

AN ORDINANCE 2008-10-09-0896

**AUTHORIZING THE NEGOTIATION AND EXECUTION OF
MUNICIPAL WRECKER SERVICES AGREEMENTS TO
PROVIDE TOWING SERVICES FOR THE CITY OF SAN
ANTONIO POLICE DEPARTMENT.**

* * * * *

WHEREAS, on May 27, 2008, the City solicited proposals from experienced, state licensed and qualified wrecker companies for the provision of prompt, reliable and efficient towing services for six (6) designated zones mirroring the City's Police Substation boundaries covering the city limits of the City of San Antonio; and

WHEREAS, dividing the City into six (6) zones and awarding a contract to multiple contractors provides greater safety to Police Officers while providing greater opportunity for small businesses to operate under this City contract; and

WHEREAS, the solicitation stipulated that respondents could be awarded a minimum of one (1) zone or a maximum of three (3) zones in the discretion of the City; and

WHEREAS, nine (9) proposals were received in response to the City's solicitation and eight (8) were evaluated by a five (5) person Evaluation Committee comprised of personnel from the City's Fire, Police, Finance, Information Technology and Solid Waste Management Departments and one (1) proposal, submitted by TxTow Corp. d/b/a Texas Towing, was received by the City Attorney's Office; and

WHEREAS, the Evaluation Committee scored eight (8) proposals and recommended that five (5) respondents be requested to present to the Committee at a panel forum; and

WHEREAS, the City Attorney's Office entered into negotiations with Texas Towing for the purposes of settling claims on the previous towing contract; and

WHEREAS, based upon scoring performed by the Evaluation Committee, City staff recommends the selection of San Antonio Associated Tow Team for award of a contract for the Prue Zone, Allied Towing Inc. for award of a contract for the West Zone and Assured Towing for award of a contract for the East Zone; and

WHEREAS, City staff is also recommending a contract with Texas Towing for the provision of Wrecker Services for the North, Central and East Zones as part of a settlement of all claims arising from the previous Wrecker Services Contract; and

WHEREAS, City Council desires to modify City staff's recommendation by awarding the West Zone to Assured Towing and the East Zone to Allied Towing Inc.; and

WHEREAS, the City of San Antonio is the guardian of the public rights in the public streets, public rights of ways and public property within the city limits and holds title for the benefit of the public; and

WHEREAS, experience indicates that public safety is endangered by wreckers racing to the scenes of vehicle collisions to compete for business, by congestion of public streets and rights of ways by multiple wreckers arriving at the scene, creating hazards of additional accidents and impassable streets for emergency vehicles, by requiring excess police manpower to protect scenes of collisions due to delay in the arrival of appropriate towing equipment and by towing services not providing adequate and safe towing equipment for removal of automobiles and therefore, it is in the best interest of public safety to regulate automobile wreckers responding to vehicular accidents and abandoned vehicles or other police incidents on the public ways; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. City staff is authorized to negotiate, for a period of twenty (20) days following the passage of this Ordinance, Municipal Wrecker Service Agreements with San Antonio Associated Tow Team for the Prue Zone, Assured Towing for the West Zone and Allied Towing Inc. for the East Zone respectively. Once terms and conditions are agreed upon by the City and each contractor, the City Manager or her designee is hereby authorized to execute such agreements. A copy of the executed agreements shall be attached hereto and made a part of this Ordinance as Exhibits "A", "B" and "C."

SECTION 2. The City Attorney's Office is authorized to negotiate, for a period of twenty (20) days following the passage of this Ordinance, a Municipal Wrecker Service Agreement with Texas Towing for the provision of wrecker services in the North, Central and South Zones. Terms and conditions of a negotiated agreement must be the same or substantially similar to the agreements authorized in Section 1 of this Ordinance with the exception of the term of the agreement which shall be three (3) years with a one (1) year renewal option. Additionally, a pre-condition to the execution by the City of the agreement between the City and Texas Towing shall be the execution of a Release of All Claims by Texas Towing, approved by the City Attorney's Office. A copy of the executed agreement shall be attached hereto and made a part of this Ordinance as Exhibit "D."

