



DATE: June 5, 2023

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Jeff Schach, Fire Chief
David Catalinotto, Senior Management Analyst

SUBJECT: Resolution Authorizing the Purchase of Fire Engine Equipment from Golden State Fire Apparatus

RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution authorizing the purchase of fire engine equipment from Golden State Fire Apparatus.

BACKGROUND

In order to ensure emergency fleet reliability, resiliency, and surge capacity, the Fire Department attempts to maintain a fleet schedule that places fire engines in front-line status for 10 years to be followed by an additional reserve lifespan of at least 5 years, totaling at least 15 service years. It is important to maintain a reserve fleet in order to have back-up emergency response equipment for routine or emergency repair of front-line equipment, as well as for surge capacity during wildland fire conflagration, earthquake, large fires in the City, or other disaster.

On October 18, 2021, the City Council approved Resolution No. 2021-166 N.C.S., which authorized the purchase of a Pierce Enforcer Type 1 Fire Engine from Golden State Fire Apparatus through the Sourcewell Cooperative Purchasing Program. Once the engine is placed into service, this will allow the Fire Department to move the fire engine currently at Fire Station 2 to reserve status.

After purchasing a fire engine, the manufacturer typically takes upwards of a year to complete the build, upon which the engine is made ready for outfitting with equipment needed to respond to emergency incidents. Previously, the Department accepted delivery of the fire engine and did the outfitting at the fire stations. This time, however, Golden State Fire Apparatus has agreed to outfit the fire engine itself provided that the City purchase the equipment.

The manufacturer expects to finish the fire engine build in July or August 2023, slightly less than two years after purchase. As some equipment may have a long lead time, it is imperative that the Department order equipment in advance of the build completion.

DISCUSSION

The Fire Department reached out to Golden State Fire Apparatus with a list of Type 1 engine equipment outfitting needs. Golden State Fire Apparatus was able to provide the following:

- Water rescue cache
- Rope rescue cache
- Hope/Appliances
- Gas monitors
- Extrication equipment
- Power tools
- Self-Contained Breathing Apparatus (SCBAs)
- Wildland equipment
- Body armor
- Hand tools
- Extinguishers
- Miscellaneous items (e.g., safety vests, salvage covers, lighting)

The total (including tax) for these items is \$186,900.62, which could be made as a change order to the current Type 1 engine job.

Public works contracts and equipment purchases are subject to the requirements of the City Charter, which requires competitive bidding for acquisitions above a certain threshold, according to bidding procedures specified in the purchasing chapter in the Municipal Code. Section 4.04.050 of the Municipal Code allows dispensing with formal bidding when a commodity can be obtained from only one vendor; this is known as the “sole source” exception. In addition, the common law recognizes a bidding exception for circumstances where competitive bidding of public contracts otherwise required by statute may be excused, including circumstances where the contract is such that competitive proposals would be unavailing or would not produce an advantage, and the advertisement for competitive bid would thus be undesirable, impractical, or impossible. Government contracts for goods and services only available from a sole source have been found to fall within the exception per *Graydon v. Pasadena Redevelopment Agency* (1980) 104 CA3d 631.

The Department's order of a Pierce Enforcer Type 1 Fire Engine was made through Golden State Fire Apparatus through a cooperative purchase. Going through the two-month bidding process to purchase this equipment would not provide an advantage to the City as the Fire Engine is estimated to be complete by July or August 2023 and is needed immediately as the engine to be replaced is past its existing life. Delays in ordering and receiving the loose equipment also could result in Golden State Fire Apparatus not being able to outfit the engine, as they have limited room and multiple jobs. If outfitting needed to be done by Fire Department personnel at a fire station, there

would be additional time and resource costs to the City. Therefore, this purchase is exempt from competitively awarded purchasing under the City’s Charter and Municipal Code Section 4.04.050.

The Fire Department has additional needs that could not be met through Golden State Fire Apparatus. For these additional purchases, the Department will make separate purchases from other vendors in accordance with City of Petaluma purchasing requirements.

PUBLIC OUTREACH

This agenda item was noticed in compliance with the California Brown Act.

COUNCIL GOAL ALIGNMENT

Making this purchase will allow for the Pierce Enforcer Type 1 Fire Engine to be brought into service in late summer or fall 2023. By bringing into service a fire engine with the idle reduction system, from the only manufacturer with idle reduction technology, and from the only US manufacturer with an all-electric fire engine prototype, this proposed action supports City Council goals, and in particular: “Our Environmental Legacy,” Objective 1 – “Preserve and Protect Petaluma’s Environment with Smart and Efficient Use of Resources.”

Workplan Item #42: “Find ways for City operations to reduce greenhouse gas emissions, conserve water, decrease waste, and minimize use of fossil fuels and investigate and pursue options for carbon sequestration.”

CLIMATE ACTION/SUSTAINABILITY EFFORTS

This item furthers the ability to bring into service a fire engine with idle reduction technology. The Department had previously estimated that economic and environmental savings of approximately 500 gallons of diesel fuel per year.

ENVIRONMENTAL REVIEW

The proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378, in that outfitting a fire engine does not meet CEQA's definition of a “project,” because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. If it was a “project” under CEQA it would be exempt pursuant to CEQA Guidelines Section 15301 (Existing facilities) as this action allows the City to modify an already purchased fire engine.

FINANCIAL IMPACTS

This purchase is intended to be made using Fiscal Year 2023-2024 funding. The proposed Fire Department budget includes up to \$300,000 in Vehicle Equipment Fund expenditures set aside for Type 1 engine equipment.

Assuming that the final approved budget includes the funding described above, this purchase will be made as a change order to the current Type 1 engine job.

ALTERNATIVES

City Council could decide not to approve the resolution, upon which the City would look elsewhere for its outfitting needs.

ATTACHMENTS

1. Resolution
2. Resolution No. 2021-166 N.C.S.
3. Quotation