

# What's New In The 2009 AFG Program

- There are a few minor changes between the 2008 and the 2009 AFG Program.
- There will be an increased emphasis on procurement integrity in 2009.

## EMS

- Focus has shifted to **Advanced Life Support for EMS services.**
- The focus on the level of response for EMS services has changed from Basic Life Support (BLS) to Advanced Life Support (ALS).

## Wellness and Fitness

### Three Highest Priorities

- **Entry level physicals**
- **Physical assessment for on board active fire and EMS personnel**
- **Immunizations for fire and EMS personnel**

### Next Level of Priority

- **Candidate physical agility assessments**
- **Physical fitness equipment**

After the three requisite benefits are met (periodic health screenings, entry physicals, immunizations), **candidate physical agility evaluations** will receive the highest consideration for funding. For applicants who apply for funding to assist them in implementing a candidate physical fitness assessment, physical fitness equipment should be equally considered if a part of their application.

## Modifications to Facilities

- **Structures built after 2003 are not eligible for funding.**
- **Stations with sleeping quarters and occupied 24/7 are the highest priority.**
- **Exhaust extraction systems are a higher priority.**

AFG Program will differentiate between systems that evacuate the vehicle exhaust directly from the habitable areas to the exterior of the structure from systems that do not, e.g., ambient air filters. **Exhaust extraction systems are a higher priority. We have drawn a distinction between air quality systems and vehicle exhaust extraction systems. Air quality systems are eligible, however they are a slightly lower priority than VES.**

## Vehicle Acquisition

- **Grantees must comply with Chapter 6 of NFPA 1500 *Standard on Fire Department Occupational Safety and Health Program.***
- **Standard operating procedures should require that all vehicle occupants wear seatbelts and that drivers obey all traffic signals, signs and laws.**

- **Applies to all fire vehicles and fire-based EMS vehicles**

## **Applies to all fire vehicles and fire-based EMS vehicles**

**Grantees must certify, in their application and at award, that they have adopted or will adopt and enforce SOPs that comply with NFPA 1500. Chapter 6 Fire Apparatus, Equipment, and Drivers/Operators**

### **6.1 Fire Department Apparatus.**

**6.1.1\*** The fire department shall consider safety and health as primary concerns in the specification, design, construction, acquisition, operation, maintenance, inspection, and repair of all fire department apparatus.

**6.1.1.1\*** The fire department shall specify restraint devices for fire apparatus, including those restraint devices for emergency medical service (EMS) members operating in the patient compartment of the ambulance.

**6.1.2** All new fire apparatus shall be specified and ordered to meet the applicable requirements of NFPA 1901, *Standard for Automotive Fire Apparatus*.

**6.1.3** All new wildland fire apparatus shall be specified and ordered to meet the requirements of NFPA 1906, *Standard for Wildland Fire Apparatus*.

**6.1.4** All marine fire-fighting vessels shall be specified and ordered to meet the requirements of NFPA 1925, *Standard on Marine Fire-Fighting Vessels*.

**6.1.5\*** Where tools, equipment, or respiratory protection are carried within enclosed seating areas of fire apparatus or the patient compartment of an ambulance, such items shall be secured by either a positive mechanical means of holding the item in its stowed position or by placement in a compartment with a positive latching door.

**6.1.6** When fire apparatus is refurbished, it shall be specified and ordered to meet the applicable requirements of NFPA 1912, *Standard for Fire Apparatus Refurbishing*.

**6.1.7** Fire departments that operate their own fixed-wing or rotary aircraft for fire department operations shall provide four-point restraints for all pilots and passengers, not including any EMS patients.

**6.1.7.1** Members performing hoist rescue in the passenger area of the aircraft shall be secured by a vehicle safety harness or seat belt system.

### **6.2 Drivers/Operators of Fire Department Apparatus.**

**6.2.1\*** Fire apparatus shall be operated only by members who have successfully completed an approved driver training program commensurate with the type of apparatus the member will operate or by trainee drivers who are under the supervision of a qualified driver.

**6.2.2\*** The driver of a fire department vehicle shall be required to possess a valid driver's license for the class of vehicle, as specified by the AHJ.

**6.2.2.1** Fire department vehicles shall be operated in compliance with all applicable traffic laws, including special provisions pertaining to emergency vehicles as established by the AHJ, as well as specific rules, regulations, and procedures adopted by the fire department.

**6.2.3\*** The fire department shall establish specific rules, regulations, and procedures relating to the operation of fire department vehicles in an emergency mode, including guidelines to establish when emergency response is authorized and when emergency response is not authorized.

**6.2.4\*** Drivers of fire apparatus shall be directly responsible for the safe and prudent operation of the vehicles under all conditions.

