

**WHATCOM COUNTY CONTRACT  
INFORMATION SHEET**

Whatcom County Contract No.

20240700p

Originating Department:	Administrative Services
Division/Program: (i.e. Dept. Division and Program)	AS-IT-Technology
Contract or Grant Administrator:	Perry Rice - IT Manager
Contractor's / Agency Name:	Astound Business Solutions, LLC

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 #: 202310024

Does contract require Council Approval? Yes  No  If No, include WCC: 3.08.100  
 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): \_\_\_\_\_ Contract \_\_\_\_\_  
 Cost Center: **394400**

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):

\$ 4,722.00/mo(includes fees & taxes)Total \$283,297.20 over 5 years

This Amendment Amount:

\$ 1,730.58/mo(includes fees & taxes)Total \$81,337.03 over 3.92 years

Total Amended Amount:

\$ 6,452.58/mo(includes fees & taxes)Total \$364,634.23 over 5 years

Summary of Scope:

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.

Request approval for the County Executive to enter into Amendment 1 to the agreement between Whatcom County and Astound Business Solutions, LLC (formerly Wave) to add fiber optic connectivity from the Courthouse to State Street and a nearby parking lot. Amendment 1 would increase monthly fees from \$4,722.00 (including applicable fees and taxes) to \$6,452.58 for a total amount over five years of \$364,657.26.

Term of Contract: 5-Years

Expiration Date: July 26, 2028

Contract Routing:	1. Prepared by: <u>Perry Rice</u>	Date: <u>7/11/2024</u>
	2. Attorney signoff: <u>Curo</u>	Date: <u>7/11/2024</u>
	3. AS Finance reviewed: <u>Sbenneth</u>	Date: <u>7/11/24</u>
	4. IT reviewed (if IT related): <u>PJR</u>	Date: <u>7/11/24</u>
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: _____	Date: _____
	7. Council approved (if necessary): _____	Date: _____
	8. Executive signed: _____	Date: _____
	9. Original to Council: _____	Date: _____



**FIRST AMENDMENT TO DARK FIBER ORDER  
Multiple Fiber Routes**

This First Amendment to Dark Fiber Order: Multiple Fiber Routes (this “First Amendment”) is entered into as of the date of last signature below (the “Effective Date”), by and between ASTOUND BUSINESS SOLUTIONS, LLC, a Delaware limited liability company, acting on behalf of itself and as agent for its Affiliates (collectively, “Provider”), and WHATCOM COUNTY, a political subdivision of the State of Washington (“Customer”).

**BACKGROUND**

- A. Provider and Customer are the parties to that certain Master Services Agreement dated October 26, 2023, Whatcom County Contract No. 202310021 (the “MSA”), pursuant to which Customer may elect to order from Provider certain telecommunications services, including, including Ethernet transport, dedicated internet access, phone over fiber, dark fiber, and other related services.
- B. As contemplated by the MSA, Provider and Customer entered into that certain Dark Fiber Order: Multiple Fiber Routes dated November 9, 2023, Whatcom County Contract No. 202310024 (the “Original Order”), pursuant to which Customer receives certain dark fiber Services from Provider at multiple Service Sites.
- C. The Initial Service Term of the Original Order is scheduled to expire on July 26, 2028.
- D. Customer now desires to amend the Original Order to add two (2) additional dark fiber routes, as more fully describe below.
- E. All capitalized terms used but not defined in this First Amendment shall have the meanings given to them in the MSA or the Original Order, as applicable.

**AGREEMENT**

**Section 1: Additional Dark Fiber Routes.** Promptly following the Effective Date of this First Amendment, Provider shall install the following additional dark fiber routes for the Provider, in exchange for the one-time, NRC set forth below, and the MRC set forth below:

Fiber Route Identifier	A Location End Point	Z Location End Point	Description of Fiber	NRC	MRC
Fiber Route 1	1500 N State Street Bellingham, WA 98225	200 York Street Bellingham, WA 98225	1 strand single mode dark fiber	\$0	\$500
Fiber Route 2	1500 N State Street Bellingham, WA 98225	311 Grand Avenue Bellingham, WA 98225	3 strands single mode dark fiber	\$0	\$1,050
<b>TOTAL COST:</b>				<b>\$0</b>	<b>\$1,550</b>

**Section 3: Miscellaneous.** Except as expressly amended by this First Amendment, the Original Order remains in full force and effect in accordance with its terms and is hereby ratified and affirmed by the parties. This First Amendment may be executed in multiple counterparts, each of which shall constitute an original, and all of which shall constitute one and the same instrument. Any executed documents sent to one party by the other party in portable document format (pdf) images via email will be considered the same as an original document.

*[Signatures on following page.]*

