



TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

STAFF REPORT

Board Meeting Date: November 13, 2018

DATE: November 5, 2018

TO: Truckee Meadows Fire Protection District Board of Fire Commissioners

FROM: Charles A. Moore, Fire Chief
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SUBJECT: Discussion and approval authorizing the Washoe County District Attorney's Office to commence suit against Life Star and/or its Owner(s) for breach of contract and other related causes of action related to the contract entered into in 2017 for the purchase of an ambulance and if need be, authorization to commence litigation and pursuit of this action through appeal. (All Commission Districts) FOR POSSIBLE ACTION

SUMMARY

Approval authorizing the Washoe County District Attorney's Office to commence suit against Life Star and/or its Owner(s) for breach of contract and other related causes of action related to the contract entered into in 2017 for the purchase of an ambulance and if need be, authorization to commence litigation and pursuit of this action through appeal.

Strategic Objective supported by this item: *Sustainability of our financial, social and natural resources.*

PREVIOUS ACTION

On March 14, 2017, the Board approved staff to advertise and solicit bid proposals for equipment purchase of one (1) four-wheel drive ambulance.

BACKGROUND

The District solicited requests for proposals in March of 2017 and received one response from Life Star Specialty Vehicles. The District awarded the proposal to the Lifestar Specialty Vehicles. The District took advantage of a prepay discount in good faith. The project was delayed and the District became concerned over performance on the award.

The District made several attempts to maintain performance on the proposal and even visited the facility in Missouri. At that time, the ambulance was not built up to the point it should have been or had been represented by the owner. After several more email attempts to get the project back on progress, it became evident that the owner would not perform on the proposal. A demand for refund was sent to the owner by the District's attorney on December 22, 2017.

FISCAL IMPACT

The District intends to collect all payments made to Life Star in the amount of \$94,375.

RECOMMENDATION

Staff recommends authorizing the Washoe County District Attorney's Office to commence suit against Life Star and/or its Owner(s) for breach of contract and other related causes of action related to the contract entered into in 2017 for the purchase of an ambulance and if need be, authorization to commence litigation and pursuit of this action through appeal.

POSSIBLE MOTION

Should the Board agree with staffs' recommendation, a possible motion could be:

"I move to authorizing the Washoe County District Attorney's Office to commence suit against Life Star and/or its Owner(s) for breach of contract and other related causes of action related to the contract entered into in 2017 for the purchase of an ambulance and if need be, authorization to commence litigation and pursuit of this action through appeal."