

**STAFF REPORT
ON TAXICAB CERTIFICATE APPLICATIONS AND
RECOMMENDED ALLOCATION
2013**

**Department of Cable and Consumer Services
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I. THE FAIRFAX COUNTY TAXICAB MARKET TODAY

Currently, four taxicab companies provide essential on-demand public transportation service in Fairfax County. These four companies have been awarded a total of 576 taxicab operator certificates. The companies, listed in order of the size of their taxi fleets, are:

- Murphy Brothers, which operates Fairfax Yellow Cab Company, with 283 certificates;
- Paul Wallace Management, which operates Springfield Yellow Cab, Reston Herndon, and South Alexandria, with 125 certificates;
- Fairfax Taxi, which operates Red Top Cab Company, with 101 certificates; and
- L&Z Transportation, which operates White Top Cab Company, with 67 certificates.

Fairfax County's certificated taxicab companies are required to submit biennial reports in odd-numbered years that contain data on number of trips, paid miles, and other measures of taxicab services and the demand for those services. According to these reports, taxicabs operated by the four certificated providers make approximately 2.4 million taxi trips per year, serving about 3 million passengers, and generates in excess of \$40 million in annual revenues. The average trip length is approximately seven miles.

The taxi industry is primarily a one-shift business in Fairfax County. It is delivered by taxicab drivers who are independent contractors associated with one of the four certificate holders; they are not company employees. About 832 individuals maintain Fairfax County hack licenses authorizing them to drive a taxicab in the county.

II. THE FAIRFAX COUNTY CODE FRAMEWORK

A. A taxicab operator certificate is required to operate a taxicab in Fairfax County

Chapter 84.1, *Public Transportation*, of the Fairfax County Code ("the Code") governs the provision of for-hire public transportation services in Fairfax County. Article 2 of Chapter 84.1 provides that a taxicab operator certificate must be obtained from the county before a taxicab may be operated in Fairfax County. A copy of Article 2 is provided as Attachment 1.

Under Article 2, any person interested in obtaining taxicab operator's certificates must file an application with the Department of Cable and Consumer Services (DCCS). The application must be submitted by June 30 of an odd-numbered year, be accompanied by a non-refundable fee, and be supplemented with proof of timely notification to existing certificate holders.

That application will be the subject of a DCCS investigation and public hearing before the Consumer Protection Commission (CPC or Commission). After the public hearing, the CPC may – but is not required to – recommend to the Board of Supervisors (Board) that an applicant be awarded all or some of the taxicab operator certificates it requests. Additionally, if multiple applicants are competing for a limited number of available certificates, CPC also recommends how such certificates should be allocated among the applicants. The Board may accept or revise the CPC’s recommendations.

B. The Board establishes the number of available operator certificates on a biennial basis

Section 84.1-2-5(a) limits the number of available taxicab operator certificates. The limitation serves to maintain a taxicab fleet size of manageable proportions that provides adequate, safe, and reliable service to the public, while guarding against an over-saturation of taxicabs that would unduly dilute drivers’ incomes and negatively affect customer service.

Under Section 84.1-2-5(a), on a biennial basis after May 1, the Board determines the number of taxicab operator’s certificates available for award. According to the Code, the Board’s determination is based on Public Convenience and Necessity recommendations from the CPC or DCCS and other information the Board chooses to consider. Section 84.1-2-5(a) expressly authorizes the Board to revise the number by subsequent resolution, if warranted.

As part of this biennial process, DCCS develops a recommendation regarding an appropriate number of taxicab operator certificates. In developing this recommendation, DCCS relies on the results of its Taxicab Demand Formula. This formula was adopted by the Board in 1998 following a Board request to develop a methodology for adjusting the number of taxicabs going forward that was objective, periodic, verifiable and reflective of factors affecting the demand for taxicabs. The taxicab demand formula outcome reflects the weighted change in quantifiable factors generally recognized as determinants of taxicab demand, including the average number of trips per certificate, mass transit and tourism related economic indicators, and population. The formula’s outcome may be adjusted by either DCCS or the CPC to account for less quantifiable factors, such as citizen complaints, unique community needs, or evidence of certificate over- or under-utilization.

C. The Code imposes a burden of proof on applicants that seek certificates in excess of the Board-authorized number

An applicant may request taxicab operator certificates in excess of the number authorized by the Board but bears the burden to establish the need for such additional certificates. Section 84.1-2-5(b) provides that the applicant will “have the burden of establishing that public welfare will be enhanced by the award of the certificates . . . [and] will be required to provide factual documented evidence indicating the demand

and establishing public welfare.” The applicant must include this “factual documented evidence” as part of the application.

D. The Code specifies the criteria for CPC consideration when certificate requests exceed available certificates

Under the regulatory framework established by the Code, the number of available taxicab operator certificates is determined without regard to the number of applicants or certificates requested. The Code provides specific direction regarding certificate allocation among qualified applicants.

Section 84.1-2-6 directs the CPC to consider seven criteria in making the recommendations to the Board regarding allocation of certificates among applicants for new certificates:

1. Current and potential levels of usage of taxicab services in the Fairfax County market as set forth in § 84.1-2-5;
2. Areas of the County to be served, and the adequacy of existing public vehicle service, existing taxicab service, and other forms of passenger transportation in those areas;
3. The kind, class, fuel efficiency, character of the vehicles to be used, and the adequacy of the proposed dispatch system;
4. The conformance of proposed operational facilities with zoning and other legal requirements;
5. The financial status of the certificate applicant and its effect on permanence and quality of service, as demonstrated by the applicant's ability to provide, maintain, and operate the number of vehicles proposed in accordance with the character of service proposed in the application;
6. The character and responsibility and related business experience of the applicant; and
7. The investigative report of the Director and the applications of the applicants.

III. AN APPLICATION OVERVIEW

A. The Board authorized an additional 39 taxicab operator certificates

Pursuant to § 84.1-5-2, certificated taxicab companies are required to submit biennial reports in odd-numbered years that contain data on number of trips, paid miles, and other measures of taxicab services and the demand for those services.

In April 2013, staff in the Department of Cable and Consumer Services (staff) began developing its recommendation regarding the demand for taxicab services in Fairfax County. The recommendation is based on the results of the Fairfax County Taxicab

Demand Formula. The data used in the formula comes from various sources, including the certificated providers' biennial reports, Dulles and Reagan airport passenger traffic, Metrorail ridership, hotel rooms occupied and the U.S. Census Bureau.