**6.2.4.1** When the driver is under the direct supervision of an officer, that officer shall also assume responsibility for the driver's actions.

**6.2.5** Drivers shall not move fire apparatus until all persons on the vehicle are seated and secured with seat belts in approved riding positions, other than as specifically allowed in this chapter.

**6.2.6** Drivers of fire apparatus shall obey all traffic control signals and signs and all laws and rules of the road of the jurisdiction for the operation of motor vehicles.

**6.2.7\*** The fire department shall develop standard operating procedures for safely driving fire apparatus during non-emergency travel and emergency response and shall include specific criteria for vehicle speed, crossing intersections, traversing railroad grade crossings, the use of emergency warning devices, and the backing of fire apparatus.

**6.2.7.1\*** Procedures for all responses shall emphasize that the safe arrival of fire apparatus to the incident scene is the first priority.

**6.2.8\*** During emergency response, drivers of fire apparatus shall bring the vehicle to a complete stop under any of the following circumstances:

- (1) When directed by a law enforcement officer
- (2) At red traffic lights
- (3) At stop signs
- (4) At negative right-of-way intersections
- (5) At blind intersections
- (6) When the driver cannot account for all lanes of traffic in an intersection
- (7) When other intersection hazards are present
- (8) When encountering a stopped school bus with flashing warning lights

**6.2.9** Drivers shall proceed through intersections only when the driver can account for all lanes of traffic in the intersection.

**6.2.10\*** During emergency response or non-emergency travel, drivers of fire apparatus shall come to a complete stop at all unguarded railroad grade crossings and ensure that it is safe to proceed before crossing the railroad track(s).

**6.2.11** Drivers shall use caution when approaching and crossing any guarded railroad grade crossing.

**6.2.12** The fire department shall include information on the potential hazards of retarders, such as engine, transmission, and driveline retarders, in the driver training program and shall develop written procedures pertaining to the use of such retarders.

**6.2.13** The fire department shall develop written procedures requiring drivers to discontinue the use of manual brake limiting valves, frequently labeled as a "wet road/dry road" switch, and requiring that the valve/switch remains in the "dry road" position.

**6.2.14\*** Where members are authorized to respond to incidents or to fire stations in private vehicles, the fire department shall establish specific rules, regulations, and procedures relating to the operation of private vehicles in an emergency mode.

**6.2.14.1** These rules and regulations shall be at least equal to the provisions regulating the operation of fire department vehicles.

**6.2.14.2\*** These rules and regulations shall also apply to the use of emergency lighting equipment, audible warning devices, or both on private vehicles.

**6.2.14.2.1** The rules and regulations shall specify the procedures for use of emergency lighting equipment and audible warning devices and shall be in compliance with the motor vehicle laws of the jurisdiction.

**6.2.14.2.2** Emergency lighting equipment and audible warning devices shall not be installed without the fire department's approval.

### **6.3 Riding in Fire Apparatus.**

**6.3.1\*** All persons riding in fire apparatus shall be seated and belted securely by seat belts in approved riding positions at any time the vehicle is in motion other than as allowed in 6.3.4 and 6.3.5. Standing or riding on tail steps, sidesteps, running boards, or in any other exposed position shall be specifically prohibited.

**6.3.2** Seat belts shall not be released or loosened for any purpose while the vehicle is in motion, including the donning of respiratory protection equipment or protective clothing.

**6.3.3\*** Members actively performing necessary emergency medical care while the vehicle is in motion shall be secured to the vehicle by a seat belt, or by a vehicle safety harness designed for occupant restraint, to the extent consistent with the effective provision of such emergency medical care.

**6.3.3.1** All other persons in the vehicle shall be seated and belted in approved riding positions while the vehicle is in motion.

**6.3.4\*** Fire departments permitting hose loading operations while the vehicle is in motion shall develop written standard operating procedures addressing all safety aspects.

**6.3.5\*** Fire departments permitting tiller training, where both the instructor and the trainee are at the tiller position, shall develop written standard operating procedures addressing all safety aspects.

**6.3.6\*** Helmets shall be provided for and used by persons riding in open cab apparatus or open tiller seats.

**6.3.7\*** Eye protection shall be provided for members riding in open cab apparatus or open tiller seats.

**6.3.8\*** On existing fire apparatus where there is an insufficient number of seats available for the number of members assigned to or expected to ride on that piece of apparatus, alternate means of transportation that provide seated and belted positions shall be used.

### **6.4 Inspection, Maintenance, and Repair of Fire Apparatus.**

**6.4.1\*** All fire apparatus shall be inspected at least weekly, within 24 hours after any use or repair, and prior to being placed in service or used for emergency purposes, in order to identify and correct unsafe conditions.

