WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No. 201906008-3

Originating Department:		Public Works				
Division/Program; (i.e. Dept. Division and Program)		Stormwater - 907620				
Contract or Grant Administrator:		Kraig Olason, Stormwater Prograr	m Manager			
Contractor's / Agency Name:		Tetra Tech, Inc.				
Is this a New Contract? If not, is this an Amen		newal to an Existing Contract? VCC 3.08.100 (a)) Original Contra	Yes O No O act #: 201906008			
Does contract require Council Approval? Yes (Already approved? Council Approved Date:		If No, include WCC: (Exclusions see: Whatcom County Codes 3)	3.06.010, 3.08.090 and 3.08.100)			
Is this a grant agreement? Yes O No O If yes, grantor age	ency contract	number(s): CFI	DA#:			
Is this contract grant funded? Yes No O If yes, Whatcom	County grant	contract number(s):				
Is this contract the result of a RFP or Bid process? Yes No If yes, RFP and Bid num		Contract Cost Cente	r: 123501			
Is this agreement excluded from E-Verify? No	O Yes ①	If no, include Attachment D Con	tractor Declaration form.			
If YES, indicate exclusion(s) below: Professional services agreement for certifie Contract work is for less than \$100,000. Contract work is for less than 120 days. Interlocal Agreement (between Governments)		ofessional. Contract for Commercial off th Work related subcontract less th Public Works - Local Agency/l	han \$25,000.			
Contract Amount:(sum of original contract amount and any prior amendments): \$ 38,285.00 This Amendment Amount: \$ 23,268.00 Total Amended Amount: \$ 61,553.00	\$40,000, and pthan \$10,000 of 1. Exercisin 2. Contract capital co 3. Bid or aw 4. Equipmen 5. Contract	professional service contract amendments that have an increase greater or 10% of contract amount, whichever is greater, except when: ng an option contained in a contract previously approved by the council. is for design, construction, r-o-w acquisition, prof. services, or other osts approved by council in a capital budget appropriation ordinance. ward is for supplies. ent is included in Exhibit "B" of the Budget Ordinance. is for manufacturer's technical support and hardware maintenance of c systems and/or technical support and software maintenance from the				
Summary of Scope:		c systems and/or technical support and so r of proprietary software currently used b				
This contract amendment provides the construction management services for the drainage improvements on Leeward Way near Southgate Road. This contract also includes engineering support services during construction.						
Term of Contract: N/A		Expiration Date: September 15, 2021				
Contract Routing: 1. Prepared by: Ben Kuiken 2. Attorney signoff: Christophe	- Out-		Pate: August 25, 2020 Pate: 8/29/2020			
 Attorney signoff: Christophe AS Finance reviewed: M Ca IT reviewed (if IT related): Contractor signed: Submitted to Exec.: Council approved (if necessar 	aldwell	D D D	Pate: 8/28/2020 Pate: 8-31-2020 Pate: 9-15-2020 Pate: 9-15-2020			
8. Executive signed:	J/.		Pate: 9-16-2020			
9. Original to Council:	V		Pate: 9-18-2020			



Whatcom County Contract No.

201906008-3

Amendment No. 3 Whatcom County Contract No. 201906008 CONTRACT BETWEEN WHATCOM COUNTY AND TetraTech, Inc.

THIS AMENDMENT is to the Contract between Whatcom County and <u>Tetra Tech, Inc</u>, dated <u>September 15, 2020</u> and designated "Whatcom County Contract No.<u>201906008</u>". In consideration of the mutual benefits to be derived, the parties agree to the following:

This Amendment extends the term of this Agreement through <u>September 15, 2021</u>, and increases the maximum consideration by \$23,268.00 to a total consideration of \$61,553.00.

This Amendment also adds the following: Exhibit A – Scope of Work, Exhibit B – Budget, and Certificate of Insurance

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: September 15, 2020, regardless of the date of signature.

IN WITNESS WHEREOF, Whatcom County and <u>Tetra Tech, Inc.</u> have executed this Amendment on the date and year below written.

DATED this 16th day of September, 2020.

CONTRACTOR:

CONTRACTOR NAME

Jerry Scheller, P.E., Senior Project Manager

STATE OF WASHINGTON
) ss.

