



CITY OF OAKLAND

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OAKLAND

2018 MAY 31 PM 5: 34

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Darin White  
Fire Chief

**SUBJECT:** Physio-Control, Inc. Contract  
Extension for Maintenance of  
Paramedic Service Equipment

**DATE:** May 11, 2018

City Administrator Approval

Date:

5/31/18

## RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator, Or Designee, To: 1) Appropriate Fund Balance From The Accrued Balance In The First Responder Advanced Life Support (FRALS) Fund In An Amount Not To Exceed Four Hundred Twelve Thousand And Thirty-Two Dollars And Forty-Eight Cents (\$412,032.48); 2) Extend The Current Agreement With Physio-Control, Inc. For A Three-Year Period From July 1, 2018 To June 30, 2021 For The Purchase, Maintenance And Repair Of Advanced Life Support Equipment (ALS) In An Amount Not To Exceed Four Hundred And Seventy-One Eight Hundred and Nineteen Dollars And Sixty Cents (\$471,819.60); And 3) Waive The Advertising And Bidding Requirements, And Local And Small Business (L/SB) Enterprise Program Provisions For The Contract With Physio-Control, Inc.

## EXECUTIVE SUMMARY

A resolution has been prepared authorizing the City Administrator to waive the advertising and bidding requirements, and award a three-year contract extension to Physio-Control, Inc. for maintenance of advanced life support (ALS) equipment for an additional four hundred twelve thousand and thirty-two dollars and forty-eight cents (\$412,032.48). When combined with the agreement executed in 2017 (\$59,787.12), the total agreement with Physio-Control will be for a total amount not to exceed four hundred and seventy-one eight hundred and nineteen dollars and sixty cents (\$471,819.60) as part of the City of Oakland's paramedic service delivery system. The current contract with Physio-Control, Inc. expires on June 30, 2018 and must be extended to ensure that the City's cache of life-saving equipment is well-maintained.

## BACKGROUND / LEGISLATIVE HISTORY

The residents of Oakland rely on the City and County to provide emergency medical services for individuals as well as for large-scale events. In June 1997, the electorate of Oakland passed by more than a two-thirds majority, the Paramedic Services Act of 1997 (Measure N). The measure imposes a special parcel tax for the purpose of raising revenue necessary to increase, enhance

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and support paramedic emergency services in the City of Oakland, particularly those offered by OFD. Measure N and other funds have been utilized in subsequent years to acquire and maintain the cache of ALS equipment used by Oakland Fire Department in the delivery of Paramedic services.

In 2011, the City Council approved Resolution No. 83579 C.M.S, which authorized a nine hundred and seventy-six thousand dollar (\$960,000.00) agreement with Physio-Control to furnish cardiac monitors, chest compression devices, automatic external defibrillators, all necessary accessories and a five-year LifeNet transmission subscription.

In 2017, an agreement in the amount of fifty-nine thousand seven hundred and eighty-seven dollars and twelve cents (\$59,787.12) with Physio-Control was authorized under the City Administrator's authority.

### **ANALYSIS AND POLICY ALTERNATIVES**

This purchase is required by the City of Oakland to ensure that OFD's personnel can meet their obligations as required under the following State of California Code of Regulations (CCR), Title 22 Social Security, Division 9: Pre-hospital Emergency Medical Services Regulations which establishes who must be certified as an emergency medical technician (EMT) or EMT-paramedic, what the requirements to obtain or maintain certification and licensure are, the scope of practice for EMTs and EMT-paramedics, and the obligations of the Local Emergency Medical Services Agencies in developing policies and procedures for pre-hospital care. The following sections of Title 22, CCR, Division 9 refer to the authority of a EMT or EMT-paramedic to perform CPR, use ventilating devices, and perform defibrillation

- Chapter 2, Article 2, Section 100063, Part 4 and Part 6E.
- Chapter 4, Article 2, Section 100146, Part 1B.

Additionally, this purchase allows OFD Personnel to meet their obligations under Alameda County-specific protocols contained within the 2018 Alameda County EMS Field Guide for the following medical episodes:

- Asystole/Pulseless Electrical Activity.
- Bradycardia.
- Chest pain - suspected cardiac/stemi.
- Tachycardia.
- Ventricular fibrillation | ventricular tachycardia: pulseless.

