

FIVE CITIES FIRE AUTHORITY

Keith Storton, Chair
Jeff Lee, Vice Chair
Karen White, Board Member



Stephen C. Lieberman, Executive Officer
Tricia Meyers, Clerk to the Board
David P. Hale, General Counsel

AGENDA BOARD MEETING FRIDAY, APRIL 16, 2021-9:00 A.M.

In the interest of the Governor's Executive Order N-25-20, members of the Board or staff will participate in this meeting via teleconference. Members of the public may listen to the meeting and provide public comment via telephone by calling 1(833)611-0393. Members of the public may also participate in the meeting electronically by submitting public comments to the Clerk to the Board at tmeyers@fivecitiesfire.org no later than the meeting start time of 9:00 A.M. Emailed comments will be received directly by the Clerk and will be read out loud during the meeting. Public comment is subject to the customary 3-minute time limit.

CALL TO ORDER

FLAG SALUTE

ROLL CALL

AGENDA REVIEW:

At this time the Board will review the order of business to be conducted and receive requests for, or make announcements regarding any change(s) in the order of the day. The Board should, by motion, approve the agenda as presented or as revised.

APPROVAL OF MINUTES:

1. **Consideration of Approval of Minutes (MEYERS)**
Recommended Action: Approve the minutes of the Board Meeting of March 19, 2021.

COMMUNITY COMMENTS AND SUGGESTIONS:

This public comment period is an invitation to members of the community to present issues, thoughts, or suggestions on matters not scheduled on this agenda. Comments should be limited to those matters that are within the jurisdiction of the Board. The Brown Act restricts the Board

BOARD MEETING AGENDA – APRIL 16, 2021

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from taking formal action on matters not published on the agenda. In response to your comments, the Chair or Vice Chair may:

- Direct Authority staff to assist or coordinate with you.
- A Board Member may state a desire to meet with you.
- It may be the desire of the Board to place your issue or matter on a future Board agenda.

CONSENT AGENDA:

The following routine items listed below are scheduled for consideration as a group. The recommendations for each item are noted. Any member of the public who wishes to comment on any Consent Agenda item may do so at this time. Any Board Member, the Fire Chief or General Counsel may request that any item be pulled from the Consent Agenda to permit discussion or change the recommended course of action. The Board may approve the remainder of the Consent Agenda on one motion.

1. Consideration of Cash Disbursement Activity(LIEBERMAN)

Recommended Action: Receive and file the listing of cash disbursements for the period of March 1, 2021 through March 31, 2021.

CONTINUED BUSINESS:

None.

NEW BUSINESS:

a. Consideration of a Budget Appropriation and Authorization to Acquire Replacement Fire Chief Vehicle(LIEBERMAN/VALENTINE)

Recommended Action: Approve the Resolution approving a budget appropriation and authorizing the Fire Chief to execute needed agreements to purchase a replacement vehicle.

**b. Consideration of a Purchasing Policy for the Five Cities Fire Authority
(LIEBERMAN/HALE)**

Recommended Action: Approve the Purchasing Policy for the use of the Authority to acquire equipment, goods and services.

BOARD MEMBER ITEMS:

The following item(s) are placed on the agenda by a Board Member who would like to receive feedback, obtain consensus to direct staff to prepare information, and/or request a formal agenda report be prepared and the item placed on a future agenda. No formal action can be taken.

None.

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FIRE CHIEF ITEMS:

The following item(s) are placed on the agenda by the Fire Chief in order to receive comments, feedback and/or request direction from the Board. No formal action can be taken.

- a. Fire Chief Updates

GENERAL COUNSEL ITEMS:

The following item(s) are placed on the agenda by the General Counsel in order to receive comments, feedback and/or request direction from the Board. No formal action can be taken.

None.

BOARD COMMUNICATIONS:

Correspondence/Comments as presented by the Board.

CLOSED SESSION:

- a. **CONFERENCE WITH LABOR NEGOTIATORS** pursuant to Government Code Section 54957.6:

Agency Negotiators: Che Johnson - Law Firm of Liebert Cassidy Whitmore
Nicole Valentine – Accounting Manager – Arroyo Grande
Karla Mattocks - Human Resources Coordinator-Grover Beach
Tashina Ureno – Human Resources Manager-Arroyo Grande

Represented Employees: International Association of Fire Fighters (IAFF) Local 4403

ADJOURNMENT

All staff reports or other written documentation, including any supplemental material distributed to a majority of the Board within 72 hours of a regular meeting, relating to each item of business on the agenda are available for public inspection during regular business hours in the Clerk to the Board's office, 140 Traffic Way, Arroyo Grande. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. To make a request for disability-related modification or accommodation, contact the Clerk to the Board's office at 805-473-5490 as soon as possible and at least 48 hours prior to the meeting date.

Any documentation or materials to be submitted by the General Public for consideration by the Board shall be submitted to the Clerk to the Board by email at tmeyers@fivecitiesfire.org, no later than 24 hours prior to the above scheduled time for the Five Cities Fire Authority Board meeting. Failure to submit documents or any materials at least 24 hours prior to the scheduled time for the Board meeting shall be grounds for the Board to reject consideration or review of those items unless otherwise required by state or local laws.

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Agenda reports can be accessed and downloaded from the Five Cities Fire Authority Website at www.fivecitiesfireauthority.org.

MINUTES

**FIVE CITIES FIRE AUTHORITY
BOARD MEETING
FRIDAY, MARCH 19, 2021**

Due to the County of San Luis Obispo's Executive Order to shelter at home and Pursuant to the Governor's Executive Order N-25-20, members of the Board and staff participated in this meeting via teleconference. Members of the public were invited to participate in the meeting by listening in and could comment electronically by submitting public comments to the Clerk to the Board at tmeyers@fivecitiesfire.org.

CALL TO ORDER:

Chair Storton called the Five Cities Fire Authority (FCFA) Board meeting to order at 10:00 a.m.

FLAG SALUTE:

Chair Storton led the Flag Salute.

ROLL CALL:

FCFA Board: Chair Keith Storton, Vice Chair Jeff Lee and Board Member Karen White.

FCFA Staff Present: Fire Chief Stephen Lieberman, General Counsel Dave Hale and Clerk to the Board Tricia Meyers.

AGENDA REVIEW:

Action: Board Member White moved, Vice Chair Lee seconded, and the motion passed unanimously to approve the Five Cities Fire Authority's Agenda by a roll call vote.

AYES: White, Lee, Storton

NOES: None

ABSENT: None

ABSTAIN: None

APPROVAL OF MINUTES:

Consideration of Approval of Minutes

Action: Approved the minutes of the Board Meeting on February 19, 2021 with a roll call vote.

AYES: White, Lee, Storton

NOES: None

ABSENT: None

ABSTAIN: None

COMMUNITY COMMENTS AND SUGGESTIONS:

None.

CONSENT AGENDA:

Chair Storton asked the Board Members if they had questions on the consent agenda. Hearing none, he then invited members of the public to comment. No public comment was received.

Action: Board Member White moved, and Vice Chair Lee seconded the motion to approve the Consent Agenda Items. The motion passed on the following roll call vote:

AYES: White, Lee, Storton
NOES: None
ABSENT: None
ABSTAIN: None

1. Consideration of Cash Disbursement Activity.

Action: Received and filed the listing of cash disbursements for the period of February 1, 2021 through February 28, 2021.

2. Consideration of Approval of Amendment to the Fire Chief's Employment Agreement.

Action: Approved amendment No. 4 to the Fire Chief/Executive Officer's employment agreement.

3. Consideration of Approval of the Amendment to the General Counsel's Employment Agreement.

Action: Approved amended employment agreement for the General Counsel.

PUBLIC HEARINGS:

None.

CONTINUED BUSINESS:

None.

NEW BUSINESS:

- a. Consideration of Financial Statements for Fiscal Year 2019-20 and Mid-Year Budget Review for Fiscal Year 2020-21.** Chief Lieberman presented a mid-year budget report and FY 2019-20 Audit report. Chief Lieberman reported that an independent accounting firm has completed their review of Five Cities Fire Authority's(FCFA) financial records for Fiscal Year ending 2019-20. The auditors confirmed the financial position of the financial statement records. Next, Chief Lieberman presented the mid-year budget review. The report included purchase of radio equipment previously approved by the Board, which was offset by the sale of surplus radio equipment. The mid-year budget reflected unanticipated strike team revenue in the amount of \$487,000. The report included a request to formally assign \$130,000 of fund balance for future vehicle replacement. Increased overtime costs are reflected due to an open Captain position and a Firefighter out on worker's compensation, however there will be a salary savings for the unfilled Office Assistant position. The fund balance reflects a reserve of 14.3% at this time. Staff recommended bringing back a fund balance reserve policy after the Authority gets the through the third provision amendment to the Memorandum of Agreement. Chief Lieberman informed the Board that vehicle maintenance continues to be a vulnerability for FCFA. Chair Storton asked if the Authority has anticipated salary negotiations for employees. Chief Lieberman explained that there will be salary increase assumptions included in the budget document for FY 2021-22. No public comment was received.

