

EVIDENCE OF COVERAGE

INSURED/PARTICIPANT:

Stillaguamish Flood Control District
1001 4th Ave Ste 4400
Seattle, WA 98154

MEMORANDUM#: 2021-00-341

EFFECTIVE: September 1, 2020 through August 31, 2021

This is to certify that the Memorandum of Coverage has been issued to the Insured/Participant for the period indicated.

CERTIFICATE HOLDER:

Snohomish County
Public Works Department
3000 Rockefeller Ave., M/S 607
Everett, WA 98201

The Evidence of Coverage does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

| COVERAGE: | PER OCCURRENCE LIMIT | AGGREGATE LIMIT |
|---|---------------------------------|----------------------------|
| COMPREHENSIVE GENERAL LIABILITY | \$1,000,000 | \$1,000,000 |
| <i>Professional Liability</i> | \$1,000,000 | \$1,000,000 |
| <i>Personal Liability</i> | \$1,000,000 | \$1,000,000 |
| <i>Products – Complete Operation</i> | \$1,000,000 | \$1,000,000 |
| AUTO LIABILITY | N/A | N/A |
| <i>Combined Single Limit; Hired and Non-Owned; Temporary Substitute</i> | N/A | N/A |
| CRIME BLANKET COVERAGE WITH FAITHFUL PERFORMANCE OF DUTY | N/A | N/A |
| <i>Per Occurrence Aggregate</i> | N/A | N/A |
| PROPERTY/MOBILE EQUIPMENT/BOILER AND MACHINERY | | |
| <i>Property</i> | N/A | N/A |
| <i>Mobile Equipment</i> | | |
| AUTOMOBILE PHYSICAL DAMAGE | N/A | N/A |
| OTHER COVERAGE: N/A | N/A | N/A |

CANCELLATION:

Should any of the above described coverage be cancelled before the expiration date of thereof. Notice will be delivered in accordance with the provisions of the MOC.

MEMO:

Evidence of Member Coverage to contracted party
Reference: Interlocal Agreement for Flood Damage Reduction



Authorized Representative
February 23, 2021

Contracted Party Notice

Enduris Washington is a joint self-insurance program for public entities authorized by RCW 48.62.

Under RCW 48.62.061, the state risk manager shall adopt rules governing the management and operation of both individual and joint local government self-insurance programs covering property or liability risks. The rules are contained in the Washington Administrative Code (WAC) 200-100 and summarized as follows:

- Only members who sign the interlocal agreement binding them to contributions and assessments may participate in a local government risk pool (WAC 200-100-020).
- Only members may participate in the self-insured retention layer, and only members may participate in the joint purchase of insurance or reinsurance (WAC 200-100-02005).
- Nonmembers shall not participate in any coverages of the joint self-insurance program including the self-insured retention layer and the excess insurance or reinsurance layer (WAC 200-100-02007).

The state risk manager and the Washington Administrative Code prohibit Enduris of Washington from granting additional insured status to nonmembers.

However, Enduris can cover the contractual liability undertaken by its members in most cases. As long as the contract between an Enduris member and a third party qualifies as a “member contract” and the claims against the indemnitee third party are otherwise covered by the terms of the Memorandum of Coverage, the member district’s indemnity obligation should also be covered.

Enduris Washington’s memorandum of coverage (MOC) contains the definition of a “member contract” as follows:

SECTION IV – DEFINITIONS

[...]

M. Member Contract means a written contract that satisfies all of the following:

1. The agreement pertains to the Named Member's routine governmental operations, including professional services and mutual aid agreements, and by the contract terms the Named Member assumes the Tort liability of another to pay damages because of Bodily Injury or Property Damage to a third person or organization, or with respect to Professional Services to pay damages because of Public Officials Errors and Omissions to a third person or organization, and;
2. The agreement was entered into prior to the damage for which a claim is made.

Tort liability means a liability that would be imposed by law in the absence of any contract or agreement.

A Member Contract does not include any part of any contract or agreement that indemnifies any person or organization for any claim and/or suit that is excluded by the terms of this Memorandum, or that indemnifies an architect, engineer, or surveyor arising out of preparing, approving, or failing to approve maps, drawings, opinions, reports, surveys, change orders, designs or specifications, or giving or failing to give directions or instructions, unless the architect, engineer or surveyor is an employee of the Named Member and the services are part of the Named Member's routine governmental operations. A Member Contract also does not include the indemnification of any person or organization for damages by fire, explosion, or water damages to premises rented or loaned to the Named Member.

Reliability in a Risky World