

**Little River Band of Ottawa Indians**

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

**Resolution # 04-0515-205**

*Amending and Clarifying Signature Authority to Make Purchases in the Budget and Appropriations Regulations, Chapter 1*

WHEREAS, the status of the *Gaá Čhing Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; 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 Tribal Council is authorized under Article IV, Section 7(i)(2) to manage the funds of the Tribe; and

WHEREAS, the Tribal Council adopted Resolution # 02-0306-07, and as amended by resolution # 03-0618-177, which approved the *Budget and Appropriations Regulations, Chapter 1. Purchasing and Procurement*; and

WHEREAS, the Tribal Council adopted resolution # 04-0303-99 which identified a new organizational structure for the Tribe which has been amended from time to time; and

WHEREAS, the *Purchasing and Procurement Regulations* have not kept pace with the organizational chart, nor with the current employees within the Tribe;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby amends *Chapter 1. Purchasing and Procurement Regulations* as follows.

3-2. *Negotiating Contracts or Purchase Requisitions.* Program Directors shall place all purchases through the Purchasing Office and shall obtain approval as set forth in this section. Program Directors shall request the Purchasing Office, after approval by the Ogema, to negotiate all purchases in excess of \$8000.01. The following value and authority levels limit authority to initiate the development of purchase requests and/or contracts.

- a. \$0.00 to \$500.00, with authorization from the Purchasing Director, the Program Director and shall include price quotes from at least two sources.
- b. \$500.01 to \$3000.00, with authorization from the Tribal Manager, the Purchasing Director and shall require price quotes from at least three sources.
- c. \$3000.01 to \$8000.00, with authorization from the Ogema, Tribal Manager, the Purchasing Director and shall require price quotes from at least three sources.
- d. All purchases over \$8000.01, with authorization by the Tribal Ogema and Tribal Council the Purchasing Director and with three written quotes.

Provided that, where no vendors exist to provide quotes, or insufficient vendors exist to provide quotes, the Purchasing Director shall include a certification to that effect which shall be attached to the purchase file.

4-3. *Tribal Manager; Tribal Assistant.* The Tribal Manager, as delegated administrator for the Ogema, is responsible for reviewing purchasing activities and approving purchasing activities under \$3000.00. The Tribal Assistant Manager shall be delegated the Tribal Manager authority in the event of a written memorandum, signed by the Tribal Manager, that he or she will not be available to sign documents on specified dates. This notice shall be attached to all purchasing documents signed by the Tribal Assistant Manager. The Tribal Manager is authorized to sign purchasing documents in the absence of all program directors to which he or she is delegated supervisory responsibility under the approved organizational chart of the Tribe.

4-4. *Tribal Ogema.* The Tribal Ogema, as the chief administrator for the Tribe, is responsible for overseeing the entire purchasing process. In addition to that general responsibility, the Tribal Ogema holds specific responsibility for:

- a. Approving purchase requests and contracts submitted that exceed \$3000.01, but do not exceed \$8000.00.
- b. Responsible for executing all contracts.
- c. *Responsible for submitting in writing a list of all individuals identified as Program Director to exercise authority under 3.2(a) on an annual basis to Purchasing Department and Controller, and shall be amended and updated with any personnel changes.*

4-5. *Tribal Council.* The Tribal Council has final responsibility for management of the Tribe's resources. Its key responsibilities in regard to purchasing are:

- a. Approving program budgets.
- b. Ratifying all purchases requests and contracts.

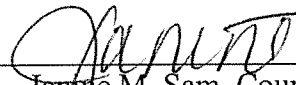
IT IS FURTHER RESOLVED THAT, the Tribal Council recognizes that the *Purchasing and Procurement Regulations* have not adequately kept pace with the organizational structure of the Tribe and directs the Ogema to conduct a review of all expenditures within the current fiscal year to determine that items purchased contained signatures of individuals with supervisory authority over the program budget, the items were budgeted

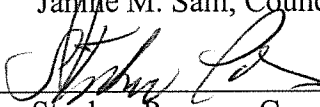
for, or obtained the appropriate unbudgeted items approval, and that items in excess of \$5000.00 were properly approved by the Tribal Council, and that such report be submitted to the Tribal Council by June 9, 2004.

IT IS FURTHER RESOLVED THAT, this regulation shall be effective immediately upon purchasing actions that have not been approved through the Purchasing Department or for which a check has not been processed, all other purchasing actions shall be incorporated into these new regulations in a reasonable manner and shall be included in the report required to be submitted on June 9, 2004.

**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 May 15, 2004, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.

  
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Janné M. Sam, Council Recorder

  
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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court