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OFFICE OF THE CITY CLERK  
OAKLAND

2012 JUN 28 PM 5:03

# AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Teresa Deloach Reed  
Fire Chief

SUBJECT: FEMA GRANT

DATE: June 12, 2012

City Administrator

Date

Approval

6/26/12

COUNCIL DISTRICT: City-Wide

## RECOMMENDATION

Staff recommends approval of this resolution authorizing the City Administrator or her designee to 1) accept and appropriate grant funds from the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) program to the Oakland Fire Department (OFD) for the period January 27, 2012 through January 26, 2013, in the amount of two hundred ten thousand six hundred forty dollars (\$210,640) with matching funds in the amount of fifty-two thousand six hundred sixty-three dollars (\$52,663) to upgrade the Department's Self Contained Breathing Apparatus (SCBA) equipment, 2) waive the advertising and competitive bidding requirement, and 3) award a contract to Bauer Compressor in an amount not to exceed two hundred sixty-three thousand and three hundred three dollars (\$263,303) for the upgrade of SCBA equipment without returning to council.

## EXECUTIVE SUMMARY

In an effort to improve firefighter safety, and update the Department's SCBA equipment to meet industry standards, OFD seeks to use grant funds to upgrade obsolete SCBAs currently being used by the Department. Since Oakland purchased its SCBAs which are compliant with the National Fire Protection Association (NFPA) 1997 edition, the NFPA has produced two additional revisions (NFPA 2002 and NFPA 2007). Acceptance of these funds will allow the Department to upgrade existing equipment at a much lower cost than purchasing new SCBAs.

Currently, the Department's SCBA equipment is compliant only to the NFPA 1997 edition standard<sup>1</sup>. NFPA recommends fire departments strive to stay within at least two revisions of their standards. This upgrade will also bring existing SCBA equipment to standards approved by the National Institute for Occupational Safety and Health (NIOSH) for Chemical, Biological, Radiological, and Nuclear (CBRN) protection.

<sup>1</sup> NFPA publishes new safety standards every 5 years.

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## OUTCOME

Approval of this resolution will allow the Oakland Fire Department (OFD) to economically upgrade a portion of its current SCBA equipment (which is over 10 years old) instead of purchasing new equipment, which could potentially cost more than twice as much across all brand names.

The component parts to upgrade the SCBAs include carriers, harnesses, lumbar pads, PASS control modules, power modules and internal heads-up displays, and spare cylinders. These components will upgrade 112 Department SCBAs to the NFPA 2007 standard.

## BACKGROUND/LEGISLATIVE HISTORY

In the aftermath of the September 11<sup>th</sup> attacks on the United States, The NFPA reviewed and revised standards 1500 and 1981 to include protections against CBRN elements. SCBAs used in fire suppression and potentially CBRN classified areas are now required to be certified as CBRN compliant by NIOSH.

As previously stated, OFD's current SCBAs are obsolete, and only meet the 1997 NFPA standard. Component parts to upgrade the SCBAs include carriers, harnesses, lumbar pads, PASS control modules, power modules and internal heads-up displays, and spare cylinders. These components will upgrade each of the Department's SCBAs to 2007 standard, which calls for the equipment to be CBRN compliant.

## ANALYSIS

As a result of the City's budget situation as well as the national economical condition, funds were not previously available to purchase new SCBA equipment, however the Department is still required to meet national standards set by the NFPA and NIOSH. Over the past few years, overall reduction in the Fire Department's budget has resulted in the need to seek alternative funding sources to replace or repair aging equipment to ensure that the most efficient public safety service is being provided, with respect to fire and fire-related hazards.

Recognizing the high expense to purchase new SCBAs as well as the lower cost alternative to upgrading existing SCBAs, the Department applied for and was awarded a grant from FEMA's AFG program to upgrade its existing SCBAs to meet required NFPA and NIOSH standards.

*Waiver of the Advertising and Bidding Requirement*

Staff conducted an informal bid process and received information from three certified vendors, Bauer Compressor, Mallory, and Weidner. Staff recommends and requests authorization to enter into a contact with Bauer Compressor based on their lowest bid/cost submission.

- Bauer Compressor - \$263,302.24
- Mallory - \$315,174.31
- Weidner- \$426,552.03

The performance period for this grant is one year, beginning January 27, 2012 through January 26, 2013. Because of the required grant performance period and the limited time available to complete this project, staff recommends that the Council waive the advertising and competitive bidding process pursuant to Oakland Municipal Code Section 2.04.050.1.5.

**PUBLIC OUTREACH/INTEREST**

This item did not require any additional public outreach other than the required posting on the City's website.

**COORDINATION**

Other City Agencies affiliated with this request include the City Attorney's Office.

**COST SUMMARY/IMPLICATIONS**

The Oakland Fire Department applied for and was awarded a grant from the U.S. Department of Homeland Security's (FEMA) Assistance to Firefighters Grant (AFG) Program in the amount of \$210,640. The Department is required to provide matching funds in the amount of \$52,663, which will be absorbed within the OFD adopted budget. In addition, staff will aggressively pursue qualified alternative funding sources to offset costs charged to the OFD budget.

Grant funds in the amount of \$210,640 will be appropriated to Fund 2124 Federal Emergency Agency, Organization 20611 Education and Training, Project TBD, Program PS27 Fire Department Safety, and revenue will be credited to FEMA revenue account (46129). Matching funds in the amount of \$52,663 shall be drawn from General Fund 1010, Organization 20611 Education and Training, Project TBD, Program PS27 Fire Department Safety.

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## **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Acceptance of these grant funds will allow the City to upgrade safety equipment for firefighters without negatively impacting the general fund. Additionally, ensuring that safety equipment meets standards helps to keep employees safe, thereby decreasing the risk of injury.

***Environmental:*** By upgrading currently obsolete breathing equipment, firefighters will be better supported in their efforts to fight fires, thereby making them more efficient in the performance of their duties.

***Social Equity:*** These units will provide greater firefighting capability, therefore enhancing the ability to save lives and property of our residents.

For questions concerning this report, please contact Donna Hom, Chief Financial Officer, at (510) 238- 2038.

Respectfully submitted,



Teresa DeLoach Reed  
Fire Chief

Reviewed by:  
Ms. Cynthia Perkins  
Chief of Staff  
Oakland Fire Department

Prepared by:  
Ms. Donna Hom  
Chief Financial Officer  
Oakland Fire Department

*Arnold S. [Signature]*  
City Attorney

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# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION: 1) AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY'S FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM TO THE OAKLAND FIRE DEPARTMENT (OFD) FOR THE PERIOD OF JANUARY 27, 2012 THROUGH JANUARY 26, 2013, IN THE AMOUNT OF TWO HUNDRED TEN THOUSAND SIX HUNDRED AND FORTY DOLLARS (\$210,640) AND TO MATCH FUNDS IN THE AMOUNT OF FIFTY-TWO THOUSAND SIX HUNDRED AND SIXTY-THREE DOLLARS (\$52,663) TO UPGRADE THE DEPARTMENT'S SELF CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT; 2) AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO BAUER COMPRESSOR IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SIXTY-THREE THOUSAND AND THREE HUNDRED AND THREE DOLLARS (\$263,303) FOR THE PURCHASE OF PARTS REQUIRED FOR THE UPGRADE OF SCBA EQUIPMENT; AND 3) WAIVING THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS.**

**WHEREAS**, the U.S. Department of Homeland Security's Fiscal Year 2011 and Fiscal Year 2012 Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program (FY 2011 – FY 2012 FEMA/AFG program) awarded funds in the amount of \$210,640 to the Oakland Fire Department for the period January 27, 2012 through January 26, 2013; and

**WHEREAS**, the purpose of the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

**WHEREAS**, the acceptance of these grant funds will allow payment for 80% of the cost to purchase component parts necessary for the upgrade of the Fire Department's existing Self Contained Breathing Apparatus' (SCBA) equipment; and

**WHEREAS**, the Fire Department is required to meet the highest SCBA level of standards as set by the National Institute for Occupational Health and Safety (NIOSH) and National Fire Protection Association (NFPA); and

**WHEREAS**, the Fire Department currently uses SCBAs which are over ten (10) years old; and

**WHEREAS**, upgrading the Fire Department's existing SCBA inventory is the more economical

**WHEREAS**, the required grant performance period is January 27, 2012 through January 26, 2013 and there is limited time to complete this project; and

**WHEREAS**, Oakland Municipal Code section 2.04.050.1.5 permits the Council to waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so; and

**WHEREAS**, staff recommends that it is in the best interests of the City to waive the advertising and bidding requirements so the Oakland Fire Department can enter into contract with Bauer Compressor for the upgrade to the department's SCBA equipment; and

**WHEREAS**, the SCBA upgrades shall be approved as in accordance with NIOSH pursuant to 42 CFR, Part 84 for (CBRN) with a 30, 45, or 60-minute-rated service life and shall also be approved in compliance with all requirements of the National Fire Protection Association's 2007 Edition of NFPA-1981 and 2007 Edition of NFPA-1982; now, therefore be it

**RESOLVED**, That the City Council hereby authorizes the City Administrator or her designee, to accept and appropriate grant funds from the U.S. Department of Homeland Security's Fiscal Year 2011 and Fiscal Year 2012 Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program (FY 2011 – FY 2012 FEMA/AFG grant funds) to the Oakland Fire Department for the period of January 27, 2012 through January 26, 2013, in the amount of \$210,640 and to match general funds in the amount of \$52,663 from the OFD adopted budget to upgrade 112 SCBAs; and be it

**FURTHER RESOLVED**, That the City Council hereby authorizes the City Administrator or her designee, to accept, appropriate, administer and expend FY 2011 – FY 2012 FEMA/AFG grant funds up to \$210,640 from Fund 2124 Federal Emergency Agency, Organization 20611 Education and Training, Project TBD, Program PS27 Fire Department Safety; and he it

**FURTHER RESOLVED**, that the City Council hereby authorizes the City Administrator or her designee, to enter into a contract with Bauer Compressor for the purchase of SCBA parts in an amount not to exceed \$263,302 for the Fire Department to upgrade existing SCBA equipment in the Fire Department; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the City Administrator or her designee, to expend \$52,663 from General Fund 1010, Organization 20611 Education and Training, Project TBD, Program PS27 Fire Department Safety; and be it

**FURTHER RESOLVED**, the City Council finds that pursuant to Oakland Municipal Code sections 2.04.050.1.5, for the reasons stated above and in the City Administrator's report accompanying this resolution, the City Council hereby finds that it is in the City's best interest to waive the City's advertising and competitive bidding process requirements for the products to be purchased under the proposed contract with Bauer Compressor and so waives such requirements; and be it

**FURTHER RESOLVED**, That the City Administrator is hereby authorized to complete all negotiations, applications, agreements, amendments, payment requests and related actions which may be necessary to carry out the purposes of the aforementioned grant and completion of the proposed contract with Bauer Compressor; and be it

**FURTHER RESOLVED**, that all contracts authorized hereunder shall be approved for form

and legality by the Office of the City Attorney and shall be placed on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California