

**WHATCOM COUNTY CONTRACT  
INFORMATION SHEET**

Whatcom County Contract No. \_\_\_\_\_

Originating Department:	Sheriff's Office								
Division/Program: <i>(i.e. Dept. Division and Program)</i>	35 Sheriff's Office / 3520 Bureau of LE & Investigations / 352096 Homeland Security								
Contract or Grant Administrator:	Steve Harris, Undersheriff								
Contractor's / Agency Name:	Washington State Military Department								
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"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>WCC#202104016</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 checked="" type="radio"/> No <input type="radio"/> If yes, grantor agency contract number(s): _____ CFDA#: <u>97.067-20HSGP (OSPG)</u>									
Is this contract grant funded? Yes <input checked="" type="radio"/> No <input 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: <u>1003521001</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: <table style="width:100%; border:none;"> <tr> <td><input type="checkbox"/> Professional services agreement for certified/licensed professional.</td> <td><input type="checkbox"/> Goods and services provided due to an emergency</td> </tr> <tr> <td><input type="checkbox"/> Contract work is for less than \$100,000.</td> <td><input type="checkbox"/> Contract for Commercial off the shelf items (COTS).</td> </tr> <tr> <td><input type="checkbox"/> Contract work is for less than 120 days.</td> <td><input type="checkbox"/> Work related subcontract less than \$25,000.</td> </tr> <tr> <td><input checked="" type="checkbox"/> Interlocal Agreement (between Governments).</td> <td><input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</td> </tr> </table>		<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 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 checked="" type="checkbox"/> Interlocal Agreement (between Governments).	<input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.
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<input checked="" 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>405,600.00</u> This Amendment Amount: \$ <u>234,343.94</u> Total Amended Amount: \$ <u>639,943.94</u>	Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>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.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance.</li> <li>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.</li> </ol>								
Summary of Scope: _____									
Grant agreement amendment adds \$234,343.94 to the contract amount, changes the amounts in the budget categories, updates the grant's personnel contact information, and changes the end date to 8/31/24. All other terms and conditions stay the same.									
Term of Contract: <u>9/1/2020</u>	Expiration Date: <u>8/31/24</u>								

Contract Routing:	1. Prepared by: <u>D.Duling</u>	Date: <u>2/8/24</u>
	2. Attorney signoff: <u>Approved via email BW/DD</u>	Date: <u>2/9/24</u>
	3. AS Finance reviewed: <u>Approved via email AT/DD</u>	Date: <u>2/9/24</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: _____

**Washington State Military Department  
AMENDMENT**

1. SUBRECIPIENT NAME/ADDRESS: <b>Whatcom County Sheriff's Office 311 Grand Avenue Bellingham, WA 98225-4048</b>		2. GRANT NUMBER: <b>E21-199</b>	3. AMENDMENT NUMBER: <b>4</b>
4. SUBRECIPIENT CONTACT, PHONE/EMAIL: <b>Steven Harris, 360-778-6600 sharris@co.whatcom.wa.us</b>		5. DEPARTMENT CONTACT, PHONE/EMAIL: <b>Ben Olson, 253-512-7224 benjamin.olson@mil.wa.gov</b>	
6. EIN: <b>91-6001383</b>	7. ASSISTANCE LISTINGS # & TITLE: <b>97.067 - 20HSGP (OPSG)</b>	8. FEDERAL AWARD ID # (FAIN): <b>EMW-2020-SS-00080</b>	
9. FUNDING AUTHORITY: <b>The Washington State Military Department (Department) and the US Department of Homeland Security (DHS)</b>			
10. DESCRIPTION/JUSTIFICATION OF AMENDMENT: <p>Funds are added to the award amount from the de-obligation of funds by multiple subrecipients through a Fragmentary Operations Order (FRAGO). The corresponding FEMA approval letter and Personnel Cap Waiver approval letter added to Attachment E supersede all prior FEMA approval letters. Additionally, funds are being realigned between budget categories to ensure the full expenditure of the award.</p> <p>Changes are noted in red font, strikethrough, and grey highlight.</p>			
11. AMENDMENT TERMS AND CONDITIONS: <ol style="list-style-type: none"> <li><b>Change</b> the Grant Agreement Amount from \$405,600 to \$639,943.94, an <b>increase</b> of \$234,343.94, as described on Page 2 of this Amendment.</li> <li><b>Change</b> the Subrecipient Contact, Phone/Email, as described on Page 2 of this Amendment.</li> <li><b>Change</b> the Grant Agreement End Date <b>from</b> July 31, 2024, <b>to</b> August 31, 2024.</li> <li><b>Change</b> the Department Contact, Phone/Email, as described on Page 2 of this Amendment.</li> <li><b>Change</b> Attachment A, SPECIAL TERMS AND CONDITIONS, Article I-Key Personnel, as described on Page 2 of this Amendment.</li> <li><b>Change</b> the original Budget, Attachment E, as described on Page 2 of this Amendment.</li> <li><b>Change</b> the Revision 3 Timeline, Attachment F, as described on Page 2 of this Amendment.</li> </ol> <p>This Amendment is incorporated in and made a part of the Grant Agreement. Except as amended herein, all other terms and conditions of the Grant Agreement remain in full force and effect. Any reference in the original Grant Agreement or an Amendment to the "Grant Agreement" shall mean "Grant Agreement as amended". The Department and Sub-Recipient acknowledge and accept the terms of this Amendment as identified above, effective on the final date of execution below. By signing this Amendment, the signatories warrant they have the authority to execute this Amendment.</p>			
IN WITNESS WHEREOF, the parties have executed this Amendment:			
FOR THE DEPARTMENT:		FOR THE SUBRECIPIENT:	
Signature _____ Date _____ Regan Anne Hesse, Chief Financial Officer Washington State Military Department  BOILERPLATE APPROVED AS TO FORM: _____/Signature on file/_____ David B. Merchant, Assistant Attorney General      10/11/2021		Signature _____ Date _____ Satpal Singh Sidhu, County Executive Whatcom County  APPROVED AS TO FORM (if applicable): <i>Approved via email bws/AS 2/19/24</i> Applicant's Legal Review      Date	



