rates of fatalities in 2020, and 2021, and still going in 2023. This adds to the number of other causes of death. The vehicle will pull the gooseneck trailer, distribute food, home testing supplies, hand sanitizers, coal, wood, gloves, and masks, etc.  document attached

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

the Navajo Nation will actually indirectly provide a piece of equipment to make shoveling easier for digging burial sites and it will also minimize the health hazards from the ealdery shoveling. The truck will be the one that makes it happen by transporting the equipment safely and in a timely manner. The chapter will not have to wait on people or rental to make delivery.  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:

The timeline for the purchase should be pretty quick once the funds are made available. If this does not happen, then the chances are great that the prices will increase by late October or early November when the 2024 model arrives on the market.

document attached

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

Chilchinbeto Chapter Manager, Eugene Badonie has already secured the truck with the Champion Ford of Gallup, New Mexico. he will be responsible for filling ARPA paperwork, applications, requisitions, and contract including the purchase.

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 Chilchinbeto Chapter will incur all the cost of maintenance and operation. The chapter will also be responsible for the service cost, fuel, and lube service.

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 Service - Given that the Project will provide services to the community, the chapter government has been distributing food, ater, home testing kits and supplies, sanitizers, wood, coal, hay, gloves, and masks to the entire community. The purchase of a heavy -duty truck will enable a mush needed services by the chapter government.

document attached

**Part 3. Additional documents.**

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

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. C-17-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: Eugene Badonie Approved by: Paul M. ...  
signature of Preparer CONTRACT PERSON signature of Chapter President (or Vice President)  
Approved by: Eugene Badonie Approved by: Sarah ...  
signature of Chapter Manager or CSC signature of DCD Director  
Approved to submit for Review: [Signature]  
signature of DCD Director

FY 24

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I Business Unit No.: <u>New</u>		Program Title: <u>Chilchinbeto Chapter F350 Heavy-duty Truck Purchase</u>		Division/Branch: <u>Div. of Comm. Development</u>				
Prepared By: <u>Eugene Badonie</u>		Phone No.: <u>928-697-5681</u>		Email Address: <u>ebadonie@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- Fiscal Recovery Fund	4/1/24 - 9/30/24	110,000.00	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		110,000	110,000.00
				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	110,000.00	110,000.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:				\$110,000.00	100%			
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Jaron Charney, Dept Manager</u>				APPROVED BY: <u>Arbin Mitchell, Division Director</u>				
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name				
<u>[Signature]</u> Program Manager's Signature and Date				<u>[Signature]</u> Division Director / Branch Chief's Signature and Date				
				2-28-24				

FY 24

THE NAVAJO NATION  
PROGRAM PERFORMANCE MEASURES

PART I. PROGRAM INFORMATION:				
Business Unit No.:	<u>New</u>	Program Name/Title:	<u>Chilchinbeto Chapter F350 Heavy-duty Truck Purchase</u>	
<b>PART II. PROGRAM PERFORMANCE CRITERIA:</b>				
Chilchinbeto Chapter Resolution # 02-24-2023 - Amending to purchase a new F350 instead of a 2023				
	1st QTR	2nd QTR	3rd QTR	4th QTR
<b>1. Program Performance Measure:</b>	Goal	Goal	Goal	Goal
Chilchinbeto Chapter had a truck price locked in at 2022 and 2023 prices, but it was too late to pay at a lower cost.	1	1	1	1
The good price caused the this rise in the price				
<b>2. Program Performance Measure:</b>				
The truck will be used to haul backhoe and other tractors requiring tougher truck.	1	1	1	1
It will be easier and faster to move the equipments to worksites.				
<b>3. Program Performance Measure:</b>				
The equipment will be hauled without worrying about the capabilities of the heavy payload.	1	1	1	1
Performance will a lot easier.				
<b>4. Program Performance Measure:</b>				
<b>5. Program Performance Measure:</b>				
<b>PART III. CONCURRENCE/APPROVAL:</b>				
<u>Jaron Charley, Dept. Manager</u> Program Manager's Printed Name  <u>[Signature]</u> 2-28-24 Program Manager's Signature and Date	<u>Arvin Mitchell, Division Director</u> Division Director/Branch Chief's Printed Name  <u>[Signature]</u> Division Director/Branch Chief's Signature and Date			



