RESOLUTION NO.

3 A RESOLUTION TO REJECT ANY AND ALL BIDS FOR A TOWING 4 CONTRACT; TO CONTINUE THE CURRENT CONTRACT TO DECEMBER 31, 2016, UNDER THE SAME TERMS FOR ALL 5 COMPANIES THAT WISH TO DO SO AND ARE ON THE CURRENT 6 CONTRACT; TO ALLOW OTHER COMPANIES THAT QUALIFY TO 7 ENTER INTO THE ROTATION UNDER THE CURRENT CONTRACT; 8 9 TO DIRECT THE CREATION OF A NEW TOWING CONTRACT THAT 10 WILL ALLOW ENTRY BY ANY QUALIFIED COMPANY UPON PROOF OF QUALIFICATIONS; AND FOR OTHER PURPOSES. 11

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WHEREAS, the City has a need for towing and recovery companies to be available for non-consent
 tows of vehicles from the streets and rights-of-way of the City; and,

WHEREAS, there have been various efforts to obtain this assistance by a competitive bid grant to one
(1) company, or a competitive bid grant to any qualified company, and yet there have continuously been
questions and challenges on matters that continuously take up inordinate amounts of staff time; and,

WHEREAS, the City will create a contract for any qualified company that wishes to participate in the rotation for non-consent tows that will, among other things, permit the City to take disciplinary action on its own if necessary and not have to wait for final action by State Regulatory Authorities, and will also permit the City to permit any qualified company to be added to the rotation upon proof of such qualification and agreement to the terms of the City's contract; and,

WHEREAS, there is currently a bid outstanding for which the City reserves the right to reject and all
bids;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
 OF LITTLE ROCK, ARKANSAS:

Section 1. Bid No. 16136 for towing and recovery services for non-consent City tows, and all
 responses to such a bid, are hereby rejected.

Section 2. All companies currently included on the towing and recovery contract that is in effect until September 30, 2016, will be permitted to stay on the City rotation for towing and recovery pursuant to the terms of this contract until a new contract is put into place which will occur no later than December 31, 2016.

33 Section 3. Any company not currently included on the towing and recovery contract that is in effect 34 until September 30, 2016, and wishes to participate in such a contract, may be added to the towing rotation

1	on or after October 1, 2016, if the company agrees to the terms of the current contract, and proves to the	
2	satisfaction of the City Manager the capability to perform the services required in the contract.	
3	Section 4. The City Manager is directed to have in place, prior to December 31, 2016, a new contract	
4	and list of qualifications for any qualified company to participate in the towing and recovery rotation of the	
5	City.	
6	Section 5. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or	
7	word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adju-	
8	dication shall not affect the remaining portions of the resolution which shall remain in full force and effect	
9	as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the reso-	
10	lution.	
11	Section 6. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with	
12	the provisions of this resolution, are hereby repealed to the extent of such inconsistency.	
13	ADOPTED: September 6, 2016	
14	ATTEST:	APPROVED:
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17 18	Susan Langley, City Clerk APPROVED AS TO LEGAL FORM:	Mark Stodola, Mayor
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21	Thomas M. Carpenter, City Attorney	
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