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WHATCOM COUNTY Health and Community Services



Erika Lautenbach, MPH, Director Amy Harley, MD, MPH, Co-Health Officer Greg Thompson, MD, MPH, Co-Health Officer

Memorandum

TO: Satpal Sidhu, County Executive

FROM: Erika Lautenbach, Director

RE: Freedom 2000 dba Cando Recycling and Disposal – Curbside Collection Services Contract

Amendment #1

DATE: DECEMBER 7, 2023

Attached is a contract amendment between Whatcom County and Cando Recycling and Disposal for your review and signature. This amendment extends the contract for an additional year of service.

Background and Purpose

Per WCC 8.10.040(D), single-family residential curbside collection of solid waste in Point Roberts shall be mandatory and the fee for service, at the approved Washington Utilities and Transportation (WUTC) rate, shall be collected on the annual property tax bill and remitted to the service provider. This contract implements the legal requirement of the above referenced Code and passes the collected fees on to the WUTC designated waste hauler, Cando Recycling and Disposal.

Funding Amount and Source

Funding for the curbside collection services is provided from the fee-for-service described above and collected on annual property tax bills at the rate of \$16.52 plus tax, per month, per single family residential dwelling, for an estimated 1,945 units at a not-to-exceed amount of \$475,000 during this contract period (01/01/2024 – 12/31/2024). Council authorization is required as the funding added by this amendment exceeds 10% of the amount authorized by Council on 11/22/2022.

Differences from Previous Contracts

Section	Differences			
General Conditions –	Extends contract for an additional year, through 12/31/2024			
Section 10.1, Term				
General Conditions –	Adds language authorizing the extension of the consideration and other			
Section 10.2, Extension	terms and conditions specified in the preamble of the original contract			

Please contact Jennifer Hayden, Environmental Health Supervisor at 360-778-6036 (JHayden@co.whatcom.wa.us) or Kathleen Roy, Financial & Administrative Manager at 360-778-6007 (KRoy@co.whatcom.wa.us), if you have any questions.



Whatcom County Contract Number:

202212028 - 1

WHATCOM COUNTY CONTRACT AMENDMENT

PARTIES:

Whatcom County AND CONTRACTOR:

Whatcom County Health and Community Services Freedom 2000 dba Cando Recycling & Disposal

509 Girard Street PO Box 32510

Bellingham, WA 98225 Bellingham, WA 98228

CONTRACT PERIODS:

Original: 01/01/2023 – 12/31/2023 Amendment #1: 01/01/2024 – 12/31/2024

THE CONTRACT IDENTIFIED HEREIN, INCLUDING ANY PREVIOUS AMENDMENTS THERETO, IS HEREBY AMENDED AS SET FORTH IN THE DESCRIPTION OF THE AMENDMENT BELOW BY MUTUAL CONSENT OF ALL PARTIES HERETO

DESCRIPTION OF AMENDMENT:

- 1. Extend the term of this contract for one year, as per the original contract "General Conditions, Section 10.1 Term".
- 2. Add Section 10.2, Extension to the General Conditions of the original contract, as follows:

The duration, consideration and other terms and conditions of this Agreement may be extended after the initial term of this Agreement by mutual written consent of the parties.

Extensions may be for a period of up to one year per extension and for a cumulative total of no longer than four vears including the original term.

- 3. Exhibit B Compensation is added for reference no revisions from previous contract period.
- 4. Funding for this contract period (01/01/2024 12/31/2024) is not to exceed \$475,000.
- 5. Funding for the total contract period (01/01/2023 12/31/2024) is not to exceed \$950,000.
- 6. All other terms and conditions remain unchanged.
- 7. The effective start date of the amendment is 01/01/2024.

ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND ANY PREVIOUS AMENDMENTS THERETO REMAIN IN FULL FORCE AND EFFECT. ALL PARTIES IDENTIFIED AS AFFECTED BY THIS AMENDMENT HEREBY ACKNOWLEDGE AND ACCEPT THE TERMS AND CONDITIONS OF THIS AMENDMENT. Each signatory below to this Contract warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the contract and bind the party thereto.

DocuSigned by:						
APPROVAL AS TO PROGRAM: Su	llivan	12/7/2023				
Sue Sullivan	Date					
DEPARTMENT HEAD APPROVAL: **DEPARTMENT HEAD APPROVAL: 955C68	12/9/2023					
Erika Lau	or Date					
APPROVAL AS TO FORM: Koyu Buckil	12/11/2023					
Royce Buckingha	Date					
FOR THE CONTRACTOR: Docusigned by:						
Pam Saulvier 15642EDD9A51403	Pam Saulnier General Manager	12/7/2023 				
Contractor Signature	Printed Name and Title	Date				
FOR WHATCOM COUNTY:						
Satpal Single Sidler 12/11	/2023					
Satpal Singh Sidhu, County Executive	Date					

CONTRACTOR INFORMATION:

Freedom 2000 dba Cando Recycling & Disposal PO Box 32510 Bellingham, WA 98228

EXHIBIT "B" – Amendment #1 (COMPENSATION)

I. Budget

The Contractor shall provide the mandatory curbside solid waste collection services, defined as the minimum level of service in the UTC approved tariff, and invoice County at the currently approved UTC rate, including taxes, per applicable single-family residential dwelling. Contractor shall credit County an administrative fee of \$0.50 per year, per single family residential dwelling, for billing services, to be applied on the first invoice of every year.

II. Invoicing

- 1. The Contractor shall submit invoices to (include contract #) HL-BusinessOffice@co.whatcom.wa.us.
- 2. Payment by the County will be considered timely if it is made within 30 days of the receipt and acceptance of billing information from Contractor. The County may withhold payment of an invoice if the Contractor submits it more than 30 days after the expiration of this contract.
- 3. Invoices must include the following statement, with an authorized signature and date:

I certify that the materials have been furnished, the services rendered, or the labor performed as described on this invoice.

4. <u>Duplication of Billed Costs or Payments for Service</u>: The Contractor shall not bill the County for services performed or provided under this contract, and the County shall not pay the Contractor, if the Contractor has been or will be paid by any other source, including grants, for those costs used to perform or provide the services in this contract. The Contractor is responsible for any audit exceptions or disallowed amounts paid as a result of this contract.