

Amendment to Blanket Contract 47021976 with MSA Safety Sales LLC for the supply and maintenance of Toronto Fire Services' Self-Contained Breathing Apparatus

Date: April 15, 2024

To: General Government Committee

From: Fire Chief and General Manager, Toronto Fire Services and Chief Procurement Officer

Wards: All

SUMMARY

The purpose of this report is to request authority to amend Blanket Contract 47021976 issued to MSA Safety Sales LLC, formerly known as MSA Canada - Mine Safety Appliances Company, for the supply of Self-contained breathing apparatus and related components and repair parts.

In 2014, the City entered a blanket contract with MSA Safety Sales LLC, for the non-exclusive supply of self-contained breathing apparatus, high pressure breathing air cylinders, integrated breathing air components for aerial apparatus, replacement components, and replacement maintenance parts as required by Toronto Fire Services. The term of the agreement is 15 years and is set to expire on July 31, 2029, however additional funds are required to ensure the continued use of the contract.

The original estimated value of this blanket contract was exceeded as a result of the COVID-19 pandemic and long-term use of this equipment. The 15-year term of the contract was based on the mandated lifespan of the carbon fiber wrapped high pressure breathing air cylinders, and the 15-year warranty terms offered by the manufacturer.

The total value of the Blanket Contract Amendment being requested is \$4,367,320 net of all applicable taxes and charges, (\$4,444,185 net of Harmonized Sales Tax Recoveries), revising the overall contract value from \$7,452,960, net of all applicable taxes and charges, (\$7,584,132, net of Harmonized Sales Tax Recoveries) to \$11,820,280 net of all applicable taxes and charges, (\$12,028,316 net of Harmonized Sales Tax Recoveries).

RECOMMENDATIONS

The Fire Chief and General Manager, Toronto Fire Services and the Chief Procurement Officer recommend that:

1. The General Government Committee in accordance with Section 71-11.1C of the Toronto Municipal Code Chapter 71, Financial Control, where the current request exceeds the allowable threshold of \$500,000 net of all taxes and charges grant authority for the Fire Chief and General Manager, Toronto Fire Services to negotiate and to amend Blanket Contract Number 47021976 with MSA Safety Sales LLC, by revising the total Blanket Contract target value by \$4,367,320 net of all taxes and charges (\$4,444,185 net of Harmonized Sales Tax Recoveries), revising the current contract value from \$7,452,960, net of all applicable taxes and charges, (\$7,584,132, net of Harmonized Sales Tax Recoveries) to \$11,820,280 net of all applicable taxes and charges, (\$12,028,316 net of Harmonized Sales Tax Recoveries).

FINANCIAL IMPACT

The total value of the requested amendment to Blanket Contract Number 47021976 is \$4,367,320 net of all applicable taxes (\$4,444,185 net of Harmonized Sales Tax Recoveries), revising the current contract value from \$7,452,960, net of all applicable taxes and charges, (\$7,584,132, net of Harmonized Sales Tax Recoveries) to \$11,820,280 net of all applicable taxes and charges, (\$12,028,316 net of Harmonized Sales Tax Recoveries).

Funding is available in the 2024 Approved Operating Budget for Toronto Fire Services. Funding for the remaining years will be included in the respective year's Division's Operating Base Budget Submissions from 2025-2029. Funding details are summarized below in Table 1.

Table 1: Financial Impact Summary

Cost Centres: FR0024, FR0046; Cost Elements: 2120, 2590, & 2710

Term	Total Net of HST Recoveries
July 1, 2024 to December 31, 2024	\$600,099
January 1, 2025 to December 31, 2025	\$845,015
January 1, 2026 to December 31, 2026	\$845,015

Term	Total Net of HST Recoveries
January 1, 2027 to December 31, 2027	\$845,015
January 1, 2028 to December 31, 2028	\$820,593
January 1, 2029 to July 31, 2029	\$488,448
Total Net of HST Recoveries	\$4,444,185

This contract is required to meet the city’s legislated health and safety obligations.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with information included in the financial impact section.

DECISION HISTORY

At its meeting held on August 25, 2014, City Council adopted Item CD31.4, and authorized Fire Chief and General Manager, Fire Services, to award a contract to, negotiate with, enter into, and execute on behalf of the City to Mine Safety Appliances Company arising from Request for Proposal 3810-13-0056 for the supply of Self Contained Breathing Apparatus and related components with respect to Toronto Fire Services Division for a maximum term of 15 years from the date of award and a total maximum value of \$6,953,959 net of all applicable taxes and charges, (\$7,076,349 net of Harmonized Sales Tax Recoveries).

<https://secure.toronto.ca/council/agenda-item.do?item=2014.CD31.4>

COMMENTS

Self-contained breathing apparatus units provide firefighters with the ability to breathe, work, and communicate in a potentially toxic atmosphere that would otherwise be perilous to their health and safety. Emergencies, such as structure fires, vehicle fires, and hazardous material release, all contain elements of smoke, fire and chemical compounds. A self-contained breathing apparatus unit protects the firefighter by allowing the user a supply of clean breathable air while performing rescue and hazard mitigation activities. Self-contained breathing apparatus is an integral part of a firefighter’s personal protective equipment ensemble.

In 2014, the City of Toronto entered into Blanket Contract Number 47021976 with MSA Safety Sales LLC for the non-exclusive supply and maintenance of Self-contained

breathing apparatus equipment and components used by Toronto Fire Services. The 15 year term of Blanket Contract 47021976 will expire as of July 31, 2029. The 15-year term of the contract was based on the mandated lifespan of the carbon fiber wrapped high pressure breathing air cylinders, and the 15-year limited warranty terms offered by the company at the time.

At current spend rates, the contract will have insufficient funds to carry out the rest of the contract term to July 31, 2029. This has occurred primarily due to two factors: 1) "new needs" arising from several Toronto Fire Services divisions with respect to Toronto Fire Services projects not considered, or implemented, at the time of contract award ten (10) years ago; and 2) a higher than anticipated amount of items that do not fall within the warranty terms.

Since 2014, "new needs" from several Toronto Fire Services divisions, have been realized which were not anticipated when the contract value was originally estimated, drawing down on the contract. Some examples are:

- The Chemical, Biological, Radiological, and Nuclear team required Powered Air Purifying Respirator units for the Public Order Unit.
- The Heavy Urban Search and Rescue team purchased breathing air components.
- The Toronto Fire Services Fire Investigators (a unit not formed when the contract was initiated) required breathing air components for their team including facepiece units and Powered Air Purifying Respirator units.
- Specialized MSA "Prem-Air" items were required to outfit the Bronto articulating aerial apparatus for the breathing air systems plumbed directly to the platforms, with specific systems used for the operators' position and fall-arrest components for staff in the in the platform.
- Personal facepieces issued to over 100 Fire Prevention staff members as part of COVID-19 personal protective equipment needs to continue the delivery of services.
- The addition of more Rapid Intervention Team kits to fire apparatus.

In addition to these unforeseen new project expenditures, Toronto Fire Services saw a higher than anticipated amount of non-warranty repairs required. This equipment is used in a very harsh environment, by 2,700 suppression firefighters every single day both in the response to emergencies and in training to ensure operational readiness to the changing fire environment. As a result, a considerable amount of the repairs have been a result of general wear and tear damage based on use, not manufacturing issues therefore not falling within the warranty agreement. Some notable replacements that have been required include self-contained breathing apparatus harness straps and backing plates, as well as soft components like hoses, seal kits and facepieces.

In order for Toronto Fire Services to continue use of this contract, additional funds are required and have been estimated to ensure sufficient funds are available through to the end of the contract on July 31, 2029.

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SIGNATURE

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