



**REQUEST FOR COMMISSION ACTION**  
**CITY OF INDEPENDENCE**  
**February 14, 2019**

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**Department** Safety/Fire-EMS/Code Enforcement    **Director Approval** David Cowan

**AGENDA ITEM**    Approve the donation of three IV pumps

**SUMMARY RECOMMENDATION**    Staff recommends the City Commission accept the donation of IV Pumps from Labette Health.

**BACKGROUND**    The City of Independence entered into an Interlocal Agreement with Labette Health in October 2018 for the purpose of cooperation and mutual provision of EMS services in our jurisdictions. This agreement includes a provision to assist Independence Fire-EMS with supplies and equipment for the ambulances. Currently, Independence Fire-EMS must use IV pumps from the I-ER when transferring patients to tertiary care. Labette Health is donating three IV pumps to Independence Fire-EMS to use on these transfers. Independence Fire-EMS will use these pumps on our transfer units to facilitate patient transfer and continuation of care and delivery of medications during transfers.

**BUDGET IMPACT**    There is no budget impact for the acceptance of the IV monitor donations. There will be maintenance and yearly bio-medical certification of the equipment along with our other monitors and ventilators that we currently certify and maintain.

**SUGGESTED MOTION**    I move to authorize the mayor to sign the donation agreement with Labette Health for three IV Pumps.

**SUPPORTING DOCUMENTS**    Donation Bill of Sale

**DONATION BILL OF SALE**  
**(IV Pumps)**

**THIS DONATION BILL OF SALE** is made effective as of January \_\_\_\_, 2019, from Labette County Medical Center d/b/a Labette Health ("Donor"), to City of Independence, Kansas ("Donee").

**WHEREAS**, Donor has agreed to donate, and Donee has agreed to accept, certain IV Pumps (which have become surplus to Donor's requirements) for the benefit of the Independence Emergency Medical Service operated by Donee.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. Donor does hereby **DONATE, GRANT, BARGAIN, SELL, ASSIGN, TRANSFER and CONVEY** to Donee and its successors and assigns, any and all right, title and interest Donor may have in the IV Pumps, **TO HAVE AND TO HOLD** unto Donee.

2. THE IV PUMPS ARE TRANSFERRED IN AN "AS IS" CONDITION ON THE DATE HEREOF, AND DONOR MAKES NO REPRESENTATIONS OR WARRANTIES, WHETHER EXPRESS OR IMPLIED, AS TO THE CONDITION OF THE IV PUMPS, INCLUDING BUT NOT LIMITED TO ANY REPRESENTATIONS OR WARRANTIES AS TO MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. DONEE ACKNOWLEDGES AND AGREES THAT THIS IS A ONE-TIME DONATION AND DONOR WILL NOT BE RESPONSIBLE FOR ANY MAINTENANCE OR REPLACEMENT OF THE IV PUMPS.

3. As further consideration for such sale, Donee agrees to remove the IV Pumps from Donor's property at Donee's sole cost and expense. Donee hereby agrees to indemnify, hold harmless, and defend Donor and its trustees, officers, employees, agents and representatives (each a "Donor Party"), from and against any and all losses, claims, liabilities, and expenses, including reasonable attorneys' fees, if any, which any Donor Party may suffer or incur in connection with Donee's removal or use of the IV Pumps.

4. Donee acknowledges and agrees that Donee intends to utilize the IV Pumps for its purposes and for the benefit of the citizens in Donee's service area. As such, Donee has no intention of receiving the donation of the IV Pumps for the purpose, or with the intention, of reselling the IV Pumps.

5. This Bill of Sale will be (a) binding upon Donor and its successors and assigns, and will inure to the benefit of Donee and its successors and assigns, and (b) governed by, construed and enforced in accordance with the laws of the State of Kansas.

**IN WITNESS WHEREOF**, the parties have caused this instrument to be executed as of the date first above written.

“Donor”  
Labette County Medical Center  
d/b/a Labette Health

“Donee”  
City of Independence, Kansas

By: \_\_\_\_\_  
Brian Williams, President and CEO

By: \_\_\_\_\_  
Louis Ysusi, Mayor

## Exhibit A

### Asset List

Control #	Description	Manufacturer	Model #	Serial Number	Department	Description
2745	Infusion pump	Hospira	Plum A+	21655459	Pharmacy	
2759	Infusion pump	Hospira	Plum A+	21655781	Pharmacy	
2760	Infusion pump	Hospira	Plum A+	21656101	Pharmacy	
2762	Infusion pump	Hospira	Plum A+	21655978	Pharmacy	