

EXCLUSIVE USE TYPE 2 INITIAL ATTACK HANDCREW AGREEMENT

Between the
Montana Department of Natural Resources and Conservation
Forestry and Trust Lands Management Divisions
Fire Protection Bureau
2705 Spurgin Road
Missoula Montana, 59804
and
Rocky Mountain Fire Company
415 N Higgins Ave. #19
Missoula, MT 59802

AGREEMENT NUMBER: DNRC-FIRE-2023-1089

1. PURPOSE

The purpose of this Agreement is to establish general terms and conditions for two (2) **Exclusive Use Type 2 Initial Attack (IA) Handcrews** to provide fire preparedness and suppression services for State government and federal agencies throughout the Northern Rockies Geographic Area.

2. AGREEMENT TERM

The agreement term is for (1) one year with a mandatory availability period beginning **July 21, 2023**, and ending **September 19, 2023**, unless superseded or terminated earlier in accordance with the terms of this Agreement (*Section 18-4-313, MCA*).

The Agreement period shall be for sixty (60) days beginning upon award with an option to renew for one (1) successive one (1) year term if mutually agreed to by the Contractor and the State. The second year shall have a ninety (90) day MAP beginning July 1, 2024, and ending September 28, 2024.

Prices for the first annual period of the Agreement will be firm and unchanging. Prices for the remainder of the Agreement will be subject to the U.S. Department of Labor Consumer Price Index (CPI) for the month of March in each succeeding year of the Agreement. Prices will be rounded to the nearest dollar.

2.1 Option to Extend. The State may require continued performance of any services within the limits and at the rates specified in the agreement. The Fire Protection Bureau may exercise the option to extend by written notice to the Contractor for up to seven (7) days at a time. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed six (6) months.

3. DAILY GUARANTEE

Under this Exclusive Use Agreement, a minimum daily payment is guaranteed for each calendar day the crew is under hire. The Daily Guarantee will be calculated as follows:

- 8 hours x number of crew members x hourly bid rate of **\$46**
 - For the first day of dispatch and last day when released from the incident, Contractor will be compensated for actual hours worked including travel time.
 - Daily Guarantee does not apply if Contractor is in non-compliance or if the crew is unable to perform all or part of the designated shift. In such event, only actual hours worked will be paid.

4. SCOPE, ENTIRE AGREEMENT

4.1 Agreement. This Agreement consists of **3** numbered pages, Appendix A, Solicitation **DNRC-IFB-2023-1089** as amended, and Contractor's response, as amended. In the event of a dispute or ambiguity arising between or among the documents, the order of precedence of document interpretation is the same order as this contract.

4.2 Entire Agreement. These documents are the entire agreement of the parties. They supersede all prior Agreements, representations, and understandings. Any Amendment or modification must be in a written agreement signed by all the parties.

**STATE OF MONTANA DEPARTMENT OF NATURAL RESOURCES
2023 EU T2IA HANDCREW AGREEMENT
AGREEMENT NUMBER: DNRC-FIRE-2023-1089**

The undersigned, having read all the agreements, together with any and all special provisions and specifications set forth, do agree thereto in every particular and will furnish the above at the prices stated. Further, the undersigned understands that this document shall constitute the entire agreement between the undersigned and the Montana Department of Natural Resources and Conservation.

Date: 7/21/2023 | 3:34:51 PM MDT

Company: Rmfc

Authorized Signature:  B54009B6ED20442...

Name: Mathew Thompson / Rocky Mountain Fire Company

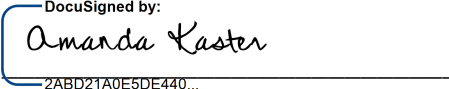
Title: GM

ACCEPTED BY:

MONTANA DEPARTMENT OF NATURAL RESOURCES & CONSERVATION

Date: 7/21/2023 | 3:05:13 PM PDT

Name: Amanda Kaster

DNRC Authorized Signature:  2ABD21A0E5DE440...

Title: DNRC Director