

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
202008054-3

| | |
|---|---|
| Originating Department: | Public Works – Equipment Services Division |
| Division/Program: <i>(i.e. Dept. Division and Program)</i> | 910/9090/909040 (Equipment Services/Facility) |
| Contract or Grant Administrator: | Eric L. Schlehuber, Equipment Services Manager |
| Contractor's / Agency Name: | Bennett Engineering, LLC |
| 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>202008054</u> | |
| Does contract require Council Approval? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____ Already approved? Council Approved Date: _____ (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100) | |
| Is this a grant agreement? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: _____ | |
| Is this contract grant funded? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, Whatcom County grant contract number(s): _____ | |
| Is this contract the result of a RFP or Bid process? Contract _____ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, RFP and Bid number(s): <u>RFQ 20-01</u> Cost Center: <u>501600</u> | |
| Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form. | |
| If YES, indicate exclusion(s) below: <input checked="" type="checkbox"/> Professional services agreement for certified/licensed professional. <input checked="" 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. | |
| Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>24,185.00</u> This Amendment Amount: \$ <u>30,850.00</u> Total Amended Amount: \$ <u>55,035.00</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. |
| Summary of Scope: Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Bennett Engineering, LLC to update the Dept of Ecology- Central Shop Industrial Stormwater Pollution Prevention Plan (SWPPP), in the amount of \$30,850.00 for a total amended contract amount of \$55,035. | |
| Term of Contract: May 1, 2021 | Expiration Date: December 31, 2022 |

| | | |
|-------------------|---|-------------------------|
| Contract Routing: | 1. Prepared by: <u>Tammy Iddings</u> | Date: <u>5/19/2021</u> |
| | 2. Attorney signoff: <u>C. Quinn</u> | Date: <u>6/7/2021</u> |
| | 3. AS Finance reviewed: <u>bbennett</u> | Date: <u>06/10/2021</u> |
| | 4. IT reviewed (if IT related): _____ | Date: _____ |
| | 5. Contractor signed: _____ ✓ | Date: <u>6-11-21</u> |
| | 6. Submitted to Exec.: _____ | Date: <u>6-22-21</u> |
| | 7. Council approved (if necessary): _____ ✓ | Date: <u>6-29-21</u> |
| | 8. Executive signed: _____ ✓ | Date: <u>6-30-21</u> |
| | 9. Original to Council: _____ ✓ | Date: <u>7-8-21</u> |

Amendment No. 3
Whatcom County Contract No. 202008054
CONTRACT BETWEEN WHATCOM COUNTY
AND
BENNETT ENGINEERING, LLC

Whatcom County Contract No.
202008054-3

This amendment of Whatcom County Contract #202008054 is made this 1st day of July, 2021, by and between Whatcom County, a municipal corporation, hereinafter referred to as the "COUNTY", and Bennett Engineering, LLC, hereinafter referred to as the "CONTRACTOR", for the purpose of providing professional services for the Dept of Ecology-Central Shop Stormwater Pollution Prevention Plan update, as more fully and definitively described in Exhibit "A" hereto. The language of Exhibit "A-2" controls in case of any conflict between it and that provided here.

This Amendment updates the Scope of Work and will increase the maximum consideration by \$30,850.00 to a total consideration of \$55,035 as follows:

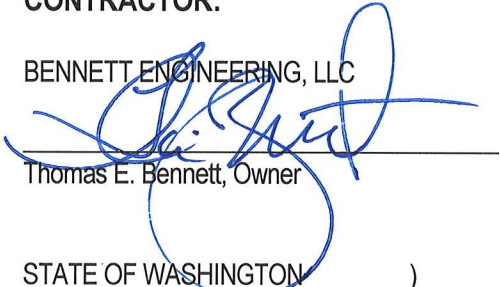
- A. Exhibits "A" shall be substituted in its entirety by Exhibit "A-2".
- B. Exhibits "B" shall be substituted in its entirety by Exhibit "B-2". The maximum consideration for the extension of this agreement shall not exceed \$30,850.00 USD, for an amended running total amount not to exceed \$55,035.00 on this contract. The contract number, set forth above, shall be included on all billings or correspondence in connection therewith.

All other terms and conditions set forth in the original agreement will remain in full force and effect.

DATED this 1st day of July, 2021.

CONTRACTOR:

BENNETT ENGINEERING, LLC



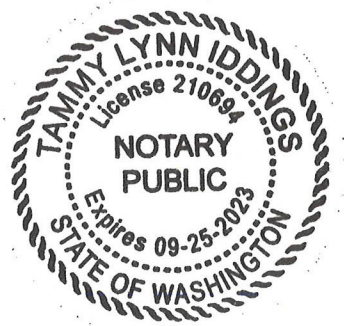
Thomas E. Bennett, Owner

STATE OF WASHINGTON)
) ss.
COUNTY OF Whatcom)

On this 11 day of June, 2021, before me personally appeared Thomas E. Bennett to me known to be the Owner of Bennett Engineering, LLC and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.



NOTARY PUBLIC in and for the State of Washington, residing at
Bellingham. My commission expires 9/25/2023.



WHATCOM COUNTY:

Recommended for Approval:

Jon Hutchings Digitally signed by Jon Hutchings
Date: 2021.06.17 15:12:57 -07'00'

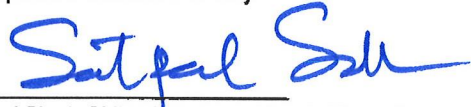
Jon Hutchings, Public Works Director _____ Date _____

Approved as to form:

Approved Via Email-CQ/TI _____ 6/17/21 _____
Christopher Quinn, Senior Prosecuting Attorney _____ Date _____

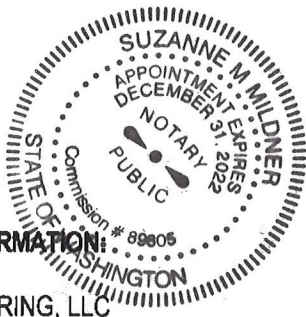
Approved:

Accepted for Whatcom County:

By: 
Satpal Singh Sidhu, Whatcom County Executive

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this 1st day of July, 2021, before me personally appeared Satpal Singh Sidhu, to me known to be the County Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.



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

CONTRACTOR INFORMATION:
BENNETT ENGINEERING, LLC

Thomas E. Bennett, Owner

Address:
2324 James Street
Bellingham, WA 98225

Mailing Address:
2324 James Street
Bellingham, WA 98225

Contact Name: Thomas E. Bennett

Contact Phone: 360-671-2600

Contact FAX: 360-428-6916

Contact Email: tomb@bennettengr.com

EXHIBIT "A-2"
(SCOPE OF WORK)

BENNETT ENGINEERING, LLC

May 14, 2021

Whatcom County Public Works Department
Equipment Services Division
901 W. Smith Road
Bellingham, WA 98226

Attn: Eric Schlehuber, Division Manager

**Re: Request for Additional Scope of Services/Budget/Term – Amendment #3
Updated Stormwater Pollution Prevention Plan (SWPPP)
Whatcom County Central Shops Facility, WC Contract #202008054-2**

Dear Eric:

Bennett Engineering, LLC (Bennett) submits this request for additional scope of services and budget under the current Whatcom County Contract #202008054-2 regarding detailed design of stormwater treatment BMPs and construction support for the Whatcom County Central Shops. The purpose of the proposed stormwater improvements is to reduce and minimize the elevated turbidity and metals concentrations in stormwater runoff from the existing bulk storage area in the southwest corner of the Site and the gravel-surfaced area located west and north of the Main Operations Building, in accordance Industrial Stormwater General Permit (ISGP) #WAR-011715. In addition, we are requesting to extend the term of the current contract to December 31, 2022.

