



City Of Richmond, Virginia
Office of the City Clerk

Request to Withdraw Legislation

Paper Number: Ord. 2021-006

Chief Patron: Mayor Levar Stoney

Introduction Date: January 11, 2021

Chief Patron Signature: 

For Office Use Only

Attestation: 

Effective Date: March 19, 2021

INTRODUCED: January 11, 2021

AN ORDINANCE No. 2021-006

To authorize the Chief Administrative Officer and the Director of Procurement Services, for and on behalf of the City of Richmond, to execute the fourth 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 ratifying all acts of the City and Manchester Marketing, Inc. T/A Seibert’s Towing that were in accordance with the provisions of Procurement Services Contract Modification No. 3 for Contract No. 16000022041 since the adoption of Ord. No. 2019-128, adopted May 28, 2019.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 25 2021 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

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

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 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 ratifying all acts of the City and Manchester Marketing, Inc. T/A Seibert's Towing that were in accordance with the provisions of Procurement Services Contract Modification No. 3 for Contract No. 16000022041 since the adoption of Ord. No. 2019-128, adopted May 28, 2019.

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 fourth 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 ratifying all acts of the City and Manchester Marketing, Inc. T/A Seibert's Towing that were in accordance with the provisions of Procurement Services Contract Modification No. 3 for Contract No. 16000022041 since the adoption of Ord. No. 2019-128, adopted May 28, 2019. 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

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: November 23, 2020 **EDITION:** I

TO: The Honorable Members of City Council

THROUGH: Levar M. Stoney, Mayor *JMS*

THROUGH: J.E. Lincoln Saunders, Acting Chief Administrative Officer *JELS*

THROUGH: John Wack, Director of Finance *JW*

THROUGH: Betty Burrell, Director of Procurement Services *BB*

THROUGH: Robert Steidel, Deputy Chief Administrative Officer- Operations *ACS*

FROM: Bobby Vincent, Director of Public Work *BV*

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. 4 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 towing rate increase due to increases in operating cost. 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 short-

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age 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 December 2, 2020 and reviewed and approved the Seibert's requested fee increase 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 increase the City's citation tow rate from \$105 to \$115. The increase will be split between the City of Richmond for the cost of the software and the other half to Seibert's for a cost of living increase as allowable by the contract.

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 Office of City Auditor in December 2010 recommended the development of a City Internet website that will enable citizens and visitors to find and recover their towed vehicles with great ease and promote the more efficient and effective use of RPD personnel. The Audit identified a need for a central technology solution for reporting towing activity in the city to ease retrieval by vehicle owners.

DPW and the Department of Emergency Communications have identified a software that will report the location of towed vehicles from private property. This software will create a one stop portal for located vehicles towed on private property. The proposed software will create a single repository of information about vehicles that were towed in the City of Richmond.

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: January 11, 2021

CITY COUNCIL PUBLIC HEARING DATE: January 25, 2021

REQUESTED AGENDA: Consent

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RECOMMENDED COUNCIL COMMITTEE: Finance and Economic Development (January 21, 2021)

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, Ordinance No. 2017-198 and Ordinance No. 2018-255 adopted October 8, 2019

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: (1) VA Code §46.2s1217, (2) Contract modification No. 4, (3) Ordinance No. 2016-176, (4) Ordinance No. 2017-198, (5) Ordinance No. 2018-255 and (6) Ordinance No. 2019-128

STAFF:

Lt. John Benzley, RPD (646-4395)

Lynne Lancaster, DPW (646-6006)



Contract No. 16000022041

CITY OF RICHMOND

PROCUREMENT SERVICES CONTRACT MODIFICATION NO. 4

THIS CONTRACT MODIFICATION is made and entered into as of the _____ day of _____, 2021, 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 a rate increase for six vehicle fees 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, the City and the Contractor now desire to amend the Contract to document an increase for the City Citation fee 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. _____, adopted _____, 2021;

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 amended is hereby replaced in its entirety as follows:

Abandoned	\$105	Plus storage \$45/day after 24 hours
Accidents	\$160	7AM-7PM

	\$178	7PM-7AM Plus \$45/day upon entering lot Extra clean-up \$20
City Citations	\$115	Plus storage \$45/day after 24 hours
Release on Scene	\$40	
Disabled	\$89 \$99	Plus \$45/day upon entering lot 7AM-7PM 7PM-7AM
DMV/Admin Fee	\$52	Applied after 72 hours
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 (BFD)	\$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	(over 26,001 lbs.)

	rate	
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:

FOR THE CONTRACTOR:

Director of Procurement Services

Printed Name:

Date

Printed Title:

Date:

Lenora G. Reid
Acting Chief Administrative Officer

Date

APPROVED AS TO FORM:

Susan M. McKenney

Assistant City Attorney

12/22/2020

Date