

Howard County Office of Transportation

Application For a Permit to Operate a Publicly Accessible Electric Scooter Sharing Program on Public Right-Of-Way in Howard County 7/13/2020



August 2020 to August 2021 Permit Period



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I. Overview

Thank you for your interest in applying for the Howard County Electric Scooter Sharing Permit, which will be active from August 22, 2020 to August 21, 2021. For the background information it is recommended that applicants first reference:

- Howard County Council Bill 3-2020, Council Bill 37-2020, Council Resolution 78-2020
- Terms and Conditions for the Permit to Operate a Publicly Accessible Electric Scooter Sharing Program on the Public-Right of Way in Howard County (T&C)

These documents and more can be found at: www.howardcountymd.gov/Departments/County-Administration/Transportation/Scooter-Permits

Howard County Office of Transportation will score applications and award permits to the providers that best serve the residents and visitors to Howard County. Companies will be expected to help achieve the following goals:

Safety – Increase safety for all roadway users, regardless of their use of shared electric scooters. In this application, applicants should include their efforts to improve safety of scooter riding and parking through innovations in scooter design, maintenance, parking management, and user education.

Promote sustainable and active transportation - Promote active and sustainable transportation for a healthier community and cleaner environment. For this reason, applicant responses about scooters which appeal to a range of users and approaches to sustainability will be scored.

Equity - Improve equity for in Howard County, including through opportunities, employment, and the ability to access amenities regardless of personal characteristics, historical disenfranchisement, or geographical locations. Accordingly, applicant responses should detail engagement plans, equitable deployment practices, and hiring processes.

Quality of Service – Provide a high quality, reliable service to the residents and visitors of Howard County.

Important Dates

Permitting Schedule (Tentative, Subject to Change)	
Permit application period opens	June 17, 2020
Deadline for permit applications from vendors	July 29, 2020
Notice of permit awards	August 12, 2020
Start of 1-year permit period	August 22, 2020
End of 1-year permit period	August 21, 2021

Application Process

To be considered for a permit, applicants must first read and understand all applicable local regulations. All applicants must verify that they are familiar with:

- Howard County Council Bill 3-2020, Council Bill 37-2020, Council Resolution 78-2020
- Terms and Conditions for the Permit to Operate a Publicly Accessible Electric Scooter Sharing Program on the Public-Right of Way in Howard County (T&C)

These documents can be found on the Howard County Scooter Permit webpage:

www.howardcountymd.gov/Departments/County-Administration/Transportation/Scooter-Permits

Applicants will submit their application in the form of eleven (11) sections, eight (8) of which will be scored. Howard County Office of Transportation (OOT) will award up to two permits following this competitive application process.

Section weighting is approximately:

Section	Topic Scored	Weight
Scooter information	- Scooter types - Additional safety features or plan to improve scooters - Recalls or incidences	15
Maintenance	- Mechanic training methods - Scooter checks and charging - Scooter locating and disposal	10
Operations	- Fleet size - Hours of operation - Procedure for deployment - Procedures for cleaning and disinfecting to minimize spread of communicable viruses - Responding to non-deployment and emergencies	10
Education/engagement	- Equity & Education Strategies - Local partnerships - Pricing, low income pricing, non-smart phone and cash option - Compatibility and average response time	15
Hiring	- Local staff and staffing policies	5
Data	- Privacy protection - Protection from breaches	5
Sustainability	- Scooter life expectancy and effort to extend - Sustainability plans	5
Company History	- Breaking Howard County contract - Breaking Federal, Maryland, or Howard County laws	Negative Points

All applications should be submitted by July 29, 2020 at 5:00pm EST for consideration. Applicants who are granted permits will be notified by August 12, 2020 and permits will become active August 22, 2020 provided all contracting documents are submitted. **Any questions and completed applications should be submitted electronically to Chris Eatough (ceatough@howardcountymd.gov), Bicycle and Pedestrian Coordinator at Howard County Office of Transportation.** Please note that by submitting this application, all information may become public as required by the Public Information Act.

Fees

Once awarded a permit, providers will be subject to the following fee schedule and deadlines. Program fees consist of (1) permit fee, and (2) performance bond. Payment processing will be through Howard County Department of Finance.

1. Permitting Fees

Howard County Council Resolution 78-28 and Howard County T&C detail a permitting fee of \$10,000 to cover the cost of administering the permit for one year. This fee must be received by the Howard County within 30 days of the permit becoming active. The fee is based on an estimate of 150 hours per year of administration per granted permit.

2. Performance Bond

Howard County T&C outlines a refundable bond of \$10,000 to be retained in the event the permit holder fails to remove from the public right-of-way Scooters that are unsafe, unpermitted, or abandoned, or if Howard County must remove, relocate, impound, or store Scooters due to improper parking, safety hazards, or any other violation of the T&C.

