

## **KITTITAS COUNTY**

### **DEPARTMENT OF PUBLIC WORKS**

---

December 3, 2014

Michael P. Nigrey  
Kittitas County Prosecutors Office  
Ellensburg, WA 98926

RE: Claim for Damages: Arrow Construction Supply, Inc.

Dear Mr. Nigrey,

I have reviewed the "Claim for Damages" submitted by Arrow Construction Supply, Inc. stating damage to the 2003 Etnyre Chip Spreader due to Maintenance staff cleaning the machine. I have researched this claim and discussed with the Kittitas County Maintenance Manager. I am recommending approval of payment in the amount of \$2,961.20 half of the listed claim amount of \$5,922.39.

If you have any questions or comments, please do not hesitate to contact my office.

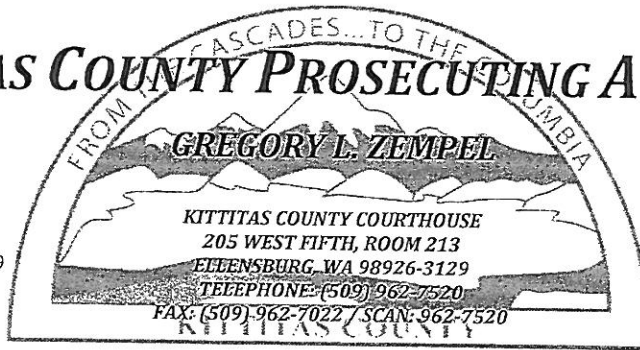
Sincerely,

Kirk Holmes  
Director of Public Works

KH:cl

# KITTITAS COUNTY PROSECUTING ATTORNEY

FAMILY SUPPORT DIVISION  
205 WEST FIFTH, ROOM 213  
ELLENSBURG, WA 98926-3129  
TELEPHONE: (509) 962-7521  
FAX: (509) 962-7022



CIVIL DIVISION  
205 WEST FIFTH, ROOM 213  
ELLENSBURG, WA 98926-3129  
TELEPHONE: (509) 962-7664  
FAX: (509) 962-7060

Wednesday, December 03, 2014

Kirk Holmes  
Public Works  
411 N. Ruby Street, Suite 1  
Ellensburg, WA 98926

Re: Claim of Arrow Construction Supply, Inc.  
Claim No.: 201412010013

Dear Kirk:

The County is in receipt of a claim for damages filed by the above referenced claimant. If by chance, you did not receive this information, we have attached a copy for you. It appears that this claim relates to an incident involving your department.

Please give us your input on the claim, what happened, and any records that you have relevant to the incident at issue. In particular, a copy of the contract with Arrow Construction for the sale of the equipment or any written conditions attached to the sale would be most helpful.

Thank you in advance for your assistance in this matter. If you have any questions, please feel free to give me a call.

Sincerely,

MICHAEL P. NIGREY  
Deputy Prosecuting Attorney

Enclosure as noted

CC: BOCC  
WCRP

MPN/atb

PROSECUTOR 62

COMMISSIONERS 214

DEPARTMENT KK

INSURANCE JP

12/01/2014 09:36:06 AM

201412010013

\$0.00

Claims Against County/rls/misc  
Kittitas County Auditor

Page: 1 of 6  
K CO PROSEC



KITTITAS COUNTY CLAIM FOR DAMAGES

Return to:

County Auditor

205 W 5<sup>th</sup> Ave, Suite 105

Ellensburg, WA 98926

509-962-7504

Instructions:

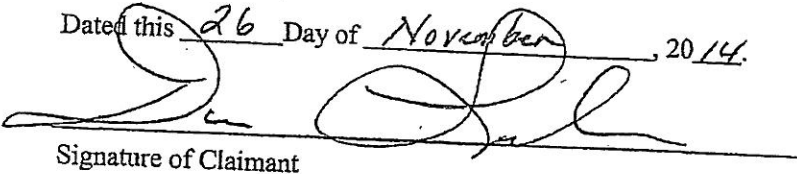
Please read the entire form before completion. Fill out each question as completely as possible, to the best of your ability. Do not hesitate to use the back side of this form if you need more than the space provided. An incomplete response may delay the processing of your claim.

