

2012 Public Vendor discussions and comments

**Inspections for Water Handling equipment:** Inspections are only needed for replacement vehicles. You would follow the same process used at the time of award. Vendor must go to a third party for inspection and send the inspection results to the Contracting Officer.

Vendors are still required to meet the DOT annual inspections, you do not need to send a copy into the Contracting Officer, but a copy needs to be in the vehicle as it will be inspected once it arrives to the incident.

#### **New Driver's Limitation Clause D.21.8.1**

Note: The purpose of this clause is to clarification payment purpose. Don't confuse this with the operation shift or work/rest policy. Applicable when driving to and from the incident. Vendor is responsible for meals and lodging to and from incident.

No driver shall drive more than 10 hours within 15 hour duty-day.

Multiple drives may drive up to the 15 hour duty-day, but cannot exceed the individual driving limitation of the 10 hours.

Question: Is there a difference between on road driving vs. off road driving. No difference, it is considered all driving.

#### **Workers' Compensation**

The Oregon Vendor's Public Meetings had representatives to attend the meetings– Linda Repp, Kelly O'Berg and Kay Thrash were representatives from the Workers' Compensation Division and spoke to the group about the requirement for Workers' Comp, penalties and definitions of employee or independent contractor.

The state of Oregon requires almost all employers to carry **workers' compensation insurance** on their employees.

Exceptions:

**Sole Proprietors;** if you are a sole proprietor, you don't need coverage on yourself.

**Partners;** note, partners must be real partners with the right to make business decisions

Some **corporate officers**, most limited liability company members.

You need to contact the Workers' Compensation Division in your location or contact the Salem office to ensure if you are exempted or not. You can call the Employer Compliance Unit at toll free number 1-888-877-5670 or 503-947-7815

**Independent Contractor: Need to scan a copy of the handout provided at the meetings. The handout has the definitions.**

There are over 400 companies in the State of Oregon registered to write workers' compensation insurance. Many of these companies sell policies through agents. Often the agency that handles your other business insurance will also help you place your workers' compensation insurance.

If you can't find an insurer willing to write you a policy, you can get insurance through the Oregon Assigned Risk Insurance Plan. You can call 800-622-4123 or website: [www.ncci.com](http://www.ncci.com)

## **BOLI**

Some vendors are being contacted by BOLI (Bureau of Labor and Industries)  
BOLI is investigating Fallers for compliance of the Farm/Forest labor contractor license.

A handout was provided which states” It is BOLI’s position that the definition of “forestation or reforestation of lands” includes the work of timber falling performed either in the course of fighting a forest fire or in the aftermath of a fire as part of mop up operations. As a result, any person who recruits, solicits, supplies or employs workers to perform this activity is required under Oregon law to first obtain a farm/forest labor contractor license”

The Forest Service was contacted by a BOLI rep, so please any questions relating to obtaining a license, exemption, etc. you will need to contact the agency’s Licensing Unit at 503-373-1463

## **Training Records**

### **Will need to attach LuAnn’s handout.**

**Vendors** need to notify LuAnn Grover or Tony Largaespada 7 days in advance for any pack test or training. Notification can be done by fax. You can fax your information to Fire and Aviation 503-808-6799. Information needed for the Pack test, Name of Instructor, date, time, location and approx. how many folks will be taking the test. If you cancel, please let Tony or LuAnn know.

**NOTE:** DNR blue cards are not accepted. You must use a MOU provider that is listed in Exhibit I of your agreement.

## **Comment:**

**Complaint:** Vendors do not like having to carry two (2) full sets of the complete agreement in each vehicle.

Majority of the vendors have never been asked to leave a copy and due to the paper reduction act, feels this is an unnecessary requirement.

**Response:** This is a requirement in the solicitation and at this time for yr 2012, this requirement will not change. Not all teams have access to the web and rely on vendors to provide a copy as stated in the solicitation.