The results of staff's Taxicab Demand Formula analysis suggested that the authorization of an additional 35 taxicab certificates (6.0%) was justified in 2013, based on changes in the formula outcome since the period in which the last increase in certificates occurred (2005). The 2013 Taxicab Demand Formula analysis, including inputs and results, is contained in Attachment 2.

On May 10, 2013, staff circulated a memorandum to current certificate holders, as well as other interested parties who had contacted DCCS with an interest in applying for potential new certificates. The memorandum stated that DCCS's preliminary results suggested an increase of up to 35 certificates could be warranted, but that the actual number could be revised.

The results of staff's taxicab demand analysis were presented to the CPC at its regularly-scheduled May 21, 2013 meeting. The CPC voted to recommend to the Board a 10 percent increase in staff's recommended number of certificates, or a total of 39 additional certificates¹. The CPC expressed a preference for a greater number of taxicabs due to its belief that taxicab demand is likely to grow in the 2014-2015 period as new Silver Line Metro stations are opened in Fairfax County.

On May 29, 2013, DCCS conducted a workshop for potential certificate applicants to review and answer questions about the application process. Staff advised attendees that, given the CPC vote to increase the number of certificates, it would recommend that the Board approve the additional 39 certificates. During its June 18, 2013 meeting, the Board approved the recommendations of the CPC and DCCS to authorize an additional 39 taxicab certificates in 2013.

On August 28, 2013, staff met with Mr. Yahya Bashan, the president of the Fairfax Taxicab Drivers Association, to discuss the upcoming rate request and Board action on numbers of certificates. Mr. Bashan expressed his opinion that the Silver Line extension will reduce taxicab driver trips to DC and airports and cost the drivers income. He said that no more than 39 cabs should be allowed to be issued in 2013.

After the Board's authorization, DCCS engaged in outreach regarding the certificate review process. On October 3, 2013, DCCS staff gave an overview of the taxicab rate and certificate review process to members of the Fairfax County Mobility and Transportation Committee (comprised of members of the Fairfax Area Disability Services Board and the Fairfax Community Long-Term Coordinating Council). Following the presentation, members of that committee expressed the need for additional wheel chair accessible taxicab certificates in Fairfax County.

¹ The Board demand model allows for a 10 percent adjustment factor based on other relevant considerations.

On October 15, DCCS addressed the CPC at their monthly meeting to discuss the certificate review process, and obtained the CPC's approval to evaluate the applications using the criteria discussed in Section IV. In addition, throughout October staff from DCCS and the Office of the County Attorney met with members of the Board of Supervisors to discuss the certificate review and evaluation process.

B. Seven applicants requested 421 taxicab operator certificates

Under the Code, applications for taxicab operator certificates must be filed by June 30 of odd-numbered years. Seven applicants filed by the deadline, and requested a total of 313 taxicab operator certificates.

In August 2013, DCCS notified each applicant that the decision-making process would be lengthier than anticipated due to scheduling issues with the CPC and staff availability. On August 15, 2013, each of the seven applicants was advised that it could make amendments or substitutions to its application if it chose to do so. Applicants were directed to file amendments or substitutions with the DCCS by August 30, 2013. Only two applicants submitted amended applications that included changes in the number of certificates requested.

The applicants and the number of certificates that they requested are summarized in Table 1. below:

Table 1. *Summary of Applicants and Requested Certificates*

Company	Number of Certificates Requested	
	Initial Request	Amended Request
<i>Potential Entrants</i>		
Fairfax Green Cab LLC	80	No change
GoGreen Cab, Inc.	40	No change
King Cab Company, Inc.	30	No change
enviroCAB LLC	100	200
<i>Subtotal</i>	250	350
<i>Incumbent Providers</i>		
L&Z Transportation, Inc. d/b/a White Top Cab	33	No change
Fairfax Taxi, Inc. T/A Red Top Cab of Fairfax	15	No change
Murphy Brothers, Inc. T/A Fairfax Yellow Cab	15	23
<i>Subtotal</i>	63	71
Total	313	421

Three applicants, all potential entrants, requested certificates in excess of the Board-authorized 39: Fairfax Green Cab (80 certificates), GoGreen Cab (40 certificates), and enviroCAB (200 certificates). Only enviroCAB and Fairfax Green Cab provided information in support of their requests for excess certificates.

C. The majority of applications share two key similarities

The seven applications share similarities in two key areas that suggest changes in the traditional taxicab business model.

First, the applicants embrace fuel efficiency. Six of the seven applicants (with the exception of White Top) proposed that their standard taxicab vehicles, with the exception of wheelchair-accessible vehicles, would be exclusively fuel-efficient hybrid vehicles and, in some cases, plug-in electric hybrid vehicles.

Second, five of the seven applicants – including all four potential new entrants – propose operations in which the taxicab fleets would be comprised either entirely or

almost entirely of taxicabs that are owned by drivers. The driver-owners would be responsible for purchasing, maintaining, and insuring the vehicle. It appears that the driver-owners also would be responsible for painting the vehicle and purchasing and installing all required equipment, including lights, a meter, and communications equipment. Incumbent White Top is already moving in this direction, with 89.5 percent of its vehicles currently driver-owned. Incumbent providers Red Top and Fairfax Yellow Cab have much lower percentages of driver-owned vehicles, at 46.5 percent and 21 percent, respectively.

In addition, all applicants either propose to use or are currently using computerized dispatch systems that accommodate both telephonic and on-line booking. Within the taxicab, mobile data terminals (MDTs) allow for two-way information exchanges with the dispatch system. The electronic capabilities of these systems include in-cab electronic payment options, such as credit and debit card, global positioning system (GPS) tracking, and data collection.

D. Two applicant proposals exceed the Code's wheelchair-accessibility requirement

Pursuant to § 84.1-8-5(o), when a taxicab operator has been granted authority to operate 25 or more taxicabs, then at least four percent of its taxicabs must qualify as wheelchair-accessible (WCA) taxicabs. Two applicants (Fairfax Yellow and envircab)

exceeded the four percent minimum threshold wheelchair accessible vehicle requirement, as highlighted in Table 2, below:

Table 2, *Applicants Proposals regarding Wheelchair-Accessibility*

Company	# Certificates Requested	Proposed WCAs		Minimum WCA Cabs Required
		Initial	Amended	
<i>Potential Entrants</i>				
Fairfax Green Cab LLC	80	2	No Change	3
GoGreen Cab, Inc./	40	2 ²	No Change	2
King Cab Company, Inc.	30	1	No Change	1
enviroCAB LLC	100 (initial) 200 (amended)	10	20	8
<i>Subtotal</i>		15	25	14
<i>Incumbent Providers</i>				
L&Z Transportation, Inc. d/b/a White Top Cab	33	Not addressed	No Change	1
Fairfax Taxi, Inc. T/A Red Top Cab of Fairfax	15	1	No Change	1
Murphy Brothers, Inc. T/A Fairfax Yellow Cab	15 (initial) 23 (amended)	1	9	1
<i>Subtotal</i>		2	9	3
Total		17	34	17

enviroCAB LLC proposed that 20 of its requested 200 certificates, or 10 percent of its fleet, be assigned to specialty wheelchair-accessible vehicles, specifically the MV-1 and Transit Connect. These vehicles would be purchased by enviroCAB drivers. Murphy Brothers, Inc. T/A Fairfax Yellow Cab proposed that nine of its requested 23 certificates

² GoGreen's application stated that it would operate two wheelchair-accessible taxicabs but its financial projections included the cost of just one such taxicab. Its business plan was inconsistent on this point.

be assigned to wheelchair-accessible vehicles. Its wheelchair-accessible taxicabs would be company-owned.

E. Summary of Applications

Four applications were submitted by potential new entrants into the Fairfax County taxicab market: Fairfax Green Cab LLC, GoGreen Cab, Inc., King Cab Company, Inc. and enviroCAB LLC. These four applicants requested a total of 350 certificates. Three applications were received from current certificate holders: Fairfax Yellow, Red Top and White Top. The three incumbent certificate operators in total requested 71 certificates. Total number of certificates requested was 421. Key elements of each of the applications are summarized in the following section and in Attachment 3.

1. Fairfax Green Cab LLC

Fairfax Green Cab LLC (Fairfax Green) is a start-up company that was organized in April 2013. Fairfax Green does not own a dispatch system, operate a taxicab fleet, or have an office location in Fairfax County.

Fairfax Green submitted its application by the deadline, complied with notice requirements, and a criminal background check revealed no issues. Key elements derived from Fairfax Green's application and proposals include:

- a request for 80 taxicab operator certificates;
- a taxicab service whose "office will be manned on a twenty-four hour basis and will serve all of Fairfax County;"
- the planned purchase of a Mobile Knowledge dispatch system that, according to the application, "can generally be described as a computer-aided voice dispatch system with radio back-up" that will serve the entire Washington area;
- an operational center for call dispatch and company business;
- in-cab acceptance of credit and debit cards with printed receipts;
- a planned complaint system to both monitor performance and resolve customer complaints within 24 hours;
- two wheelchair-accessible taxicabs to be purchased (owned) and operated by Fairfax Green; and
- 78 hybrid taxicabs, of model years 2010 and later, that will be purchased, maintained, and insured by Fairfax Green's drivers.

2. Go Green Cab, Inc.

GoGreen Cab, Inc. (GoGreen) was established in March 2008. GoGreen does not currently provide taxicab service in Fairfax County, does not have a business location in Fairfax County, and apparently does not own a dispatch system.

GoGreen submitted its application by the deadline, complied with notice requirements, and a criminal background check revealed no issues. Key elements derived from GoGreen's application and proposals include:

- a request for 40 taxicab operator certificates;
- the provision of taxicab service to all of Fairfax County on a 24x7 basis every day of the year;
- the planned purchase of a Mobile Knowledge xPert Dispatch System (XDS) and either Series 2008 or Series 9008 mobile data terminals (MDTs);
- an office location in Alexandria, Virginia;
- acceptance of major credit cards, with transaction fees dependent upon the credit card companies;
- a proposal to both handle all complaints by taking “proper actions” and to maintain a detailed complaint log;
- one wheelchair-accessible taxicab apparently to be purchased (owned) and operated by GoGreen;³ and
- 39 model-year 2013 hybrid taxicabs that will be purchased, maintained, and insured by GoGreen’s drivers.

3. King Cab Company, Inc.

King Cab Company, Inc. (King Cab) has been providing taxicab service in the City of Alexandria for nearly 43 years. It has been owned and operated by its current management since 2002. King Cab does not currently provide taxicab service in Fairfax County, and does not have a business location in Fairfax County.

King Cab submitted its application by the deadline, complied with notice requirements, and a criminal background check revealed no issues. Key elements derived from King Cab’s application and proposals include:

- a request for 30 taxicab operator certificates;
- the provision of taxicab service on a 24-hour basis to all Fairfax County residents;
- the planned purchase of a Mobile Knowledge XDS and the Series 2008 MDTs;
- a planned Fairfax County location;
- in-cab acceptance of debit and credit cards (VISA, MasterCard, Discover, and American Express);
- a proposal that the owner and general manager will be accessible at all times to discuss customer complaints;
- one wheelchair-accessible van that will be purchased, maintained, and insured by a driver-owner; and
- 29 hybrid taxicabs, of model years 2011 and higher, that will be purchased, maintained, and insured by King Cab’s drivers.

³ GoGreen’s application is ambiguous on this point. It stated that “[a]ll taxicabs would be Owned and Operated by Taxicab Drivers.” Its financial projections, however, included the cost of one such taxicab.

4. enviroCAB LLC

enviroCAB LLC (enviroCAB) has been providing taxicab service in Arlington County since 2007. It experienced a change of ownership and management in 2013, when it was sold to its current owner, SuperTaxi, Inc., which is a wholly-owned subsidiary of Veolia Transportation, Inc. enviroCAB does not currently provide taxicab service in Fairfax County and does not have a business location in Fairfax County.

enviroCAB submitted its application by the deadline, complied with notice requirements, and a criminal background check revealed no issues. Key elements derived from enviroCAB's application and proposals include:

- a request for 200 taxicab operator certificates;
- 24-hour taxicab service, with the goal of providing service in all areas of the county, including more suburban areas where the elderly or disabled may have difficulty getting service;
- continued use of its Arlington County call center and dispatch office, which operates a Mobile Knowledge solution that includes Series 9008 MDT;
- a planned Fairfax County location;
- in-cab acceptance of all major credit cards, with printed receipts;
- use of the Veolia Customer Compliment/Complaint Tracking System to electronically track and respond to customer complaints, as well as monitor and analyze them;
- 20 model-year 2012 wheelchair-accessible specialty vehicles, either the MV-1 or Ford Transit Connect, that will be purchased, maintained, and insured by driver-owners;⁴
- 180 hybrid taxicabs, all of which will be model year 2011 and purchased, maintained, and insured by enviroCAB's drivers.⁵ The fleet will be comprised of 80 Toyota Prius-Vs, 80 Toyota Priuses, and 20 Toyota Prius plug-ins, model year 2011; and
- detailed procedures regarding driver training.

5. L&Z Transportation, Inc. d/b/a White Top Cab Company

L&Z Transportation, Inc. d/b/a White Top Cab Company (White Top) has been providing taxicab service in Fairfax County since 1994. It currently holds 67 taxicab operator certificates. White Top also provides taxicab service in the City of Alexandria, where it holds 110 certificates. White Top's call center and dispatch operations are located in City of Alexandria but it maintains a business office in Fairfax County.

⁴ enviroCAB proposed that wheelchair-accessible vehicles would comprise 10 percent of its total proposed fleet. Its proposal exceeds the minimum County Code requirement of 4 percent.

⁵ enviroCAB stated that it would offer financing and insurance to its drivers.

White Top submitted its application by the deadline, complied with notice requirements, and a criminal background check revealed no issues. Key elements derived from White Top's application and proposals include:

- a request for 33 taxicab operator certificates;
- the anticipated expansion of its 24-hour taxicab service to accommodate both contract service and service to the western half of Fairfax County, including upgraded service in the Tysons area, the Vienna and Dunn Loring Metro stations, and the newly-urbanized areas surrounding Reston and Fairfax Town Center;
- the continued use of dispatch capabilities in its Alexandria location, including a Mobile Knowledge XDS integrated with Series 2008 MDTs, multiple computer servers for different dispatch and office functions, telecommunications facilities, and a two-way dispatch radio as a back-up;
- in-cab acceptance of debit and credit cards;
- personal involvement of White Top's General Manager in complaints against drivers and policies regarding driver misconduct; and
- assignment of the 33 certificates, if awarded, to vehicles that will be purchased, maintained, and insured by White Top's drivers. White Top did not address the character, class, fuel efficiency, or model years of the vehicles.

6. Fairfax Taxi, Inc. T/A Red Top Cab of Fairfax

Fairfax Taxi, Inc. T/A Red Top Cab of Fairfax (Red Top) has been providing taxicab service in Fairfax County since 1989. It currently holds 101 taxicab operator certificates. Red Top's call center and dispatch operations are located in Arlington County, but its business office and maintenance facility is located in Fairfax County.

Red Top submitted its application by the deadline, complied with notice requirements, and a criminal background check revealed no issues. Key elements derived from Red Top's application and proposals include:

- a request for 15 taxicab operator certificates;
- the continued provision of 24-hour taxicab service throughout Fairfax County, particularly the western portions of the county, such as those along the I-66 and Dulles Corridors, where rapid growth has created greater demand for taxicab service;
- continued use of its consolidated communications center, which includes an advanced Internet Protocol-based computerized digital dispatch and telecommunications system and is integrated with MDTs in each taxicab;
- a Fairfax County location that includes business offices, a vehicle maintenance facility including paint shop, car wash, and fueling facilities;
- in-cab acceptance of credit and debit cards via a rear-seat, self-service Passenger Information Monitor, or PIM, that processes the transaction and generates a printed receipt;
- an established customer complaint system that involves one or more operation groups, depending on the type of complaint, and includes escalation procedures;

- one 2014 wheelchair-accessible 2014 Toyota Sienna van that would be purchased, maintained, and insured by Red Top;
- 14 hybrid vehicles, all 2014 model years, that would be purchased, maintained, and insured by Red Top. Of these 14, 13 would be Ford Fusion hybrids and one would be a Ford C-MAX Energi plug-in hybrid; and.
- detailed procedures regarding driving training.

7. Murphy Brothers, Inc. T/A Fairfax Yellow Cab

Murphy Brothers, Inc. T/A Fairfax Yellow Cab (Fairfax Yellow) has been providing taxicab service in Fairfax County since 1968. It currently holds 283 taxicab operator certificates. Fairfax Yellow's call center and dispatch operations are located in Arlington County, but its business office and maintenance facility is located in Fairfax County.

Fairfax Yellow submitted its application by the deadline, complied with notice requirements, and a criminal background check revealed no issues. Key elements derived from Fairfax Yellow's application and proposals include:

- a request for 23 taxicab operator certificates;
- the continued provision of 24-hour taxicab service throughout Fairfax County to respond to increasing demand for taxicab service along the I-66 and Dulles Corridors, in Fairfax City, and in the Springfield and Fort Belvoir areas;
- continued use of its consolidated communications center, which includes an advanced Internet Protocol-based computerized digital dispatch and telecommunications system and is integrated with MDTs in each taxicab;
- a Fairfax County location that includes offices, a vehicle maintenance facility including paint shop, car wash and fueling facilities;
- in-cab acceptance of credit and debit cards via a rear-seat, self-service Passenger Information Monitor, or PIM, that processes the transaction and generates a printed receipt;
- an established customer complaint system that involves one or more operation groups, depending on the type of complaint, and includes escalation procedures;
- nine 2014 wheelchair-accessible 2014 Toyota Sienna vans that would be purchased, maintained, and insured by Fairfax Yellow⁶;
- 14 hybrid vehicles, all 2014 model years, that would be purchased, maintained, and insured by Red Top. Of these 14, 13 would be Ford Fusion hybrids and one would be a Ford C-MAX Energi plug-in hybrid; and
- detailed procedures regarding driving training.

⁶ Fairfax Yellow Cab's wheelchair accessible proposal of nine vehicles exceeds the Code's wheelchair accessibility requirement by eight vehicles.

IV. EVALUATION OF CERTIFICATE APPLICANTS

In order to identify the top-rated applicants among the pool of applications received, DCCS staff developed an application evaluation criteria scoring system based on the factors cited in § 84.1-2-6 (b) (see Attachment 1). Staff developed this approach to lend guidance to the CPC in evaluating all applicants based on criteria established in the Fairfax County Code.

Staff presented the evaluation criteria to the CPC at its October 15, 2013 meeting and received the Commission's approval to use these factors to evaluate and score the applications received. The CPC-approved evaluation criteria scoring system is shown in Attachment 4. The factors used to evaluate the applications and associated points are as follows:

1. Financial capability and wherewithal – 33 points.
2. Industry experience successfully managing and/or owning a taxicab company operation – 33 points.
3. Application responses relating to the sufficiency of the business plan, facilities, fleet, and other code provisions – 33 points.
4. Extra points for use of credit cards and additional handicap accessible vehicles assigned – 6 points.

A team of six was assembled to evaluate the applications based on the criteria approved by the Commission and found in Attachment 4. The six-person team consisted of DCCS's Public Utilities, Regulation and Licensing, and Fiscal Management staff, as well as staff from the county's Department of Health and Human Services (whose responsibilities include administering the county's discounted taxi-ride programs) and the Office of the County Attorney. The team scored the applications based on the evaluation factors shown in Attachment 4.

The team’s scoring results, listed in descending order, are summarized in Table 3, below:

Table 3, *Summary of Evaluation Factor Scoring Results*

Applicant	Industry Experience	Financials	Application Responses	Extra Points		Total
				Electronic Payment	Wheelchair Accessibility	
Maximum	198	198	198	18	18	630
Fairfax Yellow	192	195	194	18	18	617
Red Top	192	195	194	18	6	605
enviroCab	148	135	166	17	16	482
White Top	141	66	110	17	0	334
King Cab	108	60	109	10	0	287
GoGreen	54	65	87	13	0	219
Fairfax Green	66	68	61	8	0	203

Key considerations that reflect each applicant’s score are discussed in Section IV., A. through G. as follows below.

A. Fairfax Yellow scored 617 out of a possible 630 points

A.1. Fairfax Yellow received 192 points for its industry experience

Fairfax Yellow has provided taxicab service in Fairfax County since 1968. It is an established provider of on-demand transportation services with demonstrated long-term experience in the Fairfax County market. In addition to on-demand taxicab service, Fairfax Yellow provides services pursuant to contract. The company’s customers include the Fairfax County Public Schools, the Virginia Department of Medical Assistance Services (Medicaid transportation), and county agencies.

Fairfax Yellow currently holds 283 Fairfax County taxicab operator certificates, of which 60 (21 percent) are assigned to driver-owners. The remaining 223 certificates are assigned to drivers who lease company-owned vehicles. The company has a track-record of attracting and retaining drivers and has established procedures regarding driver training, insurance verification, vehicle maintenance and inspection, and complaint handling and resolution.

Fairfax Yellow has an extensive infrastructure that supports its taxicab operations in the county. Fairfax Yellow’s reservation services are delivered through an advanced consolidated communications center located in Arlington County that serves Fairfax

Yellow as well as those of its affiliate companies. The center, which has redundant systems with full power back-up capability, employs 25 full and part-time dispatchers. Fairfax Yellow's Hillwood Avenue facility, which it shares with Red Top, houses a nine-bay maintenance shop, a full body shop equipped with a paint booth, an automated car wash, and a fueling station where affiliated drivers can purchase gasoline at prices below those in the retail market.

Murphy Brothers, Inc., which owns Fairfax Yellow, is a wholly-owned subsidiary of Transportation General, Inc. (TGI). Through its subsidiaries, TGI operates taxicab and executive sedan fleets in Arlington and Loudoun Counties and the Cities of Falls Church and Fairfax, as well as the airport taxicab service at Raleigh-Durham International Airport. Fairfax Yellow describes its overall organization as the area's largest privately-owned passenger transportation provider, indicating that Fairfax Yellow has substantial corporate resources and industry expertise available to it.

A.2. Fairfax Yellow received 195 points for its financials

As part of their showing regarding financial capability, applicants were directed to provide their two most recent annual financial statements (audited if available) and pro forma statements for the first two years of operation.

Fairfax Yellow provided the requested financial statements, which had been reviewed by independent certified public accountants. These statements demonstrate that Fairfax Yellow is a financially viable operation. They also demonstrate that even without the support of its affiliates, Fairfax Yellow has the financial wherewithal to provide taxicab service in Fairfax County.

Fairfax Yellow also provided detailed pro forma statements consistent with the application requirements. These statements appeared credible. Estimated expenses and revenues appeared reasonable and the statements did not contain any of the types of errors found in the pro forma statements of several of the other applicants.

A.3. Fairfax Yellow received 194 points for its application responses

Fairfax Yellow provided complete and thorough responses to each application question and provided all requested documentation. The business plan that it provided demonstrated that Fairfax Yellow is familiar with issues associated with the ownership, operation, and management of a taxicab business and has anticipated what the proposed expansion of its Fairfax County operations, including its wheelchair-accessible services, would entail.

A.4. Fairfax Yellow was awarded 36 extra points

During the scoring process, extra points were awarded to those applicants whose proposals (1) addressed in-cab electronic payment options available to customers, and (2) exceeded the Code's wheelchair-accessibility requirements. Fairfax Yellow was

awarded the maximum with respect to both items. The Passenger Information Monitors, or PIMs, installed in the rear seats of its vehicles allow for self-service electronic payment options and maximize customer convenience and security. Fairfax Yellow's proposal assigned nine of its requested 23 certificates for wheelchair-accessible taxicabs (eight more than required by the Code), which far exceeded the Code requirement of four percent.

B. Red Top scored 605 out of a possible 630 points

B.1. Red Top received 192 points for its industry experience

Red Top has provided taxicab service in Fairfax County since 1989. Like Fairfax Yellow, it is an established provider of on-demand transportation services with demonstrated long-term experience in the Fairfax County market. In addition to on-demand taxicab service, Red Top provides services pursuant to contract. Its customers include the Fairfax County Public Schools, the Virginia Department of Medical Assistance Services (Medicaid transportation), and county agencies.

Red Top currently holds 101 Fairfax County taxicab operator certificates, of which 54 (46.5 percent) are assigned to driver-owners. Red Top's remaining operator certificates are assigned to leased vehicles. Red Top has a track-record of attracting and retaining drivers, and has established procedures regarding driver training, insurance verification, vehicle maintenance and inspection, and complaint handling and resolution.

Red Top has an extensive infrastructure that supports its taxicab operations in the county and is capable of accommodating the requested increase in certificates. Red Top's reservation services are delivered through an advanced consolidated communications center located in Arlington County that serves Red Top as well as those of its affiliate companies. The center, which has redundant systems with full power back-up capability, employs 25 full and part-time dispatchers. Red Top's Hillwood Avenue facility, which it shares with Fairfax Yellow, houses a nine-bay maintenance shop, a full body shop equipped with a paint booth, an automated car wash, and a fueling station where affiliated drivers can purchase gasoline at prices below those in the retail market.

Fairfax Taxi, Inc., which owns Red Top, is a wholly-owned subsidiary of Transportation General, Inc. (TGI). Through its subsidiaries, TGI operates taxicab and executive sedan fleets in Arlington and Loudoun Counties and the Cities of Falls Church and Fairfax, as well as the airport taxicab service at Raleigh-Durham International Airport. Red Top describes its overall organization as the area's largest privately-owned passenger transportation provider, indicating that Red Top has substantial corporate resources and industry expertise available to it.

B.1. Red Top received 195 points for its financials

Red Top provided the requested historical financial statements, which had been reviewed by independent certified public accountants. Those statements demonstrate that Red Top is a financially viable operation. They also demonstrate that even without the support of its affiliates, Red Top has the financial wherewithal to provide taxicab service in Fairfax County.

Red Top also provided detailed pro forma statements consistent with the application requirements. These statements appeared credible. Estimated expenses and revenues appeared reasonable and the statements did not contain any of the types of errors found in the pro forma statements of several of the other applicants.

B.3. Red Top received 194 points for its application responses

Red Top provided complete and thorough responses to each application question and provided all requested documentation. The business plan that it provided demonstrated that Red Top is familiar with issues associated with the ownership, operation, and management of a taxicab business and has anticipated what the proposed expansion of its Fairfax County operations would entail.

B.4. Red Top was awarded 24 extra points

Red Top was awarded 18 points for its electronic payment options. The Passenger Information Monitors, or PIMs, installed in the rear seats of its vehicles allow for self-service electronic payment options and maximize customer convenience and security. While Red Top's proposal to add one wheelchair-accessible taxicab did not exceed Code requirements, Red Top received six extra points for proposing a new (2014) wheelchair-accessible vehicle.

C. enviroCAB scored 482 out of a possible 630 points

C.1. enviroCAB received 148 points for industry experience

enviroCAB has been in operation since 2007, when Arlington County awarded it 50 taxicab operator certificates. All certificates are assigned to drivers who purchase, maintain, and insure their vehicles; none are assigned to company-owned vehicles. In 2013 enviroCAB was acquired by SuperTaxi, Inc., which is owned in its entirety by Veolia Transportation on Demand, Inc. (Veolia).⁷ enviroCAB's current management has been in place for less than a year. According to Arlington County regulators, the ownership transition appears not to have been disruptive to enviroCAB's Arlington operations.

⁷ On May 21, 2013, the Arlington County Board of Supervisors voted 5-0 to approve the transfer of ownership.

enviroCAB has experience in the taxicab industry. Under its prior ownership, enviroCAB had between four and five years' experience in Arlington County with a business model that relies on a fleet of drivers who purchase, maintain, and insure their own later-model hybrid vehicles. enviroCAB's prior management had a track record of attracting and retaining drivers, although the extent to which the current management will uphold this record cannot be determined from the application. enviroCAB does not have experience in providing wheelchair-accessible taxicab service, however, which may be significant given that wheelchair-accessible vehicles comprise 10 percent of its proposed Fairfax County fleet.

According to enviroCAB's application, enviroCAB's Fairfax County operations will use the same systems and procedures currently in place for its Arlington operation, such as its computerized dispatch and communications systems and its computerized compliment/complaint module. These systems and procedures should be capable of accommodating an expansion of enviroCAB's service into Fairfax County

As a result of its 2013 acquisition by Veolia, enviroCAB has substantial corporate resources and industry expertise available to it. Veolia owns several on-demand transportation providers in the metropolitan Washington D.C. area in addition to enviroCAB, including SunCab (Montgomery County), Washington Flyer Taxi, and SuperShuttle. Veolia also owns a number of taxicab companies outside the metropolitan area, including Baltimore Yellow Cab, Pittsburgh Yellow Cab, Kansas City Yellow Cab, and Colorado Cab.

C.2. enviroCAB received 135 points for its financials

enviroCAB submitted the audited consolidated financial statements of its parent, Veolia Transportation, Inc. and subsidiaries, as well as pro forma statements. The consolidated financial statements describe Veolia as the largest private-sector operator of multiple modes of transit in North America, providing bus, rail, paratransit, shuttle, sedan, and taxi services. The submission of consolidated financial statements demonstrated the financial strength of its parent, Veolia, but precluded examination of enviroCAB's historical financial information or an assessment of its financial performance.

enviroCAB did not submit a complete set of pro forma statements. In lieu of a statement of cash flows, enviroCAB simply stated that all cash requirements are met through intercompany transactions. Further, the company provided only limited information regarding its pro forma assets and liabilities and did not explain the basis for certain revenue and expense items, including revenue from stand dues.

enviroCAB also provided documentation regarding a senior line of credit available to Veolia subsidiaries, including enviroCAB. This document indicates that, with the backing of its parent, Veolia, enviroCAB has the financial wherewithal to provide taxicab service in Fairfax County.

C.3. enviroCAB received 166 points for its application response

enviroCAB provided complete and thorough responses to almost every application question and provided requested documentation. As a general rule, its business plan indicated that enviroCAB is familiar with issues associated with the ownership, operation, and management of a taxicab business and has anticipated what its proposed Fairfax County operations would entail. The plan, however, did not address how enviroCAB would incentivize drivers to purchase vehicles, particularly the specialty wheelchair-accessible taxicabs that would comprise 10 percent of enviroCAB's fleet. The MV-1 and Ford Transit Connect that enviroCAB identified as its proposed wheelchair-accessible vehicles are substantially more expensive to purchase and maintain than the hybrid vehicles that will comprise the remainder of its fleet.⁸

Moreover, enviroCAB's application appeared premised on a proposal that fails to take into account the county's regulatory authority and Code requirements. Specifically, enviroCAB proposed a two-tiered fleet structure which, it explained, would facilitate service to outlying (non-urban) areas of the county. The first tier would consist of 78 certificates authorized to provide taxicab service throughout Fairfax County. The second tier would consist of 122 certificates that would be banned from providing service in Tysons, Fairfax City and Falls Church City. enviroCAB did not address any issues raised by its proposals. For example, it did not address how enviroCAB would assign these certificates among its associated drivers or how it would enforce the geographic restrictions. Further, the company did not include a legal analysis with its proposal addressing the county's authority to issue geographically-limited certificates.

C.4. enviroCAB was awarded 34 extra points

enviroCAB was awarded 17 out of 18 points for proposing in-cab credit-card payment. It also proposed to establish a DriverCard within its cashing system to facilitate driver access to processed electronic transactions. The DriverCard will function as a debit card and so can be used to obtain cash at ATMs and to make purchases wherever VISA cards are accepted. In addition, enviroCAB received 16 extra points for its proposal to assign 20 of its requested 200 certificates, or 10 percent of its fleet, to wheelchair-accessible taxicabs and to use the MV-1 and Ford Transit Connect vehicles rather than vans.

D. White Top scored 334 out of a possible 630 points

D.1. White Top received 141 points for its industry experience

White Top has provided taxicab services in Fairfax County since 1994, and is an established provider of on-demand transportation services with demonstrated long-term experience in the Fairfax County market. In addition to on-demand taxicab service, White Top provides services pursuant to contract. The company's customers include

⁸ According to an Internet survey, prices for 2012 models of the MV-1 and Ford Transit Connect range from \$31,000 to \$43,000.

the Fairfax County Public Schools and county agencies. The company also operates 110 taxicabs in Alexandria, where it provides both on-demand service and services pursuant to contract.

White Top currently holds 67 Fairfax County taxicab operator certificates, of which 60 (89.5 percent) are assigned to driver-owners who purchase, maintain, and insure their own vehicles. White Top has a track-record of attracting and retaining drivers and has established procedures regarding driver training, insurance verification, vehicle inspection, and complaint handling and resolution.

An expansion of White Top's Fairfax County operations will not require new or different levels of experience or expertise. The company's dispatch and communications systems, which are operated out of its Alexandria location, appear capable of accommodating the requested growth in certificates.

White Top's performance as a regulated provider of on-demand transportation services in Fairfax County appears to have improved as the scale of its operations has increased.

D.2. White Top received 66 points for its financials

White Top provided historical financial statements that indicate that White Top is a financially viable operation. Its pro forma statements, however, exhibit a number of issues that undermine their credibility. Most significantly, the pro forma statements show declines in gross revenues despite a proposed 49 percent increase in certificates. White Top's explanation regarding revenue estimates suggests that the company may have inappropriately excluded contractual revenues from its revenue estimates. Other issues with the pro forma statements include math errors and the inability to reconcile certain account balances between the balance sheet and income statements.

White Top stated that it has a line of credit but did not provide supporting documentation.

D.3. White Top received 110 points for its application responses

While White Top provided detailed responses to certain questions, in some cases it provided cursory responses and in other cases did not respond at all. Perhaps most significantly, it did not identify the makes, model years, and fuel efficiency of the 33 vehicles it proposed to add to its fleet. White Top also did not address wheelchair-accessibility and insurance coverage. The company provided most documentation, but did not document the cash funds available to it.

D.4. White Top was awarded 17 extra points

White Top was awarded 17 extra points for its electronic payment options that include both credit and debit cards. The company received no points regarding wheelchair-accessibility as its application did not address that issue.

E. King Cab scored 287 out of a possible 630 points

E.1. King Cab received 108 points for its industry experience

King Cab, which has been in operation for 43 years, was acquired in 2002 by its current owner, Mr. Abdul Karim. Since 2002, Mr. Karim has managed King Cab's daily operations and staff, overseen marketing and advertising strategies, and assisted in dispatch service. Mr. Karim also has experience owning or managing other businesses.

King Cab has substantial experience in the taxicab industry. Mr. Karim has over a decade of experience owning and managing a taxicab company. King Cab's application was accompanied by numerous letters of recommendation from satisfied customers, indicating that King Cab is providing a high level of customer service to its Alexandria customers.

All of King Cab's industry experience, however, is in the provision of service that differs markedly from that required in Fairfax County. The majority of taxicab trips in Fairfax County originate by dispatch, making dispatch an essential element of every Fairfax County provider's operation. King Cab has only very limited dispatch experience. According to a November 2012 report by the City of Alexandria's Traffic and Parking Board, its dispatch service level was just 1.37 dispatch trips per cab per day.⁹

Further, King Cab's application does not demonstrate that it has the capability to expand into dispatch service. King Cab did not demonstrate that it has the technical expertise to operate, manage and maintain the computerized dispatch system that it proposes to purchase if awarded its requested certificates, nor did King Cab address how it would compensate for this lack of expertise. While Mr. Karim served as part-owner and general manager of a computer store from 1993 to 2006, that experience appears to have been focused in the areas of sale, management, and administration, not information technology.

E.2. King Cab received 60 points for its financials

King Cab provided historical financial statements regarding its Alexandria operations. According to these financial statements, King Cab's Alexandria operations do not appear to be consistently profitable. This inconsistent profitability raises significant

⁹ According to Alexandria staff, the majority of King Cab's trips originate at Reagan National Airport, where its cabs wait in a queue to pick up arriving passengers. This airport business would not be available to King Cab's Fairfax County drivers.

concerns regarding the financial viability of King Cab's proposed Fairfax County operations, which would require the acquisition and operation of a functional dispatch system and thus be more costly than King Cab's Alexandria operations. Other issues pertaining to the credibility of the historical financial statements include missing entries, and an undefined entry of a substantial amount that was recorded as a contra-income account in two years but an expense item in another year.

