

CONSTITUTION AND BY-LAWS
OF THE
GREENSBURG VOLUNTEER FIRE DEPARTMENT

ARTICLE I
Title

The title of this organization shall be the “Greensburg Volunteer Fire Department” located within the City of Greensburg, Pennsylvania.

ARTICLE II
Mission

Section 1. The Mission of this organization is to:

- A. Protect life and property against fire, other emergencies, and/or disasters within the greater Greensburg community.
- B. To further the efficiency of fire training and instruction.
- C. To maintain and operate an essential organization for the control and government of various Volunteer Fire Companies of the City of Greensburg.
- D. To provide a Board to ensure coordinated and integrated operation of the various Volunteer Fire Companies within and recognized within the City of Greensburg for purposes of having an integrated Volunteer City Fire Department program with respect to emergency, fire, fundraising, and public relations within the City.
- E. To provide such services to the municipalities as may be necessary or as part of a secondary mutual aid response(s). This recognition includes, but is not limited to, the extinguishment of fire and prevention of loss of life and property from emergencies, fire, motor vehicle accident(s), medical emergency responses, hazardous material first response event(s), and Volunteer Fire Department search and/or rescue operations.
- F. To provide non-emergency and public service community functions, including, but not limited to: the removing of water and debris from property after storms or other natural events; the assisting in the removal, abatement, and prevention of damage or injury to persons or property regardless of the

cause; fundraising to supplement Department funding; and/or provide assistance to community events or projects.

- G. To conduct and participate in such training activities and drills, either within or outside the City, as may be deemed necessary in order to maintain proficiency in providing said emergency services to the City of Greensburg or greater community.
- H. To provide public relations for fire prevention, life safety programs, and Membership recruitment and/or retention programs.

Section 2. The Greensburg Volunteer Fire Department of Greensburg, Pennsylvania, accepts Members without regard to race, creed, religion, color, sex, national origin, or handicap.

ARTICLE III **Membership**

The Membership of the Greensburg Volunteer Fire Department shall be divided into three classes: Active, Honorary, and Auxiliary.

Section 1. Active Members shall consist of Active and Life Members carried on the rolls of each Member Company constituting the Greensburg Volunteer Fire Department.

Section 2. Honorary Members shall consist of Members eligible for Membership in recognition of meritorious services rendered to the Greensburg Volunteer Fire Department. This class of Member(s) shall not be required to fulfill any duties and obligations that are required of Active Members. This class may not vote, may not hold any office, or may not be entitled to any Membership or insurance benefits.

Section 3. Auxiliary Members. The Department may create auxiliary groups who will fulfill special emergency, public service, or Fire Department supportive services that are recognized as being in the public interest of the City of Greensburg and the Greensburg Volunteer Fire Department's Mission. This Auxiliary class of Membership may not vote or hold any office, nor shall their years of service be counted as continuous years of service. The recognized auxiliary group(s) shall be designated as follows:

- A. The 420/Junior Group: The 420/ Junior Group shall be made up of persons who are less than the minimum age required to be a Member of the Greensburg Fire Companies. These young persons shall be under the direct supervision and control of the

Fire Chief and his/her designated Officer(s). They shall meet the Pennsylvania Statutory requirements and any stricter rule enacted by the Department relating to minors being involved in the fire service. The Department shall provide the Mayor an approved list of Rules and Regulations applying to persons belonging to the 420/ Junior Group and an annual list provided in writing by the Fire Chief.

- i. Junior Firefighters 16-17 years of age shall meet the requirements of the Pennsylvania Title 43 PS of the Child Labor Act [Sections 40.1 through 40.13] and must meet the remaining rules and conditions of required fire department members and the individual fire companies where the minor(s) are associated.
- ii. Junior Firefighters 14-15 years of age shall meet the requirements of the Pennsylvania Title 43 PS of the Child Labor Act [Sections 40.1 through 40.13] and must meet the remaining rules and conditions of required fire department members and the individual fire companies where the minor(s) are associated.
- iii. 420 Firefighters 12-13 years of age shall have no membership duties, responsibilities, or obligations, but they shall comply with fire Department and Company (and Company House) rules applicable to minors. The parents of this group of minors must sign the Greensburg Volunteer Fire Department "Waiver of the Right to Sue" form(s). They shall be eligible only for insurance coverages that fire Company members are eligible for, if any. These minors shall not be used or employed in any duty that is a firefighter work function. However, these minors may perform Social Member functions, participate in learning demonstrations, or observe any and all other Department/Company drills, minor tasks (appropriate for 12-13 year old youth), or exercises when permitted by Company Officers.

