



Little River Band of Ottawa Indians
375 River Street
Manistee MI 49660
(231) 723-8288

Resolution #02-0403-02

Authorizing the Tribal Ogema or, in the absence of, the Tribal Council Speaker to sign the Change Order related to Bulletin #54 and the Construction Management Team to Execute Bulletin No. 54 and the related Change Order to cover the need for a Pre-Action Fire Protection System in the IS & Surveillance Areas NOT provided in the base Cunningham-Limp contract scope of work at a cost not to exceed \$35,992.00.

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.); 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 has, pursuant to Resolution No. #01-0303-02, authorized the execution of a Design/Build Agreement, dated March 1, 2001, with Cunningham-Limp Company for the design and construction of the Tribe's permanent Casino-Resort; 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, 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.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 Owner's Representative presented and recommended approval of Bulletin #54 for additional work (related to a pre-action fire protection system in the IS/Surveillance Areas in the expanded casino) which required approval by resolution and authorizes the execution of a Change Order to increase the Project cost by \$35,992.00 which would be paid from the Contingency Allowance in the Capital Budget.

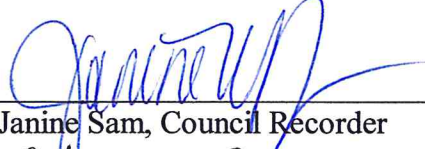
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves by Resolution Bulletin #54 and which further authorizes the Construction Management Team to process a Change Order to provide a pre-action fire protection system in the areas previously identified in this resolution that were NOT provided for in the Project's Base Scope of Work at the cost not to exceed \$35,992.00.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes the Tribal Ogema or, in his absence, the Tribal Council Speaker, to sign the Change Order that incorporates the changes in Bulletin #54.


IT IS FURTHER RESOLVED THAT the Tribal Council authorizes an incremental increase in the guaranteed maximum price in the Agreement (with Cunningham-Limp) in the amount of \$35,922.00 and authorizes use of the Contingency Allowance in the Capital Budget, as necessary, to fund the cost of such incremental work.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 10 FOR, 3 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Closed Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Downtown Offices on April 3, 2002, with a quorum being present for such vote.



Janine Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

CMT # 4

CONSTRUCTION MANAGEMENT TEAM

APPROVAL DOCUMENT

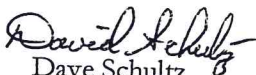
APRIL 1, 2002


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.


Change Order:

1. Approved Change Order to Cunningham-Limp in the amount of \$35,992.00 Bulletin #54 for Pre-Action Fire Protection System in IS/Surveillance Areas.

Approved Contract(s):


Dave Schultz
4/1/02


Chuck Fisher
4/1/02


Bill Willis 4/1/02

CUNNINGHAM-LIMP COMPANY

LETTER OF TRANSMITTAL

39300 WEST TWELVE MILE ROAD, SUITE 200

FARMINGTON HILLS, MI 48331-2903

(248) 489-2300

FAX (248) 489-2310

TO CMT & Bob Frazier

,0302047

| | | | |
|-----------|---|-------|--------------|
| DATE | <u>03/22/02</u> | JOB # | <u>99-91</u> |
| ATTENTION | <u>CMT & Bob Frazier</u> | | |
| RE: | <u>Bulletin #54 for Pre Action Fire</u> <u>Protection System in IS/Surveillance</u> <u>Areas for Review & Approval by 4/3/02.</u> | | |
| <u></u> | | | |
| <u></u> | | | |

WE ARE SENDING YOU:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> Under separate cover via _____ the following items: |
| <input type="checkbox"/> Shop drawings | <input type="checkbox"/> Prints <input type="checkbox"/> Plans <input type="checkbox"/> Specifications |
| <input type="checkbox"/> Copy of letter | <input type="checkbox"/> Change Order <input type="checkbox"/> Samples <input type="checkbox"/> Check |

| COPIES | DATE | NO. | DESCRIPTION |
|--------|-----------|--------|--|
| 3 | 3/22/2002 | 5 pgs. | Bulletin #54 for Pre-Action Fire Protection |
| | | | System in IS/Surveillance Areas to be approved by April 3, 2002. |
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THESE ARE TRANSMITTED as checked below;

