

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
202301031-1

Originating Department:	Public Works
Division/Program: <i>(i.e. Dept. Division and Program)</i>	River & Flood (9075)/Flood Planning
Contract or Grant Administrator:	Paula Harris
Contractor's / Agency Name:	City of Everson

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 #: 202301031

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): 202205009

Is this contract the result of a RFP or Bid process? Contract _____
 Yes No If yes, RFP and Bid number(s): _____ Cost Center: 723001

Is this agreement excluded from E-Verify? No Yes 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):
 \$ 24,000
 This Amendment Amount:
 \$ 24,000
 Total Amended Amount:
 \$ 48,000

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 is an amendment to the cost reimbursement agreement with the City of Everson to participate in the Floodplain Integrated Planning (FLIP) process including participation on the FLIP Steering Committee, FLIP Team, and FLIP Reach Teams. The work is grant funded by the '21-'23 Floodplains by Design grant. This amendment increases the contract amount to \$48,000.

Term of Contract: Not to Exceed | Expiration Date: June 30, 2025

- | | | |
|-------------------|--|-------------------------|
| Contract Routing: | 1. Prepared by: <u>Deb Johnson</u> | Date: <u>04/18/23</u> |
| | 2. Attorney signoff: <u>Christopher Quinn</u> | Date: <u>5/2/2023</u> |
| | 3. AS Finance reviewed: <u>A Martin</u> | Date: <u>5/2/2023</u> |
| | 4. IT reviewed (if IT related): _____ | Date: _____ |
| | 5. Contractor signed: _____ | Date: _____ |
| | 6. Submitted to Exec.: _____ | Date: _____ |
| | 7. Council approved (if necessary): <u>AB 2023-330</u> | Date: <u>05/23/2023</u> |
| | 8. Executive signed: <u>Satpal Sidhu</u> | Date: <u>5/24/2023</u> |
| | 9. Original to Council: _____ | Date: _____ |

DocuSigned by:
Satpal Sidhu
 119267C18B664E3...

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**ELIZABETH KOSA
DIRECTOR**



RIVER AND FLOOD
322 N. Commercial Street, Suite 120
Bellingham, WA 98225-4042
Phone: (360) 778-6230
Fax: (360) 778-6231
www.whatcomcounty.us

MEMORANDUM

TO: The Honorable Members of the Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Elizabeth Kosa, Public Works Director

FROM: Paula J. Harris, P.E., River and Flood Manager 
Gary Stoyka, Natural Resources Manager 

RE: City of Everson – Cost Reimbursement Agreement – Amendment No. 1
Funding Support for Participation in the FLIP Planning Process (Project No. 722002)

DATE: April 18, 2023

Enclosed are two (2) originals of a cost reimbursement agreement amendment between the Whatcom County Flood Control Zone District (FCZD) and the City of Everson for your review and signature.

Requested Action

Public Works respectfully requests that the County Council, acting for the FCZD Board of Supervisors, enter into a cost reimbursement agreement amendment with the City of Everson to increase budget for participation in the Floodplain Integrated Planning (FLIP) process including participation on the FLIP Steering Committee, FLIP Team, and FLIP Reach Teams.

Background and Purpose

A cost reimbursement agreement with the City of Everson was executed on January 23, 2023. An error was made on the agreement; the contract amount should have been \$48,000 instead of \$24,000 that was in the executed version. This amendment is being brought before the Council as the total contract amount exceeds \$40,000 threshold for Council approval. All other terms and conditions of the original contract shall remain in full force and effect.

The Cities of Everson, Nooksack and Sumas (Small Cities) are represented in the FLIP planning process by a consultant from Reichart and Ebe (R&E). The FCZD was awarded a '21-'23 biennium Floodplains by Design (FbD) grant from the Department of Ecology which included funding to support the Small Cities' participation in the FLIP process. The cost reimbursement agreement and this amendment are with the City of Everson (City) and the City has retained R&E to represent all three small cities.

Funding Amount and Source

This cost reimbursement agreement amendment proposes to add \$24,000 to the original contract amount for a total contract amount of \$48,000 over two years. This amount will be reimbursed by the '21-'23 FbD grant task "Ag, Tribal & Small City Support / Integration" and the 20% match will be provided by the City of Everson.

Please contact Paula Harris at extension 6285, if you have any questions or concerns regarding the terms of this Contract.

Whatcom County Contract No.
202301031-1

Amendment No. 1
Whatcom County Contract No. 202301031
COST REIMBURSEMENT AGREEMENT BETWEEN
WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT AND
THE CITY OF EVERSON

THIS AMENDMENT is to the Cost Reimbursement Agreement between Whatcom County Flood Control Zone District and the City of Everson, dated 01/23/23 and designated "Whatcom County Contract No. 202301031". In consideration of the mutual benefits to be derived, the parties agree to the following:

This Amendment increases the maximum consideration by \$24,000.00 to a total consideration of \$48,000.00.

Section 3. Payment of the original contract is replaced with the following:

3. PAYMENT

The District will provide payment to the City to reimburse 80 percent (80%) of eligible costs of the City's contracted representative (Reichardt & Ebe Engineering, Inc.) for participation in the FLIP process. Total reimbursement shall be no more than eighty percent (80%) of sixty thousand dollars (\$60,000), equal to forty-eight thousand dollars (\$48, 000), inclusive of indirect costs. Reimbursement shall be made within thirty (30) days of the District's receipt of the City's reimbursement request. All eligible costs shall be dated no earlier than July 1, 2021.

Unless specifically amended by this agreement, all other terms and conditions of the original contract shall remain in full force and effect.

This Amendment takes effect: 05/09/23, regardless of the date of signature.

IN WITNESS WHEREOF, Whatcom County Flood Control Zone District and the City of Everson have executed this Amendment on the date and year below written.

DATED this 5/24/2023 day of _____, 2023.

Each person signing this Contract Amendment represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Contract Amendment.

CITY OF EVERSON:

DocuSigned by:
John Perry 5/24/2023
6E372F8782654C8...
John Perry, Mayor Date

Everson City Hall
111 W Main Street
Everson, WA, 98247

Contact Name: Melanie Dickinson
Contact Phone: 360.966.3411 ext 1100
Contact FAX: 360.966.3466
Contact Email: mdickinson@ci.everson.wa.us

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT:

Recommended for Approval:

DocuSigned by:
Elizabeth Kosa 5/24/2023
879E242DD76G408...
Elizabeth Kosa, Public Works Director Date

Approved as to form:

DocuSigned by:
Christopher Quinn 5/24/2023
EC466EF5C88B4FD...
Christopher Quinn, Senior Civil Deputy Date
Prosecuting Attorney

Approved:

Accepted for Whatcom County Flood Control Zone District:

By: DocuSigned by:
Satpal Sidhu 5/24/2023
1192C7C18D664E3...
Satpal Singh Sidhu, Whatcom County Executive Date