



LAKE WHATCOM WATER AND SEWER DISTRICT
1220 LAKEWAY DRIVE
BELLINGHAM, WASHINGTON 98229

REGULAR MEETING
OF THE BOARD OF COMMISSIONERS

AGENDA

January 25, 2017

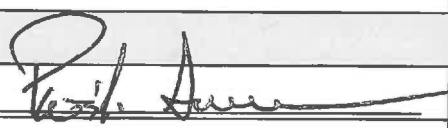
8:00 a.m. – Regular Session

1. CALL TO ORDER
2. PUBLIC COMMENT OPPORTUNITY
At this time, members of the public may address the Commission. Please state your name prior to making comments.
3. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA
4. CONSENT AGENDA
5. SPECIFIC ITEMS OF BUSINESS:
 - A. Annual Staff Performance Reviews – Discussion of Process
 - B. Review Staff Anti-Bullying Policy
 - C. Reschedule March 29, 2017 Regular Meeting
 - D. Summary of Existing District Projects
 - E. Geneva and Par Lane Sewage Pump Stations Draft RFP
6. OTHER BUSINESS
7. MANAGER'S REPORT
8. PUBLIC COMMENT OPPORTUNITY
9. ADJOURNMENT



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	January 17, 2017		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL 		
MEETING AGENDA DATE:	January 25, 2017		
AGENDA ITEM NUMBER:	5.A.		
SUBJECT:	Annual Staff Performance Reviews		
LIST DOCUMENTS PROVIDED ⇒	1.		
NUMBER OF PAGES	2.		
INCLUDING AGENDA BILL:	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Commissioner Citron requested a status report on annual staff performance evaluations.

FISCAL IMPACT

n/a

RECOMMENDED BOARD ACTION

Review/discuss annual staff performance process as requested at an earlier meeting.

PROPOSED MOTION

No proposed motion.



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	January 17, 2017		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL <i>Pat Soren</i>		
MEETING AGENDA DATE:	January 25, 2017		
AGENDA ITEM NUMBER:	5.B.		
SUBJECT:	Review Staff Anti-Harassment Policy		
LIST DOCUMENTS PROVIDED ⇒ NUMBER OF PAGES INCLUDING AGENDA BILL: _____	1. October 11, 2004 Proposal from the Work Doctor		
	2. Special Meeting Minutes for December 6, 2004		
	3. Meeting Minutes for January 12, 2005 showing adoption of the Anti-Harassment Policy		
	4. Excerpt from Section 2 of the Personnel Policies Manual - Anti-Harassment Policy		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

At an earlier meeting, Commissioner Citron asked to re-visit the District's Anti-Bullying Policy for discussion purposes. In 2004 the District contracted with "The Work Doctor" to address staff bullying issues that were transpiring at the time. Following the December 6, 2004 Special Meeting with staff, the presenters Gary and Ruth Namie assisted the Board with writing the Anti-Harassment Policy that is currently included in the District's Personnel Policies Manual. For more information, see the attached documents.

FISCAL IMPACT

n/a

RECOMMENDED BOARD ACTION

Review and discuss the Anti-Harassment Policy.

PROPOSED MOTION

No proposed motion.

Oct. 11, 2004

1

✓ To: James F. Neher, Lake Whatcom Water & Sewer District

From: Gary Namie, PhD
The Work Doctor ®
360-656-6603

Re: Proposal to address Workplace Bullying

Contents:

- I. Context for the Phenomenon
 - a.) Definition
 - b.) Prevalence
 - c.) It happens at good workplaces
- II. The Rationale to Correct & Prevent
 - a.) Reasons to act
- III. The Experts
- IV. Work Doctor ® Services
- V. Professional Fees
- VI. Partial Client List

A Preliminary Proposal to Lake Whatcom Water & Sewer District

I. Context for the Phenomenon

a.) Definition

Workplace Bullying refers to repeated mistreatment of an employee of any rank which causes harm (physical, psychological or economic) through one or more methods of verbal abuse, malicious conduct that a reasonable person would find is intimidating or threatening, or sabotage of work performance that interferes with the employers' legitimate business interests. Naming the phenomenon is less important than recognizing and eradicating it. Workplace Bullying is the term used in Great Britain, Australia and the U.S. Synonyms include psychological harassment (used in the Quebec provincial law), psychological violence, and mobbing (Europe & Scandinavia). It is a 'status-blind' form of harassment, too. It crosses boundaries of gender, race, age, ethnicity, sexual orientation and disability and is legally actionable in North America except in Quebec.

b.) Prevalence

It is 3 times more prevalent than illegal forms of harassment and discrimination that require that the targeted person, and not the perpetrator, be a member of a protected status group. The only U.S. estimate comes from a Michigan study -- 1 in 6 workers are directly targeted in a given year. It is the daily, insidious forms of mistreatment, often subtle and deliberately private and deniable, that lull observers and the employer into not believing victims when they report it. (We also once denied domestic violence victims and those abused by priests, preferring to trust institutions more than the people in them.)

c.) It Happens at Otherwise Good Workplaces

1. How destructive work environments are created and sustained:

- tyrannical individuals reveal themselves only after they achieve requisite status & power
- witnessing co-workers are paralyzed by fear to stop the individuals
- aggression and competitiveness are rewarded in business; they get people promoted
- bullying intensity masks the underlying lack of emotional intelligence
- 'bottom-line' thinking supersedes concern for employees or quality of work environment
- senior management gives priority to friendships over organizational health or goals
- the vast majority of harassment is not illegal, so it is ignored, placing the organization at risk

2. The consequence is a an environment created by few people characterized by:

- mission-undermining, often unethical, borderline illegal, directives
- a fear-plagued workplace rife with emotional/psychological outbursts
- unchallenged threatening misconduct
- the personalization of criticism with the goal of destroying individuals
- misuse of employees' performance appraisals to constructively discharge people
- hostility and offensiveness considered inappropriate by reasonable people
- division into two workforce groups: supporters of bullies and those terrified by them
- high turnover rate, with a tarnished public reputation as 'an employer to avoid'
- litigation serves as employees' sole defense against mistreatment

II. The Rationale to Correct & Prevent

The initial tendency is to deny that a toxic workplace exists at all. As discrimination complaints or lawsuits or employee reports of negative health impact mount, the employer admits to a problem but defines it as a simple problem with one or two "bad seeds." The thinking is that if the one or few bullies could be rehabilitated or purged, the organization will be restored instantly and permanently. Those individuals must be dealt with, but more is needed.

However, with the successful operation of bullies for over a year at a level where several workers are affected, the problem is not solvable by dealing solely with the hyper-aggressors.

The challenge is to correct the process of bullying itself, not just individual bullies. And correction should be paired with prevention of the spawning of future bullies who will seize the opportunities exploited by previous bullies. Bullying stems from the mix of sporadically enforced codes of conduct and laws with opportunistic people who know how to capitalize on the loopholes.

Bullies are rarely evil people. They are mostly well-intentioned, but blindly ambitious individuals who have a dark side (like all of us). In certain workplaces, they are presented with opportunities to be hyper-aggressive without suffering personal consequences. They are opportunists. Therefore, to prevent future bullying, their opportunities must be blocked. It is best to introduce consequences to be applicable to every employee at every level and to crack down on violators to show employees a commitment to correct health-endangering harassment. That is the goal of The Work Doctor's Blueprint comprehensive system.

Based on bullying's frequency, 1 in 6 workers, you can estimate the number of expensive lawsuits in your workplace waiting to happen if destructive individuals are not identified and stopped. It is clear that you, like all other employers, cannot afford to fail to correct or prevent interpersonal misconduct.

The best prevention is swift, observable correction for all employees to witness. It sends the message that the employer is serious about unfettered service excellence. Doing nothing is tacit encouragement of current and all future bullies.

a.) Reasons to Act

- to demonstrate genuine leadership by a willingness to directly confront factors that erode the organization's efficiencies and employee trust and loyalty
- organizations proclaim noble missions, visions, values and a commitment to serving their constituents; they cannot afford being revealed as a hypocritical employer that undermines individuals tasked with serving others; employees expect ethical treatment from employers
- lost or reduced productivity and loyalty by demoralized staff

- staff time and expense in human resources, EEO and management associated with fielding both informal and formal complaints about working conditions and having to conduct follow-up investigations
- litigation costs -- hostile, abusive harassers eventually commit legally actionable offenses (if discriminatory) trigger lawsuits which require time and expense to investigate in order to avoid charges of reckless indifference, counsel expenses, depositions, court appearances, settlements and potential trials
- employees who have asked for relief or who require relief, but never request it, expect the employer to assure their health and safety, they need protection from abusive managers or co-workers
- tangible turnover costs : lost production while awaiting replacement hires, recruitment costs, managerial time to screen candidates, background check& chemical testing expenses, training costs, reduced production while in training
- intangible turnover costs: resentment by existing staff asked to do more with fewer people, reputation within potential workforce, word-of-mouth spread by former employees
- a destructive, toxic environment fosters sabotage, theft and violence (sometimes by individuals whose numerous appeals for relief to management were ignored or discounted)
- the wise and prudent employer who takes action before laws require compliance, the organization's efforts may be profiled with our help in the media as an exemplary employer to contrast it with employers who exploit their employees

III. Internationally Recognized Experts

From 1985-1997 The Work Doctor ® consulting tackled diverse, but traditional, organizational problems from human factors design to quality management to public program evaluation. Since 1998, TWD's consulting focus is the proprietary BLUEPRINT system for a Bullying-Free Workplace.

1998 was a year of "firsts" for the Drs. Namie -- the Campaign's launch, Oprah and *USA Today* called, and together they wrote the first U.S. book to prescribe solutions for bullied workers (*BullyProof Yourself At Work*, now out of print). They hosted and still maintain two comprehensive websites on the topic -- this one for individuals (bullyinginstitute.org), one for employers (workdoctor.com). In 2000, the Campaign hosted the first U.S. Workplace Bullying conference in Oakland, CA, the Namies wrote a second book (*The Bully At Work*), and reported results from the largest research survey of bullied individuals.

Since 1998, they have coached over 4,300 individuals, given speeches, and trained government agencies and unions on anti-violence/bullying strategies. They are sought-after international experts on the topic by conference planners, the most recent in South Africa. Gary also educates attorneys and the courts as an expert witness in cases related to psychological violence.

The Namies' workplace-related research and opinions have been featured on the Today Show on NBC, ABC Good Morning America, CNN In The Money, CNN American Morning, CBS Early Show, Neil Cavuto on Fox News, local TV in Los Angeles, Boston, Chicago, San Francisco, and in the *New York Times*, *New York Daily News*, *USA Today*, *Washington Post*, *Los Angeles Times*, *Chicago Tribune*, *San Francisco Chronicle*, *Wall Street Journal*, *National Post*, *Toronto Star* and in the *Ivey Business Journal*, *Harvard Management Newsletter*, *Harvard Business Review*, *Industry Standard*, *HR Executive*, *HR Magazine*, *American Bar Association Journal*, *U.S. News & World Report*, *Newsweek*, and on Marketplace Radio, NPR-On Point, CBC Radio, Wisconsin and Michigan Public Radio and hundreds of local stations in the U.S. and Canada.

In 2001, the Campaign became the nonprofit Workplace Bullying & Trauma Institute. There are no U.S. laws against adult bullying or 'status-blind' harassment. Institute leaders provide technical assistance to state lawmakers crafting anti-bullying laws. In 2003, *The Bully At Work*, was updated.

The Drs. Namies' professional preparation, consulting experience and focused work through the nonprofit Institute have given them an unrivaled, comprehensive perspective of the phenomenon. In each presentation, they share wisdom about bullying's origins and the devastating consequences for individuals and organizations. Most important, they guide audiences toward effective solutions for individuals, families, employers, the medical and mental health communities, advocacy groups, the courts, and public policy makers.