## Washington State Military Department Amendments to Agreement E21-199

1. **Change the Grant Agreement Amount from \$405,600 to \$639,943.94, an increase of \$234,343.94.**
  - a. Agreement Face Sheet, Box 2. ~~\$405,600~~ **\$639,943.94**
  - b. Original Budget, Attachment E, with Revision 1 Budget, Attachment E.
1. **Change Subrecipient Contact from Doug Chadwick to Steven Harris.**
  - a. Agreement Face Sheet Box 7. ~~Doug Chadwick, 360-778-6618, dchadwic@co.whatcom.wa.us~~  
**Steven Harris, 360-778-6600, sharris@co.whatcom.wa.us.**
2. **Change Department Contact from Courtney Bemus to Ben Olson.**
  - a. Agreement Face Sheet Box 7. ~~Courtney Bemus, 253-512-7141, courtney.bemus@mil.wa.gov~~  
**Ben Olson, 253-512-7224, benjamin.olson@mil.wa.gov.**
3. **Change Attachment A, Article I-Key Personnel.**
  - a. Attachment A, SPECIAL TERMS AND CONDITIONS, Article 1-Key Personnel, under SUBRECIPIENT/DEPARTMENT:
    - i. Replace Doug Chadwick with Steven Harris (see below).
    - ii. Remove Dawn Pierce (see below).
    - iii. Replace Courtney Bemus with Ben Olson (see below).

SUBRECIPIENT		DEPARTMENT	
Name	<del>Doug Chadwick</del> <b>Steven Harris</b>	Name	<del>Courtney Bemus</del> <b>Ben Olson</b>
Title	<del>Undersheriff</del>	Title	<del>Program Coordinator</del>
E-Mail	<del>dchadwic@co.whatcom.wa.us</del> <b>sharris@co.whatcom.wa.us</b>	E-Mail	<del>courtney.bemus@mil.wa.gov</del> <b>benjamin.olson@mil.wa.gov</b>
Phone	<del>360-778-6618</del> <b>360-778-6600</b>	Phone	<del>253-512-7141</del> <b>253-512-7224</b>
Name	<del>Dawn Pierce</del>	Name	<del>Sierra Wardell</del>
Title	<del>Sr. Administrative Assistant</del>	Title	<del>Financial Operations Section Manager</del>
E-Mail	<del>dpierce@co.whatcom.wa.us</del>	E-Mail	<del>sierra.wardell@mil.wa.gov</del>
Phone	<del>360-778-6606</del>	Phone	<del>253-512-7121</del>
Name	<del>Donna Duling</del>	Name	<del>Grant Miller</del>
Title	<del>Financial Accountant</del>	Title	<del>Program Assistant</del>
E-Mail	<del>dduling@co.whatcom.wa.us</del>	E-Mail	<del>Grant.miller@mil.wa.gov</del>
Phone	<del>360-778-6611</del>	Phone	<del>253-512-7061</del>

4. **Change the original Budget, Attachment E.**
  - a. Original Budget, Attachment E, with Revision 1 Budget, Attachment E.
5. **Change the Revision 3 Timeline, Attachment F.**
  - a. Revision 3 Timeline, Attachment F, with Revision 4 Timeline, Attachment F

## Revision 1 BUDGET

The Budget (Attachment E) consists of the 20OPSG Operation Order Approval Letter and the Personnel Cap Waiver Approval Letter addressed to Adjutant General Daugherty on behalf of the Subrecipient.

