



Little River Band of Ottawa Indians
375 River Street
Manistee MI 49660
(231) 723.8288

Resolution # 05-0622-284

Authorizes the Tribal Ogema to Execute a Professional Services Agreement between The Abonmarche Group and the Tribe for Services Related to the Support of Modular Housing Procurement for 10 Affordable Housing Units at the Aki maadiziwin Subdivision and authorizes a limited waiver of sovereign immunity in the terms expressed in the contract

WHEREAS, the status of the *Gaa Ching Ziibi Daawaa Anishinaabek* (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 Tribal Council is authorized under Article IV, Section 7 (I) to take action, not inconsistent with the Constitution of Federal law, which is necessary and proper to carry out the sovereign powers of the Tribe; and

WHEREAS, the Tribe as a recipient and managing body of IHBG/NAHASDA funds, approved the recommendation of the Housing Commission to build 9 houses at the Aki maadiziwin subdivision utilizing funds from Indian Housing Block Grants granted to the Tribe; and

WHEREAS, Tribal Council approved by Resolution the erection and construction of a Modular house at the Aki maadiziwin subdivision to serve as a Housing office and allocated the proper funds to complete the project; and

WHEREAS, the professional services involved will be limited to those specified in Attachment "B" of the contract as per each Phase of the project; and

WHEREAS, the contract calls for a limited waiver of the Tribe's sovereign immunity to the extent of the rights and duties of the Tribe agreed upon in the contract, and grants exclusive jurisdiction over these matters to the Tribal Court.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the adoption of Resolution # 05-0622-284, Authorizing the Tribal Ogema to Execute a Professional Services Agreement between The Abonmarche Group and the Tribe for Services Related to the Support of Modular Housing Procurement for 10 Affordable Housing Units at the Aki maadiziwin Subdivision;

IT IS FURTHER RESOLVED THAT the professional services involved are limited to those specified in Attachment "B" of the involved contract;

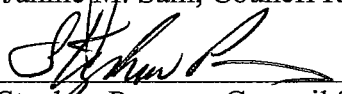
IT IS FURTHER RESOLVED THAT the costs associated with the professional fees shall not exceed the agreed upon total of \$79,580.00.

IT IS FURTHER RESOLVED THAT it is granted a limited waiver of sovereign immunity to the extent of the rights and duties of the Tribe agreed upon in the contract and for the exclusive purpose of consenting to be sued in Tribal Court.

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, 0 ABSTAINING, 0 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on June 22, 2005, at the Little River Band's Dome 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
Legal Department
Housing Department