IV. Menu of Available Work Doctor® Services **Blueprint for a Bullying-Free Workplace**

A. Initial Steps to Break the Silence about Bullying, Activities 1 through 5

Activity 1. Introduction to the Phenomenon -- Awareness Raising Speech

A 2-hr. session for designated audiences: for executives, managers or staff or in some combination, repeated up to a maximum of 6 contact hours.

Topics include

- Definitions and description of the phenomenon
 - Distinguishing it from the more familiar forms of Discrimination and Violence
 - Research-driven profiles of the principal players -- Who Bullies & Who Gets Bullied, Witnesses
 - Understanding effects of uncurbed stress on the organization
 - Individual and organizational factors that allow the phenomenon to spiral out of control
 - Solutions: Personal, Team-Driven, Institutional
 - Why good employers care
- And if a Work Doctor consultant helps create a policy and enforcement system, the audience will be introduced to the new commitment.

And an optional discussion with interested individuals following the presentation.

Activity 2. Current Climate Assessment

Our team (usually working in pairs) interviews the Leadership team or the audience of the Introductory speech (1). In concurrent, private, confidential 60 min. sessions we ascertain the prevalence, manner, history and consequences for, bullying in the Client organization. We gain a sense of the broader context as well as specific illustrations of incidents.

Work Doctor has also diagnosed specific workteams that have endured mistreatment. This service is useful prior to the creation of a policy to send the clear message that the traditional ways of dealing with bullying are about to change.

The information gathered from whichever group is interviewed establishes the context for introducing the anti-bullying initiative. Past Clients have used the Assessment to immediately terminate, and to put on probation, individuals who have committed egregious misconduct.

Work Doctor interviewers are able to cull information unavailable to traditional management consultants. Our unmatched expertise in bullying encourages candid participation. In return, we require that executives guarantee interviewees freedom from retaliation.

Activity 3. Follow-Up Telephone Consultation with Initiative Champions

Organizations who dared to aggressively confront bullying do find that after the Introduction (1) and Assessment (2) phases of an engagement there is much interest in eliminating bullies. Bullies rally their allies in attempts to defend themselves against the announced campaign to identify and stop them, while all others eagerly anticipate changes following the organization's stated commitment to stop the bullying. Typically Work Doctor consultants are contacted frequently after the first on-site visit with details of the impact on individuals and the organization. In the early stages of an anti-bullying initiative, it feels unsettling. One Client described the "churning."

Clients may incorporate this predictable need to strategize with Work Doctor consultants between visits in one of two ways.

1. Estimated time can be prepaid as part of the engagement contract at the rate of \$200 per hour, or
2. Time can be billed separately at \$250 per hour on an ad hoc basis.

If time is prepaid and the estimated number of hours are exceeded, the Client will be billed at the hourly rate.

Routine telephone exchanges between on-site Activities by Client representatives with Work Doctor consultants simply for planning future activities are not charged.

Activity 4. Written Reports

Client organizations typically request a compilation of the Assessment information. Work Doctor consultants can provide a verbal summary during prepaid or ad hoc conversations (3). However, most Clients seek a written report describing trends in the current climate with specific examples of undermining factors that were emerged from the interview process (2). Specifics are given without betraying the confidence of those who reported the details. Our reports have given past Clients the rationale to take pre-emptive action to ensure workplace health and safety.

A Preliminary Report may be prepared after the initial on-site Assessment (2) or as a Final Report within 21 days of the end of the engagement, as the Client prefers.

Activity 5. Devise a Policy & Enforcement System

This activity is the core of The Work Doctor® Blueprint for a Bullying-Free Workplace system. To minimize travel expenses for clients, all tasks can be accomplished during one visit. It typically takes 3 days to accomplish, depending on the size of the policy writing group and need to gain approval for its implementation from others. We advise staffing the policy writing group with legal, human resources, risk management, unions, and executives who have the authority to execute the policy and enforcement system created in these facilitated sessions. Activity E has three goals.

1. To create an internal Policy to address workplace bullying.

2. To integrate the new (or expanded) Policy with organizational Values. All must flow seamlessly. The connections must appear logical and doable to employees across the organization.

3. To create a new Complaint-Response-Remedy system that makes the policy credible. Without enforcement, the misconduct continues with impunity. Staff will consider hypocritical the administration's proclamation that it cares about employee safety and security. Creating this system presents the greatest challenge. The system reflects the organization's values and the priority it places on respect. As part of this process, custom remedies are generated for the client organization. The price of justice is rarely fiscal. Rather, it is the restoration of trust and dignity that matter most to complainants in these matters.

Work Doctor uses a proprietary set of guiding questions to create the work product that accomplish the goals. Personal and organizational accountability is a major objective. Managers must support the implementation of remedies chosen by the investigator(s). Failure to implement sabotages trust in the entire process and the organization reneges on its commitment to eradicate destructive interpersonal misconduct.

We so much believe that policies without enforcement plans and commitment to act on complaints fail, we do not offer a policy-only service. Nor do we suggest selling the disembodied (off-the-shelf) policies to Clients without the benefit of high-ranking individuals participating in the creation process.

B. Blueprint's Infrastructure for Successful Implementation, Activities 6 through 10

Activity 6. Bullying-Related Complaint Investigator Training

Work Doctor consultants train the people designated to conduct investigations when the bullying policy (5) is violated. This is a special type of complainant and defendant, requiring attention to subtleties not part of traditional harassment complaints or litigation. Investigators and those who decide on remedies necessarily must be empathic individuals and be perceived by staff as capable of fairness.

Unbiased discovery & decision techniques that *complement* traditional discrimination, harassment and human rights complaint investigation skills. This is a 1.5 day program.

- Understanding the Bullied Complainant
- Anticipating Respondents in an Investigation
- Natural Investigator (Cognitive) Biases & How to Defeat Them
- Flawed Decision Making by all Humans
- Innovative Remedies

Activity 7. Education & Training for all Staff

Client organizations have two options to educate all employees about the phenomenon of bullying, their new anti-bullying commitment, Policy statements, and operational steps to enforce the Policy (5).

1. Work Doctor® consultants can deliver all on-site education sessions at mutually agreed upon times, or
2. Trainer Certification. Work Doctor® consultants will immerse designated staff in a Certification process to deliver education to peers. The Trainer Certification requires 3-5 days, depending on the number of trainers. The Client organization assures the quality of presentations by limiting the trainers to those Work Doctor® Certified and by subscribing to a requisite limited licensing agreement.
 - Modular, in-depth, interactive learning of the etiology of interpersonal destructive phenomena.
 - Coverage of relevant research
 - Rehearsal and critique of presentations
 - Professional presentation materials delivered in binders and on CD-ROM

Accompanying materials: Books and Booklets for individuals (to be copyrighted)

Activity 8. Specialty Training & Education

The Client may designate internal educators (with extended preparation via an expanded Train-the-Trainer program) or elect to have Work Doctor trainers deliver the following:

- Board or Trustee introductory education (in-depth for Executive or Policy Committee members)
- Executive education
- Manager & Supervisor training emphasizing accountability
- Specialty modules for institutional helpers: HR, Anti-Discrimination & Risk Managers

Activity 9. Announcing the Commitment

- Development of promotional materials (brochures, posters)
- Contacting the media for crediting the Client as a pioneering employer

Activity 10. Integration Throughout Corporate Culture

- Incorporation into the Performance Evaluation system, including the development of behavioral performance scales, establishment of managerial and staff objectives.
- Assistance planning how to include the new Policy with recruitment strategy, materials and implementation
- Included in Orientation

Additional Options to Address Special Cases

Activity 11. Intervention for Identified Offenders/Violators

Putting Your Best Self Forward (PYBSF)

The Work Doctor anti-bullying program does not employ a zero tolerance approach. Offenders deserve the chance to change after exploring the roots and consequences of their misconduct. Each person should have the opportunity to sustain employment (except in egregious, severe circumstances) with the condition that measurable change results immediately.

Prevention. Potential violators can be identified through personal 30 min. interviews of superiors, peers and subordinates by Work Doctor consultants at the time the new Policy and Enforcement system is launched. Identified individuals will spend 1.5 days completing the program described below.

Correction. Offenders whose misconduct led to a complaint and investigation which confirmed that a violation occurred will spend 1.5 days completing the intervention.

The Intervention -- *Putting Your Best Self Forward*

- Personal Assessment
a set of 9 psychological tests are administered that relate to the presence or absence of workplace emotional intelligence, scored and interpreted by Work Doctor consultants
- Feedback
the combination of information derived from objective tests and data gathered from interviews delivered to the person
- Coaching
specific skills addressed, consequences of actions described until understood
- Change-Contingent Contracting
commitment to monitoring of relevant conduct by subordinates and conditions for employment

Ideally, this Intervention precludes working in groups. Individuals deserve confidential treatment.

Activity 12. Coaching for the Bullied Complainant

Prepaid confidential telephone consultations with Work Doctor mental health professionals.

Activity 13. Restorative Intervention for Affected Teams

The newest neuroscience research demonstrates the deleterious impact verbal abuse, and to a lesser degree, disrespect, have on the human psyche. Destructive interpersonal misconduct can harm the health-- psychological and physical--of recipients. Individuals in workgroups that have

been exposed to prolonged exposure to mistreatment are emotionally affected. The rebuilding process we undertake with team members combines:

- Group Sessions to discover the shared experiences
- Personal Assessment through private, confidential interviews
- Use of clinical and communication tools to bolster both the Group's and individual members' ability to correct & prevent future abuse
- Referrals to appropriate health professionals when warranted

Group work can be accomplished in one-half day. Individual work may require several hours per person when affected severely.

Activity 14. Compliance Monitoring

- Values-congruent, Policy-compliant performance can be ensured via periodic evaluative measures. These may be traditional paper-and-pencil 360-degree assessments (with everyone assessing everyone, regardless of rank) that focus on the presence of desired conduct and the elimination of unacceptable conduct.
- Monitoring may also be conducted via online measurement, with Work Doctor providing data gathering, statistical analyses, interpretive reports and recommendations.
- Third-party complaint handling, an initial screening of complaints, can also be done by experienced Work Doctor staff. This bolsters the impartiality and confidentiality of the process when a new Policy is implemented. Trust is built from the first test of the process watched by all employees aware of the complaint. If the handling of early cases is perceived as fair and credible, the new Policy has a greater chance of accomplishing its stated goal of becoming a positive force in the evolving workplace culture.

V. Professional Fees

Costs depend upon the choice of Activities .

Fees for speaking are \$2,000 (for two (2) half-day presentations) and up to four (4) confidential, individual interviews of designated staff by Dr. Ruth Namie.