#### *Rationale for Waiver of Request for Advertising and Bidding*

Oakland Municipal Code Section 2.04.050.1.5, authorizes the City Council to waive the City's standard advertising and bidding process upon a finding that it is in the best interests of the City. Physio-Control is the only vendor that can service the cardiac monitors, chest compression devices, automatic external defibrillators (AEDs) within OFDs equipment cache, and is therefore

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the only company capable of meeting the Department's purchase needs. The manufacturer only guarantees their products, and affirmatively verifies warranty status, if the repairs are made by Physio-Control Technicians. Only their company's authorized technicians can repair these devices to factory standards. There is only one vendor—Physio-Control—that can reliably service OFD's proprietary, Physio-Control Inc. ALS equipment cache.

### **FISCAL IMPACT**

The projected costs over the three (3) year extension period for the purchase, maintenance and/or repair of the Advanced Life Support (ALS) cardiac monitor, chest compression device, automatic external defibrillator equipment are detailed in the table below:

Description	Number of Units	Net Price Per Unit	Costs
Lifepak 15 - heart monitor / defibrillator unit	40	\$4,868.64	\$194,745.60
Lucas Device - chest compressor to improve blood flow in victims of cardiac arrest	35	\$3,775.68	\$132,148.80
Lifepak 1000 - escalating energy technology to shock up to 360 Joules for patients who are difficult to defibrillate	23	\$1,092.96	\$25,138.08
Contingency / Miscellaneous			\$60,000.00
<b>Total Projected Costs</b>	<b>98</b>		<b>\$412,032.48</b>

Total funding, not to exceed four hundred and seventy-one eight hundred and nineteen dollars and sixty cents (\$471,819.60), is from the First Responder Advanced Life Support (FRALS) Fund (2160), EMS Training (20913), Various Accounts, Project (1001312), Emergency Medical Response (PS19).

### **PUBLIC OUTREACH / INTEREST**

This item did not require additional public outreach, other than posting on the City's website.

### **COORDINATION**

The City Attorney's Office and the Budget Bureau were consulted in preparation of this report.

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

Since 2011, the Oakland Fire Department has had a contractual relationship with Physio-Control to service the ALS equipment used by Paramedics in the performance of emergency medical services. The contract allows OFD to maintain ALS equipment to the highest standards and to receive priority pricing when units break, malfunction, or need ancillary parts to operate. During the (7) years of this business relationship, the vendor has consistently met and

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exceeded expectations around equipment servicing. The service representatives associated with Physio-Control are evaluated at least quarterly, by OFD personnel to ensure that ALS equipment meets the highest standards of quality.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** Physio-control has a valid City of Oakland business license. This contract will yield business tax revenue for the City of Oakland.

**Environmental:** There are no environmental opportunities associated with this report.

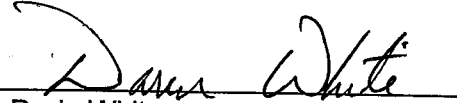
**Social Equity:** There are no social equity opportunities related to this contract.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council adopt a resolution authorizing the City Administrator, or designee, to: 1) appropriate fund balance from the accrued balance in the First Responder Advanced Life Support (FRALS) Fund in an amount not to exceed four hundred twelve thousand and thirty-two dollars and forty-eight cents (\$412,032.48); 2) extend the current contract with Physio-Control, Inc. for a three-year period from July 1, 2018 to June 30, 2021 for the purchase, maintenance and repair of critical, proprietary advanced life support equipment (ALS) in an amount not to exceed four hundred and seventy-one eight hundred and nineteen dollars and sixty cents (\$471,819.60); and 3) waive the advertising and bidding requirements, and local and small business (L/SB) enterprise program provisions for the contract with Physio-Control, Inc.

For questions regarding this report, please contact Michael Johnson, Program Analyst, Oakland Fire Department at (510) 637-0337.

Respectfully submitted,

A handwritten signature in cursive script that reads "Darin White". The signature is written in black ink and is positioned above a horizontal line.