Action: Vice Chair Lee moved, and Board Member White seconded the motion to receive, approve and file the financial statements for Fiscal Year 2019-20 and approved amended mid-year budget for Fiscal year 2020-21. No public comment received. The motion passed on the following roll call vote:

AYES: Lee, White, Storton
NOES: None
ABSENT: None
ABSTAIN: None

BOARD MEMBER ITEMS:

- a. **Consideration of Changing Board Meeting Time.** The Board had a discussion on changing the time and day of the Five Cities Fire Authority Board meeting. No public comment was received.

Action: Vice Chair Lee moved to change the Board meeting start time to 9:00 A.M. and the day will remain the same on the third Friday of each month. Board Member White seconded the motion. The motion passed on a roll call vote:

AYES: Lee, White, Storton
NOES: None
ABSENT: None
ABSTAIN: None

GENERAL COUNSEL ITEMS:

None.

FIRE CHIEF ITEMS:

- a. Chief Lieberman reported that FCFA staff is currently participating in several training opportunities for career development. FCFA is hosting many of these courses. Outside agencies have also signed up to attend the classes.
- b. The Ford Explorer will be transported to Washington soon.
- c. The Purchasing Policy will be on the April agenda after further formatting.
- d. Friends of Five Cities Fire has purchased a forcible entry training prop for FCFA. It has a value of over \$7,000.00.
- e. Friends of Five Cities Fire will attend a photo op with the UTV next Friday.
- f. Chief Lieberman informed the Board of staffing challenges at Station 3 in Oceano. FCFA currently has two Reserve Firefighters that work out of Station 3. One is currently looking for a full time career with other departments. Chief Lieberman has adjusted the staffing policy to allow a full time Firefighter to work at Station 3 if Oceano is left uncovered by a Reserve Firefighter for no more than 24 hours. This will have an impact on the budget. Staff will bring more information to the Board at a later date on possible solutions to the staffing challenges.

BOARD COMMUNICATIONS:

Vice Chair Lee reported that the Coastal Commission has approved a change to the accessibility to the Oceano Dunes. The transition will take place in three years. The change in location of camping sites could increase call volume for FCFA.

CLOSED SESSION:

None.

ADJOURNMENT:

Chair Storton adjourned the meeting at 10:39 a.m. The next Board meeting is scheduled for April 16, 2021, at 9:00 a.m. via teleconference.

KEITH STORTON, CHAIR

ATTEST:

TRICIA MEYERS, CLERK TO THE BOARD



STAFF REPORT

TO: Chair and Board Members **MEETING DATE:** April 16, 2021

FROM: Stephen C. Lieberman, Fire Chief
Margaret Conway-Pearson, City of Arroyo Grande Interim Accounting Manager

SUBJECT: Consideration of Cash Disbursement Ratification

RECOMMENDATION

It is recommended that the Five Cities Fire Authority (FCFA) Board of Directors review, receive and accept the attached listing of cash disbursements for the period March 1 through March 31, 2021.

BACKGROUND

The FCFA JPA agreement identifies the City of Arroyo Grande as the agency providing financial services to the fire department. The City processes payroll and accounts payable on behalf of the FCFA. Historically, the City has processed FCFA payroll on City checks (using a City bank account). The City recovers 100% of these payroll costs along with related staff time. FCFA staff is working with the City to determine if payroll can be processed utilizing FCFA checks/bank account.

Cash disbursements are made weekly based on the submission of all required documentation and supporting invoices for costs incurred/services rendered. The Fire Chief reviews all disbursement documents before they are submitted to the City for processing.

FISCAL IMPACT

There is a \$427,560.16 fiscal impact that includes the following items:

- Accounts Payable Checks \$ 81,903.40
- Payroll and Benefit Checks \$ 345,656.76

ALTERNATIVES

The following alternatives are provided for the Board's consideration:

1. Approve the staff recommendation
2. Do not approve the staff recommendation
3. Provide other direction.

ATTACHMENTS

March 1 through March 31, 2021 Accounts Payable Register
March 1 through March 31, 2021 Payroll and Check Register

PREPARED BY

Stephen C. Lieberman, Fire Chief

FIVE CITIES FIRE AUTHORITY
 CHECK LISTING
 MARCH 1- MARCH 31, 2021

Line	Check Date	Check #	Amount	Description	Acct #	Vendor Name
1	03/05/2021	7578	394.88	thorogood bunker boots - hensley	290.4211.5272	ALLSTAR FIRE EQUIPMENT, INC
2	03/05/2021	7579	754.33	BAN#9391033185 -PHONE LINES 1	290.4211.5403	AT&T
3	03/05/2021	7580	8.72	spark plugs	290.4211.5601	CARQUEST AUTO PARTS
4	03/05/2021	7580	26.15	spark plugs	290.4211.5601	CARQUEST AUTO PARTS
5	03/05/2021	7581	118.82	station 2 tv	290.4211.5401	CHARTER COMMUNICATIONS
6	03/05/2021	7581	93.20	station 3 tv	290.4211.5401	CHARTER COMMUNICATIONS
7	03/05/2021	7582	33.52	mobile radio parts	290.4211.5606	COAST ELECTRONICS
8	03/05/2021	7583	3,818.86	portable radios & equipment	290.4211.5606	CROSS CONNECTIONS
9	03/05/2021	7584	65.49	filters	290.4211.5601	J B DEWAR, INC
10	03/05/2021	7584	31.38	fuel	290.4211.5608	J B DEWAR, INC
11	03/05/2021	7585	700.13	replace locks/door knob - admin	290.4211.5604	FRANK'S LOCK & KEY
12	03/05/2021	7586	1,905.50	professional services Feb 2021	290.4211.5303	DAVID P HALE
13	03/05/2021	7587	55.19	special dept supplies	290.4211.5255	MINER'S ACE HARDWARE, INC
14	03/05/2021	7587	30.17	vehicle mt	290.4211.5601	MINER'S ACE HARDWARE, INC
15	03/05/2021	7587	31.22	vehicle mt	290.4211.5601	MINER'S ACE HARDWARE, INC
16	03/05/2021	7588	53.88	bc flex fit hats	290.4211.5276	R & T EMBROIDERY, INC
17	03/05/2021	7589	827.31	GAS SERVICES	290.4211.5401	SOCALGAS
18	03/05/2021	7590	85.00	bit inspection flat bed f650	290.4211.5601	SOUTH COAST EMERGENCY
19	03/05/2021	7590	85.00	bit inspection 6693	290.4211.5601	SOUTH COAST EMERGENCY

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CHECK LISTING
MARCH 1- MARCH 31, 2021

ATTACHMENT 1

20	03/05/2021	7590	417.00	service utv 1	290.4211.5601	SOUTH COAST EMERGENCY
21	03/05/2021	7591	579.29	14 phone lines	290.4211.5403	VERIZON WIRELESS
22	03/05/2021	7592	5,272.84	ems equipment & supplies	290.4211.5206	WORLDPOINT ECC INC
23	03/11/2021	7593	98.56	argon/oxygen rental	290.4211.5303	AIRGAS USA, LLC
24	03/11/2021	7594	238.63	shop supplies rental	290.4211.5303	ARAMARK
25	03/11/2021	7595	6.13	WATER/SEWER FEES fire hydrant	290.4211.5401	CITY OF ARROYO GRANDE
26	03/11/2021	7595	293.35	WATER/SEWER FEES 140 traffic w	290.4211.5401	CITY OF ARROYO GRANDE
27	03/11/2021	7595	118.34	WATER/SEWER FEES irrigation	290.4211.5401	CITY OF ARROYO GRANDE
28	03/11/2021	7596	173.92	monthly circuit chgs - 2	290.4211.5403	AT&T
29	03/11/2021	7596	173.92	monthly circuit chgs 3	290.4211.5403	AT&T
30	03/11/2021	7597	56.02	office depot	290.4211.5201	BANK OF AMERICA
31	03/11/2021	7597	7.38	ups	290.4211.5208	BANK OF AMERICA
32	03/11/2021	7597	37.40	usps	290.4211.5208	BANK OF AMERICA
33	03/11/2021	7597	386.82	home depot air compressor ST3	290.4211.5273	BANK OF AMERICA
34	03/11/2021	7597	415.00	daily dispatch	290.4211.5301	BANK OF AMERICA
35	03/11/2021	7597	863.30	alpha card systems - id badge	290.4211.5306	BANK OF AMERICA
36	03/11/2021	7597	21.85	secure conference	290.4211.5403	BANK OF AMERICA
37	03/11/2021	7597	35.00	call in studio	290.4211.5403	BANK OF AMERICA
38	03/11/2021	7597	14.99	zoom	290.4211.5403	BANK OF AMERICA
39	03/11/2021	7597	53.71	walmart - bc phone case	290.4211.5508	BANK OF AMERICA

