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

ORIGINAL

Resolution No. #01-0606-07

**Authorizing the Construction Management Team to
Execute Bulletin No. 6 to Design and Install a 4" supply and 390 feet of 2"
PVC conduit from future pump room to hotel area at a Cost of $15,096.00.**

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 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 Bulletin No. 6 for additional work, which would authorize execution of a Change Order and increase the Project cost by $15,096.00 and which would be paid from the Contingency Allowance in the Capital Budget.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves Bulletin No. 6 and authorizes the Construction Management Team to process a Change Order to Design and Install a 4" supply and 390 feet of 2" PVC conduit from future pump room to hotel area at a Cost of $15,096.00.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes the Tribal Ogema, or in the absence of, the Tribal Council Speaker to execute a Change Order incorporating Bulletin No. 6.
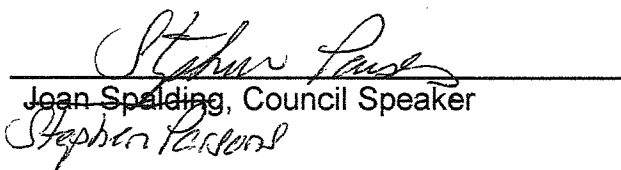
IT IS FURTHER RESOLVED that the Tribal Council authorizes an incremental increase in the guaranteed maximum price in Agreement in the amount of $15,096.00 and authorizes use of the Contingency Allowance in the Capital Budget, if necessary, to fund the cost of such incremental work.

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CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with _8_ FOR, _0_ 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.

_____
Lisa M. McCatty, Council Recorder

Attest:

_____
Joan Spalding, Council Speaker