Resolution # 14-1203-384

Ratification of Second Contract Addendum with RCA, LLC. for miscellaneous services necessary for the BIA Roads Program

WHEREAS, the status of the Gaá Čhíng Ziíbi Daáwaaw Aníshinaábek (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, nothing in this Second Contract Addendum shall be construed to be a waiver of the sovereign immunity of the Little River Band of Ottawa Indians or any of its subordinate enterprises or entities and

WHEREAS, the venue for any dispute arising out of this Second Contract Addendum shall be the Little River Band of Ottawa Indians Tribal Court. This Second Contract Addendum, and any disputes arising out of this Second Contract Addendum, shall be governed by the laws of the Little River Band of Ottawa Indians.
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to execute the Second Addendum to this Agreement with RCA, LLC., incorporating the contents of this resolution.

BE IT FURTHER RESOLVED THAT the funding account for this contract and contract addendum will be as follows: #4013 and #4085-741

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on December 3, 2014, at the Little River Band Tribal Council Conference Room in Manistee, Michigan, with a quorum being present for such vote.

Gary DiPiazza, Acting Council Recorder

Sandy Mezeske, Acting Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema