



Office of the City Manager

CONSENT CALENDAR
June 11, 2013

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Michael K. Meehan, Chief of Police, Police
Subject: Contracts: Police Department Towing Services

RECOMMENDATION

Adopt two Resolutions authorizing the City Manager to execute two (2), three-year contracts and any amendments with the following vendors for towing services:

- 1) East Bay Tow, Inc. for an amount not to exceed \$82,000 for the term July 1, 2013 to June 30, 2016 with an option to renew for two, two-year terms;
- 2) Husted's Towing Inc. for an amount not to exceed \$88,000 for the term July 1, 2013 to June 30, 2016 with an option to renew for two, two-year terms.

FISCAL IMPACTS OF RECOMMENDATION

The cost will not exceed \$200,000 for all four (4) towing services contracts for three years, with the option to extend for two, two-year terms; subject to the City's annual budget appropriation process. The contracts have been entered into the City's Contract Management System and have been issued CMS numbers. Funding for the contracts will be from budget code 010-7202-420-30-38.

TOW COMPANY	CMS#	CONTRACT NOT TO EXCEED AMOUNT	TERM
Avenue Towing	EDQE1	NTE \$20,000	July 1, 2013 to June 30, 2016
Berry Brothers Towing & Transport, Inc.	AVR5D	NTE \$10,000	July 1, 2013 to June 30, 2016
East Bay Tow, Inc.	SFWV7	NTE \$82,000	July 1, 2013 to June 30, 2016
Husted's Towing, Inc.	E44T4	NTE \$88,000	July 1, 2013 to June 30, 2016

Although each vendor will provide standard towing services on a rotational basis, certain vendors have the space and facilities required to store vehicles for evidentiary purposes or have the equipment required to tow larger vehicles. Therefore, the amounts listed for each contract vary based on expenditures from the past five years.

CURRENT SITUATION AND ITS EFFECTS

The language in the current towing services contracts is based on the needs and requirements first assessed in 2007 and amended as required to support changes in services and expenditure amounts over the past five years. A Request for Proposal was issued based on the most current assessment in September 2012. The department would like to enter into new contracts that support current and projected costs and address the needs of both the City and vendors.

Pursuant to the City Council Ordinance No. 7,035-N-S., which increased the City Manager's expenditure approval from twenty-five thousand to fifty thousand, only two of the towing services contracts require Resolutions: East Bay Tow Inc., and Husted's Towing Inc. Because five vendors responded to the Request for Proposal (RFP), Specification No. 13-10726-C, and all four aforementioned vendors were selected, the department is also including Avenue Towing and Berry Brothers Towing & Transport as a part of this report.

Avenue Towing, Berry Brothers Towing & Transport Inc. and Husted's Towing Inc. have participated in the Police Department's tow rotation program since 2007. This tow rotation program is an agreement between all participating vendors and the department that officers or authorized police staff will continue to call for towing services to perform time-sensitive towing services, until a vendor is available, at that time. Vendors are aware that if they are not available for the services required at said moment, authorized police staff will call the next vendor, and will continue to do so until a vendor in the program is available.

After five years of successful participation from all four tow companies in the tow rotation program, the department entered into the RFP process to update the contracts to reflect new demands and services, such as the Tow Boot and evidentiary tows and storages.

BACKGROUND

The Police Department released the Request for Proposal (RFP) (Specification No. 13-10726-C) detailing all contractual requirements and performance criteria integral for a towing services contract. The response to the RFP ended on April 18, 2013 with four out of five vendors successfully demonstrating they could meet the terms of the scope of services listed in the RFP. The department selected Avenue Towing, Berry Brothers Towing & Transport, Inc., East Bay Tow, Inc. and Husted's Towing, Inc. because they have the facilities, staff and equipment to provide towing and storage services for the Police Department.

Avenue Towing, East Bay Tow, Inc. and Husted's Towing Inc. are all located in Berkeley, California, and Berry Brothers Towing & Transport, Inc. is located on the Berkeley/Oakland border. These companies meet one of the main requirements to have a business officer, dispatch, and storage facility located within two miles from the boundaries of Berkeley, California. Kenn Betts Towing Service, located on 770 Wesley Way in Oakland, California also submitted a bid in response to the RFP; however, their proposal was non-responsive in that they failed to provide adequate information in their bid to support they could perform all of the requirements detailed in the RFP.

RATIONALE FOR RECOMMENDATION

The new towing services contracts will address the current needs of the department, along with reflect costs and fees to be assessed to the department and the public. The new contracts will clearly address the guidelines and prices for case-related or evidentiary tows and vehicle storage that if not addressed in contracts, can be an exorbitant expense for the department. The selected tow service providers will be utilized on a rotational basis to ensure that the City's needs for prompt and timely tows are met. This "rotation" process also ensures adequate resources are available for unforeseen emergencies.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered.

CONTACT PERSON

Robert Rittenhouse, Sergeant, Police Department, (510) 981-5982.

Attachment

1. Resolution (East Bay Tow, Inc.)
2. Resolution (Husted's Towing, Inc.)

RESOLUTION NO. -N.S.

CONTRACT: EAST BAY TOW, INC. FOR POLICE DEPARTMENT TOWING SERVICES

WHEREAS, the Police Department tows or facilitates the tow of approximately 5,000 vehicles per year; and

WHEREAS, the City of Berkeley has no internal process for the towing and storage of vehicles, including those requiring storage for evidentiary purposes; and

WHEREAS, a successful Request for Proposal (RFP) process was held providing four viable vendors to provide required towing services and facilities: Avenue Towing , Berry Brothers Towing & Transport, Inc., East Bay Tow, Inc. and Husted's Towing, Inc.; and

WHEREAS, the four abovementioned vendors responded to RFP Specification No. 13-10726-C on April 18, 2013; and

WHEREAS, East Bay Tow, Inc., requires a Resolution because the department is requesting an amount not to exceed eighty-two thousand dollars (\$82,000) and this amount exceeds the City Manager's fifty-thousand (\$50,000) dollar expenditure limit, and funds for this contract will be available in FY 2014 General Fund 010-7202-420-30-38, CMS No. SFVV7.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with East Bay Tow, Inc. for an amount not to exceed \$82,000 for the period of July 1, 2013 to June 30, 2016 with an option to renew for two, two-year terms subject to the City's annual budget appropriation process. A record signature copy of said contracts and any amendments are on file in the Office of the City Clerk.

RESOLUTION NO. -N.S.

CONTRACT: HUSTEAD'S TOWING, INC. FOR POLICE DEPARTMENT TOWING SERVICES

WHEREAS, the Police Department tows or facilitates the tow of approximately 5,000 vehicles per year; and

WHEREAS, the City of Berkeley has no internal process for the towing and storage of vehicles, including those requiring storage for evidentiary purposes; and

WHEREAS, a successful Request for Proposal (RFP) process was held providing four viable vendors to provide required towing services and facilities: Avenue Towing , Berry Brothers Towing & Transport, Inc., East Bay Tow, Inc. and Husted's Towing, Inc.; and

WHEREAS, the four abovementioned vendors responded to RFP Specification No. 13-10726-C on April 18, 2013; and

WHEREAS, Husted's Towing, Inc., requires a Resolution because the department is requesting an amount not to exceed eighty-eight thousand dollars (\$88,000) and this amount exceeds the City Manager's fifty-thousand (\$50,000) dollar expenditure limit, and funds for this contract will be available in FY 2014 General Fund 010-7202-420-30-38, CMS No. E44T4.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with Husted's Towing, Inc. for an amount not to exceed \$88,000 for the period of July 1, 2013 to June 30, 2016 with an option to renew for two, two-year terms subject to the City's annual budget appropriation process. A record signature copy of said contracts and any amendments are on file in the Office of the City Clerk.

