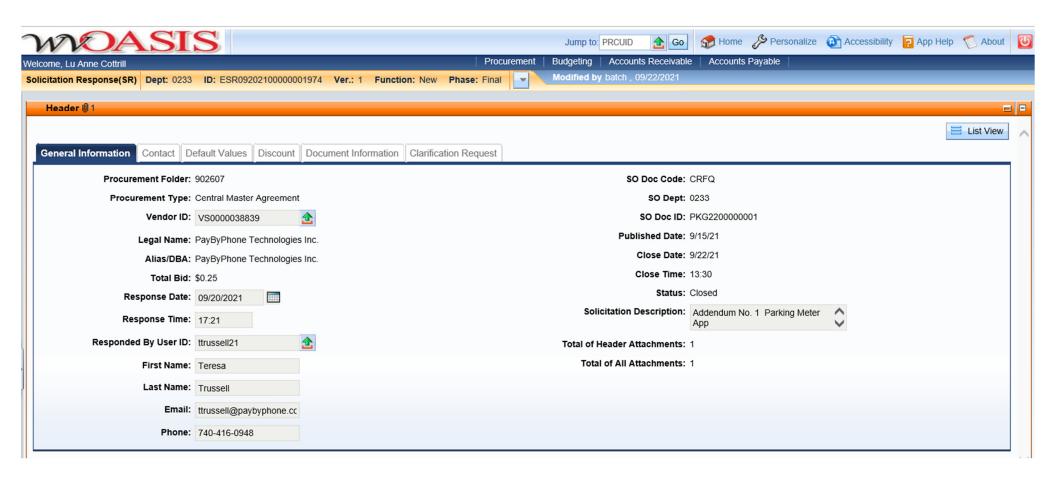


2019 Washington Street, East Charleston, WV 25305 Telephone: 304-558-2306 General Fax: 304-558-6026

Bid Fax: 304-558-3970

The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at *wvOASIS.gov*. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at *WVPurchasing.gov* with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.





**Department of Administration Purchasing Division** 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

#### State of West Virginia **Solicitation Response**

**Proc Folder:** 902607

**Solicitation Description:** Addendum No. 1 Parking Meter App

West Virginia State Can **Proc Type:** Central Master Agreement

**Solicitation Closes Solicitation Response** Version 2021-09-22 13:30 SR 0233 ESR09202100000001974 1

**VENDOR** 

VS0000038839

PayByPhone Technologies Inc.

**Solicitation Number:** CRFQ 0233 PKG2200000001

**Total Bid: Response Date:** Response Time: 0.25 2021-09-20 17:21:42

Comments:

FOR INFORMATION CONTACT THE BUYER

Melissa Pettrey (304) 558-0094 melissa.k.pettrey@wv.gov

Vendor

FEIN# DATE Signature X

All offers subject to all terms and conditions contained in this solicitation

FORM ID: WV-PRC-SR-001 2020/05 Date Printed: Sep 22, 2021 Page: 1

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Mobile Parking App				0.25

Comm Code	Manufacturer	Specification	Model #	
46171701				

**Commodity Line Comments:** The amount indicated above (\$0.25) is the proposed convenience fee per transaction for hourly and daily parking transactions.

Additionally, PayByPhone is waiving the following fees typically incurred with a new customer to provide a zero-

cost solution:

(1) Signage (does not include installation) \$2,500--Waived

#### **Extended Description:**

On demand, electronic payment of parking meters at the WV State Capitol Complex, including reservations and parking permits

Date Printed: Sep 22, 2021 Page: 2 FORM ID: WV-PRC-SR-001 2020/05



# A Better Parking Experience.

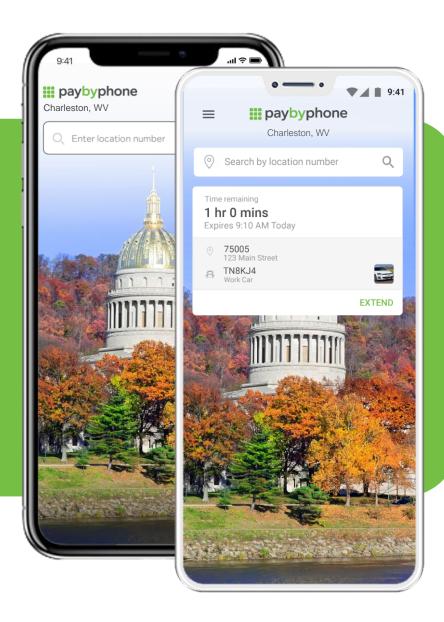
Parking Meter App West Virginia State Capitol Complex – The West Virginia Purchasing Division on behalf of the WV Real Estate Division

Request for Quotation CRFQ PKG2200000001

September 22, 2021

Teresa Trussell, Regional Sales Director

PayByPhone Technologies Inc. 403 – 1168 Hamilton Street, Vancouver, B.C., Canada, V6B 2S2 Telephone: 740.416.0948 Email: ttrussell@paybyphone.com





Suite 400 – 1168 Hamilton Street Vancouver, BC Canada V6B 2S2 paybyphone.com

September 22, 2021

State of West Virginia, Purchasing Division Attention: Melissa Pettrey 2019 Washington St E Charleston, WV, 25305

#### RE: PKG2200000001 Parking Meter App West Virginia State Capitol Complex

Dear Ms. Pettrey:

PayByPhone seeks to partner with the WV Real Estate Division team to deliver a world-renowned mobile parking payment solution that enables drivers to locate and pay for parking within the West Virginia State Capitol Complex parking systems. Our app provides a seamless and contactless parking experience that will improve the driver's journey by making it easier for them to find and pay for parking from their mobile phone while at the same time supporting your operation's mission to provide on-demand and electronic payment of parking meters. Founded in 2001, PayByPhone is the largest and most successful mobile parking payments company in the world. We have over 45 million registered users in thousands of locations and are owned by Germany's Volkswagen Financial Services (VWFS), AG.

PayByPhone is the best solution for the Real Estate Division for these reasons:

- Flexible rates and self-serve We handle rate policies for cities, universities, and operators worldwide, which includes nearby locations such as: Ripley WV, Martinsburg, WV, Gettysburg, PA, Pittsburgh, PA, and Cleveland, OH. These locations offer a variety of rates ranging from hourly, daily, and monthly.
- A solution that drivers love The PayByPhone app delivers the best experience for drivers, with the highest ratings in the industry (4.9 out of a five-star rating from 322,400 reviewers in iOS app store, America).
- Adoption experts Our marketing team will help to exponentially grow your adoption rate (for example, Miami has a 95 percent adoption rate after partnering with PayByPhone).
- **Multilingual app** PayByPhone is a multilingual app with global appeal. Our smartphone and Web applications are available in 12 languages that can support a diverse community while also providing a seamless solution for drivers in their preferred language.
- Contactless payments We have partnered with Apple and Amazon to enable drivers to pay for parking using Siri and Alexa. Drivers can process payments safely without needing to touch their phone.
- **Unmatched financial stability –** As a wholly-owned subsidiary of VWFS, PayByPhone has continued to grow its staff complement to its current 400+ team members. This growth is solely focused on supporting our technology and our clients.

We look forward to working with The WV Real Estate Division to provide a simpler, faster, and better parking experience while meeting your goal of providing an on-demand solution through a mobile payment solution. I live in SE Ohio—only 45 minutes from Charleston, which provides a local presence as your provider. If you have any questions, please feel free to contact me directly.

Sincerely,

Teresa Trussell, Sales Director | Tel: 740.416.0948 | Email: ttrussell@paybyphone.com



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# **Confidentiality Statement**

The information contained in this document is confidential, privileged, and only for the information of the intended recipient and may not be used, published, or redistributed without the prior written consent of PayByPhone.



## **An Overview**

### **Our Story**

PayByPhone Technologies is a global leader in mobility payment solutions, having moved the needle in this space long before anyone else did. We were founded in Vancouver with the sole purpose of creating a frictionless, enjoyable parking experience for drivers and all who work in the parking industry – using mobile and Web technologies to do this. We are now a global company and a subsidiary of Volkswagen Financial Services (VWFS), AG, (think brands such as Audi, Porsche, Bentley, Lamborghini, Bugatti, VW) committed to investing in parking innovation, mobility, and exceptional service.



We continue to reach milestones in the parking space. Consider the following:

- 43+ million registered users (and counting) in hundreds of cities Vancouver, Seattle, San Francisco, London, Paris, and more – and 1,000+ locations
- Operating in 14 countries; 500+ clients worldwide
- 125+ million in yearly transactions
- US\$550+ million payments processed
- Financially secure subsidiary of Germany's VWFS since 2016
- 400+ dedicated full-time staff
- Unique features such as self-serve rates engine, dynamic white label, guest accounts

With such impressive metrics, it's no wonder PayByPhone is considered the most used and loved mobility parking payment app in the world. When you partner with us, you will be implementing an unrivalled product that offers not just an unmatched user-friendly experience, but also a significant cost savings to Real Estate's parking operations.



# **Specifications**

### 3. Qualifications:

Vendor, or Vendor's staff if requirements are inherently limited to individuals rather than corporate entities, shall have the following minimum qualifications:

3.1 Three years experience in providing services to customers of 250 or more metered parking spaces.

PayByPhone has 20 years' experience providing mobile payment solutions for the USA and global parking industry. Since inception in 2001, we've grown to operate services for some of the largest municipalities in the US, UK, and France, including San Francisco, Seattle, Vancouver, Miami, Paris, and London as well as customers local within the Midwest region such as Ripley, Martinsburg, Pittsburgh, Gettysburg, and Cleveland.



Figure: A map of North America with green areas indicating PayByPhone's presence, and pins highlighting relevant clients within those areas.



## 4. Mandatory Requirements:

- 4.1 *Mandatory Contract Services Requirements and Deliverables:* Vendor must meet or exceed the mandatory requirements listed below.
  - 4.1.1 **On Demand Electronic Parking Meter Payment System**: Vendor must provide an on demand, electronic payment of parking meters at the Capitol Complex. The electronic payment will allow the parker to pay the meter fee by credit card, debit card, and other individual payment preferences, such as PayPal, Android or Samsung Pay, ACH, ApplePay, etc.,

PayByPhone accepts a variety of payment methods – Mastercard, Visa (debit/credit), Discover, American Express, Apple Pay, and Google Pay – to initiate parking either by smartphone app, website, mobile phone, or Amazon Echo Auto.



PayByPhone is among the first available Alexa skill that allows drivers to pay for parking through Amazon Echo Auto. Using this skill, Alexa can also extend parking time and lets drivers know how much available time is left in their parking session. Additionally, drivers have the option to extend parking with the Apple Watch.





4.1.1.1 **Merchant of Record:** The State of West Virginia must be the merchant of record under Vendor's proposed system and settled deposits must comply with state law requirements, including, but not limited to, deposits being received within one business day.

PayByPhone can work with whichever merchant processor Real Estate chooses. During the initial implementation phase, the Merchant of Record (MoR) integration fee is included in the account setup.

4.1.1.2 **Compatibility:** Vendor's system must be compatible with and integrate with, at no cost to the state, the current ticketing system "Clancy" that is used by Real Estate for citation and parking enforcement support.

PayByPhone has an existing enforcement integration with Clancy Systems and would need approximately a week to activate the integration. There are no fees associated with the standard integration of mobile parking system payment data and related reporting with Clancy Systems.

4.1.1.3 **Administrative Support:** Vendor must provide back office administrative services and customized reporting to include transaction ID, transaction date and time, parking start and end time and date, price charged to parker, breakdown of price (parking fee, service fee, discount if any, total paid), and payment method.

Real Estate will get full access to PayByPhone Reporting in the PayByPhone Portal system, which provide all detail requested and more. Reports generated include:

- All Payments Individual Transaction Detail
- Daily Deposit Summary
- Deposit Individual Transaction Detail
- Parking Credits by Member, Date, and Lot
- Parking Sessions by Date and Location
- Refunds by Account
- Revenue by Region
- Revenue by Region Location
- Usage by Location Detail
- Usage by Location Summary

PayByPhone Portal users can search for any active or historic parking session by vehicle registration number, telephone number, and/or last name (full or partial). Depending on the access rights granted (which PayByPhone sets up in advance), users can download and/or schedule reports on the total number of parking sessions booked daily, the failure rates, the total number of parking sessions booked by location, the total number of parking sessions booked by duration, the total number of "extended" transactions, the occupancy rates, and graphs showing the peaks and troughs. We can provide these operational reports in a variety of formats (CSV, XLS, and PDF). All reports can be scheduled to be emailed to your Inbox on a regular cadence (for example, every Monday morning). PayByPhone's portal provides real-time dashboard analytics that allow users to view the operational health at any given time. All data is interactive and clickable.



## Data, Reports & Dashboards





Additionally, our flexible rates engine, hosted in the Portal, gives the City complete oversight into how to configure their rates and variable rate structure allowing for dynamic pricing and event rates all at your fingertips and in real-time. Change your rates permanently or create a temporary override any time necessary with a few clicks. You can personalize rates based on driver eligibility and permissions, for example, residents. We also have a preview feature called the parking session tester that lets you preview the rate and restriction schedule proir to going live.

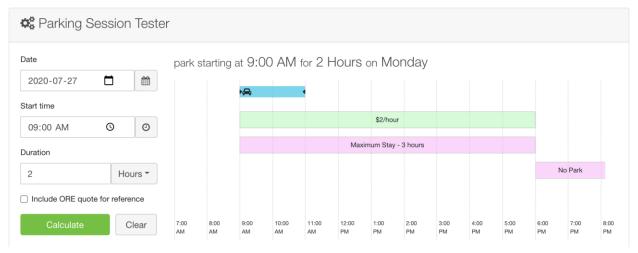


Figure: PayByPhone Portal Parking Session Tester



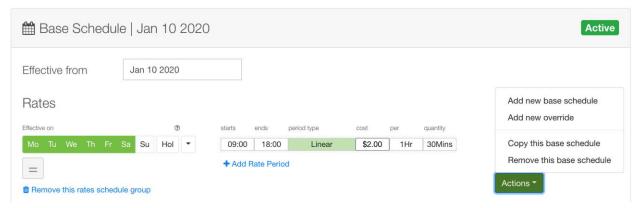


Figure: PayByPhone Portal Rate Event Schedule

4.1.1.4 **WV Treasurer's Office Requirements**: Vendor must process credit/debit card payments through the West Virginia Treasury's merchant services contract. Currently, the processor for all credit/debit card payments is FISERV. Real Estate will incur all interchange costs. Additionally, ACH payments must be processed through the West Virginia Treasury by delivering a NACHA file daily.

PayByPhone agrees and can work with whichever merchant processor Real Estate chooses.

4.1.1.5 **Equipment:** Vendor must not require additional equipment to be added or installed on the meter itself.

PayByPhone is a SaaS solution, therefore, no hardware/virtual platform or operating system is required to operate the app.

4.1.1.6 *Implementation*: Vendor's integrated parking management system must be operational within 120 days of the award of this contract.

PayByPhone will provide an implementation plan for review and approval by Real Estate within 30 days of contract award. A typical implementation can take between six and eight weeks after the kickoff call and depends largely on the availability of Real Estate staff. Dates can be adjusted upon being selected vendor of choice.

A typical implementation process consists of the following:

- Launch call
- Identify key stakeholders and email to PayByPhone
- Set up merchant information
- System configuration (new location setup, if applicable)
- Design and produce signage and stickers
- Testing
- Soft go-live testing phase
- Go-live (projected go-live date)



4.1.1.7 **Software Maintenance**: Vendor must at no additional cost, perform software maintenance and services outside of parking's business hours, Monday through Friday, 7AM to 5PM, except state holidays.

PayByPhone performs analysis on system load and transactional volume to decide the time period best suited for a maintenance window. Typically the window is (observing normal daylight savings time schedules):

- 22:15 to 23:00 PST/PDT on weekdays
- 22:15 to 00:00 PST/PDT on weekends
- 4.1.2 **Signage, Stickers, Marketing**: Vendor must provide and maintain signage, stickers, and training, at no additional cost to the state.

PayByPhone agrees to provide signage, decals, and marketing at no cost to the Real Estate Division at service launch and subsequently do routine signage audits to determine additional needs through the life cycle of the relationship.

4.1.2.1 **Signage Placement**: Vendor must coordinate with Real Estate regarding placement of signage.

All signage and decal installations are performed based on information and instruction provided by The Real Estate Division and is solely at the division's discretion.

4.1.2.2 **Sticker Supply**: Vendor must provide Real Estate with the number of stickers/decals sufficient to attach one to each meter covered under this contract, as well as, any replacement stickers that may be necessary during the course of the contract.

