

**TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK**

REQUEST FOR PROPOSALS

**BICYCLE RENTAL SERVICES
TOWN OF OYSTER BAY PARKS**



Submission Deadline: August 31, 2022, no later than 4:45 p.m. as set forth herein.

REQUEST FOR PROPOSALS
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AUTHORIZED CONTACT PERSON

Prospective firms are advised that the authorized Town of Oyster Bay contact person for all matters concerning this RFP is:

JOSEPH G. PINTO
Commissioner of the Department of Parks
Town Hall South
977 Hicksville Road
Massapequa, New York 11758
(516) 797-4142
jpinto@oysterbay-ny.gov

I. INTRODUCTION

Pursuant to General Municipal Law § 104-b and the written Procurement Policy presently in effect in the Town of Oyster Bay (the “Town”), the Town of Oyster Bay Department of Parks hereby solicits your proposal to provide a self-service bicycle rental program for public use. The selected proposer will be required to implement a program, which should enable the public to self-rent bicycles from any of several locations located within Town parks. Services would be provided by the selected proposer with sufficient personnel to successfully operate the program. The proposer may, however, elect to cease operation from December 1 through April 1st of each year.

The Town reserves the right to negotiate with any and all proposers, to decline any and all proposals, and to select the proposer which, in the Town’s sole judgment, will best serve the needs of the Town and its residents.

II. SCOPE OF SERVICES

A. Rules; Regulations; Licensing Requirements

Proposers are expected to be familiar with, and comply with, all Federal, State, County, and Town laws, ordinances, codes, and regulations that may in any way affect the services offered, including without limitation the Americans with Disabilities Act, Title VII of the Civil Rights Act, the EEOC Uniform Guidelines, and all EEO regulations and guidelines. The successful proposer acknowledges that New York State law requires that any bicycle rider under the age of thirteen is required to wear a safety helmet. Said proposer will be required to provide appropriate notice of this requirement.

B. Proposer's Responsibility

Before submitting a proposal, each proposer shall be solely responsible for making any and all investigations and examinations, as it seems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such investigations and examinations, will not relieve the proposer from any obligation to comply with every detail and with all provisions and requirements of the contract documents, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the proposer.

C. Implementation and Operation

Proposals are required to outline implementation and operation for a potential operating scenario and must also address the following points:

Implementation and Operating Plan which should describe in detail the following:

1. Description of proprietary technologies to manage the program;
2. Description of a funding plan for implementation, as well as the type and size of any proposed advertising;
3. Plans detailing the locations, size, number, and configuration of each station installation, and illustrating how public space is proposed to be optimized;
4. Description of the size of proposed bicycle fleet, and if the fleet size varies by season;
5. Procedures for renting and returning bicycles;
6. Procedures to ensure availability of bicycles for rental at all locations on a daily basis;
7. Specifications for the proposed bicycle rental stations;
8. Specifications for the proposed bicycles; safety of the bicycle, condition of bicycles;
9. The proposed management/oversight structure;
10. Hours and days of operation and types of customer service;
11. Strategies to prevent damage to bicycles and rental stations;
12. The proposed maintenance and security plans;
13. Procedures for bicycle maintenance and repair;
14. The funding sources for the development, implementation and management of the program;

- 15. Description of a fee structure, including the rates that you propose to charge to users;
- 16. A timeline for the implementation of the project;
- 17. Describe the technology platform and user interface, including integration with smartphones and similar devices;
- 18. The capacity of the proposer to develop, implement and maintain the proposed use; and
- 19. The proposer’s past experience in developing, implementing, and/or maintaining a program with a similar scope and impact. For each example, if possible, provide information on the size of the system (number of bikes, number of stations, etc.), the usage of the system (percentage of bikes in use primary purpose of use, etc.) and references.

D. Bicycles, Stations and Rental Rates

The rental bicycles must be maintained in good working order. The proposer must adopt an evaluation and maintenance schedule that would reduce the risk of renting potentially unsafe vehicles.

Bicycle Minimum Requirements:

- 1. All necessary safety features including front and rear reflectors and/or lights;
- 2. Chain guards;
- 3. Bells;
- 5. Kickstands;
- 6. Adjustable seats;
- 7. Secure locking mechanism; and
- 8. Theft, tamper, weather, and graffiti resistant.

Bicycle Preferred Options (Non-mandatory):

The Town prefers, but does not require, that bicycles provided by the proposer include the following items:

- 1. Utilization of a smartphone or similar device for bike access;
- 2. Baskets;
- 3. Self-generating lights;
- 4. Fenders;

5. Ability to leverage current bicycle rack infrastructure;
6. Ability to lock bike outside designated stations for holding (pausing) and finishing rental; and
7. Integrated lock on bicycle which has the ability to lock to any standardized bicycle infrastructure.

Station Minimum Requirements:

1. All stations will be sited by mutual agreement between the vendor and the Town.
2. Station components must be theft, tamper, weather, and graffiti resistant.
3. Stations must be modular and moveable, requiring minimal to no excavation or trenching.
4. If space is needed at stations for advertising then it must have Town approval.

Station Locations:

Locations are subject to change as conditions warrant and as mutually agreed upon between the Town and the successful bidder:

1. Theodore Roosevelt Memorial Park, Oyster Bay;
2. Ellsworth W. Allen Park, Farmingdale;
3. Marjorie R. Post Community Park, Massapequa; and
4. Harry Tappen Beach, Sea Cliff.

System Minimum Requirements:

1. All registration methods must require potential users with the capability to sign liability waivers.
2. System must include a method for collection of data such as number of times each bicycle is used, average trip duration, etc. Data will not be proprietary and will be provided to the Town for analysis and use, and the Town will reserve the right to make the data publicly available.

User Rates and Fees:

1. The selected proposer shall make its rental rates easily available for public review, for example, by posting legible displays and providing information pamphlets, as well as, maintaining a current website.
2. Must have flexibility in membership options and user rates.

Funding:

The Town does not anticipate investing capital or operating funds into a bike share program. It is expected that the vendor will develop a funding plan for implementation, which may rely on a combination of sponsorship, grants, revenue capture, or other sources.

III. CONDITIONS

The award of this contract shall be made to the vendor whose proposal is deemed to be the most advantageous to the Town, in accordance with the criteria set forth in the RFP.

The following conditions apply to this RFP:

1. Proposers must submit ten (10) hard copies (one signed original and nine copies) and one (1) electronic copy of each proposal with additional relevant information. Proposals should be organized as described in Attachment No. 1 herein. The submission of extraneous or voluminous additional materials not expressly required pursuant to this Request for Proposals is not welcome and may be rejected and returned to the proposer.
2. The Town reserves the right, at its sole option, to conduct personal interviews of one or more of the proposers prior to selection. The dates and times for such personal interviews shall be scheduled for the mutual convenience of the Town and selected proposers.
3. Proposals must be submitted in hard copy to the attention of the Authorized Contact Person identified above by August 31, 2022, no later than 4:45 p.m. Email or facsimile responses will not be considered. In the interest of fairness to all participants, no extensions or exceptions will be permitted, unless issued as an Addendum to this RFP and applicable to all proposers.
4. Any questions or requests for clarification of this RFP must be submitted in writing on or before August 19, 2022, no later than 12:30 p.m. to the Authorized Contact Person identified above. Questions must be submitted by email. Responses will be issued by the Town in the form of an Addendum to this RFP prior to the submission deadline. As such, be aware that all questions (and answers) will be shared amongst all parties.

5. All communications during the RFP process must be directed solely to the Authorized Contact Person identified above. Communication, whether in writing or verbally, with any Town elected officials, employees or any member of the Town Evaluation Committee may be cause for disqualification from the RFP process.
6. The Town, after receipt and review of responses to this RFP, reserves the right to reject all proposals based upon the information provided by the proposers in their proposal, any other source of reliable information concerning the proposers, and based upon subsequent negotiations between the Town and proposer firms. The review process of the RFPs submitted are described under the section entitled: "CRITERIA FOR EVALUATION AND AWARD."

IV. CRITERIA FOR EVALUATION AND AWARD

The process and criteria to be used by the Town in evaluating these proposals shall be the following:

- a. **Evaluation Committee:** A Town Evaluation Committee will make the final recommendation to the Town Board of the Proposer, based upon rating criteria described in paragraph b below. The Town reserves the right to make changes in the Town Evaluation Committee at any time in its sole discretion. The Town may invite proposers to make presentations to the Evaluation Committee to demonstrate their qualifications and approach to the project. The final selection shall be made by the Town Board.
- b. **Award Criteria:** The Award Criteria to be considered by the Town Evaluation Committee shall include all of the criteria required pursuant to Guideline No. 6 as set forth in the Town's Procurement Policies and Procedures adopted on March 27, 2018, by Resolution No. 209-2018.

V. ADDITIONAL REQUIREMENTS

The following requirements will be made a part of any agreement entered into between the Town and the selected vendor:

1. The Town reserves the absolute right to terminate the Request for Proposal at any time.
2. The vendor shall maintain full and complete books and records of accounts in accordance with accepted accounting practices and such other records as may be prescribed by the Town Comptroller, including a contemporaneous record of work indicating in brief summary, a description of the work performed. Such books and records shall be retained for a period of six (6) years and shall at all times be available for audit and inspection by the Town Comptroller, the Town's auditors and/or duly designated Town representatives.
3. The vendor will promptly provide a response to any requests from the Town's Records Access/FOIL Officer.

4. The vendor shall, to the fullest extent permitted by law, indemnify, hold harmless and defend the Town, and all respective elected and appointed officials, employees, volunteers, and/or agents from any and all liability, damage, loss, claims, demands and actions of any nature whatsoever, for any reason whatsoever, foreseeable or unforeseeable, which arises out of or is connected with, or is claimed to arise out of to be connected with, any undertaking, product, goods, merchandise, products, services sold and/or work supplied, furnished or performed by the vendor or its subcontractors and/or agents, on account of personal injury, death or property loss to the Town, its officers, employees, agents or to any other persons, third parties, or property, but shall not include claims resulting from the gross negligence or willful misconduct of the Town. This indemnity and hold harmless is intended to be as broad as is permitted by law and to include claims of every kind and nature – for tort, under contract, for strict liability or other liability without fault, under statute, rule, regulation or order, and otherwise.
5. In any and all claims against Town, all elected and appointed officials, employees and volunteers or any of its agents or employees by any employee of the vendor or subcontractor, anyone directly or indirectly employed by any of them or anyone whose acts any of them may be liable, the indemnification obligation under the above paragraph shall not be limited in any way by any limitation on the amount of type of damages, compensation or benefits payable by or for the vendor or their subcontractor under Workers Compensation acts, disability acts, or other employee benefit acts.
6. The indemnification provided by this Agreement shall be a continuing right to indemnification and shall survive the expiration or termination of this Agreement.
7. The vendor shall procure and maintain during the term of any agreement resulting from this RFP, with a carrier holding an “A” rating from AM Best Company, or its equivalent, and furnish certificates of insurance evidencing its procuring. The vendor shall furnish proof of the required insurance, as enumerated in the Insurance Certification Form which is part of this Request for Proposals, within 10 business days of being notified that it has been awarded the contract and prior to commencement of any services pursuant to the Contract; failure to furnish proof of the required insurance within the said 10 business days may result in the Town selecting the next qualified bidder. The Town will not sign or execute the contract, nor authorize any work to be performed until all insurance requirements have been met and the proper insurance documents in proper form, including endorsements to policies where required, have been submitted and approved by the Town.
8. The Town reserves the right to negotiate with the successful bidder on matters of profit s sharing and associated permits, licensing fees, leases and/or rents.
9. The vendor shall be responsible for all expenses related to this program, including, but not limited to:

- a. Installation of the bicycle rental stations and all related equipment;
- b. Daily operations;
- c. Routine maintenance, repair, and replacement of equipment;
- d. Overall program management and administration, including staffing, collection of fees, accounting, and user contact; and
- e. Promotion, including establishing, maintaining, and upgrading a website.

V. TERMINATION PROVISION

Either party may terminate the agreement upon forty-five (45) days written notice to the other.

However, the agreement shall provide that in the event of any material misrepresentation by the vendor, the Town shall have the right to immediately terminate the agreement. It shall also provide that in the event the vendor or any of its principals are convicted of a misdemeanor or felony during the term of the agreement, that the Town shall also have the right to immediately terminate the agreement.

ATTACHMENT NUMBER 1

FORMAT OF PROPOSAL

Proposals should be organized as shown below and should include all the information indicated. Note that elaborate brochures or other presentations beyond those sufficient to present a complete and extensive response to this solicitation are not desired.

SECTION A. INTRODUCTORY STATEMENT

The Proposal should set forth an “executive summary” of the fundamental aspects of the proposal.

SECTION B. QUALIFICATIONS AND APPROPRIATENESS OF PROPOSED STAFF

Provide names and resumes of key personnel proposed for this project.

SECTION C. APPROPRIATENESS AND QUALITY OF PROPOSER'S EXPERIENCE

1. Proposer’s experience and expertise in providing similar bicycle rental services on Long Island.
2. Minimum of five (5) references with contact information, reflecting similar work and related experience.

SECTION D. FINANCIAL AND OTHER INFORMATION

A complete statement detailing the current financial standing of the proposer and all principals holding an interest the proposer-corporation. Both the proposer and all principals will be required to maintain, and should clearly demonstrate, financial resources and capability to properly conduct a bicycle rental service and to complete any future capital improvements proposed by proposer. These statements should be supported by detailed documentation including, but not limited to, an audited financial statement of the proposer; bank, credit, and business references, corporate and personal tax returns, each of which will maintained confidential to the extent permitted by law, but at all times consistent with the New York State Public Officers Law.

Further, both the corporate proposer and all principals must submit a sworn statement:

1. that neither the corporation or its principals are the subject of any on-going investigations or enforcement proceedings by Federal and State law enforcement and taxing authorities;
2. that neither the corporation or its principals are the subject of any action or proceeding to collect a debt or to enforce any obligation relating to corporate affairs or, in the event of such an action or proceeding, disclosing the nature of same, together with any index or docket number and the venue of same;
3. that the corporation and its principals are in compliance with all applicable labor

- and wage statutes; and
4. disclosing any and all wage and hour lawsuits to which the corporation and its principals have been parties and the disposition of same.

By submitting a proposal in response to this RFP, proposer consents to the conduct by the Town of such credit and background investigations as the Town in its sole discretion deems necessary and appropriate.

SECTION E. SUPPLEMENTAL INFORMATION

Proposer may provide any additional information relevant to the proposer's qualifications or proposal for this project at the proposer's sole option.