



Mashpee Wampanoag Tribe
483 Great Neck Rd So. Mashpee, MA 02649
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2021-RES-083

APPROVAL OF CONSTRUCTION CONTRACT WITH CHAMPION BUILDERS FOR TRIBAL

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

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;

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;

WHEREAS, the Tribe is constructing its first Tribal housing project comprised of low-income housing to serve the Tribal community and Tribal elders;

WHEREAS, in connection with the Tribal housing project, the Tribe serves as General Partner to the Mashpee Wampanoag Village Limited Tax partnership (the “Partnership”) and has secured low-income tax credit financing for construction of the project;

WHEREAS, the Partnership is in of a new General Contractor to complete the remaining work and punch list items on nine (9) homes built within the housing community (the “Scope of Work”);

WHEREAS, the Tribal Council desires to engage Champion Builders, Inc. of Duxbury, Massachusetts, to complete the Scope of Work in accordance with an agreed upon schedule and payment;

WHEREAS, Tribal Council desires to enter into a construction contract with Champion Builders in the form of a A101 Standard Form Agreement with A201 General Conditions that

will include a waiver of sovereign immunity in Section 15.1.1. to allow claims to be resolved under the process set forth in Article 15 of the Agreement (the “Agreement”);

WHEREAS, the Tribal Council desires to approve the Agreement with Champion Builders to complete the Scope of Work in accordance with the schedule, conditions and terms set forth therein.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council hereby approves the Agreement with Champion Builders, in substantially the same form attached hereto as Exhibit A to provide the services described therein to the Tribe.

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 Agreement with Champion Builders 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 11, constituting a quorum, were present at an Regular Meeting thereof, duly called, noticed, convened, and held on the 8th day of December, 2021 and that the foregoing resolution was duly adopted by the affirmative vote of 9 members, with 1 opposing, and with 0 not voting.

DATED this 8th day of December, 2021.



Brian Weeden, Chairman
Mashpee Wampanoag Tribal Council

ATTEST:



Cassie Jackson, Secretary
Mashpee Wampanoag Tribal Council

EXHIBIT A

AIA A101 AND A201 AGREEMENT BETWEEN THE TRIBE AND CHAMPION BUILDERS, INC.