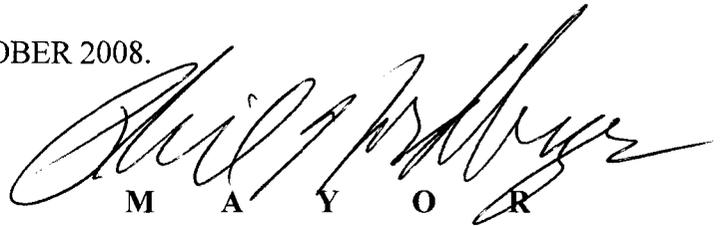
SECTION 3. In the event City staff is unable to reach an agreement to terms and conditions of a Wrecker Services Agreement in accordance with Section 1 and/or Section 2 of this Ordinance, City staff is authorized to negotiate any zone(s) which are left unprovided for through the failure to reach an agreement with a contractor to the most qualified contractor as determined by the scoring matrix attached as Exhibit "E." In no case is any contractor who is awarded a zone or multiple zones through this ordinance authorized to perform services in more than three (3) zones.

SECTION 4. Funds received as compensation under these agreements are authorized to be deposited in Fund No. 11001000, entitled "General Fund," Internal Order Number 217000000052, entitled "Wrecker Services Contract," General Ledger 4406864, entitled "Wrecker Service Contract."

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. This Ordinance shall become effective on and after the tenth (10th) day after passage.

PASSED AND APPROVED this 9th day of OCTOBER 2008.


M A Y O R

ATTEST:



City Clerk

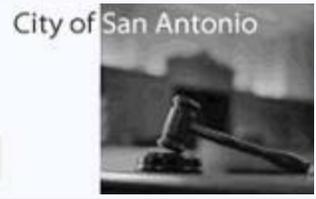
APPROVED AS TO FORM:



for City Attorney



Request for
**COUNCIL
ACTION**



Agenda Voting Results - 5

Name:	5
Date:	10/09/2008
Time:	01:21:40 PM
Vote Type:	Main Motion
Description:	An Ordinance authorizing Municipal Wrecker Services Agreements to provide towing services for the City of San Antonio Police Department. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2			x		x	
Jennifer V. Ramos	District 3			x			
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6				x		
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9			x			x
John G. Clamp	District 10			x			

Name:	5
Date:	10/09/2008
Time:	01:20:07 PM

**City of San Antonio
Towing Services Scoring Matrix**

Criteria	Maximum Points	Allied Towing	Commercial Wrecker Service	Associated Towing Team	United Road Towing	Assured Towing	Signature Towing	Mission Wrecker Service	Bexar Towing
Experience/Background/Qualifications	10	8.80	8.00	7.20	10.00	9.60	8.80	9.40	6.60
Proposed Plan	35	27.25	28.00	31.50	31.75	31.00	23.25	30.50	15.75
Price Scores By Zone									
Central	30	20.00	N/A	28.50	N/A	16.10	N/A	17.80	N/A
West	30	28.20	N/A	25.40	17.30	24.30	N/A	21.00	N/A
South	30	28.20	N/A	25.30	17.70	24.30	N/A	20.90	N/A
Prue	30	25.20	N/A	23.20	15.80	21.20	N/A	20.20	N/A
North	30	22.00	N/A	19.40	12.70	17.90	12.40	16.70	21.90
East	30	25.80	20.40	23.00	12.70	22.30	N/A	18.70	N/A
Price Average Score	30	24.90	20.40	24.13	15.24	21.02	12.40	19.22	21.90
SBEDA									
Local Business Enterprise	10	10.00	10.00	10.00	0.00	6.00	0.00	10.00	10.00
Historically Underutilized Enterprise	5	5.00	5.00	5.00	1.00	5.00	0.00	5.00	0.00
Compliance w/SBEDA Policy	5	5.00	3.00	4.00	2.00	3.00	0.00	2.00	1.00
SBEDA Sub Total	20	20.00	18.00	19.00	3.00	14.00	0.00	17.00	11.00
Interview	5	4.60	3.40	4.20		4.20		2.00	
Grand Total After Interview	100	85.55	77.80	86.03	59.99	79.82	44.45	78.12	55.25

Justin Rodriguez	District 7			x			
Diane G. Cibrian	District 8			x			
Louis E. Rowe	District 9			x			
John G. Clamp	District 10		x				x



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # 5
Council Meeting Date: 10/9/2008
RFCA Tracking No: R-4020

DEPARTMENT: SAPD

DEPARTMENT HEAD: William McManus

COUNCIL DISTRICT(S) IMPACTED:
City Wide

SUBJECT:
Towing Services Contracts

SUMMARY:
This ordinance authorizes the negotiation and execution of Municipal Wrecker Services Agreements to provide towing services for the City of San Antonio Police Department.