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit _____ copies for approval |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> _____ | |
| <input type="checkbox"/> FOR BIDS DUE _____, 2002 | <input type="checkbox"/> Prints returned after loan to us | |

REMARKS:

Bulletin must be signed off and paperwork received by Cunningham-Limp by
April 3, 2002 for this area for pricing to hold and milestone dates to be
unaffected.

COPY TO bmw

SIGNED: _____

BULLETIN

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
FIELD ☐
OTHER ☐

PROJECT: Little River Hotel & Casino
Manistee, Michigan

BULLETIN NUMBER: # Fifty-Four (54)
DATE: March 21, 2002

TO CONTRACTOR: Cunningham-Limp
39300 W. Twelve Mile
Suite 200
Farmington Hills, MI 48331

ARCHITECT'S PROJECT NO: 99-91
CONTRACT DATE:

CONTRACT FOR:
CONTRACTOR PROJECT # 99035

The Contract is changed per the attached estimate breakdown and subcontractor attachment.
This is for adding a Pre-Action Fire Protection System in the areas of the FM-200 Fire Protection System, not provided in the base contract scope of work or previous change orders.

This bulletin must be approved by April 3, 2002 in order to hold pricing and guarantee completion dates.

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

The Contract Sum will be increased by this Bulletin in the amount of. \$ 35,992.00

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

Upon approval, this bulletin becomes Change Order # _____.

CMT

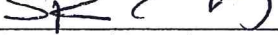
1762 U.S. 31 South
Manistee, MI 49660

By _____

DATE _____

CONTRACTOR

Cunningham-Limp Development Company
38799 W. 12 Mile, Ste 100
Farmington Hills, MI 48331

By 
Stephen R. Guidos, Vice-President

DATE 3/21/02

OWNER

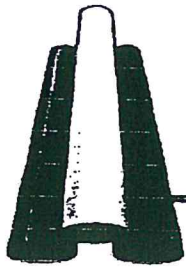
Little River Band of Ottawa Indians
1762 U.S. 31 South
Manistee, MI 49660

By 

DATE 4/10/02

LITTLE RIVER BAND OF OTTAWA INDIANS
MAIN CASINO PROJECT
BULLETIN BREAKDOWN
BULLETIN NO. 53
WORK: ADD PRE-ACTION SYSTEM IN AREA OF FM-200 SYSTEM
SCHEDULE IMPACT: NONE
DATE: MARCH 21, 2002

