



**Little River Band of Ottawa Indians**  
1762 U.S. 31 South  
Manistee MI 49660  
(231) 723-8288

**ORIGINAL**

Resolution No. #00-0909-04

**Authorizing the Tribal Ogema, or in his absence, the  
Tribal Council Speaker to Execute Design Agreement  
with DeVere Construction Company for Design Services  
for Renovations to the National City Bank Building**

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.)(hereinafter "Little River Act"); and

WHEREAS, the Tribal Administration has a critical need for additional office space to accommodate the development of Tribal programs anticipated in the coming months; and

WHEREAS, the Tribal Administration has developed a budget for the estimated costs associated with renovating the "National City Bank" building to accommodate the Tribal government's need for office space; and

WHEREAS, the Tribe requires retention of a firm with sufficient technical and administrative expertise to develop the design documents, construction budget estimates and to supervise construction/renovation work on the National City Bank building; and

WHEREAS, DeVere Construction Company (hereafter "DeVere") has submitted a proposal for design services for the renovations to the National City Bank Building; and

WHEREAS, under the terms of that proposal, DeVere will, in consultation with the Tribal Administration, prepare a scope of work, design work and construction documents for renovations to the National City building; and

WHEREAS, representatives of DeVere have presented a proposal to complete the design work for a cost not to exceed the lesser of \$31,000.00 or 6% of construction/renovation costs; and



WHEREAS, Tribal representatives and representatives of DeVere and the Tribal Administration are completing negotiations of a form of agreement in substantially similar form to the design agreement, incorporated into previous agreements entered into by the Tribe; and

WHEREAS, the Tribe adopted a 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

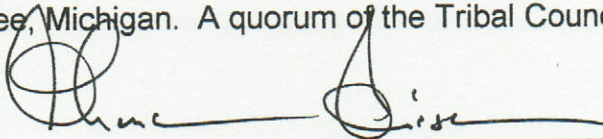
WHEREAS, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in his/her absence, the Tribal Council Speaker, is authorized to represent the Tribe in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (b) of the Constitution, has the power to authorize and ratify agreements and contracts negotiated by the chief executive officer of the Tribe.

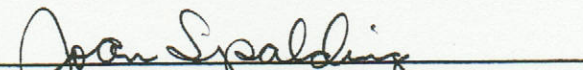
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema, or in his absence, the Tribal Council Speaker, to execute a Design Agreement with DeVere Construction for design work for renovations to the National City Bank building.

#### CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSENT, and 0 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center on September 9, 2000, in Manistee, Michigan. A quorum of the Tribal Council being present for such vote.



Charles Fisher, Council Recorder

  
Joan Spalding, Council Speaker

Attest:



# DeVere Construction Company, Inc.

1030 DEVERE DRIVE ■ ALPENA, MICHIGAN 49707

August 22, 2000

Mr. Bob Davis  
The Little River Band of the Ottawa Indians  
PO Box 314  
Manistee, MI 49660-0314

Re: Design Proposal for Renovation of the National City Bank Building

Dear Bob,

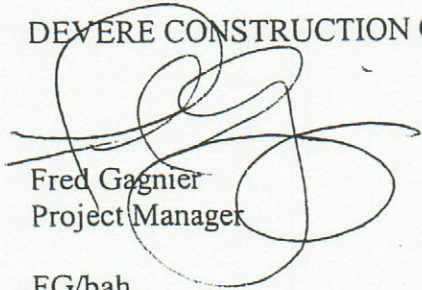
We at DeVere Construction Company, Inc. are pleased to offer this proposal as the first step toward a long lasting working relationship. This proposal covers complete design services for the above referenced facility. This shall include schematic design, design development, construction drawings required for bidding and permits, and field support by the Architect.

The fee for design services would be 6% of construction cost or \$34,020.00. This is based on a preliminary budget figure as we discussed previously of \$35.00 sf and 16,200 sf to remodel. Design services for this project would be performed by the AEM Group. DeVere Construction has used the AEM Group on previous design build projects of this scope and larger. Our contact from the AEM Group is Larry Schlink who you have met at previous meetings.

