

**WHATCOM COUNTY
CONTRACT INFORMATION SHEET**

Whatcom County Contract Number:
202312023 – 1

Originating Department:	85 Health and Community Services
Division/Program: (i.e. Dept. Division and Program)	8540 Environmental Health / 854020 Drinking Water
Contract or Grant Administrator:	Sue Sullivan
Contractor's / Agency Name:	RH2

Is this a New Contract?	If not, is this an Amendment or Renewal to an Existing Contract?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:	202312023	

Does contract require Council Approval?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	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?	If yes, grantor agency contract number(s):	ALN#:
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Is this contract grant funded?	If yes, Whatcom County grant contract number(s):	202201016
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

Is this contract the result of a RFP or Bid process?	If yes, RFP and Bid number(s):	MRSC Roster Solicitation	Contract Cost Center:	650525
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				

Is this agreement excluded from E-Verify?	No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>
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- If YES, indicate exclusion(s) below:
- | | |
|---|--|
| <input 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):	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 :
\$ 150,000	
This Amendment Amount:	
\$ 50,000	
Total Amended Amount:	
\$ 200,000	<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.

Summary of Scope: This amendment extends the contract for one year and increases funding to support the addition of Task 10 – WUCC and County Review Revisions.

Term of Contract:	2 Years	Expiration Date:	12/31/2025
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Contract Routing:	1. Prepared by:	JT	Date:	04/15/2024
	2. Health Budget Approval	A Martin	Date:	06/26/2024
	3. Attorney signoff:	Christopher Quinn	Date:	06/25/2024
	4. AS Finance reviewed:		Date:	
	5. IT reviewed (if IT related):		Date:	
	6. Contractor signed:		Date:	
	7. Executive Contract Review:		Date:	
	8. Council approved (if necessary):	AB2024-437	Date:	
	9. Executive signed:		Date:	
	10. Original to Council:		Date:	

WHATCOM COUNTY CONTRACT AMENDMENT

PARTIES:

**Whatcom County
Whatcom County Health and Community Services
509 Girard Street
Bellingham, WA 98225**

**AND CONTRACTOR:
RH2
4164 Meridian Street, Suite 302
Bellingham, WA 98226**

CONTRACT PERIODS:

**Original: 01/01/2024 – 12/31/2024
Amendment #1: 03/15/2024 – 12/31/2025**

THE CONTRACT IDENTIFIED HEREIN, INCLUDING ANY PREVIOUS AMENDMENTS THERETO, IS HEREBY AMENDED AS SET FORTH IN THE DESCRIPTION OF THE AMENDMENT BELOW BY MUTUAL CONSENT OF ALL PARTIES HERETO

DESCRIPTION OF AMENDMENT:

1. Extend the duration and other terms and conditions of this contract for one year, as per the original contract “General Terms, Section 10.2, Extension”.
2. Amend Exhibit A – Scope of Work, to add Task 10 – WUCC and County Review Revisions to support the revisions that were not initially included in the contract such as the review of fire flow standards, agency review, submittal to the Washington State Department of Health, and facilitation of public meetings.
3. Amend Exhibit B – Compensation, to increase funding by \$50,000 to support the addition of Task 10, as described above and update invoicing requirements. This amendment also updates the Contractor’s rates for services, which were in progress when the original contract was executed.
4. Funding for the total contract period (01/01/2024 – 12/31/2025) is not to exceed \$200,000.
5. All other terms and conditions remain unchanged.
6. The effective start date of the amendment is 03/15/2024.

ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND ANY PREVIOUS AMENDMENTS THERETO REMAIN IN FULL FORCE AND EFFECT. ALL PARTIES IDENTIFIED AS AFFECTED BY THIS AMENDMENT HEREBY ACKNOWLEDGE AND ACCEPT THE TERMS AND CONDITIONS OF THIS AMENDMENT. Each signatory below to this Contract warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the contract and bind the party thereto.

APPROVAL AS TO PROGRAM: _____
Sue Sullivan, Environmental Health Manager Date

DEPARTMENT HEAD APPROVAL: _____
Erika Lautenbach, Health and Community Services Director Date

APPROVAL AS TO FORM: Approved by email CQ/JT 06/25/2024
Christopher Quinn, Chief Civil Deputy Prosecutor Date

FOR THE CONTRACTOR:

Michele Campbell, Principal-in-Charge		
Contractor Signature	Printed Name and Title	Date

FOR WHATCOM COUNTY:

Satpal Singh Sidhu, County Executive Date

CONTRACTOR INFORMATION:

RH2
4164 Meridian Street, Suite 302
Bellingham, WA 98226
425-951-5394
mcampbell@rh2.com

EXHIBIT "A" – Amendment #1
(SCOPE OF WORK)

I. Background and Purpose

Whatcom County has initiated an update of the Whatcom County Coordinated Water System Plan (CWSP), which was last updated in 2016 and is a key component of the 2024 update of the Whatcom County Comprehensive Plan. There are seven incorporated cities, seven water districts, two water and sewer districts, a Public Utility District, 179 Group A Water Systems, and 248 Group B Water Systems operating water supply systems in Whatcom County.

II. Statement of Work

Task 0 – Project Management

The Contractor will:

- a. Manage the RH2 project team, files and records.
- b. Monitor the scope of work and budget and provide monthly invoices with documentation of work completed.
- c. Coordinate with the County throughout the development of the CWSP.

Task 1 – Glossary of Acronyms and Terms

Update the glossary of acronyms and terms used in the 2016 CWSP to include new terminology and revised definitions.

- a. Add and update acronyms, terms and definitions, including but not limited to PFAS.
- b. Ensure references to Whatcom County Health Department (WCHD) are replaced with Whatcom County Health and Community Services (WCHCS).

Deliverables – Updated list of acronyms, terms and definitions

Task 2 – Executive Summary and Section 1 – Introduction

Prepare an updated Executive Summary and Section 1 – Introduction, describing the key elements and reasons for updating the CWSP.

Deliverables – Updated Executive Summary and Section 1 - Introduction

Task 3 – Coordinated Water System Plan Process

Update Section 2 – Coordinated Water System Plan Process, to include any changes to the Public Water System Coordination Act and the County’s 2023 Comprehensive Plan.

- a. Review and document whether changes have been made to either the Public Water System Coordination Act [Chapter 70.A.100 of the Revised Code of Washington (RCW) or the Water System Coordination Act (Chapters 246-293 of the Washington Administrative Code (WAC)], since the last update.
- b. Update Subsection 2.1 (CWSP History in Whatcom County), including the addition of Section 9 in 2016 and 2024 update process.
- c. Update Table 2-1 describing the timeline of CWSP actions in Whatcom County.
- d. Update Subsection 2.2 CWSP Update Preparation, including reference to 2023 Growth Management Act (GMA) update to Comp Plan. Remove names of Water Utility Coordinating Committee (WUCC) referenced in Section 2.2 and add general voting results from the WUCC.
- e. Update Table 2-3 – WUCC Membership.
- f. Update Subsection 2.2.1 Coordination with the GMA, including new requirements.

- g. Update Subsection 2.2.5 Issues with potential implications for public water systems in Whatcom County, including PFAS.
- h. Update Figure 2.1 Whatcom County Comprehensive Plan Land Use Map.
- i. Update Figure 2.2 Water Service Utility Areas.

Deliverables - Updated Section 2

Task 4 – Population, Water Demand, and Expanding Systems

Update Section 3 – Population, Water Demand, and Existing Water Systems based on current population forecasts from the County’s 2023 Comprehensive Plan and water demand projections from water utilities. Update tables and figures in Section 3, as needed.

- a. Obtain historical and existing water demand data from water systems.
- b. Obtain updated population forecasts from work being done for the WCCP update (to be provided by County staff).
- c. Update the population forecast tables and discussion based on the data received, including Tables 3-1, 3-2 and 3-3
- d. Review water system plans and metering data to update the current and forecasted per capita water consumption.
- e. Update water demand projections based on the updated population and per capita water consumption values or from supplemental data provided by water systems.
 - i. Estimate projections based on data from similar systems, where appropriate.
- f. Update the inventory of existing water systems and operating permit colors, based on current information.
- g. Describe water use trends, particularly after COVID, possible future scenarios, and how water demand may be affected in the 20-50-year horizon.
 - ii. Include impacts from climate change.
 - iii. Predictions beyond the 50-year planning horizon of the WCCP and the description will focus on trends and possible future scenarios that may affect water demand but will not quantify those future demands.
- h. Update Tables 3-6, 3-7, 3-8, 3-9, 3-10, 3-11 and figures 3-1, 3-2.

