

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.

202310024

Originating Department:	Administrative Services
Division/Program: <i>(i.e. Dept. Division and Program)</i>	AS-IT-Technology
Contract or Grant Administrator:	Perry Rice - IT Manager
Contractor's / Agency Name:	Astound Business Solutions, LLC
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____	
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 type="radio"/> No <input checked="" type="radio"/> If yes, grantor agency contract number(s): _____ CFDA#: _____	
Is this contract grant funded? Yes <input type="radio"/> No <input checked="" 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: 1 _____	
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 checked="" 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 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): \$ 4,722.00/mo(includes fees & taxes)Total \$283,297.20 over 5 years 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: _____	
Request approval for the County Executive to enter into an agreement between Whatcom County and Astound Business Solutions, LLC (formerly Wave) for a five year lease for fiber optic connectivity from the Courthouse to multiple county buildings: SO - Laurel, Parks Headquarters, SO Jail Work Center, SO Barkley, Facilities, Health Dept. Unity, & Dupont. This includes monthly fees of \$4722 (including applicable fees and taxes) for a total amount over five years of \$283,297.	
Term of Contract: 5-Years Expiration Date: November 26, 2028	

Contract Routing:	1. Prepared by: Tami Gee-Hardy	Date: 10/25/2023
	2. Attorney signoff: <i>KHF</i>	Date: 10/26/23
	3. AS Finance reviewed: <i>BB E-mail OK</i>	Date: 10/26/23
	4. IT reviewed (if IT related): <i>PR</i>	Date: 10/25/23
	5. Contractor signed: <i>✓</i>	Date: 11/9/23
	6. Submitted to Exec.: <i>✓</i>	Date: 10/26/23
	7. Council approved (if necessary): <i>AB 2023-713</i>	Date: 11/8/23
	8. Executive signed: by <i>Carol Frazee</i>	Date: 11/9/23
	9. Original to Council: _____	Date: _____



MEMORANDUM

RECEIVED

OCT 26 2023

WHATCOM COUNTY
EXECUTIVE'S OFFICE

TO: Satpal Singh Sidhu, County Executive

THROUGH: Tyler Schroeder, Deputy Executive *TAS*

FROM: Perry Rice, IT Manager *PJR*

RE: Fiber Optic Lease Agreement Renewal for Seven County Buildings

DATE: October 25, 2023

Enclosed for your consideration is the proposed Dark Fiber Optic Lease agreement between Whatcom County and Astound Business Solutions, LLC (formerly Wave Business Solutions, LLC) for connectivity from the Courthouse to seven county buildings. This agreement terminates three existing lease agreements and consolidates the fiber optic connectivity for these seven buildings into a single new agreement.

• **Background and Purpose**

Whatcom County currently has three lease agreements in place with Wave/Astound for fiber optic connectivity to the following seven buildings:

- | | |
|----------------------|-------------------------------|
| ○ Laurel Substation: | Contract #201811031-2 (Wave) |
| ○ Mount Baker Hwy | Contract #201811031-2 (Wave) |
| ○ Work Center | Contract #201811031-2 (Wave) |
| ○ Barkley | Contract #201811031-2 (Wave) |
| ○ Williamson Way: | Contract #201807025 (Wave) |
| ○ Unity Street: | Contract #202302039 (Astound) |
| ○ Dupont Street | Contract #201811031-2 (Wave) |

The cost of this consolidation of these contracts will remain the same per month per fiber circuit.

These fiber optic circuits provide the County Data Network (file services, print services, telecommunications, servers, etc.) to each building and in some cases the Facilities Network (proximity lock, security video and HVAC). Astound is a sole source vendor since it has fiber optic infrastructure directly connected to the Courthouse Data Center.

Additional information for each fiber optic circuit is provided in the attached table titled "Whatcom County Dark Fiber Optic Lease Agreements with Astound".

