



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 #: HK0830

Date & Time Received: 05/08/24 at 11:27

Date & Time of Response: May 15, 2024 at 10 am

Entity Requesting FRF: Pinon Chapter

Title of Project: Motor Grader for Community Roads

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$425,000.00

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
- (3) Government Services/Lost Revenue
- (2) Premium Pay
- (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: _____
6.1: Provision of Government Services

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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: _____

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 GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Pinon Chapter Date prepared: 04/05/2024

Chapter's mailing address: P.O. Box 127 phone & email: 928-725-3710 pinon@navajochapters.org
Pinon, AZ 86510 website (if any): https://pinon.navajochapters.org/

This Form prepared by: Charles A. Begay / Sharon A. Begay phone/email: 480-742-1522 cb5231@gmail.com

CHAPTER CONTACT PERSON'S name and title

Title and type of Project: Motor Grader for Community Roads

Chapter President: Bessie S. Allen phone & email: 928-313-4983

Chapter Vice-President: Bill Yazzie phone & email: 928-383-6113

Chapter Secretary: Ramona Nalwood phone & email: 928-221-4021

Chapter Treasurer: Ramona Nalwood phone & email: 928-221-4021

Chapter Manager or CSC: Sharon A. Begay phone & email: 928-675-7021

DCD/Chapter ASO: Edgerton Gene phone & email: 928-674-2251

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

document attached

Amount of FRF requested: \$425,000 FRF funding period: 04/05/2024 - 12/31/2026
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:

The Pinon Chapter is requesting \$425,000 to purchase a Motor Grader that will assist with community road repairs and maintenance which is needed for emergency responses and public safety. The Motor Grader would be used to service the dirt roads within the Pinon community that are used by school buses, emergency vehicles and local residents. One of the main purposes for this request is to improve emergency ambulance and fire truck accessibility to the most vulnerable families who live in secluded areas. The equipment would be a backup for when NDOT does not have resources available and will reduce dirt road related issues for our community members. document attached

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

The purchase of a Motor Grader would benefit the Navajo people of the Pinon Chapter, located within the Dzil Yijiin Region, by providing adequate road repairs and maintenance on community roads. This equipment can assist with hazards during emergencies and will become a crucial asset for the public safety of our Navajo people. Not only will this equipment benefit the community during any future pandemic, but it can also be of assistance after inclement and severe weather. document attached

FOR THE BOARD OF DIRECTORS AND CHAIRMAN
OF THE UNIVERSITY OF CALIFORNIA

Dear Sirs:
I am pleased to inform you that the Board of Directors has approved the proposed amendments to the Charter of the University of California, which are attached for your information.

Very truly yours,
[Signature]

Enclosed for you are two copies of the proposed amendments to the Charter of the University of California. One copy is for your information and the other is for your records. If you have any questions or suggestions regarding the proposed amendments, please contact the Secretary of the Board of Directors.



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APPENDIX A

(c) 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:

The equipment purchase of a Motor Grader will be successfully completed to provide services to the community members. The funds will be obligated no later than April 30, 2024 and will be fully expended no later than December 31, 2026. Some challenges would be meeting the Navajo Nation deadlines and having to make any corrections to documents for this funding.

document attached

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

NNDCD will oversee the subrecipient agreement with the Pinon Chapter to ensure that a sufficient Motor Grader is purchased in a timely manner.

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 Pinon Chapter will be responsible for the costs associated with the operation and maintenance of the equipment (Motor Grader) once it has been purchased and shall be included within the Pinon Chapter yearly 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 is covered under Expenditure Category 6.1 - Provision of Government Services: Pinon Chapter is seeking funds to purchase much needed road work equipment; a Motor grader which would assist with maintenance and repairs for community roads. Public safety is a high priority within the region and a Motor Grader can help with any dirt road related safety issues or hazards. The Pinon Chapter will utilize this equipment to grade local dirt roads in order to create safer accessibility for all vehicles, especially during emergencies and after inclement and severe weather.

document attached

Part 3. Additional documents.

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

[Empty box for listing additional supporting documents]

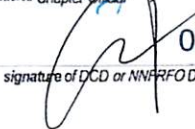
Part 4. Affirmation by Funding Recipient.