Deliverables – Updated Section 3 – Population, Water Demand, and Expanding Systems for WUCC review and comment

Task 5 – Water Utility Service Areas Update – this task does not include effort to resolve service area overlaps

- a. Update Section 4.0 to clarify the water service request process.
- b. Update Subsection 4.1.2, Service Area Designation, to reflect the 2016 work as completed.
- c. Update Subsection 4.1.4, removing language regarding the WUCC review of the Declaration signature process, last paragraph.

Deliverables – Updated Section 4 – Water Utility Service Areas

Task 6 – Utility Service Review Procedures Update

- a. Update Section 6 – Utility Service Review Procedures.
 - i. Update reference to DOH Publication 331-432 and its date of publication.

Deliverables – Updated Section 6 – Utility Service Review Procedures

Task 7 – Regional Resource Issues

Update Section 8 – Issues with Potential Implications for Public Water Systems in Whatcom County to describe the impacts to local water systems of climate change, water use efficiency strategies, and new State Action Levels and rules for PFAS.

- a. Discuss the impacts of climate change on water systems, specific to:
 - i. Increased flood events
 - ii. Reductions in summer streamflow and groundwater
 - iii. Other issues identified by the County or RH2
- b. Describe water-use efficiency including presenting historical data of utility water use, showing trends over the past two decades. Assess if non-agricultural use is increasing, decreasing, or remaining constant. Include Public Work outreach and education efforts in regards to water-use efficiency.
- c. Develop and describe general water-use efficiency strategies for the County to consider and adopt, above and beyond DOH Group A requirements.
- d. Describe the need to assess the County's overall water system and identify areas of higher risk to evaluate, focusing on shared utilities.
- e. Describe the State Board of Health's adoption of State Action Levels (SALs) for per- and polyfluoroalkyl substances (PFAS) and the new rule. The new state rule requires all community and non-transient-community public water systems to test for PFAS. Describe potential impacts to local water systems such as cost of testing and treatment.
- f. Include a high-level update on the Nooksack adjudication process.

Deliverables – Updated Section 8 – Regional Resource Issues

Task 8 – Facilitate Update of Action Item List in Section 9.6 of 2016 Version of the CWSP

Update Section 9 – Plan Implementation

- a. Include additional and/or modified implementation measures in Section 9.6.
- b. Update Section 9 to report on completion or incompleteness (including reason for incompleteness and relevance) of measures from the 2016 CWSP, move measures to more appropriate locations, as needed.
- c. Create an updated list of recommended implementation measures and proposed schedules.

Deliverables – Updated Section 9

Task 9 – Plan Feedback Process and Creation of Final Plan

Lead, present and facilitate meetings on drafts and final reports to CWSP related committees, County Council and other leadership bodies in order to gather feedback during the final draft process to incorporate into the final report as well as present the final report, once completed.

- a. Geneva Consulting, as a subconsultant, will lead, present and facilitate County Council, Water Utilities Coordinating Committee (WUCC), Water Resource Inventory Area 1 (WRIA 1), and other committee and/or leadership meetings.
 - i. Schedule and conduct eight to ten meetings and prepare and distribute meeting agendas and minutes.
 - ii. Request feedback from WUCC and WRIA1.
- b. Complete a State Environmental Policy Act (SEPA) Checklist for the updated CWSP.

Deliverables – Feedback summaries, response and final plan completion

Task 10 – WUCC and County Review Revisions

Address WUCC and County review revisions and concerns regarding supplementary provisions of the CWSP chapters WAC 246-293-220 and WAC 246-293-240. Update the CWSP as directed by the WUCC and the County. This task is highly variable in nature due to the unpredictable number and scope of comments and concerns provided by the WUCC that must be addressed by the Contractor through the CWSP update process. The Contractor has no authority over direction provided by the WUCC in their efforts to fulfill the WUCC’s duty to carry out the provisions of the Chapter 70A.100 RCW – Water System Coordination Act. This task, therefore, will be performed only up to the budget limit stated in the fee estimate.

- a. If directed by the WUCC, assist the Whatcom County Executive’s Office in reconvening the Standards Review Subcommittee of the WUCC as required in Section 5.4 of the CWSP. Provide technical engineering support to the subcommittee, as directed by the WUCC.
- b. Update Minimum Design Standards, including review of fire flow performance standards, per direction from the WUCC and appropriate County authorities.
- c. Address agency review comments and coordinate final report adoption by Whatcom County Council and DOH. Includes deliverable of an electronic version of the CWSP.
- d. Perform additional analysis, as directed by the WUCC and the County.
- e. Update text within the CWSP at the direction of the WUCC and the County, that was previously unscoped.
- f. Coordinate, facilitate and attend meetings as needed. For example, meetings include public informational, Planning Unit and Joint Board meetings may be requested and scheduled. These meetings are in addition to the meetings identified in Task 9.

