

INTRODUCED: May 23, 2022

AN ORDINANCE No. 2022-155

To authorize the Chief Administrative Officer and the Director of Procurement Services, for and on behalf of the City of Richmond, to execute the fifth Contract Modification to Contract No. 16000022041 between the City and Manchester Marketing, Inc. T/A Seibert’s Towing for towing-related services and tow lot operation for the purpose of documenting the exercise of the second renewal option of Contract No. 16000022041.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 13 2022 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

WHEREAS, pursuant to Ordinance No. 2016-176, adopted June 13, 2016, the City entered into Contract No. 16000022041 with Manchester Marketing, Inc. T/A Seibert’s Towing (the “Contractor”) to provide towing-related services and tow lot operation; and

WHEREAS, section 46.2-1217 of the Code of Virginia (1950), as amended, empowers the City Council to specify the fees or charges to be paid by the owner or operator of a vehicle towed at the request of a law enforcement officer; and

WHEREAS, pursuant to section 46.2-1217 of the Code of Virginia (1950), as amended, the City’s Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles has

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 13 2022 REJECTED: _____ STRICKEN: _____

reviewed the terms and conditions of the Contract Modification and provided its recommendations concerning the same to the City Council; and

WHEREAS, section 46.2-1217 of the Code of Virginia (1950), as amended, requires the approval of the City Council in order for the City to enter into a Contract Modification documenting the exercise of the second renewal option of Contract No. 16000022041;

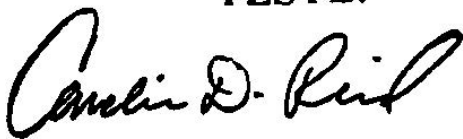
NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer and the Director of Procurement Services, for and on behalf of the City of Richmond, be and are hereby authorized to execute the fifth Contract Modification to Contract No. 16000022041 between the City and Manchester Marketing, Inc. T/A Seibert's Towing for towing-related services and tow lot operation in accordance with section 46.2-1217 of the Code of Virginia (1950), as amended, for the purpose of documenting the exercise of the second renewal option of Contract No. 16000022041. Such Contract Modification shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

§ 2. This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**



City Clerk



RECEIVED

By City Attorney's Office at 12:54 pm, May 19, 2022

RECEIVED

By CAO Office at 4:13 pm, May 09, 2022

2022-110

City of Richmond

Intracity Correspondence

O&R REQUEST

DATE: May 5, 2022

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

THROUGH: Sabrina Joy-Hogg, DCAO Finance and Administration

THROUGH: Sheila White, Director of Finance

THROUGH: Betty Burrell, Director of Procurement Services

THROUGH: Robert Steidel, Deputy Chief Administrative Officer- Operations

FROM: Bobby Vincent, Director of Public Work

RE: TO AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO EXECUTE AN AMENDMENT TO THE CONTRACT FOR TOWING AND TOW LOT OPERATIONS

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer (CAO) and the Director of Procurement Services, to execute, on behalf of the City of Richmond, Contract Modification No.5 with Manchester Marketing, Inc., T/A Seiberts's Towing (Seiberts's Towing) for tow related services and tow lot operations.

REASON: The City requires a contractor to provide towing services and tow lot operations for both City vehicles as requested by the Department of Public Works' Fleet Management Division and non-City vehicles under the direction of the City's Department of Police.

City Administration and the Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles in the City of Richmond (the "Towing Advisory Board") deem it to be to their mutual benefits to modify the Seibert's Towing Contract to exercise the second of three one-year renewal options under section 1.3 of the Terms and Conditions of the Contract to renew the Contract for the term of June 23, 2022, through June 22, 2023.

RECOMMENDATION: Approval is recommended by the City Administration and the Towing Advisory Board of No. 5 contract modification. Va. Code § 46.2-1217 requires that the Towing Advisory Board review and the City Council approve any contract amendments.

BACKGROUND: Va. Code § 46.2-1217 authorizes local governing bodies to enter into contractual agreements with “one or more businesses engages in towing.” The contract will provide towing services and tow lot operations for city vehicles as requested by the Department of Public Works Fleet Management Division and under the direction of the City’s Department of Police.

FISCAL IMPACT / COST: No additional cost to the City.

FISCAL IMPLICATIONS: None.

