

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
201903021-3

Originating Department:	Whatcom County Council
Division/Program: <i>(i.e. Dept. Division and Program)</i>	Click here to enter text:
Contract or Grant Administrator:	Whatcom County Council
Contractor's / Agency Name:	Cascadia Law Group, Attorneys at Law

Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes No
 Yes No If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: 201903021

Does contract require Council Approval? Yes No If No, include WCC: _____
 (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

Is this a grant agreement?
 Yes No If yes, grantor agency contract number(s): _____ CFDA#: _____

Is this contract grant funded?
 Yes No If yes, Whatcom County grant contract number(s): _____

Is this contract the result of a RFP or Bid process? Contract _____
 Yes No If yes, RFP and Bid number(s): _____ Cost Center: _____

Is this agreement excluded from E-Verify? No Yes If no, include Attachment D Contractor Declaration form.

If YES, indicate exclusion(s) below:

Professional services agreement for certified/licensed professional.
 Contract work is for less than \$100,000. Contract for Commercial off the shelf items (COTS).
 Contract work is for less than 120 days. Work related subcontract less than \$25,000.
 Interlocal Agreement (between Governments). Public Works - Local Agency/Federally Funded FHWA.

Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>\$44,000.00</u> This Amendment Amount: \$ <u>\$25,000.00</u> Total Amended Amount: \$ <u>\$69,000.00</u>	Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when: 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies. 4. Equipment is included in Exhibit "B" of the Budget Ordinance 5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.
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Summary of Scope: This amendment extends this agreement for one year, adds \$25,000 to the contract amount for a new total contract amount not to exceed \$69,000, and expands the scope of work to include providing legal advice to the County Council and staff as it considers the adoption of the final ordinance, assisting in the drafting of the final ordinance, including the preparation of findings and the record, and providing legal representation for Whatcom County in any legal challenges to the ordinance, including SEPA appeals.

Term of Contract: <u>1 year</u>	Expiration Date: <u>March 21, 2021</u>
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Contract Routing:	1. Prepared by: <u>KNF</u> Date: <u>8/25/20</u>	
	2. Attorney signoff: <u>KNF</u> Date: <u>8/25/20</u>	
	3. AS Finance reviewed: _____ Date: _____	
	4. IT reviewed (if IT related): _____ Date: _____	
	5. Contractor signed: _____ Date: _____	
	6. Submitted to Exec.: _____ Date: _____	
	7. Council approved (if necessary): _____ Date: _____	
	8. Executive signed: _____ Date: _____	

9. Original to Council: _____ Date: _____

**WHATCOM COUNTY CONTRACT
ATTORNEY REVIEW**
[submit via electronic transmittal]

<i>Originating Department:</i>	<i>Whatcom County Council</i>
<i>Contact Person:</i>	<i>Whatcom County Council Staff</i>
<i>Contractor's Name:</i>	<i>Rodney Brown, Partner, Cascadia Law Group PLLC</i>
<u><i>First Review:</i></u> <input type="checkbox"/> <i>Approved As Is; Prepare Hardcopy for Signoff</i> <input type="checkbox"/> <i>Needs Revision; Attorney Comments for suggested changes:</i>	
<u><i>Second Review:</i></u> <input type="checkbox"/> <i>Implemented Attorney Corrections as Indicated</i> <input type="checkbox"/> <i>Approved; Prepare Hardcopy for Signoff</i> <input type="checkbox"/> <i>Additional Corrections Needed; Attorney Comments for suggested changes:</i>	
<i>Please indicate any Special Dates or Clauses that require calendaring:</i>	

Leave this page attached to summary coversheet until final signoff by attorney. Do not leave attached when routing to Contractor for signature.



MEMORANDUM

TO: Satpal Sidhu, County Executive
FROM: Karen N. Frakes
RE: Amendment to contract with Cascadia Law Group, PLLC
DATE: July 21, 2020

Enclosed are two (2) originals of the contract amendment between Whatcom County and Cascadia Law Group PLLC for your review and signature.

