

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
201606047-5

Originating Department:	Sheriff's Office
Division/Program: (i.e. Dept. Division and Program)	3520 Bureau of LE & Investigations/ 352020 Patrol and Overtime
Contract or Grant Administrator:	Doug Chadwick, Undersheriff
Contractor's / Agency Name:	U.S. Department of Agriculture, Forest Service

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 #: 201606047

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? Contract _____
 Yes No If yes, RFP and Bid number(s): _____ Cost Center: _____

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

Contract Amount:(sum of original contract amount and any prior amendments): \$ _____ This Amendment Amount: \$ <u>21,900 annual amount for 2020</u> Total Amended Amount: \$ <u>21,900 annual amount for 2020</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: <ol style="list-style-type: none"> Exercising an option contained in a contract previously approved by the council. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance. Bid or award is for supplies. Equipment is included in Exhibit "B" of the Budget Ordinance. 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.
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Summary of Scope:
 Modification Number 05 incorporates Annual Operating Plan in the amount of \$21,900.00 for 2020 with estimated period beginning May 1, 2020 and ending September 30, 2020. The modification also updates contact information for Whatcom County.

Term of Contract: 5/1/16 Expiration Date: 12/31/21

Contract Routing:	1. Prepared by: J. Korn <u>JK</u>	Date: 4/1/20
	2. Attorney signoff: <u>Approved by email /Bw/JK</u>	Date: <u>4/1/20</u>
	3. AS Finance reviewed: <u>bennett</u>	Date: <u>4/2/20</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: _____	Date: _____
	7. Council approved (if necessary): _____	Date: _____
	8. Executive signed: _____	Date: _____
	9. Original to Council: _____	Date: _____

Jacque Korn

From: Brandon Waldron
Sent: Wednesday, April 01, 2020 2:59 PM
To: Jacque Korn
Subject: RE: WC# 201606047-5 Amendment

Approved

From: Jacque Korn
Sent: Wednesday, April 01, 2020 2:45 PM
To: Brandon Waldron
Subject: RE: WC# 201606047-5 Amendment

Ok, attached is the agreement including the Contact Information Sheet with a note of needing Council approval. Please let me know if you have any questions.

Thanks,

Jacque Korn
Financial Accountant
Whatcom County Sheriff's Office
311 Grand Avenue, Bellingham, WA 98225
360-778-6607

From: Brandon Waldron
Sent: Wednesday, April 01, 2020 2:31 PM
To: Jacque Korn
Subject: RE: WC# 201606047-5 Amendment

Jacque,

Yes, I think it would still need Council approval.

Brandon M. Waldron
Deputy Prosecuting Attorney
Whatcom County Prosecuting Attorney's Office
Phone: 360.778.5710
Fax: 360.738.2532

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56

Our office is currently closed to the public due to coronavirus concerns. It may be some time before your email receives a response as we are operating with very limited staff. Thank you for your patience.

From: Jacque Korn
Sent: Wednesday, April 01, 2020 2:25 PM

To: Brandon Waldron
Subject: WC# 201606047-5 Amendment

Hi Brandon,

Attached is an amendment to WC# 201606047 for your review. As this agreement is with another public agency, it would fit the broad interpretation of an interlocal agreement. Would you like this agreement to still go to the Council for their approval? I will update and send the Contract Information Sheet once I hear back with your preference.

Thanks,

Jacque Korn
Financial Accountant
Whatcom County Sheriff's Office
311 Grand Avenue, Bellingham, WA 98225
360-778-6607



MODIFICATION OF GRANT OR AGREEMENT	PAGE 1	OF PAGES 3
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1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 16-LE-11060500-018 (Baker Lake Recreation Area Patrols)	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY: 201606047-5	3. MODIFICATION NUMBER: 005
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4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Amy Verellen, Grants Management Specialist Okanogan-Wenatchee National Forest 215 Melody Lane Wenatchee, WA 98801 Phone: (509) 664-9231 Email: amy.verellen@usda.gov	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): James V. Griffin, Patrol Captain Northwest Washington Zone (NWWZ) Mt. Baker-Snoqualmie National Forest 2930 Wetmore Avenue, Suite 3A Everett, WA 98201 Phone: (425) 783-6090 Email: james.griffin@usda.gov
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6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): Attn: Bill Elfo, Sheriff Whatcom County Sheriff's Office (WCSO) 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6600 Email: belfo@co.whatcom.wa.us	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only): Jacque Korn, Financial Accountant Whatcom County Sheriff's Office 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6607 Email: jkorn@co.whatcom.wa.us
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8. PURPOSE OF MODIFICATION

