Resolution # 14-0423-121

Generator Maintenance-Cummins-Bridgeway Contract

WHEREAS, the status of the Gaá Čhing Zaíbi Daawaaw Aniišinaábek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is vested with the authority, under Article IV, Section 7(b), to ratify contracts to be entered into by the Tribe; and

WHEREAS, the Tribal Council has received a contract from Cummins-Bridgeway, to provide inspection and maintenance services to the Utilities Department for the generators

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies the contract with Cummins-Bridgeway

IT IS FURTHER RESOLVED THAT nothing in this resolution or the agreement shall result in a waiver of the Tribe’s sovereign immunity,

IT IS FURTHER RESOLVED THAT the parties agree to mediation in accordance with section XI. Dispute Resolution of the contract
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on April 23, 2014, at the Little River Band’s Governmental Center in Manistee, Michigan, with a quorum being present for such vote.

Sandy Mezeske, Council Recorder

Virgil Johnson, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogemee
Tribal Court