State of California **Natural Resources Agency**

Memorandum

To: Bryan Kimura, Staff Counsel Attorney III
Department of General Services
Office of Legal Services
707 3rd St., Ste. 7-330
West Sacramento, CA 95605

Date:June 9, 2021

Telephone:(916) 894-9840

Website: www.fire.ca.gov

From: David Geisen,Chief of Business Services, on behalf of
Click to enter Requestor Name/Title
Click to enter Requestor Unit
California Department of Forestry and Fire Protection (CAL FIRE)

Subject: Request Approval for Emergency Contract – Click to enter requested service.

Per the State Contracting Manual (SCM), Volume I, Section 3.10, Emergency Contracts (Rev 11/12):

Emergency is defined in PCC § 1102 as "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services." To qualify as an emergency, a contract must meet all elements of this statutory definition.

Emergency contracts are exempt from advertising and competitive bidding, and do not require an NCB.

Ordinarily, services contracts should not be commenced before formal approval by DGS/OLS if dollar amounts require DGS/OLS approval. However, in emergency circumstances an award may be made with the approval of the agency head or their designee without DGS/OLS approval. Thereafter, the contract should be sent to DGS/OLS for approval. Other required approvals may be deferred in the same manner.

Based on the State Contracting Manual and Public Contracting Codes citied above, I am requesting your review of this justification for the emergency below in order to receive approval prior to obtaining the services.

- Description of the emergency.
  PUBLIC PROTESTORS ON STATE FOREST PROPERTY

- Explanation of why the situation warrants an emergency contract.
  SAFETY OF STATE EMPLOYEES WORKING IN PROJECT LOCATION

- Explanation of the consequences of obtaining the services through other procurement processes (ex. IFB).
  TIME SENSITIVE, IMMEDIATE NEED TO ENSURE SAFETY OF THE PUBLIC AND MITIGATE POTENTIAL HAZARDS / THREATS TO STATE EMPLOYEES AND STATE PROPERTY

- Description of services necessitated by the emergency.

- UNARMED SECURITY GUARD SERVICES - Security services required to restrict public access to an active timber harvest operation that includes timber falling and heavy equipment operation on the State Forest. Restricting access is needed for the safety of the public and safety of the Licensed Timber Operator employees and workers. Service needed is 3 guards per day, 7 days a week, from June 07, 2021 thru October 15, 2021. Estimated total cost is $960,120.00

- The names and quotations of vendors contacted (at least two).
  ELEMENT, ARMOROUS (QUOTES ATTACHED)