



DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

May 2, 2024

TRANSMITTAL

TO : Arbin Mitchell, Executive Director
 Division of Community Development (DCD)

FROM : Cordell Shortey
 Cordell Shortey, Contracting Officer
 Contracts & Grants Section (CGS) / OMB

SUBJECT : BU on Projects / Activities for T'iistsoh Sikaad Chapter, Nenahnezad Chapter, Upper Fruitland Chapter, Tse Daakaan Chapter, Newcomb Chapter, and San Juan Chapter - ARPA Funds Allocated to Delegate Rickie Nez

I. Information on Contract (per Original Award):

T'iistsoh Sikaad Chapter, Nenahnezad Chapter, Upper Fruitland Chapter, Tse Daakaan Chapter, Newcomb Chapter, and San Juan Chapter		U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract		Funding Agency	CFDA No. - Federal
<u>NABIAP-23-24; NABIF-08-24; NABID-51-23; NABIO-28-23</u>		<u>2022</u>	<u>03/11/2021 to 12/31/2026</u>
Grant No.	Amount	Fiscal Year	Term - Begin and End Date
	\$ 8,802,340.00		

II. Data Entered in FMIS Regarding:

New Contract or Grant Company No. 8059 Business Unit (K#) K2115508 to K2115510

Contract Mod No. _____ Internal Modification No. 3

Amt of Budget Increase \$1,258,842.00 \$7,039,789.33 to \$8,298,631.33

AMOUNT FROM TO

Budget Period - Extend End Date: From _____ To _____

Other, specify: _____

Authorizing Document - Attached:

Contract / Agreement - Date executed _____

NNC / Committee Resolution - No. & Date _____

Other, specify: NN Council Resolution NABIAP-23-24

III. Comments by CGS:

This transmittal documents 4th budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Rickie Nez Region. Y-T-D budget in FMIS for CD Rickie Nez totals \$8,298,631.33. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters the respective Council Delegate service aka Region.

Attachment
 Copy: Contract files
 Contract Accounting / OOC / DPM
 Lisa Jymm, Executive Director - NN FRF Office

Revised February 2023



Post Office Box 646 • Window Rock, Arizona 86515 • Phone: (928) 871-6570

Handwritten signatures and dates:
 5/2/24



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

MEMORANDUM



TO : Dominic Beyal, Director
 Navajo Nation Office of Management & Budget

 Cordell Shortey, Contracting Officer
 Navajo Nation Office of Management & Budget

FROM : *Lisa Jymm*
 Lisa Jymm, Executive Director
 Navajo Nation Fiscal Recovery Fund Office

DATE : April 18, 2024

SUBJECT : NABIAP-23-24 – Allocation of \$1,258,842.00 in Navajo Nation Fiscal Recovery Funds per Delegate Rickie Nez Delegate Region.

The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting business units totaling \$1,258,842.00 per NABIAP-23-24, Exhibit A, as listed in the table below:

for 4/25/24

No.	Description	Category	\$
1	Nenahnezad Chapter Equipment Purchase Project	6.1	\$483,642.00
2	San Juan Chapter Housing for Unhoused Person (Modular Homes) Project	2.16	\$375,200.00
3	San Juan Chapter Warehouse Project	1.14	\$400,000.00
		TOTAL:	\$1,258,842.00

*K2115508
K2115509
K2115510*

Attached is a full copy of the resolution with updated signatures and documents.

If you have any questions, please feel free to contact our office by phone at (928) 309-5535 or by email at ljymm@navajo-nsn.gov. Thank you.

