

Public Records Request #6155

The material requested in this public records request can be found [online](#). The supplied material consisted of the following:

- RFQ #269-2022-010: E-Scooter Shared-Use Mobility Program Permit
- RFQ #269-2022-010: E-Scooter Shared-Use Mobility Program Permit – Addendum 1
- RFQ #269-2022-010: E-Scooter Shared-Use Mobility Program Permit – Addendum 2

This information was provided as a response to a public records request on 9/24/21 and is current to that date. There is a possibility of more current information and/or documents related to the stated subject matter.

Further Information







For further information about this request or the Citywide Records Program, please contact:

Cheyenne Flotree
Citywide Records Program Manager
City of Charlotte/City Clerk's Office
600 East 4th Street, 7th Floor
Charlotte, NC 28202
Cheyenne.Flotree@charlottenc.gov

Amelia Knight
Public Records Specialist
City of Charlotte/City Clerk's Office
600 East 4th Street, 7th Floor
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E-Scooter Shared-Use Mobility Program Permit

The City of Charlotte is seeking qualifications for up to four (4) companies to safely and responsibly operate a Shared Mobility System (fleet of e-scooters) within the City of Charlotte in accordance with the Shared Mobility System Requirements.

Type	Request for Qualifications
Solicitation Number	269-2022-010
Department	Charlotte Department of Transportation
Category	General Services
Commodity Code(s)	92962,97550,97565,99894,92855,98161,96182
Attachments	<ul style="list-style-type: none">  269-2022-010 - E-SCOOTER SHARED-USE MOBILITY PROGRAM PERMIT - FINAL.docx  269-2022-010 - E-SCOOTER SHARED-USE MOBILITY PROGRAM PERMIT - FINAL.pdf  269-2022-010 -Addendum 1 - FINAL.docx  269-2022-010 -Addendum 1 - FINAL.pdf  269-2022-010 -Addendum 2.docx  269-2022-010 -Addendum 2.pdf
Pre-Bid Date & Time	9/20/2021 2:00 PM
Pre-Bid Location	Non-Mandatory Pre-SOQ Conference to be held at the location indicated in Section 2.4 of the RFQ at 2:00 p.m.
Bid Due Date & Time	10/4/2021 2:00 PM
Bid Opening Location	Qualifications must be submitted to the address listed in Section 2.3 of the RFQ on or before but no later than, October 4, 2021 @ 2:00 p.m. No on-site bid opening will be held.
For questions please contact	Lynne Shelton @ lynne.shelton@charlottenc.gov
Additional notes	

REQUEST FOR QUALIFICATIONS

E-SCOOTER SHARED-USE MOBILITY PROGRAM PERMIT

RFQ # 269-2022-010



CHARLOTTESM

**CITY OF CHARLOTTE
NORTH CAROLINA**

SEPTEMBER 3, 2021

REQUEST FOR QUALIFICATIONS
RFQ # 269-2022-010
E-Scooter Shared-Use Mobility Program Permit

September 3, 2021

Dear Sir or Madam:

The City of Charlotte Department of Transportation (CDOT), North Carolina, is now accepting statements of qualifications (“SOQs”) for E-Scooter Shared-Use Mobility Program Permit. The requirements for submitting a SOQ are stated in the attached Request for Qualifications (the “RFQ”). Please review them carefully.

A **Non-Mandatory** Pre-Qualifications Conference for the purpose of reviewing the RFQ and answering questions regarding the Services will be held on September 20, 2021 **at 2:00 p.m.** As a precautionary measure due to COVID-19 and understanding that some businesses have chosen to suspend employee travel, a [WebEx video conferencing line](#) has been set up for vendors to attend the Pre-Qualifications Conference **or via teleconference at 1-650-479-3207**. The **Meeting Access Code is 2303-140-1780** for both WebEx video and teleconference lines. **No onsite meeting will be held**, and Vendors should not come to the City expecting to attend in person. Please have a copy of the RFQ with you during the WebEx video conferencing. All interested Companies should return a completed Request For Qualifications Acknowledgement Form (see Section 6, Form 1) by the date stated in the schedule in Section 2.1 of this RFQ.

An electronic copy of the RFQ in Microsoft Word format may be obtained by contacting Lynne Shelton at lynne.shelton@charlottenc.gov.

All SOQs are due to City of Charlotte Department of General Services, City Procurement, 3rd Floor, CMGC 600 East Fourth Street, Charlotte, North Carolina 28202, no later than **October 4, 2021 at 2:00 p.m.**

One (1) electronic copy of the SOQ on a flash drive in a searchable format such as MS Word or Adobe Acrobat and one (1) original SOQ signed in ink by a company official authorized to make a legal and binding offer. Your SOQ must be submitted in a sealed box or opaque envelope plainly marked with the RFQ number and service description as follows:

Request for Qualifications
Attention: Lynne Shelton
[Name of Company Submitting SOQ]
E-Scooter Shared-Use Mobility Program Permit
RFQ # 269-2021-071

RFQ questions must be directed to Lynne Shelton, Department of General Services – City Procurement, per the enclosed instructions in Section 2.3. The City is an equal opportunity purchaser.

Sincerely,

Kay Elmore
Chief Procurement Officer

cc: RFQ Project Team
RFQ file

Checklist for submitting a Statement of Qualifications:

Step 1 – Read the document fully.

Step 2 – If you plan on submitting a SOQ, email **Form 1 in Section 6** to the number or email address listed on the sheet.

Steps 3 – If you have any questions send them before the deadline listed in **Section 2.3**.

If you plan to submit a SOQ, you must follow this checklist and include everything detailed below.

Statement of Qualifications Copies - Please provide the specified number for each format:

- 1 Copy on flash drive
- 1 Copy marked “Original”

Statement of Qualifications Format - SOQs should be formatted as follows:

- Cover Letter per **Section 4.1.1**
- Qualifications per **Section 4.1.2**
- Section 6, Form 2, Addenda Receipt Confirmation**
- Section 6, Form 3, SOQ Submission**
- Section 6, Form 4, MWSBE Utilization**
- Section 6, Form 5, Company Background and Experience**
- Section 6, Form 6, References**
- Section 6, Form 7, Certification Regarding Debarment, Suspension and Other Responsibility Matters**
- Section 6, Form 8, Byrd Anti-Lobbying Certification**
- Exceptions to any part of the RFQ (If you take any exceptions to anything in this document list it in a category in your SOQ called “Exceptions” and offer an alternative solution.)

The above items constitute all that must be included in the SOQ. If awarded a E-Scooter Shared-Use Mobility Program Permit, you will be required to provide an insurance certificate that meets or exceeds the requirements set forth in Section 7.

It is the Company’s responsibility to check www.ips.state.nc.us or the City’s [Contract Opportunities Site](#) for any addenda or changes to this Project. Search for bid # 269-2022-010 to find if any documents or changes have been posted.

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1. INTRODUCTION.

1.1. Objective.

The objective of this RFQ is to solicit Statements of Qualifications and select up to four (4) Companies that will meet the City’s needs for E-Scooter Shared-Use Mobility Program Permit.

1.2. Definitions.

As used in this RFQ, the following terms shall have the meanings set forth below:

Acceptance: Refers to receipt and approval by the City of a Deliverable or Service in accordance with the acceptance process and criteria in the E-Scooter Shared-Use Mobility Program Permit Requirements.

Affiliates: Refers to all departments or units of the City and all other governmental units, boards, committees or municipalities for which the City processes data or performs services.

Biodegradable: Refers to the ability of an item to be decomposed by bacteria or other living organisms.

Charlotte Business INClusion/CBI: Refers to the Charlotte Business INClusion office of the City of Charlotte.

Charlotte Business INClusion Policy/CBI Policy: Refers to the policy adopted by City Council, which seeks to enhance competition in contracting and procurement opportunities for MWSBEs located in the Charlotte Combined Statistical Area.

Charlotte Combined Statistical Area: Refers to the area consisting of the North Carolina counties of Anson, Cabarrus, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Stanly, and Union, and the South Carolina counties of Chester, Lancaster, and York; a criterion used by Charlotte Business INClusion to determine eligibility to participate in the program.

City: Refers to the City of Charlotte, North Carolina.

City Project Manager: Refers to a specified City employee representing the City’s best interests in this Project.

Company: During the solicitation process, refers to a company that has interest in providing the Services. After the solicitation process, refers to a company that has been selected by the City to provide the Services.

Company Project Manager: Refers to a specified Company employee representing the best interests of the Company for this Project.

Deliverables: Refers to all tasks, reports, information, designs, plans, and other items that the Company is required to deliver to the City in connection with the E-Scooter Shared-Use Mobility Program Permit Requirements.

Department: Refers to a department within the City of Charlotte.

Director: Refers to the Director of the Charlotte Department of Transportation (CDOT).

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<i>Documentation:</i>	Refers to all written, electronic, or recorded works that describe the use, functions, features, or purpose of the Deliverables or Services or any component thereof, and which are provided to the City by the Company or its subcontractors, including without limitation all end user manuals, training manuals, guides, program listings, data models, flow charts, and logic diagrams.
<i>Electric Standup Scooter(E-Scooter):</i>	Refers to a device with no more than three twelve-inch or smaller diameter wheels that has handlebars, is designed to be stood upon by the user while riding, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed no greater than 15 miles per hour on a paved level surface. The device shall not exceed 50 pounds in weight.
<i>Environmentally Preferable Products:</i>	Refers to products that have a lesser or reduced effect on human health and the environment when compared with competing products that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product.
<i>Evaluation Committee:</i>	Refers to a City-appointed committee that will evaluate SOQs and identify the Company(-ies) best meeting the needs of the City.
<i>Minority-owned Business Enterprise/ MBE:</i>	Refers to a business enterprise that: (i) is certified by the State of North Carolina as a Historically Underutilized Business (HUB) within the meaning of N.C. Gen. Stat. § 143-128.4; (ii) is at least fifty-one percent (51%) owned by one (1) or more persons who are members of one of the following groups: African American or Black, Hispanic, Asian, Native American or American Indian; and (iii) has significant business presence in the Charlotte Combined Statistical Area.
<i>MWSBE:</i>	Refers to SBEs, MBEs, and WBEs, collectively.
<i>MWSBE Goal:</i>	If an RFQ or Contract has separate Subcontracting Goals for MBEs, WBEs, and/or SBEs, the term MWSBE is a shorthand way to refer collectively to all MBE, WBE, and SBE Goals set for the RFQ. In some instances, the City may set one (1) combined goal for MBEs, WBEs, and/or SBEs, in which event the term MWSBE Goal refers to that one (1) combined goal. In the latter instance, calculated as a percentage, the MWSBE Goal represents the total dollars spent with MBEs, WBEs, and SBEs as a portion of the total SOQ amount, including any contingency.
<i>Permit:</i>	Refers to a written E-Scooter Shared Use Mobility System Permit executed by the City and the Company to provide the Services.
<i>Post-Consumer Recycled Material:</i>	Refers to material and by-products which have served their intended end-use by a consumer and have been recovered or diverted from solid

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waste. It does not include those materials and by-products generated from, and commonly reused within, an original manufacturing process.

Project: Refers to the City’s need for a company to qualify for a E-Scooter Shared-Use Mobility Program Permit for the City.

Recyclability: Refers to products or materials that can be collected, separated or otherwise recovered from the solid waste stream for reuse, or used in the manufacture or assembly of another package or product, through an established recycling program. For products that are made of both recyclable and non-recyclable components, the recyclable claim should be adequately qualified to avoid consumer deception about which portions or components are recyclable.

Recycled Material: Refers to material and by-products which have been recovered or diverted from solid waste for the purpose of recycling. It does not include those materials and by-products generated from, and commonly reused within, an original manufacturing process.

Services: Refers to the E-Scooter Shared-Use Mobility Program Permit as requested in this RFQ.

Shared-Use Mobility System: Refers to one or more shared self-service dockless vehicles including bicycles, electric assisted bicycles, Electric Standup Scooters, and/or devices similar in size, weight, and/or operation, offered for short-term rental by a Shared-use mobility system Operator for use in the public right-of-way by customers without the installation of any infrastructure. The definition shall not include motor vehicles as defined by section 14-1, for-hire vehicles as defined by section 22-01, or the transportation services offered by the Charlotte Area Transit System.

