

**RESOLUTION NO. 071166**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION: A) WAIVING THE REQUEST FOR PROPOSAL PROCESS AND AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE AN AGREEMENT WITH STRYKER ORTHOPAEDICS TO PROVIDE ORTHOPEDIC PRODUCTS ON CONSIGNMENT IN SUCH QUANTITIES AS AGREED UPON BY COUNTY AND CONTRACTOR FOR THE TERM SEPTEMBER 1, 2010 THROUGH AUGUST 31, 2013, FOR A MAXIMUM OBLIGATION OF \$1,500,000; AND B) AUTHORIZING THE CHIEF OF THE HEALTH SYSTEM OR DESIGNEE TO EXECUTE CONTRACT AMENDMENTS WHICH MODIFY THE COUNTY'S MAXIMUM FISCAL OBLIGATION BY NO MORE THAN \$25,000 (IN AGGREGATE), AND/OR MODIFY THE CONTRACT TERM AND/OR SERVICES SO LONG AS THE MODIFIED TERM OR SERVICES IS/ARE WITHIN THE CURRENT OR REVISED FISCAL PROVISIONS.**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, Ordinance Code Section 2.83.170 authorizes the Board of Supervisors to waive the Request for Proposals process in any situation where the Board determines that the best interest of the County would be served without the necessity of formal proposals; and

**WHEREAS**, this Board had been asked to waive the Request for Proposals requirements in order for San Mateo Medical Center (SMMC) to contract with Stryker Orthopaedics for orthopedic reconstructive products; and

**WHEREAS**, Orthopedic implant products are one of SMMC's more costly and high volume expenses; and

**WHEREAS**, SMMC currently has an Amerinet vendor agreement with the other

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primary orthopedic implant company, Smith and Nephew, Inc., a provider of both trauma fixation and reconstructive implant products; and

**WHEREAS**, Contracting with both implant providers gives SMMC the security of access to all available orthopedic options; and

**WHEREAS**, this Board has determined that it is in the best interest of the County to waive the Request for Proposals process given that SMMC already contracts with the other primary manufacturer of orthopedics replacement implants, giving SMMC the most diversity of product availability; and

**WHEREAS**, there has been presented to this Board of Supervisors for its consideration and acceptance an Agreement, reference to which is hereby made for further particulars, whereby Stryker Orthopaedics agrees to provide orthopedic products to SMMC for the term September 1, 2010 through August 31, 2013, for a maximum obligation not to exceed \$1,500,000; and

**WHEREAS**, this Board has been presented with the Agreement and has examined and approved it as to both form and content and desires to enter into the Agreement.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the County requirement for the Request for Proposals process for said Agreement is hereby waived.

**BE IT FURTHER RESOLVED** that the President of the Board of Supervisors is

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hereby authorized and directed to execute said Agreement for and on behalf of the County of San Mateo, and the Clerk of the Board shall attest the President's signature thereto.

**BE IT FURTHER RESOLVED** that the Chief of the Health System or designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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Regularly passed and adopted this 7th day of December, 2010.

AYES and in favor of said resolution:

Supervisors: CAROLE GROOM  
ROSE JACOBS GIBSON  
ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors: NONE

Absent Supervisors: MARK CHURCH

Carole Groom  
Vice President, Board of Supervisors  
County of San Mateo  
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Marie L. Peterson  
Marie L. Peterson, Deputy  
Clerk of the Board of Supervisors

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