Budget Categories	Original Budget	Modification	Amended Budget
Operational OT	\$281,135.70	\$14,319.23	\$295,454.93
Fringe Benefits	\$44,713.65	\$2,277.22	\$46,990.87
Equipment	\$27,769.00	\$236,713.91	\$264,482.91
Fuel	\$14,792.90	(\$10,617.56)	\$4,175.34
Maintenance	\$0.00	\$1,600.00	\$1,600.00
Mileage	\$22,986.75	(\$4,427.35)	\$18,559.40
Travel	\$0.00	\$0.00	\$0.00
M&A (Subrecipient)	\$14,202.00	(\$5,521.51)	\$8,680.49
Indirect	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$405,600.00</b>	<b>\$234,343.94</b>	<b>\$639,943.94</b>

- Expenditures in excess of the approved Personnel Cap Waiver amount will not be reimbursed until a FRAGO and a revised waiver letter is received by FEMA.
- A current approved Indirect Cost Rate Agreement must be provided to the SAA prior to requesting reimbursement of indirect costs. If the approved Indirect Cost Rate Agreement is updated, the updated Agreement must be submitted to the SAA before costs will be reimbursed.
- OPSG funds shall not be used to supplant inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local, state, tribal, and Federal law enforcement agencies.
- All budget modifications require an approved FRAGO before any funds can be obligated. In addition to the approved FRAGO, cumulative transfers between budget categories more than 10% of the Grant Agreement amount will not be reimbursed without prior written authorization from the Department which includes a budget amendment.



**FEMA**

February 7, 2024

Bret Daugherty  
Adjutant General  
Washington Military Department  
Militia Drive, Building 1  
Camp Murray, WA 98430-5122

Based on the Department of Homeland Security, Federal Emergency Management Agency's (FEMA) Operation Stonegarden Grant Program (OPSG) guidelines and special conditions associated with this program, the below referenced Operations Order as submitted is approved:

**Operations Order No:** 21-BLWBLW-10-008 V1

**Fiscal Year:** 2020

**Amount Approved:** \$656,352.76

**Operations Order Dates:** 09/01/2020 to 08/31/2023

**Recipient:** Whatcom County, WA

Expenditures from the Operations Order (OPORD) that were reviewed and approved by FEMA and U.S. Customs and Border Protection/Border Patrol (CBP) are outlined below. These expenses will assist the County in conducting border centric, intelligence driven operations with the goal of reduction or elimination of threat, risk and vulnerability along our Nation's borders. Please see below for all approved costs for this OPORD, and refer to the OPORD for specific items.

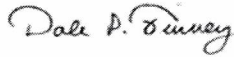
<b>Category</b>	<b>Amount</b>
Overtime:	\$295,454.93
Fringe:	\$46,990.97
Equipment:	\$264,484.91
Fuel:	\$4,175.34
Maintenance:	\$1,600.00
Mileage:	\$18,559.40
Travel:	\$0
County M&A:	\$8,680.49
State M&A:	\$16,408.82
Indirect Costs:	\$0
<b>Total</b>	<b>\$656,352.76</b>

Please find the below special conditions associated with OPSG and retain this letter for your grant files. If you have any questions, please feel free to contact me at (202) 802-2755.

**FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE**



Sincerely,



Dale P. Finney  
Preparedness Officer  
U.S. Department of Homeland Security  
Federal Emergency Management Agency  
Grant Programs Directorate

Cc: U.S. Customs and Border Protection/ Border Patrol

The following Special Conditions are associated with this Operation Stonegarden award:

1. Construction and construction-type activities are prohibited.
2. Lethal or less than lethal forces including, but not limited to: weapons, firearms, ammunition and tasers are prohibited.
3. Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement (PRICE) of Homeland Security Act* (Public Law 110-412), the sum of all personnel related expenses shall not exceed 50% of the recipient's allocation without first obtaining a waiver from the FEMA Administrator.
4. All participating agencies shall monitor, review and track expenditures of OPSG funds under individual Operations Orders issued. Participating agencies shall not obligate, and/or encumber OPSG grant funds beyond the total of their allocation issued by FEMA.
5. The Operations Order has been reviewed and approved under the Environmental and Historic Preservation Program (EHP) guidelines as being categorically excluded from further EHP review.
6. Recipients must submit a letter of justification for all proposed vehicles or equipment items in excess of \$100,000. This justification will be reviewed by CBP and FEMA.

**FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE**



**FEMA**

February 1, 2024

Bret Daugherty  
Adjutant General  
Washington Military Department  
Mail Stop TA-20, Building 20  
Camp Murray, Washington 98430-5122

Dear Adjutant General Daugherty:

The Federal Emergency Management Agency, Grant Programs Directorate has reviewed the request submitted by Washington Military Department to waive the 50 percent Personnel Cap imposed by Section 2008 of the *Homeland Security Act of 2002*, Public Law 107-296, as amended (6 U.S.C. § 609).

The following counties/subrecipients have requested to expend up to 85 percent of their total Fiscal Year (FY) 2020 Operation Stonegarden allocations, Award # EMW-2020-SS-00080, on operational overtime and related personnel costs.

County/Subrecipient	FY 2020 OPSG Allocation	85% PCAP Maximum
Adams	\$75,000.00	\$63,750.00
Clallam	\$455,000.00	\$386,750.00
Ferry	\$130,000.00	\$110,500.00
Island	\$281,176.35	\$238,999.90
Jamestown Sklallam Tribe	\$0.00	\$0.00
Lower Elwha Tribe	\$75,000.00	\$63,750.00
Makah	\$77,018.00	\$65,465.30
Nooksack	\$0.00	\$0.00
Okanogan	\$250,000.00	\$212,500.00
Pend Oreille	\$155,232.00	\$131,947.20
Quileute	\$18,849.24	\$15,261.31
San Juan	\$165,750.00	\$140,887.50
Spokane	\$155,250.00	\$131,962.50
Stevens	\$175,000.00	\$148,750.00
Swinomish	\$0.00	\$0.00
Whatcom	\$656,352.76	\$543,952.35
<b>Total</b>	<b>\$2,676,838.00</b>	<b>\$2,277,338.78</b>

This request is consistent with the terms and conditions of the grant award and is necessary for the continued success of border security operations. This request is approved pursuant to the waiver authority provided by 6 U.S.C § 609(b)(2)(B).

As a reminder, if any subrecipient's approved or initial revised budget will exceed 85 percent in personnel costs, they are required to submit a waiver request as described in section III.C.3 of Information Bulletin 421b. Please contact Acting Section Chief Dale P. Finney at (202) 236-9308 if you have any questions.

Sincerely,



Stacey N. Street  
Director  
Office of Grants Administration

Cc: Willie G. Nunn, Regional Administrator, Region X  
TeNeane P. Bradford, Deputy Director, Office of Grants Administration  
Kerry L. Thomas, Director, Homeland Security Programs Division  
Patrick Marcham, Grants Division Director, Region X  
Alexander R. Mrazik, Jr., Branch Chief, Homeland Security Programs Division  
Mark Silveira, Branch Chief, Homeland Security Programs Division  
Dale P. Finney, Acting Section Chief, Homeland Security Programs Division



**Revision 4 Whatcom County Sheriff's Office  
20OPSG Timeline**

Date	Task
September 1, 2020	Grant Agreement Start Date
March 8, 2021	Operations Order approved by FEMA
October 1, 2021	Estimated date work will begin
NLT January 31, 2022	Submit Reimbursement Request
NLT April 30, 2022	Submit Reimbursement Request
NLT July 31, 2022	Submit Reimbursement Request
NLT October 31, 2022	Submit Reimbursement Request
NLT January 31, 2023	Submit Reimbursement Request
NLT February 24, 2023	In collaboration with U.S. Border Patrol, assess status of award. Determine if additional time is needed to complete operations and/or if there is a need to submit a FRAG Order changing the approved Operations Order.
NLT April 30, 2023	Submit Reimbursement Request and Progress Report
NLT October 31, 2023	Submit Reimbursement Request and Progress Report
NLT January 31, 2024	Submit Reimbursement Request and Progress Report
NLT April 30, 2024	Submit Reimbursement Request and Progress Report
<del>July 31, 2024</del> <b>August 31, 2024</b>	Grant Agreement End Date. All work ceases.
NLT <del>September 15, 2024</del> <b>October 15, 2024</b>	Submit Final Reimbursement Request and Closeout Report. Reports are due before final invoice will be reimbursed.

***Grant Performance Period: September 1, 2020 - August 31, 2024***