

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
202211007-2

| | |
|--|--|
| Originating Department: | Public Works |
| Division/Program: <i>(i.e. Dept. Division and Program)</i> | 907010 – Natural Resources/169121-Watershed Management Plan Implementation |
| Contract or Grant Administrator: | Chris Elder, Senior Planner |
| Contractor's / Agency Name: | Associated Earth Sciences, Inc. |
| <p>Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>202211007</u></p> <p>Does contract require Council Approval? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____ Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p> <p>Is this a grant agreement? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: _____</p> <p>Is this contract grant funded? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, Whatcom County grant contract number(s): <u>Pending- Dept of Ecology</u></p> <p>Is this contract the result of a RFP or Bid process? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, RFP and Bid number(s): <u>MRSC Roster</u> Contract Cost Center: <u>169121</u></p> <p>Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input type="checkbox"/> If no, include Attachment D Contractor Declaration form.</p> <p>If YES, indicate exclusion(s) below: <input checked="" 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 type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</p> | |
| <p>Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>99,192.00</u></p> <p>This Amendment Amount: \$ <u>364,486.00</u></p> <p>Total Amended Amount: \$ <u>463,678.00</u></p> | <p>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:</p> <ol style="list-style-type: none"> 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. |
| <p>Summary of Scope: This amendment provides funding to complete the final two years of a three study to quantify the timing and magnitude of groundwater pumping on streamflow depletion.</p> | |
| Term of Contract: | Expiration Date: <u>June 30, 2025</u> |

| | | |
|-------------------|---|-------------------------|
| Contract Routing: | 1. Prepared by: <u>Gary Stoyka</u> | Date: <u>10/5/23</u> |
| | 2. Attorney signoff: <u>Chris Quinn</u> | Date: <u>10/10/2023</u> |
| | 3. AS Finance reviewed: <u>A Martin</u> | Date: <u>10/23/2023</u> |
| | 4. IT reviewed (if IT related): _____ | Date: _____ |
| | 5. Contractor signed: _____ | Date: _____ |
| | 6. Executive contract review: _____ | Date: _____ |
| | 7. Council approved (if necessary): <u>AB2023-710</u> | Date: <u>11/08/2023</u> |
| | 8. Executive signed: _____ | Date: _____ |
| | 9. Original to Council: _____ | Date: _____ |

Amendment No. 2
Whatcom County Contract No. 202211007
CONTRACT BETWEEN WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT AND
ASSOCIATED EARTH SCIENCES, INC

THIS AMENDMENT is to the Contract between Whatcom County Flood Control Zone District and Associated Earth Sciences, Inc., dated November 29, 2022 and designated "Whatcom County Contract No. 202211007". In consideration of the mutual benefits to be derived, the parties agree to the following:

This Amendment extends the term of this Agreement through June 30, 2025, and increases the maximum consideration by \$364,486 to a total consideration of \$463,678.

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

TASK 2 – HYDROGEOLOGIC INVESTIGATIONS

- Conduct the hydrogeologic studies in accordance with the final approved Quality Assurance Project Plan (QAPP), cultural resources review, and surface water - groundwater monitoring plans. The studies are expected to include:
- The installation and instrumentation of up to six new groundwater monitoring wells (piezometers) to supplement the monitoring wells installed in Task 1.
- Complete aquifer tests of each pumping well using monitoring wells and staff gages as observation points.
- Installation (if necessary) of a water meter on the pumping wells.
- Sub-daily monitoring of groundwater and surface water levels using data logging pressure transducers.
- Quarterly site visits to download data loggers and manually measure groundwater levels and streamflow.
- Groundwater and surface water data will be collected through June 30, 2024.
- Prepare a draft and final monitoring report that document the methods and results of the field data collection. A draft report will be prepared and submitted to the Water Resource Inventory Area (WRIA) 1 Team for review and comment prior to preparing the final document.
- Prepare and submit the data collected during the hydrogeologic studies to the Washington Department of Ecology through their Environmental Information Management (EIM) database.

Task 2 Deliverables:

- Maps of additional monitoring locations
- Boring logs for additional monitoring well installations
- Draft and Final Monitoring Report
- Data deliverable to update and/or refine the Whatcom Groundwater Model (WGM).
- Data submittal to EIM

Task 2 Schedule: Task 2 shall be completed by June 30, 2024

TASK 3 – COLLECT ADDITIONAL DATA AND UPDATE/REFINE WGM

Collect additional monitoring data and utilize the data collected during the hydrogeologic investigations to update/refine the WGM:

- Quarterly site visits to download data loggers and manually measure groundwater levels and streamflow.
- Groundwater and surface water data will be collected through June 30, 2025.

