

C-5

February 11, 2020

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, including any necessary amendments, with MobilityCloud, Inc., of New York, NY, for the licensing and operation of proprietary backend software for the City of Long Beach BikeShare Program, in an annual amount of \$150,000, with a 10 percent contingency in the amount of \$15,000, for a total annual contract amount not to exceed \$165,000, for a period of three years, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

DISCUSSION

City Council approval is requested to enter into a contract with MobilityCloud, Inc. (formerly Social Bicycles, Inc.), for licensing and operation of proprietary backend software for the City of Long Beach (City) BikeShare Program.

The Long Beach BikeShare Program launched in March 2016, and has steadily grown in popularity, with 40,262 members currently using the existing system. The existing BikeShare backend is proprietary legacy software built by Social Bicycles, Inc. In 2017, Social Bicycles, Inc., began operating as JUMP, and was later purchased by Uber in 2018. In December 2019, Uber turned over all Social Bicycles, Inc., legacy software system accounts to MobilityCloud, Inc, including the Long Beach BikeShare Program.

Because it is more cost-effective and efficient to continue using the current software instead of purchasing a new software system, and MobilityCloud, Inc., is the City's only source for compatible software, it necessary to execute a contract with MobilityCloud, Inc., to continue BikeShare Program operations.

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 Amy R. Webber on January 14, 2019, Purchasing Agent Tara Yeats on January 16, 2020, and by Budget Analysis Officer Julissa José-Murray on January 24, 2020.

TIMING CONSIDERATIONS

City Council action is requested on February 11, 2020, to continue the City's BikeShare operations without interruption to service.

FISCAL IMPACT

The total cost of this contract, inclusive of the 10 percent contingency, will not exceed \$165,000 annually. Costs are supported by Proposition A transportation funds. Sufficient appropriation is budgeted in the Capital Projects Fund Group in the Public Works Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

RESOLUTION

APPROVED:



THOMAS B. MODICA
ACTING CITY MANAGER

CB:JC

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802

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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, AND ANY AMENDMENTS THERETO, WITH MOBILITYCLOUD INC., WITHOUT ADVERTISING FOR BIDS, FOR THE LICENSING AND OPERATION OF PROPRIETARY BACKEND SOFTWARE FOR THE CITY'S BIKE SHARE PROGRAM IN AN ANNUAL AMOUNT NOT TO EXCEED \$165,000 FOR A PERIOD OF THREE YEARS

WHEREAS, the City of Long Beach (the "City") launched their Bike Share Program (the "Program") in March 2016; and

WHEREAS, the Program has continued to grow in popularity since; and

WHEREAS, the existing bikeshare backend software is a proprietary system built by Social Bicycles, Inc.; and

WHEREAS, in 2018, Social Bicycles, Inc. was purchased by Uber; and

WHEREAS, in December 2019, Uber sold all Social Bicycles, Inc. legacy software system accounts to MobilityCloud, Inc., including the City's Program; and

WHEREAS, because it is more cost-effective and efficient to continue using the current software instead of purchasing a new software system, MobilityCloud, Inc. is the City's only source for compatible software; and

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

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

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

Section 2. The City Manager is hereby authorized to enter a contract, and any amendments thereto, with MobilityCloud Inc. for the licensing and operation of proprietary backend software for the City's Bike Share Program in an annual amount of One Hundred Fifty Thousand Dollars (\$150,000) for a period of three (3) years, with the option to renew for two (2) additional one-year periods.

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2020 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk