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## City Council Regular Meeting

**DEPARTMENT:** City Manager's Office

**FROM:** Justin Scharnhorst, Assistant to the City Manager

**MEETING:** November 13, 2023

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**SUBJECT:**

Consider approval of an amendment to CSO#3074-09-2022 wrecker contracts with B&W Wrecker serving as an approved operator in the city of Burleson's rotation pursuant to ordinance B-678. (*Staff Contact: Justin Scharnhorst, Assistant to the City Manager*)

**SUMMARY:**

On June 1, 2002, the Burleson City Council adopted Ordinance B-67B, which authorized the city to contract with one or more wrecker service companies for certain tows. This service is primarily used for tows initiated by the Fire and Police Department when responding to wrecks, non-serviceable vehicles, and stranded vehicles under the department's standard operating procedures. Vehicles that are towed as a result of this contract are paid by the owner or possessor of the vehicle, not at the city's expense. This contract establishes a rotation in which dispatch will initiate a call to a tow company on a rotation basis, as needed. The State of Texas Department of Licensing and Regulation (TDLR) stipulates requirements and fees that companies can charge for certain tows. All licensing, inspection, and fees imposed by the approved companies on the rotation must comply with all applicable standards set forth by TDLR.

City staff issued an RFP on July 8 and closed responses on July 27, 2022. Fire, Police, and Public Works evaluated the responses and recommended a two-company rotation with B&W Wrecker and Beard's towing. Both businesses have locations in Burleson, a requirement of the RFP. Currently, the city uses both operators on a rotation. The purpose of this process was to update the existing process and put a five-year agreement in place with an approved rotation. During the term of this agreement, the approved rotation is fixed, meaning if another business were to open in Burleson and meet the minimum requirements, they would not be able to participate unless this contract is rebid.

Through the first year of the newly implemented contract staff discovered the need to make additions to the contract that put further restrictions on how and when a hauler can pass on a call. Currently, there are not repercussions for an approved hauler to not pick up a call for service. The chief purpose of this exercise is to add leverage to the contract, further providing clarity on the city's expectations in terms of approved haulers picking up calls.

**OPTIONS:**

- 1) Example: Approve the amendment as presented
- 2) Example: Approve with changes
- 3) Example: Deny

**RECOMMENDATION:**

Approve the contract amendment.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

June 1, 2002 adopting ordinance B-67B  
September 19, 2022

**FISCAL IMPACT:**

N/A

**STAFF CONTACT:**

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