

**WHATCOM COUNTY CONTRACT  
INFORMATION SHEET**

Whatcom County Contract No.

**201707029-1**

Originating Department:	Public Works
Division/Program: <i>(i.e. Dept. Division and Program)</i>	Ferry/908000
Contract or Grant Administrator:	Roland Middleton
Contractor's / Agency Name:	KPFF Consulting Engineers
Is this a New Contract?    If not, is this an Amendment or Renewal to an Existing Contract?    Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>201707029</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?    If yes, grantor agency contract number(s): _____ CFDA#: _____ Yes <input type="radio"/> No <input checked="" type="radio"/>	
Is this contract grant funded?    If yes, Whatcom County grant contract number(s): _____ Yes <input type="radio"/> No <input checked="" type="radio"/>	
Is this contract the result of a RFP or Bid process?    Contract _____ Yes <input checked="" type="radio"/> No <input type="radio"/> If yes, RFP and Bid number(s): <u>RFP #17-39</u> Cost Center: <u>444100 and CRP 919008</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: <input checked="" type="checkbox"/> Professional services agreement for certified/licensed professional. <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 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>322,119.00</u> This Amendment Amount: \$ <u>729,344.00</u> Total Amended Amount: \$ <u>1,051,463.00</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> 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: _____	
Professional Engineering Services to begin implementation of the Level of Service Action Plan for the Lummi Island Ferry.	
Term of Contract: Not to Exceed	Expiration Date: December 31, 2021

Contract Routing:	1. Prepared by: <u>Christina Schoenfelder</u>	Date: <u>7/3/2019</u>
	2. Attorney signoff: <u>Christopher Quinn</u>	Date: <u>7/5/2019</u>
	3. AS Finance reviewed: <u>bbennett</u>	Date: <u>7/10/2019</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: _____ ✓	Date: <u>7/12/19</u>
	7. Council approved (if necessary): _____ ✓	Date: <u>7-23-19</u>
	8. Executive signed: _____ ✓	Date: <u>7/24/19</u>
	9. Original to Council: _____ ✓	Date: <u>7-26-19</u>



**Washington State  
Department of Transportation**

<b>Supplemental Agreement Number</b> <u>1</u>		Organization and Address	
Original Agreement Number 201707029		KPF Consulting Engineers 1601 Fifth Avenue, Suite 1600 Seattle, WA 98101	
Project Number CRP 919008		Execution Date <u>7-24-19</u>	Completion Date December 31, 2021
Project Title Lummi Island Level of Service Analysis		New Maximum Amount Payable \$1,051,463.00	
Description of Work KPF Consulting Engineering will provide professional engineering services to support moving forward with implementing the Level of Service Action Plan as described in Whatcom County Council Resolution 2018-173A. KPF will develop a financial plan, grant applications, conceptual design for a replacement vessel, and conceptual designs for terminal modifications.			

The Local Agency of Whatcom County  
desires to supplement the agreement entered in to with KPF Consulting Engineers  
and executed on August 9, 2017 and identified as Agreement No. 201707029  
All provisions in the basic agreement remain in effect except as expressly modified by this supplement.  
The changes to the agreement are described as follows:

**I**

Section 1, SCOPE OF WORK, is hereby changed to read:  
Supplemental work shall be amended to the contract as set forth in the attached Exhibit B

**II**

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: December 31, 2021

**III**

Section V, PAYMENT, shall be amended as follows:  
The amount payable shall be increased by \$729,344.00 for a new maximum of \$1,051,463.00

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.  
If you concur with this supplement and agree to the changes as stated above, please sign in the Appropriate spaces below and return to this office for final action.

By: Andrew Bennett, PE  
  
Consultant Signature

By: Jack Louws  
County Executive  
  
Approving Authority Signature

July 24, 2019  
Date

Approved as to form:  
  
7/11/19  
Christopher Quinn Date  
Senior Civil Deputy Prosecuting Attorney

# EXHIBIT A FEE ESTIMATE

Lummi Island Ferry - LOS Analysis Implementation Support  
Scope, Budget, & Schedule Summary