ADDITIONAL SCOPE OF SERVICES

The additional scope of services includes the following tasks:

Task 1 Project Management

Project management includes meetings and correspondence with Whatcom County and Ecology officials, coordination with outside consultants and contractors, permit application support, and preparation of the project schedules, bid packages, and monthly progress reports. We anticipate that the Site work will be completed under a Whatcom County Land Disturbance Permit. A Construction Stormwater General Permit (CSWGP) will also be required for the project, as the total area of land disturbance will exceed 1.0 acre.

Task 2 Site Inspections/Review of Current BMPs

There are no proposed changes to the current Task 2.

Task 3 Stormwater Treatment/Structural Control BMP Evaluation

Task 3 includes developing 2 to 3 alternatives to 30% design level for evaluation by the County; preparing the civil plan set and Stormwater Site Plan Report for the proposed stormwater BMPs, in accordance with the ISGP, Whatcom County Development Standards, and 2014 Ecology Manual; stormwater modeling for the proposed BMPs using the Western Washington Hydrology Model; revising the final plan set based on comments from the County and Ecology; and preparing an Operation & Maintenance Manual for the stormwater BMPs, as required under the ISGP. The anticipated submittals include 60%, 90%, 100%, and final design documents.

2324 JAMES STREET BELLINGHAM, WA 98225
PHONE: (360) 671-2600 CELL: (360) 739-9844

May 14, 2021

**Request for Additional Scope of Services/Budget/Term – Updated SWPPP
Whatcom County Central Shops Facility**

Task 4 Updated SWPPP

Bennett prepared the Updated SWPPP for the facility in October 2020. The SWPPP will have to be revised to address the new source control and treatment BMPs implemented at the Site, and include the O&M Manual prepared under Task 3.

Task 5 Construction Support

Bennett will perform site inspections during construction of the BMPs to document the work. Task 3 also includes reviewing material submittals from the contractor, responding to requests for information, as needed, and preparing a Record Drawing Set of the completed project.

Task 6 Outside Services

Bennett will utilize Kingworks Structural Engineers for structural engineering design of the reinforced concrete bioretention vault and Project Landworks for landscaping design services for the bioretention facility. These services will be billed through Bennett at cost + 4%.

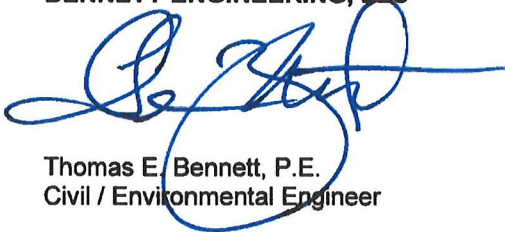
AMENDED BUDGET

The current authorized budget under Whatcom County Contract #202008054-2 is \$24,185. We propose an additional budget of \$30,850 to perform the additional scope of services, as summarized in the attached Exhibit A. If approved, the total amended budget under the contract will be \$55,035. We propose to provide our services on a time-and-expense basis, in accordance with the attached 2021 Schedule of Fees.

We appreciate the opportunity to provide our monitoring services to Whatcom County. If you have any questions, please contact Tom Bennett at 360-671-2600.

Sincerely,

BENNETT ENGINEERING, LLC



Thomas E. Bennett, P.E.
Civil / Environmental Engineer

Attachments: Exhibit A – Recommended Budget Summary – Amendment #3
2021 Schedule of Fees – Bennett Engineering, LLC

EXHIBIT "B-2"
(COMPENSATION)

The maximum consideration for the initial term of this agreement or for any renewal term shall not exceed fifty-five thousand thirty-five dollars and zero cents (\$55,035.00) including Washington State Sales Tax as summarized in the table below:

**EXHIBIT A - AMENDMENT #3
RECOMMENDED BUDGET SUMMARY**

**DETAILED SW DESIGN/CONSTRUCTION SUPPORT
WHATCOM COUNTY CENTRAL SHOPS FACILITY**

| TASK | AUTHORIZED BUDGET | RECOMMENDED BUDGET | | | AMENDED BUDGET |
|---|--------------------------------------|--------------------|------------|--------------------|--------------------|
| | THRU AMENDMENT #2 WC #202008054-2 | AMENDMENT #3 | | | |
| | | Time | Rate | Total | |
| Task 1 - Project Management | | | | | |
| Correspondence with County/Ecology | | 20 | \$125.00 | \$2,500.00 | |
| Coordination of Outside Consultants | | 6 | \$125.00 | \$750.00 | |
| Preparation/Updates of Project Schedule | | 10 | \$125.00 | \$1,250.00 | |
| Permit Application Support | | 8 | \$125.00 | \$1,000.00 | |
| Preparation of Bid Packages | | 16 | \$125.00 | \$2,000.00 | |
| Progress Reports and Invoicing | | 12 | \$125.00 | \$1,500.00 | |
| Task 1 Total | \$2,875.00 | | | \$9,000.00 | \$11,875.00 |
| Task 2 - Site Inspections/Review of Current BMPs | | | | | |
| Site Visits/Documentation of BMPs | | | | | |
| Task 2 Total | \$2,070.00 | 0 | \$125.00 | \$0.00 | \$2,070.00 |
| Task 3 - Detailed Design - SW Treatment/Structural Control BMPs | | | | | |
| Alternatives Analysis - 30% Design (2-3 Alternatives) - Project Manager | | 6 | \$125.00 | \$750.00 | |
| Alternatives Analysis - 30% Design (2-3 Alternatives) - Drafting | | 7 | \$70.00 | \$490.00 | |
| Cover Sheet/Vicinity Map/Const. Sequence | | 2 | \$70.00 | \$140.00 | |
| Existing Conditions/TESC Plan | | 3 | \$70.00 | \$210.00 | |
| Grading & Drainage Plan - SW Corner | | 24 | \$70.00 | \$1,680.00 | |
| Grading & Drainage Plan - New Pavement Area | | 16 | \$70.00 | \$1,120.00 | |
| Stormwater Site Plan - Bioretention Facility | | 16 | \$70.00 | \$1,120.00 | |
| Construction Details & Specifications | | 8 | \$70.00 | \$560.00 | |
| Grading Design/Engineering Calcs/Details/SW Model | | 8 | \$125.00 | \$1,000.00 | |
| Stormwater Site Plan Report | | 12 | \$125.00 | \$1,500.00 | |
| Operation & Maintenance Manual | | 8 | \$125.00 | \$1,000.00 | |
| Plan Review - 60%/90%/100%/Final Submittals | | 10 | \$125.00 | \$1,250.00 | |
| Drawing Revisions - 60%/90%/100%/Final Submittals | | 14 | \$70.00 | \$980.00 | |
| Task 3 Total | \$12,840.00 | | | \$11,800.00 | \$24,640.00 |
| Task 4 - SWPPP Revision | | | | | |
| SWPPP Revisions | | 10 | \$125.00 | \$1,250.00 | |
| Task 4 Total | \$6,400.00 | | | \$1,250.00 | \$7,650.00 |
| Task 5 - Construction Support | | | | | |
| Site Visits/Documentation of Project Construction | | 14 | \$115.00 | \$1,610.00 | |
| Submittal Review/Response to Contractor RFIs | | 10 | \$125.00 | \$1,250.00 | |
| Record Drawing Set | | 6 | \$70.00 | \$420.00 | |
| Task 5 Total | \$0.00 | | | \$3,280.00 | \$3,280.00 |
| Task 6 - Outside Services | | | | | |
| Structural Engineer - Kingworks Structural Engineers (w/ 4% Markup) | | 1 | \$5,200.00 | \$5,200.00 | |
| Landscape Architect - Project Landworks (w/ 4% Markup) | | 1 | \$320.00 | \$320.00 | |
| Task 6 Total | \$0.00 | | | \$5,520.00 | \$5,520.00 |
| TOTALS: | \$24,185.00 | | | \$30,850.00 | \$55,035.00 |

