



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution #02-0807-01

Authorizing the Construction Management Team to Execute a Change Order that increases the contract amount with VEC Engineering by \$10,210.00 for costs related to HUD changes on the SBR Plant and Electrical Design Changes, which were identified after the original contract was approved

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. #01-0110-03, created a Construction Management Team to manage the construction of the Permanent Casino-Resort project under the above Agreement; and

WHEREAS, The work related to this Change Order includes additional work for HUD submission document changes related to the SBR Plant and also Electrical Design Changes. The costs involved are for changes to bid documents for submittal to HUD and then additional changes to the bid documents to adjust for HUD requirements as well as electrical design changes. The cost of the work described involves an increase in the contract with VEC Engineering in the amount of \$10,210.00; 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 the Owner's Representative have presented and are recommending approval of a Change Order to VEC Engineering's budget line item in an amount of \$10,210.00 from the tax-exempt side of the overall project.

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 VEC Engineering's work as described for HUD changes and Electrical Design Changes not covered in the original scope of work in an amount of \$10,210.00.

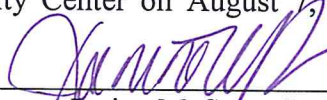
IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes the Tribal Ogema or, in his absence, the Tribal Council Speaker, to execute the above mentioned Change Order.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes an increase in the agreement with VEC Engineering in the amount of \$10,210.00 and authorizes said payment for the costs of this work through the tax-exempt loan's contingency line.

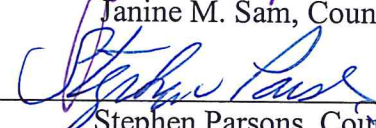
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 1 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 August 7, 2002, with a quorum being present for such vote.

Attest:



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker