ORDINANCE NO. 2017 - 05

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AWARDING RFP #2015-2016-023 FRANCHISE TOWING SERVICES TO AAAA CROSSTOWN TOWING AND RECOVERY, INC. ("AAAA"), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City requested proposals to provide towing services on August 3, 2016, through RFP FY 2015-2016-23 and received proposals from two (2) vendors; and

WHEREAS, AAAA Crosstown Towing and Recovery, Inc. (AAAA) was the only local proposer and was ranked highest by the Evaluation Committee; and

WHEREAS, the proposed franchise agreement for towing services would commence an initial term on April 18, 2017 through April 17, 2020, and was initially proposed to provide up to two hundred thirty eight thousand six hundred seven ($238,600.00) dollars over the course of five (5) years; and

WHEREAS, during first reading Vice Mayor Keith London requested further negotiation and AAAA has agreed to increase the fee to a total of two hundred and sixty thousand ($260,000.00) dollars; and

WHEREAS, City Code Section 28-172 requires award of the tow services on a franchise basis and the City Charter Section 5.01(4)(d) requires a grant, renewal, or extension of a franchise agreement to be made through adoption of an ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. The Mayor and the City Commission authorize the City Manager, per Section 5.01 (4) (d) of the City Charter, to award the contract for towing franchise to AAAA Crosstown Towing and recovery for an initial term commencing April 18, 2017 through April 17,

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SECTION 2. The Mayor and the City Commission authorizes the City Manager to execute the agreement, and to renew the agreement for two (2) yearly renewals terms, contingent upon satisfactory services and available funding. Total contract term including renewals, is five (5) years.

SECTION 3. The terms, conditions, and specifications of the contract apply and shall be in compliance with Section 28.172 and 28-173 of the Code of Ordinances, as amended.

SECTION 4. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5. In the event that any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

SECTION 6. This Ordinance shall become effective immediately upon passage by the City Commission on second reading.

PASSED AND ADOPTED on 1st reading on March 15, 2017.

PASSED AND ADOPTED on 2nd reading on April 20, 2017.

EFFECTIVE DATE April 20, 2017.

Keith Hamilton for

JOY F. COOPER
MAYOR

ATTEST:

M. Bataille

MARIO BATAILLE, CMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY AND FORM

JENNIFER MERINO
CITY ATTORNEY

VOTE AYE/NAY	
Mayor Cooper	✓/___
Vice Mayor London	✓/___
Comm. Lazarow	✓/___
Comm. Sanders	✓/___
Comm. Taub	✓/___