

RESOLUTION NO. **18 - 0 4 3 9** -

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF EXECUTING AN ADDENDUM TO AN)
INTERLOCAL AGREEMENT BETWEEN THE TOWN OF WAVERLY) **RESOLUTION**
AND SPOKANE COUNTY AUTHORIZING A REIMBURSABLE)
PUBLIC WORKS TASK REQUEST)

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County, Washington, ('the Board') has the care of county property and the management of county funds and business; and

WHEREAS, pursuant to the provisions of Chapter 39.34 RCW, Chapter 35.77 RCW, Chapter 47.24 RCW and Resolution #18-0246, the Board adopted a Public Works Umbrella Interlocal Agreement between the Town of Waverly ('the Town') and Spokane County ('the County') authorizing reimbursable Public Works to be performed by the Spokane County Public Works Department if requested by the Town; and

WHEREAS, the Town has identified needed maintenance of roadway surfaces and initiated a Reimbursable Public Works Task Request in the form of chip sealing along with associated prep work and traffic control to be provided by the County as follows:

- Commercial Avenue - from 1st Street to Waverly Road
- Riverside Avenue - from Prairie View Road to Elm Street; and

WHEREAS, the Spokane County Engineer recommends the approval of the above described Task Request, as an Addendum to the Public Works Umbrella Interlocal Agreement adopted pursuant to Resolution #18-0246, in the best interest of the public; and

WHEREAS, the Board feels that the best interests of the public will be served by approving this Task Request, as an addendum to the Public Works Umbrella Interlocal Agreement adopted pursuant to Resolution #18-0246.

NOW, THEREFORE BE IT RESOLVED by the Board that the described Task Request, as an Addendum to the Public Works Umbrella Interlocal Agreement adopted pursuant to Resolution #18-0246, is approved.

BE IT FURTHER RESOLVED by the Board that the described Task Request Addendum to the Public Works Umbrella Interlocal Agreement between the Town and the County may be executed by the Chair at other than an open meeting.

PASSED AND ADOPTED this 19th day of June, 2018.



BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

Josh Kerns

Josh Kerns, Chair

Mary Z Kuney

Mary Kuney, Vice-Chair

Al French

Al French, Commissioner

ATTEST:

By *Ginna Vasquez*

Ginna Vasquez, Clerk of the Board

ADDENDUM
REIMBURSABLE PUBLIC WORKS TASK REQUEST
TOWN OF WAVERLY
AND
SPOKANE COUNTY

An Amendment to the **Public Works Umbrella Interlocal Agreement** adopted under Spokane County Board of County Commissioners Resolution #18-0246

This addendum is mutually entered into by the Town of Waverly (TOWN) and SPOKANE COUNTY (COUNTY) pursuant and subject to all provisions of the Public Works Umbrella Interlocal Agreement (AGREEMENT) adopted as Spokane County Board of County Commissioners Resolution #18-0246 on March 27, 2018. Together, the TOWN and the COUNTY are referred to as the PARTIES. This addendum is an amendment to the adopted AGREEMENT and is entered into by the PARTIES on this 19th day of June, 2018.

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. This Reimbursable Public Works Task Request (TASK) was initiated by the TOWN for consideration by the COUNTY.
2. The TASK request consists of the following described project to be performed by the COUNTY:

Total of 2,100 feet of single 3/8 chip seal and associated preparation work and traffic control for the following roads:

*Commercial Avenue from 1st Street to Waverly Road
Riverside Avenue from Prairie View Road to Elm Street*

3. The COUNTY estimates that the total cost to complete the TASK is detailed as follows:

Town of Waverly to reimburse the County an estimated cost of \$50,025 plus an indirect rate of 16.59% (\$8,299) for a total estimated cost of \$58,324.

The estimate above is for planning purposes only and is non-binding upon the PARTIES. The final cost shall consist of all actual project costs; including all the reimbursable items listed in the adopted AGREEMENT.

4. The COUNTY agrees to undertake the TASK request as detailed herein at a time and in a manner which is convenient to the COUNTY. The PARTIES agree that the target date for completing the

TASK is October 31, 2019. However, the date is subject to change given the COUNTY'S schedule and unforeseeable circumstances.

5. RCW 39.34 REQUIRED CLAUSES

- a. Purpose:** Authorize the COUNTY to undertake a specific public works TASK requested by the TOWN, which will be fully reimbursed by the TOWN.
- b. Organization of Separate Entity and Its Powers:** No new or separate legal or administrative entity is created to administer the provisions of this addendum to the AGREEMENT.
- c. Duration:** See Section 4 above as well as Section 12B **Term of AGREEMENT** within the adopted AGREEMENT.
- d. Termination:** See Section 12C **Termination of AGREEMENT** within the adopted AGREEMENT.
- e. Property Upon Termination:** See Section 11 within the adopted AGREEMENT.
- f. Responsibilities of the Parties:** See various provisions within the adopted AGREEMENT and this addendum.
- g. Agreement to be Filed:** The COUNTY shall file this amendment to the AGREEMENT with the County Auditor or, in the alternative, place it on the COUNTY'S website or other electronically retrievable public source.
- h. Financing:** The TOWN will reimburse the COUNTY for all actual project costs; including all reimbursable items listed in the adopted AGREEMENT. Source of the TOWN funding is expected to be as follows:

100% TIB Grant

Regardless of any change to the funding source or its status, the TOWN shall be solely responsible for reimbursing the COUNTY.

- i. **Representatives:** The PARTIES hereby and individually appoint the following persons as representatives for administering terms of this TASK request.

Town of Waverly

Kyndra Browning
Clerk/Treasurer

Town of Waverly
255 N. Commerce Street
PO BOX 37
Waverly, WA 99039

509-283-4122

waverlytown@gmail.com

Spokane County

Howard Hamby
Pavement Management Administrator

Spokane County Public Works
1026 West Broadway Avenue
Spokane, WA 99260-0170

509-477-3600

hhamby@spokanecounty.org

The PARTIES warrant that the officers executing below have been duly authorized to act for and on behalf of the respective PARTY for purposes of confirming this amendment. In witness, whereof, the PARTIES hereto below have executed this amendment to the Public Works Umbrella Interlocal Agreement which was adopted pursuant to Spokane County Board of County Commissioners Resolution #18-0246.

Town of Waverly

Signature: Paul Curtis
Paul Curtis
Mayor, Town of Waverly

Date: 6/11/2018

Spokane County

Signature: Josh Kerns
Josh Kerns
Chair, Board of Spokane County
Commissioners

Date: 6-19-18