

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 JUN -2 AM 10: 17

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Finance and Management Agency
DATE: June 14, 2005

RE: **RESOLUTION AWARDING A CONTRACT TO MEDTRONIC-PHYSIO CONTROL CORPORATION, FOR FURNISHING REPLACEMENT DEFIBRILLATOR MONITORS AND ACCESSORY EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$856,670.76 IN ACCORDANCE WITH SPECIFICATION NO. 03-465-14-1.**

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a contract to Medtronic-Physio Controls, a non-local business enterprise, for replacement defibrillators, in an amount not to exceed \$856,670.76 in accordance with the terms and conditions in Specification No. 03-465-14-1. The City's current defibrillators were purchased in 1993, with a manufacture's recommended shelf-life of five to seven years. The Finance and Management Agency, Purchasing Section, bid this requirement for use by the Emergency Medical Services (EMS) Division of the City's Fire Services Agency.

FISCAL IMPACT

This contract is for a one-time purchase of thirty-five (35) defibrillator monitors and accessory equipment for the First Response, Advanced Life Support (ALS) program in an amount not to exceed \$856,670.76. Funds have been specifically budgeted for this purpose and are available in the Fire Services Agency FY 04-05 Measure N Fund budget.

BACKGROUND

Specification No. 03-465-14-1 for replacement defibrillators and accessory equipment was sent to four prospective bidders: all non-local business enterprises. This bid was advertised in the local newspaper. Additionally, market research revealed no local suppliers could provide this product. The City Clerk opened bids on June 7, 2004. One valid bid was received. A committee comprised of personnel from EMS and the Financial and Management Agency, Purchasing Section evaluated the bids.

The evaluation process provided an opportunity for each vendor to demonstrate the functions and features of their defibrillation unit. Based on the demonstrations and information provided in the response to Specification No. 03-465-14-1, staff recommended rejecting bids received from Bound Tree Medical, Zoll Medical and Life-Assist for not meeting the minimum specification.

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Finance and Management Committee
June 14, 2005

On December 15, 2004, Zoll Medical Corporation filed a protest on the grounds that it was the lowest responsible bidder. The Purchasing Supervisor reviewed the merits of the protest, and denied the claim based on the fact that the protest submitted by Zoll Medical Corporation was invalid because the bid submitted was rejected for non-compliance to the specification.

On December 28, 2004, Zoll Medical Corporation appealed the findings of the protest. On March 1, 2005, the Finance and Management Agency, Director upheld the findings of the Purchasing Supervisor, denying Zoll's appeal based on the following.

- The specification clearly specified the maximum joule setting of 360 with no exceptions and Zoll failed to request a waiver in accordance with the specifications terms and conditions.
- The requirement for the joule setting was not capricious, but was required to meet the needs of the City per The American Medical Association (AMA) recommendations that defibrillators be comparable between transferring units. The City's EMS Division routinely transfers clients to County facilities and the County is currently using defibrillators with a maximum setting of 360 joules. The American Heart Association guidelines recommends 200 joules for the first defibrillation shock and progressive energy levels of 300 to 360 joules for subsequent shocks.

KEY ISSUES AND IMPACTS

This contract is required by the City to fulfill the obligation required by Alameda County Emergency Medical Services, Emergency Medical Technician to resuscitate a patient in ventricular fibrillation (cardiac arrest) per Alameda County Defibrillation Policy 10104. The above procedures are also required by the Scope of Practice, California code of Regulations, title 22, Division 9, chapters 2 and 4 for EMS service delivery.

Due to the age of the current defibrillators this contract is vital for the health and safety of the citizens of Oakland. This contract will ensure the City's EMS maintains the highest level of readiness for any life threatening situation.

POLICY DESCRIPTION

Award of this contract will put the City in compliance with the following Alameda County policies and programs:

1. Alameda County Defibrillation Policy 10104
2. Alameda County Patient Care Policies:
 - 7204 Asystole-Adult
 - 7205 Pulseless Electrical Activity (PEA) – Adult
 - 7207 Ventricular Fibrillation/Ventricular Tachycardia: Pulseless-Adult
 - 7209 Chest Pain/Acute Myocardial Infraction-Adult
 - 7223 Tachycardia: Adult Atrial Flutter Supraventricular Tachycardia
 - 7225 Bradycardia-Adult
 - 7226 Ventricular Tachycardia: Perfusing

SUSTAINABLE OPPORTUNITIES

Economic: Medtronic-Physio Controls has a valid City of Oakland business license and this contract will yield approximately \$1,028 in business tax.

