


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR TO APPROPRIATE FUNDS LEVIED FROM THE PARAMEDIC SERVICES ACT OF 1997 (MEASURE N) IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND SEVENTY ONE THOUSAND FOUR HUNDRED AND EIGHTY-FOUR DOLLARS AND SIXTEEN CENTS (\$171,484.16); (2) AMENDING THE CONTRACT WITH STRYKER CORPORATION (PREVIOUSLY KNOWN AS PHYSIO CONTROL, INC.) FOR THE PURCHASE, MAINTENANCE, AND REPAIR OF ADVANCED LIFE SUPPORT EQUIPMENT (ALS) BY INCREASING THE FUNDING AMOUNT BY ONE HUNDRED SEVENTY ONE THOUSAND FOUR HUNDRED AND EIGHTY FOUR DOLLARS AND SIXTEEN CENTS (\$171,484.16), FOR A TOTAL AUTHORIZED CONTRACT AMOUNT NOT TO EXCEED SIX HUNDRED AND FORTY-THREE THOUSAND THREE HUNDRED AND THREE DOLLARS AND SEVENTY-SIX CENTS (\$643,303.76); AND (3) WAIVING THE ADVERTISING AND BIDDING PROCESS REQUIREMENTS, AND LOCAL AND SMALL BUSINESS (L/SBE) ENTERPRISE PROGRAM PROVISIONS FOR THE PROPOSED CONTRACT AMENDMENT WITH STRYKER CORPORATION

WHEREAS, the funds necessary to execute a one-year extension to the current service agreement with Stryker Sales Corporation are 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 EMS Field Manual, 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, funding for this agreement has been identified in the Paramedic Services Act of 1997 (Measure N Fund) and may be appropriated from Fund 2250 (Measure N: Fund),

Organization 20912 (Measure N – Paramedic), various accounts, Project 1000009 (Administrative Project), 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 one-year service agreement with Physio-Control Inc, now Stryker Sales Corporation; 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 Stryker, Inc. was authorized under the City Administrator's purchasing authority; and

WHEREAS, in the past ten (10) years of this business relationship, the vendor has consistently met and exceeded expectations around equipment servicing; and

WHEREAS, Stryker Sales Corporation. only guarantees their products, and affirmatively verifies warranty status, if the repairs are made by Stryker Sales Corporation. Technicians; and

WHEREAS, there is only one vendor – Stryker Sales Corporation.- that can reliably service OFD’s proprietary, Stryker Sales Corporation 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/SBE) enterprise program provisions, and so waives such requirements; and be it

FURTHER RESOLVED: That funding, not to exceed one hundred and seventy-one thousand four hundred and eighty four-dollars and sixteen cents (\$171,484.16), shall be drawn from the Paramedic Services Act of 1997 (Measure N Fund (2250), Measure N – Paramedic (20912), Various Accounts, Project (1000009), Emergency Medical Response (PS19) for the proposed contract extension; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to extend the current agreement with Stryker Sales Corporation to purchase, service, and maintain cardiac monitors, chest compression devices, automatic external defibrillators, and all necessary accessories by increasing the funding amount by one hundred and seventy-one thousand four hundred and eighty-four dollars and sixteen cents (\$171,484.16), for a total amount not to exceed six hundred and forty-three thousand and three hundred and three dollars and seventy-six cents (\$643,303.76) through June 30, 2022; and be it

FURTHER RESOLVED: That the City Administrator or designee is 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,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California