CC: Germaine Jones, Deputy Contracting Officer, OMB/OCG
 Christine Chavez, Accounting Manager, OOC/CA

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Rickie Nez

CHAPTERS: T'ijstoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN NABIO-28-23 on October 17, 2023				\$ 4,403,169.33
		TOTAL AMOUNT APPROPRIATED IN NABID-51-23 on January 5, 2024				\$ 2,444,597.00
		TOTAL AMOUNT APPROPRIATED IN NABIF-08-24 on February 15, 2024				\$ 192,023.00
Division of Community Development	None Identified	Nenahnezad Chapter Equipment Purchase	Division of Community Development	6.1	HK0696	\$ 483,642.00
Division of Community Development	*San Juan Chapter	San Juan Chapter Housing for Unhoused Person (Modular Homes) Project	Division of Community Development	2.16	HK0753	\$ 375,200.00
Division of Community Development	*San Juan Chapter	San Juan Chapter Warehouse Project	Division of Community Development	1.14	HK0754	\$ 400,000.00
		UN-ALLOCATED AMOUNT				\$ 503,708.67
					TOTAL:	\$ 8,802,340.00

*Per C.JN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

RESOLUTION OF THE
 NAABIK'ÍYÁTI' STANDING COMMITTEE
 25th NAVAJO NATION COUNCIL -- Second Year, 2024

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIF-08-24 AND NABID-51-23 AND NABIO-28-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE RICKIE NEZ'S DELEGATE REGION (CHAPTERS: T'IISTSOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSÉ DAAK'ÁÁN, NEWCOMB, SAN JUAN)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Naabik'íyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. § 700(A).
- B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23, mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.
- C. Naabik'íyáti' Committee Resolution No. NABIO-28-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistsoh Sikaad, Nenahnezad, Upper Fruitland, Tsé Daak'áán, Newcomb, San Juan) be adopted and approved by resolution of the Naabik'íyáti' Committee pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.
- D. Naabik'íyáti' Committee Resolution No. NABID-51-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistsoh Sikaad, Nenahnezad, Upper Fruitland, Tsé Daak'áán, Newcomb, San Juan) be adopted and approved by resolution of the Naabik'íyáti' Committee pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.
- E. Naabik'íyáti' Committee Resolution No. NABIF-08-24, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistsoh Sikaad, Nenahnezad, Upper Fruitland, Tsé Daak'áán, Newcomb, San Juan) be adopted and approved by resolution of the Naabik'íyáti' Committee pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

SECTION TWO. FINDINGS

- A. As Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among other things, that
1. The Navajo Nation hereby approves total funding for the NNRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).
 2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
 3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and

- manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
 5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22; DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the President of the Navajo Nation on September 6, 2023.
- D. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among other things, that
1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).
- E. The Naabik'iyáti' Committee Resolution No. NABIO-28-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE RICKIE NEZ'S DELEGATE REGION (CHAPTERS:

T'IISTSOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSÉ DAAK'ÁÁN, NEWCOMB, SAN JUAN) was signed into law by the Chairperson of the Naabik'íyáti' Committee on October 17, 2023.

F. NABIO-28-23, Section Four, states that:

1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.

G. The Naabik'íyáti' Committee Resolution No. NABID-51-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-28-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE RICKIE NEZ'S DELEGATE REGION (CHAPTERS: T'IISTSOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSÉ DAAK'ÁÁN, NEWCOMB, SAN JUAN), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION, was signed into law by the Chairperson of the Naabik'íyáti' Committee on January 5, 2024.

H. NABID-51-23, Section Four, states that:

1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.

I. The Naabik'íyáti' Committee Resolution No. NABIF-08-24, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABID-51-23 AND NABIO-28-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE RICKIE NEZ'S DELEGATE REGION (CHAPTERS: T'IISTSOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSÉ DAAK'ÁÁN, NEWCOMB, SAN JUAN) was signed into law by the Chairperson of the Naabik'íyáti' Committee on February 15, 2024.

J. NABIF-08-24, Section Four, states that:

1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.

K. All projects listed in the Hon. Rickie Nez's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Rickie Nez's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

L. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Rickie Nez's

Delegate Region Chapters and communities to approve and adopt the projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistsoh Sikaad, Nenahnezad, Upper Fruitland, Tsé Daak'áán, Newcomb, San Juan) as set forth in Exhibit A.

SECTION THREE. AMENDING NABIF-08-24 AND NABID-51-23 AND NABIO-28-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE RICKIE NEZ'S DELEGATE REGION (CHAPTERS: T'IISTSOH SIKAAD, NENAHNEZAD, UPPER FRUITLAND, TSÉ DAAK'ÁÁN, NEWCOMB, SAN JUAN)

- A. The Navajo Nation hereby approves the projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Rickie Nez's Delegate Region (Chapters: T'iistsoh Sikaad, Nenahnezad, Upper Fruitland, Tsé Daak'áán, Newcomb, San Juan) set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.

SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 17 in Favor, and 00 Opposed, on this 11th day of April 2024.



Honorable Crystalyne Curley, Chairwoman
Naabik'iyáti' Committee

4/12/2024

Date

Motion: Honorable Curtis Yanito
Second: Honorable Shaandiin Parrish

Chairwoman Crystalyne Curley not voting



THE NAVAJO NATION
AAI CHECK OFF LIST
 FOR NEW COMPANY or BUSINESS UNIT

NOTIFICATION ON NEW COMPANY AND BUSINESS UNIT ADDED, PLEASE COMPLETE AAI CHECK OFF LIST

Company	*New Business Unit	Description	*Facility/Job Site#	
8059	K2115508	US Treasury – Nenahnezad Chapter Equipment Purchase Project	55261	
ENTERED BY (Step A to F) :		EXPLANATION/REFERENCE NO:	DATE:	
Germaine Jones <i>g.jones</i>		Setup New Business Unit	5/1/2024	
TASK	✓	TASK DESCRIPTION	APPLIC	TASK EXPLANATION
A. Create New Fund		1. Copy Address Book Record – “O” Search Type (Company ST)	P01012	Use “COPY” of similar Address Book. Complete vital fields: 1) Enter Tax ID 860092335, 2) Related Address tab-5 th Address Number field enter “10” (Gen Fund)
		2. Add Fund/Company (CO)	P0010	Use “ADD” in CO Names & Numbers-Setup, use CO 10 info, *CO Number. & *CO Address number are identical.
B. Create Balance Sheet Business Unit		Create Balance Sheet BU by Copying	P0006	Use “COPY” of similar Balance Sheet (BS) Business Unit
C. Attach Objects to Balance Sheet BU		1. Operating	P09804	Copy from Model “1” Bus Unit to BS Business Unit (Object range 0100 thru 0999 only)
D. Create New Business Unit *:		1. a) Operating BU (or)	P0006	Use “COPY” of similar Business Unit.
		3. a) Operating BU-Create AB Facility	P0006	In BU Master “More” tab-Address Number (Job Site) field-Visual Assist search type “F” (facility), select AB#
	✓	1. b) Project BU (Job)	P51006	Use “COPY” of similar Project BU
	✓	2. Project Job Dates	P51006	Create extended master, set job dates
	✓	3. b) Project BU-Create AB Facility	P51006	In Job Master “More” tab-Address Number (Job Site) field- Visual Assist search type “F” (facility), select AB#
E. Attach Objects to Business Unit		1. a) Operating (or)	P09804	“Copy” from model BU 2 to IS BU (Obj 1000 thru 9999)
	✓	1. b) Projects BU (Job)	P51091	“Copy” from Job Cost Code “CG1” Chart Type to Job #
F. Create ICCC AAI (New CO only)		1. Operating BU (or)	P0012	“Copy” similar Company “ICCC” AAI item no. Change BU and CO Fields only (must be identical)
		2. Project BU		
SET-UP VERIFIED BY:		DATE:	COMMENTS/ACTION:	
<i>[Signature]</i>		5/1/24	Verified new BU#.	

AUTOMATIC ACCOUNTING INSTRUCTIONS
 (Forward to responsible section/module immediately)

MODULE	ITEM#	AAI DESCRIPTION	APPLIC	INITIAL	DATE
GEN ACCT'G	ICCC	Intercompany Settlements	P0012	New Company Only	
ACCOUNTS PAYABLE	PB	Default Bank Account (10.0120.02)	P0012	New Company Only	
	PC	Payable Class Code	P0012	New Company Only	
	PCPREP	Prepaid Voucher Offset	P0012	New Company Only	
	PCRETN	Retainage (Contract)	P0012	New Company Only	
	PKD	Discounts Available	P0012	No Discounts	
	PKL	Discounts Lost	P0012	No Discounts	
FIXED ASSETS	DEPN	*Depreciation Default Values	P12002	New BU's	
PURCHASING	4320	Received Not Vouchered	P40950	New Company Only	
		*Setup Hold Codes for each new BU(B1)	P42090	New BU's	
		*Review Hold Budget Review Hold (RW)	P42090	New BU's	
		Set default A/B for each BU		New Company Only	
		Add Purchasing Tolerance rules	P4322	New Company Only	
		*Set-up Branch/Plant Constant & Set-up Address Number	P41001	New BU's	
SECURITY	Not yet	BU Security		Not Applicable	

RETURN COMPLETED FORM TO ISSUING DEPARTMENT



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 #: HK0696

Date & Time Received: 11/15/23 at 10:24

Date & Time of Response: Nov. 27, 2023 at 11:30 am

Entity Requesting FRF: Nenahnezad Chapter

Title of Project: Equipment Purchase

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$483,642.00

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input checked="" type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (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):

- 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: Lorenzo Curley

Signature of DOJ Reviewer: *Lorenzo Curley*

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.

**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: Nenahnezad Chapter Date prepared: 8.29.22

Chapter's P.O. Box 438 phone/email: aabavaro@nnchapters.org 505.960.9702
mailing address: Fruitland, NM 87416 website (if any): _____

This Form prepared by: Arthur Bavaro phone/email: 505-960-9702 aabavaro@nnchapters.org
Arthur Bavaro, Community Services Coordinator aabavaro@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Equipment Purchase

- Chapter President: Norman Begaye phone & email: 505.960.9702
- Chapter Vice-President: LoJan Watson phone & email: 505.960.9702
- Chapter Secretary: Andrea Faye Lope phone & email: 505.960.9702
- Chapter Treasurer: Andrea Faye Lope phone & email: 505.960.9702
- Chapter Manager or CSC: Arthur Bavaro, CSC phone & email: 505.960.9702
- DCD/Chapter ASO: Northern Agency phone & email: 505.368.1020

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): 4-Rivers Equipment, Heavy Equipment Dealer
 document attached

Amount of FRF requested: 483,642.00 FRF funding period: September 01, 2022 - December 31, 2026
Indicate Project starting and ending/headline 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:

Purchase John Deere 50G Hydraulic Mini Excavator and John Deere 672G Motor Grader. Funds to purchase equipment for digging wastewater infrastructure and for other related projects. To help community farmers maintain and clean irrigation canals for crop harvest. To mitigate COVID-19 sanitary conditions for community members.

document attached

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

The project will ensure that community farmers will be able to continue their farming lifestyle to provide nutritious food for the community. This project will also help ensure lack of sanitation conditions are improved by providing sanitation facilities.

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:

Upon receipt of funding and purchase order for equipment the chapter will proceed with transport and delivery services. This project is projected to take approximately 2 months. Administrative procedures with the funding source. Also vendor equipment inventory availability may cause a delay.

document attached

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

Nenahnezad Chapter administration and chapter officials.

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 chapter administration will be responsible for day to day operation and maintenance. Both, the chapter administration and the chapter officials will ensure that funds are budgeted for the equipment repair and maintenance on an annual cycle.

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 for government services. To facilitate and mitigate all COVID-19 negative impact on the community, To ensure the community is brought back into traditional farming activities and other spiritual rituals that were provided through local government services by the Nenahnezad Chapter.

document attached

Part 3. Additional documents.

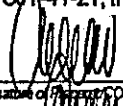
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):


Request for Direct Payment to vendor, W-9 Request for Taxpayer Identification Number and Certification. Chapter Resolution with community approval and support.


Chapter Resolution attached


Part 4. Affirmation by Funding Recipient.

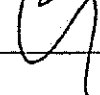
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. C.N. 41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: 
signature of CONTACT PERSON

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

Approved by: 
signature of CSC

Approved by: 
signature of Chapter ASU

Approved to submit for Review: 
signature of DCD Director

FY-23

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

APPENDIX B
BUDGET FORM 1

PART I. Business Unit No.: <u>16694</u>		Program Title: <u>New</u>		NFRF/Nenhazed Chapter		Division/Branch: <u>Division of Community Developer</u>		
Prepared By: <u>Arthur Bavaro</u>		Phone No.: <u>505-960-9702</u>		Email Address: <u>aabavaro@nncnchapters.org</u>				
PART II. FUNDING SOURCE(S)		Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY			
Special Revenue		8/31/22	483,642.00	100%	Fund Type Code	Original Budget	Proposed Budget	Difference or Total
					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		483,642	483,642
					9500 Matching Funds			
					9500 Indirect Cost			
					TOTAL		483,642.00	483,642.00
					PART IV. POSITIONS AND VEHICLES			
					Total # of Positions Budgeted:		0	0
					Total # of Vehicles Budgeted:		0	0
					TOTAL		483,642.00	483,642.00

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: JANIS MARLEY, Dept. Manager APPROVED BY: Arvin Mitchell, Director
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name

10-30-23 [Signature] Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>10009#</u>		Program Name/Title: <u>Non</u>		NNFRFNahnezad Chapter	
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:							
PART III. PROGRAM PERFORMANCE CRITERIA:							
1. Goal Statement:		1st QTR	2nd QTR	3rd QTR	4th QTR	Goal	Actual
To purchase 2022 Motor Grader		Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Measure/Objective:							
Purchase (1) 2022 Motor Grader to Mitigate COVID-19 in the community						1	
2. Goal Statement:							
To purchase 2023 Mini Excavator							
Program Performance Measure/Objective:							
Purchase (1) 2023 Mini Excavator to Mitigate COVID-19 in the community						1	
3. Goal Statement:							
Program Performance Measure/Objective:							
4. Goal Statement:							
Program Performance Measure/Objective:							
5. Goal Statement:							
Program Performance Measure/Objective:							
PART IV. THEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED							
JAYM CMAVILY, Dept. MANAGER Program Manager's Printed Name 10-30-23 Program Manager's Signature and Date				Arvan Mitchell Director Division Director/Branch Chief's Printed Name [Signature] Division Director/Branch Chief's Signature and Date			

**APPENDIX B
BUDGET FORM 4**

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

FY-23

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>108094</u>	
Program Name/Title: <u>NNFRFNenahnezad Chapter</u>			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
9140	Equipment-2022 Motor Grader	391,952	
9140	Equipment-2023 Mini Excavator	91,690	483,642
TOTAL		483,642	483,642

Request for Taxpayer Identification Number and Certification

Give Form to the
 requester. Do not
 send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. 4RIVERS HOLDINGS, LLC	
2 Business name/disregarded entity name, if different from above 4RIVERS EQUIPMENT, LLC	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions. 1557 PROMONTORY CIRCLE SUITE 110	Requester's name and address (optional)
6 City, state, and ZIP code GREELEY, CO 80634	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)																																																							
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later. <small>Note: If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td colspan="9" style="text-align: center;">Social security number</td></tr> <tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr> <tr><td colspan="9" style="text-align: center;">OR</td></tr> <tr><td colspan="9" style="text-align: center;">Employer identification number</td></tr> <tr><td style="width: 20px; height: 20px;">8</td><td style="width: 20px; height: 20px;">4</td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;">-</td><td style="width: 20px; height: 20px;">1</td><td style="width: 20px; height: 20px;">2</td><td style="width: 20px; height: 20px;">5</td><td style="width: 20px; height: 20px;">0</td><td style="width: 20px; height: 20px;">1</td></tr> <tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;">2</td></tr> </table>	Social security number																		OR									Employer identification number									8	4		-	1	2	5	0	1									2
Social security number																																																							
OR																																																							
Employer identification number																																																							
8	4		-	1	2	5	0	1																																															
								2																																															

Part II Certification	
Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and 3. I am a U.S. citizen or other U.S. person (defined below); and 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.	
Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.	

