

Leo Bowman
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



to view items in detail, please
click on highlighted area

AGENDA BOARD OF BENTON COUNTY COMMISSIONERS Regular Board Meeting Tuesday, August 14, 2012 Benton County Courthouse, Prosser, WA

9:00 AM Call to Order
Approval of Minutes
❖ August 7, 2012
Review Agenda

Consent Agenda

Central Services

a. Line Item Transfer, Fund No. 0502-101, Dept. 000

Coroner

b. Line Item Transfer, Fund No. 0000-101, Dept. 109

Fairgrounds

c. Authorization for Architectural & Engineering Services for Grandstand Facility Roof

d. Bid Award for Purchase of John Deere Compact Excavator

Human Services

e. Contract w/WA State Dept of Commerce for Community Development Block Grant

Office of Public Defense

f. Line Item Transfer, Fund No. 0000-101, Dept. 136

g. Service Agreement w/J Azure for Indigent Legal Financial Obligations Docket

h. Amended Agreement w/J Lilly for Indigent Legal Financial Obligations Docket

Public Works

i. Line Item Transfer, Fund No. 0501-101, Dept. 650

j. Line Item Transfer, Fund No. 0155-101, Dept. 000

k. Contract Amendment w/HDR Engineering for Feasibility Study of Waste Facility

Superior Court

l. Line Item Transfer, Fund No. 0000-101, Dept. 123

Scheduled Business:

Gang Unit Update – Sheriff Keane & Sgt. Trevino

Agenda – Board of County Commissioners
August 14, 2012
Page Two

Unscheduled Visitors
Board Assignment Update

Executive Session

Labor Negotiations – S Hallstrom & D Sparks

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, August 7, 2012, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Shon Small
Commissioner Leo Bowman
County Administrator David Sparks
Alternate Clerk of the Board Marilu Flores

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Treasurer Duane Davidson; Deputy Treasurer Eriza Rivera; DPA Ryan Brown; DPA Stephen Hallstrom; Clerk Josie Delvin; Auditor Brenda Chilton; District Court Administrator Jackie Lahtinen

Approval of Minutes

The Minutes of July 31, 2012 were approved.

Consent Agenda

MOTION: Commissioner Bowman moved to approve the consent agenda items. Commissioner Small seconded and upon vote, the Board approved the following:

Animal Control

- a. Line Item Transfer, Fund No. 0000-101, Dept. 137

Auditor

- b. Letter to Washington State Auditor's Office

Commissioners

- c. Line Item Transfer, Fund No. 0000-101, Dept. 107
- d. Authorization for Architectural & Engineering Services for the Benton County Fairgrounds Building Improvements
- e. Authorization for Architectural & Engineering Services for HVAC Analysis at Courthouse
- f. Contract w/Design West for Architectural & Engineering Services for Clerk's Lobby Remodel

- g. Contract w/Design West for Architectural & Engineering Services for District Court Remodel

Fairgrounds

- h. Temporary Pedestrian Bridge Agreement w/Benton Franklin Fair Association

Human Services

- i. Agreement w/City of Richland to Fund Transitional Rental Housing Units
- j. Agreement w/Columbia Veterans Coalition to Amend Contract Language

Prosecuting Attorney

- k. Contract w/P Fleming for Transcription Services

Public Works

- l. Payment Authorization to Edwards Auto Rebuild for Auto Repairs
- m. Award of Paving Marking to Road Products, Inc.
- n. Grant Agreement w/State of Washington Department of Ecology
- o. Memorandum of Understanding between Benton PUD and Benton County to Relocate Existing Power Lines

Sheriff

- p. Authorization to Purchase Uniforms from 911 Supply, LLC
- q. Agreement w/WA State Department of Corrections for Use of Jail Facilities
- r. Authorization for Purchase of Replacement Vehicles from Columbia Ford Mercury Lincoln

Capital Improvement Plan

Keith Mercer and Lisa Small presented the 2013 – 2018 Capital Improvement Plan (CIP). Mr. Mercer indicated that he had discussed the CIP with each commissioner individually. Projects that were noted as completed from the previous plan included:

- Jail Kitchen Dishwasher
- OPTO22 Control System
- District Court Remodel
- Storage Area Network (SAN) Expansion
- Voice System Transition
- Network Switches
- Benton County Health District Tenant Improvement for Human Services
- Benton County Animal Control Facility

New projects added to the 2013 – 2018 Capital Improvement Plan include:

- Courthouse Restrooms Remodel
- Courthouse Entryway Improvements
- New property tax and assessment system utilized by the Treasurer & Assessor's Office
- Restroom at the Fairgrounds

Commissioner Bowman commented that it was important to proceed with the safety upgrades at the Courthouse. However, he wanted to be sure those upgrades would not detract from the historical look and proper preservation of the Courthouse would be taken into consideration. Mr. Mercer mentioned that Facilities would be maintaining the historical look. Commissioner Beaver questioned whether the County was going to apply for historical grants in the future.

Ms. Small indicated that in the past, the County had and would apply again for these grants if the Board directed.

Commissioner Small acknowledged the great work and effort put into the CIP.

Being that the Board was in favor of moving forward to adopt the Capital Improvement Plan, Commissioner Bowman moved to adopt the 2013 - 2018 Benton County Capital Improvement Plan as presented. Commissioner Small seconded and upon vote, the Board approved.

Unscheduled Visitors

Commissioner Assignment Update

Commissioner Bowman brought up a letter received by the Benton County Mosquito Control Board advising our Board of a current member's non-attendance at meetings and their request to have this member removed. Commissioner Bowman suggested that our Board consider sending a letter to this member removing him from the Mosquito Board. Commissioner Bowman further indicated that our office had received an inquiry from a citizen willing to serve on the Mosquito Board. Commissioner Beaver indicated that we would proceed with taking the appropriate actions to appoint a new member.

Commissioner Bowman also attended the groundbreaking at KID.

Commissioner Small reported on Greater Columbia Behavioral Health. There was a motion made not to accept Grant County having a merger.

Commissioner Small attended the Prosser Economic Development Association meeting; met with Mr. Dan McDaniels at the Fairgrounds and commented on the good efforts being made by David Sparks, Loretta Smith Kelty and Dean Docken in having the Fairgrounds maintained in good shape in time for the Fair. Commissioner Small also attended the groundbreaking at KID and attended the Governor's attendance at the Clore Center in Prosser. Commissioner Small further acknowledged and showed his appreciation with our Central Services Department and their efforts in implementing the County's new Microsoft program.

Commissioner Beaver attended the KID groundbreaking. Commissioner Beaver handled a couple complaints and would be working through those issues. He further indicated that he appreciated the new bathrooms at the Fairgrounds and would like to see continued improvements there.

Vouchers

Check Date: 08/03/2012

Payroll Checks

Warrant #: 234511

Total all funds: \$1,463.58

Check Date: 08/03/2012
Warrant #: 62779 - 62936
Total all funds: \$1,176,204.66

Check Date: 08/03/2012
Payroll Deductions
Warrant #: 62937 - 62960
Total all funds: \$1,923,711.05
Taxes #10112081 - 10112085

Check Date: 08/03/2012
Payroll Checks
Warrant #: 234400 - 234510
Total all funds: \$2,129,139.46
Direct Deposit #76166 - 76768

Total amounts approved by fund can be reviewed in the Benton County Auditor's Office.

Resolutions

- 2012-440 Line Item Transfer, Fund No. 0000-101, Dept. 137
- 2012-441 Line Item Transfer, Fund No. 0000-101, Dept. 107
- 2012-442 Authorization for Architectural & Engineering Services for the Benton County Fairgrounds Building Improvements
- 2012-443 Authorization for Architectural & Engineering Services for HVAC Analysis at Courthouse
- 2012-444 Contract w/ Design West for Architectural & Engineering Services for Clerk's Lobby Remodel
- 2012-445 Contract w/ Design West for Architectural & Engineering Services for District Court Remodel
- 2012-446 Temporary Pedestrian Bridge Agreement w/Benton Franklin Fair Association
- 2012-447 Agreement w/City of Richland to Fund Transitional Rental Housing Units
- 2012-448 Agreement w/Columbia Veterans Coalition to Amend Contract Language
- 2012-449 Contract w/P Fleming for Transcription Services
- 2012-450 Payment Authorization to Edwards Auto Rebuild for Auto Repairs
- 2012-451 Award of Paving Marking to Road Products, Inc.
- 2012-452 Grant Agreement w/State of Washington Department of Ecology
- 2012-453 Memorandum of Understanding between Benton PUD and Benton County to Relocate Existing Power Lines
- 2012-454 Authorization to Purchase Uniforms from 911 Supply, LLC
- 2012-455 Agreement w/WA State Department of Corrections for Use of Jail Facilities
- 2012-456 Authorization for Purchase of Replacement Vehicles from Columbia Ford Mercury Lincoln
- 2012-457 2013 – 2018 Capital Improvement Plan

There being no further business before the Board, the meeting adjourned at approximately 9:11 am.

Clerk of the Board

Chairman

AGENDA/WORKSHOP ITEM		TYPE OF ACTION NEEDED	
Meeting Date:	14-August-2012	Execute Contract	_____
Subject:	Line Item Transfer	Pass Resolution	<u> x </u>
		Pass Ordinance	_____
		Pass Motion	_____
Prepared By:	J. Randall Reid	Other	_____
Reviewed By:	Loretta Smith Kelty		
		Consent Agenda	<u> x </u>
		Public Hearing	_____
		1 st Discussion	_____
		2 nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

The attached line item transfer moves funds from maintenance expenses not required in 2012 for Novell licensing into two areas. One is the Computer Replacement Fund assessment for infrastructure hardware. The replacement assessments for all departments were estimated for the 2011-12 biennium in anticipation of a mid-biennium adjustment. The estimates were too low for four departments including Central Services. The other area is Overtime. The migration from Novell eDirectory to Microsoft Active Directory will require staff to put in additional hours on the weekends during August.

SUMMARY

Line Item Transfer for Overtime and for Computer Replacement Fund assessments.

RECOMMENDATION

1ST Approve transfer.

2nd

FISCAL IMPACT

None.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CENTRAL SERVICES FUND NUMBER 0502-101, DEPARTMENT NUMBER 000.

BE IT RESOLVED, by the Board of Benton County Commissioners, that
funds shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington.

Attest: _____
Clerk of the Board

REID

cc: Auditor, Central Services

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Central Services

Dept Nbr: 000

Fund Name: Central Services

Fund Nbr: 0502-101

TRANSFER FROM:

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
518.810	4805	Maintenance Agreements	\$22,678	518.810	1201	Overtime	\$15,000
				518.810	9501	Computer Equip Lease	\$7,678
TOTAL			\$22,678	TOTAL			\$22,678

Explanation:

This transfer is to cover expenses for Overtime required to perform the migrations from Novell eDirectory to Microsoft Active Directory and to cover Replacement Fund assessments that exceeded to amount estimated for 2012.

Prepared by: J. Randall Reid

Date: 30-Jul-2012

Approved

Denied

Date: _____

Chairman

Member

Member

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>8-14-2012</u>	Execute Contract	_____
Subject:	_____	Pass Resolution	_____
Prepared by:	<u>John Hansen</u>	Pass Ordinance	_____
Reviewed by:	_____	Pass Motion	_____
		Other	_____
		Consent Agenda	<u>_____</u>
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

In mid-2011 the County started providing I-Phones to some departments, and the Coroner's Office took advantage of this service. It resulted in improved service and lower costs.

The Coroner's Office now uses Central Services provided I-Phones rather than phones through Verizon. There have been no payments out of the "Telephone" account, but Data Processing is now adding the phone fees to the Coroner's "Data Processing Administration" billing.

Therefore, the budget line item "Telephone" has a surplus of funds in it, and the "Data Processing Administration" account has become depleted.

It is the desire of the Coroner's Office to transfer funds from the "Telephone" account to the "Data Processing Administration" account.

SUMMARY

Transfer from one account to another

RECOMMENDATION

Recommend the Commissioners pass this resolution

FISCAL IMPACT

This transfer carries a neutral overall effect to the County budget

MOTION

Allow the Coroner to transfer \$5,400.00 from his Telephone Budget to his Data Processing Administration account

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 109.

BE IT RESOLVED, by the Board of Benton County Commissioners, that
funds shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington.

Attest: _____
Clerk of the Board

cc: Dept., Auditor, K. Mercer

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Coroner Dept Nbr: 109
 Fund Name: Current Expense Fund Nbr: 0000-101

TRANSFER FROM: _____ TRANSFER TO: _____

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
563-200	4202	Telephone	\$5,500	563-200	9101	Data Processing Admin.	\$5,500
TOTAL			\$5,500	TOTAL			\$5,500

Explanation:

This line item transfer is necessary to pay the 2012 Data Processing Administration that was not originally budgeted for in the 2011-2012 budget for I-Phones.

Prepared by: John Hansens Date: 30-Jul-2012

Approved Denied Date: _____

Chairman

Member

Member

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>FAIRGROUNDS</u>
Meeting Date: 8/14/2012	Execute Contract _____	Consent Agenda <u> X </u>
Subject: A&E Service Bldg. Dept.	Pass Resolution _____	Public Hearing _____
Prepared by: L. Small	Pass Ordinance _____	1st Discussion _____
Reviewed by: K. Mercer	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

As per Resolution 11-651 dated October 18, 2011 the Board of Benton County Commissioners entered into a contract with Design West Architects, PA for any anticipated (A&E) services for Benton County for a contract amount not to exceed \$200,000.

Design West was asked by Benton County to provide engineering for new roof tie-off locations and anchor design/layout at the existing grandstand facility located at the Benton County Fairgrounds in Kennewick, WA.

Design West Architects proposes to provide said architectural and engineering services on time and material basis according to the rates stated in the attached proposal for an estimated amount not to exceed \$5,000 plus reimbursable expenses billed at cost plus 15%.