CHECK ALL THAT APPLY:	This modification is issued pursuant to the modification provision in the grant/agreement referenced in item no. 1, above.
<input type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD:
<input checked="" type="checkbox"/>	CHANGE IN FUNDING: Add funding for Fiscal Year (FY) 2020 in the amount of \$21,900.00 .
<input checked="" type="checkbox"/>	ADMINISTRATIVE CHANGES: Update Whatcom County contact information.
<input checked="" type="checkbox"/>	OTHER (Specify type of modification): FY2020 Baker Lake Recreation Area Annual Operating and Financial Plan.

Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full force and effect.

9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed): Modification 005 is made to add funds in the amount of **\$21,900.00** for the work outlined in the fiscal year 2020 Annual Operating Plan. Update Undersheriff from Parks to Chadwick per Section I of the Annual Operating and Financial Plan, and, the Financial Contact per Box 7 above. All funding previously obligated under this agreement remain available.

10. ATTACHED DOCUMENTATION (Check all that apply):

<input type="checkbox"/>	Revised Scope of Work
<input type="checkbox"/>	Revised Financial Plan
<input checked="" type="checkbox"/>	Other: EXHIBIT A – FY 2020 Baker Lake Recreation Area Annual Operating and Financial Plan

11. SIGNATURES

AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.

11.A. WHATCOM COUNTY SIGNATURE 	11.B. DATE SIGNED 01 4-20-20	11.C. U.S. FOREST SERVICE SIGNATURE <small>(Signature of Signatory Official)</small>	11.D. DATE SIGNED
11.E. NAME (type or print): BILL ELFO	11.F. NAME (type or print): JAMIE KINGSBURY		
11.G. TITLE (type or print): Sheriff, Whatcom County	11.H. TITLE (type or print): Forest Supervisor, Mt. Baker-Snoqualmie National Forest		



USDA Forest Service

OMB 0596-0217
FS-1500-19

11.I. WHATCOM COUNTY SIGNATURE <i>Approved by email / BW/DK</i> (Signature of Signatory Official)		11.J. DATE SIGNED <i>4/1/20</i>	11.K. U.S. FOREST SERVICE SIGNATURE <i>[Signature]</i> , ASAC, Per (Signature of Signatory Official)	11.L. DATE SIGNED <i>3/10/2020</i>
11.M. NAME (type or print): ELIZABETH L. GALLERY BRANDON M. WALDRON		11.N. NAME (type or print): JOHN BYAS		
11.O. TITLE (type or print): Civil Deputy Prosecuting Attorney, Whatcom County		11.P. TITLE (type or print): Special Agent in Charge U.S. Forest Service, Pacific Northwest Region		
11.Q. WHATCOM COUNTY SIGNATURE (Signature of Signatory Official)		11.R. DATE SIGNED		
11.U. NAME (type or print): JACK LOUWS SATPAL S. SIDHU				
11.W. TITLE: Executive, Whatcom County		12. G&A REVIEW		
12.A. The authority and format of this modification have been reviewed and approved for signature by: <i>Kelly M Underwood</i> KELLY M. UNDERWOOD (Mod. 005, Agreement No.: 16-LE-11060500-018) U.S. Forest Service Grants & Agreements Specialist				12.B. DATE SIGNED <i>2/20/2020</i>

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.



FS Agreement No. 16-LE-11060500-018
Mod 005

Cooperator Agreement No. 201606047-5

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN**

Between

WHATCOM COUNTY

And the

USDA, FOREST SERVICE

MT. BAKER-SNOQUALMIE NATIONAL FOREST

**2020 BAKER LAKE RECREATION AREA
ANNUAL OPERATING AND FINANCIAL PLAN**

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between Whatcom County (doing business as Whatcom County Sheriff's Office), hereinafter referred to as "Whatcom County," and the USDA, Forest Service, Mt. Baker-Snoqualmie National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #16-LE-11060500-018 executed on July 8, 2016. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning May 1, 2020 and ending September 30, 2020.

