Agreement NP2019-11

FACILITY USE AGREEMENT, INDEMNIFICATION AND HOLD HARMLESS

The City of Newport owns the Newport Gun Range, which the Washington Department of Fish and Wildlife wants to use to conduct the firearm training segment of its hunter education program. The City of Newport agrees to make the Newport Gun Range available, without charge, to the Washington Department of Fish and Wildlife and its personnel for firearm training and other related activities at such times as may be mutually agreed upon. The City will work with the Department to arrange access to the range and secure the range at the conclusion of each training session.

In return for usage of the Newport Gun Range without charge, the Washington Department of Fish and Wildlife agrees to assume and accept full risk of any injuries, including damages or losses, which its personnel or hunter education students may sustain as a result of participating in any and all activities connected or associated with the Newport Gun Range.

The Washington Department of Fish and Wildlife specifically agrees to indemnify and hold harmless the City of Newport, its officers, agents, representatives, servants and employees from any and all claims resulting from injuries, including damages and attorney's fees arising out of, connected with, or in any way related to the Washington Department of Fish and Wildlife's use of the Newport Gun Range.

In the event that the Washington Department of Fish and Wildlife or its personnel notice any unsafe condition on or around the Newport Gun Range, they agree to promptly notify the City of Newport in writing.

This Agreement may be terminated by either party upon 45 days written notice to the other party.

POHEG

WASHINGTON DEPARTMENT
OF FISH AND WILDLIFE

James Battie 671-2834

Dated: April 1 - 201

CITY OF NEWPORT

Dated: 4-1-2019

CERTIFICATE OF MEMBERSHIP IN THE WASHINGTON COUNTIES RISK POOL

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE JOINT SELF-INSURANCE LIABILITY COVERAGE AFFORDED BY THE WASHINGTON COUNTIES RISK POOL

MEMBER COUNTY:	Liability Coverage Afforded by the:
Pend Oreille County, Washington Attn: Teresa Brooks, Risk Manager PO Box 5040 Newport, WA 99156	Washington Counties Risk Pool 2558 R W Johnson Rd SW, Suite 106 Tumwater, WA 98512-6103

RECEIVED
SEP 21 2020
CITY OF NEWPORT
NEWPORT, WA

Pend Oreille County (the "County") is a member of the Washington Counties Risk Pool (the "Pool"), as authorized by RCW 48.62.031, and the County is covered by the Pool's Joint Self-Insurance Liability Program. The Pool's Joint Self-Insurance Liability Program was created by interlocal cooperative agreement amongst the Pool's member counties to share risks by "jointly, self-insuring" certain third-party liabilities. The Pool is **NOT** an insurance company. Claims that are covered under a Memorandum of Liability Coverage ("MLC") from the Pool and were submitted under Chapter 4.96 RCW (*"Actions against political subdivisions, municipal and quasi-municipal corporations"*) against the County, its employees, officers, volunteers and agents and/or actions in connection with or incidental to the performance of an agreement/contract which the County and/or its officers, employees or volunteers are found to be liable for will be paid by the Pool and/or the County.

MLC NUMBER:	**20202021RISKPOOL-POCO**
MLC EFFECTIVE DATE:	October 1, 2020
MLC EXPIRATION DATE:	October 1, 2021
LIMITS OF LIABLITY EACH OCCURRENCE BI AND PD COMBINED:	$10,000,000

TYPES OF LIABILITY COVERAGE AFFORDED:

General Liability

Including:
- Bodily Injury
- Personal Injury
- Property Damage
- Errors and Omissions/Professional
- Advertising Injury

Automobile Liability

DESCRIPTION OF OPERATIONS/LOCATION/VEHICLE	CANCELLATION
Use of City's Gun Range During the MLC Period 10/1/20 - 10/1/21	SHOULD THE ABOVE DESCRIBED MLC BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUER WILL ENDEAVOR TO PROVIDE THIRTY (30) DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION NOR LIABILITY OF ANY KIND UPON THE ISSUER OR ITS AGENTS OR REPRESENTATIVES.
CERTIFICATE HOLDER:	**ISSUE DATE:** September 11, 2020
City of Newport	Sally King Claims Specialist

CERTIFICATE OF LIABILITY INSURANCE

Issue Date 3/13/2019

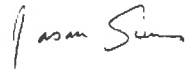
ISSUED BY: State of Washington Department of Enterprise Services Office of Risk Management PO Box 41466 Olympia, WA 98504-1466	**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE STATE OF WASHINGTON SELF INSURANCE LIABILITY PROGRAM.** **COVERAGE AFFORDED BY** **State of Washington Self Insurance Liability Program**
INSURED: State of Washington Washington Department of Fish and Wildlife ATTN: Michael Whorton P.O. Box 43137 Olympia, WA 98504	**THE STATE OF WASHINGTON, INCLUDING ALL ITS AGENCIES AND DEPARTMENTS, IS SELF-INSURED FOR TORT LIABILITY CLAIMS. ALL CLAIMS MUST BE FILED WITH THE STATE OFFICE OF RISK MANAGEMENT FOR PROCESSING IN ACCORD WITH STATUTORY REQUIREMENTS.**

COVERAGES

THIS IS TO CERTIFY COVERAGE DESCRIBED BELOW IS PROVIDED TO THE INSURED NAMED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE COVERAGE AFFORDED BY THE SELF-INSURANCE LIABILITY PROGRAM IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH PROGRAM.

TYPE OF COVERAGE	POLICY NUMBER	EFFECTIVE DATE	EXPIRATION DATE	LIMITS
GENERAL LIABILITY ☒ GENERAL LIABILITY ☒ OCCURRENCE COVERAGE	Self-Insured	Continuous	Continuous	BODILY INJURY, PROPERTY DAMAGE & PERSONAL INJURY COMBINED EACH OCCURRENCE $5,000,000
AUTOMOBILE LIABILITY ☐ ANY AUTO ☒ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS				BODILY INJURY & PROPERTY DAMAGE COMBINED EACH ACCIDENT $5,000,000
WORKERS COMPENSATION AND EMPLOYERS LIABILITY	L & I	Continuous	Continuous	WC – STATUTORY
OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS: Coverage applies as respects tort liability claims against the State of Washington as covered by the Tort Claims Act (RCW 4.92 et seq.) The Certificate Holder is named as additional insured, but only as respects the negligence of the State of Washington.

CERTIFICATE HOLDER:	CANCELLATION
CITY OF NEWPORT ATTN: MIKE KIRKWOOD 200 S. WASHINGTON AVE. NEWPORT, WA 99156	**SHOULD THE SELF INSURANCE LIABILITY PROGRAM BE CANCELLED, THE STATE OF WASHINGTON WILL ENDEAVOR TO MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL NOT IMPOSE ANY OBLIGATION OR LIABILITY UPON THE STATE OF WASHINGTON, ITS OFFICIALS, EMPLOYEES, AGENTS OR REPRESENTATIVES.**
CERTIFICATE NUMBER CRT 2019-00180	**AUTHORIZED REPRESENTATIVE:**  Jason Siems, State Risk Manager