The bond was calculated based on anticipated costs, per permit:

Task	Estimated Expense
Lake Retrieval <i>\$200 x 6 dives</i>	\$1,200
Towing <i>\$150 (1-5 scooters) x 40</i>	\$6,000
Damage to Public Property & Miscellaneous Retrieval <i>\$2,800 miscellaneous costs</i>	\$2,800
TOTAL	\$10,000

II. Required Attachments

Please submit an attachment addressing each of the twelve (12) items listed in this section. Each attachment should be labeled with the item number and contain all requested information in the order in which it is asked.

1. Complete the **Company Information, Verification, and Indemnification Page (appendix A)** in blue ink and attach it as a cover sheet to the application. In order to complete this section, applicants should read and familiarize themselves with:

- Howard County Council Bill 3-2020, Council Bill 37-2020, Council Resolution 78-2020
- Terms and Conditions for the Permit to Operate a Publicly Accessible Electric Scooter Sharing Program on the Public-Right of Way in Howard County (T&C)

These documents can be found on the Howard County Scooter Permit webpage:

www.howardcountymd.gov/Departments/County-Administration/Transportation/Scooter-Permits

2. **Scooter Information**, including:

- a. Diagram of each type and model of scooter to be used in Howard County including:
 - i. All required features from T&C Article 2A labelled.
 - ii. Additional safety features or unique features labelled.
 - iii. Any safety certificates attached
- b. Projected fleet size and composition by month of the year.
- c. A description of any efforts on behalf of the applicant to innovate and improve upon scooter design, especially as it pertains to safety and sustainability.
- d. Any history of scooter recalls or major safety incidents which required investigation and the outcome of each incident.

3. **Scooter maintenance plan**, including:

- a. Mechanic training methods.
- b. Description of scooter checks:
 - i. Frequency each scooter is checked for safety.
 - ii. Frequency each scooter will be brought in for general maintenance.
 - iii. Method for identifying specific scooters in need of additional maintenance.
 - iv. Location where maintenance will be performed.
- c. Charging plan for any scooters which require batteries.
- d. Plan for locating, restoring and/or disposing of vandalized scooters.
- e. Procedures for cleaning and disinfecting to minimize spread of communicable viruses.

4. **Operations plan**, including:

- a. Hours and days of operation, including the typical deployment schedule:
 - i. Expected time of scooter deployment, with the percentage of fleet to be active each hour.
 - ii. Expected time of scooter collection, with the percentage of fleet to be collected each hour.
- b. Procedures for responding to extreme weather events and other emergencies which require a removal of large portions of the fleet from the streets.
- c. Procedures for responding to non-deployment requests.
- d. Procedures for ensuring availability of scooters in each deployment zone and for avoiding overconcentration in any zone.
- e. Name, title, and email address of employee who will be responsible for the retrieval of impounded scooters

5. **Education and Engagement plan**, including:

- a. A description of all educational or incentive tactics to encourage proper riding and parking by users.
- b. A description of education and warnings for user behaviors to minimize spread of communicable viruses.
- c. A description of strategies to be used to reduce barriers and increase access to scooters for historically underserved communities, including people with low-incomes, people of color, and people with disabilities.
- d. List any partnerships with organizations which are led by or serve the Howard County community. Specify any partnerships with organization which serve at-risk population such as youth, immigrants, or formerly incarcerated individuals.
- e. Current pricing plan and any intended changes to pricing.
- f. A description of customer service operations including
 - i. 24-hour customer service number and the languages available.
 - ii. URL for online reporting by the general public to report parking and other issues.
 - iii. Additional contact methods to reach customer service, such as email or SMS text messages
 - iv. Average time taken to respond to customer service calls and to resolve customer complaints.
 - v. Software app compatibility with WCAG standards or the timeline to achieve compatibility.

6. Hiring plan, including:

- a. Plan for staffing and training, including the number of full time staff, part time staff, and of contractors.
- b. Plans to hire locally in Howard County.
- c. A copy of indemnity policies for staff.

7. Data policies, including:

- a. Privacy policy, describing how you safeguard Users' information, including personal and financial information.
- b. List all of the parts of a User's mobile phone (e.g., camera, location services, and contacts) that are required by Applicant for access to its service and the reason it is required.
- c. List additional elements of a User's mobile phone that are requested during the registration process or subsequently and the reason they are requested.
- d. Public API format, any authentication requirements to access the public API, and ability to provide a payment API to third party applications.
- e. Data breach history including the date, location, and type of data accessed for all data breaches.

