

THE NAVAJO NATION

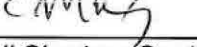
JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



November 17, 2022

TRANSMITTAL

TO : Tom Platero, Executive Director
Navajo Nation Fiscal Recovery Funds (FRF) Office

FROM : 
Cordell Shortey, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : Modular Office Building Lease for Office Complex

I. Information on Contract (per Original Award):

Modular Office Building Lease for FRF Office Complex		U.S. Treasury American Recovery Plan Act (ARPA)	21.019
Title of Contract		Funding Agency	CFDA No. - Federal
CJY-41-21	\$ 8,931,654.00	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Fiscal Year	Term - Begin and End Date

II. Data Entered in FMIS Regarding:

☒ New Contract or Grant Company No. 8059 Business Unit (K#) K211557
☐ Contract Mod No. _____
☐ Amt of Award _____ to _____
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 CJY-41-21

III. Comments by CGS:

Budget received on November 2, 2022 is authorized for implementation pursuant to FY 2023 NN BIM Appendix L Section II.B and approved by President Nez on September 26, 2022. Delay in implementation of budget is due to FRF Office needing to provide additional information on object code 6520. FRF Office submitted updated budget on November 16, 2022.

Attachment

Copy: Contract files

Contract Accounting/ OOC / DPM / Chief of Staff, OP/VP

Revised April 2018



Office of Management and Budget ♦ Post Office Box 646 ♦ Window Rock, AZ 86515
(928) 871-6470 Telephone ♦ (928) 871-6567 Facsimile

Job

K211557 US TREASURY-MOD OFC BLDG COMPL

Thru Date 11/3/2022

Project

Cost Code	Cost Type	Description	L P M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1710	Program Revenue	6 B N	6 B N	8,931,654.00-	8,931,654.00-			8,931,654.00-		1.00
1710	Program Revenue	6 T	6 T	8,931,654.00-	8,931,654.00-			8,931,654.00-		1.00
1705	CG Revenue	5 T	5 T	8,931,654.00-	8,931,654.00-			8,931,654.00-		1.00
1700	External C/G Revenue Source	4 T	4 T	8,931,654.00-	8,931,654.00-			8,931,654.00-		1.00
1000	Revenues	3 T	3 T	8,931,654.00-	8,931,654.00-			8,931,654.00-		1.00
5110	Building	6 B N	6 B N	5,427,818.00	5,427,818.00			5,427,818.00		1.00
5110	Building	6 T	6 T	5,427,818.00	5,427,818.00			5,427,818.00		1.00
5100	Lease	5 T	5 T	5,427,818.00	5,427,818.00			5,427,818.00		1.00
5000	Lease & Rental	4 T	4 T	5,427,818.00	5,427,818.00			5,427,818.00		1.00
6520	Consulting	6 B N	6 B N	3,503,836.00	3,503,836.00			3,503,836.00		1.00
6520	Consulting	6 T	6 T	3,503,836.00	3,503,836.00			3,503,836.00		1.00
6510	Professional Services	5 T	5 T	3,503,836.00	3,503,836.00			3,503,836.00		1.00
6500	Contractual Services	4 T	4 T	3,503,836.00	3,503,836.00			3,503,836.00		1.00
2000	Expenses	3 T	3 T	8,931,654.00	8,931,654.00			8,931,654.00		1.00

PART I. PROGRAM INFORMATION:		Navajo Nation Fiscal Recovery Funds Office								
Business Unit No.:	NEW	Program Name/Title:								
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:										
PART III. PROGRAM PERFORMANCE CRITERIA:										
1. Goal Statement:	Secure Funding for Project	1st QTR	2nd QTR	3rd QTR	4th QTR					
	Program Performance Measure/Objective:	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	
	OMB will set up K- Account for funding									
2. Goal Statement:	Secure project advertisement	1								
	Program Performance Measure/Objective:									
	NNFRFO will release request for qualifications									
3. Goal Statement:	Contractor Selection			1						
	Program Performance Measure/Objective:									
	NNFRFO will award project contract							1		
4. Goal Statement:	Project Mobilization									
	Program Performance Measure/Objective:									
	Project will officially start							1		
5. Goal Statement:	Project Progress Review									
	Program Performance Measure/Objective:									
	NNFRFO Technical Section will conduct Project Review									1
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.										
Max Bighorse, Principle Civil Engineer		Tom Platero, Executive Director								
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name								
Max Bighorse		12/17/2022								
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date								

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Navajo Nation Fiscal Recovery Funds Office</u> Business Unit No.: <u>NEW</u>		NEW K211557	
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)
5000	Lease and Rental		5,427,818
	Lease for 48 months. Office space will provide a safe and healthy working environment for the entire Navajo Nation Fiscal Recovery Fund Office. Building will also have conference rooms to hold meetings with elected officials regarding ARPA projects		
5100	Building 5120 Office Space	5,427,818	
		5,427,818	5,427,818
TOTAL		5,427,818	5,427,818

Reviewed 11/3/24


THE NAVAJO NATION



JONATHAN NEZ | **PRESIDENT** MYRON LIZER | **VICE PRESIDENT**

MEMORANDUM

TO : Cordell Shortey, Contracting Officer
Contracts & Grants Section/OMB
THE NAVAJO NATION

FROM : 
Tom Platero, Executive Director
NN Fiscal Recovery Fund Office

DATE : October 17, 2022

Subject : New Business Unit – ARPA/NNFRF Funded

Attached are the documents necessary for the Contract Section of Office of Management & Budget to setup a new business funded by the Navajo Nation Fiscal Recovery Fund (Co. 8059) as determined eligible by Navajo DOJ and approved by President Nez.

This step follows the established process and authorization as approved by the Navajo Nation Council and signed into law by President Nez set forth in Section Seven of Resolution CJY-41-21 (copy of Section Seven is attached) to fund central support and regulatory services

Attached are:

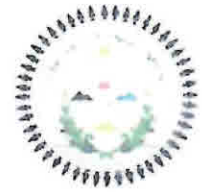
1. The Navajo Nation President correspondence entitled;
APPROVAL of Navajo Nation Fiscal Recovery Funds (NNFRF) for NNFRF Central Support & Regulatory Services – Modular Office Building Lease – NNFRF Office Complex
2. The Navajo Nation Department of Justice Initial Eligibility Determination for Navajo Nation Fiscal Recovery Funds, which deems this project eligible.
3. The signed Budget Packet in the amount of \$8,931,654.00 for use in setting up the Business Unit in the Navajo Nation's Financial Management Information System.
4. Copy of Navajo Nation Council Resolution CJY-41-21, Section Seven.

Please contact me at via e-mail or at phone number (505) 413-0990 if you have any questions. Thank you.

xc: Jonathan Nez, Navajo Nation President
Elizabeth Begay, NN Controller
NN FRF Ofc Managers
NN FRF File

**NAVAJO NATION
PRESIDENT
APPROVAL LETTER**

THE NAVAJO NATION



JONATHAN NEZ. | PRESIDENT

MYRON LIZER | VICE PRESIDENT

September 26, 2022

Navajo Fiscal Recovery Fund Office
Mr. Tom Platero
PO Box 2469
Window Rock, AZ 86515

SUBJECT: APPROVAL of Navajo Nation Fiscal Recovery Funds (NNFRF) for NNFRF Central Support & Regulatory Services – Modular Office Building Lease - NNFRF Office Complex

By Resolution CJY-41-21, Navajo Nation Council established the Navajo Nation Fiscal Recovery Fund (NNFRF) and the Expenditure Authorization Process for ARPA funding. Vice President Lizer and I signed the resolution into law on August 2, 2021. SECTION SEVEN of the resolution includes an immediate allocation of Navajo Nation Fiscal Recovery Funds to fund central support and regulatory programs.

The NN Fiscal Recovery Fund Office submitted a project description form for the lease of modular office building to establish a NN FRF Office Complex. The Department of Justice has reviewed the form and determined the project eligible. The following is a summary of their determination:

Description	Amount	Approved Expenditure Category
MODULAR OFC BLDG LEASE for FRF OFFICE COMPLEX	\$8,931,654	7.01 ADMINISTRATIVE EXPENSES

Included with this memo is the DOJ eligibility determination form for the Fiscal Recovery Fund Office, Office of Management & Budget (OMB) and the Office of the Controller (OOC) records. Please submit a copy of the entire signed project description forms to include the necessary Navajo Nation BIM forms to OMB in order to establish the budgets to move forward with your project.

The resolution contains additional provisions, including a section to authorize funding for central support and regulatory services and a section authorizing the establishment of a NN Fiscal Recovery Fund Office within the Office of the President and Vice-President (OPVP).

Sincerely,


Jonathan Nez, President
THE NAVAJO NATION

Attachments

cc: FRF Office
Dept of Justice
Office of the Controller
Office of Management & Budget

POST OFFICE BOX 7440 | WINDOW ROCK, AZ 86515 | PHONE: 928-871-7000 | FAX: 928 871-4025

NAVAJO NATION
DEPT OF JUSTICE

ELIGIBILITY
DETERMINATION
FORM



**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 #: None Assigned

Date & Time Received: 9/12/2022 14:27

Date & Time of Response: 9/17/2022 15:35

Entity Requesting FRF: Navajo Nation Fiscal Recovery Fund Office

Title of Project: Modular Office Buildings Lease - NNFRFO

Administrative Oversight: OPVP

Amount of Funding Requested: \$8,931,654

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: 7.1, Administrative Expenses

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: Your project schedule on Part 2(c) of the Appendix A is incorrect.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: *MRodis*

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.