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:  4-10-24
signature of Chapter Official

Approved to submit for Review:  05/07/2024
signature of DCD or NNPRFO Director

FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Pinon Chapter Motor Grader</u>		Division/Branch: <u>Executive/DCD</u>				
Prepared By: <u>Charles A. Begay</u>		Phone No.: <u>480-742-1522</u>		Email Address: <u>cb5231@gmail.com</u>				
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Fund	<u>4/15/24 - 12/31/26</u>	425,000.00	100%	2001 Personnel Expenses				0.00
				3000 Travel Expenses				0.00
				3500 Meeting Expenses				0.00
				4000 Supplies				0.00
				5000 Lease and Rental				0.00
				5500 Communications and Utilities				0.00
				6000 Repairs and Maintenance				0.00
				6500 Contractual Services	6		425,000	425,000.00
				7000 Special Transactions				0.00
				8000 Public Assistance				0.00
				9000 Capital Outlay				0.00
				9500 Matching Funds				0.00
				9500 Indirect Cost				0.00
				TOTAL		\$0.00	425,000.00	425,000.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:			\$425,000.00	100%				
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Jaron Charley, Dept. Mgr.</u>			APPROVED BY: <u>Arbin Mitchell, Executive Director</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u>05/07/2024</u>			<u>05/07/2024</u>					
Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					

FY 2024

THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title: _____

Pinon Chapter Motor Grader

PART II. PROGRAM PERFORMANCE CRITERIA:

1st QTR	2nd QTR	3rd QTR	4th QTR
Goal	Goal	Goal	Goal

1. Goal Statement:

To purchase a Motor Grader for dirt road maintenance & repair work In the Pinon region.

Program Performance Measure:

Ensuring maintenance and repair work on dirt roads within the community in a timely manner.

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2. Goal Statement:

To be utilized for clearing of snow, mud, and other debris for community access during emergency situations.

Program Performance Measure:

Ensuring accessibility throughout our community, especially for Emergency vehicles (E.M.T./Fire/ Police).

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3. Goal Statement:

Program Performance Measure:

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4. Goal Statement:

Program Performance Measure:

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5. Goal Statement:

Program Performance Measure:

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PART III. CONCURRENCE/APPROVAL:

Jaron Charley, Dept. Mgr.

Program Manager's Printed Name

05/07/2024

Program Manager's Signature and Date

Arbia Mitchell, Exec. Director

Division Director/Branch Chief's Printed Name

05/07/2024

Division Director/Branch Chief's Signature & Date

FY 2024

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Pinon Chapter Motor Grader</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)
9140	EQUIPMENT Purchase of EQUIPMENT- Motor Grader \$425,000.00	425,000	425,000
TOTAL		425,000	425,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>New</u> Project Title: <u>Pinon Chapter Motor Grader</u> Project Descriptor: <u>Purchase of equipment (Motor Grader) to assist with dirt roads within the Pinon community, especially during emergency situations.</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification													PART II. Project Information Project Type: <u>EQUIPMENT: Motor Grader</u> Planned Start Date: <u>4/5/2024</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Chapter Manager /DCD</u>																	
PART III. List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.													Expected Completion Date if project exceeds 8 FY Qtrs.																
	FY <u>2024</u>						FY <u>2025</u>						12/31/2026																	
	1st Qtr.		2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.		2nd Qtr.			3rd Qtr.			4th Qtr.										
	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
Process to Purchase Equipment: Pre-Planning (specifications)																														
Procurement Process (Bids/ Review/ Selection/ Purchase)																														
Project Closeout (Delivery)																														
PART V. Expected Quarterly Expenditures	\$		\$			\$			\$			\$		\$			\$			PROJECT TOTAL										
																				\$425,000.00										

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



PIÑON CHAPTER

Post Office Box 127 • Piñon, Arizona 86510 • (928) 725-3710/3711 • FAX (928)725-3712

PIN 24-47

RESOLUTION OF THE PINON CHAPTER PINON, NAVAJO NATION, ARIZONA

RESOLUTION HEREBY REQUESTING THE 25TH NAVAJO NATION COUNCIL TO APPROVE REALLOCATED FUNDS FROM THE CJN-29-22 NAVAJO NATION FISCAL RECOVERY FUNDS FOR ADDITIONAL PINON CHAPTER EXPENDITURE PROJECTS FUNDING PLANS.

