Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM FOR FILE

DATE: June 28, 2016

TO: File

FROM: Iris Cordova for Bill Taylor, Procurement Manager

RE: Sole Source Determination per Section 13-1-126 NMSA 1978 to Physio- Control Inc. for Technical Service & Support of cardiac monitors and equipment

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BACKGROUND

In September 9, 2009, through a sole source procurement, the County entered into a Price Agreement with Physio Control for the purchase of LifePak 12 defibrillators for the Santa Fe County Fire Department (SFCFD). The Price Agreement also contained a Technical Service Support Agreement which included a listing of all equipment covered. The services included the inspection, repair and battery replacements for the previously purchased cardiac monitors and equipment as well as annual software updates at no extra charge. All repairs for the cardiac monitors shall be of original manufacturer replacement parts, supplies and software and Physio Control is the only certified service and repair company that is able to provide this service without negating the products liability and service warranty.

DETERMINATION

It is therefore the determination of the Santa Fe County Purchasing Division that due to the uniqueness and the manufacturer requirements of the defibrillators currently utilized by the SFCFD it would be a health and safety concern to the residents and visitors serviced by SFCFD to utilize a different vendor to service the equipment which would void all warranties and product liability. The service and maintenance contract with Physio-Control Inc. is in the best interest of the County as a sole source procurement.

Pursuant to 13-1-126, NMSA 1978 this Purchasing Department after conducting due diligence has made the determination that this is a sole source procurement pursuant to the NMSA 1978 13-1-126 that *"a contract may be awarded without competitive sealed bids or competitive sealed proposals regardless of the estimated cost when the state purchasing agent or a central purchasing office makes a determination, after conducting a good-faith review of available sources and consulting the using agency, that other similar services, construction or items of tangible personal property cannot meet the intended purpose of the contract."*

Contract Information:

Vendor:	Physio Control Inc. 11811 Willows Road NE Redmond, VA 9807-9706
Contract Amount:	$138,937.40
Contract Term:	3 Years