RECOMMENDATION

The recommendation is to approve the proposal received for said engineering services for an amount not to exceed \$5,000 plus reimbursable expense billed at cost plus 15%.

FISCAL IMPACT

Said services will be paid from the Fairgrounds Improvement Fund with no supplement needed.

MOTION

The Board of Benton County Commissioners hereby concurs with the proposal received for A/E services for the grandstand facility located at the Benton County Fairgrounds and authorizes payment based off of time and materials for an amount not to exceed \$5,000 to Design West Architects plus any reimbursable expense billed at cost plus 15%.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WA

IN THE MATTER OF DESIGN WEST ARCHITECTS PROVIDING ARCHITECTURAL AND ENGINEERING SERVICES FOR NEW ROOF TIE-OFF LOCATIONS AND ANCHORS AT THE EXISTING GRANDSTAND FACILITY LOCATED AT THE BENTON COUNTY FAIRGROUNDS, KENNEWICK, WA

WHEREAS, per Resolution 11-651 dated October 18, 2011, the Board of County Commissioners approved the contract between Benton County and Design West Architects, PA to provide "as needed" architectural and engineering services for a contract amount not to exceed \$200,000; and

WHEREAS, Design West was asked by Benton County to provide engineering for new roof tie-off locations and anchor design/layout at the existing grandstand facility located at the Benton County Fairgrounds in Kennewick, WA; and

WHEREAS, Design West Architects proposes to provide said architectural and engineering services on time and material basis according to the rates stated in the attached proposal for an estimated amount not to exceed \$5,000; and

WHEREAS, reimbursable expenses are in addition to said compensation for architectural services and will be billed at cost plus 15%; **NOW, THEREFORE**

BE IT RESOLVED, the Board of Benton County Commissioners, Benton County, Washington, hereby agrees with the proposed engineering services at the grandstand facility located at the Benton County Fairgrounds and authorizes payment to Design West Architects for said services for an amount not to exceed \$5,000 plus all reimbursable expense billed at cost plus 15%; and

BE IT FURTHER RESOLVED, all services stated above and addressed on the attached proposal shall be in accordance with the terms in the blanket contract between Benton County and Design West Architects per Resolution 11-651 dated October 18, 2011.

Dated this _____ day of _____, 2012

Chairman of the Board

Member

Attest: _____
Clerk of the Board

Member

Constituting the Board of County
Commissioners of Benton County,
Washington



DESIGN
WEST

August 1, 2012

Dean Docken
Facilities Maintenance Supervisor - Benton County
7122 W. Okanogan Place – Bldg A
Kennewick, WA 99336

RE: Architectural Proposal
Benton County Fairgrounds – Grandstand Roof Tie-off Engineering

Dear Dean,

Thank you for considering Design West Architects for providing engineering for new roof tie-off locations and anchor design/layout at the existing Grandstand facility with the Benton County fairgrounds in Kennewick, WA. We will work with a structural engineer to determine the required loads and proper spacing relative to the existing roof structure applicable building codes. The consulting engineering fee is included as part of this proposal.

Compensation for these services shall be invoiced on **Time and Material** basis with a **Not To Exceed Amount of \$5,000**. Below is a list of our standard hourly rates.

Standard Hourly Rates:	Principal Architect	-	\$140 / hr
	Senior Architect	-	\$120 / hr
	Project Manager	-	\$95/ hr
	Production Staff	-	\$85 / hr
	Administrative Staff	-	\$60 / hr

Reimbursable Expenses are in addition to compensation for Architectural Services and include expenses incurred by the Architect and Architect's employees and consultants directly related to the Project, as identified in the following Clauses:

- 1) Reproductions, plots, standard form documents, postage, handling and delivery of Instruments of Service
- 2) Transportation in connection with the project, authorized travel and subsistence

For budgeting purposes only, it is anticipated that the reimbursable expenses for this project would not exceed \$650. Please note that reimbursable expenses shall be billed at cost + 15%.

If this is acceptable, please sign and return a copy to me. If you have any questions or would like to discuss this further, please don't hesitate to give me a call.

Sincerely,

Brandon Wilm, AIA
Managing Associate

PULLMAN, WASHINGTON
KENNEWICK, WASHINGTON
MERIDIAN, IDAHO

Approved _____

Date _____

DESIGN WEST
ARCHITECTS, P.A.

7513 W KENNEWICK AVE STE D
KENNEWICK, WA 99336
TEL. 509-783-2244
FAX. 509-783-8740

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>FAIRGROUNDS</u>
Meeting Date: 8/14/2012	Execute Contract _____	Consent Agenda <u> X </u>
Subject: Award Excavator	Pass Resolution _____	Public Hearing _____
Prepared by: L. Small	Pass Ordinance _____	1st Discussion _____
Reviewed by: K. Mercer	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

As per Resolution 2012-374 dated July 10, 2012 the Board of Benton County Commissioners approved the Invitation to Bid for the procurement of a 2012 John Deere Compact Excavator for the Benton County Fairgrounds, Kennewick, WA.

The legal ad for the Invitation to Bid was posted in the Tri City Herald on July 15, 2012.

Sealed bids were received until 3:30 PM on July 31, 2012 at the Benton County Courthouse in the Commissioners Board Room. Rowand Machinery Company, Pasco, WA was the only sealed bid received and was in the amount of \$33,897.90 including WSST.

RECOMMENDATION

Facilities Manager has reviewed the bid packet and recommends awarding said purchase to Rowand Machinery Company in the amount of \$33,897.90 including WSST.

FISCAL IMPACT

Said services will be paid from Fairgrounds Improvement Fund 0123-101 with no supplement needed.

MOTION

Move forward with the recommendation awarding the purchase of a 2012 John Deere Compact Excavator for the Benton County Fairgrounds to Rowand Machinery Company, Pasco, WA in the amount of \$33,897.90 including WSST as the only responsive bidder.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WA

IN THE MATTER OF AWARDING THE PURCHASE OF A 2012 JOHN DEERE COMPACT EXCAVATOR FOR THE BENTON COUNTY FAIRGROUNDS TO ROWAND MACHINERY COMPANY, PASCO, WA

WHEREAS, as per Resolution 2012-374 dated July 10, 2012 the Board of Benton County Commissioners approved the Invitation to Bid for the procurement of a 2012 John Deere Compact Excavator for the Benton County Fairgrounds, Kennewick, WA; and

WHEREAS, the legal ad for solicitations was posted in the Tri City Herald on July 15, 2012; and

WHEREAS, sealed bids were received until 3:30 PM on July 31, 2012 at the Benton County Courthouse in the Commissioners Board Room; and

WHEREAS, the following was the only bid received:

1. Rowand Machinery Company, Pasco, WA – \$33,897.90 including WSST

WHEREAS, Rowand Machinery Company, Pasco, WA provided all necessary bid documents and after reviewing the bid packet the Facilities Manager recommends awarding the purchase of the 2012 John Deere Company Excavator to Rowand Machinery Company, Pasco, WA in the amount of \$33,897.90 including WSST; **NOW, THEREFORE**

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby concurs with the recommendation to move forward awarding the purchase of a 2012 John Deere Compact Excavator for the Benton County Fairgrounds to Rowand Machinery Company, Pasco, WA in the amount of \$33,897.90 including WSST as the only responsive bidder.

Dated this..... day of, 2012

Chairman of the Board

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

PROPOSAL

TO: THE BOARD OF COUNTY COMMISSIONERS
BENTON COUNTY, WASHINGTON

Gentlemen:

The undersigned hereby certify that Rowand Machinery Co has read the requirements and specifications for and thoroughly understands the same and propose as follows:

Make and Model of Item Quoted

On: _____

2012 John Deere 27DX Compact Excavator

Delivery Date: August 1, 2012

BID PRICE FOR:

2012 JOHN DEERE COMPACT EXCAVATOR \$ 31,300.00

Washington State Sales Tax 8.3% \$ 2,597.90

TOTAL BID: \$ 33,897.90

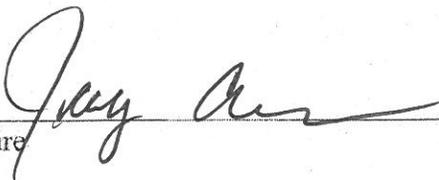
DATED this 23rd day of July 2012.

FIRM NAME: Rowand Machinery Company TELEPHONE: (509) 547-8813

ADDRESS: 1907 E. James Street, Pasco, WA 99301

SIGNATURE OF AUTHORIZED OFFICIALS:

Jay Allen, General Manager
Please print name and title


Signature

Please print name and title

Signature

PROPOSAL MUST BE SIGNED

NOTE: (1) If the bidder is a co-partnership, so state, giving firm name under which business is transacted.
(2) If the bidder is a corporation, this proposal must be executed by its duly authorized officials.

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
<p>Meeting Date:</p> <p>Subject: Contract Number: 12-65400-013 between Washington State Department of Commerce and Benton County</p> <p>Prepared by: Maria Loera, Sr. Secretary-DHS</p> <p>Reviewed by: Ed Thornbrugh, Administrator-DHS</p>	<p>Execute Contract <u> X </u></p> <p>Pass Resolution <u> X </u></p> <p>Pass Ordinance <u> </u></p> <p>Pass Motion <u> </u></p> <p>Other <u> </u></p>	<p>Consent Agenda <u> X </u></p> <p>Public Hearing <u> </u></p> <p>1st Discussion <u> </u></p> <p>2nd Discussion <u> </u></p> <p>Other <u> </u></p>

BACKGROUND INFORMATION

Benton County would like to contract with the Washington State Department of Commerce for the Community Development Block Grant (CDBG) Program, Public Services Grant.

Benton County will make \$75,108 in CDBG Public Services Grant funds available to the grant subrecipient community action program, Benton-Franklin Community Action Connections. The community action program will assist at least 450 people who qualify under the HUD low- and moderate-income limits for the service areas in Benton and Franklin Counties and will exclusively benefit residents of non-entitlement areas for eligible costs incurred between July 1, 2012 and June 30, 2013.

The county will receive up to \$3,000.00 for eligible general administration costs.

The contract process was initiated when Washington State Department of Commerce provided a copy of the contract for legal review on June 22, 2012 resulting in the delay of execution.

SUMMARY

Award: \$78,108.00
Period: July 1, 2012 through June 30, 2013
Funding Source: Washington State Department of Commerce

RECOMMENDATION

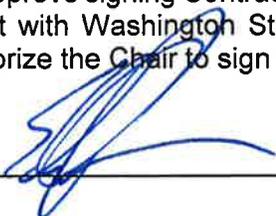
- Sign the Resolution to accept the proposed contract
- Approve the proposed contract by signing all the copies where indicated

FISCAL IMPACT

Funding for the services described in this contract is provided by Washington State Department of Commerce. **There is no impact on the current expense budget.** All revenues and expenditures are from the Fund 0108-101 Human Services Budget; for a contract amount of \$78,108.00.

MOTION

To approve signing Contract Number: 12-65400-13 Community Development Grant (CDBG) Program, Public Services Grant with Washington State Department of Commerce, Local Government and Infrastructure Division, and to authorize the Chair to sign on behalf of the Board.



RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON;

**RE: IN THE MATTER OF EXECUTING CONTRACT NUMBER: 12-65400-013
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, PUBLIC
SERVICES GRANT BETWEEN WASHINGTON STATE DEPARTMENT OF
COMMERCE, LOCAL GOVERNMENT AND INFRASTRUCTURE DIVISION,
AND BENTON COUNTY**

WHEREAS, Benton County would like to contract with the Washington State Department of Commerce for the Community Development Block Grant (CDBG) Program, Public Services Grant; and

WHEREAS, Benton County will make \$75,108 in CDBG Public Services Grant funds available to the grant subrecipient community action program, Benton-Franklin Community Action Connections; and

WHEREAS, the community action program will assist at least 450 people who qualify under the HUD low- and moderate-income limits for the service areas in Benton and Franklin Counties, and will exclusively benefit residents of non-entitlement areas for eligible costs incurred between July 1, 2012 and June 30, 2013; and

WHEREAS, the county will receive up to \$3,000 for eligible general administration costs; and

WHEREAS, the contract process was initiated when Washington State Department of Commerce provided a copy of the contract for legal review on June 22, 2012 resulting in the delay of execution; **NOW, THEREFORE**,

BE IT RESOLVED, that the Board of Benton County Commissioners hereby accept the proposed contract and authorize the administrator of Benton and Franklin Counties Department of Human Services, also the Contractor Representative to sign the grant face sheet; and

BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners be, and hereby is, authorized to sign, on behalf of Benton County, the Community Development Block Grant (CDBG) Program, Public Services Grant between Washington State Department of Commerce, Local Government and Infrastructure Division, and Benton County for a contract amount of \$78,108.00; and

BE IT FURTHER RESOLVED, that the Benton and Franklin Counties Department of Human Services is authorized to voucher the County Auditor's office to make such payments necessary for the disbursement of the Community Development Block Grant (CDBG) Program, Public Services Grant; and

BE IT FURTHER RESOLVED, the term of the attached contract commences on July 1, 2012 and ends on June 30, 2013.

Dated this.....day of....., 2012

Chairman of Board

Member

Member
Constituting the Board of County
Commissioners of Benton County, Washington

Attest: _____
Clerk of the Board

Contract Number: 12-65400-013

**Washington State Department of Commerce
Local Government and Infrastructure Division
Community Development Block Grant (CDBG) Program
Public Services Grant**

By their signatures below, the parties agree to the terms and conditions of this Contract and all documents incorporated by reference. No other understandings or representations, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or bind the parties. The parties signing below certify that they are authorized to sign this Contract.

For Benton County:	Attest:
<hr/>	<hr/>
Chair Date	Clerk of the Board
Approved as to form:  _____ Dept. of Human Services	Approved as to form:  _____ Benton Co Prosecutor's Office



Department of Commerce

Innovation is in our nature.

