

RESOLUTION NO. R-2023-22

**A RESOLUTION APPROVING AND AUTHORIZING
THE EXECUTION OF AN UPDATED EXHIBIT A
(MITIGATION RATES FOR STRUCTURE AND VEHICLE FIRE INCIDENTS)
TO SERVICES AGREEMENT WITH FIRE RECOVERY USA, LLC**

WHEREAS, in 2013, the President and Board of Trustees of the Village of Maywood (the “Village Board”) entered into a “Services Agreement” with Fire Recovery USA, LLC (the “Agreement”) for purposes of allowing Fire Recovery USA, LLC (the “Contractor”) to perform certain billing services (the “Services”) for the Maywood Fire Department in connection with motor vehicle incidents and other emergency incidents at which the Fire Department provides emergency services. In 2021, the Village of Maywood (“Village”) and the Contractor agreed to a modification of the Contractor’s billing practices as contained in a document entitle “Request for Modification of Billing Practices” dated October 18, 2021 (the “2021 Modification”). A copy of the Agreement and the 2021 Modification are on file with the Village Clerk’s Office and are incorporated by reference into this Resolution; and

WHEREAS, the Village and the Contractor now desire to approve an updated version of EXHIBIT A (Mitigation Rates For Structure And Vehicle Fire Incidents) to the Agreement, which contains a new schedule of rates and fees that the Maywood Fire Department charges for responding to structure and vehicle fire incidents (“Updated EXHIBIT A”). A copy of Updated EXHIBIT A is attached hereto as Exhibit “1” and made a part hereof; and

WHEREAS, the President and Board of Trustees of the Village of Maywood, as corporate authorities of an Illinois home rule municipal corporation, have the authority to approve the attached Updated EXHIBIT A to the Agreement pursuant to its home rule power, as provided by Article VII, Section 6(a) of the Illinois Constitution of 1970, and Section 8-1-7 of the Illinois Municipal Code (65 ILCS 5/8-1-7) and have determined that it is in the best interests of the Village, its residents, property owners, businesses and the public to approve the attached Updated EXHIBIT A to the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: Approval and Execution of Agreement. The President and Board of Trustees approve the Updated EXHIBIT A (MITIGATION RATES FOR STRUCTURE AND VEHICLE FIRE INCIDENTS) to the Services Agreement with Fire Recovery USA, LLC. The Village President and Village Clerk, or their designees, are authorized and directed to execute the final version of the attached Updated EXHIBIT A to the Agreement, which may contain certain non-substantive and non-financial modifications that are approved by the Village Attorney. The Updated EXHIBIT A to the Agreement is attached hereto as Exhibit “1” and made a part hereof.

SECTION 3: Approval of Financial Obligations and Execution of Other Documents. The President and Board of Trustees further authorize and direct the Village President, the Village Manager, the Village Finance Director and the Fire Chief, or their designees, to execute such other documents as

are necessary to fulfill the Village's obligations under the Agreement, and to pay all budgeted and appropriated costs that are necessary to fulfill the Village's obligations under the Agreement.

SECTION 4: Delivery of Signed Documents. The President and Board of Trustees of the Village authorize and direct that the Village President, the Village Clerk, the Village Manager, the Village Engineer and the Village Attorney, or their designees, transmit executed originals or certified copies of all documents, including this Resolution and the attached Updated EXHIBIT A to the Agreement to all parties that are entitled to receive such documents in order to comply with the terms of the Updated EXHIBIT A and the Agreement and for record retention purposes.

SECTION 5: Effective Date. This Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 18th day of April, 2023, pursuant to a roll call vote as follows:

AYES: Mayor Booker, Trustees A. Sanchez, S. Reyes-Plummer, M. Jones, M. Lightford
A. Peppers and I. Brandon

NAYS: None

ABSENT: None

APPROVED this 18th day of April, 2023, by the Village President of the Village of Maywood, and attested by the Village Clerk on the same day.

Nathaniel George Booker, Village President

ATTEST:

Gwaine Dianne Williams, Village Clerk

Exhibit "1"

**UPDATED EXHIBIT A
(MITIGATION RATES FOR STRUCTURE AND VEHICLE FIRE INCIDENTS)
TO SERVICES AGREEMENT WITH FIRE RECOVERY USA, LLC
(attached)**

**EXHIBIT A
MITIGATION RATES
BASED ON PER HOUR**

The mitigation rates below are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These rates are based on actual costs using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance). Labor rates include an average department's actual burdened labor costs and not just a firefighter's wage. These include wages, retirement, benefits, workers comp, etc.

MOTOR VEHICLE INCIDENTS

Level 1 - \$584.00

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$667.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – CAR FIRE - \$813.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

ADD-ON SERVICES:

Extrication - \$1,757.00

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$537.00

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

HAZMAT

Level 1 - \$943.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$3,369.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 - \$7,953.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$381.00 per HAZMAT team.**

FIRES

Assignment - \$538.00 per hour, per engine / \$673.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common "billing level". This occurs almost every time the fire department responds to an incident.

OPTIONAL: A fire department has the option to bill each fire as an independent event with custom mitigation rates.

Itemized, per person, at various pay levels and for itemized products use.

ILLEGAL FIRES

Assignment - \$538.00 per hour, per engine / \$673.00 per hour, per truck

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or

persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

Billed at \$538 plus \$66 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$1,077 plus \$66 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,665 plus \$66 per hour per rescue person, plus \$134 per hour per HAZMAT team member.

Level 4

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$538 plus \$66 per hour, per rescue person. Additional rates of \$538 per hour per response vehicle and \$66 per hour per rescue person.

CHIEF RESPONSE

This includes the set-up of Command, and providing direction of the incident. This could include operations, safety, and administration of the incident.

Billed at \$337 per hour.

MISCELLANEOUS / ADDITIONAL TIME ON-SCENE

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$538 per hour.

Truck billed at \$673 per hour.

Miscellaneous equipment billed at \$404.

MITIGATION RATE NOTES

The mitigation rates above are average "billing levels" for one hour of service, and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Gwaine Dianne Williams, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached document is a true and correct copy of that certain Resolution now on file in my office, entitled:

RESOLUTION NO. R-2023-22

**A RESOLUTION APPROVING AND AUTHORIZING
THE EXECUTION OF AN UPDATED EXHIBIT A
(MITIGATION RATES FOR STRUCTURE AND VEHICLE FIRE INCIDENTS)
TO SERVICES AGREEMENT WITH FIRE RECOVERY USA, LLC**

which Resolution was passed by a roll call vote of the Board of Trustees of the Village of Maywood at a Special Village Board Meeting on the 18th day of April, 2023, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 18th day of April, 2023.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Booker, Trustees A. Sanchez, S. Reyes-Plummer, M. Jones, M. Lightford
A. Peppers and I. Brandon

NAYS: None

ABSENT: None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 18th day of April, 2023.

Gwaine Dianne Williams, Village Clerk

[SEAL]