

**PEND OREILLE COUNTY  
NEWPORT, WASHINGTON**

**RESOLUTION NO. 2024- 074**

**RESOLUTION REGARDING APPROVAL OF THE PURCHASE AGREEMENT FOR 2024  
MAINTENANCE GRAVEL- WM WINKLER**

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

**WHEREAS**, the Public Works Department solicited sealed bids for the 2024 Maintenance Gravel purchase, which was an approved line item for the Road Department's 2024 Budget; and

**WHEREAS**, the Board of County Commissioners awarded the Contract to WM Winkler; and

**WHEREAS**, the County Public Works Department recommends the approval of the contract for the 2024 Maintenance Gravel purchase with WM Winkler; and

**WHEREAS**, the Board of County Commissioners believes that the best interest of the public will be served by entering into the contract with WM Winkler.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Pend Oreille County Board of Commissioners that the Contract for the 2024 Maintenance Gravel purchase with WM Winkler, which is attached hereto and incorporated herein, be established and adopted.

**BE IT FURTHER RESOLVED**, by the Pend Oreille County Board of Commissioners, that the Contract for the 2024 Maintenance Gravel purchase with WM Winkler is hereby approved, and the Chair of the Board, or a majority of the Board is hereby authorized to execute it on behalf of Pend Oreille County.

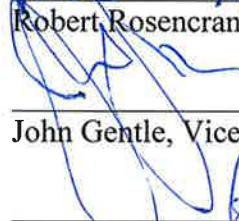
[executed page with signatures is attached]

ADOPTED this 23 day of April, 2024.

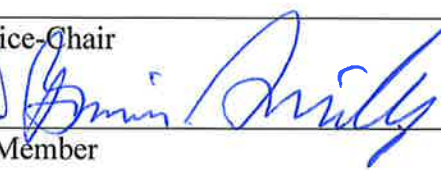
**BOARD OF COUNTY COMMISSIONERS  
PEND OREILLE COUNTY, WASHINGTON**



Robert Rosencrantz, Chair



John Gentle, Vice-Chair



Brian Smiley, Member

ATTEST:

  
Crystal Zieske, Clerk of the Board



## 2024 MAINTENANCE GRAVEL

THIS PURCHASE AGREEMENT made and entered into this 23 day of April, 2024 between Pend Oreille County, a municipal corporation of the State of Washington (hereafter "County") acting through its Board of County Commissioners (hereafter "Board") by virtue of Title 36 Revised Code of Washington, as amended, and WM Winkler Co., (hereafter "Vendor"). County and Vendor may be referred to herein individually as "Party" and collectively as "Parties."

### WITNESSETH:

That in consideration of the payments, covenants, and agreements, hereinafter mentioned, to be made and performed by the Parties hereto, the Parties hereto covenant and agree as follows:

- I. **SCOPE OF WORK.** The Vendor agrees to supply materials, equipment and do all work described in the fourteen-page bid package titled "2024 Maintenance Gravel" for the County (dated March 1, 2024) together with its one-page bid form opened on March 26, 2024. Said documents are expressly incorporated by reference and made a part of the Agreement as if fully set forth herein at length (hereafter "Contract Documents"). Vendor further agrees to furnish all tools, materials, and equipment necessary to perform and complete services required by the Contract Documents and further agrees to perform any changes in, or additions to, the work required by this Agreement and every part thereof. The Vendor shall provide and bear the expense of all equipment, work, and labor of any sort whatsoever that may be required for the transfer of materials and for completing the work provided for in this Agreement and every part thereof.
- II. **AGREEMENT COMPLETE.** The Parties agree that this Agreement and the Contract Documents are the final expression of the Parties' mutually negotiated agreement. There are no understandings, agreements, or representations, expressed or implied, which are not specified in this Agreement and the Contract Documents.
- III. **VENDOR'S REQUIRED ITEMS.** The Vendor shall provide the following required items:
  - a. Current W9

IV. County agrees to pay Vendor pursuant to the terms herein as shown on Vendor's Bid prices restated below:

ITEM & LOCATION	UNIT	PRICE
WSDOT SPECIFICATION TOP COURSE, USK, WA PLANT	Ton	\$11.00

IN WITNESS WHEREOF, The said Vendor has executed this instrument on the day and year first below written, and the Board of County Commissioners of the aforesaid County, pursuant to resolution duly adopted, has caused this instrument to be executed by and in the name of said Board, duly attested by its Clerk and the seal of said Board to be hereunto affixed the day and year first above written.

This AGREEMENT is made and signed this 23 day of April, 2024

**VENDOR**

Brian J. Winkler / President

Authorized Agent (Print Name)

  
Signature

602 703 784

UBI No.

**BOARD OF COUNTY COMMISSIONERS  
PEND OREILLE COUNTY, WASHINGTON**

  
Robert Rosencrantz, Chair

  
John Gentle, Vice-Chair

  
Brian Smiley, Member

Attest:

  
Crystal Zieske, Clerk of the Board