

Equipment Hiring and Utilization Guides Information Index

Hiring Guides - Personnel	.1
Employment Procedure	1.1
Supervision and Direction	1.2
Hiring Guides – Ground Equipment	.2
Hiring System Description and Definitions	2.1
Definitions: Equipment	2.1.1
Definitions: Time Frames	2.1.2
Sign-Up and Lists - General	2.2
Sign-Up	2.2.1
Contractor Contact Telephone Number	2.2.2
Hiring Goals	2.2.3
Single-Unit Listing For Bulldozers And Firefighting Water Tenders	2.2.4
Late Sign-Up	2.2.5
Contractor File	2.2.6
Lists - General	2.3
Unit Lists	2.3.1
Statewide Lists	2.3.2
List Utilization	2.4
Lists Established Randomly	2.4.1
List Administration and Maintenance	2.4.2
Request and Dispatch Procedures	2.6
Departmental Telephone Contact Number	2.6.1
Request Numbers	2.6.2
Hiring of “Immediate Need” Resources: “Closest Resource” Concept	2.6.3
Hiring of “Planned Need” Resources: “Just In Time” Concept	2.6.4
Rotational Dispatch Of Resources	2.6.5
Contractor Contact	2.6.6
Permits and Driving Regulations	2.6.7
Emergency Pickup/Hires	2.7
Rental At Scene	2.7.1
No Hiring Unless Requested	2.7.2
Prompt Release Of Sub-Standard Or Un-Requested Equipment	2.7.3
Contractor Performance	2.8
General	2.8.1
Response And Arrival At Scene	2.8.2
Ability Of Personnel To Perform Upon Arrival	2.8.3
Equipment Location	2.8.4
Personnel Qualifications	2.8.5
Documentation Of Hired Contractor Work Hours (Shift Tickets)	2.8.6

Performance Evaluations	2.8.7
Immediate Action To Resolve Problems	2.8.8
Non-Compliance And Sanctions	2.8.9
Training Requirements	2.9
Annual Training For Fire Ready and Support Groups	2.9.1
Training Requirements For Private Fire Engine Company Personnel	2.9.2
Specific Hiring Guides – Ground Equipment	.3
Response Requirements For Fire Ready Equipment	3.1
Response Requirement For Support Equipment	3.2
Response And Staffing Requirements For Fire Engines	3.3
Equipment Requirements	.4
Identification Number	4.1
Water Tender And Fire Engine Safety Inspection	4.2
Bulldozer Equipment Requirements	4.3
Fire Ready Bulldozer Group	4.3.1
Support Bulldozer Group	4.3.2
Water Tender Equipment Requirements	4.4
Support Water Tender Group	4.4.1
Fire Ready Water Tender Group	4.4.2
Fire Engine Equipment Requirements	4.5
Engine Company Personal Protective Equipment	4.5.1
Coordination And Supervision	.5
Hired Equipment Coordinator	5.1
Technical Specialist, Hired Equipment	5.2
Direct Supervision	5.3
Radio Frequency Use Agreement	.6
Rental Rates	.7
Aircraft	.10

A. UTILIZATION GUIDELINES FOR HIRED EQUIPMENT

Because wildland firefighting is complex and inherently dangerous, the primary operational concern of CDF is to provide the safest possible work environment for hired equipment operators. The department has adopted policies that define our commitment to provide adequate supervision and accountability. CDF recognizes that it is impractical for hired equipment contractors to provide comprehensive wildland firefighting training to their employees that would bring them to the level that CDF requires its permanent employees to reach and maintain. Commensurate with the safety training CDF provides to hired equipment contractors and operators, the following operating procedures apply while contractors are employed in firefighting operations.

B. WATER TENDERS

Privately owned water tenders under agreement with CDF shall not be engaged in direct fire suppression efforts on any active fire line (line where the fire could continue to spread, flare-up, or spot over the line). Water Tenders assigned to support firefighting activities shall be positioned in areas that provide an immediate safe exit route. Safe placement of these vehicles shall be the responsibility of the fire line supervisor under whose supervision the water tender was placed. Water tender operators must insure that their radio is operating properly in order to maintain communications with their fire line supervisor.

C. BULLDOZERS

Privately owned bulldozers under agreement to CDF shall have a fully trained and qualified fire line supervisor available in the immediate area who is assigned to direct the private bulldozer operator at all times during any suppression activities. These operators **will not work** on the fire line without such supervision.

HIRING GUIDES - PERSONNEL**7761.1****(No. 21 March 1999)**

The following applies to employment for fire suppression on a temporary or emergency basis:

- No one under 18 years of age shall be hired. (See Labor Code, §285, et seq.) See also [Section 3836](#), Incident Fiscal Management Handbook.
- Agricultural workers should not be hired during harvesting season except in extreme emergency.
- No one convicted of arson shall knowingly be hired.
- No person should be hired to protect their own property or property bearing their interests.
- Volunteers requested by or receiving specific instructions from CDF officials may be hired.

- Volunteers must be properly clothed, physically qualified, properly trained and experienced.

EMPLOYMENT PROCEDURE

7761.1.1

(No. 21 March 1999)

A person who is hired as paid pickup labor should sign an FC-42 at the time of employment, or as soon after as is reasonable. Refer to the current Emergency Worker rates published annually by temporary directive. See [Section 3836](#) of the Incident Fiscal Management Handbook.

SUPERVISION AND DIRECTION

7761.1.2

(No. 23 October 2000)

- Paid pickup laborers hired by CDF must be supervised commensurate with their position and qualifications the same as regular CDF employees.
- In order to operate CDF equipment, pickup laborers must possess the same type license as required for regular CDF employees. Normally, they should be certified by the local unit chief as being qualified to operate the equipment.
- In case of injury, the same reports and treatment are required as for regular CDF employees. (Refer to [Incident Fiscal Management Handbook 3800](#) and refer to instructions on SCIF 3301.)

HIRING GUIDES - GROUND EQUIPMENT

7761.2

(No. 34 March 2004)

1. Equipment may be rented from any owner (except one protecting his own property or interests) who is willing to rent. There is no practical provision for forcing a contractor to rent equipment for emergency use.
2. **CDF does not hire or rent equipment from equipment brokers.** "Equipment broker" or "equipment agent" means any individual or entity that does not have title, possession, control and risk of loss of materials, supplies, services, or equipment provided to CDF. (Military and Veterans Code sec. 999.2) CDF will only enter into Emergency Equipment Rental Agreements (EERAs) with individuals or entities that have legal title to the equipment provided to CDF. Such legal title must be evidenced by bill of sale or other legally enforceable documents. Bill of sale, purchase agreement, or receipt for equipment and/or vehicles must include sales tax or the contractor must provide documentation to confirm compliance with Sales or Use Taxes to the California State Board of Equalization. Entities [partnerships, corporations and limited liability companies (LLCs)] must provide proof of purchase by the business entity or transfer of the asset(s) to its Balance Sheet.

3. Lease vs. Sale: When a contract designated as a lease binds the lessee for a fixed term and the lessee is to obtain title at the end of the term upon completion of the required payments (or lessee has the option to purchase the property for a nominal amount that does not exceed \$100 or 1% of the total contact, whichever is the lesser amount) the contract will be regarded as a sale under a security agreement from its inception and not a lease. All other lease-purchase agreements granting the lessee an option to purchase the equipment or vehicle will not be considered a sale until the option to purchase is exercised and title to the leased property is transferred. Leased vehicles must be registered with the California Department of Motor Vehicles per Vehicle Code Section 4453.5. (Refer to www.dmv.ca.gov to view Vehicle Code.)
4. Certificate of Title for Vehicles: The Registration Card must contain the business name of the registered owner and of the legal owner/lien holder (person, bank, credit union, etc., that financed the vehicle), if any. The only exception is that a sole proprietor may register his/her vehicles in his/her own name rather than the business name.
5. A Disabled Veteran Business Enterprise (DVBE) that rents equipment to the CDF will be deemed to be an equipment broker unless one or more disabled veterans has at least 51-percent ownership of the quantity and value of the material, supplies, services, and of each piece of equipment provided to CDF. All DVBE contractors are required to complete a DVBE Declaration that is provided with the "Information and Questionnaire for Vendors Seeking EERAs with CDF" (Military and Veterans Code sec. 999(f)(2))
6. CDF does not hire or rent equipment from equipment brokers because CDF wants to provide all hired equipment businesses with an equal opportunity to work for CDF in performing emergency fire suppression work. Under CDF's rotational hiring policy, if a contractor hires out their equipment to CDF under the terms of an Emergency Equipment Rental Agreement (EERA), but also makes their equipment available through an equipment broker, that contractor would receive more than one opportunity per fire to have their equipment hired. This gives that contractor an unfair advantage over other equally qualified contractors.
7. Public entities such as cities, counties, and state agencies may be willing to make their equipment available to CDF in emergencies. See [Section 7762](#) for detailed information.

8. Hiring privately-owned equipment to perform work for the CDF in emergencies is permitted under Public Contract Code Sections 10302 and 10340 authorizing exception from contracting. Rental of "non-state" equipment for fire control use will be reported to the Department of General Services after its use. The reporting process will be handled directly through the Director's Mobile Equipment section in conjunction with the Departmental Accounting Office and will not require field input.
9. The problems inherent in hiring motorized equipment on a large fire are many and varied, and will usually require the full-time attention of competent individuals. It is, therefore, quite important that the position of Technical Specialist - Hired Equipment be filled whenever a large amount of equipment is to be hired.
10. **Forms:** CDF has adopted the use of several Federal forms in its hired equipment process. Specifically, CDF will use:
 - OF-296 Vehicle/Heavy Equipment Inspection Checklist
 - OF-297 Emergency Equipment Shift Ticket
 - OF-304 Emergency Equipment Fuel and Oil Issue
11. These forms may be ordered from the "NWCG National Fire Equipment System Catalog, Part 2: Publications," PMS 449-2/NFES 3362. The catalog contains order forms and instructions, and payment can be made via CALCARD or SPO. It is suggested that forms used on fire incidents be immediately replaced and charged to the appropriate 009 PCA.
12. The R5-5100-2T "Vehicle/Heavy Equipment Safety Inspection Checklist," which is an optional replacement for the OF-296, may be ordered from the CDF Headquarters Service Center.
13. In addition to these federal forms, CDF uses the following state forms to complete the equipment hiring process:
 - [CDF-294](#), a 3-page form that includes CDF's "General Clauses", "General Provisions," and "Signature Page"
 - [CDF-20](#) "Contractor Certification Clauses for Services up to \$4,999.99"
 - [FC-100R](#) "Radio Frequency Use Agreement"
 - [Std. 204](#) "Vendor Data Record," for new contractors
 - [CALSTARS 14](#) "Vendor Edit Table Maintenance" form

HIRING SYSTEM DESCRIPTION AND DEFINITIONS

7761.2.1

(No. 33 February 2004)

The intent of the Department is to maximize the utilization of Certified Small Business and Disabled Veteran resources as defined in this policy to meet the goals as stated herein.

The hiring system will utilize rotational hiring lists that include all contractors with whom CDF has agreements for bulldozer or water tender services. List information will also include whether the equipment meets CDF "Fire Ready" or "Support" standards (see below). Utilization of equipment from these groups will also be based on incident need - whether the need is "Immediate" (ASAP) or "Planned" (needed at a future time). All equipment must be hired in accordance with the Rates Procedures Handbook (3900), [Section 3934](#) (California Interagency Emergency Hired Equipment Rates).

This system of hiring will be used by CDF personnel any time CDF orders resources for itself or for cooperating agencies. Other agencies ordering resources on behalf of CDF will use their own hired equipment business processes.

The selection of the most appropriate resource to assign to (fill) a request must be based on time frame as well as specific mission requirements and equipment capabilities. It is the responsibility of the incident commander (IC) to determine the appropriate resource and the time it is needed at the incident and to communicate that information to the Incident Ordering Point.

DEFINITIONS: EQUIPMENT

7761.2.1.1

(No. 33 February 2004)

Fire Ready refers to equipment that meets minimum response time (within one hour of notification) and equipment requirements detailed in Sections 7761.4.3.1 and 4.4.1 of this policy.

Support refers to equipment that is unable to meet the requirements for the Fire Ready Group, but meets all of the requirements detailed in Sections 7761.3.2, 4.3.2, and/or 4.4.2 of this policy.

Small Business and Disabled Veteran equipment consists of Certified Small Business and Disabled Veteran Business Enterprise (CSB/DVBE) contractors on the Unit Fire Ready and Support Equipment lists. A contractor's designation as either "fire ready" or "support" has nothing to do with when the contractor was hired for a particular incident. The designation is based solely on which set of criteria a contractor is able to meet at the time the contractor signs the Emergency Equipment Rental Agreement.

Fire Engine, for purposes of this policy, shall be as defined in the "Resource Typing and Minimum Standards" of the FIRESCOPE ICS Field Operations Guide.

Other Specialized Equipment refers to equipment types not otherwise referenced in this policy, and not subject to the equipment requirements for bulldozers, water tenders, or privately-owned fire engines.

DEFINITIONS: TIME FRAMES

7761.2.1.2

(No. 33 February 2004)

Immediate Need is defined as those times when, due to the threat to life and/or property, there is a need for a resource(s) to be available without delay. The minimal acceptable response criteria are detailed in Section 7761.2.6.3.

Planned Need is defined as the period beginning at 0600 hours or 1800 hours, whichever is sooner, after 24 hours have passed since the time of the initial dispatch. This allows a decision window of 12 to 24 hours for determining whether or not there is sufficient lead time for utilization of Small Business and Disabled Veteran resources, and allows for a minimum 12 hour response time by Small Business and Disabled Veteran vendors. The maximum allowable response time for each resource will be specified by CDF. Response time requirements of less than 12 hours are considered "Immediate Need."

Examples: If the initial dispatch is at 1800 hrs. on Sunday, the Planned Need period starts at 1800 hrs. on Monday. If the initial dispatch is at 2000 hrs. on Sunday, then the Planned Need period begins at 0600 hours of Tuesday.

NOTE: For Extended Attack and Major fire strategy situations, Incident Commanders are reminded to plan for future resource requirements and to place requests for resources to be used in future assignments soon enough to allow for timely response by Planned Need resources. For further information on the Planned Need concept, see Section 7761.2.6.4.

SIGN-UP AND LISTS -- GENERAL

7761.2.2

(No. 21 March 1999)

SIGN-UP

7761.2.2.1

(No. 33 February 2004)

Each unit is responsible for recruiting contractors and for completing Emergency Equipment Rental Agreements in order to meet the time frames and all other requirements set forth in this and other departmental policies and procedures governing hired equipment. See [Hired Equipment Signup Checklist \(FC-290\)](#) to assist contractors and Hired Equipment Coordinators in this process.

Each piece of equipment can be under the control of only **ONE** contractor and can only be covered by **ONE** Emergency Equipment Rental Agreement (EERA). However, that agreement is good for hiring in all CDF units.

CONTRACTOR CONTACT TELEPHONE NUMBER

7761.2.2.2

(No. 33 February 2004)

All contractors will provide a single contact telephone number. Only one method of contact (phone, phone pager, answering service, answering machine, etc.) at the contractor's choosing will be accepted. This will be the sole method used by the Department to contact the contractor to fill incident requests.

HIRING GOALS

7761.2.2.3

(No. 34 March 2004)

California law establishes a goal for state agencies to do at least 25% of their contract business with Certified Small Businesses (CSBs). Also, the law establishes a goal for state agencies to do at least 3% of their contract business with certified Disabled Veteran Business Enterprises (DVBEs).

To assist in meeting these goals, each unit will implement an "outreach" program to encourage participation by CSBs and DVBEs.

A. Small Business/DVBE certification: At the time of initial contact all contractors are to be provided with the following CSB and DVBE certification information:

Small businesses must be certified by the Office of Small Business and DVBE Certification (OSDC) in accordance with Title 2, California Code of Regulations, Section 1896 *et seq.*

DVBEs must be certified by OSDC in accordance with Title 2 CCR, Division 2, Chapter 3, Subchapter 10.5, Section 1896.60 *et seq.* A copy of the certification letter(s) must be provided to CDF at the time the contractor is listed in the Emergency Resource Directory or when the hiring package is prepared. Interested contractors can contact OSDC at P.O. Box 989052, West Sacramento, CA 95798-9052 (707 Third Street, 1st Floor, Room 400) or on the Internet at: <http://www.pd.dgs.ca.gov/smbus>

B. Unit Hired Equipment Coordinator Review of Contractor Questionnaire:

CDF requires that **all contractors**, (not just CSBs/DVBEs) applying for Emergency Equipment Rental Agreements (EERA) with CDF complete and return a questionnaire ([see Vendors Seeking EERA with CDF – Information and Questionnaire](#)) prior to being listed on Bulldozer and/or Water Tender Lists. The responses provided on the questionnaire assist Hired Equipment Coordinators in verifying whether or not a prospective contractor is a hired equipment broker, and whether or not a CSB and/or DVBE contractor is operating their business in compliance with legal requirements and providing a “commercially useful function.”

CDF will only enter into EERAs with individuals or entities that have title to the equipment provided to CDF as defined in Hiring Guides – Ground Equipment 7761.2. Contractors must provide a certificate of insurance naming the State of California, CDF, as also insured.

R
E
V

Hired Equipment Coordinators will review each questionnaire as follows:

1. Review responses to questions 1 and 2. Confirm for each piece of equipment if the required support document(s) is provided. Is there a lienholder on the Registration Card other than a financial institution? If yes, contractor must provide a copy of the purchase agreement to confirm the terms and conditions of the sale. Does the Bill of Sale include sales tax? If no, then the contractor must provide documentation to confirm compliance with Sales or Use Taxes to the California State Board of Equalization. Is the contractor a sole proprietor or other business entity (partnership, corporation or limited liability company)? Note: Only a sole proprietorship can have the Registration Card in the name of the business owner. All entities must provide a Registration Card that reflects the name of the business entity. Any inconsistencies between statements on the questionnaire and support documentation must be satisfactorily clarified by the contractor in writing.)
2. Operators furnished by contractors must be owners or officers of the business, employees, or independent contractors. Some contractors may elect not to furnish operators.
3. Qualifying disabled veteran(s) must maintain at least 51% ownership of the DVBE and actively manage and control the work.

The following review requirements apply to DVBEs only:

4. Review response to question 4 and ensure ownership of at least 51% of the business by one or more disabled veterans. If ownership of 50% or less is indicated, contact the DVBE to correct the percentage of ownership listed in writing if an error was made on the questionnaire, or notify DGS/OSDC immediately that the DVBE does not meet the required ownership of at least 51% or more of the business by one or more disabled veterans. Follow-up with DGS/OSDC to ensure DVBE notifies them within 30 workdays.
5. Review responses to questions 4 and 5 to confirm specific activities of qualifying disabled veteran(s) to manage and control the work in accordance with Military and Veterans Code Section 999(g) and CCR 1896.61(f).)
6. Review completed and signed DVBE Declaration form.

C. Unit Coordinator Review of EERAs, Questionnaire, and DVBE Declaration:

1. If the Unit Hired Equipment Coordinator determines, based on review of the information provided in the questionnaire and DVBE Declaration form, that the contractor is not an equipment broker, and that he does perform a "commercially useful function" in the business, and assuming that the other equipment and operator requirements are met, upon completion of the EERA the Hired Equipment Coordinator will advise the Unit ECC Chief to list the contractor on the appropriate hired equipment rotational lists.

2. If the Unit Hired Equipment Coordinator determines that the contractor **is** an equipment broker, or that he **does not** perform a "commercially useful function" in the business, he/she will forward a copy of the EERA and the completed contractor questionnaire, DVBE Declaration form, and any supporting documentation to the Department Hired Equipment Coordinator in Sacramento. CDF will not hire the contractor until all questions concerning the legitimacy of the contractor's CSB or DVBE status are resolved.
3. The Department Hired Equipment Coordinator will confer with the DGS OSDC to verify the applicant's CSB and/or DVBE status. Only those CSBs and/or DVBEs that are currently certified will receive the CSB and/or DVBE preference of being listed on the CDF statewide hired equipment rotational list(s).

When questions about the contractor's status have been resolved, the Department Hired Equipment Coordinator will advise the Unit Hired Equipment Coordinator, who will then advise the Unit ECC Chief to add the contractor to the appropriate unit hired equipment rotational lists.

4. If the contractor is not currently a CSB and/or DVBE, the Department Hired Equipment coordinator will advise the Unit Hired Equipment Coordinator, who will then advise the Unit ECC Chief to list the contractor on the appropriate hired equipment rotational lists.
5. By law, "awarding agencies" (such as CDF) must investigate and report all alleged program violations to the DGS Procurement Division, OSDC (Military and Veterans Code sec. 999.9(d)). The OSDC subsequently forwards the allegations to the attorney general for possible action and/or suspension by DGS.

D. CSB and DVBE Program Violations:

Violations are misdemeanors and punishable by imprisonment or fine and violators are liable for civil penalties. Sanctions for DVBE program violations are provided in Military & Veterans Code 999.9 and Public Contract Code 10115.10. Sanctions for the Small Business Program are provided in Government Code 14842 and 14842.5.

DGS OSDC will provide assistance to Unit Hired Equipment Coordinators who are investigating suspected program violations. Questions related to reporting potential program violations, "commercially useful function," ownership and management and control by the qualifying disabled veteran(s), or the identity of the qualifying disabled veteran(s), may be directed to: Certification and Compliance Manager, OSDC, at 800-559-5529, or 916-375-4936, or facsimile 916-375-4950.

SINGLE-UNIT LISTING FOR BULLDOZERS AND FIREFIGHTING WATER TENDERS

7761.2.2.4

(No. 33 February 2004)

Individual bulldozers and firefighting water tenders covered by EERAs may only be shown in the hired equipment lists and Emergency Resource Directory (ERD) of **ONE** unit. However, individual contractors that assign and operate multiple pieces of equipment in different units may list their individual pieces of equipment with the unit where the equipment is located. A contractor whose equipment is listed in multiple units may **NOT** make available any equipment that is listed in any unit other than the one placing the request. Further, any brokering or sharing of equipment or participation in equipment cooperatives of any type or manner that, in the determination of CDF, circumvents the intent of any part of this policy is expressly prohibited.

Access by a unit to any Fire Ready or Support equipment signed up in another unit will be governed by the procedures detailed in Section 7761.2.6 of this policy and in Command and Control Procedures Handbook (8100), [Procedure 006G](#).

All other types of equipment (e.g.: potable water trucks) covered by a CDF or federal agency EERA may be listed in the Emergency Resource Directory of ANY CDF unit. However, rotational hiring only applies to bulldozers and firefighting water tenders.

LATE SIGN-UP

7761.2.2.5

(No. 33 February 2004)

Due to the annual Fire Ready and Support Group operator firefighter safety training requirement found in Section 7761.2.9.1, CDF will not enter into agreements with bulldozer or water tender contractors whose operators have not completed the training during the previous 12 months.

For other types of equipment, initiation and completion of agreements, and conducting related pre-agreement inspections by CDF staff will be scheduled as allowed by fire activity and post coverage schedules.

CONTRACTOR FILE

7761.2.2.6

(No. 33 February 2004)

Each CDF unit will create and maintain a file for each contractor that has entered into a CDF-294 agreement with that unit, or that has provided hired equipment services to that unit under a [CDF-294](#) agreement initiated by another CDF unit or an OF-294 agreement initiated by a federal agency. The file will be used to retain CDF-294 and OF-294 agreements, contractor questionnaires, records of hiring, proof of employee training, safety inspection and vehicle weight reports, copies of audit rate documentation, performance evaluations, and other documentation required by this policy. Such documentation will be retained in the file for a period of three years.

LISTS - GENERAL

7761.2.3

(No. 33 February 2004)

The CDF Hired Equipment System will utilize two types of equipment hiring lists: one for bulldozers and one for water tenders. Only contractors whose equipment is covered by a valid EERA will be included in CDF hiring lists and ERDs. Equipment NOT covered by a valid EERA will NOT be listed in any CDF unit hiring list or ERD.

UNIT LISTS

7761.2.3.1

(No. 33 February 2004)

Each Unit Hired Equipment Coordinator (HEC) and Unit ECC Chief will work together to establish, **and continuously maintain year-round**, unit rotational hiring lists for Water Tenders and for Bulldozers.

A. Unit Bulldozer Hiring List: Each Unit ECC will maintain a Unit Bulldozer hiring list that shows all bulldozers covered by a current EERA with that unit. Information shown for each bulldozer will include contractor name, address, and contact phone number, equipment license # or serial #, ICS kind and type, whether the bulldozer meets CDF “Fire Ready” or “Support” requirements (7761.2.1.1), any flagging requested by the contractor (7761.2.6.6), and whether the contractor is a CSB or DVBE, or both.

B. Unit Water Tender Hiring List: Each Unit ECC will maintain a Unit Water Tender hiring list that shows all water tenders covered by a current EERA with that unit. Information shown for each water tender will include contractor name, address, and contact phone number, equipment license # or serial #, ICS kind and type, whether the bulldozer meets CDF “Fire Ready” or “Support” requirements (7761.2.1.1), any flagging requested by the contractor (7761.2.6.6), and whether the contractor is a CSB or DVBE, or both.

STATEWIDE LISTS

7761.2.3.2

(No. 34 March 2004)

The Statewide Hired Equipment lists will include all Certified Small Business and DVBE Fire Ready and Support Bulldozer and Water Tender contractors in both regions. The Northern Region Duty Officer will coordinate information with the Unit HECs and the Departmental HEC to ensure that contractor information shown on the statewide lists is current and accurate.

Each of the 2 lists will be further divided into 2 “tiers.” **Tier 1** will include only vendors who are both CSBs and DVBEs. **Tier 2** will include vendors who are either CSBs or DVBEs, but not both.

By law, if a contractor who is a CSB and another contractor who is both a CSB and a DVBE are competing for the same State government business opportunity, and all other factors are equal, the business opportunity should be awarded to the DVBE. CDF will apply this policy to hiring equipment on a Planned Need basis as follows:

1. Whenever the Region CC receives a request for Planned Need bulldozers or water tenders, the dispatcher will go to the appropriate list and contact the first-up contractor **in Tier 1**. If that contractor cannot fill all of the requests, the dispatcher will contact the second contractor **in Tier 1**, and then the third, and fourth, etc. until all requests are filled or until the Tier 1 list has been exhausted.
2. If not enough resources can be hired from Tier 1 contractors, the dispatcher will then contact the first-up contractor **in Tier 2**, and then the second, and third, etc., until all requests are filled, or until the Tier 2 list has been exhausted.
3. When no more Planned Need resources are available from the statewide lists, the dispatcher then places the unfilled requests back with the originating unit or with other CDF units for them to fill with equipment from non-CSB or non-DVBE contractors.

R
E
V

Each Unit HEC will advise the Northern Region Duty Officer each time the unit enters into a new EERA with a CSB or DVBE contractor. The Unit HEC will provide the Northern Region Duty Officer with information on the contractor, including contractor name, mailing address, contact phone number, equipment license # or serial #, resource ICS kind and type, whether “Fire Ready” or “Support”, and any “flagging” requested by the vendor (per Section 7761.2.6.6).

LIST UTILIZATION

7761.2.4

(No. 33 February 2004)

Utilization of the Statewide Small Business and Disabled Veteran Lists will be requested by the units (following 8100 Handbook [Procedure 006G](#)) to fill incident requests for Fire Ready and Support resources where the criteria set forth in the definition of Planned Need (Section 7761.2.1.2) is met.

Generally, the “need” time frame of a request (Immediate or Planned) will determine the type of resource and/or list that is used (Fire Ready or Support). However, this will **NOT** be the only consideration. The specific needs of the incident will be considered in selecting the best resource to fill each request. It may be necessary or beneficial to fill a Support resource request with a Fire Ready resource (but not vice versa) due to the time frame, capability, equipment or training requirements of the assignment. This flexibility shall not be used to circumvent the use of Small Business and Disabled Veteran-owned equipment to assist the department in meeting the hiring goals for state government (see Section 7761.2.2.3).

LISTS ESTABLISHED RANDOMLY

7761.2.4.1

(No. 33 February 2004)

On the first Monday in May of each year the Region ECC Chiefs and the Unit ECC Chiefs shall re-establish the rotational hiring order of all hired equipment lists. List order will be re-established on a random basis, either by drawing or other means that guarantees no biased placement on the list.

LIST ADMINISTRATION AND MAINTENANCE

7761.2.4.2

(No. 33 February 2004)

The administration and maintenance of the Unit Hired Equipment Lists is the responsibility of the unit ECC Chief.

The administration and maintenance of the Statewide Hired Equipment Lists is the responsibility of the Northern Region Duty Officer, who discharges this responsibility on behalf of both Region CC Chiefs.

(RESERVED)

7761.2.5

REQUEST AND DISPATCH PROCEDURES

7761.2.6

(No. 21 March 1999)

DEPARTMENTAL TELEPHONE CONTACT NUMBER

7761.2.6.1

(No. 33 February 2004)

At the time of dispatch, the contractor will be provided with a contact telephone number to utilize when contacting the Department. This number will be used to make **ALL** contacts and notifications concerning changes in resource status or for any other communication concerning the response.

REQUEST NUMBERS

7761.2.6.2

(No. 33 February 2004)

When filling hired equipment requests, the contractor will be provided with one request number for each resource being requested. "Assigning" an issued order and request number to another contractor, or accepting such an order and request number from another contractor (except as specifically allowed below) is not permitted. CDF will not conduct business with "brokers". All requests will be placed with contractors who have a current EERA covering the listed equipment.

If a bulldozer is hired “as a unit” (meaning including a dozer, transport, and pilot car (if needed) OWNED BY THE SAME CONTRACTOR), then all elements of that “unit” will be covered by the same request number.” When the bulldozer and transport are owned by different contractors, the ECC will issue a separate request number for each piece of equipment. The transport may be acquired in one of two ways, at the option of the bulldozer contractor:

1. CDF may provide the bulldozer contractor with one request for the bulldozer and a separate request number for the transport. The bulldozer contractor may then contact a transport contractor covered by a current CDF-294 agreement, provide the transport contractor with the request number, and arrange for hauling services as requested by CDF.
2. CDF may contact a transport contractor covered by a current CDF-294, provide the transport contractor with the request number, and arrange to have the transport contractor haul the other contractor's bulldozer to the incident.

Pilot Cars: The transport owner is responsible for providing “pilot cars” when required by a permitting agency, such as CalTrans. The transport rates found in Section 3934.3.2 include an allowance for one pilot car. If a second pilot car is required by the permitting authority, an additional payment will be made for that vehicle at the rate shown under “Second Pilot Vehicle” in that section. The contractor must furnish proof that the second pilot car was required.

If pilot cars are used, they will be shown on separate line entries on the CDF-61 Emergency Equipment Invoice. (See CDF Handbook 3800, sec. [3833.1.9](#) and [1.10](#).)

HIRING OF “IMMEDIATE NEED” RESOURCES:

"CLOSEST RESOURCE" CONCEPT

7761.2.6.3

(No. 33 February 2004)

In hiring equipment to fill requests for assistance on emergency incidents, it is CDF's intent to utilize the closest available resources that meet the needs of the incident, without regard for administrative boundaries. When the hired equipment resources in the unit ERD have been exhausted, the unit ECC will place the request for additional hired equipment with the Region Command Center.

In filling resource requests, if hired equipment resources are **KNOWN** to be available in an adjoining unit and are within a one-hour activation time and a one-hour travel time of the incident (maximum total of two hours from contact to arrival at scene), the ECC may place the order for the resource directly with the adjoining unit ECC. Units will place **ALL** subsequent resource requests for hired equipment with their Region CC following 8100 Command and Control Procedures Handbook, [Procedure 006G](#). The unit with the list on which a piece of equipment is signed up (the sending unit) will be responsible for dispatching all hired equipment requested from that list.

It is the intent of this section to clearly state that it is the Department's goal to place resources appropriate for the assignment at the scene of the incident when they are needed. To meet this goal, **ALL** requests for resources to fill Immediate Need requests (as defined in Section 7761.2.1.2) will be placed with contractors that can best meet these criteria.

For dispatching purposes, all listed contractors within a CDF unit are assumed to be the same distance from the incident location. However, other factors, such as operator availability and the actual location of the equipment will create differences in contractor response times. For this reason each contractor will be assigned as many requests as they can fill and will then be rotated to the bottom of the list. Contractors unable to meet response time requirements will be bypassed to access other contractor(s) who can be on scene and available within the required time frame. The minimum acceptable response requirements are detailed in Section 7761.3.

HIRING OF “PLANNED NEED” RESOURCES:

“JUST IN TIME” CONCEPT

7761.2.6.4

(No. 33 February 2004)

State law prescribes that all state agencies have a goal of conducting at least 3% of their business with certified disabled veteran businesses (DVBEs) (Public Contracts Code section 10115 [c]).

State law also prescribes that state agencies have a goal of conducting at least 25% of their business with certified small businesses (CSBs) (Government Code sections 14835 – 14843.)

In order to meet these goals, CDF has decided to make a special effort to hire DVBE and CSB contractors for bulldozer and water tender work assignments that are planned for from 12 to 24 hours into the future (“Planned Need”). These hires will be made regardless of whether there is other non-DVBE or non-CSB contractor equipment available closer to the fire. This practice does not restrict CDF from hiring any locally-available resources to fill Immediate Need requests.

ROTATIONAL DISPATCH OF RESOURCES

7761.2.6.5

(No. 33 February 2004)

Bulldozer and water tender contractor contact and hiring will be done from the appropriate list on a rotational basis. When hired equipment resources are needed, **all pending requests will be placed with the first-up contractor on the list.** If the contractor is **NOT** able to fill some or all of the request(s), unfilled requests will be placed with the next contractor on the list. If the contractor **IS** able to fill the request(s), then the next request, or group or requests, will be placed with the **next** contractor on the list. This sequence will continue until a) all requests have been filled, or b) no contractor on the list is able to fill the request.

Contractors will be rotated to the bottom of a list for the following reasons:

- **Unanswered calls:** An unanswered call is considered a call. The contractor was given the opportunity to be hired and for whatever reason did not answer or did not return the call within the allotted time frame.
- **Equipment unavailable:** A contractor's equipment is unavailable at the time of dispatch.
- **Contractor declines:** If the contractor declines the opportunity to be hired for any reason.
- **Contractor accepts:** When a contractor accepts a request.
- **Failure to comply:** Violation(s) of any part of Section 7761.2.8.

NOTE: See the 8100 Command and Control Handbook, [Procedure 006G](#), for details on this process.

CONTRACTOR CONTACT

7761.2.6.6

(No. 33 February 2004)

Contractors must not telephone or otherwise contact CDF personnel at any CDF command center, facility, incident, or other location for the purpose of offering their equipment for immediate hire for on-going incidents. This is a time of intense emergency activity when dispatchers are following established procedures, including contacting contractors with EERAs as described in this policy. Unwanted contact slows down and disrupts the dispatching process. This is the main reason for the existence of the pre-use EERA.

When bulldozer or water tender contractors are needed, CDF will attempt to contact the contractors in rotational order by phone. The contractor will be given 10 minutes from the time of the attempted contact to respond and either accept or decline the request. A contractor who does not return a call within the 10-minute time frame will be moved to the bottom of the rotational list.

Contractor-Specified Minimum Response Time or Limited Response Area (FLAG) - Fire Ready and Support Resources: Each first-up Fire Ready or Support resource contractor will be contacted for all requests regardless of time frame. If it is the contractor's desire to reduce unnecessary contact, he/she may request that their name be flagged. In requesting the flag, the contractor may specify a certain minimum response time or limited response area. By requesting the flag, the contractor grants the Command Center (CC) duty officer the authority to determine if a contractor could reasonably meet the requested report time to the incident. This time will be considered to be from the time the contractor would be contacted to the report time at the incident. Contractors requesting to be flagged will be bypassed and left in position in the rotation when it is determined that the response time or location requirements of the request cannot be met. By requesting this flag and the associated conditions, the contractor agrees to accept any decision made by the duty officer as it pertains to the implementation of this section.

PERMITS AND DRIVING REGULATIONS
(No. 33 February 2004)

7761.2.6.7

Contractors are responsible for obtaining any transportation permits required by regulatory agencies, and consideration for the cost of such permits is factored into the rates paid by CDF. If a contractor is unable to secure the necessary permits due to permit offices being closed, the hiring CDF unit will contact the permitting agency and facilitate the emergency issuance of the required permits. It is the contractor's responsibility to follow-up with the permitting agency on the next business day to submit the necessary documentation and to pay any permit fees.

CalTrans permit office telephone numbers are:

For the counties of Inyo, Mono, Kern, San Luis Obispo, and south:	Inquiries 909-383-4637	FAX 909-388-7001
For the rest of the state:	Inquiries 916-322-1297	FAX 916-322-4966
24 Hour Emergency Number	Inquiries 916-653-3442	FAX 916-653-3291

CDF will also contact the local CHP office and advise them of the emergency movement of the hired equipment, and of permits issued by the permitting agency.

Drivers of hired equipment are not exempt from the limitations on driving hours or the logbook requirements of the California Motor Carrier Regulations, Title 13, section 1212.

EMERGENCY PICKUP/HIRES
(No. 21 March 1999)

7761.2.7

RENTAL AT SCENE
(No. 34 March 2004)

7761.2.7.1

On occasion, incident commanders (ICs) may have a need to hire equipment that has not been inspected and signed up by CDF or a cooperating agency. The IC will be responsible for notifying the ECC and acquiring a request number for the hire. The IC must make certain that all inspections, fiscal procedures and documents are properly completed as soon as incident activity permits. EERAs prepared in these situations are valid only for the duration of the incident, and must be so noted on the EERA. Also, equipment rented at scene is un-requested equipment, and will be released within 7 hours of hire per Section 7761.2.7.3. Completion of the CDF-294 in this instance does not relieve the contractor of the necessity to comply with the vehicle inspection requirements of this policy. If the equipment hired at scene is already covered by an existing EERA, the 7 hour release requirement will not apply.

R
E
V

R
E
V

NO HIRING UNLESS REQUESTED

7761.2.7.2

(No. 33 February 2004)

Contractors must not respond to emergency incidents without being requested. ICs will not hire equipment of any kind that shows up un-requested unless in the judgment of the IC (or other Department representative) there is clearly an imminent threat to life and/or property and other appropriate resources are not available to meet the immediate need.

PROMPT RELEASE OF SUB-STANDARD OR UN-REQUESTED EQUIPMENT

7761.2.7.3

(No. 34 March 2004)

Certain other actions are required of the IC when the equipment hired to meet these imminent threat situations arrives without being requested or when the equipment does not meet the basic safety criteria established in this chapter. The IC must immediately order appropriate replacement equipment and then release the "at scene rental" when the pressing emergency necessitating the hire has passed, or when the replacement equipment arrives. **THIS TYPE OF HIRE WILL NOT EXTEND BEYOND 7 HOURS DURATION WITHOUT SPECIFIC WRITTEN AUTHORIZATION OF THE INCIDENT COMMANDER, OR UNLESS THE EQUIPMENT IS ALREADY COVERED BY AN EXISTING EERA.**

R
E
V

CONTRACTOR PERFORMANCE

7761.2.8

(No. 33 February 2003)

GENERAL

7761.2.8.1

(No. 33 February 2004)

Once a contractor accepts an assignment, they must comply with all subsections of this policy. The contractor is required to notify the Department **IMMEDIATELY** in any instance in which they cannot comply with this policy or any requirements of the assignment.

RESPONSE AND ARRIVAL AT SCENE

7761.2.8.2

(No. 33 February 2004)

A contractor must make notification of any change in their status or ability to meet the assigned report time to the incident or other reporting location. Notification will be to the Department at the contact number provided at the time of dispatch. See Section 7761.2.6 for further details.

The Incident Commander or his/her designee shall have the authority to release any resource not arriving at the incident by the required report time. This release may occur prior to arrival (upon phone contact) or upon arrival at the incident. If it is determined that there is still a need for the resource, the resource may be given another assignment on the incident.

Any open assignments on an incident caused by resources not reporting on time may be filled with any appropriate resource to meet operational needs as determined by the Incident Commander.

ABILITY OF PERSONNEL TO PERFORM UPON ARRIVAL

7761.2.8.3

(No. 33 February 2004)

Contractor personnel must arrive at the incident by the required report time in a condition to safely and legally operate their equipment and perform their assigned mission. This condition must be maintained any time the personnel are on duty and performing their assignment.

It shall be the operator's responsibility to recognize the capabilities and limits of the equipment he/she is operating. Assignments beyond the mechanical capability of the equipment should be refused by the operator.

Operators should refuse those assignments beyond their ability to perform.

EQUIPMENT LOCATION

7761.2.8.4

(No. 33 February 2004)

At the time of a contact by CDF, it is the contractor's responsibility to notify the Department of the resource's location and any condition that may affect its availability or ability to meet the response time requirement.

PERSONNEL QUALIFICATIONS

7761.2.8.5

(No. 33 February 2004)

Contractor personnel must meet all training and safety requirements for the type of response (Fire Ready or Support) or assignment. See Sections 7761.3 and 7761.4 for further details.

A. PHYSICAL PERFORMANCE REQUIREMENTS FOR PRIVATE FIRE ENGINE PERSONNEL

The work of Fire Engine Company personnel requires strenuous physical exertion for extended periods including walking, climbing, chopping, throwing, lifting, pulling and frequently carrying objects weighing fifty (50) pounds or more. The contractor is responsible for assuring that all contractor personnel are physically capable of safely performing in this type of work environment.

B. ENGLISH SPEAKING REQUIREMENT

Clear communications is essential for safe and effective performance. All contractor personnel shall be able to fluently communicate in English (both written and verbal) and possess the knowledge and ability to communicate verbally with all crew members.

DOCUMENTATION OF HIRED CONTRACTOR WORK HOURS (SHIFT TICKETS)

7761.2.8.6

(No. 33 February 2004)

Work hours will be documented on form OF-297 "Emergency Equipment Shift Ticket." The CDF (or other agency) employee supervising the equipment is responsible for recording the contractor work hours on the OF-297 (shift ticket) form, and for insuring that the contractor signs the form. This is done at the end of the shift or work day (whichever is appropriate). The employee completing the form is responsible for delivering the original copy of the OF-297 to the Time Recorder.

Division/Group Supervisors are responsible to see that the work hours of hired equipment assigned to their supervision have been properly recorded and reported to the Time Recorder.

REMINDER: PAYMENT TO THE CONTRACTOR CANNOT PROCEED UNTIL THE SUPERVISOR PROVIDES THE TIME RECORDER WITH A COMPLETED SHIFT TICKET.

PERFORMANCE EVALUATIONS

7761.2.8.7

(No. 33 February 2004)

A Contractor/Vendor Performance Evaluation Form (ICS 230) **must** be completed by the immediate supervisor of all contractors and operators at the end of each operational period to document exemplary, standard, or substandard performance. Substandard performance should be discussed with the contractor/operator no later than the end of the shift, so that the contractor/operator has the opportunity to improve their performance during their next shift. These discussions should be documented to include date, time, with whom discussed and detail of the discussion.

Supervisors will forward these evaluations to the Ground Support Unit Leader. At the time the contractor/operator is released from the incident, the Ground Support Unit Leader should provide them with copies of all performance evaluations. If that is not possible, the Ground Support Unit Leader will mail copies of the evaluations to the contractor. The Ground Support Unit Leader will also forward these evaluations to the Hired Equipment Coordinator of the unit that has the Agreement with the contractor, for inclusion in that contractor's file.

IMMEDIATE ACTION TO RESOLVE PROBLEMS

7761.2.8.8

(No. 33 February 2004)

Incident supervisors are responsible to take immediate action to resolve any issues that involve safety, productivity, operational effectiveness or any other issue that in any way compromises the incident operations. All violations of policy by CDF employees or by contractors and their employees will be referred, with documentation, to the Chief of the unit issuing the EERA, or his/her designee, for review and possible action.

All disputes between CDF employees and contractors or their employees will be resolved as soon as possible in a manner consistent with CDF policy. If immediate resolution is not possible, the dispute must be documented in writing and sent to the Chief Deputy Director within 10 days of the conclusion of the incident.

NON-COMPLIANCE AND SANCTIONS

7761.2.8.9

(No. 33 February 2004)

Failure to comply with any of the requirements in this policy may result in sanctions against the contractor. Non-compliance will include, but is not limited to the following:

- **Contacting any unit, incident or other location soliciting hiring by the Department.**
- **Responding to the incident without being requested.**
- Misrepresentation of response time.
- Failure to arrive at requested time without making contact.
- Misrepresentation of condition or location of equipment.
- Arrival or operation at the incident without protective gear or any other required equipment.
- Unsafe or negligent equipment operation.
- Failure to follow directions or complete assignments or any other failure in performance.
- **Any brokering of equipment or equipment cooperatives of any type or manner that circumvents the intent of any part of this policy.**
- **"Assigning" an issued order and request number to another contractor, or accepting such an order and request number from another contractor except as specifically allowed in section 7761.2.6.2.**
- Misrepresentation of Small Business and Disabled Veteran-owned business status.
- Operating equipment on fire ready assignments without the required training.
- Willful violation of fair hiring practices.
- Any other action that violates the intent of this policy.
- Misrepresentation of time worked on incident.

Contractor non-compliance may result in any of the following actions, as deemed appropriate by the Department.

- Placement at the end of rotation.
- Removal from list(s) for a specified period of time.
- Removal from list(s) for the remainder of the year.
- Cancellation of the EERA
- Civil and/or criminal action.

Action on the part of the Department may result from a single action or a combination of actions on the part of a contractor. Unit Chiefs are authorized to implement sanctions against contractors. The Region Chief or his/her designee will be the final appeal point. Notice of any action will be forwarded to the contractor in writing.

TRAINING REQUIREMENTS

7761.2.9

(No. 21 March 1999)

ANNUAL TRAINING FOR FIRE READY AND SUPPORT GROUPS

7761.2.9.1

(No. 33 February 2004)

Because of changes to the law that became effective January 1, 2000, CDF now requires eight hours of specific annual firefighter safety training for all operators of equipment listed in the Fire Ready and Support groups. Specific requirements are as shown in [Annual Safety and Operational Training Requirements](#). Each operator who successfully completes the required annual training will be issued a certification of training for that year. CDF will retain a record of this certification in the contractor's file. (Such documentation **must not** include a copy of the operator's driver's license. CVC 14610.1) While operating equipment under hire to CDF, all operators will have this certification documentation in their possession (or immediately available) and present it upon request by a representative of the Department.

TRAINING REQUIREMENTS FOR PRIVATE FIRE ENGINE COMPANY PERSONNEL

7761.2.9.2

(No. 33 February 2004)

In addition to the annual training requirement in section 7761.2.9.1, special training requirements apply to the personnel of private fire engine companies hired by CDF. Contractor shall ensure that employees possess all required training and certification(s) and maintain training records for all personnel. All training shall be accomplished by an instructor who has been certified by the CDF/California State Fire Marshal's Office, or who has been qualified and authorized to conduct such training by CDF, federal wildland fire agencies, or wildland fire agencies of other states. All required training must meet the course curriculum and instructional objectives and standards prescribed by these agencies. The state, at its discretion, will periodically evaluate the Contractor's certification of employee training.

It is the contractor's responsibility to assure that all employees have successfully completed the required training and experience detailed in [Qualifications Training and Experience Requirements](#), prior to performing in any position.

SPECIFIC HIRING GUIDES - GROUND EQUIPMENT

7761.3

(No. 34 March 2004)

The following conditions apply whenever ANY TYPE of ground equipment, including pickups and chain saws, is hired:

1. There must be a genuine need for the equipment.
2. The contractor must enter into a pre-hire Emergency Equipment Rental Agreement (EERA) establishing terms of employment, rate and method of payment, and equipment conditions. The contractor will enter into the pre-hire agreement with their local CDF Unit. The terms of this pre-hire agreement will apply to incidents at any location where CDF hires the contractor. Contractor equipment may only be covered by one CDF-294 agreement at a time. **Instructions for completing the EERA agreement are found in Incident Fiscal Management Handbook 3800, Section 3833.**

The CDF-294, Emergency Equipment Rental Agreement is a four-part form which includes a front page, CDF's "General Clauses," "General Provisions" and "Signature Page."

The EERA (all four parts) should be completed and signed as soon as possible, preferably well before the beginning of the fire season. A current copy of the entire agreement should be carried on each piece of equipment covered by the agreement.

3. If there is any doubt as to the performance capabilities of the equipment in question, employees should ask the contractor to demonstrate that the equipment can perform as the contractor claims it will.
4. Contractor will provide CDF with a single contact number. This will be the sole method used by the Department to contact the contractor to fill incident requests. It is the responsibility of the contractor to provide a **SINGLE** contact number that is available 24 hours per day 7 days a week to be used by CDF to make contact for the dispatch of resources (e.g., telephone pager, radio paging service, etc.).

5. **Insurance:** Prior to completion of the CDF-294, the contractor must provide evidence that the following types of insurance are in force:

- A. Workers' Compensation. Contractor shall provide Workers' Compensation coverage for contractor's employees in accordance with applicable California State Law. Owner-operators must be covered by major medical insurance if not covered by Workers Compensation.
- B. Comprehensive or Commercial General Liability. CDF no longer requires this type of insurance
- C. Motor Vehicle Liability. Contractor shall obtain, at Contractor's expense, and keep in effect for the duration of the agreement, a policy of Motor Vehicle Liability insurance that covers the type of vehicle use intended under the agreement. This coverage may be provided by combining the Motor Vehicle Liability insurance with the Comprehensive or Commercial General Liability insurance. Coverage shall not be less than **\$300,000**, combined single limit, per occurrence. **Exceptions:** Motor carriers transporting property other than hazardous materials, such as transport trucks hauling bulldozers, water tenders transporting water, and privately owned fire engines: 10,000 lbs. Gross Vehicle Weight Rating (GVWR) or greater: minimum **\$750,000** combined single limit, per occurrence (per Dept. of Motor Vehicles Industry Operations Division).
- D. Certificate of Insurance. As evidence of the required motor vehicle liability insurance coverage, the contractor shall maintain a current certificate of such insurance in each vehicle as required by law. Certificates will be presented on demand of any state officer. When preparing the EERA, the state officer shall verify that the policy covers commercial use of the vehicle for the type of work to be performed under the agreement. Insurance carriers commonly exclude coverage for the vehicle when it is rented or used for commercial purposes. This is a common problem in the hiring of light vehicles, such as pickup trucks to be used as recon or supply vehicles.
- E. Contractor's insurance shall cover all employee motor vehicle accidents.

6. **Vehicle Registration and Certification**

- A. All vehicles - At the time the agreement is prepared, the contractor will provide proof that he is the current registered or legal owner of the vehicles (as defined in Vehicle Code section 460) to be covered by the agreement, or that he has a current and valid lease, rental agreement or written business partnership agreement covering these vehicles. Leased vehicles will be registered in the name of the contractor, per Vehicle Code sec. 4453.5. For unlicensed equipment, such as bulldozers, a copy of a bill of sale will serve as proof of ownership.

Equipment that is not registered in the name of the contractor or owned by the contractor must be controlled and paid for by the contractor under a written agreement. All equipment leases must be signed and dated by both parties and must include terms commonly found in an equipment lease, such as term of the agreement, list of equipment, equipment rates, labor rates, limitations on use and control of the equipment, and responsibility for maintenance and repair.

Whenever the EERA is amended to add additional equipment, proof of ownership of that equipment must be provided as described above.

R
E
V

- B. All vehicles - At the time the agreement is prepared, the contractor will provide a weight certificate for the fully equipped vehicle. An estimated weight of 265 pounds for each crew person (personal and gear weight) will be added to the vehicle weight to determine total GVW. Contractor must demonstrate that the fully laden vehicle is within GVWR limits or vehicle will not be hired.
- C. All vehicles used under any agreement or solicitation and any resulting contract must be legally licensed or apportioned to operate in the State of California and meet the requirements for commercial vehicles, non-commercial vehicles, or Special Equipment (SE) vehicles, as appropriate.
- D. Operators of any motor vehicle having a Gross Vehicle Weight Rating (GVWR) of more than 26,000 lbs. must have a Commercial Drivers License (CDL) with Tank Endorsement, if appropriate, valid for the State of California.
- E. CONTRACTOR will be responsible to ensure drug testing for its employees under DOT requirements.

7. Maintenance, Repair and Damage

- A. The Contractor will be responsible for all maintenance (oil change, oil and air filters, lubrication and fueling). If fuel and oil are acquired from the state at the incident, the cost of fuel and/or oil will be deducted from payment to the contractor, utilizing CDF form [ME-107](#).
- B. All repairs and replacement are the responsibility of the Contractor and shall be made at the Contractor's expense. Repair or replacement shall be completed within 24 hours of breakdown. Out-of-service time for repairs of one hour or less within a 24 hour period will not be considered as "off-shift" hours.
- C. The State may, at its option, elect to make such repairs when necessary to keep the equipment operating. The cost of such repairs will be deducted from payment to the Contractor.

- D. Vehicles that become inoperable will be towed at the contractor's expense.
 - E. **DAMAGE:** Damage to hired equipment resulting from exposure to the fire or from fire fighting activities will be investigated by the Compensation and Claims Unit at the incident. The documented damage will be addressed through appropriate action at the incident or through the Board of Control claims process.
8. **PRE-USE INSPECTION:** An inspection of each piece of equipment should be made by the Ground Support Unit prior to assignment, or as soon as possible thereafter, using Form OF-296 or R5-5100-2T (Vehicle/Heavy Equipment Safety Inspection Checklist).
- Any vehicle that does not pass the initial inspection at the incident will be afforded the opportunity for a second inspection. The contractor will be charged \$75.00 per hour for the second inspection, pro-rated in 30-minute increments. If the vehicle does not pass the second inspection, it is rejected. No payment will be made for any time incurred by the contractor and the equipment will not be hired on that incident.
- If the vehicle passes the second inspection, the total cost of the second inspection will be deducted from his/her final payment. Travel time to the incident will be paid. Time that the equipment was unavailable will not be compensated.
- 9. Only equipment that is judged by CDF to be mechanically sound and designed or equipped to do the assigned job should be hired.
 - 10. All visual damage will be noted on the OF-296 or R5-5100-2T.
 - 11. Contractors will provide qualified operators, and relief operators, when requested by CDF. **For safety reasons, if the use of a piece of hired equipment is expected to exceed 12 hours per day, a second operator should be requested from the contractor and driving/operating duties should be divided between the two operators.**
 - 12. Identification numbers should be assigned and displayed on equipment, for ease of identification. See 7761.4.1.
 - 13. Before being released from the incident, each piece of hired equipment should be inspected by the Ground Support Unit, and the inspection documented on Form OF-296 or R5-5100-2T. For bulldozers and other vehicles that have not worked in an incident assignment, this inspection may be abbreviated.

RESPONSE REQUIREMENTS FOR FIRE READY EQUIPMENT

7761.3.1

(No. 33 February 2004)

All Fire Ready Group resources will be required to initiate a response within one hour of notification. However, if the contractor cannot meet the response criteria for the particular incident, e.g., the required ETA to the incident, or if the contractor does not have equipment of the size and type needed for the mission, CDF may bypass the contractor for that incident and proceed to contact the next contractor on the rotational list.

The dispatch of contractors covered by this section will be consistent with the criteria set forth in Section 7761.2.6 and specifically Section 7761.2.6.3.

It is the responsibility of the contractor to provide a SINGLE contact number that is available 24 hours per day, 7 days a week, to be used by CDF to make contact for the dispatch of resources (e.g., telephone, pager, radio paging service, etc.)

RESPONSE REQUIREMENT FOR SUPPORT EQUIPMENT

7761.3.2

(No. 33 February 2004)

Support resources need not meet the one-hour response time criteria established for Fire Ready resources, but they must be able to arrive at the incident location within the time prescribed by the agency dispatcher at the time of contact. However, if after being contacted, the contractor cannot meet the response criteria for the particular incident, e.g., the required ETA to the incident, or if the contractor does not have equipment of the size and type needed for the mission, CDF may bypass the contractor for that incident and proceed to contact the next contractor on the rotational list.

RESPONSE AND STAFFING REQUIREMENTS FOR FIRE ENGINES

7761.3.3

(No. 23 October 2000)

Hired private fire engines will be required to initiate a response within one hour of notification. When hired as fire engine with crew, staffing will be as required in the FIREScope Field Operations Guide, ICS 420-1, Primary Mobile Suppression Resources (Minimum ICS Standards) for the type of engine ordered.

EQUIPMENT REQUIREMENTS

7761.4

(No. 21 March 1999)

All personnel and resources must arrive with all required safety equipment and other equipment in good repair and operating condition.

IDENTIFICATION NUMBER

7761.4.1

(No. 23 October 2000)

All hired equipment will be assigned a unique identification number that is to be displayed on the equipment for the duration of the incident. The number to be displayed consists of two numbers and the letter E, followed by the request number for that piece of equipment. The numbers will denote the unit where the equipment was signed up. For example, a dozer signed up in Shasta-Trinity would display "24EXXX", where XXX is the request number. This not only denotes the unit that the equipment is from, but also provides a quick, visual reference to the resource order/request information. Ground Support Unit personnel should apply this number as soon as the equipment arrives at the incident, in a highly visible location with Crayola-brand water-based paint, or with a temporary placard.

WATER TENDER AND FIRE ENGINE SAFETY INSPECTION

7761.4.2

(No. 33 February 2004)

All privately-owned fire engines, SE-plated water tenders, and all commercial vehicle water tenders not currently required to be inspected (under 26,001 lbs GVWR), or not subject to DOT inspection (such as water tenders and private fire engines registered in other states), **will** be inspected annually prior to use. Each inspection will be valid for one year only. In no event will an inspection date of greater than 12 months be accepted. **This inspection must be performed by a facility licensed to do business as a commercial motor vehicle repair and maintenance shop, or by the California Highway Patrol.** Forest Service and CDF personnel will not perform this inspection. All costs will be borne by the contractor. The inspection level will meet the inspection criteria of Federal Motor Carrier Safety Regulations Part 393, Parts and Accessories Necessary for the Safe Operation, 393.1 through 393.209 and Title 49, Parts 40, 325, and 350 through 399, and the California Vehicle Code Division 14.8, 34500, Safety Regulations and California Code of Regulations Title 13. **Proof of inspection for the current fire season must be on file with the Hired Equipment Coordinator prior to listing the contractor in the Emergency Resource Directory.**

All water tenders, regardless of type of vehicle registration, must:

1. Carry a copy of the inspection with them, and
2. Provide a copy to the Forest Service or CDF unit that originally signed up their equipment.

The commercial motor vehicle shop's DOT inspection form will be acceptable as long as the following are shown:

1. The shop's address and telephone number.
2. The vehicle's identifying numbers (license and serial numbers)
3. The inspection form must have all critical items identified in the regulations listed above.

4. Repair documentation must show, in addition to 1 and 2, itemization of completed repairs.
5. All forms and job orders must be readable.

As an alternative, the R5-5100-2T Inspection Form may be used by the contractor. If this form is used, items 1, 2, and 4, above (when applicable), must be shown and must be accompanied by a copy of the inspector's work order(s).

Finally, either of the following California Highway Patrol Inspection Forms is also acceptable:

1. Form CHP 407F, Safetynet Driver/Vehicle Inspection Report, or
2. Form CHP 343A, Vehicle/Equipment Inspection Report, Motor Carrier Safety Operations

NOTE: CHP 108, Truck and/or Tractor Maintenance & Safety Inspection **is not accepted as the safety inspection.**

Any vehicle arriving at an incident without proof of successful completion of this inspection, along with proof that noted defects have been corrected will be rejected and will not be hired until such documentation is produced. No payment will be made for any time incurred by the contractor. An exception is made for imminent threat situations as described in Sections 7761.2.7.2 and 7761.2.7.3. Imminent threat hiring does not exempt the vehicle from the required inspection process necessary for listing in the unit Emergency Resource Directory.

BULLDOZER EQUIPMENT REQUIREMENTS

7761.4.3

(No. 21 March 1999)

FIRE READY BULLDOZER GROUP

7761.4.3.1

(No. 33 February 2004)

Each bulldozer listed in the Fire Ready Bulldozer Group will be supported by a contractor-supplied transport truck of appropriate size and a bulldozer service unit equipped to service the bulldozer after 12 hours of continuous work. Dozers assigned to the Fire Ready Dozer Group will also meet or exceed the following requirements:

- backup alarm
- safety belt
- Roll Over Protection System (R.O.P.S.) with heavy mesh screens on rear and on rear half of sides. Includes tractors with glass-enclosed environmental cabs. ¼" mild steel woven wire screen with 2" openings is recommended.
- lights, 4 front and 2 rear

- belly pan and rock guards, unless rock guards are not recommended or produced by the original manufacturer
- radiator protection
- radio, field programmable to CDF frequencies. Either portable or fixed-mount is acceptable. Operators must use an earphone/microphone headset with the radio (7761.6)
- protective fire curtains inside of R.O.P.S. on sides and rear
- ABC fire extinguisher
- shovel
- axe/Pulaski
- Operator personal protective equipment will comply with all [3900 Handbook](#) and applicable Title 8 requirements and as a minimum will include:
 - Nomex shirt and trousers - CAL OSHA specification - Nomex shroud is recommended.
 - hard hat
 - goggles
 - gloves
 - fire shelter - USFS Specification
 - lace-up leather boots
- canteen with water, 1 gallon minimum

SUPPORT BULLDOZER GROUP

7761.4.3.2

(No. 32 Sept. 2003)

The Support Bulldozer Group will meet or exceed the following equipment requirements:

- R.O.P.S. with heavy mesh screens on rear and on rear half of sides. Includes tractors with glass-enclosed environmental cabs. ¼" mild steel woven wire screen with 2" openings is recommended.
- lights, 2 front and 2 rear
- belly pan and rock guards
- radiator protection
- one shovel
- one axe/Pulaski
- backup alarm
- seat belts
- Operator personal protective equipment will comply with applicable CAL OSHA requirements and as a minimum will include:
 - Nomex shirt and trousers: CAL OSHA specification. Nomex shroud is recommended.
 - hard hat
 - goggles
 - gloves
 - fire shelter - USFS Specification
 - lace-up leather boots

WATER TENDER EQUIPMENT REQUIREMENTS

7761.4.4

(No. 26 April 2001)

"Water tenders" includes fire water tenders, potable drinking water tenders, and "gray" water tenders.

ALL WATER TENDERS must be equipped with the following minimum safety items:

- Reflectors, one set of three
- Fire extinguisher, rated 10 BC or better
- Chock blocks of appropriate size for tire diameter
- Flashlight
- Electronic backup alarm, minimum 87 DBLs

In addition to these requirements, CDF groups fire water tenders as either Fire Ready or Support. The equipment requirements for these groups are listed below.

SUPPORT WATER TENDER GROUP

7761.4.4.1

(No. 34 March 2004)

The Support Water Tender Group will meet or exceed the following requirements:

1. Minimum useable capacity shall be 1,000 gallons.
2. When loaded (including operators and accessory equipment), water tenders will conform to the manufacturer's gross vehicle weight rating (GVWR). This includes balancing the load in a manner **so that all axle weights comply with the manufacturer's gross axle weight ratings**. Pre-season sign up will require the unit to be loaded with the contractor providing weight tickets for the load from a certified scale. Loaded/empty weights may be necessary to certify the gallons.
3. Water tanks are to be baffled. (Not applicable to potable water tenders or tanks.)
4. Tender shall be configured in a manner that the vehicle center of gravity is within the design limits of the equipment.
5. Tender shall be equipped with a back flow protection device for hydrant filling.
6. Pump assembly is to be driven either by power-take-off or auxiliary engine drive. The pump shall be plumbed with a suction outlet so water may be drafted from a water supply such as a pond, river or creek to refill the tank or pump directly to the fire. An auxiliary engine-driven pump assembly is acceptable if the auxiliary unit is permanently mounted and plumbed to the tank, discharge and suction outlets, and if the pump meets the minimum GPM for the group. Contractor must demonstrate that the pump can draft water and fill the tank.

R
E
V

7. All discharge outlets shall be plumbed to the pump. Gravity discharge outlets, with the exception of the dump valve described below, are not acceptable.
8. Tender shall be equipped with a minimum 24 feet of appropriate diameter hard suction hose equipped with a screened foot valve or strainer.
9. Tenders shall have a 2.5" valve with National Hose (NH) threads installed so that pressure or suction lines (hose) can allow filling or drafting by other engines. Adaptation of the dump valve with fittings is acceptable.
10. A dump valve of a minimum 4" diameter or equivalent is desirable so that water may be discharged into portable tanks. This valve is to be at the bottom rear of the tank to allow complete water discharge and should have a minimum clearance of 34" from the ground to the bottom of the outlet.
11. It shall be the contractor's responsibility to ensure that the equipment meets the standards or specifications.
12. Tender must be equipped with the following minimum safety and equipment items:
 - one axe/Pulaski and 1 shovel
 - operator personal protective equipment will comply with applicable CAL - OSHA requirements, and as a minimum will include:
 - Nomex shirt and trousers - CAL OSHA specifications (Title 8, section 3410).
 - Nomex shroud is recommended
 - hard hat
 - goggles
 - gloves
 - fire shelter - USFS specifications
 - lace-up leather boots
 - canteen with water, 1 gallon minimum
 - pump, minimum 150 GPM
 - one-hundred (100) ft. 1-1/2 serviceable cotton jacketed fire hose with nozzle
 - one 1" combination fog/straight stream nozzle with 1-1/2" NH to 1" NPSH reducer
 - two each 1.5" NH connections or one each 2.5" connection with gated wye to two each 1.5" NH connections
 - one 2.5" soft suction hose, minimum 20 ft. long, with NH couplings
 - one fire hose clamp to clamp 1" to 3" or larger diameter fire hose
 - one hydrant wrench

All contractor-owned equipment should be clearly marked to prevent accidental confiscation by fire agency personnel. Such marking should be documented on arrival at the incident on the vehicle check-in inspection form.

NOTE: If the water tender arrives at the incident without the required minimum safety items, required equipment or appliances, and does not meet the specifications for pump, plumbing, buildup, etc., **the water tender will be rejected**. No payment will be made for a rejected water tender for any time incurred by the contractor and the equipment will not be hired on the incident.

FIRE READY WATER TENDER GROUP

7761.4.4.2

(No. 33 February 2004)

The Fire Ready Water Tender Group will meet or exceed the criteria for the Support Water Tender Group (7761.4.4.2), plus:

- 2000-gallon minimum capacity
- **250** GPM pumping capability
- Discharge fittings: two each 1.5" NH connections or one each 2.5" NH connection with gated wye to two each 1.5" NH connections
- Suction fittings: one or more 2.5 " or 3" National Hose (NH) thread connections to allow drafting and filling from a non-pressurized source, or to allow filling under pressure, as from an engine, another tender, or from a pressurized source.
- radio, field programmable to CDF frequencies. Either portable or fixed-mount is acceptable. Operators must use an earphone/microphone headset with the radio (7761.6)

FIRE ENGINE EQUIPMENT REQUIREMENTS

7761.4.5

(No. 33 February 2004)

In addition to FIREScope ICS capabilities, specific minimum equipment and performance requirements are listed in [Engine Equipment and Accessories](#).

Privately-owned fire engines may possess equipment and capabilities in excess of the minimum requirements specified in the FIREScope Field Operations Guide, or [Engine Equipment and Accessories](#). Such additional equipment and capabilities should be separately identified and the price agreed upon by CDF and the contractor on Form CDF-294, Emergency Equipment Rental Agreement. CDF will only pay for such additional equipment and capabilities if specifically requested by CDF or its authorized agents and actually utilized.

Rates to be paid by CDF will be as agreed upon by CDF and the contractor on Form CDF-294. A rate for such government surplus equipment shall be negotiated to provide for operational costs only, e.g., fuel, oil, insurance and ancillary equipment. CDF will only make payment for actual hours that the engine is assigned to an incident under an order and request number. CDF will make no payments for "availability" during times that the engine is not assigned an incident order and request number.

All contractor-owned equipment should be clearly marked to prevent accidental confiscation by fire agency personnel. Such marking should be documented on arrival at the incident on the vehicle check-in inspection form.

ENGINE COMPANY PERSONAL PROTECTIVE EQUIPMENT

7761.4.5.1

(No. 26 April 2001)

The work is performed in a wildland/urban interface environment involving steep terrain where surfaces may be extremely uneven, rocky, covered with thick tangled vegetation, etc. Temperatures are frequently extreme (hot and cold), both from the weather or from the fire. Smoke and dust conditions are frequently severe. The hazardous nature of the work requires that personal protective equipment (PPE) be worn. PPE requirements are found in Title 8, Section 3410, California Code of Regulations. All required PPE, must be Cal-OSHA approved and will be provided by the contractor prior to any assignment. The contractor is responsible for assuring that all PPE is of the proper size and type, personnel are trained in its use and care, and that it is used as required by policy and statute.

At the time of hire and for the duration of the incident, each engine company member shall have and maintain the following Personal Protective Equipment:

- Boots: leather, lace-up type, minimum 8 inches high with lug-type soles in good condition. Steel toe boots are not acceptable.
- Hard hat: plastic, Class B, ANSI Z89.1, OSHA approved, with chin strap
- Goggles: one pair per person
- Head lamp: with batteries and attachment for hard hat
- Fire shelter: NFPA approved
- Canteen: one quart size, three per person required, 4 per person recommended. Must be full upon arrival at incident.
- Flame resistant clothing (shirt and trousers): Cal-OSHA approved.
- Firefighter gloves, Cal-OSHA approved.

All personnel and resources must arrive with all required safety and other equipment in good repair and operating condition.

COORDINATION AND SUPERVISION

7761.5

(No. 21 March 1999)

HIRED EQUIPMENT COORDINATOR

7761.5.1

(No. 26 April 2001)

To assist in the routine process of pre-planning the emergency use of hired equipment, all unit chiefs will designate a Hired Equipment Coordinator for their unit. The name of this designee shall be forwarded to the region command center chief for inclusion on the region-wide coordinator list. A suggested list of duties for the coordinator is shown in [Hired Equipment Coordinator Responsibilities](#).

TECHNICAL SPECIALIST, HIRED EQUIPMENT

7761.5.2

(No. 21 March 1999)

On incidents of significant magnitude with multiple hired resources, the Incident Commander is encouraged to utilize the position of Technical Specialist - Hired Equipment. This position works for the Equipment Manager within the Ground Support Unit. A suggested duty statement for this position is shown in [Technical Specialist – Hired Equipment](#).

DIRECT SUPERVISION

7761.5.3

(No. 33 February 2004)

All incident commanders must provide direct supervision for all hired resources. Division or Group supervisors are responsible for the safety, proper deployment, and time keeping of their assigned resources. They will prepare shift tickets and contractor evaluations for all hired equipment resources assigned to their supervision.

When forming a functional group, strike team or task force containing hired equipment, a the functional group supervisor or strike team/task force leader shall perform the following duties:

1. Initiate shift ticket process.
2. Determine equipment readiness and conformance to requirement standards.
3. Respond to incident with the group or task force.
4. Act as group supervisor or task force leader under direction of Operations Section personnel.
5. Prepare contractor evaluations

The ratio of supervisors to resources should be as follows:

Dozer Strike Team: 2 dozers, 1 dozer tender, 1 STL

Water Tender Strike Team: 5 tenders, 1 STL

Task Force or Functional Group:

1-5 resources: 1 leader/supervisor

5-10 resources: 2 leader/supervisor + 1 Tech. Spec.- Hired Equipment

10-15 resources: 3 leader/supervisor + 1 Tech. Spec - Hired Equipment

RADIO FREQUENCY USE AGREEMENT

7761.6

(No. 33 February 2004)

In order for hired equipment contractors to operate on CDF radio frequencies, both the contractor and a CDF representative must complete Form [FC-100R](#) "Radio Frequency Use Agreement," example attached. Proof of annual frequency and deviation inspection by a manufacturer's authorized warranty repair technician is no longer required.

RENTAL RATES**7761.7**

(No. 21 March 1999)

Equipment rental rates can be determined by reviewing the Equipment Rental Rates in the [Rates Procedures Handbook 3900](#).

(RESERVED)**7761.8**

(No. 21 March 1999)

(RESERVED)**7761.9**

(No. 21 March 1999)

AIRCRAFT**7761.10**

(No. 21 March 1999)

Emergency hiring of aircraft is authorized, as necessary, to meet emergency fire situations. This privilege must be administered judiciously to avoid unnecessary expenditure of public funds. (See [Aviation Management Procedures Handbook](#).)

(see next section)

(see HB Table of Contents)

(see Forms or Forms Samples)