

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2017-339

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JNT	10/24/2017	<div style="text-align: center;"> <p>RECEIVED</p> <p>NOV 13 2017</p> <p>WHATCOM COUNTY COUNCIL</p> </div>	November 21, 2017	Finance/Board of Supervisors
Division Head:	<i>[Signature]</i>	11/6/17			
Dept. Head:	<i>[Signature]</i>	11/7/17			
Prosecutor:	<i>[Signature]</i>	11/9/17			
Budget:	Bbennett	11/03/17			
Executive:	<i>[Signature]</i>	11/13/17			
TITLE OF DOCUMENT: Joint Funding Agreement with the United States Geological Survey for Stream Gaging at 8 Stations in the Nooksack Watershed.					
ATTACHMENTS: 1. Joint Funding Agreement #18WNWA20075					
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 between the United States Department of the Interior, U.S. Geological Survey and Whatcom County Flood Control Zone District provides for collection and publication of surface water data at 8 USGS stream gages in the Nooksack River Basin for the 2018 Water Year (October 1, 2017 through September 30, 2018).					
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 .					



NOV 9 - 2017

MEMORANDUM

JACK LOUWS
COUNTY EXECUTIVE

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

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Gary Stoyka, Natural Resource Manager *MS*
John N. Thompson, Senior Salmon Recovery Planner. *JNT*

RE: Joint Funding Agreement for USGS Gaging Stations

DATE: October 30, 2017

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

▪ **Background and Purpose**

This Joint Funding Agreement with the USGS will provide for continued data collection and publication of surface water data at 8 stream gaging stations in the Nooksack River watershed for the 2018 water year (October 1, 2017 through September 30, 2018). These gaging stations were selected to provide data that complements data collected at other USGS and Ecology gaging sites and which collectively support WRIA 1 watershed management and salmon recovery efforts.

▪ **Funding Amount and Source**

This one-year agreement is for \$83,765 and is included in FY 2017 Supplemental Budget Request No. 2501 and the proposed 2018 Public Works Natural Resources budget. Supplemental Budget Request No. 2501 has also been submitted for approval at the November 21st Council/BOS meeting. FCZD expenditures will be reimbursed through an Interlocal Agreement with Public Utility District No. 1 of Whatcom County.

▪ **Differences from Previous Contract**

This is a new agreement.

Please contact Gary at extension 6218, if you have any questions or concerns regarding the terms of this agreement,

Encl.

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.

201711007

Originating Department:		Public Works	
Division/Program: (i.e. Dept. Division and Program)		Natural Resources	
Contract or Grant Administrator:		John N. Thompson, Sr. Planner	
Contractor's / Agency Name:		U.S. Dept. of Interior, USGS	

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 #: _____

Does contract require Council/Board of Supervisor Approval? Yes ☒ No ☐ If No, include WCC: _____
(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): ILA with PUD pending

Is this contract the result of a RFP or Bid process? Contract _____
Yes ☐ No ☒ If yes, RFP and Bid number(s): _____ Cost Center: 169121

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"/> Contract for Commercial off the shelf items (COTS).
<input type="checkbox"/> Contract work is for less than \$100,000.	<input type="checkbox"/> Work related subcontract less than \$25,000.
<input type="checkbox"/> Contract work is for less than 120 days.	<input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.
<input checked="" type="checkbox"/> Interlocal Agreement (between Governments).	

<p>Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>83,765</u></p> <p>This Amendment Amount: \$ _____</p> <p>Total Amended Amount: \$ _____</p>	<p>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:</p> <ol style="list-style-type: none"> 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies or equipment included approved in the budget. 4. 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.
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Summary of Scope:
This Joint Funding Agreement between the United States Department of the Interior, U.S. Geological Survey and Whatcom County Flood Control Zone District provides for collection and publication of surface water data at 8 USGS stream gages in the Nooksack River Basin for the 2018 Water Year (October 1, 2017 through September 30, 2018).

