



## LITTLE RIVER BAND OF OTTAWA INDIANS

1762 U.S. 31 South  
Manistee, MI 49660  
(231) 723-8288  
(231) 723-8020 Fax

Resolution #01-1219-18

**Authorizing the Construction Management Team to Execute a Change Order (#1) that amends the contract amount with Corvette Construction to reflect an increase of \$18,257.50 as per Indian Health Service. As this Change Order involves the tax-exempt side of the overall project, it does not involve Cunningham-Limp.**

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.); and

WHEREAS, the Tribe adopted a new 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 Tribal Council is authorized under article IV, Section 7 to "exercise the inherent powers of the Little River Band by establishing laws and through the enactment of ordinances and adoptions of resolutions not inconsistent with this Constitution...to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members; 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 had previously entered into an agreement with Corvette Construction for the provision and installation of water and sewer mains related to the overall Community Water and Wastewater Systems; 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 above Agreement; and

WHEREAS, it is the recommendation of Indian Health Services that these costs be covered by a Change Order; with the associated costs applied to the tax-exempt loan, i.e, to the Water System budget in the amount of \$18,257.50; and

WHEREAS, Section D.4d 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 9b) 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 the Corvette Construction in an amount of \$18,257.50 which would be paid from the tax-exempt loan.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves by Resolution the Change Order associated with Corvette Construction's work on the Community Water and Wastewater Treatment Systems as described in the correspondence from Indian Health Services for additional costs not in the original scope of work in an amount of \$18,257.50.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes the Tribal Ogema or, in his absence, the Tribal Council Speaker, to execute the above mentioned Change Order.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes an increase in the contract with Corvette Construction in the amount of \$18,257.50 and authorized payment through the tax-exempt loan to fund the costs of this work.

#### CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 4 FOR, 3 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 December 19, 2001, with a quorum being present for such vote.

  
\_\_\_\_\_  
Council Recorder

  
\_\_\_\_\_  
Attest. Council Speaker



# CHANGE ORDER

OWNER ☐  
ARCHITECT ☐  
CONTRACTOR ☐  
FIELD ☐  
OTHER ☐

**PROJECT:** Little River Hotel & Casino  
Manistee, Michigan

**CHANGE ORDER NUMBER: # Twenty (25)**  
**DATE:**

**TO CONTRACTOR:** Corvette Construction  
5578 M-37 South  
Grawn, MI 49637

**ARCHITECT'S PROJECT NO: 99-91**  
**CONTRACT DATE:**  
**CONTRACT FOR:**  
**CONTRACTOR PROJECT # 99035**

As per Indian Health Service Letter dated 11-23-01

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**Not valid until signed by the Owner, CMT and Contractor.**

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The Original Contract Sum was .....	\$ 174,607.90
Net change by previously authorized Change Orders. ....	\$ 0.00
The Contract Sum prior to this Change Order was. ....	\$ 174,607.90
The Contract Sum will be increased by this Change Order in the amount of. ....	\$ 18,257.50
The new Contract Sum including this Change Order will be .....	\$ 192,865.40

The Contract Time will be	Unchanged
The date of Substantial Completion as of the date of this Change Order therefore is	Unchanged

CMT

375 River Street  
Manistee, MI 49660

By

*David Schulz*

DATE 12/18/01

CONTRACTOR

Corvette Construction, Inc.

5578 M-37  
Grawn, MI 49637

By

DATE

OWNER

Little River Band of Ottawa Indians

375 River Street  
Manistee, MI 49660

By

*Stephen Paul*

DATE 12-20-01



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

November 23, 2001

Indian Health Service  
Grand Rapids Field Office  
678 Front Avenue NW, Room 401  
Grand Rapids, Michigan 49504-5308

(616) 456-2880 Fax (616) 456-2882

Bob Frasier  
Construction Management Team  
Little River Band of Ottawa Indians  
172 Memorial Drive  
Manistee, MI 49660

Re: Change Order #1, Corvette Construction

Dear Mr. Frasier:

There is an apparent error in the quantities for the 8-inch C-900 water main for the Corvette Construction contract. The original estimate was for 7,600 lineal feet of 8-inch C-900 water main. This quantity was scaled off of the plans and the plans were plotted out horizontally. This scaling does not account for grade changes, which generally are negligible. However, significant differences sufficient for a change order have been encountered in the overall quantities of the water main. This in part due to the severe slopes between the SBR and the casino project as well as other minor grade changes. The actual quantities installed have been documented and additional footage necessary to complete the transmission mains have been calculated.

Once this error has been documented, the force main was checked also. The same type of error was encountered but at a lesser amount.

The total amount of 8-inch C-900 water main will be 8,800 feet, an increase of 1,200 feet over the original estimate. The total amount of twin 6-inch C-900 force main will be 1,900 feet and increase of 250 over the original estimate.

Please note that the water main and sewer force main was installed in the most efficient layout and no additional footage is required due to realignment or any other reason. These footages are necessary to complete this project.

Therefore, I recommend a change order increasing the 8-inch water main and twin 6-inch sewer main to the contract. In, addition, another 8-inch gate valve and fire hydrant assembly are required to facilitate the hydro pneumatic tank.

Please contact me should you have any questions.

  
Jonathan M. Anderson, P.E.  
OEHE Consultant Engineer

CC: BE-01-D07

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## CONSTRUCTION MANAGEMENT TEAM

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### APPROVAL DOCUMENT

DATE: OCTOBER 17, 2001

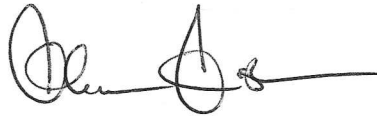
The following matter(s) were acted upon by the Construction Management Team of the Little River Band of Ottawa Indians on the above-mentioned date.

Approved Purchase Order(s):

Approved Change Order(s):

The change order number 25 in the amount of \$18,257.50 to Corvette Construction Inc. as per Indian Health Service.

 12/18/01  
Dave Schultz

  
Chuck Fisher

 12/18/01  
Bill Willis