



**MEMORANDUM**

**TO:** Satpal Sidhu, County Executive

**FROM:** Erika Lautenbach, Director

**RE:** Northwest Educational Service District (ESD) 189 – Youth Cannabis & Commercial Tobacco Prevention Program Interlocal Agreement Amendment #1

**DATE:** July 6, 2022

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Attached is an interlocal agreement amendment between Whatcom County and Northwest ESD 189 for your review and signature.

▪ **Background and Purpose**

Whatcom County receives funding from Washington State Department of Health (DOH) to act as the lead agency for the North Sound Regional Youth Cannabis & Commercial Tobacco Prevention Program [YCCTPP – formerly the Youth Marijuana Prevention & Education Program (YMPEP)] whose goal is to reduce initiation and use of cannabis and tobacco by youth, ages 12-20, in the North Sound Region. This Agreement provides funding to ESD 189 to support their participation in planning and engaging regional youth cannabis and tobacco prevention assessment and planning efforts. This amendment extends the contract for an additional year and updates the scope of work and budget to reflect the priorities for the extended contract period.

▪ **Funding Amount and Source**

Funding for this contract, in an amount not to exceed \$20,000, is provided by the DOH YMPEP funds in 2022 and will be provided by YCCTPP funds in 2023. These funds are included in the 2022 budget and will be included in the 2023 budget. Council approval is not required as this extension is authorized per Section 8 of the original Agreement.

Please contact Ann Beck, Community Services Manager at 360-778-6055 ([ABeck@co.whatcom.wa.us](mailto:ABeck@co.whatcom.wa.us)) or Kathleen Roy, Assistant Director at 360-778-6007 ([KRoy@co.whatcom.wa.us](mailto:KRoy@co.whatcom.wa.us)), if you have any questions or concerns regarding this request.



**WHATCOM COUNTY  
CONTRACT INFORMATION SHEET**

Whatcom County Contract Number:  
202108029 - 1

Originating Department:		85 Health	
Division/Program: (i.e. Dept. Division and Program)		8550 Human Services / 855060 Substance Abuse Program	
Contract or Grant Administrator:		Alyssa Pavitt	
Contractor's / Agency Name:		Northwest Educational Services District 189	
Is this a New Contract?	If not, is this an Amendment or Renewal to an Existing Contract?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:		202108029
Does contract require Council Approval?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If No, include WCC:	3.08.100
Already approved? Council Approved Date:		(Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement?	If yes, grantor agency contract number(s):		CFDA#:
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Is this contract grant funded?	If yes, Whatcom County grant contract number(s):		202201016
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
Is this contract the result of a RFP or Bid process?	If yes, RFP and Bid number(s):		Contract Cost Center: 677350
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Is this agreement excluded from E-Verify?	No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>		
If YES, indicate exclusion(s) below:			
<input type="checkbox"/> Professional services agreement for certified/licensed professional.			
<input type="checkbox"/> Contract work is for less than \$100,000.		<input type="checkbox"/> Contract for Commercial off the shelf items (COTS).	
<input type="checkbox"/> Contract work is for less than 120 days.		<input type="checkbox"/> Work related subcontract less than \$25,000.	
<input checked="" type="checkbox"/> Interlocal Agreement (between Governments).		<input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
Contract Amount:(sum of original contract amount and any prior amendments):		Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b>	
\$	15,000	1. Exercising an option contained in a contract previously approved by the council.	
This Amendment Amount:		2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.	
\$	20,000	3. Bid or award is for supplies.	
Total Amended Amount:		4. Equipment is included in Exhibit "B" of the Budget Ordinance	
\$	35,000	5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.	
Summary of Scope: This Agreement provides funding for participation and engagement in youth cannabis and tobacco prevention activities.			
Term of Contract:	1 Year	Expiration Date:	06/30/2023
Contract Routing:	1. Prepared by:	JT	Date: 03/29/2022
	2. Health Budget Approval	JG	Date: 06/28/2022
	3. Attorney signoff:	RB	Date: 07/01/2022
	4. AS Finance reviewed:	M Caldwell	Date: 7/1/22
	5. IT reviewed (if IT related):		Date:
	6. Contractor signed:		Date:
	7. Executive Contract Review:		Date: 7/12/2022
	8. Council approved (if necessary):		Date:
	9. Executive signed:		Date: 7/12/2022
	10. Original to Council:		Date:

Whatcom County Contract Number:

202108029 – 1

**WHATCOM COUNTY CONTRACT AMENDMENT**

**PARTIES:**

**Whatcom County  
Whatcom County Health Department  
509 Girard Street  
Bellingham, WA 98225**

**AND CONTRACTOR:  
Northwest Educational Services District 189  
1601 R Avenue  
Anacortes, WA 98221**

**CONTRACT PERIODS:**

**Original: 07/01/2021 – 06/30/2022**

**Amendment #1: 07/01/2022 – 06/30/2023**

**THE CONTRACT IDENTIFIED HEREIN, INCLUDING ANY PREVIOUS AMENDMENTS THERETO, IS HEREBY AMENDED AS SET FORTH IN THE DESCRIPTION OF THE AMENDMENT BELOW BY MUTUAL CONSENT OF ALL PARTIES HERETO**

