



Little River Band of Ottawa Indians

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

Resolution #02-0911- 01

Authorizing the Construction Management Team to Execute a Change Order that increases the contract amount with NetCom by \$7,947.00 to cover the costs related to work involving additional cabling and courtesy phones

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 NetCom for the provision and installation of the casino-resort's communication 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, the CMT has worked with Casino Operations to determine that this work is required in order to accommodate the ultimate needs of the overall facility. The work related to the Change Order includes additional cabling and courtesy phones that were apparently "overlooked" in the original plans. Associated costs cover both phones (15) and installation in various locations throughout the facility. The costs of the work described involves an increase in the contract with NetCom in a total amount of \$7,947.00 which is still below the original line item in the budget for this project consideration; 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 NetCom budget line item in an amount of \$7,947.00 and which will not increase the guaranteed maximum price of the overall project.

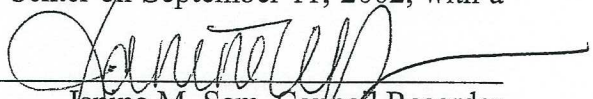
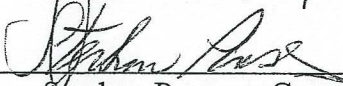
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves by Resolution the Change Order associated with NetCom's work as described for additional equipment and services not covered in the original scope of work in an amount of \$7,947.00.

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 budget line for NetCom in the amount of \$7,947.00 and authorizes said payment for the costs of this work through the normal payment process established for the project's FF&E costs.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 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 September 11, 2002, with a quorum being present for such vote.


Janine M. Sam, Council Recorder

Stephen Parsons, Council Speaker

Attest: