



MEMORANDUM

TO: The Honorable Members of the Whatcom County Flood Control Zone
District Board of Supervisors

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Paula J. Harris, P.E., River and Flood Manager *PJH*
Gary Stoyka, Natural Resources Manager *MS*

RE: Hannegan Levee Rehabilitation Project – Cooperation Agreement, Job No.
NSK-02-18

DATE: January 25, 2019

Enclosed please find four (4) originals a Cooperation Agreement between the Flood Control Zone District (FCZD) and the US Army Corps of Engineers (USACE) for your review and signature.

Requested Action

Public Works respectfully requests that the County Executive, and the County Council, acting as the FCZD Board of Supervisors, enter into a cooperative agreement for repairs to the Hannegan levee along the left bank of the Nooksack River.

Background and Purpose

As a result of high water events over the past few years, approximately 300 linear feet of damage has occurred to the levee prism along the left bank of the Hannegan levee near the town of Lynden. The damage sustained resulted in scour of the levee slope and toe, including loss of embankment material. The Hannegan levee provides a 100-year level of protection in an undamaged condition and protects the only intake structure for the City of Lynden's water supply, along with approximately 30 residences, various storage buildings/barns and extensive agricultural land.

Funding Amount and Source

The total construction cost is estimated at \$453,100, of which 80% or \$362,480 will be funded by the USACE, and 20% or \$90,620 is the responsibility of the local sponsor. The repair work is within the Lynden Everson (L/E) Subzone; applying the FCZD Construction Cost-Share Program 70/30 cost-share to the local sponsor contribution results in a FCZD share of \$63,434, and a LE Subzone share of \$27,186. The Flood Control Works Agreement with the L/E Subzone will be executed separately. The budget authority for this expenditure is included in the adopted 2019 budget for the FCZD.

Please contact Paula Harris at extension 6285 if you have any questions or concerns.

Encl.

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No. _____

Originating Department:	Public Works
Division/Program: <i>(i.e. Dept. Division and Program)</i>	River & Flood 9075/Flood Control 907545
Contract or Grant Administrator:	Paula Harris
Contractor's / Agency Name:	US Army Corps of Engineers (USACE)

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

Does contract require Council Approval? Yes No 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 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? Yes No If yes, RFP and Bid number(s): _____ Contract Cost Center: 718006

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

Contract Amount:(sum of original contract amount and any prior amendments):
 \$ 453,100
 This Amendment Amount:
 \$ _____
 Total Amended Amount:
 \$ _____

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.

Summary of Scope: This cooperation agreement provides for the US Army Corps of Engineers (USACE) to repair the Hannegan Levee along the left bank of the Nooksack River near Lynden. Project is being completed by the USACE under the PL84-99 Program. The construction costs will be cost-shared between the USACE and the County at an 80/20 cost-share, with 30 percent of that local share contributed by the Lynden Everson Subzone.

Term of Contract: No Renewal Option Expiration Date: N/A

Contract Routing:

1. Prepared by:	<u>Travis Bouma & Paula Harris</u>	Date:	<u>01/25/2019</u>
2. Attorney signoff:	<u>Christopher Quinn</u>	Date:	<u>1/25/2019</u>
3. AS Finance reviewed:	<u>bbennett</u>	Date:	<u>01/28/19</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:	_____