

CITY OF ST JOSEPH

REQUEST FOR PROPOSAL

NO RFP2023-03

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Proposals Must Be Received No
Later Than

Time: NA Date: NA - Open

For Information Contact

Purchasing

at (816) 271-5330

This document constitutes a request for sealed bids, including prices, from qualified individuals and organizations to furnish those services and/or items as described herein. All documents included in submission are to be of public record.

Proposals must be mailed or delivered to the Division of Purchasing, 1100 Frederick Avenue Room 201, St. Joseph, MO 64501.

River Bluff Trails Shuttle Service

Please complete, sign and return this form with the proposal

Please have the Bid Name and Number on the outside of the sealed proposals.

The offeror must provide all information required in this document pursuant to the specifications attached and included herein.

The offeror hereby agrees to provide the services and/or items at the prices quoted, pursuant to the attached terms and conditions of Request for Proposal or Invitation to Bidders and Terms and Conditions of Purchase, and further agrees that when this document is countersigned by an authorized official of the City of St. Joseph, a binding contract, as defined herein, shall exist between the offeror and the City of St. Joseph.

SIGNATURE REQUIRED

Offeror's Signature: _____ Offeror's Printed Name: _____ Title : _____

Company Name: _____ Date of Proposal: _____

Mailing Address: _____ Telephone: _____

City: _____ State: _____ Zip: _____

Email Address: _____

CITY OF ST. JOSEPH
PURCHASING DIVISION
TERMS AND CONDITIONS OF REQUEST FOR PROPOSAL
OR INVITATION TO BIDDER

1. PREPARATION OF BIDS

- a. Bidder's are expected to examine the specifications, delivery schedule, bid prices, and all instructions of the Request for Proposal or Invitation to Bid. Failure to do so will be at bidder's risk. In case of a mistake in extension, the unit price(s) will govern. In case of an identified mistake in calculation the City may, but is not obligated to, correct the calculation based on the unit price submitted by the bidder.
- b. Any manufacturer's names, trade names, brand names, information, and/or catalogue numbers listed in a specification are for information and are not intended to limit competition. The bidder may offer any brand which meets or exceeds the specification for any item. If bids are based on equivalent products, indicate on the bid form the manufacturer's name and model number. The bidder shall explain in detail the reasons why the proposed equivalent will meet the specifications and not be considered an exception thereto. Bids which do not comply with these requirements are subject to rejection. Bids lacking any written indication of intent to bid on alternate brands will be received and considered in complete compliance with the specifications as listed on the bid forms.
- c. All supplies and equipment offered in a bid must be new and of current production unless the Request for Proposal or Invitation to Bidder clearly specifies that used or reconditioned supplies or equipment be offered.
- d. Firm fixed prices shall be bid and include all packing, handling, and shipping charges.
- e. Unless otherwise indicated, prices quoted shall be firm for acceptance for ninety days (90) from bid opening and for the specified contract period.

2. TAX EXEMPTION

- a. Do not bill federal tax. Certificate number 44-6000256.
Do not bill state tax. Certificate number 12493457.

3. SUBMISSION OF BIDS

- a. A bid submitted by a bidder must (1) be manually signed by the bidder on the Purchasing Division's Request for Proposal or Invitation to Bidder, (2) contain all requested information, (3) be priced as required, (4) be sealed in an envelope or container, (5) be attached to a security deposit if required, and (6) be delivered to: the Purchasing Division, 1100 Frederick Avenue, Room 201; St. Joseph, MO 64501, and officially clocked in no later than the exact time and date specified on the Request for Proposal or Invitation to Bidder.
- b. The sealed envelope or container containing a bid should be clearly marked on the outside left corner with (1) the official Price Inquiry number and (2) the official closing date and time.
- c. Submission of this bid constitutes an assignment by the bidder to the City of all rights, title, and interest in and to all causes of action it may have under the antitrust laws of the United States or the State of Missouri, which causes of action have accrued or will accrue as the result of or in relation to the particular good or services purchased or procured by it in fulfillment of any contract with the City arising from this bid.

4. MODIFICATION OR WITHDRAWAL OF BIDS

- a. Bids may be modified or withdrawn by written or telegraphic notice received prior to the official closing date and time specified. Written notice may be in the form of an email provided the email is actually received by the Purchasing Agent prior to the official closing date and time specified; any email that is not actually received, whether due to a delay in delivery, delivery to a filtering service that does not release the email, or other failure in delivery shall not be deemed to be a written notice of modification or withdrawal. A bid may also be withdrawn or modified in person by the bidder or his authorized representative provided proper identification is presented before the official closing date and time. Verbal phone requests to withdraw or modify a proposal will not be considered.

- b. After the official closing date and time, no bid may be modified or withdrawn.

5. BID OPENING

- a. Bid openings shall be public on the date and at the time specified on the bid form. It is the bidder's responsibility to assure that his bid is delivered at the proper time and place of the bid opening. Bids which for any reason are not so delivered will not be considered. Offers by facsimile, telegraph, email, or telephone will not be acceptable. Bid files may be examined during normal working hours by appointment. Bid tabulations will not be provided by telephone.

6. AWARDS

- a. Unless otherwise stated in the Price Inquiry, cash discounts for prompt payment of invoices will not be considered in the evaluation of prices. However, such discounts are encouraged to motivate prompt payment.
- b. As the best interest of the City may require, the right is reserved to make awards by item, group of items, all or none or a combination thereof; to reject any and all bids or waive any minor irregularity or technicality in bids received.
- c. Awards will be made to the bidder whose bid (1) meets the specifications and all other requirements of the Price Inquiry and (2) is the lowest and best bid, considering price, responsibility of the bidder, the best interest of the City, and all other relevant factors. When multiple bidders are equally responsible and qualified and submit equivalent bids, those bidders that are equally responsible and qualified and submit equivalent bids may be allowed to submit a subsequent lower bid price in accordance with a schedule established by the Purchasing Agent; such bid price must be submitted in a sealed envelope or container clearly marked on the outside left corner with (1) the official Price Inquiry number and (2) the closing date and time established by the Purchasing Agent; the submission may modify only the bid price.
- d. Each bid is received with the understanding that the acceptance in writing by the City of the offer to furnish any or all the materials, equipment, supplies, or services described therein shall constitute a contract between the bidder and the City; and shall bind the bidder to furnish and deliver at the price, and in accordance with the conditions of said accepted bid and detailed specifications.
- e. The City of St. Joseph is not obligated for expenditures unless funds have been encumbered by Purchase Order or Contract. The completion of the "Notice of Award" by the City is not an authorization for shipment or to proceed with services.

7. OPEN COMPETITION

- a. It is the intent and purpose of the Purchasing Division that the Price Inquiry permits free and open competition. However, it shall be the bidder's responsibility to advise the Purchasing Division if any language, requirements, or any combination thereof, inadvertently restricts or limits the requirement to a single source or otherwise prohibits the submission of a bid. The notification should be received by the Purchasing Division at least ten days prior to the Price Inquiry closing date and time. The bidder may submit notification after the bid closing providing sufficient time is permitted for a thorough review by the Purchasing Division and its decision will be final.

CITY OF ST. JOSEPH, MISSOURI

Request for Proposal For Shuttle Services

River Bluff Trails Park, St. Joseph, Missouri

RFP2023-03

General Description of Requested Services

The City of St. Joseph is seeking a qualified vendor to provide shuttle services at River Bluff Trails Park in St. Joseph, Missouri, providing transportation from designated pick-up locations near the park to other designated drop-off locations near the park. This service is to transport cyclists to areas of the park that would be difficult to access without the assistance of a licensed, motorized shuttle service. This service will be limited to specific contract lengths with no more than two vendors during the same timeframe.

Each proposer is required to submit a proposal describing their qualifications and ability to provide the desired level of shuttle service. They should also describe the proposed transportation equipment to deliver shuttle services appropriately.

Detailed information concerning all aspects of operating this shuttle service are contained in the City of St. Joseph Code of Ordinances, Article V. Shuttle Service – River Bluff Trails Park, Sections 30-201 to 30-250, attached hereto as “Exhibit A”.

Term of Agreement

The successful bidder(s) shall be issued a permit to operate the shuttle service for one (1) year, which can be extended by the Director of Parks, Recreation, & Civic Facilities for up to two additional one-year terms without submitting the issuance to the competitive bid process.

Selection Process

Proposals will be accepted at any point in time by the Purchasing Agent of the City of St. Joseph at the address listed in the Instructions to Proposing Bidders. Proposals will be considered as they are received.

The City will identify a committee of City staff to participate in the review and analysis of proposals/qualifications. Staff will then determine the need for additional inquiries, document gathering and/or an oral presentation. Once this process is completed staff will notify the successful bidder, finalize the details of the service agreement, and submit the

agreement to the City Council for approval. Any agreement with the successful bidder must be approved by the City Council before going into effect.

Minimum Qualifications The minimum qualifications to operate this shuttle service are contained in the attached City Code, **Exhibit A**. Refer specifically to application requirements in Section 30-212, insurance requirements in Section 30-231, and shuttle service operations in Sections 30-241 to 30-250.

Vehicles & Attachments

Proper vehicles in good working condition with appropriate trailers or attachment sufficient to safely transport people and bikes are required. Fourteen (14) passenger vans are recommended, but smaller units will be considered. Please indicate the capacity of your vehicle. Trailers or attachments should have suitable method for safely and securely transporting bikes.

Shuttle Schedule

Shuttle services shall be offered every Friday, Saturday, and Sunday from May 1 through September 30 and every Memorial Day, Independence Day, and Labor Day. Shuttle services may be offered from October 1 through April 30. Shuttle service hours may be from 7:00am until 30 minutes prior to sunset from May 1 through September 30 and shall be from 10:00am until one hour prior to sunset. Operation hours may be reasonably modified when weather conditions render the River Bluff Trails Park substantially unusable.

Reservation & Fare Collection Systems

The operator shall sell full day passes and partial day passes to its customers for use of its shuttle service. The City will be responsible for contracting with the appropriate reservation and fare collection service. The City will provide appropriate access and information to the chosen shuttle vendor(s) for the reservation service. Rates for 2023 are recommended to be \$40 for a full day pass and \$25 for a half day pass. Rates are negotiable and subject to change with justification from contracted vendor(s), taking market conditions and the current economy in mind. Charter services may be available upon request.

Choosing an online fare collection system will be a collaborative effort between the contracted vendor and city staff. The system must accommodate the needs of the city, shuttle vendor and shuttle users.

Trailhead Shuttle Exchange(s)

The City will allow and require use of its property at specific locations on McArthur Drive (parking lot south of Highland Avenue), Waterworks Road north of Heritage Park at the

railroad tracks, and Huntoon Road (near the water towers) as trailhead shuttle exchanges. These exchanges shall serve as transit hubs for trailhead shuttle departures and drop-offs. The City will provide appropriate parking and signage at the shuttle exchanges.

Public Facing Materials

The City shall provide all public facing materials associated with the promotion of shuttle service to include website, social media, printed schedule information, and other related materials.

Operators may advertise on their vehicles but shall not otherwise solicit riders within or around River Bluff Trails Park.

Instructions to Proposing Bidders

(1) All proposals should be sent, including questions, comments, or submission issues, to:

Summer Deatherage, Purchasing Agent
City of St. Joseph, Missouri
1100 Frederick Avenue
Room 201
St. Joseph, MO 64501
(816) 271-5330

(2) All proposals/qualifications must be in a sealed envelope and clearly marked in the lower left corner: "Sealed Proposal – River Bluff Trails Shuttle Service". Five (5) copies of the proposals/qualifications must be submitted. Proposals will be accepted until vendor(s) are chosen.

(3) The Director of Parks, Recreation, and Civic Facilities will notify the appropriate bidder(s) if the City wishes to interview them and will establish the time for those interviews.

(4) Proposals can be submitted by mail, Fedex, UPS, or by hand delivering the bids to Summer Deatherage at City Hall, Room 201.

Content of Service Proposals

The City places no restrictions on the nature or quality of submitted service proposals. While the City encourages the submission of relevant, timely, and user-friendly information, we will accept and, time permitting, review all submitted materials. Proposals/qualifications may include information in audio, video, or hard copy media. We will not accept proposals/qualifications submitted via fax, internet, or other telephonic media.

