

A G E N D A
WALLA WALLA COUNTY BOARD OF COMMISSIONERS
MONDAY, JANUARY 6, 2020

PLEASE NOTE MEETINGS ARE NOW BEGINNING AT 10:00 AM

10:00

COUNTY COMMISSIONERS

Chairman Tompkins

All matters listed within the Consent Agenda have been distributed to each County Commissioner for review and are considered routine. The Consent Agenda will be approved by one motion of the Board of County Commissioners with no separate discussion. If separate discussion is desired on a certain item, that item may be removed from the Consent Agenda at the request of a Commissioner, for action later.

- a) Roll call and establish a quorum
- b) Declarations re: conflict of interest
- c) Pledge of Allegiance
- d) Public comment period (time limitations may be imposed)
- e) Introduction of new county employees (this is scheduled for the first meeting of each month)

PLEASE NOTE: *If you wish to address the Commission, please raise your hand to be recognized by the Chair. When you have been recognized, please step up to the microphone and give your name and address before your comments. The Walla Walla County Commissioners are committed to maintaining a meeting atmosphere of mutual respect and speakers are encouraged to honor this principle. (An individual may request to address the board at a later time on the agenda, if time permits, by contacting the Clerk of the Board at least 24 hours prior to the meeting.) Thank you.*

f) Action Agenda Items:

- 1) Review submitted Employee Payroll Action Forms

g) Consent Agenda Items:

- 1) Resolution _____ - Minutes of County Commissioners' proceedings for December 30 and 31, 2019
- 2) Resolution _____ - Cancelling County Commissioner' sessions and setting a special meeting date
- 3) Resolution _____ - Formalizing an appointment to the Walla Walla County Rural Library District Board of Trustees (Grant)
- 4) County vouchers/warrants/electronic payments as follows: 4049228 through 4049237 totaling \$81,726.00 (payroll draws dated December 13, 2019); 4049369 through 4049399, totaling \$917,822.43 (December payroll); 4215466 through 4215493 totaling \$1,057,297.42, and 4215494 in the amount of \$129.50 (benefits and deductions) and 4215464 through 4215465 in the amount of \$165,639.90 (ER&R)

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER CANCELLING
COUNTY COMMISSIONERS'
SESSIONS AND SETTING A
SPECIAL MEETING DATE



RESOLUTION NO. **20**

WHEREAS, due to the lack of a quorum on the regularly scheduled, Board meeting days, of January 27 and 28, 2020; and

WHEREAS, to take action on certain financial matters, and in the event that other county-related business shall arise necessitating action by the Board, a special meeting will be held on Friday, January 24, 2020 at 4:00 p.m. to conduct said business; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the regularly scheduled Board meetings on January 27 and 28, 2020 be cancelled.

BE IT FURTHER RESOLVED that a special meeting of the Board shall be set for January 24, 2020.

BE IT FURTHER RESOLVED that the next regular meeting of the Board will be held on February 3, 2020.

Passed this 6th day of January, 2020 by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Diane L. Harris, Clerk of the Board

Gregory A. Tompkins, Chairman, District 3

James K. Johnson, Commissioner, District 1

Todd L. Kimball, Commissioner, District 2

*Constituting the Board of County Commissioners
of Walla Walla County, Washington*

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF FORMALIZING
AN APPOINTMENT TO THE WALLA
WALLA COUNTY RURAL LIBRARY
DISTRICT BOARD OF TRUSTEES
(GRANT)



RESOLUTION NO. 20

WHEREAS, pursuant to Walla Walla County Resolution 15 007, Patsy Adams Warnock was appointed to a second term on the Walla Walla County Rural Library District Board of Trustees, said term to expire January 1, 2020; and

WHEREAS, Ms. Adams has served two full terms and pursuant to RCW 27.12.190 she shall not be appointed for more than two consecutive terms; and

WHEREAS, the upcoming vacancy was publicly advertised and the Walla Walla County Rural Library District Board of Trustees reviewed the applications received; and

WHEREAS, the Board of County Commissioners of Walla Walla County, as the appointing authority pursuant to RCW 27.12, interviewed the applicants on December 9, 2019 during open, public sessions of the Board, and subsequently a motion was approved to appoint Monesa Grant to fill the upcoming vacant position on said Board of Trustees; and

WHEREAS, pursuant to said statute, terms of appointment are for five years; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that they do hereby formally appoint Monesa Grant to the Walla Walla County Library Board of Trustees, said appointment to be effective January 1, 2020 and expire on January 1, 2024.

Passed this 6th day of January, 2020 by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Diane L. Harris, Clerk of the Board

Gregory A. Tompkins, Chairman, District 3

James K. Johnson, Commissioner, District 1

Todd L. Kimball, Commissioner, District 2

*Constituting the Board of County Commissioners
of Walla Walla County, Washington*

COUNTY COMMISSIONERS (continued)

- g) Consent Agenda Items:**
 - 5) Payroll action and other forms requiring Board approval

- h) Miscellaneous business to come before the Board**

- i) Review reports and correspondence; hear committee and meeting reports**

- j) Review of constituent concerns/possible updates re: past concerns**

10:15

PUBLIC WORKS DEPARTMENT

Tony Garcia

- a) Department update and miscellaneous

**Walla Walla County Public Works
990 Navion Lane
Walla Walla, WA 99362**



To: Board of County Commissioners

From: Tony Garcia, Public Works Director

Date: 2 January 2020

Re: Director's Report for the Week of 30 December 2019

Board Action: 6 January 2020

Update Only

ENGINEERING:

- Middle Waitsburg Road MP 6.1 to MP 7.92: Consultant is working on appraisal and acquisition documents.
- Fredrickson Bridge: Working on project design.
- Peppers Bridge Road: Working on project design.
- Wallula/Gose Intersection: Working on field survey.
- Lower Waitsburg Road: Working on field survey.

MAINTENANCE/FLEET MANAGEMENT:

- Routine vehicle maintenance and repairs.
- Routine road maintenance.

ADMINISTRATION:

- Working on Initial Counseling's throughout the department.
- Reviewing applications for the Maintenance Tech I position.

10:30

COMMUNITY DEVELOPMENT DEPARTMENT

Lauren Prentice

a) Department update and miscellaneous

Walla Walla County Community Development Department

310 W. Poplar Street, Suite 200, Walla Walla, WA 99362 / 509-524-2610 Main

To: Board of County Commissioners
From: Lauren Prentice, Director
Date Prepared: January 3, 2020
Agenda Date: January 6, 2020
RE: Department Update

In the following update I have included some end-of-year information regarding project permit activity, but we will be producing additional reports on 2019.

Reviews Completed

During some of my fall and winter updates to the Board I have presented information on the total number of reviews completed (returned) for building permit and land use permit applications in TRAKiT. A table showing the number of reviews completed by month for 2018 and 2019 is included below. The total number of reviews is almost the same for both years, with just a slight increase in 2019. It is important to note that this is just one (easy) way to track our permitting and current planning workload, but there are limitations to using this measure.

The total number of reviews completed in the first half of the year was 1,673 and the total completed in the second half of the year was 2,008. I think the fact that we completed more reviews in the second half of the year is notable since it was in the summer that we started making significant operational changes (including eliminating/consolidating reviews to streamline process). During this time, we also had two vacancies and were working on bringing a new inspector up to speed.

Although we slowed down in October and November, we had a productive December: a total of **376 reviews** were completed/returned in TRAKiT in December. This is more than twice as many as were completed in December 2018.

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
2019	191	309	290	292	369	222	382	333	451	256	210	376	3,681
2018	223	220	304	265	384	343	325	271	270	368	255	145	3,638

Building Inspection Activity

A total of **228** building inspections were scheduled in December, 50 more than last December.

In 2019, a total of **2,968** building inspections were completed, 116 more than in 2018.

Building, Residential Burn, and Fire Permits

Approximately **40 building permit applications** are currently open: this includes those actively under review as well as those on hold pending re-submittals by the applicant. This is lower than earlier this year; in the fall this number was hovering around 55-60, when we were just managing to get out the same number that we were taking in.

In 2019 we issued **1,227 building, residential burn, and fire permits**, exactly two more than in 2018. We issued one less new home permit in 2019 as shown below.

New home permits (issued)	2018	2019
Single-family Residence (new)	47	39
Accessory Dwelling Unit	6	5
Manufactured Home Placement	10	18
Total	63	62

The 2019 building permit report (listing all issued permits) has been posted on our Department website.

Current Planning

Approximately **80 land use applications are currently open**. This number has been relatively consistent over the past year.

Code Compliance

A total of **172 complaints/reports were logged in our Citizen Response Module (CRM)** in 2019, whereas only 100 were submitted in 2018. Of the 172 issues logged in TRAKiT, **17** of them were determined to be unsubstantiated, which is comparable to past years.

One reason for the increase in CRM reports, which is significant, is that we have started tracking some issues in TRAKiT that we were not before, specifically building and fire code violations. This is something we have focused on recently, and it was the primary topic for our October 28-29 LEAN Workshop. In 2018 only 4 of these issues were logged in CRM, while we entered a total of **18** in 2019. All but one of these were entered after May 1. We have been working on improving these processes, how we communicate about them, track them, and handle them.

Since we were not tracking all of these types of violations in TRAKiT, it would be difficult to evaluate whether there has been an increase or decrease in the number of building and fire code violations investigated.

Once complaints/reports are verified (i.e. there is a violation), the cases are tracked in CodeTRAK, our other Code Compliance module. In 2019 **149 cases were opened** in TRAKiT, whereas in the previous four

years we averaged 108 opened cases. Again, one explanation for the increase is that we have started consistently tracking building and fire code violations in TRAKiT.

Currently there are **44 open cases**.

Hearing Examiner

One application is scheduled for the Monday, January 13, 2020 Hearing Examiner Docket:

- Cascade Natural Gas – Walla Walla High-Pressure Pipeline (CUP19-005) – approximately 16,650 linear feet of pipeline to be installed along Old Milton Highway east of Peppers Bridge Road and on W. Langdon Road.

The Hearing Examiner has not yet issued decisions on the three applications on the December docket.

Other Projects and Tasks

As shown by the activity described above, we have been prioritizing building permit reviews and inspections as well as the processing of other project applications (e.g. land use).

We have many other projects/tasks which are ongoing, but we have had to pause or slow work on many of them given our workload and priorities. Other projects and tasks include:

- 2018 Building Permit Audit – we have provided the State Auditor with some of the requested information, but we are still working on responding to some of the requests. In order to export from TRAKiT the information that the Auditor requested for individual permits, we had to modify the reports using SQL, which is a task that only two staff members are trained to do.
- The McGregor Company (ZCA19-002) – we need to prepare for the last part of the Final Docket review.
- Internal Guidance and Training – this is an ongoing project. In December we worked on internal guidance for our public records archives.
- Customer Guidance and Application Revision – this is an ongoing project. In December we worked on guidance regarding the use of shipping containers as storage buildings, but this is still in draft form.
- Expiration Letters – we are behind in sending building permit expiration (warning) letters. When we send these out, we see an uptick in building inspections.
- TRAKiT and other Technology fixes and improvements – in preparation for the end of the year we made changes in PermitTRAK and CodeTRAK that will allow us to better track and report on permits and cases. There are several additional technology fixes and improvements we are still working on completing.
- Four Long-range Planning Priorities: In December we begun gathering information on these topics, but substantial progress was not made.

a) **Action Agenda Items:**

- 1) Proposal 2020 01-06 DCH
Gain BOCC approval to increase revolving checking account for administering Veteran's Relief

b) **Consent Agenda Items:**

- 1) Resolution _____ - Appointing Designated Mental Health Professional to perform detention and commitment duties (Mallory and Parker)
- 2) Resolution _____ - Approving a request by the Department of Community Health to enter into an Agreement with Valley Transit

c) Department update and miscellaneous



MEMO

Date: 1/6/2020

Proposal ID: 2020 01-06 DCH

To: BOCC

From: Meghan M. DeBolt, MPH/MBA
Administrator

Intent – Gain BOCC approval to Increase Revolving Checking Account

Topic – Revolving Checking Account Community Health

Summary

The Department of Community Health currently has an active Revolving Fund – Checking Account (**7016) at Baker Boyer in the amount of \$1,000. This account was setup and used for registrations and other small bills that are necessary to pay between regular check runs. Following State Auditor's Office guidance for revolving funds, we reimburse this account each month to maintain the \$1,000 and maintain a reconciliation file.

Beginning January 2020, the Department of Community Health will be administering the Veteran's Relief Fund in-house. This service will require emergency payments for items such as rent, utilities, clothing and other allowable items. In order to fulfill the responsibilities of this critical service to our Veteran's we request an additional \$4,000.00 be added to our revolving checking account. The total we would maintain in the Revolving Fund-Checking Account will be \$5,000. We will continue to follow the State Auditor's Office guidance by reimbursing this account monthly and maintaining the balance at \$5,000.

Cost

No actual cost but we will be placing an additional \$4,000 into checking account.

Funding

Fund 12100 – Soldiers Relief Fund

Alternatives Considered

Since the County of Walla Walla does not offer a weekly invoice option this seems the most productive choice.

Acquisition Method

N/A

Security

N/A

Access

N/A

Risk

No unusual risk.

Benefits

Prompt service for our local Veteran's.

Conclusion/Recommendation

Recommend approving the additional \$4,000 be added into the DCH revolving checking account. Thank you for your consideration.

Submitted By

Meghan DeBolt, DCH

Disposition

____ Approved

Name Department Date

____ Approved with modifications

____ Needs follow up information

Name Department Date

____ Denied

BOCC Chairman

Date

Additional Requirements to Proposal

Modification

Follow Up

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

**IN THE MATTER OF APPOINTING
DESIGNATED MENTAL HEALTH
PROFESSIONAL TO PERFORM
DETENTION AND COMMITMENT
DUTIES (MALLORY AND
PARKER)**



RESOLUTION NO. 20

WHEREAS, Meghan DeBolt, Director, Walla Walla County Department of Community Health, has recommended Alecksana Mallory and Edward Parker be designated as a Designated Mental Health Professionals (DMHP) to perform the detention and commitment duties in accordance with RCW 71.05 for involuntary commitment of persons incapacitated by mental health and/or chemical dependency; now therefore

BE IT RESOLVED by this Board of Walla Walla County Commissioners that the above-named individual be appointed as Designated Mental Health Professional effective January 6, 2020.

*Passed this 6th day of **January, 2020** by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.*

Attest:

Diane L. Harris, Clerk of the Board

Gregory A. Tompkins, Chairman, District 3

James K. Johnson, Commissioner, District 1

Todd L. Kimball, Commissioner, District 2

*Constituting the Board of County Commissioners
of Walla Walla County, Washington*

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF APPROVING
A REQUEST BY THE
DEPARTMENT OF COMMUNITY
HEALTH TO ENTER INTO AN
AGREEMENT WITH VALLEY
TRANSIT



RESOLUTION NO. **20**

WHEREAS, the Department of Community Health will be issuing emergency bus passes for use on Valley Transit from the Veteran's Assistance Fund to local Veteran's in need; and

WHEREAS, bus passes must be available for immediate use allowing Veteran's to seek employment, visit physicians and meet other daily necessities of living; and

WHEREAS, the agreement benefits the citizens of Walla Walla County; and

WHEREAS, the County Prosecuting Attorney has reviewed said agreement; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that they do hereby approve said agreement and authorize the Chairman to sign the agreement.

Passed this 6th day of January, 2020 by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Diane L. Harris, Clerk of the Board

Gregory A. Tompkins, Chairman, District 3

James K. Johnson, Commissioner, District 1

Todd L. Kimball, Commissioner, District 2

*Constituting the Board of County Commissioners
of Walla Walla County, Washington*



MEMO

Date: 1/6/2020

To: BOCC

From: Meghan M. DeBolt, MPH/MBA
Administrator

Intent – Gain BOCC Approval To Enter Into An Agreement With Valley Transit

Topic – Valley Transit Agreement

Summary

Due to the changes in the administration of the Veteran's Relief Fund Program, the Department of Community Health will need to purchase monthly bus passes for our clients. Since all bus passes have to be linked with a client name, we would like to enter into an agreement with Valley Transit for managing and purchasing the needed bus passes.

Cost

There is no cost associated with this agreement. The only cost will be purchasing the actual bus passes which is already aligned with the program guidelines and line items. With the agreement, we will actually pay less than individually purchased.

Funding

.....

Alternatives Considered

The only other option is to physically go to the Valley Transit office for each client which would be an incredible burden on time, funding and needs of the client.

Acquisition Method

N/A

Security

N/A

Access

N/A

Risk

No unusual risk. The Department of Community Health will treat the bus passes as “petty cash” and follow all Office of the Washington State Auditor guidelines and best practices along with Walla Walla County Auditor documented policies and procedures.

Benefits

Prompt service for our local Veteran’s.

Conclusion/Recommendation

Recommend is to approve the Valley Transit Agreement. Jesse Nolte, Prosecuting Attorney has approved his review of the Valley Transit Agreement. Thank you for your consideration.



Submitted By

Meghan DeBolt, DCH

Disposition

Approved

Name Department Date

Approved with modifications

Needs follow up information

Name Department Date

Denied

BOCC Chairman

Date

Additional Requirements to Proposal

Modification

Follow Up

1/2/2020

Meghan Debolt
Walla Walla Community Health Department
PO Box 1753
314 W Main
Walla Walla,, WA 99362

Re: Pass Sales Agreement

Dear Meghan:

Valley Transit appreciates the opportunity to team with you to provide our customers easily accessible bus passes. We hope this agreement is as beneficial to you and your business as it is for our customers.

