

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
202201020-1

Originating Department:	Council
Division/Program: <i>(i.e. Dept. Division and Program)</i>	Council
Contract or Grant Administrator:	Cathy Halka
Contractor's / Agency Name:	BERK Consulting, Inc.
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>202201020</u>	
Does contract require Council Approval? Yes <input type="radio"/> No <input checked="" type="radio"/> If No, include WCC: <u>3.08.100</u> 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 <input type="radio"/> No <input checked="" type="radio"/> If yes, grantor agency contract number(s): _____ CFDA#: _____	
Is this contract grant funded? Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, Whatcom County grant contract number(s): _____	
Is this contract the result of a RFP or Bid process? Yes <input checked="" type="radio"/> No <input type="radio"/> If yes, RFP and Bid number(s): <u>RFP21-60</u> Contract _____ Cost Center: <u>1100.6630.902</u>	
Is this agreement excluded from E-Verify? No <input checked="" type="radio"/> Yes <input 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"/> Goods and services provided due to an emergency <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>71,485</u> This Amendment Amount: \$ <u>\$2,288</u> Total Amended Amount: \$ <u>73,773</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: _____	
Provide consultant services to complete the COVID-19 Pandemic Response Review project. Contract amendment adds additional services requested by Council (COVID-19 expenses summary).	
Term of Contract: 1 year	Expiration Date: 12/31/2022

Contract Routing:	1. Prepared by: <u>Cathy Halka</u>	Date: <u>9/20/2022</u>
	2. Attorney signoff: <u>Karen Frakes (by email)</u>	Date: <u>9/20/2022</u>
	3. AS Finance reviewed: <u>M Caldwell</u>	Date: <u>9/21/22</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: <u>9/28/2022</u>
	6. Submitted to Exec.: _____ >	Date: <u>9/28/22</u>
	7. Council approved (if necessary): <u>AB2022-530</u>	Date: <u>9/27/22</u>
	8. Executive signed: _____	Date: <u>9/29/2022</u>
	9. Original to Council: _____	Date: _____

COUNTY COURTHOUSE
311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
(360) 778-5010



CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

MEMORANDUM

TO: Satpal Sidhu, County Executive
FROM: Council Staff
RE: Contract Amendment for COVID-19 Pandemic Response Review Project
DATE: September 20, 2022

Enclosed is a contract amendment between Whatcom County and BERK Consulting, Inc. for your review and signature.

- **Background and Purpose**

Whatcom County issued an RFP (#21-60) for consultant services for the COVID-19 Pandemic Response Review project. BERK Consulting, Inc. was identified as the preferred firm and a contract was executed (Contract #202201020). A discussion was held at Council Public Works and Health Committee ([AB2022-085](#)) on February 8, 2022 to confirm the project work plan, during which an item was added to the scope to summarize the County's costs associated with the COVID-19 emergency. Written authorization was provided by Council staff to the consultant team to complete the additional tasks and assess adjustments to cost if needed.

- **Funding Amount and Source**

The 2022 mid-Biennium budget includes approved funding in 2022 and covers the amount of this contract amendment.

- **Differences from Previous Contract**

A task to summarize expenses related to the emergency is added to the scope, and the contract amount is amended to add \$2,288 bringing the total contract amount from \$71,485 to \$73,773.

Please contact Cathy Halka at ext. 5019, if you have any questions.

Encl.

Whatcom County Contract No.
202201020-1

Amendment No. 1
Whatcom County Contract No. 202201020
CONTRACT BETWEEN WHATCOM COUNTY AND
BERK Consulting, Inc.

THIS AMENDMENT is to the Contract between Whatcom County and BERK Consulting, Inc., dated January 14, 2022 and designated "Whatcom County Contract No. 202201020". In consideration of the mutual benefits to be derived, the parties agree to the following:

This Amendment increases the maximum consideration by \$2,288 to a total consideration of \$73,773.

This Amendment adds the following additional task to Exhibit A Scope of Work under both the Project Approach and the Description of Services:

- Phase 4: The consultant will create a spending summary for COVID-related expenses

This Amendment adds the following to Exhibit B Compensation:

- Phase 4: Spending Summary, COVID-related expenses summary for an additional cost of \$2,288. This amount is calculated at a total of 15.25 hours at a rate of \$150 per hour for a total of \$2,288

This amendment revises the Project timeline in Exhibit A as follows:

Approximate Project Timeline

Phase 1 (Data Gathering) will take place from January through April, 2022.

Phase 2 (Preliminary Recommendations) will be underway in May through August, 2022.

Phase 3 (Draft Findings and Report) will be completed by the end of September, 2022.

Phase 4 (Spending Summary) will be completed by the end of September, 2022.

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: September 1, 2022, regardless of the date of signature.

IN WITNESS WHEREOF, Whatcom County and BERK Consulting, Inc. have executed this Amendment on the date and year below written.

9/29/2022
DATED this day of September, 2022.

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:

BERK CONSULTING, Inc.
DocuSigned by:

Brian Murphy 9/28/2022
310BEC317110445...

BRIAN MURPHY, PRINCIPAL

CONTRACTOR

Brian Murphy, Principal

2200 Sixth Avenue, Suite 1000
Seattle, WA 98121

Contact Name: Brian Murphy
Contact Phone: 206-493-2376
Contact Email: Brian@berkconsulting.com

WHATCOM COUNTY:

Recommended for Approval:

DocuSigned by:
Dana Brown-Davis 9/28/2022
77FBFB930CFE46B...
Department Supervisor Date

Approved as to form:

DocuSigned by:
Karen Frakes 9/28/2022
EE1164653FD944A...
Prosecuting Attorney Date

Approved:

Accepted for Whatcom County:

DocuSigned by:
Tyler Schroeder, Deputy Executive 9/29/2022
513FC4B01FE0423...
By: Satpal Singh Sidhu, Whatcom County Executive