B. Reserve Active Firefighters: Reserve Firefighters shall be made up of qualified and experienced firefighters who are Members in good standing with other fire service and/or fire department/companies. Each person who qualifies under this designation shall meet the criteria required by the Fire Chief and as submitted (with supporting documentation of qualifications) to the Mayor and Board of Control. A list of the

persons qualifying for this classification shall be provided annually. Persons approved for this special classification shall only be entitled to Workers' Compensation benefits as is provided to the Greensburg Volunteer Fire Department by the City of Greensburg should they be injured while responding with a Greensburg Volunteer Fire Company. They shall not be eligible for any other benefits. Said class of firefighters shall respond only as is permitted by the Chief's written standing orders and shall supplement the first Greensburg Fire Company on scene. This class of firefighter shall not be eligible to vote, hold office, or attend any business meetings of the Fire Department. This classification of firefighter shall not exceed ten (10) firefighters at any time.

- C. The Department shall establish SOP's/standing orders indicating that these Section 3 B. Auxiliary Members' response shall be during periods where there is a lack of response personnel, primarily for the 8:00 A.M. to 5:00 P.M. response times or other large responses within the City.

Section 4. No Active Member shall be an Active Member of any other City Fire Company or any outside Fire Department. However, Members may belong as a Member of: a) a particular industrial-employer fire brigade, b) a fire company while in college, c) paid employee or an on-call Fire Company/Department, d) a County HazMat Team, e) a State, Regional, or Federal specialty fire-rescue Team, and/or f) an officially recognized auxiliary firefighter to another fire Department/municipality during working hours outside of the City of Greensburg. Any Member electing to participate in any of these exceptions must provide notice in writing to the Chief.

Any Member exercising any of these special exceptions [a),b), c), d), and/or f)], shall:

- A. Any Greensburg firefighter injured while in the service of any other fire or rescue entity referred to by this Section 4 shall not be entitled to workers' compensation benefits from the City of Greensburg or the Greensburg Volunteer Fire Department, or any Greensburg Volunteer Fire Company for non-Greensburg VFD service(s) unless expressly so provided in writing and approved by the City.

ARTICLE IV
Terms and Elections

Section 1. The Members of the Board of Control shall be three (3) from each recognized and functional Fire Company, who shall be elected by each of the said Fire Companies in the manner provided by each Fire Company's By-Laws. Such Board of Control shall manage the Greensburg Volunteer Fire Department Organization.

Section 2. *The Greensburg Volunteer Fire Department shall be headed by a Fire Chief who is responsible to the Mayor for the performance and oversight of the Fire Department. The Fire Chief shall be a city resident at the time of nomination. The Fire Chief shall be selected by a majority vote of the membership of the Fire Companies making up the Greensburg Volunteer Fire Department. Said selection shall be subject to the approval of Greensburg City Council and the Mayor. The Fire Chief will remain a resident of Greensburg while serving his/her term. The Greensburg Volunteer Fire Department shall be the sole body responsible to elect the Fire Chief. The position of Fire Chief shall not be an appointed position by the Mayor or Council as long as the Department maintains its all volunteer status.*

- A. The Chief's election shall be held every three (3) years. While he/she shall not need to be a Board of Control Member, the Chief shall be deemed a Member of the Board of Control. The Chief's position shall not count as one of any Company's three (3) representatives. Nominations for Chief shall be received at each (election cycle) November's regular meeting.
- B. *The election shall be held on the first Saturday after the November's regular Board of Control meeting.*
- C. *Notification by mail will alert all members of the November nominations and election.*
- D. *Notice will go out by mail to all eligible members that nominations for Fire Chief will be accepted up to the start of the regular November meeting.*
 - i. *Those wishing to have their name placed in nomination must do so in writing to the Board of Control prior to the November regular meeting. Proof of residency must accompany your request to have your name placed up for nomination.*
 - ii. *To be eligible for nomination, the applicant must be a member in good standing with five or more years of continuous years of service without interruption to the Greensburg Volunteer Fire Department at the time of nomination.*

- E. Election will be by secret ballot. The member must be present with valid identification in order to be permitted to cast a ballot. There will be NO absentee ballots.*
- F. The day of the election of Chief, elections shall be overseen by one Board Member from each Company selected by the President.*
- G. In the event that the elected Fire Chief does not receive the approval of Council and the Mayor, the Department shall hold a special election. The special election will take place no longer than 30 days after the Department had been notified of the elected Fire Chief not receiving the approval to assume the office.*

