



## Legislation Details (With Text)

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**Title:** \*\*\*Award an Exclusive Franchise Towing and Storage Service Agreement for towing and storage of evidence vehicles by the Fresno Police Department in the amount of \$405,039.99 for three years including an option for two one-year extensions, at \$135,013.33 per year to Fortney Towing, Bid File No. 9515. (Subject to Mayor's veto)  
**Sponsors:** Police Department  
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**Attachments:** 1. 9515 RC Tow and Storage Evidence Vehicles RFP.pdf, 2. Towing and Storage Services of Evidence Vehicles service contract - CAO and vendor.pdf

Date	Ver.	Action By	Action	Result
8/20/2020	1	City Council	approved	

## REPORT TO THE CITY COUNCIL

**August 20, 2020**

**FROM:** ANDREW J. HALL, Chief of Police  
Police Department

**BY:** LARRY BOWLAN, Police Lieutenant  
Street Violence Bureau

### SUBJECT

\*\*\*Award an Exclusive Franchise Towing and Storage Service Agreement for towing and storage of evidence vehicles by the Fresno Police Department in the amount of \$405,039.99 for three years including an option for two one-year extensions, at \$135,013.33 per year to Fortney Towing, Bid File No. 9515. (Subject to Mayor's veto)

### RECOMMENDATION

Staff recommends that City Council award an Exclusive Franchise Towing and Storage Service Agreement for the towing and storage of evidence vehicles impounded by the Fresno Police Department in the amount of \$405,039.99 for three years, including an option for two one-year extensions, at \$135,013.33 per year to Fortney Towing of Fresno, CA and authorize the Chief of Police to execute all agreements, modifications and extensions on behalf of the City.

## EXECUTIVE SUMMARY

The Exclusive Franchise Towing and Storage of Evidence Vehicles Agreement (the “Agreement”) with Fortney Towing will replace the existing Agreement, with them, which expires on September 30, 2020. The Agreement contains subtle changes, including a modification from co-contracted towing companies, to one exclusive tow company. This Agreement will also allow for two, one-year extensions, if both the City and Fortney Towing consent to the extensions. The additional one-year extensions would allow for a 5-year term of the Agreement.

## BACKGROUND

The Agreement closely mirrors our previous Towing and Storage of Evidence Vehicles Agreement that has been in effect for the last seven years. One significant change to this agreement compared to the last contract is this contract is exclusive to one towing company. The previous contract was a co-contract between two towing companies with Fortney Towing being one of those two companies. The Agreement will continue to allow Fortney Towing to release impounded vehicles directly from their tow yards seven days a week. Fortney Towing operators will continue to collect the City’s administrative fees from the registered owners, or pay the administrative fees for those vehicles not picked up by their owners in the specified time frame.

The Agreement also continues to mandate that Fortney Towing utilize the Dispatch and Towing Software (“DTS”). DTS allows the Police Department to manage, control, and audit our contracted tow companies. This software provides an internet portal to assist citizens with locating their impounded vehicles and allows them to view an invoice associated with the impounded vehicle. DTS has been extremely beneficial in providing oversight of our tow operators and tracking vehicles that have been impounded for evidence by the Police Department.

A Notice Inviting Proposals and proposed contract was published in the Business Journal on January 13, 2020, and posted on the City of Fresno website utilizing PlanetBids, Inc. RFP specifications were distributed to three (3) prospective proposers. Three (3) sealed proposal bids were received by the Purchasing Division. The public proposal opening date was February 11, 2020. Although Fortney Towing Inc.’s bid was higher than the other prospective proposers, they have been found to be the best value because the experience and exceptional service provided to the department in the handling of evidence tows over the last seven years justifies the selection. Additionally, there is a cost savings related to not having to relocate approximately 200 vehicles currently being stored as evidence by Fortney Towing Inc. to another proposer’s location. Having all evidence vehicles stored at one location allows the police department to be more efficient as detectives are able to report to one location for processing of all evidence tows. Fortney Towing has a proven and reliable track record with our department, related to the towing and storage of impounded evidence vehicles for the Fresno Police Department.

Also, the second proposer was excluded due to a major violation committed by them in May 2017, which dealt with evidence vehicles stored for the Fresno Police Department. The third proposer was excluded due to the proposed cost for towing fees being extremely higher, on a monthly average, than the other two proposers. Also, the third proposer did not provide adequate clarification in the proposers bid regarding the handling and storage of evidence vehicles. Proposals for this proposed agreement would normally expire within 120 days of the proposal opening, but has been agreed upon by all three proposers to expire on August 31, 2020 but an extension has been requested.

The Agreement, insurance requirements and indemnification provisions have been reviewed and approved as to form by the City Attorney's Office and by the Risk Management Division.

## **ENVIRONMENTAL FINDINGS**

This is not a "project" for the purposes of CEQA, pursuant to CEQA Guidelines Section 15378.

## **LOCAL PREFERENCE**

Local preference was not implemented; all bidders are a local business.

## **FISCAL IMPACT**

The annual cost of this contract will be \$135,013.33 (based on 150 vehicles each month on average with inside storage and 24 vehicles towed each month on average). Also, this contract will cover any additional cost related to the storage or towing of evidence vehicles that exceeds the average monthly vehicle mark listed. This funding is budgeted in the Police Department's FY 21 General Fund budget.

Attachments:

RFP 9515 (Notice Inviting Proposals): Requirements Contract for Towing and Storage Services of Evidence Vehicles  
Service Contract