

# Fireline

*The Newsletter of the National Wildfire Suppression Association*

**We represent the Professional Private Wildland Fire Service Contracting Community**

## NWSA's 19<sup>th</sup> Annual Membership Conference

NWSA will be holding its 19<sup>th</sup> annual Membership Conference in Reno, Nevada March 1<sup>st</sup> -3<sup>rd</sup>, 2010 at the Peppermill Conference Center.

We again have a great program for you. We are setting aside time for our Chapters to meet during the conference. We again plan to hold our Annual Benefit Auction/Dinner as well as a large vendor show. We are excited

this year to announce that Joe Warner will be our auctioneer; he is one of the auctioneers for the Rocky Elk Foundation Auction which is being held at the Peppermill following our event.

Our theme for benefit his year is **Wildfire Red Tie**. Black, white and red attire is appropriate (semi formal or western formal).

We will be holding our 2<sup>nd</sup>

Annual Professional Contractor Certification Program at the conference, as well as some other workshops to help those who have been previously certified to meet the 8 hour requirement to maintain their certification.

For Vendor Information email [Steph@patrickfire.com](mailto:Steph@patrickfire.com) or call 541-746-7528

For General information please email [info@nwsa.us](mailto:info@nwsa.us) or call 1-877-676-6972

To Donate to Auction email [leah@firestormfire.com](mailto:leah@firestormfire.com)



### Special points of interest:

- Trainers Corner
- Political Corner
- Chapter Highlights

Don't forget to pay your 2010 Membership Dues!

Remember that if you're a professional fire contractor and you have more than 1 employee you must pay the Voting dues fee of \$200.00. The individual membership is only for those single resources that own and operate their equipment with no outside employees.

Membership dues for 2010 are due by January 1, 2010. Our cutoff date to continue to receive services is March 1, 2010 at which time you will be removed from mailing list, database as a member company and stop receiving information.

Instructors must pay the \$200 Renewal fee in order to retain their certification with NWSA.

If they also wish to be a voting member they can voluntarily add voting member's dues of \$200.00.

If you have any questions about your invoice, please call the NWSA staff at 1-877-676-6972.

Thanks for another great year and we hope you felt the benefits were worth it.

## Trainer's Corner by Stan Kunzman, NWSA Training Coordinator

It's that time of year again when Instructor's need to up date their currency. On December 31, 2009 five of our instructor's currency expired. In 2010 thirteen more instructor's currency will expire. Wildland Fire Performance Ratings need to be sent to the NWSA Training Coordinator in order to extend your currency. Instructors who have not been on a wildland fire in the past 5 years will revert to Adjunct Instructors. Instructors are notified by e-mail after the Reno Convention if their currency is going to expire that year.

If you need to update your Lead Instructor certification for additional courses, please check the requirements in the Field Managers Course Guide and send the NWSA Training Coordinator the required documents. If you have changes to your home address, phone numbers, e-mail address or employer, please give proper notification.

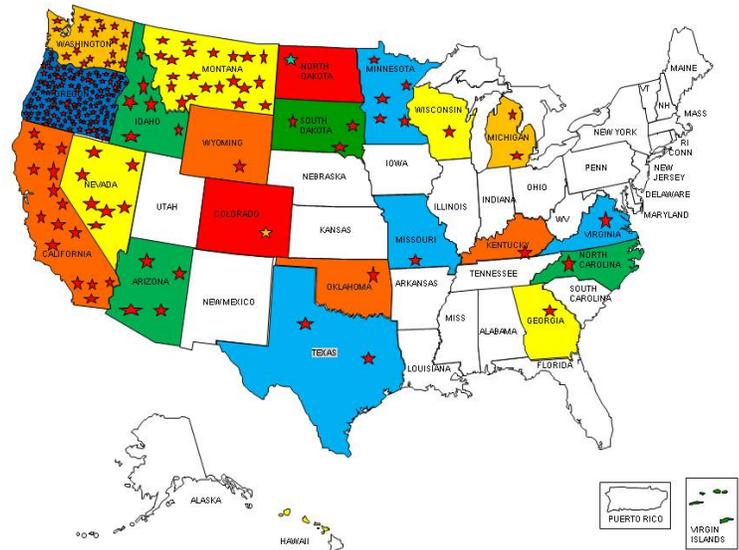
Also, don't forget that it IS MANDATORY that you send your class notification to Stan Kunzman prior to your class.

And if you have any classes that are open to outside enrollees, send your schedule to Debbie at [info@nwsa.us](mailto:info@nwsa.us) and we will post it on the training calendar at <http://www.nwsa.us/class-schedule>

A reminder that in 2009 the membership voted in a \$5.00 fee for each non carded class enrollee to take affects 1/1/2010.

Wishing you a safe and prosperous New Year.

### NWSA Membership Map 1



## NWSA Professional Contractor Certification

For those of you that completed the course in 2009, remember that in order to retain your certification you must pay \$30.00 and submit your certificate showing 8 hours of recognized training from the prior year. If you plan to attend the Professional Contractors Certification Program, then your \$30.00 to enroll as a returnee applies to that and the certificate will meet the requirements to retain your certification.

For any new contractors to the program, the first time in the course is \$100.00 and must be attended by the company owners; you may bring additional people at \$30.00.

This is an 8 hour course on the last day of the Conference in Reno and includes sessions by Mike Edrington on Business Ethics, Mike Scharlmann of the US DOT, two folks from the USDOL on Contract compliance and Wage & Hour regulations, and also a session by Bob Stinnett on Drug & Alcohol Issues. You will receive a notebook with all pertinent information to take back to your office as a reference tool.

## The Political Point of View

Submitted by Chuck Burley, NWSA Governmental Affairs

### Federal Wildland Fire Service Association

The Federal Wildland Fire Service Association (FWFSA) has found a sponsor for its “National Wildfire Infrastructure Improvement Cost and Containment Act.” As of the adjournment for the holidays, the bill had not been introduced. Based on the discussion draft made available earlier this year, the purpose of the bill is:

“To strengthen the infrastructure of our Nation’s Federal Wildland Firefighting Forces using up-to-date wildland firefighter recruitment and retention strategies resulting in reduced wildfire suppression costs through improved fiscal policies, and ...

“To reduce the reliance on significantly higher-priced non-federal wildfire resources thereby reducing annual wildfire suppression costs and saving America’s taxpayers significant sums in suppression costs.”

Emphasis added.

The general provisions of the discussion draft are:

- Mandatory

separation for federal firefighters

- Outsourcing
- Job classifications of federal firefighters
- Pay and benefits including Portal-to-Portal, overtime, hazardous duty counting for retirement, hazardous duty differential, temporary firefighters FEGLI and Health benefits, and buy back of civilian time
- Federal firefighter liability

Congressman Filner (D-CA) has agreed to sponsor the bill. Mr. Filner is not on either the House Natural Resources or Agriculture Committees—both the likely jurisdiction. Thus he will have to find cosponsors from one or both of these committees.

NWSA staff has been talking to staff from Congressman DeFazio and Congressman Schrader’s offices. These gentlemen serve on the Natural Resources and Agriculture Committees respectively. Both offices have agreed to keep us informed of any developments with the legislation.

Based on the discussion draft we have reviewed to date, the only major concern NWSA has identified is the general language throughout that refers to the ‘significantly higher-priced non-federal wildfire resources.’

We have conveyed this concern to the Executive Director of FWFSA and he has assured us that language is not targeting private sector contractors. He is agreeable to amendment language that would clarify this issue. We will be waiting until the bill is actually introduced at which time we can see what the language is and suggest changes.

## The Political Point of View

Submitted by Chuck Burley, NWSA Governmental Affairs

### A-76 Competitions

After Congress passed the 2010 Defense Authorization Act a news story reported the bill would “suspend the use of public-private competitions for federal jobs under Office of Management and Budget Circular A-76.” The question came up whether this would affect NWSA members. Section 325(a) of the Act directs the Secretary of Defense to temporarily suspend competitions “for any function performed by Department of Defense civilian employees.” This temporary suspension would remain in effect until the Secretary reports back to Congress on how the Department has been conducting such competitions. In a curious and bureaucratic maneuver, the deadline for the Secretary to report is “not earlier than June 15, 2010.” (Section 325 (b)) So in effect, the temporary suspension has no sunset date.

But the question still remains: will this have any effect on NWSA members? I don’t believe it will for two principle reasons. First, the temporary suspension is for Department of Defense civilian employees and thus probably has no effect on federal wildland firefighting. Second, the A-76 competitions to date have not produced any direct benefit to NWSA members. Thus any suspension, temporary or otherwise, would likely have no adverse effect.

### HUB Zones

At its December meeting, NWSA’s Board of Directors decided to address the increasing use of HUB Zone set-asides in contracting opportunities. Many of the fuels contracts and others under the NAICS 115310 are being set-aside for HUB Zone contractors.

This includes the 2010 national template for Heavy Equipment with Water solicitation.

To better understand what the problem is, some background is helpful. The Historically Underutilized Business Zone (HUB Zone) program was established in Title VI of the Small Business Reauthorization Act of 1997 (PL 105-135). The purpose is to provide for Federal contracting assistance to qualified HUB Zone small business concerns.

The law says that if a contracting officer, after conducting a market analysis, feels the government will receive at least 2 HUB Zone qualified bids at fair market value, the contracting officer shall set the contract aside for HUB Zone concerns. No other small business can qualify.

Furthermore, the law established a target based on the percent of federal government wide prime contract value (dollars) that has to be set aside. This was a sliding scale that maxed out at the current 3%.

The problem we are seeing today is more and more U.S. Forest Service contracts being set aside for HUB Zone certified concerns. The contracting officers have told us they have very little choice because the law requires a set-aside if they will get at least two qualified bids from HUB Zone concerns. This puts other contractors that may be closer to the project or better qualified at a distinct disadvantage.

We have obtained reports from the Forest Service that show they have been exceeding the minimum 3% target by an order of magnitude. For instance, in Region 6 for fiscal year 2009, 38% of all contracts were HUB Zone set-aside. Nationally the agency reported nearly 20% overall.

We have briefed elected officials at the local, state, and federal levels on these concerns. They have had numerous conversations with officials from the Small Business Administration and the Forest Service with some limited results.

On October 16, 2009, Ron Hooper, Director of Acquisition Management for the Forest Service, sent a memo to the regional foresters informing them about the ability to consider local contractors in evaluating proposals.

Hooper’s memo stated the agency “may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent areas...and other forest-dependent rural communities isolated from significant alternative employment opportunities.” The memo states that this may be used in lieu of HUB Zone, 8(a), or SDVOSB provided the contractor officer must justify doing so and include the evaluating criteria and responsiveness determinations in the pre-solicitation.

Then on November 25, 2009, Hooper sent another memo to the regional foresters stating that the agency has exceeded the minimum 3% for HUB Zone set-asides in fiscal year 2009. In fact that figure was nearly 20%. Hooper pointed out the “wide discretion” contracting officer’s have when choosing the appropriate small business program. He continued, “Recently there has been significant concern raised by small business owners with the number of Hub Zone set-asides and subsequent awards to Hub Zone contractors. Therefore, my expectation is that if you are meeting our preference program goals in the areas of Hub Zone contractors, 8(a) contractors, women-owned business, and the other specific preference programs, you should be setting aside your procurements for small business in general.”

The most recent example of this new direction being applied is with the Region 6 pre-solicitation notice for the Heavy Equipment with Water (Engines/Tenders). The notice says “Awards resulting from this solicitation will be made using the Cascading Set-Aside procedure for Small Disabled Veteran Owned Small Business (SDVOSB).”

We will continue to pursue this issue for the NAICS 115310 contracts at a minimum as these affect many of NWSA members. One course of action being pursued is to change the law from “shall” to “may” thus giving the agencies greater discretion in applying HUB Zone set-asides. This change was in the Senate version of the 2010 Defense Authorization Act but was dropped when the House and Senate versions went through conference committee. It appears that the sponsors of this change intend to introduce similar language in 2010.

## Exciting News for 2010 NWSA

Submitted by Debbie Miley

### You're Board at Work

The NWSA Board of Directors come from all over the US in December to spend 2 days reviewing Association business including:

- Budgets
- Action Items
- Recap of prior Year
- Formation of Committees

This year based on the financial woes of the times as well as coming off a slow fire season, the NWSA budget for 2010 will remain at its' current levels.

However we are utilizing some of the dollars to hopefully better promote our industry and educate folks about who we are, and what we do.

So we are excited to start a major media campaign for 2010. We have hired a media company that will be filming at the conference in Reno as well as interviewing board members, company owners and agency personnel to put together some videos to be utilized on our website, during presentations and other uses to promote the Professional Private Wildland Fire Services. In addition we will be launch a print media campaign targeting those areas affected by fire and during the key times of the year starting with an article in March about preparation by the industry to assist our federal, state and local agencies with fire suppression efforts in 2010.

We are trying to do this economically and if any of you have taken video footage on the line or in fire camp and are willing to let us see if we can

Utilize parts of it; please email it to the NWSA office at [info@nwsa.us](mailto:info@nwsa.us).

We also have a committee working on the next step in our Crisis Management Program, developing a NWSA Crisis Response Team that could respond to help any of our members with an emergency. We are looking at how volunteers would be trained, what their roles would be and how it would best benefit our members. There will be a presentation during our business meeting in Reno by that Committee.

## NWSA Is now in the Social Networking World

### Facebook:

You can become a fan of NWSA on Facebook at <http://www.facebook.com/pages/National-Wildfire-Suppression-Association/185416658920>

### Twitter:

NWSA has joined the Social Networking world and is now on Twitter. You can follow us on Twitter at <http://www.twitter.com/nwsafire>

### Blog:

We also have blog with lots of great links and up to date information which you can follow at <http://www.contractorsinfire.com>

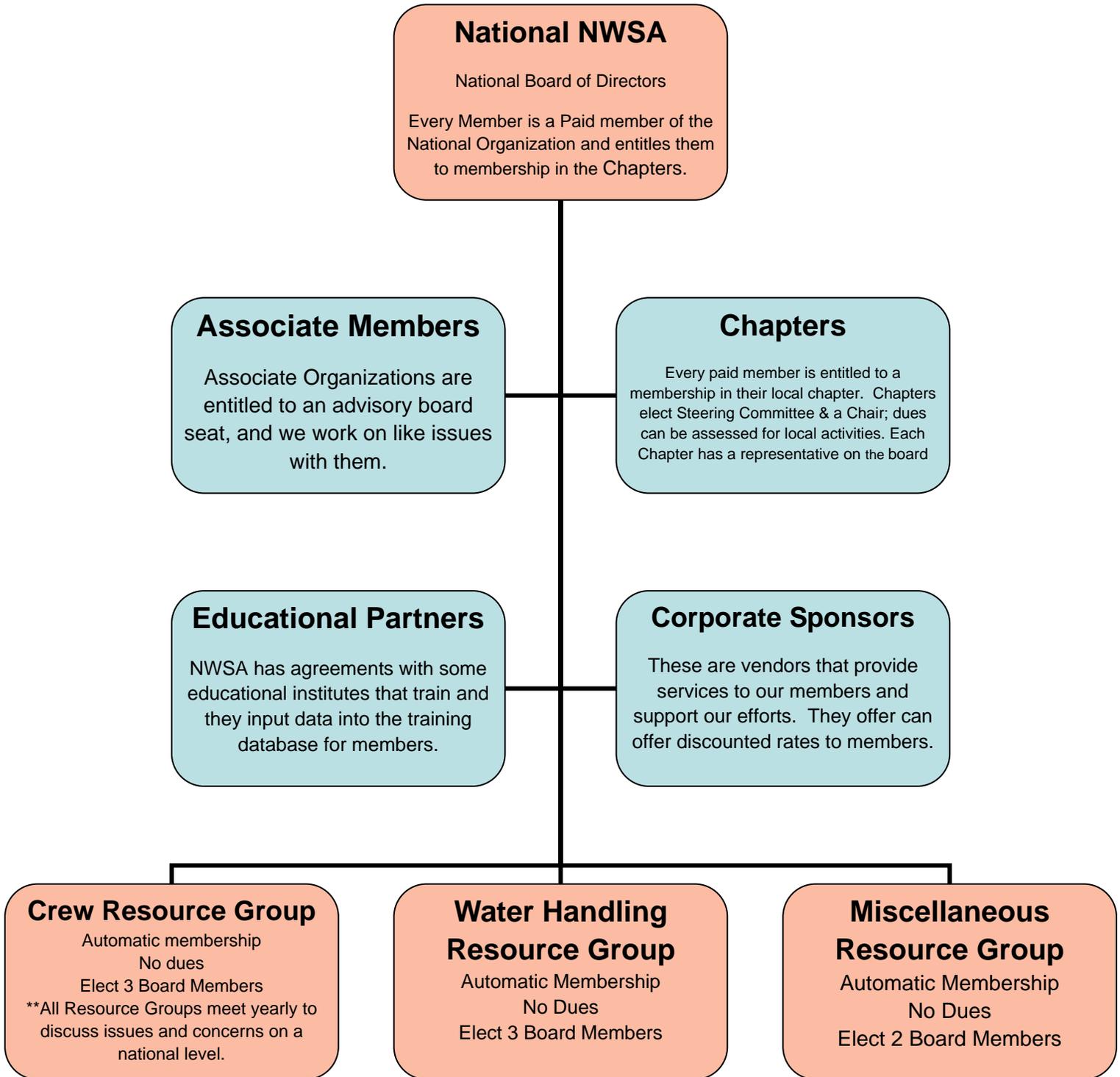
### Home Page:

We still have our Home Page and you can check it for Press Releases, news, Join Online, and event information as well as classified ads posted at <http://www.nwsa.us>

### NWSA Database Storage System:

NWSA Database Storage System used to track personnel training done by NWSA Certified Instructors <http://www.nwsastraining.com>

# How does NWSA Work???



## Insurance Changes for Contractors that do Business with the State of Oregon

### Increased liability insurance limits required by state of Oregon (including ODF)

After a contracted worker was injured at Oregon Health & Science University (OHSU), and the subsequent legal battle that followed, Senate Bill 311 was voted in by both the Oregon Senate and House of Representatives, effective 7/1/2009.

The bill allows for substantial increases in awards for bodily injury and property damage caused by or on behalf of any State agency, including the Oregon Department of Forestry. Since the State can be held liable for these increased amounts, all contractors providing service or work to the State are required to carry adequate insurance limits to satisfy these increased amounts.

Because the increased insurance requirements have been written to mirror the language of SB 311, these requirements can be cumbersome and difficult to comply with. While these requirements may change over the next few months, the simplest way to currently comply is to carry and provide proof of \$4,000,000 per occurrence limits for General Liability, and Automobile Liability.

A brief presentation (20-30 minutes) will be held at the Region 6 Chapter meeting at the NWSA annual convention, March 1, 2010 in Reno, NV to explain these requirements, how best to comply with them, and answer any questions you may have.

Dane Kingrey, Kyle Hudson, Joe Couey. KPD Insurance, Inc



Some of the NWSA Board of Directors with Tom Harbour 2009 Conference

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Blog:  
[www.contractorsinfire.blogspot.com](http://www.contractorsinfire.blogspot.com)

## Welcome our New Members To NWSA

### Company Members:

1-A Construction & Fire – Hermiston, Oregon  
Chloeta Fire, LLC – Oklahoma City, OK  
Chewack Wildfire – Spokane, Washington

### Educational Partners

Blue Mountain Community College  
Linn Benton Community College  
Umpqua Community College  
Central Oregon Community College  
Portland Community College

### Corporate Sponsors:

Clean Earth

### New Instructors:

Mark Masters  
Jansen Fine  
Aaron Verkist  
Mark MGuire  
David Murphy  
Wayne Rowe  
Peter Schaumburg  
Merrill Wann



## National Wildfire Suppression Association's

*"Protecting and Preserving Our Environment"*

### 2010 NWSA Conference

**Peppermill ~ Reno, Nevada ~ February 28-March 3, 2010**

To reserve rooms at the **Discounted Room Rates** Call: 1-866-821-9996

or enter online at: [www.peppermillreno.com/reservations](http://www.peppermillreno.com/reservations)

(enter Group Code and Password ANWSA10 under reservations)

Room rates are: **Montego Bay Rooms - \$65** (Sun.-Wed.)

**Peppermill Tower Rooms - \$75** (Sun.-Wed.)

**Single King Tuscany Rooms - \$169** (Sun.-Wed.)

Reservations must be made by January 10, 2010 to insure the discounted rate.

## REGISTRATION FORM

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

Names of Attendees: \_\_\_\_\_ (Please check boxes)

	Breakfast	Lunch	Dinner	Meeting	Instructor Session	Certificate Train.
_____	<input type="checkbox"/>					
_____	<input type="checkbox"/>					
_____	<input type="checkbox"/>					
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**All Monies Are  
Non-Refundable**

**TOTAL AMOUNT ENCLOSED:**

• Meeting Rate is: **\$150.00 per person** if pre-registered • or: **\$175.00 per person** at the door if not pre-registered

• Prayer Breakfast - **No Charge** (Tuesday Morning)

• Cost to attend buffet luncheon: **\$15.00 per person** (Tuesday)

• Cost to attend dinner: **\$60.00 per person** (Tuesday)

• Contractor Certification Training Session - **\$100.00 for 1st Person; \$30.00 each add'tl. person** (Wednesday)

The options to pay are: **BY CHECK WITH REGISTRATION FORM..**

Mail to: National Wildfire Suppression Association

Deborah K. Miley ~ P.O. Box 330 ~ Lyons, OR 97358

or by using Credit Card:

Type of Card: \_\_\_\_\_ Visa? \_\_\_\_\_ MC? Card No. \_\_\_\_\_

Security Code: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Name on Card: \_\_\_\_\_ Ph. No. \_\_\_\_\_

Billing Address: \_\_\_\_\_

For more information call: Deborah Miley ~ 1-877-676-6972

Fax: 1-866-854-8186 or Email: [info@nwsa.us](mailto:info@nwsa.us)