Section 3. *In the event of a vacancy in the office of Greensburg Fire Chief, at any time during the 3 year term, the Board of Control will appoint an Interim Fire Chief who qualifies under the City Ordinance. (The same qualifications will be in place to elect an interim Fire Chief as applies to the general election of the Fire Chief.)*

- A. A special meeting of the Board of Control will be held to appoint an interim Fire Chief. The nomination and election dates will be determined at this special meeting.*
- B. A special election for Fire Chief will be held to serve out the remainder of the three (3) year term. The Board of Control will notify the membership of the vacancy by mail. Nominations will be accepted in writing in accordance with the dates to be determined by the Board of Control. The election will take place on a date also determined by the Board of Control. The election will be held within 30 days of the opening of the vacancy.*

Section 4. The term of office of Members of the Board of Control shall be three (3) years and shall be so arranged that one (1) from each Company shall retire each year.

Section 5. The Commander shall be a Board of Control Member. The Commander may appoint one (1), but not more than two (2), Assistant Commander(s) of the Commander's choosing. The Commander's position shall be a one (1) year term.

Section 6. Election of the Board of Control Officers shall occur at the regular January meeting(s).

Section 7. Trustees shall be appointed by the President and approved by Members of the Board of Control.

Section 8. In all elections of Officers, the person getting the most votes cast shall be elected. In case of a tie vote, the Members shall revote until one (1) candidate receives the most votes cast.

ARTICLE V **Meetings**

Section 1. Regular monthly meetings shall be held at 7:00 P.M. on the first Wednesday of the month at Hose Co. #1 Fire Station. Special meetings will be held on as needed basis.

Section 2. The annual meeting for reorganization and nomination and election of Officers of the Board of Control shall be at the regular meeting in January of each year.

Section 3. A special meeting of the Board of Control may be called by the President or at the written request of six (6) Members of the Board of Control, one (1) from each Member Company.

Section 4. A Quorum for any stated meeting shall consist of at least five (5) Members of the Board of Control, and provided four (4) or more Companies are represented.

Section 5. A majority of the Members of the Board of Control present at a meeting shall decide all questions [excepting amendments to the Constitution or By-Laws as per Article VI].

Section 6. All Members of the Board of Control shall attend the regular monthly meetings. In the event any Member is absent from three (3) consecutive regular monthly meetings, the Board Member's Company shall be notified by the Secretary with the recommendation from the Board of Control that the Company take immediate action to secure proper representation, as the seat may be filled by that Company's organizational body.

ARTICLE VI **Officers**

Section 1. The Officers of the Board of Control shall be President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Fire Chief, Department Commander, and three (3) Trustees.

Section 2. The President may appoint annually: a) Assistant Financial Secretary, and b) Assistant Treasurer.

ARTICLE VII
Duties of Officers

Section 1. Duties of the President. The duties of the President shall be as follows:

- A. The President shall preside at all meetings of the Board of Control and maintain order therein.
- B. On all motions after being seconded, take comments/questions on the motion.
- C. Sign all orders jointly with the Recording Secretary and Treasurer.
- D. Appoint all Committees and call all special meetings as prescribed by Article V, Section 3 of the By-Laws.
- E. Shall sign all official documents or contracts as approved by this Fire Department's Board of Control.
- F. Shall oversee the proper administration of the Fire Department administrative business, as required, and create special Committees to address specific organizational objectives.
- G. Shall, upon motion approved by the Board of Control, proceed to initiate any lawsuits, actions, claims, or prosecutions relating to the protection, reacquisition, and collection of property and/or monies that are either owned by the Greensburg Volunteer Fire Department and/or that may be due and are collectable by agreement, or unreasonable negligent waste or destruction of Fire Department property.
- H. Shall appoint, with Board approval, a Volunteer Fire Department Postmaster who shall have the duty to acquire mail and correspondence of the Department. The Postmaster shall:
 - i. review all items and documents for obvious abnormalities or legal Notices;
 - ii. distribute all items and mail as soon as possible to the designated persons;

iii. report any abnormality or legal notices to the Trustees and Executive Officers as soon as possible.

I. Shall interact with the Greensburg Volunteer Fire Department Relief Association, when necessary.

Section 2. Duties of the Vice President. The Vice President shall perform the duties of the President in the event that for any reason the President is unable to act, and, should the office of the President become vacant, the Vice President shall continue to act as President until the next annual election. The Vice President shall then appoint the Vice President position to finish his/her term.

