

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.

201903039-4

Originating Department:	35 Sheriff's Office
Division/Program: <i>(i.e. Dept. Division and Program)</i>	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 (USDA), Forest Service
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>201903039</u>	
Does contract require Council Approval? Yes <input checked="" type="radio"/> No <input type="radio"/> 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 <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? Contract _____ Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, RFP and Bid number(s): _____ Cost Center: _____	
Is this agreement excluded from E-Verify? No <input type="radio"/> Yes <input checked="" type="radio"/> If no, include Attachment D Contractor Declaration form.	
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 checked="" 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>21,773.14</u> This Amendment Amount: \$ <u>34,986.86</u> Total Amended Amount: \$ <u>56,760.00</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: _____	
This contract amendment revises the _____ budget amount, adding \$34,986.86 and updates the billing rate. The USDA Forest Service provides funds for one part-time Sheriff's Office Deputy to Patrol Mt. Baker-Snoqualmie National Forest.	
Term of Contract: March 1, 2022	Expiration Date: December 31, 2022

Contract Routing:	1. Prepared by: <u>Donna Duling</u> <i>DMP</i> Date: <u>4/22/22</u>
	2. Attorney signoff: <u>approved via email BW/DD</u> Date: <u>4/22/22</u>
	3. AS Finance reviewed: <u>approved via email BB/DD</u> Date: <u>4/22/22</u>
	4. IT reviewed (if IT related): _____ Date: _____
	5. Contractor signed: _____ Date: _____
	6. Submitted to Exec.: _____ Date: <u>5-9-22</u>
	7. Council approved (if necessary): <u>AB 2022-285</u> Date: <u>5.24.22</u>
	8. Executive signed: _____ Date: <u>5.25.22</u>
	9. Original to Council: _____ Date: <u>6-10-22</u>



MODIFICATION OF GRANT OR AGREEMENT		PAGE	OF PAGES
		1	2+Att
1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER 19-LE-11060500-007(Cooperative Law Enforcement)	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY 201903039-4	3. MODIFICATION NUMBER 004	
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4) Mt. Baker-Snoqualmie National Forest 2930 Wetmore Avenue, Suite 3A Everett, WA 98201	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT ACTIVITY (unit name, street, city, state, and zip + 4) Mt. Baker-Snoqualmie National Forest 2930 Wetmore Avenue, Suite 3A Everett, WA 98201		
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county) Whatcom County 311 Grand AVE STE 503 Bellingham, Washington 98225-4050	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only)		
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 2022 Annual Operating Plan in the amount of \$34,986.86.		
<input type="checkbox"/>	ADMINISTRATIVE CHANGES:		
<input checked="" type="checkbox"/>	OTHER (Specify type of modification): See Exhibit A.4 – 2022 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): This modification to the agreement with Whatcom County Sherriff Office (WCSO) will add funds in the amount of \$34,986.86 for a revised total \$56,760.00 for current 2022 Operating period. See the attachment Operating and Financial Plan, Exhibit A.4. All previous funds remain available for expenditure.			
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.4: 2022 Annual Operating and Financial Plan		
11. SIGNATURES			
<u>AUTHORIZED REPRESENTATIVE:</u> 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. WCSO SIGNATURE See AOP for Signatures <small>(Signature of Signatory Official)</small>	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURE See AOP for Signatures <small>(Signature of Signatory Official)</small>	11.D. DATE SIGNED
11.E. NAME (type or print) BILL ELFO	11.F. NAME (type or print) JODY L. WEIL		
11.G. TITLE (type or print) Sheriff, Whatcom County	11.H. TITLE (type or print) Forest Supervisor, Mt. Baker-Snoqualmie National Forest		



11. SIGNATURES (continued)

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.I. WCSO SIGNATURE See AOP for Signatures <small>(Signature of Signatory Official)</small>	11.J. DATE SIGNED	11.K. U.S. FOREST SERVICE SIGNATURE See AOP for Signatures <small>(Signature of Signatory Official)</small>	11.L. DATE SIGNED
11.M. NAME (type or print) BRANDON WALDRON		11.N. NAME (type or print) ALEX LOMVARDIAS	
11.O. TITLE (type or print) Civil Deputy Prosecuting Attorney, Whatcom County		11.P. TITLE (type or print) Acting Special Agent in Charge, Pacific Northwest Region	

11.S. WHATCOM COUNTY SIGNATURE See AOP for Signatures <small>(Signature of Signatory Official)</small>	11.T. DATE SIGNED
11.W. NAME (type or print) SATPAL SIDHU	
11.Y. TITLE (type or print) Executive, Whatcom County	

12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by: CYNTHIA MOSCOSO Digitally signed by CYNTHIA MOSCOSO Date: 2022.04.01 11:30:52 -07'00' CYNTHIA L. MOSCOSO (Mod 004; 19-LE-11060500-007) <small>U.S. Forest Service Grants & Agreements Specialist</small>	12.B. DATE SIGNED
---	-------------------

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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

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. 19-LE-11060500-007M4
Cooperator Agreement No. 201903039-4

EXHIBIT A.4

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

**Between
WHATCOM COUNTY**

**And the
USDA, FOREST SERVICE
MT. BAKER-SNOQUALMIE NATIONAL FOREST**

2022 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, 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 #19-LE-11060500-007 executed on July 9, 2019. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period ending December 31, 2022.