Scope Elements	Deliverables	Total Budget	Schedule											
			2019			2020				2021				
			Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
<b>1 Project Management</b>	<ul style="list-style-type: none"> <li>Meeting summaries</li> <li>Monthly progress reports</li> <li>Monthly project schedule</li> <li>Presentation materials for LIFAC meetings</li> </ul>	\$ 55,707		\$15,193				\$20,257				\$20,257		
<i>Operating PM (30% of total)</i>		\$ 16,712		\$4,558				\$6,077				\$6,077		
<i>Capital PM (70% of total)</i>		\$ 38,995		\$10,635				\$14,180				\$14,180		
<b>2 - FERRY OPERATIONS</b>														
<b>Task 11 - Financing Plan</b>														
11.1 Develop Financial Scenarios	<ul style="list-style-type: none"> <li>PowerPoint presentation outlining scenarios</li> </ul>	\$ 21,627	\$ 21,627											
11.2 Community Involvement and Scenario Refinement	<ul style="list-style-type: none"> <li>Meeting materials to support LIFAC meetings and community involvement</li> </ul>	\$ 87,728		\$43,864		\$43,864								
11.3 Financial Plan and Pro Forma	<ul style="list-style-type: none"> <li>Financial Plan and Pro Forma</li> </ul>	\$ 21,814						\$17,451		\$4,363				
11.4 Expenses		\$ 1,874		\$937				\$937						
		\$ 133,043		\$66,428				\$62,252				\$4,363		
<b>Task 12 - Ferry Technology Implementation - Fare collection &amp; Performance Metrics**</b>														
12.1 Assess Technology Needs and Evaluate Investments	<ul style="list-style-type: none"> <li>Draft and Final Concept of Operations</li> </ul>	\$ -												
12.2 Prepare Technical Requirements and Cost Estimate	<ul style="list-style-type: none"> <li>Draft and Final technical requirements</li> <li>Draft and Final Cost Estimate</li> </ul>	\$ -												
12.3 Preparation of RFP Documents	<ul style="list-style-type: none"> <li>Draft and Final RFP documents, including Technical Requirements</li> </ul>	\$ -												
12.4 Pre-contract Award Services	<ul style="list-style-type: none"> <li>Pre-Proposal meeting materials</li> </ul>	\$ -												
12.5 Construction Phase Support		\$ -												
		\$ -												
	<b>Operating subtotal</b>	<b>\$ 149,755</b>		<b>\$70,986</b>				<b>\$68,329</b>				<b>\$10,440</b>		
<b>3 - CAPITAL PROJECTS</b>														
<b>Task 13 - Grant Support</b>														
13.1 Grant Matrix Update	<ul style="list-style-type: none"> <li>Grant Matrix</li> </ul>	\$ 8,879		\$8,879										
13.2 Grant Application Support	<ul style="list-style-type: none"> <li>Grant Application Materials</li> </ul>	\$ 54,628			\$9,105		\$36,419			\$9,105				
13.3 CRAB Process Support	<ul style="list-style-type: none"> <li>Draft CRAB application package</li> </ul>	\$ 27,755					\$18,503			\$9,252				
13.4 Expenses		\$ -												
		\$ 91,262		\$17,984				\$54,922				\$18,356		
<b>Task 14 - Vessel Replacement</b>														
14.1 Owner's Requirements	<ul style="list-style-type: none"> <li>Statement of Owner's Requirements</li> <li>Draft Propulsion System Selection Study</li> <li>Presentation materials for one LIFAC meeting</li> </ul>	\$ 51,509	\$51,509											
14.2 Concept Design	<ul style="list-style-type: none"> <li>Concept Design documents</li> </ul>	\$ 188,741		\$188,741										
14.3 Contract Design**	<ul style="list-style-type: none"> <li>Contract Design documents</li> </ul>	\$ -												
14.4 Public Meeting Attendance		\$ 8,772		\$8,772										
14.4 Expenses		\$ 1,511		\$1,511										
		\$ 250,533		\$250,533										
<b>Task 15 - Terminal Modifications</b>														
15.1 Concept Design for Lummi Island Dolphin Replacement Design	<ul style="list-style-type: none"> <li>Draft and Final Basis of Design memo and plan drawing</li> <li>Draft and Final 30% drawings, ROM cost estimate, specifications outline and JARPA drawings</li> </ul>	\$ 109,239			\$27,310		\$81,929							
15.2 Concept Design for Terminal Mods for Vessel	<ul style="list-style-type: none"> <li>Draft and Final Basis of Design memo and plan drawing</li> <li>Draft and Final concept drawings, concept-level cost estimate</li> <li>Memo summarizing capacity check of existing structures</li> </ul>	\$ 89,560			\$22,390		\$67,170							
15.3 Contract Design for Upland modifications at Lummi Island**		\$ -												
15.4 Expenses		\$ -	0	0	\$ -									
	<b>Task 15 Subtotal</b>	<b>\$ 198,799</b>		<b>\$49,700</b>				<b>\$149,099</b>						
	<b>Capital subtotal</b>	<b>\$ 579,589</b>		<b>\$328,851</b>				<b>\$218,201</b>				<b>\$32,536</b>		
	<b>Estimated total effort by year</b>			<b>\$399,837</b>				<b>\$286,531</b>				<b>\$42,976</b>		
				<b>Operating \$ 70,986</b>				<b>Operating \$ 68,329</b>				<b>Operating \$ 10,440</b>		
				<b>Capital \$ 328,851</b>				<b>Capital \$ 218,201</b>				<b>Capital \$ 32,536</b>		
				<b>2019 Total \$ 399,837</b>				<b>2020 Total \$ 286,531</b>				<b>2021 Total \$ 42,976</b>		

