


WHATCOM COUNTY COUNCIL AGENDA BILL

NO. AB2018-164

| CLEARANCES | Initial | Date | Date Received in Council Office | Agenda Date | Assigned to: |
|------------------------------------|-------------------------|----------------|--|-------------|-----------------|
| Originator: Cody Swan | <i>CS</i> | 2018-05-17 |  | 5/22/2018 | Finance/Council |
| Division Head: Joe Rutan, P.E. | <i>JPK FOR J. RUTAN</i> | 5.17.18 | | | |
| Dept. Head: Jon Hutchings | <i>JH</i> | <i>5/18/18</i> | | | |
| Prosecutor: Daniel Gibson | <i>DG</i> | 05/17/18 | | | |
| Purchasing/Budget: Brad Bennett | <i>BB</i> | 5/17/18 | | | |
| Executive: Jack Louws | <i>JL</i> | 5/17/18 | | | |

TITLE OF DOCUMENT:

East Smith Road Pavement Rehabilitation, Everson-Goshen to SR-542; CRP No. 916006

ATTACHMENTS:

1. Memo
2. Contract Information Sheet
3. Rural Arterial Program (RAP) - Project Agreement for Construction Proposal, Amendment No. 1; three (3) originals
4. Project Narrative

SEPA review required? () Yes (x) NO
 SEPA review completed? () Yes (x) 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.)

Public Works respectfully requests that the County Council authorize the County Executive to enter into Amendment Number 2 with CRAB in order to receive additional RAP grant funding for the East Smith Road Pavement Rehabilitation project.

Please return **all three (3)** originals of the Amendment Number 2-RAP Agreements to our office for further processing. We will return one (1) fully executed original to you once they are signed by CRAB.

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.

Jon Hutchings
Director



Joseph P. Rutan, P. E.
County Engineer/Assistant Director
322 N. Commercial Street, Ste 301
Bellingham, WA 98225-4042
Phone: (360) 778-6210
Fax: (360) 778-6211

MEMORANDUM

RECEIVED

MAY 17 2018

To: The Honorable Jack Louws, Whatcom County Executive and
The Honorable Whatcom County Council

Through: Jon Hutchings, Director *JH*

From: Joseph P. Rutan, P.E., County Engineer/Assistant Director *JPK FOR JOE RUTAN*
Cody Swan, Project Engineer *CS*

Date: May 17, 2018

Re: East Smith Road Pavement Rehabilitation, Everson-Goshen Road to SR-542
CRP No. 916006
Rural Arterial Program (RAP) Funding Contract-Amendment No. 2

JACK LOUWS
COUNTY EXECUTIVE

Enclosed for your review and signature are three (3) originals of a contract between the County Road Administration Board (CRAB) and Whatcom County.

Requested Action

Public Works respectfully requests that the County Council authorize the County Executive to enter into Amendment Number 2 with CRAB in order to receive additional RAP grant funding for the East Smith Road Pavement Rehabilitation project.

Please return **all three (3)** originals of the Amendment Number 2-RAP Agreements to our office for further processing. We will return one (1) fully executed original to you once they are signed by CRAB.

Project Background

This agreement allows Rural Arterial Trust Account (RATA) funds to be used for the design and construction of the East Smith Road Pavement Rehabilitation project (from Everson-Goshen Road to SR-542).

Funding Amount and Source

Whatcom County has been awarded an additional **\$156,270** in RATA funds for a total of **\$1,000,000** for this project. Total anticipated project costs (design and construction) will be approximately **\$1,500,000** resulting in a local contribution of approximately \$500,000 coming from the Road Fund. This project is not listed on the 2018 Annual Construction Program. It is anticipated for construction 2020.

Please contact Cody Swan at extension 6265 if you have any questions or concerns regarding the terms of this agreement.

