



Meeting Date: 12 /8/09

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Brad Windsor, Assistant Fire Chief *BW*

Agenda Item No. *I-2*

Reviewed By: City Manager *MB*

City Attorney *J*

Finance *JC*

Police Chief

DATE: December 1, 2009

TO: City Council

FROM: W.J. Milligan, Fire Chief *WJ Milligan*
Fire Department

SUBJECT: Purchase Order with L.N. Curtis & Sons, Inc.

RECOMMENDATION

That City Council approve and authorize the Mayor:

1. To execute a purchase order with L.N. Curtis & Sons, Inc., in the amount of \$310,203 for the purpose of purchasing self contained breathing apparatus.
2. To approve a special budget appropriation in the amount of \$60,203.

DISCUSSION

The City of Oxnard has been awarded a grant from the Department of Homeland Security in the amount of \$250,000 for the purchase of self-contained breathing apparatus. The City of Oxnard Safety Division has approved a request for \$60,203.05 to fund the remainder of the purchase.

FINANCIAL IMPACT

Approval of this recommendation will have no impact on the General Fund Operating Reserve. Grant revenue in the amount of \$250,000 in Project 772214 Account 238-2221-802-8606 will be expended. The remaining cost of \$60,203.05 will be provided via the Workers Compensation Safety Fund.

Attachment #1 – Purchase Order

Attachment #2 – Request for Special Budget Appropriation



PURCHASE ORDER
 CITY OF OXNARD
 300 WEST 3RD STREET
 OXNARD, CA 93030

PURCHASE ORDER NO. 003495
--

DATE: 11/20/2009

VENDOR #: 2823
VENDOR ADDRESS: L.N. CURTIS & SONS
 1800 PERALTA ST.
 OAKLAND, CA 94607-1603

SHIP TO: FIRE DEPT - Station 1
 491 So. K Street
 OXNARD, CA 12345

Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence

DELIVER BY		REQUISITION #	REQUISITION DATE	CONFIRMED BY	
12/22/2009		0000000269	11/19/2009	PAUL F. CURTIS	
FOB		ACCOUNT NUMBER		AUTHORIZED BY	
		Multiple Accounts -		HEATHER MOONEY	
ITEM #	QUANTITY / UNIT	DESCRIPTION ARTICLE OR SERVICE		UNIT COST	EXTENDED COST

1	1.00 / DL	SELF CONTAINED BREATHING APPARATUS (SCBA) PER	250,000.00	250,000.00
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LA COUNTY PRODUCT SELECTION AND PRICING WORKSHEET
 ATTACHED HEREIN AND REFERENCED AS EXHIBIT A AND A1

2	1.00 / DL	SELF CONTAINED BREATHING APPARATUS	35,244.180	35,244.18
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3	1.00 / DL	SALES TAX AT 8.75%	24,958.870	24,958.87
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BY ACCEPTING THIS PURCHASE ORDER YOU ARE ACCEPTING
 THE CITY OF OXNARDS TERMS AND CONDITIONS ATTACHED
 HEREIN AND REFERENCED AS EXHIBIT B.

TOTAL PURCHASE AMOUNT	\$310,203.05
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Send Original and One Copy of Invoice to:
PURCHASING
 300 W. THIRD ST, #202
 OXNARD, CA 93030

AUTHORIZED SIGNATURE _____
 City of Oxnard Dr. Thomas E. Holden, Mayor



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 CITY OF OXNARD
 300 WEST 3RD STREET
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FOB		ACCOUNT NUMBER		AUTHORIZED BY	
		Multiple Accounts -		HEATHER MOONEY	
ITEM #	QUANTITY/ UNIT	DESCRIPTION ARTICLE OR SERVICE		UNIT COST	EXTENDED COST

Account	Project	Amount
23822218028606	772214	250,000.00
70217038568376		60,203.05

Reference Purchase Order:

Buyer: **Oxnard Fire Department**

LA County Product Selection & Pricing Worksheet

Item #	Description	Part Number(s)	Unit Price	Order Qty	Extended Price
1	10-Minute SABA Air Cylinder (Full Wrapped Carbon)	LA917250	\$ 200.00	4	\$1,200.00
2	30-Minute Air Cylinder (Full Wrapped Carbon)	LAC917131	\$ 360.00	30	\$11,070.00
3	30-Minute Air Cylinder Hoop-Wrapped Fiberglass	LAC916165	\$ 230.00		
4	45-Minute Air Cylinder (Full Wrapped Carbon)	LAC917145	\$ 420.00		
5	60-Minute Air Cylinder (Full Wrapped Carbon)	LAC917160	\$ 471.60	2	\$943.20
3 Letter Cylinder ID Code (Indicate desired lettering): OXD					
Available Letter ID Code color options to facilitate equipment tracking: Indicate qty of cylinders for each color below (qty equals order qty):					
Black:					
Blue: 38					
Yellow:					
Green:					
Red:					
6	Backframe/Harness assembly to include PASS device, 1st stage reducer/regulator, 2nd stage reducer/regulator, analog system pressure gauge, buddy breathing system, low pressure warning system, heads-up display, and parachute buckles on shoulder straps	LA45WW01	\$ 2,854.50	72	\$204,372.00
7	Backframe/Harness assembly to include PASS device, 1st stage reducer/regulator, 2nd stage reducer/regulator, analog system pressure gauge, buddy breathing system, low pressure warning system, heads-up display, and alligator buckles on shoulder straps	ALA45WW01	\$ 2,838.50		
8	HazMat Breathing Apparatus Backframe/Harness assembly to include 1st stage reducer/regulator, 2nd stage reducer/regulator, analog system pressure gauge, buddy breathing system, low pressure warning system, heads-up display, and carrying case with no PASS alarm	SPNSHZCSTMW1	\$ 1,495.00	6	\$14,950.00
9	Facemask with Headnet	LA272026	\$ 84.20	126	\$11,569.20
Skirt Size Indicate size (S, M, L) below: 89 M with VAS, 28 M w/o, 12 L with VAS					
Nosecup Size Indicate size (S, M, L) below: ALL M					
10	Facemask with Silicone Headstrap	LA272022	\$ 43.55		
Skirt Size Indicate size (S, M, L) below:					
Nosecup Size Indicate size (S, M, L) below:					
11	Facemask Voice Amplification Communication System (VAS)	X242136	\$ 209.80	101	\$21,229.80
12	Facemask Radio Communication System (RCS) (requires lapel mic or ICSS to be functional)	X242135	\$ 176.30		
13	Facemask Intra-Company Communication System (ICCS) w/ emergency button (requires RCS installation to be functional)	various (call for specifics)	\$ 1,109.10		
14	Facemask Hazardous Materials Radio System (HMRS)	various (call for specifics)	\$ 407.50	6	\$4,949.00
15	RCS Lapel Mic	970689	\$ 342.75		
16	Supplied Air Breathing Apparatus (SABA)	P966615	\$ 317.00		
17	SABA Hose, 50 foot section	P/N per color selected	\$ 7.70		
Available color options: Indicate qty of hoses for each color below:					
Red (P/N 864981):					
Blue (P/N 864982):					
Green (P/N 864983):					
Yellow (P/N 864984):					
18	Escape Filter Cartridge	978715	\$ 7.90		
19	Escape Filter Training Cartridge	974161	\$ 40.00		
20	Victim Supply System	866976 + 951793 (2nd stage w/o cylinder)	\$ 733.40	9	\$6,600.60
21	Miscellaneous Items to be Procured				
#6 P/N LA45NB01, #8 P/N LA45NB06, #14 HMRB for Motorola MT 2000					
PosiCheck Software for Microsoft XP					
P/N 905820 \$ 220.00 1 \$220.00					
Training for SCBA Technician. Location: Oxnard Fire Department					
5 \$					
Miscellaneous Parts. See Attached List					
1 \$ 1,933.56 1 \$1,933.56					
22	Test Bench	6420111732, 6422696, and 752528	\$ 1,969.00		
23	Mask Fitting (not taxable)	CFTSCAPPEC	\$ 5.60		
TAXABLE SUB-TOTAL:					\$295,244.18
TX	Tax	Enter Tax Rate: 8.750%	TAX:	\$24,956.87	
TOTAL PRICE:					\$320,201.05

Details on Warrior Order for Oxnard Fire:

Item #6 - Oxnard Part Number	LA45NB01	SCBA same as LA contract, but with Bell Style low air alarm
Item #8 - Oxnard Part Number	LA45NB00	Hazmat SCBA same as LA contract, but with Bell Style low air alarm, NO cooling or suit connection
Item #9		
89 masks with VAS - Skirt: M, Nosecup: M		
25 masks NO VAS - Skirt: M, Nosecup M		
12 masks with VAS - Skirt: L, Nosecup: M		
Item #14 - HMRS for Motorola MT 2000		

Miscellaneous Parts for Oxnard Fire Warrior Order:

Description	Part Number	Unit Price	Order Qty	Price Total
SAR Adapter	X975595	\$59.50	1	\$59.50
Foster Coupling Kit	930810	\$27.71	1	\$27.71
Male Plug	965113	\$13.77	1	\$13.77
Small Skirt	962158	\$73.95	5	\$369.75
Large Skirt	962176	\$73.95	3	\$221.85
Small Skirt w. Temple Insert	962150	\$124.10	3	\$372.30
Medium Skirt w. Temple Insert	962153	\$124.10	5	\$620.50
Large Skirt w. Temple Insert	962154	\$124.10	2	\$248.20

Sub Total \$1,933.58

PURCHASE ORDERS
TERMS AND CONDITIONS

The City Purchasing Officer and the Vendor agree as follows:

1. Vendor shall furnish to City the labor, materials, equipment, supplies and/or services described in the Purchase Order on the reverse side hereof.
2. City shall pay to Vendor the price, or prices, specified in the Purchase Order upon delivery of the labor, materials, equipment, supplies and/or services, and acceptance thereof by the City Purchasing Officer, or upon the completion of the services to be performed and acceptance thereof.
3. If the Purchase Order is continuing in nature, City shall pay to Vendor the amount due Vendor for labor, materials, equipment or supplies furnished, or services completed and accepted.
4. Vendor shall deliver the labor, materials, equipment or supplies, or cause the services to be performed, within the time and in the manner specified in the Purchase Order. Vendor shall be excused in performance for delays resulting from causes beyond the control of Vendor.
5. If services are performed or labor furnished to City under the Purchase Order, Vendor agrees to indemnify, hold harmless and defend City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from any acts or omissions related to this Agreement performed by Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf. This agreement to indemnify, hold harmless and defend shall apply whether such acts or omissions are the product of active negligence, passive negligence, willfulness or acts for which Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf would be held strictly liable. Vendor's obligation to defend shall arise when a claim, demand or action is made or filed, whether or not such claim, demand or action results in a determination of liability or damages as to which Vendor is obligated to indemnify and hold harmless.
6. Insurance
 - a) Vendor shall obtain and maintain during the performance of any services under this Agreement the following insurance coverage issued by a company satisfactory to the Risk Manager, unless the Risk Manager waives, in writing, the requirement that Vendor obtain and maintain such insurance coverage.
 - i. Commercial general liability insurance, including a contractual liability endorsement, in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for general liability with coverage equivalent to Insurance Services Office Commercial General Liability coverage (Occurrence Form CG0001ED, November 1988);
 - ii. Business automobile liability insurance in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Auto Liability Insurance Services Office coverage (Occurrence Form CA000TED, June 1992) covering Code No. 1, "any auto";
 - iii. Workers' compensation insurance in compliance with the laws of the State of California, including employer's liability insurance in an amount not less than \$1,000,000 per claimant.
7. Vendor, in the performance of any services or the furnishing of any labor under this Purchase Order, shall be considered an independent contractor, and Vendor and Vendor's agents and employees shall not be considered officers or employees of the City.
8. Vendor, without the written consent of the City Purchasing Officer, shall not:
 - a) Assign the Purchase Order, or any interest therein, or any money due thereunder; or
 - b) Make any changes, alterations or variations in the terms of the Purchase Order.
9. The cost of inspection on deliveries, or offers to make deliveries that do not meet specifications, will be paid by Vendor or deducted by City from amounts due Vendor.
10. Vendor shall indemnify and hold harmless City, its officers and employees, from liability, claims, loss or expense of any kind or nature on account of any copyrighted or uncopyrighted composition, patented or unpatented process or invention, article or appliance furnished or used under this Purchase Order.
11. Vendor shall comply with all applicable federal, state and local ordinance, laws and regulations and shall obtain and pay for all required licenses and permits, including a City of Oxnard business license.
12. Return or exchange of materials, equipment or supplies will not be permitted without written approval by the City Purchasing Officer.
13. All materials, supplies and equipment furnished under the Purchase Order shall, where applicable, be in full compliance with the Safety Orders and Regulations of the Division of Industrial Safety of the State of California and the Williams-Steiger Federal Occupational Health and Safety Act of 1970.
14. City may terminate this Purchase Order at any time by giving written notice of termination to Vendor. If termination is for cause, termination shall become effective on the date of the notice or at a later date, specified in the notice. If termination is without cause, termination shall become effective five days after the date of the notice or at a later date specified in the notice.
15. Vendor shall comply with all applicable equal employment opportunity requirements of the California Department of Fair Employment and Housing in performing or contracting for any services under this Purchase Order.
16. For public projects, Vendor shall pay prevailing wages in accordance with Labor Code Sections 1720 et seq.

ADDITIONAL REQUIREMENTS FOR GRANT-FUNDED PROJECTS

17. The following requirements apply to any Purchase Order funded in whole or in part by federal grant funds.
 - a) Upon expiration of the time specified on the reverse side, this Purchase Order shall terminate unless City and Vendor have mutually agreed in writing to an extension of time.
 - b) If legal action is brought by either party because the other has failed to comply with terms or conditions of this Purchase Order, the prevailing party shall be awarded its attorney's fees and costs in addition to its damages and/or equitable relief.
 - c) Vendor shall comply with all applicable requirements of Executive Order 11246 as amended by Executive Order 11375 and the regulations adopted pursuant thereto (41 CFR Chapter 60), which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin.
 - d) Vendor shall insure that the grantee (City), the Federal Grantor Agency, the Comptroller General of the United States, or any duly authorized representative, shall be access to any books, records, documents and papers, specifically relating to this Purchase Order, for the purpose of making audit, examination, excerpts and transcriptions for not less than three years after completion of the project and/or until the completion of the final project audit as required by the Federal Grants Agency.



November 12, 2009

TO: Purchasing
FROM: Brad Windsor, Assistant Fire Chief *BW*
SUBJECT: Sole Source Request - Sperian, L.N. Curtis

**M
E
M
O**

We request approval for a sole source purchase from Sperian through L.N. Curtis and Sons. Sperian is the manufacturer of our current Self Contained Breathing Apparatus (SCBA). L.N. Curtis is the franchised dealer for Sperian SCBA. We have chosen to purchase Sperian SCBA to maintain consistency with the department's existing SCBA, test and monitoring equipment and SCBA cylinder filling equipment. The department has a substantial investment in the existing testing, monitoring and filling equipment for this type of SCBA.

The funds for this purchase come from a State Homeland Security Grant (\$250,000) and from the Safety Division (\$60,203.50).

I am an approved department representative and am aware of the City's requirements for competitive bidding as well as the criteria for justification for sole source/sole brand purchasing.

I have gathered the required technical information and have made a concentrated effort to review comparable and/or equal equipment.

There is validity as to the information contained herein.

There is justification for sole/source brand purchasing noted above as it meets the City's criteria.

A sole source/sole brand purchase in this case would withstand an audit or a vendor's protest.



Meeting Date: 11/03/09

ACTION	<i>DM</i>	TYPE OF ITEM
<input checked="" type="checkbox"/> Approved Recommendation		<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s) _____		<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s) _____		<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____		<input type="checkbox"/> Other _____

Prepared By: Brad Windsor, Assistant Fire Chief *BW*

Agenda Item No. I-4

Reviewed By: City Manager *[Signature]*

City Attorney *[Signature]*

Finance *[Signature]*

Police Chief

DATE: October 14, 2009

TO: City Council

FROM: W.J. Milligan, Fire Chief
Fire Department

W.J. Milligan

SUBJECT: State Homeland Security Grant

RECOMMENDATION

That City Council:

1. Recognize Grant Revenue in the amount of \$300,000 from the Federal Department of Homeland Security and subgranted through the State of California for the purchase of self-contained breathing apparatus.
2. Approve the Special Budget Appropriation of \$300,000.

DISCUSSION

The City of Oxnard has been awarded a grant from the Department of Homeland Security in the amount of \$300,000 for the purchase of self-contained breathing apparatus. The self-contained breathing apparatus is for the Oxnard Fire Department and the Santa Paula Fire Department. The Oxnard Fire Department will receive \$250,000 of the grant. The Santa Paula Fire Department will receive \$50,000 of the grant. The grant requires all equipment to be purchased through one agency. All expenditures are to be reimbursed through the grant.

FINANCIAL IMPACT

Approval of this recommendation will appropriate funds in the amount of \$300,000 from the Federal Grant Revenue (passed through the State) to the Homeland Security State 2009 (Project #772214, Account #238-2221-802-8606). No matching funds are required.

Attachment #1 - Special Budget Appropriation

CITY OF OXNARD

REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

11/3/2009

Request is hereby made for an appropriation of total

\$ 300,000

Reason for appropriation: To recognize \$300,000 of the Federal Homeland Security Grant which is subgranted through the State of California for the purchase of new self contained breathing apparatus (SCBA)

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
HOMELAND SECURITY GRANT 217	HOMELAND SECURITY GRANT - FIRE DEPT. - HOMELAND SECURITY STATE09 238-2221 (772214)	
	531-7231 FEDERAL & STATE SOURCES / STATE GRANT REVENUES	(300,000)
	802-8606 CAPITAL OUTLAY / MACHINERY AND EQUIP NEW	300,000
	Net Estimated Change to Homeland Security Grant Fund (238)	<u>0</u>

W.J. Milligan
Manager

CHIEF FINANCIAL OFFICER

REQUIRES CITY COUNCIL APPROVAL

James Brown

Disposition	Approved	
	Rejected	
Transfer by Journal Voucher		
		CITY MANAGER

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 13,742

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING
OBTAINING FINANCIAL ASSISTANCE

THE CITY COUNCIL OF THE CITY OF OXNARD HEREBY RESOLVES THAT THE FIRE CHIEF OR ASSISTANT FIRE CHIEF OR FIRE DEPARTMENT TRAINING CHIEF are hereby authorized to execute for and on behalf of the named applicant, the City of Oxnard, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and subgranted through the State of California. This Resolution supersedes Resolution No. 13560.

PASSED AND ADOPTED this 6th day of October 2009, by the following vote:

AYES: Councilmembers Holden, Herrera, Maulhardt, Pinkard, and MacDonald.

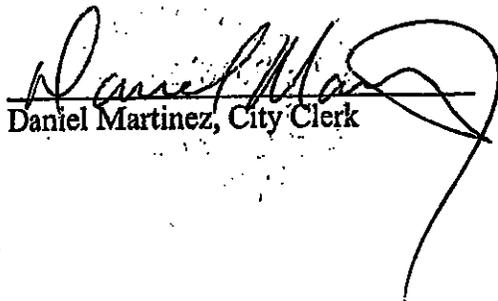
NOES: None.

ABSENT: None.



Dr. Thomas E. Holden, Mayor

ATTEST:



Daniel Martinez, City Clerk

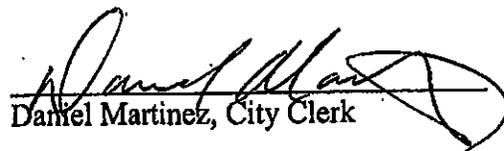
APPROVED AS TO FORM:



Alan Holmberg, City Attorney
9.25.09

Certification

I, Daniel Martinez, duly appointed as City Clerk of the City Council of the City of Oxnard do hereby certify that the above is a true and correct copy of a resolution passed and approved by the City Council of the City of Oxnard on the 6th day of October 2009.



Daniel Martinez, City Clerk

Date: October 6, 2009

CITY OF OXNARD

REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

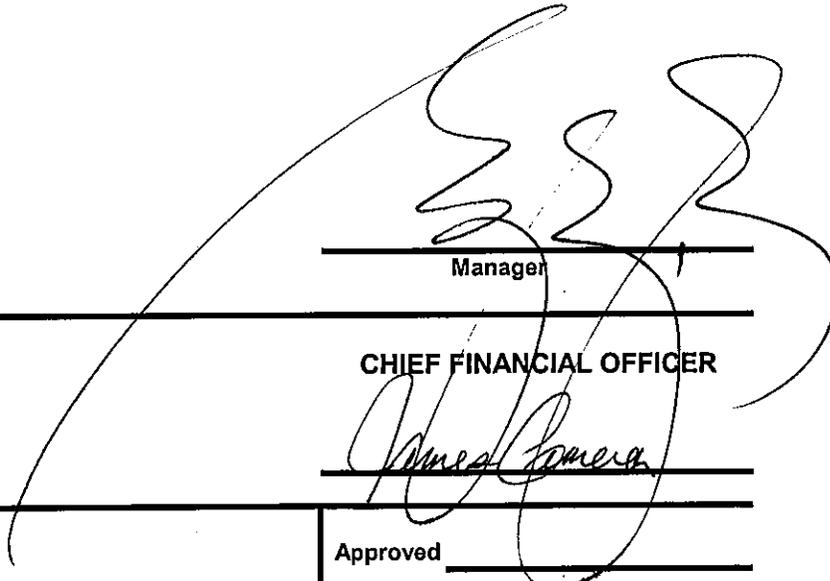
12/8/09

Request is hereby made for an appropriation of total \$ 60,203

Reason for appropriation: To recognize additional funding from Workers Compensation Fund for the purchase of new self contained breathing apparatus (SCBA)

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
WORKERS COMPENSATION FUND 702	WORKERS COMPENSATION FUND - FIRE DEPT- HOMELAND SECURITY STATE 09 702 - 1703 (772214)	
	856-8376 GEN.ADMIN EXPENSES / LOSS CONTROL ACTIVITIES	(60,203)
	891-8606 CAPITAL OUTLAY / MACHINERY AND EQUIP NEW (Project 772214)	<u>60,203</u>
	Net Estimated Change to Workers Compensation Fund (702)	<u>0</u>

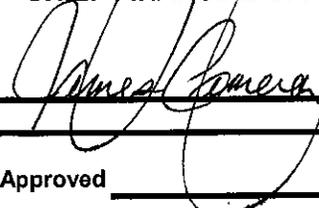
REQUIRES CITY COUNCIL APPROVAL



Manager

Disposition

CHIEF FINANCIAL OFFICER



Approved _____

Rejected _____

Transfer by Journal Voucher _____

City Manager