



# City of Morgan Hill

## Legislation Details (With Text)

**File #:** 15-871      **Version:** 1      **Name:**  
**Type:** Staff Report      **Status:** Consent Calendar  
**File created:** 12/7/2015      **In control:** City Council  
**On agenda:** 12/16/2015      **Final action:** 4/1/2016  
**Title:** APPROVE AMENDMENT TO MOU WITH SOUTH SANTA CLARA COUNTY FIRE DISTRICT FOR FEMA GRANT AND AUTHORIZE PURCHASE FOR TWO SCBA FILL STATIONS

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. GrantReso\_12-16-15 draft, 2. Document - 11-12-2015-85, 3. First Amendment to Telecommunications and Other Equipment MOU

Date	Ver.	Action By	Action	Result
12/16/2015	1	City Council	approved	Pass

## CITY COUNCIL STAFF REPORT MEETING DATE: DECEMBER 16, 2015

PREPARED BY: Dwight Good, Fire Marshal  
APPROVED BY: City Manager

## APPROVE AMENDMENT TO MOU WITH SOUTH SANTA CLARA COUNTY FIRE DISTRICT FOR FEMA GRANT AND AUTHORIZE PURCHASE FOR TWO SCBA FILL STATIONS

### RECOMMENDATION(S)

Adopt resolution approving the following actions:

1. Approve an Amendment to the MOU with the South Santa Clara County Fire District for FEMA Grant # EMW-2014-FR-0084 (Telecommunications and Other Equipment); and
2. Determine Competitive Bids Would Not Be Likely to Result in a Lower Price to the City under Morgan Hill Municipal Code Section 3.04.180 and authorize the City Manager to purchase two SCBA fill stations from LN Curtis for \$95,913.

### COUNCIL PRIORITIES, GOALS & STRATEGIES:

#### Ongoing Priorities

Enhancing public safety  
Maintaining fiscal responsibility

## REPORT NARRATIVE:

In December 2014, the City and the South Santa Clara County Fire Protection District ("District") applied for a regional grant through the Federal Emergency Management Agency ("FEMA") Assistance to Firefighters ("AFG") Program under Application #EMW-2014-FR-0084 (Telecommunications and Other Equipment) in order to receive essential equipment for firefighter operations. In August 2015, pursuant to Resolution No. 15-186, Council approved a MOU between the City and the District for the purchase of equipment using the grant funds and the distribution of the equipment. In November 2015, Council adopted a resolution accepting the grant award and appropriating \$484,819 for associated grant expenditures and activities.

As the MOU was executed before the final grant was awarded, the City and the District intended to amend the MOU once the final grant amount and the purchases to be made and the distribution of those purchases between the City and the District were finalized. The City Attorney's Office has drafted an amendment to the MOU, which is attached to this staff report.

Following execution of the amendment, staff would like to make the first of several purchases for the equipment funded by this grant award.

Section 3.04.180 of the Morgan Hill Municipal Code allows the purchasing officer to join with other public jurisdictions in cooperative purchasing plans or programs. The City is a member of Fire Rescue Group Purchasing Organization ("FRGPO"), which is part of a national cooperative purchasing organization serving government and non-profit organizations. As a member, the City has access to publicly solicited bids specific to their industry, saving time and money in the procurement process. FRGPO operates in partnership with Western Fire Chiefs Association <<http://www.wfca.com/>> who manages the Fire Rescue Advisory Council <<http://www.nppgov.com/about-us/firerescuegpo-advisory-council/>> and a revenue sharing program with the International Association of Fire Chiefs, <<http://www.iafc.org/>> their Divisions and the State Chiefs Associations.

Staff has identified pricing for the purchase of two SCBA fill stations through the FRGPO. Staff recommends that the competitive bid process be waived and that the purchase of the fill stations be made from LN Curtis as competitive bidding, upon notice, would not be likely to result in a lower price to the City or would cause unnecessary expense or delay under the circumstances. In addition, the City purchasing the fill stations from LN Curtis is advantageous to the City for the following reasons:

- 1) LN Curtis is a California based company with service and support personnel based in Oakland;
- 2) LN Curtis offers 24 hour emergency repair services, with 4 technicians located within a 100 mile radius of the City;
- 3) LN Curtis is offering to provide the City with domestically manufactured goods that meet or exceed Fire Department specifications and industry standards; and
- 4) There are no Morgan Hill owned companies capable of bidding on this contract.

Staff recommends that the City Council determine that soliciting competitive bids in this instance would cause unnecessary expense or delay and authorize the City Manager to purchase the fill stations from LN Curtis in an amount not to exceed \$95,913.

## COMMUNITY ENGAGEMENT: Inform

This staff report will serve as the instrument to inform the community of the grant award to the Morgan Hill Fire Department and the equipment purchase.

## ALTERNATIVE ACTIONS:

An alternative action is to invite bids for the purchase of these equipment items.

**PRIOR CITY COUNCIL AND COMMISSION ACTIONS:**

Council approved an MOU with the District for the regional funding in August 2015 pursuant to Resolution No. 15-186.

**FISCAL AND RESOURCE IMPACT:**

Council adopted a resolution accepting the AFG award in November 2015 and also appropriated a maximum of \$484,819 in expenditure account fund 790 Equipment Replacement Fund for the purchase of the equipment

**CEQA (California Environmental Quality Act):**

Categorical Exemption

The activities described in this Staff Report are categorically exempt under CEQA, specifically pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities), as the subject work involves the repair, maintenance or minor alteration of existing City facilities involving negligible or no expansion of use of those facilities.

**LINKS/ATTACHMENTS:**

1. Resolution
2. Draft Amendment to the FEMA Grant MOU
3. Proposal from LN Curtis