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.
201706003-2

| | | | | | | | | | |
|---|---|---|--|--|---|---|---|---|--|
| Originating Department: | Public Works | | | | | | | | |
| Division/Program: <i>(i.e. Dept. Division and Program)</i> | Design and Construction | | | | | | | | |
| Contract or Grant Administrator: | James P. Karcher, PE-Engineering Manager | | | | | | | | |
| Contractor's / Agency Name: | Washington State – County Road Administration Board | | | | | | | | |
| Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>201706003</u> | | | | | | | | | |
| Does contract require Council Approval? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, include WCC: _____ (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100) | | | | | | | | | |
| Is this a grant agreement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, grantor agency contract number(s): <u>RAP 3717-01</u> CFDA#: _____ | | | | | | | | | |
| Is this contract grant funded? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, Whatcom County grant contract number(s): <u>201706003</u> | | | | | | | | | |
| Is this contract the result of a RFP or Bid process? Contract _____ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, RFP and Bid number(s): _____ Cost Center: _____ | | | | | | | | | |
| Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If no, include Attachment D Contractor Declaration form. | | | | | | | | | |
| If YES, indicate exclusion(s) below: <table style="width:100%; border:none;"> <tr> <td><input type="checkbox"/> Professional services agreement for certified/licensed professional.</td> <td><input type="checkbox"/> Contract for Commercial off the shelf items (COTS).</td> </tr> <tr> <td><input type="checkbox"/> Contract work is for less than \$100,000.</td> <td><input type="checkbox"/> Work related subcontract less than \$25,000.</td> </tr> <tr> <td><input type="checkbox"/> Contract work is for less than 120 days.</td> <td><input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</td> </tr> <tr> <td><input checked="" type="checkbox"/> Interlocal Agreement (between Governments).</td> <td></td> </tr> </table> | | <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). | |
| <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). | | | | | | | | | |
| Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>843,730 (RATA funds)</u> This Amendment Amount: \$ <u>156,270</u> Total Amended Amount: \$ <u>1,000,000</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: <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. | | | | | | | | |
| Summary of Scope: Whatcom County has been awarded an additional \$156,270 for a total of \$1,000,000 in Rural Arterial Trust Account (RATA) Funds by the Washington State County Road Administration Board through an amendment to a grant from the Rural Arterial Program. Whatcom County will utilize these funds for the pavement rehabilitation of East Smith Road between Everson-Goshen Road and SR-542, a distance of approximately 3.25 miles in length. | | | | | | | | | |
| Term of Contract: | Completion of Project Expiration Date: N/A | | | | | | | | |

| | | |
|-------------------|--|-------------------------|
| Contract Routing: | 1. Prepared by: <u>CJS</u> | Date: <u>2018-05-17</u> |
| | 2. Attorney signoff: <u>Daniel L. Gibson</u> <i>DL</i> | Date: <u>05/17/18</u> |
| | 3. AS Finance reviewed: <u>Abennett</u> | Date: <u>5/17/18</u> |
| | 4. IT reviewed (if IT related): _____ | Date: _____ |
| | 5. Contractor signed: _____ | Date: _____ |
| | 6. Submitted to Exec.: _____ | Date: <u>5-17-18</u> |
| | 7. Council approved (if necessary): _____ | Date: _____ |
| | 8. Executive signed: _____ | Date: _____ |
| | 9. Original to Council: _____ | Date: _____ |

STATE OF WASHINGTON - COUNTY ROAD ADMINISTRATION BOARD

RURAL ARTERIAL PROGRAM
PROJECT AGREEMENT FOR CONSTRUCTION PROPOSAL

AMENDMENT NO. 2

Submitting County: Whatcom

Project Number: 3717-01

Date Approved: 04/27/2017

| Road Number(s) | Road Name(s) | BMP(s) | EMP(s) | Segment # |
|----------------|-----------------|--------|--------|-----------|
| 55080 | East Smith Road | 4.980 | 8.230 | 1 |

This is Amendment No. 2 to the above described Project Agreement, between the County of Whatcom, hereinafter the "County" and the State of Washington County Road Administration Board, hereinafter the "CRABoard."

WHEREAS, the COUNTY and CRABoard desire to amend the original Project Agreement to allow an increase in RATA funding under the conditions described in WAC 136-161-070.

NOW, THEREFORE, pursuant to chapter 36.79 RCW and in consideration of the terms, conditions, covenants, and performance contained herein, or attached and incorporated and made a part hereof,

IT IS MUTUALLY AGREED AS FOLLOWS:

1. The following new language is added as section 16 to the Project Agreement:

RATA funding is increased to \$1,000,000 per CRABoard approval dated April 19, 2018.

2. All other terms and conditions of the original Project Agreement shall remain in full force and effect except as modified by this Amendment No. 2.

IN WITNESS WHEREOF, the PARTIES hereto have executed this AMENDMENT No. 2 as of the PARTY's date last signed below.

COUNTY ROAD ADMINISTRATION BOARD:

Whatcom COUNTY:

By: _____

By: _____

Date: _____

Jack Louws
County Executive

Date: _____

Approved as to form:

Daniel L. Gibson 05/17/18
Daniel L. Gibson Date
Chief Civil Deputy Prosecutor