Contract to:

Benton County

Through

Community Development Block Grant Program (CDBG)
Public Services Grant

For:

Provide public services through Benton-Franklin Community Action Connections to low-and moderate-income persons in Benton and Franklin Counties.

Start date: 7/1/2012

BENTON COUNTY
BOARD OF COUNTY COMMISSIONERS
Agenda Request Summary

<u>Type of Action Requested</u>	<u>Classification</u>
<input type="checkbox"/> Execute contract	<input checked="" type="checkbox"/> Consent agenda
<input checked="" type="checkbox"/> Pass resolution	<input type="checkbox"/> Public hearing
<input type="checkbox"/> Pass ordinance	<input type="checkbox"/> 1 st discussion
<input type="checkbox"/> Pass motion	<input type="checkbox"/> 2 nd discussion
<input type="checkbox"/> Other (describe)	<input type="checkbox"/> Other

Requested meeting date: **8/14/12**
Presentation length:
Presenting elected office/department: **OPD**
Prepared by: **Denise Gerry**
Reviewed by: **Denise Gerry**

BACKGROUND INFORMATION

The 2012 replacement numbers that were sent out during the 2011-12 budget preparation were an estimate only. The Office of Public Defense will need additional funding for the 2012 Computer Replacement Fund #0132101.

SUMMARY

A line item transfer in the amount of \$515 is requested from Office Supplies to Computer Equipment Lease.

RECOMMENDATION

Execute resolution as presented

ANTICIPATED FISCAL IMPACT

None. There is sufficient surplus in the Office Supplies line item.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUND WITHIN THE
CURRENT EXPENSE FUND NUMBER 0000101, OFFICE OF PUBLIC DEFENSE
DEPARTMENT 136

BE IT RESOLVED, by the Board of Benton County Commissioners, that funds
shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____ 2012

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington.

Attest: _____
Clerk of the Board

cc: Commissioners; Auditor; File, OPD

D Gerry

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Office of Public Defense Dept Nbr: 136
 Fund Name: Current Expense Fund Nbr: 0000-101

TRANSFER FROM: Dept 000 TRANSFER TO: Dept 000

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
512.814	3101	Office Supplies	\$515	512.814	9501	Computer Equipment Lease	\$515
TOTAL			\$515	TOTAL			\$515

Explanation:

Additional funds are needed for 2012 Computer Replacement Assessment.

Prepared by: Denise Gerry Date: 06-Aug-2012

Approved Denied Date: _____

Chairman

Member

Member

BENTON COUNTY
BOARD OF COUNTY COMMISSIONERS
Agenda Request Summary

<u>Type of Action Requested</u>	<u>Classification</u>
<input type="checkbox"/> Execute contract	<input checked="" type="checkbox"/> Consent agenda
<input checked="" type="checkbox"/> Pass resolution	<input type="checkbox"/> Public hearing
<input type="checkbox"/> Pass ordinance	<input type="checkbox"/> 1 st discussion
<input type="checkbox"/> Pass motion	<input type="checkbox"/> 2 nd discussion
<input type="checkbox"/> Other (describe)	<input type="checkbox"/> Other

Requested meeting date: **August 7, 2012**
Presentation length:
Presenting elected office/department: **OPD**
Prepared by: **Eric Hsu**
Reviewed by: **Loretta Smith-Kelty**

BACKGROUND INFORMATION

Benton County provides public defense services in cases where defendants are accused of failing to pay legal financial obligations ("LFOs") and are facing incarceration.

SUMMARY

After a request for qualifications process, attorney Jennifer M. Azure has expressed interest in providing such services and is, in the opinion of the Indigent Defense Coordinator, qualified and capable of providing such services.

RECOMMENDATION

Request execution of a contract for public defense with attorney Jennifer M. Azure for LFOs in Superior Court.

ANTICIPATED FISCAL IMPACT

No fiscal impact anticipated beyond budgeted funds.

RESOLUTION
BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF EXECUTING PROFESSIONAL SERVICES AGREEMENT BCSC1112JMA001L WITH ATTORNEY JENNIFER M. AZURE TO PROVIDE INDIGENT DEFENSE SERVICES ON THE “LEGAL FINANCIAL OBLIGATIONS” DOCKET

WHEREAS, per Benton County resolution 2012-059, “...for all contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but may instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost”; and

WHEREAS, Benton County collects legal financial obligations (“LFOs”) owed by Superior Court defendants through the collection efforts of the Benton County Superior Court Clerk; and

WHEREAS, some defendants who are subject to collections proceedings face the risk of contempt of court charges and therefore incarceration for failure to pay their LFOs; and

WHEREAS, Benton County has the statutory and Constitutional obligation to provide legal counsel to defendants facing the prospect of incarceration for failure to pay LFOs who are also indigent or otherwise statutorily eligible for court appointed counsel; and

WHEREAS, after a request for qualifications process attorney Jennifer M. Azure (“Attorney”) has expressed interest in providing such services and is, in the opinion of the Indigent Defense Coordinator, qualified and capable of providing such services;

NOW THEREFORE, BE IT RESOLVED THAT the Board of Benton County Commissioners hereby approves the attached professional services agreement BCSC1112JMA001L between Benton County and Jennifer M. Azure for indigent defense services to Superior Court defendants facing incarceration for failure to pay LFOs in the amount of \$1,200 per month (proratable for any partial month); and

BE IT FURTHER RESOLVED that the presented agreement commences August 20, 2012 and expires on December 31, 2014.

Dated this day of , 20

Chairman of the Board

Chairman Pro-Tem

**Member
Constituting the Board of County
Commissioners, Benton County
Washington**

**Attest:
Clerk of the Board**

**PROFESSIONAL SERVICES AGREEMENT TO PROVIDE LEGAL REPRESENTATION
TO INDIGENT PERSONS IN BENTON COUNTY SUPERIOR COURT
BCSC1112JMA001L**

THIS AGREEMENT is entered into by and between **JENNIFER M. AZURE**, attorney at law, Washington State Bar Association No. 30494 ("Attorney") and **BENTON COUNTY** a State of Washington political subdivision ("County"), for and on behalf of the Benton County Superior Court.

THIS AGREEMENT IS ENTERED INTO BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

- A.** The County has the legal responsibility to provide legal defense services to indigent persons charged with felony criminal offenses alleged to have been committed within the County's jurisdictional boundaries.
- B.** Attorney is engaged in the private practice of law, has direct experience in litigating cases involving persons charged with felony criminal offenses, and desires to contract with the County to provide legal services to indigent persons subject to felony criminal charges in the Benton County Superior Court.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the County and Attorney hereby agree as follows:

1. **AGREEMENT TERM.** This Agreement shall be deemed effective for all purposes as of August 20, 2012, and shall continue thereafter through and including the 31st of December, 2014, unless earlier terminated pursuant to the applicable terms and provisions of this Agreement.