FERC License #2150 Baker Lake Hydroelectric Project. See also USFS agreement 09-CO-11060500-032 (Exhibit A, Article 318) which expires on 10/01/2058 for information on one year funding authorization (Provision C. III Budget Authorization).

Current 2020 Year Obligation: \$21,900.00
FY2020 Total Annual Operating Plan: \$21,900.00

This agreement is to ensure protection of Government property and the general safety of the public on Forest Service lands during peak periods of public use. This agreement is for Whatcom County Sheriff's Office law enforcement patrol services in the Baker Lake Recreation Area.

Objectives for Law Enforcement Patrols (LEP) in Baker Basin: Address issues that arise as a result of visitors attracted to the reservoir and its immediate environs as a result of the existence of the Baker Hydro Project.

Provide adequate law enforcement coverage during the prescribed period of time in an effort to increase the presence and visibility of law enforcement within the project area. By having a variety of law enforcement resources assigned to work the project area; the ability to actively patrol, educate, deter, and investigate violations of Federal and State laws and regulations



increases the likelihood of gaining compliance from the visiting publics. Additionally, with a collaborative approach to enforcement operations, coverage within the project area is sufficient to meet the needs of the LEP.

Law enforcement operations include, but are not limited to: handling a variety of criminal complaints, illegal drug and alcohol use, traffic violations, public health and safety issues, medical, resource protection, public education, and fire.

Furthermore, the collaborative efforts will address the increased visitation and attendant effects of sockeye season to include:

1. Traffic, parking
2. Boater/camper use and timing conflicts
3. Crowding and safety on and off the water
4. Emergencies, especially on the east side and on the water which may be time sensitive
5. Resource impacts – general use and misuse of developed and dispersed facilities
6. Boats anchoring in the lake in the dark w/o lights
7. Boaters travelling too fast
8. Boats not using the correct ramp for their size: i.e. only Kulshan and Swift Creek are appropriate for large boats and trailers
9. Boats coming from a wide area: invasive species inspections and education
10. Trash, human waste, bear and wildlife management
11. Violations of state boating and fishing regulations
12. Enforcement of delineated no-wake zones, swim areas, loon platforms.

I. GENERAL:

A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Bill Elfo, Sheriff 311 Grand Avenue Bellingham, WA 98225 Phone: 360-778-6600 FAX: 360-778-6601 Email: belfo@co.whatcom.wa.us	Doug Chadwick, Undersheriff 311 Grand Avenue Bellingham, WA 98225 Phone: (360) 778-6618 Email: dchadwick@co.whatcom.wa.us
	Jacque Korn, Financial Accountant Whatcom County Sheriff's Office 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6607 Email: jkorn@co.whatcom.wa.us



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
James Griffin, Patrol Captain Mt. Baker-Snoqualmie National Forest 2930 Wetmore Ave, Suite 3A Everett, WA 98201 Telephone: 425-783-6090 FAX: 425-783-6098 Email: james.griffin@usda.gov	Cindy Orlando, Program Assistant Mt Baker-Snoqualmie National Forest 2930 Wetmore Ave. Suite 3A Everett, WA 98201 Telephone: 425-783-6092 FAX: 425-783-6098 Email: cindy.orlando@usda.gov
U.S. Forest Service Agreement Contact	
Amy Verellen, Grants Management Specialist 215 Melody Lane Wenatchee, WA, 98801 Phone: (509) 664-9231 Email: amy.verellen@usda.gov	

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

\$78.00 / hour overtime rate

II. PATROL ACTIVITIES:

- A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Whatcom County and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.
- B. Patrol services shall be provided from May through September. Officers should use discretion when the weather is bad or the activity level is otherwise low to adjust or even shorten their shift accordingly.

1. Patrol on following U.S. Forest Service roads:

- a. Baker Lake Road from the County line north to the end, this should include checks at roadside dispersed campsites
- b. Forest Road 1106 to Kulshan Campground and Boat Launch, continue across the dam for a couple miles
- c. Spur Road of Forest Road 1106 to Depression Lake
- d. Forest Road 1122 to the area of Lower Sandy recreation area
- e. Forest Road 1130 to Hot Springs



- f. Forest Road 1152 across from Shannon Creek Campground for approximately 1 mile.

