

RESOLUTION NO. RES-2020-052

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RATIFYING A PURCHASE ORDER APPROVED BY THE CITY MANAGER UNDER EMERGENCY AUTHORITY WITH STRYKER SALES CORPORATION OF PORTAGE, MICHIGAN FOR FIFTEEN 12-LEAD EKG MONITORS/DEFIBRILLATOR UNITS AND ACCESSORIES

WHEREAS, the City's Fire Department has a need to replace their old EKG equipment with new EKG monitor/defibrillator units and accessories; and

WHEREAS, Finance and Fire Departments issued an Invitation for Bids (IFB) 19-91 in January 2020 for the purchase of fifteen 12-Lead EKG monitor/defibrillator units and accessories; and

WHEREAS, Stryker Sales Corporation is the lowest responsive and responsible bidder; and

WHEREAS, Stryker Sales Corporation (Stryker) contacted the Fire Department on March 20th and indicated that its supply of monitors was limited due to the COVID-19 crisis, and that Stryker may have difficulty honoring its \$529,750.46 bid for fifteen 12-Lead EKG monitor/defibrillators due to scarcity and shortages; and

WHEREAS, Section 2-24.040 of the Santa Rosa City Code designates the City Manager as the Director of Emergency Services; and

WHEREAS, Section 2-24.050 of the Santa Rosa City Code empowers the Director of Emergency Services to proclaim the existence of a local emergency when the City Council is not in session, subject to subsequent ratification by the City Council; and

WHEREAS, on March 2, 2020, the City Manager, in his capacity as Director of Emergency Services, issued a Proclamation of Existence of a Local Emergency, pursuant to Section 2-24.050 of the Santa Rosa City Code; and

WHEREAS, on March 3, 2020, the City Council ratified the Proclamation of Existence of a Local Emergency, pursuant to Section 2-24.050 of the Santa Rosa City Code; and

WHEREAS, Section 2-24.050(A)(6)(b) empowers the City Manager as the Director of Emergency Services to "obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the City for the fair market value thereof, and, if required, to immediately commandeer the same for public use" during the proclamation of a local emergency; and

WHEREAS, based on the Fire Department's vital need for the 12-Lead EKG monitor/defibrillator units for the Fire Department's operations, the equipment's limited availability during the COVID-19 crisis, and the fair market price the City obtained through solicitation, the City Manager approved a purchase order on March 23, 2020 with Stryker for the 15 12-Lead EKG monitors/defibrillators in a not-to-exceed amount of \$529,750.46, under the

City Manager's authority as the Director of Emergency Services provided for in City Code section 2-24.050(A)(6)(b).

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa ratifies the Purchase Order for fifteen 12-Lead EKG monitor/defibrillator units and accessories to Stryker Sales Corporation of Portage, Michigan in an amount not to exceed \$529,750.46, which was approved by the City Manager under emergency authority in his capacity as the Director of Emergency Services, as provided for in City Code section 2-24.050(A)(6)(b).

BE IT FURTHER RESOLVED that the Council intends that this ratification relate back to March 23, 2019, the date the Purchase Order was approved by the City Manager.

IN COUNCIL DULY PASSED this 7th day of April, 2020.

AYES: (7) Mayor Schwedhelm, Vice Mayor Fleming, Council Members Dowd, Rogers, Olivares, Sawyer, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____
City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM:

City Attorney