**DESCRIPTION OF AMENDMENT:**

1. Extend the duration and other terms of this contract for 1 year, as per the original contract “Section 8. Changes, Modifications, Amendments, or Waivers”.
2. Replace language in Section 2 – Responsibilities, as follows:

Whatcom will:

- A. Lead and facilitate the North Sound Region Youth Cannabis & Commercial Tobacco Prevention Network implementation of our 5-Year Youth Cannabis and Commercial Tobacco Prevention Program (YCCTPP) Strategic Plan.
- B. Provide technical assistance and support to ESD in carrying out their YCCTPP work
- C. Include ESD 189 staff in regional YCCTPP communication, trainings, and meetings
- D. Share State and regional YCCTPP resources with designated ESD 189 staff
- E. Provide ESD 189 with templates for submitting work plan, budget, and reporting
- F. Lead the North Sound Region YCCTPP partners through assessment and workplan updates during July – September, 2022, as required by DOH. At completion of the updated regional workplan, the County will approve a detailed workplan covering required YCCTPP tasks for the remainder of the funding period.

ESD 189 will:


- A. Implement the following activities as part of the Regional Youth Cannabis and Commercial Tobacco Prevention Program (YCCTPP):
  1. Designate lead staff to actively engage in regional North Sound Region YCCTPP & Network who will:
    - a. Attend bi-monthly Regional Network meetings
    - b. Participate in bi-monthly YCCTPP subcontractor meetings
    - c. Participate in regional YCCTPP planning efforts
      - i. Participate in Regional Need Assessment and Regional Workplan development, as required by DOH
      - ii. Participate in Regional Equity and Network Assessments, as required by DOH
    - d. Participate in YCCTPP Practice Collaborative (PC)

- i. Attend monthly PC meetings, as available
  - ii. Participate in statewide YCCTPP workgroups/coalitions, as relevant
2. Conduct outreach with school partners on:
  - a. Local, regional, and state opportunities for youth trainings and engagement in prevention
  - b. Regional opportunities for School Substance Use Discipline Policies support
  - c. Prevention related Professional Development training opportunities (regional, state, national)
  - d. Recruiting school partner participation in regional network and strategies
  - e. Educational resources on cannabis and vaping to schools and community partners
3. Provide meeting space for the YCCTPP Regional Network, including: quarterly meetings, sub-committee meetings, and regional trainings. (Pending in-person meetings and events.)
4. Engage with school partners for YCCTPP program strategies, including:
  - a. Addressing school discipline policies through training and/or technical assistance for Student Assistance Professionals (SAP), school administrators and more
  - b. Exploring Healthy Youth Survey data in relation to youth cannabis and tobacco prevention, and to inform potential additional projects.
  - c. Sharing educational resources on youth cannabis and tobacco prevention
  - d. Gathering input from youth and school partners on cannabis and tobacco prevention.
  - e. Assessing and planning for training needs for SAPs and school partners, in relation to YCCTPP efforts
5. Attend or support adult and/or youth prevention partners in attending approved local, state, and/or national trainings related to youth cannabis and tobacco prevention.
6. Other efforts, as approved, that align with the North Sound Region YCCTPP Regional Plan.
- B. Maintain accurate records of staff time dedicated to YCCTPP activities.
- C. Provide monthly reports of program activities and staff effort to lead regional coordinator for inclusion in DOH reporting. ESD 189 will use reporting form provided by Whatcom. Due dates will be no later than the 10<sup>th</sup> day of the month, following the month activities occurred.
- D. Perform all work necessary within the limits of the available resources for this agreement to implement all strategies, action steps, and deliverables agreed to with regional partners and approved by DOH.
- E. Request approval for Budget adjustments that total 10% or more – approval required at least 15 days prior to expending adjusted budget items.
- F. Use no more than 11% of YMPEP allocation for indirect/overhead costs.
- G. Comply with all applicable Federal and State requirements that govern this agreement and will cooperate with Whatcom County on at least one annual site visit at a mutually agreeable time to discuss ESD 189 program progress and contract oversight.
3. Replace Exhibit B – Compensation, to reflect the extended agreement period.
4. Funding for this contract period (07/01/2022 – 06/30/2023) is not to exceed \$20,000.
5. Funding for the total contract period (07/01/2020 – 06/30/2023) is not to exceed \$35,000.
6. All other terms and conditions remain unchanged.
7. The effective start date of the amendment is 07/01/2022.

ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND ANY PREVIOUS AMENDMENTS THERETO REMAIN IN FULL FORCE AND EFFECT. ALL PARTIES IDENTIFIED AS AFFECTED BY THIS AMENDMENT HEREBY ACKNOWLEDGE AND ACCEPT THE TERMS AND CONDITIONS OF THIS AMENDMENT. Each signatory below to this Contract warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the contract and bind the party thereto.

APPROVAL AS TO PROGRAM:  7/6/2022  
DocuSigned by: 2B365BB0422344A...

Ann Beck, Community Services Manager Date


DEPARTMENT HEAD APPROVAL:  7/12/2022  
DocuSigned by: 955C651A30374BD...

Erika Lautenbach, Health Department Director Date

APPROVAL AS TO FORM:  7/12/2022  
DocuSigned by: 1EE5DDBD9542404...

Royce Buckingham, Senior Civil Deputy Prosecutor Date

FOR THE CONTRACTOR:

 <small>DocuSigned by: B153E0E45A3B494...</small>	Larry Francois, Superintendent	7/12/2022
Contractor Signature	Print Name and Title	Date

FOR WHATCOM COUNTY:

 <small>DocuSigned by: 1192C7C18B664E3...</small>	7/12/2022
Satpal Singh Sidhu, County Executive	Date

CONTRACTOR INFORMATION:

**Northwest Educational Services District 189**  
1601 R Avenue  
Anacortes, WA 98221

**EXHIBIT "B" – Amendment #1**  
(COMPENSATION)

The source of funding for this contract, in an amount not to exceed \$20,000, is the Washington State Department of Health Youth Cannabis & Commercial Tobacco Prevention Program. The budget for this work is as follows:

<b>Contract Budget 07/01/2022 – 06/30/2023</b>		
<b>Item</b>	<b>Documentation required with invoice</b>	<b>Budget</b>
Personnel	Expanded GL Report	\$15,459
Program Supplies including technology, space and room fees		\$2,309
Travel & Training	For travel, training and conference expenditures, mileage will be reimbursed at the current Federal rate. Ground transportation, coach airfare and ferries will be reimbursed at cost when accompanied by receipts. Lodging and meal costs are not to exceed the U.S. General Services Administration Domestic Per Diem Rates ( <a href="http://www.gsa.gov">www.gsa.gov</a> ), specific to location. Reimbursement requests for allowable travel, training and membership expenses (including conference/training registration fees) must be accompanied by receipts or vendor invoices. Receipts for meals are not required. Mileage records, including the name of the staff member, date of travel, starting point and destination of travel, the number of miles traveled, the per mile reimbursement rate, and a brief description of the purpose of travel, are required for mileage reimbursement.	\$250
<b>Subtotal</b>		<b>\$18,018</b>
Administration @ 11%	Copy of approved indirect cost plan required for 11%; if not received, 10% will be the maximum allowed.	\$1,982
<b>TOTAL</b>		<b>\$20,000</b>

1. Contractor may transfer funds between budget line items with prior County approval.
2. Budget adjustments that total 10% or more require approval at least 15 days prior to expending adjusted budget items.
3. Contractor may be required to submit a spend-down plan to the County if the following budget spending guidelines are not met: 50% by January 1, 2023, 75% by April 1, 2023 and 90% by June 1, 2023. If a spend-down plan is submitted and not carried through, it will be considered in future funding decisions.

**I. Invoicing**

1. The Contractor shall submit itemized invoices on a monthly basis in a format approved by the County. Monthly invoices must be submitted by the 20<sup>th</sup> day of the month following the month of service. Invoices submitted for payment must include sufficient documentation to prove the validity of all costs claimed. A general ledger report of costs claimed toward this project will be sufficient for invoicing this agreement. Whatcom County reserves the right to request further back-up documentation for any costs claimed for reimbursement. Equipment purchases are not an allowable expense. Food and incentive purchases must follow DOH YMPEP guidelines.
2. The Contractor shall submit invoices to (*include contract/PO #*) [HL-BusinessOffice@co.whatcom.wa.us](mailto:HL-BusinessOffice@co.whatcom.wa.us).

3. Payment by the County will be considered timely if it is made within 30 days of the receipt and acceptance of billing information from Contractor. The County may withhold payment of an invoice if the Contractor submits it more than 30 days after the expiration of this contract.
4. Invoices must include the following statement, with an authorized signature and date:

**I certify that the materials have been furnished, the services rendered, or the labor performed as described on this invoice.**

5. Duplication of Billed Costs or Payments for Service: The Contractor shall not bill the County for services performed or provided under this contract, and the County shall not pay the Contractor, if the Contractor has been or will be paid by any other source, including grants, for those costs used to perform or provide the services in this contract. The Contractor is responsible for any audit exceptions or disallowed amounts paid as a result of this contract.