

Dockless Electric Scooter Request for Proposals - Questions and Responses  
March 19, 2019

Please attach this document to your proposal as an acknowledgement of receipt of these responses. RFP responses are due to the City of Raleigh Department of Transportation, 222 E. Hargett Street, Suite 400, Raleigh, NC, no later than 5:00 PM on March 26, 2019.

## Master Encroachment Agreement Questions

### MEA Fees

1. Would the City of Raleigh consider moving off of the \$300 per scooter license fee, amongst the highest anywhere in the nation, and institute a per-ride fee of \$.05 cents per ride which would be reflective of actual usage of the city's right-of-way while still generating significant revenue for the city?

**Response:** *The applicable license fee is determined by City Council; therefore, the \$300 per scooter license fee shall be considered the fee for the purposes of this RFP. Companies may submit proposals, including but not limited to alternative fee structures, for the City's consideration. Any consideration of a proposal shall not imply acceptance, and changes shall require City Council approval.*

2. Two existing providers in Raleigh have already paid \$300 per scooter to sign existing Master Encroachment Agreements (MEAs) that are slated to expire in Summer 2019. Will the City of Raleigh offer existing providers a credit against fees they have already paid, in the event that the procurement results in signing superceding MEAs before their natural expiration in Summer 2019.

**Response:** *Current payments are not a consideration in this solicitation. If the existing providers are successful proposers under this RFP, City staff will include a request for this relief to City Council for approval as part of a new Master Encroachment Agreement.*

### Fleet Size

3. Would the city consider including a utilization model to allow providers to increase their fleets upon a showing that scooters are being ridden at 2x rides per scooter per day in order for providers to be able to meet demand and eliminate more car rides in Raleigh?

**Response:** *Companies may submit proposals for dynamic fleet sizing, fleet expansions, and criteria for future growth for the City's consideration. Any consideration of a proposal shall not imply acceptance and changes shall require City Council approval.*

4. MEA Section 8.1a states: "Licensee shall deploy, maintain, and operate a minimum of fifty (50) Fleet Vehicles within the Raleigh city limits at any time, throughout the term of this Agreement." Will the City allow operators to not deploy vehicles when there is extreme weather?

**Response:** Yes.

### Equity

5. Given that the equity requirements are significant and the scooter cap is low, would the city either soften the 20% equity requirements or eliminate them altogether?

6. The Company also respectfully asks that City of Raleigh consider the following proposed changes the MEA. Section 8.1k(iii) states: At least twenty-percent (20%) of the Fleet Vehicle inventory shall be available and maintained within groups or census tracts designated as “Communities of Concern”, as designated by the City of Raleigh Department of Transportation.”

**Response to Questions 5 & 6:** *The 20% equity requirement shall be considered the baseline requirement for locating dockless scooters in low income communities for the purposes of this RFP. Companies may propose an equity plan for the City’s consideration. Any consideration of a proposal shall not imply acceptance and changes shall require City Council approval.*

### **Removal of the Vehicles from the Right of Way Each Night**

7. Would the city eliminate the requirement that all scooters be removed from the right of way by 10:00pm each night to better reflect industry standard business practices?
8. The Company also respectfully asks that City of Raleigh consider the following proposed changes the MEA. MEA Section 8.2h states: “Licensee shall remove all Fleet Vehicles from the City of Raleigh Right-of- Way no later than 10:00 PM EST for overnight charging and/or storage.”
9. Must all scooters be removed by 10 PM for overnight charging/storage, may be repositioned no earlier than 5 AM? OR Can operators disable scooters and leave them out overnight if sufficiently charged?

**Response to Questions 7, 8, & 9:** *As included in the Master Encroachment Agreement, scooters are to be removed from the Right-of-Way each night. This is a minimum requirement. Companies may propose alternative solutions to this requirement for the City’s consideration. Consideration of a proposal shall not imply acceptance.*

### **Other Questions**

10. MEA Section 8.2h states: “If a Fleet Vehicle is not removed timely by the Licensee, the City may remove the Fleet Vehicle and take it to a designated facility for storage at the Licensee’s expense.” Is the City able to clarify the estimated cost of removal and storage for each scooter?