As part of the agreement, we ask you to:

- ◆ Agree to sell monthly bus passes to the general public on a consignment basis
- ◆ Sell monthly bus passes to the public for not more than our established price of \$20 for general public, and \$10 for Special Transportation Needs category
- ◆ Send your representative to Valley Transit to pick up passes and reconcile pass sales at a mutually agreeable time
- ◆ Pay Valley Transit the agreed vendor price for each pass provided by Valley Transit within thirty days (*unsold passes returned with your next order will be credited to your account*)
- ◆ Be responsible for all passes you order (*lost or stolen passes are your responsibility*)

Valley Transit agrees to:

- ◆ Provide passes at a discounted vendor price, currently \$19 for general public and \$9.50 for Special Transportation Needs
- ◆ Allow you to receive monthly bus passes on consignment
- ◆ Allow you to return unsold passes returned near the end of the month without charge

This agreement can be canceled at any time by either party, with written notice.

Please sign two copies of this agreement. You will receive a copy signed by our representative for your records.

Walla Walla County Community Health

Valley Transit

Date _____

Date _____

11:00

COUNTY SHERIFF

Mark Crider

- a) Department update and miscellaneous

11:15

HUMAN RESOURCES/RISK MANAGER

Shelly Peters

- a) Department update and miscellaneous
- b) **Active Agenda Items:**
 - 1) Possible discussion/decision re: any pending claims against the County
 - 2) Proposal 2020 01-06 HR/RM
Approval of claim for damages
(Childers)

a) Action Agenda Items:

- 1) Execute Change Order Number:
One for Walla Walla County
Courthouse Elections Department
Remodel
- 2) Execute Interagency Amendment
No. 1 between Walla Walla County
and Washington State Department of
Enterprise Services for energy services
for specific Energy/Utility Conservation
Projects (IAA No. K6000 Amendment
No. 1)
- 3) Execute agreement for funding approval
from Washington State Department of
Enterprise Services for IAA No. K6000
(re Agreement No. 2020-558 A(1), Project
No. 2020-558 G (1-1), Elevator Upgrades
Phase 5a)



AIA Document G701™ – 2001

Change Order

PROJECT: <i>(Name and address)</i> Walla Walla County Court House Elections Department Remodel 315 West Main St. Walla Walla WA 99362	CHANGE ORDER NUMBER: One	<input type="checkbox"/> OWNER
	DATE: 12/30/2019	<input type="checkbox"/> ARCHITECT
		<input type="checkbox"/> CONTRACTOR
TO CONTRACTOR: <i>(Name and address)</i> SK Mountain Construction 618 Industrial Court Walla Walla, WA 99362	ARCHITECT'S PROJECT NUMBER: 17050	<input type="checkbox"/> FIELD
	CONTRACT DATE:	<input type="checkbox"/> OTHER
	CONTRACT FOR: Remodel	

The Contract is changed as follows:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives.)

CP #1: Changing VAV boxes - \$1,937.13	
CP #2: Owner requested Misc Window and Door Change - \$5,894.00	
CP #3: Owner requested Outlets and Data - \$7,412.95	
CP #4: Owner requested wired thermostats - \$6,865.86	
CP #5: Credit for deleting cabinetry - (\$2,454.00)	
CP #6: Owner requested door access control - \$6,131.42	
CP #7: Owner requested ceiling access panel - \$426.22	
CP #8: Owner requested secure fiber optic from network room to elections department - \$11,036.93	
The original (Contract Sum) (Guaranteed Maximum Price) was	\$ 139,392.00
The net change by previously authorized Change Orders	\$ 0
The (Contract Sum) (Guaranteed Maximum Price) prior to this Change Order was	\$ 139,392.00
The (Contract Sum) (Guaranteed Maximum Price) will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$ 37,250.51
The new (Contract Sum) (Guaranteed Maximum Price) , including this Change Order, will be	\$ 176,642.51
The Contract Time will be (increased) (decreased) (unchanged) by	() days.