**6.4.2** A preventive maintenance program shall be established, and records shall be maintained as specified in 4.6.5.

**6.4.3** Inspection, maintenance, and repair of fire apparatus shall be conducted in accordance with NFPA 1915, *Standard for Fire Apparatus Preventive Maintenance Program*.

**6.4.4\*** The fire department shall establish a list of major defects to be utilized to evaluate when a vehicle shall be declared unsafe.

**6.4.4.1** Any fire department vehicle found to be unsafe shall be placed out of service until repaired.

**6.4.5** All repairs to fire department apparatus shall be performed by personnel meeting the requirements of NFPA 1071, *Standard for Emergency Vehicle Technician Professional Qualifications*, or personnel trained to meet the requirements identified by the manufacturers in their specifications and procedures for fire department vehicles and protective equipment.

**6.4.6** Fire pumps on apparatus shall be service tested in accordance with the applicable requirements of NFPA 1911, *Standard for Service Tests of Fire Pump Systems on Fire Apparatus*.

**6.4.7** All aerial devices shall be inspected and service tested in accordance with the applicable requirements of NFPA 1914, *Standard for Testing Fire Department Aerial Devices*.

**6.4.8** All fire apparatus shall be cleaned and disinfected in accordance with NFPA 1581, *Standard on Fire Department Infection Control Program*.

## **6.5 Tools and Equipment.**

**6.5.1** The fire department shall consider safety and health as primary concerns in the specification, design, construction, acquisition, operation, maintenance, inspection, and repair of all tools and equipment.

**6.5.2** The hearing conservation objectives of this standard shall be taken into account in the acquisition of new power tools and power equipment.

**6.5.3** All new fire department ground ladders shall be specified and ordered to meet the applicable requirements of NFPA 1931, *Standard for Manufacturer's Design of Fire Department Ground Ladders*.

**6.5.4** All new fire hose shall be specified and ordered to meet the applicable requirements of NFPA 1961, *Standard on Fire Hose*.

**6.5.5** All new fire department spray nozzles shall be specified and ordered to meet the applicable requirements of NFPA 1964, *Standard for Spray Nozzles*.

**6.5.6\*** All equipment carried on fire apparatus or designated for training shall be inspected at least weekly and within 24 hours after any use.

**6.5.7** Inventory records shall be maintained for the equipment carried on each vehicle and for equipment designated for training.

**6.5.8** All equipment carried on fire apparatus or designated for training shall be tested at least annually in accordance with manufacturers' instructions and applicable standards.

**6.5.9** Fire-fighting equipment found to be defective or in unserviceable condition shall be removed from service and repaired or replaced.

**6.5.10** All fire department equipment and tools shall be cleaned and disinfected in accordance with NFPA 1581.

**6.5.11** All ground ladders shall be inspected and service tested in accordance with the applicable requirements of NFPA 1932, *Standard on Use, Maintenance, and Service Testing of In-Service Fire Department Ground Ladders*.

**6.5.12** All fire hose shall be inspected and service tested in accordance with the applicable requirements of NFPA 1962, *Standard for the Inspection, Care, and Use of Fire Hose, Couplings, and Nozzles and the Service Testing of Fire Hose*.

**6.5.13** All fire extinguishers shall be inspected and tested in accordance with the applicable requirements of NFPA 10, *Standard for Portable Fire Extinguishers*.

**6.5.14** All fire department powered rescue tools shall meet the requirements of NFPA 1936, *Standard on Powered Rescue Tools*.

## **Vehicle & Equip Acquisition**

- **The new issues involve “who” creates and provides the specifications.**
- **If ABC-Fire-Apparatus-Builders creates and provides XYZ-FD with specifications for a vehicle, then ABC cannot bid on the contract.**
- **Such an arrangement would create a conflict of interest.**

**If ABC-Fire-Apparatus-Builders provides XYZ-FD with specifications for a vehicle, then ABC cannot bid on the contract IF the department uses the ABC-Fire-Apparatus-Builders specifications without change.**

## **Procurement Integrity**

- **Competition**
- **Documentation**
- **Specifications**
- **Conflicts of Interest**

**Because some AFG recipients have not adhered to the proper procurement requirements when spending grant funds, the Program Office is placing greater emphasis on the oversight of procurement actions.**

## **Open and Fair Competition**

- All procurement transactions shall be conducted in a manner that provides, to the maximum extent practical, open and free competition.
- Grantees are expected to promote competition and ensure advantageous pricing by soliciting bids from multiple vendors and by selecting the lowest bidder capable of meeting the requirements.
- Purchases shall be made from the vendor whose bid is responsive to the solicitation and is most advantageous to the grantee when price, quality, and other factors are considered. Other factors may include such things as whether the item or program meets NFPA Standards or will lend itself to complying with OSHA Regulations.
- There is value in placing a piece of equipment into service immediately. This value should be considered when evaluating cost.

## **Documentation**

- Grantees are required to maintain and retain backup documentation such as bids, quotes, and cost/price analyses on file - for review by Federal personnel. Specifications, solicitations, competitive quotes or proposals, basis for selection, purchase orders or contracts, invoices, and cancelled checks are all examples of documentation.
- The required documentation for federally funded purchases should include specifications, solicitations, competitive quotes or proposals, basis for selection, purchase orders or contracts, invoices, and cancelled checks.
- Grantees who fail to fully document their purchases may find that their expenditures will be questioned and subsequently disallowed.

## **Specifications**

- Specifications developed for solicitations shall clearly set forth at least the minimum requirements that the bidder must fulfill in order for the bid or offer to be evaluated by the

recipient. Meaning the specs must detail your needs (1,000 GPM, 3,000 gallon capacity drop tank, poly versus stainless tank, 30-45-60 min., etc.).

- However, the regulations state that: “Specifications may not be so narrowly constructed or contain features which unduly limit, restrict, or eliminate competition unnecessarily.”
- This means you can’t write specifications to eliminate all vendors except the vendor you want to buy from.
- Requiring that your SCBA has the regulator on the left shoulder is limiting. Requiring that your exhaust system have yellow hose is limiting.
- Requiring that your apparatus be made by a specific manufacturer is limiting.
  
- Grantees cannot impose in-State or local geographical preferences in the evaluation of bids or proposals. Geographic characteristics can be used as part of the justification for selection, but it CANNOT be used to eliminate potential vendors.
- Grantees are encouraged to seek and obtain information from vendors regarding the products that they plan to purchase. However, information regarding products should be sought from multiple vendors, not just one.
- It is the grantees’ responsibility to assure that any information obtained from a vendor is not used to restrict competition. For example, you may obtain sales brochures from vendors for informational purposes, but you may not use the information contained in that brochure when creating specifications to limit competition.
- Key Point: Don’t use specifications any specification that is vendor specific.
- Contrary to what Vendors are telling you, specifically listing a product by name in a grant application is not justification for selection of that brand-named product after award.
- Quite the contrary. Being “brand-name” specific is an indication of bias which is not tolerable in a competitive process. If you use “brand-name” specificity in your application, DHS may ask you to provide any and all procurement documentation to assure that you were not biased.
  
- DHS may also request your procurement documentation if you buy from any vendor that was not the apparent low bidder under a sealed bid process.

## Conflicts of Interest

- In order to ensure objective vendor performance and eliminate an unfair competitive advantage:
  - Anyone that develops or drafts specifications, requirements, statements of work (including the grant application), invitations for bids, and/or requests for proposals shall be excluded from competing for such procurements.
  - Additionally, no employee, officer, or agent of the grantee shall participate in the selection, award, or administration of a procurement supported by Federal funds if a real or an apparent conflict of interest would be involved.
- We consider volunteers of an organization and grant writers to be “employees, officers, and/or agents” of the grantee.
- As such, no volunteer or member of an organization or anyone involved in the application for funding can participate in, or benefit from, the procurement if Federal funds are involved.
- Many volunteer FFs work for vendors/manufacturers of FFE.
- This relationship does not necessarily prohibit these vendors/manufacturers from the procurement – if the member is not involved with the application/grant in any way.

- The employed member CANNOT be party to the application or the drafting of the specifications or involved with the purchase. Grantees who purchase items with grant funds from vendors who employ any of their volunteers/members will have to document how they avoided a conflict of interest during the procurement process.
- They should provide specific details regarding how the members/volunteers removed themselves, or how they were prevented from participating in the process.
- It might be easier to avoid using grant funds for such purchases – but it is not a requirement.

**This is true for both the Vehicles and Ops and safety Equipment**

## Electronic Scoring

Two Important Facts

- The answers to many questions in your application have values assigned to them.
  - The answers that most closely align with the program’s priorities will score the highest.
- The questions in the “Request Details” section are the primary source of the score. Call volume and population protected and other department characteristics may also affect the score.

## Funding Priorities

- Check the “Priorities” section of the Program Guidance before deciding what items or programs you will request assistance in this year.

Match up your request to the priorities listed in the Priorities section of the Program Guidance. If your priorities do not match with the very highest priorities in the Program Guidance you will receive a lower numeric score, possibly eliminating you from contention.

## Excess Funds

- Up to fifty percent of a grant’s excess funds may be used for training and/or wellness and fitness\* initiatives.
- Any use of excess funds in this area must be approved by DHS in an amendment request.
- Limited to the three Wellness Fitness requisites.

Note: The three Wellness Fitness requisites are:

1. Entry level NFPA 1582 Physicals
2. Immunization programs
3. Annual NFPA 1582 physicals