

AGENDA REQUEST FORM

Return completed form and complete agenda item to the Clerk of the Board
Yakima County Commissioners' Office, Room 232

Prepared by:

Blake Erickson

Department: Facilities Services

Requested Agenda Date: 01/06/2026

Presenting: Blake Erickson

Document Title:

Board of County Commissioners Record Assigned

#

003-2026

APPROVED FOR AGENDA:

Consent

Regular

Board of County Commissioners Determined

In the matter of accepting as complete, the Yakima County Road Maintenance Shop & Construction Buildings Solar Project PW20025-F.

Action Requested: *Check Applicable Box*

PASS RESOLUTION EXECUTE or AMEND **AGREEMENT CONTRACT or GRANT**
 ISSUE PROCLAMATION PASS ORDINANCE OTHER _____

Describe Fiscal Impact:

By accepting project as complete, Yakima County will submit a Notice of Completion with L&I. Ellensburg Solar, LLC took out a retainage bond on this project. The final warrant was issued on 12/31/2025 and the contract was paid in full.

Background Information:

Yakima County Facilities Services has been awarded a Washington State Department of Commerce Clean Energy Grant for energy retrofits. Solar power construction and equipment has been installed at the Yakima County Road Maintenance Shop & Construction Buildings.

Summary & Recommendation:

Upon approval of project completion, Notice of Completion paperwork will be filed with L&I, Department of Revenue and the Employment Security Department. Once approval has been received from the three entities the contract will be fulfilled.

Motion:

Approve resolution to accept project as complete.

Department Head/ Elected Official

AGREEMENT Attached Is Approved as to Form
Corporate Counsel Initial


Signature

Late Agenda Requests Require BOCC Chairman Signature:

**BOARD OF YAKIMA COUNTY COMMISSIONERS
RESOLUTION**

**IN THE MATTER OF ACCEPTING AS
COMPLETE, THE YAKIMA COUNTY
ROAD MAINTENANCE SHOP &
CONSTRUCTION BUILDINGS SOLAR
PROJECT: PW20025-F**

0 0 3 - 2 0 2 6

WHEREAS, the Facilities Services Director has certified that the Yakima County Solar Project has been completed by the contractor Ellensburg Solar, LLC, PO Box 1681, Ellensburg, WA 98926, in accordance with contract plans and specifications; **and**,

WHEREAS, the total contract amount was \$456,835.00; **and**,

WHEREAS, the Contractor has submitted the final Contract Pay Estimate; **now therefore**,

BE IT FURTHER RESOLVED by the Board of County Commissioners of Yakima County, Washington, being fully advised, that the Yakima County Road Maintenance Shop & Construction Buildings Solar Project to be accepted as satisfactorily completed. Ellensburg Solar, LLC took out a retainage bond therefore the contract has been paid in full and no retainage is due. This bond and any proceed therefrom shall be made to all claims and liens and in the same manner and priority as set forth for retained percentages in RCW 60.28.

DONE **JAN 06 2026**

LaDon Linde, Chair

Attest:

Julie Lawrence, Clerk of the Board

Amanda McKinney, Commissioner

Kyle Curtis, Commissioner

*Constituting the Board of County Commissioners
for Yakima County, Washington*

RETAINAGE BOND
(RCW 60.28.011)

Bond No: 30244899

KNOW ALL MEN BY THESE PRESENTS, that Ellensburg Solar LLC

a corporation existing under and by virtue of the laws of the State of Washington and authorized to do business in the State of Washington as Principal, and Western Surety Company, a corporation organized and existing under the laws of the State of SD and authorized to transact business in the State of Washington as Surety, are jointly and held and bound unto Yakima County as Obligee, in the penal sum

Twenty-Five Thousand Seven Hundred Eighty-Four and 00/100 Dollars (\$25,784.00)
which is 5% of the Principal's contract with Obligee for
Yakima County Solar Energy Project, Yakima County Road Maintenance Shop & Construction
Buildings, PW20025-F

WHEREAS, on the _____ day of March 2025 the said Principal, herein,
executed a contract with the Obligee as described above.

WHEREAS, said contract and RCW 60.28 require Obligee to withhold from
the Principal the sum of 5% from monies earned on estimates during the progress of
the construction, hereinafter referred to as earned retained funds.

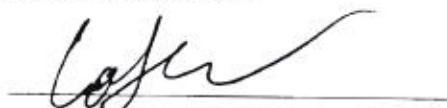
AND NOW WHEREAS, Principal, pursuant to RCW 60.28.011, has requested
that the Obligee not retain any earned retained funds as allowed under RCW 60.28.

NOW, THEREFORE, the condition of this obligation is such that the Surety is
held and bound unto the Obligee in the penal sum of 5% of the final contract cost which
shall include any increases due to change orders, increases in quantities of work or the
addition of any new item of work. If the Principal shall use the earned retained funds,
which will not be retained, for the purposes of RCW 60.28, then this obligation shall
be null and void; otherwise, it shall remain in full force and effect.

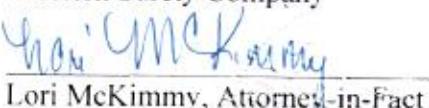
PROVIDED, HOWEVER that any suit under this bond must be instituted within
the time period provided by applicable Washington State law.

WITNESS our hands this 7th day of April 2025.

Ellensburg Solar LLC



Western Surety Company



Lori McKimmy, Attorney-in-Fact

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Donna S Martinez, Rod Lewis, Kenneth J Frick, Lori McKimmy, Individually

of Yakima, WA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 21st day of July, 2022.

WESTERN SURETY COMPANY



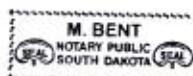
Paul T. Bruflat, Vice President

State of South Dakota } ss
County of Minnehaha }

On this 21st day of July, 2022, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 7th day of April, 2025.

WESTERN SURETY COMPANY



L. Nelson, Assistant Secretary

Form F4280-7-2012

Go to www.cnasurety.com > Owner / Obligee Services > Validate Bond Coverage, if you want to verify bond authenticity.

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.