Shared-Use Mobility System Operator (Operator): Refers to an individual or a public, private, or non-profit entity that manages a shared-Use Mobility System.

Small Business Enterprise/SBE: Refers to a business enterprise that is certified by the City of Charlotte under Part E of the CBI Policy as meeting all of the requirements for SBE certification.

Specifications and Requirements: Refers to all definitions, descriptions, requirements, criteria, warranties, and performance standards relating to the Deliverables and Services that are set forth or referenced in: (i) this RFQ, including any addenda; (ii) the Documentation; and (iii) any functional and/or technical specifications that are published or provided by the Company or its licensors or suppliers from time to time with respect to all or any part of the Deliverables or Services.

Statements of

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<i>Qualifications/SOQ:</i>	Refers to the Statements of Qualifications submitted by Companies for the Services outlined in this RFQ.
<i>Subcontracting Goal:</i>	Refers to a SBE, MBE, WBE, and/or MWSBE Goal established by the City for an RFQ and resulting Contract.
<i>Trade Secrets:</i>	Information of the City or any of its suppliers, contractors or licensors that: (i) derives value from being secret; and (ii) the owner has taken reasonable steps to keep confidential. See N.C. Gen. Stat. § 66-152 et seq. Examples of trade secrets include information relating to proprietary software, new technology, new products or services, flow charts or diagrams that show how things work, manuals that tell how things work and business processes and procedures.
<i>User(s):</i>	Refers to customer(s) who use an Operator's Shared-Use Mobility System.
<i>Woman-owned Business Enterprise/WBE:</i>	Refers to a business enterprise that: (i) is certified by the State of North Carolina as a Historically Underutilized Business (HUB) within the meaning of N.C. Gen. Stat. § 143-128.4; (ii) is at least fifty-one percent (51%) owned by one or more persons who are female; and (iii) has significant business presence in the Charlotte Combined Statistical Area.
<i>Work Product:</i>	Refers to the Deliverables and all other programs, algorithms, reports, information, designs, plans and other items developed by the Company in connection with this RFQ, and all partial, intermediate or preliminary versions of any of the foregoing.

1.3. Accuracy of RFQ and Related Documents.

Each Company must independently evaluate all information provided by the City. The City makes no representations or warranties regarding any information presented in this RFQ, or otherwise made available during this procurement process, and assumes no responsibility for conclusions or interpretations derived from such information. In addition, the City will not be bound by or be responsible for any explanation or conclusions regarding this RFQ or any related documents other than those provided by an addendum issued by the City. Companies may not rely on any oral statement by the City or its agents, advisors, or consultants.

If a Company identifies potential errors or omissions in this RFQ or any other related documents, the Company should immediately notify the City of such potential discrepancy in writing. The City may issue a written addendum if the City determines clarification necessary. Each Company requesting an interpretation will be responsible for delivering such requests to the City's designated representative as directed in RFQ Section 2.

1.4. City's Rights and Options.

The City reserves the right, at the City's sole discretion, to take any action affecting this RFQ, this RFQ process, or the Services or facilities subject to this RFQ that would be in the best interests of the City, including:

- 1.4.1. To supplement, amend, substitute, or otherwise modify this RFQ, including the schedule, or to cancel this RFQ, at any time;

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- 1.4.2. To require any Companies to supplement or clarify its SOQ or provide additional information relating to its SOQs;
- 1.4.3. To investigate the qualifications, experience, capabilities, and financial standing of each Company submitting a SOQ;
- 1.4.4. To waive any defect or irregularity in any SOQ received;
- 1.4.5. To reject any or all SOQs;
- 1.4.6. To share the SOQ with City employees and contractors in addition to the Evaluation Committee as deemed necessary by the City;
- 1.4.7. To award all, none, or any part of the Services and award E-Scooter Shared-Use Mobility Program Permit(s) to one or more of the responding Companies deemed by the City to be in the best interest of the City, which may be done with or without re-solicitation;
- 1.4.8. To discuss and negotiate with any Company(-ies) their SOQ terms and conditions, including but not limited to financial terms; and
- 1.4.9. To terminate discussions and negotiations with any Company at any time and for any reason.

1.5. Expense of Submittal Preparation.

The City accepts no liability, and Companies will have no actionable claims, for reimbursement of any costs or expenses incurred in participating in this solicitation process. This includes expenses and costs related to SOQ submission, submission of written questions, attendance at pre-qualifications meetings or evaluation interviews, negotiations, or activities required for permit award.

1.6. SOQ Conditions.

The following terms are applicable to this RFQ and the Company's SOQ.

1.6.1. RFQ Not an Offer.

This RFQ does not constitute an offer by the City. No binding contract, obligation to negotiate, or any other obligation shall be created on the part of the City unless the City awards the Company a E-Scooter Shared-Use Mobility Program Permit. No recommendations or conclusions from this RFQ process concerning the Company shall constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law, or statutory law of North Carolina.

1.6.2. Trade Secrets and Personal Identification Information.

Definition.

Upon receipt by City Procurement, all materials submitted by a Company (including the SOQ) are considered public records except for (1) material that qualifies as "trade secret" information under N.C. Gen. Stat. § 66-152 et seq. ("Trade Secrets") or (2) "personally identifiable information" protected by state or federal law, to include, but not be limited to, Social Security numbers, bank account numbers, and driver's license numbers ("Personally Identifiable Information" or "PII").

Instructions for Marking and Identifying Trade Secrets.

If any SOQ contains Trade Secrets or PII, such Trade Secrets and PII must specifically and clearly be identified in accordance with this Section 1.6.2 by clearly separating them from the rest of the SOQ. For hard copy documents, it must be

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submitted in a separate, sealed envelope, marked either “Personally Identifiable Information – Confidential” or “Trade Secret—Confidential and Proprietary Information.” For electronic submissions it must also be submitted on a separate flash drive. In both hard copy or electronic format, the confidentiality caption stated above must appear on each page of the Trade Secret or PII materials.

Availability of SOQs to City Staff and Contractors.

By submitting a SOQ, each Company agrees that the City may reveal any Trade Secret materials and PII contained therein to all City staff and City officials involved in the selection process, and to any outside consultant or other third parties who serve on the Evaluation Committee or who are hired or appointed by the City to assist in the evaluation process.

Availability of SOQs via Public Records Requests.

Any person or entity (including competitors) may request SOQ submitted in response to an RFQ. Only those portions of RFQs properly designated as Trade Secret or PII are not subject to disclosure. The public disclosure of the contents of a SOQ or other materials submitted by a Company is governed by N.C. Gen. Stat. §§ 132 and 66-152, et seq.

When determining whether to mark materials as Trade Secret, please note the following:

- Entire SOQ may not be marked as Trade Secret
- Pricing may not be marked as Trade Secret

The City may disqualify and Company that designates its entire SOQ as a trade secret, or any portion thereof that clearly does not qualify under applicable law as a Trade Secret or PII. Each Company agrees to indemnify, defend, and hold harmless the City and each of its officers, employees, and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the Company has designated as a Trade Secret or PII. This includes an obligation on the part of the Company to defend any litigation brought by a party that has requested SOQs or other information that the Company has marked Trade Secret or PII.

1.6.3. Amendments to RFQ.

If the City amends this RFQ, addenda will be posted to the IPS website at www.ips.state.nc.us and the City’s [Contract Opportunities Site](#). Companies are required to acknowledge receipt of each addendum by including the Addenda Receipt Confirmation Form (Section 6, Form 2) with their Qualifications.

1.6.4. SOQ Terms Firm and Irreversible.

The signed SOQ shall be considered a firm offer on the part of the Company. The City reserves the right to negotiate price and other terms. All SOQs elements (including all statements, claims, declarations, prices, and specifications) shall be considered firm and irrevocable for purposes of future negotiations unless specifically waived in writing by the City. The Company chosen for award should be prepared to have its SOQ and any relevant correspondence incorporated into the E-Scooter Shared-Use Mobility Program Permit, either in part or in its entirety, at the City's election.

1.6.5. SOQ Binding for 180 Days.

Section 6, Form 3 contains a statement to the effect that the SOQ is a firm offer for one-hundred-eighty (180) calendar day period from the date of the opening. This

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statement must be signed by an individual authorized to bind the Company. All prices quoted shall be firm and fixed for the full permit period.

1.6.6. Charlotte Business INCLUSION Program.

Pursuant to Charlotte City Council’s adoption of the Charlotte Business INCLUSION (CBI) Policy, the CBI program promotes diversity, inclusion, and local business opportunities in the City’s contracting and procurement process for Minority-owned, Woman-owned, and Small Business Enterprises (MWSBEs) with a significant business presence in the Charlotte Combined Statistical Area. The CBI Policy is posted at www.charlottebusinessinclusion.com.

The City is committed to promoting opportunities for maximum participation of certified MWSBEs on City-funded contracts at both the prime and subcontract level. For MWSBE participation to count towards a Subcontracting Goal, MWSBEs must meet both the certification and geographic requirements as detailed throughout this solicitation and in the CBI Policy.

The City intends to negotiate utilization of MWSBE(s). The Company is required to submit Section 6, Form 4 attached herein. Failure to submit this form with the SOQ shall render the SOQ non-responsive.

1.6.7. Subcontracting.

The Company given E-Scooter Shared-Use Mobility Program Permit award shall be the prime contractor and shall be solely responsible for contractual performance. In the event of a subcontracting relationship, the Company shall remain the prime contractor and will assume all responsibility for the performance of the Services that are supplied by all subcontractors. The City retains the right to approve all subcontractors.

1.6.8. Equal Opportunity.

The City has an equal opportunity purchasing policy. The City seeks to ensure that all segments of the business community have access to supplying the goods and services needed by City programs. The City provides equal opportunity for all businesses and does not discriminate against any Companies regardless of race, color, religion, age, sex, and national origin or disability.

1.6.9. Use of City’s Name.

No advertising, sales promotion, or other materials of the Company or its agents or representatives may identify or reference the City in any manner absent the prior written consent of the City.

1.6.10. Withdrawal for Modification of Qualifications.

Companies may change or withdraw a previously-submitted SOQ at any time prior to the SOQ due date. Only formal written requests addressed in the same manner as the SOQ and received by the City prior to the SOQ due date will be accepted. The request must be in a sealed envelope that is plainly marked “**Modifications to SOQ.**” No oral modifications will be allowed. If the Company complies with this Section, after the SOQ due date, the SOQ, will be withdrawn or corrected in accordance with the written request(s).

1.6.11. No Bribery.

In submitting a response to this RFQ, each Company certifies that neither it, any of its affiliates or subcontractors, nor any employees of any of the foregoing has bribed,

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or attempted to bribe, an officer or employee of the City in connection with the Permit.

1.6.12. Exceptions to the RFQ.

Other than exceptions that are stated in compliance with this Section and Section 4.1.4, each SOQ shall be deemed to agree to comply with all terms, conditions, specifications, and requirements of this RFQ including the E-Scooter Shared-Use Mobility Program Permit language included in Section 7. An “exception” is defined as the Company’s inability or unwillingness to meet a term, condition, specification, or requirement in the manner specified in the RFQ including the E-Scooter Shared-Use Mobility Program Permit language included as in Section 7. All exceptions taken must be identified and explained in writing in your SOQ and must specifically reference the relevant section(s) of this RFQ. If the Company provides an alternate solution when taking an exception to a requirement, the benefits of this alternative solution and impact, if any, on any part of the remainder of the Company’s solution, must be described in detail.

1.6.13. Fair Trade Certifications.

By submitting a SOQ, the Company certifies that:

- The prices in its SOQ have been arrived at independently, without consultation, communication, or agreement with anyone, as to any matter relating to such prices for the purpose of restricting competition;
- Unless otherwise required by law, the prices quoted in its SOQ have not been knowingly disclosed by the Company and will not knowingly be so disclosed prior to the SOQ due date; and
- No attempt has been made or will be made by the Company to induce any other person or firm to submit or not to submit a SOQ for the purpose of restricting competition.

1.6.14. Companies’ Obligation to Fully Inform Themselves.

Companies or their authorized representatives must fully inform themselves as to all conditions, requirements, and specifications of this RFQ before submitting SOQs. Failure to do so will be at the Company’s own risk.

1.6.15. Environmentally Preferable Purchasing.

The City promotes the practice of Environmentally Preferable Purchasing (EPP) in acquiring products or services. Applicable EPP attributes that may be taken into consideration as environmental criterion include the following:

Recycled content	Recyclability
Reduced packaging	Biodegradability
Compostability	Pollution prevention
Reduced toxicity	Energy efficiency
Water efficiency	Life cycle management
Low volatile organic compounds	End of life management

Companies able to supply products or services containing any of the applicable environmentally preferable attributes that meet performance requirements are encouraged to offer them in the SOQ. Companies must provide certification of environmental standards and other environmental claims, such as recycled content and emissions data or a formal statement signed by a senior company official.

Section 2 Procurement Process

2. PROCUREMENT PROCESS.

This Section 2 contains information about the procurement process for this Project.

2.1. Schedule and Process.

The following chart shows the schedule of events for the conduct of this RFQ. The key events and deadlines for this process are as follows, some of which are set forth in more detail in the Sections that follow:

DATE	EVENT
SEPTEMBER 3, 2021	<i>Issuance of RFQ.</i> The City issues this RFQ.
SEPTEMBER 13, 2021	<i>Request for Qualifications Acknowledgement.</i> Companies that intend to submit a SOQ shall submit the RFQ Acknowledgement Form on this date to the email listed in Section 2.3.
SEPTEMBER 13, 2021	<i>Submission of Written Questions Prior to Pre-SOQ Conference.</i> Companies are permitted to submit written questions for purposes of clarifying this RFQ. All submissions must be pursuant to the instructions in Section 2.3 by 5:00 p.m.
SEPTEMBER 20, 2021	<i>Non-Mandatory Pre-SOQ Conference</i> to be held at the location indicated in Section 2.4 at 2:00 p.m.
OCTOBER 4, 2021	<i>SOQ Submission.</i> SOQs are due by 2:00 p.m. at City Procurement, CMGC 3 rd Floor.
OCTOBER 4, 2021 – OCTOBER 18, 2021	<i>Evaluation.</i> The Evaluation Committee will assess each SOQ and conduct evaluation activities with Companies.
OCTOBER 18, 2021	<i>Vendor Award Notification</i>
NOVEMBER 1, 2021	<i>Services Commence.</i> Company begins providing the Services.

2.2. Intent to Submit Qualifications.

Please acknowledge receipt of this RFQ via email by **September 13, 2021** using the Request for Qualifications Acknowledgement Form located in Section 6, Form 1. Complete the form in its entirety advising the City of your firm’s intention to submit or not submit a SOQ. Email a copy of the completed and signed form to the email address or number below. The City strongly encourages Companies to submit this form prior to the Pre-SOQ conference but Companies shall not be precluded from submitting a SOQ if they fail to submit this form.

2.3. Interpretations and Addenda.

There are two (2) ways to ask questions about this SOQ: (1) submit a question in writing to the Procurement Officer at the e-mail address listed below; or (2) ask a question at the Pre-SOQ Conference. Other than these permitted methods, Companies should refrain from contacting City staff prior to the SOQ deadline. **The City is not bound by any statements, representations or clarifications regarding this RFQ other than those provided in writing by the Procurement Officer.**

Lynne Shelton
 City of Charlotte
 City Procurement
 600 East 4th Street, CMGC 3rd Floor
 Charlotte, NC 28202

Section 2 Procurement Process

RFQ # 269-2022-010

E-mail: lynne.shelton@charlottenc.gov

When submitting questions, please reference the RFQ page, Section number, and Specification (topic) using the following format:

Company Name:			
Page #	Section #	Specification	Company Questions

In order for questions to be addressed at the Pre-SOQ Conference, they must be submitted by **5:00 p.m. on September 13, 2021**.

After the Pre-SOQ Conference, questions must be submitted in writing by the deadline stated in Section 2.1. In the case of questions not submitted by the deadline, the Procurement Officer will, based on the availability of time to research and communicate an answer, decide whether an answer can be given before the SOQ deadline. When responding to Company questions or issuing addenda to the RFQ, the City will post the answer or information to the Internet at <http://www.ips.state.nc.us> and the City's [Contract Opportunities Site](#), referencing solicitation # 269-2022-010. Companies are required to acknowledge their receipt of each addenda by including in the SOQ a completed Addenda Receipt Confirmation Form (Section 6, Form 2).

2.4. Pre-SOQ Conference.

A Non-Mandatory Pre-SOQ Conference will be conducted on **September 20, 2021 at 2:00 p.m.** As a precautionary measure due to COVID-19 and understanding that some businesses have chosen to suspend employee travel, a [WebEx video conferencing line](#) has been set up for vendors to attend the Pre-SOQ Conference or via teleconference at 1-650-479-3207. The **Meeting Access Code is 2303-140-1780** for both WebEx video and teleconference lines. **No onsite meeting will be held.**

While attendance at the Pre-SOQ Conference is not mandatory, all interested Companies are encouraged to attend. If special accommodations are required for attendance, please notify Lynne Shelton in advance of the conference date and time identifying the special accommodations required.

2.5. Submission of Qualifications.

Qualifications must be in the format specified in Section 4 of this RFQ. One (1) electronic copy on a flash drive in a searchable format such as MS Word or Adobe Acrobat and one (1) original SOQ signed in ink by a company official authorized to make a legal and binding offer shall be submitted to the address listed in Section 2.3 above by **October 4, 2021 on or before but no later than 2:00 p.m.** The original SOQ shall be complete and unabridged, and shall not refer to any other copy of the signed and sealed original for any references, clarifications, or additional information.

When received, all Qualifications and supporting materials, as well as correspondence relating to this RFQ, shall become the property of the City. **SOQs sent by fax or email will not be accepted.**

Due to COVID-19 precautionary measures, providers should not hand-deliver SOQs to the City Procurement Office and should ensure that all SOQs are appropriately tracked with sufficient time for mail delivery to be completed.

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Procurement Process

Do not arrive at City Procurement on the SOQ due date for the purposes of reviewing your competitors' Qualifications. The Qualifications will not be read aloud or made available to inspect or copy until any trade secret issues have been resolved. All SOQs will be time-stamped upon receipt and held in a secure place until opening.

2.6. Correction of Errors.

The person signing the SOQ must initial erasures or other corrections in the SOQ. The Company further agrees that in the event of any obvious errors, the City reserves the right to waive such errors in its sole discretion. The City, however, has no obligation under any circumstances to waive such errors.

2.7. Evaluation.

As part of the evaluation process, the Evaluation Committee may engage in discussions with one or more Companies. Discussions might be held with individual Companies to determine in greater detail the Company's qualifications, to explore with the Company the scope and nature of the required contractual Services, to learn the Company's proposed method of performance and the relative utility of alternative methods, and to facilitate arriving at a solution that will be satisfactory to the City.

The City may in its discretion require one (1) or more Companies to make presentations to the Evaluation Committee or appear before the City and/or its representatives for an interview. During such interview, the Company may be required to orally and otherwise present its Qualifications and to respond in detail to any questions posed. Additional meetings may be held to clarify issues or to address comments, as the City deems appropriate. Companies will be notified in advance of the time and format of such meetings.

Since the City may choose to award a E-Scooter Shared-Use Mobility Program Permit without engaging in discussions or negotiations, the SOQs submitted shall state the Company's best offer for performing the Services described in this RFQ.

2.8. Vendor Inclusion.

The City's vendor management philosophy supports a fair, open, and inclusive process that offers the same access and information to all Companies. Although Companies are not required to be registered in the City's vendor registration system prior to submitting a SOQ, in order to execute a contract with the City and receive payment from the City, all Companies must register with the City's vendor registration system.

Your registration provides the City with baseline information for your company including location, contact and demographic information, as well as your areas of expertise with specific commodity and/or service descriptions. You will also have the opportunity to complete any applicable certifications if your company desires to establish itself as an SBE, MBE, or WBE. The link below will provide you with the opportunity to complete your registration on-line with the City.

<http://charlottenc.gov/vendors>

3. SCOPE OF E-SCOOTER SHARED-USE MOBILITY PROGRAM PERMIT.

3.1. General Scope.

The following sections describe the requirements for a company to operate an Electric Standup Scooter (E-Scooter) Shared-Use Mobility System (E-Scooter System) in the City of Charlotte (City). No company may operate an E-Scooter System within the City's limits without a valid Shared-Use Mobility System Permit. The Charlotte Department of Transportation (CDOT) oversees the administration of Shared-Use Mobility Permits. E-Scooter System permits are only valid for operations within CDOT-managed right-of-way. The Director shall determine all permit terms, conditions, fines and other standard or special requirements. Permits will only be issued to companies who are selected through a competitive RFQ process.

While the City is flexible with respect to certain elements of the E-Scooter Shared-Use Mobility Program Permit, the City has specific requirements and preferences for the Service delivery method.

3.2. Operations Plan.

The Operations Plan must include the following details, at a minimum:

1. How will the Company ensure trips do not occur outside of the permitted hours of operation (currently 6:00am – 10:00pm but subject to change);
2. Describe management of scooters during non-operational hours;
3. Methods for deploying and redistributing scooters;
4. Is the Company's local staffing and operations plan sufficient for the scale of operations;
5. Describe the Company's Plan for proper scooter parking (including deploying/redistributing) based on Permit Requirements included below;
6. Describe commitments to modifying operations in response to any special circumstance at the City's request (e.g. severe weather and special events). This could include short-term geofencing and/or other technology tools to promote and/or prohibit scooters in specific areas.
7. Describe any discounted pricing and/or fare structure(s) for low-income riders, including eligibility requirements.
8. Describe any program that allows for use of your scooters without a smart phone.
9. Describe any payment options for riders without credit cards.
10. Does the Company have a multilingual website, mobile application and/or customer service line? If so, which languages are available.
11. How does the Company promote any alternative payment and any discounted pricing programs?
12. Describe any commitments to achieving environmental sustainability goals.
13. Free Response (OPTIONAL): Provide any additional details applicant would like to share regarding Operations Plan.

3.3. Safe Scooter Riding & Parking Plan.

The Safe Scooter Riding & Parking Plan must include the following details, at a minimum:

1. Describe all education, incentives, training, scooter features, notification systems, etc. in place to ensure safe operation of scooters and the safety of users and those around them.
 - a) Describe system for detecting and redressing inappropriately parked scooters including protocols for keeping paths of travel, curb ramps, and other accessibility features unobstructed.
 - b) Describe commitments to conveying information about proper parking on the mobile app and/or on the scooters, including detailed educational tools and reminders.

Section 3

Scope of Services

- c) Describe any programs to encourage, and ideally incentivize, riders to properly park scooters as described in the City of Charlotte’s Shared-Use Mobility System Permit Requirements.
 - d) Describe fines or consequences for users who improperly park scooters, including measures like warnings or suspension of service, to address patterns of bad parking behavior.
 - e) Describe safety complaint investigation and resolution process.
 - f) Describe additional measures if initial approach does not achieve desired levels of compliance.
2. Describe commitment(s) to ensure customers have a valid driver’s license and prohibit underage riding.
 3. Describe strategies to encourage users to wear a helmet while riding.
 4. Describe procedures for noncustomers to notify the company through phone, app, website, or email, if there is an improperly parked scooter, along with how the Operator commits to responding.
 5. Describe procedures for responding to an identified problem of over-crowding and/or improperly parked scooters at a specific location. Include any proposed operational measures such as incentive programs to re-locate scooters to less crowded areas.
 6. Free Response (OPTIONAL): Provide any additional details applicant would like to share regarding Safe Scooter Riding & Parking Plan.