2. **ATTORNEY'S OFFICE LOCATION.**

a. Attorney presently and regularly maintains an office adequate and appropriate for the practice of law at 1030 N Center Parkway, Ste 120, Kennewick, WA 99336. Attorney's current local office telephone and fax numbers are (509) 737-0080 and (509) 222-2223, respectively; and Attorney's current office/work e-mail address is Jennifer@azurelawoffice.com

b. Throughout the entire term of this Agreement, Attorney shall continue to maintain such an office, such telephone and fax numbers, and such e-mail address; provided that, however, Attorney may relocate Attorney's office to another location within the greater Tri-Cities, Washington, and/or Attorney may change Attorney's telephone/fax number to another greater Tri-Cities local telephone/fax number, and/or Attorney may change Attorney's e-mail address, provided that Attorney must provide immediate written notice of such change(s) to the Benton-Franklin Indigent Defense Coordinator ("IDC"), the Benton County Prosecuting Attorney, and the Benton-Franklin Counties Superior Court Administrator ("Superior Court Administrator").

BENTON COUNTY
BOARD OF COUNTY COMMISSIONERS
Agenda Request Summary

<u>Type of Action Requested</u>	<u>Classification</u>
<input type="checkbox"/> Execute contract	<input checked="" type="checkbox"/> Consent agenda
<input checked="" type="checkbox"/> Pass resolution	<input type="checkbox"/> Public hearing
<input type="checkbox"/> Pass ordinance	<input type="checkbox"/> 1 st discussion
<input type="checkbox"/> Pass motion	<input type="checkbox"/> 2 nd discussion
<input type="checkbox"/> Other (describe)	<input type="checkbox"/> Other

Requested meeting date: **July 24, 2012**
Presentation length:
Presenting elected office/department: **OPD**
Prepared by: **Eric Hsu**
Reviewed by: **Loretta Smith-Kelty**

BACKGROUND INFORMATION

Benton County presently contracts with attorney Joshua Lilly to provide public defense services in cases where defendants are accused of failing to pay legal financial obligations ("LFOs") and are facing incarceration. Previous to July 1, 2012, the docket schedule and compensation contemplated by the LFO contract was two dockets per month for \$600 per month as a flat fee. Effective July 1, 2012, the docket schedule was increased to every week.

SUMMARY

The LFO schedule has been increased from twice a month to every week. The contract for LFO defense should provide an increase in compensation commensurate with this increase (ie from \$600 per month to \$1,200 per month).

RECOMMENDATION

Request execution of contract amendment for LFO public defense services with attorney Joshua Lilly to compensate for increased frequency of LFO dockets.

ANTICIPATED FISCAL IMPACT

\$3,600 for the remainder of 2012. Line item transfer (Resolution 2012-301) covered 100% of increased cost. No supplement required.

RESOLUTION
BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AMENDING EXISTING CONTRACT BCSC1112JJL001L WITH ATTORNEY JOSHUA J LILLY IN ORDER TO COMPENSATE FOR THE INCREASE IN FREQUENCY OF LEGAL FINANCIAL OBLIGATIONS (“LFO”) DOCKETS.

WHEREAS, per Benton County resolution 2012-059, “...for all contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but may instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost”;

WHEREAS, Benton County is obligated by law to provide indigent defense services in Benton County District Court; and

WHEREAS, such indigent defense services include defending persons accused of failure to pay Legal Financial Obligations (“LFOs”) and facing the potential of incarceration; and

WHEREAS, via Resolution 10-813, Benton County currently contracts with attorney Joshua Lilly to provide such defense services on LFO cases (Contract #BCSC1112JJL001L) on a \$600 per month flat fee basis; and

WHEREAS, at the time of the execution of the contract, LFO dockets were held twice a month on Tuesdays, but effective July 1, 2012 they were increased to every week on Thursdays; and

WHEREAS, it is therefore appropriate to amend contract BCSC1112JJL001L to require attorney Lilly to attend all LFO cases (on the increased schedule) and to increase the compensation from \$600 per month to \$1,200 per month to compensate accordingly for the increase;

NOW THEREFORE, BE IT RESOLVED THAT the Board of Benton County Commissioners hereby approves the attached contract amendment BCSC1112JJL001LA between Benton County and Joshua J Lilly, which changes the monthly compensation from \$600 per month to \$1,200 per month to accommodate weekly LFO dockets; and

BE IT FURTHER RESOLVED, that the attached contract amendment commences July 1, 2012.

Dated this day of , 20

Chairman of the Board

Chairman Pro-Tem

**Member
Constituting the Board of County
Commissioners, Benton County
Washington**

Attest:
Clerk of the Board

**PROFESSIONAL SERVICES AGREEMENT TO PROVIDE LEGAL REPRESENTATION
TO INDIGENT PERSONS IN BENTON COUNTY SUPERIOR COURT
BCSC1112JJL001L**

THE AGREEMENT previously entered into by and between JOSHUA J LILLY, attorney at law, Washington State Bar Association No. 36033 ("Attorney") and BENTON COUNTY a State of Washington political subdivision ("County"), for and on behalf of the Benton County Superior Court.

IS HEREBY AMENDED AS FOLLOWS

7. **LFO DOCKET APPOINTMENTS.** This paragraph shall be amended by adding the following at the end: "Attorney shall be present at scheduled LFO dockets which, effective July 1, 2012, have been increased from twice a month to every week."

12. **MONTHLY COMPENSATION.**

a. This sub-section shall be amended by deleting "\$600" and replacing with "\$1,200."

All other provisions shall remain the same. Any conflicts between the more specific language in this amendment and the original agreement shall be resolved in favor of this amendment.

This amendment shall be designated BCSC1112JJL001LA.

IN WITNESS WHEREOF, the parties hereto have entered into and executed this Agreement on the date set forth below.

Date: _____
BENTON COUNTY

Chairman

Commissioner

Commissioner

Eric Hsu, Attorney at Law
Indigent Defense Coordinator

Date: 7/31/12
ATTORNEY

Joshua Lilly

Approved as to Form and Content

R E S O L U T I O N

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY E. R. & R. FUNDS RE: TRANSFER OF FUNDS
WITHIN THE COUNTY E. R. & R. FUND 0501-101

BE IT RESOLVED by the Board of Benton County Commissioners that
funds be transferred between line items as defined in Exhibit A
attached hereto.

Dated this 14th day of August, 2012.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

Constituting the Board of
County Commissioners
of Benton County, Washington.

L. Moser

Transferring \$33,000.00 from Advanced Expenditure Line Item 548.610.4930 to 548.250.9100 Interfund Professional Services \$3,000.00 (for reclamation work at Cherry Lane Quarry R-52); to 548.290.9100 Interfund Professional Services \$5,000.00 (for the installation of a gate at the Clodfelter stockpile site); and to 548.290.9300 Interfund Supplies \$25,000.00 (for the transfer of sanding material to the Kennewick yard).

There is no adverse impact on the ER&R fund budget.

R E S O L U T I O N

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROAD FUNDS RE: TRANSFER OF FUNDS WITHIN
THE COUNTY SOLID WASTE COLLECTION FUND 0155-101

BE IT RESOLVED by the Board of Benton County Commissioners that
funds shall be transferred as outlined in Exhibit "A", attached
hereto.