▪ **Background and Purpose**

On January 29, 2019, the County Council approved Resolution 2019-004 to provide staff resources and funding to allow Cascadia Law Group to develop Comprehensive Plan amendments and County code language pertaining to the Cherry Point Urban Growth Area. On April 9, 2019, the Council authorized Contract #201903021 with Cascadia Law Group. The Council reviewed recommendations from Cascadia Law and received public feedback, including at Council meetings. On August 7, 2019, the Council forwarded Cascadia Law Group's recommendations to the Planning Commission for review and recommendation and to Planning and Development Services for SEPA review and determination. Contract #201903021 was amended previously to add funding for Cascadia Law's assistance with the SEPA process and again to extend the term of the agreement for an additional year. The Planning Commission is nearing the end of its process and the matter will be returned to the County Council for further review and preparation of a final ordinance. In addition, the County has received two appeals challenging its SEPA determination. Cascadia Law's assistance is needed during this final phase of the County process, and for legal representation in legal challenges to the final ordinance.

▪ **Funding Amount and Source**

Adequate funds will be available in the Council budget for these services if the Council approves the supplemental budget ordinance that will be heard prior to the consideration of this contract amendment.

▪ **Differences from Previous Contract**

This amendment increases the maximum compensation to Cascadia Law Group by \$25,000. It also expands the scope to include providing legal advice to the County

Council and county staff as the Council considers the adoption of the final ordinance and assisting in the drafting of the final ordinance, including preparation of findings and the record supporting the Council's final ordinance, and to provide legal representation for the County in any legal challenges to the final ordinance, including SEPA appeals.

Please contact Karen Frakes at extension 5757, if you have any questions or concerns regarding the terms of this agreement.

Encl.

Whatcom County Contract No.

Amendment No. 3
Whatcom County Contract No. 201903021
CONTRACT BETWEEN WHATCOM COUNTY AND
CASCADIA LAW GROUP PLLC

THIS AMENDMENT is to the Contract between Whatcom County and Cascadia Law Group PLLC, dated April 10, 2019, and designated Whatcom County Contract No.201903021. In consideration of the mutual benefits to be derived, the parties agree to the following:

This Amendment increases the maximum consideration by \$25,000.00 to a total consideration not to exceed \$69,000.00.

This Amendment also adds the following to the Scope of Work, Exhibit A:

Provide legal advice to the County Council and county staff as the Council considers the adoption of the final ordinance and assist in the drafting of the final ordinance, including preparation of findings and the record supporting the Council's final ordinance, and provide legal representation for Whatcom County in legal challenges to the final ordinance, including SEPA appeals.

Unless specifically amended by this agreement, all other terms and conditions of the original contract shall remain in full force and effect.

IN WITNESS WHEREOF, Whatcom County and Cascadia Law Group PLLC have executed this Amendment on the date and year below written.

DATED this 26th day of August, 2020.

CONTRACTOR:

Cascadia Law Group PLLC



Rodney L. Brown, Partner

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 27th day of August, 2020, before me personally appeared Rodney Brown to me known to be a partner in Cascadia Law Group PLLC and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.



[Signature]

NOTARY PUBLIC in and for the State of Washington,

Suzanne M. Powers _____ printed name,
residing at Seattle, WA
My commission expires 2/1/2021.

WHATCOM COUNTY:

Approved as to form:

Prosecuting Attorney Date

Approved:

Accepted for Whatcom County:

By: _____
Satpal Sidhu, Whatcom County Executive

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 2019, before me personally appeared Satpal Sidhu, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington,
_____, printed name.
residing at _____. My commission
expires _____.

CONTRACTOR INFORMATION:

Address:
1201 Third Avenue, Suite 320
Seattle, WA 98101- 2933

Mailing Address:
1201 Third Avenue, Suite 320
Seattle, WA 98101- 2033

Contact Name: Rod Brown

Contact Phone: (206) 292-6300

Contact FAX: (206) 292-6301

Contact Email: rbrown@cascadialaw.com