COUNTY OF WHATCOM

On this day of 20 before me personally appeared of the day of the

and who executed the above instrument and who

NOTARY PUBLIC in and for the State of Washington.

residing at print

My commission expires

LEEWARD WAY DRAINAGE MPROVEMENTS
AMENDMENT NO. 3 TO CONTRACT 201906008

WHATCOM COUNTY: Recommended for Approval:
Jon Hutchings, Public Works Director Date
Approved as to form:
Christopher Quinn Date Senior Deputy Prosecuting Attorney-Civil Division
Approved: Accepted for Whatcom County:
By: Satpal Singh Sidhu, Whatcom County Executive
STATE OF WASHINGTON)) SS COUNTY OF WHATCOM)
On this 16th day of September, 20 Z o, before me personally appeared Satpal Singh Sidhu, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.
NOTARY PUBLIC in and for the State of Washington, Suzanne M. Mildner, printed name. PUBLIC NOTARY PUBLIC NO
CONTRACTOR INFORMATION: WASHINGTON
Tetra Tech, Inc. Jerry Scheller, P.E., Senior Project Manager 1420 Fifth Avenue, Suite 650 Seattle, WA 98101

Contact Email: jerry.scheller@tetratech.com

Contact Phone: 206-883-9414 Contact FAX: 206-883-9301

EXHIBIT A – SCOPE OF WORK

LEEWARD WAY DRAINAGE IMPROVEMENTS AMENDMENT NO. 3 TO CONTRACT 201906008

This scope of work describes additional tasks needed for Construction Management Services for the drainage improvements on Leeward Way near Southgate Road.

The following tasks include a description of the additional work involved and the associated amended or additional deliverable(s) for these tasks.

TASK 1 CONSTRUCTION SUPPORT

Tetra Tech will provide the following additional engineering assistance during construction.

- Pre-construction meeting One consultant representative will attend a pre-construction meeting.
- RFI Review Review 3 requests for information (RFI)
- Contractor Submittal Review Review 6 Contractor provided submittals.
- Material Submittal Review Review 3 Request for Approval of Materials (RAM)
- Contract Change Orders –Prepare up to 3 contract Change Orders.
- Onsite Meetings At least one Consultant representative will attend three onsite meetings with Whatcom County and Contractor staff. The schedule of the meeting will be determined during the construction period.
- Phone Meetings At least one consultant representative will participate by phone in up to 6, one-hour meetings, with Whatcom County and Contractor staff. The schedule of the meetings will be determined during the construction period.
- Punchlist Walkthrough At least one Consultant representative will attend an onsite meeting to perform a
 walkthrough of the project with Whatcom County and Contractor staff. The schedule of the meeting will be
 determined during the construction period.
- Record Drawing preparation per Whatcom County As-Built/Record Drawing Policy and Procedures.

Assumptions

- All administrative coordination and contract management activities with the Contractor will be performed by Whatcom County.
- The process for submitting RFI's will be discussed with the Contractor at the Pre-construction meeting.
- The County will perform plan and material reviews when feasible. The County Engineer may consult with the Engineer
 of Record as necessary. Engineer may review a material submittal (Request for Approval of Materials), and/or review
 contractor provided plans (For Example: Bypass plan, traffic control plan, TESC plan, Safety Plans, TERO Compliance
 Plan, etc.)
- Change Order preparation assistance at 8 hours per change order.
- Preconstruction meeting will be a remote meeting (i.e. Zoom, GoToMeeting, Skype, etc.) and assumes 2 hours.
- Onsite meeting assumes three site visits at 6 hours per visit.
- Onsite meeting for a punchlist walkthrough is assumed to be 6 hours.
- Phone coordination meetings assume 1 hour per meeting.
- The complete Record Drawings for the project will be reviewed twice by County Staff.
- Reference to "Engineer" in the Project Specifications directing onsite Contractor operations during working periods apply to Whatcom County's Project Engineer.
- Engineering direction to the Contractor regarding engineering design issues will be through Whatcom County's Project Engineer.

- Whatcom County Project Engineer will lead all meetings including developing the agenda and preparing meeting minutes.
- The processing time for RFI responses, and change orders will be determined with input from the contractor and Whatcom County at the pre-construction meeting.
- Whatcom County's Project Engineer will prepare the punchlist and coordinate resolution of listed items with the Contractor.
- Tetra Tech is not responsible for proper construction means, methods, techniques; or for the failure of any other entity to perform its work in accordance with laws, contracts, regulations, or County's expectations.
- This scope of services assumes a six-month project duration.

Deliverables

- Review up to 3 RFI submittals.
- Review up to 6 Contractor provided submittals.
- Prepare 3 contract Change Orders
- Attend 1 pre-construction site meeting.
- Attend 3 on-site meetings.
- Attend 1 Punchlist walkthrough meeting.
- Participate by phone in up to 6 construction coordination meetings.
- Record drawings.

TASK 2: PROJECT MANAGEMENT

Provide ongoing project management and coordination with the project team.

- · Coordinate labor, meeting key scheduling milestones, and maintaining budget.
- Prepare six monthly progress reports which include a summary table comparing amount expended and remaining budget.