3.4. Recharging and Maintenance Plan.

The Recharging and Maintenance Plan must include the following details, at a minimum:

1. Describe how scooters will be recharged.
 - a) Describe how staff and/or independent contractors will know when a scooter needs to be recharged. Describe any information and training to be provided to staff and/or contractors concerning safe charging practices.
 - b) Describe how staff and/or independent contractors will be trained on how to safely and legally park when retrieving scooters for recharging, rebalancing, or maintenance.
 - c) Describe how staff and/or independent contractors will be trained on where to appropriately distribute and/or redistribute scooters in the right-of-way.
2. Describe approach to maintenance, cleaning, and repair of scooters, safety check protocols, and minimum standards for repair and cleaning. If applicant plans to use independent contractors for these services, include how independent contractors will be trained to execute applicant’s approach.
3. Describe procedures for customers to notify the company that there is a safety or maintenance issue with a scooter, and procedures for removing that scooter from service until inspected.
4. Free Response (OPTIONAL): Provide any additional details applicant would like to share regarding Recharging and Maintenance Plan.
(e.g. Describe strategies to minimize potential negative congestion impacts during peak hours, double parking, etc. associated with collecting, redistributing, and recharging scooters).

Section 4

Scope of Services

4. SOQ CONTENT AND FORMAT.

The City desires all Qualifications to be identical in format in order to facilitate comparison. While the City's format may represent departure from the Company's preference, the City requires strict adherence to the format. The SOQ will be in the format described below:

- A. Cover letter;
- B. Response to Qualifications Criteria as requested in Section 3.1;
- C. The "Addenda Receipt Confirmation" set forth in Section 6, Form 2;
- D. The "SOQ Submission" set forth in Section 6, Form 3;
- E. The "MWSBE Utilization" form set forth in Section 6, Form 4;
- F. The "Company's Background Response" form set forth in Section 6, Form 5;
- G. The "References" set forth in Section 6, Form 6;
- H. The "Certification Regarding Debarment, Suspension and Other Responsibility Matters" set forth in Section 6, Form 7;
- I. The "Byrd Anti-Lobbying Certification" set forth in Section 6, Form 8; and
- J. Exceptions to the Remainder of the RFQ, including the E-Scooter Shared-Use Mobility System Permit Requirements in Section 7.

The City encourages SOQs to be compatible with the City's waste reduction goals and policies. Therefore, it is desired that all responses meet the following requirements:

- All SOQs be printed in 8 1/2" x 11" format with all standard text no smaller than eleven (11) points;
- All copies be printed double-sided;
- All copies be printed on recycled paper (at least 30% post-consumer recovered material and at least 30% total recovered material);
- Unless necessary, all SOQ originals and copies should minimize or eliminate use of non-recyclable or non-reusable materials such as 3-ring binders, plastic report covers, plastic dividers, vinyl sleeves, and GBC binding. Glued materials, paper clips, and staples are acceptable; and
- Materials be submitted in a format that allows for easy removal and recycling.

SOQs must also include a flash drive including the entire SOQ in a searchable format such as MS Word or Adobe Acrobat.

Companies are required to organize the information requested in this RFQ in accordance with the format and instructions outlined above and detailed below. Failure to do so may result in the City, at its sole discretion, deeming the SOQ non-responsive. The Company, however, may reduce the repetition of identical information within several sections of the SOQ by making the appropriate cross-references to other sections of the SOQ. Appendices for certain technical or financial information may be used to facilitate SOQ preparation.

4.1. SOQ Content.

4.1.1. Cover Letter.

The SOQ must include a letter of transmittal attesting to its accuracy, signed by an individual authorized to execute binding legal documents. The cover letter shall provide the name, address, telephone and facsimile numbers of the Company along with the name, title, address, email address, and telephone numbers of the executive that has the authority to contract with the City. The cover letter shall present the Company's understanding of the Project and a summary of the approach to perform the Services.

4.1.2. Qualifications.

Section 4

Scope of Services

Given the purpose of this Project and the City's goals as stated in this RFQ, provide a SOQ that includes strategies on how the Company will comply with the E-Scooter Shared-Use Mobility System Permit Requirements. **For each component of the Project described in Section 3, state whether and how your Qualifications comply as well as any additional information requested.** If you wish to add supplemental information, it shall be labeled "Supplemental Information."

4.1.3. Required Forms.

To be deemed responsive to this RFQ, Companies must complete, in detail, all SOQ Forms listed in this Section 4, items numbered C through I.

4.1.4. Exceptions to the RFQ.

Exceptions must be submitted in accordance with Section 1.6.12 of this RFQ. If exceptions are not identified in your SOQ they may not be considered during negotiation and could result in SOQ being rejected from further consideration. If legal counsel needs to review the E-Scooter Shared-Use Mobility Program Permit Requirements prior to signature, reviews must be completed before your SOQ is submitted.

The City intends to award a E-Scooter Shared-Use Mobility Program Permit(s) to the successful Company(ies) that contains the terms and conditions set forth in Section 7. The number and extent of any exceptions and proposed additions to the E-Scooter Shared-Use Mobility Program Permit Requirements will be one of the City's evaluation criteria.

Accordingly, each Company must state specifically in its SOQ any exceptions to the E-Scooter Shared-Use Mobility Program Permit Requirements, or any such exceptions will be waived. Any Company-proposed additional terms or conditions must also be included in the SOQ, and the City reserves the right to refuse consideration of any terms not so included. Any proposed changes to the E-Scooter Shared-Use Mobility Program Permit Requirements after tentative permit award may constitute a material change to the Company's SOQ and be grounds for revoking the award.

Notwithstanding the foregoing, the City reserves the right to modify the E-Scooter Shared-Use Mobility Program Permit Requirements prior to or during negotiations if it is in the City's best interest to do so.

Section 5 Evaluation Criteria

5. SOQ EVALUATION CRITERIA.

SOQs will be evaluated based on the Company's ability to meet the performance requirements of this RFQ. This section provides a description of the evaluation criteria that will be used to evaluate the Qualifications. To be deemed responsive, it is important for the Company to provide appropriate detail to demonstrate satisfaction of each criterion and compliance with the performance provisions outlined in this RFQ. The Company's SOQ will be the primary source of information used in the evaluation process. SOQs must contain information specifically related to the proposed Services and requested herein. Failure of any Company to submit information requested may result in the elimination of the SOQ from further evaluation.

Qualifications will be assessed to determine the most comprehensive, competitive and best value solution for the City based on, but not limited to, the criteria below. The City reserves the right to modify the evaluation criteria or waive portions thereof. SOQs will be evaluated on the following major categories:

- a. Qualifications, Experience, And Capacity to Perform; and
- b. Acceptance of the Terms of the E-Scooter Shared-Use Mobility Program Permit Requirements.

5.1. Qualifications, Experience, and Capacity to Perform.

Companies will be evaluated based upon their understanding, experience and qualifications in performing the same or substantially similar Services, as reflected by its experience in performing such Services. The evaluation will include references regarding work for organizations with needs similar to the City's, and the feasibility of the Company's approach for the provision of the Services.

5.2. Acceptance of the Terms of the E-Scooter Shared-Use Mobility System Permit Requirements.

The City will evaluate the Qualifications for compliance with the terms, conditions, requirements, and specifications stated in this RFQ including the E-Scooter Shared-Use Mobility Program Permit Requirements provided in Section 7 Exhibits A and B. Regardless of exceptions taken. Exceptions shall be identified in accordance with Sections 1.6.12 and 4.1.4 of this RFQ.

Section 6
Required Forms

REQUIRED FORM 1 – REQUEST FOR QUALIFICATIONS ACKNOWLEDGEMENT
RFQ # 269-2022-010

E-Scooter Shared-Use Mobility Program Permit

The Company hereby certifies receipt of the Request for Qualifications for the City of Charlotte, North Carolina RFQ #269-2022-010, E-Scooter Shared-Use Mobility Program Permit. This form should be completed upon receipt of the City’s Request for Qualifications and emailed in time for the City to receive it by or before **September 13, 2021**. Failure to submit this form by the designated date shall not preclude the Company from submitting a SOQ. Please email the completed Request for Qualifications Acknowledgement Form to the attention of:

Lynne Shelton
Department of General Services – City Procurement
Email: lynne.shelton@charlottenc.gov

Date: _____

Authorized Signature: _____

Title: _____

Company Name: _____

Contact Name: _____

Contact E-mail Address: _____

Contact Phone Number: _____

Please check the appropriate space below and provide the requested information:

_____ **We plan to attend the Pre-Qualifications Conference and plan on submitting a SOQ**

Indicate number of attendees Via Teleconference: _____

_____ **We do not plan to attend the Pre-Qualifications Conference but plan on submitting a SOQ**

Reason: _____

_____ **We do not plan to attend the Pre-Qualifications Conference and do not plan on submitting a SOQ**

Reason: _____

Section 6
Required Forms

REQUIRED FORM 2 – ADDENDA RECEIPT CONFIRMATION
RFQ # 269-2022-010

E-Scooter Shared-Use Mobility Program Permit

Please acknowledge receipt of all addenda by including this form with your SOQ. All addenda will be posted to the NC IPS website at www.ips.state.nc.us and the City’s Contract Opportunities Site at <http://charlottenc.gov/DoingBusiness/Pages/ContractOpportunities.aspx>.

ADDENDUM #:

**DATE ADDENDUM
DOWNLOADED FROM NC IPS:**

I certify that this SOQ complies with the Specifications and conditions issued by the City except as clearly marked in the attached copy.

(Please Print Name)

Date

Authorized Signature

Title

Company Name

Section 6
Required Forms

REQUIRED FORM 3 – SOQ SUBMISSION FORM
RFQ # 269-2022-010

E-Scooter Shared-Use Mobility Program Permit

This SOQ is submitted by:

Company Legal Name: _____

Representative (printed): _____

Address: _____

City/State/Zip: _____

Email address: _____

Telephone: _____

(Area Code) Telephone Number

The representative signing above hereby certifies and agrees that the following information is correct:

1. In preparing its SOQ, the Company has considered all SOQs submitted from qualified, potential subcontractors and suppliers, and has not engaged in or condoned prohibited discrimination.
2. For purposes of this Section, discrimination means discrimination in the solicitation, selection, or treatment of any subcontractor, vendor or supplier on the basis of race, ethnicity, gender, age or disability or any otherwise unlawful form of discrimination. Without limiting the foregoing, discrimination also includes retaliating against any person or other entity for reporting any incident of discrimination.
3. Without limiting any other provision of the solicitation for SOQs on this project, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the City to reject the SOQ submitted by the Company on this Project and to terminate any E-Scooter Shared-Use Mobility Program Permit awarded based on such SOQ.
4. As a condition of contracting with the City, the Company agrees to maintain documentation sufficient to demonstrate that it has not discriminated in its solicitation or selection of subcontractors. The Company further agrees to promptly provide to the City all information and documentation that may be requested by the City from time to time regarding the solicitation and selection of subcontractors. Failure to maintain or failure to provide such information constitutes grounds for the City to reject the bid submitted by the Company or terminate any E-Scooter Shared-Use Mobility Program Permit awarded on such SOQ.
5. As part of its SOQ, the Company shall provide to the City a list of all instances within the past ten years where a complaint was filed or pending against the Company in a legal or administrative proceeding alleging that the Company discriminated against its subcontractors, vendors or suppliers, and a description of the status or resolution of that complaint, including any remedial action taken.
6. The information contained in this SOQ or any part thereof, including its Exhibits, Schedules, and other documents and instruments delivered or to be delivered to the City, is true, accurate, and

Section 6 Required Forms

complete. This SOQ includes all information necessary to ensure that the statements therein do not in whole or in part mislead the City as to any material facts.

7. None of Company's or its subcontractors' owners, employees, directors, or contractors will be in violation of the City's Conflict of Interest Policy for City, Secondary and Other Employment Relationships (HR 13) if a E-Scooter Shared-Use Mobility Program Permit is awarded to the Company.
8. It is understood by the Company that the City reserves the right to reject any and all SOQs, to make awards on all items or on any items according to the best interest of the City, to waive formalities, technicalities, to recover and resolicit this RFQ.
9. This SOQ is valid for one hundred and eighty (180) calendar days from the SOQ due date.

I, the undersigned, hereby acknowledge that my company was given the opportunity to provide exceptions to the E-Scooter Shared-Use Mobility Program Permit Requirements as provided in the RFQ. As such, I have elected to do the following:

Include exceptions to the E-Scooter Shared-Use Mobility Program Permit Requirements in the following section of my SOQ: _____

Not include any exceptions to the E-Scooter Shared-Use Mobility Program Permit Requirements.