The Work Doctor®
 Bellingham, WA 98228
 360-656-6603
 workdoctor.com
 info@workdoctor.com

VI. Partial Client List

Partial Client List

- Clarian Health: Indiana University, Methodist, Riley Children's Hospitals
- Goodwill Industries Southern California - Bonneville Power Administration
- Nova Scotia Safety Council - Safety Smart! Audio Seminar (Bongarde publications)
- Centre for Addictions & Mental Health - Family Services-EAP, Vancouver/Toronto
- ACCLAIM Ability Management, Toronto/Vancouver - Farm Sanctuary
- Centre for Addictions & Mental Health - Family Services-EAP, Canada
- American Biodyne Inc. - Kaiser Permanente, Northern California Region
 - John Muir Medical Center - ABC Home Health Services Inc.
 - California State Training Center - UC Davis Medical Center
- California Department of Rehabilitation - Veterans Administration Hospitals
 - American Psychological Association
 - Canadian Association Against Harassment in Higher Education
 - General Electric Capital Services, U.S. & Europe - Pacific Bell
 - Western Washington University - City of Sunnyvale - City of Waco
 - Minerals Management Service, U.S. Dept of the Interior
 - U.S. Forest Service, Pacific Southwest Region - Arizona State University
 - Federal Bureau of Prisons - National Foundation for Women Legislators

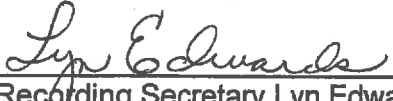
Lake Whatcom Water and Sewer District
Special Meeting of the Board of Commissioners
December 6, 2004

Board President Todd Citron called the Special Session to order at 8:30 am. Other Commissioners present included Deborah Kingsley and Thomas Hadd. District Staff present included General Manager Jim Neher, Operations Coordinator Chip Anderson, Maintenance Worker Kevin Cook, Maintenance Supervisor Randy Craker, Administrative Assistant Lyn Edwards, Utility Systems Support Specialist Michael Gillis, Accounting Manager Jacqueline Hager, Utility Worker Debbie Heintz, Maintenance Workers Tim Keener, Mike Moritz, Rich Munson, Dennis O'Shaughnessy, and Accounts Receivable Clerk Roxanne Shaw. Also present were Jeff Thistle and Marie Campbell from the City of Bellingham. Special guest speakers present were Gary Namie, PhD and Ruth Namie, PhD.

• Presentation

Presenters Gary and Ruth Namie, founders of the Workplace Bullying and Trauma Institute gave a presentation on Workplace Bullying. Bullying is defined as interpersonal hostility that is deliberate, repeated and sufficiently severe as to harm the targeted person's health or economic status.

With no further business, Citron adjourned the Special Session at 12:00 pm.


Recording Secretary Lyn Edwards

12-29-04
Date Minutes Approved


Todd Citron


Deborah Kingsley


Blair Ferd


Thomas L. Hadd

Action Taken

Kingsley moved, Ford seconded, to authorize the General Manager to sign the Agreement with Driftmier Architects. Motion passed, Citron opposed.

Neher will bring this item back for discussion to review funding options and other issues.

- **Staff Report**

The January Staff Report was reviewed and discussed. Neher and Curtis answered questions from the Board.

- **Work Place Bullying Policy**

The Board has recently been working on a Work Place Bullying Policy to add to the District's Personnel Policies Manual. Neher presented the latest draft for consideration. The Board discussed the policy and requested several amendments.

Action Taken

Kingsley moved, Ford seconded, to approve the Work Place Bullying Policy as amended. Motion passed.

The next step will be to present the policy to the Union.

- **Lake Whatcom Work Plan for 2005**

The Board reviewed the Joint Resolution adopting the 2005 – 2009 Lake Whatcom Management Program.

Action Taken

Kingsley moved, Ford seconded, approval of the Joint Resolution adopting the 2005-2009 Lake Whatcom Management Program. Motion passed.

- **Department of Natural Resources Technical Team Appointment**

At the December 29th Regular Meeting, the Board appointed Dick Whitmore and Dan McShane as potential representatives to serve on the DNR Technical Team. Citron raised concerns about the technical expertise of forester Dick Whitmore and requested that the Board reconsider their appointment. Dan McShane was present and stated that, in his opinion, only a geologist is qualified to make determinations on slope stability for logging purposes, and that Dick Whitmore does not have that expertise. Discussion followed regarding the politics of the situation and Whitmore's qualifications as a forester.

Action Taken

Ford moved, Kingsley seconded, to bring the original motion regarding the Department of Natural Resources Technical Team appointments made on December 29th back to the table for discussion only. Motion passed.

(Ford was an affirmative voter on this item at the December 29th meeting, and can therefore bring the DNR appointment back to the table for discussion purposes only).

2.06 Life Threatening/Communicable Diseases

Employees with life threatening illnesses or communicable diseases are treated the same as all other employees. They are permitted to continue working as long as they are able to maintain an acceptable level of performance and medical evidence shows they are not a threat to themselves or their co-workers. The District will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions, including discharge, when a substantial and unusual safety risk to fellow District employees or the public exists.

2.07 Anti-Harassment Policy

Legally Prohibited: In accordance with applicable law, the District prohibits sexual harassment and harassment because of race, color, national origin, ancestry, religion, creed, physical or mental disability, marital status, sexual orientation, age, or any other basis protected by federal, state, or local law. All such harassment is unlawful and will not be tolerated. The District is committed to taking all reasonable steps to preventing harassment from occurring.

It is District policy to foster and maintain a work environment that is free from discrimination, intimidation, hostility or other offenses that might interfere with work performance. Toward this end, harassment of any kind, verbal, physical or visual, toward co-workers or members of the public will not be tolerated. Employees are expected to show respect for each other and the public at all times, despite individual differences.

Harassment is defined as verbal or physical conduct that demeans or shows hostility or aversion toward another employee or members of the public. Harassment can take many forms. It may be, but is not limited to: words, signs, jokes, pranks, intimidation, physical contact, or violence. Examples of prohibited conduct include slurs or demeaning comments to employees or members of the public relating to race, ethnic background, gender, religion, sexual orientation, age, or disability.

Each member of the staff and management of Lake Whatcom Water and Sewer District is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise, and further, are responsible for respecting the rights of their co-workers and others, including the citizens they serve.

If you have a harassment complaint, see section 2.09 for reporting procedure.

Workplace Harassment and Bullying Policy: Workplace Harassment and Bullying is conduct of an employee in the workplace that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Unacceptable conduct may include, but is not limited to, repeated infliction of verbal abuse; nonverbal or physical behavior that threatens intimidates or humiliates or conduct which undermines a person's work performance. Conduct prohibited by this section also includes, but is not limited to hostile, inappropriate and unwanted conduct that affects an

employee's dignity, economic livelihood, and health – psychological or physical. Unacceptable conduct also includes one employee aiding, abetting, counseling, soliciting, or coercing another employee into behavior prohibited by this policy.

A single act normally will not constitute a violation of this section unless especially severe and egregious.

Harassment and Bullying Behavior Prohibited: Harassment and Bullying behaviors prohibited in this section are intended to protect all customers, members of the general public, employees, contractors and Commissioners.

The following specific examples of Workplace Harassment and Bullying are provided for your guidance. This conduct, if engaged in, would be detrimental to the District's objectives and could lead to disciplinary action, up to and including discharge. It should be understood that the examples are meant to be illustrative, not comprehensive.

1. **Written or Verbal Abuse:** Words or phrases expressed through spoken, written or electronic communication. Examples include:
 - Sexual innuendoes, teasing and other sexual talk such as jokes, personal inquiries, persistent unwanted courting and sexist put-downs;
 - Slurs, jokes, or any derogatory remarks about a person's race, color, sex, national origin, religion, age, disability, sexual orientation, language, or accent, disparaging or disrespectful comments even if unrelated to a person's race, color, sex, national origin, religion, age, disability or sexual orientation
 - Loud, angry outbursts or obscenities
 - Name calling
 - Public or private humiliation
 - Yelling and screaming
 - Ridicule
 - Profanity
 - Belittling
 - Condescension
 - Stereotyping
 - Insults
 - Devaluing
 - Taunting
 - Character assassination
 - Making rude, degrading or offensive remarks
 - Threatening or intimidating another person by stating or implying that bad events are going to happen to them, regardless of whether specifics are described.
2. **Nonverbal and Physically Abusive Behaviors:** All aspects of communication and body language except the actual words themselves. Examples include:

- Display of explicit or offensive calendars, posters, pictures, drawings or cartoons which reflect disparagingly upon a class of persons or a particular person
 - Invading personal space
 - Aggressive or intimidating finger pointing
 - Hostile glaring or staring
 - Making gestures that seek to intimidate
 - In the case of physical contact, refer to Workplace Violence or Sexual Harassment policies
 - Creating a hostile work environment through an angry demeanor
 - Throwing instruments or equipment
3. **Undermining an Individual's Ability to Work:** Any behavior or action that disrupts, prevents, alters, undermines or interferes with an individual's ability to perform their duties. Examples include:
- Hazing (torment based on group membership)
 - Engaging in reprisals for the reporting of alleged violations
 - Withholding requisite information or resources
 - Intentional alteration of equipment or supplies
 - Misrepresentation, including rumors or gossip about an individual's performance or capability
 - Creating a hostile work environment through an angry demeanor
 - Unwarranted criticism that adversely impacts
 - Isolating, excluding or shunning from the team
 - Oppression or abuse of perceived or actual power
 - Throwing instruments or equipment
 - Coercing staff to violate standards of practice
 - Sabotage of reputation, performance or job status
 - Any fear-instilling conduct that causes distress
 - Taking credit for work not personally accomplished
 - Constantly interrupting others
 - Prohibiting individuals from speaking to other individuals
 - Assigning hazardous work without protection
 - Detrimental changes to duties and responsibilities

All such harassment will not be tolerated. The District is committed to taking all reasonable steps to preventing harassment and bullying from occurring.

Resolution Process: For the purposes of resolving Section 2.07 concerns, employees are encouraged to bring their complaints to the General Manager. Complaints may be handled on an informal level. This process provides an opportunity to seek information and to discuss with an employee or employees the personal or organizational consequences stemming from unacceptable conduct defined in this section. No formal investigation will be engaged in at this level and the General Manager is not required to initiate the District Reporting Procedure and an investigation.

Should an aggrieved employee wish to file a formal complaint, it is their responsibility to initiate the complaint in writing to the General Manager stating the incident, witnesses, and any other applicable information the aggrieved employee feels is pertinent to the complaint.

If the complaint involves potential acts of discrimination prohibited by law and by other sections of Chapter 2 of the Personnel Policies, the General Manager reserves the right to implement the procedures outlined in Section 2.09.

Nothing in this section shall prohibit the General Manager from initiating a formal process of investigation should he/she believe that harassment or bullying is taking place in the workplace.

Timeliness of Formal Complaints: Individuals who wish to file a formal complaint must do so within six (6) months from the date of the most recent alleged violation of Section 2.07. The investigation will begin within ten (10) normal business days of receipt of a formal complaint by the General Manager, if not absent from the workplace. Barring extraordinary circumstances, the General Manager will strive to complete the investigation, determine remedies and communicate the results within ten (10) days of the start of the investigation.

Corrective Action: Remedies may be determined partly by weighing the severity and frequency of the violations. Greater weight may be assigned when there is a documented pattern of misconduct. The goal of any chosen remedy is to reverse the negative impact on the complainant; affected co-workers and to restore workplace productivity. Remedies may include, but not be limited to:

- Apology by the offender
- Skills training to overcome identified deficiencies
- Mandatory intervention: personal assessment, evaluation by employees, remedial training/coaching and a performance improvement plan
- Mandatory mental health counseling for the offender
- Demotion or termination of the offender consistent with Chapter 10 in the Personnel Policies Manual

Preserving Process Integrity: The purpose of this Section is to correct and prevent threats to workplace health and productivity. Individuals are discouraged from filing frivolous complaints.

In the event that three (3) consecutive complaints filed by an individual against the same person in a 12 month period fail to result in at least one confirmed Section 2.07 Policy violation, the complainant will be counseled against abusing, and therefore, undermining the spirit of the Policy. Complainant may be subject to corrective action.

Management Rights: The District's right to assign tasks, reprimand, or impose disciplinary sanctions should not be confused with workplace harassment and bullying.

In particular the District's right to assign tasks and its right to reprimand or impose disciplinary sanctions is not considered harassment or bullying under this section.

2.08 Sexual Harassment Prohibited

Sexual harassment will not be tolerated at Lake Whatcom Water and Sewer District. Prompt disciplinary action will be taken against any employee who commits or participates in any form of sexual harassment.