As previously discussed DeVere Construction will proceed with preparing a design build contract for this project and forward this for signature. We hope this proposal meets with your approval and we look forward to meeting with you again on August 24<sup>th</sup> to review the existing floor plan.

Sincerely,

DEVERE CONSTRUCTION COMPANY, INC.



Fred Gagnier  
Project Manager

FG/bah



August 9, 2000

Mr. Fred Burger  
Little River Band of Ottawa Indians  
310 Ninth Street  
Manistee, MI 49660

**Re: National City Building Improvements**

Dear Fred,

### **Introduction**

Little River Band of Ottawa Indians and GMB Hooker | DeJong are a great match to move ahead with planning for your intended renovation of the National City Building in Downtown Manistee. This project is an exceptional fit for our firm, given our corporate resources and experience. I enjoyed meeting with you on Friday, August 4, and appreciate the tour and background information that you provided. Given our discussion, I believe that our company is uniquely suited to take on this project because we offer the following qualifications...

### **Corporate Resources**

Our company provides a full range of architectural, engineering and interior design services backed by more than 30 years of proven experience. We are capable of coordinating every design aspect of your proposed project and understand that you are mainly seeking professional services for mechanical, HVAC and electrical improvements. We are able to provide all necessary design services to the Tribe utilizing our in-house engineering team.

### **Recent Experience**

A project exemplifying our knowledge of renovating buildings with historic character is the renovation and addition that we designed for Holland City Hall. The work involved well-needed improvements throughout the facility including new interior, mechanical, and electrical upgrades. Please review project photos enclosed, which highlight areas of our project at Holland City Hall as well as other examples of our work cited herein.

410 terrace plaza  
muskegon, mi 49  
231.722.3407 vo  
231.722.2589 fa



Other recent planning by our staff includes complete building rehabs for the Amazon Knitting Works, Globe Knitting Works and historic Muskegon Hotel as well as numerous renovation projects for Muskegon County. In fact, we undertook planning to renovate multiple buildings for the County, which house more than 85,000 square feet of space for several departments. Please contact Frank Bednarek, Administrator for Muskegon County, at (616) 724-6520. He can share first-hand information regarding our services.

### **Recognized Design Excellence**

Our design teams are nationally recognized by receiving top honors for several recently completed projects. In 1998, we received 3 of the 6 Distinguished Building Awards issued by the Grand Valley Chapter of the American Institute of Architects. The same group announced our receipt of 1999 Distinguished Building Award for Holland City Hall Addition and Renovation, bringing our total to 5 in the last four years. Holland City Hall was also awarded the 1999 Best of Government Category by MIDEA.

Furthermore, we received the 1998 Crow Island Award from American School & University. This award is the top honor in the Nation and is selected as the best interior design from hundreds of projects located throughout the United States.

Given our proven experience and the proximity of our Muskegon office to your community, our organization is uniquely qualified to provide the Tribe with professional services. We are talented, competent and convenient.

### **Scope of Work**

You are proposing the renovation to the top two floors of the National City Building in Downtown Manistee, Michigan. The Tribe is interested in utilizing the available space for office use. Our focus is to provide design services for mechanical, HVAC and electrical upgrades necessary to accommodate the intended use. We understand that the budget to date is \$495,000.00 in construction costs to cover physical building improvements for the renovation, not including furniture, equipment, and professional fees.

### **Cost of Services**

GMB Hooker | DeJong suggest that you proceed with planning in two phases: Phase 1 Scope Definition & Preliminary Planning, and Phase 2 Comprehensive Planning. Given the unique nature of your project, we believe that a two-step approach is the most prudent process. During the first stage, we will work with your organization to clearly define project objectives and expectations, establishing in detail the exact improvements that will be accomplished during the renovation.



Our team will measure and prepare plans of the existing space, since archival drawings are not available. Upon completion of the first phase, you can expect to have a written scope document as well as preliminary floor plans summarizing intended improvements. For our services during Phase 1, we suggest a lump sum fee of \$4,850.00.

