



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 #: HK0148-2

Date & Time Received: 03/17/2022 at 17:35

Date & Time of Response: 24 March, 2022; 4:49 pm

Entity Requesting FRF: Project Development Department, Division of Economic Development

Title of Project: Shonto Hotel

Administrative Oversight: Division of Economic Development

Amount of Funding Requested: \$3,487,559

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: 2.35, Aid to Tourism, Travel, or Hospitality

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: Adjua Adjei-Danso



Signature of DOJ Reviewer: _____

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

**THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Project Development Department/DED Date prepared: 1/12/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: Project Development Department phone/email: (928) 871-6504
P.O. Box 663 Window Rock, AZ 86515 website (if any): _____

Form prepared by: Anthony Perry, Department Manager phone/email: aperry@navajo-nsn.gov
Project Development Dept./DED (928) 871-6504
CONTACT PERSON'S name, title and Department, Program, Office, etc. CONTACT PERSON'S info

Title & type of Project: Shonto Hotel

NN Government Unit's Director or Manager: Anthony Perry, Dept. Manager phone & email: (928) 871-6504

Division Director (if any): JT Willie, Division Director phone & email: (928) 871-6544

Branch Chief: N/A phone & email: N/A

Funding Recipient will be working with: Division of Economic Development - Project Development Department on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

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

TBD upon funding award. Scope of Work will be bid out for qualified Navajo General Contractors per the Navajo Business Opportunity Act and NN Procurement laws ☐ document attached

Amount of FRF requested: \$3,487,559.00 FRF funding period: January 2022 - December 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:

The Shonto Hotel is an on-going project that is beginning the construction phase. The Shonto Hotel is located next to the existing Shonto Convenience Store and Gas Station on the 10 acre business site at Junciton U.S. Highway 160 and Arizona Route 98 in Shonto, Arizona. The hotel site is in a prime location along a well traveled corridor to tourist destinations such as the Grand Canyon, Lake Powell, Monument Valley and the many others. During the height of the covid-19 pandemic many hotels were used to house patients and medical personnel for the medical emergency and the lack of hotels throughout the Navajo Nation saw the need for hospitality services.

☐ document attached

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

The hotel development on the Navajo Nation is beneficial to serve the needs of the tourist industry that brings in revenue to the Nation. The hotel industry on the Navajo Nation will create employment opportunities, hospitality tax revenue and provide lodging to tourists to stop and spend outside dollars. Tourism and hospitality on the Navajo Nation is a major revenue generating industry.

☐ document attached

APPENDIX A

- (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:

February 2022 - Upon funding/project approval prepare project budget forms for Account number.
March 2022 - December 2023: Continue with construction phase, project final inspection and contract close out.

☐ document attached

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

The Project Development are staffed with qualified and experience Project Managers who have developed major commercial, retail and industrial projects throughout the Navajo Nation.

☐ 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 operator/tenant will provide operation and maintenance of the hotel. Navajo Tribal Utility Authority will provide operation and maintenance of any utility systems extensions and upgrades as part of the project.

☐ 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:

2.11 Aid to Tourism, Travel or Hospitality

Shonto Hotel. The Western Agency region in Shonto and surrounding communities were one of the first places Covid-19 hit the hardest. The Covid-19 pandemic affected many businesses throughout the Navajo Nation with the emergency public health closures mandated by the Navajo Nation Government. The closures included the shut down of tourist facilities, tourist destinations, Navajo Nation tribal parks and convenience stores and gas stations which negatively impacted the tourist industry. Tourist operators and businesses were impacted due to the closures. The Shonto Hotel is a project in progress with an operator and all pre-development functions completed such as land withdrawal and all the clearances. The project has been let out for bid and is currently under construction with a Navajo owned and operated general contractor. The additional funds is necessary to cover the inflation caused by the pandemic and global economy due to shipping delays and demand for supplies. Shonto is located in the remote part of the Navajo Nation and the cost of construction is greater.

☐ document attached

Part 3. Additional documents.

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

Appendix A Attachment:

-Shonto Hotel supporting documents

APPENDIX A


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:

NN Government Unit
Preparer:


signature of Preparer/CONTACT PERSON

Approved by:


signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit
for Review:


signature of Branch Chief or Division Director

Print Name, Title,
Branch or Division:

JT Wille, Division Director

print name and indicate title or position

Division of Economic Development

indicate Branch or Division

FY _____

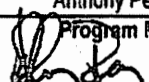
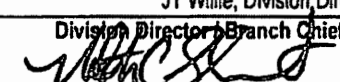
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u>K - [New]</u>		Program Title: <u>Shonto Hotel</u>		Division/Branch: <u>Economic Development</u>				
Prepared By: <u>Anthony Perry, Dept. Manager</u>		Phone No.: <u>(928) 871-6290</u>		Email Address: <u>aperry@navajo-nsn.gov</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 Funds	1/1/22-12/31/24	3,032,660.00	100%	2001 Personnel Expenses				
NN Fiscal Recovery Funds	1/1/22-12/31/24	454,899.00	15%	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			3,032,660.00	
				9500 Contingency			454,899.00	
				TOTAL		\$0.00	3,487,559.00	0

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			
Total # of Vehicles Budgeted:			

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.			
SUBMITTED BY: <u>Anthony Perry, Department Manager</u> <div style="text-align: center;">  <u>Program Manager's Printed Name</u> <u>3-01-22</u> <u>Program Manager's Signature and Date</u> </div>	APPROVED BY: <u>JT Willie, Division Director</u> <div style="text-align: center;">  <u>Division Director / Branch Chief's Printed Name</u> <u>03/01/22</u> <u>Division Director / Branch Chief's Signature and Date</u> </div>		

President
ROLAND SMALLCANYON

Vice-President
MARSHA GREYEYES

Secretary / Treasurer
ROBERT K. BLACK, JR.

Grazing Representative
BRITTANY HUNT

Council Delegate
HERMAN DANIELS



**SHONTO CHAPTER
THE NAVAJO NATION**

East Representative
SARAH CASTILLO

South Representative
STANLEY YAZZIE

West Representative
WINNIFRED BRONSTON

North Representative
CHERYL COLE

Manager
ELIZABETH WHITETHORNE-BENALLY

SHO 08-110-22

APPROVING THE SELECTION OF DED SHONTO HOTEL (under construction) and DED OLD BLACK MESA SHOPPING CENTER FOR INCLUSION ON THE DELEGATE REGION AMOUNT OF \$ 8,802,340.00.