Signage is the first thing that catches the driver's attention when parking. It's important, therefore, that signage is clear and easy to read. PayByPhone's design team will work with Real Estate to create the ideal signage for its parking operation. PayByPhone provides the first round of signage and decals at implementation then performs routine signage audits to determine additional needs through the life cycle of the relationship.

The number of signs required and where to strategically place them is unique to each client and their parking landscape. The PayByPhone experience is best when signage is front and center in the line of sight. Our signage uses bright, sharp colors for legibility and immediate visibility to attract the driver's attention to location number and pertinent information.



We recommend the following for on-street parking:

- Ideally the driver can read the location from inside their vehicle.
- Decal on every single-space meter (front and back).
- One sticker on all four sides of a pay station.
- One 18x24 metal sign per block or every 10 spaces.



Figure: 18x24 metal sign with State of West Virginia logo.



We recommend the following for off-street parking:

- One sticker on all four sides of a pay station.
- One 18x24 sign for every 20 to 25 spaces. (Signage count increases if the lot has many rectangular shapes and hidden areas.)



Figure: Example of meter and pay station decal/sticker.

Real Estate can add as many additional parking spaces as desired during the term of the contract. Existing location numbers can be reassigned or grouped via our self-serve rate engine. New location numbers can be created by PayByPhone's Client Success team. Our standard response time for new location numbers is three business days. PayByPhone will design, procure, and ship all necessary signage and decals to Real Estate for installation prior to service launch.

4.1.2.3 **Marketing**: All marketing plans and materials must be approved by the Real Estate Division in advance.

PayByPhone will develop a marketing plan for review and approval by Real Estate within 30 days of contract award.

Our Marketing team works directly with cities to replicate the strategies and tactics employed by high growth clients. Our Adoption Success Model is a unique program tailored to each partner, and strengthens the adoption of PayByPhone in their region. This entails analyzing drivers in a region, identifying key marketing channels to reach them, and collaborating with local officials to meet a city's unique needs. Our integrated marketing campaigns typically include the following key channels:

- Public relations and sponsored content
- Social media
- Digital programmatic advertising
- Video content library available
- Influencer marketing
- Community engagement and education
- Promotional offers

In addition to an initial launch campaign, we provide a unique Marketing Program that runs throughout the year. For maximum success, we submit a marketing plan for Real Estate's input and approval prior to launch. This plan is then revised and improved upon each year, with key data insights and performance

metrics, to ensure all learnings can be applied, thereby helping to increase adoption and usage.

4.1.3 **Training**: Vendor will provide training to Real Estate Division personnel on proper operation of the integrated parking management system.

Training is one of the most important steps to a successful implementation. Real Estate's parking administrative staff and its partners will be offered complimentary training during the implementation phase. We use a "train the trainer" model.

Our main training program consists of four key elements:

- PayByPhone who we are, what we do, core processes.
- Enforcement parking location numbers, enforcement protocols.
- PayByPhone Portal system how it works, reporting functions, dashboards.
- Customer service registration, payment, account management.

PayByPhone's instructional training will be planned to accommodate training needs. It will also allow time for question and answer sessions as needed by Real Estate's staff to ensure everyone is comfortable with their understanding of the software and associated integrations.

As an added training feature, PayByPhone Portal leverages individual WalkMe apps within the administrative platform that help users of the system complete various tasks. Step-by-step tutorials, including platform onboarding and product release announcements, guide users in maximizing the full potential of this data analytics platform while simultaneously enhancing the overall client experience. We'll submit a proposed instruction schedule where Real Estate can adjust and suggest changes to the content and schedule to ensure efficiency and a mutually agreeable planning process. Additionally, we will provide training materials that can be copied and distributed as needed for ongoing training purposes.

PayByPhone will put together a comprehensive training plan related to its cloud-based administrative PayByPhone Portal system which can include on-street teams if applicable (civil enforcement officers) during the service implementation phase. We'll run multiple "train the trainer" sessions as needed.

In addition to training performed virtually prior to kick-off, PayByPhone's Sales Director who is located locally within SE Ohio can perform in-person or Q&A follow up training when on site for launch or follow-up marketing campaigns.



### 9. Miscellaneous:

9.1 **Contract Manager**: During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during nonnal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact infonnation below.