BUDGET FORMS

CJY-41-21
SECTION SEVEN

The Navajo Nation hereby immediately allocates NNFRF funds to replace the Navajo Nation CARES Fund funds that were reallocated to the Navajo Nation Hardship Assistance Expenditure Plan pursuant to Navajo Nation Council Resolution No. CJY-67-20 and Naabik'íyáti' Committee Resolutions No. NABIO-49-20 and NABID-63-20, as well as any CARES Fund funding that was voluntarily returned to the Nation because the project approved by the Navajo Nation Council could not be completed by the federal CARES Act deadline(s). OMB, with the assistance of OOC, shall report the amount and status of such allocations to the Naabik'íyáti' Committee and the Office of President and Vice-President no later than sixty (60) days after the effective date of this legislation.

SECTION SEVEN. IMMEDIATE ALLOCATION OF NAVAJO NATION FISCAL RECOVERY FUNDS TO FUND CENTRAL SUPPORT AND REGULATORY SERVICES

- A. The Navajo Nation hereby immediately allocates ten percent (10%) of all Fiscal Recovery Funds received by the Navajo Nation to fund central support service and regulatory costs.
- B. The Office of the President and Vice-President shall be responsible for apportioning ninety percent (90%) of the ten percent (10%) amount amongst Executive Branch programs and offices providing central support and regulatory services, including, the Office of the President and Vice-President, Office of the Controller, Office of Management and Budget, Department of Justice, Navajo Nation Washington Office, Division of Human Resources, Division of Community Development, and other Divisions and offices providing central support and/or regulatory services.
- C. The Speaker of the Navajo Nation Council, after consultation with the Naabik'íyáti' Committee, shall be responsible for apportioning ten percent (10%) of the ten percent (10%) amount amongst Legislative Branch programs and offices providing central support services, including the Office of Legislative Services, Office of Legislative Counsel, Office of the Speaker, and Navajo Nation Council.
- D. The programs and offices receiving NNFRF for central support and/or regulatory services shall use such funding to develop the legal, financial, organizational, managerial, administrative, regulatory, and reporting framework necessary to support the expeditious completion of NNFRF funded projects and the provision of NNFRF funded services.
- E. The detailed budgets for the NNFRF funding allocated here for central support and regulatory services shall be processed through the executive or administrative review process

applicable to each Branch and shall not require further legislative action.

- F. Any central support and/or regulatory services funding unspent or unencumbered at the end of the second quarter of Fiscal Year 2024 shall be reallocated to the NNFRF and be available for allocation to other NNFRF projects and services.

SECTION EIGHT. AUTHORIZING THE OFFICE OF THE CONTROLLER TO DISTRIBUTE FUNDS FROM THE NAVAJO NATION FISCAL RECOVERY FUND

- A. After reimbursement of the Sihasin Fund and UUF, allocations to the defunded Navajo Nation CARES Fund projects, and the release of the immediate disbursements provided for in this legislation, OOC shall only release and distribute NNFRF funds in conformance with duly adopted Expenditure Plans enacted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C) (10), (11) and (12).
- B. Expenditure Plan funds shall not be released to LGA-certified Chapters, Navajo Nation-owned enterprises/authorities/corporations, non-profit corporations and/or external entities until a binding agreement, e.g., grant or sub-recipient agreement, has been executed between the Navajo Nation and the respective Responsible Entity.
- C. OOC shall be responsible for ensuring that withdrawals from all invested NNFRF funds are timed to balance Expenditure Plan needs with maximum investment earnings.
- D. OOC shall coordinate and collaborate with each Responsible Entity to ensure that all applicable Navajo Nation and federal financial, accounting, and reporting laws and regulations are adhered to and strictly followed.
- E. OOC and the respective Responsible Entity shall provide a written and oral report to the Naabik'iyáti' Committee and the Office of President and Vice-President on or about thirty (30) days after the end of each fiscal year quarter; such report will present an overview and status of all NNFRF funded projects, recommended modifications or adjustments to projects, and compliance challenges, if any.

SECTION NINE. APPLICABILITY AND WAIVER OF NAVAJO NATION APPROPRIATIONS ACT PROVISIONS TO NAVAJO NATION FISCAL RECOVERY FUNDS



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	K211557	US TREASURY – Modular Office Building Lease	53502
ENTERED BY (Step A to F) :		EXPLANATION/REFERENCE NO:	DATE:
Jan James		Setup New Business Unit	11/3/2022

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:
[Signature]			11/4/22	verified Business Unit

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