Resolution # 14-0416-111

Authorizing the Contract with Hallack Contracting Inc. in the amount of $924,038.00 for the Waste Water Treatment Lagoon Expansion Project and Authorizes the Ogema to sign the Contract

WHEREAS, the status of the Gaá Čhing Ziibi Daáwaa Anishinaábek (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 has authorized resolution 12-0404-089 which approved the Design Contract for the Waste Water Treatment Lagoon Project; and

WHEREAS, the Tribal Council and Ogema agree that the expansion of the Tribal Waste Water Treatment System is in the best interest of the Tribe and its’ membership;
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the contract with Hallack Contracting Inc. in the amount of $924,038.00 and authorizes the Ogema to sign all contract documents.

IT IS FURTHER RESOLVED THAT that the approval of this Agreement shall not be construed as a waiver of sovereign immunity and the court of jurisdiction for this Services Agreement shall be the Commercial Court Division of the Little River Band of Ottawa Indians.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 2 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council meeting held on April 16, 2014 at the Little River Band’s Government Center Conference Room in Manistee, Michigan, with a quorum being present for such vote.

Sandy Mizeske, Council Recorder

Virgil Johnson, Council Speaker

Attest:

Cc: Tribal Ogema
    Tribal Council
    Purchasing Department