

RESOLUTION NUMBER R- 309319

DATE OF FINAL PASSAGE NOV 25 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE MAYOR TO ENTER INTO
A MARKETING PARTNERSHIP AGREEMENT WITH
CARDIAC SCIENCE CORPORATION.

WHEREAS, in May 2014, the City of San Diego (City) issued a Request for Proposal and Marketing Partnership (RFP) for Automatic External Defibrillators (AEDs), AED replacement parts, and accessories and upgrades for those AEDs; and

WHEREAS, the overall objectives of this RFP were to secure the best quality of pricing of AEDs for the City, and to execute a marketing partnership agreement with an AED company that would support the San Diego Project Heart Beat Program (SDPHB) in the Fire-Rescue Department (SDFD) and wherein the City would receive funding from the partner in return for marketing opportunities available through a SDPHB sponsorship; and

WHEREAS, three companies submitted proposals to the RFP; and

WHEREAS, the Cardiac Science proposal was superior to the other proposals in that it offered a quality product with the greatest economic value to the City as well as support for SDPHB; and

WHEREAS, there are numerous benefits to the City through the resulting Marketing Partnership Agreement (Agreement) with Cardiac Science; and

WHEREAS, Cardiac Science will pay the City a marketing rights fee in the amount of \$145,000 per year for the term of the Agreement; and

WHEREAS, Cardiac Science will pay the City a sales stipend in the amount of \$175 per AED sold on all sales that occur within certain agreed upon zip codes within San Diego County,

and Cardiac Science will pay the City a minimum of \$50,000 per year for the term of the Agreement regardless of the volume of sales of the AEDs; and

WHEREAS, Cardiac Science will provide the City with a promotional budget of no less than \$15,000 annually to be used for marketing initiatives that support SDPHB; and

WHEREAS, Cardiac Science shall pay the City a one-percent finder's fee based upon all leads that result in sales of AEDs after a total of \$210,000 annually in gross product purchases and sales has been met; and

WHEREAS, Cardiac Science shall pay the City a seven-and-a-half-percent finder's fee for all leads that result in new purchases of Cardiac Science's Rescue Ready service offerings, with no minimum thresholds required; and

WHEREAS, additional funds will be generated by a one-percent finder's fee for sales leads generated by the City after a minimum of threshold sales have been met and a seven-and-one-half-percent finder's fee for all leads that result in new purchases of Rescue Ready service offerings, with no minimum thresholds required; and

WHEREAS, Cardiac Science will have the right to be referred to as the "Official AED Partner of the City of San Diego" and to use such designation in marketing efforts; and

WHEREAS, Cardiac Science will be named on all promotional materials as the "Official AED Partner of the City of San Diego"; and

WHEREAS, Cardiac Science's partner logo will appear on official City vehicles used by SDPHB; and

WHEREAS, links to Cardiac Science will be provided from the SDPHB web pages and the Corporate Partnerships and Development web page; and

WHEREAS, Cardiac Science will have the right to promote the partnership when offering its products and services to businesses, municipalities, and school districts; and

WHEREAS, the marketing partnership with Cardiac Science is an example of a great collaboration with the public and private sector to create an innovative program that not only educated the public about heart health and related heart issues, but actually saves lives; and

WHEREAS, this partnership is also an example of the continued success of the City's Corporate Partnerships and Development Program to generate a much needed revenue for the City; and


WHEREAS, the proposed partnership with Cardiac Science is consistent with the City's Corporate Partnerships and Development Program and the City's Marketing Partnership Policy; and

WHEREAS, the SDFD will receive a minimum of \$210,000 per fiscal year from Cardiac Science; and

WHEREAS, depending on the length of the Agreement, the total minimum value of the Agreement over five years is \$1,050,000; NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego that the Mayor, or his designee, is authorized to enter into a Marketing Partnership Agreement with Cardiac Science for a two-year term with option to renew for three additional one-year terms.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Noah J. Brazier
Deputy City Attorney

NJB:hm
10/21/2014
11/03/2014 Cor.Copy
Or.Dept:PSE
Doc. No.: 885081

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 18 2014.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/24/14
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 18 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 25 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Tenenholz*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **309319**