



**Little River Band of Ottawa Indians**

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

**Resolution # 04-0623-266**

*Authorizing Execution of Addendum to Contractor Agreement with  
SRW Contracting & Paving*

WHEREAS, the status of the *Gaá Čhíng 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 Ogema, pursuant to Article VI, Section 5(a) of the Tribal Constitution, is authorized to negotiate and execute contracts on behalf of the Band, provided such contracts are approved and ratified by the Tribal Council; and

WHEREAS, the Tribal Council did, pursuant to Resolution No. #04-0414-153, accepting Sanitation Facilities Funds (Project #BE-04-D64) from the Indian Health Services, which Project included recommendations replace approximately 400 feet of water main serving the Akimaadiziwin development due to the widening of Dontz Road; and

WHEREAS, the Tribal Council did, pursuant to Resolution No. #04-0505-186, authorize execution of a Contractor Agreement - Small Project Form with SRW Contracting & Paving to replace a section of water main adjacent to certain Tribal lands on Dontz Road; and

WHEREAS, the Contractor has encountered site conditions that have necessitated the use of additional equipment and required additional labor costs not anticipated in the project scope upon which the firm's bid was presented and are requesting a modification to the agreement to increase the contract amount from \$7,860.00 to \$12,060.00 to account for those additional costs; and

WHEREAS, the Utility Department and Project Engineer are recommending approval of an addendum to the Contractor Agreement to increase the amount of compensation in accordance with the Addendum prepared by the Legal Department.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes execution of an Addendum to Contractor Agreement, Small Project Form with SRW Contracting & Paving to increase the amount of compensation to be paid to that firm by up to \$4,200.00 to provide for completion of the water main replacement at a cost not to exceed \$12,060.00.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 1 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on June 23, 2004, at the Little River Band's Conference Room 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  
Utility Department  
Legal Department  
SRW Contracting Paving