Contacts

Summer Deatherage, Purchasing Agent, (816) 271-5330 or
Chuck Kempf, Director of Parks and Recreation, (816) 271- 5501

Additional Information

Pursuant to City Code Section 30-244(b) in attached **Exhibit A**, the Director is adding the following conditions to be part of any successful bid:

1. The successful bidder(s) shall attempt to provide service on one hundred percent (100%) of all scheduled service days and endeavor to complete one hundred percent (100%) of all scheduled trips.
2. Employees hired by the successful bidder(s) to provide shuttle service shall be the employees of the bidder(s), not the City of St. Joseph. The bidder(s) shall be solely responsible for the satisfactory work performance of all employees as described herein.
3. The successful bidder(s) must inform the City immediately regarding failure to operate a scheduled route or upon being involved in an accident while operating the shuttle service.
4. The successful bidder(s) shall clean and disinfect each vehicle prior to placing it into service.
5. The successful bidder(s) will comply with the Americans with Disabilities Act (ADA). The ADA specifically addresses accommodations of persons with disabilities while accessing public transit service.

EXHIBIT A

**ARTICLE V. SHUTTLE SERVICE –
RIVER BLUFF TRAILS PARK**

DIVISION 1. GENERALLY

Sec. 30-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Director* means the director of parks, recreation and civic facilities, or his or her designee.
- (2) *Shuttle service* means the act of transporting cyclists and their bike equipment from the bottom of the River Bluff Trails Park back to the top for a fee.
- (3) *Operator* means an individual or other legal entity that has been issued a permit under this article to operate a shuttle service.

(G.O. 3003, 9-20-21)

Sec. 30-202. Criminal offenses.

(a) *Violations.* A person commits an offense if he or she violates or attempts to violate a provision of this article, or a rule or regulation established by the director under this article. A culpable mental state is not required for the commission of an offense under this article unless the provision defining the conduct expressly requires a culpable mental state. A separate offense is committed each day in which an offense occurs.

(b) *Remedies and penalties.* Prosecution for an offense under this section does not prevent the use of other enforcement remedies or procedures applicable to the person charged with or the conduct involved in the offense.

(c) *Fine.* A person or legal entity violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.00.

(G.O. 3003, 9-20-21)

Secs. 30-203 – 30-210. Reserved.

(11/1/21)

DIVISION 2. PERMITTING

Sec. 30-211. Operating authority permit.

A person or legal entity commits an offense if, within the city, he or she operates, or causes, or permits the operation of, a shuttle service for compensation without a valid operating authority permit issued under this article.

(G.O. 3003, 9-20-21)

Sec. 30-212. Application for operating authority permit.

(a) *Limited number of permits available.* Only two vendors shall be allowed to operate shuttle services at any given time, therefore, only two permits are available to be issued at the same time. Not less than every two years, a competitive bid process shall be opened to all applicants. The director shall establish rules for such process and may select applicants based on criteria determined by the director.

(b) *Application required.* To obtain an operating authority permit, a person shall make application in the manner prescribed by the director. The applicant must be the person or legal entity who will own, control, or operate the proposed shuttle service program.

(c) *Application contents.* An applicant shall file with the director, or his or her designee, a verified application statement containing the following:

- (1) Documentary evidence of having obtained a business license to operate within the City of St. Joseph as outlined in the city code;
- (2) the authorized signature of the applicant;
- (3) the address of the fixed facilities to be used in the operation, and the address of the applicant’s home office, if different from the address of the fixed facilities;
- (4) the name of the person designated by the applicant to receive on behalf of the applicant any future notices sent by the city to the operator, and that person’s contact information, including a mailing address, telephone number, and email or other electronic address;

- (5) documentary evidence from an insurance company indicating that such insurance company has bound itself to provide the applicant with the liability insurance required by this article;
- (6) documentary evidence of payment of ad valorem taxes currently due on property within the city, if any, to be used in connection with the operation of the proposed shuttle service;
- (7) documentary evidence from a bonding or insurance company or a bank indicating that the bonding or insurance company or bank has bound itself to provide the applicant with the performance bond or irrevocable letter of credit required by this article;
- (8) proof of a chauffeur's driver's license;
- (9) the number of shuttle service vehicles to be operated; and
- (10) an agreement to indemnify the city against any and all claims arising out of or from applicant's operation of the proposed shuttle service except those arising out of city negligence or willful misconduct.

(d) An operating authority permit may be renewed following the process in this section.
(G.O. 3003, 9-20-21)

Sec. 30-213. Changes to information in operating authority application.

Any changes to the information provided in the operating authority permit application must be reported to the director, in the manner prescribed by the director, within ten days of the change.
(G.O. 3003, 9-20-21)

Sec. 30-214. Expiration of operating authority permit.

An operating authority permit expires one year from the date it is issued, unless extended by the director.
(G.O. 3003, 9-20-21)

Sec. 30-215. Refusal to issue or renew operating authority permit.