Other Tasks –

The Contractor may be requested to provide additional, optional tasks at the request of the County upon mutual, written acceptance by both parties through contract amendment. These tasks are not currently included in the budget for this contract. Optional future tasks may include but are not limited to:

- a. Discussion on the presence of lead service lines in local water systems
- b. Water system resilience to seismic events
- c. Revisions to the submitted CWSP that DOH may request.

III. Estimated Timeline

Tasks	2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Project Management	1							
Update Glossary of Acronym and Terms			2					
Update Executive Summary and Section 1 – Introduction			2					
Coordinated Water System Plan Process			2					
Population, Water Demand and Expanding Systems			2					
Water Utility Service Areas		2						
Utility Service Review Procedures		2						
Regional Resource Issues			2					
Facilitate Update of Action Item List				2				
Plan Feedback Process and Creation of Final Plan					2	3	4	
WUCC and County Review Revisions								

Project Milestones

1. Kickoff meeting.
2. Draft CWSP Chapters provided to County for review.
3. Presentation to City Council
4. Submittal to DOH.

EXHIBIT "B" – Amendment #1
(COMPENSATION)

- I. **Budget and Source of Funding:** The source of funding for this contract, in an amount not to exceed \$200,000, is the Washington State Department of Health’s Foundational Public Health Services funds. The budget for this contract is as follows:

Preliminary Project Budget Estimate				
Task	Description	Total Hours	Subconsultant Total	Total Estimated Cost
0	Project Management	36	-	\$9,020
1	Update Glossary of Acronym and Terms	10	-	\$1,754
2	Update Executive Summary and Section 1 - Introduction	14	-	\$2,977
3	Coordinated Water System Plan Process	40	-	\$8,059
4	Population, Water Demand, and Expanding Systems	172	-	\$33,838
5	Water Utility Service Areas	16	-	\$3,014
6	Utility Service Review Procedures	2	-	\$357
7	Regional Resource Issues	120	-	\$26,802
8	Facilitate Update of Action Item List in Section 9.6 of 2016 version of the CWSP	82	-	\$17,310
9	Plan Feedback Process and Creation of Final Plan	144	\$14,663	\$46,869
10	WUCC and County Review Revisions	200	-	\$50,000
Project Total		836	\$14,663	\$200,000

The contractor may transfer funds among budget line items in an amount up to 10% of the total budget. Changes to the line item budget that exceed 10% of the contract amount must be pre-approved in writing by the County.

RH2 2024 Schedule of Rates and Charges					
Category	Rate	Unit	Category	Rate	Unit
Professional I	\$175	\$/hr	Administrative II	\$105	\$/hr
Professional II	\$191	\$/hr	Administrative III	\$127	\$/hr
Professional III	\$216	\$/hr	Administrative IV	\$150	\$/hr
Professional IV	\$233	\$/hr	Administrative V	\$170	\$/hr
Professional V	\$252	\$/hr	CAD/GIS System	\$27.50	\$/hr
Professional VI	\$268	\$/hr	CAD Plots - Half Size	\$2.50	price per plot
Professional VII	\$292	\$/hr	CAD Plots - Full Size	\$10.00	price per plot
Professional VIII	\$302	\$/hr	CAD Plots - Large	\$25.00	price per plot
Professional IX	\$321	\$/hr	Copies (bw) 8.5" X 11"	\$0.09	price per copy
Technician I	\$138	\$/hr	Copies (bw) 8.5" X 14"	\$0.14	price per copy
Technician II	\$150	\$/hr	Copies (bw) 11" X 17"	\$0.20	price per copy
Technician III	\$166	\$/hr	Copies (color) 8.5" X 11"	\$0.90	price per copy
Technician IV	\$183	\$/hr	Copies (color) 8.5" X 14"	\$1.20	price per copy
Technician V	\$201	\$/hr	Copies (color) 11" X 17"	\$2.00	price per copy
Technician VI	\$218	\$/hr	Technology Charge	2.50%	% of Direct Labor
Technician VII	\$237	\$/hr	Mileage	\$0.67	price per mile (or Current IRS Rate)
Technician VIII	\$250	\$/hr	Subconsultants	15%	Cost +
Administrative I	\$90	\$/hr	Outside Services	at cost	

Schedule of rates and charges may be updated for fiscal year 2025 and must be submitted with invoices.

Contractor's Invoicing Contact Information:	
Name	
Phone	
Email	

See Exhibits B.1 and B.2 for additional invoicing requirements and information.

EXHIBIT "B.1"
Invoicing – General Requirements

1. The Contractor shall submit invoices indicating the County-assigned contract number to HL-BusinessOffice@co.whatcom.wa.us and SSulliva@co.whatcom.wa.us
2. When applicable, the contractor may transfer funds among budget line items. Line item changes that exceed 10% of the total budget must be pre-approved by the County Contract Administrator, prior to invoicing.
3. When applicable, indirect costs may not exceed the amount indicated in Exhibit B or the Contractor's federally approved indirect cost rate.
4. The Contractor shall submit itemized invoices on a monthly basis in a format approved by the County and by the 15th of the month, following the month of service, except for January where the same is due by the 10th of the month.
5. When applicable, the Contractor will utilize grant funding sources in the order of their expiration date as indicated by the County, prior to spending local funding sources, when no funding restrictions prevent doing so.
6. The contractor shall submit the required invoice documentation identified in Exhibit B.
 - a. The County reserves the right to request additional documentation in order to determine eligible costs. Additional documentation must be received within 10 business days of the County's request.
 - b. When applicable, if GL reports for personnel reimbursement do not specify position titles, additional documentation must be provided that includes staff name and position title.
 - c. When applicable, mileage will be reimbursed at the current GSA rate (www.gsa.gov). Reimbursement requests for mileage must include:
 1. Name of staff member
 2. Date of travel
 3. Starting address (including zip code) and ending address (including zip code)
 4. Number of miles traveled
 - d. When applicable, travel and/or training expenses will be reimbursed as follows:
 1. Lodging and meal costs for training are not to exceed the current GSA rate (www.gsa.gov), specific to location.
 2. Ground transportation, coach airfare and ferries will be reimbursed at cost when accompanied by receipts.
 3. Reimbursement requests for allowable travel and/or training must include:
 - a. Name of staff member
 - b. Dates of travel
 - c. Starting point and destination
 - d. Brief description of purpose
 - e. Receipts for registration fees or other documentation of professional training expenses.
 - f. Receipts for meals are not required.
7. Payment by the County will be considered timely if it is made within 30 days of the receipt and acceptance of billing information from the Contractor.
8. The County may withhold payment of an invoice if the Contractor submits it or the required invoice documentation, more than 30 days after the month of services performed and/or the expiration of this contract.
9. Invoices must include the following statement, with an authorized signature and date: **I certify that the materials have been furnished, the services rendered, or the labor performed as described on this invoice.**
10. Duplication of billed costs or payments for service: The Contractor shall not bill the County for services performed or provided under this contract, and the County shall not pay the Contractor, if the Contractor has been or will be paid by any other source, including grants, for those costs used to perform or provide the services in this contract. The Contractor is responsible for any audit exceptions or disallowed amounts paid as a result of this contract.

EXHIBIT "B.2"
Invoice Preparation Checklist For Vendors

The County intends to pay you promptly. Below is a checklist to ensure your payment will be processed quickly. Provide this to the best person in your company for ensuring invoice quality control.

- Send the invoices to the correct address:
HL-BusinessOffice@co.whatcom.wa.us and SSullivan@co.whatcom.wa.us
- Submit invoices monthly, or as otherwise indicated in your contract.

Verify that:

- the time period for services performed is clearly stated and within the contract term beginning and end dates. Also verify any other dates identified in the contract, such as annual funding allocations;
- invoice items have not been previously billed or paid, given the time period for which services were performed;
- enough money remains on the contract and any amendments to pay the invoice;
- the invoice is organized by task and budget line item as shown in Exhibit B;
- the Overhead or Indirect Rate costs match the most current approved rate sheet;
- the direct charges on the invoice are allowable by contract. Eliminate unallowable costs.
- personnel named are explicitly allowed for within the contract and the Labor Rates match the most current approved rate sheet;
- back-up documentation matches what is required as stated in Exhibit B and B.1;
- contract number is referenced on the invoice;
- any pre-authorizations or relevant communication with the County Contract Administrator is included; and
- Check the math.

Whatcom County will not reimburse for:

- Alcohol or tobacco products;
- Traveling Business or First Class; or
- Indirect expenses exceeding 10% except as approved in an indirect or overhead rate agreement.