



Max Bricka, CPSM  
PURCHASING AGENT / DIRECTOR

6/15/16

Williamson County Commissioners Court

Re: Sole Source recommendation for Teleflex Inc. / Arrow International Inc.

Dear County Judge and Commissioners,

Recently our county Emergency Medical Services department made a request for qualifying the **sole source purchase of Arrow EZ-IO Intraosseous Vascular Access Systems, needles and power drivers. These products are propriety, patented and are not marketed, serviced, or resold by any other entity other than Teleflex Inc. and their subsidiary Arrow International Inc.**

After reviewing all documentation requested and submitted, **I recommend qualifying this request as a sole source purchase and exempting these goods from competitive bidding requirements per Texas Local Government Code sections 262.003 (a) and 262.024 (a) (7),**

The process has included the following:

- Public posting of an RFI in BidSync for 14 days, with no responses received from any other competitor, requiring additional analysis or consideration.
- A signed Sole Source Justification Request submitted by Butch Dennis
- A signed letter of justification from the supplier, establishing why they their product / service is only available from their company
- A notarized Sole Source Affidavit completed by the supplier
- A signed letter of recommendation from Butch Dennis, Captain of Support Services
- A price quote of requested items.

**The term of this Sole Source exemption will be effective for 36 months from the date of approval.**

If you have any questions or concerns, please contact me at any time.

Sincerely,

Purchasing Agent / Director



Welcome Blake.Skiles@wilco.org | Logout

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Bid #1605-086 - Intent To Deem Teleflex / Arrow Intl. As The Sole Source For Arrow EZ-IO System

<b>Time Left</b>	closed	<b># of offers</b>	0
<b>Bid Started</b>	May 26, 2016 10:37:25 AM CDT	<b>Notifications</b>	<a href="#">Report</a> ( <a href="#">Bidder Activity</a> )
<b>Bid Ended</b>	This bid closed on Jun 10, 2016 3:00:00 PM CDT	<b># of suppliers viewed</b>	8  ( <a href="#">View</a> )
<b>Agency Information</b>	Williamson County, Texas, TX ( <a href="#">view agency's bids</a> )	<b>Q &amp; A</b>	<a href="#">Questions &amp; Answers</a>
<b>Department</b>	Purchasing ( <a href="#">view department's bids</a> )		
<b>Bid Classifications</b>	<a href="#">Classification Codes</a>		
<b>Bid Regions</b>	<a href="#">Regions</a>		
<b>Bid Contact</b>	<a href="#">see contact information</a>		
<b>Delivery Location</b>	One or more of the following locations Williamson County, Texas <a href="#">No Location Specified</a>		
	<b>Qty</b> 1		
	<b>Expected Expenditure</b> n/a		
<b>View Rules</b>	Click here to <a href="#">change</a> the rules for this bid.		
<b>Best and Final Offer:</b>	<a href="#">Create</a>		

**Approval**

**View Approval Flow** [View Approval Flow](#)

**Approval Status** Approved

**Description**

<b>Bid Number</b>	1605-086
<b>Title</b>	Intent to deem Teleflex / Arrow Intl. as the Sole Source for Arrow EZ-IO System
<b>Contract Duration</b>	One Time Purchase
<b>Budgeted Amount</b>	\$0.00 ( <a href="#">change</a> )
<b>Bid Comments</b>	Williamson County, Texas intends to award a sole-source contract with Teleflex, Inc./ Arrow International for the following item(s):  Arrow EZ-IO System  <b>THIS IS NOT A REQUEST FOR COMPETITIVE PROPOSALS AND A SOLICITATION WILL NOT BE ISSUED.</b> Interested parties must show clear and compelling evidence of competitive equivalency in order for alternative goods or services to be considered. Williamson County will review any information collected through this RFI to determine if offers of any equivalent goods or services meet the needs of the County. If it is concluded that additional suppliers of equivalent goods or services do exist, then a formal solicitation may follow.  If no affirmative responses are received by 3:00 PM on June 10, 2016 showing clear and compelling evidence of competitive equivalency to the items described herein, an award will be made without further notice. Oral communications are not acceptable in response to this notice.
<b>Description</b>	Please Attach Any Supporting Documents To This Line

**Contractor Advertisements**[View All Ads](#)

There are no advertisements on this solicitation.



Williamson County Purchasing Department  
901 South Austin Ave.  
Georgetown, Texas 78626  
(512) 943-3553  
[www.wilco.org/purchasing](http://www.wilco.org/purchasing)  
[purchase@wilco.org](mailto:purchase@wilco.org)

## Sole Source Justification Request

### This request is for a:

**Sole Source Item** (goods or services are available from ONLY this supplier due to a unique capability, patent, copyright, secret process, or capability to meet the requirements of the solicitation)

This Sole Source justification requires additional documentation and requirements as listed below. **One of these steps may require placing a public notice in BidSync for 14 days, in order to allow any possible competitors to come forward with equivalent goods or services.** This step will be completed by the Purchasing Team that supports your office or county department after all required documents have been submitted. In addition, all sole source justifications must be approved in Commissioners Court.

