

# WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

Originating Department:	35 Sheriff's Office
Division/Program: (i.e. Dept. Division and Program)	3520 Bureau of LE & Investigations / 352096 Homeland Security
Contract or Grant Administrator:	Steve Harris ,Undersheriff
Contractor's / Agency Name:	Washington State Military Department
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>WCC#202307023</u>	
Does contract require Council Approval? Yes <input checked="" type="radio"/> No <input type="radio"/> If No, include WCC: _____ Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement? Yes <input checked="" type="radio"/> No <input type="radio"/> If yes, grantor agency contract number(s): <u>E24-047</u> CFDA#: <u>97.067-22HSGP (OSPG)</u>	
Is this contract grant funded? Yes <input checked="" type="radio"/> No <input type="radio"/> If yes, Whatcom County grant contract number(s): _____	
Is this contract the result of a RFP or Bid process? Contract _____ Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, RFP and Bid number(s): _____ Cost Center: <u>10003566</u>	
Is this agreement excluded from E-Verify? No <input type="radio"/> Yes <input checked="" type="radio"/> If no, include Attachment D Contractor Declaration form.	
If YES, indicate exclusion(s) below: <input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Goods and services provided due to an emergency <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000. <input checked="" type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>194,025.00</u> This Amendment Amount: \$ _____ Total Amended Amount: \$ <u>194,025.00</u>	Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b> 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.
Summary of Scope:	
This amendment changes the amounts in the different budget categories and updates the key personnel.	
Term of Contract: <u>9/1/2022</u> Expiration Date: <u>8/31/2025</u>	

Contract Routing:	1. Prepared by: <u>D.Duling</u> Date: <u>5/9/25</u> 2. Attorney signoff: <u>Approved via email BW/DD</u> Date: <u>5/12/25</u> 3. AS Finance reviewed: <u>Approved via email AT/DD</u> Date: <u>5/12/25</u> 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: _____
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# Washington State Military Department AMENDMENT

1. SUBRECIPIENT NAME/ADDRESS: <b>Whatcom County          Sheriff's Office          311 Grand Ave          Bellingham, WA 98225</b>		2. GRANT NUMBER: <b>E24-047</b>	3. AMENDMENT NUMBER: <b>3</b>		
4. SUBRECIPIENT CONTACT, PHONE/EMAIL: <b>Barbara Luton, 360-778-6606          Bluton@co.whatcom.wa.us</b>		5. DEPARTMENT CONTACT, PHONE/EMAIL: <b>Ben Olson, 253-512-7224          benjamin.olson@mil.wa.gov</b>			
6. EIN: <b>91-6001383</b>	7. ASSISTANCE LISTINGS # & TITLE: <b>97.067 - 22HSGP (OPSG)</b>	8. FEDERAL AWARD ID # (FAIN): <b>EMW-2022-SS-00056</b>			
9. FUNDING AUTHORITY: <b>The Washington State Military Department (Department) and the US Department of Homeland Security (DHS)</b>					
10. DESCRIPTION/JUSTIFICATION OF AMENDMENT: <p>A Fragmentary Operations Order (FRAGO) was approved to reallocate funding within the budget to ensure full utilization of the remaining grant funds. The corresponding FEMA approval letter is added to Attachment E superseding all prior FEMA approval letters.</p> <p>Changes are noted in red font, strikethrough, and grey highlight.</p>					
11. AMENDMENT TERMS AND CONDITIONS: <ol style="list-style-type: none"> <li>1. The Grant Agreement Amount of \$194,025 remains <b>unchanged</b>.</li> <li>2. <b>Change</b> the Subrecipient Contact, Phone/Email, as described on Page 3 of this Amendment.</li> <li>3. The Grant Agreement End Date of August 31, 2025 remains <b>unchanged</b>.</li> <li>4. <b>Change</b> Attachment A, SPECIAL TERMS AND CONDITIONS, Article I-Key Personnel, as described on Page 3 of this Amendment.</li> <li>5. <b>Change</b> Revision 1 Budget, Attachment E, as described on Page 3 of this Amendment.</li> </ol>					
<p>This Amendment is incorporated in and made a part of the Grant Agreement. Except as amended herein, all other terms and conditions of the Grant Agreement remain in full force and effect. Any reference in the original Grant Agreement or an Amendment to the "Grant Agreement" shall mean "Grant Agreement as amended". The Department and Sub-Recipient acknowledge and accept the terms of this Amendment as identified above, effective on the final date of execution below. By signing this Amendment, the signatories warrant they have the authority to execute this Amendment.</p>					
IN WITNESS WHEREOF, the parties have executed this Amendment: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; border-right: 1px solid black; padding-right: 10px;">           FOR THE DEPARTMENT:   <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 80%;">             Signature              Regan Anne Hesse, Chief Financial Officer              Washington State Military Department           </div> <div style="width: 15%; text-align: center;">             Date           </div> </div> <div style="margin-top: 10px;">             BOILERPLATE APPROVED AS TO FORM:              _____/Signature on file/_____              David B. Merchant, Assistant Attorney General      10/11/2021           </div> </td> <td style="width: 50%; vertical-align: top; padding-left: 10px;">           FOR THE SUBRECIPIENT:   <div style="margin-top: 20px;">             See Signature Sheet (page 2)           </div> </td> </tr> </table>				FOR THE DEPARTMENT:  <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 80%;">             Signature              Regan Anne Hesse, Chief Financial Officer              Washington State Military Department           </div> <div style="width: 15%; text-align: center;">             Date           </div> </div> <div style="margin-top: 10px;">             BOILERPLATE APPROVED AS TO FORM:              _____/Signature on file/_____              David B. Merchant, Assistant Attorney General      10/11/2021           </div>	FOR THE SUBRECIPIENT:  <div style="margin-top: 20px;">             See Signature Sheet (page 2)           </div>
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**WHATCOM COUNTY:**

**Recommended for Approval:**



Donnell Tanksley, Sheriff

5/13/25

Date

**Approved as to form:**

Approved via email Bw/DO

Prosecuting Attorney

5/12/25

Date

**Approved:**

Accepted for Whatcom County:

By: \_\_\_\_\_

Satpal Sidhu, Whatcom County Executive

Date

STATE OF WASHINGTON )

) ss

COUNTY OF WHATCOM )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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, residing at Bellingham.

My commission expires \_\_\_\_\_.

# Washington State Military Department

## Amendments to Agreement E24-047

### 1. Change Subrecipient Contact phone/email from Dawn Pierce to Barbara Luton.

- a. Agreement Face Sheet, Box 4. ~~Dawn Pierce, 360-778-6600 x6606, dpierce@co.whatcom.wa.us~~, Barbara Luton, 360-778-6606, bluton@co.whatcom.wa.us.

### 2. Change Attachment A, Article I-Key Personnel.

- a. Attachment A, SPECIAL TERMS AND CONDITIONS, Article 1-Key Personnel, under SUBRECIPIENT:
  - i. Replace Dawn Pierce with Barbara Luton (see below).
  - ii. Update Donna Duling phone (see below)
- b. Attachment A, SPECIAL TERMS AND CONDITIONS, Article 1-Key Personnel, under DEPARTMENT:
  - i. Replace Sierra Wardell with Peggy Simmons (see below).
  - ii. Replace Grant Miller with General Information (see below).

SUBRECIPIENT		DEPARTMENT	
Name	<del>Dawn Pierce</del> <b>Barbara Luton</b>	Name	<b>Ben Olson</b>
Title	<del>Administrative Assistant</del> <b>Office Administrator</b>	Title	<b>Program Coordinator</b>
E-Mail	<del>dpierce@co.whatcom.wa.us</del> <b>bluton@co.whatcom.wa.us</b>	E-Mail	<b>benjamin.olson@mil.wa.gov</b>
Phone	<del>360-778-6600 x6606</del> <b>360-778-6606</b>	Phone	<b>253-512-7224</b>
Name	<b>Donna Duling</b>	Name	<del>Sierra Wardell</del> <b>Peggy Simmons</b>
Title	<b>Financial Accountant</b>	Title	<del>Financial Operations Section Manager</del> <b>Program Manager</b>
E-Mail	<b>dduling@co.whatcom.wa.us</b>	E-Mail	<del>Sierra.wardell@mil.wa.gov</del> <b>peggy.simmons@mil.wa.gov</b>
Phone	<del>360-778-6600 x6611</del> <b>360-778-6611</b>	Phone	<del>253-512-7134</del> <b>253-512-7114</b>
Name		Name	<del>Grant Miller</del> <b>General Information</b>
Title		Title	<b>Program Assistant</b>
E-Mail		E-Mail	<del>grant.miller@mil.wa.gov</del> <b>preparedness.grants@mil.wa.gov</b>
Phone		Phone	<del>253-512-7061</del>

### 3. Change the Revision 1 Budget, Attachment E.

- a. Revision 1 Budget, Attachment E, with Revision 2 Budget, Attachment E.

## Revision 2 BUDGET

The Budget (Attachment E) consists of the 22OPSG Operation Order Approval Letter and the Personnel Cap Waiver Approval Letter addressed to Adjutant General Welsh on behalf of the Subrecipient.

Budget Categories	Revision 1 Budget	Modification	Amended Budget
Operational OT	\$152,260.91	\$5,630.36	\$157,891.27
Fringe Benefits	\$24,083.72	\$848.39	\$24,932.11
Equipment	\$0.00	\$0.00	\$0.00
Fuel	\$10,685.00	(\$5,562.35)	\$5,122.65
Maintenance	\$0.00	\$0.00	\$0.00
Mileage	\$3,339.00	(\$916.40)	\$2,422.60
Travel	\$0.00	\$0.00	\$0.00
M&A (Subrecipient)	\$1,950.00	\$0.00	\$1,950.00
Indirect	\$1,706.37	\$0.00	\$1,706.37
<b>Total</b>	<b>\$194,025.00</b>	<b>\$0.00</b>	<b>\$194,025.00</b>

- Expenditures in excess of the approved Personnel Cap Waiver amount will not be reimbursed until a FRAGO and a revised waiver letter is received by FEMA.
- A current approved Indirect Cost Rate Agreement must be provided to the SAA prior to requesting reimbursement of indirect costs. If the approved Indirect Cost Rate Agreement is updated, the updated Agreement must be submitted to the SAA before costs will be reimbursed.
- OPSG funds shall not be used to supplant inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local, state, tribal, and Federal law enforcement agencies.
- All budget modifications require an approved FRAGO before any funds can be obligated. In addition to the approved FRAGO, cumulative transfers between budget categories more than 10% of the Grant Agreement amount will not be reimbursed without prior written authorization from the Department which includes a budget amendment.



FEMA

April 29, 2025

Gent Welsh, Jr.  
Adjutant General  
Washington Military Department  
Militia Drive, Building 20  
Camp Murray, Washington 98430-5122

Dear Adjutant General Welsh,

Based on the Department of Homeland Security, Federal Emergency Management Agency's (FEMA) Operation Stonegarden Grant Program (OPSG) guidelines and special conditions associated with this program, the below referenced Operations Order as submitted is approved:

**Operations Order No:** FY22 23-BLWBLW-12-001 V2

**Fiscal Year:** 2022

**Amount Approved:** \$199,000.00

**Operations Order Dates:** 09/01/2022 to 08/31/2025

**Sub-Recipient:** Whatcom County, WA

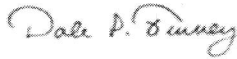
Expenditures from the Operations Order (OPORD) that were reviewed and approved by FEMA and U.S. Customs and Border Protection/Border Patrol (CBP) are outlined below. These expenses will assist the County in conducting border centric, intelligence driven operations with the goal of reduction or elimination of threat, risk and vulnerability along our Nation's borders. Please see below for all approved costs for this OPORD, and refer to the OPORD for specific items.

Category	Amount
Overtime:	\$157,891.27
Fringe:	\$24,932.11
Equipment:	\$0.00
Fuel:	\$5,122.65
Maintenance:	\$0.00
Mileage:	\$2,422.60
Travel:	\$0.00
County M&A:	\$1,950.00
State M&A:	\$4,975.00
Indirect Cost:	\$1,706.37
<b>Total</b>	<b>\$199,000.00</b>

Please find the below special conditions associated with OPSG and retain this letter for your grant files. If you have any questions, please feel free to contact me at (202) 786-9625.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

Sincerely,



Dale P. Finney  
Preparedness Officer  
U.S. Department of Homeland Security  
Federal Emergency Management Agency  
Grant Programs Directorate

Cc: U.S. Customs and Border Protection/ Border Patrol

The following Special Conditions are associated with this Operation Stonegarden award:

1. Construction and construction-type activities are prohibited.
2. Lethal or less than lethal forces including, but not limited to: weapons, firearms, ammunition and tasers are prohibited.
3. Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement (PRICE) of Homeland Security Act* (Public Law 110-412), the sum of all personnel related expenses shall not exceed 50% of the recipient's allocation without first obtaining a waiver from the FEMA Administrator.
4. All participating agencies shall monitor, review and track expenditures of OPSG funds under individual Operations Orders issued. Participating agencies shall not obligate, and/or encumber OPSG grant funds beyond the total of their allocation issued by FEMA.
5. The Operations Order has been reviewed and approved under the Environmental and Historic Preservation Program (EHP) guidelines as being categorically excluded from further EHP review.
6. Recipients must submit a letter of justification for all proposed vehicles or equipment items in excess of \$100,000. This justification will be reviewed by CBP and FEMA.

**FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE**





FEMA

April 29, 2025

Gent Welsh, Jr.  
Adjutant General  
Washington Military Department  
Militia Drive, Building 20  
Camp Murray, Washington 98430-5122

Dear Adjutant General Welsh:

The Federal Emergency Management Agency (FEMA), Grant Programs Directorate has reviewed the request submitted by the Washington Military Department to waive the 50 percent Personnel Cap imposed by Section 2008 of the *Homeland Security Act of 2002*, Public Law 107-296, as amended (6 U.S.C. § 609).

Whatcom County has requested to expend \$184,773.38, or approximately 96 percent of its total Fiscal Year 2022 Operation Stonegarden allocation of \$194,025, on operational overtime and related personnel costs under Operations Order #23-BLWBLW-12-001 V2. This request is consistent with the terms and conditions of the grant award and is necessary for the continued success of border security operations. This request is approved pursuant to the waiver authority provided by 6 U.S.C § 609(b)(2)(B).

As a reminder, future personnel waiver requests must be submitted to FEMA for prior approval. Please contact Preparedness Officer, Dale P. Finney, at (202) 286-9308 or [dale.finney@fema.dhs.gov](mailto:dale.finney@fema.dhs.gov) if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stacey N. Street".

Stacey N. Street  
Director  
Office of Grants Administration

Cc: Vincent Maykovich, Acting Regional Administrator, Region X  
TeNeane P. Bradford, Ph. D., Deputy Director, Office of Grants Administration  
Kerry L. Thomas, Director, Homeland Security Programs Division  
Lon Biasco, Grants Division Director, Region X  
Alexander R. Mrazik, Jr., Branch Chief, Homeland Security Programs Division  
Patrick M. Pugh, Section Chief, Homeland Security Programs Division  
Dale P. Finney, Preparedness Officer, Homeland Security Programs Division