1. Name (Including spouse, if married):  
Arrow Construction Supply, Inc.  
Dave Lawless, President; Heath Nave, Rental Manager
2. Phone (Home): (N/A) (Work): (509)922-7847
3. Address (include former address if at present address for less than 6 months):  
9915 E. Trent Ave, Spokane Valley, WA 99206  
Physical  
P.O. Box 11133, Spokane, WA 99211-1133  
Mailing
4. Date of Birth: N/A
5. Date and Time of Incident:  
July 2014 (approximately)
6. Location of Incident:  
Kittitas County Road Department, Ellensburg, WA

7. Describe in detail the defect which caused the injury:  
Damages caused by pressure washing the machine prior to our picking up  
the machine we had purchased. Pressure washing the machine damaged  
the computer.
8. Describe in narrative form and in detail exactly how the incident occurred:  
Arrow Construction Supply purchased a 2003 Etnyer Chip Spreader from the  
County in Feb. 2014. We picked up the machine when the replacement arrived in  
mid-July. When we arrived, the machine had just been pressure washed by the County  
which caused a error code on the dash to appear on the computer. County employee  
acknowledged it at the time.
9. List the names of all persons involved and contact information, if known.  
Jim Van De Ventner (Kittitas County)  
Willie Adams (Kittitas County)  
Eddie Lang (Arrow Construction Supply truck driver)
10. Was claim investigated by a police officer? N/A  
Sheriff \_\_\_\_\_ State Patrol \_\_\_\_\_ City Police \_\_\_\_\_
11. Description of claimant's vehicle: Etnyer Make 2003 Year  
Model: Chip Spreader License No. N/A
12. Describe what you did after the accident occurred:  
Brought machine back to our shop to troubleshoot it with help from the  
Manufacturer. Determined it had a damaged computer. We replaced the computer.
13. Describe the conversations you had, if any, with County personnel during or after the incident occurred:  
When Eddie Lang picked up the machine, the County personnel on-site  
acknowledged the error code on the dash.

14. Describe the damages or injuries which you sustained as a result of the incident:  
Parts & labor to repair damaged computer due to water getting inside the  
computer from pressure washing by Kittitas County.
15. What is the amount of damages claimed? (Include estimates and bills, if available):  
See attached invoice for parts (\$5,547.39) & (5.0) hours of labor at \$75.00/hour  
(\$375.00) = Total \$5,922.39
16. How did you identify the County as the party responsible for your damage?  
Conversation between County employee who washed the machine and our  
driver who picked up the machine at Kittitas County yard.
17. List the names and addresses of all witnesses to the incident:  
Eddie Lang (Arrow Construction Supply)  
Willie Adams (Kittitas County)
18. Are you covered by insurance? Yes If yes, who is your insurance agent/carrier?  
Andre-Romberg Insurance Agency (no claim to be filed since the unit was  
still in the County's custody at the time of the damage)

Dated this 26 Day of November, 2014.

  
Signature of Claimant

Subscribed and sworn (affirmed) to before me this 26<sup>th</sup> day of November, 2014.

Seal



Karen S. Smith  
Notary Public in and for the State of Washington  
Residing at Spokane  
4-1-18

3 of 3

Account#	Order #	Brc	Sls
39045000	369320	03	305

# INVOICE

Date	Invoice #	Page
08-12-14	00355505	1

Sold To: 001  
 ARROW CONCRETE & ASPHALT  
 SPECIALTIES, INC.  
 P. O. BOX 11133  
 SPOKANE WA 99211

Ship To:  
 ARROW CONCRETE & ASPHALT  
 SPECIALTIES, INC.  
 1717 N. WOODRUFF RD.

