

R-28

October 3, 2023

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the City Manager, or designee, to execute a contract and any necessary documents including any necessary subsequent amendments, with Pedal Movement, Inc., of Long Beach, CA, for the operation and maintenance of the City of Long Beach BikeShare Program in a total amount not to exceed \$2,493,608, for a period of one year. (Citywide)

DISCUSSION

City Council approval is requested to enter into a contract with Pedal Movement, Inc. (Pedal Movement), for the operation and maintenance of the City of Long Beach's (City) BikeShare Program (Program). The Program allows riders to pick up a bicycle at any self-serve bike share hub and return it to any hub or public bike rack located within the city. It is ideal for short distance trips and advances the City's goal of increasing bicycle riding throughout Long Beach.

Pedal Movement is the only bike share operator currently in Long Beach that supports the Program's software platform, and they are needed for operation and maintenance of the City's BikeShare Program. The Program was launched in March 2016. Pedal Movement started operating the system in 2017 when the City took ownership of the system from the original operator. On January 22, 2019, the City Council authorized Contract No. 35241 with Pedal Movement for the operation and maintenance of the Program in an amount not to exceed \$1,410,642, for two years. On February 18, 2020, after the Program expanded, the City Council authorized an amendment to the Pedal Movement contract for the expanded Program to increase the contract amount for a revised total annual amount not to exceed \$2,117,892.

On March 16, 2021, the City Council authorized Contract No. 35970 with Pedal Movement for the continued operation and maintenance of the Program in an annual amount not to exceed \$2,100,804, for a period of 33 months, which is set to expire on September 30, 2023.

City Council authorization is sought to execute a contract with Pedal Movement for the continued operation and maintenance of the Program, including new initiatives. This spring, the City launched its new low-income bike share program, Bike Share For All (BSFA), which provides Program memberships to eligible applicants for an affordable \$5

annual fee. The BSFA program is open to individuals 18 years and older who submit proof of enrollment in a public assistance program. BSFA members enjoy all the benefits of the Program. Users without a bank account can pay in person at the GoActiveLB Hub at 223 E. 1st Street, while users without smartphones can request a tap card to activate bikes. A full list of eligible program documentation and frequently asked questions can be found on the GoActive website: www.longbeach.gov/goactive/b/programs/bike-share-for-all

The BSFA program is expanding access to bicycles and increasing transportation options throughout Long Beach. In the first two months, over fifty new members signed up through the BSFA program.

Executing a contract with Pedal Movement will allow the Program to continue to expand geographically into previously underserved areas. This expansion will better serve BSFA members including new in-street hubs that can be placed in red curb zones or other underutilized street space. This contract will allow the fleet of bicycles to increase to by 900 bicycles and advances the City's goals of increasing bicycle riding throughout Long Beach and supports the use of the City's expanding bicycle network. This is in direct alignment with the City's Bicycle Master Plan.

Furthermore, Pedal Movement is currently the only bike share operator in Long Beach and one of the only operators in the United States that supports the Program's existing software platform and locking hardware. Pedal Movement's continued operation and maintenance of the Program ensures the Program continues without interruption, providing reliable transportation for the residents, employees, and others who rely on bike share for daily trips.

The continued expansion of the Program improves the public health, recreation benefits, and reduces motor vehicle trips, which reduces traffic congestion and greenhouse gas emissions, consistent with the goals and policies of the City's Mobility Element and Climate Action Plan. A new contract with Pedal Movement including the proposed expanded scope of work will ensure the Program continue to serve residents, employees, and visitors without disruption.

City Charter Section 1801 requires that contracts for City purchases be awarded to the lowest responsible bidder after a competitive bid process but allows for awards without a competitive bid process if accompanied by a Resolution adopted by the City Council.

This matter was reviewed by Deputy City Attorney Vanessa S. Ibarra on August 30, 2023, Purchasing Agent Michelle Wilson on September 8, 2023, and by Budget Management Officer Nader Kaamoush on September 14, 2023.

TIMING CONSIDERATIONS

City Council action to adopt a Resolution and award a contract concurrently is requested on October 3, 2023, to ensure the contract is in place expeditiously.

LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than \$250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than \$250 from a party, participant, or their representatives during a proceeding and for 12 months following the date a final decision is rendered.

FISCAL IMPACT

The total amount of the contract will not exceed \$2,493,608. Sufficient appropriations for the operation and maintenance of the Program are currently funded by Proposition A and is budgeted in the Capital Projects Fund Group in the Public Works Department. No General Fund dollars are expended on the Program. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. Approval of this recommendation will provide continued support to our local economy.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:



THOMAS B. MODICA
CITY MANAGER

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PEDAL MOVEMENT INC., FOR THE OPERATION AND MAINTENANCE OF THE BIKESHARE PROGRAM IN AN ANNUAL AMOUNT OF \$2,493,608; FOR A PERIOD OF 12 MONTHS ENDING ON SEPTEMBER 30, 2024

WHEREAS, City Charter Section 1801 requires that contracts for the City of Long Beach (“City”) purchases be awarded to the lowest responsible bidder after a competitive bid process, but allows for awards without a competitive bid process if accompanied by a Resolution adopted by the City Council; and

WHEREAS, on September 19, 2023, the City Council authorized a contract with Pedal Movement Inc., for the operation and maintenance of the City’s BikeShare Program (“Program”); and

WHEREAS, in the Spring of 2023, the City launched its new low-income bike program called Bike Share For All (“BFSA”) to expand access to bicycles and increase transportation options throughout the City; and

WHEREAS, Pedal Movement Inc. will allow the Program to expand geographically into previously underserved areas and increase the fleet of bicycles to Nine Hundred (900); and

WHEREAS, Pedal Movement Inc. will continue the Program’s geographic expansion into previously underserved areas, and advance the City's goals of increasing bicycle riding throughout Long Beach; and

WHEREAS, the Program will also support the use of the City's expanding bicycle network which is in direct alignment with the City's Bicycle Master Plan; and

1 WHEREAS, the City is committed to the continuation and expansion of the
2 Program due to the public health and recreation benefits and to the reduction in motor
3 vehicle trips, which reduces traffic congestion and greenhouse gas emissions, consistent
4 with the goals and policies of the City’s Mobility Element and Climate Action and Adaptation
5 Plan; and

6 WHEREAS, Pedal Movement is currently the only bike share operator in the
7 City and one of the only operators in the United States that supports the Program’s existing
8 software platform and locking hardware; and

9 WHEREAS, Pedal Movement’s continued operation and maintenance of the
10 Program ensures the Program continues without interruption, providing reliable
11 transportation for residents, employees and other who rely on the bike share for daily trips;
12 and

13 WHEREAS, no useful purpose would be served by advertising for bids, and
14 to do so would constitute an idle and useless act and an unnecessary expenditure of public
15 funds;

16 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
17 follows:

18 Section 1. The above recitals are true and correct and are incorporated
19 herein.

20 Section 2. The City Manager is hereby authorized to enter a contract with
21 Pedal Movement Inc., for the operation and maintenance of the BikeShare Program for a
22 total annual contract amount not to exceed of Two Million Four Hundred Ninety-Three
23 Thousand Six Hundred Eight Dollars (\$2,493,608), for a period of twelve (12) months
24 ending on September 30, 2024.

25 Section 3. This resolution shall take effect immediately upon its adoption
26 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Lana Beach, CA 90802

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I hereby certify that the foregoing resolution was adopted by the City Council
of the City of Long Beach at its meeting of _____, 2023 by the
following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Long Beach City Councilmember, the Mayor, and Commissioner ("City Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$250 within the previous twelve months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a City Officer that has received such a contribution to disclose the contribution on the record of the proceeding.

City Officers are listed at the following sites:

- The Mayor and Councilmembers - <https://www.longbeach.gov/officials/>
- Harbor Commissioners - <https://polb.com/commission>
- Water Commissioners - <https://lbwater.org/about-us/current-water-commissioners/>
- Planning Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Parks and Recreation Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Board of Examiners, Appeals, and Condemnation - <https://www.longbeach.gov/mayor/action/commissions/>
- Cultural Heritage Commission - <https://www.longbeach.gov/mayor/action/commissions/>
- Long Beach Community Investment Company - <https://www.longbeach.gov/lbds/hn/lbcic/>

Proposers are responsible for accessing these links to review the names prior to answering the following questions.

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any City Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any City Officer in the 12 months following any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

Answering yes to either of the two questions above does not preclude the City of Long Beach from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified City Officers from participating in any actions related to this license, permit, or contract.

8/31/2023
Date



Signature of authorized individual

Nicholas Russo

Type or write name of authorized individual

Pedal Movement, Inc.

Type or write name of company