SUBJECT: Award of Contract for Self Contained Breathing Apparatus for the Department of Public Safety (F1011-51) and Approval of Budget Modification No. 22

BACKGROUND
Approval is requested for award of a contract to Bauer Compressors, Inc. of Livermore in the amount of $558,442 for the purchase of one hundred (100) self-contained breathing apparatus (SCBA) units for the Department of Public Safety. The cost includes the SCBAs, OSHA-compliant fit testing, hardware and software for flow testing, operator training, and technician training. Approval is also requested for Budget Modification No. 22 to provide funding for this purchase.

DISCUSSION
The current Survivair SCBAs in use in the Department of Public Safety (DPS) have been in service for thirteen years and no longer comply with National Fire Protection Association (NFPA) standards. In advance of replacing the Survivair units, in 2008 DPS assigned a committee of Public Safety Officers certified in accordance with federal SCBA Technician Standards, to research the SCBA brands in use in the County of Santa Clara. The brands evaluated by the committee included MSA, Scott and Sperian. Evaluation criteria included life safety features, regulatory compliance, local agency usage, wearer comfort, maintenance intervals and ease of maintenance, communications system, local interoperability and warranty. As a result of this evaluation, the committee unanimously determined that the MSA Firehawk M7 SCBA most closely meets the operational and safety needs of DPS personnel.

Section 2.08.070(b)(3) of the Sunnyvale Purchasing Ordinance provides for exemptions to the competitive bidding process in situations where solicitations of bids would for any reason be impractical, unavailing or impossible. In this case a competitive process would be impractical for several reasons, as more fully explained below.

Proprietary Life Safety and Other MSA-only Safety Features
The MSA Firehawk M7 SCBA not only complies with NFPA 2007 standards, but incorporates a proprietary life-safety feature and improved equipment technology unmatched by the other evaluated brands. The proprietary TransFill Rapid Intervention Connection (RIC) bi-directional air transfer...
connection eliminates the need for buddy breathing in Immediately Dangerous to Life and Health (ILDH) atmospheres and does not require users to be tethered together. Other key features provided by the MSA Firehawk M7 SCBA that are not offered by any other brand include:

- **Rapid Intervention Connection (RIC) – Shoulder Mounted TransFill Valve** – Allows a second point of connection for Bi-Directional Air Transfer to a downed firefighter.
- **Eliminates 2nd Stage Regulator Cross Contamination for the Firefighter –** Resists cross contamination (Firefighter to Firefighter) or germ transfer, which can cause the unnecessary spread of illness, via the second stage regulator.
- **Wireless Heads Up Display –** Eliminates exposed wiring on the 2nd stage regulator and internal wiring on the regulator hose, as in the other SCBA designs, reducing the cost of repair and damage.
- **Communications System Design –** Placement of the microphone before the mechanical diaphragm and directly in front of the mouth provides undistorted face-to-face and radio communication.
- **Lifetime Warranty on pack and longest available warranty on all other components.**

**Favorable Pricing**

Bauer Compressors, Inc., working directly with the manufacturer, MSA, provided the City with very favorable pricing as compared to other agency contracts for MSA and non-MSA purchases. For example, the State of California awarded a statewide piggyback contract in 2007 (expires January 31, 2011) for MSA SCBAs that are approximately 26% higher in price than those offered by the Bauer price quote ($4,884 v. $3,873). As another example, in 2010 the City of Mountain View purchased the same MSA SCBAs at a unit cost of $4,500 versus $3,873 under the Sunnyvale pricing. Finally, in 2008 Santa Clara County purchased Scott SCBAs at a unit cost of $4,141.

In order to draw direct, apples-to-apples cost comparisons, the pricing provided above only includes the cost for one self-contained unit (shown as Item 1 on the detailed price quote in Attachment A), and does not include other components such as the additional air cylinder, transfill hose/pouch, radio interface lapel mic, etc. Price comparisons were also made for these components, and similar savings were noted for each component part for each of the price quotes reviewed.

It should be noted that the Bauer price quote includes the SCBAs, OSHA-compliant fit testing, hardware and software for flow testing, operator training, and technician training.
Interoperability
Local interoperability has become more important as regional resource sharing and mutual aid have increased amid the recession. Both the Mountain View and Santa Clara (City) Fire Departments use the MSA Firehawk M7 SCBA. Having the same SCBA system as agencies that border the City enhances the City’s ability to operate with these agencies on mutual aid incidents.

**FISCAL IMPACT**
Total cost to the City will be $558,442, including sales tax. Funding for the replacement of SCBAs was originally budgeted over a five-year period, starting in FY 2010/2011, in the Public Safety Equipment Replacement Account (020901). Staff had made an initial determination to lease the SCBAs, but additional analysis indicated up front purchase is more financially beneficial. Therefore, Budget Modification No. 22 has been prepared to appropriate funds from the General Fund’s Budget Stabilization Fund to cover the cost of the full replacement in FY 2010/2011. The Public Safety Equipment Replacement Account will be adjusted to consider this action, and because the funds planned for SCBA replacement over the five-year period were greater than the cost of this purchase, the result is a slight savings to the General Fund.

### Budget Modification No. 22
**FY 2010/2011**

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**PUBLIC CONTACT**
Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City’s web site.
RECOMMENDATION
It is recommended that Council:

1. Award a contract for one hundred self-contained breathing apparatus, in substantially the same form as the attached draft Purchase Order in the amount of $558,442.39, to Bauer Compressors, Inc.; and
2. Approve Budget Modification No. 22 to provide funding for this purchase.

Reviewed by:

Grace K. Leung, Director of Finance
Prepared by: Pete Gonda, Purchasing Officer

Reviewed by:

Don Johnson, Director of Public Safety

Approved by:

Gary M. Luebbers
City Manager

Attachments
A. Draft Purchase Order, Pricing Detail and Warranty Information
**ATTACHMENT A**

### ORDERED FROM

03453 - 001

Bauer Compressors Inc
267 E Airway Blvd
Livermore  CA  94551

(925) 449-7210

### ORDER DATE

11/30/2010

### BILL TO:

City of Sunnyvale
Finance Department
Accounts Payable
PO Box 3707
Sunnyvale, CA 94088-3707

### DELIVERY TO

DPS/Fire Services
700 All America Wy
Sunnyvale  CA  94086
Phone: (408) 730-7220

### FREIGHT CHARGES

Destination, freight included in price

### ITEM | DESCRIPTION | QTY | UNIT | UNIT COST | TOTAL |
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<td>MSA FireHawk M7 Air Mask, Part # A-M7HD11D1C12DA0</td>
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## Document Terms:

Amount does not reflect applicable taxes.

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P0003498 Draft Purchase Order NO

City of Sunnyvale California
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<th>DESCRIPTION</th>
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<td>MSA Phenix A-Mask</td>
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<td>30 Minute Carbon Fiber Cylinder</td>
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<td>30 Minute Carbon Fiber Cylinder, Medium Nosecap</td>
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**Note:**
- Item O.T.Y.

**Quotation Valid for 60 Days.**

**Date:** 1/23/2010

**Re: MSA SCBA Proposal**

Fax: 408-730-7710
Phone: 408-730-7418
Sunnyvale, CA 94088
650 West Olive Avenue
Sunnyvale Department of Finance

Peter Comoda

**Terms:**
- F.O.B. Folsom
- Full truckload
- Shipping method: R.N.
- Payment terms: 30 days

**Company:** Bauer Compressors
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<th>Item</th>
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<th>Price 2</th>
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<td>4</td>
<td>Radio Interface Lapel Mic</td>
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<td>5</td>
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<td>Carbon Fiber</td>
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<td>8</td>
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<td>MSA/Posi Check Tester Software</td>
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**Payment Terms:** Net 30 Days.

**Delivery:** 45 to 60 Days after receipt of order.

Quotation prices are valid for 60 days. Call 925-449-7210 if past expiration date.

Thank you for the opportunity to submit this quotation. If you have any questions please give us a call.

Sincerely,

[Signature]

Tim McGuire
267 E. Airway Blvd.
Livermore, CA 94551
Phone: 925-449-7210 x 203
Fax: 925-449-7201
Email: tim.mcguire@bauer.com
Operational Training

At time of delivery, Bauer/MSA will perform operational training for Sunnyvale DPS personnel. The training will be scheduled by Sunnyvale DPS Training Staff. The training will be performed for six (6) days in order for the trainers to interact with all personnel.

Bauer/MSA may deliver up to ten (10) SCBA to Sunnyvale DPS to assist in starting the SCBA Operational Training process. Please have Sunnyvale DPS Training staff contact Bauer/MSA to request these SCBA.

Bauer/MSA will assist Sunnyvale DPS Training Staff with the department's implementation of MSA-U On-Line Training. The MSA-U Web Based Training Site is available to all Sunnyvale DPS personnel and will assist in many of your MSA SCBA Training requirements.

Service Technician Training

Service Technician Training Class will be supplied to Sunnyvale DPS at no additional cost. All Software/Hardware required to perform Flow Testing on the MSA III Check III SCBA will be supplied at no additional cost. Calibration or upgrades to Posi Check III SCBA Tester will be the responsibility of Sunnyvale DPS. Service Technician Training will be for two (2) days and will be scheduled by Sunnyvale DPS personnel. Other agencies may be invited to attend these sessions.

SCBA Mask Fit Testing

Bauer/MSA will perform MSA SCBA Mask Fit Testing for Sunnyvale DPS personnel before equipment is put into service at no additional cost. The Fit Testing will be scheduled by Sunnyvale DPS personnel and will be conducted at Station 2.
**Lifeshield Warranty**

**Warranty Period**

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**Extended Protection Plan**

For additional coverage, contact us at 1-800-844-4411 or visit our website at lifeshield.com.

**Warranty Registration**

Register your warranty online at lifeshield.com/register or call 1-800-844-4411.

**Exclusions**

- Loss or damage to personal belongings or contents.
- Damage caused by misuse, abuse, or negligence.
- Damage caused by accidents, fires, floods, or other acts of nature.
- Damage caused by unauthorized repairs or modifications.
- Damage caused by normal wear and tear.
- Damage caused by normal aging.
- Damage caused by impact or force.

**Limitations**

- The warranty is void if the product is tampered with or altered.
- The warranty is void if the product is used in a commercial or industrial setting.
- The warranty is void if the product is used in a manner not intended by the manufacturer.
- The warranty is void if the product is used in a manner not consistent with the manufacturer's specifications.

**Disclaimer**

Lifeshield makes no representations or warranties of any kind, express or implied, regarding the quality, performance, or suitability of the product for any particular purpose. Lifeshield shall not be liable for any direct, indirect, incidental, or consequential damages arising from the use of the product.

**Caution**

- This product is intended for use by adults only. It is not designed for children.
- Always keep the product out of reach of children.

**Accessibility**

For more information or assistance, please contact our customer service department at 1-800-844-4411.