

**Little River Band of Ottawa Indians**

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

**ORIGINAL**

Resolution No. #01-0606-0

**Authorizing the Construction Management Team to  
Execute Change Order Bulletins and to Process Corresponding Change  
Orders to the Design/Build Agreement with Cunningham-Limp Company**

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 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 Change/ 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

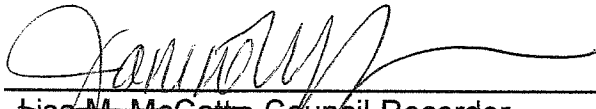
WHEREAS, the Construction Management Team and the Owner's Representative have proposed using Change Order Bulletins as the mechanism for processing Change Orders approvals under Article 7 of the Design/Build Agreement.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the use of Change Order Bulletins and authorizes the Construction Management Team to process corresponding Changes Orders incorporating the changes approved in each Bulletin.

IT IS FURTHER RESOLVED THAT the Tribal Council directs that each Change Order processed shall include references to: (a) the Bulletin number; (b) the Resolution approving the Bulletin and authorizing execution of the Change Order; and (c) all other supporting documentation included with the Bulletin approval request.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 3 AGAINST, 0 ABSENT, and 1 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center on June 6, 2001, in Manistee, Michigan. A quorum of the Tribal Council being present for such vote.

  
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Lisa M. McGatty, Council Recorder  
*Danini Sam*

Attest:

  
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Joan Spalding, Council Speaker  
*Stephen Parsons*

Distribution: Tribal Council Records  
Accounting Department (ATTN: Dale Magoon)  
Tribal Court  
Legal Department  
Cunningham-Limp Company  
Construction Management Team