

January 16, 2020

FOR YOUR INFORMATION

To: Mayor and Members of Council
From: Patrick A. Duhaney, City Manager 
Subject: E-Scooters Request for Proposals

The purpose of this memo is to provide an update on the City's efforts to enhance and codify the use of shared-use electronic scooters (e-scooters) in the City of Cincinnati. This includes the release of the "Public-Use Micro-Mobility Electric Powered Scooter Sharing Transit System" request for proposals (RFP) for the development of a turnkey solution for the management and operation of this new transit sharing system.

E-Scooter Pilot Program

In the summer of 2018, two companies, Bird and Lime, began placing rentable e-scooters within the City's right-of-way. Collectively, the scooters formed a dockless network of vehicles for public use, providing an alternative means of transportation for short distance trips. The City of Cincinnati acknowledged that rentable e-scooters had the potential to successfully contribute to the City's existing transportation network, but only if operated within legal and regulatory requirements and in coordination with the City Administration.

In August 2018, to address the threshold issues of public safety, including integrating e-scooter operations with other uses of City streets, the Department of Transportation and Engineering (DOTE) developed Interim Guidelines for the new transit sharing system. The City then executed Interim Agreements with the two e-scooter companies doing business in the City, Bird and Lime.

The original agreements were first executed in September 2018 with an initial term of six months. Subsequent contract extensions lengthened the terms first through October 2019 and then through December 2019. Another contract extension is being prepared to extend the contract through June 2020 or until the City executes new, more permanent contracts.

The interim contracts limit on-street speeds to 15 mph, detail safe operating and parking regulations, require public outreach and education, encourage environmentally friendly practices, and establish restricted areas. Under the interim contracts each company indemnifies the City against claims or suits arising from the e-scooters and also agrees to pay damages suffered by third-party victims of misuse of its scooters including, for example, prohibited use on sidewalks, sidewalk obstruction, going through red lights, and failure to yield to pedestrians, to the extent that recovery of damages is not available to the victim from the rider. Each company agrees to procure insurance coverage, with the policies naming the

City as additional insured. The contracts also require certain fees to be paid to the City, including a \$5,000 one-time fee and \$1 per scooter per day. Safe operation rules such as not riding on sidewalks are also established in the Cincinnati Municipal Code.

Public Input Survey

On January 28, 2019 the City released a community survey to receive public input on e-scooters. The survey link was shared on social media, the City's website, and with the community councils directly affected at that time (Over-the-Rhine, Downtown and West End). The survey findings (attached) revealed both concerns for safe ridership and parking as well as a consumer demand for "last mile" transit options. Based in part on these results, the City decided to pursue a private/public partnership solution to proactively meet this demand in a manner that not only supports but benefits both individuals and the Cincinnati community.

Request for Proposal

On October 7, 2019, the City of Cincinnati released an RFP for parties to provide a "public-use micro-mobility electric powered scooter sharing system," i.e. for electronic scooters. The RFP was issued in accordance with and as required by Cincinnati Municipal Code (CMC) Chapter 321.

As indicated in the RFP, the City desires a turnkey solution for a micro-mobility transportation alternative to personal vehicles for short-range trips. Respondents were asked to submit proposals that contain all the following material requested in the "content and form of proposals" section and indicate their ability to meet the City's minimum terms and conditions as indicated in Section 3 of the RFP (attached).

On November 7, 2019, six proposals were received and distributed to a cross-functional team of City staff for review and scoring. After reviewing each of the proposals, the committee narrowed the list to three candidates. Scoring was based on an evaluation of the respondents' qualifications and experience, business model, revenue sharing model, operations plan (safe ridership and parking, economic inclusion, equity plan, etc.), and any other characteristics of the candidates or the proposals that could provide particular advantages.

Next Steps

The selection committee for this RFP submitted follow-up questions to each of the three short-listed offerors. The committee is currently evaluating those responses to determine which proposal will be most advantageous to the City. The City's Chief Procurement Officer will then review the committee's findings and submit a written recommendation to the City Manager. The City Manager will consider the selection committee's findings, the Chief Procurement Officer's recommendation and any other relevant information before approving or disapproving the selected respondent(s) for an award of a contract, pursuant to CMC Section 321-65.

The selection committee is likely to submit their recommendation to the City's Chief Procurement Officer by the end of January 2020, with a public notice of a franchise agreement scheduled for the beginning of March 2020.

Attachments