

Chairman Phil Mendelson
at the request of the Not-for-
Profit Hospital Corporation

A RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve Contract No. NFPHC-20-P Modifications between the Not-for-Profit Hospital Corporation, commonly known as United Medical Center (“Hospital”), and Stryker Sales Corp to provide medical beds during the COVID-19 pandemic, and to authorize payment for the services received and to be received under this Contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. NFPHC-20-P Modifications between the Not-for-Profit Hospital Corporation and Stryker Sales Corp Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2. (a) There exists an immediate need to approve Contract No. NFPHC-20-P Modifications (“Contract”) between the Not-for-Profit Hospital Corporation (“Hospital”) and Stryker Sales Corp to provide medical beds during the COVID-19 pandemic and to authorize payment for the services received and to be received under this Contract.

(b) On March 11, 2020, Mayor Bowser issued the first COVID-19 related emergency and public health emergency orders. NFPHC’s participation in the Mayor’s

37 Surge Task Force led to the realization that additional medical beds would be needed
38 during the surge to allow NFPHC to deliver healthcare services to additional patients.

39 (c) The NFPHC used a purchase order to procure these critical goods. Under its
40 Procurement Rules, a purchase order is a type of contract, and it is regularly used for
41 NFPHC supply chain goods and equipment. See 27 DCMR 4611.2(f).

42 (d) In order to meet the District's Surge response requirements, through the initial
43 purchase order for \$53,250.00, effective April 7, 2020, and Modification 1 for
44 \$2,892,645.00, effective April 21, 2020, medical beds were procured from this vendor for
45 a total value of \$2,945,895.00. The Hospital elected to purchase a smaller quantity of
46 goods and supplies initially to ensure that the vendor could produce high-quality goods in
47 a timely manner, before purchasing additional goods and supplies from the vendor
48 through a subsequent purchase order.

49 (e) This Contract (Purchase Order) has an aggregate value that exceeds \$1
50 million in a 12-month period, and therefore Council approval is necessary.

51 (f) Emergency approval of this Contract for \$2,945,895.00 is necessary to
52 prevent any impact to the hospital's provision of vital medical beds during this pandemic.

53 (g) Without this approval, Stryker Sales Corp cannot be paid for these critical
54 services provided and to be provided in excess of \$999,999.99.

55 Sec. 3. The Council determines that the circumstances enumerated in section 2
56 constitute emergency circumstances making it necessary that Contract No. NFPHC-20-P
57 Modifications between the Not-for-Profit Hospital Corporation and, Stryker Sales Corp

58 Approval and Payment Authorization Emergency Amendment Act of 2020, be adopted
59 after a single reading.