(a) *Refusal or denial.* The director may refuse to issue or renew an operating authority permit if the applicant:

- (1) if determined by the director to have intentionally or knowingly made a false statement as to a material matter in an application for a permit or permit renewal; or
- (2) has violated this article regarding the operation of the shuttle service twice within a 12 month period, or has had an operating authority permit revoked within two years of the date of application.

(b) *Notification of refusal or denial.* If the director determines that a permit should be denied, the director shall notify the applicant or operator in writing that the application is denied and include in the notice the reason or reasons for denial.

(G.O. 3003, 9-20-21)

Sec. 30-216. Revocation of operating authority permit.

(a) *Revocation.* The following shall apply to the revocation of an operating authority permit:

- (1) The director shall revoke an operating authority permit if the director determines that the operator has:
 - a. made a false statement as to a material matter in the application concerning the operating authority permit;
 - b. failed to maintain the insurance required by this article;
 - c. failed to maintain the performance bond or irrevocable letter of credit required by this article;
 - d. operated shuttle service vehicles that were not authorized by the operating authority permit; or
 - e. failed to pay a fee required by this article.

(b) *Post-revocation waiting period.* After revocation of an operating authority permit, an operator is not eligible for another permit for a

§30-201

time period of up to two years, depending on the severity of the violation resulting in the revocation.

(G.O. 3003, 9-20-21)

Sec. 30-217. Appeals.

Any person or legal entity whose application for an operating authority permit, or renewal of an operating authority permit, is denied by the director, or an operator whose operating authority permit has been revoked or suspended by the director, may file an appeal of the decision. The written request must be made to the director within 30 days of the date of notification, and must state the factual basis for the appeal. When a request is properly filed, the city manager, or his or her designee, shall convene a hearing on the matter. The city manager, or his or her designee, shall issue a decision within 15 working days following the conclusion of the hearing. The decision shall be considered the final administrative action for purposes of judicial review.

(G.O. 3003, 9-20-21)

Sec. 30-218. Nontransferability.

An operating authority permit is not transferable.

(G.O. 3003, 9-20-21)

Sec. 30-219. Fees.

(a) An operator shall sell full day passes and ½ day passes to its riders/customers for use of its shuttle service.

(b) An operator shall pay to the City, on a monthly basis, a fee of \$5.00, or such other higher amount that the operator has agreed to pay, for every rider/customer to which the operator provides shuttle service, whether it be a full day or ½ day pass.

(G.O. 3003, 9-20-21)

Secs. 30-220 – 30-230. Reserved.

DIVISION 3. INSURANCE AND BONDING

Sec. 30-231. Insurance requirements.

(a) *Policy requirements.* An operator shall procure and keep in full force and effect no less than the insurance coverage required by this

(11/1/21)

section through a policy of policies written by an insurance company that:

- (1) is authorized to do business in the State of Missouri;
- (2) is acceptable to the city; and
- (3) does not violate the ownership or operational control prohibition described in this section.

(b) *Additional insureds.* The insured provisions of the policy must name the city and its officers and employees as additional insureds, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the shuttle service.

(c) *Coverage requirements.* An operator shall maintain the following insurance coverages:

- (1) General liability insurance endorsed to provide blanket contractual liability and the operator's indemnity obligations, as well as claims arising out of the performance of the operator's services or negligent acts for which the operator may be liable, with a minimum policy limit of \$1,000,000.00 per occurrence and \$2,000,000.00 each claim/aggregate, or such other higher amounts as may be required by the city.
- (2) Automobile insurance coverage for all owned, hired, or non-owned vehicles utilized by the operator with minimum limits of coverage of a combined limit of not less than \$100,000.00/\$300,000.00 personal injury and \$50,000.00 per incident property damage, or such other higher amounts as may be required by the city.
- (3) The operator shall also provide and maintain any type of insurance not described above which it requires for its own protection or on account of statutes.

(d) *Policy requirements.* Insurance required under this article must comply with requirements established by the director.

(e) *Conflicts of interest.* No person who has a 20% or greater ownership interest in the operator may have an interest in the insurance company.

(f) *Self-insured prohibition.* An operator may not be self-insured, unless operator can show proof of ability to pay defense and/or indemnity costs to respond to a loss up to their SIR limit, in a form acceptable to the city.

