

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2016-279

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JNT	8/30/2016	<div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 20 2016</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	Sept. 27, 2016	Finance; FCZD BOS
Division Head:	DM	9/13/16			
Dept. Head:	HT	9/15/16			
Prosecutor:	U	09/15/16			
Purchasing/Budget:	BB	8/31/16			
Executive:	TRS	9.19.16			
TITLE OF DOCUMENT: U.S. Department of Interior, U.S. Geological Survey Joint Funding Agreement for 7 Gaging Stations - 2016-2017					
ATTACHMENTS: 1. Joint Funding Agreement					
SEPA review required? () Yes (X) NO SEPA review completed? () Yes () NO			Should Clerk schedule a hearing ? () Yes (X) NO Requested Date:		
SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.) This Joint Funding Agreement with the U.S. Department of Interior, U. S. Geological Survey will provide for stream gaging and data analysis and publication at 7 stations in the Nooksack Watershed. Cost is not to exceed \$77,650.					
COMMITTEE ACTION:			COUNCIL ACTION:		
Related County Contract #:		Related File Numbers:		Ordinance or Resolution Number:	
Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council .					



RECEIVED

SEP 15 2016

MEMORANDUM

JACK LOUWS
COUNTY EXECUTIVE

TO: Jack Louws, County Executive
Honorable Members of the Whatcom County Council acting as the Whatcom
County Flood Control Zone District Board of Supervisors

Through: Jon Hutchings, Public Works Director TH

FROM: Gary Stoyka, Natural Resource Manager (ms) 9/13/16

RE: Joint Funding Agreement (#17WNWA20075) with the U. S. Department of Interior,
U.S. Geological Survey for 7 Gaging Stations (2016-2017)

DATE: September 2, 2016

Enclosed are two (2) originals of a Joint Funding Agreement between the U. S. Department of Interior, U. S. Geological Survey and the Whatcom County Flood Control Zone District for your review and signature.

▪ **Requested Action**

Public Works respectfully requests that the County Executive, on behalf of the Whatcom County Flood Control Zone District, enter into a Joint Funding Agreement for \$77,650 with the United States Department of Interior, U.S. Geological Survey (USGS) for the collection and publication of surface water data at 7 stream gages in the Nooksack River Basin.

▪ **Background and Purpose**

In the past, WRIA 1 Joint Board funds were used to support the collection of stream flow and water quality data at seven USGS stream gaging sites that are part of the Nooksack River Basin gaging network. The Joint Board fund is nearly depleted and is no longer available to support this work. This agreement will provide for data to continue to be collected to USGS quality standards and to be published and made available to the public for one water year (October 2016 through September 2017) pending development of a long-term approach to funding this component of the gaging network. The term of the agreement is October 1, 2016 through September 30, 2017.

▪ **Funding Amount and Source**

This new fixed cost agreement is not to exceed \$77,650 and is included in the 2016 Public Works Natural Resource budget. The USGS will also contribute \$49,490 for a total agreement amount of \$127,140.

Please contact Gary at extension 6218 should you have any questions.

Encl.

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.

201609009.

Originating Department:	Public Works
Division/Program: <i>(i.e. Dept. Division and Program)</i>	Natural Resources
Contract or Grant Administrator:	John N. Thompson, Sr. Planner
Contractor's / Agency Name:	U.S. Department of Interior
<p>Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____</p>	
<p>Does contract require Council Approval? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____</p> <p><i>(Council as FCZD Board of Supervisors)</i> (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p>	
<p>Is this a grant agreement? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, grantor agency contract number(s): _____ CFDA#: _____</p>	
<p>Is this contract grant funded? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, Whatcom County grant contract number(s): _____</p>	
<p>Is this contract the result of a RFP or Bid process? Contract _____</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, RFP and Bid number(s): _____ Cost Center: _____</p>	
<p>Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form.</p>	
<p>If YES, indicate exclusion(s) below:</p> <p><input type="checkbox"/> Professional services agreement for certified/licensed professional.</p> <p><input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS).</p> <p><input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000.</p> <p><input checked="" type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</p>	
<p>Contract Amount:(sum of original contract amount and any prior amendments):</p> <p>\$ <u>77,650</u></p> <p>This Amendment Amount:</p> <p>\$ _____</p> <p>Total Amended Amount:</p> <p>\$ _____</p>	<p>Contracts that require Council Approval (incl. agenda bill & memo)</p> <ul style="list-style-type: none"> • Professional Services Agreement above \$20,000. • Bid is more than \$50,000. • Professional Service Contract Amendments that have an increase greater than \$20,000 and other contracts with a cumulative increase greater than \$50,000. <p>RENEWALS: Council approval is not required when exercising an option to renew that is provided in the original contract.</p>
<p>Summary of Scope:</p> <p>This Joint Funding Agreement with the U.S. Department of Interior, U. S. Geological Survey will provide for stream gaging and data analysis and publication at 7 stations in the Nooksack Watershed. Cost is not to exceed \$77,650.</p>	
Term of Contract:	October 1, 2016- Sept. 30, 2017 Expiration Date: Sept. 30, 2017

