CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: **Fire**

AGENDA DATE: **April 26, 2011**

CONTACT PERSON/PHONE: **Capt. Terry Kebschull , Fire Department (915) 771-1076**
Bruce D. Collins – Purchasing Manager (915) 541-4313

DISTRICT(S) AFFECTED: **All**

SUBJECT:

Request that the Purchasing Manager, Financial Services, Purchasing Division be authorized to issue a Contract in accordance with Reference #C75-0151 for the Technical Service Support Agreement to Physio-Control, Inc. as they are the Sole Source technical representative/manufacturer for LifePak defibrillators products, parts, accessories, supplies and maintenance.

BACKGROUND / DISCUSSION:

This contract provides for annual maintenance of all City defibrillators, excluding the models the manufacturer has deemed exempt from such maintenance. The new contract will expire 8/31/2014.

PRIOR COUNCIL ACTION:

Yes. 2006-150 – Medtronics - Technical Service Support Agreement, Reference #DS-0748; approved by City Council on 06/13/06. Physio-Control - Technical Service Support Agreement, Reference #C55-2678; approved by City Council on 01/06/09.

AMOUNT AND SOURCE OF FUNDING:

Department:	Fire
Estimated Annual Amount:	$96,399.85
Total Estimated Award:	$385,599.40/ 4 years
Funds Available:	22010320-502229-01101
Funds Source:	General Fund – Office Equipment Maintenance

BOARD / COMMISSION ACTION:

N/A.

**********AUTHORIZATION**********

DEPARTMENT HEAD: _____

FINANCIAL SERVICES
PURCHASING DIVISION

SOLE SOURCE AFFIDAVIT

THIS IS AN OFFICIAL PURCHASING DOCUMENT – RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared Daniel Finney, a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Daniel Finney. I am over the age of 18, have never been convicted of a crime and am competent to make this affidavit.

2. I am an authorized representative of the following company or firm: Physio-Control, Inc.

3. The above named company or firm is the sole source for the following item(s), product(s) or service(s): External Defibrillators with the name LIFEPAK 500, LIFEPAK 12, LIFEPAK 15, LIFEPAK 20e, LIFEPAK 1000, LIFEPAK CR Plus for the City of El Paso Fire Department

4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this Vendor is a sole source provider (dated and signed).

5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.

6. **Note: This Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuation of any/all business with the City of El Paso.**

Signature

SUBSCRIBED AND SWORN to before me on this 22nd day of March, 2011.

DAVID F. ALBRIGHT
NOTARY PUBLIC
COMMISSION EXPIRES 5-19-13
STATE OF WASHINGTON

NOTARY PUBLIC

DAVID F. ALBRIGHT
PRINTED NAME

5-19-13
MY COMMISSION EXPIRES

COMPANY NAME: Physio-Control, Inc.

ADDRESS, CITY, STATE & ZIP CODE 11811 Willows Road NE, Redmond, WA 98052-2003

PHONE: 800-442-1142 FAX NUMBER: 800-772-3340

CONTACT NAME AND TITLE: David Albright, Contract Analyst

WEB ADDRESS: www.physio-control.com EMAIL: rs.physiocontracts-south@medtronic.com

FEDERAL TAX ID NUMBER: 91-0697691 TEXAS SALES TAX NUMBER: 1-91-0697691-3

PHYSIO CONTROL

Physio-Control, Inc.
11811 Willows Road NE, P.O. Box 97006, Redmond, WA 98052
Tel 425.867.4000 Toll-free 800.442.1142

www.physio-control.com

April 14, 2011

Terry Kebschull
El Paso Fire Department
8600 Montana Ave.
El Paso, TX 79925

Dear Captain Terry Kebschull:

In response to your recent request, I am writing to confirm that Physio-Control, Inc. is the sole source provider for the LIFEPAK® defibrillator, defibrillator/monitor, and monitor/defibrillator family of products in your marketplace; including, LUCAS™ Chest Compression System, LIFENET® Data Management Solutions, LIFEPAK brand accessories, repair parts, upgrades, and factory authorized services. Physio-Control does not utilize the services of any authorized resellers in the sale or service of our products in your marketplace.

The use of supplies, accessories, software or parts from sources other than Physio-Control, Inc. **is not** recommended. Physio-Control, Inc. has no information regarding the performance or effectiveness of its products if they are used in conjunction with supplies, accessories, software or parts produced or manufactured by companies other than Physio-Control, Inc. Use of said products may void the Physio-Control, Inc. product warranty.

Best regards,

Daniel Finney
Principal Contract Analyst
Physio Control, Inc.
11811 Willows Road NE
Redmond, WA 98052-2003