(g) *Certificates of insurance.* Any insurance policy and its certificates required by this article must be on file with the city upon the issuance of the initial operating authority permit, the renewal of an operating permit, and upon expiration or termination of a previously issued policy.

(h) *Waiver of claims against city.* Upon acceptance of an operating authority permit, the operator waives all rights to assert any claim against the city with respect to any loss or damage howsoever caused to the extent any such loss or damage is covered by insurance including deductibles. The operator and its insurers hereby waive all rights of subrogation.

(i) *Operator consultants and subcontractors.* If a consultant or subcontractor is hired by the operator to perform any duties under the permit, the operator shall cover any and all consultants and subcontractors in its policies and require each consultant or subcontractor to secure and maintain insurance against all applicable hazards or risks of loss and in the amounts and forms set forth in this article.
(G.O. 3003, 9-20-21)

Secs. 30-233 – 30-240. Reserved.

DIVISION 4. SHUTTLE SERVICE
OPERATIONS

Sec. 30-241. Data sharing.

(a) *Required.* An operator shall cooperate with the city in the collection and analysis of aggregated data concerning its operations. Failure to do so, as determined by the director, shall be a violation under this article.

(b) *Monthly reports.* An operator shall provide a monthly report to the director that includes:

- (1) Total number of rides for the previous month.

- (2) Total number of vehicles in service for the previous month.

- (3) Number of rides per vehicle per day.

- (4) Number of full day and ½ day passes sold each day.

(c) *Additional required reports.* An operator shall provide other reports at the director's request.
(G.O. 3003, 9-20-21)

Sec. 30-242. Operation hours.

(a) Shuttle services shall be offered seven days per week from May 15 until August 31 (seasonal service).

(b) Shuttle services shall be offered on Friday, Saturday and Sunday from September 1 until May 14 (off-seasonal service).

(c) Shuttle service hours shall be from 7:00 a.m. until 30 minutes prior to sunset, year around.

(d) During the off-season, shuttle services may be offered Monday through Thursday as a charter rental only for a flat fee.

(e) Operation hours may be reasonably modified when weather conditions render the River Bluff Trail Park substantially unusable.
(G.O. 3003, 9-20-21)

Sec. 30-243. Vehicles.

All vehicles and attachments (ie. trailers, flat-beds, carriers, etc.) shall be properly licensed for street or highway use and insured as set forth herein, and be in good working condition.
(G.O. 3003, 9-20-21)

Sec. 30-244. Shuttle service rules.

(a) Operators shall not solicit riders withing the River Bluff Trails Park.

(b) The director may establish other reasonable rules applicable to the operation of shuttle services.
(G.O. 3003, 9-20-21)

Secs. 30-245 – 30-250. Reserved.

BILL # 109-22

AN ORDINANCE AMENDING VARIOUS SECTIONS OF ARTICLE V ENTITLED "SHUTTLE SERVICE – RIVER BLUFF TRAILS PARK" OF CHAPTER 30, "VEHICLES FOR HIRE," OF THE CODE OF ORDINANCES TO MODIFY REGULATIONS FOR ANY BUSINESS OPERATING A SHUTTLE SERVICE AT RIVER BLUFF TRAILS PARK.

- WHEREAS,** in advance of the opening of River Bluff Trails Park, General Ordinance 3003 was passed governing the operation of shuttle services for River Bluff Trails Park; and
- WHEREAS,** such a shuttle service is ideal to optimize the mountain biking experience in River Bluff Trails Park and enable cyclists who reach the bottom of the trail system to be transported back to the top of the bluff to run the trails again; and
- WHEREAS,** the City adopted rules and regulations to ensure public safety and appearance are maintained while making trail transportation available at the River Bluff Trails Park; and
- WHEREAS,** the City had expected the shuttle service to be a potential for-profit business opportunity within the City; however, following passage of General Ordinance 3003 and the issuance of a request for proposals to operate a shuttle, the City received no proposals; and
- WHEREAS,** in order to ensure a shuttle service can be made available, the City now seeks to modify the shuttle service operational rules and reissue a new request for proposals under the modified ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ST. JOSEPH, MISSOURI, AS FOLLOWS:

- SECTION 1.** That Chapter 30 of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by repealing Section 30-212 entitled "Application for operating authority permit" and enacting in lieu thereof a new Section 30-212 to be numbered and read as follows:

Sec. 30-212. Application for operating authority permit.