8. Sustainability Plan, including:

- a. Expected scooter life expectancy for each type of scooter, including the average lifespan of the main scooter parts and scooter disposal practices.
- b. Innovations to extend scooter durability, life expectancy, and durability in the local weather and climate conditions in Howard County.
- c. Efforts to minimize pollution associated with retrieval and charging practices.
- d. A description of operational and financial sustainability including long term plans to provide scooters in Howard County.

9. Agreements with private property owners, including:

- a. Affidavit from Columbia Association providing permission to operate on Columbia Association pathways, as required by T&C.
- b. Affidavits from any other private property owners providing permission to operate on their property.

10. Company History:

- a. List all previous violations of Howard County contracts, Howard County Code, Maryland State Code, or federal laws. Any omissions in this section will be doubly weighted.

11. Proof of Business Registration:

- a. Provide proof of Business Registration and good standing to do business in the state of Maryland. For more information about how to register a business visit: <https://egov.maryland.gov/BusinessExpress/>

12. Certificate of Insurance:

- a. Attach a Certificate of Insurance meeting all requirements set forth in the T&C.

Howard County

Electric Scooter Sharing Permit Application

August 22 2020 to August 21 2021 Permit Period

Appendix A: Company Information and Verification

Please complete the following pages in blue ink and attach them as a cover sheet to the application. Before completing this section, applicants should read and familiarize themselves with:

- Howard County Council Bill 3-2020, Council Bill 37-2020, Ccil Resolution 78-2020
- Terms and Conditions for the Permit to Operate a Publicly Accessible Electric Scooter Sharing Program on the Public-Right of Way in Howard County (T&C)

**Application For a Permit to Operate a Publicly Accessible Electric Scooter Sharing Program
on Public Right-Of-Way in Howard County**

Company Information and Verification

1. Company information

a. Company Name (applicant): _____

b. Trade Name: _____

c. Mailing Address: _____

d. Lead local staff representative name, title, phone number, and email:

d. Signatory name, title, phone number, and email:

e. Additional staff member(s) who will be in contact with Howard County, title(s), and email(s):

2. Applicant signatory must sign and date to verify the following:

- a. Applicant has read and understood all applicable bills and resolutions, including:

- i. Howard County Council Bill 3-2020
- ii. Howard County Council Bill 37-2020
- iii. Howard County Council Resolution 78-2020

By signing applicant is agreeing to comply with all applicable laws.

Signed: _____ Date: _____

- b. Applicant has read and understood all expectations in the Terms and Conditions for the Permit to Operate a Publicly Accessible Electric Scooter Sharing Program on the Public-Right of Way in Howard County (T&C)

Signed: _____ Date: _____

- c. The Permit Holder shall indemnify, defend and hold harmless Howard County Government, its elected and appointed officials, departments, agencies, employees, agents, and all other representatives together with all officers, directors, employees, agents and representatives of any of them (hereinafter collectively referred to as the "Indemnified Parties") from and against any and all claims, demands, suits, causes of action, expenses or other liability of whatsoever kind or nature, whether in contract or tort, and by whomsoever brought, including without limitation reasonable attorney fees, fees for outside consultants, contractors and experts, and court costs, threatened or brought against any of the Indemnified Parties arising out of or relating to, or alleged to arise out of or relate to, any direct or indirect act or omission of the Permit Holder and its officers, directors, employees, agents, subcontractors, suppliers and other representatives for which it is responsible by Contract or by law except to the extent actually caused by the negligence and/or intentional wrongdoing of one or more of the Indemnified Parties hereunder. The Permit Holder's obligations under this provision shall not be limited or defined in manner whatsoever by the amount of insurance required by this Agreement. The rights of the Indemnified Parties under this provision shall not be diminished, waived, discharged or released, in whole or in part, by the exercise of any other remedy allowed by law or other provisions of this Agreement. The requirements of this indemnification provision shall survive the termination of this Agreement. The County agrees to provide notice to Permit Holder prior to resolution or settlement of claims for which it will seek indemnification.

The Permit Holder, for itself, its' officers, directors, employees, agents and all other representatives of the Permit Holder hereby releases, waives, holds harmless and forever discharges the County, and its elected and appointed officials, departments, agencies, employees, agents, design professionals, project inspectors, separate contractors and consultants, and all other representatives together with all officers, directors, employees, agents and representatives of any of them (hereinafter collectively referred to as the "Released Parties") from and against any and all actions, causes of action, damages, liability, obligations, rights, torts, wrongs and claims, including but not limited to claims of death and personal injury, regardless by whosoever brought, in any way related, directly or indirectly, to the Permit Holder's deployment, operation and maintenance of any scooters in the County, except to the extent actually caused by the sole negligence and/or intentional wrongdoing of the County. Permit Holder covenants not to make or bring any such claims against the County or the Released Parties, and hereby releases and forever discharges the County and the Released Parties from any and all liability under such claims.

Signed: _____ Date: _____