

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.

201906008-3

Originating Department:	Public Works
Division/Program: <i>(i.e. Dept. Division and Program)</i>	Stormwater - 907620
Contract or Grant Administrator:	Kraig Olason, Stormwater Program Manager
Contractor's / Agency Name:	Tetra Tech, Inc.
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>201906008</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 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): <u>RFQ 17-01</u> Cost Center: <u>123501</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 checked="" type="checkbox"/> Professional services agreement for certified/licensed professional. <input checked="" 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 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>38,285.00</u> This Amendment Amount: \$ <u>23,268.00</u> Total Amended Amount: \$ <u>61,553.00</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.
Summary of Scope:	
This contract amendment provides the construction management services for the drainage improvements on Leeward Way near Southgate Road. This contract also includes engineering support services during construction.	
Term of Contract: <u>N/A</u>	Expiration Date: <u>September 15, 2021</u>

Contract Routing:	1. Prepared by: <u>Ben Kuiken</u>	Date: <u>August 25, 2020</u>
	2. Attorney signoff: <u>Christopher Quinn</u>	Date: <u>8/29/2020</u>
	3. AS Finance reviewed: <u>M Caldwell</u>	Date: <u>8/28/2020</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____ ✓	Date: <u>8-31-2020</u>
	6. Submitted to Exec.: _____ ✓	Date: <u>9-15-2020</u>
	7. Council approved (if necessary): _____ ✓	Date: <u>9.15.2020</u>
	8. Executive signed: _____ ✓	Date: <u>9-16-2020</u>
	9. Original to Council: _____ ✓	Date: <u>9-18-2020</u>

Whatcom County Contract No.

201906008-3

Amendment No. 3
Whatcom County Contract No. 201906008
CONTRACT BETWEEN WHATCOM COUNTY AND
TetraTech, Inc.

THIS AMENDMENT is to the Contract between Whatcom County and Tetra Tech, Inc., dated September 15, 2020 and designated "Whatcom County Contract No. 201906008". In consideration of the mutual benefits to be derived, the parties agree to the following:

This Amendment extends the term of this Agreement through September 15, 2021, and increases the maximum consideration by \$23,268.00 to a total consideration of \$61,553.00.

This Amendment also adds the following: Exhibit A – Scope of Work, Exhibit B – Budget, and Certificate of Insurance

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

This Amendment takes effect: September 15, 2020, regardless of the date of signature.

IN WITNESS WHEREOF, Whatcom County and Tetra Tech, Inc. have executed this Amendment on the date and year below written.

DATED this 16th day of September, 2020.

CONTRACTOR:

CONTRACTOR NAME

Jerry Scheller
Jerry Scheller, P.E., Senior Project Manager
Gerard

STATE OF WASHINGTON)

) ss.

COUNTY OF WHATCOM)

On this 17 day of August, 2020 before me personally appeared GERARD SCHELLER to me known to be the Senior Project Manager of the TetraTech and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.



Diana A. Naramore
NOTARY PUBLIC in and for the State of Washington,
Diana A. Naramore printed name,
residing at 14111 1st St
My commission expires 1/14/2022

EXHIBIT A – SCOPE OF WORK
LEEWARD WAY DRAINAGE IMPROVEMENTS
AMENDMENT NO. 3 TO CONTRACT 201906008

This scope of work describes additional tasks needed for Construction Management Services for the drainage improvements on Leeward Way near Southgate Road.

The following tasks include a description of the additional work involved and the associated amended or additional deliverable(s) for these tasks.

TASK 1 CONSTRUCTION SUPPORT

Tetra Tech will provide the following additional engineering assistance during construction.

- Pre-construction meeting - One consultant representative will attend a pre-construction meeting.
- RFI Review - Review 3 requests for information (RFI)
- Contractor Submittal Review – Review 6 Contractor provided submittals.
- Material Submittal Review - Review 3 Request for Approval of Materials (RAM)
- Contract Change Orders –Prepare up to 3 contract Change Orders.
- Onsite Meetings - At least one Consultant representative will attend three onsite meetings with Whatcom County and Contractor staff. The schedule of the meeting will be determined during the construction period.
- Phone Meetings - At least one consultant representative will participate by phone in up to 6, one-hour meetings, with Whatcom County and Contractor staff. The schedule of the meetings will be determined during the construction period.
- Punchlist Walkthrough – At least one Consultant representative will attend an onsite meeting to perform a walkthrough of the project with Whatcom County and Contractor staff. The schedule of the meeting will be determined during the construction period.
- Record Drawing preparation per Whatcom County As-Built/Record Drawing Policy and Procedures.

