

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING STANDARDIZATION OF DRAGER SAFETY, INC.’S SELF CONTAINED BREATHING APPARATUS AS THE STANDARD FOR THE CITY OF MILPITAS**

**WHEREAS**, on October 6, 2009, City Council approved the purchase of 45 Drager Safety, Inc. Self Contained Breathing Apparatus (“SCBA”) units as a Sole Source purchase, which enabled the Fire Department to replace its entire primary contingent of older, outdated equipment with new Drager Safety, Inc. SCBA units; and

**WHEREAS**, Section I-2-3.13 Standardization, of the Milpitas Municipal Code authorizes the City Council to approve the standardization of supplies, materials or equipment where the Purchasing Agent has determined that it is required for the health, safety or welfare of the people or employees of the City, or that significant cost savings have been demonstrated, including for purposes of matching existing supplies, materials or equipment for proper operation of a particular piece of equipment or a City program; and

**WHEREAS**, the City’s Purchasing Agent has determined that that Drager Safety, Inc. SCBA units are essential to the health and safety of the citizens of Milpitas and City Fire Fighters in order to provide Fire Fighters SCBA units with universally interchangeable parts and quick release and replace tanks for use in critical situations in enclosed areas with smoke, low light, and/or hazardous chemicals when a person is down on the ground or runs low on air, and are therefore critical to saving the lives of Fire Fighters and/or citizens being rescued; and

**WHEREAS**, Section I-2-3.13 Standardization, of the Municipal Code allows standardization for up to 10 years based on the recommendation of staff and with the approval of the City Council; and

**WHEREAS**, the City’s Purchasing Agent recommends standardization of Drager Safety, Inc. SCBA units to match existing equipment for proper operation of said equipment and in the interest of the health, safety and welfare of the people and employees of the City.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. Pursuant to Section I-2-3.13 Standardization of the Municipal Code, the City Council hereby approves the designation of Drager Safety, Inc.’s Self Contained Breathing Apparatus as the standard brand of choice for Self Contained Breathing Apparatus for the City of Milpitas.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016, by the City Council by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher J. Diaz, City Attorney