



Little River Band of Ottawa Indians
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

**Moved to
Open Session
02/17/21**

Resolution #21-0217-047

*Ratification of Contract with DL Morse & Associates for Muskegon Health Center
Renovation Project*

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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; 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 vested with the authority, under Article IV, Section 7(b), to ratify contracts to be entered into by the Tribe; and

WHEREAS, the Tribal Council has received a contract from DL Morse & Associates to Manage and renovate the offices located at 1478 Ellis Road and 4905 Harvey Street; and

WHEREAS, the contract has been reviewed by Unified Legal; and

WHEREAS, the LRBOI Construction Task Force will be authorized to oversee the LRBOI 1478 Ellis Road and 4905 Harvey Street renovation projects pursuant to Resolution 08-0827-273; and

WHEREAS, the overall project is estimated at \$987,330.00 and an additional 10% of the estimated contract amount is approved as a contingency for the Community Health Muskegon Campuses project; and

WHEREAS, nothing in this Contract shall be construed to be a waiver of the sovereign immunity of the Little River Band of Ottawa Indians or any of its subordinate enterprises or entities; and

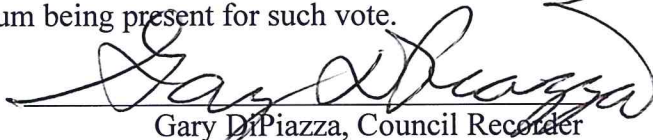
WHEREAS, Venue for any dispute arising out of this Contract shall be the Little River Band of Ottawa Indians Tribal Court. This Contract, and any disputes arising out of this Contract, shall be governed by the laws of the Little River Band of Ottawa Indians.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to execute the Agreement with DL Morse and Associates, Inc. incorporating the contents of this resolution.

IT IS FURTHER RESOLVED THAT Dr. Daryl Wever is designated the role of Owner's Representative for the project.

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 Closed Session of the Little River Band of Ottawa Indians Tribal Council held on February 17, 2021, via ZOOM,, with a quorum being present for such vote.



Gary DiPiazza, Council Recorder



Ron Pete, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema