



Legislation Text

File #: 23-1477, Version: 1

Dept/ Agency: Engineering

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Authorizing the use of competitive contracting, pursuant to N.J.S.A. 40A:11-4.1(j) and authorizing contract awards

Purpose: To authorize the use of competitive contracting for the procurement of dockless vehicles for use in the City's public right-of-way.

Entity Name(s): Bird Rides, Inc. and Veoride, Inc.

Entity Address(s):

1) Bird Rides, Inc., 8605 Santa Monica Boulevard #20388, West Hollywood, California 90069; and

2) Veoride, Inc., 1334 Third Street Promenade, Suite #300, Santa Monica, California 90401

Contract Amount: Revenue Contract (no expenditures for the City of Newark)

Funding Source: No municipal funds required

Contract Period: Two (2) years from the date of a formal written Notice to Proceed

Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS

() Fair & Open () No Reportable Contributions (X) RFP () RFQ

() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

This Resolution ratifies and authorizes the use of competitive contracting for the procurement of dockless vehicles under the City of Newark's Dockless Vehicle Share System Program, and further authorizes contract awards to Bird Rides, Inc. and Veoride, Inc. to provide dockless vehicles.

Each vendor is required to pay \$125,000.00 for a two (2) year permit and a \$0.25 per trip fee to the City of Newark to operate their dockless vehicles in the City's right-of-ways, in accordance with the Dockless Vehicle Provider Share System Program Rules and Regulations.

Deferred 7R3-a 110123

No Action Taken 7R3-a 111323

Deferred 7R3-a 112123

Deferred 7R3-a 120623

Deferred 7R3-a 122023

Deferred 7R3-a 011024

WHEREAS, on August 2, 2023, the Municipal Council adopted Ordinance 6PSF-f, which implemented a permanent permit application process for the operation of shared dockless vehicles in the public right-of-way; and

WHEREAS, on July 10, 2023, the Department of Engineering, Division of Traffic and Signals, publicly advertised a Request for Proposals (RFP) for vendors to apply to operate under the City of Newark's Dockless Vehicle Provider Share System program. The services to be provided are concessions under N.J.S.A. 40A:11-2(37) and will be at no cost to the City; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1(j), competitive contracting via RFP may be used for concessions; and

WHEREAS, on August 7, 2023, four vendors, Bird Rides, Inc., Veoride, Inc., Superpedestrian, Inc. and Helbiz DC LLC submitted their responses to the RFP; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.5(d), the proposals were evaluated in accordance with the methodology described in the RFP, via a Technical Evaluation Committee consisting of personnel from the Department of Engineering, Division of Traffic and signals, the Assistant Director of the Department of Engineering, and the Interim Chief of Sustainability. After carefully reviewing the four (4) proposals, the Committee selected two (2) vendors, Bird Rides, Inc. and Veoride, Inc., because their proposals were found to fulfill the requirements of the RFP, showed project understanding, met all project team experience requirements, and had the two highest rankings overall; and

WHEREAS, the Acting Director of the Department of Engineering seeks to enter into and execute agreements with Bird Rides, Inc. and Veoride, Inc, for the provision of dockless vehicles under the City's Dockless Vehicle Provider Share System program, pursuant to City Ordinance 6PSF -f, adopted on August 2, 2023, for a term of two (2) years, with no municipal funds required; and

WHEREAS, these contracts are being awarded pursuant to the fair and open procedures of the State Pay-to-Play law N.J.S.A. 19:44A-20.5, and the City's Pay-to-Play Ordinance, R.O. 2:4-22C.1.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK NEW JERSEY, THAT:

1. The Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Engineering are hereby authorized on behalf of the City of Newark, to accept the proposals submitted by Veoride, Inc., 1334 Third Street Promenade, Suite #300, Santa Monica, California, 90401 and Bird Rides, Inc., 8605 Santa Monica Blvd. #20388, West Hollywood, California, 90069, to enter into and execute Contract 2023-04PS, to operate Dockless Vehicles within the City of Newark.
2. Each vendor shall pay **One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00)** for a two (2) year permit to operate their dockless vehicles within the City and an additional **Twenty-Five Cents (\$0.25) per ride**, as set forth within the Dockless Vehicle Provider Share System Program Rules & Regulations, attached hereto and made a part hereof.
3. No changes to this contract are allowed without prior Municipal Council approval.
4. The Municipal Council hereby authorizes and ratifies the use of competitive contracting to provide dockless vehicles under the City of Newark's Dockless Vehicle Provider Share System program, from July 10, 2023 to the date of adoption of this authorizing Resolution.
5. A fully executed copy of the contracts shall be filed in the Office of the City Clerk by the Acting Director of the Department of Engineering and made available for inspection.
6. The term of this contract shall be for a period of two (2) years from the date of a Notice to

Proceed issued by the Acting Director of the Department of Engineering and/or their designee. A copy of the Notice to Proceed shall be filed with the Office of the City Clerk.

7. No municipal funds are required for this Resolution as these contracts are revenue generating contracts.
8. There shall be no amendments or changes to these contracts without prior approval of the Municipal Council.
9. A copy of the executed contracts shall be filed in the Office of the City Clerk by the Acting Director of the Department of Engineering and shall be made available for public inspection.

STATEMENT

This Resolution ratifies and authorizes the use of competitive contracting pursuant to N.J.S.A. 40A:11-4.1(j) and further authorizes the Mayor of the City of Newark and/or his designee, and the Acting Director of the Department of Engineering, to award contracts to Veoride, Inc., 1334 Third Street Promenade, Suite #300, Santa Monica, California, 90401 and Bird Rides, Inc., 8605 Santa Monica Blvd, #20388, West Hollywood, California, 90069, for the Dockless Vehicle Program within the City of Newark for a period of two (2) years from the date of a written Notice to Proceed, with no municipal funds required.