BACKGROUND INFORMATION:

On May 27, 2008 the Police Department solicited proposals from experienced, state licensed and qualified wrecker companies for the provision of prompt, reliable and efficient towing services for six (6) designated zones which mirror the City's Police Substation boundaries and that geographically cover the city limits of the City of San Antonio. Selected companies could be awarded a minimum of one (1) zone or a maximum of three (3) zones upon the discretion of the City.

The purpose of dividing the City into six (6) zones and awarding a contract to multiple contractors is two-fold: 1) It provides greater safety to Police Officers; and 2) It provides greater opportunities for small businesses to operate under a City contract. Additionally, the solicitation of proposals through the Request for Proposal process allowed for the revision of the City's towing contract and provided for the addition of computerized handheld data collection devices, GPS tracking systems and monetary penalties for thirty-minute response time and safety violations.

Nine (9) responsive proposals were received in response to the City's RFP. from the following companies: Signature Towing, Bexar Towing, Allied Towing, Commercial Wrecker Services, Inc., Assured Towing, Inc., Mission Wrecker Services S.A., Inc., United Road Towing, Inc., Texas Towing and Associated Towing.

A five (5) person Evaluation Committee consisting of personnel from the City's Fire Department; Police Department; Finance Department; Information Technology Department; and Solid Waste Management Department were tasked with evaluating eight of the nine (9) proposals. The Committee's first evaluation meeting took place on August 8, 2008 and at the end of the discussions and evaluation scoring, the Committee requested that the five (5) highest scoring companies be present for an interview/presentation forum.

The City Attorney's Office was tasked with evaluating the proposal submitted by Texas Towing for the purposes of entering into a settlement agreement to release the City from any claims arising from the previous Towing Contract.

During the interview/presentation forum the remaining companies were asked to highlight their experience, background and proposed towing plan and were subjected to questions from the Evaluation Committee. Following the interview/presentation forum, Evaluation Committee members submitted their individual scores for each presentation. Following the evaluation process the top three scoring companies, (1) Associated Towing, (2) Allied Towing, and (3) Assured Towing, Inc., were offered one (1) zone of the City. Beginning with Associated, the City assigned zones based upon towing volume. Associated received the Prue zone; Allied received the West zone; and Assured received the East zone. The terms of these three agreements will be from December 1, 2008 to November 30, 2014 with a two year renewal option at the City's discretion based on performance.

Simultaneously, the City Attorney's Office and legal representatives of Texas Towing entered negotiations on a settlement of any and all claims arising from the City's previous Towing Contract. The following terms were the basis of the settlement agreement:

- Texas Towing would perform services in the North, Central and South Zones for a period of three years commencing on December 1, 2008.
- A one-year renewal period would be available based upon the performance of the Contractor as evaluated by the City.
- All other terms and conditions of the Agreement would be the same as those of the three contractors providing services in the Prue, West and East zones.

All contract and business points for all four contractors (Associated, Allied, Assured and Texas Towing) will be identical except for the term of the agreements and the need to have language requiring a Central zone lot.

ISSUE:

The City's current towing contract terminates on November 30, 2008 and upon such termination the City will lack a towing services provider.

ALTERNATIVES:

Alternatives include designating a tow service provider for a period of time that would allow another Request for Proposal process to be conducted.

FISCAL IMPACT:

The City will be paid \$6.00 for every non-consent tow or approximately \$210,960.00 annually in revenue. In addition, the City will receive free towing services for all City vehicles (light, medium and heavy) and free tire changes and battery jumps. In obtaining these services free, the City will avoid approximately \$221,460.00 per year.

RECOMMENDATION:

City staff recommends City Council accept the towing services proposals of Allied Towing, Associated Towing and Assured Towing, Inc. and authorize negotiations and execution of Towing Services contracts with said companies and Texas Towing.

ATTACHMENT(S):

File Description
[Scoring Matrix](#)

File Name
Scoring Matrix.pdf

[Voting Results](#)

[Ordinance/Supplemental Documents](#)

200810090896.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

William McManus Police Chief SAPD

APPROVED FOR COUNCIL CONSIDERATION:

Erik Walsh Assistant City Manager