- **Funding Amount and Source**

The total amount of this consolidated agreement over the initial 60-month service term is \$283,297.20 (\$4,721.62 per month) which includes applicable fees and taxes.

There are multiple sources of funding for this consolidated agreement that include the Parks Department base budget, Health Department base budget, Facilities Division base budget, the Sheriff's Office base budget and all department base budgets for common charges.

- **Contact Information**

Please contact Perry Rice at x5235 if you have any questions or concerns regarding the terms of this consolidated agreement.

Whatcom County Dark Fiber Optic Lease Agreements with Astound

Prepared by T. Gee-Hardy - 10/25/2023

Lease Renewals - Current Prices (No change)						
Destination Building	Dark Fiber Circuit ID	Circuit Strands	Contract	Current Monthly Amount	Actual Taxes/Fees 13%	Total Actual Monthly Amount
Sheriff - Laurel Substation	11/DFIB/029909//WBB/ (Data / Facilities)	2	2018 (#201811032-2)	\$592	\$87	\$679
Parks - Mount Baker Hwy	CID-1153 (Data)	2	2018 (#201811032-2)	\$392	\$58	\$450
Sheriff - Work Center	CID-481 (Data)	2	2018 (#201811032-2)	\$392	\$34	\$426
Sheriff - Work Center	CID-484 (Public)	2	2018 (#201811032-2)	\$392	\$34	\$426
Sheriff - Work Center	CID-485 (Facilities)	2	2018 (#201811032-2)	\$392	\$34	\$426
Sheriff - Barkley	CID-1073 (Data)	2	2018 (#201811032-2)	\$392	\$34	\$426
Facilities - Williamson Way	11/DFIB/022678//WBB/ (Data / Facilities)	2	2018 (#201807025)	\$785	\$115	\$900
Health - Unity Street	11/EDRB/053189//WBB/ (Data)	1	2023 (202302039)	\$500	\$54	\$554
Dupont Street	11/EDRB/047821//WBB/ (Data)	1	2018 (#201811032-2)	\$392	\$43	\$435
TOTAL MONTHLY AMOUNT				\$4,229	\$493	\$4,722

Astound Rate	Month	Year	5-Years
Astound Rate with Taxes & Fees	\$4,229	\$50,748	\$253,740
	\$4,722	\$56,659	\$283,297

DARK FIBER ORDER
Multiple Fiber Routes

This Dark Fiber Order: Multiple Fiber Routes (this "Service Order") is entered into as of the date of last signature below (the "Effective Date"), by and between ASTOUND BUSINESS SOLUTIONS, LLC, a Delaware limited liability company, acting on behalf of itself and as agent for its Affiliates (collectively, "Provider"), and WHATCOM COUNTY, a political subdivision of the State of Washington ("Customer"). This Service Order is made pursuant to and will be governed by that certain Master Services Agreement between Provider and Customer dated October 26, 2023 (the "MSA"). All capitalized terms used but not defined in this Service Order shall have the meanings given to them in the MSA.

Section 1: Termination of Old Contracts. Provider, as successor in interest to Wave Business Solutions, LLC, and Customer are the parties to the following contracts (collectively, the "Old Contracts"): (i) that certain Dark Fiber Order dated July 30, 2018; (ii) that certain Dark Fiber Order: Multiple Fiber Routes dated November 28, 2018; (iii) that certain First Amendment to Dark Fiber Order: Multiple Fiber Routes dated March 13, 2019; (iv) that certain Second Amendment to Dark Fiber Order: Multiple Fiber Routes dated May 31, 2022; and (v) that certain Order for Dark Fiber Services dated February 23, 2023. The Parties now intend for this Service Order to replace and supersede the Old Contracts in all respects. Accordingly, as of the Service Commencement Date for the Services under this Service Order, the Old Contracts shall terminate and have no further force or effect; provided, that any outstanding payment obligations under the Old Contracts shall survive until met.

Section 2: Description of Fiber Routes and Charges. Provider shall deliver to Customer the dark fiber services set forth in the following table (each, a "Service," and collectively, the "Services"). The Services shall connect the end points set forth below (each such connection, a "Fiber Route"), using the number of dark fiber strands described below, in exchange for the one-time, non-recurring installation cost ("NRC") set forth below, and the monthly recurring charges ("MRC") set forth below:

Fiber Route Identifier	A Location End Point	Z Location End Point	Description of Fiber	NRC	MRC
11/DFIB/029909//WBB/	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	Sheriff's Office Substation 194 West Laurel Road Bellingham, WA 98226	2 strand single mode dark fiber	\$0	\$592
CID-1153	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	Whatcom Parks HQ 3373 Mount Baker Hwy Bellingham, WA 98226	2 strands single mode dark fiber	\$0	\$392
CID-481	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	Sheriff's Work Center 2030 Division Street Bellingham, WA 98226	2 strands single mode dark fiber	\$0	\$392
CID-484	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	Sheriff's Work Center 2030 Division Street Bellingham, WA 98226	2 strands single mode dark fiber	\$0	\$392
CID-485	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	Sheriff's Work Center 2030 Division Street Bellingham, WA 98226	2 strands single mode dark fiber	\$0	\$392
CID-1073	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	Sheriff's DTF 1855 Barkley Boulevard Bellingham, WA 98266	2 strands single mode dark fiber	\$0	\$392
11/DFIB/022678//WBB/	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	Facilities Management 3720 Williamson Way Bellingham, WA 98226	2 strands single mode dark fiber	\$0	\$785

11/EDFB/053189//WBB/	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	104 Unity Street Bellingham, WA 98225	1 strand single mode dark fiber	\$0	\$500
11/EDFB/047821//WBB/	Whatcom County Courthouse 311 Grand Avenue Bellingham, WA 98225	Washington State University 600 Dupont Street Bellingham, WA 98225	1 strand single mode dark fiber	\$0	\$392
TOTAL COST:				\$0	\$4,229

Section 3: Initial Service Term. The Initial Service Term for the Services is sixty (60) months, commencing on November 27, 2023, and expiring on November 26, 2028.

Section 4: Customer Information.

Account Name: Whatcom County

Account Executive to Customer: Lydia Kinsella

Invoicing Address: Whatcom County Information Tech
C/O IT Purchases
311 Grand Avenue, Suite 305
Bellingham, WA 98225-4038

To facilitate communication the following information is provided as a convenience and may be updated at any time without affecting the enforceability of the terms and conditions herein:

Customer Site/Technical Contact:
Lee LaMar
LLaMar@co.whatcom.wa.us
360-778-5243 (Ph)

Customer Billing Contact:
Remy McConnell
RMcConne@co.whatcom.wa.us
360-778-5237 (Ph)

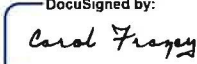
Other Customer Contact:
Perry Rice
price@co.whatcom.wa.us
360-778-5235 (Ph)

[Signatures on following page.]

The submission of this Service Order to Customer by Provider does not constitute an offer. Instead, this Service Order will become effective only when both parties have signed it. The date this Service Order is signed by the last party to sign it (as indicated by the date associated with that party's signature) will be deemed the Effective Date of this Service Order.

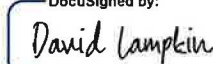
CUSTOMER:

WHATCOM COUNTY

DocuSigned by:

By _____
8C162C72D4334A4
Name: Carol Frazey
Title: Exec Pro Tem
Date: 11/9/2023

PROVIDER:

ASTOUND BUSINESS SOLUTIONS, LLC

DocuSigned by:

By _____
047D40EB3980480...
Name: David Lampkin
Title: VP Business Solutions
Date: 11/9/2023

WHATCOM COUNTY:

Recommended for Approval:

 10/25/2023
IT Manager Date

Approved as to form:

 10/26/23
Prosecuting Attorney Date

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