BUDGET AMENDMENT NECESSARY: None.

REVENUE TO CITY: No change in revenue

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: May 23, 2022

CITY COUNCIL PUBLIC HEARING DATE: June 13, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Public Safety (May 24, 2022)

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Richmond Police, Public Works and Finance

RELATIONSHIP TO EXISTING ORD. OR RES.: Ordinance No. 2016-176, adopted June 13, 2016

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: (1) VA Code §46.2s1217, (2) Contract modification No. 5

STAFF: Lynne Lancaster, DPW (646-6006)



CITY OF RICHMOND

PROCUREMENT SERVICES CONTRACT MODIFICATION No. 5

THIS CONTRACT MODIFICATION is made and entered into as of the _____ day of _____, 2022, by and between the City of Richmond, hereinafter referred to as the “City,” and Manchester Marketing, Inc. T/A Seibert’s Towing, hereinafter referred to as the “Contractor.”

WITNESSETH

WHEREAS, the City and the Contractor entered into Contract No. 16000022041, dated June 23, 2016, for towing and tow lot operations;

WHEREAS, section 46.2-1217 of the Code of Virginia authorizes the City Council to specify in a contract for towing services the fees or charges to be paid by the owner or operator of a towed vehicle to the Contractor;

WHEREAS, on November 30, 2017, the City and the Contractor entered into Procurement Services Contract Modification No. 1 to specify certain oversized vehicle fees and to increase the maximum authorized contract amount;

WHEREAS, on October 8, 2018, by adoption of Ordinance No. 2018-255, the Council for the City of Richmond approved Procurement Services Contract Modification No. 2 to amend the Contract to document an increase for six vehicle rates set forth in subsection A of section 5.1 (“Authorized Charges or Rates”) in Part IV (“Special Terms and Conditions”) of the Contract;

WHEREAS, on June 5, 2019, the City and the Contractor entered into Procurement Services Contract Modification No. 3 to ratify all acts of the City and the Contractor that were in accordance with the provisions of Procurement Services Contract Modification No. 2 since adoption of Ordinance No. 2018-255;

WHEREAS, pursuant to section 1.1 (“Commencement and Expiration”) of the General Terms and Conditions of the Contract, the initial term of the Contract is June 23, 2016, through June 22, 2021;

WHEREAS, section 1.3 (“Renewal”) of the General Terms and Conditions of the Contract provides the City the option to renew the Contract for up to three one-year renewal terms;

WHEREAS, on April 27, 2021, the City and the Contractor executed a Procurement Services Contract Modification No. 4 that (i) documented the City’s exercise of the first of three one-year renewal options, to renew the Contract under section 1.3 of the Terms and Conditions of the Contract for the term of June 23, 2021, through June 22, 2022, and (ii) document an increase in five rates listed in subsection A of section 5.1 (“Authorized Charges or Rates”) in Part IV (“Special Terms and Conditions”) of the Contract;

WHEREAS, the parties deem it to be to their mutual benefits to modify the aforementioned Contract to exercise the second of three one-year renewal options under section 1.3 of the Terms and Conditions of the Contract to renew the Contract for the term of June 23, 2022, through June 22, 2023;

WHEREAS, the Council for the City of Richmond has approved this Contract Modification by Ordinance No. _____ - _____, adopted _____, 2022;

NOW, THEREFORE, for and in consideration of the mutual benefit to be derived by the City and the Contractor, the City and the Contractor agree that the Contract is hereby modified as follows:

1. The Contract is hereby renewed for the term commencing at midnight on June 23, 2022, and ending at 11:59 p.m. on June 22, 2023, pursuant to section 1.3 of the General Terms and Conditions of the Contract.
2. Except as expressly modified herein, all other terms and conditions of the Contract shall remain in full force and effect and shall be binding upon the City and the Contractor.

IN WITNESS WHEREOF, the City and the Contractor have executed this instrument as of the respective dates written below.

FOR THE CITY:

FOR THE CONTRACTOR:

Director of Procurement Services

Date

Printed Name: _____

Printed Title: _____

Date: _____

J. E. Lincoln Saunders
Chief Administrative Officer

Date

APPROVED AS TO FORM:

<i>Susan M. McKenney</i>	05/10/2022
Assistant City Attorney	Date