

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
202308007-1

Originating Department:	Public Works
Division/Program: <i>(i.e. Dept. Division and Program)</i>	Stormwater/BBWARM 907690
Contract or Grant Administrator:	Holly Faulstich, Natural Resource Specialist III
Contractor's / Agency Name:	FLO Analytics

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 #: 202308007

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): RFP# SW23-01 Contract _____ Cost Center: 169250 WO #17275

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. Goods and services provided due to an emergency
 - Contract work is for less than \$100,000. Contract for Commercial off the shelf items (COTS).
 - Contract work is for less than 120 days. Work related subcontract less than \$25,000.
 - Interlocal Agreement (between Governments). Public Works - Local Agency/Federally Funded FHWA.

Contract Amount:(sum of original contract amount and any prior amendments):
 \$ 19,755.00
 This Amendment Amount:
 \$ 50,965.00
 Total Amended Amount:
 \$ \$70,720.00

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.

FLO Analytics will update the Birch Bay Watershed and Aquatic Resources Management (BBWARM) district's fee roll process in accordance with a rate study that is currently underway, in order to prepare for the 2025 fee roll.

Term of Contract: 12 months | Expiration Date: 08/14/2024

- Contract Routing:
- | | | | |
|------------------------------------|----------------------------------|-------|-------------------|
| 1. Prepared by: | <u>Holly Faulstich</u> | Date: | <u>01/11/2024</u> |
| 2. Attorney signoff: | <u>Christopher Quinn</u> | Date: | <u>1/17/2024</u> |
| 3. AS Finance reviewed: | <u>Amy Martin</u> | Date: | <u>1/19/2024</u> |
| 4. IT reviewed (if IT related): | <u>DS</u> | Date: | _____ |
| 5. Contractor signed: | <u>BSR</u> | Date: | <u>2/8/2024</u> |
| 6. Executive contract review: | _____ | Date: | _____ |
| 7. Council approved, if necessary: | <u>DocuSigned by: AB2024-099</u> | Date: | <u>2/6/24</u> |
| 8. Executive signed: | <u>Satpal Sidhu</u> | Date: | <u>2/8/2024</u> |
| 9. Original to Council: | <u>1192C7C18B664E3...</u> | Date: | _____ |

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Elizabeth Kosa
Director**



STORMWATER
322 N. Commercial, 4th Floor
Bellingham, WA 98225
Main: (360) 778-6230
FAX: (360) 778-6201
www.whatcomcounty.us

MEMORANDUM

TO: The Honorable Satpal Singh Sidhu, County Executive and the Honorable Members of the Whatcom County Council, collectively serving in their capacity as the Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Elizabeth Kosa, Public Works Director *EK*

FROM: Kraig Olason, Stormwater Program Manager *ko*
Holly Faulstich, Natural Resource Specialist III

DATE: January 11, 2024

RE: Amendment 1 to Contract No. 202308007 with FLO Analytics for GIS Data Management and Assistance with BBWARM Fee Roll Update

Requested Action

Enclosed for your review and signature is Amendment No. 1 to Contract No. 202308007 between FLO Analytics and Whatcom County in the amount of \$50,965.00, for the purpose of updating the Birch Bay Watershed and Aquatic Resources Management (BBWARM) district's fee roll process in accordance with a rate study that is currently underway.

Background and Purpose

Whatcom County Public Works Stormwater Division uses a highly-customized billing system to generate the annual fee roll for the BBWARM district, a sub-flood zone of the Flood Control Zone District. This system was developed by Whatcom County staff with assistance from an IT consultant and uses a combination of GIS and Access databases. FLO Analytics has generated the BBWARM fee roll annually since 2016.

In August 2023, a consultant was hired to conduct a financial analysis and review of the BBWARM stormwater rate structure. The purpose of this contract amendment is for FLO Analytics to update the BBWARM fee roll process to reflect revisions made during the rate study in preparation for the 2025 fee roll. A new contract will be developed in mid-2024 to generate the 2025 BBWARM district fee roll and its associated reports.

Funding Amount and Source

The total cost of this contract is \$70,720.00, which includes the original \$19,755.00 plus Amendment 1 in the amount of \$50,965.00. It will be funded by existing authority in the BBWARM district budget (cost center 169250, work order 17275).

Please contact Holly Faulstich at extension 6290 if you have any questions or concerns regarding the terms of this agreement.

Whatcom County Contract No.
202308007-1

Amendment No. 1
Whatcom County Contract No. 202308007
CONTRACT BETWEEN WHATCOM COUNTY AND
FLO Analytics

THIS AMENDMENT is to the Contract between Whatcom County and FLO Analytics, dated Aug. 14, 2023 and designated "Whatcom County Contract No. 202308007". In consideration of the mutual benefits to be derived, the parties agree to the following:

This Amendment increases the maximum consideration by \$ 50,965.00 to a total consideration of \$ 70,720.00.

This Amendment also revises the Scope of Work, Exhibit A-1, attached.

Unless specifically amended by this agreement, all other terms and conditions of the original contract shall remain in full force and effect.

This Amendment takes effect: February 6, 2024, regardless of the date of signature.

IN WITNESS WHEREOF, Whatcom County and FLO Analytics have executed this Amendment on the date and year below written.

DATED this 2/8/2024 day of _____, 2024.

Each person signing this Contract represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Contract.

CONTRACTOR:

FLO Analytics

DocuSigned by:
Grant Herbert 2/7/2024
Grant Herbert, Principal GIS Analyst

CONTRACTOR INFORMATION:

FLO Analytics

200 NW 19th Avenue, Suite 200
Portland, OR 97209

Contact Name: Grant Herbert
Contact Phone: 206-556-2024
Contact Email: gherbert@flo-analytics.com

WHATCOM COUNTY:

Recommended for Approval:

DocuSigned by:
Elizabeth Kosa 2/7/2024
870E242DD76C408
Elizabeth Kosa, Public Works Director Date

Approved as to form:

DocuSigned by:
Christopher Quinn 2/7/2024
EC466EF5C88B4FD
Christopher Quinn Date
Senior Deputy Prosecuting Attorney-Civil Division

Approved:

Accepted for Whatcom County Flood Control Zone District:

DocuSigned by:
Satpal Sidhu 2/8/2024
1192C7C18B804E3
By: Satpal Singh Sidhu, Whatcom County Executive Date

EXHIBIT A-1
(SCOPE OF WORK)

SCOPE OF WORK

Task 1 – Generate 2024 Fee Roll (Original Contract - Complete)

Task 2 – On-Call Technical Support (Original Contract - Complete)

Task 3—Fee Roll Regime Review

This task involves reviewing the BBWARM Fee Roll calculations and definitions as established by the County and its contractors. The review will identify key changes and expected outcomes of the new fee values and calculations for the BBWARM area and will provide a point of reference for conducting quality assurance of the finalized process. Our understanding is that the new BBWARM Fee Roll regime is intended to align more closely with the current LWSU regime, and we will incorporate a comparison with the LWSU process to help identify the required work for Task 4. This task also includes defining the requirements for tracking rate adjustments to meet County requirements and Fee Roll processing needs.

As part of the regime review process, an impervious surface sampling analysis will be conducted involving generally digitizing the impervious areas for a selection of parcels. This will be used to generate statistics related to the parcel size, zoning or classification and the digitized impervious surface. The statistics will be supplied to the County for determination of impact on proxy calculations or classifications that may be desired.

This task will include an initial kickoff meeting with County staff, as well as other meetings as appropriate, to clarify elements of the new Fee Roll regime and the tracking of rate adjustments and decision documents. This task also includes project management activities.

