

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
202010003

Originating Department:	Public Works
Division/Program: (i.e. Dept. Division and Program)	River and Flood/907540
Contract or Grant Administrator:	Paula J. Harris
Contractor's / Agency Name:	United States Geological Survey

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 #: _____

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? Contract
 Yes No If yes, RFP and Bid number(s): _____ Cost Center: 169110 & 169230

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):
 \$ 120,197

This Amendment Amount:
 \$ _____

Total Amended Amount:
 \$ 120,197

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: *The annual Joint Funding Agreement with the USGS funds the ongoing operation and maintenance of the County's six stream gages within the Nooksack River early flood warning system; a stream gage at the Nooksack River Everson Overflow; and a stream gage on Jones Creek in Acme, WA for early flood warning and flood response.*

Term of Contract: Fixed Amount Expiration Date: September 30, 2021

- Contract Routing:
- | | |
|---|-------------------------|
| 1. Prepared by: <u>Lonni Cummings /Paula Harris</u> | Date: <u>9/23/2020</u> |
| 2. Attorney signoff: <u>Christopher Quinn</u> | Date: <u>9/24/2020</u> |
| 3. AS Finance reviewed: <u>Bbennett</u> | Date: <u>9/28/2020</u> |
| 4. IT reviewed (if IT related): _____ | Date: _____ |
| 5. Contractor signed: _____ | Date: _____ |
| 6. Submitted to Exec.: _____ | Date: <u>10-2-2020</u> |
| 7. Council approved (if necessary): <u>✓</u> | Date: <u>10-13-2020</u> |
| 8. Executive signed: _____ | Date: <u>10-14-2020</u> |
| 9. Original to Council: <u>✓</u> | Date: <u>10-14-2020</u> |

6000000721/21YGJFA04200/FY21

Form 9-1366
(May 2018)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000000721
Agreement #: 21YGJFA04200
Project #: YG00H1U
TIN #: 91-6001383

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the **October 1, 2020**, by the U.S. GEOLOGICAL SURVEY, Washington Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the **Whatcom County Flood Control Zone District**, party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperations a **fixed-price agreement for the operation and maintenance of the cooperative streamgaging program between the USGS and Whatcom County Flood Control Zone District**, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) **\$7,357** by the party of the first part during the period **October 1, 2020 to September 30, 2021**
- (b) **\$104,117** by the party of the second part during the period **October 1, 2020 to September 30, 2021**
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: **\$8,723**
Description of the USGS regional/national program: USGS Federal Priority Streamgaging Program
- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices

website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

**Form 9-1366
(May 2018)**

**U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations**

**Customer #: 600000721
Agreement #: 21YGJFA04200
Project #: YG00H1U
TIN #: 91-6001383**

9. Billing for this agreement will be rendered **quarterly**. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Mark Mastin
Supervisory Hydrologist
Address: 934 Broadway Suite 300
Tacoma, WA 98402
Telephone: (253) 552-1609
Fax: (253) 552-1581
Email: mcmastin@usgs.gov

Customer Technical Point of Contact

Name: Paula Harris
Manager, River and Flood Divison
Address: Whatcom County Public Works
Department 322 N Commercial Street,
Suite 210
Bellingham, WA 98225-4042
Telephone: 360-778-6285
Fax:
Email: pharris@co.whatcom.wa.us

**U.S. Geological Survey
United States
Department of Interior**

Whatcom County Public Works

**CYNTHIA
By BARTON**
Name: Cynthia Barton, Ph.D, L.H.G., L.G.
Title: Center Director

Signature
Digitally signed by
CYNTHIA BARTON
Date: 2020.08.03
07:10:20 -0700 **Date: 07/24/2020**

Signatures

By See Attached Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By: Satpal Sidhu 10/14/20
Satpal Singh Sidhu, Whatcom County Executive Date

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this 14th day of October, 2020, before me personally appeared Satpal Sidhu, 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.



Suzanne M. Mildner
NOTARY PUBLIC in and for the State of
Washington, residing at Bellingham
My commission expires
12-31-22

Approved As To Form Only:

Christopher Quinn 9.24.2020
Christopher Quinn Date
Civil Deputy Prosecutor

USGS Station No.	Station Name	Whatcom County Public Works Dept.	USGS Federal Priority Streamgage Program	USGS Cooperative Matching Funds	Total	Remarks
NORTHWEST WASHINGTON FIELD OFFICE (FERNDALE), 360-312-8155 x2001						
12205000	North Fork Nooksack River below Cascade Creek near Glacier Streamflow discharge with priority real-time data transmission	\$15,288		\$7,357	\$22,645	
12208000	Middle Fork Nooksack River near Deming Streamflow discharge with priority real-time data transmission	\$3,420			\$3,420	The remainder of this gage is funded by the City of Bellingham.
12210000	South Fork Nooksack River at Saxon Bridge Streamflow discharge with priority real-time data transmission	\$16,198	\$6,447		\$22,645	
12210220	Jones Creek at Acme Stage (unpublished) with real-time data transmission, Oct.-June	\$3,938			\$3,938	
	Precipitation (unpublished), Oct.-June	\$2,063			\$2,063	
12210700	Nooksack River at North Cedarville Streamflow discharge with priority real-time data transmission	\$13,033			\$13,033	The remainder of this gage is funded by the Washington State Dept. of Ecology and USGS.
	Precipitation and air temperature (unpublished)	\$2,750			\$2,750	
12211195	Nooksack River Overflow at Highway 544 at Everson Stage (published) with real-time data transmission (Oct.-Mar.)	\$4,413			\$4,413	
12211200	Nooksack River at Everson Streamflow discharge with priority real-time data transmission	\$22,645			\$22,645	
12213100	Nooksack River at Ferndale Streamflow discharge with priority real-time data transmission	\$20,369	\$2,276		\$22,645	
	FY21 TOTAL	\$104,117	\$8,723	\$7,357	\$120,197	



RECEIVED

MEMORANDUM

OCT 2 - 2020

WHATCOM COUNTY
EXECUTIVE'S OFFICE

TO: The Honorable Members of the Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Jon Hutchings, Public Works Director

FROM: Paula J. Harris, P.E., River and Flood Manager ^{PH}
Gary Stoyka, Natural Resources Program Manager ^{GS}

DATE: September 23, 2020

RE: Joint Funding Agreement with United States Geological Survey

Enclosed are two (2) originals of a Joint Funding Agreement between the Whatcom County Flood Control Zone District (FCZD) and the United States Geological Survey (USGS) for your review and signature.

▪ **Background and Purpose**

The FCZD has worked cooperatively with the USGS for a number of years to collect stream-gaging data on a real-time basis for early flood warning and flood response. Financing of this program is provided on a cost-share basis through the USGS Cooperative Program. This Joint Funding Agreement covers the six early warning gages on the Nooksack River and its upper forks, plus the Jones Creek gage and the Everson overflow gage at Main Street. The Jones Creek gaging station was installed in 2009 to provide advance warning for the Acme Fire District (AFD) in responding to a debris flow event on Jones Creek. The Everson Overflow gaging station was installed in 2012 in cooperation with the City of Abbotsford, BC to help monitor and plan flood response for overflows at Everson during large flood events.

▪ **Funding Amount and Source**

The proposed Joint Funding Agreement is for a total amount of \$120,197 of which \$16,080 will be funded by the USGS including \$7,357 through Cooperative Matching Funds and \$8,723 through its Federal Priority Streamgaging Program. The FCZD will provide \$104,117, including \$98,116 from FCZD fund and \$6,001 from the Acme/VanZandt Subzone fund. The City of Abbotsford will reimburse the FCZD \$4,413 in accordance with the existing Interlocal Agreement for the Everson Overflow gaging station, thereby bringing the total FCZD contribution to this agreement to \$99,704.

▪ **Differences from Previous Contract**

This year's costs are approximately 0.4% higher than the cost of similar services provided last year.

Please contact Paula Harris at extension 6285 if you have any questions or concerns regarding the terms of this agreement.

Encl.