The description and identification of SCG Projects: LEGISLATION CJN-29-22, Exhibit D; NNDOJ/TRF's FRF Eligibility Determinations as of June 24, 2022, Numbers 190 and 200, HK ID: 148 & HK ID 148-B for the DED Shonto Hotel at \$ 3,487,559. And Number 209, HK ID, the Old Black Mesa Shopping Center at \$ 731,031. TOTAL: **\$ 4,218,590.00**

WHEREAS:

1. Pursuant to TCDCS-98-99, The Transportation and Community Development approved the Governance Certification of the Five Management System Policies and Procedures for Shonto Chapter, pursuant to the Local Governance Act, 26 N.N.C., Section 102(B); and
2. Pursuant to SH03-14-04, the title of Shonto Community Governance was adopted and approved as the new official title for Shonto Chapter to reflect the concept of local governance on March 23, 2004; and
3. Shonto Community Governance is a local certified Chapter of the Navajo Nation Government with vested authority and responsibility to develop and implement local ordinances and to approve plans and take positions on matters of local concern that are in the best interest of the local chapter and Navajo Nation; and
4. To support the efforts of the Navajo Nation to mitigate the effects of the Covid-19 Pandemic, the American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to develop the basic infrastructure to improve lives of people who have lived without water, electricity and "basic services to support their daily activities, health, and welfare"; and
5. The Navajo Nation Council approved CJN-29-22, in response to the Covid-19 Pandemic in the best interest of the people: and
"An Action Relating to the Naabik'iyáti' 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 Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and

Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding”

6. Shonto Community Governance has attended several meetings with Navajo Nation Division of Community Development and Navajo Nation General Services, Fiscal Recovery Fund. The eligible Exhibit D: DED Shonto Hotel and DED Old Black Mesa Shopping Center were selected as Projects to be included on the Navajo Nation Council Herman Daniels Chapter Region in the amount of \$ 4,218,590. for SCG. The total amount for NOST Region is \$ 8,802,340.00 with the Delegate’s discretion.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Shonto Community Governance hereby approves the selection of DED Shonto Hotel and DED Old Black Mesa Shopping Center were selected as Projects to be included on the Navajo Nation Council Herman Daniels Chapter Region in the amount of \$ **4,218,590**.

CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the Shonto Community Governance (Chapter) at a duly called Council of Nataa/Atsilasdai Meeting (via Zoom) in Shonto, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 7 in favor, 0 opposed, and 0 abstained this 13th day of **AUGUST 2022**.

Motioned by: Ms. Marsha Greyeyes

Seconded by: Ms. Winnifred Bronston

CNV

CONCURRENCE:



Roland Smallcanyon, President
Shonto Community Governance (Chapter)

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



10/13/2021

NOTICE TO PROCEED

Michael Carnel
Medallion Hospitality, LLC
8658 E. San Alberto Drive
Scottsdale, AZ 85258

Dear Mr. Carnel,

You are hereby notified to commence work in accordance with the AIA Document Contract between the NAVAJO NATION and MEDALLION HOSPITALITY, LLC. Thereunder at the start of business on October 15, 2021. The completion set forth in the contract is on December 15, 2022.

Please acknowledge receipt of this Notice by dating and signing below. Promptly return one (1) original and retain the other original for your records.

Sincerely,

THE NAVAJO NATION

A handwritten signature in black ink, appearing to read "Anthony Perry".

Anthony Perry, Director
Project Development Department
Division of Economic Development

ACCEPTANCE OF NOTICE

Receipt of the above Notice-to-Proceed is hereby acknowledged by Medallion Hospitality, LLC.

This the 13 day of Oct. 2021.

By A handwritten signature in black ink, appearing to read "Michael Carnel".

REQUEST FOR QUALIFICATION
Shonto, Arizona Hotel
Design -Build Development/Construction

The Navajo Nation Project Development Department is requesting Statement of Qualification from all qualified and experienced, Non-Indian and Indian owned Design-Build Developer/Contractor for proposed Hotel and Retail Center at Shonto, Navajo Nation, Arizona. Selection of Design-Build Developer/Contractor will be in accordance to Navajo Business Opportunity Act (5 NNC Sec.201 et seq.). Questions regarding Navajo Business Opportunity Act can be address by Navajo Nation Business Regulatory Department at (928) 871-6714.

Request for Qualification (RFQ) documents can be obtained from Navajo Nation Project Development Department, Karigan Professional Office Complex, 100 Taylor Road, St. Michaels, Arizona 86511, Telephone: (928) 871-6504.

Inquires regarding the Request for Qualification should be directed to Antony Perry, Director of Project Development Department, PO Box 663, Window Rock, Arizona 86515, (928) 871-6504.

Statement of Qualifications shall be submitted in a sealed envelope clearly marked: "DO NOT OPEN: Shonto Hotel – Design-Build Development". All Statement of Qualifications must be received by THURSDAY, JANAURY 9, 2020 until 4:00 PM MST. All sealed Statement of Qualifications submitted on time will be opened and evaluated in private, rated and recorded. No facsimiled or electronic mailed Statement of Qualification documents will be accepted.

All Statement of Qualification documents shall be delivered or addressed to:

PHYSICAL ADDRESS: Project Development/Division of Economic Development
 Karigan Professional Office Complex
 100 Taylor Road
 St. Michaels, Arizona 86511
 (928) 871-6504

The selected Design-Build Developer/Contractor shall comply with all laws and regulations of the Navajo Nation. The Navajo Business Opportunity Act (5 N.N.C. §201, et seq.) and the Navajo Preference in Employment Act (15 N.N.C. §601, et seq.) is applicable to subcontract work.

The Navajo Nation reserves the right to reject any or all proposals and to waive any informalities or irregularities when it is in the best interest of the Navajo Nation.



THE NAVAJO NATION – Division of Economic Development

P.O. BOX 663 WINDOW ROCK, ARIZONA 86515 (928) 871-6504

November 25, 2019

Design-Build Firms

Proposed Shonto Hotel & Retail Center Project Design-Build Request for Qualifications Solicitation Number:

The Navajo Nation—Project Development Department, Division of Economic Development is conducting a "two phase" Design-Build (D-B) selection process in planning, design and construction of proposed **Shonto Hotel** Project in Shonto, Arizona. The Navajo Nation is soliciting D-B firms/teams (Offeror) to participate in **Step 1 – Request for Statement of Qualifications (RFQ) – selection of most qualified Offeror. Step 2 – Contract Scope and Award for Design-Build Services**

The Request for Statement of Qualifications is being issued concurrently with the development and review of the documentation that will determine the final Scope of Work and project requirements to include design and construction of hotel building and associated site utilities and improvements. Any Work described herein is subject to adjustment by decision of The Owner.

All interested design-build ventures/offerors are advised that, for [SOQs] submitted jointly by two or more business, entities, all such entities shall be reviewed, evaluated, and ranked jointly as a Team (in terms of the skills, licensing, experience, and other relevant qualifications that each entity brings to the project). Prior to submission of [SOQs] for this Project, all such Teams shall establish a single Joint-Venture business entity which must be recognized as such under [state] law, and if awarded a contract by the Navajo Nation each firm comprising the team shall execute the contract.

Statements of Qualifications (SOQ) for design-build services will only be accepted from offerors intending to provide complete services required under the Contract. Responses from individual architectural, engineering, construction contractors, and or consultant firms not offering to provide all required services will be deemed non-responsive and will not be accepted. **SUBMIT ONE ORIGINAL AND Four (4) COPIES (PAPER COPIES ONLY) OF YOUR RESPONSE BY 4:00 PM MDST Time, January 9, 2020 at the address below.**

ATTN: Anthony Perry, Director
The Navajo Nation – Project Development Department
Division of Economic Development
P.O. Box 663
Window Rock, AZ 86515
Submit questions to: Anthony Perry

Attachments (5):

- | | |
|---|---------------------------------|
| 1-Project Description | 2-Procurement Process Overview |
| 3-Statement for Qualification Evaluation Criteria | 4-RFP Evaluation Criteria |
| 5-Phase 1 – RFQ Submittal Requirements | 6-Hotel & Retail Center Program |

ATTACHMENT 1

PROJECT DESCRIPTION

The Navajo Nation (Statement by NN about Project Goals). We are requesting Design-Build firms to submit an SOQ for a design-build agreement to design and construct proposed hotel and associated site work/utilities.

