

CITY OF HOBART BOARD OF PUBLIC WORKS & SAFETY

Resolution No. 2021-02

**A Resolution Authorizing the Purchase of Emergency Medical Services
Equipment and Ongoing Equipment Maintenance Service
by the City of Hobart Fire Department as a “Special Purchase”**

WHEREAS, the Board of Public Works and Safety (“Board”) of the City of Hobart, Indiana (“City”) is the purchasing agency for the City pursuant to §31.004(A) of the Municipal Code of the City of Hobart enacted pursuant to the authority of I.C. §5-22-4-5(a); and

WHEREAS, the Board, as the City’s purchasing agency, has all of the powers and duties authorized under I.C. §5-22; and

WHEREAS, the Board has been informed that the Fire Department (“Department”) of the City that the following life-saving emergency medical service equipment used by the Fire Department is no longer operating properly:

Five (5) Life Pak 15 Cardiac Monitors have reached the end of their useable life span of eight (8) years, per the governing federal regulatory requirements set forth by the Food and Drug Administration, and are no longer functioning properly; and

Five (5) of the Department’s current first-generation models of Life Pak CR2 AED’s are in need of repair, however the distributor of internal parts necessary for repair has ceased manufacturing parts for this model, making service repairs impossible and three (3) additional are necessary; and

WHEREAS, additionally the City’s previous vendor of Cardiac Monitors and Life Pak CR2 AED’s and the ongoing equipment maintenance service, Physio, was recently bought out by another vendor of the City, Stryker, with whom the City currently purchases equipment for Department ambulances including cots, CPR machines and power loaders; and

WHEREAS, the Department is in need of five (5) Life Pak 15 Cardiac Monitors, eight (8) Life Pak CR2’s and various additional emergency medical equipment manufactured by Stryker to ensure the safe loading and transport of patients by Department Paramedics and Emergency Medical Technicians including:

Three (3) Stryker Power Loaders with retrofit kits for power cots;
and
One (1) Stryker Stair Chair; and

WHEREAS, because the new vendor, Stryker, is now unable to provide maintenance

46 services and replacement parts formerly provided exclusively by the former vendor, Physio, the
47 Department has negotiated an agreement with Stryker for a fifty percent (50%) discount for
48 trade-in of the Department's current cardiac monitors to remove these units from service and
49 provide the City a package deal, with financing at 0% interest over a three (3) year period, at a
50 total cost of Two Hundred and Two Thousand Two Hundred and Twenty Nine Dollars and Forty
51 Two Cents (\$202,229.42) for the needed emergency medical services equipment as follows:

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- 53 Five (5) - Life Pak 15 Cardiac monitors
- 54 Eight (8) – Life Pak CR2 AEDs
- 55 Three (3) Stryker power loads with retrofit kits for power cots
- 56 One (1) Stryker stair chair
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58 and additionally the provision of an ongoing service maintenance contract in the amount of Sixty
59 Six Thousand Eight Hundred and Ninety Two Dollars and Sixty Two Cents (\$66,892.62) which
60 includes preventative maintenance, covered repairs, and batteries for four (4) power cots, four (4)
61 power loaders, three (3) Lucas CPR devices, Seven (7) Life Pak 15's and Eight (8) AED's.

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63 WHEREAS, Stryker, in its acquisition of the former vendor, Physio, is the only vendor
64 able to accommodate the City's need for the replacement and servicing of the referenced
65 Emergency Medical Services Equipment and provide a substantial discount to the City due to the
66 discontinuation of needed replacement parts; and

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68 WHEREAS, because the purchase of the equipment at this time affords the City a unique
69 opportunity to acquire the equipment and on-going service maintenance contract at a substantial
70 discount to the City and an opportunity to maintain the use of existing Department equipment
71 formerly serviced exclusively by the City's prior vendor, Physio, and now acquired by Stryker,
72 the Board has been advised that the purchase of the equipment and servicing contract described
73 above is necessary to prevent the Department's efficiency from being impaired were another
74 purchasing method be followed, so that the purchase of equipment and services under these
75 conditions constitutes a special purchase, not subject to bid, pursuant to I.C. §§ 5-22-10-5 and 9;
76 and

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78 WHEREAS, the Board, having obtained the foregoing information, and desiring to
79 authorize said special purchase now makes the following findings of facts, enters the orders
80 below, and desires to spread same upon the public record.

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82 THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City
83 of Hobart, Indiana, that:

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- 85 1. The Board now finds and determines that all facts stated in the above prefatory
- 86 paragraphs of this Resolution are true.
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- 88 2. Further, the Board finds that:
 - 89 a. The purchase of the following equipment in the amount of \$202,229.42:

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- 91 i. Five (5) - Life Pak 15 Cardiac monitors

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- ii. Eight (8) – Life Pak CR2 AEDs
- iii. Three (3) Stryker power loads with retrofit kits for power cots
- iv. One (1) Stryker stair chair; and

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- b. The purchase of a service maintenance contract for a period of three (3) years in the amount of \$66,892.62 for the following equipment:
 - i. Four (4) power cots
 - ii. Four (4) power loaders
 - iii. Three (3) Lucas CPR devices
 - iv. Seven (7) Life Pak 15s
 - v. Eight (8) AEDs

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under, the terms set forth herein, constitutes a unique opportunity to obtain said equipment at a substantial savings to the City pursuant to I.C. § 5-22-10-5; and

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- c. That the purchase of the above-described required equipment and corresponding service contract under another purchasing method under law would seriously impair the functioning of the Fire Department within the meaning and intent of I.C. 5-22-10-9; and

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3. Accordingly, the Board concludes that the acquisition of said equipment under such terms constitute a qualified special purchase and that such equipment and maintenance contract may be purchased without soliciting bids or proposals pursuant to the meaning and intent of I.C. § 5-22-10-1, *et seq.*

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4. Further, the Board directs the officials of the City to document said transaction in the manner required by law. In particular, pursuant to the provisions of I.C. §5-22-10, the staff of the Clerk-Treasurer shall maintain all pertinent contract records for the special purchase authorized by this Resolution in a separate file. This Resolution, and the findings and conclusions stated therein, shall constitute the written determination of the purchasing agency of the City for this special purchase and the selection of a particular supplier. In addition, the purchase authorized herein shall be included in the City's record listing of all contracts made as special purchases under I.C. §5-22-10 for a minimum of five (5) years. Such record must contain each contractor's name, the amount and type of each contract, and a description of the equipment purchased under each.

137 ALL OF WHICH IS ADOPTED as the Resolution of the City of Hobart Board of Public
138 Works & Safety on this 17th day of March, 2021.

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BRIAN K. SNEDECOR, Presiding Officer:

145 ATTEST:

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DEBORAH A. LONGER, Clerk-Treasurer