PayByPhone's local sales director is the primary contact for this bid and continues to work with clients after implementation. However, upon contract execution, all clients are also assigned a Client Success Manager (CSM) who serves as their primary point of contact for all customer service related issues. Because the CSM is not assigned until contract execution, a specific name cannot be provided here; however, your local sales director's information is provided as well as the Operations VP to whom Client Success reports.

#### Teresa Trussell, Sales Director

Telephone: 740.416.0948

Email: ttrussell@paybyphone.com

Cindy Chau, Vice President, Operations

Telephone: 604.642.4286 ext. 118 Email: <a href="mailto:cchau@paybyphone.com">cchau@paybyphone.com</a>



# **Exceptions and Clarifications**

Please see PayByPhone's suggested exceptions and clarifications to the City's terms and conditions.

RFP Reference	Exception	Reason for Proposed Change
General Terms and Conditions, Section 28.	The Vendor expressly warrants (a) that the geods and/or services covered by this Contract will: (a) conform to the specifications, drawings, samples, or other description furnished or specified by the AgencyVendor's Proposal submitted in response to the Agency's Solicitation No. CRFQ 0233; (b) be merchantable and fit for the purpose intended that the Vendor has the full corporate right and authority, and possesses all licenses, permits, authorizations and rights to intellectual property, necessary to enter into and perform this Contract; and (c) be free from defect in material and workmanshipthat the Vendor will comply with all applicable laws in performing its obligations under this Contract. Except as expressly set forth in the Contract, Vendor does not make, and hereby specifically disclaims, any representations or warranties, express or implied, regarding the PayByPhone mobile payment services, including any implied warranties of title, merchantability, fitness for a particular purpose or non-infringement. Agency acknowledges that the Vendor mobile payment services and services furnished by Vendor under this agreement (including, without limitation, any servers or other hardware, software, applications and any other items used or provided by Vendor or any third parties in connection with providing access to or hosting any of the foregoing or the performance of any services by Vendor under this Contract) are provided by Vendor "as is". The Vendor agrees that it will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained-directly provided from the Agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the Agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/default.html.	We suggest modifying this provision to reflect the scope of services provided by PayByPhone.
General Terms and Conditions, Section 35. Vendor Relationship	Vendor shall be exclusively responsible for payment of employees and contractors for all wages and salaries, taxes, withholding payments, penalties, fees, fringe benefits, professional liability insurance premiums, contributions to insurance and pension, or other deferred compensation plans, including but not limited to, Workers' Compensation and Social Security obligations, licensing fees, etc. and the filing of all necessary documents, forms, and returns pertinent to all of the foregoing. Vendor shall hold harmless the State, and shall provide the State and Agency with a defense against any and all claims arising from unpaid wages of Vendor employees and/or Vendor's	Suggested change for clarity.



RFP Reference	Exception	Reason for Proposed Change	
	Workers' Compensation obligations, including, but not limited to, the foregoing payments, withholdings, contributions, taxes, Social Security taxes, and employer income tax returns.		
General Terms and Conditions, Section 36. Indemnification	The Vendor agrees to indemnify, defend, and hold harmless the State and the Agency, their officers, and employees from and against any third party claims arising out of: (1) Any claims or losses for services rendered by any subcontractor, person, or firm performing or supplying services, materials, or supplies Vendor's willful misconduct or gross negligence in connection with the performance of the Contract; (2) Any claims or losses resulting to any person or entity injured or damaged by the Vendor, its officers, employees, or subcontractors by the publication, translation, reproduction, delivery, performance, use, or disposition of any data used under the Contract in a manner not authorized by the Contract, or by Federal or State statutes or regulations; and (23) Any failure of the Vendor, its officers, employees, or subcontractors to observe-comply with State and Federal laws including, but not limited to, labor and wage and hour laws.	To the extent permitted by law, we propose changes to the indemnification language to balance risk.	



# Addenda Acknowledgement Form

# ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.: PKG2200000001

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

(Chec	k the	e bo	x next to each addendum re	ceive	i)	
	[,	/]	Addendum No. 1	[	]	Addendum No. 6
	[	]	Addendum No. 2	[	]	Addendum No. 7
	[	]	Addendum No. 3	[	]	Addendum No. 8
	[	]	Addendum No. 4	[	]	Addendum No. 9

Addendum Numbers Received:

Addendum No. 5

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Addendum No. 10

PayByPhone Technologies Inc.

Company

Authorized Signature

September 22, 2021

Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.