SPOKANE  
 Ship Via NOA 389-2262 WA 99211

Entered By dlmiller	Customer Purchase Order 189508		Customer Contact BILL	Ord Date 07-22-14
Model CHIPSREADER	Serial Number K5992	Equip ID	Customer Job number	Customer Phone # 509-922-7847

Ord	Ship	B/O Part Number	Description	Unit Price	UM	Extended
-----	------	-----------------	-------------	------------	----	----------

Need a Rental!!! Call your local Clyde West branch. We have ARTICS,  
 EXCAVATORS, LOADERS, GRADERS, COMPACTORS and SCREEN-ALLS all at  
 competitive rates and ready to go!!!!

1	1	6702526	COMPUTER-CHIP,R	5,478.24EA		5,478.24
	1	INBOUND FREIGHT		69.15		69.15
		PICKED UP ON 7-24-2014				
		THANK YOU FOR YOUR BUSINESS				

Sub Total

5,547.39

**POSTED**

Sales Tax Number - A17 4730 15

0.00

DATE PAID 8/25/14  
 CK # 43437  
 AMT 5547.39 / 6180.67

*Pay via use  
fax*

TERMS: NET 10 DAYS FROM DATE OF INVOICE.  
 A SERVICE AND HANDLING FEE OF 1.5% PER MONTH  
 WILL BE CHARGED ON ALL PAST DUE AMOUNTS.  
 ALL SALES AND RENTALS SUBJECT TO THE PRINTED TERMS  
 AND CONDITIONS ON THE REVERSE SIDE HEREOF.

Total Invoice  
 Due By:  
 08/22/14

5,547.39

**TO PURCHASE TRADE IN ONLY:**

#464 - 2003 Etnyre Chip Spreader  
Model - Quad  
Serial No. - K5992  
Current Hours - 1700

\$ 41,525.00

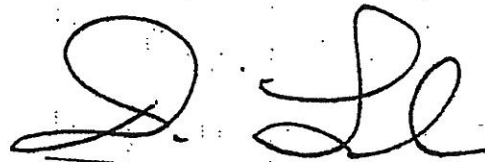
Total for Cash/Certified Check/Cashiers Check:

\$ 41,525.00

Purchaser requires delivery date as stated on this proposal. A penalty of \$50.00 per day for the unit will be assessed the bidder after the date. This sum will be deducted from the final payment for the unit bid. The penalty mentioned herein does not apply to late delivery due to an act of God or a strike at the manufacturer's plant.

**\*\*If used chip spreader is purchased and not part of the package deal, the buyer will NOT take possession of the chip spreader until Kittitas County takes possession of the new chip spreader.\*\***

Dated this 20th day of Feb., 2014



Signature of Authorized Official

Arrow Construction Supply, Inc.  
Firm

P.O. Box 11133

Address

Spokane, WA 99211-1133

91-1917364

Federal I.D. Number

Tel. # (509) 922-7847

Fax# (509) 922-9879

 Washington Trust Bank

Cashier's Check

2408645

Date: 2/19/14

REMITTER: ARROW CONSTRUCTION SUPPLY

Branch: 0009

**PAY  
TO THE**

EXACTLY \*\*41,525 AND 00/100 DOLLARS

\$41,525.00

ORDER OF KITTITAS COUNTY PUBLIC WORKS



AUTHORIZED SIGNATURE

⑈0002408645⑈ ⑆125100089⑆ 1002311009⑈

 Washington Trust Bank

Cashier's Check

240864!

PURCHASER'S COPY

DATE: 2/19/14

REMITTER: ARROW CONSTRUCTION SUPPLY

BRANCH: 0009  
ORIGINATOR: JGRECO  
TIME: 1:32:24  
CKAMT: \$41,525.00  
FEEAMT: \$.00

TO: KITTITAS COUNTY PUBLIC WORKS

TOTAL: \$41,525.00

**NON-NEGOTIABLE**