Contract Routing:	1. Prepared by: <u>John N. Thompson</u>	Date: <u>8/30/2016</u>
	2. Attorney signoff: <u>Daniel L. Gibson</u>	Date: <u>08/31/16</u>
	3. AS Finance reviewed: <u>bennett</u>	Date: <u>8/31/16</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: _____	Date: _____
	7. Council approved (if necessary): _____	Date: _____
	8. Executive signed: _____	Date: _____
	9. Original to Council: _____	Date: _____

COUNTY ORIGINAL

Form 9-1366
(April 2015)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement

Customer #: 6000000721 FY17
Agreement #: 17WNWA20075
Project #: 97229EU
TIN #: 91-6001383
Fixed Cost Agreement ☒ Yes ☐ No

WHATCOM COUNTY
CONTRACT NO.
201609009

FOR
WATER RESOURCES INVESTIGATIONS

THIS AGREEMENT is entered into as of the **1st** day of **OCTOBER 2016**, by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the **Whatcom County Flood Control Zone District**, party of the second part.

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation a **fixed-cost agreement for the collection and publication of surface water data at 7 USGS streamgages in the Nooksack River Basin**, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of **\$N/A**.

by the party of the first part during the period

(a) **\$49,490** **OCTOBER 1, 2016 to SEPTEMBER 30, 2017**

by the party of the second part during the period

(b) **\$77,650** **OCTOBER 1, 2016 to SEPTEMBER 30, 2017**

- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of :
\$

Description of the USGS regional/nations program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties..
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
 4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
 5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
 6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
 7. The original records resulting from this program will be deposited in the office of origin of those records. Upon

- request, copies of the original records will be provided to the office of the other party.
8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered **QUARTERLY**. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

**U.S. Geological Survey
United States
Department of the Interior**

Name of Customer

Whatcom County Flood Control Zone District

USGS Point of Contact

Customer Point of Contact

Name: Marijke van Heeswijk
Address: 934 Broadway St, STE 300

Tacoma, WA 98402

Name: John Thompson
Address: Whatcom Co. Public Works
322 N. Commercial St, Suite 110
Bellingham, WA 98225

Telephone: (253) 552-1625
Email: Heeswijk@usgs.gov

Telephone: (360) 778-6295
Email: Jnthomps@co.whatcom.wa.us

Signatures

Signatures

By M. van Heeswijk Date 8/31/16 By See Attached Date _____

Name: ^{for} Cynthia Barton
Title: Center Director

Name:
Title:

By _____ Date _____

By _____ Date _____

Name:
Title:

Name:
Title:

By _____ Date _____

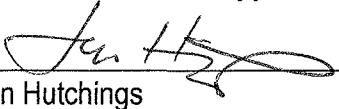
By _____ Date _____

Name:
Title:


Name:
Title:

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT:

Recommended for Approval:

 9/15/16
Jon Hutchings Date
Public Works Director

Approved as to form:

 09/15/16
Daniel L. Gibson Date
Chief Civil Deputy Prosecuting Attorney

Approved:

Accepted for Whatcom County Flood Control Zone District:

By: _____

Jack Louws, Whatcom County Executive for the Whatcom County Flood Control Zone District Board of Supervisors

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 2016, before me personally appeared Jack Louws, 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, residing at
_____. My commission expires _____.

USGS - Whatcom County Flood Control Zone District Streamgaging Program, October 1, 2016 - September 30, 2017

USGS Station No.	Station Name	Whatcom County Flood Control Zone District	USGS Cooperative Matching Funds	Total	Remarks
NORTHWEST WASHINGTON FIELD OFFICE (FERNDALE), 360-312-8155					
12205000	North Fork Nooksack River below Cascade Creek near Glacier				
	Water temperature	\$2,550	\$1,620	\$4,170	Streamflow discharge with priority real-time data transmission is funded by a Whatcom County Public Works Dept. (River and Flood Division)-USGS partnership through a separate agreement.
12209490	Skookum Creek above Diversion near Wickersham				
	Streamflow discharge	\$11,960	\$7,630	\$19,590	
	Water temperature	\$2,550	\$1,620	\$4,170	
12210700	Nooksack River at North Cedarville				
	Water temperature	\$2,550	\$1,620	\$4,170	Streamflow discharge with priority real-time data transmission is funded by a Whatcom County Public Works Dept. (River and Flood Division)-Washington State Dept. of Ecology-USGS partnership through separate agreements.
12210900	Anderson Creek at Smith Road near Goshen				
	Streamflow discharge	\$11,960	\$7,630	\$19,590	
	Water temperature	\$2,550	\$1,620	\$4,170	
12212050	Fishtrap Creek at Front Street at Lynden				
	Streamflow discharge	\$11,960	\$7,630	\$19,590	
	Water temperature	\$2,550	\$1,620	\$4,170	
12212390	Bertrand Creek at International Boundary				
	Streamflow discharge	\$11,960	\$7,630	\$19,590	
	Water temperature	\$2,550	\$1,620	\$4,170	
12212430	Unnamed Tributary to Bertrand Creek near H Street near Lynden				
	Streamflow discharge	\$11,960	\$7,630	\$19,590	
	Water temperature	\$2,550	\$1,620	\$4,170	
	TOTAL	\$77,650	\$49,490	\$127,140	