



Little River Band of Ottawa Indians

2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #21-1124-295

Ratification of Jack Doheny Company Contract to purchase a Vactor / Jetter Single Engine Sewer Cleaner with Positive Displacement Vacuum System Truck

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, Tribe Council supports the need to purchase a vactor/ jetter truck during COVID19 or other pandemic like occurrences; and

WHEREAS, the Tribal Council has received a contract from Jack Doheny Company in the amount of \$460,960.00 for the protection of the public health and protection of the environment. Through a joint effort with MSU, test results show varying degrees of Covid 19, Delta and UK variant that are present in the wastewater. The truck will be utilized to clean sewer lines and pumping stations as well as assisting in repair of any future breaks in sewer lines; and

WHEREAS, either CARES or ARPA funding can be used to pay for this project; and

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

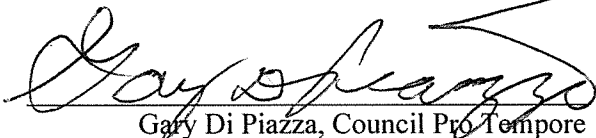
WHEREAS, nothing in this Contract shall be construed to be a waiver of the sovereign immunity of the Little River Band of Ottawa Indians or any of its subordinate enterprises or entities and

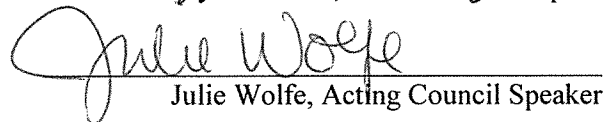
WHEREAS, Venue for any dispute arising out of this Contract shall be the Little River Band of Ottawa Indians Tribal Court. This Contract, and any disputes arising out of this Contract, shall be governed by the laws of the Little River Band of Ottawa Indians.

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 Jack Doheny Company for the sum of \$460,960.00 using CARES and/or ARPA funding, and incorporating the contents of this resolution.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on November 24, 2021, via ZOOM and the Little River Band of Ottawa Indians Government Center, with a quorum being present for such vote.


Gary Di Piazza, Council Pro Tempore


Julie Wolfe, Acting Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Grant Department – Lyle Dorr
Submitting Department