



**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 #:** HK0369

**Date & Time Received:** 12/22/22

**Date & Time of Response:** 10 January 2023; 7:43 pm

**Entity Requesting FRF:** Tolani Lake Chapter

**Title of Project:** Dump Truck and Trailer Purchase

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$135,468

**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

**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 |                                                                          |

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: \_\_\_\_\_



Disclaimers: An NNDOJ Initial Eligibility Determination will be 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.

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 mailing address: HC 61 Box 3001 Winslow, AZ 86047 phone/email: 928-686-3285/tolanilake@navajochapters.org 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: 6.1 Government Services - Dump truck + trailer

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: 135,468 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 will procure purchase of a Heavy-Duty Truck and Flatbed Trailer to transport chapter's backhoe within the chapter boundaries for heavy equipment services. Services include housing construction, bathroom additions, repair damage access roads, handling PPE supplies & materials, utilize for cemetery purposes during the COVID-19 pandemic.

document attached

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

The purchase of Tolani Lake Heavy-Duty Truck and Heavy Equipment Transport Trailer will benefit the Tolani Lake community with bathroom additions by digging trenches, site preparations, handling heavy supplies & materials on the job sites. Will be us for mast backfilling location, repair damage roads, and accommodate burial site with the backhoe.

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:

01/01/2023 - 06/30/2023: Obtain three (3) quotes and obtain Purchase Order.  
07/01/2023 - 12/30/2023: Vehicle and Trailer delivered to Tolani Lake Chapter and Close out PO's.

document attached

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

Leland Dayzie, Chapter President, Anna Begay, Vice President and Tom Yazzie, CSC will be responsible for implementing the purchase of the Tolani Lake Heavy-Duty Truck and Trailer.

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:

Tolani Lake Chapter's Heavy-Duty Truck and Trailer will be the responsibility of Tolani Lake Chapter for all its operations & maintenance expenditures through the its Annual & Carryover Budget.

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 under FRF expenditure category:  
6.1 Government Services

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-12-1B-2022  
Appendix A - Request Form & Expenditure Plan  
Appendix B - Budget Forms (1,2,4)  
Appendix J - Project Budget Shedule

Chapter Resolution attached

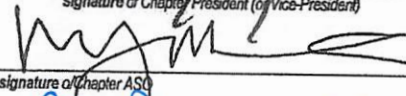
**Part 4. Affirmation by Funding Recipient.**

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.:         New         Program Title: Tolani Lake Chapter - Dump Truck & Trailer Division/Branch: DCD/Executive Branch  
Prepared By: Tom Yazzie Phone No.: 928-686-3285 Email Address: tomyazzie@nnchapters.org

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	<del>FY23-FY25</del> 11/23-9/30/26	135,468.00	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				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay	6	0	135,468	
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	135,468.00	135,468
TOTAL: \$135,468.00 100%				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: Tom Yazzie APPROVED BY: *Pearlyellon*  
Community Service Coordinator's Printed Name Division Director / Branch Chief's Printed Name  
*Tom Yazzie* 12/2/22 *Pearlyellon* 12.2.22  
Community Service Coordinator's Signature and Date Division Director / Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

Page \_\_\_ of \_\_\_  
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.:          New Program Name/Title: Tolani Lake Chapter - Dump Truck & Trailer

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:

Complete acquisition of Heavy-Duty Dump Truck & Heavy Transport Trailer

Program Performance Measure/Objective:

Follow NN Procurement Process to complete the purchase

						2	
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2. Goal Statement:

Project Management, Meetings, and Closeout Project

Program Performance Measure/Objective:

3		3		3		3	
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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  
*Tom Yazzie* 12/2/22  
Community Service Coordinator's Signature and Date

*Pearlyellona*  
Division Director/Branch Chief's Printed Name  
*Pearlyellona* 12.2.22  
Division Director/Branch Chief's Signature and Date

FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page \_\_\_ of \_\_\_  
**BUDGET FORM 4**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Tolani Lake Chapter - Dump Truck &amp; Trailer</u>		Business Unit No.: <u>New</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
9140	Purchase Heavy-Duty Dump Truck and Heavy-Duty Transport Trailer 9140 - Equipment; Purchase Heavy Equipment Hauling Trailer	50,000	135,468
9160	Vehicle 9140 - Vehicle Purchase Heavy-Duty	85,468	
<b>TOTAL</b>		<b>135,468</b>	<b>135,468</b>

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.:</b> <u>New</u> <b>Project Title:</b> <u>Tolani Lake Chapter - Purchase Heavy-Duty Dump Truck and Heavy Equipment Hauling Trailer</u> <b>Project Description:</b> <u>Tolani Lake Chapter Utilize the ARPA Funds to Purchase Heavy-Duty Dump Truck and Heavy Equipment Hauling Trailer</u>													<b>PART II. Project Information</b> <b>Project Type:</b> <u>Equipment Acquisition</u> <b>Planned Start Date:</b> <u>Jan-23</u> <b>Planned End Date:</b> <u>Sep-24</u> <b>Project Manager:</b> <u>Tom Yazzie, CSC</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 III.</b> List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b>													Expected Completion Date if project exceeds 8 FY Qtrs.																			
	<b>FY 2023</b>												<b>FY 2024</b>																				
	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			
<b>Obtain price quotes</b> <b>Obtain purchase order</b>  <b>Deliver Vehicle and Trailer</b> <b>Closeout of purchase order</b>				x	x	x		x	x																								
	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								
<b>PART V.</b> Expected Quarterly Expenditures													135,468.00												\$135,468.00								

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-12-1B-2022**

**APPROVING THE PURCHASE OF A HEAVY-DUTY DUMP TRUCK AND HEAVY EQUIPMENT FLATBED HAULING TRAILER AS PART OF THE CHAPTER 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 demonstrates 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 decided and identified to purchase heavy duty equipment dump truck and heavy equipment flatbed hauling trailer for chapter use to benefit the local community; and
7. Both heavy duty dump truck and heavy equipment flatbed hauling trailer will be purchased according to the Navajo Nation procurement policies and procedures will be followed, (3) quotes vendor selection will be implemented to the purchase.

**NOW THEREFORE BE IT RESOLVED:**

1. The Tolani Lake Chapter hereby approves the purchase of a heavy-duty dump truck and heavy equipment flatbed hauling trailer as part of the chapter under the Navajo Nation Fiscal Recovery fund expenditures 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 2<sup>nd</sup> day of December 2022.

MOTIONED BY: Roger Manygoats

SECONDED BY: Myrna Hausa

MINUTES BY: Rena Edwards – Chapter Secretary/Treasurer

Leland Dayzie

Leland K. Dayzie, President

Anna M. Begay

Anna M. Begay, Vice-President

Rena Edwards

Rena M. Edwards, Secretary/Treasurer

Leland K. Dayzie  
President

Anna M. Begay  
Vice-President

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