Deliverables

- Kickoff meeting (up to one hour).
- Other meetings as required.
- Statistical sampling of properties and capture of impervious surface from aerial imagery for single family properties.
- A summary of key changes and process impacts.
- Documentation on expected or calculated outcomes for quality assurance purposes.
- Rate adjustment tracking requirements.

Assumptions

- Clear documentation of the BBWARM Fee Roll modifications and associated rules and qualifications is provided by the County.
- The new BBWARM Fee Roll regime is generally aligned with the existing LWSU regime.
- Meetings are held remotely.

Task 4—Fee Roll Process Update

This task involves applying the process, calculation, and other changes as identified in Task 3 to the existing Fee Roll process and completing a dry run and validation of the new process. This task is intended to operate in an agile fashion that will allow us to validate the various processing sub-components in turn before generating the final output. This will allow for early identification of potential issues, allowing confirmation or rectification before the process resumes. These quality assurance steps will serve to validate the accuracy of the new approach throughout the project lifecycle. The use of the previous year's Fee Roll data for this task will allow for direct comparison between the fee roll regimes.

A number of meetings with County staff are anticipated to provide the opportunity to review the updated process and the comparisons between Fee Roll regime outputs.

In addition, this task will include enhancing the tracking of adjustments applied and decision documents in order to allow for easier review, auditing, and checking.

Deliverables

- Fee Roll generated under the new regime.
- Updated Fee Roll documentation reflecting the new regime.
- Fee Roll Comparison Report documenting the basis for rate changes compared to the previous year's fee roll.

Assumptions

- Meetings are held remotely.
- All work can be completed remotely.

SCHEDULE

FLO will begin work upon receiving authorization to proceed. This proposal is valid for 30 days.

The table below represents an approximate schedule of deliverables for this project.

Deliverable	Approximate Date
Kickoff meeting	Project start
Regime Review deliverables	45 days after project start
Process Update deliverables	60 days after previous deliverable

EXHIBIT B-1
(COMPENSATION)

BUDGET

The estimated cost to perform the proposed work is \$50,965 (see table below). This cost estimate does not represent a lump sum. FLO bills for time and materials, consistent with the attached schedule of charges. FLO may apply money from one task to another to complete the scope of work.

Task	Hours	FLO Analytics		Total
		Labor	Direct	
3 Fee Roll Regime Review	64	\$11,465	\$0	\$11,465
4 Fee Roll Process Update	226	\$39,500	\$0	\$39,500
Total Estimated Cost				\$50,965

PERSONNEL

Labor will be invoiced by staff classification at the following hourly rates, which are valid through this contract expiration.

Grant Herbert	\$260
Tyler Vick	\$260
Alex Brasch	\$190
Elliot Frank	\$170
Jenny Elstrott	\$170
Kyle Pote	\$170
Gavin Jaravata	\$160
Ethan Poole	\$160
Emma Swanson	\$160
Tiana Black	\$130
Anne Fleming	\$135
Patricia Collins	\$135
Jessica Letteney	\$135
Shannon Larson	\$115

As consideration for the services provided pursuant to Exhibit A-1, Scope of Work, the County agrees to compensate the Contractor according to the hourly rates provided in the Rate Schedule provided above. Other reasonable expenses incurred in the course of performing the duties herein shall be reimbursed. Mileage is to be reimbursed at the IRS rate; lodging and per diem will be reimbursed at a rate not to exceed the GSA rate for the location at which services are provided. Reimbursement for air travel will be at coach rates. Other expenditures such as printing, postage and telephone charges shall be reimbursed at actual cost. Car rentals will be reimbursed for Standard sized, or lesser.

The Contractor may adjust budget allocation between tasks with approval from the Administrative Officer in writing over email. Requests for reimbursement of expenses must be accompanied by copies of paid invoices or receipts itemizing costs incurred. Costs of alcoholic beverages are not eligible for reimbursement. Any work continuing after the completion date of the amended contract, unless otherwise agreed upon in writing, will be at the Contractor's expense.