Assumptions

- All administrative coordination and contract management activities with the Contractor will be performed by Whatcom County.
- The process for submitting RFI's will be discussed with the Contractor at the Pre-construction meeting.
- The County will perform plan and material reviews when feasible. The County Engineer may consult with the Engineer of Record as necessary. Engineer may review a material submittal (Request for Approval of Materials), and/or review contractor provided plans (For Example: Bypass plan, traffic control plan, TESC plan, Safety Plans, TERO Compliance Plan, etc.)
- Change Order preparation assistance at 8 hours per change order.
- Preconstruction meeting will be a remote meeting (i.e. Zoom, GoToMeeting, Skype, etc.) and assumes 2 hours.
- Onsite meeting assumes three site visits at 6 hours per visit.
- Onsite meeting for a punchlist walkthrough is assumed to be 6 hours.
- Phone coordination meetings assume 1 hour per meeting.
- The complete Record Drawings for the project will be reviewed twice by County Staff.
- Reference to "Engineer" in the Project Specifications directing onsite Contractor operations during working periods apply to Whatcom County's Project Engineer.
- Engineering direction to the Contractor regarding engineering design issues will be through Whatcom County's Project Engineer.

- Whatcom County Project Engineer will lead all meetings including developing the agenda and preparing meeting minutes.
- The processing time for RFI responses, and change orders will be determined with input from the contractor and Whatcom County at the pre-construction meeting.
- Whatcom County's Project Engineer will prepare the punchlist and coordinate resolution of listed items with the Contractor.
- Tetra Tech is not responsible for proper construction means, methods, techniques; or for the failure of any other entity to perform its work in accordance with laws, contracts, regulations, or County's expectations.
- This scope of services assumes a six-month project duration.

Deliverables

- Review up to 3 RFI submittals.
- Review up to 6 Contractor provided submittals.
- Prepare 3 contract Change Orders
- Attend 1 pre-construction site meeting.
- Attend 3 on-site meetings.
- Attend 1 Punchlist walkthrough meeting.
- Participate by phone in up to 6 construction coordination meetings.
- Record drawings.

TASK 2: PROJECT MANAGEMENT

Provide ongoing project management and coordination with the project team.

- Coordinate labor, meeting key scheduling milestones, and maintaining budget.
- Prepare six monthly progress reports which include a summary table comparing amount expended and remaining budget.

Deliverables

Monthly invoices and progress reports.

EXHIBIT B – BUDGET
LEEWARD WAY DRAINAGE IMPROVEMENTS
AMENDMENT NO. 3 TO CONTRACT 201906008

Price Proposal		Labor Plan								Price Summary / Totals							
		5 Resource								Task Pricing Totals		23,268					
Leeward Way Drainage Improvements Amendment 3 Services during Construction		Bill Rate >	225.00	198.00	183.00	156.00	114.00	127.00	119.00	101.00	Specify Add'l Fees on Setup		0				
		Proj Area >	Eng	Eng	Eng	Eng	Eng	Eng	Admin	Admin	Technology Use Fee		23,268				
Submitted to: Whatcom County Public Works				Sr. Project Manager		Senior Civil Engineer		Civil Engineer		CAD Designer		Legal Contracts/Senior Admin		Admin		Task Pricing Totals	
Contract Type: T&M		Total Labor Hrs		11	13	59	2	48	2	8	2	Labor	Subs	Travel	23,268		
Project Phases / Tasks		145	11	13	59	2	48	2	8	2	23,038	-	230	23,268			
Task 1. Construction Support		130	6	13	59	2	48	2	-	-	20,759	-	230	20,989			
1.1 Precon		2			2						366		230	596			
1.2 Submittal Review		28	4	8	10		6				4,998			4,998			
1.3 Response to RFI		11	2		3		6				1,683			1,683			
1.4 Change Orders		23		3	10	2	8				3,648			3,648			
1.5 Onsite meeting		18			18						3,294			3,294			
1.6 Weekly phone conference during construction		8		2	6						1,494			1,494			
1.7 Punchlist walkthrough		6			6						1,098			1,098			
1.8 Record drawings		34			4		28	2			4,178			4,178			
Task 2. Project Management		15	5	-	-	-	-	-	8	2	2,279	-	-	2,279			
2.1 Project Administration		6	2						2	2	890			890			
2.2 Progress Reporting		9	3						6		1,389			1,389			
Totals		145	11	13	59	2	48	2	8	2	23,038	-	230	23,268			