**Required Documentation that must accompany this request before this purchase can be considered** (any missing documentation will result in delays). *Check all included documents:*

- ☒ This request form completed and signed
- ☒ A written quote from the supplier, listing the goods, services and pricing
- ☒ Letter of justification from the supplier (on company letterhead and signed by an authorized representative) establishing why they are the only Sole Source provider of the service or item
- ☒ Notarized Sole source affidavit completed by the supplier
- ☒ Signed letter of recommendation from the Elected Official or County Department Head

Requestor Name and County Office / Department: Butch Dennis

Requestor Title: Captain, Support Services

Requestor Phone Number: 512-563-0812

Requested Sole Source Supplier:

Company Name: Teleflex Incorporated

Contact Name: Chad Kowalski

Address: 3015 Carrington Mill Blvd.

City: Morrisville

State: North Carolina Zip Code: 27560

Phone Number: 866-846-1708

Email Address: chad.kowalski@teleflex.com

Website: [www.teleflex.com/ems](http://www.teleflex.com/ems)

Is the recommended supplier the manufacturer? ☒ Yes ☐ No

Does the manufacturer sell the item(s) through distributors? ☐ Yes ☒ No

Description of the Product or Service: (if additional space is needed, include a separate page) *Describe the full scope of work, including installation if required, items should include brand, model and part number if applicable.*

The EZ-IO system is a battery powered needle/driver that places a Interossious needle in a bone for the delivery of medication and/or fluids to a patient in emergency medical conditions.

**Schedule:** *Identify the date items are needed to be delivered, or month work is to be performed. Please be specific and do not use "ASAP".*

the EZ-IO needles are delivered as requested, as needed. Usually 2 to 4 boxes per month.

Estimated Cost: \$550.00 per box

**SOLE SOURCE RATIONALE**

**Complete the following checklist:**

**The requested supplier is the only source of required item(s) or service(s) because:**

*Check all that apply:*

- ☒ The required item or service is proprietary to the supplier
- ☒ The recommended supplier holds the patent on the requested item(s)
- ☐ The recommended supplier is the only supplier capable of performing the requested service
- ☒ A specific item is needed
- ☐ To be compatible or interchangeable with existing hardware
- ☐ As a spare or replacement hardware
- ☐ For the repair or modification of existing hardware
- ☐ For technical evaluation or testing
- ☐ Have there been any prior attempts to obtain competitive bids or proposals for the items or services that failed?

If so, please list and describe such attempts:

- ☐ There is a substantial risk in selecting another product or service provider.

If so, please describe:

Our Medical Director, Dr. Jarvis, has determined at this time that the device listed is the best option for our use on patients.

- ☒ It is not possible to obtain competitive bids for consideration.

If so, why:

Arrow International, Inc. is the sole manufacturer of the Arrow EZ-IO System and no other battery powered needle/driver IO device is currently available in the market.

☐ Are there any other companies who can provide the services or needed items?

If so, please list and provide explanation of why they were unable to meet the requirements:

No.

☐ List any other sources, suppliers, products or service providers that you reviewed in your selection process:

☐ List all research methods that you reviewed in your selection process (i.e.: specific internet searches, trade publications, references, etc.):

#### ACKNOWLEDGEMENT

☒ I affirm and acknowledge Williamson County's requirements, justification and criteria for Sole Source purchases. I have gathered the required technical information, provided all required documentation, have made a concerted effort to review comparable / equal equipment or services to the best of my ability, and further affirm that there is no conflict of interest in my recommendation of the selected item(s), service(s) or supplier.

☒ I also acknowledge and understand that I may be subject to criminal prosecution for the willful falsification of information in this document. I, by the act of signing or typing my name below, hereby certify under penalty of perjury, under the laws of the State of Texas, the foregoing is true and correct.

Date: May 24th, 2016

Signature: Butch Dennis, Captain.

*\* By typing your name, this is equivalent to a legal signature*

**NOTE: After a passage of time, an item or service may no longer qualify as a sole source purchase due to other similar items or services becoming available from other suppliers. Thus, all prior sole source determinations must be reapproved by the Williamson County Purchasing Department following completion of a Sole Source Justification Request Process and satisfactory completion of such process must be noted on requisitions and purchase orders.**



Teleflex

3015 Carrington Mill Blvd.  
Morrisville, NC 27560  
USA

Phone: 919-544-8000

[www.teleflex.com](http://www.teleflex.com)

May 20, 2016,

RE: Sole Source Letter – EMS/Hospital

To: Current/Prospective ARROW® Customer

Thank you for your interest in the ARROW® EZ-IO® Intraosseous Vascular Access System. Arrow International, Inc., a subsidiary of Teleflex Incorporated, utilizes a direct sales team to market, sell and service all non-military Emergency Medical Services and Hospital customers within the continental United States and Canadian markets who use or desire to purchase the ARROW® EZ-IO® System.

