PURCHASING ITEM
FOR
COUNCIL AGENDA

1. Agenda Item Number: 35

2. Council Meeting Date: September 15, 2016

TO: **MAYOR AND COUNCIL**

THROUGH: **CITY MANAGER**

3. Date Prepared: August 23, 2016

4. Requesting Department: Police

5. SUBJECT: Amendment No. 2 to Agreement No. PD3-968-3140 for Police Towing Service

6. RECOMMENDATION: Staff recommends City Council approve Amendment No. 2 extending Agreement No. PD3-968-3140, for police towing service, with ACT Towing, LLC, dba All City Towing, for a two-year term, January 1, 2017, through December 31, 2018.

7. HISTORICAL BACKGROUND/DISCUSSION: In December of 1995, the City began utilizing a contract for towing services. Contract towing service has proven to be a successful alternative to the previous rotation program. Some of the benefits provided by contract service include lower cost to the citizens, fewer customer complaints, and a streamlined workload for the Police Department. The Police Department utilizes the contract for vehicle towing, storage, and impounding services including removal of wrecked vehicles, vehicles abandoned on city streets, vehicles left unattended in a traffic way, vehicles towed for evidentiary purposes, vehicles impounded, and vehicles towed due to an arrested driver.

8. EVALUATION PROCESS: In November of 2012, City Council approved Agreement No. PD3-968-3140, for police towing service, with ACT Towing, LLC, dba All City Towing, following a Request for Proposal process. The Agreement was awarded for two years with provisions to extend for up to two additional terms of two years each. The Agreement was extended for the first two-year term, through December 31, 2016. Staff has been satisfied with the service provided and recommends execution of the final available extension for the term of January 1, 2017, through December 31, 2018.

9. FINANCIAL IMPLICATIONS: Vehicle owners will be responsible for payment of all fees associated with police-related tows.

10. PROPOSED MOTION: Move City Council approve Amendment No. 2 extending Agreement No. PD3-968-3140, for police towing service, with ACT Towing, LLC, dba All City Towing, for a two-year term, January 1, 2017, through December 31, 2018.

11. ATTACHMENT: Amendment

APPROVALS

12. Requesting Department David LeVoy, Police Commander	**13. Department Director** Sean E. Duggan, Chief of Police
13. Procurement Officer Mike Mandt	**14. City Manager** Marsha Reed

AMENDMENT NUMBER TWO

CITY OF CHANDLER SERVICES AGREEMENT

FOR TOWING

PD3-968-3140

This AMENDMENT TWO to the Agreement between the City of Chandler hereinafter referred to as "CITY" and ACT Towing LLC, *dba* All City Towing, an Arizona Limited Liability Company, hereinafter referred to as "CONTRACTOR" dated awarded November 7, 2012, and amended September 23, 2014 identified as PD3-968-3140 hereinafter referred to as "AGREEMENT" is hereby amended as follows:

WHEREAS, in November of 2012 City Council approved agreement PD3-968-3140 for Police Towing Service with ACT Towing *dba* All City Towing, and

WHEREAS, the contract was awarded for a two year term through December 31, 2014 with provisions to extend up to two additional terms of two years each, and

WHEREAS, the contract was amended and the first term was extended through December 31, 2016, and

WHEREAS, the parties agree to extend the second and final term through December 31, 2018.

NOW THEREFORE, the parties agree as follows:

1. Section 7 of the AGREEMENT, Term, is amended to read as follows:

   "7. TERM: The third term of this Contract commences on January 1, 2017 and terminates on December 31, 2018. All prices offered herein shall be firm against any increase for two (2) years from the effective date of the Contract, contract extension, or amendment.

2. All terms and conditions in the AGREEMENT as amended and not specifically amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this ____ day of _____, 2016.

CITY OF CHANDLER:

By: _____
MAYOR

APPROVED AS TO FORM:

_____
City Attorney

ATTEST:

_____
City Clerk

CONTRACTOR:

By: _____
Title: _____

ATTEST: (If corporation)

_____
Secretary

WITNESS: (If individual or Partnership)

_____