

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
201702013-2

Originating Department:	Administrative Services
Division/Program: (i.e. Dept, Division and Program)	Human Resources
Contract or Grant Administrator:	Nanette S. Kallunki
Contractor's / Agency Name:	Daniel A. Swedlow, Summit Law Group

Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes No
 Yes No If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: 201702013

Does contract require Council Approval? Yes No If No, include WCC: _____
 (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): RFQ #16-54 Contract Cost Center: 507140

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):
 \$ \$280/hour, maximum \$39,999
 This Amendment Amount:
 \$ \$300/hour, maximum \$35,000 annually
 Total Amended Amount:
 \$ \$300/hour, maximum \$70,000

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, professional services, or other capital costs approved by council in a capital budget appropriation ordinance.
3. Bid or award is for supplies or equipment included approved in the budget.
4. 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: Legal services for matters relating to labor relations, including collective bargaining and contract negotiation, mediation, grievance and arbitration, unfair labor practice charges, or other actions brought by the Union.

Term of Contract: February 2017 Expiration Date: December 31, 2020

Contract Routing:	1. Prepared by: <u>Nan Kallunki</u>	Date: <u>11/26/2018</u>
	2. Attorney signoff: _____	Date: <u>12/5/18</u>
	3. AS Finance reviewed: <u>bberndt</u>	Date: <u>12/5/18</u>
	4. IT reviewed (if IT related): <u>N/A</u>	Date: _____
	5. Contractor signed: <u>Daniel A. Swedlow</u>	Date: <u>11/27/2018</u>
	6. Submitted to Exec.: _____	Date: <u>12-28-18</u>
	7. Council approved (if necessary): <u>✓</u>	Date: <u>1-15-19</u>
	8. Executive signed: _____	Date: <u>1-16-19</u>
	9. Original to Council: _____	Date: <u>1-25-19</u>

Amendment No. 2

**TO CONTRACT BETWEEN WHATCOM COUNTY AND DANIEL A. SWEDLOW
SUMMIT LAW GROUP**

THIS AMENDMENT to Whatcom County Contract #201702013 is made this 16th day of ~~December~~ ^{January} 2018⁹, between Whatcom County and Daniel A Swedlow, Summit Law Group, for the purpose of providing professional legal services in matters relating to labor relations and professional labor negotiator services.

1. TERM. This amendment extends the term of the agreement through December 31, 2020.
2. COMPENSATION: This amendment increases the hourly rate from \$280 to \$300. The maximum consideration will not exceed \$35,000 each calendar year for services more fully defined in attached Exhibit "A-2."
3. OTHER. Unless specifically amended by this agreement, all other terms and conditions of the original contract shall remain in full force and effect.

IN WITNESS WHEREOF, Whatcom County and Daniel A. Swedlow, Summit Law Group, have executed this Amendment on the date and year written above.

CONTRACTOR:

BY: [Signature]
Daniel A. Swedlow
Summit Law Group



STATE OF WASHINGTON)
) ss
COUNTY OF KING Whatcom

On this 27 day of Nov, 2018, before me personally appeared Daniel A. Swedlow known to be the attorney assigned to Whatcom County from Summit Law Group and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

[Signature]
NOTARY PUBLIC in and for the State of Washington, residing at Bellingham. My commission expires 7/7/2019

WHATCOM COUNTY:

BY: [Signature]
Jack Louws, County Executive

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this 16th day of January 2018⁹ before me personally appeared Jack Louws, 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.

APPROVED AS TO FORM:

[Signature]
Civil Deputy Prosecutor

[Signature]
NOTARY PUBLIC in and for the State of Washington, residing at Bellingham. My commission expires 12-31-22



EXHIBIT "A-2"
AMENDED SCOPE OF WORK

The Contractor will provide, at the request and direction of Whatcom County Prosecuting Attorney or Human Resources Manager or designee, representation and assistance on matters relating to labor relations, including collective bargaining and contract negotiation, mediation, grievance and arbitration processes, unfair labor practice charges, or other actions brought by a union.

A Special Deputy Appointment by the Prosecutor will be in place prior to Contractor providing legal advice, negotiating, or other actions that bind on behalf of Whatcom County.



Karen Sterling Goens
Manager

MEMORANDUM

RECEIVED

DEC 28 2018

**JACK LOUWS
COUNTY EXECUTIVE**

TO: Jack Louws, County Executive
FROM: Nan Kallunki, HR Associate Manager *NK*
DATE: November 27, 2018
SUBJECT: Amendment 2–Contract between Whatcom County and Daniel A. Swedlow

Enclosed are two originals of Amendment No. 2 to the Contract between Whatcom County and Daniel A. Swedlow, Summit Law Group for your review and signature.

Background and Purpose

The County contracted with Dan Swedlow of Summit Law Group in February 2017 to provide on-call legal services to help complete labor contract negotiations and to represent the County in the Unfair Labor Practice proceeding initiated by the Deputy Sheriff's Guild. In August 2017, Amendment 1 expanded the scope of Mr. Swedlow's services from on-call legal services to the full range of services relating to labor relations. At that time, Mr. Swedlow was appointed as a Special Deputy by the Prosecutor.

As we enter bargaining with the Deputy's Sheriff Guild next year, we recommend extending this agreement through December 2020. Mr. Swedlow is a highly qualified and experienced labor negotiator and will be the County's spokesperson during the negotiations up and through interest arbitration, if applicable.

Funding Amount and Source

Funding comes from the administrative cost allocation to 507140.

Differences from Previous Contract

The proposed amendment extends the agreement through December 31, 2020 and with an annual limit of \$35,000 billed at the hourly rate of \$300 (up from \$280).

Please contact me at extension 5306, if you have any questions or concerns regarding the terms of this agreement.