Section 3. Duties of the Recording Secretary. The Recording Secretary shall:

- A. Keep a correct roll of all Members of the Board of Control and shall call the same at each meeting thereof;
- B. Keep a record of all absentees and complete Minutes of the proceedings;
- C. Mail a Notice to each Board Member of all special meetings at least forty-eight (48) hours previous to such meetings;
- D. Shall mail Notice of candidates and Notice of election to each Board Member and each Company at least thirty (30) days before any Departmental elections. These notices shall include time, place of voting, and the list of candidates.
- E. May sign Resolutions, jointly, with the President and Treasurer.
- F. Shall receive and have charge of all correspondence concerning the Department and shall present such correspondence at each regular meeting.
- G. Shall have complete charge of the mailing list of all Members of the Department. Said information is to be supplied by the Secretary of each Department Company with a complete and correct list of the names and addresses of all Members on or before February 1 of each year. Each Department Company shall provide the names and addresses of any new Members taken into the Companies or old Members dropped from the rolls.

- H. Shall furnish each Member Company with a copy of the Minutes of each meeting of the Board of Control.

Section 4. Duties of the Financial Secretary. The Financial Secretary shall:

- A. Be authorized to receive all monies due the Department and shall turn them over to the Treasurer at the regular monthly meeting and take receipt therefor;
- B. Keep a correct itemized account of all monies received in accounting books or databases belonging to the Department and shall report same at each regular meeting;
- C. Furnish annually to the Board of Control a complete statement of all monies coming into his/her hands;
- D. Present the books and records for audit immediately following the reorganization meeting in January, or at any time requested by the President or majority vote of the Board;
- E. Not disburse any money except on order of the Board of Control, signed by three (3) officers – either the President, Vice President, Financial Secretary, Assistant Financial Secretary, Treasurer, and Assistant Treasurer;
- F. Give bond to be approved and paid for by the Board of Control in the amount determined by it;
- G. Receive all monies of the special “Memorial Fund” due the Department and shall turn these funds over to the Department Treasurer at the regular monthly meeting. The Financial Secretary shall keep a recorded and itemized account of these monies in books belonging to the Department and shall report the same at each regular meeting.

Section 5. Duties of the Treasurer. The Treasurer shall:

- A. Give a receipt for all monies paid to him/her and deposit such monies to the credit and for the benefit of the Department and in a depository designated by the Board of Control;
- B. Keep a true and correct account of all money and investments belonging to the Department which may come into his/her hands and all the disbursements of the same;

- C. Make a report of the condition of the Treasury at each regular monthly meeting;
- D. Make an annual detailed report at the regular annual meeting. These accounts shall be kept in books and databases that are the property of the Department at all times.
- E. Not disburse any money except on order of the Board of Control, signed by three (3) officers – either the President, Vice President, Financial Secretary, Assistant Financial Secretary, Treasurer, or Assistant Treasurer.
- F. Give bond to be approved and paid for by the Board of Control in the amount determined by it.
- G. Also keep a special account named “Memorial Fund” as part of his/her duties. The Treasurer shall receive all monies from the Financial Secretary marked for Memorial Fund as received and deposit in a special fund designated by the Board of Control and in a depository designated by the Board of Control. This “Memorial Fund” account may only be used by special Board of Control approval and must receive three-fourths (3/4) of the votes of the Members present for approval.

Section 6. Duties of the Fire Chief. The duties of the Fire Chief shall be as follows: Those duties and responsibilities with reporting to the Mayor and City Council, together with the duties set forth hereinafter. The Fire Chief shall make reports, either personally or through his/her Assistant Chiefs at the meetings of City Council and/or the Board of Control as to operational issues and administrative necessities.

The Greensburg Volunteer Fire Department shall be headed by a Chief who shall provide reports to the Mayor relating to the performance and oversight of the Fire Department. The Chief shall be selected by a majority vote of the Active Members of the Greensburg Volunteer Fire Companies making up the Greensburg Volunteer Fire Department. The duties of the Chief shall be:

- A. Develop and direct appropriate and effective fire, rescue, or other emergency operations, operational support, and administrative activities of the Fire Department;
- B. Ensure an effective incident command structure is in place for emergency responses and that effective strategic operations are initiated and completed;