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, other verbal or physical contact of a sexual nature when such conduct creates an intimidating environment, prevents an individual from effectively performing the duties of their position, or when such conduct is made a condition of employment or compensation, either implicitly or explicitly.

Federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment; or (2) submission to or rejection of such conduct is used as basis for employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment. The following is a partial list:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual favors.
- Visual conduct: leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct: making or using derogatory comments, epithets, slurs, and sexually explicit jokes and/or comments about an employee's body or dress.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
- Physical conduct: touching, impeding or blocking movements.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful whether it involves harassment by coworkers, by a supervisor or manager, or by persons doing business with or for the District.

If you have a sexual harassment complaint, please follow the steps below in section 2.09, Reporting Procedure.

2.09 The District's Reporting Procedure

Procedure: Our reporting procedure provides for an immediate, thorough and objective investigation of any harassment claim, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies to any employee subject to harassment. An employee may have a claim of harassment even if he or she has not lost a job or some economic benefit.

If any employee believes he/she has been harassed on the job, or is aware of the harassment of others, the employee should provide a written or verbal report to his/her supervisor, to any manager or to the General Manager as soon as possible. If the employee believes the harassment involves the General Manager, the employee may raise the issue directly with the District's attorney. The report should include details of the incident(s), the names of individuals involved, the names of any witnesses, direct quotes when relevant, and any documentary evidence (notes, pictures, cartoons, etc.). All incidents of harassment that are reported will be promptly investigated. The District will endeavor to protect the privacy and confidentiality of all parties involved to the extent possible consistent with a thorough investigation.

If the District determines that harassment has occurred, it will take remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of harassment is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

Protection Against Retaliation: Applicable law also prohibits retaliation against any employee by another employee or by the District for reporting, filing, testifying, assisting or participating in any manner in any investigation, proceeding, or hearing conducted by the District or a federal or state enforcement agency. Employees should report any retaliation to a supervisor, any manager or to the General Manager. Any complaint will be immediately, objectively and thoroughly investigated in accordance with the investigation procedure outlined above. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

Liability for Harassment: Any employee, including any supervisor or manager, who is found to have engaged in unlawful harassment is subject to disciplinary action up to and including discharge from employment. An employee who engages in harassment may be held personally liable for monetary damages, should a lawsuit be filed.

2.10 Employee Personnel Records

General: Access to an employee's personnel file is limited to the General Manager, the Board of Commissioners and the employee. Supervisory staff may have limited access to prior performance evaluations of employees within their department. The personnel file contains such items as the employee's job application, job description, benefit enrollments, emergency numbers and contacts, salary information, performance

evaluations, disciplinary actions, and letters of commendation. Medical information about employees will be kept in a separate and confidential file.

Keeping your personnel file up-to date can be important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the following items, please be sure to notify the Administrative Assistant or the Accounts Payable/Payroll Technician as soon as possible:

- Legal name
- Home address
- Home telephone number
- Person to call in case of emergency
- Number of dependents
- Marital status
- Change of beneficiary
- Driving record or status of driver's license, if you operate any District vehicles
- Military or draft status
- Exemptions on your W-4 tax form

Coverage or benefits that you and your family may receive under the District's benefit package could be negatively affected if the information in your personnel file is incorrect.

Since the District refers to your personnel file when decisions are made in connection with promotions, transfers, layoffs, and recalls, it is to your benefit to be sure your personnel file includes information about completion of educational, certification or training courses, outside activities, and areas of interest and skills that may not be part of your current position with the District.

Employees are encouraged to provide relevant medical information for the separate Emergency Medical File that is accessible to the staff in case of an emergency. This file can contain information such as known allergies, prescription medications, contact persons etc. that may be of help if you are ever injured on the job or otherwise involved in an emergency situation.

Personnel files are confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be made available to the public.

Employee's Right to Inspect File: Each employee shall have the right to inspect their personnel file at least annually, if they make the request to do so. Medical information about employees is contained in a separate confidential file. Access to and maintenance of all official personnel records shall be limited to the General Manager and, with the authorization of the General Manager, those managers whose job responsibilities require them to have access to those files or knowledge of specific information contained in them. (See Article 4 Rights of Employees 2016-2018 AFSCME Union Contract).

An Employee may make a written request to remove irrelevant or erroneous information in their personnel file. If the District denies the employee's request to remove the information, the employee may submit a written statement of explanation to be placed in their file. If you wish to see your personnel file, please make your request to the General Manager. You have the right to a copy of any information in your file.

Any performance evaluation or disciplinary notice or commendation that is inserted into the employee's personnel file shall be brought to the attention of the employee within ten (10) Normal District Business Days. If requested, the employee should acknowledge receipt of any document that is placed in the personnel file by signing and dating the document. In the event the employee refuses to sign the document, the Union President shall sign an acknowledgment that a copy was made available to the employee and that the employee refused to acknowledge receipt. The employee shall have an opportunity to insert into her/his District personnel file whatever documentation the employee believes necessary to challenge contentions made in the material.

Records of oral warnings and written reprimands shall be removed from the employee's personnel file after 24 months if no related violations have occurred. Any discipline relating to sexual harassment and/or unlawful discrimination because of race, color, religion, national origin, sex, marital status, sexual orientation, physical, sensory or mental disability, or age will stay in the employee's personnel file permanently.

Any complaint by any person or from any source which has the potential to be used in a disciplinary matter of an employee shall be reduced to writing within ten (10) Normal District Business Days of the event triggering the complaint and shown to the employee as soon as practicable. Any complaint not reduced to writing and shown to the employee will not be used in any disciplinary matter concerning that employee. (See Article 4 Rights of Employees 2016-2018 AFSCME Union Contract).

2.11 Employment References

Only the General Manager will provide employment references on current or former District employees. References will be limited to verification of employment and salary unless the employee has completed a written waiver and release.



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	January 17, 2017		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL <i>Patrick Sorensen</i>		
MEETING AGENDA DATE:	January 25, 2017		
AGENDA ITEM NUMBER:	5.C.		
SUBJECT:	Reschedule March 29, 2017 Regular Meeting		
LIST DOCUMENTS PROVIDED ⇒ NUMBER OF PAGES INCLUDING AGENDA BILL:	1.		
	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Commissioner Citron requested that the morning meeting scheduled for March 29, 2017 be rescheduled so that he can attend.

FISCAL IMPACT

n/a

RECOMMENDED BOARD ACTION

Discuss schedule for the second meeting in March 2017.

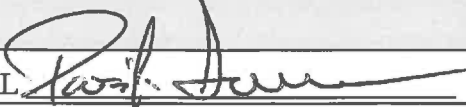
PROPOSED MOTION

No proposed motion.



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	January 17, 2017		
TO BOARD OF COMMISSIONERS			
FROM: Bill Hunter and Staff	MANAGER APPROVAL 		
MEETING AGENDA DATE:	January 25, 2017		
AGENDA ITEM NUMBER:	5. D		
SUBJECT:	Summary of Existing District Projects		
LIST DOCUMENTS PROVIDED ⇒	1. January 2017 Summary of Existing District Projects		
NUMBER OF PAGES INCLUDING AGENDA BILL:	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Staff presentation of Summary of Existing District Projects and priorities.

FISCAL IMPACT

Not applicable at this time.

RECOMMENDED BOARD ACTION

Review and discuss

PROPOSED MOTION

Not applicable at this time.

LAKE WHATCOM WATER AND SEWER DISTRICT

Summary of Existing District Projects

Meeting Date	Effective Date	Prepared by		
January 25, 2017	January 20, 2017	LE/BH		
Status of Water and System Capacities				
	South Shore ID# 95910	Eagleridge ID #08118	Agate Heights ID# 52957	Johnson Well ID# 04782
DOH Approved #	3935	85	54	2
Connected ERUs	3807	68	44	2
Remaining Capacity (ERUs)	128	17	10	0
Commitments – Not yet connected				
Permitted ERUs Under Construction	10	0	0	0
Pre-paid Connection Certificates and Expired Permits	11	2	5	0
Water Availabilities (trailing 12 months)	18	0	0	0
Subtotal	39	2	5	0
Available ERUs	89	15	5	0

Completed Capital Projects in 2017

C1506B Whatcom Falls Manhole Replacement

State Required Report Status

Reporting	Name of Report & Preparer	Completed						When Due
MONTHLY	Chlorination Report Agate Heights (Kevin)	Jan	Feb	Mar	Apr	May	June	Postmarked by 10 th of month
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		July	Aug	Sept	Oct	Nov	Dec	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Surface Water Treatment Rule Report (SVWTP) (Kevin)	Jan	Feb	Mar	Apr	May	June	Postmarked by 10 th of month
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ANNUALLY	Department of Revenue (Debi)	Jan	Feb	Mar	Apr	May	June	Due end of following month
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		July	Aug	Sept	Oct	Nov	Dec	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Community Right to Know (Hazardous Materials) (Rich)	January 25, 2016						Due by March 31st
	WA State Cross Connection Report (Rich)	May 5, 2016						Due Annually May
	OSHA 300 Log (Rich)	Completed January 27, 2016						Due by Feb 1st

State Required Report Status

Reporting	Name of Report & Preparer	Completed	When Due
ANNUALLY	Water Use Efficiency Performance Report (Kevin)	June 30, 2016	Due by July 1st
	Consumer Confidence Reports (Kevin)	May 2016	<ul style="list-style-type: none"> • Geneva- 5/16 • Sudden Valley 5/16 • Eagleridge – 5/16 • Agate Hghts – 5/16
	Hazardous Waste Activity Report (Rich)	February 29, 2016	Due by March 31st

	Report Number of Sewer ERUs to City of Bellingham	Completed 1/15/2016	Due by January 15th
OTHER	CPR/First Aid Training (Rich)	Completed 6/10/2015	Due Biennially Next Due 2017
	Flagging Card Training (Rich)	Completed 8/3/2016	Due Triennially Next Due 2019

SAFETY PROGRAM SUMMARY

Completed by Rich Munson

Summary of Annual Safety Training				
	Enrollments	Completions	% Complete	
Engineering - Managers				
Engineering - Staff				
Field Crew				
Field Crew - Managers				
Office Managers				
Office - Staff				

Weekly Crew Safety Meetings				
Safety meetings for the field crew take place every Tuesday or Wednesday at 5:00 p.m.				