The ARROW® EZ-IO® System utilizes a proprietary patented needle and power driver technology, and both required components are supplied directly by Arrow International, Inc.

Arrow International, Inc. is the sole manufacturer of the ARROW® EZ-IO® System, and no other battery-powered needle/driver IO device is currently available in the market.

If you have any questions or concerns, please do not hesitate to call me.

Sincerely,

Dave K. Price  
Sr. Director, Commercial Operations  
Teleflex Incorporated





Williamson County Purchasing Department  
901 South Austin Avenue  
Georgetown, Texas 78626  
(512) 943-3553  
[www.wilco.org/purchasing](http://www.wilco.org/purchasing)  
[purchase@wilco.org](mailto:purchase@wilco.org)

## NOTARIZED SOLE-SOURCE PURCHASE AFFIDAVIT

STATE OF TEXAS  
COUNTY OF WILLIAMSON

### KNOW ALL MEN BY THESE PRESENTS THAT:

Before me, the undersigned authority duly authorized to take acknowledgments and administer oaths, on this day personally appeared Dave K. Price, who after being duly sworn on oath stated the following:

My name is Dave K. Price. My title is Sr. Director, Commercial Operations. I am aware that the Williamson County Purchasing Department is required to comply with competitive bidding requirements of Chapter 262 of the Texas Local Government Code. I am aware that the statutory competitive bidding provisions do not apply to the purchase of an item that can be obtained from only one source. See, Texas Local Government Code section 262.003.

#### Sole-source items include:

Items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, films, manuscripts, or books, electric power, gas, water, and other utility services, and captive replacement parts or components for equipment.

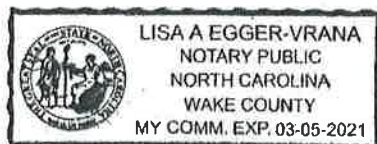
I have represented to the Purchasing Department of Williamson County and I hereby warrant that as of the date below, I am the sole-source supplier of the following item: ARROW® EZ-IO® System. I am the sole-source supplier of this item because: sole manufacturer of the ARROW® EZ-IO® System, and no other battery-powered needle/driver IO device is currently available in the market. I agree that if I ever cease being the sole-source supplier of this item, I shall immediately make a full disclosure in writing to the Williamson County Purchasing Department of all relevant facts and circumstances.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit on the 23rd day of May, 2016.

Dave K. Price  
[Signature]

Dave K. Price, Sr. Director, Commercial Operations  
[Printed Name] [Title]

SWORN TO AND SUBSCRIBED before me on May 23, 2016, by DAVE K. PRICE  
[Printed Name]



Lisa A Egger Vrana  
[Signature] Notary Public  
State of NORTH CAROLINA, WAKE COUNTY  
My Commission expires on MARCH 5, 2021



# *Williamson County Emergency Medical Services*

*To Respect, Care and Serve*

May 25, 2016

Blake Skiles  
Purchasing Specialist III  
Williamson County Purchasing  
901 S. Austin Ave.  
Georgetown, Texas 78626

RE: Letter of Recommendation for EZ-IO Needle system by Teleflex, Inc.

Blake,

Please accept this letter as my formal recommendation that Williamson County accept Teleflex, Inc. as the Sole Source supplier for the EZ-IO (Interosseous) Needle/Driver system.

Please see other correspondence supplied justifying this request.

Sincerely,

Butch Dennis, Captain  
Support Services  
Williamson County EMS  
508 S. Holly St.  
Georgetown, Texas 78626



**From:** Kowalski, Chad [<mailto:Chad.Kowalski@teleflex.com>]  
**Sent:** Tuesday, May 24, 2016 1:40 PM  
**To:** Butch Dennis <[BDennis@wilco.org](mailto:BDennis@wilco.org)>  
**Subject:** RE: Sole Source

Captain Dennis,

You are correct sir. Your price is \$550 per box of EZ IO needles. The 15mm, 25mm and 45mm are all the same cost per box. I will be in Georgetown on Tuesday, May 31<sup>st</sup> and would like to stop by your facility to introduce myself to you and your crew. I have a meeting at 1:30, but can stop by earlier or on my way out back to Houston. Have a great day Captain Dennis!

Best Regards,

**Chad Kowalski**

*EMS Territory Manager – South Texas, Louisiana, Mississippi, Alabama  
Anesthesia and Emergency Medicine*

M: 832.846.1708

E: [chad.kowalski@teleflex.com](mailto:chad.kowalski@teleflex.com)

Customer Service: 1.866.246.6990

Teleflex Medical

3015 Carrington Mill Blvd, 6 Floor N Morrisville, NC 27560

**ARROW EZ IO | HUDSON RCI | LMA | RUSCH**  
[www.teleflex.com/ems](http://www.teleflex.com/ems)