The date of Substantial Completion as of the date of this Change Order, therefore, is February 15, 2020

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<u>Castellaw Kom Architects</u> ARCHITECT <i>(Firm name)</i>	<u>SK Mountain Construction</u> CONTRACTOR <i>(Firm name)</i>	<u>Walla Walla County</u> OWNER <i>(Firm name)</i>
<u>850 Main St. Lewiston, ID 83501</u> ADDRESS	<u>618 Industrial Court Walla Walla, WA 99362</u> ADDRESS	<u>315 West Main Street Walla Walla, WA 99362</u> ADDRESS
<u>BY (Signature)</u>	<u>BY (Signature)</u>	<u>BY (Signature)</u>
<u>Laurance Kom</u> <i>(Typed name)</i>	<u>(Typed name)</u>	<u>(Typed name)</u>
<u>DATE</u>	<u>DATE</u>	<u>DATE</u>

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

State of Washington ENERGY PROGRAM Department of Enterprise Services P.O. Box 41476 Olympia, WA 98504-1476	INTERAGENCY AMENDMENT	
	IAA No.: K6000 Project No. 2020-558 Amendment No. 1	
WALLA WALLA COUNTY 314 West Main St. 2 nd Floor, Rm. 203 Walla Walla, WA 99362	Date: January 3, 2020	

INTERAGENCY AMENDMENT

Between

WALLA WALLA COUNTY

And

WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES

The parties to this Amendment, the Department of Enterprise Services, Energy Program, hereinafter referred to as “DES”, and Walla Walla County, hereinafter referred to as the “CLIENT AGENCY”, hereby amend the Agreement as follows:

1. **TERM.** The term of the agreement commences January 2, 2020, and ending on **December 31, 2023** unless altered or amended as provided herein.
2. **STATEMENT OF WORK; COMPENSATION.** Energy Program shall provide the following services, for the following compensation, to Client Agency.
 - a. **SERVICES:** DES shall furnish the necessary personnel and services and otherwise do all things necessary for or incidental to the performance of the work set forth in Attachment “A” and Attachment “C”, attached hereto and incorporated herein by reference. Unless otherwise specified, DES shall be responsible for performing all fiscal and program responsibilities as set forth in Attachment “A” and Attachment “C”.

Energy/Utility Conservation projects shall be authorized by Amendment to this Agreement.

2a.1 Elevator Upgrades Phase 5a outlined in the McKinstry Essention, LLC Energy Services Proposal dated December 18, 2019.

The CLIENT AGENCY shall provide the Energy Services Company (ESCO) with any additional contract language necessary to comply with the requirements established under federal grants, the American Recovery & Reinvestment Act of 2009 (ARRA) and the Energy Efficiency and Conservation Block Grant (EECBG). The ESCO and their subcontractors are required to comply with all applicable federal regulations and reporting procedures.

- b. COMPENSATION. Compensation under this Agreement shall be by Amendment to this Agreement for each authorized project. Each Amendment will include a payment schedule for the specific project.
 - i. Project Management Services (Attachment A): For Project Management Services provided by DES, the CLIENT AGENCY will pay DES a Project Management Fee for services based on the total project value per Project Management Fees Schedule set forth in Attachment "B".
 - ii. Termination Fee: If the CLIENT AGENCY after authorizing an investment grade audit and Energy Services Proposal, decides not to proceed with an Energy/Utility Conservation project that meets the CLIENT AGENCY's cost effective criteria, then the CLIENT AGENCY will be charged a Termination Fee per Attachment "B". The Termination Fee will be based on the estimated Total Project Value outlined in the Energy Audit and Energy Services Proposal prepared by the Energy Services Company (ESCO).
 - iii. Measurement & Verification Services (Attachment C): If measurement and verification services beyond the first three years following the Notice of Commencement of Energy Services are requested by the CLIENT AGENCY, and provided by DES under Attachment "C" of this Agreement, the CLIENT AGENCY will pay DES \$2,000.00 annually for each year that monitoring and verification services are provided.
- c. PAYMENT OF ESCO SERVICES. Compensation for services provided by the ESCO shall be paid directly to the ESCO by the CLIENT AGENCY, after DES has reviewed, recommended approval, and sent the invoices to the CLIENT AGENCY for payment.

2c.1 Energy Project Management Fee for the work described in Section 2a.1 is \$14,400.00. Anticipated billing date for this Amendment is April 1, 2020.

The new total Agreement value is \$14,400.00.

3. INVOICES; BILLING.

- a. BILLING PROCEDURE. Energy Program shall submit a single invoice to the CLIENT AGENCY upon substantial completion of each authorized project, unless a project specified a Special Billing Condition in the Amendment. Substantial completion of the project will include the delivery and acceptance of the notice of commencement of energy savings issued by the ESCO. Each invoice will clearly indicate that it is for the services rendered in performance under this Agreement and shall reflect this Agreement and Amendment number. Energy Program will invoice for any remaining services within 60 days of the expiration or termination of this Agreement.