Sign Here	Signature of U.S. person ▶ <i>[Handwritten Signature]</i>		Date ▶ <i>03.03.2023</i>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

NAVAJO NATION CERTIFICATION
Regarding Debarment, Suspension, and
Contracting Eligibility

1. Applicant entity acknowledges that to the best of its knowledge that the Applicant entity, either in its present form or in any identifiable capacity, has not, in accordance with 12 N.N.C. § 361:
 - A. Been convicted of the commission of criminal offenses incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of any such contract or subcontract;
 - B. Been convicted of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or other offenses indicating a lack of business integrity or honesty, which currently, seriously, and directly affect responsibility as a Navajo Nation contractor;
 - C. Been convicted under antitrust statutes arising out of the submission of bids or proposals;
 - D. Violated contract provisions, including:
 - i. Deliberate failure, without good cause, to perform in accordance with the contract specifications or within the time limit provided in the contract,
 - ii. A recent record of failure to perform or of unsatisfactory performance with the terms of any contract, or
 - iii. Any other cause so serious and compelling as to affect responsibility as a Navajo Nation contractor, including debarment by another governmental entity.
2. Applicant acknowledges that if the Navajo Nation determines that the executed Certification provided herein is untrue or not wholly accurate, it shall be grounds for the Navajo Nation to terminate the contract and pursue other legal remedies, at the Navajo Nation's discretion.
3. Applicant certifies to the best of its knowledge that it is eligible to do business with the

Navajo Nation, in its present form or in any other identifiable capacity, pursuant to 12 N.N.C. § 1501 and 5 N.N.C. § 301. Applicant also acknowledges that per 12 N.N.C. § 1505, it will not be eligible to contract with the Navajo Nation if deemed ineligible by the appropriate department or entity of the Navajo Nation which receives the Applicant's request for consideration for a business opportunity.

4 Rivers Equipment, LLC
Applicant Name

1100 Troy King Road
Applicant Address

Farmington, NM
Applicant Address

87401
Applicant Address

Vikki O'Neal
Name of individual signing on Applicant's behalf (print)

Administrative Assistant
Title of individual signing on Applicant's behalf

Vikki O'Neal
Signature of individual signing on Applicant's behalf

03.03.2023
Date



Albuquerque NM * Cheyenne WY * Colorado Springs CO * El Paso TX * Farmington NM * Fort Collins CO
Frederick CO * Greeley CO * Hobbs NM * Holly CO * Lamar CO * Pueblo CO * Rocky Ford CO * Strasburg CO
www.4RiversEquipment.com

Quotation

To: NN Nenahnezad Chapter
Po Box 438
Fruitland NM. 87416

Date: 3.31.2023
FOB: Farmington
Delivery Date: 30-120days ARO

Attention: Mr. President Norman C. Begaye & Mr. CSC. Arthur Bavaro (Quotation Void after 30 Days)

1 each New 2022 John Deere 672G All Wheel (6WD) Motor Grader Equipped With:
9.0L Engine (548 cu. in.) displacement (240 VHP) Final Tier 4 Emissions, 200 Amp Alternator,
Antler Rack Controls (traditional), Steering Wheel, Hydraulic Pump Disconnect, *JD Link
Ultimate Life Time service*, 14'x 24"x 7/8" MB (6"CEX 5/8"), Single Input w/Slip Clutch
Gearbox, 14.0-24 16PR Bias Tires with 3pc Rims, EH Low Cab with Open Front and Side
Windows, Auto Shift Plus Transmission 8FWD 8REV Gears, Transmission solenoid valve
guard, Low Cab with Open Windows, Premium Heated Air Suspension Seat with Arm Rests,
Front Push Block, Rear Ripper/Scarifier Combo w/9Extra SCFR Shanks and 5-rippers shanks
w/teeth, Deluxe Lighting Package 18 Halogen with LED Brake and Tail, Converter 10/15Amp
24v To 12v, Heated Mirrors External, Lower Front Intermittent Wiper/Washer, Radio
AM/FM/WB Blue Tooth, Rear Camera, Rear Retractable Sunshade, Pedal Decelerator, LH
Beacon Strobe for safety, Fire Extinguisher, SMV Sign, Engine Coolant Heater, 9L 14" Air
Cleaner, Adjusting Rotary Ejector Pre-cleaner, Severe Duty Fuel filter/lines, ether Aid less
canister, Right Side engine Compartment light, Plus All Other Standard Equipment.