Dates of Safety Committee Meetings				
January 12, 2017				

Summary of Work-Related Injuries & Illnesses				
Year	2017	2016	2015	2014
Total Number of Work Related Injuries Defined as a work related injury or illness that results in: <ul style="list-style-type: none"> Death Medical treatment beyond first aid Loss of consciousness Significant injury or illness diagnosed by a licensed health care professional Days away from work (off work) Restricted work or job transfer 		0	1	1
Total Number of Work Related Injuries Defined as a work related injury or illness that results in: <ul style="list-style-type: none"> Death Medical treatment beyond first aid Loss of consciousness Significant injury or illness diagnosed by a licensed health care professional Days away from work (off work) Restricted work or job transfer 	0			
Total Number of Days of Job Transfer or Restriction (Light duty or other medical restriction)	0	0	0	
Total Number of Days Away From Work	0	0	0	

(At home, in hospital, not at work)				
Near misses	0			

Developer Extension Agreements			
D1601	Geneva Woods Developer Extension Agreement		
SCOPE	Water and sewer improvements for 6 water and sewer connections.		
SIGN DATE	7/27/2016	EXPIRATION DATE	7/27/2019
Prior to Commencing Construction		Prior to Final Acceptance	
<input type="checkbox"/> 1. District Engineer approves design <input type="checkbox"/> 2. Reimbursement of District Engineer review costs <input type="checkbox"/> 3. Copy of insurance policy <input type="checkbox"/> 4. Pay guarantee deposit <input type="checkbox"/> 5. Copies of recorded easement <input type="checkbox"/> 6. Copies of permits <input type="checkbox"/> 7. Pay conformance deposit <input type="checkbox"/> 8. Payment and performance bond <input type="checkbox"/> 9. Pay 25% general facilities fees <input type="checkbox"/> 10. Pays initial facilities inspection deposit <input type="checkbox"/> 11. District issue Notice to Proceed w/Construction		<input type="checkbox"/> 1. District inspects & approves facilities as complete. <input type="checkbox"/> 2. Record drawings <input type="checkbox"/> 3. Easements and title insurance <input type="checkbox"/> 4. Maintenance Bond <input type="checkbox"/> 5. Bill of Sale <input type="checkbox"/> 6. Latecomers Fees <input type="checkbox"/> 7. Supplemental, processing, or administrative fees <input type="checkbox"/> 8. Deliver water meters to District	
Tasks/Notes:			
<ul style="list-style-type: none"> • 4/11/2016 Board approves DEA Application for 5 lots. • 4/14/2016 District Legal Counsel reviewing master developer extension agreement prior to delivering to the developer. • 5/25/2016 Board approved addition of 6th lot to DEA. Staff and Legal Counsel preparing DEA documents. • 7/14/2016 Plans received from developer. • 7/28/2016 DEA executed and recorded at Auditor's office • 7/28/2016 Plans transmitted to Wilson for review and comment. • 8/1/2016 Wilson completed fire flow analysis – no issues. About 3030 GPM fire flow available after improvements. • 8/16/2016 District received revised plans from developer. • 8/17/2016 Wilson reviews plans and requests copy of proposed easements for review. • 8/22/2016 District returns plan review comments and easement comments to developer. • 9/7/2016 Draft easements are good to record. Returned originals to developer for recording. 			

Lake Whatcom Water & Sewer District

Capital Improvement Projects Staff Report

C1306 LLR Sewer Air-Vac Valve Replacement

Replace iron/steel air-vac valves with nylon valves.

01 Administration

- 4/3/2013 Staff solicited quotes from local suppliers. Ordered and received 9 valves from HD Supply (low quote). There are a total of 14 valves on the force main. Remaining 5 valves will be budgeted and purchased in 2014. Crews will begin installing new valves this spring.
- 10/2/2013 Crews have replaced a couple valves that failed on other forcemains using this inventory.

C1401 Division 22 Reservoir

Add new Division 22 Reservoir. Funded by DWSRF Loan. Loan Amount = \$994.850 at 1.5% for 20 years + 4 years for construction.

04 Predesign and Permitting

- 10/2/2013 DWSRF loan contract will be executed by State on 10/8/2013. Staff will work with Grey and Osborne to prepare scope of work and fee. Scope/fee will be presented to Board tentatively at 11/13/2013 meeting for review/approval.
- 11/6/2013 Loan contract is executed. Execution date was 10/9/2013.
- 1/29/2014 Board approved scope of work and fee for Predesign work.
- 2/4/2014 Staff and G&O compiling AE agreement and exhibits for execution.
- 3/6/2014 Signed AE agreements received from consultant. District attorney doing final review. Agreements will then be executed by Patrick.
- 4/1/2014 G&O and staff had project kick-off meeting. G&O compiling list of information/data to begin predesign work. Topo survey will begin in a couple weeks.
- 5/7/2014 Consultant has performed topographic/boundary survey. Staff compiling water system data needed for consultants predesign work.
- 8/5/2014 G&O working on reservoir sizing after receiving water system data/info from staff. DOH cultural review in progress.
- 8/23/2014 Published Notice to the Public of Intent to Request Release of Funds in Bellingham Herald. This is required as part of the cultural review process. Have to wait 30 days before beginning test pits or geotechnical borings.
- 9/23/2014 Predesign progress meeting with G&O and District staff. Staff reviewed first 3 chapters of predesign report. G&O will update few minor items and continue final predesign tasks. Set goal to present predesign report to at 1st Board meeting in November.
- 3/3/2015 Staff provided G&O remaining data and info in February to complete the predesign report. G&O is scheduled to make a presentation to the Board at the 3/25/2015 meeting.
- 3/25/2015 G&O presented predesign report to board. There was overall consensus with the plan. Staff and G&O will proceed with permitting and coordination with SCVA.
- 4/30/2015 District submitted pre-application meeting packet to Whatcom County. Pre-App meeting scheduled for 11am on 5/21/2015.
- 5/21/2015 Pre-Application Meeting at Whatcom County - 11am. District and G&O attended. Reviewed permitting requirements with County staff.
- 6/1/2015 Received County's Pre-Application Meeting Findings. Staff and G&O working on Conditional Use Permit application. Staff will coordinate with County for onsite critical areas review (look for wetlands).
- 7/1/2015 Received comments from DOH on project report. G&O and staff will respond to comments. G&O and staff are working on the conditional use permit application.
- 7/29/2015 Conditional Use Permit and Variance Permit applications submitted to Whatcom County.
- 8/4/2015 Staff working with G&O on scope of work for next project phase - detailed design, plans, specs, estimates, and bidding.
- 9/2/2015 Whatcom County is processing Condition Use and Variance Permit application.

- 9/2/2015 G&O working to address DOH project report comments.
- 10/8/2015 County still processing CUP and Variance permits. G&O is working with State DOH to address minor comments on pre-design report.
- 12/9/2015 Hearing for CUP and Variance at 130pm in County Council Chambers.
- 12/30/2015 A Memorandum in Support of CUP and Variance Applications and a Declaration by G&O were submitted to the Whatcom County Hearing Examiner. The documents were prepared by Bob Carmichael with assistance from G&O and District staff.

07 Design thru Bidding

- 9/30/2015 2nd Advertisement for Bids published in Bellingham Herald and Seattle DJC
- 11/3/2015 G&O working on updated construction cost estimates and steel vs concrete technical memorandum.
- 11/24/2015 Technical memo review at Board meeting. Verified steel reservoir as original decided in the pre-design report is still the preferred alternative.
- 12/2/2015 G&O working on detailed design and plans.
- 1/5/2016 G&O continues development of detailed plans and specs.
- 2/5/2016 50% plan review with G&O and District staff/crew.
- 2/25/2016 G&O submitted revised pre-design report with updated ERU tables and responses to DOH review comments. G&O working on detailed plans and specs.
- 3/29/2016 90% plan and spec review done. Plans submitted to DOH for review. G&O working on final documents.
- 3/31/2016 Conference call with DOH indicates pre-design report for requested capacity will be approved. DOH is working on approval letter.
- 4/6/2016 G&O working on final documents. Pending completion of Commerce Dept and DOH reviews, bid advertisement dates will be set.
- 5/5/2016 1st Advertisement for Bids published in Bellingham Herald and Seattle DJC
- 5/12/2016 Advertisement for Bids published in Bellingham Herald and Seattle DJC
- 5/18/2016 Pre-bid meeting 10am
- 6/2/2016 Bid Opening 11am
- 6/8/2016 Tentative Contract Award at Board Meeting

10 Construction

- 8/8/2016 Contractor has begun construction work. Trees have been cut. Timber will be delivered to Sudden Valley. Contractor will remove stumps this week.
- 9/8/2016 Contractor has excavated down to footing subgrade. Geotechnical engineer reviewed site conditions. Contractor working on ring-wall footings.
- 10/17/2016 Concrete ring wall and asphalt floor pad complete. Contractor beginning to layout steel floor panels.
- 11/21/2016 Contractor is close to finishing steel work and welding.
- 12/21/2016 Tank structure fabrication and welding is done. Next task is interior coatings.
- 1/18/2017 Coordination meeting held with contractor, coatings subcontractor, Gray & Osborne, District's coatings inspector, and staff. Contractor is starting to prep for coating interior of tank.

C1407 Lowe Sewer PS VFD

Replace rotophase with VFD.

01 Administration

- 1/5/2015 Staff obtaining quotes for VFD's from vendor. District electrician reviewing electrical panel space requirements and proposed VFD dimensions.
- 1/22/2015 VFD's received by District. District crew will install in pump station.

C1504 Reservoir Site Security

Install site security system as 1 reservoir site. Pilot project to evaluate equipment, configuration, and telemetry options.

01 Administration

- 5/4/2015 District staff have done initial research on available security camera systems and motion detection. List of equipment and options is in development. Initial pilot site will be the SVWTP.
- 12/21/2016 Staff ordered equipment. Should arrive soon. Equipment will be installed at SVWTP. Motion detection from camera system will be integrated into SCADA system for alarm monitoring by District crews.
- 1/19/2017 Equipment has been received. District staff will begin installation soon.

C1603 Marina-Tomb Stationary Generator

Install stationary emergency backup generator to serve both Marina and Tomb sewer pump stations.

01 Administration

- 4/5/2016 Issued purchase order to RH2 to assist District with sizing and selecting stationary generator from GSA. Scope also includes PLC programming to incorporate generator alarms.
- 4/6/2016 Staff coordinating with SVCA on site requirements, landscaping, screening, etc.
- 4/12/2016 District staff met onsite with SVCA staff to coordinate location, siting, and screening of stationary generator.
- 4/28/2016 RH2 finished sizing generator. Recommended generator size is 100kw. District staff is selecting generator, components, and options for purchase through GSA.
- 6/2/2016 Staff finalizing generator options and quote with GSA vendor.
- 8/4/2016 Generator and transfer switch ordered. Scheduled arrive in about 2 months.
- 10/10/2016 Generator delivered to site.
- 10/18/2016 Staff obtained permit from County for concrete slab. Crews installed transfer switch on electrical rack. Crews preparing to start on excavation and concrete forms.
- 11/21/2016 Underground electrical work done, auto-transfer switch installed, concrete slab has been poured and is curing. District crews plan to set generator on slab week of November 28.
- 12/21/2016 Generator has been installed on slab. Site work has been stabilized for winter. District crews working on completing electrical wiring and startup of generator.

C1605 Water System Plan Update

Update District's Water System Plan. Current edition expires 3-15-2017.

01 Administration

- 4/6/2016 Selection of consultant is part of the general engineering services RFQ.
- 5/3/2016 State DOH would like to meet with the District and consultant to coordinate the water system plan update prior to beginning work. The intent is to coordinate the scope of work for the plan update.
- 8/16/2016 Meeting with Wilson and DOH to coordination scope of work. Wilson developing scope and fee for task order.
- 9/8/2016 Wilson developed scope of work after coordination with District staff and DOH. Scope/fee will be present at next board meeting for approval.
- 9/20/2016 Task Order with Wilson Engineering executed. Wilson will start work soon.

C1606 Replace SCADA Workstation Hardware

Replace computer hardware the runs SCADA system at shop and SVWTP.

01 Administration

- 2/4/2016 Hardware has been ordered and received. Staff working on configuration and setup of new hardware.
- 2/29/2016 Integration of the 1st of 4 replacement computers is done. Staff is in process of integrating other machines.

C1607 Northshore Water Quality Sampling

Water quality sampling plan to evaluate impact of existing onsite sewage disposal system at the end of Northshore road.

01 Administration

- 3/30/2016 Request for Proposals advertised in Seattle Daily Journal of Commerce
- 4/28/2016 Request for Proposal advertised in Seattle Daily Journal of Commerce
- 5/1/2016 Request for Proposals advertised in Bellingham Herald
- 5/24/2016 Proposals due 4pm. Received one proposal.
- 7/27/2016 Agreement with consultant has been executed.
- 9/8/2016 Staff received preliminary draft plan from consultant and will share with board
- 10/3/2016 Workshop with County and City to review draft sampling plan.
- 10/19/2016 Consultant working on sampling plan revisions based on workshop comments with City and County.
- 11/21/2016 Consultant will start sampling during next good rain event.