The Design/Build Team shall be responsible for design and construction of proposed hotel and retail center with associated site work/improvements for this Project in completion for its intended use with the funds available. In addition to the SOW is the upgrade design of the existing electrical, water (domestic and fire suppression system), sewer, and natural gas with utility and regulatory authority approval.

The Project is located in Shonto, Arizona 86xxx, (The Navajo Nation), Navajo County. The project site is located at the intersection of US Highway 163 and State Route 264.

Final design and construction budget for the Project is estimated to be between \$13–15 million Dollars. To be Determined by >>>>>>>>

Design-Build Scope of Work (SOW): The SOW for this Project includes Design and Construction, Project Management, Quality Assurance/Quality Control (QA/QC), including Materials Sampling/Testing and is not limited to the following:

Invasive Testing and Analysis:

- Validate the design development documents to the 2015 International Building Codes and the 2015 NFPA 101 Life Safety Code for building code compliance.
- Validate the status of site utilities and their condition for service
- As-built the existing conditions and produce a three dimensional parametric model that will be used as the base model for the design and construction. This model is to consist of the building exterior, roofing, and interior including all Mechanical, Electrical, Plumbing and Fire Protection.

Design Work:

- Design and construction survey, evaluation and analysis of the proposed drawings provided by DED (Merge Design or La Qunita franchise plan).
- Validate the programming and schematic design documents to comply with La Qunita Hotel franchise design.
- Complete the construction documents/design to comply with the 2015 International Building Codes and the 2015 NFPA 101 Life Safety Code for construction.
- Validate and complete the Civil, Earthwork, Exterior Improvements, Transportation, Site Utilities, Landscape, Structural, and Architectural, Fire Suppression, Fire/Smoke Alarm System Plumbing, HVAC, Electrical, Communications, Electronic Safety, and Security design drawings for construction.
- Design and incorporating QA/QC into the construction documents.
- Obtain Permits as required.
- Building Inspection Services by independent third party.

Construction Work:

- Complete construction of the facility in accordance with the updated construction documents.
- Complete construction of the project in accordance with the 2015 International Building Codes and the 2015 NFPA 101 Life Safety Code for building code compliance.
- Utility coordination with local utility Navajo Tribal Utility Authority (NTUA) and Navajo Communications.
- Construction QA/QC, including Materials Sampling and Testing

ATTACHMENT 2

PROCUREMENT PROCESS OVERVIEW

NNDED is using a two-step procurement process to select a qualified D-B firm/team to deliver the Project. The issuance of this RFQ is part of the first step to solicit information from your firm in the form of an SOQ.

NNDED anticipates the following procurement milestone dates. This schedule is subject to revision by addenda to this RFQ.

Step 1– Request for Statement of Qualifications

RFQ issued November 27, 2019.

Deadline for submitting RFQ questions to NNDED is December 17, 2019 at 4:00 p.m. MST

Deadline for response to questions by NNDED December 31, 2019 at 1:00 p.m. MST

SOQs are due to NNDED January 9, 2020 at 4:00 p.m. MST

Selection Notice to most qualified firm by NNDED January 16, 2020

Interview for most qualified firm schedule for January 21, 2020.

NNDED is issuing this RFQ for interested and qualified D-B firm/team to submit a SOQ, which NNDED and Shonto Governance Committee will evaluate consistent with the evaluation criteria.

NNDED's evaluation committee will review and evaluate the SOQs submitted. The Evaluation of SOQ will be based on offeror's response to the evaluation criterias.

It is not the intent of NNDED to receive design or engineering recommendations regarding the Project as part of the Step 1 process. Offerors should limit their SOQ's to the information required by this notice, and other information that may be relevant to the qualifications and experience of the Offeror. No reimbursement will be made for any of the costs associated with the preparation of SOQ's.

Step 2 – Contract Award and Approval for Design Build Services

Contract discussions begin January 21, 2020 with First Ranked Design-Build Firm and if negotiation are successful, then negotiations start with next ranked firm until negotiations are successful completed with a successful Design-Build firm.

Notice of Award issued Anticipated February 4, 2020 *

Notice to Proceed issued – Anticipated Mid-March 2020*

Project Substantial Completion 16 Months from NTP.

*Dates are subject to change

Your D-B firm/team will be sent a Request for Proposal (RFP) for negotiations, review and comments.

Your D-B Team and key personnel shall attend a Pre-Proposal/On-site conference to evaluate the Project status in its current state, while developing an understanding of tasks involved and approach to completing the project utilizing D-B methods. Proposer will assist in development and finalizing the scope of work, planning, scheduling, quality management plan, and Project approach.

The Pre-Proposal/On-site conference comments, questions, answers, recommendations, and final Project approach will be incorporated into the final RFP package for distribution to the first ranked firm. The RFP will outline the remainder of the negotiation process and contain the necessary requirements your D-B firm/team to submit a Technical GMP Cost Proposal.

After receipt of the Step 2 Technical GMP Cost Proposal and Value Based Proposal, an Evaluation Board will conduct a "best value" analysis. Attachment 4 contains criteria expected to be used in the evaluation process. It is subject to change as the RFP is not finalized at this time. The Evaluation Board will submit their recommendation to the Source Selection Authority.

The Owner intends to execute a Guaranteed Maximum Price contract with the selected Design-Builder, using AIA Document A141™–2004.

ATTACHMENT 3

STATEMENT OF QUALIFICATIONS EVALUATION CRITERIA

Step 1 – Evaluation Criteria: Offeror's' Statements of Qualifications will be evaluated using the following criteria, listed in descending order of importance:

Criteria 1: Design-Build Understanding and Approach.

The NNDED Evaluation Committee will review and evaluate each Offeror's understanding of tasks involved in a D-B project and the Offeror's approach to managing, designing and constructing the Project.

- Submit a general description of the tasks involved in the D-B process and the approach the Proposer will take for design and construction administration. Include a discussion on how the Offeror intends to maximize the benefits of the D-B process. Discuss the involvement of the design members of the Offeror's team during construction including how design and construction members will interface during construction? Also discuss how review comments will be incorporated and submittals will be addressed during construction?
- Describe how the team will coordinate with the Project Owner throughout the D-B process.
- Describe your system to manage design and construction, project costs and schedule.

Criteria 2: Personnel Experience.

- The NNDED Evaluation Committee will review and evaluate the Offerors' individual personnel qualifications and experience in hospitality industry and facilities of this type of design/construction, including technical and geographical similarities between the referenced experience/qualifications and the work described in this solicitation.
- Submit documentation for each key individual indicating their specialized experience within the past **five (5) years** and their qualifications for performing Design-Build projects and for projects with technically the same or similar hospitality facilities, permitting, project management, construction, and QA/QC work as required by the Project.
- In addition to the specific information requested in this section, include a resume for each Key Personnel in an appendix to the SOQ.
- (NOTE: If one individual will be fulfilling multiple roles during the Project, list how that individual meets the experience and expertise separately for EACH position).