FY 24

THE NAVAJO NATION  
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Chilchinbeto Chapter F350 Heavy-duty Truck Purchase</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)
6	70-6290 General Contractor- Purchasing of a f350 Ford Truck	110,000	110,000
TOTAL		110,000	110,000

# THE NAVAJO NATION PROJECT BUDGET SCHEDULE

<b>PART I.</b> Business Unit No.: <u>New</u> Project Title: <u>Chilchinbeto Chapter F350 Heavy-Duty Truck Purchase</u> Project Description: <u>Purchasing of an F350 Heavy-duty Truck with extended warranty.</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>Purchase</u> Planned Start Date: <u>1-Apr-24</u> Planned End Date: <u>9/30/26</u> Project Manager: <u>Eugene Badonie</u>
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<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.												
	24												FY _____								9/30/26												
	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			
Equipment purchase (vehicle)								x	x	x																							
	\$			\$			\$			\$			\$			\$			\$														
<b>PART V.</b>							10,000.00			100,000.00									<b>PROJECT TOTAL</b>														
Expected Quarterly Expenditures																			\$110,000.00														

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



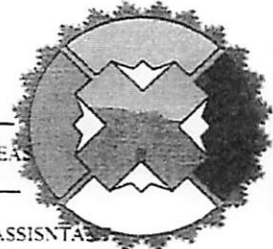
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Eugene Badonie- MANAGER Rose Gillis- ADMIN ASSIST. Janita Redmustache- OFFICE ASSISTANT



## RESOLUTION OF CHILCHINBETO CHAPTER OF THE NAVAJO NATION

Resolution # CCH-04-01-2023A

### AMENDING THE RESOLUTION # CCH-02-14-2023C TO PURCHASE A NEW F350 INSTEAD AT A 2023 PRICE.

#### WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Chilchinbeto Chapter is a duly recognized 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) Chilchinbeto Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
3. The Chilchinbeto Chapter has previously brought it before the Regular Meeting on October 18<sup>th</sup>, 2022 and presented a resolution # CCH-10-14-2022C to purchase a new 2023 Heavy Duty Ford truck at a price of \$62,275.00 from Champion Ford of Gallup New Mexico. The sale was submitted into the ARPA Portal as a project expenditure for \$2.9 million from Delegate Region fund, and
4. The Chilchinbeto Chapter has since delayed on the deal with the Chapman Ford of Gallup New Mexico while the company offered to order the 2023 F350 for \$62,275.00 deliverable in 6 months and lock in the 2022 price with only \$1,000.00 down and pay the remainder upon arrival. The Delegate Region fund was slow in getting approval and therefore dissolved the deal and the new price is \$80,000.00.

#### NOW, THEREFORE, BE IT RESOLVED THAT:

1. Chilchinbeto Chapter hereby approve to recommend and support to amend the Resolution # 10-07-2022C and proceed with the purchase of the 2023 F350 at \$80,000.00 from Chapman Ford of Gallup New Mexico and amend the ARPA FRF Delegate Region funding.
2. Chilchinbeto Chapter affirms that the Chapter will only use awarded funds in compliance with the ARPA, the ARPA Regulations, and all other applicable Navajo Nation and Federal laws and regulations.

#### CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Chilchinbeto Chapter, Navajo Nation, at which time a quorum was present and the same was passed by a vote of 16 in favor, 00 opposed, and 02 abstained, this 01st, day of April, 2023.

Motioned By: Eugene Badonie Second By: Peter Hovey

Paul Madson  
Mr. Paul Madson, President

Thomas Bradley  
Mr. Thomas Bradley Vice-President

Virginia White  
Ms. Virginia White, Secretary/Treasurer