(a) *Limited number of permits available.* Only two vendors shall be allowed to operate shuttle services at any given time; therefore, only two permits are available to be issued at the same time. **All permits shall be issued as a result of** a competitive bid process **that is open** to all applicants. The director shall establish rules for this RFP process and may select applicants based on criteria determined by the director.

(b) *Application required.* To obtain an operating authority permit, a person shall make application in the manner prescribed by the director. The applicant must be the person or legal entity who will own, control, or operate the proposed shuttle service program.

(c) *Application contents.* An applicant shall file with the director, or his or her designee, a verified application statement containing the following:

- (1) Documentary evidence of having obtained a business license to operate within the City of St. Joseph as outlined in the city code;

- (2) the authorized signature of the applicant;
 - (3) the address of the fixed facilities to be used in the operation, and the address of the applicant's home office, if different from the address of the fixed facilities;
 - (4) the name of the person designated by the applicant to receive on behalf of the applicant any future notices sent by the city to the operator, and that person's contact information, including a mailing address, telephone number, and email or other electronic address;
 - (5) documentary evidence from an insurance company indicating that such insurance company has bound itself to provide the applicant with the liability insurance required by this article;
 - (6) documentary evidence of payment of ad valorem taxes currently due on property within the city, if any, to be used in connection with the operation of the proposed shuttle service;
 - (7) documentary evidence from a bonding or insurance company or a bank indicating that the bonding or insurance company or bank has bound itself to provide the applicant with the performance bond or irrevocable letter of credit required by this article;
 - (8) proof of a **Missouri Class E driver's license or other driver's license that will allow the operation of a shuttle service for compensation**;
 - (9) the number of shuttle service vehicles to be operated; and
 - (10) an agreement to indemnify the city against any and all claims arising out of or from applicant's operation of the proposed shuttle service except those arising out of city negligence or willful misconduct.
- (d) An operating authority permit may be renewed following the process in this section.

SECTION 2. That Chapter 30 of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by repealing Section 30-214 entitled "Expiration of operating authority permit" and enacting in lieu thereof a new Section 30-214 to be numbered and read as follows:

Sec. 30-214. Expiration of operating authority permit.

An operating authority permit shall expire one year from the date it is issued, **and may be extended by the director for up to two additional one-year terms without submitting the issuance to the competitive bid process.**

SECTION 3. That Chapter 30 of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by repealing Section 30-219 entitled "Fees" and enacting in lieu thereof a new Section 30-219 to be numbered and read as follows:

Sec. 30-219. Fees.

(a) An operator shall sell full day passes and partial day passes to its riders/customers for use of its shuttle service.

(b) An operator shall pay the City a fee of \$5.00, or such other higher amount that the operator has agreed to pay in the operator's competitive bid proposal, for every rider/customer to which the operator provides shuttle service, whether it be a full day or partial day pass, for each day that the operator provides the service to the rider/customer.

(c) As an alternative to paying the fees established by this section, the operator may submit a proposal to pay a flat permit fee for each year of operation.

SECTION 4. That Chapter 30 of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by repealing Section 30-241 entitled "Data sharing" and enacting in lieu thereof a new Section 30-241 to be numbered and read as follows:

Sec. 30-241. Data sharing.

(a) *Required.* An operator shall cooperate with the city in the collection and analysis of aggregated data concerning its operations. Failure to do so, as determined by the director, shall be a violation under this article.

(b) *Monthly reports.* An operator shall provide a monthly report to the director that includes:

- (1) Total number of rides for the previous month.
- (2) Total number of vehicles in service for the previous month.
- (3) Number of rides per vehicle per day.
- (4) Number of full day and partial day passes sold each day.

(c) *Additional required reports.* An operator shall provide other reports at the director's request.

SECTION 5. That Chapter 30 of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by repealing Section 30-242 entitled "Operation hours" and enacting in lieu thereof a new Section 30-242 to be numbered and read as follows:

Sec. 30-242. Operation hours.

(a) Shuttle services shall be offered every Friday, Saturday, and Sunday, from May 1 through September 30, and every Memorial Day, Independence Day, and Labor Day.

(b) From October 1 through April 30, shuttle services may be offered Monday through Thursday, only as a charter rental, for a flat fee.

(c) Shuttle service hours may be from 7:00 a.m. until 30 minutes prior to sunset from May 1 through September 30, and shall be from 10:00 a.m. until 1 hour prior to sunset.

(d) Operation hours may be reasonably modified when weather conditions render the River Bluff Trail Park substantially unusable.

SECTION 6. That Chapter 30 of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by repealing Section 30-244 entitled "Shuttle service rules" and enacting in lieu thereof a new Section 30-244 to be numbered and read as follows:

Sec. 30-244. Shuttle service rules.

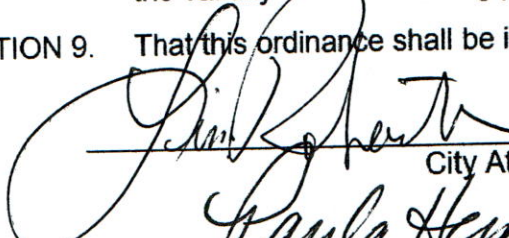
(a) Operators may advertise on their vehicles but shall not otherwise solicit riders within or around the River Bluff Trails Park.

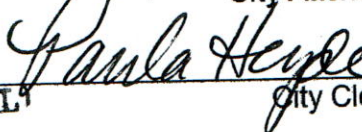
(b) The director may establish other reasonable rules applicable to the operation of shuttle services.


SECTION 7. That any ordinances or parts of ordinances in conflict with this ordinance be, and hereby are, repealed.

SECTION 8. That if any provision of this ordinance is found to be invalid, such provision shall be considered to be severable from the other parts of this ordinance and shall not affect the validity of the remaining parts of this ordinance.

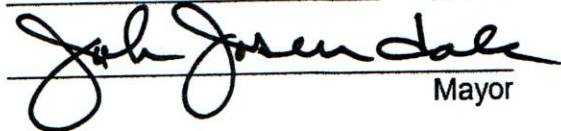
SECTION 9. That this ordinance shall be in full force and effect from and after the date of passage.



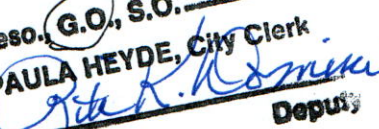
City Attorney


Paula Heyde
City Clerk


Passed: August 8, 20 22



John J. Jurek
Mayor

Authenticated Copy
of Reso. G.O., S.O. 3039
By 
PAULA HEYDE, City Clerk
Deputy
Date 8-9-22

Date: July 25, 2022
Amount: N/A
Account Number: N/A

CITY CLERK

2022 JUL 19 PM 2:48

EXPLANATION TO COUNCIL BILL

ORIGINATING DEPARTMENT: Parks, Recreation & Civic Facilities

PURPOSE: To amend various sections of Article V entitled "Shuttle Service – River Bluff Trails Park" of Chapter 30, "Vehicles for Hire," of the Code of Ordinances to modify regulations for any business operating a shuttle service at River Bluff Trails Park.

REMARKS: Prior to the opening of River Bluff Trails Park, a General Ordinance was approved to proactively provide structure and guidance for any company operating a shuttle service business at the River Bluff Trails Park. After the ordinance was approved, a request for proposals for shuttle operators was issued, but received no responses. The City has received feedback that modifications to the regulations governing a shuttle service may be necessary to make the service financially viable. The attached proposed ordinance makes these modifications, which include the following:

- Permits may be issued for one year with the ability (at the City's option) to renew for an additional two years.
- Shuttle service operators may submit proposals to provide the service at a fee of \$5/rider per day or a flat fee that allows for operations for a full year.
- The season is modified to begin on May 1 and continue through September 30; during that time, the service must be operated on Friday, Saturday, and Sunday and every Memorial Day, Independence Day, and Labor Day; (the current ordinance requires seven-day per week operation from May 15 through August 31).
- Operational hours may start as early at 7:00 a.m., but must start before 10:00 a.m. and continue until one hour prior to sunset.
- Other more minor modifications.

Downhill cycling is a riding discipline often utilizing bicycles equipped with full suspension to absorb rocks, jumps, and technical downhill terrain. Consequently, these bicycles are heavy and much less efficient when attempting to travel back up hill. Much like downhill skiing, participants generally prefer some form of motorized transport back to the top of hills when available. Paid shuttle or transport services are common in these recreational areas. The River Bluff Trails Park contains multiple trails intended for downhill riding, making it likely that riders will seek a shuttle service.