FIVE CITIES FIRE AUTHORITY
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 MARCH 1- MARCH 31, 2021

ATTACHMENT 1

Line	Check Date	Check #	Amount	Description	Acct #	Vendor Name
40	03/11/2021	7597	26.88	amazon thermostat for polaris	290.4211.5601	BANK OF AMERICA
41	03/11/2021	7597	129.28	amazon fuel injector	290.4211.5601	BANK OF AMERICA
42	03/11/2021	7597	185.30	amazon headlights brush 6661	290.4211.5601	BANK OF AMERICA
43	03/11/2021	7597	86.16	amazon utv	290.4211.5601	BANK OF AMERICA
44	03/11/2021	7597	96.99	amazon utv service	290.4211.5601	BANK OF AMERICA
45	03/11/2021	7597	300.00	mobile detail - ford explorer	290.4211.5601	BANK OF AMERICA
46	03/11/2021	7597	431.58	mastertech- ford explorer	290.4211.5601	BANK OF AMERICA
47	03/11/2021	7597	58.16	orielly auto parts - wiper blades	290.4211.5601	BANK OF AMERICA
48	03/11/2021	7597	110.49	mastertech-ford f250 oil chang	290.4211.5601	BANK OF AMERICA
49	03/11/2021	7597	40.93	usps postage ems related	290.4211.5606	BANK OF AMERICA
50	03/11/2021	7597	24.58	flyers fuel	290.4211.5608	BANK OF AMERICA
51	03/11/2021	7597	43.80	shell oil fuel	290.4211.5608	BANK OF AMERICA
52	03/11/2021	7597	25.64	shell oil fuel	290.4211.5608	BANK OF AMERICA
53	03/11/2021	7597	26.58	flyers fuel	290.4211.5608	BANK OF AMERICA
54	03/11/2021	7597	0.99	fire chief iphone storage	290.4211.6103	BANK OF AMERICA
55	03/11/2021	7597	59.99	moto mfg - pick up outfitting	290.4211.6201	BANK OF AMERICA
56	03/11/2021	7597	484.50	move bumpers pick up outfitting	290.4211.6201	BANK OF AMERICA
57	03/11/2021	7597	183.16	thero real truck	290.4211.6201	BANK OF AMERICA
58	03/11/2021	7597	38.88	Freight	290.4211.6201	BANK OF AMERICA

FIVE CITIES FIRE AUTHORITY
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MARCH 1- MARCH 31, 2021

ATTACHMENT 1

59	03/11/2021	7597	890.00	sirennet - lightbar	290.4211.6201	BANK OF AMERICA
60	03/11/2021	7597	99.90	antenna farm - radio antennas	290.4211.6201	BANK OF AMERICA
61	03/11/2021	7597	119.96	speedtech lights	290.4211.6201	BANK OF AMERICA
62	03/11/2021	7597	129.85	antenna farm - radio antennas	290.4211.6201	BANK OF AMERICA
63	03/11/2021	7597	395.91	big agnes - ferguson uniform	290.4211.5276	BANK OF AMERICA
64	03/11/2021	7597	117.98	wolfpack gear - hughey uniform	290.4211.5276	BANK OF AMERICA
65	03/11/2021	7597	89.98	nebotool - bova uniform	290.4211.5276	BANK OF AMERICA
66	03/11/2021	7597	106.68	food4patriots - hughey uniform	290.4211.5276	BANK OF AMERICA
67	03/11/2021	7597	148.67	la police gear - angello unifo	290.4211.5276	BANK OF AMERICA
68	03/11/2021	7597	126.85	fexix store - bova uniform	290.4211.5276	BANK OF AMERICA
69	03/11/2021	7597	15.55	Freight	290.4211.5276	BANK OF AMERICA
70	03/11/2021	7597	80.68	nch software	290.4211.5607	BANK OF AMERICA
71	03/11/2021	7597	0.81	transaction fee	290.4211.5607	BANK OF AMERICA
72	03/11/2021	7597	611.64	adobe pro subscription	290.4211.5607	BANK OF AMERICA
73	03/11/2021	7598	12.24	idler pulley-utility 6632	290.4211.5601	CARQUEST AUTO PARTS
74	03/11/2021	7598	3.38	oil filter - 2010 chevy silver	290.4211.5601	CARQUEST AUTO PARTS
75	03/11/2021	7598	27.14	transmission filter	290.4211.5601	CARQUEST AUTO PARTS
76	03/11/2021	7599	108.92	march monthly users fee	290.4211.5607	CREWSENSE LLC
77	03/11/2021	7599	108.92	jan monthly user fee	290.4211.5607	CREWSENSE LLC
78	03/11/2021	7600	660.28	fuel	290.4211.5608	J B DEWAR, INC

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MARCH 1- MARCH 31, 2021

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Line	Check Date	Check #	Amount	Description	Acct #	Vendor Name
79	03/11/2021	7601	177.90	welding supplies	290.4211.5255	LAWSON PRODUCTS, INC
80	03/11/2021	7602	1,420.14	ems supplies	290.4211.5206	LIFE-ASSIST INC
81	03/11/2021	7603	52.98	battery & welding helmet	290.4211.5255	MINER'S ACE HARDWARE, INC
82	03/11/2021	7603	5.38	battery for key fob	290.4211.5601	MINER'S ACE HARDWARE, INC
83	03/11/2021	7603	27.47	special dept supplies	290.4211.5601	MINER'S ACE HARDWARE, INC
84	03/11/2021	7604	2,839.10	e3 replace tires	290.4211.5601	SANTA MARIA TIRE, INC
85	03/11/2021	7604	1,408.19	e6691 replace tires	290.4211.5601	SANTA MARIA TIRE, INC
86	03/11/2021	7605	3,875.53	truck 5-radiator repairs	290.4211.5601	SOUTH COAST EMERGENCY
87	03/11/2021	7606	50.18	stair-safe compliance	290.4211.5303	STERICYCLE INC.
88	03/19/2021	7607	64.39	misc expense reimbursement	290.4211.5508	CRAIG ANGELLO
89	03/19/2021	7608	33.34	circuit line to agpd	290.4211.5403	AT & T
90	03/19/2021	7609	1,528.50	MSA Quick Connect Adapter Asse	290.4211.5603	BAUER COMPRESSORS, INC
91	03/19/2021	7610	414.59	medical supplies	290.4211.5206	BOUND TREE MEDICAL, LLC
92	03/19/2021	7611	12.57	turn signals usar	290.4211.5601	CARQUEST AUTO PARTS
93	03/19/2021	7611	34.63	poly rib belt - 2010 chevy	290.4211.5601	CARQUEST AUTO PARTS
94	03/19/2021	7612	204.98	acct#824510096025290 station	290.4211.5401	CHARTER COMMUNICATIONS
95	03/19/2021	7612	204.98	acct#8245101000239800 station	290.4211.5401	CHARTER COMMUNICATIONS
96	03/19/2021	7612	204.98	acct#82451010138133 station	290.4211.5401	CHARTER COMMUNICATIONS
97	03/19/2021	7613	1,478.61	fuel	290.4211.5608	J B DEWAR, INC
98	03/19/2021	7614	25.00	uniform hat - densmore	290.4211.5276	FIVE CITIES PROF. FIREFIGHTERS
99	03/19/2021	7615	252.44	utilities - water	290.4211.5401	CITY OF GROVER BEACH
100	03/19/2021	7616	10.72	key schlage	290.4211.5255	MINER'S ACE HARDWARE, INC
101	03/19/2021	7616	33.92	small tools	290.4211.5273	MINER'S ACE HARDWARE, INC
102	03/19/2021	7616	16.15	padlock	290.4211.5273	MINER'S ACE HARDWARE, INC
103	03/19/2021	7616	34.34	scba equipment	290.4211.5603	MINER'S ACE HARDWARE, INC
104	03/19/2021	7616	10.76	cleaning supplies	290.4211.5604	MINER'S ACE HARDWARE, INC
105	03/19/2021	7617	780.90	cleaning supplies	290.4211.5604	MINER'S ACE HARDWARE, INC
106	03/26/2021	7618	236.63	shop supplies - rental	290.4211.5303	PROCARE JANITORIAL SUPPLY
107	03/26/2021	7619	326.17	ipad wireless charges	290.4211.5403	ARAMARK
108	03/26/2021	7620	211.41	station 1 - tv	290.4211.5401	AT&T MOBILITY
				station 1 - tv		CHARTER COMMUNICATIONS

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 MARCH 1 - MARCH 31, 2021

ATTACHMENT 1

109	03/26/2021	7621	3,334.86	radio package	290.4211.5606	COAST ELECTRONICS
110	03/26/2021	7622	173.09	xl white tyvek coveralls	290.4211.5272	L N CURTIS & SONS
111	03/26/2021	7622	175.87	barricade tape	290.4211.5272	L N CURTIS & SONS
112	03/26/2021	7622	-420.23	CREDIT - nomex pants	290.4211.5272	L N CURTIS & SONS
113	03/26/2021	7622	199.72	premix holder (utv/truck)	290.4211.5601	L N CURTIS & SONS
114	03/26/2021	7623	1,091.23	fuel	290.4211.5608	J B DEWAR, INC
115	03/26/2021	7624	34,830.10	pierce engine - customer 33463	290.4211.5803	J.P. MORGAN EQUIPMENT FINANCE
116	03/26/2021	7625	7.53	dry erase markers	290.4211.5201	MINER'S ACE HARDWARE, INC
117	03/26/2021	7625	14.00	mini cable	290.4211.5273	MINER'S ACE HARDWARE, INC

FIVE CITIES FIRE AUTHORITY
CHECK LISTING

ATTACHMENT 1

MARCH 1 - MARCH 31, 2021

Line	Check Date	Check #	Amount	Description	Acct #	Vendor Name
118	03/26/2021	7625	21.54	padlock - gate	290.4211.5605	MINER'S ACE HARDWARE, INC
119	03/26/2021	7625	25.12	keys for breaker box	290.4211.5605	MINER'S ACE HARDWARE, INC
120	03/26/2021	7626	1,195.29	utilities - station 1	290.4211.5401	PACIFIC GAS & ELECTRIC CO
121	03/26/2021	7627	270.17	cleaning supplies	290.4211.5604	PROCARE JANITORIAL SUPPLY
122	03/26/2021	7627	56.22	cleaning supplies	290.4211.5604	PROCARE JANITORIAL SUPPLY
123	03/26/2021	7628	182.79	station 2	290.4211.5401	SOCAL GAS
124	03/26/2021	7629	177.79	ice machine rental	290.4211.5303	TOGNAZZINI BEVERAGE SERVICE
			81,903.40			

FIVE CITIES FIRE AUTHORITY
DEPARTMENTAL LABOR DISTRIBUTION
PAY PERIOD
02/19/2021 - 03/04/2021
3/12/2021

BY ACCOUNT

5101	Salaries Full time	68,937.33
5102	Salaries Part-Time - PPT	-
5103	Salaries Part-Time - TPT	3,724.88
5105	Salaries OverTime	34,574.51
5106	Salaries Strike Team OT	-
5108	Holiday Pay	3,708.19
5109	Sick Pay	1,568.64
5110	Annual Leave Buyback	-
5111	Vacation Buyback	-
5112	Sick Leave Buyback	-
5113	Vacation Pay	5,226.24
5114	Comp Pay	4,786.72
5115	Annual Leave Pay	4,316.30
5121	PERS Retirement	20,363.91
5122	Social Security	9,855.77
5123	PARS Retirement	-
5126	State Disability Ins.	1,063.58
5127	Deferred Compensation	125.00
5131	Health Insurance	17,101.93
5132	Dental Insurance	968.16
5133	Vision Insurance	267.04
5134	Life Insurance	121.52
5135	Long Term Disability	154.34
		<u>176,864.06</u>

FIVE CITIES FIRE AUTHORITY
DEPARTMENTAL LABOR DISTRIBUTION
PAY PERIOD
03/05/2021 - 03/18/2021

3/26/2021

BY ACCOUNT

5101	Salaries Full time	82,017.16
5102	Salaries Part-Time - PPT	-
5103	Salaries Part-Time - TPT	5,082.00
5105	Salaries OverTime	24,133.12
5106	Salaries Strike Team OT	-
5108	Holiday Pay	3,717.21
5109	Sick Pay	1,238.40
5110	Annual Leave Buyback	-
5111	Vacation Buyback	-
5112	Sick Leave Buyback	-
5113	Vacation Pay	981.60
5114	Comp Pay	1,733.76
5115	Annual Leave Pay	279.83
5121	PERS Retirement	20,811.84
5122	Social Security	9,100.77
5123	PARS Retirement	-
5126	State Disability Ins.	959.02
5127	Deferred Compensation	125.00
5131	Health Insurance	17,101.93
5132	Dental Insurance	968.16
5133	Vision Insurance	267.04
5134	Life Insurance	121.52
5135	Long Term Disability	154.34
		<u>168,792.70</u>



STAFF REPORT

TO: Chair and Board Members **MEETING DATE:** April 16, 2021

FROM: Stephen C. Lieberman, Fire Chief/Executive Officer
Nicole Valentine, Accounting Manager/City of Arroyo Grande

SUBJECT: Consideration of Budget Appropriation and Authorization to Acquire Replacement Fire Chief Vehicle

RECOMMENDATION

It is recommended that the Board of Directors:

- 1) Approve a budget appropriation, allocating needed funding to purchase a replacement vehicle for the Fire Chief from the Fund Balance.
 - 2) Authorize the Fire Chief to execute needed agreements and purchases to acquire replacement vehicle.
-

BACKGROUND

At the March 19, 2021 Five Cities Fire Authority (FCFA) Board of Director's meeting, action was taken to add revenue from mutual aid response and the sale of a Ford Explorer command vehicle to the Fund Balance. \$130,000 was designated as "Restricted Fund Balance" for future vehicle replacement. FCFA staff was planning on included a replacement vehicle for the Fire Chief position in the Fiscal Year 2021-22 Budget, but supply issues impacting the automotive industry require the consideration of placing the order for the vehicle more quickly.

As the COVID-19 pandemic impacted the global economy, the demand for new automobiles declined. The computer chip industry shifted production to support other industries including home appliance, television, and computers (much of the world was sheltering in place and working from home). Chevrolet has suspended orders for fleet vehicles, and last week Ford announced a temporary shut-down of production for the Ford F-150 truck line. The recently grounded container ship that blocked the Suez Canal delayed shipments of computer chips headed from Asia to Europe.

With fire season rapidly approaching, a lack of reliable FCFA fleet vehicles, and an extended delivery time for factory ordered vehicles, the need to acquire a replacement vehicle has been reevaluated by the Fire Chief. FCFA and other local government agencies are able to purchase fleet vehicles utilizing a pre-negotiated contract facilitated by the California Department of General Services.

The proposed cost estimate for this project includes the acquisition of the vehicle, limited emergency lighting, radio equipment and graphics. The estimated project cost is \$60,000.00. This is only an estimate at this time, actual costs could be less and this amount is to be considered a "not to exceed" funding amount. The estimated project cost is summarized below:

Chevrolet Tahoe 4 Wheel Drive SUV	\$42,000
Emergency Lighting / Radio Equipment	\$16,000
Graphics / Miscellaneous/Contingency	\$ 2,000
Total (Not to Exceed)	\$60,000

FISCAL IMPACT

The fund balance (restricted vehicle replacement) will be reduced by \$60,000.00, and expenditure line item 6301 (Vehicles) will be increased by \$60,000.00

ALTERNATIVES

The following alternatives are provided for the Board's consideration:

1. Approve the resolution approving a budget appropriation request in the amount of \$60,000, and authorizing the Fire Chief to acquire a replacement vehicle.
2. Direct staff to include this purchase in the Fiscal Year 2021-22 budget.
3. Do not approve the staff recommendation and provide other direction.

ATTACHMENTS

1. Resolution

PREPARED BY

Stephen C. Lieberman, Fire Chief
Nicole Valentine, Acting Treasurer/Accounting Manager for City of Arroyo Grande

RESOLUTION NO. 2021-02

A RESOLUTION OF THE BOARD OF THE FIVE CITIES FIRE AUTHORITY APPROVING BUDGET APPROPRIATION AND AUTHORIZATION TO ACQUIRE REPLACEMENT FIRE CHIEF VEHICLE

WHEREAS, at the March 19, 2021 Five Cities Fire Authority (FCFA) Board of Director's meeting, action was taken by the Board to add revenue from the mutual aid response and the sale of a Ford Explorer command vehicle to the Fund Balance, and

WHEREAS, \$130,000 was designated as "Restricted Fund Balance" for future vehicle replacement, and

WHEREAS, FCFA staff was planning on including a replacement vehicle for the Fire Chief position in the Fiscal Year 2021-22 Budget, but due to supply issues impacting the automotive industry, consideration of placing an order for the vehicle was expedited, and

WHEREAS, supply issues impacting the automotive industry require the consideration of placing the order for the vehicle more quickly, and

WHEREAS, with fire season rapidly approaching, a lack of reliable FCFA fleet vehicles, and an extended delivery time for factory ordered vehicles, the need to acquire a replacement vehicle has been reevaluated by the Fire Chief and is being requested at this time, and

WHEREAS, the FCFA is able to purchase fleet vehicles utilizing a pre-negotiated contract facilitated by the California Department of General Services, and

WHEREAS, the proposed cost estimate for this project is \$60,000.00 which includes the acquisition of the vehicle, limited emergency lighting, radio equipment and graphics.

NOW, THEREFORE, BE IT RESOLVED that the Five Cities Fire Authority Board does hereby approve the purchase of one Chevrolet Tahoe 4 Wheel Drive SUV vehicle in the amount of \$60,000.00 and authorizes the Fire Chief to enter into any and all agreements necessary to consummate the sale on behalf of the Authority. The Board hereby furthers appropriation of said funding for the subject vehicle.

BE IT ALSO RESOLVED that the Clerk to the Board shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

RESOLUTION NO. 2021-02
PAGE 2

On motion by _____, seconded by _____, and by the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing Resolution was passed and adopted at the regular meeting of the Board of the Five Cities Fire Authority, this 16th day of April, 2021.

KEITH STORTON, CHAIR

ATTEST:

TRICIA MEYERS, CLERK TO THE BOARD

APPROVED AS TO CONTENT:

STEPHEN C. LIEBERMAN, FIRE CHIEF

APPROVED AS TO FORM:

DAVID P. HALE, GENERAL COUNSEL

OFFICIAL CERTIFICATION

I, TRICIA MEYERS, Clerk to the Board of the Five Cities Fire Authority, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury, that Resolution No. 2021-02 is a true, full, and correct copy of said Resolution passed and adopted at the regular meeting of the Board of the Five Cities Fire Authority on the 16th day of April 16, 2021.

WITNESS my hand and the Seal of the Five Cities Fire Authority affixed this 16th day of April, 2021.

TRICIA MEYERS, CLERK TO THE BOARD



STAFF REPORT

TO: Chair and Board Members MEETING DATE: April 16, 2021

FROM: Stephen Lieberman, Fire Chief / Executive Officer

SUBJECT: Consideration of a Purchasing Policy for the Five Cities Fire Authority

RECOMMENDATION

It is recommended that the Board of Directors approve the attached Purchasing Policy specifically for the use of the Authority to acquire equipment, goods and services.

BACKGROUND

Since the inception of the Five Cities Fire Authority ("Authority") in 2010, the Authority has been using the Purchasing Policies of the City of Arroyo Grande. The City of Arroyo Grande, City of Grover Beach and the Oceano Community Service District entered into a Joint Exercise of Powers Agreement ("the Agreement") in 2010 to establish the Authority. The Agreement requires the Authority to use the policies of Arroyo Grande until such time as the Authority adopts its own procedures. Section 4, subsection D (3) states, "City of Arroyo Grande Personnel Regulations and other policies and procedures shall apply to the Authority and its employees until replacement regulations, policies and procedures are adopted by the Authority.

Section 5 of the Agreement, sets forth the general powers of the Authority. Subsection M of Section 5 states the Authority shall have the powers to "Adopt rules, regulations, policies, bylaws and procedures governing the operation of the Authority." Staff submits the attached purchasing policy is necessary and vital to the continued and effective operations of the Authority and is more adapted to the immediate needs of the Authority.

The purchasing policy provides guidance and procedures to be used by Authority employees to obtain quality supplies, services, vehicles, and equipment required for proper operation of the Fire Authority at the lowest price. The lowest price is not always the sole factor in evaluating the value of purchases. This policy establishes that service, quality, timelines, and price are all factors for evaluating the value of purchases.

These policies and procedures are designed to ensure that purchases made by Authority staff comply with State, as well as Fire Authority requirements. These policies and procedures do not contain or repeat State requirements, nor is this proposed policy intended to conflict with or supersede State requirements. In the event of any conflict between these policies and procedures and State law or Five Cities Fire Authority Joint Exercise of Powers Agreement, the more stringent requirement shall control.

FISCAL IMPACT

There is no specific fiscal impact related to the Boards adoption of the attached purchasing policy.

ALTERNATIVES

The following alternatives are provided for the Board's consideration:

1. Adopt the attached purchasing policy and give staff direction to implement these policies for further acquisition of equipment, goods and services,
2. Do not adopt these purchasing policies and continue to use the City of Arroyo Grande's purchasing policies, or
3. Provide other direction to staff.

ATTACHMENTS

1. "Draft" Five Cities Fire Authority Purchasing Policies

PREPARED BY

D. Hale, General Counsel
S. Lieberman, Fire Chief/Executive Officer



PURCHASING POLICIES AND PROCEDURES MANUAL

Revised March 2021

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I. INTRODUCTION

The Five Cities Fire Authority (“Fire Authority”) was formed pursuant to a Joint Exercise of Powers Agreement (“JPA”) dated June 7, 2010 between the City of Arroyo Grande, the City of Grover Beach, and the Oceano Community Services District. The Fire Authority is administered by a governing board (“the Board”).

Since its inception, the Fire Authority has utilized the purchasing policies of the City of Arroyo Grande. The Fire Authority has now determined that an updated Purchasing Policies and Procedures Manual is necessary to ensure that the organization has the flexibility it needs to enable its staff to make the purchases and requisitions necessary for its operations and to ensure that there is adequate structure and record keeping for oversight and accountability. The Fire Authority is promulgating this policy in accordance with Section 5, subsection “M” of the Joint Exercise of Powers Agreement, creating the Five Cities Fire Authority dated June 7, 2010.

The basic purchasing policy is to obtain quality supplies, services, vehicles, and equipment required for proper operation of the Fire Authority at the lowest price. It is recognized that the lowest price is not the sole factor in evaluating the value of purchases. Service, quality, timeliness, and price are all factors for evaluating the value of purchases.

These policies and procedures are designed to ensure that purchases made by the Fire Authority staff comply with State, as well as Fire Authority requirements. These policies and procedures do not contain or repeat State requirements, nor is it intended to conflict with or supersede State requirements. In the event of any conflict between these policies and procedures and State law or Five Cities Fire Authority Joint Exercise of Powers Agreement, the more stringent requirement shall control.

II. LEGAL BASIS

Section 5 of the JPA provides that the Fire Authority “...is authorized, in its own name, to do all acts necessary for the exercise of said powers for said purposes.” Included within Section 5 of the Joint Exercise of Powers Agreement, are the express powers of the Fire Authority that include the powers to “...contract for the services of engineers, attorneys, planners, financial and other necessary consultants.... Acquire, lease, construct, own, manage, maintain, dispose of or operate (subject to the limitations herein) any buildings, works or improvements.... Acquire, hold, manage, maintain, or dispose of any other property by any lawful means, including without limitation, gift, purchase, eminent domain, lease, lease-purchase, license or sale.... Adopt rules, regulations policies, bylaws and procedures governing the operation of the Authority.” Section 4(E)(2)(g) of the JPA provides that the Fire Chief has the authority to approve expenditures of up to \$50,000.00 without the Board’s approval.

These purchasing policies and procedures are based on the expressed powers provided by Section 5 of the Joint Exercise of Powers Agreement and other pertinent provisions of that agreement.

III. ETHICS

A. Confidential Information

Information furnished by suppliers and/or contractors in open market bidding regarding price, terms, performance specifications or other data will be held confidential until after award for purchase. This shall not apply to public bid openings. After award of bid, all papers pertaining to a transaction are public information and will be available for review upon request by an interested person, unless good cause exists for a bidder to specifically request that certain proprietary information (under patent, trademark, or copyright) not be released.

B. Employee Interest in Supplies/Contractors

No Fire Authority employee who participates in the selection or approval of a contract for products, sources of supply, specifications or who has supervisory responsibility for such employees, shall have any financial interest in the company which furnishes the supplies or services being procured.

C. Standards and Ethics

The very highest ethical standards will be maintained in all purchasing activities. All purchasing shall be in accord with appropriate rules of the Fire Authority and the State of California Government Code, as well as the standards of good business practice.

D. Gifts and Rebates

Every officer and employee of the Fire Authority are expressly prohibited from accepting any rebate, gift, money, or anything of value whatsoever, when it could be perceived in any way as intent to influence the employee in his/her official capacity.

Officers and employees may accept token advertising items (e.g. pens, hats, coffee mugs, etc.) so long as the value remains below mandated disclosure limits set by the Fair Political Practices Commission limits for gifts for the current year. Additionally, other gifts may only be accepted when approved by the Fire Chief and shared with other employees in the department. Gifts accepted by the Fire Chief shall not exceed the Fair Political Practices Commission's gift limitations.

Any and all rebates that are given in the regular course of business will be turned over to the Fire Chief. The Fire Chief will use the rebates in a way that maximizes utility for the Fire Authority.

E. Vendor-Paid Meals

Vendor-paid meals may be accepted in limited circumstances. There are times when it is acceptable for a Fire Authority employee to accept a meal paid for by a vendor. Every officer and employee of the Fire Authority are expressly prohibited from accepting any meal, when it could be perceived in any way as intent to influence the employee in his/her official capacity.

Employees may only accept a vendor-paid meals if the following criteria are met:

- Vendor is in attendance.
- There is a legitimate business purpose to the meeting with the vendor.
- The meal is for the convenience of the participants or process.
- The meal is promptly reported to your manager.
- The meal is valued under the Fair Political Practices Commission's disclosure limits for the current year.
- No alcoholic beverages are paid for by the vendor.

F. Purchasing for Personal Use Prohibited

Purchases shall not be made for any Fire Authority employee's personal use using the Fire Authority's procurement personnel, facilities, processes or accounts.

IV. GENERAL POLICIES AND DEFINITIONS

A. GENERAL POLICIES

The basic purchasing policy of the Fire Authority is to obtain supplies, services, vehicles, and equipment needed for the proper operation of its various departments/divisions at the lowest possible cost. This will be accomplished through the use of quotes, and competitive bidding whenever possible (or required). The purchasing functions are decentralized, with each department/division responsible for compliance with Fire Authority policies and procedures. The following is a summary of the policies and procedures established herein:

- No purchase will be approved or undertaken unless an appropriation has been established through either the adopted annual budget by the Board or approval of additional appropriations as an amendment to the annual budget.
- All purchases shall be of the quality necessary to suit the intended purpose of the purchase, shall be suitable and beneficial to the Fire Authority, and shall be in the Fire Authority's best interest.
- The dollar limits for purchases and bids are established by the Board. Purchases shall not be split to avoid the required procedures or certain dollar limits.
- Where possible, the Fire Authority will consider the use of cooperative purchasing or blanket contracts for goods and services, as such contract may provide savings.

- Receipt of goods or services will be verified and approved by the appropriate official prior to payment of invoices.
- The emergency purchase of goods is authorized consistent with this Purchasing Policy Manual.

These purchasing policies and procedures will allow the Fire Authority to spend tax money and public funds in the most prudent fashion. With a formal system of buying goods and services, including a purchase order system, the Fire Authority clearly specifies what it buys, avoids disputes with vendors, provides a full audit trail of purchases, allows level competition to set prices, controls spending within budget limits, creates a positive tone for relationships with vendors, sets a professional standard of organizational behavior, limits the possibility of waste, creates an organized system of checks and balances, enhances public trust, and gives the Fire Authority the opportunity to save money.

Budget:

The annual budget is an essential element of the financial planning, control, and evaluation process of the Fire Authority. This annual budget is reviewed each fiscal year by the Board and is designed as the financial blueprint for the Fire Authority. Upon adoption, the budget serves as the financial operating plan for the Fire Authority.

Amendments to the budget may be reviewed and approved by the Board at any time during the fiscal year of the Fire Authority.

Grant Funds:

Federal, State, or grant programs may require special conditions that are more stringent than Fire Authority procedures. It is the responsibility of the department accepting the grant to ensure that all grant provisions are complied with.

B. DEFINITIONS

- 1. Open Market Purchase Procedure.** The Open Market Purchase Procedure does not involve any formal or informal solicitation and evaluation of competitive bids. The Administrative Assistant and Fire Chief, or as delegated, shall use her/his judgment and experience in making the decision.
- 2. Informal Bidding Procedure.** The informal bidding Procedure is a cost-effective competitive process for canvassing the marketplace to identify vendors most likely to provide appropriate supplies or services at a reasonable price and in an efficient manner. The informal bidding procedure requires the Authority to solicit written, faxed, e-mailed or verbal price quotations from a minimum of three (3) vendors. The solicitation may be either written or verbal, as dictated by the circumstances and judgment of the purchasing and

contracting authority. The bid shall be awarded to the lowest bidder unless otherwise defined within this policy.

3. **Formal Bidding Procedure.** Authority should follow the procedures within Section IX, entitled Bidding Procedures.
4. **Formal Request for Proposal Procedure.** Authority should follow the procedures within Section VIII, entitled Requests For Proposals/Qualifications.
5. **Professional Services.** Services of private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms.
6. **Special Services.** Includes accounting, administration, auditing, custodial, economics, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology, weed abatement, and other services which are incidental to the operation of the Authority.
7. **Piggy Back Contract.** A contract entered into by the Fire Authority that is based upon an existing pre-negotiated government contract that was entered into in accordance with a competitive bidding process and wherein the Fire Authority enters into the same or substantially similar general terms of the prior governmental agreement for the same or similar items, goods or services. Requirements of this Purchasing Manual related to competitive bidding procedures can be waived if using a Piggy Back Contract approach.

PURCHASING CATEGORIES

A. Petty Cash

The petty cash fund may be used to reimburse Fire Authority employees for the direct and immediate purchases of less than \$50.00 per transaction. The goods and services that may be purchased are of minimal costs including, but not limited to, the following:

1. Freight and postal charges due upon delivery;
2. Purchase of materials, goods, supplies, equipment, or services needed for “immediate use”; and
3. Reimbursement of employee travel/meeting expenses.

A “Petty Cash Voucher Form” must be completed by the person requesting petty cash and approved by his/her Battalion Chief. A detailed receipt itemizing each charge must support all expenditures. Advances of petty cash are permitted on a limited basis where the person will make the purchase and turn in the receipt and unused funds within the same or next business day. Petty cash reimbursements should be requested in a timely fashion but no later than two weeks after the purchase date. The Open Market Purchasing procedure shall be used for this category of purchases.

B. Minor Purchases Less Than \$2,500.00

All purchases over \$100.00 requires a Purchase Authorization Form. Purchases of equipment, goods and services valued at \$2,500.00 or less do not require a purchase order but do require Battalion Chief approval. Budgeted and unencumbered appropriations must be available prior to making any approved purchases. All original invoices and/or receipts for such purchases must be authorized, documented, and processed by a Battalion Chief. Battalion Chiefs may initiate purchases costing less than \$2,501.00 without soliciting proposals or using a purchase order except for recurring purchases. Purchases occurring on a regular interval (e.g. monthly, quarterly, etc.) require a purchase order approved by the Fire Chief even if the anticipated individual purchases may not meet the minimum \$2,501.00 requiring a purchase order. The Open Market Purchasing procedure shall be used for this category of purchases unless a Piggy Back Contract is used.

C. General Purchases Greater than \$2,500.00

Purchases of equipment, goods and general services valued at \$2,501.00 or more require the use of a purchase order. General Purchases valued at \$2,501.00 up to \$49,999.99 require Fire Chief approval.

All general purchases in this category should include an Informal Bidding process unless a Piggy Back Contract is used. The proposals shall be attached to the purchase order.

D. Major Purchases

For purchases of equipment, goods and services valued at \$50,000.00 and over, the Fire Chief will submit written specifications to the Board. The Board will then approve the specifications which will be submitted to the Administrative Assistant Clerk who will prepare a public advertisement and open public bids. Except where specifically stated otherwise within these procedures, the Formal Bidding procedure shall be used unless a Piggy Back Contract is used.

E. Professional Services

Professional Services are those activities performed by a consultant who possesses a high degree of expertise in a particular profession, such as an attorney, financial services such as equipment leases, certified public accountant, engineer, or an architect. There is no bidding requirement for this type of service, since the consultant is being hired based on his/her qualifications, not on the lowest bid. Any professional service agreement must have sufficient background analysis to support the contract. A purchase order is to be issued after the contract is signed to facilitate budgetary control. Each agreement must be properly executed and held on file by the Administrative Assistant Clerk.

The Fire Chief may approve up to \$50,000.00 of professional services if funds were allocated for such a contract in the original adopted budget or any amendment to the budget. Approval by the Board is required for unbudgeted professional services contracts and any professional services contract with a value of \$50,000.00 or more. The Request for Proposal/Qualifications Procedure should be used.

F. Public Project Contracts

State law regulates the bidding procedures for contracts that qualify as “Public Projects.” The term “Public Projects” includes all projects “...for the erection, improvement, painting, or repair of public buildings and works... work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow... street or sewer work except maintenance or repair... and furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.” When the cost of a public project exceeds \$5,000.00 the project must be awarded pursuant to the Formal Bidding Procedure.

VI. MISCELLANEOUS PROVISIONS

A. Employee Responsibilities

- Prepare standards and specifications.
- Maintain lists of supplies and services vendors.
- Make purchases in accordance with established policies and procedures.
- Verify that a budget appropriation is available for the purchase.
- Review goods and services received to ensure conformity with purchase order or contract.
- Notify the Battalion Chief when a cost discrepancy or dissatisfaction with a good or service arises. No bill should be processed for payment when the goods or services are unsatisfactory, or if there is a price discrepancy between the originally quoted price and the bill received.
- Employee responsibilities are authorized by identified program responsibility documents.

B. Recycling

It is the policy of the Fire Authority to conserve and protect its natural resources. Therefore, the Fire Authority shall purchase recycled goods whenever possible.

C. Sole Source Procurement

Sole source procurement is any transaction in which the services and/or supplies can be obtained only from one source. The only justification for sole source procurement is when the contractor or supplier is the sole provider of the service or product or when the contractor or supplier is the only source permitted to provide a service or product because of a manufacturer’s agreement with the contractor or supplier as a sole representative in a certain geographical area.

The justification for the need to use sole source procurement should be recorded in a memorandum describing the reason for making a sole source purchase signed by the Fire Captain, Battalion Chief, or Fire Chief depending on the category of purchase.

D. Cancellations

The Fire Captain, Battalion Chief, or Fire Chief, according to the purchase category, may cancel an invitation for bids, a request for proposal, or other solicitation, and may reject in whole or in part, any and all bids or proposals when it is determined that cancellation or rejection serves the best interest of the Fire Authority.

E. Stockless Purchasing

Stockless purchasing is a specialized technique providing for the purchase of a commodity or service at an agreed price, but in quantities delivered and paid for as needed by the Fire Authority. The vendor owns the inventory and the Fire Authority has no responsibility for that inventory.

Stockless purchasing is recommended as an alternative to maintaining significant inventories of supplies used by numerous departments and offices.

Stockless purchasing uses a blanket contract that designates approximate quantities, specified time periods, prices, provisions for price adjustments, delivery, billing procedures and a catalogue of items covered by the contract. By shifting inventory requirements to the supplier, the Fire Authority is able to conserve public funds and to dispense with the storage of certain supply items until requisitioned for delivery by the user department. The types of items typically purchased under stockless purchasing include office supplies, maintenance and repair parts, and operating items.

F. Specific Blanket Contracts

A specific blanket contract includes items, prices, quantities, and time frames. It is based upon established prices for supplies, either picked up by or delivered to the Fire Authority. A contract of this type offers major price advantages over small individual purchases made by separate departments. The Fire Chief approves all blanket contracts.

G. Inventory

A fixed asset inventory shall be kept by fire administration. Every purchase of a furnishing, vehicle, or piece of equipment (with a value equal to or greater than \$500.00) should be recorded in a fixed asset inventory which includes the cost, date of acquisition, condition, and other pertinent information.

VII. INSURANCE REQUIREMENTS

Below are the minimum insurance requirements; however, the requirements may vary in accordance with the type and size of project which would require a higher limit of liability as recommended. The Fire Chief is also authorized to waive insurance requirements wherein his sole discretion circumstances warrant such action.

A. Insurance Requirements

Parties must secure all required policies from a good and responsible company or companies authorized to do insurance business in the State of California, and possessing a Best's rating of no less than A-VII, and furnish to the Fire Authority copies of certificates of insurance with endorsements on or before the commencement of the term of any agreement. Parties must agree to ensure that the most current certification of insurance is on file with the Fire Authority at all times during the term of any agreement. Any deductible or self-insured retention must be declared and approved by the Fire Authority. At the Fire Authority's option, parties shall demonstrate financial capability for payment of such deductibles or self-insured retentions.

Parties performing services for the Fire Authority shall procure and maintain at their own expense, during the term of the agreement, commercial general liability insurance of not less than One Million Dollars (\$1,000,000) combined single limit per occurrence, and Two Million Dollars (\$2,000,000) in the aggregate, for bodily injury, personal injury, advertising injury, death, loss or damage resulting from the wrongful or negligent acts of the parties or their officers, employees, servants, volunteers, subcontractors and agents doing work on behalf of the Fire Authority. Parties shall provide insurance on an occurrence, not claims-made basis, and for purposes of clarification with the intention of avoiding gaps in coverage with any umbrella or excess insurance, personal and advertising injury coverage shall be triggered by an "offense" while bodily injury and property damage coverage shall be triggered by an "occurrence" during the policy period.

Parties performing services for the Fire Authority shall procure and maintain at their own expense, during the term of the agreement, commercial vehicle liability insurance coverage personal injury and property damage, of not less than One million Dollars (\$1,000,000) per accident combined single limit, and Two Million Dollars (\$2,000,000) in the aggregate, covering any vehicle utilized by the parties or their officers, employees, servants, volunteers, subcontractors and agents performing the services required by the agreement or less with the express written approval from the Fire Authority.

All parties must require that all contractors (including but not limited to subcontractors, architects, engineers or any other third party with whom the parties enter into contracts, or whom the parties hire or retain in any way related to the performance of the agreement) provide, at minimum, the same insurance coverage required of the parties, and name the Fire Authority and the parties as additional insureds to each policy. Parties must agree to monitor and review the insurance policies

of contractors, and agree to assume all responsibility for ensuring that such coverage is provided in conformity with all requirements.

All parties must agree that, if any contract or other agreement which requires insurance coverage to be in place, is terminated for any reason prior to the completion of all obligations and requirements of the agreement, then the parties shall maintain all required coverages until the Fire Authority provides written authorization to terminate the coverages following the Fire Authority's review and determination that all liability posed under the agreement as to the parties providing insurance has been eliminated.

All parties must agree and acknowledge that if they fail to obtain all of the required insurance, or to obtain and ensure that the coverage required is maintained by any contractor or other third parties involved in any way with the performance of the agreement, then the parties shall be responsible for any losses, claims, suits, damages, defense obligations, or liability of any kind or nature incurred by the Fire Authority or its officers, employees, servants, volunteers, subcontractors and agents doing work on the behalf of the Fire Authority.

B. Worker's Compensation Insurance

All parties subject to Worker's Compensation laws (generally, any party with one or more employees) shall procure and maintain at their own expense, during the term of the agreement, Workers' Compensation insurance providing coverage as required by the California State Workers' Compensation Law, and must agree that if any class of employees employed by the parties is not protected by the California State Workers' Compensation Law, then the parties shall provide adequate insurance for the protection of such employees to the satisfaction of the Fire Authority. Additionally, parties must agree to waive their statutory immunity under any Workers' Compensation or similar statute, as respecting the Fire Authority, and to require any and all contractors, third parties, and any other person or entity involved in the performance of the agreement to do the same. Any party that is not subject to California Workers' Compensation law must agree to execute a certificate attesting to the satisfaction of the Fire Authority.

C. Professional Liability Insurance

All parties performing design or professional services shall procure the above-mentioned policies in addition to a professional liability policy. Such parties shall procure and maintain at their own expense, during the term of the agreement, professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors or omissions which may arise from the parties' performance of the agreement, whether by the parties themselves or by their employees, subcontractors, or sub consultants, to the extent such person other than the parties are permitted to perform the agreement. Parties must agree that the amount of this insurance provided by such policy shall not be less than One Million Dollars (\$1,000,000) per claim.

