



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution #24-1211-245

Enter into a Contract with RK Davis using ARPA Funding 4996-000-6100 in the amount of \$3,026,566.

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 the Utility Department to RK Davis for upgrading the infrastructure (headworks) for increased grit removal capacity. Total contract \$3,023,566.00

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

WHEREAS, the CFO has issued a Funds Availability Certification #2024-034 in the amount of \$3,023,566.00 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 RK Davis in the amount of \$3,023,566.00 using ARPA funds 4996-000-6100 for the construction of upgrading the infrastructure (headworks) for increased grit removal capacity 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 5 FOR, 3 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Open Session of the Little River Band of Ottawa Indians Tribal Council held on December 11, 2024, via ZOOM and the Little River Band of Ottawa Indians Government Center, with a quorum being present for such vote.


Pam Johnson, Tribal Council Recorder


Tammy Burmiester, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema