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 #: **HK0258**

Date & Time Received: **12/5/2022**

Date & Time of Response: **12 December, 2022; 1:40 pm**

Entity Requesting FRF: **Sawmill Chapter**

Title of Project: **Equipment Purchase - Motor Grader**

Administrative Oversight: **Division of Community Development**

Amount of Funding Requested: **$300,000**

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: 6.1 Provision of Government Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

☐ Missing Form
☐ Supporting documentation missing
☐ Project will not be completed by 12/31/2026
☐ Ineligible purpose
☐ Submitter failed to timely submit CARES reports
☐ Additional information submitted is insufficient to make a proper determination
☐ Expenditure Plan incomplete
☐ Funds will not be obligated by 12/31/2024
☐ Incorrect Signatory
☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: _____

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This 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.

APPENDIX A

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: Sawmill Chapter Date prepared: 9/20/2022

Chapter's mailing address: P.O Box 1786, Fort Defiance, AZ 86504 phone/email: 928-729-4433 website (if any): sawmill@navajochapters.org

This Form prepared by: Jammie Billiman, Community Service Coordinator (*CONTACT PERSON'S name and title*) phone/email: 928-729-4432 sawmill@navajochapters.org (*CONTACT PERSON'S info*)

Title and type of Project: Equipment Purchase - Motor Grader

Chapter President: Woodie Bennett phone & email: 928-729-4433/wbennett@navajochapters.org

Chapter Vice-President: Lewis Shirley phone & email: 9287294433/lshirley@navajochapters.org

Chapter Secretary: Shawn Livingston phone & email: 928-729-4433/slivingston@navajochapters.org

Chapter Treasurer: Shawn Livingston phone & email: 928-729-4433/slivingston@

Chapter Manager or CSC: Jammie Billiman phone & email: 928-729-4432/jbilliman@nnchapters.org

DCD/Chapter ASO: Derek Echohawk, ASC Fort Defiance phone & email: 928-871-7515/ ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Contractors/Sub-Contractors

☐ document attached

Amount of FRF requested: $300,000.00 FRF funding period: 1/1/23 – 12/30/24
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 purchase heavy equipment motor grader to maintain public access roads within the Sawmill Community. The Grader will be used for clearing of snow, mud, and other debris for community access of emergency and medical needs, handicap, school buses, head start, senior center transport, and others to have clear and safe access to community roads. Sawmill Chapter will own and operate the equipment and the grader will be stored in the chapter warehouse. The Chapter will work with the Navajo Nation procurement regulations and the Navajo Nation will be the fiscal agent.

☐ document attached

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

The grader will be used to benefit the Sawmill Chapter community to clear and maintain dirt road, snow removal, have safe access for the community.

☐ 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:

The Sawmill Chapter will work with Fiscal Recovery office and Community development to ensure project is completed by the deadline of December 31, 2026.

☐ document attached

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

The Sawmill Chapter and Division of Community Development.

☐ 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 Sawmill Chapter will be responsible for the operations and maintenance cost of the motor grader.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

6.1 Provision of Government Services.

☐ document attached

Part 3. Additional documents.

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

Supporting Resolution
Cost Estimate

☐ 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: Jammie Bell
signature of Preparer/CONTACT PERSON

Approved by: Jammie Bell
signature of CSC

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

Approved by: [illegible]
signature of Chapter ASO

Approved to submit for Review: Lisa [illegible] NNFRFO
signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Equipment Purchase Sawmill Chapter Motor Grader Division/Branch: Community Development

Prepared By: Jammie Billiman Phone No.: 928-729-4433 Email Address: sawmill@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
APA			
Equipment Purchase - Motor Grader	10/1/22-12/30/26	300,000.00	100%
	TOTAL:	$300,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services	6	-0-	300,000-	300,000-
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost			300,000-	300,000-
TOTAL		$0.00	~~0.00~~	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: Sonlatsa Jim-Martin, Department Manager
Program Manager's Printed Name

Sonlatsa Jim 10/25/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Pearl Yellowman, Division Director
Division Director / Branch Chief's Printed Name

Pearl Yellowman 10.31.22
Division Director / Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NCW Program Name/Title: Sawmill Chapter Motor Grader

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

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Equipment Purchase - Motor Grader Program Performance Measure/Objective: To ensure the safety of sawmill community members to clear and maintain access roads								
2. Goal Statement: Program Performance Measure/Objective:								
3. Goal Statement: Program Performance Measure/Objective:								
4. Goal Statement: Program Performance Measure/Objective:								
5. Goal Statement: Program Performance Measure/Objective:								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Sonlatsa Jim-Martin, Department Manager
Program Manager's Printed Name

Sonlatsa Jim 10/25/2022
Program Manager's Signature and Date

Dr. Pearl Yellowman, Division Director
Division Director/Branch Chief's Printed Name