Dated this 14th day of August, 2012.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington.

BENTON COUNTY
2011/2012 BUDGET

FUND NO.: 0155-101

FUND NAME: SOLID WASTE COLLECTION

TRANSFER TO:

ITEM NO	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
1	537.100	9802	Repair & Maintenance	1,500.00	537.130	9503	Automobile Rental	1,500.00
				1,500.00				1,500.00

TRANSFER FROM:

(1) To transfer \$1,500.00 from Waste Management Function Line Item 537.100.9802 (Repair & Maintenance) to Line Item 537.100.9503 (Automobile Rental) to pay automobile rental cost for 2012 for Pickup #1079, as well a 2012 rental of Road Department equipment for Grant funded activities.

Prepared by:  Steven W. Becken, Public Works Manager

Date: August 14, 2012

Date: _____

Approved:
 Denied:

_____ Chairman

_____ Chairman Pro-Tem

_____ Member

- (1) Transferring \$1,500.00 from Line Item 537.100.9802 (Repair & Maintenance) to Line Item 537.130.9503 (Automobile Rental) to allow payment of rental assessment for Vehicle No. 1079 for 2012, and for rental of Road Department equipment for Grant funded activities.

There is no adverse affect on the Functions of the SOLID WASTE COLLECTION Fund.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE FIRST PROFESSIONAL SERVICE CONTRACT AMENDMENT BETWEEN HDR ENGINEERING AND BENTON COUNTY TO PREPARE A FEASIBILITY STUDY FOR A FUTURE MODERATE RISK WASTE FACILITY AND REVIEW THE CURRENT BENTON COUNTY SOLID WASTE PLAN

WHEREAS, per Resolution 11-726 dated November 15, 2011, the Board of Benton County Commissioners entered into a Professional Service Contract to prepare a feasibility study for a future moderate risk waste facility and review the current Benton County Solid Waste Plan for a contract amount not to exceed \$120,000.00; and

WHEREAS, the attached first amendment is necessary due to the necessity of expanding the search for an appropriate site, which has necessitated additional cost, increasing the original contract amount to an amount not to exceed \$150,000; **NOW, THEREFORE**

BE IT RESOLVED that the First Service Contract Amendment to the Professional Service Contract between HDR Engineering and Benton County, on file in the Public Works Department, be and hereby is approved to increase the contract amount not to exceed \$150,000; and

BE IT FURTHER RESOLVED that the Chairman of the Board is hereby authorized to sign said Contract Amendment on behalf of Benton County.

Dated this 14th day of August, 20 12

Chairman of the Board

Chairman Pro-Tem

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest:
Clerk of the Board

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>August 14, 2012</u>	Execute Amendment	<u>X</u>
Subject: <u>First Amendment to Service Contract for Feasibility Study</u>	Pass Resolution	<u>X</u>
Prepared by: <u>dlh</u>	Pass Ordinance	<u> </u>
Reviewed by: <u>SWB</u>	Pass Motion	<u> </u>
	Other	<u> </u>
	Consent Agenda	<u>X</u>
	Public Hearing	<u> </u>
	1st Discussion	<u> </u>
	2nd Discussion	<u> </u>
	Other	<u> </u>

BACKGROUND INFORMATION

By Resolution 11-726 dated November 15, 2011, the Board of Benton County Commissioners entered into a Professional Service Contract with HDR ENGINEERING, Pasco, Washington for a contract to provide a feasibility study for a future moderate risk waste facility and to review our current Solid Waste Plan, in an amount not to exceed \$120,000.00. The task of finding a suitable location for a future facility has been complicated by the unavailability of government-owned property, and the search must be expanded. The cost for providing this additional property search and evaluations has been estimated at \$30,000.

SUMMARY

The first amendment to the Professional Service Contract for HHW collection increases the maximum amount payable under the contract to \$150,000 for the remainder of the contract.

RECOMMENDATION

Approve the First Amendment to the Professional Service Contract with HDR ENGINEERING, Pasco, Washington for finding a suitable location for a future facility.

FISCAL IMPACT

The cost of the feasibility study has been approved for funding from the Coordinated Prevention Grant Program and matching funds.

FIRST SERVICE CONTRACT AMENDMENT

THIS CONTRACT made and entered into this _____ day of _____ 2012 by and between **BENTON COUNTY**, a political subdivision, with its principal offices at 620 Market Street, Prosser, Washington 99350 (hereinafter "COUNTY") and **HDR Engineering**, with its principal address at 2805 Saint Andrews Loop, Suite A, Pasco, WA 99301 (hereinafter "CONSULTANT").

The parties entered into a Personal Service Contract per Resolution 11-726 dated November 15, 2011 (the "CONTRACT") to prepare a feasibility study for a future moderate risk waste facility and review the current Benton County Solid Waste Plan for a contract amount not to exceed \$120,000; and

Whereas, this first amendment is necessary due to the necessity of expanding the search parameters for an appropriate site, which has necessitated additional cost increasing the original contract to an amount not to exceed \$150,000; and

The parties agree that all provisions of their contact remain in effect except for the following amendment:

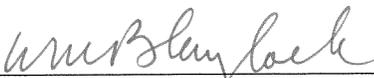
1. **CONTRACT DOCUMENTS** the existing paragraph shall be amended by adding Exhibit D, a copy of which is attached to this Amendment; and adding the following text to the contract Section 1:
 - e. Exhibit D, Proposal for additional services for the Moderate Risk Facility Site Identification dated June 13, 2012.
2. **COMPENSATION** the existing paragraph (b) shall be amended and replaced in its entirety with the following:
 - b. The maximum total amount payable by the COUNTY to the CONSULTANT under this Contract shall not exceed \$150,000.

IN WITNESS WHEREOF the Chairman of the Board of the Benton County Commissioners has executed this Contract Amendment on behalf of the County, and the Contractor has executed this Contract, on the day and year first above written.

BENTON COUNTY

HDR ENGINEERING

James. R Beaver, Chairman

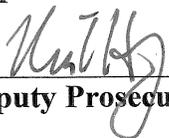


William Blaylock, Senior Vice President

Date: _____

Date: July 31, 2012

Approved as to Form:



Deputy Prosecuting Attorney

June 13, 2012

Donna Holmes, Solid Waste Specialist
Benton County Public Works
Solid Waste Division
P.O. Box 110
Prosser, WA 99350

Dear Ms. Holmes:

Subject: Moderate Risk Waste Facility Site Identification

Benton County has requested a proposal from HDR Engineering, Inc. (HDR) to conduct a search of potential sites for the development of a Moderate Risk Waste (MRW) facility in the County. The following scope of work, fee, and schedule have been prepared for the study.

SCOPE OF WORK

Objective:

HDR will assist the County in identifying six potential MRW sites by finding three new sites in addition to the top three sites already identified during the preliminary siting process.

