

REGULAR MEETING

June 29, 2023

FRESNO CITY COUNCIL



Supplemental Packet

ITEM(S)

1-BB File ID 23-1055 regarding approve an increase to the current Fortney Towing Evidence Tow Service Contract, Bid File No. 9515, in an amount not to exceed \$501,600 to cover the expenses incurred and projected through FY 2024 and to execute the first one-year extension through September 30, 2024.

Supplement Content: First Amendment Fortney Towing, Inc. Service Contract

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

**FIRST AMENDED
SERVICE CONTRACT**

THIS AMENDED CONTRACT is made and entered into by and between the CITY OF FRESNO, a California municipal corporation (hereinafter referred to as "City"), and Fortney Towing, Inc. (hereinafter referred to as "Contractor").

RECITALS

WHEREAS, City and Contractor entered into an service agreement (Agreement) on September 9, 2020 for the exclusive towing and storage of evidence vehicles for the Fresno Police Department; and

WHEREAS, City and Contractor now desire to extend the term of the Agreement one year, through September 30, 2024; and

WHEREAS, City and Contractor agree to increase the monetary consideration of the Agreement by an amount not to exceed \$501,600.00, for a total Agreement amount not to exceed \$906,639.99.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing, it is mutually agreed that this First Amendment shall revise the Agreement as follows:

1. The Term of the Agreement shall be extended through September 30, 2024, with an option to extend the Agreement for one one-year extension at the City's exclusive discretion, subject to any earlier termination in accordance with the Agreement.
2. Sole compensation for the First Amendment is an amount not to exceed FIVE HUNDRED ONE THOUSAND AND SIX HUNDRED DOLLARS AND NO CENTS (\$501,600.00), for a total Agreement amount not to exceed NINE HUNDRED SIX THOUSAND SIX HUNDRED THIRTY-NINE DOLLARS AND NINETY-NINE CENTS (\$906,639.99). The Contractor agrees to accept electronic payment from the City.
3. Except as otherwise provided herein, the Agreement entered into by the City and the Contractor dated September 9, 2020, remains in full force and effect.

This section shall survive termination or expiration of this Contract.

[SIGNATURES FOLLOW ON THE NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this First Amended Contract on the day and year here below written, of which the date of execution by the City shall be subsequent to that of the Contractor's, and this First Amended Contract shall be binding and effective upon execution by both parties.

CITY OF FRESNO
a California municipal corporation

FORTNEY TOWING, INC., a California
corporation

By: _____ Date
Paco Balderrama
Police Chief

By: Debra J. Fortney
Debra J. Fortney
Owner

APPROVED AS TO FORM
ANDREW JANZ
City Attorney

By: Brandon M. Collet 6/27/23
Brandon M. Collet
Supervising Deputy

By: Debra J. Fortney
Name: Debra J. Fortney
Title: President
(if corporation or LLC, Board Chair, Pres.
or Vice Pres.)

ATTEST:
TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

Addresses:
CITY:
City of Fresno
Attention: Paco Balderrama
Police Chief
P.O. Box 1271
2323 Mariposa Mall
Fresno, CA 93715-1271
FAX: (559) 292-9535

CONTRACTOR:
Fortney Towing, Inc.:
Attention: Debra J. Fortney
Owner
2501 N. Business Park Avenue
Fresno, CA 93727
Phone: (559) 292-1114