

**SECOND AMENDMENT TO SERVICE AGREEMENT
FOR ROTATIONAL TOW PROVIDER**

THIS SECOND AMENDMENT to the above-referenced agreement is entered into on August 6, 2024, by and between B&D Towing, Inc., ("Contractor"), and the City of Santa Ana, a charter city and municipal corporation organized and existing under the Constitution and laws of the State of California ("City").

RECITALS

- A. On April 29, 2021, the City issued Request for Proposal No. 21-060 ("RFP") seeking qualified tow companies to provide Police Rotational Towing and Storage Services for the Santa Ana Police Department. B&D Towing, Inc. was among the companies selected. The intent of RFP 21-060 was to have an initial term of three (3) years with the option to extend for two (2) additional one (1) year periods, as indicated in Section II.C.-Implementation of the RFP. The Agreement listed the term of three (3) years, without including the option to extend. The Agreement currently expires on August 31, 2024. The parties wish to amend the Agreement to allow for the option to extend the term for two (2) additional one (1) year periods.
- B. On August 17, 2021, the parties entered into Agreement No. A-2021-159 ("Agreement"), by which Contractor agreed to provide towing and storage services.
- C. On May 1, 2023, the Agreement was amended to allow for a two percent (2%) increase of the towing rates. Based on the required statistical information presented to the City, the parties now wish to amend the Agreement again to allow for an additional increase of approximately two percent (2%) of the towing rates, pursuant to Section 2.e. of the Agreement.
- D. Under Section 2.e.--Adjustments to the Towing and Storage Fee Schedule, the Agreement allows the City to adjust the towing and storage rates in an amount not to exceed two percent (2%) annually based on the most recent statistics: Consumer Price Index ("CPI") and Producer Price Index for Petroleum ("PPI"). Fee adjustments will only be made if justified and may only occur at the sole discretion of the Chief of Police based on recommendations from the Traffic Commander.

The Parties therefore agree:

- 1. **Section 2, Compensation**, is amended to include **Exhibits B-3 and B-4** reflecting the rate changes and the CPI data required under section 2.e. **Exhibits B-3 and B-4** will replace Exhibits B-1 and Exhibit B-2 of the Agreement and act as the current Fee Schedule until such time as a further amendment may be necessary and/or warranted.
- 2. **Section 3, Term**, is amended to allow two (2) one (1) year extensions. By way of this Second Amendment, the parties are now exercising the first extension of one (1) additional year from September 1, 2024, through August 31, 2025.
- 3. Except as modified by this Second Amendment, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Agreement on the date and year first written above.

ATTEST

CITY OF SANTA ANA

JENNIFER L. HALL
City Clerk


ALVARO NUÑEZ
Acting City Manager

APPROVED AS TO FORM
SONIA R. CARVALHO
City Attorney

B&D TOWING, INC.

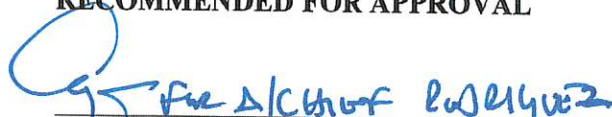
By: 

TAMARA BOGOSIAN
Senior Assistant City Attorney

By: 

Title: Efraim Sanchez Jr.
President

RECOMMENDED FOR APPROVAL



ROBERT RODRIGUEZ
Acting Chief of Police

EXHIBIT B-3

AUTHORIZED TOWING AND STORAGE FEE SCHEDULE*

Service	Fee	Adjusted Fee (2% rounded)
Stored Vehicle Release Fee (PD)	\$95.00	N/A
Class A	\$230.00	\$235.00
Class B or Flatbed	\$281.00	\$287.00
Class C	\$413.00	\$421.00
Class D	\$459.00	\$468.00
Dolly, Go-Jacks or Linkage Fee	\$61.00	\$62.00
Rollover or Winching Fee	\$133.00	\$136.00
Clean-up Fee (fee to City capped at \$35.00 per occurrence)	\$61.00	\$62.00
Hazmat Fee (per five (5) gallon bucket)	\$117.00	\$119.00
Vehicle Storage Fees (Daily)		
Class A – Outside	\$71.00	\$72.00
Class A – Inside	\$77.00	\$79.00
Class B – Outside	\$82.00	\$84.00
Class B – Inside	\$87.00	\$89.00
Class C or Class D – Outside	\$86.00	\$88.00
Class C or Class D – Inside	\$93.00	\$95.00
After Hours Release	50% of the authorized towing charge	50% of the authorized towing charge
Minimum Service Call or Drop Fee	50% of the authorized towing charge	50% of the authorized towing charge
Lien Sale	As authorized by the California Civil and Vehicle Codes	As authorized by the California Civil and Vehicle Codes
Mileage (per mile outside the corporate city limits)	\$9.00	\$9.00


* Fees indicated herein will become the City's maximum authorized rates effective at the time of contract implementation; minimum 1 hour.



EXHIBIT B-4

Databases, Tables & Calculators by Subject

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☐ include graphs ☐ include annual averages

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Data extracted on: May 31, 2024 (2:20:58 PM)

Consumer Price Index for All Urban Consumers (CPI-U)

Series Id: CUURS49ASA0, CUUSS49ASA0
Not Seasonally Adjusted
Series Title: All items in Los Angeles-Long Beach-Anaheim, CA, all urban consumers, not seasonally adjusted
Area: Los Angeles-Long Beach-Anaheim, CA
Item: All items
Base Period: 1982-84=100

Download:  [.xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2023	318.591	317.571	317.873	320.089	320.514	322.055	321.931	324.050	324.984	324.545	323.341	323.456	321.583	319.449	323.718
2024	326.640	328.232	330.671	332.572											


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Data extracted on: May 31, 2024 (2:25:28 PM)

PPI Commodity Data

Series Id: WPU0571

Not Seasonally Adjusted

Series Title: PPI Commodity data for Fuels and related products and power-Gasoline, not seasonally adjusted

Group: Fuels and related products and power

Item: Gasoline

Base Date: 198200

Download:  [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2023	245.497	258.370	260.843	280.259	259.907	262.902	267.934	297.395	296.655	253.441	228.402	208.189
2024	215.204(P)	240.706(P)	257.311(P)	274.957(P)								

P : Preliminary. All indexes are subject to monthly revisions up to four months after original publication.


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Data extracted on: May 31, 2024 (2:26:38 PM)

PPI Commodity Data

Series Id: WPU057303
Not Seasonally Adjusted
Series Title: PPI Commodity data for Fuels and related products and power-No. 2 diesel fuel, not seasonally adjusted
Group: Fuels and related products and power
Item: No. 2 diesel fuel
Base Date: 198200

Download:  [xls](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2023	449.169	435.578	406.306	387.167	363.260	342.988	322.199	428.045	446.947	407.772	393.711	342.052
2024	327.029(P)	383.570(P)	384.276(P)	396.561(P)								

P : Preliminary. All indexes are subject to monthly revisions up to four months after original publication.

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