



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 #: HK0540-2

Date & Time Received: 02/28/24 at 14:59

Date & Time of Response: 3/11/2024 at 17:00

Entity Requesting FRF: Sanostee Chapter

Title of Project: Bull Dozer

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$486,010.00

Eligibility Determination:

- FRF eligible (checked)
FRF ineligible
Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
(2) Premium Pay
(3) Government Services/Lost Revenue (checked)
(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: \_\_\_\_\_  
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Name of DOJ Reviewer: Navalyn R. Platero

Signature of DOJ Reviewer: 

**Disclaimers:**  
If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

**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: **Sanostee (TseAlnaoztii)**

Date prepared: 05/12/23

Chapter's mailing address: **P O Box 219  
Sanostee, New Mexico 87461**

phone/email: **505-723-2703**  
website (if any): **sanostee@navajochapters.org**

This Form prepared by: **Jourdan Washburn**  
**Secretary/Treasurer**

phone/email: **505-723-2703**  
**chelseamoore@navajochapters.org**  
CONTACT PERSON'S info

CONTACT PERSON'S name and title

Title and type of Project: **Bull Dozer**

Chapter President: **Jeanne Haskie**

phone & email: **505-320-5605, jghaskie@naataani.org**

Chapter Vice-President: **Gerald Henderson**

phone & email: **505-354-9026, ghenderson@naataani.org**

Chapter Secretary: **Jourdan Washburn**

phone & email: **575-486-7735, chelseamoore@navajochapters.org**

Chapter Treasurer: **Jourdan Washburn**

phone & email: **575-486-7735, chelseamoore@navajochapters.org**

Chapter Manager or CSC: **vacant**

phone & email:

DCD/Chapter ASO: **Danielle Redhouse**

phone & email: **dredhouse@nndcd.org**

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

document attached

Amount of FRF requested: **\$486,010.00** FRF funding period:

**01/01/2023 - 09/30/2024**

indicate Project starting and ending/deadline date

**Part 2. Expenditure Plan details.**

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

**To procure a bull dozer to address road maintenance needs for emergency response, public safety and for school bus routes for public safety purposes, and to assist the community with mitigating COVID-19 to ensure a healthy community.**

document attached

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

**The equipment will benefit the Navajo Nation, TseAlnaoztii (Sanostee) community and the Navajo people by providing equipment to serve our community members by providing maintenance on community roads for public safety.**

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:

Funding - May/June 2023; Review and approval process through Navajo Nation departments and entities from June through August 2023; procurement to be completed by March 2024.

document attached

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

Tse Alnaoztii (Sanostee) Chapter will work in collaboration with Capital Projects Management Department and Navajo Division of Transportation to implement this project.

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 Tse Alnaoztii (Sanostee) Chapter will be responsible for the operation and maintenance of the equipment once purchased.

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:

Provision of Government Services 6.1

Tse Alnaoztii (Sanostee) Chapter is seeking funding for much needed equipment a Bulldozer Road maintenance for public safety purposes is a high priority in the community. There is only 1 paved road (Hwy. N-34) which is used daily by community members for the daily activities including getting food provisions for their families from the community of Shiprock or from Farmington and Gallup, NM.

document attached

Part 3. Additional documents.

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

Tse Alnaoztii (Sanostee) Chapter Resolution TAT-23-05-60.

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:



Approved by:

  
signature of Chapter President for Vice-President

Approved by:

VACANT  
signature - CSC

Approved by

  
signature of Chapter ASO

Approved to submit for Review.

  
signature of DCO Director



THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

**PART I. Business Unit No.:** New **Program Title:** Tse Alnaoztil (Sanostee) Chapter *bulldozer* **Division/Branch:** Community Development

**Prepared By:** Jourdan Washburn, Sec/Treasurer **Phone No.:** 505-723-2703 **Email Address:** sanostee@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A)	(B)	(C)
						NNC Approved Original Budget	Proposed Budget	Difference or Total
CYJ-41-21 NN Recovery Fnd	<i>04/01/2023 - 04/30/2026</i>	\$486,010.00	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		\$ 486,010.00	\$ 486,010.
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	486,010.00	486,010.
				<b>PART IV. POSITIONS AND VEHICLES</b>		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
<b>TOTAL:</b> 486,010.00 100%								

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

**SUBMITTED BY:** James Adakai, Delegated Department Manager II **APPROVED BY:** Calvin Castillo, Executive Director

Program Manager's Printed Name Division Director / Branch Chief's Printed Name

Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

*5-16-23* *5-16-23*

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

**PART I. PROGRAM INFORMATION:**

Business Unit No.:          New Program Name/Title: Tse Alnaoztil (Sanostee) Chapter Bull Dozer

**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**

*To purchase bull dozer to help maintain roads and aid in mitigating COVID19.*

**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 procure a Bull Dozer for road maintenance work in the community.

**Program Performance Measure/Objective:**

To purchase a Bull dozer for road maintenance for public safety reasons.