During comprehensive planning, we will take preliminary plans through subsequent levels of design development, including the preparation of working drawings and technical specifications. GMB Hooker | DeJong will also provide bid negotiation and construction administration services to see the improvements through construction. Given our present understanding of the proposed scope of work and considering an anticipated construction cost of \$495,000.00, we suggest rendering our services for Phase 2 on a percent fee basis. At this time, we anticipate a fee ranging between 5.9% and 7.9% of eventual construction cost, depending on the scope of work decided upon during Phase 1. We suggest negotiating the fee for comprehensive planning after preliminary planning is complete, since we are then best able to discern the most appropriate and most reasonable fee.

### **Intended Schedule**

With your approval to proceed, GMB Hooker | DeJong will make our resources available to begin planning for your project immediately. At your request, we provide a timeline below that is realistic for carrying out objectives of a well-defined and straightforward project with a similar scope of work...

Approval to Proceed	End of August 2000
Scope Definition & Preliminary Planning	4 weeks
Comprehensive Planning	6 weeks

Our team is capable of moving at rapid pace and finds that the critical path is often defined by the Owner. That is, we generally expect that time periods, required by the owner for approval or evaluation, will govern the project schedule. In any case, GMB Hooker | DeJong will work with you to meet any realistic schedule to the greatest degree possible.

### **Our Message**

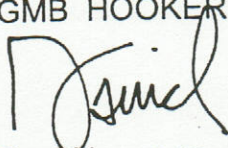
We recognize that our clients are our most critical resource and work hard to ensure their utmost satisfaction. Please contact Soren Wolff, City Manager for City of Holland at (616) 355-1310. He can offer first-hand opinions about our corporate qualifications and we are confident that he will attest to our professional abilities. Our firm greatly appreciates the opportunity to propose our services and is very



Our firm greatly appreciates the opportunity to propose our services and is very interested in establishing a working relationship with the Tribe. We look forward to an opportunity to discuss our qualifications in person. Our team has already scheduled time that would enable us to move ahead with planning for your renovation and welcomes a meeting where we can introduce those with whom you would be working. Comprehensive information is enclosed outlining the history and experience of our organization. If you should require additional materials, please contact me. I am also available to respond to any questions or comments. Thank you for your time and consideration.

Sincerely,

GMB HOOKER | DEJONG ARCHITECTS & ENGINEERS

A handwritten signature in black ink, appearing to read 'David Layman', written over a horizontal line.

David Layman

Enclosures: Terms & Conditions



1060 West Norton Avenue  
Muskegon, Michigan 49441  
231-780-4763 fax 231-780-4727

## C. Richard Borgeson Architect

August 9, 2000

**LITTLE RIVER BAND of OTTAWA INDIANS**  
1762 US31 South  
Manistee, Michigan 49660

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Dear Mr. Burger;

It was very enlightening to meet with you yesterday. As we walked through the project I realized this is not just a refurbishing but there are several major questions that must be addressed.

1. The National City Bank building does not meet the code restrictions.
  - a. BOCA Code allows 7,200 total square feet and 2 stories.
  - b. UBC Code allows 8,000 total square feet and 2 stories.The square footage goes to unlimited area when the building is sprinkled. This would bring the building into compliance.
2. The corridor walls must be fire protected to 1 hour and all corridor doors have 20 minute rating.
3. Battery back-up emergency and exit lighting must be added to the corridors.
4. A great deal of the wall surfaces are 1/4" or less wood paneling. This does not give the minimum "C" fire rating which is required for an office building. This must be removed in all corridors. We would research this condition to see if it could remain in individual rooms.


Fred, I have included a short resume' of my electrical/mechanical engineers and myself. The engineers have done several Tribal projects.

Mt. Pleasant Casino addition  
Tribal office building  
Bawating School  
Manistique Casino

We propose to do the architectural, mechanical and electrical working drawings for a fee of 6 1/2% of the construction cost. We will work with you as spokes person for the Tribe, with the local building officials and with the contractor of record. We understand that the project requires a minimum of three construction bids. You and the architect prior to bidding will approve a bidders list.

If selected to do this building program we look forward to working with you to an end of a successful project.

Sincerely,



C. Richard Borgeson, Architect

*ARCHITECTURE the art of designing controlled atmosphere*

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