

City of Chicago Scooter Sharing License Clarifications and Questions

January 2022

1. How many vendors does the City expect to select?

A: The City may award up to 3 licenses.

2. How many devices will any vendors be allowed to deploy at launch?

A: No more than 3,000 devices will be allowed at launch, split evenly amongst all companies who receive licenses. For instance, if 3 licenses are granted, each licensee will be allowed to deploy up to 1,000 devices.

3. Is the maximum number of scooters the total projected for the entire program or just the initial deployment before any fleet increases?

A: The total number of devices permitted at the launch of the license will be 3,000, split evenly amongst all licensees. Per ordinance, no more than 12,500 total devices shall ever be allowed across all licensees during any license period.

4. Are fleet increases reset in the second year of the license?

A: No

5. Section 9.1 states "The Commissioner shall determine each licensee's maximum fleet size for the first day of operation, totaling no more than 3,000 devices among all licensees." For example, if the City selects 3 vendors, will the maximum fleet size be 1,000 vehicles per vendor"?

A: Yes

6. Is the City interested in only scooters or can vendors also apply for an e-bike permit?

A: This is a shared scooter license only.

7. What is the City's expected maximum number of vehicles across all vendors at the launch of the program and at maximum fleet across all vendors?

A: The total number of devices permitted at the launch of the license will be 3,000, split amongst all licensees. Periodically, licensees may request to deploy additional devices, and those requests will be granted based on performance factors including compliance, safety and ridership. Per ordinance, no more than 12,500 total devices shall ever be allowed across all licensees.

8. The Central Business District will have large inbound ridership, what is the rebalancing requirement for the CBD?

A: Rebalancing will be the responsibility of the licensee. Please see rule 8.4. While we are still developing the City's approach, we expect that fleet maximum cap percentages in the Core Area Geographies and Central Business District will be measured using the total number of both "available" and "non_operational" devices, as reported by MDS, as the numerator and all "available" devices, as reported by MDS, citywide as the denominator.

9: Are accessible devices (5% of fleet) included against the 3,000 cap?

A: Yes

10. Is lock-to technology and integration mandatory for every vehicle deployed?

A: Yes

11. Can the lock be a combination lock?

A: No

12. Does the lock have to be integrated in the app?

A: Yes

13. Section 8.3 Equity Priority Areas state that at least 50% of a licensee's available devices shall be deployed to the Equity Priority Area, defined by the attached "Service Area Map." Further, at least 4% of a licensee's available devices shall be deployed to each of the 10 Equity Priority Sub-Areas, defined by the attached "Service Area Map." How will this data be tracked and evaluated– a specific time of day or daily average?

A: Daily average.

14. Regarding rule 9.3.i how is the average utilization timeframe being calculated. would every scooter device need to have gotten at least 60 rides in a 30-day period or at least 2 rides per day (day as defined as 24 hours) in the 30-day period. If it's the latter, how are 24 hours defined?

A: The average will be over the course of the entire 30-day period.

15. Based on ordinance language, is the current bike share operator entitled to a scooter sharing license?

A: No

16. Some operators use franchise models to decentralize operations. Will this model be acceptable for operations?

A: There is no rule against this model.

17. There appears to be a word missing after "and to ensure" in 17.4.2.iv. Can the City provide clarification on this requirement?

A: Rule 17.4.2.iv should read "Outline of measures taken to ensure that deployed scooters are safe for operation"

18. There are some providers that have given millions of rides in hundreds of cities for many years, but there are also smaller companies operating in few markets and with limited fleets. Will the suspensions and penalties be pro-rated by number of trips or vehicles? As currently written, a straight average will necessarily skew against operators with larger fleets in more geographies.

A: The City understands this concern, and the City will take a closer look at this rule prior to final publication.

19. In 8.2, does population mean residential population or can we take into account commuter, visitor, etc. population when determining where to distribute vehicles, provided all other requirements for distribution are met?

A: Residential population.

20. Access to riders' cameras is necessary to implement Sec. 7.11 regarding taking photos of parked vehicles. (Reference to 12.2)

A: Rule 7.11 says, "Each licensee shall require that riders using smartphones to complete their trip take and submit a photo of the scooter once parked."

This rule requires licensees to ask riders to take and submit a photo of the scooter once parked at the end of their trip. If licensees have that operational requirement, they are in compliance with the Rule. This Rule does not require licensees to have access to riders' cameras. If a rider fails to take and submit a photo of the scooter once parked, the licensee shall not access the rider's camera without the express consent (opt-in) of the rider as provided in Rule 12.2. In the absence of such express consent, licensees should use other enforcement mechanisms such as sending alert messages to riders who fail to comply with the requirement in their subsequent rides or deactivating accounts of riders for repeated violations.

21. Could the City provide further detail regarding the penalties listed in 13.1.3 Fines, Suspensions and Revocations? Is the City able to provide a fine structure that describes how/if the amount of the fine is related to the nature of the violation?

A: Per City ordinance, an administrative law judge will determine the amount of any fine, ranging from \$500-10,000 per occurrence.

22. Will the City consider events co-hosted and co-branded with other operators as satisfying the definition of education and outreach events in Rule 10.4?

A: Yes.

23. Does the City have a preferred third-party trip-planning and/or payment platform, or are trip-planning integrations sufficient?

A: No, the City does not have a preferred third-party platform at this time.

24. Could the City confirm the intent of Rule 7.4 Launching from Private Property? Is a warehouse of the applicants' own procurement considered "supporting private property"?

A: Yes

25. In 17.9.1 "Large Fleet Deployments" of the application, could the City please clarify if you are referring to total fleet size or active fleet size?

A: Applicants shall list the 10 largest fleets, based on number of deployed devices

26. Section 5.3 titled "Inspection & Attestation" of Rule 5 "Scooter Device Standards states: "*all individual device types to be deployed as part of the scooter license shall undergo an in-person demonstration and inspection before deployment on the public right-of-way.*" Will a date be given for this demonstration in advance of applicant winners being announced?

A: Yes

27. Section 7.12 titled "Redistribution" states: "*Licenses shall take proactive steps to prohibit and prevent the parking of excessive numbers of scooters in a single location or immediate area by the licenses' customers.*" Will a specific number of scooters be set for single locations throughout operating areas of the city?

A: No

28. Rule 5.1 states, "Each scooter shall also have sidewalk riding detection hardware and software." We have found sidewalk riding detection only impacts user behavior when the feedback is immediate, which

requires an on-vehicle camera. Is this what the City means when they say all vehicles must have "sidewalk detection hardware" in Rule 5.1?

A: It is up to companies to demonstrate that they have sufficient hardware and software capabilities that can reliably detect sidewalk riding and initiate actions to meaningfully reduce such riding.

29. Rule 5.6 Sidewalk Riding Detection Data states "The licensee is responsible for securing, maintaining and validating all data, including any geo-spatial data, required to implement sidewalk riding detection technology." Will licensees be required to share any sidewalk riding detection data? If so, we believe the city should require that this data be shared via MDS and through a 3rd party data platform to reduce the potential for manipulation by licensees.

A: No, licensees will not be required to share sidewalk riding detection data, but the City will expect a licensee to share such data if they indicate in their application that they have the capability to do so.

30. Rule 7.14 Payment states "Each licensee shall make available a fully compliant Applicant Protocol Interface (API) that allows customers to rent and pay for scooters in third-party applications that are approved by the Commissioner of Transportation." Is the deeplinking feature of the GBFS API considered to be compliant? Also, can any indication be given of what third-party applications are (or anticipated to be) approved by the Commissioner of Transportation?

A: No, this is not sufficient to be compliant. The City has not yet identified specific third-party applications.

31. Do vendors need to submit the COI with the Application or once awarded?

A: With the application

32. The Scooter Sharing License Application contents required include the applicants' submission to fingerprinting, including a \$40 fee for administrative processing; (iii) photos of the applicant– Whose fingerprints and photos are necessary? Do they need to submit fingerprints with the application? How and when do we submit the \$40 processing fee?

A: The authorized agent of every corporate, limited liability company, or partnership applicant shall be required to submit fingerprinting and shall provide photos of the authorized agent. Every individual applicant shall be required to submit to fingerprinting and shall provide photos of the applicant. These application requirements along with the \$40 processing fee must be submitted as part of the application phase, which will come with instructions following the submission of the Business Information Sheet. The \$40 processing fee may be paid in person or online.

33. Will CDOT consider increasing the maximum page limit? Based on the number of questions, it will be very hard to provide detailed responses and stay within the 20-page limit.

A: The City will revise the page limit to 25.

34. Does the 20-page response to 17.4 also include 17.6-17.9?

A: The City will revise the page limit to 25. The entirety of 17.6 will be exempt from the 25-page requirement. Any materials submitted with the application with regard to 17.6 may be included as an appendix. Responses to 17.7-17.9 must be contained within the 25-page maximum.

35. Rule 17.2 states, "Diagrams, graphics, images and maps in an appendix will not count towards the page total [of 20 pages]." Are letters of support in the appendix similarly excluded from the page total limit?

A: Yes, however, the City reserves the right to not review excessive appendices.

36: Can the City provide time, date, page limit, and deadlines for each application piece: 1) business information sheet; 2) Scooter Sharing License Application, 3) Responses to 17.4, 4) Responses to 17.6-17.9?

A: Submissions are required as follows:

- **1/28/22: Business Information Sheet (BIS) due.**
 - **BIS can be found here:** <https://tinyurl.com/2p97fmpr>.
- **2/11/22: License Application due.**
 - **The License Application will be generated by the City after BIS is submitted and complete.**
- **2/18/22: Application Narrative due**
 - **The Applicant Narrative includes responses to 17.4-17.9. This Application Narrative should be emailed as a single PDF, per rule 17.2.4.**

47: Where can we find the Scooter Sharing License Application?

A: The Scooter Sharing License Application will be generated by the City upon submission of the BIS and communicated to the applicant that submitted the BIS.

38: Are the responses to 17.6-17.9 supposed to be submitted with the License Application?

A: No. See above answer.

39. The Rules and Regulations state that the Business Information Sheet needs to be emailed via PDF to esau.orduno@cityofchicago.org. However, the BIS form states that it can only be submitted in-person. Can you please confirm that we are allowed to submit the BIS via email?

A: Yes, the BIS may be submitted via email, as specified in the Rules.

40: Will electronic signatures be accepted? 17.2.5 states that 'non-electronic signatures shall be considered to meet the signature requirements' for the Business Information Sheet and Scooter Sharing License Application - should applicants email scanned copies of wet signatures or is DocuSign sufficient?

A: Electronic signatures (such as DocuSign) will not be accepted. Wet signatures or scans of wet signatures will meet the requirement as specified in the Rules.

41: Sec. 17.3.3.v requests the max number of scooters and 17.4.4 requests fees, but 17.9 says these two criteria are not scored. Can the City provide additional clarification to these sections?

A: These criteria are for informational purposes and/or to calculate potential future fees.

42: What are the specific questions the City will propose to character references?

A: Questions may include topics regarding responsiveness, compliance, timeliness, accuracy, safety and honesty.

43: Can the City provide more details on who will serve on the scoring committee?

A: Applications will be scored by representatives from CDOT and BACP with input from other subject-matter experts (e.g., a representative from the Mayor's Office for People with Disabilities).

44: Can the City provide more details on when and where a hardware demonstration will take place?

A: A date and location is yet to be determined, but it will occur after licenses are conditionally awarded but before the effective date of the license.

45: Can the City provide more information on if there will be an in-person interview?

A: The city is not expecting to hold in-person interviews.

46: When does the City expect to notify applicants of its award decision?

A: March.

47: Assuming the City will release winning applicant proposals, how should companies mark confidential and proprietary information? How should proposers flag information as confidential or proprietary? Will the City accept an additional redacted copy of our submission?

A: If awarded a license, the City's Law Department will work with licensees to obtain a copy of the application with redacted information.

48. Could the City confirm the extent to which applicants who do not currently operate in Illinois are to complete the Business Information Sheet? Rule 17.3.3.iv Minimum Standards states that applicants may include an attestation with their license application that they shall procure a place of business in the City

before receiving a scooter sharing license. If we do not currently operate in Illinois, are we required to include a business site address on the Business Information Sheet?

A: Applicants should complete the Business Information Sheet to the fullest extent possible prior to submission. The Business Information Sheet must be submitted in order for an application to proceed. In order to be eligible for licensure, with respect to any corporate or limited liability company applicants, the company shall be organized or qualified to do business under the laws of the State of Illinois and have a place of business in the City of Chicago; or, with respect to any partnership applicant, the partnership shall have a place of business in the City of Chicago; or, with respect to any individual applicant, the applicant shall be a citizen or legal resident of the United States, residing and domiciled in the City.

49. Could the City clarify the requirement in 17.4 Scoring Criteria that ‘for every entity in which an applicant has operated within and is referenced in this application, the applicant shall provide a reference’? Is the City requiring references for all entities in which an applicant has operated or only those entities referenced in the application?

A: Only entities referenced in the application.

50. Can the City confirm that the list of References does not count towards the 20-page limit?

A: Reference lists should be included in the appendix and will not count towards the page limit.

51. Section 17.2(4) states: “Diagrams, graphics, images and maps in an appendix will not count towards the page total. However, the City may at its sole discretion decline to consider appendix text as part of the selection process.” Multiple questions in sections 17.6-17.9 require that the applicant provide lists of “all entities” based on certain operational metrics. For large operators providing scooter sharing services to hundreds of markets, providing this information within the main text of the application will be overburdensome. Can the city please clarify whether this information may be placed in the appendix, and if so, will the city consider this information during the selection process?

A: Comprehensive lists, such as those that may result from rules 17.6.2, 17.6.4, 17.9.1 and 17.9.2, may be included in the appendix. However, the main text of the document should still refer to these lists and provide sufficient detail to score the rule.

52. Section 17.9(3) states: “The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they successfully managed fleet operations and organized parking in an area of dense commercial, entertainment or tourist uses. The applicant shall indicate any fleet caps in these areas and provide details on how these caps were adhered to. The applicant shall also indicate where they have implemented geofencing (successfully or unsuccessfully) on a permanent or temporary basis.” Can the city please clarify whether applicants must provide a list of all markets where they have implemented geofencing, or if applicants are only required to discuss geofencing as it relates to the 1 to 2 entities already being discussed in this subsection in the context of fleet operations in dense commercial, entertainment or tourist uses?

A: Geofencing, here, applies only to the context of fleet operations in dense commercial, entertainment or tourist uses.

53. Rule 18. Subsection 3 - Insurance Requirements - Will the City consider amending the Indemnification language such that licensee shall not have to Indemnify where the City's negligence (aka condition of the public way) is the cause of the claim?

A: No

54. Will the two year period be 24 months from the start or 2 calendar years (ending Dec 31st, 2023)?

A: 24 months from the license effective date