

## **RESOLUTION NO. 1075**

### **A RESOLUTION OF THE BROKEN ARROW CITY COUNCIL APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF BROKEN ARROW, CASCO INDUSTRIES, INC AND MINE SAFETY APPLIANCES COMPANY, LLC; REINSTATING PURCHASE ORDER NUMBER 096106; AND AUTHORIZING THE FIRE DEPARTMENT TO ACCEPT THE SCBA'S IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT**

**WHEREAS**, the City of Broken Arrow, with the assistance of the Broken Arrow Fire Department, issued Invitation to Bid No. 17.127 for one hundred and ten (110) self-contained breathing apparatuses (“SCBA’s”) along with other necessary equipment, including face pieces and cylinders; and

**WHEREAS**, Casco Industries was awarded the bid and a purchase order was issued on February 9, 2017, for a total purchase price of \$743,607.00 for the one hundred and ten (110) SCBA’s and all pertinent accessories/equipment; and

**WHEREAS**, the City received multiple shipments that included a total of one hundred ten (110) SCBA’s, including twenty-five (25) SCBA’s for the Broken Arrow Fire Department (“BAFD”) Cadets, and other necessary equipment, including face pieces and cylinders pursuant to the purchase order; and

**WHEREAS**, Casco Industries, Inc. (“Casco”) is a factory authorized and trained service center for SCBA’s, including Mine Safety Appliances Company, LLC (“MSA”); and

**WHEREAS**, MSA is a manufacturer of safety products that help protect workers who may be exposed to a variety of hazardous conditions, including breathing apparatuses use by firefighters; and

**WHEREAS**, SCBA’s are essential to the safety of the BAFD as they provide a high level of respiratory protection to firefighters; and

**WHEREAS**, for the safety of the BAFD and the citizens of Broken Arrow it is vital that all SCBA’s are operating correctly and that firefighters are trained properly on the use of the SCBA’s; and

**WHEREAS**, on June 9, 2017, the Broken Arrow City Council terminated the purchase order for the 110 SCBA’s due to articulated difficulties with twenty-six (26) of the units; and

**WHEREAS**, following termination, representatives of Casco and MSA met with Fire Department Staff to discuss the SCBA’s, comprehensive training on the units, and upgrade of software; and

**WHEREAS**, City Staff and Casco and MSA representatives were able to reach a tentative agreement which provided for replacement of twenty-five (25) units, flow tests, software upgrades,

and function evaluations of all one hundred ten (110) units, and comprehensive training on the SCBA's; and

**WHEREAS**, the Council believes that it is in the best interest of the City and in support of the health, safety, and welfare of its Firefighters and citizens to reinstate the purchase order, accept the new SCBA's, accept the unused SCBA's, to participate in comprehensive training regarding the operation, and to approve and authorize execution of the Agreement attached hereto as exhibit "A."

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW THAT** the Agreement Between the City of Broken Arrow, Casco Industries, Inc. and MSA Safety Inc. is hereby approved; and

**NOW, THEREFORE BE IT FURTHER RESOLVED THAT** Purchase Order Number 096106 is hereby reinstated; and

**NOW, THEREFORE BE IT FURTHER RESOLVED THAT** the Fire Department is authorized to accept the SCBA's in accordance with the terms of the Agreement.

This Resolution is approved in open meeting by the City Council of the City of Broken Arrow on this 19th day of December, 2017.

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Mayor

Attest:

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City Clerk

Approved as to form:

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Assistant City Attorney