



Little River Band of Ottawa Indians

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

Resolution # 05-0323-128

Approving the Second Amendment to the Contract with Hnedak Bobo Group, Inc., for the Design of the Little River Casino Resort Expansion and Master Site Plan

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 Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; 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 Hnedak Bobo Group, Inc., was engaged by contract, ratified by Tribal Council resolution # 04-0623-271, to design of the expansion and development of the Master Site Plan; and

WHEREAS, the first amendment to the contract, ratified by Tribal Council resolution # 04-1020-423, clarified the fees as based upon updated project costs; and

WHEREAS, Hnedak Bobo Group, Inc., has presented a contract amendment that sets a cap on fees, regardless of the final costs of the Project, based upon their estimates of the final project costs; and

WHEREAS, the Technical Advisor to the Development Committee has reviewed the proposed amendment and fee ceiling and based upon projected cost estimates has determined that the proposed amendment is reasonable and offers protections by placing a cap on Expansion Project fees in the event of higher construction costs; and

WHEREAS, the Development Committee, after legal review provided by Drummond, Woodsum & MacMahon, has determined that this amendment is in the best interests of the Tribe and has forwarded the second amendment for ratification;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies the Second Amendment to the Hnedak Bobo Group, Inc. architect contract for the Little River Casino Resort Expansion Project and authorizes the Ogema to enter into the contract.

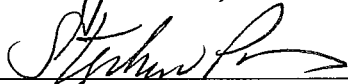
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 1 AGAINST, 1 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on March 23, 2005, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.

Attest:



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Distribution: Council Records
Tribal Ogema
Tribal Court