2. Patrol in the following campgrounds, developed sites, or dispersed areas:

- a. Horseshoe Cove Campground
- b. Bayview Campground
- c. Boulder Creek Campground
- d. Panorama Point Campground and Boat Launch
- e. Park Creek Campground
- f. Swift Creek Campground and Boat Launch
- g. Shannon Creek Campground
- h. Dispersed recreation sites adjacent to Baker Lake

Total reimbursement for this category shall not exceed the amount of: **\$21,900.00**.

III. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.

B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify Whatcom County whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.

1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.

2. Fire Emergency: During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the Forest Service will specify times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team



managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

- 3. Group Gatherings: This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

IV. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

- A. Whatcom County will submit invoices for reimbursement of services provided under Section II of this agreement monthly to:

USDA Forest Service, Albuquerque Service Center
Payments-Grants and Agreements
101B Sun Avenue, NE
Albuquerque, NM 87107
Email: SM.FS.asc_ga@usda.gov (*preferred method*)

Invoices may also be faxed to:

1-877-687-4894
Fax coversheet should be addressed to:
USDA Forest Service
ASC-Payments-Grants and Agreements

- B. Whatcom County will prepare an itemized statement for each invoice submitted to the Albuquerque Service Center. The statement will be sufficient detail to allow the U.S. Forest Service to verify expenditures authorized under Section II. The itemized statement for reimbursement will also include the following information:

- 1. Areas patrolled and miles traveled on NFS lands.
- 2. Person-hours worked in NFS patrol areas.
- 3. Copies of completed Daily Activity Reports.
- 4. Copies of invoice submitted.

The statement should be sent to the following:

USDA Forest Service
Law Enforcement & Investigations
Attn: James V. Griffin, Patrol Captain



2930 Wetmore Ave. Ste 3A
Everett, WA 98201
Email: james.griffin@usda.gov
cc: cindy.orlando@usda.gov (preferred method)

- C. For reimbursement of services provided under Sections III-B-1 and III-B3 of this agreement, billing instructions will be specified in the revised Operating Plan.
- D. For reimbursement of Fire Emergency services provided under Section III. B. 2 of this agreement, the following billing procedure will be used:
 - 1. Rates: The rates of reimbursement for fire emergencies are specified in Section I. Where seasonal and/or reserves are used and actual expenses are less than the stated rate, actual expenses will be billed and reimbursed.

2. Fire Billing Documentation: Invoices for reimbursement of services for each incident must include agency name, fire number, job code, invoice date, brief description of the services provided, mileage, other authorized expenses, amount of payment request, agreement number, a copy of the current operating plan and individual employee times and their agreement rate. Such times will be documented on Crew Time Reports, shift tickets or other agreed-upon form. Other authorized expenses must be documented and approved by an Agency Representative.

All incident shift tickets and expenses must be approved by incident management personnel who will then prepare an Emergency Use Invoice and, upon concurrence of the Cooperator, will submit the invoice for payment to the Albuquerque Service Center, Incident Finance, along with a copy of the current Operating Plan.

Original documentation will be maintained by the U.S. Forest Service in the appropriate fire documentation files or appropriate incident management personnel; the Cooperator will maintain copies of all such documentation.

Whatcom County will be listed and maintain currency in the System for Award Management database accessible through the internet at <http://www.sam.gov>.

- E. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

Category	Estimated Costs	Not to Exceed
Patrol Activities	\$21,900.00	\$21,900.00
Training	N/A	N/A
Equipment	N/A	N/A
Special Enforcement Situations	N/A	N/A
Total	\$21,900.00	\$21,900.00



JAMIE KINGSBURY, Forest Supervisor
U.S. Forest Service, Mt. Baker-Snoqualmie NF

Date

[Handwritten signature]
ASAC, for

JOHN BYAS, Special Agent in Charge
U.S. Forest Service, Pacific Northwest Region

3/10/2020
Date

The authority and format of this agreement (Mod. 005, Agreement No.: 16-LE-11060500-018) have been reviewed and approved for signature.

[Handwritten signature]
KELLY M. UNDERWOOD

2/20/2020

U.S. Forest Service Grants Management Specialist

Date

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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