

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



October 14, 2022

TRANSMITTAL

TO : Sonia Nez, Department Manager I
Broadband Office / NN DGS

FROM : C. M. S.
Cordell Shortey, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : Broadband Last Mile 2

I. Information on Contract (per Original Award):

Broadband Last Mile		U.S. Treasury American Recovery	
Title of Contract		Plan Act (ARPA)	21.019
CJN-29-22		Funding Agency	CFDA No. - Federal
\$ 40,000,000.00		2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Fiscal Year	Term - Begin and End Date

II. Data Entered in FMIS Regarding:

- ☒ New Contract or Grant Company No. 8059 Business Unit (K#) K211550
- ☐ Contract Mod No. _____
- ☐ Amt of Award _____ to _____
- ☐ Budget Period - Extend End Date: From _____ To _____
- ☐ Other, specify: _____

Authorizing Document - Attached:

- ☐ Contract / Agreement - Date executed _____
- ☐ NNC / Committee Resolution - No. & Date _____
- ☒ Other, specify: NN Council Resolution CJN-29-22

III. Comments by CGS:

Budget received on September 30, 2022 is authorized for implementation pursuant to FY 2023 NN BIM Appendix L Section II. B. and approved by Mr. Tom Platero on July 26, 2022. The reason for delay in implementation of allocation is due to budget packet not fully being provided until September 30, 2022, then verification of AAI was completed until October 13, 2022.

Attachment

Copy: Contract files
Contract Accounting / OOC / DPM
Tom Platero, Interim E.D. - NN FRF Office

Revised April 2018



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

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.:		K- New		Program Title: Navajo Nation Broadband Office - 5.19 "Last" Mile		Division/Branch: OPVP / Executive	
Prepared By: Sonia Nez		Phone No.: 928-871-6311		Email Address: sonianez@navajo-nsn.gov			
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY		
NN Fiscal Recovery Fund		1001/22 - 09/30/21	40,000,000.00	100%	Fund Type Code	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		
					7000 Special Transactions		
					8000 Public Assistance		
					9000 Capital Outlay	40,000,000	40,000,000
					9500 Matching Funds		
					9500 Indirect Cost		
					TOTAL	\$0.00	40,000,000.00
					PART IV. POSITIONS AND VEHICLES		
					(D)		
					(E)		
					Total # of Positions Budgeted:		
					Total # of Vehicles Budgeted:		
TOTAL: \$40,000,000.00					100%		
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.							
SUBMITTED BY:		Sonia Nez, Department Manager I		APPROVED BY:		Paulson Chaco, OPVP Chief of Staff	
Program Manager's Printed Name		Sonia Nez		Division Director / Branch Chief's Printed Name		Paulson Chaco	
Program Manager's Signature and Date		7/10/22		Division Director / Branch Chief's Signature and Date		7/10/22	

1.2.7.2

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2023

PART I. PROGRAM INFORMATION:		Navajo Nation Broadband Office - 5.19 "Last" Mile									
Business Unit No.: K- New		Program Name/Title:									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
Resolution No. CUN-29-22: Broadband "Last Mile" Projects Expenditure Plan (Expenditure Category 5.19) with administrative oversight by the Office of the President and Vice President and joint legislative oversight by the Health Education Human Services and Resources and Development Committees.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement:		Assess, Design, build and deploy last mile broadband infrastructure		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Program Performance Measure/Objective:		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
		Broadband contracts awarded to broadband service providers		2		2		2		0	
2. Goal Statement:		Deliver 25/3 mbps for wireless deployment		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Program Performance Measure/Objective:		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
		Anchor institutions and homes		1		2		2		2	
3. Goal Statement:		Deliver 100/100 mbps for fiber deployment		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Program Performance Measure/Objective:		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
		Anchor institutions and homes		1		2		2		2	
4. Goal Statement:				1st QTR		2nd QTR		3rd QTR		4th QTR	
		Program Performance Measure/Objective:		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
5. Goal Statement:				1st QTR		2nd QTR		3rd QTR		4th QTR	
		Program Performance Measure/Objective:		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Sonia Nez, Department Manager I Program Manager's Printed Name  7/18/22				Paulson Chaco, OPVP Chief of Staff Division Director/Branch Chief's Printed Name  07/19/22							
Program Manager's Signature and Date				Division Director/Branch Chief's Signature and Date							

