

## **MT DNRC Instructions and Checklist for Signing up Equipment under Emergency Equipment Rental Agreement (EERA)**

### **Information / Documentation Required from Contractor:**

#### **Vehicle:**

- Inspection form 296, related photos
- Registration
- Insurance
- US DOT Inspection, if applicable
- US DOT Number, if applicable
- Certified Weight Ticket, if applicable
- Inventory list of tools / equipment

#### **Personnel:**

- Montana Driver's License of Contractor/Owner
- Proof of Worker's Comp Insurance - on all employees
- List of personnel who will be operating equipment
- Certs and Quals for all personnel (copies of red cards)
- W-9 Taxpayer Identification Form completed
- Fair Labor Standards Act (if hired Fully Operated)  
<http://www.dol.gov/whd/regs/statutes/FairLaborStandAct.pdf>

**\*\*\*Keep copies of all above information attached to original EERA on file.**

**\*\*\*When contractor performance evaluations are received from incidents, they should be filed with EERA.**

### **Information / Documentation to be Furnished to Contractor/Cooperator:**

- Furnish Contractor with a full copy of the EERA and all supporting documentation, including DNRC General Clauses form.
- Inform Contractor that important reference documents which address contracting and dispatching within DNRC and the NR Geographic Area include the current year Chapter 20 Supplement to the Standards for Interagency Incident Business Management handbook (SIIBM). This document is available on the web at: <http://dnrc.mt.gov/divisions/forestry/fire-and-aviation/fire-business/forms-and-information>
- Fully Operated Equipment - Make sure Contractor is aware that the Fair Labor Standards Act may govern, among other things, minimum rates paid to personnel under the EERA.
- Go over General Clauses of the EERA, particularly those relating to Operating Supplies, Repairs, Payments, Loss, Damage or Destruction, Contractor's Responsibilities, and Deductions.
  - \* Under Loss, Damage, Destruction, look at the difference between Unoperated and Fully Operated equipment in Clause 15. For Fully Operated, note that operator is responsible for operating equipment within its operating limits and for the safety of equipment. For Unoperated, go over normal wear and tear on fireline duty. Explain that minor dents and scratches, flat tires, and chipped windshields are usually considered effects of normal wear and tear (a cost of doing business), repairs for which are not reimbursable. Claims for such should be submitted to contractor's insurance.
  - \* Under Payments, go over the rate for single shift and the rate for double shift. Equipment must be ordered for a double shift and staffed with a second operator or crew in order to be paid the double shift rate. Discuss that Time under Hire starts when equipment starts rolling towards an incident AND passes an inspection.
- Provide Contractor / Cooperator / Operator's Checklist for use before, during, and after Incident assignment.
- Be sure Contractor is aware of NWCG Work/Rest Guidelines, Incident Operations Driving Standards, and Incident Behavior Standards. Recommend that this information be clearly communicated to employees.
- For private contractor, emphasize importance of obtaining performance evaluations from supervisor on the incident.
- Ask Contractor to return from Incident assignments with original payment documents to be submitted to hiring office (ie: Emergency Equipment Shift Tickets, Emergency Equipment Use Invoice, Fuel Issue Tickets, Personnel Time Reports, Performance Evaluations, etc.) unless private contractor is to be paid by another agency.