Current 2022 Year Obligation: \$21,773.14
Additional Funding: \$34,986.86
2022 Total Annual Operating Plan: \$56,760.00

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

Whatcom County Program Contact	Whatcom County Administrative Contact
Bill Elfo, Sheriff, Whatcom County 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6600 Email: belfo@co.whatcom.wa.us	Doug Chadwick, Undersheriff, Whatcom Co. 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6601 Email: dchadwic@co.whatcom.wa.us
	Dawn Pierce, Sr. Administrative Assistant Phone: 360-778-6606 Email: dpierce@co.whatcom.wa.us Email: SheriffAccounting@co.whatcom.us



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Grants and Agreement Contact
James V. Griffin, Patrol Captain PNW Region 6 LEI, NWWZ Everett, WA 98201 Phone: 425-783-6090 Email: james.griffin@usda.gov	Cynthia Moscoso, Lead Grants Management Specialist Region 6 Grants and Agreements Wenatchee, WA 98801 Phone: 541-383-5541 Email: lori.gorton@usda.gov
U.S. Forest Service Administrative Contact	
Cindy Orlando, Program Assistant PNW Region 6 LEI, NWWZ Olympia, WA 98512 Phone: 360-956-2286 Email: cindy.orlando@usda.gov	

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

\$97.40/hour Total Composite Hourly Billing Rate for a senior deputy sergeant at the prevailing regular rate of \$56.04/hour plus fringe benefits of \$41.36/hour.

\$75.62/hour Total Composite Hourly Billing Rate (subject to change during the term of this agreement) includes: \$45.83 /hour plus fringe benefits \$29.79/hour (for deputy assigned to U.S. Forest Service Patrols).

Wages and benefits will be billed at actual regular rates plus associated payroll costs. Rates will vary based on officer experience level.

Mileage: actual miles will be billed at mileage reimbursement rate **\$0.585** per mile

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. Patrols will be in those areas utilized by the visiting public such as administered recreation sites, dispersed recreation sites, buildings and boat launching facilities.

1. Patrol all roads in the Mt. Baker-Snoqualmie National Forest that are located within the boundaries of Whatcom County, Washington.



2. Patrol in the following campgrounds, trailheads, developed sites, or dispersed areas, active logging and firewood cutting areas, and unplanned seasonal special emphasis areas.

Total reimbursement for this category shall not exceed the amount of \$56,760.00.

- B. Specific workdays and core hours on the ground will be determined by Whatcom County with concurrence by the U.S. Forest Service at least five days prior to the schedule taking effect. It is expected that patrols will include Saturday, Sunday, and Holidays on National Forest System (NFS) lands, for the period of the agreement, or until such time as funding is exhausted.
- C. Whatcom county will assign one part-time officer with a fully equipped and marked Whatcom County Sheriff's Office vehicle, suitable for patrol of forest areas.
- D. Reports relating to incidents or crimes that have occurred on National Forest System (NFS) lands should be collectively submitted to the U.S. Forest Service Law Enforcement on a quarterly basis. Reports relating to severe or major incidents or crimes should also be submitted individually, as soon as possible.
- E. Whatcom County shall notify the U.S. Forest Service, as soon as possible, of all search and rescues occurring on NFS lands. Deputies assigned to this agreement an perform preliminary search and rescue duties, but Whatcom County shall furnish another Deputy for lengthy missions.
- F. Patrols should be variable, and Deputies should plan routes making them more visible after sunset, especially during peak use months (generally May through September).
- G. The U.S. Forest Service shall loan Whatcom County one portable radio and one mobile radio for communication purposes. *See Provision IV.K in agreement.*
- H. Whatcom County will be responsible for the installation and maintenance of radio equipment. In the event this agreement is cancelled, the radios will be returned to the USDA Forest Service.

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 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.

This includes but is not limited to situations which are normally unanticipated, or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

IV. BILLING FREQUENCY:

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

- A. Whatcom County will submit invoices on a quarterly basis for reimbursement of services provided under Section II of this Operating Plan, and as outlined in *Cooperative Law Enforcement Agreement Provisions II-H and III-B*.

Submit invoices by email: SM.FS.asc_ga@usda.gov

Email a Copy to U.S. Forest Service Contacts (See Section I.A.)



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

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$56,760.00	N/A
Training		
Equipment		
Special Enforcement Situations		
Total	\$56,760.00	N/A

C. Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or deobligated at the request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-D.*

D. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement.

In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.



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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

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.