Term of Contract:	<u>October 1, 2017</u>	Expiration Date:	<u>September 30, 2018</u>
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Contract Routing:	1. Prepared by: <u>John N. Thompson</u>	Date:	<u>October 24, 2017</u>
	2. Attorney signoff: <u>Daniel L. Gibson</u> <i>DLG 11/09/17</i>	Date:	<u>10/30/17</u>
	3. AS Finance reviewed: <u>bbennett</u>	Date:	<u>11/03/17</u>
	4. IT reviewed (if IT related): _____	Date:	_____
	5. Contractor signed: _____ ✓	Date:	<u>10-18-17</u>
	6. Submitted to Exec.: _____ ✓	Date:	<u>11-9-17</u>
	7. Council approved (if necessary): _____	Date:	_____
	8. Executive signed: _____	Date:	_____
	9. Original to Council: _____	Date:	_____

Form 9-1366
(April 2015)

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

Customer #: 6000000721 FY18
Agreement #: 18WNWA20075
Project #: 97229EU
TIN #: 91-6001383
Fixed Cost Agreement ☒ Yes ☐ No

FOR
WATER RESOURCES INVESTIGATIONS

THIS AGREEMENT is entered into as of the **1st** day of **OCTOBER 2017**, 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 8 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) **\$50,710** **OCTOBER 1, 2017 to SEPTEMBER 30, 2018**

by the party of the second part during the period
(b) **\$83,765** **OCTOBER 1, 2017 to SEPTEMBER 30, 2018**

(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: Mark Mastin

Address: 934 Broadway St,
Suite 300
Tacoma, WA 98402


Name: John Thompson

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

Telephone: (253) 552-1609
Email: mcmastin@usgs.gov

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

Signatures

By  Date 10/18/17

Name: **Cynthia Barton, Ph.D., L.G., L.H.G.**
Title: **Center Director, USGS Washington
Water Science Center**

By _____ Date _____

Name:
Title:

By _____ Date _____

Signatures

By SEE ATTACHED FCZD Date _____
SIGNATURE PAGE


Name:
Title:

By _____ Date _____

Name:
Title:

By _____ Date _____

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT:
Recommended for Approval:



Jon Hutchings, Public Works Director 11/7/17
Date

Approved as to form only:



Daniel Gibson, Chief Civil Deputy Prosecutor 11/09/17
Date

Approved:

Accepted for Whatcom County Flood Control Zone District

By: _____
Jack Louws, Whatcom County Executive, Date
acting for the Whatcom County
Flood Control Zone District Board of Supervisors

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 2017, 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 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	\$2,570	\$1,630	\$4,200	Streamflow discharge with priority real-time data transmission is funded by Whatcom Co. Public Works Dept. (River and Flood Division)-separate USGS agreement.
12209490	Skookum Creek above Diversion near Wickersham				
	Streamflow discharge	\$12,315	\$7,860	\$20,175	
	Water temperature	\$2,570	\$1,630	\$4,200	
12210000	SF Nooksack River at Saxon Bridge				
	Water temperature	\$4,200		\$4,200	
12210700	Nooksack River at North Cedarville				
	Water temperature	\$2,570	\$1,630	\$4,200	Streamflow discharge with priority real-time data transmission is funded by a Whatcom Co. Public Works and Washington State DOE-through a separate USGS agreements.
12210900	Anderson Creek at Smith Road near Goshen				
	Streamflow discharge	\$12,315	\$7,860	\$20,175	
	Water temperature	\$2,570	\$1,630	\$4,200	
12212050	Fishtrap Creek at Front Street at Lynden				
	Streamflow discharge	\$12,315	\$7,860	\$20,175	
	Water temperature	\$2,570	\$1,630	\$4,200	
12212390	Bertrand Creek at International Boundary				
	Streamflow discharge	\$12,315	\$7,860	\$20,175	
	Water temperature	\$2,570	\$1,630	\$4,200	
12212430	Unnamed Tributary to Bertrand Creek near H Street near Lynden				
	Streamflow discharge	\$12,315	\$7,860	\$20,175	
	Water temperature	\$2,570	\$1,630	\$4,200	
	TOTAL	\$83,765	\$50,710	\$134,475	