



## DEPARTMENT OF PUBLIC WORKS Bicycle Sharing Pilot Program Encroachment Permit

The following permit application sets out the City of Cupertino (City) requirements for a bike sharing operator (“PERMITTEE”) participating in the City’s pilot bicycle sharing program.

These requirements include safety, parking, operating, customer service, data collection, insurance, indemnification, and performance deposit provisions. PERMITTEE must also obtain a City of Cupertino business license. Business license applications are available online at [www.cupertino.org/businesslicense](http://www.cupertino.org/businesslicense) or at City Hall, 10300 Torre Ave, Cupertino, CA. All requirements outlined in this encroachment permit application are in addition to those contained in the document *Bicycle Sharing Pilot Program Guidelines*. Vendors must comply with requirements of both forms.

PERMITTEE is required to provide a minimum of 200 bicycles in order to submit an application. Permits will be issued at the discretion of the City. The number of bicycles deployed by each PERMITTEE, and other program requirements may be revised during the pilot program at the City’s discretion, any increase in fleet size will require payment of corresponding fee prior to entering new bicycles into service. Any changes in program requirements may require additional acknowledgement from PERMITTEE, including submission of supplemental information to the permit application on file. The City reserves the right to revoke a permit and/or terminate the pilot program at the City’s discretion.

The Department of Public Works Bicycle Sharing Pilot Program Encroachment Permit applies to bicycles only, parked in the City right-of-way. Vendors are responsible for coordinating with private property owners pertaining to stations on private property. This encroachment permit does not allow for the installation of racks, docks, stations, recharging stations, or other objects in the City right-of-way. PERMITTEE must apply for separate location-specific encroachment permits for that purpose. Scooters (electric, motorized or human powered), drones, or other aerial or terrestrial shared-mobility devices are not included in this encroachment permit.

The Department of Public Works Bicycle Sharing Pilot Program Encroachment Permit will be effective from date of issuance until the program ends on September 1, 2020. The permit term may be extended or a new permit issued at the conclusion of the pilot program at the discretion of the City.

### **Application Instructions:**

- A. Complete and sign the attached Encroachment Permit and provide the required supplemental information listed below. Attach all required information and documentation.
- B. Pay \$1,200 non-refundable permit application fee to the Department of Public Works.
- C. Submit the completed application package to the Department of Public Works. The Public Works Department will review the application and materials for completeness and compliance with program requirements. If the application is approved for a permit, the PERMITTEE will be notified to submit the additional per-bicycle fee along with mobile application log-in. Upon receipt of these items, the Public Works Director will issue the permit.

### **Required Information:**

Check each box to confirm attachment to application, and submit a check list with the application.

- Description of bicycle sharing operator, including length of time in business, total number of bicycles currently in service worldwide, and sample list of cities where vendor is currently operating bicycle sharing systems;
- Description of the bicycles and mobile and web applications to be used, including screen shots;
- Operations plan for the City of Cupertino bicycle sharing program, which must include, but is not limited to the following:
  - *Plan for informing users on proper bicycle parking, directing users to designated parking areas where applicable, and encouraging compliance with applicable bicycling laws;*
  - *Plan for monitoring and relocating incorrectly parked bicycles;*
  - *Bicycle preventive maintenance and inspections process and schedule;*
  - *Plan for providing the data listed in the data sharing requirements;*
  - *If applicable, plan for interoperability of fleet permitted in Cupertino with PERMITTEE's fleet in neighboring jurisdictions and/or with organizations or employers in Cupertino.*

- Certificate(s) of Insurance and Additional Insured Endorsement(s). See Insurance Requirements on Page 4 of *Bicycle Sharing Pilot Program Guidelines*.
- Copy of Cupertino Business License.

If Application is Approved: PERMITTEE shall be required to submit the following items prior to issuance of the permit:

1. \$25 per-bicycle fee;
2. Log-in information for account/dashboard to be used by the City for oversight of PERMITTEE's mobile application, availability of bikes, etc.;
3. Identification number for each bicycle deployed so City staff can track the total numbers of bicycles deployed and operated in the City.

*While there is no cap on the total number of bicycles in operation per vendor in the City, the \$25 per-bicycle fee applies to all bicycles deployed within the City limits.*

# DEPARTMENT OF PUBLIC WORKS

## Pilot Bicycle Sharing Program

### Encroachment Permit

#### Application



\_\_\_\_\_

*Date*

\_\_\_\_\_

*Bike Share Operator*

\_\_\_\_\_

*PERMITEE'S Representative*

\_\_\_\_\_

*Telephone No.*

\_\_\_\_\_

*E-mail*

\_\_\_\_\_

*Address*

\_\_\_\_\_

*City*

*State*

*Zip Code*

**PERMIT FEE: \$1200**

**PER-BICYCLE FEE: \$25**

Number of bicycles to be operated by PERMITEE: \_\_\_\_\_ Standard \_\_\_\_\_ Electric

Nearest Operations Center Location (*Site Address*): \_\_\_\_\_

\_\_\_\_\_

24-Hour Customer Service Hotline (*Phone Number*): \_\_\_\_\_

\_\_\_\_\_

Direct line for CITY staff to report urgent concerns to PERMITEE:

(Phone number): \_\_\_\_\_

## TEMPORARY BIKE SHARE PILOT PROGRAM ENCROACHMENT PERMIT

The City of Cupertino, a General Law city, hereafter called "CITY," grants permission to PERMITTEE to operate a temporary bicycle sharing program in CITY, which shall include the placement of bike share program bicycles in CITY right-of-way. The Encroachment Permit does not include the installation of racks, docks, stations, or other private facilities in CITY right-of-way.

Encroachment Permit is effective from date of issuance to **September 1, 2020**. The permit term may be extended or new permit issued at the conclusion of the pilot program at the discretion of CITY.

### STANDARD CONDITIONS

#### *Obligations of PERMITTEE:*

All PERMITTEE's must comply with the *Bicycle Sharing Pilot Program Guidelines* for the duration of the 18-month pilot program. The City reserves the right to revoke a permit at any time during the pilot program and can require that a permittee's fleet of bicycles be removed from the City right-of-way within 7 days.

#### PERMITTEE ACKNOWLEDGEMENT

**I have read and clearly understand the above provisions, special conditions, and attachments of this Bicycle Sharing Pilot Program Encroachment Permit and attached Guidelines and hereby agree to be bound by the terms and conditions contained herein.**

By: \_\_\_\_\_  
PERMITTEE Signature Date  
\_\_\_\_\_  
Print Name

#### CITY APPROVALS

#### **Approved:**

By: \_\_\_\_\_  
*City Engineer* Date

By: \_\_\_\_\_  
*Assistant Public Works Director* Date