Budget Narrative

- Contract amounts shall not exceed the total budget referenced (above). As consideration for services provided in Exhibit A, Scope of Work, the County agrees to compensate the contractor according to the hourly rates provided in the project budget (Exhibit B). Other reasonable expenses incurred in the course of performing the duties herein shall be reimbursed including mileage at the current IRS rate. Lodging and per diem shall not exceed the GSA rate for the location where services are provided. Other expenditures such as printing, postage, and telephone charges shall be reimbursed at actual cost plus 10%. Expense reimbursement requests must be accompanied by copies of paid invoices. Any work performed prior to the effective date or continuing after the completion date of the contract, unless otherwise agreed upon in writing, will be at the contractor's expense.
- Hourly rates are subject to a 3% annual escalation, with County approval.



AGENCY CUSTOMER ID: 570000036654

LOC #:

ADDITIONAL REMARKS SCHEDULE

Page _ of _

AGENCY Aon Risk Insurance Services West, Inc.		NAMED INSURED Tetra Tech, Inc.	
POLICY NUMBER See Certificate Numbe 570083606319		EFFECTIVE DATE:	
CARRIER See Certificate Numbe 570083606319	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Additional Description of Operations / Locations / Vehicles:

states: OH, ND, WA, WY.

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Jon Hutchings
Director**



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322 N. Commercial, Suite 224
Bellingham, WA 98225
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FAX: (360) 778-6201
www.whatcomcounty.us

RECEIVED

SEP 15 2020

**WHATCOM COUNTY
EXECUTIVE'S OFFICE**

MEMORANDUM

TO: The Honorable Satpal Singh Sidhu, County Executive and
The Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Kraig Olason, Stormwater Program Manager *ko*

DATE: August 28, 2020

RE: Amendment No. 3 to Whatcom County Contract No. 201906008-2- TetraTech, Inc.
Leeward Way Drainage Improvements Project

Enclosed are two (2) originals of Amendment No. 3 of Whatcom County Contract No. 201906008-2 between Whatcom County and Tetra Tech, Inc. for your review and signature.

Background and Purpose

This amendment provides construction support services for this project. Tetra Tech, Inc. has completed the Leeward Way Drainage Improvements Project design and bid package. The project was designed to correct the reoccurring drainage issues within the Leeward Way Right-of-Way, near Southgate Road. Existing stormwater infrastructure located within Leeward Way is currently not conveying stormwater as originally intended, which results in water over the roadway. This project will collect and convey surface water down a steep eroding bluff to the shore.

Funding Amount and Source

This project is funded by existing budget authority in the Stormwater Division budget (Cost Center 123501). Contract Amendment No. 1 did not change the contract amount, and was a time extension amendment. Contract Amendment No 2 added scope to address the conditions on the Lummi Planning Department's Land Use Permit necessary to complete the design. The original contract amount is \$31,730.00, contract Amendment No. 2 was for \$6,555.00, and this amendment is \$23,268.00, bringing the total contract amount to \$61,553.00.

Differences from Previous Contract

The unanticipated design changes required a contract time extension and the consultant reworking the plans, specifications, and estimates to accommodate input from regulatory agencies, property owners, utility companies, archeologists, County maintenance staff, the County Engineer, and COVID-19 contract modifications. The added complexity of this project requires more engineer involvement than was previously scoped in the original contract. The original contract included approximately \$4,850 for construction support. This amendment

expands the construction support services work in the original contract; the amendment includes record drawings, potential change orders, additional site visits/meetings, and additional contractor submittal reviews.

Please contact Kraig Olason at extension 6301 or Ben Kuiken at extension 6303, if you have any questions or concerns regarding the terms of this agreement.

Encl.