**Response:** *No, we cannot clarify this cost at this time.*

11. Licensee is responsible for all damage costs related to operations - Can City elaborate on what this could mean?

**Response:** *Companies are responsible for all damages that may arise, that are in any way related to the company’s Dockless Electric Scooter operations within the City of Raleigh and its extraterritorial jurisdiction.*

12. Equity - Need to host 24/7 multilingual website and application with languages determined by the City - What will the language requirements be?

**Response:** *At this time, English and Spanish are to be included in the website. The City reserves the ability to add additional languages in the future.*

13. Physical Location - Must maintain staffed operations in Raleigh, responsible for maintenance and customer support - Will the City enforce this for all operators?

**Response:** Yes.

14. Reporting - User "demographic" reports (gender, age, trip duration/location) to be submitted to a third-party researcher. These are not collected by most operators, will the City consider removing this requirement?

**Response:** No.

15. Decal - Must have "No Riding on Sidewalk" on handlebars. Would the City allow this decal to be located elsewhere? There is no room on handlebars.

**Response:** *The label is required to be located on the handlebars. Companies may propose an alternate locate that they believe will be equally effective for the City's consideration. Consideration shall not imply acceptance.*

## Request for Proposals Questions

### Financial Statements

16. Why is an operator's entire P&L and independently verified financial statement relevant to the RFP selection process? Would the city consider eliminating this requirement and instead doing as other cities have done and require references or relevant experience elsewhere as a better guide to a company's wherewithal to deliver a successful dockless service to Raleigh?

**Response to Question 16:** *The City does require references and documentation of relevant experience as a requirement in addition to the submission of an independently verified financial statement (See, 2.1.2). The detailed financial statement enables the City to verify that a Company is viable, able to perform under the Agreement, and can meet the requirements of serving the Raleigh community.*

17. Concerning RFP 2.1.3(a), Is the City open to receiving other forms of financial statements that can be used as proof to show a Company's viability?

18. Financial Statement - What is the purpose of requesting such a detailed financial statement? Instead of providing recent compiled financial statements prepared by an independent CPA, would the City accept the company's recent S-1 Filing?

**Response to Questions 17, & 18:** *The City may consider other forms of financial statements, similar to S-1 filings, that provide the degree of evidence of financial stability. The City will not waive requirements for tax returns.*

### Litigation and Legal Matters

19. Concerning 2.1.3(b), Can you please provide clarification of the scope of this question? The item as written, currently reads to include litigation actions that do not involve cities as a party. This item seems to include litigation filed by third parties that are not administrators of any permit or license program. The phrase "relating in any way" seems to create a broad

umbrella and creates uncertainty as to how to answer the question. It is our intention to submit information that is material and relevant to the City's scooter operations.

20. Concerning 2.1.4(c), Please refer to our question for 2.1.3(b). Further, this item seems to include demand letters from any party and details about open litigation, in which any statement included by a vendor could potentially be held against Vendors in such litigation.

**Response to Questions 19 & 20:** *RFP 2.1.3 is not limited to litigation to public entities (cities), but includes litigation with private parties, including any class action litigation to which the Company may be a party. "[A]rising from or relating in any way to Vendor's Dockless Scooter System" includes, but is not limited to, use (including personal injury), operations, devices, software, and regulatory claims. It includes all pending, open, and concluded litigation.*

### **Other Questions**

21. The electronic version of the Proposal must be submitted as a viewable and printable Adobe Portable Document File (PDF) on a Compact Disc-Read Only Memory (CD-ROM) disc attached to the proposal. Proposals must be enclosed in a sealed envelope or package and clearly marked: DOCKLESS SCOOTER SYSTEMS RFP. Both hard copy and electronic versions must be received by the City on or before 5:00 PM EST on the RFP (Due Date). Will the City consider removing the requirement to submit a CD-ROM? This is a difficult request to meet as most computers no longer have CD-ROM drives. Would the City consider a password protected dropbox file for delivery of the RFP response instead of the requirement to mail a printed version and CD-ROM?