D. Endorsements

All parties must agree that, notwithstanding any inconsistent statement in any required insurance policies or any subsequent endorsements attached thereto, the protection offered by all policies,

except for workers' compensation, professional liability or errors or omissions, shall bear an endorsement whereby it is provided that the Fire Authority and its officers, employees, servants, volunteers, subcontractors, attorney and agents doing work on behalf of the Fire Authority, including without limitation, the Fire Chief, are named as additional insureds, and that all additional insureds shall be entitled to the full benefit of all insurance policies in the same manner and to the same extent as any other insureds without limitation to the benefits conferred upon them other than policy limits as to coverages.

All parties must agree to require that the carriers of all required insurance policies waive their rights of subrogation against the Fire Authority and its officers, volunteers, employees, attorney, contractors and subcontractors.

All parties must agree to require that each policy be endorsed to provide that the policy shall not be cancelled or reduced in coverage (except by paid claims) unless the insurer has provided the Fire Authority with thirty (30) day prior written notice of cancellation or reduction in coverage.

All parties must agree to require that each policy be endorsed to provide that the policy shall apply on a primary and noncontributing basis in relation to any insurance or self-insurance, primary or excess, maintained or available to the Fire Authority, and its officers, employees, servants, volunteers, subcontractors and agents doing work on behalf of the Fire Authority.

All parties must agree to require that each policy bear an endorsement stating that any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Fire Authority, its elected or appointed officers, officials, employees, agents or volunteers.

VIII. REQUESTS FOR PROPOSALS/QUALIFICATIONS

A. Introduction

A Request for Proposal ("RFP") or a Request for Qualifications ("RFQ") are forms of solicitation for proposals from potential service providers of professional, unique, or technical services. An RFP or RFQ should be used to solicit contracts when specifications and price are not the predominant award criteria.

An RFP or RFQ should be used to contract for professional services or advice in financial, economic, accounting, legal, engineering, architectural, environmental, land surveying, technical, or administrative matters, and for the acquisition of unique or equipment in circumstances where:

1. The evaluation of the services sought is based on technical or professional ability;
2. The evaluation of the services sought is based on artistic and/or aesthetic value;
3. Price or cost is a secondary consideration in selecting the service or product; or

4. The advantages of a particular vendor outweigh any price differences.

B. Form of RFP/RFQ

An RFP or RFQ should contain as much detail as possible regarding the scope of services or the product sought. The content of an RFP or RFQ will vary for each product but should include:

1. A precise description of the problem or objective;
2. The services to be performed;
3. The product to be provided;
4. The anticipated schedule, including dates and times, for the: submittal of proposals; any pre-proposal conferences; awarding the contract; commencement of work on the project; and the completion of the project;
5. Expectations or limitations set by the Fire Authority such as the format, form, and quantity of any expected reports and the extent of any assistance that will be provided by the Fire Authority;
6. Expectations of the content of proposals including:
 - a. An overall description of techniques to be used;
 - b. A listing of similar services provided to other clients;
 - c. Contact information for a reference;
 - d. Time estimates;
 - e. Staffing estimates;
 - f. Facilities and equipment to be used;
 - g. The portions of the contract to be performed by subcontractors;
 - h. Subcontractor qualifications;
 - i. Total cost and desired method of payment;
 - j. Contract term requirements such as prohibitions against assignment; indemnification; insurance requirements; bond requirements; and warranties; compliance with federal, state, and local laws, rules, and regulations; compliance with any grant related regulations, and a sample contract; and
 - k. The factors that will be considered in determining whether to award the contract.

C. RFP/RFQ Procedures

1. Preparation of RFP/RFO

The personnel desiring to obtain goods or services requiring an RFP/RFQ shall prepare the RFP/RFQ. All RFPs/RFQs will then be submitted to the Fire Chief. The Fire Chief can approve any RFPs/RFQs valued up to \$50,000.00 and will submit RFPs/RFQs valued at greater than \$50,000.00 for approval by the Fire Authority Board.

2. Submission of RFP/RFQ

Upon approval of the RFP/RFQ, the RFP/RFQ will be sent to at least three (3) potential candidates or, if necessary, posted publicly.

3. Submission of Proposals

Proposals shall be submitted by 5:00 p.m. on the designated closing day. No information can be distributed to respondents until all responses have been reviewed and the contract is awarded. Respondents may modify or withdraw their proposals prior to 5:00 p.m. on the closing day. Modifications submitted after this time will be rejected and returned to the respondent.

Fire Authority staff may conduct conferences to explain the requirements of the project. A sufficient amount of time should be allowed after the RFP/RFQ has been issued to allow potential respondents to become familiar with the project. Any clarification or changes required to the RFP/RFQ as a result of the conference shall be added as a written amendment. A summary of the conference shall be provided to all prospective respondents receiving the request.

Any amendments to RFPs/RFQs shall be made in writing and submitted to all known candidates. If necessary, the closing date can be extended to accommodate such amendments.

4. Review of Proposals

Proposals shall be received by Fire Administration. Proposals shall be time-stamped and retained in a secure location until the established closing date and time. The Fire Chief will review proposals and determine the award. For contracts valued at over \$50,000.00 the Fire Chief will submit the Fire Chief's top three choices to the Fire Authority Board along with the Fire Chief's recommendation. The Fire Authority Board shall then award the contract. All contracts for professional services shall be approved by the Fire Authority General Counsel.

The Fire Chief shall evaluate each proposal based on the factors stated in the RFP/RFQ. Factors not specified in the RFP/RFQ will not be considered.

The contents of the proposal shall remain confidential until the contract is awarded or all proposals are rejected. The proposals shall then be maintained as public records.

IX. Formal Bidding Procedures

These formal bidding procedures shall be utilized whenever a potential contract requires formal bidding, including Major Purchases and those contracts that constitute “Public Works.”

A. Submission of Requirements to Board

The Fire Chief shall submit proposed specifications for a contract requiring formal bidding to the Fire Authority Board. The Board will vote to authorize the solicitation of bids.

B. Solicitation of Bids

Upon approval from the Fire Authority Board, Fire Administration shall prepare the notice to invite bids. The notice shall be published at least twice, not less than five days apart, in a newspaper of general circulation, printed and published in the Fire Authority’s jurisdiction, or if there is none, posted in at least 3 public places. The notice shall distinctly state the project to be done. The first notice must be published at least 10 days before the Fire Authority begins accepting bids.

The notice will include instructions on submitting bids to the Fire Chief’s administrative assistant, an overview of the work to be performed, estimated costs, any special conditions or requirements for the work, and the types of licenses required for the work.

C. Submission and Review of Bids

Bids will be submitted to Fire Administration. Bid proposals must be signed by an authorized agent of the bidder and must identify all subcontractors that will perform work on the project.

The Fire Chief will present the lowest bids to the Fire Authority Board. The Fire Authority Board may reject any and all bids presented and advertise. The Fire Authority Board shall select the lowest bidder unless deciding on an RFP/RFQ which requires consideration of other factors.

Once the Fire Authority selects and approves a bid, Fire Administration will notify the winning bidder.

D. Bidder’s Security Deposit

For “Public Projects” and any other project the Fire Authority Board decides, all bidders must submit a security deposit that is at least 10 percent of the total bid.

E. Execution of Contract

After notifying the winning bidder, Fire Administration will arrange to have a contract prepared and executed by the Fire Chief and the winning bidder. The proposed contract will be reviewed by the Fire Authority attorney. The winning bidder will post a surety bond for the full value of the contract.

X. Emergency Purchasing Policy

An emergency situation exists when a sudden unexpected incident poses a clear and imminent threat to public health, safety, property, and/or essential public services. The Fire Chief and General Counsel shall be contacted for concurrence that an emergency situation exists. The Fire Chief shall be contacted for concurrence, regardless of whether the situation occurs during regular business hours or not. Once the Fire Chief concurs, the department or person purchasing the goods or services *shall* take appropriate action and make any purchase of *goods* and/or *services* deemed necessary to mitigate the emergency.

If the normal bidding process has been waived, an initial report of the waiver and the emergency must be made to the Board by the department or individual so authorized at the next regular Board meeting.

XI. Contract Management

The Fire Authority will administer all contracts, control payments, provide contract extensions, maintain a procurement file, and approve any changes in products or services. The quality and quantity of goods shall be inspected before any payments are made. Contract management shall be the responsibility of the personnel placed in charge of the contract, but can be assigned by the Fire Chief.

A file shall be maintained for each contract. Whenever goods are received by the Fire Authority pursuant to a contract, the receiving personnel shall keep a written record in the contract file of such receipt. Contract files shall be maintained in Fire Administration.