

**RESOLUTION NO: 21-2023**

**A RESOLUTION OF THE CITY OF CLINTON, MISSOURI, REGARDING QUALIFICATION OF VENDORS PROVIDING TOWING SERVICES IN THE CITY OF CLINTON, MISSOURI.**

**WHEREAS**, on August 15, 2023, Clinton City Council approved Resolution No. 11-2023 establishing policies and procedures related to qualification of vendors providing towing services as requested by the Clinton Police Department; and

**WHEREAS**, Clinton City Council desires to amend said policies and procedures;

**NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF CLINTON, MISSOURI AS FOLLOWS:**

1. All vendors providing towing services as requested by the Clinton Police Department will be selected on a rotating basis from a list of qualifying vendors.
2. In order to qualify and be placed on the list, the vendor must submit a statement of qualifications demonstrating compliance with at least the requirements listed below. The Chief of Police, or designee, will approve all vendors before they are placed on the list.
  - a. Towing companies must have a City of Clinton Business License unless exempted by 301.344 RSMo. Failure to maintain a current business license shall be cause for removal from the qualified list, until a business license is obtained.
  - b. Towing companies must maintain \$500,000 liability insurance for damage, fire and theft for vehicles that are towed/stored as a result of calls from the Clinton Police Department. A copy of this policy shall be provided to the police department. If a company fails to maintain insurance, they shall be removed from the list. It is the responsibility of the vendor to ensure a current proof of insurance is on file.
  - c. Towing companies must have adequate equipment to perform the services requested. The equipment must be maintained in safe working condition. The vendor shall comply with applicable statues regarding vehicle equipment, registration, and motor vehicle operations. All operators performing service for the vendor must be qualified to operate the equipment in a safe manner and must be capable of completing an assignment without unnecessary delays or property damage.
  - d. Towing companies must have a fenced, locked storage lot and/or inside storage facility that is within 10 miles travel distance of the city limits of Clinton. Towed vehicles must be stored on/in these facilities.
  - e. Towing companies must provide 24-hour, 7 days a week response service to the scene and access to towed/stored vehicles. Tow companies may charge an after-hour access fee.
  - f. Towing companies must arrive within 30 minutes of being contacted, at all times. If the vendor does not have equipment available at the time of the call or will be unable to arrive at the scene with 30 minutes, the vendor shall inform the dispatcher. The dispatcher will notify the next vendor on the qualified list.
  - g. If a towing company accepts a call for service and is subsequently unable to perform the service, dispatch shall be notified immediately. Under no circumstances shall a vendor accept a call for service and then contact another vendor to perform the service.
  - h. Tow operators shall not respond to a police call for service unless requested by Henry County Central Dispatch.

- i. Towing companies must allow pick up of vehicles during normal business hours, defined as 8 AM to 5 PM, Monday through Friday. Pick-up outside of these hours will be available but may be subject to an after-hour fee.
  - j. All qualified vendors shall remain up to date on any fees payable to the City of Clinton.
  - k. Vendors shall not have any financial ties or ownership partnerships, lease agreements, etc. with any other tow service, on or off the rotation list, for the purpose of providing services related to the call-out towing rotation list. Vendors may have only one placement on the rotation list. Qualified tow companies must directly perform the services and not assign calls for service to another provider.
3. Towing companies responding to calls from the Clinton Police Department call-out list shall not charge in excess of the following established rates nor assess any other charges, unless other arrangements are made with the vehicle owner/operator at the scene:
- a. Towing vehicles to the company's storage facility:
    - i. 1/2-ton and smaller .....\$200.00
    - ii. 3/4-ton to 1-ton .....\$225.00
    - iii. 1-ton and larger .....\$250.00
  - b. Outside storage fee: .....\$55.00 per each 24-hour period
  - c. Inside storage fee .....\$60.00 per each 24-hour period
  - d. Winching fee:
    - i. First 30 minutes .....\$75.00
    - ii. Each additional 30-min. period:.....\$50.00
  - e. After-hour access fee.....\$65.00
4. Towing companies shall not solicit business at the scene of an accident.
5. Any vendor failing to meet the qualifications may be removed from the qualified list at any time. Vendors violating the qualifications or the resolution guidelines will be notified in writing, outlining the violation. The vendor will be given an opportunity to respond to the violation. The Chief of Police, or designee, will consider the violation, response from the vendor and past violations before removing the vendor from the qualified list.
6. Any new vendor or disqualified vendor may be qualified by demonstrating compliance with all qualifications required.
7. Nothing in this resolution shall create, in any vendor, any property right or right to continued qualification. The status shall be at the sole discretion of the City of Clinton. Any violation of the qualifications or other failure to conduct business in a fair and reasonable manner will justify disqualification.
8. The Chief of Police, or designee, will create a qualified vendor list for tow rotation based on the request for participation / qualification form. Each vendor added thereafter shall be placed at the end of the current rotation. The rotation schedule (daily, weekly, etc.) will be determined by the Chief of Police, or designee, based on the number of qualified tow companies.

Approved this 21<sup>st</sup> day of November, 2023.

*Carla Moberly*  
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Carla Moberly, Mayor

ATTEST

*Wendee Seaton*  
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Wendee Seaton, City Clerk