HDR Services:

1. Identify potential sites using GIS information and mapping based on search criteria established with and approved by the County.
2. Research publicly available landownership data for the potential site list and compile into a tabular and GIS map format.
3. Perform desk and map level review of potential site list and collected data to screen out sites from the potential site list with fatal flaws and rank remaining sites based on previously established criteria.
4. Develop a preferred site list with a minimum of three and maximum of six potential sites for more detailed site review and compile into a tabular and GIS map format.
5. Complete a detailed site review including site visits by one project staff if site access is feasible, review readily available property sales listing data, order and review of title, and prepare a preliminary cost estimate to acquire the properties based on available public data of the sites on the preferred list along with the three sites identified in the preliminary siting process.
6. Compile final results into a brief MRW Site Identification Technical Memo with recommendations and an estimated property purchase schedule accompanied by a GIS map and tabular information by parcel identifying key criteria. The technical memo will include a table of potential SEPA issues associated with each site. Potential issues will be identified through review of readily available public information sources (e.g., comprehensive plans, sensitive areas ordinances, agency websites, and aerial photos) and onsite observations if site access is feasible.

County Responsibilities:

1. Supply all publically available County and GIS data required to complete HDR's services.
2. Review and approve search criteria, ranking categories, and fatal flaw analysis to be used.
3. Review and approve the potential site list and preferred site list.
4. Review and return one complete set of comments of the draft MRW Site Identification Technical Memo.
5. Review and approve final MRW Site Identification Technical Memo.

Assumptions:

1. The limits for the GIS research for the potential site list will be confined to Benton County focusing on the cities of Richland and Kennewick first and only expanding to the greater County area if needed.
2. Fatal flaw criteria list will be developed jointly by County and HDR.
3. A minimum of six sites will be identified for the potential site list.
4. The base line search criteria for the potential site list site review will utilize the criteria established in the initial siting analysis conducted by HDR and will include: minimum size, proximity to major population base, ease of access from major roads or highways; availability of utilities; compliance with land use and zoning; and site ownership, to establish the potential site list.
5. The secondary site review criteria for establishing a ranked list for the six preferred sites will be jointly developed by the County and HDR and will include: cost to purchase, available for sale, soundness of title, and estimated property purchase schedule.
6. Title reports will be paid for directly by the County and HDR will complete a maximum of six title reviews in memo format.
7. A maximum of six draft and six final GIS maps and four draft and four final tabular reports will be produced.
8. One draft and one final Technical Memo will be produced.
9. Identification of potential SEPA issues will not include impact analysis, recommendation of mitigation measures, or agency consultation and will not be in sufficient detail to serve as official SEPA documentation. The information is to be used for site comparison purposes only.
10. All meetings will be via conference call and there will be a maximum of three conference calls with HDR producing an agenda and meeting minutes for each call.

Deliverables:

1. Fatal Flaw List
2. Approved Base Line Search and Secondary Site Review Criterion
3. GIS Maps
4. Tabular Reports
5. Title Review Memos
6. Technical Memo

PROJECT FEES

The proposed fees to complete the above-described study are included below. The fees include all labor and direct costs, with the exception of title reports, which are assumed to be paid for directly by the County.

Work Task	Description	Fee
1.	Establish search criteria and fatal flaws	\$623.00
2.	Baseline search to develop potential site list and GIS map	\$2,024.00
3.	Review baseline data and mapping	\$5,275.00
4.	Develop a preferred site list and GIS Map	\$2,024.00
5.	Conduct detailed site review	\$8,455.00
6.	Prepare Draft and Final Technical Memos	\$5,600.00
	Direct Costs	\$1,070.00
	TOTAL	\$25,071.00

PROJECT SCHEDULE

The site selection process and property purchase will be paid for through Department of Ecology CPG grants. The awarded grant period is for one year, commencing July 1, 2012 and ending July 1, 2013. Therefore, the above-described scope of work will be completed no later than November 30, 2012, in order to allow adequate time for the property acquisition to be completed before the end of the grant period.

Following your review of this proposal, please contact us with any questions you may have. We look forward to working with you on this phase of the project.

Sincerely,



Nona H. Diediker
Managing Principal



Michelle P. Leonard
Project Manager

BENTON COUNTY AGENDA ITEM

AGENDA ITEM: _____	Type of Action		
MEETING DATE: 08/14/12 9:05AM	Execute Contract	_____	CONSENT AGENDA <u>X</u>
SUBJECT: Line Item Transfers	Pass Resolution	<u>X</u>	PUBLIC HEARING _____
_____	Pass Ordinance	_____	1 ST DISCUSSION _____
_____	Pass Motion	_____	2 ND DISCUSSION _____
Prepared By: Pat Austin	Other	_____	OTHER _____
Reviewed By: Keith Mercer	Approve for Hearing	_____	

BACKGROUND INFORMATION

Request for line item transfers of funds to more accurately cover the costs incurred for operation of the Superior Court. 1) Under the new travel policy employees are to use county vehicles, if available, when conducting business away from the office. The above transfers allow for payment of automobile rental from County ER&R. 2) WSP Background Check line item was originally underfunded. 3) Data Processing Admin reflects costs of cell phones for critical staff. 4) The Court incurred unexpected costs for professional GAL coverage when a long-time employee resigned until the new employee was hired and trained.

SUMMARY

See attached line item transfer spreadsheet itemizing the transfers

RECOMMENDATION

Recommend approval.

FISCAL IMPACT

No fiscal impact. All funds are within the Superior Court 2011-2012 budget.

MOTION

I move to approve Resolution No. _____ authorizing line item transfers in the amount of \$24,609 as outlined on Exhibit "A" of the Resolution.

Patricia Austin 8/6/12

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000101, DEPARTMENT NUMBER 123.

BE IT RESOLVED, by the Board of Benton County Commissioners, that funds shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington.

Attest: _____
Clerk of the Board

cc: Commissioners; Auditor; File, Superior Court

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Superior Court

Dept Nbr: 123

Fund Name: Current Expense

Fund Nbr: 0000101

TRANSFER FROM: Superior Court

TRANSFER TO: Superior Court

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
512.210	3137	Books	\$3,959	512.210	9503	Automobile Rental	3,959
512.211	4905	Training	\$300	512.211	5121	WSP Background Check	300
512.211	4202	Telephone	\$2,100	512.210	9101	Data Processing Admin	2,100
512.210	4202	Telephone	\$250	512.210	9101	Data Processing Admin	250
512.211	1489	Part-Time Office	\$8,000	512.210	4103	Professional Services	8,000
512.211	1810	Family Crt Coordinator	\$10,000	512.211	4103	Professional Services	10,000
TOTAL			\$24,609	TOTAL			\$24,609

Explanation: Transfer of funds to more accurately cover the costs incurred for operation of the Superior Court. Auto rental charges incurred due to new travel policy; WSP Background Checks were insufficiently funded; Data Processing Admin reflects charges for cell phones for critical staff which was not initially budgeted for; Professional Services costs due to professional GAL coverage for employee who resigned until new employee was hired and trained.

Prepared by: Patricia Austin, Superior Court Administrator

Date: 06-Aug-2012

Approved

Denied

Date: _____

Chairman

Member

Member