Pearl Yellowman 10.31.22
Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ___ of___
BUDGET FORM 4

PART I. PROGRAM INFORMATION:
Program Name/Title: Sawmill Chapter ARPA Motor Grader Business Unit No.: New

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
6960	Purchase motor grader to maintain public access roads within the Sawmill Community. Motor grader will be used for clearing of snow, mud and other debris for community access of emergency and medical needs, handicap, school buses, headstart, senior center transport, and others to have clear and safe access to community roads.	300,000	
			300,000
6500	Contractual Services (LOD 4)		
	TOTAL	300,000	300,000

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PROJECT FORM

PART I. Business Unit No.: _____

Project Title: Equipment Purchase - Motor Grader

Project Description to purchase a motor grader for the sawmill chapter
the grader will be use to meet communty members needs when it comes to road clearance and grading

Check one box: ☑ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☐ Budget Modification

PART II. Project Information

Project Type: Equipment Purchase

Planned Start Date: 1/1/2023

Planned End Date: 12/30/2024

Project Manager: _____

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.

	FY 2022___												FY 2026												Expected Completion Date if project exceeds 8 FY Qtrs.					
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date_____					
	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
The grader will be used to benefit the sawmill chapter community to clear and maintain dirt road, snow removal for safety access																														
PART V. Expected Quarterly Expenditures	$			$			$			$			$			$			$			$			PROJECT TOTAL $300,000.00					

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

Woodie Bennett, President
Lewis Shirley, Vice President
Shawn Livingston, Sec/Treasurer
Patrick Martinez, Grazing Representative
Wilson Stewart Jr, Council Delegate

Sawmill Chapter

P.O. Box 1786, Ft. Defiance, AZ, 86504
Ph: (928)729-4433/4432 |fax: (928)729-4435

Jeannie Billiman, Comm. Ser. Coordinator
Ronald Deschinny, Account Maint. Specialist
Patreva Benally, CHR
Louise Mark, Senior Center Spv.

RESOLUTION OF THE SAWMILL CHAPTER **SAW-09-19-22-01**
NAVAJO NATION

APPROVING THE REQUEST FOR FUNDING FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR ADDITIONAL PROJECTS IN THE AMOUNT OF $3,800,000.00

WHEREAS:

1. The Sawmill Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and

2. The Navajo Nation Fiscal Recovery Funding Office, Division of Community Development and the Navajo Department of Justice are responsible for reviewing and determining the eligibility for chapter projects for ARPA funding; and

3. The Sawmill Chapter has identified seven additional projects for the American Rescue Plan Act funding in the amount of $3,800,000.00; and

4. The additional seven projects are as follows:

   A. Chapter Renovation - $500,000.00
   B. Motor Grader - $300,000.00
   C. Cistern System - $500,000.00
   D. Bathroom Additions - $500,000.00
   E. Head Start Building - $500,000.00
   F. Senior Citizen Center - $500,000.00
   G. Street Light Project - $1,000,000.00

5. The Sawmill Chapter requests the Navajo Nation Fiscal Recovery Fund Office, Division of Community Development, and the Navajo Department of Justice to consider the seven additional projects for the Sawmill Community.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Sawmill Chapter hereby approves and requests funding through the American Rescue Plan Act (ARPA) funding for additional seven projects in the total amount of $3,800,000.00
2. The Sawmill Chapter has determined that the seven additional projects are construction ready and meet the requirements pursuant to BFS-31-21.

Sawmill Chapter

P.O. Box 1786, Ft. Defiance, AZ. 86504
Ph: (928)729-4433/4432 fax: (928)729-4435

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Sawmill Chapter at a duly called meeting in (Navajo Nation), Arizona at which a quorum was present and that same was passed by a vote of **9 in favor, 0 opposed and 1 abstained on this 19th day of September, 2022.**

Motioned by: Larry Foster

Seconded by: Patrick Martinez

Woodie Bennett, President

4RIVERS EQUIPMENT

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

QUOTATION

To: Navajo Nation Sawmill Chapter

Date: 8.30.2021
FOB: Chapter
Delivery Date: 60-90-days ARO
(Quotation Void after 30-Days)

Attention: Miss Jammie Billiman

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

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

Optional:

Machine Care Plan: 5Yr./ 2000 Hours Machine Care Plan with NN Tax: $13,890.46
(This covers all maintenance intervals up to 2000 hours for 5-years. Filters, oils, parts Environmental fees, labor, travel time, mileage and NN Taxes. Locked in price. (inflation proof)

Grand total with Machine Care Option add: $394,112.46

4RIVERS EQUIPMENT

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

Machine Warranty:

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

Operator Training:

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

By: David Valdez

Accepted By:

Order Accepted By: 4 Rivers Equipment, LLC.