Deliverables

Monthly invoices and progress reports.

EXHIBIT B - BUDGET

LEEWARD WAY DRAINAGE IMPROVEMENTS **AMENDMENT NO. 3 TO CONTRACT 201906008**

™ Price Proposal			Labor Plan							Price Summary / Totals			
			5 Resource								Task Pricir	ng Totals	23,268
Leeward Way Drainage Improvements	Bill Rate≯	225.00	5,00 198,00		156,00	114.00	127 00 Eng	119.00 Admin	101.00	Specify A	Specify Add'l Fees on Setup		0
Amendment 3 Services during Construction										Technology Use Fee			
	. Proj Area >	Eng	Eng		Eng	Eng			Admin	77.14	of order		23,268
Submitted to: Whatcom County Public Works	1												
		ager	ineer	Ineer				/Senior					
Contract Type: T&M		Project Manage	Ai Eng	All Eng	Jeer	je	guer.	itracts					Task
	Total Labor Hrs	Sr. Projec	Senior Civil Engineer	Seniar Civil Enginee	Civil Engineer	Civil Engine	CAD Designer	Legal Contr Admin	Admin	Labor	Subs	Travel	Pricing Totals
Project Phases / Tasks	145	11	13	59	2	48	2	8	2	23,038		230	23,268
Task 1. Construction Support	130	6	13	59	2	48	2			20,759		230	20,989
1.1 Precon	2			2						366		230	596
1.2 Submittal Review	28	4	8	10		6				4,998			4,998
1.3 Response to RFI	11	2		3		6				1,683			1,683
1.4 Change Orders	23		3	10	2	8				3,648			3,648
1.5 Onisite meeting	18			18						3,294			3,294
1.6 Weekly phone conference during construction	8		2	6						1,494		- 1	1,494
1.7 Punchlist walkthrough	6			6	1					1,098		- 1	1,098
1.8 Record drawings	34			4		28	2			4,178			4,178
Task 2. Project Management	15	5		-				8	2	2,279			2,279
2.1 Project Administration	6	2						2	2	890			890
2.2 Progress Reporting	9	3						6		1,389			1,389
the state of the s	n operate at	Jan 11 :	18	59	es in	Section 1	nd, percent	A Second	- 1	23.038	and the same	230	23.758

Budget Narrative

^{1.} Contract amounts shall not exceed the total budget referenced (above). As consideration for services provided in Exhibit A, Scope of Work, the County agrees to compensate the contractor according to the hourly rates provided in the project budget (Exhibit B). Other reasonable expenses incurred in the course of performing the duties herein shall be reimbursed including mileage at the current IRS rate. Lodging and per diem shall not exceed the GSA rate for the location where services are provided. Other expenditures such as printing, postage, and telephone charges shall be reimbursed at actual cost plus 10%. Expense reimbursement requests must be accompanied by copies of paid invoices. Any work performed prior to the effective date or continuing after the completion date of the contract, unless otherwise agreed upon in writing, will be at the contractor's expense.

2. Hourly rates are subject to a 3% annual escalation, with County approval.

CORD

CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policyles) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s)

PRODUCER AON Risk Insurance Services West, Inc. Los Angeles CA Office 707 Wilshire Boulevard Suite 2600 Los Angeles CA 90017-0460 USA	CONTACT NAME: PHONE Ext): (866) 283-7122 FAX. No.): (800) 363-0105						
	E-MAIL ADDRESS:	INSURER(S) AFFORDING COV		NAIC#			
INSURED	INSURER A:		16535				
Tetra Tech, Inc. 17885 Von Karman Ave., Suite 500	INSURER B:	ompany	19437				
Irvine CA 92614 USA	INSURER C:						
	INSURER 0:						
	INSURER E:						
	INSURER F:						

COVERAGES CERTIFICATE NUMBER: 570083606319 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS,

INSR LTR	TYPE OF INSURANCE	ADDL	SUBR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	wn are as requested
A		INSD	WVD	GL0181740601		10/01/2020	EACH OCCURRENCE	\$1,000,000
"	CLAIMS-MADE X OCCUR			GEO1017 40001	10,01,2013	10, 01, 2020	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000
							MED EXP (Any one person)	\$10,000
							PERSONAL & ADV INJURY	\$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$4,000,000
	POLICY X PRO-						PRODUCTS - COMP/OP AGG	\$4,000,000
	OTHER							
Α	AUTOMOBILE LIABILITY			BAP1857085-01	10/01/2019	10/01/2020	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	x ANY AUTO						BODILY INJURY (Per person)	
	OWNED SCHEDULED			j.			BODILY INJURY (Per accident)	
	AUTOS ONLY HIRED AUTOS ONLY ONLY AUTOS NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	
	DED RETENTION							
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH-	
	ANY PROPRIETOR / PARTNER /	ł I					E.L. EACH ACCIDENT	
	EXECUTIVE OFFICER/MEMBER (Mandatory In NH)	N/A					E.L. DISEASE-EA EMPLOYEE	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE-POLICY LIMIT	
В	Env Contr Prof			028182375 Prof/Poll Liab - Claims M SIR applies per policy ter	10/01/2019 ms & condi	.00	Each Claim Aggregate	\$1,000,000 \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required