- b. **PAYMENT PROCEDURE.** The CLIENT AGENCY shall pay all invoices received from the Energy Program within 90 days of receipt of properly executed invoice vouchers. The CLIENT AGENCY shall notify DES in writing if the CLIENT AGENCY cannot pay an invoice within 90 days.
- c. **BILLING DETAIL.** Each invoice submitted to Client Agency by Energy Program shall include information as is necessary for Client Agency to determine the exact nature of all expenditures. At a minimum, the invoice shall reference this Agreement and include the following:
 - The date(s) such services were provided
 - Brief description of the services provided
 - Total invoice amount
- d. **BILLING ADDRESS.** Invoices shall be delivered to Client Agency electronically.

All sections above have been fully amended and are shown in their entirety.

All other terms and conditions of this Agreement remain in full force and effect. The requirements of RCW 39.34.030 are satisfied by the underlying Agreement and are incorporated by reference herein.

Each party signatory hereto, having first had the opportunity to read this Amendment and discuss the same with independent legal counsel, in execution of this document hereby mutually agree to all terms and conditions contained herein, and as incorporated by reference in the original Agreement.

Walla Walla County

**Department of Enterprise Services
Energy Program**

 Title Date

 Roger A. Wigfield, PE
 Energy Program Manager

 Title Date

K6000IAAamd1ko

ATTACHMENT A – OF WORK

Energy/Utility Conservation Projects

PROJECT MANAGEMENT SERVICES

Statewide Energy Performance Contracting Program

Energy Program will provide the following project management services for each specific project for the CLIENT AGENCY. Each individual project shall be authorized by Amendment to this Agreement.

1. Assist the CLIENT AGENCY in the selection of an Energy Service Company (ESCO) consistent with the requirements of RCW 39.35A for local governments; or 39.35C for state agencies and school districts.
2. Assist in identifying potential energy/utility conservation measures and estimated cost savings.
3. Negotiate scope of work and fee for ESCO audit of the facility(s).
4. Assist in identifying appropriate project funding sources and assist with obtaining project funding.
5. Assist in negotiating the technical, financial and legal issues associated with the ESCO's Energy Services Proposal.
6. Review and recommend approval of ESCO energy/utility audits and Energy Services Proposals.
7. Provide assistance during the design, construction and commissioning processes.
8. Review and recommend approval of the ESCO's invoice vouchers for payment.
9. Assist with final project acceptance.
10. Provide other services as required to complete a successful energy performance contract.

ATTACHMENT B - Fee Schedule

2019-21 Interagency Reimbursement Costs
for Project Management Fees to Administer Energy/Utility Conservation Projects

<u>TOTAL PROJECT VALUE</u>	<u>PROJECT MANAGEMENT FEE</u>	<u>TERMINATION</u>
5,000,001.....6,000,000.....	\$68,800.....	25,700
4,000,001.....5,000,000.....	67,700.....	25,400
3,000,001.....4,000,000.....	66,700.....	25,000
2,000,001.....3,000,000.....	62,500.....	23,400
1,500,001.....2,000,000.....	58,300.....	21,800
1,000,001.....1,500,000.....	51,600.....	19,300
900,001. ... 1,000,000.....	43,800.....	16,400
800,001.....900,000.....	41,300.....	15,400
700,001.....800,000.....	38,300.....	14,400
600,001.....700,000.....	36,500.....	13,700
500,001.....600,000.....	33,800.....	12,600
400,001.....500,000.....	30,200.....	11,300
300,001.....400,000.....	25,800.....	9,700
200,001.....300,000.....	20,700.....	7,700
100,001.....200,000.....	14,400.....	5,400
50,001.....100,000.....	7,800.....	3,500
20,001.....50,000.....	4,200.....	2,000

The project management fee on projects over \$6,000,000 is 1.15% of the project cost. The maximum DES termination fee is \$25,700.

1. These fees cover project management services for energy/utility conservation projects managed by DES's Energy Program.
2. Termination fees cover the selection and project management costs associated with managing the ESCO's investment grade audit and energy service proposal. No termination fee will be charged unless the CLIENT AGENCY decides not to proceed to construction based on an energy services proposal that identifies projects that met the CLIENT AGENCY'S cost effectiveness criteria.
3. If the project meets the CLIENT AGENCY's cost effectiveness criteria and the CLIENT AGENCY decides not to move forward with a project, then the CLIENT AGENCY will be invoiced per Attachment B Termination or \$25,700.00 whichever is less. If the CLIENT AGENCY decides to proceed with the project then the Agreement will be amended per Attachment B for Project Management Fee.
4. If the audit fails to produce a project that meets the CLIENT AGENCY's established Cost Effectiveness Criteria, then there is no cost to the CLIENT AGENCY and no further obligation by the CLIENT AGENCY.