Environmental: None.

Social Equity: None.

DISABILITY AND SENIOR CITIZEN ACCESS

None.

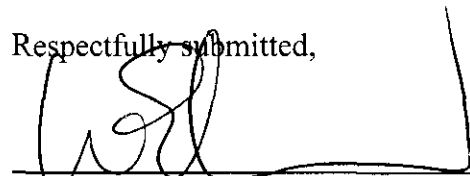
RECOMMENDATION (S) AND RATIONALE

Staff recommends that the City Council reject bids received from Bound Tree Medical, Zoll Medical, and Life-Assist and authorize the City Administrator to award a contract to Medtronic-Physio Controls, a non-local business enterprise, for replacement defibrillators and accessory equipment in accordance with the terms and conditions in Specification No. 03-465-14-1.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council reject bids received from Bound Tree Medical, Zoll Medical, and Life-Assist and approve the resolution awarding a contract to Medtronic-Physio Controls.

Respectfully submitted,



WILLIAM E. NOLAND

Director, Finance and Management Agency

Prepared by:

JIMMIE D. JACKSON

Purchasing Supervisor

APPROVED AND FORWARDED TO THE
FINANCE AND MANAGEMENT COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

Item: _____
Finance and Management Committee
June 14, 2005

CITY OF OAKLAND
PURCHASING SECTION
AWARD RECOMMENDATION STATEMENT



F. HALIBURTON		PURCHASING/ACQUISITION/CONTRACT: Office Supplies	
COUNCIL AGENDA DATE: June 14, 2005	<u>SPECIFICATION/PROJECT NO.:</u> 03-465-14-1	<u>FUNDING SOURCE:</u> 2250.20912.52919.PS19 (106,670.76) 2250.20912.52914.PS19 (750,000.00)	<u>BID OPENING DATE:</u> JUNE 7, 2004
	PREVIOUS LEGISLATION: CONTRACT PERIOD:		

PURPOSE STATEMENT: To provide the City of Oakland with thirty-five (35) replacement Defibrillators/Monitors and accessory equipment for use by the First Response Advanced Life support (ALS) program.

ITEM NO./DESCRIPTION	UNIT PRICE	EST. COST	PERCENT DIFFERENCE
Defibrillators/Monitors and attachments	856,670.76	750,000.00	+14.89%

COMMENTARY: The recommended vendor Medtronic received no performances. There are no additional costs to the City.

RANGE OF BIDS RECEIVED

<u>TOTAL BIDS RECEIVED/DOLLAR RANGE</u> \$593,193.65 to \$856,670.76	<u>BIDS WHICH MEET SPECIFICATION/DOLLAR RANGE</u> \$856,670.76
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LOW BIDS NOT MEETING SPECIFICATION

VENDOR/CONTRACTOR	REASON	RECOMMENDATION ON REJECTIONS
Boun Tree Medical	DOES NOT MEET SPEC.	REJECT- MAXIMUM JOUILL ONLY 200/ NO FAX MODEM
Zoll Medical	DOES NOT MEET SPEC.	REJECT- MAXIMUM JOUILL ONLY 200
Life-Assist	DOES NOT MEET SPEC.	REJECT- ENERGY SETTINGS ONLY 30-180

AWARD RECOMMENDED

VENDOR NAME/ADDRESS	DESCRIPTION	ESTIMATED AMOUNT
Medtronic 11811 Willows Rd. NE Redmond, WA 98073	Replacement Defibrillators\Monitors	856,670.76

SUBMITTED BY

APPROVED AND FORWARDED TO COUNCIL

DEPARTMENT HEAD

OFFICE OF THE CITY MANAGER

BID CALL	TOTAL	LOWEST BID BY CATEGORY	
		LOCAL BUSINESS	NON-LOCAL
ASK	8	0	8
NO RESPONSE	3	0	3
BIDS RECEIVED	4	0	4
AWARDS RECOMMENDED	1	0	1

Bid Recap
 Specification No.03-465-14-1
 Replacement Defibrillator

MEDTRONIC	Quoting: Medtronic
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DISCRIPTION	QTY	PRICE	EXT
1 Biphasic Defibrillator/Monitor	35	\$16,245.00	\$568,575.00
2 Bike Monitors	2	no charge	no charge
2 EL/High contrast screen	35	included	nocharge
3 AED option	35	included	nocharge
4 Noninvasive Pacing	35	included	nocharge
5 Pulse Oximetry	35	included	nocharge
6 Capnography	35	included	nocharge
7 12 Lead ECG	35	included	nocharge
8 Noninvasive Blood pressure cuff	35	included	nocharge
9 Rechargeable Batteries	148	\$177.46	\$26,264.08
10 Battery Charger	27	\$1,339.00	\$36,153.00
11 AC Power source	35	\$630.00	\$22,050.00
12 3 or 4 Lead Patient Cables	35	\$88.00	\$3,080.00
13 12 Lead Cable	35	\$153.60	\$5,376.00
14 Multi-function Cable	35	\$244.00	\$8,540.00
15 SpO2 Finger sensor	35	\$164.00	\$5,740.00
16 Basic Carrying Case	35	included	nocharge
17 Extra Pouches	35	included	nocharge
18 Hard Pack Carry Case	35	included	nocharge
19 Transfer/modem Capabilities	35	included	nocharge
20 ECG Simulator	33	included	no charge
Accessories			
21 Software	1	\$1,499.00	\$1,499.00
22 ECG electrodes	2000	\$0.32	\$640.00
23 Defibrillation pads/adult	370	\$14.05	\$5,198.50
24 Defibrillation pads/pedi	100	\$14.00	\$1,400.00
25 3 or 4 lead patient cables, extras	10	\$88.00	\$880.00
26 Extra multi-function cables	10	\$244.00	\$2,440.00
27 ECG paper	100	Included	No Charge
28 Extra SpO2 sensor cables	5	\$164.00	\$820.00
29 In-line filters (CO2)	5	\$9.44	\$47.20
		SUB TOTAL	\$688,702.78
		SALES TAX	\$56,817.98
		ITEMS TOTAL	\$745,520.76
30 Warranty Service\Training			\$185,150.00
			\$930,670.76
31 LESS Trade in credit of out dated units			<\$74,000.00>
		GRAND TOTAL	\$856,670.76

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31 LESS Trade in credit of out dated units			<\$74,000.00>
		GRAND TOTAL	\$856,670.76

OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____

C.M.S.

2005 JUN 2 PM 12:44

RESOLUTION AWARDING A CONTRACT TO
MEDTRONIC-PHYSIO CONTROL FOR FURNISHING
REPLACEMENT DEFIBRILLATOR MONITORS AND
ACCESSORY EQUIPMENT IN AN AMOUNT NOT TO
EXCEED \$856,670.76 IN ACCORDANCE WITH
SPECIFICATION NO. 03-465-14-1.

WHEREAS, Bids for replacement defibrillator monitors and accessories received from Bound Tree Medical, Zoll Medical and Life-Assist did not meet the minimum specification; and

RESOLVED: The City Council hereby rejects the bids submitted by Bound Tree Medical, Zoll Medical and Life-Assist for non-compliance; now be it

FURTHER RESOLVED: That a contract for furnishing replacement defibrillator monitors and accessory equipment to the City of Oakland in the amount not to exceed \$856,670.76 in accordance with Specification No. 03-465-14-1 and the general conditions therefore on file in the Purchasing Section is hereby awarded to Medtronic-Physio Control, a corporation, according to its bid filed with the City Clerk on June 7, 2004; and, be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute said contract on behalf of the City of Oakland; and be it

FURTHER RESOLVED: That the contract shall be approved for form and legality by the City Attorney and copies shall be on file in the City Clerk's Office; and, be it

FURTHER RESOLVED: That all other bids are hereby rejected; and, be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post notice of the above award on the City's official bulletin board.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, QUAN, NADEL, REID, WOODS AND
PRESIDENT DE LA FUENTE

NOES-
ABSENT-
ABSTENTION-

ATTEST: _____

LA TONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California