- Prepare updated monitoring report that documents the methods and results of the field data collection. A draft report will be prepared and submitted to the WRIA 1 Team for review and comment prior to preparing the final document.
- Prepare and submit the data collected during the hydrogeologic studies to Ecology through their Environmental Information Management (EIM) database.
- Prepare electronic data and documentation in a format suitable for use to update and/or refine the WGM.
- Update parameterization of Sumas Aquifer (Layer 1) as necessary based on results of aquifer testing.
- Update surface water drainage parameterization (e.g. streambed hydraulic conductivity) to simulate surface water – groundwater interactions consistent with those observed during they hydrologic investigations.
- Prepare draft and final model update reports that document the WGM updates/refinements. A draft report will be prepared and submitted to the WRIA 1 Team for review and comment prior to preparing the final documents.

Task 3 Deliverables:

- Data deliverable to update and/or refine the WGM.
- Data submittal to EIM
- Draft and Final Monitoring Report
- Updated/refined WGM
- Draft and Final Modeling Report

Task 3 Schedule: Task 3 shall be completed by June 30, 2025

This amendment also adds the following to the Compensation, Exhibit B:

| Task Title | Total | Consultant/Design Fees | | |
|---|------------------|------------------------|------------------|---------------------|
| | | AESI | SSP&A | Subcontractors ODCs |
| July 1, 2023 - June 30, 2024: Task 2 - Hydrogeologic Investigations | | | | |
| Install 6 Groundwater Monitoring Wells | \$ 92,948 | \$ 20,687 | \$ - | \$ 72,261 |
| 72-hour Aquifer Tests | \$ 58,973 | \$ 45,804 | \$ 13,169 | \$ - |
| Quarterly Groundwater Level and Streamflow Monitoring | \$ 43,967 | \$ 43,967 | \$ - | \$ - |
| Prepare Initial Annual Monitoring Report and EIM Data | \$ 18,472 | \$ 11,582 | \$ 6,891 | \$ - |
| Project Management | \$ 1,733 | \$ 1,733 | \$ - | \$ - |
| Project Meetings | \$ 11,021 | \$ 11,021 | \$ - | \$ - |
| Total | \$227,116 | \$ 134,795 | \$ 20,060 | \$ 72,261 |
| July 1, 2024 - June 30, 2025: Task 3 - Groundwater Modeling and Ongoing Monitoring | | | | |
| Prepare Data for Model Update | \$ 25,934 | \$ 11,229 | \$ 14,705 | \$ - |
| Update Model | \$ 40,468 | \$ 3,679 | \$ 36,789 | \$ - |
| Model Update Report | \$ 14,870 | \$ 3,453 | \$ 11,417 | \$ - |
| Quarterly Groundwater Level and Streamflow Monitoring | \$ 33,407 | \$ 33,407 | \$ - | \$ - |
| Update Annual Monitoring Report and EIM Data | \$ 6,256 | \$ 4,910 | \$ 1,346 | \$ - |
| Project Management | \$ 3,468 | \$ 1,103 | \$ 2,364 | \$ - |
| Project Meetings | \$ 12,968 | \$ 6,509 | \$ 6,458 | \$ - |
| Total | \$137,371 | \$ 64,291 | \$ 73,080 | \$ - |
| Grand Total | \$364,486 | | | |

Hourly Rates

The labor rates shall be subject to renegotiations once annually upon written request of the contractor or the County. The written request must be made to the other party within ninety (90) days following the Contractors fiscal year end date. Conversely, if a timely request is made in the manner set forth above, the parties will commence negotiations to determine the new labor rates that will be applicable for the twelve (12) month period. Any agreed to renegotiated rates shall be memorialized in a final written acknowledgment between the Contractor and the County's Administrative Officer. Such final written acknowledgment shall be incorporated into, and become a part of, this agreement. If requested, the contractor shall provide current payroll register and classifications to aid in negotiations.

Detailed budget breakdown- project estimate

| FY 2024: Task 2 - Hydrogeologic Investigations | PR | ASSOC | PRJ | SST | STF | CAD | GIS | CWP | Miles | Other | Hours | Fees | Sub MU | Total Fees | SR ASSOC | SR PRJ | Hours | Fees | Total Fees |
|---|-----------|-----------|------------|------------|------------|----------|-----------|----------|-------------|----------------|------------|------------------|----------------|------------------|-----------|-----------|------------|-----------------|------------------|
| Install 6 Groundwater Monitoring Wells | 12 | | 24 | 20 | 60 | | 6 | | 400 | \$0 | 122 | \$20,687 | \$0 | \$20,687 | | | 0 | \$0 | \$20,687 |
| 72-hour Aquifer Tests | 12 | 26 | 36 | 48 | 144 | | | | 200 | \$0 | 266 | \$44,487 | \$1,317 | \$45,804 | 8 | 24 | 56 | \$13,169 | \$58,973 |
| Quarterly Groundwater Level and Streamflow Monitoring | 24 | | 60 | 24 | 72 | | | | 2400 | \$9,600 | 180 | \$43,967 | \$0 | \$43,967 | | | 0 | \$0 | \$43,967 |
| Prepare Initial Annual Monitoring Report and EIM Data | 4 | | 8 | 12 | 36 | | 8 | | | \$0 | 68 | \$10,893 | \$689 | \$11,582 | 8 | 12 | 32 | \$6,891 | \$18,472 |
| | | | | | | | | | | \$0 | 0 | \$0 | \$0 | \$0 | | | 0 | \$0 | \$0 |
| Project Management | 6 | | | | | | | | | \$0 | 6 | \$1,733 | \$0 | \$1,733 | | | 0 | \$0 | \$1,733 |
| Project Meetings | 36 | | | 4 | | | | | | \$0 | 40 | \$11,021 | \$0 | \$11,021 | | | 0 | \$0 | \$11,021 |
| Subcontractor - Well driller | | | | | | | | | | | | \$72,262 | | \$72,262 | | | | | \$72,262 |
| Task 4 Totals | 94 | 26 | 128 | 108 | 312 | 0 | 14 | 0 | 3000 | \$9,600 | 682 | \$132,789 | \$2,006 | \$134,795 | 24 | 40 | 100 | \$23,289 | \$227,115 |