NN Nenahnezad Chapter Price using NN Governmental Discounts:	\$358,700.00
Navajo Nation Tax 6%	\$ 21,522.00
Grand Total with discounts and added NN Taxes:	\$380,222.00

Optional:

Machine Care Plan: 5Yr./ 2000 Hours Machine Care Plan w/tax: (This covers all maintenance intervals up to 2000 hours for 5-years. Filters, oils, parts Environmental fees, labor, travel time, milcage and NN Taxes. Locked in price. (inflation proof)	\$11,730.41
Grand total with Machine Care Option added:	\$391,952.41



Albuquerque NM * Cheyenne WY * Colorado Springs CO * El Paso TX * Farmington NM * Fort Collins CO
Frederick CO * Greeley CO * Hobbs NM * Holly CO * Lamar CO * Pueblo CO * Rocky Ford CO * Strasburg CO
www.4RiversEquipment.com

Quotation

To: NN Nenahnezad Chapter
Po Box 438
Fruitland NM. 87416

Date: 3.31.2023
FOB: Farmington

Delivery Date: 60-90 Day ARO

Attention: Mr. President Norman C. Begaye & Mr. CSC. Arthur Bavaro (Quotation Void after 30 Days)

1 Each New 2023 John Deere 50G Hydraulic Mini Excavator Equipped With:
Full Cab with Heat and A/C, Cloth Suspension Seat, 16" Wide Rubber Tracks, SAE/DEERE
Pattern Control Switch, Manual Quick Coupler, Hydraulic Thumb, Boom Swing, Proportional
Auxiliary Hydraulics, Heavy Duty 12" & 18" Buckets, Work Lights, 2 Speed Travel, Angle
Backfill Blade w/bolt on cutting edge, PA30B Auger Drive and mount with 6 & 18" HD bits,
13,795.00 Lb. Machine, 5'7" Long Arm for a 12'7" Dig Depth, Plus All Standard Equipment.

NN Nenahnezad Chapter price with Navajo Nation Gov. Discounts: \$86,500.00

Note:

We can deliver to chapter for same price but a 6% NN tax will apply: \$5,190.00
Total if delivered to the chapter house. \$91,690.00

Warranty:

2-Years or 2000 Hours of Full Machine Factory Warranty, Plus an Additional 36-Months or
3000 Hours whichever occurs First of the Comprehensive (Full Machine) Extended Warranty,
FOB 4 Rivers Facility.

Operator Training:

Free of charge for training on operation and maintenance of the machine at time of delivery.

By: David Valdez

Accepted By: Norman C. Begaye

Order Accepted By: 4 Rivers Equipment, LLC.



Albuquerque NM * Cheyenne WY * Colorado Springs CO * El Paso TX * Farmington NM * Fort Collins CO
Frederick CO * Greeley CO * Hobbs NM * Holly CO * Lamar CO * Pueblo CO * Rocky Ford CO * Strasberg CO
www.4RiversEquipment.com

Machine Warranty:

12-Months Full Machine Factory Warranty, plus an additional 72-Months/4000 hours whichever occurs first of Powertrain plus Hydraulics extended warranty. FOB a 4Rivers Equipment Facility.

Operator Training:

Free of charge for training on operation and maintenance of the machine at time of delivery.

By: David Valdez

Accepted By:

Order Accepted By: 4 Rivers Equipment, LLC.

NAVAJO NATION

345

4/11/2024

Naa'bik'iyati' Committee Regular Meeting

11:17:03 AM

Amd# to Amd#

New Business: Item A.

PASSED

MOT Yanito, C
SEC Parrish, S

CONSENT AGENDA > 0069-24,0078-24
0040-24,0062-24,0064-24,0065-24
0066-24,0074-24,0077-24

Yeas : 17

Nays : 0

Excused : 6

Not Voting : 0

Yea : 17

Aseret, L
Begay, H
Crotty, A
Daniels, H
James, V

Johnson, C
Nez, A
Notah, N
Parrish, S

Simonson, G
Simpson, D
Slater, C
Tolth, G

Tso, O
Yanito, C
Yazzie, C
Yazzie, L

Nay : 0

Excused : 6

Arviso, S
Begay, N

Charles-Newton, E
Claw, S

Jesus, B

Nez, R

Not Voting : 0

Presiding Speaker: Curley, C