PROJECT MANAGEMENT KEY PERSONNEL

- Design-Build Project Manager – The Offeror's overall owner, financial manager, project manager and principal point of contact for activities throughout the entire design-build process.
- Project QA/QC Manager – The Offeror's single point of responsibility for managing quality through design and construction, and who is responsible for all quality assurance and quality control procedures and decisions. The Project QA/QC Manager may also function as the Design QA/QC Manager and/or Construction QA/QC Manager, as qualified.
- Safety Manager – The Offeror's representative in charge of all aspects of the safety program, with authority to halt work if warranted by unsafe conditions at the Project site.

DESIGN KEY PERSONNEL

- Designer of Record – The Offeror's single point of responsibility for all design procedures and decisions. This individual shall be a registered, licensed Professional Architect/Engineer in the State of Arizona.
- Civil Engineer – The Offeror's engineer who is in charge of the sitework design. This individual shall be a registered, licensed Professional Engineer in the State of Arizona.
- Mechanical Engineer – The Offeror's engineer who is in charge of the mechanical design. This individual shall be a registered, licensed Professional Engineer in the State of Arizona.
- Electrical Engineer – The Offeror's engineer who is in charge of the electrical design. This individual shall be a registered, licensed Professional Engineer in the State of Arizona.

- Other Design professionals - such as Interior Designer, Landscape Architecture, Fire Suppression Engineer, Estimator, etc. shall be registered and license in the State of Arizona.
- Design QA/QC Manager – The QA/QC representative responsible for implementing the
- Design QA/QC program referenced in Criteria 3.

CONSTRUCTION KEY PERSONNEL

- Construction Superintendent – The Offeror's on-site authorized representative in charge of the construction work.
- Project Manager – The Offeror's individual responsible for project and construction management decisions, judgment and construction work on the Project.
- Construction QA/QC Manager – The QA/QC representative responsible for implementing the Construction QA/QC program referenced in Criteria 3.
- **Proposer's obligation to keep Key Personnel intact:**
In connection with the services covered by this procurement process, Key Personnel will be limited to the individuals and firms that are specifically identified in the Proposer's SOQ. The successful Offeror's Key Personnel will be incorporated into the awarded contract. The selected D-B firm/team shall obtain the Contracting Officer's written consent before making any substitution of the Key Personnel.

Criteria 3: Quality Management Plan.

- The Evaluation Committee will review and evaluate each Offeror's approach to quality control and assurances to assess the soundness and reasonableness of the Offeror's planned QA/QC for quality of design, materials, and construction products.
- Submit an outline of the system to be used to manage the design and construction schedule, and the management system to control the cost and quality of materials and constructed products. Describe how the quality management system(s) will interact between the design and construction functions and how it will be updated and monitored? Also describe how the system will address non-compliance issues of design and construction and how the system will facilitate strategic interaction with the Project Owner.
- Submit evidence of construction work in within the last **five (5) years**, indicating that quality work was completed on schedule and within budget. Provide a minimum of **three (3) current references**, with contact information.

Criteria 4: Design and Construction Capability and Resources.

- The Evaluation Committee will review and evaluate information about the Offeror's past performance in the design and construction of similar projects based on the Project Organizational Structure, and on Design and Construction Performance for projects similar in size and scope.

PROJECT ORGANIZATIONAL STRUCTURE

- Submit the proposed D-B team's legally binding organizational structure. Identify major participants, their roles in the Project and their percentage of work hours committed to the Project.
- Identify how each partner and subcontractor interacts and fits into the overall D-B team makeup and their experience working together on past projects. Submit documentation that shows the direct experience of the Offeror, joint venture partners, and/or firms/teams related by an ownership agreement. Also include experience of key subcontractors that the Offeror intends to utilize in the execution of this Project. The successful Offeror's organizational structure will be incorporated into the awarded contract.

DESIGN PAST PERFORMANCE

- Provide information on at least **three (3) past hotel projects**, but no more than **five (5) past projects** hotel buildings built in the **past three (3) years**. Identify projects where the lead construction firm and the lead design firm have worked together on the same project in a Design-Build relationship. If any D-B project is provided as a reference that was not performed together by the lead design firm and lead construction firm, then the Offeror shall identify the construction entity with whom it was contracted for the design of each such project.

CONSTRUCTION PAST PERFORMANCE

- Provide information on at least **three (3) past hotel projects**, but no more than **five (5)** hotel buildings with a contract value of greater than \$10,000,000 performed in the **past three (3) years**. Identify any projects where the lead construction firm and the lead design firm have worked together on the same project in a Design-Build relationship. If any D-B project is provided as a reference that was not performed together by the lead design firm and lead construction firm, then the Proposer shall identify the design firm whom it contracted for each such project.
- The Offeror may provide letters of reference or recommendation, including contact information of the person/owner. The letters will not be included in the page count limit.
- The Offeror may provide evidence of awards or acknowledgements received regarding projects completed by Offeror. The material submitted will not be included in the page count limit.

Criteria 5: Licensing & Registration Requirements

- As an express condition to the award of this Project to the Offeror, the Offeror shall have a current and valid license from the State of Arizona licensing board or agency for the type of work to be performed and services provided, which license is customarily maintained in the contractor's industry. Contractor shall indicate its business name, business address, and state license number on the Primary Contract, or in an attachment to the Primary Contract. Said license must be held in the name of at least one of the owner's officers, principals, or managers of the contractor identified and such person must have signature authority to legally bind the contractor under this contract. Said license must be maintained as active and current for the entire duration of performance under this Contract, and must be issued by the State of Arizona.

- The Offeror shall be registered to be business as either as a domestic or foreign business entity with the State of Arizona and such registration must be active and valid for the entire duration of performance. If applicable, the Offeror must also be registered with the Navajo Nation Business Regulatory Department and approved to engage in business activity within the Navajo Nation.
- The Navajo Nation's Contract Compliance Officer must receive written documentation of all required licenses and registrations with the SOQ. Offeror shall not be allowed to participate in the Step 2 –Contract Award and Approval for Design-Build Services until such documentation has been submitted.

ATTACHMENT 4

REQUEST FOR PROPOSAL EVALUATION CRITERIA

These RFQ evaluation criteria are being developed concurrently as the RFQ is being issued and as the environmental documentation is being developed and the Scope of Work gets finalized. These RFQ evaluation criteria are subject to change as a result of advancing project development.

Step 2 – Contract Award and Approval for Design-Build Services will utilize Technical and Value Based Proposals

The Request for Proposal describes information to be submitted by the First Ranked Design-Build Firm and if negotiation are successful or if negotiation are not successful then, negotiations start with next ranked firm until negotiations are successful completed with the successful selected Design-Build firm and provides a framework for evaluating the proposals relative to established technical criteria and price.

The purpose of the proposal phase is to evaluate the SOQ submitted by the first ranked offerors. The evaluation will focus on technical elements: characteristics of the proposed project, management of the Design-Build team, design and construction approach, quality management plan and delivery schedule, and the price submitted by the offeror.

Technical Proposal

The offerors shall submit information describing their proposed project and methods they intend to use in designing and constructing it. The submittal shall include drawings, written descriptions and materials that address the criteria below.

