



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 #: HK0368

Date & Time Received: 12/22/2022 at 10:27

Date & Time of Response: 01/03/23 at 17:00

Entity Requesting FRF: Tolani Lake Chapter

Title of Project: 1.5 Personal Protective Equipment (Storage) Warehouse

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
☒ (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: **Please note that we have modified the expenditure category from 1.5 (Personal Protective Equipment) to 6.1 (Government Services). Given the intended uses of the warehouse and the amount of funding involved, the government services category is a better fit for the Project.**

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: Tolani Lake Chapter Date prepared: 12/01/22

Chapter's HC 61 Box 3001 phone/email: 928-686-3285/tolanilake@navajochapters.org
mailing address: Winslow, AZ 86047 website (if any): _____

This Form prepared by: Tom Yazzie, CSC phone/email: 928-686-3285
Tom Yazzie, Community Service Coordinator tomyazzie@nnchapter.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: 1.5 Personal Protective Equipment (Storage) Warehouse

Chapter President: Leland Dayzie phone & email: 928-978-4503/lkdayzie@naataanii.org

Chapter Vice-President: Anna Begay phone & email: 928-853-6945/Sinagua93.ab@gmail.com

Chapter Secretary: Rena Edwards phone & email: 928-401-9446/nakaidine@gmail.com

Chapter Treasurer: Rena Edwards phone & email: 928-401-9446/nakaidine@gmail.com

Chapter Manager or CSC: Tom Yazzie phone & email: 928-686-3285/tomyazzie@nnchapters.org

DCD/Chapter ASO: Pearl Yellowman phone & email: 928-871-7172/pyellowman@navajo-nsn.gov

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

☐ document attached

Amount of FRF requested: 1,055,000 FRF funding period: 01/01/2023-09/30/2026
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:

Tolani Lake Chapter Warehouse. Purchase and construct a 50' x 80' pre-engineered Warehouse / Community Public Building & Facilities/Construction. Warehouse needed to store supplies, materials, heavy equipments such as backhoe, truck and trailer during the COVID-19 pandemic. Supplies include the following PPE, donations, bottled water clothing, coal, wood, and other emergency supplies, and materials. The warehouse will be located on the chapter property and become an inventory of the chapter. Chapter will be responsible for maintenance and upkeep of the building.

☐ document attached

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

The Tolani Lake Chapter Warehouse will benefit the community by adding needed space for storage of PPE supplies. Presently the Chapter House has reached its capacity with very limited space. The chapter has experienced break-ins and vandalism to the chapter equipment. The warehouse will help keep the equipments from weather damage and secure the equipments and supplies.

☐ 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:

Obtain three (3) quotes, obtain purchase order, received supplies, and close out purchase order. Will order supplies every three (3) months till Tolani Lake has constructed their warehouse then will purchase in bulk units.

☐ document attached

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

Leland Dayzie, Chapter President and Tom Yazzie, Community Service Coordinator will be responsible for implementing the purchase of PPE supplies.

☐ 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:

No maintenance cost. PPE supplies will be distribute to the community.

☐ 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:

This project will fall FRF expenditure category:
1.5 Personal Protective Equipment

☐ document attached

Part 3. Additional documents.

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

Tolani Lake Chapter Resolution # TLS-12-1A-2022
Appendix A - Request Form & Expenditure Plan
Appendix B - Budget Forms (1,2,4)
Appendix J - Project Budget Shedule

☐ Chapter Resolution attached

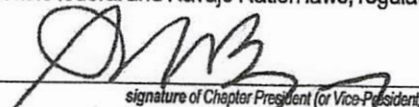
Part 4. Affirmation by Funding Recipient.

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:

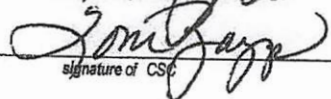
Chapter's
Preparer:


signature of Preparer/CONTACT PERSON

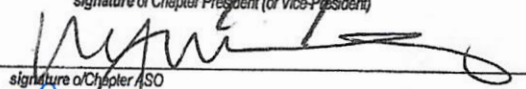
Approved by:


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 ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u> New </u>		Program Title: <u> Tolani Lake Chapter Warehouse </u>		Division/Branch: <u> DCD/Executive Branch </u>	
Prepared By: <u> Tom Yazzie </u>		Phone No.: <u> 928-686-3285 </u>		Email Address: <u> tomyazzie@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
NN Fiscal Recovery Funds	FY23-FY25 11/123 - 9/30/26	1,055,000.00	100%	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	6	0	1,055,000	1,055,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
TOTAL						\$0.00	1,055,000.00	1,055,000

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> Tom Yazzie </u> <div style="display: flex; justify-content: space-between; align-items: center;"> <div>Community Service Coordinator's Printed Name</div> <div>12/2/22</div> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div>Community Service Coordinator's Signature and Date</div> <div></div> </div>	APPROVED BY: <u> <i>Carolyn Ellison</i> </u> <div style="display: flex; justify-content: space-between; align-items: center;"> <div>Division Director / Branch Chief's Printed Name</div> <div>12.2.22</div> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div>Division Director / Branch Chief's Signature and Date</div> <div></div> </div>

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

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title:

Tolani Lake Chapter Warehouse

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:

To Complete Project Development within the Chapter Compound

Program Performance Measure/Objective:

Warehouse/Community Public Building and Facility Construction

						1	
--	--	--	--	--	--	---	--

2. Goal Statement:

Project Management, Meetings, and Closeout Project

Program Performance Measure/Objective:

5		5		5		5	
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3. Goal Statement:

Program Performance Measure/Objective:

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4. Goal Statement:

Program Performance Measure/Objective:

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5. Goal Statement:


Program Performance Measure/Objective:

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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Tom Yazzie

Community Service Coordinator's Printed Name

 12/2/22
Community Service Coordinator's Signature and Date
Division Director/Branch Chief's Printed Name 12.2.22
Division Director/Branch Chief's Signature and Date

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

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tolani Lake Chapter Warehouse</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)
	<u>6910</u> Constructual Service Building for Tolani Lake Chapter Building 6960 - Subcontracted Service: Tolani Lake Chapter will purchase Warehouse Building for the Community . Funds used for Planning, Pre-Design, Architecture and Engineering and Construction. Total: \$1,055,000	<u>1,055,000</u>	1,055,000
TOTAL		<u>1,055,000</u>	1,055,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page ____ of ____
PROJECT FORM

PART I. Business Unit No.: <u>New</u> Project Title: <u>Tolani Lake Chapter - Warehouse</u> Project Descrip <u>Tolani Lake Chapter - Complete warehouse project within chapter tract.</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>Chapter Warehouse Project</u> Planned Start Date <u>Jan-23</u> Planned End Date: <u>Sep-24</u> Project Manager: <u>Tom 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.											
Send out RFP Selection & Award Bidder Prepare all doc for project Project Commencement Project in Progress Closeout Contracts	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	
						x		x																							
								x																							
								x	x																						
									x																						
										x																					
											x	x																			
\$	\$			\$			\$			\$			\$			\$			PROJECT TOTAL												
Expected Quarterly Expenditures													1,055,000.00									\$1,055,000.00									

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



Resolution of the
TOLANI LAKE CHAPTER
WESTERN NAVAJO AGENCY

Resolution: TLS-12-1A-2022

**APPROVING THE PROCUREMENT OF A CHAPTER WAREHOUSE AS A CHAPTER PROJECT UNDER
THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLAN**

WHEREAS:

1. Pursuant to 26 NNC, Section 3(A), the Tolani Lake Chapter is a duly recognized chapter of the Navajo Nation Government, as listed at 11 NNC, Part 1, Section 10; and
2. Pursuant to 26 NNC, Section 1(B), the Tolani Lake Chapter is vested with the authority to review all matters affecting the community to make recommendations to the Navajo Nation and other local agencies for appropriations; and
3. Pursuant to CAP -34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (GA); and
4. The Tolani Lake Chapter officials demonstrate their ongoing dedication to support the Division of Community Development office assisting with ARPA projects and performs a variety of administrative functions including, drafting of budget guidelines and justifications, monitoring expenditures and approvals, problem solving, monitoring, evaluates progress, preparing reports, correspondence, and presentations; and
5. Pursuant to Resolution CJN-29-22, The Navajo Nation Council allocated \$1,760,468 for five (5) chapters within the district 5 and District 3 in response to the impact of the COVID-19 pandemic; and
6. The Tolani Lake Chapter has identified a new warehouse for storage of personal protective equipment (PPE), and chapter heavy equipment for security reason and adequate storage space; and
7. The warehouse building will be purchased according to the Navajo Nation procurement policies and procedures will be followed, vendor/contractor selection and project management will be implemented to the project is completed; and
8. The warehouse will be erected on the Tolani Lake Chapter tract where infrastructure is readily available.

NOW THEREFORE BE IT RESOLVED:

1. The Tolani Lake Chapter hereby approves the procurement of a chapter warehouse as a chapter project under the Navajo Nation Fiscal Recovery Fund Expenditure Plan.

Leland K. Dayzie
President

Anna M. Begay
Vice-President

HC 61 Box 3001
Winslow, Arizona 86047
Phone: (928) 686-3285
Fax: (928) 686-3287

Rena Edwards
Secretary Treasurer

Thomas Walker, Jr.
Council Delegate

Leslie Williams
Grazing Official

CERTIFICATION

We hereby certify that the preceding Resolution was considered in a regularly scheduled Chapter Meeting of the Tolani Lake Chapter, and moved for approval in a duly called meeting at the Tolani Lake Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 7, in favor, 0 opposed, and 2 abstained on this the 2nd day of December 2022.

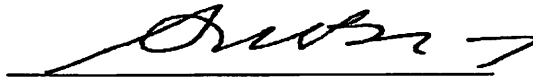
MOTIONED BY: Roger Manygots

SECONDED BY: Myrna Hausa

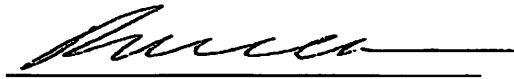
MINUTES BY: Rena Edwards – Chapter Secretary/Treasurer



Leland K. Dayzie, President



Anna M. Begay, Vice-President



Rena M. Edwards, Secretary/Treasurer

Leland K. Dayzie
President

Anna M. Begay
Vice-President

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