

INTRODUCED: September 24, 2018

AN ORDINANCE No. 2018-255

To authorize the Chief Administrative Officer and the Director of Procurement Services, for and on behalf of the City of Richmond, to execute the second 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 specifying a rate increase for six vehicle fees listed in Contract No. 16000022041.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: OCT 8 2018 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: OCT 8 2018 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 specifying a rate increase for six vehicle fees listed in 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 second 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 specifying a rate increase for six vehicle fees listed in 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.



CITY OF RICHMOND

Office of the Chief Administrative Officer

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: August 10, 2018 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Lenora G. Reid, DCAO of Finance and Administration

THROUGH: John Wack, Director of Finance

THROUGH: Betty Burrell, Director of Procurement Services

THROUGH: Robert Steidel, DCAO of Operations

FROM: *for* Bobby Vincent, Director of Public Works

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

8/28/18

RECEIVED

SEP 07 2018

OFFICE OF CITY ATTORNEY

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer (CAO) to execute, on behalf of the City of Richmond, a contract amendment 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.

Seibert's Towing is requesting a rate increase in six (6) different categories of non-preference towing due to increases in operating cost since the inception of the contract in June 2016. In the past two years there have been increases in certain indices that have negatively impacted the towing business and threatens service levels expected by the City of Richmond.

Employee wages and benefits, subcontractor expenses, business insurance and fuel cost have all shown substantial increase in the last two years. The request is driven by a national driver shortage of commercial drivers who are qualified to drive tow trucks in the State of Virginia. Driver shortages are common in the trucking industry which are driving up wages and benefits.

RECOMMENDATION: Approval is recommended by the 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”). The Towing Advisory Board met on August 10, 2018 and reviewed and approved the Seibert’s requested fee increases contract modification. Va. Code § 46.2-1217 requires that the Towing Advisory Board review and the City Council approve any contract amendments. This amendment will not increase the City’s tow rates.

| | Accident Tow (Day) | Accident Tow (Night) | Disabled (Day) | Disabled (Night) | Admin | Winch |
|-------------|--------------------|----------------------|----------------|------------------|---------|---------|
| June 2016 | \$155 | \$170 | \$85 | \$95 | \$50 | \$65 |
| CPI 5% | \$162.75 | \$178.50 | \$89.25 | \$99.75 | \$52.50 | \$68.25 |
| Recommended | \$160 | \$178 | \$89 | \$99 | \$52 | \$68 |

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.

The contractor provides towing services for vehicles located within the City limits, for City-owned vehicles and “officially held vehicles” located outside the City limits, and at all City-owned property located outside the City limits. The towing services generally include, but are not necessarily limited to, the towing or storage, or both, of the following types of vehicles:

- A. City-owned vehicles (no storage required for these vehicles).
- B. Vehicles parked in any designated tow away zones, to include handicap parking and fire zones.
- C. Parking violations (“Peak Towing”: 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.).
- D. Abandoned vehicles.
- E. Vehicle accidents.
- F. Vehicles impounded for three or more parking tickets.
- G. Vehicles reported stolen.
- H. Vehicle disposal.
- I. Officially held vehicles (HFI), within the City limits and outside of the City limits.
- J. Vehicles impounded for 30 days for DUIs or specific equipment violations or both.

Ordinance No. 2017-198 was adopted November 13, 2017 amended the fee ranges for large truck tows by weight class. The fee ranges are based on what equipment will be needed to tow a large truck.

FISCAL IMPACT TO CITY/COST: N/A

FISCAL IMPLICATIONS: N/A

BUDGET AMENDMENT NECESSARY: N/A

REVENUE TO THE CITY: N/A

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: September 24, 2018

CITY COUNCIL PUBLIC HEARING: October 8, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Public Safety (September 25, 2018)

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Richmond Police, Public Works and Finance

RELATIONSHIP TO EXISTING ORD. OR RES: Ordinance No. 2010-61-64, adopted April 12, 2010, Ordinance No. 2016-176, adopted June 13, 2016 and Ordinance No. 2017-198

REQUIRED CHANGES TO WORK PROGRAM (S): None

ATTACHMENTS: (1) VA Code §46.2s1217 (2) Contract modification (3) Ordinance No. 2016-176 and (4) Ordinance No. 2017-198

STAFF: Lt. John Beazley, RPD (646-4721)
Lynne Lancaster, DPW (646-6006)



Contract No. 1600022041

CITY OF RICHMOND

PROCUREMENT SERVICES CONTRACT MODIFICATION NO. 2

THIS CONTRACT MODIFICATION is made and entered into as of the 27th day of March, 2018, 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. 1600022041, 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, the City and the Contractor now desire to amend the Contract to document a rate increase for six vehicle fees listed in subsection A of section 5.1 ("Authorized Charges or Rates") in Part IV ("Special Terms and Conditions") of the Contract; and

WHEREAS, the Council for the City of Richmond has approved this Contract Modification by Ordinance No. 2018-255, adopted October 8th, 2018;

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 chart containing charges and rates set forth in subsection A of section 5.1 ("Authorized Charges or Rates") in Part IV ("Special Terms and Conditions") of the Contract as modified by the Negotiated Modifications to the Contract is hereby replaced in its entirety as follows:

Table with 3 columns: Category, Amount, and Additional Charges. Rows include Abandoned, Accidents, City Citations, Release on Scene, Disabled, and DMV/Admin Fee.

| | | |
|---|---|---|
| Driver's Arrest | \$105 | Plus storage \$45/day after 24 hours |
| Environmental/CAPS | \$105 | Plus storage \$45/day after 24 hours |
| Flipover | \$60 | |
| Hold for Investigation (HFI) | \$95 | Plus storage \$45/day 24 hours after notice |
| Jump Start | \$50 | |
| Lockout | \$50 | |
| Mileage | \$3 mile \$4.50/mile | Outside Richmond City limits Oversized vehicle mileage |
| Private Property | \$125 | Plus storage \$45/day after 24 hours |
| Retows | \$60 | \$45 for auction vehicle in city limits |
| Stolen | \$85 \$85 | Plus storage \$45/day after 24 hours 7AM-7PM 7PM-7AM |
| Storage | \$45/day | Including weekends/holidays |
| Tire Change | \$45 | Per tire |
| Traffic/Parking Violation | \$105 | Plus storage \$45/day after 24 hours |
| Convenience Tows | \$40 | Towing of operable City vehicles |
| Winching | \$68 | Per hour/one hour minimum |
| Winching oversized vehicles | \$100 | Per hour/one hour minimum |
| Oversized Vehicle Fee | \$150 \$50/day storage rate | (10,001 – 16,000 lbs.) |
| Oversized Vehicle Fee | \$275 \$55/day storage rate | (16,001 – 26,000 lbs.) |
| Oversized Vehicle Fee | \$350/hour \$60/day storage rate | (over 26,001 lbs.) |
| Air hook up | \$55 | |
| Cage brakes | \$55 | |
| Remove Drive Shaft | \$55 | |
| Additional labor/stand-by time \$60/hour | | |
| Vehicles are available for release from 7:00AM to 8:00PM. After hours release fee - \$35, 8:00PM-7:00AM. | | |

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:

Betty G. Burrell
Director of Procurement Services

3/27/2019
Date

Selena Cuffee-Glenn
Selena Cuffee-Glenn
Chief Administrative Officer

3/27/19
Date

FOR THE CONTRACTOR:

Robert C. Miles

Printed Name: ROBERT C. MILES
Printed Title: PRESIDENT/CEO
Date: 3/20/19

APPROVED AS TO FORM:

Aidan M. McKenny 08-27-2018
Assistant City Attorney Date