I, the undersigned, hereby acknowledge that my company was given the opportunity to indicate any Trade Secret materials or Personally Identifiable Information ("PII") as detailed in Section 1.6.X. I understand that the City is legally obligated to provide my SOQ documents, excluding any appropriately marked Trade Secret information and PII, upon request by any member of the public. As such, my company has elected as follows:

The following section(s) of the of the SOQ are marked as Trade Secret or PII: _____

No portion of the SOQ is marked as Trade Secret or PII.

Representative (signed): _____



REQUIRED FORM 4 – M/W/SBE UTILIZATION
RFQ # 269-2022-010

E-Scooter Shared-Use Mobility Program Permit

The City maintains a strong commitment to the inclusion of MWSBEs in the City’s contracting and procurement process when there are viable subcontracting opportunities.

Companies must submit this form with their SOQ outlining any supplies and/or services to be provided by each City-certified Small Business Enterprise (SBE), and/or City-registered Minority-owned Business Enterprise (MBE) and Woman-owned Business Enterprise (WBE) for the E-Scooter Shared-Use Mobility Program Permit. If the Company is a City-registered MWSBE, note that on this form.

The City recommends you exhaust all efforts when identifying potential MWSBEs to participate on this RFQ.

Company Name:	
----------------------	--

Please indicate if **your company** is any of the following:

MBE WBE SBE None of the above

If your company has been certified with any of the agencies affiliated with the designations above, indicate which agency, the effective and expiration date of that certification below:

Agency Certifying: _____ Effective Date: _____ Expiration Date: _____

Identify outreach efforts that *were employed* by the firm to maximize inclusion of MWSBEs to be submitted with the firm’s SOQ (attach additional sheets if needed):

Identify outreach efforts that *will be employed* by the firm to maximize inclusion during the permit period of the Project (attach additional sheets if needed):

[Form continues on next page]

Section 6 Required Forms

List below all **MWSBEs** that you intend to subcontract to while performing the Services:

Subcontractor Name	Description of work or materials	Indicate “M,” “S,” and/or “W”	City Vendor #

Total MBE Utilization	%
Total WBE Utilization	%
Total SBE Utilization	%
Total MWSBE Utilization	%

Representative (signed): _____

Date

Representative Name

Section 6 Required Forms

REQUIRED FORM 5 – COMPANY’S BACKGROUND RESPONSE RFQ # 269-2022-010

E-Scooter Shared-Use Mobility Program Permit

Companies shall complete and submit the form below as part of their response to this RFQ. Additional pages may be attached as needed to present the information requested.

1. Company’s legal name.
2. Company Location (indicate corporate headquarters and location that will be providing the Services).
3. How many years has your company been in business? How long has your company been providing the Services as described in Section 3?
4. How many public sector (cities or counties) clients does your company have? How many are using the Services? Identify by name some of the clients similar to City (e.g., similar in size, complexity, location, type of organization).
5. List any projects or services terminated by a government entity. Please disclose the government entity that terminated and explain the reason for the termination.
6. List any litigation that your company has been involved with since its foundation for Services similar to those in this RFQ.
7. Provide an overview and history of your company.
8. If your company is a subsidiary, identify the number of employees in your company or division and the revenues of proposing company or division.
9. Identify the percentage of revenue used for research and/or development by the proposing company or division.
10. Identify any certifications held by your company if you are implementing or reselling another company's products or services. Include how long the partnership or certification has been effect.
11. Describe your company’s complete corporate structure, including any parent companies, subsidiaries, affiliates and other related entities.
12. Describe the ownership structure of your company, including any significant or controlling equity holders.
13. Provide a management organization chart of your company’s overall organization, including director and officer positions and names and the reporting structure.
14. Describe the key individuals along with their qualifications, professional certifications and experience that would comprise your company’s team for providing the Services.
15. If the SOQ will be from a team composed of more than one (1) company or if any subcontractor will provide more than fifteen percent (15%) of the Services, please describe the relationship, to include the form of partnership, each team member’s role, and the experience each company will bring to the relationship that qualifies it to fulfill its role. Provide descriptions and references for the projects on which team members have previously collaborated.
16. Explain how your organization ensures that personnel performing the Services are qualified and proficient.
17. Provide information regarding the level of staffing at your organization’s facilities that will be providing the Services, as well as the level of staffing at subcontractors’ facilities, if known or applicable.

Section 6

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18. If your company has been the subject of a dispute or strike by organized labor within the last five (5) years, please describe the circumstances and the resolution of the dispute.
19. Describe your security procedures to include physical plant, electronic data, hard copy information, and employee security. Explain your point of accountability for all components of the security process. Describe the results of any third party security audits in the last five (5) years.
20. Describe the communications scheme that your organization will use to keep the City informed about the Services.

Section 6
Required Forms

REQUIRED FORM 6 – REFERENCES
RFQ # 269-2022-010

E-Scooter Shared-Use Mobility Program Permit

Companies shall complete the form below. The City’s preference is for references from organizations of similar size or where the Company is performing similar services to those described herein. If such references are not available, individuals or companies that can speak to the Company’s performance are adequate.

REFERENCE 1:

Name of Client: _____ Main Phone: _____

Address: _____

Primary Contact: _____ Title: _____

Contact Phone: _____ Contact E-mail: _____

Service Dates: _____

Summary & Scope of Project: _____

Contract/Permit Type: _____ Number of Fleet Scooters: _____

REFERENCE 2:

Name of Client: _____ Main Phone: _____

Address: _____

Primary Contact: _____ Title: _____

Contact Phone: _____ Contact E-mail: _____

Service Dates: _____

Summary & Scope of Project: _____

Contract/Permit Type: _____ Number of Fleet Scooters: _____

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Required Forms

REFERENCE 3:

Name of Client: _____ Main Phone: _____

Address: _____

Primary Contact: _____ Title: _____

Contact Phone: _____ Contact E-mail: _____

Service Dates: _____

Summary & Scope of Project: _____

Contract/Permit Type: _____ Number of Fleet Scooters: _____

REFERENCE 4:

Name of Client: _____ Main Phone: _____

Address: _____

Primary Contact: _____ Title: _____

Contact Phone: _____ Contact E-mail: _____

Service Dates: _____

Summary & Scope of Project: _____

Contract/Permit Type: _____ Number of Fleet Scooters: _____

**Section 6
Required Forms**

REFERENCE 5:

Name of Client: _____ Main Phone: _____

Address: _____

Primary Contact: _____ Title: _____

Contact Phone: _____ Contact E-mail: _____

Service Dates: _____

Summary & Scope of Project: _____

Contract/Permit Type: _____ Number of Fleet Scooters: _____

Section 6
Required Forms

**REQUIRED FORM 7 – CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
AND OTHER RESPONSIBILITY MATTERS**
RFQ # 269-2022-010

E-Scooter Shared-Use Mobility Program Permit

The bidder, contractor, or subcontractor, as appropriate, certifies to the best of its knowledge and belief that neither it nor any of its officers, directors, or managers who will be working under the E-Scooter Shared-Use Mobility Program Permit, or persons or entities holding a greater than (ten percent) 10% equity interest in it (collectively “Principals”):

1. Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal or state department or agency in the United States;
2. Have within a three-year period preceding this SOQ been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state anti-trust or procurement statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are presently indicted for or otherwise criminally or civilly charged by a government entity, (federal, state or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and
4. Have within a three-year period preceding this application/SOQ had one or more public transactions (federal, state or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this SOQ or termination of the award or in some instances, criminal prosecution.

I hereby certify as stated above:

(Print Name)

Signature

Title

Date

I am unable to certify to one or more the above statements. Attached is my explanation. [Check box if applicable]

(Print Name)

Signature

Title

Date

Section 6
Required Forms

REQUIRED FORM 8 – BYRD ANTI-LOBBYING CERTIFICATION
RFQ # 269-2022-010

E-Scooter Shared-Use Mobility Program Permit

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of and Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form—LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96)].
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including all subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction by 31 U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

_____ (the "Company") certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Company understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

(Print Name)

Company Name

Authorized Signature

Address

Date

City/State/Zip

EXHIBIT A

**E-Scooter Shared-Use
Mobility System Permit
Requirements**

Charlotte Department of Transportation

7/15/2021



CHARLOTTE.

INTRODUCTION

The following sections describe the requirements for a company to operate an Electric Standup Scooter (E-Scooter) Shared-Use Mobility System (E-Scooter System) in the City of Charlotte (City). No company may operate an E-Scooter System within the City's limits without a valid Shared-Use Mobility System Permit. The Charlotte Department of Transportation (CDOT) oversees the administration of Shared-Use Mobility Permits. E-Scooter System permits are only valid for operations within CDOT-managed right-of-way. The Director shall determine all permit terms, conditions, fines and other standard or special requirements. Permits will only be issued to companies who are selected through a competitive RFQ process.

DEFINITIONS

Defined terms used in these requirements shall have the meanings assigned to them in City Code (Chapters 14 and 19) or as follows:

Director means the Director of the Charlotte Department of Transportation (CDOT).

Electric Standup Scooter (E-Scooter) means a device with no more than three twelve-inch or smaller diameter wheels that has handlebars, is designed to be stood upon by the user while riding, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed no greater than 15 miles per hour on a paved level surface. The device shall not exceed 50 pounds in weight.

Shared-Use Mobility System Operator (Operator) means an individual or a public, private, or non-profit entity that manages a Shared-Use Mobility System.

Shared-Use Mobility System means one or more shared self-service dockless vehicles including bicycles, electric assisted bicycles, Electric Standup Scooters, and/or devices similar in size, weight, and/or operation, offered for short-term rental by a Shared-use mobility system operator for use in the public right-of-way by customers without the installation of any infrastructure. This definition shall not include motor vehicles as defined by section 14-1, for-hire vehicles as defined by section 22-01, or the transportation services offered by the Charlotte Area Transit System.

User(s) means customer(s) who use an Operator's Shared-Use Mobility System.

DEVICE & FLEET REQUIREMENTS

- A. All E-Scooters shall have displayed:
 - A unique identifier on the E-Scooter stem that is visible at a distance of 10 feet.
 - A customer service phone number that is in-service during all operating hours and clearly displayed and visible to the User.
- B. All E-Scooters shall meet equivalent safety standards as those outlined in the Code of Federal Regulations (CFR) under Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles and the Consumer Product Safety Commission (CPSC) standards around weight bearing in Public Law 107-319. When powered solely by a motor, E-Scooters should be incapable of exceeding 15 mph. Additionally, the City may terminate any permit issued if the battery or motor on an E-Scooter is determined by the City to be unsafe for public use.
- C. All E-Scooters shall meet the North Carolina requirements for lights during hours of darkness, including a front light that emits white light and a rear red reflector as described in N.C.G.S. 20-129, and all other applicable requirements of state law.
- D. All E-Scooters shall be able to securely stand upright when parked.
- E. All E-Scooters shall be capable of transmitting data compliant with a minimum compatible version of the Mobility Data Specification (MDS). The City reserves the right to modify the required version as standards evolve.

- F. All E-Scooters shall be inspected when removed from routine service, to ensure that all components are present and functioning properly.
- G. Operators shall not use E-Scooters for the sale or display of third-party advertising.
- H. Operators shall have minimum and maximum E-Scooter System fleet sizes as determined by the Director. Minimum fleet size is 50, and maximum fleet size is subject to change based on reasonable metrics determined by the City.