6/17/2022

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Navajo Nation Broadband Office - 5.19 "Last Mile"</u> Business Unit No.: <u>K- 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)
9000 - Capital Outlay	Deploy high-speed broadband to improve connectivity.		40,000,000
9020	Infrastructure 9036 Communication Depending on receipt of additional funding, the NNBO plans to provide services to 50% of Navajo Nation Communities. Year 1: \$10,000,000 Year 2: \$10,000,000 Year 3: \$10,000,000 Year 4: \$10,000,000	40,000,000	
TOTAL		40,000,000	40,000,000

Handwritten signature/initials

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT

MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : Oliver Arviso, Deputy Executive Director
Navajo Nation Division of General Services

Royetta Woodie, Director
Department of Information Technology
Navajo Nation Division of General Services

Sonia Nez, Department Manager I
Broadband Office
Navajo Nation Division of General Services

FROM : 
Lisa Jymm, Deputy Executive Director
Navajo Nation Fiscal Recovery Fund Office

DATE : September 30, 2022

SUBJECT : CJN-29-22 – Allocation of \$1,070,298,867 in Navajo Nation Fiscal Recovery Funds and \$125,000,000 to the Division of General Services.

The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting budgets totaling \$125,000,000 for the Division of General Services per CJN-29-22, Exhibit F and Exhibit J, as listed in the table below:

Exhibit	Description	Category	\$
F-2	Cyber Security	1.14	\$5,000,000
J-1	Broadband – Middle Mile	5.21	\$60,000,000
J-2	Broadband – Last Mile	5.19	\$40,000,000
J-3	Broadband – Non-Federal Match	5.20	\$20,000,000
	Total Funding for DGS		\$125,000,000

K21155B

As applicable, prepare Budget Forms 2, 3, and 4 in accordance Budget Form 1 in approved Navajo Nation Council resolution CJN-29-22.

If you have any questions, please feel free to contact me by phone at (928) 309-5535 or by email at ljymm@navajo-nsn.gov.

Thank you.



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 #: HK0172

Date & Time Received: 04/11/2022 at 11:07

Date & Time of Response: 12 April, 2022; 11:37 pm MST

Entity Requesting FRF: NNTRC and NN Broadband Office

Title of Project: 5.19 Broadband - Last Mile

Administrative Oversight: Division of General Services

Amount of Funding Requested: \$40,000,000

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: 5.19 Broadband: Last Mile Projects

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

- | | |
|--|--|
| ☐ Missing Form | ☐ Expenditure Plan incomplete |
| ☐ Supporting documentation missing | ☐ Funds will not be obligated by 12/31/2024 |
| ☐ Project will not be completed by 12/31/2026 | ☐ Incorrect Signatory |
| ☐ Ineligible purpose | ☐ Inconsistent with applicable NN or federal laws |
| ☐ Submitter failed to timely submit CARES reports | |
| ☐ 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.

APPENDIX A

**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: NNTRC and NN Broadband Office indicate Department, Program, Office, Division, or Branch Date prepared: 04/11/2022

NN Government Unit's mailing address: NNTRC and NN Broadband Office P.O. Box 7440, Window Rock, AZ 86515 phone/email: 928-382-7807/ tico.charlee@navajo-nsn.gov
website (if any): 928-871-6003/ sonianez@navajo-nsn.gov

Form prepared by: Sonia Nez phone/email: 928-871-6003/ sonianez@navajo-nsn.gov
Department Manager I, Navajo Nation Broadband Office 928-871-6003/ sonianez@navajo-nsn.gov
CONTACT PERSON'S name title and Department, Program, Office, etc CONTACT PERSON'S info

Title & type of Project: 5.19 Broadband - Last Mile

NN Government Unit's Director or Manager: Tico Charlee/ Sonia Nez phone & email: 928-382-7807 / tico.charlee@navajo-nsn.gov

Division Director (if any): Tom Platero, DGS Director phone & email: 928-871-6003/ sonianez@navajo-nsn.gov

Branch Chief: Paulson Chaco, Chief of Staff, Exec. Branch phone & email: 928-871-7244/paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of General Services indicate Branch and/or Division on the Project and 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): _____ ☐ document attached

Amount of FRF requested: \$40,000,000 FRF funding period: FY2022-FY2026 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 NNTRC and the NN Broadband Office will oversee and administer \$40,000,000 in ARPA funds for Broadband Last Mile projects by Eligible Telecommunications Carriers. These projects will deploy high-speed broadband to improve connectivity; enable telework capabilities; provide access to data and information about healthcare and communications in support of Navajo COVID-19 mitigation related operations and services; reduce the time needed to deliver high quality telehealth; support Navajo educational institutions broadband requirements to deliver and support instruction that will help retain students and faculty; enable home schooling, online schooling and allow students to attend school from home rather than sitting in vehicles at the nearest community hot spots; reduce costs for access to high speed networks; support chapter house communities; establish a diverse, and competitive broadband infrastructure that connects homes, schools, libraries, Navajo government, businesses, and other agencies (i.e. Indian Health Service, Bureau of Indian Affairs). The projects will be distributed as equally as possible among all NN delegate regions.

☐ document attached

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

High quality and high-speed broadband enable the Navajo communities to communicate, access critical information, telework, participate in online learning, take advantage of telehealth services and reduce the time needed to collect and inform the community about pandemics and other health related issues. Oversight and governance of the Broadband Last Mile projects by the NNTRC and the Navajo Nation Broadband Office establishes a collaboration with all Eligible Telecommunications Carriers to plan and implement projects that introduce service competition and cost-effective service options for the Navajo community.

☐ 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.

NNTRC and NN Broadband Office will review Navajo Nation Broadband Last Mile projects with prospective carriers to plan and implement services based on eligible service requirements for timeline deployment and scheduling. Barriers to deployment include: right of way authorization; supply chain interruptions for the delivery of fiber, network electronics, and other equipment needed to deploy services; power delivery on Navajo for ETCs; tower use and authorization by ETCs; federal and state authorizations for land use, tower placement/use, and regulations.

☐ document attached

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

Tico Charlee, Executive Director, Navajo Nation Telecommunications and Regulatory Commission and Sonia Nez, Department Manager, Navajo Nation Broadband Office.

☐ 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.

Eligible telecommunications carriers and Higher Learning Institutions will develop and implement business plans to establish sustainable financial models and maintenance of services. Fund allocations and grants will require sustainability plans and other operational and maintenance deliverables.

☐ 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.

5.19 – Broadband Last Mile. Broadband services in support of Navajo Nation projects and initiatives identified in this request comply with service, deliverable, and outcomes to improve last mile and network services (e.g., aggregation, management, and operations) that deliver connectivity to Navajo homes and service locations between (fiber) 100 Mbps / 100 Mbps and the FCC minimum of (broadcast) 25 Mbps / 3 Mbps of effective service. NNTRC and NN Broadband Office will coordinate the deployment of broadband projects and grants with ETCs to deliver and establish competitive and cost-effective broadband services for the Navajo community.

☐ document attached

Part 3. Additional documents.

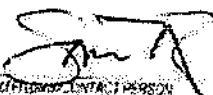
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A).

Part 4. Affirmation by Funding Recipient.

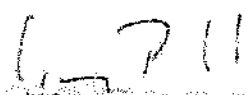
APPENDIX A

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:

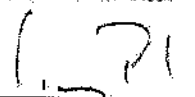
NN Government Unit
Preparer:


signature of Financial Contact Person

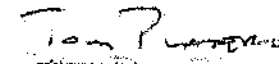
Approved by:


signature of NN Government Unit's Dept. Program Officer, Director or Manager

Approved to submit
for Review:


signature of Branch Chief or Division Director

Print Name, Title,
Branch or Division:


print name and indicate title or position

DIVISION OF BOND SERVICES
indicate Branch or Division

**THE NAVAJO NATION
 PROGRAM BUDGET SUMMARY**

PART I. Business Unit No.: _____		New _____		Program Title: _____		Navajo Nation Broadband Office		Division/Branch: _____		Div. General Services	
Prepared By: _____		Sonia Nez		Phone No.: _____		928-871-5003		Email Address: _____		sonia.nez@navajo-nation.gov	

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Original Budget	(B) Proposed Budget	(C) Difference or Total
ARPA 519 Broadband - Last Mile		40,000,000.00		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				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay			40,000,000	
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	40,000,000.00	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: _____ Sonia Nez, Department Manager / Program Manager's Printed Name _____ Program Manager's Signature and Date	APPROVED BY: _____ Tom Platero, DGS Division Director Division Director / Branch Chief's Printed Name _____ Division Director / Branch Chief's Signature and Date
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