

Jon Hutchings
Director



MEMORANDUM

TO: The Honorable Jack Louws, Whatcom County Executive

THROUGH: Jon Hutchings, Director *JH*

FROM: Kraig Olason, Stormwater Manager *KO*
Gary Stoyka, Natural Resources Program Manager *GS*

DATE: January 14, 2019

RE: Amendment No. 3 to Whatcom County Contract No. 201802006 for Support for Establishing Funding Mechanism for Lake Whatcom Stormwater Utility

Requested Action

Enclosed are two (2) originals of Amendment No. 3 to Whatcom County Contract No. 201802006 between Whatcom County and FCS Group (FCS) for your review and signature.

Background and Purpose

The Whatcom County Council established the Stormwater Utility Service area in December 2017 with the understanding that the administration would conduct work necessary to establish a funding mechanism and develop rates and charges. The County Council also established the Lake Whatcom Stormwater Utility Advisory Committee in March 2018 to receive stakeholder input and recommendations for that process. The number of meetings needed for the advisory committee to complete its work and the corresponding amount of analysis is more than what was originally anticipated. Additional budget is necessary to complete the funding analysis.

Funding Amount and Source

The estimated budget for this amendment is \$34,560.00 for a total contract amount of \$155,962.00. Sufficient funding for this contract is included in the 2019 Stormwater Fund budget.

Please contact Gary Stoyka at extension 6218 or Kraig Olason at extension 6301, if you have any questions or concerns regarding the terms of this agreement.

Encl.

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
201802006-3

Originating Department:	Public Works
Division/Program: <i>(i.e. Dept. Division and Program)</i>	NPDES/Stormwater/Lake Whatcom TMDL 907620
Contract or Grant Administrator:	Gary Stoyka
Contractor's / Agency Name:	FCS 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 #: 201802006

Does contract require Council Approval? Yes No 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 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 17-72 Contract Cost Center: 123201

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): \$ <u>121,402.00</u> This Amendment Amount: \$ <u>34,560.00</u> Total Amended Amount: \$ <u>155,962.00</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.
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Summary of Scope: Amendment No. 3 includes additional budget to complete the rate analysis for the newly-created Lake Whatcom Stormwater Utility.

Term of Contract:	Expiration Date: <u>9/30/19</u>
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- Contract Routing:
- | | |
|---|------------------------|
| 1. Prepared by: <u>Gary S Stoyka</u> | Date: <u>1/11/19</u> |
| 2. Attorney signoff: <u>Christopher Quinn</u> | Date: <u>1/15/2019</u> |
| 3. AS Finance reviewed: <u>M Caldwell</u> | Date: <u>1/15/19</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: _____ |