\*\* Tasks not included in this amendment, will be addressed in future scope

LOS Analysis  
Implementation Support  
Consultant Fee Estimate  
Summary

Summary		Category and Hours			Fee
		KPFF	EBDG	Progressions	
Task	Description				
<b>1 - PROJECT MANAGEMENT</b>					
	<b>Monthly Project Management</b>				
10.0	Contract management, subconsultant coordination, preparation of invoicing and progress reports, team check-in meetings and meeting notes for 2 year period	\$ 55,029	\$ -	\$ -	\$ 55,029
	Expenses	\$ 678	\$ -	\$ -	\$ 678
		\$ 55,707	\$ -	\$ -	\$ 55,707
<b>2 - FERRY OPERATIONS</b>					
	<b>11.0 Financing Plan</b>				
11.1	Develop Financial Scenarios	\$ 7,677	\$ -	\$ 13,950	\$ 21,627
11.2	Community Involvement and Scenario Refinement	\$ 59,828	\$ -	\$ 27,900	\$ 87,728
11.3	Financial Plan and Pro Forma	\$ 6,314	\$ -	\$ 15,500	\$ 21,814
11.4	Expenses	\$ 1,017	\$ -	\$ 857	\$ 1,874
	<b>Subtotal</b>	\$74,836	\$0	\$58,207	\$ 133,043
12.0	Ferry Technology Implementation - Fare Collection and Performance Metrics				
12.1	Assess Technology Needs and Evaluate Investments	\$ -	\$ -	\$ -	\$ -
12.2	Prepare Technical Requirements and Cost Estimate	\$ -	\$ -	\$ -	\$ -
12.3	Preparation of RFP Documents	\$ -	\$ -	\$ -	\$ -
12.4	Pre-contract Award Services	\$ -	\$ -	\$ -	\$ -
12.5	Construction Phase Support	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
	<b>Subtotal</b>				
<b>3 - CAPITAL PROJECTS</b>					
	<b>13.0 Grant Support</b>				
13.1	Grant Matrix Update	\$ 2,679	\$ -	\$ 6,200	\$ 8,879
13.2	Grant Application Support	\$ 48,428	\$ -	\$ 6,200	\$ 54,628
13.3	CRAB Process Support	\$ 15,355	\$ -	\$ 12,400	\$ 27,755
13.4	Expenses	\$ -	\$ -	\$ -	\$ -
		\$ 66,462	\$ -	\$ 24,800	\$ 91,262
	<b>14.0 Vessel Replacement</b>				
14.1	Owner's Requirements	\$ 5,108	\$ 46,401	\$ -	\$ 51,509
14.2	Concept Design	\$ 10,144	\$ 178,597	\$ -	\$ 188,741
14.3	Contract Design**	\$ -	\$ -	\$ -	\$ -
-	Public Meeting Attendance	\$ 5,539	\$ 3,233	\$ -	\$ 8,772
14.4	Expenses	\$ 678	\$ 833	\$ -	\$ 1,511
		\$ 21,469	\$ 229,064	\$ -	\$ 250,533
	<b>15.0 Terminal Modifications</b>				
15.1	Concept Design for Lummi Island Dolphin Replacement Design	\$ 99,795	\$ 9,444	\$ -	\$ 109,239
15.2	Concept Design for Terminal Mods for Vessel	\$ 80,116	\$ 9,444	\$ -	\$ 89,560
15.3	Contract Design for Upland modifications at Lummi Island**	\$ -	\$ -	\$ -	\$ -
15.4	Expenses	\$ -	\$ -	\$ -	\$ -
	<b>Subtotal</b>	\$ 179,911	\$ 18,888	\$ -	\$ 198,799
	<b>Total</b>	\$ 398,385	\$ 247,952	\$ 83,007	\$ 729,344

**KPFF Consulting Engineers**  
**CONSULTANT FEE DETERMINATION**  
**SUMMARY OF COST**

Overhead (OH) Cost	133.21%
Fixed Fee (FF)	30.00%

Classification	Direct Hourly Rate	Total Hours	X	Negotiated Hourly Rate	=	Cost
Director	\$99.81	270.00	X	\$262.71	=	\$70,931.67
Technical Specialist	\$84.73	0.00	X	\$223.02	=	\$0.00
Principal	\$65.77	46.00	X	\$173.11	=	\$7,963.21
Senior Engineer	\$66.01	302.00	X	\$173.74	=	\$52,470.97
Project Engineer	\$54.00	450.00	X	\$142.13	=	\$63,960.03
CAD	\$50.31	232.00	X	\$132.42	=	\$30,721.66
Senior Planner	\$55.96	140.00	X	\$147.29	=	\$20,620.92
Project Manager	\$46.44	610.00	X	\$122.23	=	\$74,563.18
Assistant Project Manager	\$35.19	528.00	X	\$92.62	=	\$48,905.26
Graphics	\$40.96	240.00	X	\$107.81	=	\$25,874.60
Project Coordinator	\$33.00	0.00	X	\$86.86	=	\$0.00
Project Assistant	\$24.09	0.00	X	\$63.41	=	\$0.00
				<b>Subtotal</b>		<b>\$396,011.50</b>

**Reimbursables**

Mileage	(2,884 Miles x \$0.58/mile)	\$1,672.72
Reprographics	(## Sheets x \$X.xx/sheet)	
Subcontract	(Sub Name & Task)	
Meals	(Allowance)	\$700.00
(Blank)	(Blank)	
(Blank)	(Blank)	
<b>Subtotal</b>		<b>\$2,372.72</b>

<b>GRAND TOTAL:</b>	<b>\$398,384.22</b>
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LOS Analysis  
Implementation Support  
Consultant Fee Estimate

KPFF		Category and Hours												2.63
		DIR	Tech Sp	Princ	SN Eng	Prj Eng	CAD	Sn Plnr	PM	GFX	Asst PM	PLN		DSC+OH Mult
Task	Description	\$ 99.81	\$ 84.73	\$ 85.77	\$ 66.01	\$ 54.00	\$ 50.31	\$ 55.95	\$ 46.44	\$ 40.98	\$ 35.19			Fee
<b>1 - PROJECT MANAGEMENT</b>														
-														
10.0	Contract management, subconsultant coordination, preparation of invoicing and progress reports, team check-in meetings and meeting notes for 2 year period	60.0							200.0		160.0			\$ 55,029
-	Expenses													\$ 678
	<b>Subtotal</b>	<b>60.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>200.0</b>	<b>0.0</b>	<b>160.0</b>	<b>0.0</b>	<b>0.0</b>	<b>\$ 55,707</b>
<b>2 - FERRY OPERATIONS</b>														
<b>11.0 Financing Plan</b>														
11.1	Develop Financial Scenarios	8.0						12.0	16.0		20.0			\$ 7,677
11.2	Community Involvement and Scenario Refinement	56.0						40.0	112.0	120.0	136.0			\$ 59,828
11.3	Financial Plan and Pro Forma	8.0						12.0	20.0					\$ 6,314
11.4	Expenses													\$ 1,017
	<b>Subtotal</b>	<b>72.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>64.0</b>	<b>148.0</b>	<b>120.0</b>	<b>156.0</b>	<b>0.0</b>	<b>0.0</b>	<b>\$ 74,836</b>
<b>12.0 Ferry Technology Implementation - Fare Collection and Performance Metrics</b>														
12.1	Assess Technology Needs and Evaluate Investments													\$ -
12.2	Prepare Technical Requirements and Cost Estimate													\$ -
12.3	Preparation of RFP Documents													\$ -
12.4	Pre-contract Award Services													\$ -
12.5	Construction Phase Support													\$ -
-		0												\$ -
	<b>Subtotal</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>\$ -</b>
<b>3 - CAPITAL PROJECTS</b>														
<b>13.0 Grant Support</b>														
13.1	Grant Matrix Update							4.0	8.0		12.0			\$ 2,679
13.2	Grant Application Support	24.0						48.0	90.0	120.0	120.0			\$ 48,428
13.3	CRAB Process Support	16.0						24.0	32.0		40.0			\$ 15,355
13.4	Expenses													\$ -
	<b>Subtotal</b>	<b>40.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>76.0</b>	<b>130.0</b>	<b>120.0</b>	<b>172.0</b>	<b>0.0</b>	<b>0.0</b>	<b>\$ 66,462</b>
<b>14.0 Vessel Replacement</b>														
14.1	Owner's Requirements	12.0							16.0					\$ 5,108
14.2	Concept Design	20.0							40.0					\$ 10,144
14.3	Contract Design**													\$ -
-	Public Meeting Attendance	8.0							16.0		16.0			\$ 5,539
14.4	Expenses													\$ 678
	<b>Subtotal</b>	<b>40.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>72.0</b>	<b>0.0</b>	<b>16.0</b>	<b>0.0</b>	<b>0.0</b>	<b>\$ 21,469</b>
<b>15.0 Terminal Modifications</b>														
15.1	Concept Design for Lummi Island Dolphin Replacement Design	30.0		16.0	200.0	282.0	72.0		30.0		12.0			\$ 99,795
15.2	Concept Design for Terminal Mods for Vessel	28.0		30.0	102.0	168.0	160.0		30.0		12.0			\$ 80,116
15.3	Contract Design for Upland modifications at Lummi Island**													\$ -
15.4	Expenses													\$ -
	<b>Subtotal</b>	<b>58.0</b>	<b>0.0</b>	<b>46.0</b>	<b>302.0</b>	<b>450.0</b>	<b>232.0</b>	<b>0.0</b>	<b>60.0</b>	<b>0.0</b>	<b>24.0</b>	<b>0.0</b>	<b>0.0</b>	<b>\$ 179,911</b>
	<b>Total</b>	<b>270</b>	<b>-</b>	<b>46</b>	<b>302</b>	<b>450</b>	<b>232</b>	<b>140</b>	<b>610</b>	<b>240</b>	<b>528</b>	<b>-</b>	<b>-</b>	<b>\$ 398,385</b>

Direct Cost Worksheet				
Description	Qty	Unit	Cost	
Airfare		r/t	\$ 800	\$ -
Hotel		night	\$ 225	\$ -
Mileage	103	miles	\$ 0.58	\$ 1,673
Meals	14	day	\$ 50	\$ 700
Misc		ls	\$ 200	\$ -
				\$ -
Expense Subtotal:				\$ 2,373
Expense per trip				\$ 169.48



**Washington State  
Department of Transportation**

Transportation Building  
310 Maple Park Avenue S.E.  
P.O. Box 47300  
Olympia, WA 98504-7300  
360-705-7000  
TTY: 1-800-833-6388  
www.wsdot.wa.gov

September 27, 2018

Marci Monroe-Jones, VP of Finance  
KPFF, Inc.  
1601 Fifth Ave, Ste 1600  
Seattle, WA 98101-3665

Dear Ms. Monroe-Jones:

We have performed a cognizant review of the audit, and supporting workpapers, of the KPFF, Inc. Statement of Direct Labor, Fringe Benefits, and General Overhead for the year ended 4/30/2018 in accordance with our role as Cognizant Agency as defined in 23 U.S.C. 112(b)(2)(c) and 23 CFR 172.3 and 172.7. Clark Nuber, P.S. performed the audit. The CPA represented that the audit was conducted in accordance with the *Government Auditing Standards*, as promulgated by the Comptroller General of the United States of America, and the audit was designed to determine that the indirect cost rate was established in accordance with Cost Principles contained in the Federal Acquisition Regulation, 48 CFR Part 31. We performed our cognizant review in accordance with the *AASHTO Review Program for CPA Audits of Consulting Engineers' Indirect Cost Rates*.

In connection with our cognizant review, nothing came to our attention that caused us to believe that the audit, and supporting workpapers for the Statement of Direct Labor, Fringe Benefits, and General Overhead, and the related Auditor's Reports, we reviewed did not conform in all material respects to the aforementioned regulations and auditing standards. Accordingly, we recommend acceptance of the following rates:

Home Rate: 133.00%  
Home Facilities Capital Cost of Money: 0.21%  
Field Rate: 100.52%  
Field Facilities Capital Cost of Money: 0.04%

Sincerely,



Schatzie Harvey  
Agreement Compliance Audit Manager

cc: Steve McKerney, Director of Internal Audit  
Jeri Sivertson, Assistant Director of Internal Audit  
Erik Jonson, Contracting Services Manager  
File

## Certification of Final Indirect Costs

Firm Name: KPFF, INC.

Indirect Cost Rate Proposal: HOME RATE: 133.21% FIELD RATE: 100.56%

Date of Proposal Preparation (mm/dd/yyyy): 9/14/2018

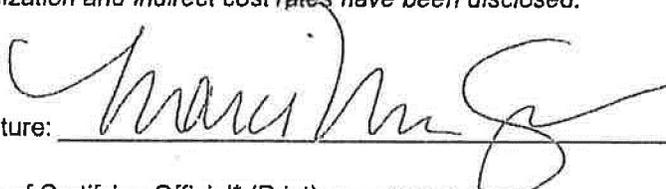
Fiscal Period Covered (mm/dd/yyyy to mm/dd/yyyy): 5/1/2017-4/30/2018

*I, the undersigned, certify that I have reviewed the proposal to establish final indirect cost rates for the fiscal period as specified above and to the best of my knowledge and belief:*

*1.) All costs included in this proposal to establish final indirect cost rates are allowable in accordance with the cost principles of the Federal Acquisition Regulations (FAR) of title 48, Code of Federal Regulations (CFR), part 31.*

*2.) This proposal does not include any costs which are expressly unallowable under the cost principles of the FAR of 48 CFR 31.*

*All known material transactions or events that have occurred affecting the firm's ownership, organization and indirect cost rates have been disclosed.*

Signature:  \_\_\_\_\_

Name of Certifying Official\* (Print): Marci Monroe-Jones

Title: Vice President of Finance

Date of Certification (mm/dd/yyyy): 9/14/2018

\*The "Certifying Official" must be an individual executive or financial officer of the firm at a level no lower than a Vice President or Chief Financial Officer, or equivalent, who has the authority to represent the financial information utilized to establish the indirect cost rate for use under Agency contracts.

Ref. FHWA Directive 4470.1A available on line at:  
<http://www.fhwa.dot.gov/legsregs/directives/orders/44701a.htm>







STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

March 18, 2019

Mr. Peter Tarabochia  
Vice President, Chief Financial Officer  
Elliott Bay Design Group – North Carolina, PLLC  
5305 Shilshole Avenue NW Suite 100  
Seattle WA 98107

RE: Approved Overhead Rate and Certification of Costs for FYE 12-31-18

Dear Mr. Tarabochia:

North Carolina DOT has reviewed the FYE 12-31-18 Indirect Cost Schedule as performed by the you and Certification of Final Indirect Costs.

The following rates are approved for FYE 12-31-18:

**Home Rate 152.94%**

North Carolina DOT approved these rates after performing a Risk Assessment.

Acceptance of your overhead rates does not constitute “establishment of a rate by a cognizant agency” for the purposes of applying the rules published in Title 23, CFR §172.7. NCDOT retains the right to audit the above rates or adjust them should a cognizant approval occur after this date. This approval letter was prepared for, and is intended for the use of NCDOT and its subrecipients. This letter will be provided to other governmental entities upon request, in accordance with 23 U.S.C. §112(b)(2)(E).

As a reminder, audit reports or indirect cost schedules must be certified and submitted annually within 180 days of the end of the firm’s fiscal year.

If you have any questions or need additional information, please do not hesitate to contact me at 919-707-4582 or by e-mail at [lwraynor@ncdot.gov](mailto:lwraynor@ncdot.gov).

Sincerely,

A handwritten signature in cursive script that reads "Lonneta Raynor".

Lonneta Raynor, Manager  
Consultant, Utility, Rail and Turnpike

*Mailing Address:*  
NC DEPARTMENT OF TRANSPORTATION  
OFFICE OF INSPECTOR GENERAL – C.U.R.T  
1507 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1507

*Telephone:* (919) 707-4582  
*Fax:* (919) 715-2710  
*Customer Service:* 1-877-368-4968

*Website:* [www.ncdot.gov](http://www.ncdot.gov)

*Location:*  
1 SOUTH WILMINGTON STREET  
RALEIGH, NC 27601

**EXHIBIT G-1**  
**Progressions**  
**CONSULTANT FEE DETERMINATION**  
**SUMMARY OF COST**  
**ENTER PROJECT NAME HERE**

Overhead (OH) Cost 0.00%  
 Fixed Fee (FF) 0.00%

Classification	Direct Hourly Rate	Total Hours	X	Negotiat ed Hourly Rate	=	Cost
Principal	\$155.00	530.00	X	\$155.00	=	\$82,150.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
			X		=	\$0.00
				Subtotal		\$82,150.00

Reimbursables		
Mileage	(960 Miles x \$0.58/mile)	\$556.80
Reprographics	(## Sheets x \$X.xx/sheet)	
Subcontract	(Sub Name & Task)	
Meals	(Allowance)	\$300.00
(Blank)	(Blank)	
(Blank)	(Blank)	
<b>Subtotal</b>		<b>\$856.80</b>

<b>GRAND TOTAL:</b>	<b>\$83,006.80</b>
---------------------	--------------------

LOS Analysis  
Implementation Support  
Consultant Fee Estimate

Progressions		Category and Hours											1.00	
Task	Description	Principal												DSC+OH Mult
		\$ 155.00												Fee
<b>1 - PROJECT MANAGEMENT</b>														
-														
10.0	Contract management, subconsultant coordination, preparation of invoicing and progress reports, team check-in meetings and meeting notes for 2 year period													\$ -
-	Expenses													\$ -
	<b>Subtotal</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
<b>2 - FERRY OPERATIONS</b>														
<b>11.0 Financing Plan</b>														
11.1	Develop Financial Scenarios	90.0												\$ 13,950
11.2	Community Involvement and Scenario Refinement	180.0												\$ 27,900
11.3	Financial Plan and Pro Forma	100.0												\$ 15,500
11.4	Expenses													\$ 857
	<b>Subtotal</b>	370.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ 58,207
<b>12.0 Ferry Technology Implementation - Fare Collection and Performance Metrics</b>														
12.1	Assess Technology Needs and Evaluate Investments													\$ -
12.2	Prepare Technical Requirements and Cost Estimate													\$ -
12.3	Preparation of RFP Documents													\$ -
12.4	Pre-contract Award Services													\$ -
12.5	Construction Phase Support													\$ -
-		0												\$ -
	<b>Subtotal</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
<b>3 - CAPITAL PROJECTS</b>														
<b>13.0 Grant Support</b>														
13.1	Grant Matrix Update	40.0												\$ 6,200
13.2	Grant Application Support	40.0												\$ 6,200
13.3	CRAB Process Support	80.0												\$ 12,400
13.4	Expenses													\$ -
	<b>Subtotal</b>	160.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ 24,800
<b>14.0 Vessel Replacement</b>														
14.1	Owner's Requirements													\$ -
14.2	Concept Design													\$ -
14.3	Contract Design**													\$ -
-	Public Meeting Attendance													\$ -
14.4	Expenses													\$ -
	<b>Subtotal</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
<b>15.0 Terminal Modifications</b>														
15.1	Concept Design for Lummi Island Dolphin Replacement Design													\$ -
15.2	Concept Design for Terminal Mods for Vessel													\$ -
15.3	Contract Design for Upland modifications at Lummi Island**													\$ -
15.4	Expenses													\$ -
	<b>Subtotal</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
	<b>Labor Total</b>	530	-	-	-	-	-	-	-	-	-	-	-	\$ 83,007

Direct Cost Worksheet				
Description	Qty	Unit	Cost	
Airfare		r/t	\$ 800	\$ -
Hotel		night	\$ 275	\$ -
Mileage	960	miles	\$ 0.58	\$ 557
Meals	3	day	\$ 100	\$ 300
Misc		ls	\$ 200	\$ -
				\$ -
Expense Subtotal:				\$ 857

Date 2/13/18

<b>Company Name:</b>	Progressions
<b>Address:</b>	1919 North Anderson Street
<b>City/ State/ Zip</b>	Tacoma, WA 98406

ICR	Fixed Fee
1.1	0.3

Subject: Safe Harbor Hourly Rate Statement

Attention: Manager, Consultant Services Office

Below are the highest anticipated hourly billing rates for the identified labor classifications.

Progressions certifies they have an accounting system that contains separate accounts or sub-accounts for unallowable costs in accordance with FAR (48 CFR Part 31), and the capacity to track direct costs that are allocable directly to projects.

Progressions also certifies they have a labor- charging/ time keeping system that is complete and sufficiently detailed to allow for a proper determination of direct and indirect labor costs.

Labor Classification	Labor Rate	Indirect Cost Rate	Fixed Fee	NTE Rate	Add Row
Principal	\$64.59	\$71.05	\$19.38	\$155.02	Delete Row

Respectfully,

Signature

*Carla Leigh Sawyer*

Title

*Principal*



Transportation Building  
310 Maple Park Avenue S.E.  
P.O. Box 47300  
Olympia, WA 98504-7300  
360-705-7000  
TTY: 1-800-833-6388  
www.wsdot.wa.gov

February 12, 2018

Carla Sawyer, Owner  
Progressions  
1919 N. Anderson St  
Tacoma, WA 98406-7011

Re: Progressions  
Safe Harbor Indirect Cost Rate

Dear Ms. Sawyer:

Washington State has received approval from our local Federal Highway Administration (FHWA) Division to continue administering the "safe harbor" indirect cost rate program on engineering and design related service contracts, as well as for Local Public Agency projects.

We have completed our risk assessment for Progressions. We conducted our assessment based on the documentation provided by the firm. The reviewed data included, but was not limited to, a description of the company, basis of accounting, accounting system and the basis of indirect costs. Based on our review, your firm is eligible to use the Safe Harbor rate. You have opted to use the Safe Harbor rate, rather than provide a FAR-compliant rate at this time.

We are issuing the Safe Harbor Indirect Cost Rate of 110% of direct labor with a field rate, where applicable, of 80% of direct labor for Progressions. The Safe Harbor rate is effective on February 8, 2018.

Progressions has agreed to improve Internal Controls and timekeeping processes in order to be able to develop an Indirect Cost Rate Schedule in the future in accordance with the Federal Acquisition Regulations (FAR), Subpart 31. The WSDOT Internal Audit Office has provided guidance and information related to FARs and the AASHTO Audit Guide. You may use the Safe Harbor Rate of 110%, or 80% for field office situations, for agreements entered into prior to February 12, 2021. For agreements entered into after this date, please contact the WSDOT Consultant Services Office (CSO) or our office for guidance.

The Safe Harbor Rate will not be subject to audit. Please coordinate with CSO or your Local Programs contact if you have questions about when to apply the Safe Harbor rate to your agreement.

If you have any questions, please contact me, Jeri Sivertson, or Steve McKerney at (360)705-7003.

Sincerely,

  
Schatzie Harvey  
Agreement Compliance Audit Manager

cc: Steve McKerney, Director of Internal Audit  
Jeri Sivertson, Assistant Director of Internal Audit  
Larry Schofield, MS 47323  
File

CERTIFICATION OF FINAL INDIRECT COSTS – FOR A SAFE HARBOR INDIRECT COST RATE

Firm Name: Progressions

*I, the undersigned, certify that I have reviewed the proposal to establish the Safe Harbor rate.*

*The firm is electing to use the SAFE HARBOR INDIRECT COST RATE of 110% of direct labor with a field rate, when applicable, of 80% of direct labor. To the best of my knowledge and belief:*

- a) The firm has not had a FAR compliant indirect cost rate previously accepted by any other state agency.*
- b) The firm will provide reports as required by the SAFE HARBOR RATE program on their progress toward compliance with the cost principles of the Federal Acquisition Regulations (FAR) of title 48, Code of Federal Regulations (CFR), part 31.*

*All known material transactions or events that have occurred affecting the firm's ownership, organization and prior & current indirect cost rates have been disclosed.*

*The firm agrees to follow the 'Path to Compliance". Steps noted below:*

*The Pathway must include:*

- A timekeeping system which includes the Internal Controls described in chapter 6 of AASHTO*
- An accounting system which separates indirect costs and direct costs*
- An accounting system which separates allowable and unallowable cost*
- A compliant job cost system which is general ledger driven*
- Training for accounting personnel and key management on Part 31 of the Federal Acquisition Regulations, Contract Cost Principles and Procedures*
- A strong written internal control policy with a policy and procedures manual*

\*Signature:



\*Name of Certifying Official (Print): Carla Leigh Sawyer

\*Title: Principal & Owner

Date of Certification (mm/dd/yyyy): 02/07/2018

\*Note: This form is to be completed by an individual executive or financial officer of the consultant at a level no lower than a Vice President or Chief Financial Officer, or equivalent, who has the authority to represent the financial information utilized to establish the indirect cost rate proposal submitted in conjunction with the agreement.

# EXHIBIT B

## SCOPE OF WORK

### **Background**

As a result of the Resolution 2018-173A, Whatcom County Public Works and the Lummi Island Ferry Advisory Committee (LIFAC) are moving forward with implementing the Level of Service Action Plan. The action plan includes obtaining funding, designing and constructing a new vessel to replace the Whatcom Chief as well as completing terminal modifications to meet the desired level of service. The KPFF team has been asked to support Whatcom County and LIFAC in this effort.

Based on our understanding of the project and our work to date with LIFAC, we prepared the following scope of services.

### **Scope of Services**

The scope is organized by the sources of funding—operating budgets and capital budgets. Project management of the overall contract is identified as a separate task.

#### *1. Project Management*

Project management includes client check-ins, coordination with subconsultants, and managing scope, schedule and budget. KPFF will coordinate weekly with subconsultants that are actively working on the project.

#### **Task 10 (task numbering continued from original contract)**

##### ***Assumptions***

- Project extends through 12/31/2021 (30 months)
- Bi-weekly check in with Whatcom County team
- Weekly coordination with subconsultants who have ongoing work
- Prepare for and attend up to four (4) LIFAC meetings
- Effort for this task will be divided between the capital and operating tasks budgets where 30% will be billed to Capital and 70% will be billed to Operations.

##### ***Deliverables***

- Meeting agendas and summaries
- Monthly progress reports
- Monthly project schedule
- Presentation materials for LIFAC meetings

## 2. Operations

Ferry operations support will include the financing plan, technology implementation and the Gooseberry Point Subarea Plan. The tasks, following the number scheme of the original contract, assumptions and deliverables are outlined in the following sections.

### **Task 11: Financing Plan**

One of the first steps in moving forward with the action plan is to develop a financing plan. This plan outlines a path forward based on the cost estimates of capital projects, grant requirements and opportunities, funding sources the County is eligible for. The following subtasks are associated with the financing plan:

#### **11.1 Develop Financial Scenarios**

- Conduct up to three conference calls with Whatcom County to discuss potential funding options.
- Develop up to four (4) funding scenarios, one including formation of a Ferry District.

#### **11.2 Community Involvement and Scenario Refinement**

- Develop presentation materials for up to four (4) LIFAC meetings and two (2) public workshops.
- Prepare for and attend up to four (4) LIFAC meetings and two (2) public workshops.
- Refine up to three funding scenarios based on feedback from LIFAC and community.

#### **11.3 Financial Plan Summary and Pro Forma**

- Adjust financing strategy based on cost estimates of capital projects.
- Based on recommended funding scenario from Task 11.2, prepare financial plan summary and Pro Forma.

#### ***Task 11 Assumptions***

- Does not include a legal analysis of the funding options
- KPFF Team will respond to up to three (3) public comments as determined by LIFAC

#### ***Task 11 Deliverables***

- PowerPoint presentation outlining scenarios
- Meeting materials to support LIFAC meetings and community involvement
- Financial Plan and Pro Forma

### **Task 12: Ferry Technology Implementation – Fare Collection and Performance Metrics**

*This task will be scoped in a future supplemental request.*

### *3. Capital*

Capital project support will include grant support services, vessel replacement design and support, and terminal design support. The tasks, assumptions and deliverables are outlined in the following sections.

#### **Task 13: Grant Support**

The vessel and terminal modifications require capital funds. This task includes supporting Whatcom County in identifying available funds, preparing grant applications and assisting in the CRAB process. The following subtasks outline these efforts:

##### **13.1 Grant Matrix Update**

- Communicate with grant administrators for information and eligibility.
- Develop grant matrix including estimated probabilities.

##### **13.2 Grant Application Support**

- Develop grant application materials for up to three grants (BUILD Grant, Volkswagen Federal Action Grant, etc.).

##### **13.3 County Ferry Capital Improvement Program (CFCIP) Process Support**

- Coordinate submittal materials directly with County Road Advisory Board (CRAB), administrator of the CFCIP.
- Attend up to four (4) meetings with CRAB via conference call.
- Develop questions for Whatcom County legal review.

#### **Task 13 Assumptions**

- Whatcom County will provide project information necessary to support grant materials.
- KPFF will develop graphics to support grant applications.
- Current scope does not include economic modeling support if needed.

#### **Task 13 Deliverables**

- Grant Matrix
- Grant Application Materials
- Draft CRAB Application Package

#### **Task 14: Vessel Replacement Design**

The vessel concept design will be developed as part of this effort. This includes understanding the owner's requirements and developing the concept design. In addition, there will be community outreach efforts to gather input from the community on the vessel design. These efforts are outlined in the following subtasks:

##### **14.1 Owner's Requirements**

- Vessel Replacement project kick-off meeting to establish a Statement of Owner's Requirements.
- Development of a Propulsion System Selection Study that will develop four propulsion configuration options in greater detail than previously evaluated. Each option will be evaluated against weighted criteria including capital cost, operational cost, energy conception, reliability, and the "green factor."
- Present evaluation of propulsion systems to LIFAC and community for feedback.

#### **14.2 Concept Design**

- Based on the Statement of Owner's requirements and the propulsion system selected, the concept Design will be developed in coordination with Whatcom County, including draft and final Concept Design documents.
- KPFF update LIFAC on design process in the monthly meetings.

