



LOS ANGELES FIRE DEPARTMENT

KRISTIN M. CROWLEY
FIRE CHIEF

October 30, 2023

BOARD OF FIRE COMMISSIONERS
FILE NO. 23-117

TO: Board of Fire Commissioners

FROM:  Kristin M. Crowley, Fire Chief

SUBJECT: BOARD REPORT - CONTINUATION OF THE 2021 REGIONAL
HAZARDOUS MATERIALS RESPONSE (RHMR) TRAINING
AGREEMENT # A211006361 AMENDMENTS # 2 AND # 3

FINAL ACTION: ☐ Approved
☐ Denied

☐ Approved w/Corrections
☐ Received & Filed

☐ Withdrawn
☐ Other

SUMMARY

On June 27, 2017, Standard Agreement # 6152-6 was executed between the City and the Governor's Office of Emergency Services (Cal OES) to implement a hazardous materials (hazmat) training program to fill in the gaps across the state where there is limited or no response capability for Hazardous Materials by Rail (HMBR). The training was a requirement for the Los Angeles Fire Department (LAFD) to accept one of twelve Cal OES Type II Hazmat Response Vehicles (HMRV) with assigned hazmat equipment. These vehicles are the result of Assembly Bill (AB) 102 that authorized funding to establish Regional Response Teams throughout California in an effort to improve emergency response capabilities to all types of disasters.

As part of the ongoing HMRV agreement, the LAFD is required to provide ongoing annual hazmat training to maintain response capabilities to the Regional Response Teams. Sworn personnel responding with a Type II HazMat Response Vehicle are required to meet current California Specialized Training Institute (CSTI) Hazardous Materials Specialist training requirements.

In support of annual hazmat response team training, Cal OES has forwarded the initial 2021 Regional Hazardous Materials Response (RHMR) Standard Agreement # A211006361 in the amount of \$100,000.00 to the LAFD. The funding will reimburse the LAFD for Personnel Costs for Training and exercises which may include Backfill/OT and travel expenses for attending. The funding will also reimburse any supplies needed for training, gasoline, mileage, and includes an automatic 3% Administrative Fee for processing the invoices for reimbursement. The period of performance for the Agreement shall be from October 1, 2021, or upon approval, whichever is later, through June 30, 2024. This was approved with Council File # 22-0347. A first amendment to the agreement which included an additional \$150,000 to spend was signed and

approved during FY22-23. Cal OES has now submitted a second amendment which includes an additional \$125,000 which was signed on August 31, 2023 and a third amendment which includes an additional \$100,000 which was signed on September 26, 2023. The total allocation from CalOES is now \$475,000. During the performance period Cal OES will increase the budget on an annual basis at a rate to be determined by Cal OES. The LAFD spent \$25,687.50 in FY21-22 and \$108,234.03 in FY22-23 leaving a remaining balance of \$341,078.47 to spend in FY23-24.

RECOMMENDATIONS

That the Board:

1. Approve and transmit the report to the Mayor for acceptance and authority to expend RHMR funds.
2. Request that the Mayor, subject to approval of City Council:
 - a. Accept the 2021 Regional Hazardous Materials Response (RHMR) amended agreements for an additional amount of \$225,000 for a new total of \$475,000 and any increases for the performance period of October 1, 2021, through June 30, 2024 as granted by Cal OES, and authorize the Fire Chief, or designee, to execute any documents or agreements necessary to accept the grant on the City's behalf.
 - b. Authorize the Fire Chief to expend remaining funds in the amount up to \$341,078.47 and any additional increases from Fire Department's Variable Staffing Account Fund 100, Account 001098, Travel Account Fund 100, Account 002130, Equipment Account Fund 100, Account 006020, and Office and Administrative Account Fund 100, Account 006010 for all training and travel expenses incurred in accordance with the RHMR agreement terms, from the Governor's Office of Emergency Services (Cal OES).
 - c. Authorize the Controller to deposit reimbursement grant funds up to \$341,078.47 and any additional increases from the Governor's Office of Emergency Services (Cal OES) into Fund 335, Department 38, Account to be determined.
 - d. Authorize the LAFD to transfer reimbursement grant funds from Fund 335 Department 38, Account TBD to Fund 100, Account 001098 (Variable Staffing), Fund 100, Account 002130 (Travel), Fund 100, Account 006020 (Equipment), Fund 100, Account 006010 (Office and Administrative), and Fund 100 Account 005301 (Reimbursement from Other Funds) upon submission of proper documentation by the LAFD of actual cost incurred from eligible Hazardous Materials Training Courses, subject to the review and approval of the City Administrative Officer (CAO).
 - e. Authorize the LAFD to prepare Controller instructions for any technical adjustments, subject to the approval of the CAO, and authorize and instruct the Controller to implement the instructions.

FISCAL IMPACT

There is no direct fiscal impact to the LAFD General Fund in FY23-24. The LAFD will cover the expenditures up to \$341,078.47 and any additional increases through LAFD General Fund 100, Department 38. The Cal OES will reimburse LAFD a total up to \$341,078.47 (100%), along with any additional increases.

Board report prepared by Nicole Castro, Management Analyst, Homeland Security Division, Grants Section.

Attachments: Standard Agreement # A211006361 Amendment Number 2
Standard Agreement # A211006361 Amendment Number 3



M E M O R A N D U M

Date: 09/08/23

To: Chuck Tobias, Cal OES Contract Manager

From: **Miranda Wilson**
FINANCE & ADMINISTRATION DIRECTORATE
Purchasing Division – Contracts Unit

Subject: **CONTRACT MANAGER INSTRUCTIONS**
Contract #A211006361-A2

As the Contract Manager on record for Contract #A211006361-A2, you are the authorized representative of Cal OES responsible for ensuring that the Contractor's performance and financial management meets all of the legal requirements of the Contract. The following documents are attached to assist you in the management of this Contract:

- A fully executed copy of the Contract (STD 213 and STD 215)
- Invoice Dispute Notification form (STD 209)

Additional information regarding the roles and responsibilities of a Contract Manager can be found by visiting the following link to the *State Contracting Manual, Volume 1, Chapter 9 – Contract Management*

[https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/State-Contracting-Manual-Volume-2-3-FI\\$Cal#@ViewBag.JumpTo](https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/State-Contracting-Manual-Volume-2-3-FI$Cal#@ViewBag.JumpTo)

YOU ARE RESPONSIBLE FOR THE FOLLOWING:

CONTRACTOR NOTIFICATION

- As Contract Manager, you are responsible for notifying the Contractor to start the work on the Contract. The Contractor cannot begin work until

verbal or written communication is received and not before the final approval or start date of the contract, whichever is later. Verbal notification must be followed by written notification.

- As Contract Manager, you are responsible for maintaining records in sufficient detail to allow anyone reviewing the documents to understand how a contract was requested, solicited, awarded and administered.

FINANCIAL SERVICES DIVISION (FSD)

As Contract Manager, you:

- Should contact FSD throughout the term of the Contract, as necessary, to ensure encumbrances have not expired, and that sufficient funds are available for a given fiscal year to pay anticipated invoices.
- Must also contact FSD to ascertain fund availability before amending a Contract, if needed.

MONITOR CONTRACT

As Contract Manager, you must monitor:

- The Contractor to ensure compliance with applicable laws and Contract provisions
 - All expenditures charged by the Contractor(s)
 - **Property Acquisitions.** Notify the appropriate personnel if any property is acquired, and ensure it is properly tagged and inventoried. Refer to State Administrative Manual (SAM) sections 8650, 8651 and 8652 available online at <http://sam.dgs.ca.gov/>.
 - Use of DVBE subcontractors and suppliers to ensure attainment of applicable contract participation goal and obtain an updated STD 843 if needed.
 - **If DVBE subcontractors are used, the Contract Manager must obtain the form STD 817 from the prime contract at the time of contract completion and submit it to the Contract Analyst listed as the Cal OES administrative representative in Exhibit A (SOW), Authorized Representative section.** This form will be documented in the contract file.
 - Contractor for use of subcontractors and suppliers
 - The quality of the Contractor's work
- NOTE:** If performance is unsatisfactory and bonds were required, notify the bonding company of any noted poor performance. If the unsatisfactory performance results in Contract termination, the bonding company must also be notified. The official termination notice is to be signed by the Cal OES Contract Officer.

- License and insurance terms (if required) and ensure that each is in effect at all times during the life of the Contract. If either the license or insurance expires during the term of the Contract, a new license or certificate must be received by Cal OES at least ten (10) days prior to the expiration date. This new insurance or license must still meet the terms of the Contract. If the license or insurance certificate is not received by the time specified, contact the Contractor to get an updated license or insurance certificate. If the license or insurance certificate is not received by the expiration date, contact the Contractor and instruct him/her to stop work until such time as the renewal license or certificate is received.
- Bond terms. (Construction services only) The payment bond is due prior to the start date of the Contract.
- The expiration date of the Contract and ensure that a new FI\$Cal Requisition is submitted with sufficient time to execute a new Contract.

INVOICES (ACCOUNTING):

As Contract Manager, you must:

- Record the date invoice is received. Begin the review and payment process immediately.
- Review and approve the invoices for services according to the terms of the Contract. (If insurance is required, check to ensure Cal OES is not paying any assessments or premiums against the policy).
- Process and send invoices to the Accounting Branch in sufficient time to avoid late payment interest penalties. Include Payment Box in approval email.
- Issue an *Invoice Dispute Notice* (STD 209), when an invoice dispute cannot be resolved. Disputed portion of invoices should not be paid.

CLOSING OUT THE CONTRACT FILE

As Contract Manager, you must:

- Approve final product/services required by the Contract
- Complete the *Contractor Evaluation form* (STD 4) and send to DGS, with a copy sent to the Cal OES Contracts Unit. This is required pursuant PCC 10367 and PCC 10369 for all Consulting Contracts of five thousand dollars (\$5,000.00) or more.
- Complete the *Post Evaluation for IT Services Contracts form* (STD 971) and send to CDT, with a copy sent to the Cal OES Contracts Unit. This is required pursuant PCC Section 12102.3 for all IT services contracts \$500K and over related to an IT Project (SAM 4819.2).

- Notify Cal OES Legal to send the Consultant(s) a Leaving Office Form 700, if the Agreement contains consulting services.

AMENDMENTS

- As Contract Manager, you cannot extend the terms of the Contract, change the scope of the work, or allow any additional costs to be incurred that would exceed the limit set in the Contract without an approved contract amendment in place.
- Amendment(s) must be requested by you, as Contract Manager, and approved by the Contracts Office and appropriate entities prior to:
 - The expiration date of the Contract
 - The expenditure of additional funds that exceed the total amount of the original Contract or
 - Authorizing any changes in the Contract's scope of work

Questions regarding this Contract should be directed to my attention via email at Miranda.wilson@caloes.ca.gov or telephone number (916) 845-8828.

Questions regarding invoices and payment procedures are to be directed to APInvoices@caloes.ca.gov.

Questions regarding funding should be directed to the Financial-ops@caloes.ca.gov or your PAU analyst.

Sincerely,

Miranda Wilson
Analyst, Contracts Unit

Attachments:

Fully Executed Agreement
Submittal of Invoices to Accounting Branch – Instructions for Contract Managers
Invoice Dispute Notification Form (STD 209)

STANDARD AGREEMENT - AMENDMENT

STD 213A (Rev. 4/2020)

☐ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED PAGES

AGREEMENT NUMBER

A211006361

AMENDMENT NUMBER

02

Purchasing Authority Number

GOES-0690

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

California Governor's Office of Emergency Services (Cal OES)

CONTRACTOR NAME

Los Angeles Fire Department

2. The term of this Agreement is:

START DATE

October 1, 2021

THROUGH END DATE

June 30, 2024

3. The maximum amount of this Agreement after this Amendment is:

\$375,000.00

Three Hundred Seventy Five Thousand Dollars and Zero cents

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

Pursuant to Exhibit A, Statement of Work (SOW); Section 3, Budgeted Amount; Cal OES hereby increases the budgeted amount by \$125,000.00.

Previous contract value: \$250,000.00

New contract value: \$375,000.00

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

Los Angeles Fire Department

CONTRACTOR BUSINESS ADDRESS

201 North Figueroa Street

CITY

Los Angeles

STATE

CA

ZIP

90012

PRINTED NAME OF PERSON SIGNING

Kristin Crowley

TITLE

Fire Chief

CONTRACTOR AUTHORIZED SIGNATURE

Kristin M. Crowley

Digitally signed by Kristin M. Crowley
Date: 2023.08.31 12:19:39 -07'00'

DATE SIGNED

8/31/2023

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

The California Governor's Office of Emergency Services

CONTRACTING AGENCY ADDRESS

3650 Schriever Avenue

CITY

Mather

STATE

CA

ZIP

95655

PRINTED NAME OF PERSON SIGNING

Heather Carlson

TITLE

Assistant Director, Administrative Services

CONTRACTING AGENCY AUTHORIZED SIGNATURE

Heather Carlson

DATE SIGNED

9/1/2023

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

APPROVED**SEP 6 2023****PD:abs****OFFICE OF LEGAL SERVICES**
DEPT. OF GENERAL SERVICES

STATE OF CALIFORNIA

AGREEMENT SUMMARY

STD 215 (Rev. 04/2020)

AGREEMENT NUMBER	AMENDMENT NUMBER
A211006361	02

☐ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

1. CONTRACTOR'S NAME Los Angeles Fire Department		2. FEDERAL I.D. NUMBER 95600735
3. AGENCY TRANSMITTING AGREEMENT California Governor's Office of Emergency Services (Cal OES)	4. DIVISION, BUREAU, OR OTHER UNIT Special Operations (Fire) & Haz Mat	5. AGENCY BILLING CODE 009135
6a. CONTRACT ANALYST NAME Miranda Wilson	6b. EMAIL Miranda.Wilson@caloes.ca.gov	6c. PHONE NUMBER (916) 845-8828
7. HAS YOUR AGENCY CONTRACTED FOR THESE SERVICES BEFORE? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If Yes, enter prior Contractor Name and Agreement Number) PRIOR CONTRACTOR NAME: Los Angeles Fire Department PRIOR AGREEMENT NUMBER: 6042-2019		

8. BRIEF DESCRIPTION OF SERVICES
Reimbursement to attend Regional Hazardous Materials Response (RHMR) training.

9. AGREEMENT OUTLINE (Include reason for Agreement: Identify specific problem, administrative requirement, program need or other circumstances making the Agreement necessary; include special or unusual terms and conditions.)

Amendment 02 adds additional funding in the amount of \$125,000.00, thus increasing the total contract amount from \$250,000.00 to \$375,000.00.

10. PAYMENT TERMS (More than one may apply)

- ☐ Monthly Flat Rate
 ☐ Quarterly
 ☐ One-Time Payment
 ☐ Progress Payment
- ☒ Itemized Invoice
 ☐ Withhold _____ %
 ☐ Advanced Payment Not To Exceed _____ or _____ %
- ☐ Reimbursement / Revenue
- ☐ Other (Explain) _____

11. PROJECTED EXPENDITURES

FUND TITLE	ITEM	FISCAL YEAR	CHAPTER	STATUTE	PROJECTED EXPENDITURES
General Fund	0690-001-0001	21/22	21	2021	\$100,000.00
General Fund	0690-001-0001	22/23	43	2022	\$150,000.00
General Fund	0690-001-0001	23/24	12	2023	\$125,000.00
General Fund	0690-001-0001				

OBJECT CODE

Account/Alt Acct. #: 5340580/5340580000

AGREEMENT TOTAL

\$375,000.00

OPTIONAL USE

FY 21/22: RS-06903505/ SL-02018; \$100,000.00

FY 22/23: RS-06903505/SL-02018; \$150,000.00

FY 23/24: RS-06903505/SL-02018; \$125,000.00

AMOUNT ENCUMBERED BY THIS DOCUMENT

\$125,000.00

PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT

\$250,000.00

I certify upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.

TOTAL AMOUNT ENCUMBERED TO DATE

\$375,000.00

ACCOUNTING OFFICER'S SIGNATURE

Michelle Lewis

ACCOUNTING OFFICER'S NAME (Print or Type)

Michelle Lewis

DATE SIGNED

9/1/2023

12. AGREEMENT

STATE OF CALIFORNIA

AGREEMENT SUMMARY

STD 215 (Rev. 04/2020)

AGREEMENT NUMBER

A211006361

AMENDMENT NUMBER

02

Original				
AGREEMENT	TERM FROM	TERM THROUGH	TOTAL COST OF THIS TRANSACTION	BID, SOLE SOURCE, EXEMPT
Original	10/01/2021	06/30/2024	\$100,000.00	EXEMPT
Amendment 1	10/01/2021	06/30/2024	\$150,000.00	EXEMPT
Amendment 2	10/01/2021	06/30/2024	\$125,000.00	EXEMPT
TOTAL			\$375,000.00	

13. BIDDING METHOD USED

- ☐ Request for Proposal (RFP) (Attach justification if secondary method is used)
 ☐ Use of Master Service Agreement
☐ Invitation for Bid (IFB)
 ☒ Exempt from Bidding (Give authority for exempt status)
 ☐ Sole Source Contract (Attach STD. 821)
☐ Other (Explain) SCM Vol. 1, Section 5.81, B

Note: Proof of advertisement in the State Contracts Register or an approved form STD. 821, Contract Advertising Exemption Request, must be attached

14. SUMMARY OF BIDS (List of bidders, bid amount and small business status) (If an amendment, sole source, or exempt, leave blank)

15. IF AWARD OF AGREEMENT IS TO OTHER THAN THE LOWER BIDDER, EXPLAIN REASON(S) (If an amendment, sole source, or exempt, leave blank)

16. WHAT IS THE BASIS FOR DETERMINING THAT THE PRICE OR RATE IS REASONABLE?

N/A, Local Government reimbursement.

17a. JUSTIFICATION FOR CONTRACTING OUT (Check one)

- ☐ Contracting out is based on cost savings per Government Code 19130(a). The State Personnel Board has been so notified.
 ☐ Contracting out is justified based on Government Code 19130(b). When this box is checked, a completed JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60 must be attached to this document.
☒ Not Applicable (Interagency / Public Works / Other Local Govt)

17b. EMPLOYEE BARGAINING UNIT NOTIFICATION

- ☒ By checking this box, I hereby certify compliance with Government Code section 19132(b)(1).

AUTHORIZED SIGNATURE

Miranda Wilson

SIGNER'S NAME (Print or Type)

Miranda Wilson

DATE SIGNED

8/31/2023

18. FOR AGREEMENTS IN EXCESS OF \$5,000: Has the letting of the agreement been reported to the Department of Fair Employment and Housing?

☐ No ☐ Yes ☒ N/A

19. HAVE CONFLICT OF INTEREST ISSUES BEEN IDENTIFIED AND RESOLVED AS REQUIRED BY THE STATE CONTRACT MANUAL SECTION 7.10?

☐ No ☐ Yes ☒ N/A

20. FOR CONSULTING AGREEMENTS: Did you review any contractor evaluations on file with the DGS Legal Office?

☐ None on file ☐ No ☐ Yes ☒ N/A

21. IS A SIGNED COPY OF THE FOLLOWING ON FILE AT YOUR AGENCY FOR THIS CONTRACTOR?

A. Contractor Certification Clauses

B. STD 204 Vendor Data Record

☐ No ☒ Yes ☐ N/A

☐ No ☒ Yes ☐ N/A

22. REQUIRED RESOLUTIONS ARE ATTACHED

☐ No ☐ Yes ☒ N/A

23. IS THIS A SMALL BUSINESS AND/OR A DISABLED VETERAN BUSINESS CERTIFIED BY DGS?

☒ No ☐ Yes

SB/DVBE Certification Number:

24. ARE DISABLED VETERANS BUSINESS ENTERPRISE GOALS REQUIRED? (If an amendment, explain changes if any)

N/A, Local Government reimbursement.

☒ No (Explain below) ☐ Yes _____ % of Agreement

25. IS THIS AGREEMENT (WITH AMENDMENTS) FOR A PERIOD OF TIME LONGER THAN THREE YEARS?

☒ No ☐ Yes (If Yes, provide justification below)

STATE OF CALIFORNIA
AGREEMENT SUMMARY
STD 215 (Rev. 04/2020)

AGREEMENT NUMBER	AMENDMENT NUMBER
A211006361	02

I certify that all copies of the referenced Agreement will conform to the original agreement sent to the Department of General Services.

SIGNATURE	NAME/TITLE (Print or Type)	DATE SIGNED
 <small>78DA112F6170467...</small>	Miranda Wilson/Contract Analyst	8/31/2023

STATE OF CALIFORNIA

AGREEMENT SUMMARY

STD 215 (Rev. 04/2020)

AGREEMENT NUMBER

A211006361

AMENDMENT NUMBER

02**JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60**

In the space provided below, the undersigned authorized state representative documents, with specificity and detailed factual information, the reasons why the contract satisfies one or more of the conditions set forth in Government Code section 19130(b). Please specify the applicable subsection. Attach extra pages if necessary.

N/A, Local Government

The undersigned represents that, based upon his or her personal knowledge, information or belief the above justification correctly reflects the reasons why the contract satisfies Government Code section 19130(b).

SIGNATURE



PHONE NUMBER

(916) 845-8828

EMAIL

Miranda.Wilson@caloes.ca.gov

NAME/TITLE (Print or Type)

Miranda Wilson/Contract Analyst

STREET ADDRESS

10391 Peter A. McCuen Blvd

CITY

Mather

DATE SIGNED

8/31/2023

STATE

CA

ZIP

95655

SUBMITTAL OF INVOICES TO ACCOUNTING BRANCH

INSTRUCTIONS FOR CONTRACT MANAGERS

You must review the records and invoices and approve all valid charges for contract services. Invoices must be assembled and transmitted by you to the Cal OES Accounting Branch for payment.

INVOICE ARRANGEMENT

1. The State Controller's Office

(Invoice will be sent to the State Controller's Office by the Cal OES Accounting Branch)

- A. Receiving Record
- B. Invoice. Each submitted invoice must have the date of receipt on the invoice.

2. Cal OES Accounting Branch

(Invoice will be retained by the Accounting Branch)

- A. Receiving Record
- B. Invoice

3. Contract Manager's File

(Invoice shall be retained in the Contract Manager's Contract File)

- A. Receiving Record
- B. Invoice
- C. All invoices along with other records such as payroll records, updates of work progress and your own file notes on Contractor performance
- D. The STD 213 and STD 215

WHERE TO SEND CONTRACT DOCUMENTS

You must ensure that invoices are emailed to: APInvoices@caloes.ca.gov

VENDOR ADDRESS <div>(Mail in a window envelope.)</div> <div></div>	DATE OF DISPUTE
	INVOICE NUMBER
	AMOUNT
	INVOICE DATE
	REFERENCE NUMBER(S)

_____ (fold) _____

The invoice referenced above is disputed for the following reasons:

<input type="checkbox"/> Goods/Services not received	<input type="checkbox"/> Duplicate billing
<input type="checkbox"/> Noncompliance with contract	<input type="checkbox"/> Invoice belongs to another department
<input type="checkbox"/> Incorrect billing/amount due	<input type="checkbox"/> Damaged goods
<input type="checkbox"/> Partial shipment received	<input type="checkbox"/> Invoice not properly executed
<input type="checkbox"/> Other _____	

THIS NOTIFICATION IS A FOLLOWUP TO A PHONE CONVERSATION WITH THE PERSON FROM YOUR COMPANY WHOSE NAME APPEARS BELOW

NAME	DATE OF CONVERSATION
------	----------------------

IF YOU HAVE ANY QUESTIONS REGARDING THIS DISPUTE, CONTACT:

NAME	
E-MAIL	TELEPHONE NUMBER

_____ (fold) _____

FOR STATE AGENCY USE ONLY

DATE DISPUTE RESOLVED	INITIAL
RESOLUTION	

RETURN A COPY OF THIS NOTIFICATION WITH THE CORRECTED INVOICE (IF APPLICABLE)

(For your convenience, the return address has been positioned for use in a window envelope.)

RETURN TO:

DISTRIBUTION:
Vendor — original and one copy
Purchasing — one copy
Accounting — one copy
File — one copy



M E M O R A N D U M

Date: 09/28/2023

To: Chuck Tobias, Cal OES Contract Manager

From: **Barbara Filipowski**
FINANCE & ADMINISTRATION DIRECTORATE
Purchasing Division – Contracts Unit

Subject: **CONTRACT MANAGER INSTRUCTIONS**
Contract #A211006361-A3

As the Contract Manager on record for Contract #A211006361-A3, you are the authorized representative of Cal OES responsible for ensuring that the Contractor's performance and financial management meets all of the legal requirements of the Contract. The following documents are attached to assist you in the management of this Contract:

- A fully executed copy of the Contract (STD 213 and STD 215)
- Invoice Dispute Notification form (STD 209)

Additional information regarding the roles and responsibilities of a Contract Manager can be found by visiting the following link to the *State Contracting Manual, Volume 1, Chapter 9 – Contract Management*

<https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/State-Contracting-Manual-Volume-2-3-FISCAL#@ViewBag.JumpTo>

YOU ARE RESPONSIBLE FOR THE FOLLOWING:

CONTRACTOR NOTIFICATION

- As Contract Manager, you are responsible for notifying the Contractor to start the work on the Contract. The Contractor cannot begin work until

verbal or written communication is received and not before the final approval or start date of the contract, whichever is later. Verbal notification must be followed by written notification.

- As Contract Manager, you are responsible for maintaining records in sufficient detail to allow anyone reviewing the documents to understand how a contract was requested, solicited, awarded and administered.

FINANCIAL SERVICES DIVISION (FSD)

As Contract Manager, you:

- Should contact FSD throughout the term of the Contract, as necessary, to ensure encumbrances have not expired, and that sufficient funds are available for a given fiscal year to pay anticipated invoices.
- Must also contact FSD to ascertain fund availability before amending a Contract, if needed.

MONITOR CONTRACT

As Contract Manager, you must monitor:

- The Contractor to ensure compliance with applicable laws and Contract provisions
- All expenditures charged by the Contractor(s)
- **Property Acquisitions.** Notify the appropriate personnel if any property is acquired, and ensure it is properly tagged and inventoried. Refer to State Administrative Manual (SAM) sections 8650, 8651 and 8652 available online at <http://sam.dgs.ca.gov/>.
- Use of DVBE subcontractors and suppliers to ensure attainment of applicable contract participation goal and obtain an updated STD 843 if needed.
- **If DVBE subcontractors are used, the Contract Manager must obtain the form STD 817 from the prime contract at the time of contract completion and submit it to the Contract Analyst listed as the Cal OES administrative representative in Exhibit A (SOW), Authorized Representative section.** This form will be documented in the contract file.
- Contractor for use of subcontractors and suppliers
- The quality of the Contractor's work

NOTE: If performance is unsatisfactory and bonds were required, notify the bonding company of any noted poor performance. If the unsatisfactory performance results in Contract termination, the bonding company must also be notified. The official termination notice is to be signed by the Cal OES Contract Officer.

- License and insurance terms (if required) and ensure that each is in effect at all times during the life of the Contract. If either the license or insurance expires during the term of the Contract, a new license or certificate must be received by Cal OES at least ten (10) days prior to the expiration date. This new insurance or license must still meet the terms of the Contract. If the license or insurance certificate is not received by the time specified, contact the Contractor to get an updated license or insurance certificate. If the license or insurance certificate is not received by the expiration date, contact the Contractor and instruct him/her to stop work until such time as the renewal license or certificate is received.
- Bond terms. (Construction services only) The payment bond is due prior to the start date of the Contract.
- The expiration date of the Contract and ensure that a new FI\$Cal Requisition is submitted with sufficient time to execute a new Contract.

INVOICES (ACCOUNTING):

As Contract Manager, you must:

- Record the date invoice is received. Begin the review and payment process immediately.
- Review and approve the invoices for services according to the terms of the Contract. (If insurance is required, check to ensure Cal OES is not paying any assessments or premiums against the policy).
- Process and send invoices to the Accounting Branch in sufficient time to avoid late payment interest penalties. Include Payment Box in approval email.
- Issue an *Invoice Dispute Notice* (STD 209), when an invoice dispute cannot be resolved. Disputed portion of invoices should not be paid.

CLOSING OUT THE CONTRACT FILE

As Contract Manager, you must:

- Approve final product/services required by the Contract
- Complete the *Contractor Evaluation form* (STD 4) and send to DGS, with a copy sent to the Cal OES Contracts Unit. This is required pursuant PCC 10367 and PCC 10369 for all Consulting Contracts of five thousand dollars (\$5,000.00) or more.
- Complete the *Post Evaluation for IT Services Contracts form* (STD 971) and send to CDT, with a copy sent to the Cal OES Contracts Unit. This is required pursuant PCC Section 12102.3 for all IT services contracts \$500K and over related to an IT Project (SAM 4819.2).

- Notify Cal OES Legal to send the Consultant(s) a Leaving Office Form 700, if the Agreement contains consulting services.

AMENDMENTS

- As Contract Manager, you cannot extend the terms of the Contract, change the scope of the work, or allow any additional costs to be incurred that would exceed the limit set in the Contract without an approved contract amendment in place.
- Amendment(s) must be requested by you, as Contract Manager, and approved by the Contracts Office and appropriate entities prior to:
 - The expiration date of the Contract
 - The expenditure of additional funds that exceed the total amount of the original Contract or
 - Authorizing any changes in the Contract's scope of work

Questions regarding this Contract should be directed to my attention via email at Barbara.Filipowski@caloes.ca.gov or telephone number (916) 364-4567.

Questions regarding invoices and payment procedures are to be directed to APIInvoices@caloes.ca.gov.

Questions regarding funding should be directed to the Financial-ops@caloes.ca.gov or your PAU analyst.

Sincerely,

Barbara Filipowski
Analyst, Contracts Unit

Attachments:

Fully Executed Agreement

Submittal of Invoices to Accounting Branch – Instructions for Contract Managers

Invoice Dispute Notification Form (STD 209)

STANDARD AGREEMENT - AMENDMENT

STD 213A (Rev. 4/2020)

☐ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED PAGES

AGREEMENT NUMBER

A211006361

AMENDMENT NUMBER

03

Purchasing Authority Number

GOES-0690

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

California Governor's Office of Emergency Services (Cal OES)

CONTRACTOR NAME

Los Angeles Fire Department

2. The term of this Agreement is:

START DATE

October 1, 2021, or upon approval, whichever is later

THROUGH END DATE

June 30, 2024

3. The maximum amount of this Agreement after this Amendment is:

\$475,000.00

Four Hundred Seventy-Five Thousand Dollars and Zero cents

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

Pursuant to Exhibit A, Statement of Work (SOW); Section 3, Budgeted Amount; Cal OES hereby increases the budgeted amount by \$100,000.00.

Previous contract value: \$375,000.00

New contract value: \$475,000.00

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

Los Angeles Fire Department

CONTRACTOR BUSINESS ADDRESS

201 North Figueroa Street

CITY

Los Angeles

STATE

CA

ZIP

90012

PRINTED NAME OF PERSON SIGNING

Kristin Crowley

TITLE

Fire Chief

CONTRACTOR AUTHORIZED SIGNATURE

Kristin Crowley

DATE SIGNED

9/26/2023

0AE33CE13E14400

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

The California Governor's Office of Emergency Services (Cal OES)

CONTRACTING AGENCY ADDRESS

10391 Peter A McCuen Blvd

CITY

Mather

STATE

CA

ZIP

95655

PRINTED NAME OF PERSON SIGNING

Heather Carlson

TITLE

Assistant Director, Administrative Services

CONTRACTING AGENCY AUTHORIZED SIGNATURE

Heather Carlson

DATE SIGNED

9/26/2023

F76AD62C0BED440...

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

APPROVED

SEP 27 2023

PD:vk

OFFICE OF LEGAL SERVICES
DEPT. OF GENERAL SERVICES

STATE OF CALIFORNIA

AGREEMENT SUMMARY

STD 215 (Rev. 04/2020)

AGREEMENT NUMBER	AMENDMENT NUMBER
A211006361	03

☐ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

1. CONTRACTOR'S NAME Los Angeles Fire Department	2. FEDERAL I.D. NUMBER 95600735
3. AGENCY TRANSMITTING AGREEMENT California Governor's Office of Emergency Services (Cal OES)	4. DIVISION, BUREAU, OR OTHER UNIT Special Operations (Fire) & Haz Mat
5. AGENCY BILLING CODE 009135	6a. CONTRACT ANALYST NAME Barbara Filipowski
6b. EMAIL Barbara.Filipowski@caloes.ca.gov	6c. PHONE NUMBER (916) 364-4567

7. HAS YOUR AGENCY CONTRACTED FOR THESE SERVICES BEFORE?

☐ No ☒ Yes (If Yes, enter prior Contractor Name and Agreement Number)PRIOR CONTRACTOR NAME
Los Angeles Fire DepartmentPRIOR AGREEMENT NUMBER
6042-2019

8. BRIEF DESCRIPTION OF SERVICES

Reimbursement to attend Regional Hazardous Materials Response (RHMR) training.

9. AGREEMENT OUTLINE (Include reason for Agreement: Identify specific problem, administrative requirement, program need or other circumstances making the Agreement necessary; include special or unusual terms and conditions.)

Amendment 03 adds additional funding in the amount of \$100,000.00, thus increasing the total contract amount from \$375,000.00 to \$475,000.00.

10. PAYMENT TERMS (More than one may apply)

☐ Monthly Flat Rate
 ☐ Quarterly
 ☐ One-Time Payment
 ☐ Progress Payment

☒ Itemized Invoice
 ☐ Withhold _____ %
 ☐ Advanced Payment Not To Exceed _____ %

☐ Reimbursement / Revenue _____ or _____ %

☐ Other (Explain) _____

11. PROJECTED EXPENDITURES

FUND TITLE	ITEM	FISCAL YEAR	CHAPTER	STATUTE	PROJECTED EXPENDITURES
+ General Fund	0690-001-0001	21/22	21	2021	\$100,000.00
- General Fund	0690-001-0001	22/23	43	2022	\$150,000.00
+ General Fund	0690-001-0001	23/24	12	2023	\$225,000.00
-					
+ -					

OBJECT CODE

Account/Alt Acct. #: 5340580/5340580000

AGREEMENT TOTAL **\$475,000.00**

OPTIONAL USE

FY 21/22: RS-06903505/ SL-02018; \$100,000.00

FY 22/23: RS-06903505/SL-02018; \$150,000.00

FY 23/24: RS-06903505/SL-02018; \$225,000.00

AMOUNT ENCUMBERED BY THIS DOCUMENT

\$100,000.00

PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT

\$375,000.00

I certify upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.

TOTAL AMOUNT ENCUMBERED TO DATE

\$475,000.00

PERSONAL ASSISTANT'S SIGNATURE

Michelle Lewis

ACCOUNTING OFFICER'S NAME (Print or Type)

Michelle Lewis

DATE SIGNED

9/26/2023

STATE OF CALIFORNIA

AGREEMENT SUMMARY

STD 215 (Rev. 04/2020)

AGREEMENT NUMBER

A211006361

AMENDMENT NUMBER

03**12. AGREEMENT**

AGREEMENT	TERM FROM	TERM THROUGH	TOTAL COST OF THIS TRANSACTION	BID, SOLE SOURCE, EXEMPT
Original	10/01/2021	06/30/2024	\$100,000.00	EXEMPT
<input checked="" type="checkbox"/> Amendment 1	10/01/2021	06/30/2024	\$150,000.00	EXEMPT
<input checked="" type="checkbox"/> Amendment 2	10/01/2021	06/30/2024	\$125,000.00	EXEMPT
<input checked="" type="checkbox"/> Amendment 3	10/01/2021	06/30/2024	\$100,000.00	EXEMPT
<input checked="" type="checkbox"/> Amendment 4				
TOTAL			\$475,000.00	

13. BIDDING METHOD USED

- ☐ Request for Proposal (RFP) (Attach justification if secondary method is used)
 ☐ Use of Master Service Agreement
☐ Invitation for Bid (IFB)
 ☒ Exempt from Bidding (Give authority for exempt status)
 ☐ Sole Source Contract (Attach STD. 821)
☐ Other (Explain) SCM Vol. 1, Section 5.81, B

Note: Proof of advertisement in the State Contracts Register or an approved form STD. 821, Contract Advertising Exemption Request, must be attached

14. SUMMARY OF BIDS (List of bidders, bid amount and small business status) (If an amendment, sole source, or exempt, leave blank)**15. IF AWARD OF AGREEMENT IS TO OTHER THAN THE LOWER BIDDER, EXPLAIN REASON(S) (If an amendment, sole source, or exempt, leave blank)****16. WHAT IS THE BASIS FOR DETERMINING THAT THE PRICE OR RATE IS REASONABLE?**

N/A, Local Government reimbursement.

17a. JUSTIFICATION FOR CONTRACTING OUT (Check one)

- ☐ Contracting out is based on cost savings per Government Code 19130(a). The State Personnel Board has been so notified.
 ☐ Contracting out is justified based on Government Code 19130(b). When this box is checked, a completed JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60 must be attached to this document.
☒ Not Applicable (Interagency / Public Works / Other Local Govt)

17b. EMPLOYEE BARGAINING UNIT NOTIFICATION

- ☒ By checking this box, I hereby certify compliance with Government Code section 19132(b)(1).

AUTHORIZED SIGNATUREBarbara Filipowski

0B31FAE5A51847E

SIGNER'S NAME (Print or Type)

Barbara Filipowski

DATE SIGNED

9/26/2023

18. FOR AGREEMENTS IN EXCESS OF \$5,000: Has the letting of the agreement been reported to the Department of Fair Employment and Housing?☐ No ☐ Yes ☒ N/A**19. HAVE CONFLICT OF INTEREST ISSUES BEEN IDENTIFIED AND RESOLVED AS REQUIRED BY THE STATE CONTRACT MANUAL SECTION 7.10?**☐ No ☐ Yes ☒ N/A**20. FOR CONSULTING AGREEMENTS: Did you review any contractor evaluations on file with the DGS Legal Office?**☐ None on file ☐ No ☐ Yes ☒ N/A**21. IS A SIGNED COPY OF THE FOLLOWING ON FILE AT YOUR AGENCY FOR THIS CONTRACTOR?**

A. Contractor Certification Clauses

B. STD 204 Vendor Data Record

☐ No ☒ Yes ☐ N/A☐ No ☒ Yes ☐ N/A**22. REQUIRED RESOLUTIONS ARE ATTACHED**☐ No ☐ Yes ☒ N/A**23. IS THIS A SMALL BUSINESS AND/OR A DISABLED VETERAN BUSINESS CERTIFIED BY DGS?**☒ No ☐ Yes

SB/DVBE Certification Number:

24. ARE DISABLED VETERANS BUSINESS ENTERPRISE GOALS REQUIRED? (If an amendment, explain changes if any)

N/A, Local Government reimbursement.

☒ No (Explain below) ☐ Yes _____ % of Agreement**25. IS THIS AGREEMENT (WITH AMENDMENTS) FOR A PERIOD OF TIME LONGER THAN THREE YEARS?**☒ No ☐ Yes (If Yes, provide justification below)

STATE OF CALIFORNIA

AGREEMENT SUMMARY

STD 215 (Rev. 04/2020)

AGREEMENT NUMBER

A211006361

AMENDMENT NUMBER

03

I certify that all copies of the referenced Agreement will conform to the original agreement sent to the Department of General Services.

SIGNED BY

SIGNATURE

Barbara Filipowski

—0B31EAE5A51847E...

NAME/TITLE (Print or Type)

Barbara Filipowski/Contract Analyst

DATE SIGNED

9/26/2023

STATE OF CALIFORNIA

AGREEMENT SUMMARY

STD 215 (Rev. 04/2020)

AGREEMENT NUMBER

A211006361

AMENDMENT NUMBER

03**JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60**

In the space provided below, the undersigned authorized state representative documents, with specificity and detailed factual information, the reasons why the contract satisfies one or more of the conditions set forth in Government Code section 19130(b). Please specify the applicable subsection. Attach extra pages if necessary.

N/A, Local Government

The undersigned represents that, based upon his or her personal knowledge, information or belief the above justification correctly reflects the reasons why the contract satisfies Government Code section 19130(b).

SIGNATURE:



0B31FAF5A51847E

NAME/TITLE(Print or Type)

Barbara Filipowski/Contract Analyst

DATE SIGNED

9/26/2023

PHONE NUMBER

(916) 364-4567

STREET ADDRESS

10391 Peter A. McCuen Blvd

EMAIL

Barbara.Filipowski@caloes.ca.gov

CITY

Mather

STATE

CA

ZIP

95655

SUBMITTAL OF INVOICES TO ACCOUNTING BRANCH

INSTRUCTIONS FOR CONTRACT MANAGERS

You must review the records and invoices and approve all valid charges for contract services. Invoices must be assembled and transmitted by you to the Cal OES Accounting Branch for payment.

INVOICE ARRANGEMENT

1. The State Controller's Office

(Invoice will be sent to the State Controller's Office by the Cal OES Accounting Branch)

- A. Receiving Record
- B. Invoice. **Each submitted invoice must have the date of receipt on the invoice.**

2. Cal OES Accounting Branch

(Invoice will be retained by the Accounting Branch)

- A. Receiving Record
- B. Invoice

3. Contract Manager's File

(Invoice shall be retained in the Contract Manager's Contract File)

- A. Receiving Record
- B. Invoice
- C. All invoices along with other records such as payroll records, updates of work progress and your own file notes on Contractor performance
- D. The STD 213 and STD 215

WHERE TO SEND CONTRACT DOCUMENTS

You must ensure that invoices are emailed to: APInvoices@caloes.ca.gov

INVOICE DISPUTE NOTIFICATION

STD. 209 (REV. 10/2019)

(Mail in a window envelope.)

**VENDOR
ADDRESS**

DATE OF DISPUTE

INVOICE NUMBER

AMOUNT

INVOICE DATE

REFERENCE NUMBER(S)

(fold)

The invoice referenced above is disputed for the following reasons:☐ Goods/Services not received☐ Duplicate billing☐ Noncompliance with contract☐ Invoice belongs to another department☐ Incorrect billing/amount due☐ Damaged goods☐ Partial shipment received☐ Invoice not properly executed☐ Other _____**THIS NOTIFICATION IS A FOLLOWUP TO A PHONE CONVERSATION WITH THE PERSON FROM YOUR COMPANY WHOSE NAME APPEARS BELOW**

NAME

DATE OF CONVERSATION

IF YOU HAVE ANY QUESTIONS REGARDING THIS DISPUTE, CONTACT:

NAME

E-MAIL

TELEPHONE NUMBER

(fold)

FOR STATE AGENCY USE ONLY

DATE DISPUTE RESOLVED

INITIAL

RESOLUTION

**RETURN A COPY OF THIS NOTIFICATION WITH THE
CORRECTED INVOICE (IF APPLICABLE)**(For your convenience, the return address has been
positioned for use in a window envelope.)**RETURN
TO:****DISTRIBUTION:**Vendor — original and one copy
Purchasing — one copy
Accounting — one copy
File — one copy