



Little River Band of Ottawa Indians

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

Resolution No. #01-0627- 03

Authorizing the Construction Management Team to Execute Change Order No. 18 for work related to the Wastewater Treatment Plant which changes the Agreement with VEC Engineering PLLC to include both (1) geotechnical and hydrogeologic study/work for the Wastewater Treatment Plant due to change of site (at a cost of \$12,500.00) and (2) architectural design services (through the services of Design Plus at a cost of \$19,500.00 plus anticipated expenses in the amount of \$1,600.00) at a total cost of \$33,600.00.

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

SERVING KENT, LAKE, MANISTEE, MASON, MUSKEGON, NEWAYGO,
OCEANA, OTTAWA AND WEXFORD COUNTIES
FAX (231) 723-8020

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 Agreements; 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 for the additional work indicated, which would increase the Project cost by \$33,600.00 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 Change Order No. 18 and authorizes the Construction Management Team to execute such Change Order with VEC Engineering for work related to the Wastewater Treatment Plant which changes the Agreement with VEC Engineering PLLC to include both (1) additional expenses related to geotechnical and hydrogeologic study/work for the Wastewater Treatment Plant due to change of site (at a cost of \$12,500.00) and (2) architectural design services (through Design Plus at a cost of \$19,500.00 plus \$1,600.00 in anticipated reimbursable expenses) for a total cost of \$33,600.00.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 4 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 ~~May~~ ^{June} 27~~30~~, 2001, in Manistee, Michigan, a quorum of the Tribal Council being present for such vote.



Janine Sam, Council Recorder

Attest:



Stephen Parsons, Council Speaker

Distribution: Tribal Council Records
Accounting Department (ATTN: Dale Magoon)
Tribal Court
Legal Department
Miller & Schroeder Investments
VEC Engineering
CMT/Robert Frazier