| FY 2025: Task 3 - Groundwater Modeling and Ongoing Monitoring | PR | ASSOC | PRJ | SST | STF | CAD | GIS | CWP | Miles | Other | Hours | Fees | Sub MU | Total Fees | SR ASSOC | SR PRJ | Hours | Fees | Total Fees |
|--|-----------|----------|-----------|-----------|------------|----------|-----------|----------|-------------|------------|--------------|-----------------|----------------|-----------------|-----------|------------|------------|-----------------|------------------|
| Prepare Data for Model Update | 8 | | | 16 | 16 | | 16 | | | \$0 | 56 | \$9,758 | \$1,471 | \$11,229 | 8 | 24 | 80 | \$14,705 | \$25,934 |
| Update Model | | | | | | | | | | \$0 | 0 | \$0 | \$3,679 | \$3,679 | 16 | 100 | 188 | \$36,789 | \$40,468 |
| Model Update Report | 8 | | | | | | | | | \$0 | 8 | \$2,311 | \$1,142 | \$3,453 | 8 | 24 | 56 | \$11,417 | \$14,870 |
| Quarterly Groundwater Level and Streamflow Monitoring | 24 | | 60 | 24 | 72 | | | | 2400 | \$0 | 180 | \$33,407 | \$0 | \$33,407 | | | | \$0 | \$33,407 |
| Update Annual Monitoring Report and EIM Data | 1 | | 4 | 5.3 | 16 | | 4 | | | \$0 | 30.33 | \$4,776 | \$135 | \$4,910 | 2 | 2 | 6 | \$1,346 | \$6,256 |
| Project Management | 3 | | | | | | | | | \$0 | 3 | \$867 | \$236 | \$1,103 | 8 | | 8 | \$2,364 | \$3,468 |
| Project Meetings | 16 | | | 8 | | | | | | \$0 | 24 | \$5,864 | \$646 | \$6,509 | 16 | 8 | 24 | \$6,458 | \$12,968 |
| Task 5 Totals | 60 | 0 | 64 | 53 | 104 | 0 | 20 | 0 | 2400 | \$0 | 301.3 | \$56,983 | \$7,308 | \$64,291 | 58 | 158 | 362 | \$73,080 | \$137,371 |

| Associated Earth Sciences | | |
|----------------------------------|---------------------------|--------|
| SPR | Senior Principal | \$ 310 |
| PR | Principal | \$ 289 |
| ASSOC | Associate | \$ 257 |
| PRJ | Project | \$ 187 |
| SST | Senior Staff | \$ 155 |
| STF | Staff | \$ 139 |
| CAD | CAD/GIS Operator | \$ 139 |
| GIS | GIS Manager | \$ 171 |
| CWP | Clerical, Word Processing | \$ 112 |

Mileage Rate = Current IRS Rate
0.63

Sub Markup = 10%
1.1

| SSP&A | | |
|------------------|------------------|-------|
| SR ASSOC | Senior Associate | \$236 |
| SR PRJ | Senior Project | \$216 |

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: October 16, 2023, regardless of the date of signature.

IN WITNESS WHEREOF, Whatcom County Flood Control Zone District and Associated Earth Sciences, Inc. have executed this Amendment on the date and year below written.

DATED this _____ day of _____, 20____.

Each person signing this Contract represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Contract.

CONTRACTOR:

Associated Earth Sciences, Inc.

Jay Chennault, Principal Date

Physical Address:
508 South Second Street, Suite 101
Mount Vernon, WA 98273

Mailing Address:
911 5th Avenue, Suite 100
Kirkland, WA 98033

Contact Name: Jay Chennault
Contact Phone: (425) 827-7701
Contact Email: jchennault@aesgeo.com

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT:

Recommended for Approval:

Elizabeth Kosa, Public Works Director Date

Approved as to form:

Christopher Quinn, Senior Deputy Prosecuting Attorney – Civil Division Date

Approved:

Accepted for Whatcom County:

By: _____
Satpal Singh Sidhu, Whatcom County Executive Date