C1610 Little Strawberry Water Leak on Bridge

Water main has small leak. Leak is in a section of main that is mounted to a bridge on Little Strawberry.

01 Administration

- 4/6/2016 Staff evaluating alternatives to get within reach of pipe to find and repair leak.

C1611 Country Club Sewer Pump Station

Rehabilitation of Country Club Sewer Pump Station.

01 Administration

- 4/6/2016 Selection of consultant is in conjunction with general engineering services RFQ.
- 8/9/2016 Staff working with BHC to develop scope of work

- 9/8/2016 AE agreement finalized and being routed for execution. Scope/fee was approved by board on 8/31/2016. Work to begin as soon as agreement is executed.
- 11/2/2016 District attended Center Condo Owner's Association board meeting to present and coordinate the project. Association gave District needed letter of authorization to pursue Whatcom County permits for construction - of either option (pump station or direction drill).
- 12/21/2016 AE Agreement Amendment being routed for execution that includes scope for geotech test borings to determine directional drilling feasibility. BHC and GeoEngineers are scheduling work and preparing permit applications.

02 Predesign

- 10/11/2016 Held predesign meeting with BHC and District staff. BHC beginning preliminary design.
- 11/21/2016 Staff and BHC working on scope amendment to investigate horizontal direction drilling as the primary option. This option has the potential to eliminate the need for the pump station.

03 Permitting

- 10/20/2016 Pre-Application meeting with Whatcom County to review anticipated permitting requirements.
- 11/7/2016 District and GeoEngineers met w/ Whatcom County Critical Areas Biologist to review potential critical areas.
- 12/22/2016 GeoEngineers submitted shoreline exemption permit application for test borings to Whatcom County.

C1612 Cedar Hills Water Main Relocate

Relocate water main for Whatcom County. County is installing stormwater treatment systems to remove phosphorus.

01 Administration

- 4/6/2016 Staff coordinating with County and Wilson to relocate water main to accomodate stormwater treatment system.
- 5/3/2016 District working with County to execute an interlocal agreement to establish cost sharing terms. Agreement will be similar to recent Cable Street reconstruction project.
- 5/25/2016 Board authorizes interlocal agreement with County and fund project using the storm/sewer contingency fund.
- 6/2/2016 Staff coordinating with County and Wilson as needed.

10 Construction

- 8/9/2016 Water utility relocated are done. County contractor is now working on the storm water filter systems.
- 9/8/2016 Contractor still working on stormwater facilities.
- 11/21/2016 County's construction appears complete. District waiting for invoice from County.

C1613 Northshore Water System Consolidation

DOH water system consolidation feasibility grant to explore opportunity to consolidate small water systems.

01 Administration

- 4/6/2016 District received notice that grant funding was approved for the feasibility study. Staff coordinating with DOH for grant contracts.
- 8/9/2016 Staff working with Wilson on a task order scope of work.
- 9/8/2016 Task order scope/fee approved by board on 8/31/2016. Once task order has been executed, Wilson will begin work.
- 10/19/2016 Wilson working on study.

- 12/15/2016 Staff met with Wilson to review conceptual designs, options, and costs. Staff gave Wilson feedback for them to continue with the feasibility study.
- 1/11/2017 Preliminary information was shared with the Board. Wilson will include a minimized alternate and various options for funding in the next draft of the feasibility study.

C1701 New Tool Truck

Procure new tool truck from Washington State bid.

01 Administration

C1702 Office Staff Vehicle

Procure office staff vehicle from Washington State bid.

01 Administration

C1703 Utility System Support Specialist Vehicle

Procure vehicle from Washington State bid.

01 Administration

C1704 Business Server Hardware Replacement

Replace business server hardware.

01 Administration

- 1/18/2017 Staff met with IT consultant to review goals for 2017 and coordination of replacing server hardware. IT consultant is gathering basic system information to develop recommendations on new hardware storage space, processor power, memory, etc.

C1705 Geneva and Par Sewer Pump Station Improvements

Sewer pump station improvements for Geneva and Par stations.

01 Administration

- 1/19/2017 Staff developing Request for Proposal.

C1706 Strawberry Canyon Stationary Generator

Install stationary generator and automatic transfer switch.

01 Administration

C1707 Level Transmitter Replacement and Beaver and Flat Car Pump Stations

Replace level transmitters. They are starting to lose sensitivity and will fail soon.

01 Administration

C1708 Ball Check Valves at Airport and Beaver Sewer Pump Stations.

Install 2 ball check valves at Airport and 1 ball check valve at Beaver.

1/18/2017 District crew verified measurements of existing swing check valves. Proposed ball check valves will fit. Staff will order new ball check valves.

C1709 2017 Sewer Capacity Management Operation Maintenance

Includes: I&I Repairs, force main pigging, & raising manholes

01 Administration

1/19/2017 Staff preparing and prioritizing list of sewer system repairs.

C1710 Eagleridge Fire Pump Controls

Develop scope of work and cost estimate to update fire pump controls to meet current electrical codes.

01 Administration

C1711 SVWTP Booster Station Roof Replacement

Replace 25-year old cedar shingles with metal roofing on booster pump building.

01 Administration

C1712 SVWTP Chlorine Contact Tank Exterior Level Gauge

Install staff gauge on exterior of tank for visual confirmation of water

level depth.

01 Administration

C1713 Eagleridge Booster Pump Station PLC Re-Programming

Re-program PLC at Eagleridge Booster Station. Current program is proprietary and cannot be modified to better utilize sensors and controls at station.

01 Administration

C1714 SVWTP Floor Coating

Install slip-resistant coating on water treatment plant floor. Prioritize walkway and entryways with available budget.

01 Administration

1/18/2017 Staff met with Tnemec Coatings rep at plant to get recommendations for floor coating application. Should get written recommendations from rep soon.

C1715 SVWTP Chemical Feed Pumps and Benchtop Turbidimeter

Procure chemical feed pumps and benchtop turbidimeter.

01 Administration

C1716A Dead End Blowoffs

Installing new blowoffs on dead end mains

01 Administration

1/19/2017 Staff researching each site to determine detailed scope of work for each location.

C1716B Geneva Booster Station - PRV's and Backflow Assembly

*Replace pumps at Geneva Booster Station at Scenic Ave with pressure reducing valves following hydraulic modeling verification.
Replace old backflow assembly at City intertie.*

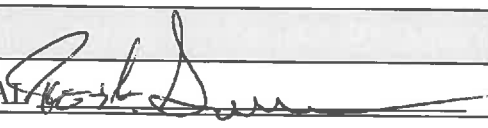
01 Administration

Number of Projects **29**



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	January 17, 2017		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL 		
MEETING AGENDA DATE:	January 25, 2017		
AGENDA ITEM NUMBER:	5.E.		
SUBJECT:	Geneva and Par Lane Sewage Pump Stations Draft RFP		
LIST DOCUMENTS PROVIDED ⇒ NUMBER OF PAGES INCLUDING AGENDA BILL: _____	1. Draft Request For Proposals		
	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Staff is preparing to advertise a Request for Proposals for engineering services to design two sewage pump station upgrade projects. The Board requested to review the draft RFP before it is advertised.

FISCAL IMPACT

Unknown at this time.

RECOMMENDED BOARD ACTION

Review/consider the proposed Request for Proposals.

PROPOSED MOTION

No proposed motion.

[Advertisement for Bellingham Herald]

**LAKE WHATCOM WATER AND SEWER DISTRICT
GENEVA AND PAR SEWER PUMP STATION IMPROVEMENTS
REQUEST FOR PROPOSALS**

Lake Whatcom Water and Sewer District is requesting proposals from qualified engineering firms for the Geneva and Par Sewer Pump Station Improvements located near the shores of Lake Whatcom in Whatcom County, Washington. Professional services include topographic surveying, pre-design, permitting, design, bidding, inspection, and construction contract administration. The District intends to select the most qualified firm for the project. Proposal submittal requirements and project information are available at <http://lwwsd.org/resources/projects/>

Firms are welcome to review the project sites. An appointment must be made with District staff to open pump station enclosures.

Proposals shall be delivered by 1:00 pm, February 17, 2017 to Attn: Bill Hunter, Lake Whatcom Water and Sewer District, 1220 Lakeway Drive, Bellingham, WA 98229. Questions should be directed to Bill Hunter, at 360-734-9224.

Any firm failing to submit information in accordance with the procedures set forth in the Request for Proposals may not be considered responsive and may therefore be subject to disqualification by the District.

**LAKE WHATCOM WATER AND SEWER DISTRICT
GENEVA AND PAR SEWER PUMP STATION IMPROVEMENTS
REQUEST FOR PROPOSALS**

I. INTRODUCTION

A. This Request for Proposals ("RFP") outlines the information necessary to understand the consultant selection process and the required documentation a Proposer must submit. After reviewing this RFP, any firm that determines it has the necessary expertise and experience and could successfully perform the required services may submit its Submittal, addressing the items set forth herein. A general overview of the selection process is as follows:

1. Proposers shall deliver the Submittal to the District no later than **1:00 p.m. on February 17, 2017**, after which time they will be reviewed and evaluated. The Submittal shall be delivered to:

**Lake Whatcom Water and Sewer District
1220 Lakeway Drive
Bellingham, WA 98229
Attn: Bill Hunter, District Engineer**

2. The District may, at its option, contact a Proposer and ask clarifying questions concerning the Proposer's Submittal.
 3. At the District's option, the District may conduct interviews with Proposers qualifying as finalists.
- B. The purpose of this RFP is to obtain a qualified consultant team to provide professional services to design replacement and/or improvements for the Geneva and Par Sewer Pump Stations. The scope of work includes professional services for topographic surveying, pre-design, permitting, design, bidding, inspection, and construction contract administration. The District intends to select the most qualified firm for the project.
- C. It is anticipated that Consultant services will be separated into three phases of work. The initial contract and first phase of work will cover topographic surveying, pre-design, and permitting. Phase two includes detailed design, specifications, cost estimates, and bidding. Phase three includes services during construction.

II. CAPITAL IMPROVEMENT PROJECT BACKGROUND

A. Geneva and Par Sewer Pump Stations Background

Lake Whatcom Water and Sewer District is a special purpose district, which is responsible for providing sanitary sewer and water service to areas within south Whatcom County, more specifically around Lake Whatcom. Wastewater is collected and pumped to the City of Bellingham Wastewater

Treatment Plant.

This project is part of the District's long term plan to replace all 30+ year old pump stations. Both the Geneva and Par Sewer Pump Stations are small pump stations (7-1/2 HP, 100 GPM @ 65-ft TDH and 3 HP, 100 GPM @ 35-ft TDH, respectively) that are situated in the Lake Whatcom watershed. The pump stations receive wastewater from adjacent gravity collection systems.

The pump stations are on two unique project sites with limited access for both construction and future maintenance, at the following locations:

Geneva Sewer Pump Station: Adjacent to 1543 Geneva Street, Bellingham, WA. The location is on the shore of Lake Whatcom and subject to the County's shorelines permitting process.

Par Sewer Pump Station: Adjacent to 18 Par Lane and along the fairway of Sudden Valley Golf Course in the Sudden Valley Community Association in Bellingham, WA.

The existing stations are Smith & Loveless wet well mounted pump stations constructed in the early 1970s. The stations are aging; pumps, motors, valves, electrical controls, and telemetry have reached a point where they need to be replaced. Both station's existing electrical services are single phase 230 volt and the District desires to convert the services to 3-phase, 480 volt power.

The project consists of permitting and design services for two pump station improvement and/or replacement projects. Through a pre-design process the District will evaluate facility improvement/replacement options to choose the facility designs that consider all life-cycle costs. The improvement/replacement may result in replacing one or both pump station's Smith & Loveless wet well mounted pump stations with similar, modern wet-well mounted pump stations, may result in conversion of one or both pump stations to use submersible pumps, or may result in alternative sewage conveyance systems. The final designs shall result in pump stations with new pumps, controls, mechanical, electrical, telemetry systems that integrate with the District's standard telemetry systems, SCADA system communication and site improvements, as appropriate to create complete and modern pump stations or alternative wastewater conveyance systems.

