



Little River Band of Ottawa Indians

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

Resolution #02-1009-01

Authorizing the Construction Management Team to Execute a Change Order that increases the contract amount with VEC Engineering in an amount of \$4,895.00 to cover additional design costs for necessary modifications to the original lift station design that resulted from hydropneumatic building requirements

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 VEC Engineering for engineering and project support services related to the construction of the SBR project, a critical element of the community water and wastewater system; and

WHEREAS, the Tribe has, pursuant to Resolution No. #01-0110-03, created a Construction Management Team (CMT) to manage the construction of the Permanent Casino-Resort project (including the community water and wastewater treatment systems) under the above Agreement; and

WHEREAS, the CMT has worked with VEC and the SBR Director over a period of time which included a recent discussion of matters related to the change order request (as well as other change order requests yet to be determined) and were sufficiently satisfied with the validity of the change order request to recommend its processing (for approval and payment); 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 (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

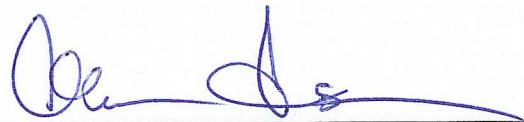
WHEREAS, the Construction Management Team has reviewed and recommends the approval and payment of the related Change Order to VEC Engineering to cover additional design costs (\$4,895.00) which were related to redesign of the system's lift station that were required as a result of hydropneumatic building changes.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves by Resolution the Change Order to VEC Engineering for the work described above in the amount of \$4,895.00 for work that was not covered in the original scope of work.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes a \$4,895.00 increase in the VEC Engineering contract amount and further authorizes said payment for the costs of the work described through the contingency line of the tax-exempt loan.

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 October 9, 2002, with a quorum being present for such vote.



Charles Fisher, Council Recorder



Stephen Parsons, Council Speaker

Attest: