

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

IN THE MATTER OF:

RESOLUTION NO. 21-099

RATIFYING A MEMORANDUM OF
UNDERSTANDING (MOU) BETWEEN LEWIS
COUNTY AND THE PORT OF CHEHALIS
REGARDING WORK BY COUNTY STAFF FOR
PRELIMINARY ENGINEERING SERVICES FOR FISH
PASSABLE STRUCTURES AND BARRIER
REMOVALS ON THE LOWER REACH OF BERWICK
CREEK AND AUTHORIZING SIGNATURES
THEREON

WHEREAS, RCW 39.34.080 authorizes public agencies to perform governmental services, activities, or undertakings which each public agency entering into the contract is authorized by law to perform, provided such contract shall be authorized by the governing body of each party to the contract; and

WHEREAS, Resolution No. 18-152 approved an Interlocal Agreement in the amount of \$110,000.00 between Lewis County and the Port of Chehalis on April 30, 2018. The Agreement was supplemented by \$16,995.00 on September 3, 2019, and \$5,330.62 on July 13, 2020; and

WHEREAS, additional work is required for projects on the lower reach of Berwick Creek and therefore the Agreement requires an amendment; and

WHEREAS, this MOU outlines the responsibilities and funding support of the Lewis County Public Works Department by the Port of Chehalis by providing additional preliminary engineering services to manage cultural resources consultations incidental to complete preliminary engineering services for the Port of Chehalis, at their request, at an estimated cost of \$65,591.74 to make the new maximum payable amount \$197,917.36; and

WHEREAS, the Director of Public Works has reviewed the MOU between Lewis County and the Port of Chehalis, and recommends that the Board of County Commissioners (BOCC) ratify the previously executed MOU between Lewis County and the Port of Chehalis regarding preliminary engineering services for projects on the lower reach of Berwick Creek.

NOW THEREFORE BE IT RESOLVED that the BOCC has determined proceeding with the MOU between Lewis County and the Port of Chehalis is in the best public interest and is hereby approved, and the BOCC ratifies the signature of the Public Works Director.

DONE IN OPEN SESSION this 16th day of March, 2021.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Eric Eisenberg
By: Eric Eisenberg,
Chief Civil Deputy Prosecuting Attorney

Gary Stamper
Gary Stamper, Chair

ATTEST:



Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of
County Commissioners

Sean D. Swope
Sean D. Swope, Commissioner