- C. Ensure that the appropriate delegation of authority occurs for the completion of effective strategic and tactical operations;
- D. Coordinate and develop effective Department fiscal and/or budgetary plans and accountability programs;
- E. Oversee the effective development and implementation of effective administrative and operational programs to improve or facilitate effective strategic and tactical Fire Department emergency operations that include, but are not limited to, fire suppression, life safety rescue, emergency medical response, or any other community emergency that may be required of the Fire Department;
- F. Supervise and appoint Assistant Chiefs and Deputy Assistant Chiefs to assist in both operational and administrative responsibilities of the Fire Department;
- G. Input to the City for the acquisition, maintenance, and repair of Greensburg Volunteer Fire Department vehicles;
- H. Conduct investigations in cooperation with any other local, state, or federal agency into fires or other suspected crimes, searches, or other events that are within the Mission of the Greensburg Volunteer Fire Department;
- I. Identify, remove, and control all life safety hazards, whether fire or rescue, within the City and in conjunction with the Building and Fire Code Enforcement Department;
- J. Develop and conduct public community relations and educational programs to improve fire safety or life safety programs in cooperation with City agencies;
- K. Work with the appropriate City agencies that may be necessary for the purchase of Fire Department equipment with the appropriate agencies as designated by the City;
- L. Oversee and direct the maintenance of records relating to fires and fire hazards, and records and logs relating to radio and emergency communication systems as required by Law;
- M. Direct purchase order requests to the Fiscal Director and City Administrator for final approval by Mayor and Council.

Section 7. Duties of the Department Commander. The Department Commander shall be in complete charge of the Department at all civic appearances or parades in which the Department participates as a body, in uniform or otherwise. It shall be his/her duty upon the death of a Member of the Department to immediately contact the bereaved family and make arrangements by notice in the daily papers for the assembly of the Department at the proper time and place for the purpose of paying respect to the deceased Member(s).

Section 8. Duties of the Assistant Department Commander(s). He/She shall assist the Commander at all times and perform the duties of the Commander in the event of his/her absence.

Section 9. Duties of the Trustees. The Trustees shall:

- A. Take charge of, hold inventory, and track all property belonging to the Department;
- B. Make monthly reports at the regular meetings of the Board of Control;
- C. Keep a list of all property of the Department in their charge in books/databases provided by the Department;
- D. See that such property is properly stored and cared for;
- E. Audit the books and databases of the Officers of the Department at the close of business each year and at any other time it is deemed necessary, including receiving annual digital back-up of any database documents, lists, forms, or financials;
- F. Make reports to the Board of Control of any and all Members who have violated any rules of use, any executed property or equipment agreements with the Greensburg Volunteer Fire Department (delinquent, abused, failure to turn in any issued equipment or property);
- G. Ensure the Postmaster is exercising his/her duties.

Section 10. No Officer or Member of the Board of Control shall receive compensation for performing the duties of the Office to which he/she is elected or appointed.

Section 11. Any Officer that leaves office for any reason must surrender all department data, databases, video, checks, corporate records, financial records, forms, equipment, or property created for or provided by the Department within forty-eight (48) hours to the newly recognized Officer.

ARTICLE VIII
Committees

Section 1. Committees shall exist pursuant to the By-Laws. Committees can be formed by the President with the Board's approval and must be re-approved annually. However, standing Committees shall exist from year-to-year and shall be filled by appointed Members of the Board of Control, in lieu thereof, one (1) person from each Member Company. Standing Committees include:

- A. The Museum Committee;
- B. The Memorial Committee;
- C. The Banquet Committee -- this Committee shall be made up of not more than three (3) persons as appointed by the President;
- D. The Firefighter Faith Committee -- This Committee shall be made up of a Board appointed local inspirational minister/reverend/priest. This person(s) shall be appointed annually and be responsible for the development and the provision of divine inspiration and spiritual invocation development supporting the Greensburg Volunteer Fire Department's Mission and duty to our families and community;
- E. The Greensburg Community Foundation -- This Committee shall be made up of two (2) Members being the President and the Treasurer of the Board of Control and the Department Chief. These three [3] persons shall serve with the two (2) Executive Officers, being the President and Treasurer, or as appointed by the Greensburg Volunteer Fire Department Relief Association. A Department Attorney shall serve as a non-voting Member. This Committee should have significant financial understanding and skills for the sophisticated Greensburg Volunteer Fire Department Foundation purposes addressing a) the Federal IRS 501(c)(3) needs, and/or b) oversight of the Foundation purposes to fit within the Mission of the Greensburg Volunteer Fire Department and/or complimenting the Greensburg Volunteer Fire Department Relief Association purposes.

ARTICLE IX
Order of Business

Section 1. The business of each meeting of the Board of Control shall be taken up in the following manner:

- A. Innovation.
- B. Pledge of Allegiance.
- C. Roll call.
- D. Reading of Minutes.
- E. Report of Chief.
- F. Report of Financial Secretary.
- G. Report of Treasurer.
- H. Report of Trustees.
- I. Report of Department Commander.
- J. Reports of Committees.
- K. Bills and Communications.
- L. Unfinished business.
- M. New business.
- N. Remarks for good of Organization.
- O. Adjournment.

Section 2. The following are the Rules of Order:

- A. A Member desiring to speak on any question before the Organization shall rise and address the Presiding Officer and, if two (2) Members shall arise at the same time, the Chair shall decide which of them is entitled to the floor;
- B. No motion shall be open for discussion until properly seconded and stated (as shall be stated officially in the Minutes) by the Presiding Officer;
- C. After all discussion of the motion shall have ceased and the question is called for, the Secretary shall read the motion and the Presiding Officer shall call for the vote;
- D. On any question where the vocal “yes” and “no” are in doubt, the President or any Member of the Board of Control may ask for a recorded vote/show of hands vote/standing vote;
- E. No Member can call for a reconsideration of any question that has been passed or defeated unless he/she was one of the majority voting for the Motion when the Motion was voted upon;

- F. A motion to adjourn shall be made when such adjournment shall not be detrimental to the best interests of the Organization. The majority of the Members present shall decide the adjournment Motion.

ARTICLE X

Powers of the Representatives

Section 1. The cooperation of all Member Companies is necessary. Therefore, the Representatives to the Board of Control shall have full authority to vote as they see fit on all questions brought before the Board of Control. All Member Companies shall be governed by the majority vote of the Representatives present, on all such questions within the Board's control.

Section 2. Every Member Company and every Member of the Department shall agree to conform to such rules as may be hereafter adopted by the Board of Control, within the Board's control.

Section 3. The Board of Control, with the approval of the Fire Chief, shall make all recommendations to the Department of Public Safety that are deemed necessary to improve the fire protection of the City of Greensburg, increase the efficiency of the Greensburg Volunteer Fire Department, and/or provide any improvements in addressing the Mission of the Greensburg Volunteer Fire Department.

ARTICLE XII

Amendments to the By-Laws

Amendments, additions, or annulments to these By-Laws must be offered in writing at any regular meeting of the Board of Control and they shall stand "proposed" until the second regular meeting thereafter. The amendments shall be read at three (3) consecutive meeting(s). Upon vote after being read at the third meeting, the amendment must receive three-fourths (3/4) of the votes of the Board of Control.

ARTICLE XIII

Dissolution and Indemnification

Section 1. In the event the Greensburg Volunteer Fire Department, Inc., dissolves, any and all of its assets, equities, and/or properties shall be distributed to a volunteer non-profit corporation having a similar Mission and/or function providing emergency protective services to the City of Greensburg. If there is no volunteer non-profit similar organization, the Members may vote to distribute its assets to:

- A. Any non-profit organization providing services to the City of Greensburg; or
- B. A subsequently created firefighting rescue organization servicing the City of Greensburg.

Section 2. In the event any Officer of this organization is charged or is a party to a claim or legal action that relates to any official function or organizational responsibility required by this Constitution, By-Laws, or authorized act by the Board of Control, this organization shall provide a defense and/or cost of defense so long as the Board of Control Officer was acting in good faith, fair dealings, and in a legal and duly authorized manner.

Greensburg Volunteer Fire Department Procurement Policy

General Procurement Standards.

(a) The Greensburg Volunteer Fire Department must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this section.

Competition.

(a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- (1) Placing unreasonable requirements on firms in order for them to qualify to do business;
- (2) Requiring unnecessary experience and excessive bonding;
- (3) Noncompetitive pricing practices between firms or between affiliated companies;
- (4) Noncompetitive contracts to consultants that are on retainer contracts;
- (5) Organizational conflicts of interest;
- (6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- (7) Any arbitrary action in the procurement process.

(b) The Greensburg Volunteer Fire Department must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(c) The Greensburg Volunteer Fire Department must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

- (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may

include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(d) The Greensburg Volunteer Fire Department must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the Greensburg Volunteer Fire Department must not preclude potential bidders from qualifying during the solicitation period.

(e) The Greensburg Volunteer Fire Department will utilize state and/or regional joint purchasing programs when it/ they will provide the Greensburg Volunteer Fire Department with a lower price on items the Greensburg Volunteer Fire Department is purchasing.