**Response:** *We will accept the printed version and as a viewable and printable Adobe Portable Document File (PDF) on a flash drive in lieu of a CD-ROM.*

22. Could the City confirm that the City has decided on a fleet size maximum of 500 units per operator.

**Response:** *500 units is the maximum fleet size for the purposes of this solicitation, but the number could be adjusted depending on the number of companies selected under this RFP. Companies may submit proposals for dynamic fleet sizing, fleet expansions, and criteria for future growth for the City's consideration. Any consideration of a proposal shall not imply acceptance, and changes shall require City Council approval.*

23. Which languages is the City requesting for the Multilingual website?

**Response:** *At this time, English and Spanish are to be included in the website. The City reserves the ability to add additional languages in the future.*

24. Ability to comply with requirements to provide the City with aggregate demographic data, anonymized trip data, and real time location information in a format to be determined by the City, and provision of data collection, use, and privacy policies acceptable to the City. Can the City specify what the required data sharing format will be so that we can articulate if/how we are able to comply?

**Response:** *The City requires data and API's to be provided in a format consistent with the Los Angeles Department of Transportation's Mobility Data Specifications.*

25. Provide an API consistent with LA's MDS. Does this mean we have to provide MDS? Or can we provide something similar to meet this data requirement?

**Response:** *Yes. The City requires data and API's to be provided in a format consistent with the Los Angeles Department of Transportation's Mobility Data Specifications.*

26. Ability to partner and collaborate with the City to provide infrastructure advantageous to multiple mobility options and/or other mobility incentives. Is the City interested in scooter racks and/or charging docks? Would the City permit operators to install such racks/docks in the ROW?

**Response:** *The City is interested in partnering with companies to install publicly-owned infrastructure like non-electrified scooter racks and painted parking boxes. Operators may not install private infrastructure in the right-of-way. Companies may propose innovative partnerships for infrastructure in their RFP response for the City's consideration. Consideration shall not imply acceptance.*

27. Including resumes citing experience with similar systems and the responsibilities to be assigned to each person. May we provide bios containing this information instead of full resumes?

**Response:** *No.*

28. Monthly education and awareness events. Will each vendor be required to host monthly events? Would the City consider a collaborative approach where the vendors trade off hosting monthly events? Or may information provided in the app or website be sufficient to meet this education requirement?

**Response:** *Monthly events are a recommended element of the Company's proposal. The City is receptive to innovative and effective educational and awareness campaigns; however, the City will not coordinate multiple vendors' collective efforts.*

29. Maximum response time for any incident is 12 hours. Would the City consider a 24-hour response time for responding to non-urgent incidents?

**Response:** *No.*

30. Provide a copy of any staffing plan, including hired staff and independent contractors, and hourly rate. Must operators provide salary information even if they do not use independent contractors?

**Response:** *Yes.*

31. Will you please provide clarification on the questions we need to respond to? Section 2.0 identifies five key sections for the response, but the table in Section 3.0 includes additional questions that don't seem to be part of the topics in Section 2.0.

**Response:** *Companies should respond to all components of the RFP.*

32. Could the City confirm what questions need to be answered under the “4. Project Understanding, Concept, Approach and Schedule”, as well as “5. Team Organization, Experience, and Certifications/Qualifications” – as that is not clear within the RFP?

**Response:** *In 2.0 Proposals, “4. Project Understanding, Concept, Approach, and Schedule” directly corresponds to “2.1.4. Incorporation of Recommended System Elements.” Companies should respond to all components of this section to demonstrate their understanding of the City’s guiding principles and the elements of a successful program as outlined in “3.0. Scope of Services.”*

*In 2.0 Proposals, “5. Team Organization, Experience and Certifications/Qualifications” directly corresponds to “2.1.5. Team Organization, Experience and Certifications/Qualifications.” Companies should respond to all components of this section to demonstrate the qualifications and experience of their team that are necessary to deliver a successful, compliant program in Raleigh.*