

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LEWIS COUNTY, WASHINGTON**

APPROVING AN INTERLOCAL )  
AGREEMENT BETWEEN LEWIS COUNTY ) RESOLUTION NO. 09- 133  
AND LEWIS COUNTY WATER DISTRICT #1 TO )  
ALLOW USE OF THE SMALL WORKS ROSTER)

**WHEREAS**, Lewis County Water District #1 is in need of the use of a Small Works Roster and RCW 39.04.155(2)(b) establishes guidelines for Interlocal Agreements allowing other state agencies use of an established Small Works Roster; and

**WHEREAS**, the County has an established Small Works Roster; and

**WHEREAS**, Lewis County Water District #1 has agreed to use Lewis County's established Small Works Roster in a manner that is consistent with procedures used by Lewis County; and

**WHEREAS**, it appears to be in the best public interest to authorize the execution of said Interlocal Agreement for Lewis County;

**NOW, THEREFORE BE IT RESOLVED**, that the aforesaid Interlocal Agreement is hereby approved and the Board of County Commissioners is authorized to sign the same.

**DONE IN OPEN SESSION** this 11<sup>th</sup> day of May, 2009.

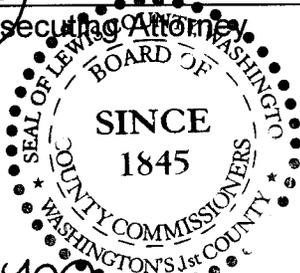
**APPROVED AS TO FORM:**

L. Michael Golden, Prosecuting Attorney

  
By: Deputy Prosecuting Attorney

**ATTEST:**

  
Karri Muir, Clerk of the Board



**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON**

  
F. Lee Grose, Chairman

  
Ron Averill, Vice Chairman

  
P.W. Schulte, Member

# **INTERLOCAL AGREEMENT**

**BETWEEN LEWIS COUNTY WATER DISTRICT #1**

**AND**

**LEWIS COUNTY**

THIS CONTRACT is entered into between the COUNTY OF LEWIS, a municipal corporation located in the State of Washington, hereinafter "COUNTY", and Lewis County Water District #1, a municipal corporation formed under the Revised Codes of Washington, hereinafter LCWD#1.

WHEREAS, the COUNTY has an established Small Works Roster; and

WHEREAS, LCWD#1 is in need of the use of a Small Works Roster and RCW 39.04.155(2)(b) establishes guidelines for Interlocal Agreements allowing other state agencies use of an established Small Works Roster; and

NOW, THEREFORE, in consideration of the terms, conditions, and covenants contained herein, the parties agree as follows:

## **I. USE OF LEWIS COUNTY'S SMALL WORKS ROSTER**

County is in agreement with LCWD#1's use of the established Small Works Roster. County agrees to implement and maintain their small works roster by following the provisions in RCW 39.04. County has sole discretion in determining the procedures, content, and form of the small works roster so that it complies with RCW 39.04.

This Interlocal Agreement shall not relieve either party of any obligation or responsibility imposed upon it by law, nor shift liability to the other party for any violations of applicable law.

LCWD#1 agrees to utilize the established Small Works Roster in a manner that is consistent with that of the County and will report usage in a timely manner to the Director of Public Works.

## **II. DURATION & TERMINATION**

This agreement may be terminated by either party by providing thirty (30) days written notice to the other party.

This Interlocal Agreement becomes effective on the date of the final approved signature and shall remain in effect until terminated by either Lewis County or LCWD#1.

### III. CHANGES AND MODIFICATIONS

This agreement may be modified upon the written agreement executed by both parties. No course of dealing between the Parties shall be construed to alter the terms hereof, except as expressly stated herein.

### IV. HOLD HARMLESS AND INDEMNIFICATION

LCWD#1 shall hold harmless the County for any negligent act or omission by the County regarding the creation, maintenance, polices, and use of the County's small works roster, including but not limited to, any inconsistency or conflict between the requirements of state law and either the County's small works roster or the County's small works roster policy.

This Agreement is executed by the persons signing below who warrant that they have the authority to execute this Contract.

The parties have caused this Contract to be executed in duplicate originals this 28 day of April, 2009.

Accepted and Approved by:

William R. McMahon

Name:  
Lewis County Water District #1

Apr 28, 2009

Date

F. Lee Grose

F. Lee Grose, Chairman  
Board of Lewis County Commissioners

5-11-09

Date



**John W. Huestis**  
**Director/County Engineer**

**Rod Lakey**  
**Assistant County Engineer**

## **Department of Public Works**

---

Administration • Engineering Services • Traffic • Road Maintenance • Real Estate Services • Waste Management

### **EXECUTIVE SUMMARY**

**BOCC:** MAY 11, 2009  
**DEPARTMENT:** PUBLIC WORKS  
**ITEM:** RESOLUTION APPROVING AN INTERLOCAL  
AGREEMENT BETWEEN LEWIS COUNTY AND LEWIS  
COUNTY WATER DISTRICT #1 FOR USE OF SMALL  
WORKS ROSTER  
**CONTACT:** JOHN HUESTIS, DIRECTOR, PUBLIC WORKS

---

Discussion: RCW 39.04.155(2)(b) establishes guidelines for Interlocal Agreements allowing other state agencies use of an established Small Works Roster. Lewis County Water District #1 has requested that we establish such an Interlocal Agreement.

It appears to be in the best public interest to authorize the execution of said Interlocal Agreement in order to allow use of the Lewis County Small Works Roster in a manner that is consistent with that of the County.

Action: Approval of the Resolution Approving the Interlocal Agreement and authorizing the Board of County Commissioners to sign the same.