

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
2023 10024-1

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

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:

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: Perry Rice	Date: 7/11/2024
	2. Attorney signoff: <u>Curo</u>	Date: <u>7/11/2024</u>
	3. AS Finance reviewed: <u>S Bennett</u>	Date: <u>7/11/24</u>
	4. IT reviewed (if IT related): <u>PR</u>	Date: <u>7/11/24</u>
	5. Contractor signed:	Date: <u>7/31/2024</u>
	6. Submitted to Exec.: <input checked="" type="checkbox"/>	Date: <u>7/11/24</u>
	7. Council approved (if necessary): <u>AB2024-477</u>	Date: <u>7/23/24</u>
	8. Executive signed:	Date: <u>7/31/2024</u>
	9. Original to Council:	Date: _____

**WHATCOM COUNTY
ADMINISTRATIVE SERVICES**



INFORMATION TECHNOLOGY

Whatcom County Courthouse
311 Grand Avenue, Suite 305
Bellingham, WA 98225-4038

PERRY L. RICE
IT Manager

MEMORANDUM

RECEIVED

JUL 11 2024

**WHATCOM COUNTY
EXECUTIVE'S OFFICE**

TO: Satpal Singh Sidhu, County Executive
Whatcom County Council

THROUGH: Kayla Schott-Bresler, Deputy Executive

FROM: Perry Rice, IT Manager *PR*

RE: Fiber Optic Lease Agreement Amendment 1 for State Street

DATE: July 11, 2024

Enclosed for your consideration is the proposed Amendment 1 to the Dark Fiber Optic Lease agreement between Whatcom County and Astound Business Solutions, LLC (Astound) for connectivity from the Courthouse to the State Street building and a nearby parking lot.

• **Background and Purpose**

Whatcom County currently has a consolidated 60-month lease agreement (Contract #202310024) in place with Astound for fiber optic connectivity to buildings in the following seven locations: Laurel, Mount Baker Highway, Iron Gate, Barkley, Williamson Way, Unity Street, and Dupont Street.

These fiber optic circuits provide the County Data Network (file services, print services, telecommunications, servers, etc.) to each building and in some cases the Facilities Network (proximity lock, security video and HVAC).

This proposed amendment would add fiber optic connectivity to our State Street building at 1500 N. State Street along with the nearby Champion Street parking lot at 200 York Street. The State Street building is currently being remodeled for the Medical Examiner, Emergency Medical Services and part of the Health and Community Services Department.

• **Funding Amount and Source**

The total amount of this first amendment over the remaining 47 months of the initial 60-month service term is \$81,337.03 (\$1,730.58 per month) which includes applicable fees and taxes.

Initial funding for this agreement would be from the State Street Way Station Project Budget and then longer-term funding would be from department base budgets.

• **Contact Information**

Please contact Perry Rice at x5235 if you have any questions or concerns regarding the terms of this amendment.

**WHATCOM COUNTY
 CONTRACT NO.
 202310024-1**



**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
TOTAL COST:				\$0	\$1,550

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.]



This First Amendment will become effective only when both parties have signed it.

CUSTOMER:

Whatcom County, a political subdivision of the State of Washington

By DocuSigned by: Satpal Singh Sidhu
1192C7C18B664E3...
Name: Satpal Singh Sidhu
Title: County Executive
Date: 7/31/2024

PROVIDER:

Astound Business Solutions, LLC, a Delaware limited liability company

By DocuSigned by: David Lampkin
D47D40EB3980480...
Name: David Lampkin
Title: VP Business Solutions
Date: 7/31/2024

WHATCOM COUNTY:

Recommended for Approval:

R. J. K. 7/11/24
IT Manager Date

Approved as to form:

C. ... 7/11/24
Prosecuting Attorney Date

[The remainder of this page is intentionally left blank.]