Known additional station technical details are attached, Attachment A.

General anticipated schedule:

- Pre-Design – Spring and Summer 2017
- Shorelines Permitting Process – Concurrent with Pre-Design Stage, Summer 2017
- Design/Permitting – Summer/Fall 2017
- Advertisement for Bids and Bid Opening – January 2018
- Construction – Spring/Summer 2018
- Pump Station Startup – October 2018

Detailed sewer system information can be found in the 2014 Sewer Comprehensive Plan on the web at <http://lwwsd.org/resources/2007-comprehensive-sewer-plan/>.

III. PROCUREMENT PROCESS

A. General Information

1. Compliance with Legal Requirements.

- a. The procurement of these consultant services will be in accordance with applicable District, federal, state and local laws, regulations and procedures. The District reserves the right to reject any and all Submittals received. Any Proposer failing to submit information in accordance with the procedures set forth herein may not be considered responsive and may therefore be subject to disqualification by the District.
 - b. In accordance with the provisions of this RFP, the District will evaluate the Submittals. The final selection, if any, will be that Consultant which, in the opinion of the District, best meets the requirements set forth in the RFP and is determined to be the most highly qualified for the services requested.
2. Costs borne by Proposers. All costs incurred in the preparation of a Submittal and participation in this RFP and negotiation process shall be borne by the proposing firms.
3. Public Disclosure. Once in the District's possession, Submittals shall become property of the District and considered public documents under applicable Washington State laws. All documentation that is provided to the District may be subject to disclosure in accordance with Washington State public disclosure laws.

B. Protests

1. Time to File a Protest.

- a. Any prospective Proposer may file a protest challenging the requirements identified in the RFP provided such protest is received no later than ten (10) calendar days prior to the date established for responding to this solicitation.
 - b. A financially interested proposer may file a protest based on evaluation of Submittals provided such protest is received no later than five (5) calendar days after the protesting party knows or should have known of the facts and circumstances upon which the protest is based.
 - c. In no event shall a protest be considered if all Submittals are rejected or after execution of this contract.
2. Form of Protest. A protest shall be in writing and addressed to: Lake Whatcom Water & Sewer District, 1220 Lakeway Drive, Bellingham, WA 98229, Attention: General Manager. The protest shall include the following:
- a. The name, address and telephone number of the party protesting or their representative;

- b. The RFP number and contract title under which the protest is submitted;
 - c. A detailed description of the specific grounds for protest and any supporting documentation; and
 - d. The specific ruling or relief requested.
3. Determination of Protest. Upon receipt of a timely written protest, the District General Manager shall investigate the protest and shall prior to execution of the contract respond in writing to the protest. The District General Manager's decision shall be considered the final action by the District.
 4. Compliance with Protest Process. Failure to comply with these protest procedures will render a protest untimely and inadequate and may result in rejection thereof by the District.
 5. Exhaustion of Administrative Remedies: As a mandatory condition precedent to initiating a lawsuit against the District, a prospective Proposer or a Proposer shall comply with the Protest Procedures defined herein.
 6. Venue: By responding to this RFP and for the convenience of the parties, the prospective Proposer or a Proposer acknowledges and agrees that a lawsuit or action related to or arising out of this procurement shall be brought in the Superior Court of Whatcom County, Washington.

C. Schedule

1. Anticipated Schedule. The selection process is anticipated to proceed as outlined below and is subject to change:

<u>Date</u>	<u>Selection Process</u>
January 28, 2017	Public Announcement of the RFP
February 17, 2017	Submittals Due
February 22, 2017	Recommendation to Board
March 8, 2017	Contract Execution

2. Notification. The District will notify appropriate firms of changes in the RFP and Notice of Selection.
3. Addenda. In the event it becomes necessary to revise any part of the RFP, addenda will be provided to all firms still under consideration at the time the addendum is issued. If any firm has reason to doubt whether the District is aware of the firm's interest, it is the responsibility of the firm to notify the District to be sure that addenda are received. Mail or call such notice to Bill Hunter, 360-734-9224, Lake Whatcom Water and Sewer District, 1220 Lakeway Drive, Bellingham, WA 98229.

D. Negotiations

1. At the completion of the selection process, the selected Proposer will enter into contract negotiations with the District. Negotiation of a contract will be in conformance with applicable federal, state and local laws, regulations and procedures. The negotiated cost and pricing data, once agreed to by the District and the Consultant, shall form the basis for a billing/payment provision.
2. At the beginning of negotiations the selected Proposer and District shall establish a Negotiation Schedule. Negotiations shall begin with the Scope of Work (SOW) identified in the Qualifications Statement and the Work Plan/Level of Effort (LOE) submitted by the selected Proposer.
3. If the District and selected Proposer cannot come to terms on LOE and SOW after three (3) revisions to the SOW and LOE, the District may discontinue negotiations and go to next highest ranked Proposer. Failure to reach agreement after three (3) revisions demonstrates an inability to reach agreement within a reasonable timeframe.
4. If the District and selected Proposer cannot come to terms on cost and pricing data after three (3) revisions, the District may discontinue negotiations and go to the next highest ranked Proposer. Failure to reach an agreement after three (3) revisions demonstrates an inability to reach agreement within a reasonable timeframe.

E. Contract Terms and Conditions

1. A copy of the draft agreement(s) for A/E professional services is included as an Attachment.
2. By submitting a proposal, the Consultant represents that it has carefully read the terms and conditions of the agreement and agrees to be bound by them.

F. Cost and Pricing Data

1. The selected consultant shall provide the following information within five (5) business days after Notice of Selection has been received. Failure to provide such information in a timely manner may result in the District discontinuing negotiations with the selected Proposer and starting negotiations with the next highest ranked Proposer.
 - a. Direct Salaries. Selected consultant and its subconsultants shall submit the following information:
 - (1) List of employees, in alphabetical order (last name first), with job classification, rate of pay, and salary review date.
 - b. Overhead Rates. Selected consultant and its subconsultants shall provide the following information:
 - (1) Provide current audited overhead schedule, audit report, and cost detail by general ledger account.

- (2) Provide a listing of all personnel who will perform work on this Project whose salaries, in full or in part, are included in overhead for the current and previous year. For each person identify his or her title, classification, position in company and salary rate.
- c. Billing Rates. Submit only for certain qualifying small firms.
 - (1) Small firms that do not have an accounting system in place, that identifies direct and indirect costs separately, generally use billing rates. Fully burdened billing rates, which include labor, overhead costs and profit are allowed on a case-by-case basis for those firms that typically use this method for billing purposes.
- d. Other Direct Cost(s).
 - (1) Identify all Other Direct Cost(s) (ODC) for this project and the rationale used as a basis for this cost.
 - (2) For each ODC, provide the unit prices and/or rates with supporting rationale, historical data and estimating methodology used to validate these rates.
 - (3) Failure to identify ODC results in a presumption that there are no ODC.
- e. Profit. Selected consultant and its subconsultants shall provide the following:
 - (1) Proposed profit;
 - (2) Rationale and justification for the proposed profit rate.
- f. Markup on Subconsultant Costs and ODC. Selected consultant and its subconsultants shall provide the following:
 - (1) Proposed markup on subconsultant costs and ODC;
 - (2) Rationale and justification for the proposed markups.

IV. INSURANCE REQUIREMENTS

- A. Prior to execution of the Agreement, the Selected Consultant shall file with the District certificates of insurance and endorsements from the insurer(s) certifying to the coverage of all insurance required in accordance with the District's standard agreement. All evidences of insurance must be certified by a properly authorized officer, agent, general agent or qualified representative of the insurer(s) and shall certify the name of the insured, the type and amount of insurance, the location and operations to which the insurance applies, the expiration date, and provides that the District receives notice at least thirty (30) calendar days prior to the effective date of any policy limit or cancellation of required coverages. The Consultant shall notify the District at least thirty (30) calendar days prior to the effective date of any cancellation or reduction in coverage in the policy. The Consultant shall maintain during the entire Contract

period, insurance coverage at least as broad as the limits and coverage outlined in the District's standard agreement. The Consultant shall, upon demand of the District, make available to the District at Consultant's local office in all such policies of insurance and the receipts of payment of premiums thereon. Failure to provide such policies of insurance within a time acceptable to the District shall entitle the District to suspend or terminate the Consultant's work hereunder. Suspension or termination of the Consultant Agreement shall not relieve the Consultant from its insurance obligation hereunder.

- B. The Consultant shall obtain and maintain at a minimum the limits of insurance set forth in the Consultant Agreement. By requiring such minimum insurance, the District shall not be deemed or construed to have assessed the risks that may be applicable to the Consultant under the Agreement. The Consultant shall assess its own risks and, if it deems appropriate and/or prudent, maintain greater limits and/or broader coverage.
- C. Each insurance policy shall be written on an "occurrence" form; excepting that insurance for professional liability, errors and omissions when required, is acceptable on a "claims made" form.
- D. If coverage is approved and purchased on a "claims made" basis, the Consultant shall continue coverage either through (1) policy renewals for not less than three years from the date of completion of the work which is the subject of this Agreement or (2) the purchase of an extended discovery period for not less than three years from the date of completion of the work which is the subject of this Agreement, if such extended coverage is available.
- E. If, in order to meet the insurance requirements the Consultant must rely on the insurance to be provided by one or more subconsultant, then such subconsultant(s) shall be required to meet all of the requirements herein applicable to the insurance they are providing, and shall include District and Consultant as additional insureds on all liability policies except Professional Liability/Errors & Omissions and Workers Compensation. The District will not make any payments on work performed by subconsultants until all insurance documentation from such subconsultants have been received and accepted by the District.
- F. Provided the affected insurance policies permit the following waiver, without voiding coverage, Consultant and District waive all rights against each other to subrogation for damages covered by property insurance.

V. EVALUATION AND SELECTION CRITERIA

- A. All Submittals will be evaluated by a Consultant Selection Panel ("Panel"), which will be responsible for ranking of the Submittals. The criteria outlined below will be used in evaluating the Submittals and determining the most qualified Proposer. A total of 100 points (excluding a potential interview) has been assigned to the Evaluation Criteria. The maximum points possible will follow each criterion listed. The points indicate relative weight or importance given to each criterion.
- B. The District may determine that the ranking is close and an interview with the top ranked firms is necessary. Interviews will have a maximum of 50 points. The number of Proposers to

participate in interviews, if any, will be determined by the District based on the recommendation of the evaluation. The District may choose to use different criteria for the interview, in which case the finalists will be so notified in writing. The interview process may or may not include a Consultant presentation and the Consultants will not be given questions to prepare for in advance of the interview.

- C. Following the review of the submittals and the interviews (if conducted) the evaluators will use the points to score each Submittal. Each evaluator will put the scores in rank order, with the highest scored Proposer 1st, the second-highest scored Proposer 2nd, etc. This ranking will then be totaled. From the ranking, the District intends to recommend the most qualified Proposer to the Board of Commissioners for approval to begin negotiations.

VI. DOCUMENTATION

- A. The prime Proposer shall submit five (6) bound copies of the Submittal.
- B. Proposers are discouraged from submitting lengthy Submittals. The District requests that Submittals be concise and clearly written containing only essential information. Submittals should be 25 pages or less, including any resumes and cover letter.
- Submittals should be minimum of 11 font.
 - Sheets with double sided printing will be counted as 2 pages.
 - Sketches, maps and charts printed on 11x17 count as 1 page.

The Submittal shall consist of the following parts:

1. Letter of Interest: The Letter of Interest shall contain the following information:
 - RFP Title: **Geneva and Par Sewer Pump Station Improvements;**
 - Proposer's name, mailing address, contact person, telephone and fax numbers;
 - UBI and federal tax ID numbers; and
 - Stipulation that proposer accepts all terms of the RFP, especially the terms and conditions of the attached sample contract(s).
2. Qualifications Statement. The submittal shall include Key Personnel's:
 - General statement of the understanding of the scope of services.
 - Project Team including proposed subconsultants.
 - The Project Team's experience with wastewater facility operations, maintenance, design, construction management and inspection services.
 - Experience with District's sewer infrastructure.
 - Permitting experience with Whatcom County, including experience in the County's shoreline permitting process and requirements.
 - Approach to managing and completing projects.
 - Approach to communicating with the District.
 - Approach to ensure cost efficient execution and quality control.

The submittal shall be presented in a clear, comprehensive and concise manner and shall be submitted in a complete package by the prime Proposer.

VII. EVALUATION CRITERIA AND SUBMITTAL INFORMATION

A. Experience and Technical Competence - 40 Points.

The District will evaluate the experience and technical competence of the Proposer's Key Personnel to complete the project. Emphasis will be placed on recent experience and expertise in performing the required services on projects with a scope of work similar in size and complexity to this Project.

B. Work Plan/Level of Effort (LOE) - 30 points.

The District will evaluate the proposed Work Plan/Level of Effort (LOE) to determine the Proposer's understanding of the scope of work, allocation of skilled personnel to specified tasks, appropriate utilization of subconsultants, and overall project approach.

1. The Work Plan/LOE is an opportunity for the Proposer to demonstrate its understanding of scope and propose ideas for the Project.
2. Be certain to identify any proposed changes to the scope by adding or subtracting tasks.

C. Record of Past Performance & References - 30 Points.

1. The District will evaluate the project team's record of performance and references on previous projects with consideration given to quality of work, ability to meet schedules and budgets, cooperation, responsiveness, and other managerial considerations.
2. The District will evaluate the project examples provided with respect to Key Personnel's experience with similar projects and the amount of involvement they had with the project examples. The project examples provided should demonstrate Key Personnel's experience in providing services similar in scope to this Project.

D. Interviews - 50 Points (if conducted)

1. The District may or may not conduct interviews. If the District determines that interviews are necessary, the District will conduct interviews with the short listed Proposers (finalists).
2. Proposers will be notified in writing of the request and provided the date, place, and time of the interview. The interview process may or may not include a Consultant presentation and the Consultants will not be given questions to prepare for in advance of the interview. The District may choose to use different criteria for the interview, in which case the Finalists will be so notified in writing.
3. Failure to participate in the interview process shall result in a Proposer's disqualification from further consideration.

[attach sample agreement and pump station technical data/information]



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	January 17, 2017		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL <i>Patrick Sorensen</i>		
MEETING AGENDA DATE:	January 25, 2017		
AGENDA ITEM NUMBER:	7.0		
SUBJECT:	Manager's Report		
LIST DOCUMENTS PROVIDED ⇒ NUMBER OF PAGES INCLUDING AGENDA BILL: _____	1. Manager's Report		
	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Updated information from the General Manager in advance of the Board meeting.

FISCAL IMPACT

None

RECOMMENDED BOARD ACTION

None required.

PROPOSED MOTION

None

General Manager Comments

January 25, 2017

Board Meeting

8:00 a.m.

Important Upcoming Dates:

- **Meetings Associated with the Lake Whatcom Management Program:**
 - **Policy Group Meeting:** The next meeting is scheduled for February 6, 2017 at 3:00 p.m. downstairs at the Municipal Court Building in the conference room (same location as last year).
 - **Management Meeting:** A meeting between the Mayor, County Executive and the General Manager will be held on January 31 at 10:00 a.m. in City Hall. The topic will be to reconcile city, county, and district budgets as they relate to our responsibilities for Lake Whatcom. I will also be addressing the potential for City and County participation in the District's North Shore water testing project.
- **Next Regular Board Meeting:** The next regular meeting will be held on **Wednesday, February 8, 2017** at 6:30 p.m.
- **Employee Staff Meeting:** The next staff meeting is set for **Thursday, February 9, 2017** at **8:00 a.m.** in the Board Room. Commissioner Ford is scheduled to attend this meeting.
- **Employee Safety Committee Meeting:** The next meeting is set for **February 9, 2017** at **9:00 a.m.** in the small conference room.
- **Washington Association of Sewer & Water Districts (WASWD) Section III Meeting:** The next Section III meeting will be held at Bob's Burger & Brew in Tulalip off I-5 at **6:15 p.m.** on **February 14, 2017**.
- **Whatcom Water District's Caucus Meeting:** The next Caucus meeting is set for **February 15, 2017** at 1:00 p.m. in the Board Room.

Other:

- **Committee Meeting Reports as Needed:** This is a place holder for Board and staff members to report on recent committee meetings, such as the Lake Whatcom Policy Group, since the last Board Meeting.
- **2017 Commissioners Workshop:** Reminder, the Washington Association of Sewer & Water District's (WASWD) 2017 Commissioner's Workshop is scheduled for Saturday February 4, 2017 in Lynnwood at the Embassy Suites. This is an all-day activity (about 3 p.m.). Commissioner's Ford, Casey, and Weide will be attending. Each of you has a room reservation for the evening of February 3 at the Embassy Suites. Lyn will be providing you your registration information and the program agenda.

- **Dates for Spring & Fall 2017 WASWD Conferences:** FYI, the Spring Conference will be in Yakima April 13 - 14. The Fall Conference will be September 27 - 29 in Wenatchee. The conference's end on Fridays at noon.
- **Annual Appreciation Dinner:** Reminder. Our annual Appreciation & Awards Dinner with the employees is going to be on Friday, January 27 at 6:00 p.m. at the Bellwether's Lighthouse Bar & Grill in the Compass Room. The start time is 6:00 p.m. Norma sent out via email a menu with instructions to each of you. Please get back to Norma ASAP.
- **Annual Councils/Commission Lake Whatcom Meeting:** FYI. The annual meeting with the City Council, County Council, and the Board of Commissioners is scheduled to be held on Wednesday, March 29 at 6:30 p.m. in the Bellingham City Council Chambers. All of the Council and Board members typically try to attend this meeting if possible. This is also the date of our end of the month morning meeting, though I understand that there is an interest in changing this meeting date.
- **Water & Sewer Association/State Legislative Update:** As it is January the State legislature is meeting again in Olympia. This year is the longer session. The Water & Sewer Association (WASWD) monitors and proposes legislation on issues impacting the municipal water and sewer industry. WASWD employs two lobbyists in Olympia on its behalf. I have attached a copy of their first legislative update on issues of importance to the Association and its membership. Again, WASWD supports either maintaining or replacing the Public Works Trust Fund with another tool to fund public works projects. The State has been draining over the last few years the existing PWTF in order to meet shortfalls and other priorities. Our District has looked to this low interest fund in the past to finance large projects.

The other two interesting issues impacting us include legislative proposals to address the Water - Hirst State Supreme Court decision (the well water rights issue coming out of Whatcom County resulting in the moratorium), and a proposal to exempt water and sewer districts from having to pay lien filing or release surcharges. Presently city, county, and state recordings are exempt from surcharges. The Association wants Districts to be treated in a similar fashion. Under the law we presently pay fees when we file or release a lien. At this point I am not sure what will come out of Olympia this year that will impact us positively or negatively. Their primary focus will be on funding public education and mental health this year. However, we will be watching things.



INTRODUCTION: This is the first WASWD Legislative update for the 2017 session. The regular session commenced on January 9th and the last day allowed for the regular session is April 23rd. Many believe a special session is likely due to educational funding issues not being resolved during the regular session. The first key cutoff date is February 17th which is the last day to pass bills out of committee.

The status of bills WASWD is closely monitoring is discussed below. In addition to this report, we're providing one other report showing all live bills we are watching on behalf of members. ¹

LEGISLATIVE PRIORITIES UPDATE:

WASWD Omnibus Bill: HB 1187 and SB 5119 are identical bills that will:

1. Allow certain districts to issue their own warrants, while retaining the county treasurer as their fiscal agent. This year's legislation changes the thresholds needed to accomplish this by basing the qualifying threshold on "net revenue" received by districts, rather than "budgets". The thresholds remain the same: \$5M per year or over for unilateral authority. A second tier would be \$250K to \$5M **with permission** from county treasurer.
2. Clean up of the surplus real property section of RCW 57 as advised by our attorney group.
3. Add water-sewer districts as an eligible jurisdiction to contract for long-term water asset management (mainly tank maintenance) identical to city legislation passed last year.
4. Include water-sewer districts to the current list of eligible jurisdictions that can use RCW 70.95A. Passage would allow districts to waive certain competitive bidding processes in procurement of pollution control facilities and equipment.

Lobbyist Joe Daniels, and Southwest Suburban Sewer District General Manager Ron Hall testified in favor of HB 1187 on January 17th. The Senate Local Government Committee will hold a hearing on SB 5119 on Thursday, January 19th.

Public Works Trust Fund: The Governor's budget has proposed transferring \$250 million out of the PWTF into the state general fund. There are a number of legislators, and other groups proposing new financing options as alternatives to the PWTF. Below is a sampling of bills related to infrastructure financing that may be of interest to our members. Once all related bills get introduced will provided brief write-ups of those bills.

HB 1051 Financing Essential Public Infrastructure

SJR 8201 State Guarantee of Local Government Debt for Infrastructure Projects

SB 5033 Financing Essential Public Infrastructure.

¹ This report is based upon the best available knowledge as of the time of distribution. WASWD will attempt to keep members apprised of details and changes as soon as possible. Bills may be followed by clicking on the blue links below or on the links shown in the attached detailed reports.



Washington Association of Sewer & Water Districts

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Legislative Update

January 18, 2017

Water- Hirst Decision: The Washington Supreme Court in what is referred to as the Hirst Decision has effectively limited the use of exempt wells across the state. The development community and realtors want a legislative fix. A host of bills are expected to be introduced. The first bill likely to be heard in the Senate is SB 5024 sponsored by Senator McCoy.

Lien Surcharge Exemption: Any lien or lien release a water-sewer district records are subject to the Homeless Housing and Assistance Act recording surcharge. State, county and city recordings are exempt from the surcharge. The fees associated with this act are subject to sunset in 2019. Supporters are looking at legislation to renew this fee. As this process unfolds, WASWD will be seeking an exemption as currently provide for by other state and local governments.

ACTION ALERTS: *Please be prepared to contact your legislators personally if you receive a WASWD Action Alert.*

DETAILED REPORT: For those of you interested in delving deeper into this session's pending legislation, please see the attached reports for active bills. You'll find details about various bills affecting our industry and their status. Please let us know if you have any questions.



2017 Session Cutoff Calendar

February 17, 2017	Last day to read in committee reports in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees.
February 24, 2017	Last day to read in committee reports from House fiscal committees and Senate Ways & Means and Transportation committees in house of origin.
March 8, 2017	Last day to consider bills in house of origin (5 p.m.).
March 29, 2017	Last day to read in committee reports from opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees.
April 4, 2016	Last day to read in opposite house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.
April 12, 2017*	Last day to consider opposite house bills (5 p.m.) (except initiatives and alternatives to initiatives, budgets and matters necessary to implement budgets, differences between the houses, and matters incident to the interim and closing of the session).
April 23, 2017	Last day allowed for regular session under state constitution.
* After the 94th day, only initiatives, alternatives to initiatives, budgets and matters necessary to implement budgets, matters that affect state revenue, messages pertaining to amendments, differences between the houses, and matters incident to the interim and closing of the session may be considered.	