RE: Job Description: Tetra Tech will prepare preliminary and final design documents for construction of the Leeward Way Drainage Improvements project using accepted engineering practices, and Whatcom County engineering guidance and standards. Whatcom County is included as Additional Insured in accordance with the policy provisions of the General Liability policy as required by written contract. General Liability policy evidenced herein is Primary and Non-Contributory to other insurance available to Additional Insured, but only in accordance with the policy's provisions as required by written contract. A Waiver of Subrogation is granted in favor of Whatcom County in accordance with the policy provisions of the General Liability, Automobile Liability and Professional Liability policies as required by written contract. Stop Gap Coverage for the following

CANCELLATION

	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
Whatcom County Attn: Jon Hutchings 322 N. Commercial Street, Suite 224 Bellingham WA 98225 USA	Authorized representative Aon Risk Insurance Services West, Inc.

CEPTIFICATE HOLDER

AGENCY CUSTOMER ID:

570000036654

LOC#:



ADDITIONAL REMARKS SCHEDULE

Page	_ of

AGENCY		NAMED INSURED
Aon Risk Insurance Services West, Inc.	Tetra Tech, Inc.	
POLICY NUMBER		
See Certificate Numbe 570083606319		
CARRIER	NAIC CODE	
See Certificate Numbe 570083606319		EFFECTIVE DATE:

See Certificate Numbe 570083606319	NAIC CODE	EFFECTIVE DATE:				
ADDITIONAL REMARKS						
THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,						
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance						
Additional Description of Operations / Locations / Vehicles: States: OH, ND, WA, WY.						
		1				
		16				
€ S		*				

WHATCOM COUNTY PUBLIC WORKS DEPARTMENT

Jon Hutchings Director



STORMWATER

322 N. Commercial, Suite 224 Bellingham, WA 98225 Main: (360) 778-6210 FAX: (360) 778-6201



MEMORANDUM

SEP 1 5 2020

WHATCOM COUNTY

EXECUTIVE'S OFFICE

TO:

DATE:

RE:

The Honorable Satpal Singh Sidhu, County Executive and

The Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director

FROM: Kraig Olason, Stormwater Program Manager

August 28, 2020

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Amendment No. 3 to Whatcom County Contract No. 201906008-2- TetraTech, Inc.

Leeward Way Drainage Improvements Project

Enclosed are two (2) originals of Amendment No. 3 of Whatcom County Contract No. 201906008-2 between Whatcom County and Tetra Tech, Inc. for your review and signature.

Background and Purpose

This amendment provides construction support services for this project. Tetra Tech, Inc. has completed the Leeward Way Drainage Improvements Project design and bid package. The project was designed to correct the reoccurring drainage issues within the Leeward Way Right-of-Way, near Southgate Road. Existing stormwater infrastructure located within Leeward Way is currently not conveying stormwater as originally intended, which results in water over the roadway. This project will collect and convey surface water down a steep eroding bluff to the shore.

Funding Amount and Source

This project is funded by existing budget authority in the Stormwater Division budget (Cost Center 123501). Contract Amendment No. 1 did not change the contract amount, and was a time extension amendment. Contact Amendment No 2 added scope to address the conditions on the Lummi Planning Department's Land Use Permit necessary to complete the design. The original contract amount is \$31,730.00, contract Amendment No. 2 was for \$6,555.00, and this amendment is \$23,268.00, bringing the total contract amount to \$61,553.00.

Differences from Previous Contract

The unanticipated design changes required a contract time extension and the consultant reworking the plans, specifications, and estimates to accommodate input from regulatory agencies, property owners, utility companies, archeologists, County maintenance staff, the County Engineer, and COVID-19 contract modifications. The added complexity of this project requires more engineer involvement than was previously scoped in the original contract. The original contract included approximately \$4,850 for construction support. This amendment

expands the construction support services work in the original contract; the amendment includes record drawings, potential change orders, additional site visits/meetings, and additional contractor submittal reviews.

Please contact Kraig Olason at extension 6301 or Ben Kuiken at extension 6303, if you have any questions or concerns regarding the terms of this agreement.

Encl.