

**dirswprd@whidbey.com**

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**From:** Joe Davis <JDavis@enduris.us>  
**Sent:** Thursday, September 3, 2020 3:25 PM  
**To:** dirswprd@whidbey.com  
**Subject:** RE: Contact Enduris  
**Attachments:** Contracts - Insurance and Indemnity Recommendations for Standard Leases.doc

Doug,  
We'd be OK with moving forward with the occasional use. When writing up insurance on the interlocal, each agency would be in control of insuring each item physically. If damaged while borrowed, an insurance claim would be tendered to the owner of the equipment.

Liability would be to the operator of the equipment. So, when the Parks District is borrowing & operating the boom mower, you would have coverage through Enduris. Vice versa for the Golf club.

Probably fair to indemnify each party while borrowing and operating equipment. If the Parks District were borrowing equipment and created a liability and gets both entities sued, the Parks District (as the operator) would indemnify the other party. Vice Versa for the golf club when borrowing and operating.

The exception to liability above is if the liability were the sole negligence of the other party. For example, the other party provided you defective equipment and they knew it, resulting in an injury for that sole reason. This would be an out for sole responsibility for a single negligent party.

I have attached an intermediate indemnification as an example. It would have to be applied twice (once for each lender/borrower situation) because the liability responsibility shifts direction depending on who is operating equipment.

I hope this helps. We'll be glad to look at a draft of insurance requirements. Thanks, Doug.

Joe Davis, CIC CRM CSRM  
Director of Risk Management and Member Relations

**enduris**

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[jdavis@enduris.us](mailto:jdavis@enduris.us)

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**From:** dirswprd@whidbey.com <dirswprd@whidbey.com>  
**Sent:** Thursday, September 3, 2020 3:08 PM  
**To:** Joe Davis <JDavis@enduris.us>  
**Subject:** RE: Contact Enduris

Sounds good.

Doug

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**From:** Joe Davis <[JDavis@enduris.us](mailto:JDavis@enduris.us)>  
**Sent:** Thursday, September 3, 2020 2:59 PM  
**To:** [dirswprd@whidbey.com](mailto:dirswprd@whidbey.com)  
**Subject:** RE: Contact Enduris

Doug, I'll give you a call in a few minutes.

Joe Davis, CIC CRM CSRM  
Director of Risk Management and Member Relations

**enduris**

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**From:** [dirswprd@whidbey.com](mailto:dirswprd@whidbey.com) <[dirswprd@whidbey.com](mailto:dirswprd@whidbey.com)>  
**Sent:** Thursday, September 3, 2020 1:21 PM  
**To:** Joe Davis <[JDavis@enduris.us](mailto:JDavis@enduris.us)>  
**Subject:** RE: Contact Enduris

Joe,

In my office now and should be here until about 4:30pm if you want to call.

Regards,

Doug Coutts, CPRP  
Executive Director  
South Whidbey Parks and Recreation District  
(360) 221-6488  
[dirswprd@whidbey.com](mailto:dirswprd@whidbey.com)

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**From:** Joe Davis <[JDavis@enduris.us](mailto:JDavis@enduris.us)>  
**Sent:** Wednesday, September 2, 2020 5:01 PM  
**To:** [dirswprd@whidbey.com](mailto:dirswprd@whidbey.com)  
**Subject:** FW: Contact Enduris

Hi Doug,

I received your risk question about sharing equipment. Thanks for reaching out. I'd like to discuss it with you Thursday if possible. If it makes sense, we probably wouldn't oppose the situation. Are you blocked out any times Thursday or is there a best time to call you?

I am attaching a risk management form we share with certain districts that rent equipment. I know your case is a little different but this might help draw up some language to fit your purpose.

Joe Davis, CIC CRM CSRM  
Director of Risk Management and Member Relations

**enduris**

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**From:** Kim Lewis <[klewis@enduris.us](mailto:klewis@enduris.us)>  
**Sent:** Wednesday, September 2, 2020 3:43 PM  
**To:** Joe Davis <[JDavis@enduris.us](mailto:JDavis@enduris.us)>; Susan Looker <[SLooker@enduris.us](mailto:SLooker@enduris.us)>  
**Cc:** Alric Balka <[abalka@enduris.us](mailto:abalka@enduris.us)>  
**Subject:** FW: Contact Enduris

Hello Joe and Susan,

Please see the liability question below, highlighted in yellow.

Thank you!

Kim Lewis  
Claims Associate

**enduris**

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T. 800.462.8418  
F. 509.747.3875  
[www.enduris.us](http://www.enduris.us)

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**From:** [website@enduris.us](mailto:website@enduris.us) <[website@enduris.us](mailto:website@enduris.us)>  
**Sent:** Wednesday, September 2, 2020 2:07 PM  
**To:** Kim Lewis <[klewis@enduris.us](mailto:klewis@enduris.us)>  
**Subject:** Contact Enduris

**Name:**

Doug Coutts

**Member/Entity:**

South Whidbey Parks and Recreation District

**Phone:**

3602216488

**Email:**

[dirswprd@whidbey.com](mailto:dirswprd@whidbey.com)

**Contact Preference:**

Email

**Comments:**

I'm looking to get Enduris' thoughts on putting together an agreement to allow a private golf club to use a piece of our maintenance equipment in exchange for us being able to use a piece of their equipment. Can you provide guidance and point out any pitfalls we may not be seeing? I have reached out to MRSC and received some advice, but as our insurer would like you to weigh in before discussing this idea with our board on September 16th.