#### **14.3 Contract Design**

*This subtask will be scoped in a future supplemental request.*

#### **Task 14 Assumptions**

- Consultant team to coordinate with Whatcom County on status and design of other programmed capital projects like the Whatcom Chief overhaul schedule that is outside of this scope to ensure future capital projects accurately reflect these investments.
- Whatcom County will provide drawings of the terminals, including bathymetric data, which will be relied upon to develop terminal interface requirements.
- The Terminal Interface Plan will assume the vessel will operate in the existing terminals with existing operational limits.
- The vessel will not be classed by the American Bureau of Shipping (ABS) or any other classification society, though ABS Rules for Building and Classing Steel Vessels Under 90 m will be used as guidance for the structural design.
- Whatcom County current level of communication and cooperation will remain as it has been throughout the existing project.
- EBDG reserves the right to negotiate additional fees should significant changes to the design be requested after acceptance of the concept design.
- One round of review is included for each review cycle listed in the Scope of Work. Additional fees may apply if significant changes are requested to the design during these review cycles.
- EBDG shall not accept liability for construction costs incurred prior to class/regulatory approval of the design. Any stamped drawings are subject to change until they receive regulatory approval.
- Fee quotation includes travel time for three on-site meetings at the Whatcom County office. EBDG reserves the right to negotiate added fees should additional on-site meetings be requested.
- Items not identified in the scope of this proposal that would normally be completed as part of a detailed design effort in support of vessel construction and delivery.

#### **Task 14 Deliverables**

- Statement of Owner's Requirements
- Draft Propulsion System Selection Study
- Presentation materials for one LIFAC meeting
- Concept Design documents

#### **Task 15: Terminal Modifications**

As part of the vessel replacement project, the marine structures will need to be modified. This effort includes conceptual design for timber dolphin replacement at the Lummi Island terminal as well as concept design for marine structure modifications necessary to accept the new vessel. Future efforts like design of Lummi Island upland improvements will be addressed in a supplemental request.

**15.1 Lummi Island Dolphin Replacement Design**

Three timber dolphins at the Lummi Island terminal have reached the end of their design life. KPFF will prepare a permit-ready conceptual design for replacement dolphins that will accommodate both the Whatcom Chief and the new vessel.

- Work with Whatcom County to establish Basis of Design for dolphins
- Develop design to 30% level

**15.2 Concept Design for Terminal Modifications for Vessel**

All existing marine structures (wingwalls, dolphins, and proposed breakwater), with the exception of the timber dolphins being replaced at the Lummi Island terminal, will need modifications to accommodate the new vessel. KPFF will also assess the potential need for additional structures to accommodate vessel.

- Work with Whatcom County to establish Basis of Design for terminal modifications, based on vessel design concept
- Capacity check of existing dolphins and wingwalls
- Qualitative assessment of proposed breakwater length
- Develop design to concept level
- Refine ROM cost estimate for Lummi Island Terminal Upland Improvements

**15.3 Contract Design for Terminal Modifications for Lummi Island Uplands**

*This task will be addressed in a future supplemental request.*

**Task 15 Assumptions**

- Sufficient geotechnical data is available for pile design.
- A contract amendment will be necessary if additional geotechnical analysis is necessary for design.
- As-built records for the existing dolphins are available.
- Preliminary geometry, weight and berthing speeds will be available for the existing and new vessels.
- Permitting will be conducted by Whatcom County, and permitting staff will be available for discussion and input on design.
- Includes one coordination meeting with permit team for design team to provide project details to include in permit information. No wave analysis or coast engineering recommendations will be prepared to support the breakwater length recommendation.

**Task 15 Deliverables**

- Dolphin Replacement:
  - Draft and Final Basis of Design memo and plan drawing
  - Draft and Final 30% drawings, cost estimate, specifications outline and JARPA drawings
- Terminal Modifications for Vessel:
  - Draft and Final Basis of Design memo and plan drawing
  - Draft and Final concept drawings, concept-level cost estimate
  - Memo summarizing capacity check of existing structures



Jon Hutchings  
Director

ADMINISTRATION  
CIVIC CENTER  
322 N. Commercial Street, Ste 210  
Bellingham, WA 98225-4042  
Phone: (360) 778-6200  
Fax: (360) 778-6201

## MEMORANDUM

RECEIVED

**To:** The Honorable Jack Louws, Whatcom County Executive, and  
Honorable Members of the Whatcom County Council

JUL 12 2019

**Through:** Jon Hutchings, Director *RK for JH*

**From:** Roland Middleton, L.E.G., Special Programs *Manager*

JACK LOUWS  
COUNTY EXECUTIVE

**Date:** July 9, 2019

**Re:** Lummi Island Ferry Level of Service Analysis  
Professional Services Contract Supplement with KPFF Consulting Engineers

Enclosed for your review and signature are two (2) originals of the Local Agency Standard Consultant Agreement Supplement No. 1 between Whatcom County and KPFF Consulting Engineers, Inc.

### Requested Action

Public Works respectfully requests that the County Council authorize the County Executive to enter into a Local Agency Standard Consultant Agreement Supplement No. 1 with KPFF Consulting Engineers, Inc. (KPFF) for professional engineering services to begin implementation of the Ferry Level of Service Action Plan.

### Background and Purpose

KPFF has successfully completed the first phase of work under this contract which included developing the Lummi Island Ferry Level of Service Action Plan.

This supplemental agreement with KPFF Consulting Engineers provides for professional engineering services to support the implementation of the Lummi Island Ferry Level of Service Action Plan as described in Whatcom County Council Resolution 2018-173A. KPFF will develop a financial plan, grant applications, conceptual design for a replacement vessel, and conceptual designs for terminal modifications.

### Funding Amount and Source

The original contract amount is \$322,119.00; this not-to-exceed supplement increases the contract by \$729,344.00 for a new total of \$1,051,463.00. Approximately \$149,755.00 of the contract supplement will be funded through the Ferry Fund and \$579,589.00 through the Road Fund. There is sufficient budget authority the work planned in 2019. Public Works intends to supplement the 2020 budget for this project through the mid-biennium budget amendment process.

Please contact Roland Middleton (ext. 6212) if you have any questions regarding this request.