Maintenance, Operations, and App Functionality

- A. Any inoperable or unsafe E-Scooter shall be removed from the right-of-way within 24 hours of notice by any means to the Operator by any individual or entity, and shall be repaired before placing back into the City right-of-way.
- B. Operators shall maintain a record of maintenance activities, including but not limited to unique identifier and maintenance performed. These records shall be made available to the City upon request.
- C. No E-Scooter trips may be initiated outside permitted operating hours (currently 6:00am – 10:00pm but subject to change).
- D. Operators shall diligently monitor their fleets in order to rebalance devices and address improperly parked E-Scooters.
- E. Operators shall not load or unload scooters in a vehicle or bicycle lane, or in a manner that impedes travel in these lanes.
- F. If notified of public access and safety concerns by the City, Operators shall rebalance E-Scooters within one hour.
- G. Operators shall be capable of remotely disabling the use of an E-Scooter should it be reported or found to have a safety, maintenance or other hazardous condition. E-Scooters that are reported as unsafe or non-functional shall be immediately deactivated and removed from operations until sufficiently repaired.
- H. The City may, in its sole discretion and without prior notice, remove E-Scooters from the right-of-way and/or require Operators to remove their E-Scooter System from the right-of-way. In such instances, the City will attempt to notify the permitted Operator as soon as reasonably practicable.
- I. Operators shall provide in-app messaging that notifies their Users that they shall:
 - Adhere to all applicable local, state, and federal laws regarding motorized and non-motorized vehicles;
 - Yield to pedestrians; and
 - Operate E-Scooters safely and park responsibly according to the “Parking” section below, with a particular focus on not blocking sidewalks and curb ramps.
- J. The City reserves the right to advise Operators on their in-app messaging and/or require Operators to provide additional information to its Users.
- K. Operators shall provide customer service phone number, website, and smart phone app functionality that permits Users and non-users to contact Operator directly and provide feedback twenty-four (24) hours a day, seven (7) days a week on unsafe riding, improper parking, and/or other issues they witness or encounter.
- L. All digital platforms (mobile applications, websites, etc.) offered to the public must comply with accessibility standards including Web Content Accessibility Guidelines (WCAG) 2.1 or successor standards, Apple or

Android Accessibility guidelines for app developers. Prior to the release to the public, e-scooter companies shall make their digital platforms available to the City for accessibility testing and resolve any issues identified by the City prior to launch.

- M. The Director may remedy habitual rule violations by amending, suspending or completely revoking a permit.
- N. The Director may reduce the fleet size of Operators who have habitual violations or require that the Operator completely remove E-Scooters.

PARKING

The Operator’s permit is only valid for operations within City-managed right-of-way. This permit should not be construed as an approval to operate within parks, publicly-accessible plazas, off-street parking lots/garages, campuses, or other areas outside of the City’s public right-of-way.

- A. E-Scooters shall only be parked within the pedestrian and green zones (see Figure 1 below) and shall be upright when parked. Operators shall instruct and continually educate Users how to park e-scooters properly and comply with this section.
- B. E-Scooters are not allowed to be ridden on the public sidewalks located within the area bounded by Church Street, Stonewall Street, College Street and 7th Street, or as otherwise defined by Section 14-251 of City Code.

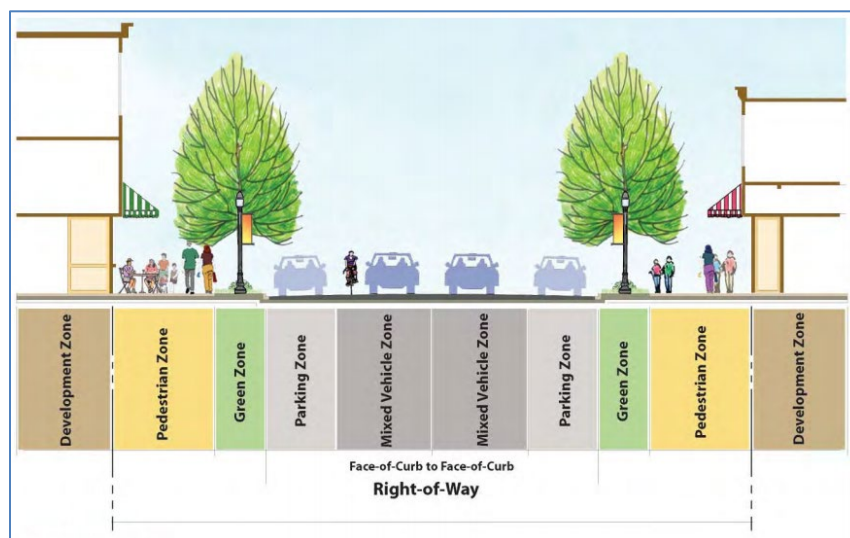


Figure 1

- C. Restrictions to eligible parking zones:
 - o E-Scooters shall not be parked in any vehicular travel lane or bicycle facility including bicycle lanes, buffered/separated/raised bicycle lanes and two-way cycletracks.
 - o E-Scooters shall not be parked in such a way as to interfere with the required intersection sight distance (as defined in [Sec. 19-245](#) of the City Code).
 - o E-Scooters shall not be parked on sidewalks if the sidewalk is less than five feet wide and in no case shall the placement or parking of E-Scooters reduce the width of a pedestrian zone to less than four (4) feet.
 - o E-Scooters shall not be parked such that they impede the accessibility, including by individuals with disabilities, of:
 - Parklets or sidewalk dining;

- Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones, except at existing bicycle racks;
 - Loading zones;
 - Accessible parking zones and associated loading zones;
 - Street furniture that requires pedestrian access (for example - benches, parking pay stations, bus shelters, transit information signs, newsracks, permanent bike share docks, etc.);
 - Braille signs;
 - Drinking fountains;
 - Curb ramps and signal push buttons;
 - Building entryways and exits; and
 - Driveways.
- Operators shall apply geofencing technology to prohibit parking, locking, or ending rides in prohibited parking areas as defined by the City. The City may adjust these geofencing areas and Operators shall comply within one week of notice. The City reserves the right to periodically audit and confirm the functionality of required geofence(s).

The City reserves the right to further restrict areas for E-Scooter parking.

DATA REPORTING AND SHARING

- A. Operators are required to provide anonymized data to the City or the City's designated third party, including real time and historical information for their entire fleet through a documented web-based application programming interface (API), or other method designated by the City. The Operator is responsible for providing the API key to the City and/or the City's designated third party. The API shall deliver data according to a minimum compatible Mobility Data Specifications (MDS) version to be specified, or other specification designated by the City, in a manner that protects individual user privacy.
- B. The City and/or the City's designated third party is permitted to use the Operator's API to pull data for the purposes of calculating fees, analyzing fleet performance, and displaying aggregated data.
- C. Operators found to be submitting incomplete or inaccurate data to the City and/or the City's designated third party, may have their permits revoked.
- D. Operators shall provide a monthly data report based on a template provided by the City. Each month's data shall be provided no later than the seventh day of the following month. The City reserves the right to add or delete requested data and will communicate changes by providing an updated template to Operators. Examples of the data report items are:
 - Total trips for the month
 - Total trip distance for the month
 - Average distance and duration of each trip
 - Average number of E-Scooters deployed in the public right-of-way, for each week in the month
 - Average daily trips per E-Scooter
 - Reports of injuries and/or collisions

Fees

The City may work with a third party to administer dynamic parking fees for E-Scooters. **Operators are required to participate in the Dynamic Parking Pricing Program.** The following section describes the fees associated with operating an E-Scooter System in the City's public right-of-way.

Dynamic Parking Fees

- A. The dynamic parking fee structure in Table 1 below will be established by the City and be used by the City’s designated third party, using data provided by the Operator, to calculate fees. The designated third party will provide an invoice to the Operator on the 15th of each month for the prior month’s operations.
- B. E-Scooters operated outside established operating hours or within an Automatic Enforcement Zone (as described below) will result in a \$25 fee per E-Scooter found in violation. Violations specific to operating outside of established operating hours will be applied based on a per trip violation. Violations specific to operating within an Automatic Enforcement Zone will applied every hour until the E-scooter is in compliance. Violations accumulated during the month will be added to the monthly invoice described above.
- C. Payment of monthly invoices is due within 30-days of receipt. Failure to pay invoices within 30 days of receipt may result in suspension or revocation of permit.

Table 1. Fee Rates

Zone	Description	Parking Rate per Hour	
Low Price Zone (Transit areas)	Areas that are directly linked to transit in Charlotte and include areas within walking distances of the top 10 (based on ridership) bus routes (500’), CityLYNX Goldline stations (500’), and LYNX Blue Line stations (¼ mile)	0-30 minutes	Free
		31-90 minutes	\$.01
		91-150 minutes	\$.01
		151 + minutes	\$.01
Medium Price Zone (Remainder of City)	Areas consisting of neighborhoods, corridors, mixed-use activity areas and industrial areas	0-30 minutes	Free
		31-90 minutes	\$.02
		91-150 minutes	\$.02
		151 + minutes	\$.02
High Price Zone (Uptown area)	The area that represents Uptown Charlotte (bounded by Interstate 277 and Interstate 77)	0-30 minutes	Free
		31-90 minutes	\$.03
		91-150 minutes	\$.05
		151 + minutes	\$.07
Automatic Enforcement Zone	Automatic Enforcement Zones in Charlotte include: Freedom Park and Metrolina Association for the Blind.	0-60 minutes	Free
		61 + minutes	\$25.00

Between 6:00AM and 10:00AM scooters parked in the Low Price Zone will not be charged and scooters parked in the Medium Price Zone will be charged \$.01 for all sessions longer than 30 minutes. This fee structure is current as of 09/03/2021 and is subject to change. Should the structure and/or fees change, this document will be updated and reissued to permit holders.

MAP OF PARKING ZONES

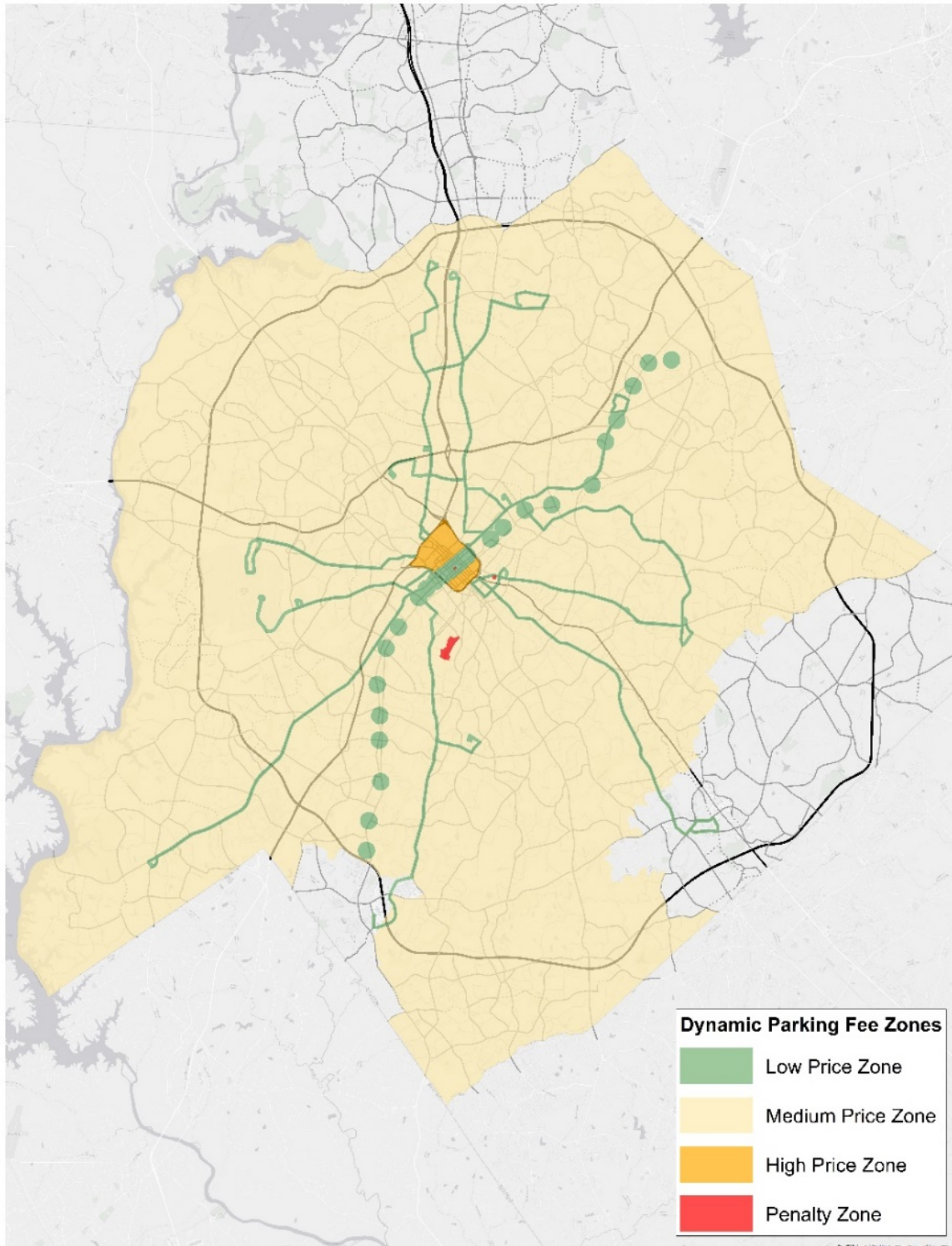


EXHIBIT B

E-SCOOTER SHARED-USE MOBILITY SYSTEM PERMIT

THIS PERMIT is issued this ____ day of _____, by the City of Charlotte, North Carolina (the “City”), to _____, a _____ corporation doing business in North Carolina (“Operator”). [state of incorporation]

Pursuant to the Charlotte City Code, and subject to the terms and conditions set forth herein, this E-scooter Shared-Use Mobility System Permit allows the Operator to operate within Right-of-Way controlled by the City of Charlotte.

