



Little River Band of Ottawa Indians

1762 U.S. 31 South
Manistee MI 49660
(231) 723-8288

ORIGINAL

Resolution No. #01-0516-08

**Authorizing the Construction Management Team to
Execute Change Order No. 7 to the Design/Build Agreement
with Cunningham-Limp Company to Eliminate Certain Partition Walls**

**for a Cost Savings of \$3,619.00, incremental decrease
at with guaranteed maximum price
of the agreement in the amount of**

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 **\$3,619.00**

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, the Tribe has determined that the development of the permanent casino/resort facilities is in the best, long-term interests of the Tribe and its members; and

WHEREAS, the Tribe has pursuant to Resolution No. #01-0303-02, authorized execution of a Design/Build Agreement, dated March 1, 2001, with Cunningham-Limp Company for design and construction of the Tribe's Permanent Casino/Resort (hereafter the "Agreement"); and

WHEREAS, the Tribe has pursuant to Resolution No. #01-0110-03, created a Construction Management Team to manage the construction of the Permanent Casino/Resort project under the Agreement; and

WHEREAS, the Tribe has, pursuant to Resolution No. #01-0303-01, approved a Capital Budget for the Little River Casino Resort Expansion, which budget included a Contingency Allowance in the amount of \$2,700,000.00; and

WHEREAS, Section D.4.d. of Resolution No. #01-0110-03 requires the Construction Management Team to present Changer Orders to the

Agreement, which either: (a) increase the Guaranteed Maximum Price for the Project prescribed in the Agreement; or (b) would require use of any portion of the Contingency Allowance in the capital budget for the Project; and

WHEREAS, pursuant to Article IV, Section 7 (i)(2) of the Tribal Constitution, the Tribal Council is authorized to manage funds within the exclusive control of the Band, pursuant to appropriations or budgets authorized by the Tribal Council; and

WHEREAS, the Construction Management Team and the Owner's Representative have presented, and are recommending approval of a Change Order to eliminate certain partition walls in the coffees shop/buffet and speciality restaurant, which would decrease the Project cost by \$3,619.00.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves Change Order No. 7 and authorizes the Construction Management Team to execute such Change Order to eliminate certain partition walls in accordance with the April 10, 2001 description, at a cost savings of \$3,619.00.

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, 2 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 May 16, 2001, in Manistee, Michigan. A quorum of the Tribal Council being present for such vote.

Lisa M. McCatty, Council Recorder

Attest:

Joan Spalding, Council Speaker

Distribution: Tribal Council Records
Accounting Department (ATTN: Dale Magoon)
Tribal Court
Legal Department
Cunningham-Limp Company
Miller & Schroeder Investments

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