- **Technical Characteristics of Proposed Project**
The offerors shall submit drawings, details, technical information and narratives that describe the project they intend to design and construct in response to the requirements presented in the Request for Proposals.
- **Approach to Design and Construction**

The offerors shall submit information that describes their approach to designing and constructing their proposed project.

➤ **Project Management Plan**

The offerors shall submit information that describes their plans for managing and controlling the work on the Project. The submittal shall address the Offeror's plans for delivering a quality project on time and within budget.

➤ **Project Completion Time**

The offerors shall submit information regarding the establishment and management of schedule for design and construction of the Project. The goal of NNDES is to complete the overall Project within the shortest reasonable time, preferably one construction season. The Offeror's submittal shall address procedures and coordination for monitoring the commencement, controlling and completion of work for regular reporting to NNDES.

➤ **Quality Management Plan**

The offerors shall submit information regarding their overall plan to manage quality control throughout the delivery of the Project. The submittal shall include a written Quality Management Plan that describes the Quality Control and Quality Assurance activities that will be undertaken during design and construction.

➤ **Project Closeout**

The proposer shall submit information regarding their overall plan for a design/construction digital closeout. The plan shall include the record design drawings, record design models, as-built plans, as-built construction models, training videos, warranty process, and images for future facilities maintenance.

Value Based Proposal

The proposers shall submit a Value Based Proposal in a sealed package. The successful Proposer's Guarantee Price will become the Contract Price. GMP pricing.

The price to be used for evaluation of the Value Based Proposal will be the Contract Price only. Contract Administration Cost (cost per day incurred by NNDES to administer the project) will **not** be considered for evaluation purposes.

Presentations

Your firm will be interviewed for the design-build services relative to the work necessary to implement the Project. Your firm is allowed 1 hour 30 minutes to present your SOQ and to answer questions. The firm deemed to be the most qualified and ranked enters into negotiations with an RFP for a contract to provide the necessary design-build services.

Best Value Analysis and Award. After receipt of the Step 2 Technical and Value Based Proposal, the NNDED Evaluation Committee will conduct a "best value" analysis. The Technical score and Price will be combined to rank Proposal for final selection and acceptance. The Navajo Nation will use a tradeoff process for this source selection. Award will be made to the most responsible Offeror whose offer conforms to the solicitation requirements and provides the best value to The Navajo Nation considering the stated technical factors. Acceptance of a Guaranteed Maximum Price contract is anticipated in April 2020. Coordinated with bid packages

ATTACHMENT 5

PHASE 1 – RFQ SUBMITTALS

Phase 1 Submittal: Statement of Qualification

The SOQ shall be bound and tabbed with the major headings. Each SOQ shall include a table indicating where the Criteria 1-4 can be found.

Your firm shall provide **one (1) original AND five (5) copies** of the completed SOQ. The SOQ shall contain no more than Thirty (30) pages typed, one side only, on 8.5" x 11" paper.

Resumes of Key Personnel and certain safety, financial material, and letters of reference/recommendation/evidence of project awards shall be included in appendices and will not be included in the page count. If dividers or photos are used and contain project-specific information they will be counted as pages. SOQ shall address each of the evaluation criteria in the same order as listed in Attachment 3.

Submit the original and copies of the SOQ on or before that date/time indicated on page 1 of this RFQ, to the following address (fax and email submissions of SOQs will not be accepted):

ATTN: Anthony Perry, Director
The Navajo Nation – Project Development Department
Division of Economic Development
P.O. Box 663
Window Rock, AZ 86515
Submit questions to: Tperry@nnded.org

Questions concerning this Request for Qualifications shall be submitted via e-mail Tperry@nnded.org. Only e-mail inquiries will be considered. No hard copy or oral inquiries will be considered.

Phase 1 Submittals: Bonding (Payment and Performance) and Insurance Capacity

Submit a bonding agent letter verifying the Offeror's ability to obtain bonding of up to \$15 million for a single contract.

ATTACHMENT 6

PROGRAM OF REQUIREMENTS

ATTACHMENT A

EVALUATION SCORE SHEET FOR PHASE 1:

STATEMENT OF QUALIFICATIONS EVALUATION CRITERIA

Phase 1 – Evaluation Criteria: Offeror's' Statements of Qualifications will be evaluated using the following criteria, listed in descending order of importance:

Criteria 1: Design-Build Understanding and Approach. (20 POINTS) **SCORE: _____**

The Evaluation Board will review and evaluate each Offeror's understanding of tasks involved in a D-B project and the Offeror's approach to managing, designing and constructing the Project.

- Submit a general description of the tasks involved in the D-B process and the approach the Proposer will take for design, construction, and administration. Include a discussion on how the Offeror intends to maximize the benefits of the D-B process utilizing BIM/VDC. Discuss the involvement of the design members of the Offeror's team during construction including how design and construction members will interface during construction? Also discuss how review comments will be incorporated and submittals will be addressed during construction? **(10 POINTS)**
- Describe how the team will coordinate with the Project Owner throughout the D-B process. **(5 points)**
- Describe your system to manage design and construction, project costs and schedule. **(5 points)**

Criteria 2: Personnel Experience. (20 POINTS) **SCORE: _____**

- The NNDES Evaluation Board will review and evaluate the Offerors' individual personnel qualifications and experience in public facilities of this type of design/construction, including technical and geographical similarities between the referenced experience/qualifications and the work described in this solicitation.
- Submit documentation for each key individual indicating their specialized experience within the past **five (5) years** and their qualifications for performing Design-Build projects and for projects with technically the same or similar public facilities, permitting, project management, construction, and QA/QC work as required by the Project. **(5 POINTS)**

- In addition to the specific information requested in this section, include a resume for each Key Personnel in an appendix to the SOQ.
- (NOTE: If one individual will be fulfilling multiple roles during the Project, list how that individual meets the experience and expertise separately for EACH position).

PROJECT MANAGEMENT KEY PERSONNEL (5 POINTS)

- Design-Build Project Manager – The Offeror's overall owner, financial manager, project manager and principal point of contact for activities throughout the entire design-build process.
- Project QA/QC Manager – The Offeror's single point of responsibility for managing quality through design and construction, and who is responsible for all quality assurance and quality control procedures and decisions. The Project QA/QC Manager may also function as the Design QA/QC Manager and/or Construction QA/QC Manager, as qualified.
- Safety Manager – The Offeror's representative in charge of all aspects of the safety program, with authority to halt work if warranted by unsafe conditions at the Project site.

DESIGN KEY PERSONNEL (5 POINTS)

- Designer of Record – The Offeror's single point of responsibility for all design procedures and decisions. This individual shall be a registered, licensed Professional Architect/Engineer in the State of Arizona.
- Civil Engineer – The Offeror's engineer who is in charge of the site work design. This individual shall be a registered, licensed Professional Engineer in the State of Arizona.
- Mechanical Engineer – The Offeror's engineer who is in charge of the mechanical design. This individual shall be a registered, licensed Professional Engineer in the State of Arizona.
- Electrical Engineer – The Offeror's engineer who is in charge of the electrical design. This individual shall be a registered, licensed Professional Engineer in the State of Arizona.
- Other Design professionals - such as Interior Designer, Landscape Architecture, Fire Suppression Engineer, Estimator, etc. shall be registered and license in the State of Arizona.
- Design QA/QC Manager – The QA/QC representative responsible for implementing the Design QA/QC program referenced in Criteria 3.

CONSTRUCTION KEY PERSONNEL (5 POINTS)

- Construction Superintendent – The Offeror's on-site authorized representative in charge of the construction work.
- Project Manager – The Offeror's individual responsible for project and construction management decisions, judgment and construction work on the Project.

- Construction QA/QC Manager – The QA/QC representative responsible for implementing the Construction QA/QC program referenced in Criteria 3.
- **Proposer's obligation to keep Key Personnel intact:**
In connection with the services covered by this procurement process, Key Personnel will be limited to the individuals and firms that are specifically identified in the Proposer's SOQ. The successful Offeror's Key Personnel will be incorporated into the awarded contract. The selected D-B firm/team shall obtain the Contracting Officer's written consent before making any substitution of the Key Personnel.

Criteria 3: Quality Management Plan. (20 POINTS)

SCORE: _____

- The Evaluation Board will review and evaluate each Offeror's approach to quality control and assurances to assess the soundness and reasonableness of the Offeror's planned QA/QC for quality of design, materials, and construction products. **(6 POINTS)**
- Submit an outline of the system to be used to manage the design and construction schedule, and the management system to control the cost and quality of materials and constructed products. Describe how the quality management system(s) will interact between the design and construction functions and how it will be updated and monitored? Also describe how the system will address non-compliance issues of design and construction and how the system will facilitate strategic interaction with the Project Owner. **(6 POINTS)**
- Submit evidence of construction work in within the last **five (5) years**, indicating that quality work was completed on schedule and within budget. Provide a minimum of **three (3) current references**, with contact information. **(8 POINTS)**

Criteria 4: Design & Construction Capability & Resources.(20 POINTS)

SCORE: _____

- The Evaluation Board will review and evaluate information about the Offeror's past performance in the design and construction of similar projects based on the Project Organizational Structure, and on Design and Construction Performance for projects similar in size and scope.

PROJECT ORGANIZATIONAL STRUCTURE (10 POINTS)

- Submit the proposed D-B team's legally binding organizational structure. Identify major participants, their roles in the Project and their percentage of work hours committed to the Project.
- Identify how each partner and subcontractor interacts and fits into the overall D-B team makeup and their experience working together on past projects. Submit documentation that shows the direct experience of the Offeror, joint venture partners, and/or

firms/teams related by an ownership agreement. Also include experience of key subcontractors that the Offeror intends to utilize in the execution of this Project. The successful Offeror's organizational structure will be incorporated into the awarded contract.

DESIGN PAST PERFORMANCE (5 POINTS)

- Provide information on at least **three (3) projects**, but no more than **five (5) projects**, pre-engineered modular buildings for public projects performed in the **past three (3) years**. Identify projects where the lead construction firm and the lead design firm have worked together on the same project in a Design-Build relationship. If any D-B project is provided as a reference that was not performed together by the lead design firm and lead construction firm, then the Offeror shall identify the construction entity with whom it was contracted for the design of each such project.

CONSTRUCTION PAST PERFORMANCE (5 POINTS)

- Provide information on at least **three (3)**, but no more than **five (5)**, pre-engineered modular buildings for public projects with a contract value of greater than \$3,000,000 performed in the **past three (3) years**. Identify any projects where the lead construction firm and the lead design firm have worked together on the same project in a Design-Build relationship. If any D-B project is provided as a reference that was not performed together by the lead design firm and lead construction firm, then the Proposer shall identify the design firm whom it contracted for each such project.
- The Offeror may provide letters of reference or recommendation, including contact information of the person/agency/owner. The letters will not be included in the page count limit.
- The Offeror may provide evidence of awards or acknowledgements received regarding projects completed by Offeror. The material submitted will not be included in the page count limit.

Criteria 5: Licensing & Registration Requirements. (20 POINTS)

SCORE: _____

- As an express condition to the award of this Project to the Offeror, the Offeror shall have a current and valid license from the State of Arizona licensing board or agency for the type of work to be performed and services provided, which license is customarily maintained in the contractor's industry. Contractor shall indicate its business name, business address, and state license number on the Primary Contract, or in an attachment to the Primary Contract. Said license must be held in the name of at least one of the owner's officers, principals, or managers of the contractor identified and such person must have signature authority to legally bind the contractor under this contract. Said license must be maintained as active and current for the entire duration of performance under this Contract, and must be issued by the State of Arizona. **(10 POINTS)**
- The Offeror shall be registered to be business as either as a domestic or foreign business entity with the State of Arizona and such registration must be active and valid for the entire duration of performance. If applicable, the Offeror must also be registered with the Navajo

Nation Business Regulatory Department and approved to engage in business activity within the Navajo Nation. **(5 POINTS)**

- The Navajo Nation's Contract Compliance Officer must receive written documentation of all required licenses and registrations with the SOQ. Offeror shall not be allowed to participate in the Phase 2 – Request for Proposals until such documentation has been submitted. **(5 POINTS)**

OFFEROR: _____

REVIEWER: _____

TOTAL SCORE: _____

REMARKS:

Tuesday, March 15, 2022

Shonto Hotel Development Project

To submit a second submission under FRF eligibility category 1 (public health and economic impact), please provide detailed responses to the following questions:

1. Was the project planned prior to the pandemic? If so, please provide supporting documentation and describe any pandemic-related impacts that delayed the project.

The Shonto Hotel project was part of a master planned business/commercial development area initiated prior to 2016. The ten (10) acre parcel of land encompassing Navajo Trust Lands is located adjacent to State Route 160, at the junction with State Route 98, Shonto Junction, Navajo County, Arizona. The proposed project will occur along the south side of US Route 160.

The Shonto Governance Community (Navajo Chapter) community envisioned a commercial area to provide goods and services including a gas station, convenience store, restaurant, tourism center, hotel and support facilities. The focus of this funding request is for completion of the Shonto Hotel Project which is in the construction phase as we speak. The project will be completed and grand opening is set for March of 2023.

The Hotel Planning and Development was initiated in Spring of 2018. A Request for Qualification was advertised in January of 2019 (See Attachment).

Medallion Hospitality Inc. submitted the credentials and was selected in March 2019 to be the design builder for the project. Medallion Hospitality is currently under contract to construct the hotel. Attached is the notice to proceed.

The project was initiated prior to the Covid Issues the Navajo Nation faced. And this project was definitely affected by the cost of doing business increasing significantly. The internal process to review and approve the AIA contract with Medallion Hospitality Inc. was delayed due to the NN Government and business shut down, and limited number of NN employees coming to work as essential employees only.

2. The project description states that additional funds are necessary to cover inflation caused by COVID-19 and the global economy due to shipping delays and demand for supplies. ~~Please clarify whether the entire amount requested is due to these additional costs.~~ Specifically, there are costs associated with the various items on the Development Costs Phases/Projection spreadsheet. Are these costs (e.g., \$290, 000 for drywall) the total cost for the items or only the additional cost that is due to inflation?