1. **DEFINITIONS.** Defined terms used in these requirements shall have the meanings assigned to them in City Code, Chapter 14 or as follows:

- 1.1. “Electric standup scooter”, hereinafter “E-scooter”, for the purposes of this permit, and to the extent not preempted by definitions established by North Carolina Statute, means a device with no more than three twelve-inch or smaller diameter wheels that has handlebars, is designed to be stood upon by the user while riding, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed no greater than 15 miles per hour on a paved level surface. The device shall not exceed 50 pounds in weight.
- 1.2. “E-scooter Shared-Use Mobility System” Shared-use mobility system means one or more shared self-service dockless vehicles including bicycles, electric assisted bicycles, electric standup scooters, and/or devices similar in size, weight, and/or operation, offered for short-term rental by a Shared-use mobility system operator for use in the public right-of-way by customers without the installation of any infrastructure.. This definition shall not include motor vehicles as defined by section 14-1, for-hire vehicles as defined by section 22-01, or the transportation services offered by the Charlotte Area Transit System.
- 1.3. “Equipment” means E-Scooters owned or operated by the Operator and all other related equipment, including but not limited to equipment relating to the maintenance and charging of the E-Scooters, mobile applications, software, or otherwise related to the business of the Operator.
- 1.4. “Operator” means the holder of this Permit and includes any employee, agent or independent contractor hired by the Permit holder.
- 1.5. “Permit Requirements” means the requirements provided in this Permit and the latest version of the Charlotte Department of Transportation’s (“CDOT”) *E-Scooter Shared-Use Mobility System Permit Requirements*, attached and incorporated as Exhibit A herein.
- 1.6. “Right-of-Way” is defined by applicable City Code and state law, but generally refers to the area on, below, and above an existing or proposed public roadway, highway, street, bicycle lane or sidewalk, planting strip, and associated adjacent land, in which the City has a property interest, whether by easement or fee and regardless of how acquired or established, for public travel and utility purposes. For purposes of this Permit, “Right-of-Way” shall not include property held or acquired primarily for the purpose of the movement of public transit vehicles, including railroad right-of-way.
- 1.7. “User(s)” means customer(s) who use an Operator’s E-Scooter System.

2. **TERM.** This Permit shall commence on the Effective Date and shall be valid for a period of one (1) year, and may be reissued on an annual basis at the City’s sole discretion.

3. **FILING OF INFORMATION.** Operator shall file with the City, and keep current, the following information:
 - 3.1. The name and contact information of a local representative(s). A local representative shall be available during normal business hours.
 - 3.2. Information regarding how to contact the Operator in an emergency.
 - 3.3. Name, address, telephone number, fax number, and e-mail address of all contractors authorized to work on Operator's behalf shall be maintained by the Operator and shall be provided to the City upon request. The Operator shall be liable to the City for any and all work performed on the Operator's behalf in connection with this Permit.
 - 3.4. Operator shall file changes or additions to the above required information within fifteen (15) business days following the date on which Operator has knowledge of any changes or additions. Notwithstanding the foregoing, emergency contact information and information regarding authorized contractors shall be kept current at all times.
 4. **REMOVAL AND RELOCATION.** At any time and at the City's sole discretion without prior notice, the City may remove and/or require the Operator to remove one and/or all of Operator's fleet of E-Scooters located in the Right-of-Way. Operator shall promptly remove or alter such items, in order to conform to the City's requirement, without any cost to the City.
 5. **INDEMNIFICATION.** To the fullest extent permitted by law, the Operator shall indemnify, defend and hold harmless the City and its' officials, employees, agents, invitees, and volunteers from and against any and all claims, losses, damages, demands, fines, penalties, royalties, obligations, liabilities, or expenses of any kind or nature to the extent they arise from actual or alleged:
 - 5.1. Failure to comply with this Permit, negligence or willful misconduct by the Operator or any of Operator's agents, employees or subcontractors, including but not limited to any liability caused by an accident or other occurrence resulting in bodily injury, death, sickness or disease to any person(s) or damage or destruction to any property whether real, personal, tangible, or intangible, and including data and other intellectual property;
 - 5.2. Violation of any federal, state, or local law, ordinance, rule, regulation, guideline, or standard by Operator or any of its agents, employees or subcontractors; or
 - 5.3. Negligence or willful misconduct by Operator or any of Operator's agents, employees or subcontractors relating to the maintenance and/or operation of Equipment covered by this Permit.
- This Section shall remain in force despite termination of this Permit (whether by expiration of the term or otherwise).
6. **INSURANCE.** The Operator shall obtain and maintain during the life of this Permit, with an insurance company rated not less than "A" by A.M. Best, authorized to do business in the State of North Carolina and acceptable to the Charlotte-Mecklenburg, Risk Management Division, the following insurance:
 - 6.1. Automobile Liability - Bodily injury and property damage liability covering all owned, non-owned and hired automobiles for limits of not less than \$1,000,000 bodily injury each person, each accident and \$1,000,000 property damage, or \$1,000,000 combined single limit - bodily injury and property damage.
 - 6.2. Commercial General Liability - Bodily injury and property damage liability as shall protect the Operator and any subcontractor operating under this Permit, from claims of bodily injury or property

damage which arise, whether such operations are performed by the Operator, any subcontractor, or anyone directly or indirectly employed by either. The amounts of such insurance shall not be less than \$2,000,000 bodily injury each occurrence/aggregate and \$2,000,000 property damage each occurrence/aggregate, or \$2,000,000 bodily injury and property damage combined single limits each occurrence/aggregate. This insurance shall include coverage for products, operations, personal and advertising injury, and contractual liability, assumed under the indemnity provision of this Permit.

- 6.3. Workers' Compensation and Employers Liability - meeting the statutory requirements of the State of North Carolina, \$500,000 per accident limit, \$500,000 disease per policy limit, \$500,000 disease each employee limit.
- 6.4. The City shall be exempt from, and in no way liable for any sums of money, which may represent a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the Operator and/or subcontractor providing such insurance.
- 6.5. The City of Charlotte shall be named as an additional insured for operations rendered under the general liability coverage. The Operator's insurance shall be primary of any self-funding and/or insurance otherwise carried by the City for all loss or damages arising from the Operator's operations under this agreement.
- 6.6. Certificates of such insurance will be furnished to the City and shall contain the provision that the City be given thirty (30) days' written notice of any intent to amend coverage reductions or material changes or terminate by either the insured or the insuring Company.
- 6.7. Should any or all of the required insurance coverage be self-funded/self-insured, a copy of the Certificate of Self-Insurance or other documentation from the North Carolina Department of Insurance shall be furnished to the City.
- 6.8. If any part of this Permit is sublet, the subcontractor shall be required to meet all insurance requirements as listed above. However, this will in no way relieve the Operator from meeting all insurance requirements or otherwise being responsible for the subcontractor.

7. MISCELLANEOUS.

- 7.1. Permit Subject to Exercise of Police Powers. All right and privileges granted herein are subject to the police powers of the City and its right to make laws and regulations.
- 7.2. Non-Assignability. This Permit may not be transferred or assigned.
- 7.3. Compliance with Applicable Law. Operator shall comply with all applicable local, state, and federal laws.
- 7.4. Adherence to Permit Requirements. The Operator shall abide by all Permit Requirements as outlined in the most current version of the City's *E-Scooter Shared-Use Mobility System Permit Requirements*, attached as Exhibit A.
- 7.5. Permit Subject to Additional or Altered Conditions. The City reserves the right to add or alter permit conditions. Furthermore, the City reserves the right to terminate permits at any time and require that the entire fleet of E-scooters be removed from the Right-of-Way within 30 days, unless a different time period is determined by CDOT.

- 7.6. Relationship of the Parties. Nothing contained in this Permit shall be construed to constitute the parties as partners, co-owners or otherwise as participants in a joint venture. Neither party has power or authority to act for, bind, or otherwise create or assume any obligation on behalf of the other.
- 7.7. Severability. If any provision or clause of this Permit is found to be inapplicable, invalid, void, or unenforceable by law, the City and the Operator agree that the remainder of this Permit's provisions will continue to be in full effect.
- 7.8. Agreement with and Acceptance of Terms. By accepting this Permit and exercising the right granted herein, the Operator agrees to and is hereby bound by the terms of the Permit.

CITY OF CHARLOTTE, NORTH CAROLINA

BY:

Director of the Charlotte Department of Transportation

ACCEPTED [OPERATOR]:*

Signature _____

Name: _____

Title: _____

Date: _____

*** This Permit is not valid until accepted in writing by the permit applicant and the City.**



CHARLOTTE

Department of General Services – City Procurement

Addendum # 1	E-Scooter Shared-Use Mobility Program Permit RFQ # 269-2022-010
---------------------	----------------------------------------------------------------------------

To: All Prospective Companies
Date: September 24, 2021
Subject: Addendum # 1– RFQ # 269-2022-010 - E-Scooter Shared-Use Mobility Program Permit

Please note the specification changes/modifications below for the RFQ.

Item #	Page #	Section #	Specification	Modifications and Questions
1				Modification: The RFQ is hereby modified to append Exhibit C, Charlotte E-Scooter Program Summary, provided as Attachment 1 herein.
2			SOQ Checklist	Service Provider Question: Please confirm if any insurance proof or documentation will be required with submission of the SOQ. Answer: Proof of insurance coverages is not required when submitting SOQ. However, awarded vendors must provide valid Certificates of Insurance within 14 days of award.
3	3	1	Definitions – Electric Standup Scooter (E-Scooter)	Service Provider Question: Would the City consider increasing the maximum weight of E-Scooters to at least 60 pounds? Answer: The current weight limit is established in City Ordinance (Chapter 14) and is unable to be amended through this RFQ process.
4	9	1.6.12	Exceptions to the RFQ	Service Provider Question: Does the city want vendors to fill out, redline and sign “Exhibit B with their SOQ submission or include exceptions and alternate solutions if there are any to the terms, conditions and requirements listed therein? And to check the according box in Requirement on Required Form 3? Answer: No, Exhibit B – E-Scooter Shared-Use Mobility System Permit is provided for reference only and should not be completed by Vendors as part of their SOQ submission.