ATTACHMENT C – SCOPE OF WORK

Energy/Utility Conservation Projects

MEASUREMENT & VERIFICATION SERVICES

Statewide Energy Performance Contracting Program

If requested DES will provide the following measurement and verification services following the Notice of Commencement of Energy Savings by the ESCO for the specific Client Agency project:

1. Review the ESCO's annual Measurement and Verification (M&V) report for completeness and accuracy. Review any ESCO guarantee compared to reported results and resolve differences, if needed. Review and recommend approval of any ESCO invoice vouchers for payment by the Client Agency.
2. Where necessary, review Client Agency facility operations including any changes in operating hours, changes in square footage, additional energy consuming equipment and negotiate changes in baseline energy use with the ESCO and the Client Agency that may impact achieved energy savings.
3. Attend a meeting or meetings with the Client Agency and the ESCO to review and discuss the annual M&V report.



STATE OF WASHINGTON
DEPARTMENT OF ENTERPRISE SERVICES

1500 Jefferson St. SE, Olympia, WA 98501
PO Box 41476, Olympia, WA 98504-1476

January 3, 2020

TO: Diane Harris, Walla Walla County
FROM: Kim Obi, Contracts Specialist, (360) 407-8273
RE Agreement No. 2020-558 A (1)
Project No. 2020-558 G (1-1)
Elevator Upgrades Phase 5a

IAA No. K6000

McKinstry Essention, LLC

SUBJECT: Funding Approval

The Dept. of Enterprise Services (DES), Energy Program, requires funding approval for the above referenced contract documents. The amount required is as follows (see page 2 for funding detail):

ESCO Professional Services Total	\$ 33,935.42
ESCO Measurement and Verification Total	\$ 603.31
ESCO Construction Total	\$ 146,853.27
DES Energy Program Project Management Services Total (IAA)	\$ 14,400.00
Total Funding	\$ 195,792.00

In accordance with the provisions of RCW 43.88, the signature affixed below certifies to the DES Energy Program that the above identified funds are appropriated, allotted or that funding will be obtained from other sources available to the using client/agency. The using/client agency bears the liability for any issues related to the funding for this project

By _____ Date _____
Name / Title

Please sign and return this form to E&AS. If you have any questions, please call me.

Agreement No. 2020-558 A (1)
Project No. 2020-558 G (1-1)

Funding Approval Detail

ESCO Professional Services

Design and Implementation of Energy Conservation Measures	\$	31,162.00
<u>Sales Tax (8.9%)</u>	<u>\$</u>	<u>2,773.42</u>
Total	\$	33,935.42

ESCO Measurement and Verification

First Year Measurement & Verification	\$	554.00
<u>Sales Tax (8.9%)</u>	<u>\$</u>	<u>49.31</u>
Total	\$	603.31

ESCO Construction

ESCO Contract Amount	\$	128,931.00
Sales Tax (8.9%)	\$	11,474.86
<u>Contingency Amount (with Tax)</u>	<u>\$</u>	<u>6,447.42</u>
Total	\$	146,853.27

DES Energy Program Project Management Services

<u>Project Management Fee from IAA No. K6000, Amendment No.</u>	<u>\$</u>	<u>14,400.00</u>
Total	\$	14,400.00

11:45

COUNTY COMMISSIONERS

- a) Miscellaneous or unfinished business
to come before the Board

12:00

RECESS

1:30

PROSECUTING ATTORNEY

Jim Nagle/Jesse Nolte

- a) Miscellaneous business for the Board
- b) Possible executive session re:
litigation or potential litigation
(pursuant to RCW 42.30.110(i))

a) Active Agenda Items:

1) Possible discussion/decision re: any pending claims against the County

b) Possible executive session re: qualifications of an applicant for employment and/or review performance of a public employee (pursuant to RCW 42.30.110(g)), collective bargaining negotiations (pursuant to RCW 42.30.140(4)(a)(b)), and/or litigation or pending litigation (pursuant to RCW 42.30.110(i))

- A D J O U R N -

Walla Walla County is ADA compliant. Please contact TTY: (800) 833-6384 or 7-1-1 or the Commissioners' Office at 509/524-2505 three (3) days in advance if you need any language, hearing, or physical accommodation.

Please note that the agenda is tentative only. The Board may add, delete, or postpone items and may take action on an item not on the agenda.