



Little River Band of Ottawa Indians

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

Resolution # 03-0219-50

*Authorizing the Construction Management Team to Execute Change Order No. 37 in
Regard to A.J. Veneklasen, Contractor, on the Wastewater Treatment Facility*

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(a) to provide for the 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 Wastewater Treatment Plant for the Aki Maadziwin Subdivision and the Little River Casino Resort is in the best, long-term interests of the Tribe and its members; and

WHEREAS, the Tribe has pursuant to Resolution # 01-0110-03, created a Construction Management Team to manage the construction of the Permanent Casino/Resort project under the Agreement; and

WHEREAS, Section D(4)(d) of Resolution No. #01-0110-03 requires the Construction Management Team to present Changer 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, Resolution # 01-0321-11 delegated responsibility regarding construction of the Wastewater Treatment Facility; 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

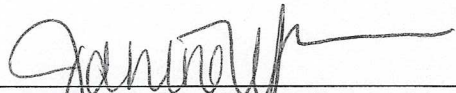
WHEREAS, the Construction Management Team has presented, and are recommending approval of a Change Order for additional work, which would increase the Project cost by \$4,120.45 and which would be paid from the Contingency Allowance in the Capital Budget.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves Change Order # 37 and authorizes the Construction Management Team to execute such Change Order at a cost of \$4120.45 for work completed by A.J. Veneklasen.

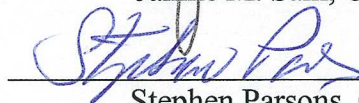
IT IS FURTHER RESOLVED that the Tribal Council authorizes an incremental increase in the guaranteed maximum price in Agreement in the amount of \$4120.45 and authorizes use of the Contingency Allowance in the Capital Budget, if necessary, to fund the cost of such incremental work.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on February 19, 2003, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department

CHANGE ORDER

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
FIELD ☐
OTHER ☐

PROJECT: Little River Hotel & Casino
Manistee, Michigan

CHANGE ORDER NUMBER: # (37)
DATE:

TO CONTRACTOR: A. J. VENEKLASEN
5000 Kendrick. S.E.
Grand Rapids, MI 49512-408

ARCHITECT'S PROJECT NO: 99-91
CONTRACT DATE: 9-27-01
CONTRACT FOR:
CONTRACTOR PROJECT # 99035

Add for concrete work done by Burgess	\$1,463.00
Add 15% markup	\$ 219.45
Add for sleeves (x6 12" sleeves) for interior SBR piping	\$2,438.00
	<u>\$4,120.45</u>

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

The Original Contract Sum was	\$ 1,145,977.00
Net change by previously authorized Change Orders.	\$.00
The Contract Sum prior to this Change Order was.	\$ 1,145,977.00
The Contract Sum will be increased by this Change Order in the amount of.	\$ 4,120.45
The new Contract Sum including this Change Order will be	\$ 1,150,097.45

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 Schults

DATE

2/13/03

CONTRACTOR

A. J. VENEKLASEN
5000 Kendrick
Grand Rapids, MI 49512-408

By

DATE

OWNER

Little River Band of Ottawa Indians
375 River Street
Manistee, MI 49660

By

DATE