**Comment:** DNR not using the Dispatch priority List properly.

**Response:** DNR has the right to use their resources first. Depending on the incident, DNR or under the State Mob will use their protocols. If they start dispatching from the R6 Water Handling agreement, then the dpl will be followed. If you have concerns this is not being followed you can contacted the Contracting Officer – Kermadine Barton on her cell 541-324-1206 or contact LuAnn Grover 503-808-2238 or Tony Largaspada 503-808-2328

**Comment:** Vendor claims his equipment has broken down and needs to replace equipment. Equipment is replaced but is shown on the agreement at a higher price. Incident management

Team is allowing the replacement at the higher rate and finance making the changes on the invoice.

**Response:** This should not be happening, if you have documentation please contact your Contracting Officer right away. The Contracting Officer will contact the IMT.

**Might need follow up**

Brake dust covers on a Cat. Is this a requirement? BIA was rejecting equipment if the brake covers were not on.

**Comment:** When placing a order for a type 2 tender, the host unit has called out all their resources, while do they go to another host unit to call type 2's when there are Type 1's available in the host area? Types 1's are available as a local resource and may cost less because of travel.

**Response:** The Incident Management teams order what resources they need and the dispatchers only have the authority to order what resource is called for.

**Comment:** Could your group please explain to the teams the difference and similarity between a pumper cat and a skidengine. There have been problems that teams know the work skidengine, but don't know that a pumper cat can do the same job. It seems that some vendors are getting no calls for their pumper cats because the teams don't know what they do, their similarity to skidengines or they simply forget about them because the name is not used as often as "skidengine"

**Response:** The group will bring this issue up at the Incident Team meetings that will be held this year. It is still the team's responsibility to order what resource they need and dispatches to fill.



### Interagency Water Handling Agreement

<b>Employee Name:</b> Government Issued Photo Identification Verified ( e.g. Drivers License, Passport, etc.) _____ If CDL with Tank Endorsement Required verify; Y____ N_____ Medical Certificate if Required, verify; Y____ N_____ Proof of Workers Compensation Insurance; Y____ N_____ <b>PACK TEST Arduous or Light (circle as appropriate) Time _____ Date _____</b>				<b>Qualified ICS Position:</b>
<b>Contractor/Company:</b>				<b>Hiring Date:</b>
<b>WILDLAND FIRE COURSES &amp; POSITION TASK BOOKS COMPLETED</b> (Certification of Training Must Be In Employee's Training File)				
<b>ICS Position</b>	<b>Required Course/PTB</b>	<b>Month &amp; Year Of Training Or PTB Completed</b>	<b>Instructor, Institution or PTB Certifier</b>	<b>Location &amp;/or Phone # of Instructor, Institution or Certifier</b>
Tender Operator	S130			
	S190			
Firefighter II	S130			
	S190			
	I100 (1/06+)			

	L180 (1/06+)			
Firefighter I	S131			
	S133 (1/06+)			
	PTB			
ENGB	S230			
	S290			
	PTB			
<b>All Positions (EQOP, WTOP, FFT2, FFT1 &amp; ENGB) *Required Annually</b>	RT130 Annual Fireline Safety Refresher  IS-700a			

Wildland Fire Experience (List the Previous 5 Years Wildland Fire Experience)					
YEAR	POSITION	INCIDENT NAME	LOCATION (City & Agency)	Fire Size (Acres)	Number of Days Worked
Signature of Inspector		Inspector (Print Name)		Inspector Phone Number	Date of Inspection

## Work Capacity Test Data Sheet 2012

Company: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Contact Phone: \_\_\_\_\_

WCFT Date: \_\_\_\_\_ WCFT Start Time: \_\_\_\_\_

WCFT Site Address: \_\_\_\_\_

Test Administrator: \_\_\_\_\_

Monitor's Signature: \_\_\_\_\_  
(If applicable)

**You MUST include a copy of these results when submitting an employee's records for review to Forest Service.**