						1	
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**2. Goal Statement:**

**Program Performance Measure/Objective:**

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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.**

James Adakai, Delegated Department Manager II  
Program Manager's Printed Name

Program Manager's Signature and Date

*[Signature]* 5-16-23

Calvin Castillo, Executive Director  
Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

*[Signature]* 5-16-23

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tee Alnozil (Sanostee) Chapter</u>		<u>Bull Dozer</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)
6960	SUBCONTRACTED SERVICES		486,010.00
	6998 Subcontracted Services	486,010.00	
	Purchase a Bull Dozer-Equipment \$ 486,010.00		
		TOTAL \$ 986,010.00	\$ 486,010.00

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.:</b> <u>new</u> <b>Project Title:</b> <u>Tse Alnaoztli (Sanostee) Bull Dozer Purchase</u> <b>Project Description:</b> <u>Tse Alnaoztli (Sanostee) Bull Dozer Purchase</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification													<b>PART II. Project Information</b> <b>Project Type:</b> <u>Bull Dozer</u> <b>Planned Start Date:</b> <u>01/01/2023</u> <b>Planned End Date:</b> <u>9/30/2024</u> <b>Project Manager:</b> <u>CPMD</u>																			
<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 6 FY Qtrs.															
Pre-Planning, Bids Procurement Project Close-out	FY 2023												FY 2024												Date July 2024							
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date	J	u	l	A	u	g	M
	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M		
	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$		
<b>PART V.</b> Expected Quarterly Expenditures																															<b>PROJECT TOTAL</b>	
																														<u>186,010.</u>		
																														<u>10,000.</u>		
																														<u>290,000.</u>		
																														<u>486,010.00</u>		

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





***iiná bá, Inc.***

ENVIRONMENTAL | ENGINEERING | SURVEYING | CONSTRUCTION | TRANSPORTATION

December 31, 2023

Mr. Arbin Mitchell – Division Director  
Navajo Nation Division of Community Development  
Navajo Nation Administration Building No. 2, Second Floor South  
Window Rock, Arizona 86515

RE: **Summary of Project Investigation Findings – Sanostee Chapter Crawler Dozer Purchase**

NNDCD On-Call ID/IQ Task Order No. 1  
Navajo Route 34  
Sanostee, San Juan County, New Mexico  
Contract No.: 2022-DCD-02  
***iiná bá***, Inc. Project No.: 23-064-10

Dear Mr. Mitchell:

***iiná bá***, Inc. (IBI) is pleased to provide the following summary of the results of our thorough investigation of the above-referenced approved chapter project under the subject contract effort.

**FRF Approved Project Budget:** \$300,000.00

**NOT FEASIBLE**

**Generalized Project Description:** The Sanostee Chapter intends to purchase a crawler dozer (Model 850L) that will assist them in facilitating critical road maintenance activities for their community and bus routes, especially those at the base of the mountains.

**Assessment Procedures:** IBI visited with the Sanostee Chapter on Tuesday, September 26, 2023, to fully understand the needs and intent of the Chapter officials regarding the approved crawler dozer purchase. After a thorough question and answer session with Chapter officials, a clear understanding of what they intended the subject project should look like and provided additional insight into what their approved budget should accomplish.

IBI took the Chapter's input and assessed whether the approved budget was adequate to meet the needs of the project. To accomplish this, it required obtaining a vendor quotation from the local John Deere equipment vendor – 4Rivers Equipment.

**Assessment Findings:** Through IBI's due diligence and research, we determined the following regarding the approved project budget:

***Maintaining Harmony Between Man and His Environment***

***iiná bá, Inc.*** 1812 Schofield Lane, Farmington, NM 87401 PO Box 2606 Farmington, NM 87499

Phone: (505) 327-1072 Fax: (505) 327-1517

[www.iinaba.com](http://www.iinaba.com)



***iiná bá, Inc.***

ENVIRONMENTAL | ENGINEERING | SURVEYING | CONSTRUCTION | TRANSPORTATION

- John Deere 850L crawler dozer purchase: **\$486,010.00**

**Assessment Costs:** IBI concluded that the Chapter budget of \$300,000.00 **is not adequate** to allow the purchase of a crawler dozer as requested by the Chapter. There also appears to be a **budget deficit of \$186,010.00**. **It should be further noted that this price also included the following:**

- 12 months of full machine factor warranty plus an additional 48-months or 3,000 hours (whichever occurs first) on powertrain plus hydraulics extended warranty;
- Optional 5-year or 3,000 hour Machine Care Plan with travel at \$19,263.48;
- Special Navajo Nation Governmental Discount; and,
- Free of charge operator training.

**Please keep in mind that this this value is only good for 90 days as prices are subject to change.** Delivery of this equipment is estimated to be between 30 to 90 days from the date of purchase.

IBI appreciates the opportunity of providing the Navajo Nation Division of Community Development with our findings from the assessment of the referenced chapter project. If you have any questions or comments regarding our assessment, please feel free to contact Duane M. Aspaas, President at (505) 327-1072 or by e-mail at [daspaas@iinaba.com](mailto:daspaas@iinaba.com).

Respectfully submitted,

***iiná bá, Inc.***

Duane M. Aspaas  
President

***Maintaining Harmony Between Man and His Environment***

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OFFICE OF THE ATTORNEY GENERAL

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Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 0540

Date & Time Received: 06/09/23 at 13:55

Date & Time of Response: 6/16/23 at 17:00

Entity Requesting FRF: Sanostee (TseAlnaoztii) Chapter

Title of Project: Bull Dozer

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$300,000.00

Eligibility Determination:

- FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
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6.1, Provision of Government Services



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Name of DOJ Reviewer: Veronica Blackhat, Asst Attorney General, Natural Resources Unit

Signature of DOJ Reviewer: 

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