Item #	Page #	Section #	Specification	Modifications and Questions
				If a Vendor takes any exceptions to Exhibit A – E-Scooter Shared-Use Mobility System Permit Requirements, those exceptions should be indicated as instructed in Section 1.6.12.
5	10	2.1	Schedule and Process	<p>Service Provider Question: This chart states that services commence on November 18, 2021; will all four (4) awarded companies begin on the same date and with the same maximum fleet size?</p> <p>Answer: Yes, it is the intent that up to four companies will be awarded permits with the same maximum fleet sizes.</p>
6	11	2.5	Submission of Qualifications	<p>Service Provider Question: Would the City consider accepting electronic-only submissions via email and/or digital (DocuSign) signatures? If not, please clarify which part(s) or forms of the original copy of the SOQ need to be “signed in ink”?</p> <p>Answer: SOQs sent by fax or email will <u>not</u> be accepted. The SOQ Cover Letter and all Required Forms requiring a signature must be signed in ink by a company official authorized to make a legal and binding offer.</p>
7	11	2.5	Submission of Qualifications	<p>Service Provider Question: Is there a way for vendors to hand deliver their SOQ to the city other than putting them through the mail?</p> <p>Answer: Companies may reach out to Procurement Officer Lynne Shelton at lynne.shelton@charlottenc.gov to coordinate hand-delivery of their SOQ.</p>
8	13	3.1	General Scope	<p>Service Provider Questions: The RFQ has been written as an e-scooter offering: what weight, or consideration will be given for the offering of e-bikes or other adaptive vehicles?</p> <p>Answer: At this time the RFQ is only soliciting responses for e-scooter fleets.</p>
9	13	3.1	General Scope	<p>Service Provider Question: The final sentence in this section states: “the City has specific requirements and preferences for the Service delivery method”. Does this indicate a preference for certain hiring standards, employment type, and other staffing methodologies?</p> <p>Answer: No. The City’s preferences for Service Delivery method are listed in Section 3, Scope of Work and do not relate to hiring standards, employment type or other staffing methodologies.</p>

Item #	Page #	Section #	Specification	Modifications and Questions
10	13	3.2	Operations Plan	<p>Service Provider Question: Does the city plan to allow e-scooters to remain deployed during non-operational hours or is the preference to have companies retrieve all e-scooters during this time? Is the city open to feedback and recommendations from vendor submissions?</p> <p>Answer: Yes, e-scooters may remain deployed during non-operational hours (with the same expectations of appropriate parking per the permit requirements).</p>
11	17	5	Evaluation Criteria	<p>Service Provider Question: Does the City have a quantitative scoring criteria rubric? How is each section weighted?</p> <p>Answer: The City doesn't score or provide weights to the categories used in evaluation of the SOQs. Each category is evaluated equally by the members of the team.</p>
12	22	6	Required Form 4 M/W/SBE Utilization	<p>Service Provider Question: Given that a vendor may <i>intend</i> to subcontract with certain businesses, that cannot be finalized or confirmed until the City has awarded permits, is it just to show good faith efforts in the event the vendor is awarded? Does the city need to see proof of those efforts?</p> <p>Answer: Vendors should indicate any subcontracting opportunities that would be utilized if a permit were awarded. Vendors should provide any outreach efforts on Required Form 4.</p>
13	32	7	Equitable Deployment	<p>Service Provider Question: Does the City have any specific low-income/equity neighborhoods that they would like the vendors to focus deployment in?</p> <p>Answer: The City of Charlotte addresses equity through the Dynamic Pricing Model, specifically the Low Price Zones that encourage deployment near light rail stations and high ridership bus routes to offer a first-last mile transportation option.</p>
14	33	7	Device & Fleet Requirements - H	<p>Service Provider Question: Can you provide more detail on the anticipated fleet sizes for the new program beyond the 50 vehicle minimum? What metrics will be used by the city in determining fleet size changes?</p> <p>Answer: Permitted operators shall have a minimum fleet of 50 and a maximum of 400 scooters. Fleet sizes are subject to change based on reasonable metrics</p>

Item #	Page #	Section #	Specification	Modifications and Questions
				determined by the City. If an increase is allowed, the City will alert the operators in writing.
15	34	7	Exhibit A E-Scooter Shared- Use Mobility Program Permit Requirements	<p>Service Provider Question: Does the City have any interest/preference in designating “parking zones/corrals” or to visually indicate permitted parking areas for riders? Would the city prefer the vendor to make recommendations to such a response?</p> <p>Answer: The City has performed limited testing of parking corrals but is interested in solutions that address appropriate parking. The city is open to recommendations around parking strategies (corrals, technology/geofencing, etc.)</p>
16	36	7	Dynamic Parking Fees – Table 1. Fee Rates	<p>Service Provider Question: Can the city confirm that no fees will be charged for scooters parked in any zones during non-operational hours between 10pm – 6am? Additionally, can the city clarify if the description below the parking table is intended to state between 6am – 10pm?</p> <p>Answer: No scooters will be charged between 10pm and 6am. No, the description below the table indicates that Low Price Zones will not be charged until 10am (i.e. parking sessions are ‘free’ between 6am and 10am).x</p>
17	36	7	Dynamic Parking Fees	<p>Service Provider Question: Is the “parking rate per hour” fee the only revenue share required by the City?</p> <p>Answer: Yes.</p>
18	36	7	Dynamic Parking Fees	<p>Service Provider Question: If a scooter is parked in the low, medium or high priced zone for 151+ minutes does it also incur the charge from minutes 31-150? For example if a scooter is parked in a high price zone for 151 minutes is the charge for that scooter \$0.03 (for minutes 31-90) +\$0.05 (for minutes 91-150) +\$0.07 (for minutes 151 and above) = \$0.14 or is it just \$0.07 because the scooter was parked for 151+ minutes?</p> <p>Answer: Yes, the total price of a parking session will be the sum of the preceding pricing tiers. Assuming a high price zone parking session of 151 minutes:</p> <ul style="list-style-type: none"> • 0 - 30 mins = free = \$0.00

Item #	Page #	Section #	Specification	Modifications and Questions
				<ul style="list-style-type: none"> • 31 – 90 mins = \$0.02 • 91 – 151 mins = \$0.04 • Total Session Price = \$0.06
19	36	7	Dynamic Parking Fees	<p>Service Provider Question: Does the clock start again once a new customer uses a scooter that has been sitting idle and then ends their ride? For example if a scooter sits idle for 31 minutes in a medium price zone and then later in the day sits idle for 31 minutes in a high price zone do we pay the city \$0.02 + \$0.03 = \$0.05?</p> <p>Answer: Each time a scooter is deployed, parked at the end of a ride, rebalancing event, etc. it starts a new parking session that will be charged according to the duration and location of that scooter. The pricing table lists price per hour.</p> <p>Considering dollar amounts are prorated for the hour, in this example:</p> <p>Scooter sits 31 mins in a medium zone = \$0.00016667</p> <p>Scooter moves and sits 31 mins in a high price zone = \$0.00033333</p> <p>The sum of these two sessions for invoicing results in a charge of approximately \$0.00.</p> <p>A scooter would only hit the maximum rate after 1 hour <i>beyond</i> the free 30 minutes. To use the high rate tier as an example, suppose a scooter was parked in the high zone for 90 minutes, then:</p> <p>30 mins free = \$0 60 mins = \$0.02 90 mins total = \$0.02 total for that particular session.</p>
20	36	7	Dynamic Parking Fees	<p>Service Provider Question: What is the maximum fee a vehicle can incur if it sits idle during the entire 16 hour operating hours window?</p> <p>Answer: This will depend on the pricing zone: Low = \$0.12 Medium = \$0.27 High = \$1.18 Auto Enforcement = \$360</p>

Item #	Page #	Section #	Specification	Modifications and Questions
21	36	7	Dynamic Parking Fees	<p>Service Provider Question: If a scooter sits idle for the entire 16 hour operating window is it charged \$0.07 but if it is ridden throughout the day but sits idle longer than 30 minutes does it incur all of the fees for each period of time it sat idle?</p> <p>Answer: Each time a scooter is deployed, parked at the end of a ride, rebalancing event, etc. it starts a new parking session that will be charged according to the duration and location of that scooter. Parking sessions are independent of one another.</p>
22	36	7	Dynamic Parking Fees	<p>Service Provider Question: Are automated enforcement zones the same as penalty zones on the map on page 37?</p> <p>Answer: Yes. They are currently Freedom Park and the block surrounding Metrolina Association for the Blind.</p>
23	38	7	Exhibit B E-Scooter Shared-Use Mobility System Permit	<p>Service Provider Question: The City defines “E-scooter Shared-Use Mobility System’ Shared-use mobility system means one or more shared selfservice dockless vehicles including bicycles, electric assisted bicycles, electric standup scooters, and/or devices similar in size, weight, and/or operation, offered for short-term rental by a Shared-use mobility system operator for use in the public right-of-way by customers without the installation of any infrastructure” - Does this mean the City is open to permitting bicycles and e-bicycles under this permit or is the city just permitting stand-up scooters under this RFQ?</p> <p>Answer: This RFQ is only for stand-up e-scooters.</p>

In order to constitute a complete proposal response, you must acknowledge receipt of this addendum with the Addenda Receipt Confirmation Form in Section 6 of the RFQ in your Proposal. **Any Company not acknowledging receipt of an issued addendum may not be considered.**

In the event additional changes or clarifications to this RQP are warranted, all Companies are responsible for monitoring the City’s [Contract Opportunities](#) site or www.ips.state.nc.us or for additional addenda.

We appreciate your interest in doing business with the City and look forward to receiving a SOQ from your company.

Sincerely,

Lynne Shelton
Procurement Officer

cc: RFQ Team
RFQ File

ATTACHMENT 1

EXHIBIT C

Charlotte E-Scooter Program Summary (May '18 - August '21)			
Month	Miles	Trips	Average Fleet
May-18	19,405	11,689	110
Jun-18	98,004	62,220	296
Jul-18	139,215	100,273	531
Aug-18	186,088	146,471	760
Sep-18	141,667	119,318	745
Oct-18	130,137	120,168	723
Nov-18	121,148	83,415	653
Dec-18	81,484	82,523	884
Jan-19	65,373	72,210	618
Feb-19	77,036	76,612	591
Mar-19	74,037	89,004	584
Apr-19	105,683	107,315	1,377
May-19	153,395	155,467	1,662
Jun-19	150,401	148,721	1,798
Jul-19	166,978	147,588	1,361
Aug-19	125,949	162,381	924
Sep-19	120,501	138,044	1,080
Oct-19	93,538	106,553	943
Nov-19	64,946	71,908	709
Dec-19	58,680	66,329	775
Jan-20	41,110	50,642	743
Feb-20	38,629	47,731	684
Mar-20	34,116	53,078	586
Apr-20	-	-	-
May-20	18,897	12,816	256
Jun-20	43,265	31,966	509
Jul-20	69,677	52,950	1,021
Aug-20	75,303	56,947	708
Sep-20	81,090	61,809	937
Oct-20	72,272	58,096	1,016
Nov-20	61,272	49,905	947
Dec-20	32,094	28,919	861
Jan-21	28,936	27,071	850
Feb-21	28,118	24,920	809
Mar-21	63,747	51,316	872
Apr-21	90,799	66,579	812
May-21	130,195	94,262	1,078
Jun-21	113,300	85,509	1,189
Jul-21	142,873	107,711	1,300

ATTACHMENT 1

Aug-21	152,631	109,723	1,488
Total	3,491,991	3,140,159	



CHARLOTTE

Department of General Services – City Procurement

Addendum # 2	E-Scooter Shared-Use Mobility Program Permit RFQ # 269-2022-010
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To: All Prospective Companies
 Date: September 30, 2021
 Subject: **Addendum # 2– RFQ # 269-2022-010 - E-Scooter Shared-Use Mobility Program Permit**

Please note the specification changes/modifications below for the RFQ.

Item #	Page #	Section #	Specification	Modifications and Questions
1	3	1	Definitions – Electric Standup Scooter (E-Scooter)	<p>Service Provider Question: Would the City consider increasing the 50 pound maximum weight of E-Scooters?</p> <p>Answer: Not at this time. The current 50 pound weight limit is established in City Ordinance (Chapter 14) and interpreted as the weight of the scooter not including the battery system, whether it is integrated or removable.</p>

In order to constitute a complete proposal response, you must acknowledge receipt of this addendum with the Addenda Receipt Confirmation Form in Section 6 of the RFQ in your Proposal. **Any Company not acknowledging receipt of an issued addendum may not be considered.**

In the event additional changes or clarifications to this RQP are warranted, all Companies are responsible for monitoring the City’s [Contract Opportunities](#) site or www.ips.state.nc.us or for additional addenda.

We appreciate your interest in doing business with the City and look forward to receiving a SOQ from your company.
Sincerely,

Lynne Shelton
Procurement Officer

cc: RFQ Team
RFQ File