APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 91076* C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) ENTER INTO A COOPERATIVE PURCHASING AGREEMENT WITH STRYKER SALES LLC FOR THE PURCHASE, LEASE, MAINTENANCE, AND REPAIR OF ADVANCED LIFE SUPPORT EQUIPMENT (ALS) IN AN AMOUNT NOT TO EXCEED SIX HUNDRED EIGHTY-ONE THOUSAND EIGHT HUNDRED SEVENTY-SEVEN DOLLARS ($681,877.80) PER YEAR FOR FIVE (5) YEARS FOR A TOTAL NOT TO EXCEED AMOUNT OF THREE MILLION FOUR HUNDRED NINE THOUSAND THREE HUNDRED EIGHTY-NINE DOLLARS ($3,409,389.00); AND (2) WAIVING THE ADVERTISING AND COMPETITIVE BIDDING PROCESS REQUIREMENTS, AND LOCAL BUSINESS ENTERPRISE AND SMALL LOCAL BUSINESS ENTERPRISE (LBE/SLBE) PROGRAM REQUIREMENTS FOR THE PROPOSED COOPERATIVE PURCHASING AGREEMENT WITH STRYKER SALES, LLC

WHEREAS, this purchase is necessary for the City of Oakland (City) to meet the following requirements imposed by Alameda County, the Local Emergency Medical Services (EMS) Agency and pursuant to state law. Specifically so that the City, through the Fire Department, may conduct Emergency Medical Services to resuscitate a patient in ventricular fibrillation (cardiac arrest) to assess and treat a patient with cardiac concerns 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 EMS delivery; and

WHEREAS, funding for this agreement has been identified in various Oakland Fire Department budget accounts for FY 2025-26 in the amount of six hundred eighty-one thousand eight hundred seventy-seven dollars and eighty cents ($681,877.80) and funding for future fiscal years will be appropriated in future budget cycles; 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 Stryker Sales, LLC; 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 Sales, LLC. was authorized under the City Administrator's purchasing authority; and

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

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.080 provides in relevant part that "[w]here advantageous for the City, the City Administrator may purchase supplies or services ... through legal contracts of other governmental jurisdictions or public agencies that were awarded pursuant to an appropriate competitive process (i.e., advertised and bid for products and non-professional services; advertised and awarded through an RFP/Q process for professional services) without further contracting, solicitation, or formal bidding. Cooperative agreements are subject to City of Oakland purchasing and other applicable policies and requirements set forth in the City's standard contracts and insurance requirements"; and

WHEREAS, the use of cooperative agreements allows the City to ensure services are uninterrupted, provides the City with access to commodities and services at lower prices, which results in significant cost savings for the City, and significantly shortens the contract cycle because the competitive solicitation process has been completed by another governmental jurisdiction or public agency thereby saving staff time and resources; and

WHEREAS, per OMC Section 2.04.030, the City Council may award any purchase orders or contracts in excess of City Administrator's Authority; and

WHEREAS, Oakland Municipal Code Section 2.04.080, authorizes the City to leverage an existing competitively awarded contract from another public agency, providing cost and time efficiencies while complying with City policies and standard contracting and insurance requirements, upon a finding that it is in the best interests of the City to do so; 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; and

WHEREAS, the City Council may waive the Local/Small Local Business Enterprise (LBE/SLBE) Program requirements, last amended by Ordinance No. 13825 CMS (January 6, 2025); and

WHEREAS, for the considerations specified above and information specified in the Agenda Report accompanying this legislation, City staff recommends that City Council waive the advertising and bidding process (LBE/SLBE) Program requirements; 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 Agenda Report accompanying this legislation, 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 (LBE/SLBE) enterprise program provisions, and so waives such requirements; and be it

FURTHER RESOLVED, That pursuant to Oakland Municipal Code Section 2.04.080, 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 utilize a

cooperative purchasing agreement to expediently procure the Advanced Life Support equipment from Stryker Sales, LLC; and be it

FURTHER RESOLVED, That funding, not to exceed $3,409,389.00, shall be drawn from various Oakland Fire Department budget accounts for the proposed contract; and be it

FURTHER RESOLVED, That the City Administrator is authorized to enter into a cooperative purchasing agreement with Stryker Sales, LLC to purchase, lease, maintain and repair of cardiac monitors, chest compression devices, automatic external defibrillators, and all necessary accessories in an amount not to exceed six hundred eighty-one thousand eight hundred seventy-seven dollars and eighty cents ($681,877.80) per year for five (5) years for a total not to exceed amount of three million four hundred nine thousand three hundred eighty-nine dollars ($3,409,389.00); 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, MAR 3 2026

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BROWN~~, FIFE, ~~GALLO~~, HOUSTON, ~~RAMACHANDRAN~~, UNGER, WANG, AND PRESIDENT JENKINS - 5

NOES – 0

ABSENT – 0

ABSTENTION – 0

3 Excused - Brown, Gallo and Ramachandran

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

3457219/AS