The construction costs have skyrocketed in the last couple years. Most materials are at all time highs. Framing materials are up 200-300%. Drywall is up over 20% in the last 4 months alone

and double the pre-Covid price. PVC pipe is triple the price from a year ago. Copper, steel, insulation, paint, roofing materials, are all up. No material has been left out.

Labor costs have escalated as the employee pool has diminished, expectations have increased, and wages have jumped.

Transportation costs have dramatically affected pricing and availability. Domestic transportation is struggling based on labor, material availability and fuel costs. International transportation has seen unprecedented challenges with shipping and offloading. Shipping costs are up 400% or more.

Overall, this project was planned and priced prior to the pandemic, and the associated challenges. We are incorporating the new construction pricing at this point. Therefore, most of the funding request are increases based on the costs for materials, and labor to complete each budget item.

Regarding drywall the total cost is attributed to the material and labor increases based on Covid, and the global economy detailed above.



**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 #: HK0148

Date & Time Received: 03/01/2022 at 14:48

Date & Time of Response: 8 March, 2022; 12:32 pm

Entity Requesting FRF: Division of Economic Development - Project Development Department

Title of Project: Shonto Hotel

Administrative Oversight: Division of Economic Development

Amount of Funding Requested: \$3,487,559

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 type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

U.S. Department of Treasury Reporting Expenditure Category: TBD

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: Under Treasury's guidance, general economic development generally does not qualify as a response to the COVID-19 pandemic. General economic development may be allowable as a response to COVID-19 if the project was impacted by the pandemic. Otherwise, the project may qualify as a provision of government services (FRF eligibility category 3).

To submit a second submission under FRF eligibility category 1 (public health and economic impact), please provide detailed responses to the following questions:

1. Was the project planned prior to the pandemic? If so, please provide supporting documentation and describe any pandemic-related impacts that delayed the project.
2. The project description states that additional funds are necessary to cover inflation caused by COVID-19 and the global economy due to shipping delays and demand for supplies. Please clarify whether the *entire amount* requested is due to these additional costs. Specifically, there are costs associated with the various items on the Development Costs Phases/Projection spreadsheet. Are these costs (e.g., \$290, 000 for drywall) the total cost for the items or only the additional cost that is due to inflation?

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: 

If you wish to provide the additional information requested, 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 can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

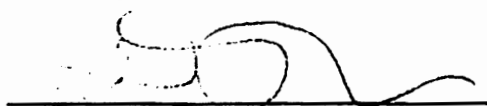
THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : Department of Justice
The Navajo Nation

FROM : 
Daisha Holyan, Program & Project Specialist
Business Regulatory Department
Division of Economic Development
The Navajo Nation

DATE : March 01, 2022

SUBJECT: : Shonto Resubmittal:

Attached is Shonto Hotel's resubmittal with the included Budget Summary representing the contingency rate.

The Division of Economic Development appreciates your assistance regarding ARPA-FRF submittals.

THE NAVAJO NATION

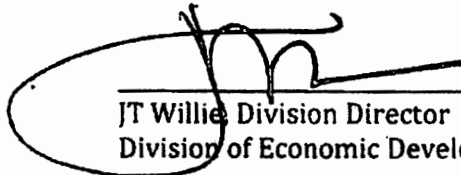
JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : ALL CONCERNED

FROM


JT Willie, Division Director
Division of Economic Development

DATE : February 25, 2022

SUBJECT : **Delegation of Authority**

Mr. Notah Silversmith, Department Manager, Business Regulatory Department is hereby delegated the authority of the Division Director of Division of Economic Development, from 8:00 a.m., Monday, February 28, 2022 to 5:00 p.m., Friday, March 04, 2022. This delegation, gives authority on administrative oversight of programs and signing of routine documents, except those needing my attention.

Your understanding and adherence to this memo hereby expected and appreciated.

ACKNOWLEDGMENT



Notah Silversmith, Department Manager
Business Regulatory Department
Division of Economic Development

Development Costs Phases/Projection
Shonto La Quinta

3/1/2022

Item #	Code	Category	PHASE 3 CONST	PHASE 3 FF&E	PHASE 3 BUDGET
100	1000	General Conditions			
	1015	General Conditions	\$ 140,000.00		\$ 140,000.00
	1025	Design			
	1065	Bond (Bid, Payment & Performance)	\$ 75,000.00		\$ 75,000.00
	1075	Builder's Risk			
	1095	Common Labor	\$ 12,500.00		\$ 12,500.00
	1105	Construction Cleanup	\$ 7,500.00		\$ 7,500.00
	1196	Proffesional Phased Services	\$ 15,000.00		\$ 15,000.00
	1205	Navajo Nation Tax	\$ 117,908.50	\$ 37,601.00	\$ 155,509.50
	1215	SWPPP			
	1245	Engineering - Site Survey	\$ 2,500.00		\$ 2,500.00
	1265	Engineering-Structural Inspections	\$ 1,250.00		\$ 1,250.00
	1315	Franchise Fees			
	1325	Insurance	\$ 7,500.00		\$ 7,500.00
	1385	Opening Training	\$ 37,500.00		\$ 37,500.00
	1585	Temporary Electric	\$ 10,000.00		\$ 10,000.00
	1625	Trash Removal	\$ 5,000.00		\$ 5,000.00
		100 TOTAL	\$ 431,658.50	\$ 37,601.00	\$ 469,259.50
200	2000	Site Work			
	2040	Electric Underground			
	2050	Excavation/ Earthwork			
	2070	Pad Prep/Import			
	2100	Finish - Paving			
	2120	Fire Pump and Tank	\$ 175,000.00		\$ 175,000.00

Development Costs Phases/Projection
Shonto La Quinta

3/1/2022

Item #	Code	Category	PHASE 3 CONST	PHASE 3 FF&E	PHASE 3 BUDGET
	2140	Landscape	\$ 51,250.00		\$ 51,250.00
	2205	Plumbing - Underground			
	2215	Retaining Walls (Stone/Boulders)			
	2255	Site Utilities-sewer & water			
	2305	Storm Detention Ponds			
		200 TOTAL	\$ 226,250.00	\$ -	\$ 226,250.00
300	3000	Concrete			
	3095	Curb and Gutter-Onsite			
	3110	Footers			
	3115	Foundation			
	3120	Grade Beams			
	3135	Gypcrete	\$ 47,500.00		\$ 47,500.00
	3155	Light Pole Bases	\$ 27,500.00		\$ 27,500.00
	3210	Sidewalks			
	3240	Stamped/ Colored Concrete			
		300 TOTAL	\$ 75,000.00	\$ -	\$ 75,000.00
400	4000	Masonry			
	4020	Concrete Masonry Unit Const.			
	4090	Stone - Interior/Exterior			
		400 TOTAL	\$ -	\$ -	\$ -
500	5000	Metals			
	5090	Pool Fence	\$ 7,500.00		\$ 7,500.00
	5120	Stair Railing	\$ 3,750.00		\$ 3,750.00
	5130	Structural Steel	\$ 85,000.00		\$ 85,000.00

