

AMENDMENT # 1 to  
2009 INTERAGENCY FIREFIGHTING CREW AGREEMENT

1. This is Amendment No. 1 to the 2009 Interagency Firefighting Crew Agreement (as amended from time to time the "**Agreement**") between the State of Oregon acting by and through its Oregon Department of Forestry hereafter called **Government**, and (**Please Print Company Name**) \_\_\_\_\_,

hereafter called **Contractor**. By signing this Amendment, **Contractor** agrees to be bound by the terms and conditions of this amendment for all crews awarded to your company.

2. The **Agreement** is hereby amended as follows:

**Section B.5.3 is deleted and is replaced in its entirety to read as follows:**

B 5.3 Qualified individuals may take their **original** certificate or roster issued by specified third-party assessment entity, stating "Pass", and indicating "LSA-E" (may supervise English speaking **Crews** only) or "LSA-E/S" (may supervise both English and Spanish speaking **Crews**) or "LSA-E/R" (may supervise both English and Russian speaking **Crews**), to a **Firefighting Contractor Association** who issues IQC. The **Administering Agency PCSU** may request a copy sent by fax to 503-945-7494, or mail for comparison with a roster obtained from the testing authority. **Contractor** does not need to send a copy to the **PCSU** unless requested to do so. The issuer of IQC cards shall incorporate one of the specified LSA designations in the IQC Position Qualifications Block. Original LSA certificates shall be placed into **Section 4** in the firefighter's training and experience file. (See **Exhibit E** Training Records Format) Firefighters who do not take, or take and do not pass the English language assessment shall be listed as an experienced FFT2 red dot on their qualification card and on all manifests. These firefighters are not to be presented as **Trainees** or offered for **Incident** LSA monitoring. Only FFT1 positions that have completed experience and training requirements for a FFT1 position after the expiration date of third party LSA evaluation process can be issued an IQC showing a language designation as NT after training record verification by a **FCA**. All other supervisory firefighters must complete pre-**Season** LSA testing. NT designation requires language testing and approval at each **Incident**. Any firefighter previously listed with an NT designation shall complete LSA testing before being shown or used in any supervisory position during any following agreement period.

**Section C.6.1 is deleted and is replaced in its entirety to read as follows:**

C 6.1 SHIFT BRIEFINGS - Except as set forth below, **Government** will only compensate **Contractor** for the attendance of either (a) the **Single Resource Boss (CRWB)** or (b) if applicable, the Strike Team Leader at operational briefings. If a **Crew** on a Suppression or Severity/Preparedness Assignment is directed to a location for shift briefing during travel to an assignment all crew members will continue to be compensated while on shift. Upon prior request by the **Contractor** and approval by the **Government**, additional compensation may be paid for operational briefing attendance of **Crew Members** occupying the positions identified below

provided, however, that compensation will be paid to **Contractor** up to a maximum of four **Crew Members** under this **Section**.

**Single Resource Boss (CRWB) or Trainee**

Squad Boss or **Trainee**

To be eligible, **Trainees** must have an initiated **PTB** and be listed on the **Hand Crew Manifest** as such.

**Section D 4.7 is deleted and is replaced in its entirety to read as follows:**

D 4.7 **Government** may monitor or inspect the **Assembly** process to determine **Contractor's** compliance with all **Agreement** requirements including personnel, **Equipment**, supplies, vehicles and documents. If **Contractor** accepts a **Resource Order** and then turns down the assignment after being asked to assemble, that **Crew** will be suspended indefinitely. In the event of emergency, **Contractor** must submit evidence regarding the facts of the emergency and **Government** will make a decision regarding suspension after adequate documentation is provided.

**Section D 9.4 is added to read as follows:**

D 9.4 Commercial rental vehicles that are not identified and licensed by MSPA for a Contractor are non-compliant and are not to be utilized to transport crews.

**EXHIBIT I- Wildland Firefighting Training Resources**

**“FIREFIGHTING CONTRACTOR ASSOCIATIONS” is deleted in its entirety and replaced to read as follows:**

***FIREFIGHTING CONTRACTOR ASSOCIATIONS***

**Incident Management Services & Training, Inc**

PO Box 1328  
Edmonds, WA 98020  
G. Elton Thomas  
Phone: (425) 417-7977  
Fax: (425) 776-0467  
Email: [Elton@wavecable.com](mailto:Elton@wavecable.com)

**National Firefighter Training & Carding Assoc.**

PO Box 974  
Philomath, OR 97370  
John Berger (President)  
Phone: (541) 929-7802  
FAX: (541) 929-7803  
Email: [John\\_Berger@nftca.com](mailto:John_Berger@nftca.com)  
Web page: [www.nftca.com](http://www.nftca.com)

**National Wildfire Suppression Assoc.**

PO Box 330  
Lyons, OR 97358  
Paul Washburn (President)  
Phone: (877) 676-6972  
FAX: (866) 854-8186

**Oregon Firefighting Contractors Assoc.**

PO Box 418  
Merrill, OR 97630  
Nelda Herman (President)  
Phone: (541) 798-5601  
FAX: (541) 798-5107  
Email: [ned777@aol.com](mailto:ned777@aol.com)  
Web page: [www.ofca.biz](http://www.ofca.biz)

**Three Sisters Wildfire Contractor's Assoc. Inc.**

PO Box 142  
Sisters, OR 97759  
Paul Asher (President)  
Phone: (541) 549-8375  
FAX: (541) 549-8129  
Email: [dan@tswca.org](mailto:dan@tswca.org)  
Web page: [www.tswca.org](http://www.tswca.org)

**Washington Contract Firefighters Assoc.**

PO Box 276  
Chattaroy, WA 99003

Email: [paulw@washburnservices.com](mailto:paulw@washburnservices.com)

Web page: [www.nwsa.us](http://www.nwsa.us)

**Northern Contractors Assoc.**

PO Box 427

Barriere, BC V0E1E0

Mike Dewey

Phone: (250) 672-2120

FAX: (250) 672-2190

Email: [mike\\_dewey@telus.net](mailto:mike_dewey@telus.net)

Eric Helpenstell (President)

Phone: (360) 731-2627

FAX: (208) 361-2231

Brent Lewis (Training Coordinator)

Phone: (509) 467-4249

**Wildland Forestry Assoc.**

PO Box 1277

LaPine OR 97739

Butch Crume (President)

Phone: (541) 536-7419

FAX: (541) 536-8614

Email: [bcrume@coinet.com](mailto:bcrume@coinet.com)

3. Except as expressly amended above, all other terms and conditions of the original **Agreement** are still in full force and effect. Contractor certifies that the representations, warranties and certifications contained in the original **Agreement** are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

Certification: The individual signing on behalf of Contractor hereby certifies and swears under penalty of perjury: (a) the number shown on this form is Contractor's correct taxpayer identification; (b) Contractor is not subject to backup withholding because (i) Contractor is exempt from backup withholding, (ii) Contractor has not been notified by the IRS that Contractor is subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified Contractor that Contractor is no longer subject to backup withholding; (c) s/he is authorized to act on behalf of Contractor, s/he has authority and knowledge regarding Contractor's payment of taxes, and to the best of her/his knowledge, Contractor is not in violation of any Oregon tax laws (including, without limitation, the following pursuant to OAR 150-305.385(6)-(B): For purposes of this certification, "Oregon tax laws" means the tax laws names is ORS 305.380 (4), including without limitation the state inheritance tax, gift tax, personal income tax, withholding tax, corporation income and excise taxes, amusement device tax, timber taxes, cigarette tax, other tobacco tax., 9-1-1 emergency communications tax, the homeowners and renters property tax relief program and local taxes administered by the Department of Revenue (Multnomah County Business Income Tax, Lane Transit District Tax, Tri-Metropolitan Transit District Employer Payroll Tax, and Tri-Metropolitan District Self-Employment Tax; (d) Contractor is an independent contractor as defined in ORS 670.600; and (e) the supplied Contractor data is true and accurate.

**CONTRACTOR**

By Signature \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company Name \_\_\_\_\_

Date: \_\_\_\_\_

**STATE OF OREGON by and through its Agency**

By \_\_\_\_\_  
Shannon Rand- Designated Procurement Officer

\_\_\_\_\_  
Date