

**AGENDA**



**Recommendation for Council Action (Purchasing)**

Austin City Council	Item ID:	12297	Agenda Number	27.
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Meeting Date:	February 9, 2012
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Department:	Purchasing
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**Subject**

Authorize award, negotiation, and execution of a 36-month revenue contract with AUS-TEX TOWING & RECOVERY, LLC, or one of the other qualified offerors to RFP No. EAG0103 for impound and wrecker services for the Municipal Court for an estimated net revenue of \$30,000, with three 12-month extension options with estimated revenue of \$10,000 per extension option, for a total estimated contract revenue of \$60,000.

**Amount and Source of Funding**

The total revenue for Fiscal Year 2011-2012 is estimated to be \$6,666 and will be included in the General Fund.

**Fiscal Note**

There is no unanticipated fiscal impact. A fiscal note is not required.

Purchasing Language:	Best evaluated proposal of two proposals received.
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Prior Council Action:	
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For More Information:	Erin Grace, Buyer I, 972-4017
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Boards and Commission Action:	
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MBE / WBE:	This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
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Related Items:	
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**Additional Backup Information**

This contract with Aus-Tex Towing & Recovery, LLC, Pflugerville, TX, will provide the Municipal Court with impound and wrecker services 24-hours per day, 365 days per year. Chapter 12-5 of the Code of the City of Austin authorizes a Hearing Officer of the Municipal Court to order immobilization and/or impoundment of a vehicle for unresolved parking citations. The ordinance requires the Municipal Court to notify the registered owner of the vehicle (as determined by records of the Texas Department of Motor Vehicles) at least 20 business days prior to ordering the car immobilized and/or impounded.

If a vehicle subject to such an order is found anywhere in the City, (except if located on private property with permission of the owner) a police officer, parking enforcement officer, or another person designated by the Clerk of the Court, is contacted to serve the Order. Once the order and vehicle are identified as correct, the officer then calls the towing and impound contractor, and waits for the vehicle to be removed to the impound lot. The officer completes a tow report noting that the vehicle is being held on behalf of the City, pending resolution of outstanding parking citations. The vehicle owner must then appear before the Municipal Court to resolve the parking citations and obtain a release of the vehicle from the contractor (a release may also be granted if a customer is determined to be indigent by a Hearing Officer). The release form is then presented to the contractor who, after payment of accumulated storage and towing fees, must release the vehicle to the owner.

If the owner does not appear to claim the vehicle, the contractor may begin proceedings under Chapter 70 of the Texas Property Code to dispose of the vehicle at auction.

In order to determine the best value to the City, evaluation criteria included the demonstrated capability to perform services, the system concept and solutions proposed, the financial viability/stability, and the cost of towing, storage, and auction fees.

This request allows for the development of an agreement with a qualified offeror that Council selects. If the City is unsuccessful in negotiating a satisfactory agreement with the selected offeror, negotiations will cease with that provider. Staff will return to Council so that Council may select another qualified offeror and authorize contract negotiations with that provider.