



DATE: May 15, 2023

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Jeff Schach, Fire Chief
David Catalinotto, Senior Management Analyst

SUBJECT: Resolution Authorizing the Purchase of Four (4) Heart Monitors and Associated Equipment from ZOLL Medical Corporation in the Amount of \$204,464.17

RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution

BACKGROUND

In 2022, the Petaluma Fire Department responded to more than 5,700 emergency medical calls, including 120+ cardiac arrests and other calls that required a heart assessment. Heart monitors provide a patient's heart rate, rhythm, and type of heart attack (if applicable) and can defibrillate (countershock) the heart if necessary. These monitors are part of the equipment complement of each emergency response apparatus.

The heart monitors on the reserve apparatus are beyond their intended service life and the manufacturer no longer will repair or service them. The Department also recently ordered a Type 1 fire engine, delivery of which is expected in Summer 2023, that will need to be outfitted with a heart monitor.

DISCUSSION

The Department is recommending the purchase of four (4) X-Series heart monitors from ZOLL Medical Corporation. One heart monitor will be placed on the new fire engine and the other three heart monitors will be placed on each of the Department's three front-line ambulances. The existing heart monitors on the ambulances then will be moved to the other fire engines, with the oldest monitors taken out of service. This will ensure that the newest, most technologically advanced heart monitors will be located where they are most often used: on the front-line ambulances.

Public works contracts and equipment purchases are subject to the requirements of the City Charter, which requires competitive bidding for acquisitions above a certain threshold, according to bidding procedures specified in the purchasing chapter in the Municipal Code. Section 4.04.050 of the Municipal Code allows dispensing with formal bidding when a commodity can be obtained from only one vendor; this is known as the “sole source” exception. In addition, the common law recognizes a bidding exception for circumstances where competitive bidding of public contracts otherwise required by statute may be excused, including circumstances where the contract is such that competitive proposals would be unavailing or would not produce an advantage, and the advertisement for competitive bid would thus be undesirable, impractical, or impossible. Government contracts for goods and services only available from a sole source have been found to fall within the exception per *Graydon v. Pasadena Redevelopment Agency* (1980) 104 CA3d 631.

The Department's existing heart monitors, including several X-Series monitors, are manufactured and sold by ZOLL Medical Corporation. The other manufacturers’ heart monitors are not interchangeable with ZOLL’s heart monitors; purchasing from another source would result in inconsistency with the heart monitors on other apparatus and would result in an increased training burden. Additionally, going through the two-month bidding process to replace heart monitors that have reached the end of their useful life and that are used to save lives both is unpractical and would not provide an advantage to the City. Therefore, this purchase is exempt from competitively awarded purchasing under the City’s Charter and Municipal Code Section 4.04.050.

On March 15, 2023, ZOLL provided a quotation for four (4) heart monitors, related equipment, and a five-year service plan for a grand total of \$204,464.17.

PUBLIC OUTREACH

This agenda item appeared on the City’s tentative agenda document on May 1, 2023, which was a publicly noticed meeting.

COUNCIL GOAL ALIGNMENT

The proposed action supports the following City Council Goals, Objectives, and Workplan Items:

A City that Works

OBJECTIVE 7: leverage local, regional, and state programs and resources to maximize city revenues.

CLIMATE ACTION/SUSTAINABILITY EFFORTS

There are no climate action or sustainability impacts associated with this item.

ENVIRONMENTAL REVIEW

The proposed Project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) (Common Sense Exemption). The activity is covered by the Common Sense Exemption as it can be seen with certainty that there is no possibility that purchasing replacement heart monitors may have a significant effect on the environment.

FINANCIAL IMPACTS

This purchase is intended to be made using Fiscal Year 2023-2024 funding. The proposed Fire Department budget includes \$170,000 in capital expenditures set aside for the replacement of four heart monitors. The remaining \$34,464.17 is available in the Ambulance operating budget for Supplies and Services.

Assuming that the final approved budget includes the funding described above, this purchase will be made after the new fiscal year begins on July 1, 2023.

ALTERNATIVES

City Council could decide not to approve the resolution, upon which the City would continue to use its current heart monitors.

ATTACHMENTS

1. Resolution
2. Quotation