Development Costs Phases/Projection
Shonto La Quinta

3/1/2022

Item #	Code	Category	PHASE 3 CONST	PHASE 3 FF&E	PHASE 3 BUDGET
		500 TOTAL	\$ 96,250.00	\$ -	\$ 96,250.00
600	6000	Wood			
	6020	Finish Labor - Misc Finish Labor	\$ 10,000.00		\$ 10,000.00
	6030	Finish Material	\$ 5,000.00		\$ 5,000.00
	6040	Frame Labor			
	6050	Frame Material	\$ 310,000.00		\$ 310,000.00
	6070	Misc. Building Materials	\$ 12,500.00		\$ 12,500.00
		600 TOTAL	\$ 337,500.00	\$ -	\$ 337,500.00
700	7000	Thermal and Moisture Protection			
	7020	Caulking-Exterior	\$ 8,750.00		\$ 8,750.00
	7030	Caulking-Interior	\$ 8,750.00		\$ 8,750.00
	7060	Fire Caulk and Labor	\$ 2,500.00		\$ 2,500.00
	7070	Fire Proofing	\$ 20,000.00		\$ 20,000.00
	7110	Insulation - Interior Building	\$ 42,500.00		\$ 42,500.00
	7150	Roof with Labor			
		700 TOTAL	\$ 82,500.00	\$ -	\$ 82,500.00
800	8000	Doors and Windows			
	8010	Attic Access Doors	\$ 250.00		\$ 250.00
	8030	Exterior Doors - Electric			
	8065	Finish Door Install	\$ 20,000.00		\$ 20,000.00
	8075	Interior Doors and Hardware	\$ 75,000.00		\$ 75,000.00
	8085	Interior Electric Door Locks		\$ 12,500.00	\$ 12,500.00
	8115	Laundry Chute Doors	\$ 5,000.00		\$ 5,000.00
	8145	Mirrors - Public	\$ 1,500.00		\$ 1,500.00

Development Costs Phases/Projection
Shonto La Quinta

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Item #	Code	Category	PHASE 3 CONST	PHASE 3 FF&E	PHASE 3 BUDGET
	8210	Roof Access Doors	\$ 1,250.00		\$ 1,250.00
	8240	Windows - Guestroom			
	8250	Windows - Storefront			
		800 TOTAL	\$ 103,000.00	\$ 12,500.00	\$ 115,500.00
900	9000	Finishes			
	9010	Acoustic Ceilings	\$ 17,500.00		\$ 17,500.00
	9020	Cabinets- Front Desk	\$ 25,000.00		\$ 25,000.00
	9030	Cabinets-Breakfast Bar	\$ 25,000.00		\$ 25,000.00
	9040	Cabinets-Install	\$ 7,500.00		\$ 7,500.00
	9050	Cabinets-Rooms	\$ 15,000.00		\$ 15,000.00
	9070	Drywall	\$ 290,000.00		\$ 290,000.00
	9090	Floor Coverings-Labor	\$ 70,000.00		\$ 70,000.00
	9110	FRP Board	\$ 2,250.00		\$ 2,250.00
	9150	Marble Install	\$ 30,000.00		\$ 30,000.00
	9190	Paint - Interior	\$ 42,500.00		\$ 42,500.00
	9210	Stucco			
	9240	Wallcoverings-Labor	\$ 27,717.00		\$ 27,717.00
		900 TOTAL	\$ 552,467.00	\$ -	\$ 552,467.00
1000	10000	Specialties			
	10020	Fire Cabinets and Extinguishers	\$ 2,000.00		\$ 2,000.00
	10070	Lavatory Tops	\$ 37,500.00		\$ 37,500.00
	10135	Shower Doors	\$ 10,000.00		\$ 10,000.00
		1000 TOTAL	\$ 49,500.00	\$ -	\$ 49,500.00
1100	11000	Equipment			

Development Costs Phases/Projection
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Item #	Code	Category	PHASE 3 CONST	PHASE 3 FF&E	PHASE 3 BUDGET
	11035	Equipment Operations		\$ 61,350.00	\$ 61,350.00
	11045	Equipment		\$ 98,175.00	\$ 98,175.00
	11055	Diesel Fuel	\$ 500.00		\$ 500.00
	11065	Exercise Equipment		\$ 10,000.00	\$ 10,000.00
	11180	Rental - Fork Lift	\$ 5,000.00		\$ 5,000.00
	11190	Rental - Miscellaneous	\$ 5,000.00		\$ 5,000.00
	11200	Rental-Manlift Basket	\$ 1,000.00		\$ 1,000.00
		1100 TOTAL	\$ 11,500.00	\$ 169,525.00	\$ 181,025.00
1200	12000	F.F.&E.			
	12005	Bath Hardware	\$ 17,500.00		\$ 17,500.00
	12010	Bath Hardware Install	\$ 3,750.00		\$ 3,750.00
	12020	FF&E Install	\$ 25,000.00		\$ 25,000.00
	12050	Corner Guards		\$ 3,000.00	\$ 3,000.00
	12110	Guest Room Furnishings FF&E		\$ 211,658.50	\$ 211,658.50
		1200 TOTAL	\$ 46,250.00	\$ 214,658.50	\$ 260,908.50
1300	13000	Special Construction			
	13030	Pool and Spa	\$ 20,000.00		\$ 20,000.00
	13075	Trash Enclosure & Gate	\$ 7,500.00		\$ 7,500.00
		1300 TOTAL	\$ 27,500.00	\$ -	\$ 27,500.00
1400	14000	Conveying Systems			
	14045	Elevator - Supply and Installation	\$ 55,000.00		\$ 55,000.00
		1400 TOTAL	\$ 55,000.00	\$ -	\$ 55,000.00
1500	15000	Mechanical			
	15035	Fire Protection	\$ 50,000.00		\$ 50,000.00

Development Costs Phases/Projection
Shonto La Quinta

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Item #	Code	Category	PHASE 3 CONST	PHASE 3 FF&E	PHASE 3 BUDGET
	15055	HVAC and Sheet Metal	\$ 55,000.00		\$ 55,000.00
	15065	Water Softener		\$ 7,500.00	\$ 7,500.00
	15085	Plumbing	\$ 40,000.00		\$ 40,000.00
	15086	Plumbing Materials	\$ 30,000.00	\$ 200,000.00	\$ 230,000.00
	15086	Plumbing Materials Owner	\$ 300,000.00		\$ 300,000.00
	15095	PTAC Install	\$ 5,000.00	\$ 4,899.00	\$ 9,899.00
	15150	Tub Surrounds	\$ 35,000.00		\$ 35,000.00
		1500 TOTAL	\$ 515,000.00	\$ 212,399.00	\$ 727,399.00
1600	16000	Electrical			
	16020	Electrical	\$ 125,000.00		\$ 125,000.00
	16050	Alarm System	\$ 9,000.00		\$ 9,000.00
	16060	Generators		\$ 62,500.00	\$ 62,500.00
	16070	Camera System - CCTV and Ox Blue		\$ 2,500.00	\$ 2,500.00
	16080	Light Fixtures		\$ 22,500.00	\$ 22,500.00
	16090	Low Volt Wiring	\$ 5,000.00		\$ 5,000.00
	16100	Cabling	\$ 5,000.00		\$ 5,000.00
		1600 TOTAL	\$ 144,000.00	\$ 87,500.00	\$ 231,500.00
		Total Project Cost	\$ 2,753,375.50	\$ 734,183.50	\$ 3,487,559.00