Darin White,  
Fire Chief

Prepared by:  
Michael Johnson, Program Analyst  
Oakland Fire Department

Reviewed by:  
Angela Robinson Piñon, Chief of Staff  
Oakland Fire Department

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OAKLAND

*Amadi Soto*  
City Attorney

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# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO: (A) APPROPRIATE FUND BALANCE FROM THE ACCRUED BALANCE IN THE FIRST RESPONDER ADVANCED LIFE SUPPORT (FRALS) FUND 2160 IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED TWELVE THOUSAND AND THIRTY-TWO DOLLARS AND FORTY-EIGHT CENTS (\$412,032.48); (2) EXTEND THE AGREEMENT WITH PHYSIO-CONTROL, INC. FROM JULY 1, 2018 TO JUNE 30, 2021 FOR THE PURCHASE, MAINTENANCE AND REPAIR OF ADVANCED LIFE SUPPORT EQUIPMENT (ALS) IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED AND SEVENTY-ONE EIGHT HUNDRED AND NINETEEN DOLLARS AND SIXTY CENTS (\$471,819.60); AND (2) WAIVING THE ADVERTISING AND BIDDING PROCESS REQUIREMENTS, AND LOCAL AND SMALL BUSINESS (L/SB) ENTERPRISE PROGRAM PROVISIONS FOR THE CONTRACT WITH PHYSIO-CONTROL, INC.**

**WHEREAS**, the funds necessary to execute a three-year extension to the current service agreement with Physio-Control Inc. are not available in the Paramedic Services Act of 1997 (Measure N Fund); and

**WHEREAS**, this purchase is required by the City of Oakland to ensure that it is able to meet the obligations required by Alameda County Emergency Medical Services to resuscitate a patient in ventricular fibrillation (cardiac arrest) per Alameda County Defibrillation Policy 10104, as well as, the Scope of Practice, contained in the California Code of Regulations, Title 22, Division 9, chapters 2 and 4 for Emergency Medical Service (EMS) delivery; and

**WHEREAS**, accrued First Responder Advanced Life Support (FRALS) fund balance will be used to increase, enhance and support paramedic emergency services in the City of Oakland, particularly those offered by the Oakland Fire Department; and

**WHEREAS**, the FRALS fund balance is maintained to ensure that monies are available to support paramedic services in Oakland; and

**WHEREAS**, funding for this agreement has been identified in the FRALS fund balance and may be appropriated from Fund 2160 (FRALS), Organization 20913 (EMS Training), various accounts, Project (1001312), and Program PS19 (Emergency Medical Response); and

**WHEREAS**, in 2011, the City Council approved Resolution No. 83579 C.M.S. which authorized the City Administrator to purchase equipment and execute a five-year service agreement with Physio-Control Inc; and

**WHEREAS**, in 2017, an agreement in the amount of fifty-nine thousand seven hundred and eighty-seven dollars and twelve cents (\$59,787.12) with Physio-Control was authorized under the City Administrator's purchasing authority; and

**WHEREAS**, in the past seven (7) years of this business relationship, the vendor has consistently met and exceeded expectations around equipment servicing; and

**WHEREAS**, Physio-Control only guarantees their products, and affirmatively verifies warranty status, if the repairs are made by Physio-Control Technicians; and

**WHEREAS**, there is only one vendor—Physio-Control—that can reliably service OFD's proprietary, Physio-Control Inc. ALS equipment cache; and

**WHEREAS**, Oakland Municipal Code Section 2.04.050.1.5, authorizes the City Council to waive the City's advertising and bidding process upon a finding that it is in the best interests of the City to do so; now, therefore, be it

**RESOLVED**, that pursuant to Oakland Municipal Code Section 2.04.050.1.5, and based on the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds and determines that it is in the best interests of the City to waive the advertising and bidding process, and the local and small business (L/SB) enterprise program provisions, and so waives such requirements; and be it

**FURTHER RESOLVED**, that funding, not to exceed \$412,032.48, shall be drawn from the First Responder Advanced Life Support (FRALS) Fund (2160), EMS Training (20913), Various Accounts, Project (1001312), Emergency Medical Response (PS19) for the proposed contract extension; and be it

**FURTHER RESOLVED**, that the City Administrator is authorized to extend the current agreement with Physio-Control to purchase, service, and maintain cardiac monitors, chest compression devices, automatic external defibrillators, and all necessary accessories in an amount not to exceed four hundred and seventy-one eight hundred and nineteen dollars and sixty cents (\$471,819.60) through June 30, 2021; and be it

**FURTHER RESOLVED**, that the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement; and be it

**FURTHER RESOLVED**, that the services provided pursuant to the contract authorized hereunder are for a professional, scientific, or technical nature and are temporary in nature, and will not result in the loss of employment or loss of salary by any person having permanent status in the competitive service; and be it

**FURTHER RESOLVED**, that the City Attorney shall review and approve said agreement as to form and legality and a copy of said agreement shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, and PRESIDENT REID and PRESIDENT

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California