WHEREAS:

1. THAT the Navajo Nation Council by their Resolution CS-34-98, Enacted the Navajo Nation Local Governance Act and Codified it under the Navajo Nation Codes, and whereas pursuant to Title 26 NNC, Section B 1 & 2, that the Pinon Chapter is certified as an LGA Certified Governance Chapter of the Navajo Nation Government, thus, acts on this foregoing resolution pursuant to the authority vested to the Pinon Chapter to recognize, address and advocate for its Chapter community's local needs, its interests, and matters consistent with the Navajo Nation Laws, which includes Navajo customs and traditions; AND

2. THAT, the 24th Navajo Nation Council had passed Legislation CJN-29-22, allocating Navajo Nation Fiscal Recovery Funds and Approved the Fiscal Recovery Fund Expenditure Plans on June 30, 2022, which was signed into Law by the Navajo Nation President, Jonathan Nez, on July 15, 2022, pursuant 2 N.N.C. s 1005 (C) (10). Within the Legislation CJN-29-22, the Navajo Nation Council allocated fiscal recovery funds for: Chapter and Regional Projects; Public Safety, Emergency operations, E911, Rural addressing, Cyber security, Public health projects, Hardship assistance, Water and wastewater projects, Broadband projects, Home electricity connections, Electric capacity projects, Housing projects and Manufactured housing facilities, Bathroom addition projects, Construction contingency funding and reduced Administrative funding housings for local communities to combat the infectious Spread of Covid 19, and Pinon Chapter Community had the highest spread of COVID 19, according to Navajo Nation and Indian Health Services data reports during the Pandemic, AND

3. THAT due to Pinon Chapter community location being in Navajo Partitioned Lands, and horrendous Agency Resources negligence for over fifty (50) years, Navajo Partitioned Lands recipients fell more behind in any developments, that also led to almost no housing development or improvements, thus became easy target of COVID 19 PANDEMIC as families experiencing heavy social/psychological impacts, physical health conditions and economic hardships due very limited employment and can't afford to purchase building materials to improve home, further, housings became dilapidated, overcrowded with second generations, poor or no ventilations, these became very evidences of why Spread of Covid 19 is HIGH, and Pinon is currently on the RED List by IHS for Covid 19 infections.

4. The Fiscal Recovery fund Legislation allows CPMD, through a Sub Recipient Agreement, to transfer the project funds, accountability, and responsibility to LGA certified Chapter at the Chapter' request.

The Pinon Chapter is requesting Fiscal Recovery Funds for Capital Projects:

1. Additional New Housings for Community- \$3,000,000.00
- 2- Purchase of New Motor Grader -\$425,000.00
- 3- New Warehouse to store New Equipment- \$200,000.00
- 4- Complete Outdoor Market & Family Park- \$1,000,000.00
- 5- Construction of Intergovernmental Complex- \$22,000,000.00
- 6- Dzilyjiiin Public Safety Complex- \$43,000,000.00

5. The Pinon Chapter has requested to take over the accountability and responsibility of the Project and Project Funds.

NOW, THEREFORE BE IT RESOLVED THAT:

THE PINON CHAPTER, HEREBY REQUESTING THE 25TH NAVAJO NATION COUNCIL TO APPROVE REALLOCATED FUNDS FROM THE CJN-29-22 NAVAJO NATION FISCAL RECOVERY FUNDS FOR ADDITIONAL PINON CHAPTER EXPENDITURE PROJECTS FUNDING PLANS

CERTIFICATION

WE, the undersigned, hereby, certified the foregoing resolution was duly considered at a duly called Pinon Chapter Hybrid Meeting, at Pinon, Navajo Nation, Arizona, where a quorum was present and same was passed with a vote of 34 in favor, 0 opposed, and 0 abstained on this 5th day of April, 2024



Bessie Allen, Chapter President



Ramona Nalwood, Secretary/Treasurer



Bill Yazzie, Vice-President