| ITEM | DESCRIPTION OF WORK | QUANTITY | VALUE | TOTAL | NOTES |
|-------------|----------------------------|----------|--------|--------|-------|
| 1 | DESIGN WORK | 1 | 550 | 550 | |
| 2 | GENERAL CONDITIONS | 0 | 0 | 0 | |
| 3 | DEMOLITION | 1 | 250 | 250 | |
| 4 | SITE/EARTHWORK | 0 | 0 | 0 | |
| 5 | UNDERGROUND UTILITIES | 0 | 0 | 0 | |
| 6 | PAVING | 0 | 0 | 0 | |
| 7 | FOUNDATIONS | 0 | 0 | 0 | |
| 8 | MASONRY | 0 | 0 | 0 | |
| 9 | STRUCTURAL STEEL | 0 | 0 | 0 | |
| 10 | ROOFING | 0 | 0 | 0 | |
| 11 | INTERIOR CONCRETE | 0 | 0 | 0 | |
| 12 | GLASS | 0 | 0 | 0 | |
| 13 | HOLLOW METAL DOORS | 0 | 0 | 0 | |
| 14 | OVERHEAD DOORS | 0 | 0 | 0 | |
| 15 | EXTERIOR SKIN | 0 | 0 | 0 | |
| 16 | INTERIOR FINISH CARPENTRY | 1 | 350 | 350 | |
| 17 | PAINTING | 0 | 0 | 0 | |
| 18 | PLUMBING | 0 | 0 | 0 | |
| 19 | HVAC | 0 | 0 | 0 | |
| 20 | ELECTRICAL | 1 | 3,150 | 3,150 | |
| 21 | FIRE PROTECTION | 1 | 28,420 | 28,420 | |
| 22 | SPECIALTIES | 0 | 0 | 0 | |
| 23 | ELEVATORS | 0 | 0 | 0 | |
| ALLOWANCES: | | | | | |
| 24 | WINTER CONDITIONS | 0 | 0 | 0 | |
| 25 | LANDSCAPING | 0 | 0 | 0 | |
| 26 | CEILING TILE | 0 | 0 | 0 | |
| 27 | CABINETRY | 0 | 0 | 0 | |
| 28 | WALL COVERING | 0 | 0 | 0 | |
| 29 | CARPET | 0 | 0 | 0 | |
| 30 | HARD SURFACE TILE | 0 | 0 | 0 | |
| 31 | VINYL TILE | 0 | 0 | 0 | |
| 32 | LOBBY LIGHT FIXTURES | 0 | 0 | 0 | |
| 33 | AQUARIUM | 0 | 0 | 0 | |
| 34 | PLAYGROUND EQUIPMENT | 0 | 0 | 0 | |
| 35 | PAYMENT & PERFORMANCE BOND | 0 | 0 | 0 | |
| 36 | INCREASED DESIGN LIABILITY | 0 | 0 | 0 | |
| 37 | BUILDER'S RISK INSURANCE | 0 | 0 | 0 | |
| 38 | CONTINGENCY | 0 | 0 | 0 | |
| 39 | CONTRACTOR OVERHEAD | | | 1,963 | |
| 40 | TOTAL CONSTRUCTION COSTS | | | 34,683 | |
| 41 | CONTRACTOR PROFIT | | | 1,309 | |
| 42 | TOTAL | | | 35,992 | |



Three Towers *Fire Protection Group*

- Consultants
- Design
- Installation
- Inspections

975 John A. Papalas Drive • Lincoln Park, MI 48146 • (313) 383-0860 • Fax (313) 383-4410

March 6, 2002

Mr. Bart Roeser
Cunningham-Limp Development Company
39300 West 12 Mile Road
Suite 200
Farmington Hills, MI 48331

RE: Fire Protection - Little River Casino

Dear Mr. Roeser:

Three Towers agrees to design and install in premises located at FM200 area a Preaction Sprinkler System and Auxiliary Equipment in accordance with the general conditions of sale set forth herein. Such installation shall be subject to approval by the Owners Representative whose approval or acceptance of same shall conclusively evidence full performance by sell of its obligations hereunder.

The price for said installation shall be Twenty Eight Thousand Four Hundred Twenty (\$28,420.00) dollars.

Specifications

Scope of Work:

A preaction system throughout areas currently protected by the FM200 system.
Preaction valve will be located in room 1129.

March 6, 2002



Summary of equipment to be installed:

- A. Necessary Sprinklers
- B. Control Valve
- C. Low Air Pressure Switch
- D. Pressure Flow Switch
- E. Pressure Gauges
- F. Necessary Drains
- G. All necessary pipe, fittings and hangers
- H. Receiving, shipping and distribution of materials
- I. Preaction double interlock (Both detection system & sprinkler must activate for valve to release water.
- J. Signs
- K. Compressor 1 1/2" HP
- L. Alarm panel & solenoid

Not included in Contract:

- 1. Painting
- 2. Wiring of detection, air compressor or alarms

Sincerely,


Stanley B. Sikorski
President

ACCEPTED BY:

NAME: _____

TITLE: _____

DATE: _____