



Mashpee Wampanoag Tribe
483 Great Neck Rd So. Mashpee, MA 02649
Phone (508) 477-0208 * Fax (508) 477-1218

2021-RES-045

**APPROVAL OF SETTLEMENT AGREEMENT
AND RELEASE WITH ROBINSON GREEN BERETTA
CORPORATION (RGB)**

WHEREAS, the Mashpee Wampanoag Tribe (“Tribe”) is a federally-recognized Indian tribe with a duly-enacted Constitution; *and*,

WHEREAS, the Mashpee Wampanoag Tribal Council (“Tribal Council”), the governing body of the Tribe, deems it essential under Article VI, § 2.A. of the Mashpee Wampanoag Tribal Constitution (“Constitution”) to promote and protect the political integrity, economic security and general welfare of the Tribe and members of the Tribe; *and*,

WHEREAS, Article VI, § 2.D. of the Constitution empowers the Tribal Council to negotiate and enter into contracts and agreements with state and local governments, private persons and corporate entities; *and*,

WHEREAS, that the Tribe entered into a contract dated June 4, 2020 with RGB to provide architectural and professional services for the Tribe’s construction of its first child care center; *and*,

WHEREAS, that the Tribe entered into a contract dated May 10, 2018 with RGB to provide architectural and professional services for the Tribe’s construction of its first Tribal housing project to be known as “Wampanoag Village”; *and*,

WHEREAS, that the Tribe terminated the above-described contracts (collectively, Construction Contracts”) with RGB and a dispute arose over the outstanding amounts owed to RGB for work provided pursuant to the Construction Contracts; *and*,

WHEREAS, that the Tribe and RGB wish to resolve the dispute and enter a Settlement Agreement and Release, in substantially the form attached hereto as Exhibit A, under the terms and conditions stated therein (the “Settlement Agreement”); *and*,

WHEREAS, that the Tribe and RGB have agreed to settle the dispute in accordance with the terms and conditions set forth in the Settlement Agreement that includes a full and final payment of \$149,750.00 to RGB within thirty (30) days of the date the Settlement Agreement is fully executed; *and*,

WHEREAS, that on July 14, 2021, the Tribal Council approved by Motion the settlement terms and release and wishes to memorialize this approval and the Settlement Agreement attached as Exhibit A; *and*,

WHEREAS, the Tribal Council desires to approve Settlement Agreement for the aforementioned purposes and in accordance with the terms and conditions noted therein and in substantially the same form as attached in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council accepts and approves the Settlement Agreement for the aforementioned purposes and as provided in substantially the same form as Exhibit A, attached hereto.

BE IT FINALLY RESOLVED, that the Tribal Council hereby grants to the Tribal Chairman, or in his absence, other Officer of the Tribal Council, the requisite authority and power for an on behalf of the Tribe to execute the Settlement Agreement, in substantially the same form as Exhibit A, and take such further action necessary to effect the purposes of this Resolution.

All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and shall continue pursuant to the authority vested in the Tribal Council pursuant to Article VI, §§ 2.A. and D. of the Constitution.

CERTIFICATION

We, the undersigned Chairperson and Secretary of the Mashpee Wampanoag Tribal Council, do hereby certify that the Tribal Council is composed of 13 members of whom 9, constituting a quorum, were present at a Meeting thereof, duly called, noticed, convened, and held on the 28th day of July, 2021 and that the foregoing resolution was duly adopted by the affirmative vote of 8 members, with 0 opposing, and with 0 not voting.

DATED this 28th day of July, 2021.



Brian Weeden, Chairman
Mashpee Wampanoag Tribal Council

ATTEST:



Cassie Jackson, Secretary
Mashpee Wampanoag Tribal Council

EXHIBIT A
SETTLEMENT AGREEMENT AND RELEASE