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Stationless Bikeshare Permit Program Permit Application Question & Answers

SUBMITTED QUESTIONS

1. When are the bikes required for testing? Before the application deadline or before permits are issued?

Sample bikes are required before the application deadline, to be reviewed over the evaluation period.

2. How many bikes would be required at a minimum for each operator to cover the required core service area?

Minimum thresholds and percent coverage targets calculate to a minimum of around 320 bikes needed to cover the required core service area. However, as soon as one of those bikes moves, an operator would be under the distribution targets. Fleet size and operational plan for deployment and distribution should take into account demand so that the distribution targets are met even when bikes are in use and moving around. The fewer bikes in the fleet, the more operationally challenging it will be to meet distribution targets, meaning that minimum fleet size will be partially driven by an operator's effectiveness and efficiency in rebalancing.

3. What is the SFMTA's estimated timeline for conducting demos? Is there a specific timeline or deadline by which companies will have to provide the SFMTA with bikes for demo/verification purposes in order to receive a permit?

Sample bikes are required before the application deadline, to be reviewed over the evaluation period.

4. What is the SFMTA's estimated timeline for issuing permits? Is a company required to launch by a certain date?

The SFMTA's stationless bikeshare permitting process is currently under legal challenge. The SFMTA may issue permits as early as July 16, 2019, but permit issuance will not occur until after this legal challenge has been resolved. Permittees should launch within four weeks after permit issuance.

5. What level of integration will the SFMTA require for the lock-to capability?

The entire locking mechanism should not easily be removed from the bike, even with simple tools.



6. Is there a minimum fleet size companies will be required to meet at launch?

Minimum thresholds and percent coverage targets calculate to a minimum of around 320 bikes needed to cover the required core service area. However, as soon as one of those bikes moves, an operator would be under the distribution targets. Fleet size and operational plan for deployment and distribution should take into account demand so that the distribution targets are met even when bikes are in use and moving around. The fewer bikes in the fleet, the more operationally challenging it will be to meet distribution targets, meaning that minimum fleetsize will be partially driven by an operator's effectiveness and efficiency in rebalancing.

7. Is it acceptable for the demographic, age, and gender data required to be provided to SFMTA be collected by companies via surveys?

Yes. Permittees are encouraged to collect this data through surveys. The SFMTA will also issue a semi-annual survey to be conducted by operators to collect this data from their users.

8. Are companies required to serve all 4 distribution areas (core, Key CoCs, middle neighborhoods, outer neighborhoods)?

Operators should submit a plan to serve the entire city. Operators should be prepared to service the core area immediately with a phasing plan that expands to the whole city by the end of the first year.

The SFMTA reserves the right to issue permits for ultimate service areas that may be smaller than the entire city.

9. Are the minimum fleet sizes listed in the Distribution Guidelines the number of bikes we have to provide if we choose to serve those areas?

Those are the minimum threshold for bike availability in those smaller subregions. We anticipate you will need more to successfully service those areas.

10. Under Device Requirements #31 states "The emblem of the Stationless Bicycle Share Operator and a unique identifier shall be prominently displayed on both sides of stationless shared bicycles." Can you explain what is required here? Can a company logo serve as a unique identifier?

No. The company logo is only the emblem to identify the operator. A Unique Identifier, such as a number is needed for each device. The current bikeshare and scootershare permittees all provide good examples of unique identifiers for every device.



11. Can an applicant submit the application with pending vehicle certifications?

Yes, but permit issuance will not occur until certification is achieved, and failure to launch within four weeks of permit issuance could result in permit revocation. Ability of an operator to expeditiously launch service will be considered as part of application Part J: Experience and Qualifications.

12. Referencing section D: What flexibility is there to iterate on this program based on operational lessons learned? (i.e. performance metrics, distribution guidelines, etc.)

Assume all metrics described in this permit application are fixed for any 2-year permits we issue. The SFMTA will be open to discussions for improving program metrics as we proceed.

13. Referencing Appendix I: Is there a possibility for operators to apply within the two-year permit window?

Applications are due by the application deadline. Applications cannot be submitted after the application deadline. SFMTA does not currently anticipate an additional call for applications during the 2-year permit period.

14. What happens if a permittee loses their permits?

Permittees who have their permits revoked will need to cease operations.

15. What happens to a permit if a permittee's permit is revoked?

The SFMTA retains broad discretion to issue additional permits and/or modify existing permits. For instance, additional permits may be issued at any time at the SFMTA's sole discretion. Similarly, permits could be modified to increase the permitted fleet size of a given operator or operators, subject to the mutual agreement of the SFMTA and affected operator.

16. Referencing requirement 8: What languages are required?

English, Spanish, and Chinese are required.

17. Referencing requirement 11: Would a live-chat program meet this requirement?

The 24-hour customer service phone number needs to be accessible by phone, not internet. A live-chat program would meet the requirement for the online intake form, but



the website would need to make clear that if a member of the public wants to report an improperly operated or parked bicycle they should do that through the live-chat. The Operator staff doing the live-chat would need to ask for all the form fields, "time, date, location, direction of travel if applicable, and the bicycle's identification number if available", and record that data in a database with format determined by the SFMTA.

18. Referencing requirements 28 through 30: Beyond the certifications asked for, is there any additional testing required?

Bicycles must comply with all Device Requirements (27 through 39)

19. Referencing 40 through 43: How will fees be impacted should permit terminate for any reason including: Permit fees, Bike Rack fees, Property and Maintenance, Endowment (25,000 over 10 years)?

There will be no refund of fees.

20. Can you give clarification about the Bike Rack fee: How was the Bike Rack Fee determined?

This fee was determined through a calculation of labor and materials related to bike rack installation.

21. How will companies be billed for the Bike Rack Fee?

Upon issuance of a permit for a specified phase, the fee will be determined based on the fleet size identified for that phase, and fee payment will be due after permit is issued, before service begins.

22. When is the bike rack payment due?

Bike Rack payments are due prior to the beginning of each phase as set forth in the phasing plan of the applicant.

23. Will permittees be involved in the placement strategy for bike racks? How?

The SFMTA has a proactive rack implementation list, which is how we typically install racks outside of the request system. Permittees are encouraged to recommend locations where they would like to see racks installed. Trip data from stationless operators will also be used to identify areas of high demand for placement of racks.



24. How can permittees track new rack expansion?

The SFMTA Bike Rack Program tracks implementation of racks, and we anticipate making this publicly available.

25. API data is intended for internal analytical use by SFMTA. Has that changed?

The SFMTA is fully committed to protecting user privacy. The required API data provided through the MDS will not be shared with any third-party entity, with the potential exception of accredited research universities operating under a limited Memorandum Of Understanding to support specific research projects. Any such MOU would require agreement from the affected operator(s) and will preserve full protection of personally identifiable information. At present the station-based bikeshare operator supplies a publicly available API, which has resulted in useful third-party reporting tools. A successful applicant should consider a similar tool to make some kind of publicly available API.

26. Can we get clarification on requirements 50 and 59? They seem to be contradictory.

Requirement 50 describes how to report data collected in an opt-in basis as required in Requirement 59 by survey, or another opt-in method as determined by the operator.

27. Referencing requirement 52: On at least a monthly basis, Permittee will provide the SFMTA with aggregate customer demographic data gathered by the system application using anonymized key that does not identify individual customers, payment methods, or their individual trip history. Does SFMTA have a specification for this report? If so, will there be input from operators?

Prior to permit issuance, SFMTA will release a simple reporting table for operators to regularly submit. The SFMTA is always open to input. With that said, a standard table prescribed by the agency may be the simplest approach.

28. If operators do not currently collect demographic data, would SFMTA be open to operators collecting information via a survey for reporting purposes?

The SFMTA will issue a semi-annual survey to be conducted by operators on an opt-in basis to collect data from their users.

29. Will SFMTA confirm that operators may use an umbrella and/or excess policy that follows form to meet the automobile policy limit of \$2 million per occurrence? As an example, if an operator carries an automobile policy with a limit of \$1 million per occurrence and an umbrella policy with a limit of \$5 million per occurrence, the operator has \$6 million per occurrence on any potential claim covered by the automobile policy.



The SFMTA will need to further confer with our City Attorney and Risk Management offices to finalize an answer to this question.

30. How many bikes will you allow? Minimum and maximum number possible per company.

The maximum total number of permitted bicycles is 12,000, inclusive of all operators. We don't have a hard minimum number of bikes we'd permit to an individual operator. Operators will need to have a fleet size and operational plan such that distribution targets can be met. Minimum thresholds and percent coverage targets calculate to a minimum of around 320 bikes needed to cover the required core service area.

31. Will you allow bikes with a throttle? Does the bike have to have pedals?

We will not allow bikes with a throttle. The bike has to have pedals. The permit application will follow the definition of a bicycle as defined in Title 16 of The Code of Federal Regulations Part 1512.

32. Will you consider/allow a hybrid model of docked and dockless bikes for companies? Yes, subject to contractual agreements. Currently, Motivate has an exclusive right to provide bikeshare stations/docks in the public right-of-way.

33. The SFMTA refers to "Appendix A"; however, we are unable to locate it within the document, or in the previous application. Would SFMTA please provide this document to applicants?

This document has since been uploaded to the application website.
<https://www.sfmta.com/reports/stationless-bikeshare-permit-application-may-2019>

34. May we request the opportunity to submit additional questions specific to data sharing, once we have had the opportunity to review?

No. Appendix A data sharing requirements were uploaded soon after the permit application was uploaded.

35. With regards to the Community Engagement Plan Requirements, would SFMTA please provide additional detail regarding the "shared database for community feedback concerns" and how the SFMTA plans for this to function in practice?

The SFMTA will provide further guidance about this database prior to permit issuance. It will essentially be a database that logs public feedback with fields including, but not limited to, date, source, feedback, response, response date, action.



36. Additionally, would SFMTA please confirm that this database will only be shared between the vendor and the SFMTA, and will not generally be a publicly available source (notwithstanding public records requests)?

The SFMTA does not plan to publicize this database, but expects that it would be subject to public records disclosure requirements unless the operator(s) can prove otherwise.

37. Would SFMTA also confirm that the “annotated record of community engagement efforts in the form of a searchable log” will be shared only between the vendor and the SFMTA and will not generally be a publicly available source (notwithstanding public records requests)?

The SFMTA does not plan to publicize this log, but expects that it would be subject to public records disclosure requirements unless the operator(s) can prove otherwise.

38. Would SFMTA please provide additional detail regarding the requirement in the Endowment and Fees section to pay \$150 “to cover the cost of procurement and installation of one standard SFMTA bicycle rack for every two Stationless Shared Bicycles permitted to ensure adequate supply of bicycle parking, or provide equivalent bicycle parking either in the form of racks or docks”?

This fee will be calculated when permits are issued, following a determination of allocated fleet size for each permittee. A prorated fee proportional to the number of allocated bikes, will be due prior to each phase as proposed by the applicant’s phasing plan.

39. Will SFMTA consider removing the requirement to report aggregated demographic data on a monthly basis? Currently, we do not store or collect any personal information that is not essential to our business in the interests of data minimization. As such, we do not collect any demographic data from our users as part of the sign up process or otherwise because it serves no purpose to our business or the services we offer. Fulfilling this permit requirement would entail a significant departure from our current data collection and user sign up process.

The SFMTA will release a semi-annual survey to be conducted by operators to collect data about riders, including demographic data. Monthly reporting will at least require some aggregate customer tracking (e.g., overall count of membership type, or member ZIP codes) but would not require the operator to collect data that they would otherwise request.

40. Will SFMTA please provide additional detail on the Program Requirement for an online intake form for improperly parked bicycles and the associated shared database? Is the



expectation that providers need to create a custom support form to accommodate the requested fields “time, date, location, direction of travel if applicable, and the bicycle’s identification number if available”?

Yes, permittees should provide a general intake form for the general public to submit forms related to identified bad behavior, which will require time, data, location, direction of travel, and the bicycle unique identification number if possible. Each instance of a submitted form should populate a database that the SFMTA can use to ensure that permittees are tracking and responding to public reports of violations.

41. What is the criteria that will determine permitted vendors allocation of vehicles? Has there been any allocation decision already made for docked systems?

Final fleet size will be determined by the SFMTA, after a determination of the total number of permittees is made. The SFMTA will use the following criteria in determining the permitted fleet size:

- proposed phasing for service area and proposed fleet size;
- service to Key Communities of Concern;
- service to neighborhoods without existing bikeshare service;
- past experience operating shared mobility;
- staffing and operations plan sufficient for the scale of proposed operations, based on submittal under Sections F and G of the application;
- plan for proper bicycle parking plan, including proposed methods for avoiding overcrowding of bicycles in high-demand area, based on submittal under Section E of the application;
- ability to provide supplemental service in case of transit service disruption.

42. In the Insurance and Indemnification Requirements section, would the city consider striking the following language “directly or indirectly” and “regardless of the negligence of, and regardless of whether liability without fault is imposed or sought to be imposed on City” to better reflect limitations of these sort of provisions under California Civil Code section 1668?

The SFMTA incorporated established language from previous shared mobility permits in developing these insurance and indemnification requirements.



43. Is there any way that bike racks can be made publicly findable, and unantifiable/countable? How will SFMTA support dockless share - including safe locking to bike racks - if no one knows where the bike racks are?

There is a shapefile on the dataSF website <https://data.sfgov.org/Transportation/Bicycle-Parking/hn4j-6fx5>. Additionally, the Bike Parking Program aims to regularly update the shapefile as new bike racks are installed.

44. How many months or years do you anticipate the Outer Richmond will have to wait for an alternative bike or scooter share option out there?

We anticipate at least one permit issued through this Stationless Bicycle Permit Application process will cover service in the Outer Richmond.

45. Will operators' available bikes be findable on a shared app for the public to use (Examples: Citymapper) where I can see all operators' bikeshare bikes in SF, but only one scooter provider. Is this enabled through MDS?

It's up to the developers of those apps whether they want to display devices from various Operators. The SFMTA does not have plans to develop such an app.

FOLLOW UP QUESTIONS - 6/7/19 Q&A SESSION

46. By when exactly do permitted bikes have to be deployed?

Permitted operators are expected to begin operations four weeks after permit issuance.

47. What if you don't receive any applications that meet the high bar we've set?

The SFMTA will not issue any permits that do not meet our requirements.

48. Does the existing provider of dock-based bikeshare need to apply for dockless bikes?

All prospective operators of dockless bikes must apply for a permit.

49. Does the existing JUMP permit have an expiration date?

The current JUMP permit expires on July 9, 2019

50. Where can we find the City's Zero Waste policy?

This policy can be found through the Department of the Environment, <https://sfenvironment.org/zero-waste-legislation#waste-prevention>



51. The 12,000 limit is just for dockless bikes, right?

Yes.

52. How is SFMTA imagining iterating over the two-year span of the permit?

The SFMTA remains open to discussing terms and conditions during the permit period, and making changes based on mutual agreement if deemed prudent. We anticipate an open channel of communication with permitted operators to ensure the best service for the denizens of San Francisco.

53. Does the SFMTA want flowery language about what we're considering or thinking about even if we can't provide it as a service immediately upon launch?

No.

54. Are operators free to change their pricing after the permit is issued?

Operators are free to change their pricing levels, but must retain adherence to the overall pricing structure and commitments in their application. For instance, a modest across-the-board fare increase may be acceptable, whereas eliminating a low-income discount program could be grounds for permit revocation. Regardless, the SFMTA must be notified in advance of any proposed pricing change.

55. If a permit is revoked, would the permittee have to keep paying the Endowment fee of \$2,500 a year?

No.

56. When will bike racks that permittees pay for be installed?

The SFMTA will aim to implement racks in conjunction with permittee service phasing.

57. Will bike rack installations match the use pattern of bikes?

The city has a proactive bike rack placement program, and it will supplement that planning with data on stationless bikeshare use.



58. Is the SFMTA committing to actually installing new racks (not ones that are already out there) that are paid for by the Bike Rack Fee?

Yes.

59. What is the planned cadence for public evaluations of operators; Will there be decision points on whether to continue operations?

Permits will be good for entire term, unless revoked for failure to meet Terms and Conditions.

60. For applicants that currently aren't operating in SF, are you going to be reaching out to references in other cities?

The SFMTA may reach out to other cities, but only to verify expressed experience from the submitted permit application.

61. When a new bike version is introduced, can the previous version continue to operate until the new version is approved by the SFMTA?

Yes.

62. With the anticipated increase in dockless bikes in SF, will the SFPD increase their enforcement efforts around stolen bikes?

The SFMTA does not have control over the SFPD priorities. The SFMTA will make efforts to introduce corresponding personnel to permittees.

63. When a new bike version is introduced, does the Operator need to submit the same certifications required in the permit application?

Yes.

64. Have you had multijurisdictional conversations with Daly City, for example? Is there any requirement for a dual city permit?

No, we have not had any conversations with Daly City on this topic, and currently there is no requirement for a dual city permit. In the past, separate jurisdictions within the city limits, like the Presidio, offered permits to allow for operations. This new permit will attempt to include the Presidio as part of the permitted service area.