

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SOLE SOURCE PURCHASE WITH STRYKER SALES, LLC., A LIMITED LIABILITY COMPANY, OF THREE (3) LIFEPAK 15 V4 MONITOR/AUTOMATED EXTERNAL DEFIBRILLATORS, IN AN AMOUNT NOT TO EXCEED \$120,964; AUTHORIZING CITY MANAGER TO EXECUTE A SHORT FORM CONDITIONAL SALE AGREEMENT AND ISSUE THE PURCHASE ORDER; AND AUTHORIZING A BUDGET APPROPRIATION OF \$120,964 FROM THE MEASURE Y FUND

WHEREAS, competitive bidding requirements for the purchase of supplies, equipment and non-personal contractual services and the sale of personal property are set forth in Chapter 5 of Title 3 of the Municipal Code; and

WHEREAS, subdivision (c) of § 3-5.210 exempts supplies and materials which are unique, available only from one source, or sought to match existing equipment or supplies already in use (also known as a sole source purchase); and

WHEREAS, Stryker is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets in the U.S. and Canada for New LIFEPAK® 15 monitor/defibrillators.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting a Resolution approving a sole source purchase agreement for LIFEPAK 15 V4 Monitor/Defibrillator does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and

because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

2. The Council finds that the purchase of LIFEPAK 15 V4 Monitor/Defibrillators is available from one source that meets the needs of the City (also known as a sole source purchase).

3. This purchase is exempt from the purchasing procedures of Chapter 5 of Title 3 of the Municipal Code as a sole source purchase under subdivision (c) of § 3-5.210 of the Municipal Code.

4. That the Council hereby authorizes the purchase of three (3) LIFEPAK 15 V4 Monito/Defibrillators, in an amount not to exceed \$120,964.

5. That the City Manager is hereby authorized and directed to execute said Short Term Conditional Sale Agreement and issue the purchase order for and on behalf of the City of Watsonville in the form attached hereto and incorporated herein by this reference, with minor revisions that may be approved by the City Manager and the City Attorney.

6. That the budget appropriation of \$120,964 from the Measure Y Fund [0526] is hereby authorized.
