

PROCEDURES FOR AUTHORIZATION OF THE MACKINAW PROJECT
PRE-CONSTRUCTION

Date Receive by Director of Planning _____

- Contract
- Change Order
- Purchase order
- Notice to proceed
- GMP Amendment

Name of Contractor _____

Nature of work to be performed or product to be purchased _____

Current Contract Amount _____
Change Amount _____
New Contract Total _____
Within Project budget (yes or no) _____

ALL OF THE FOLLOWING INDIVIDUALS MUST REVIEW AND SIGN OFF ON THIS DOCUMENT BEFORE IT IS SIGNED BY THE LEGISLATIVE LEADER OR HIS/HER DESIGNEE WHO SHALL REVIEW AND SIGN THIS FORM AND ANY CONTRACT DOCUMENTS or OTHER SUCH REQUIRED DOCUMENTATION.

DIRECTOR OF PLANNING _____
(Printed Name) (Signature) (Date)

Comments

DIRECTOR OR TREASURY _____
(Printed Name) (Signature) (Date)

Comments

LEGAL REVIEW _____
(Printed Name) (Signature) (Date)

Comments

LEGISLATIVE LEADER _____
(Printed Name) (Signature) (Date)

Comments

Title: Policy and Procedure for Authorization of the Pre-Construction Capital Project Funds Related to the proposed Mackinaw Casino economic development project.

Policy: To ensure that all budgets, contracts and expenditures from the capital project fund established for the pre-construction costs of the proposed Mackinaw casino project are properly authorized and executed. Proper internal control will be followed to ensure that only valid and authorized transactions are entered into, recorded and paid. Procedures will be implemented to ensure compliance with budgets, approved scope, contracts and other payments. The accuracy of amounts invoiced, that amounts are in accordance with contract terms, and that the contracts and expenditures are properly approved and payments are timely made.

Purpose: To explain the procedures for approving budgets, scope, design, contracts, change orders, purchase orders, and general conditions. Further to document the process to approve payments due under contracts, purchase orders or other general conditions.

Scope: This procedure applies to all transactions for the pre-construction capital projects funds established for the proposed Mackinaw casino economic development project.

Procedure:

1.0 Budgets:

- 1.1 The project will have a budget approved by Tribal Council motion which includes ALL costs related to the project.
- 1.2 Reallocation of line items within the budget that do not affect the scope or approved amenities of the project will be received by the Director of Planning and reviewed and agreed upon by the following authorized signatories: Director of Planning, Director of Treasury, Legal, and the Legislative Leader.
- 1.3 An increase in the overall project budget OR a material change in scope will require a motion by the Tribal Council.
- 1.4 All conceptual design, quality, schedule and other documents will be reviewed and agreed upon by the authorized signatories.

- 1.5 A monthly report will be provided to the Council covering budget, scope, schedule and other issues of which the Tribal council should be made aware of by the Director of Planning and Director of Treasury.

2.0 Contracts and Contract Change Orders:

- 2.1 The pre-construction services contract(s) and any other contracts and change orders, including change orders to the pre-construction contract will be received by the Director of Planning and reviewed and or approved in the following order:
 - 2.1.1 Director of Planning, *Review and approve*
 - 2.1.2 Director of Treasury, *Review and approve*
 - 2.1.3 Legal *Review and negotiate legal terms as necessary*
 - 2.1.4 Legislative Leader or his/her designee *Review and signature*
- 2.2 Where standard contracts, change orders, and Independent Contractor Agreements are used that the legal department has previously approved the format, legal review will not be required.
- 2.3 The initial GMP (guaranteed maximum price) contract amendment will be approved by motion of the Tribal Council.

3.0 Purchase orders:

- 3.1 Purchase orders (PO) rather than contracts will be used for a variety of goods and services where it is appropriate to do so given the nature of the transaction. If the PO is for less than \$5,000 it may be approved by the Director of Planning and the Director of Treasury.
- 3.2 Purchase orders greater than \$5,000 will be processed for approval as specified in 2.2 except that legal review will not be required.

4.0 Payments:

- 4.1 Payments required under the terms of an approved contract or purchase order as specified above will be approved by the Director of Planning and the Director of Treasury before being sent to Tribal accounts payable for payment.
- 4.2 Payments from invoices for general conditions will be approved as stated above and paid by the Tribal accounting office.

5.0 Disapproval of Contracts and Contract Change Orders:

- 5.1 If one of the authorized signatories disapproves a vendor/contractor then a meeting will be set within 48 hours to discuss such action with the other authorized signatories. If such matter cannot be resolved by the authorized signatories the matter will be brought to Tribal Council for resolution.

This Policy was approved by Tribal Council on: 10-7-12

Regina Gasco Bentley
Regina Gasco Bentley, Tribal Council Secretary

11-14-12
Date