BENNETT ENGINEERING, LLC

PROJECT: 20018

2021 SCHEDULE OF FEES – BENNETT ENGINEERING, LLC

Charges for services provided by Bennett Engineering, LLC will be invoiced on the basis of the following schedule of fees. Billing rates for 2021 are as follows:

| PERSONNEL: | TASK CODE | RATE |
|--------------------------------|------------------|-------------|
| STAFF ENGINEER | 300..... | \$ 70.00 |
| PROJECT ENGINEER | 400..... | \$ 90.00 |
| SENIOR ENGINEER I | 500..... | \$105.00 |
| SENIOR ENGINEER II | 510..... | \$115.00 |
| PROJECT MANAGER..... | 520..... | \$125.00 |
| PRINCIPAL ENGINEER..... | 610..... | \$135.00 |
| HEARING/EXPERT TESTIMONY | 700..... | \$150.00 |

EXPENSES:

| | |
|-------------------------------|-----------|
| Subconsultant Services | Cost + 4% |
| Direct Project Expenses | Cost + 8% |

Field equipment will be charged in accordance with the following schedule:

EQUIPMENT:

| | |
|---|---------|
| Disposable Bailers, each | \$10.00 |
| Peristaltic Pump, per day..... | \$50.00 |
| Soil Sampling Equipment, per day | \$50.00 |
| Field Monitoring Equipment, per day | \$25.00 |
| Field Manometer, per day..... | \$25.00 |
| Field Filter Pump and Assembly, per day | \$50.00 |

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**



EQUIPMENT SERVICES DIVISION
901 W. Smith Road
Bellingham, WA 98226-9610
Phone (360) 778-6400
Fax (360) 778-6401
Eric Schlehuber, Division Manager

Jon Hutchings
Director

RECEIVED


MEMORANDUM

JUN 22 2021

**WHATCOM COUNTY
EXECUTIVE'S OFFICE**

To: The Honorable Satpal Singh Sidhu, County Executive and Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Public Works Director

From: Kraig Olason, PW Stormwater Program Manager
Ben Kuiken, PW Stormwater Engineer III
Eric Schlehuber, PW Equipment Services Manager 

Date: June 11, 2021

Re: Update to Central Shop Stormwater Pollution Prevention Plan (SWPPP) Contract Amendment (Whatcom County Contract #202008054), Bennett Engineering, LLC

▪ **Requested Action**

Approval requested to amend Whatcom County Contract #202008054 for Stormwater Pollution Prevention Plan Update to Central Shop, between Whatcom County and Bennett Engineering, LLC, in the amount of \$30,850 for a total amended contract amount of \$55,035.

▪ **Background and Purpose**

This agreement is intended to secure the professional services of Bennett Engineering, LLC for the purposes of the update to the Central Shop Industrial Stormwater Pollution Prevention Plan (SWPPP). The original contract provided a term of 90 days for completion for August 17, 2020 through November 16, 2020. An amendment executed on August 28, 2020 extended the term through May 31, 2021. A further amendment executed on May 7, 2021 extended the term through December 31, 2022 and increased the original contract amount to a total consideration of \$24,185. This amendment will update the scope of work and increase the consideration by \$30,850.

▪ **Funding Amount and Source**

The resulting amendment will increase the original contract by \$30,850 for a total amended contract amount of \$55,035. The funding for this contract was provided for with an approved budget transfer in April 2021.

▪ **Recommended Action**

Please approve this amendment (Whatcom County Contract #202008054-3) and forward to the County Executive and the County Council for approval at their June 29, 2021 Council meeting.

Please contact Kraig Olason at extension 6301, Ben Kuiken at extension 6303 or Eric Schlehuber at extension 6405, if you have any questions or concerns regarding the terms of this agreement.

Enclosures