King Cab also provided pro forma statements regarding its proposed Fairfax County operations, which raised concerns regarding their credibility. According to the company's pro forma statements, King Cab's Fairfax County operations will generate substantially more income than its Alexandria operations despite a 58 percent smaller fleet. King Cab also provided only a summary and somewhat incomplete explanation regarding the derivation or source of the estimated revenues and expenses used in developing its pro forma statements (e.g., discussions with its accountant).

King Cab indicated that the applicant's net worth should be considered in the assessment of its financial viability. The net worth consisted of King Cab's cash and the applicant's personal checking and saving accounts. These assets accounted for 16% of the applicant's total net worth. The remaining assets included a home owner's line of credit, the estimated value of the applicant's equity interest in King Cab and the estimated value of personal assets (i.e., home and vehicle). No documentation was provided to verify King Cab's value or that of the applicant's personal assets.

E.3. King Cab received 109 points for its application responses

While King Cab responded to all application questions, in several cases its responses were cursory and lacking in detail. For example, in describing the "kind, class, fuel efficiency, [and] character of the vehicles to be used," King Cab merely stated that "[t]he vehicles will all be hybrid/fuel efficient cars, with an estimated miles per gallon of 50. . . . The make and model of the vehicles will vary." In addition, King Cab did not provide all referenced documents (e.g., net worth), and certain documents provided were not responsive to the underlying question (e.g., articles of incorporation).

King Cab provided a business plan regarding its proposed Fairfax County operations. The business plan discussed at a very high level King Cab's prior successes and its goals for the future. The business plan did not address essential operator responsibilities, such as driver training, insurance verification, or vehicle inspections. The company's staffing plan appeared not to take into account the need for staffing in areas including driver management, payment processing, and information technology. Ultimately, the company's business plan provided little assurance that King Cab is either familiar with or has anticipated what its proposed Fairfax County operations would entail.

E.4. King Cab was awarded 10 extra points

King Cab received 10 points for its discussion of electronic payment options, which included both debit and credit cards. The company received no points regarding wheelchair accessibility because its proposal did not exceed Code requirements.

F. GoGreen Cab scored 219 out of a possible 630 points

F.1. GoGreen received 54 points for its industry experience

GoGreen was established in March 2008 by Mr. Mujahid Ahmad, who serves as GoGreen's president and is its sole officer. According to the application, Mr. Ahmad has worked as a taxicab driver in the District of Columbia since 1993. He also served as an assistant manager at a D.C. taxicab company from May 1996 to August 1998.

The application does not demonstrate that GoGreen or Mr. Ahmad has an understanding of taxicab business operations or of the Fairfax County taxicab market. Mr. Ahmad also has minimal experience in owning or managing a taxicab business. Although in 2009 the City of Alexandria awarded GoGreen 20 taxicab operator certificates, the application did not describe either GoGreen's Alexandria operations or Mr. Ahmad's experience in managing GoGreen's Alexandria operations.¹⁰

GoGreen does not currently own a viable dispatch system and, according to the application, Mr. Ahmad has no experience in taxicab dispatch service. While GoGreen proposed the purchase of a computerized dispatch system integrated with in-cab MDTs if it received its requested certificates, the application did not demonstrate that GoGreen has the technical expertise to operate, manage, and maintain that system, nor did it explain how GoGreen would compensate for that lack of expertise.

F.2. GoGreen received 65 points for its financials

In lieu of the historical financial statements and pro forma statements required as part of the application, GoGreen provided high-level five-year projections.

GoGreen's projected statements contained a number of irregularities that significantly undermined their credibility. For example, certain statements could not be reconciled (e.g., balance sheet and income statement), in some instances depreciation principles were incorrectly applied, and a number of expenses were not included (e.g., income, payroll, property, and BPOL taxes, as well as annual regulatory fees). Further,

¹⁰ Due to certain regulatory issues, including a significant delay in filling its certificates, Alexandria placed GoGreen on probation in October 2012. According to Alexandria staff, its probationary status has not been terminated. Also in 2012, GoGreen requested 40 taxicab operator certificates from Arlington County, Virginia. GoGreen was not awarded any certificates by Arlington County. In 2009, the CPC denied GoGreen's request for 50 taxicab operator certificates to provide service in Fairfax County.

GoGreen did not explain how it derived its expense estimates, stating simply that all “expenses are projected estimates.”

F.3. GoGreen received 61 for its application responses

Although GoGreen included responses to all application questions, those responses were often cursory and lacking in detail. For example, GoGreen stated that a question regarding insurance coverage was not applicable but did not explain why it believed the question was inapplicable. (That explanation was provided in its response to a question regarding complaints, accidents, and injuries, when GoGreen stated that “[s]ince all taxicabs will be owned by the drivers, they will handle all accidents and injuries with their insurance companies directly.”) In addition, certain documents that GoGreen provided did not meet the application requirements, and did not provide all requested documents (e.g., historical financial statements regarding its Alexandria operations).

GoGreen provided a business plan, but much of it consisted of laudable goals with little explanation as to how GoGreen would achieve them. The plan lacked detail regarding essential operator responsibilities, such as driver training, insurance verification, vehicle inspections, and complaint handling and resolution. Ultimately, the company’s business plan provided little assurance that GoGreen is either familiar with or has anticipated what its proposed Fairfax County operations would entail.

Additionally, GoGreen’s application appears to have been submitted without consideration of the county’s procedures, requirements, and authority. For example, GoGreen represented that it will pick up customers at Dulles Airport if Fairfax County allows it to do so, apparently unaware that Dulles Airport operations are outside the county’s jurisdiction and, that the airport’s taxicab services are provided under concession. GoGreen apparently did not recognize that its request for 40 certificates exceeded the Board-established number of 39 and proposed the use of an Alexandria business office despite the fact that § 84.1-7-1(a)(1) requires that taxicab operators maintain a place of business or office within the county. GoGreen also proposed a 10 percent senior discount, apparently unaware that § 84.1-6-3(b) prohibits certificate holders or taxicab drivers from charging rates that differ from those in the Code.

F.4. GoGreen was awarded 13 extra points

GoGreen received 13 points for its discussion of electronic payment options. GoGreen received no points regarding wheelchair accessibility because its proposal did not exceed Code requirements.

G. Fairfax Green scored 203 out of a possible 630 points

G.1. Fairfax Green received 66 points for its industry experience

Fairfax Green was established in April 2013 by two individuals who are currently working as taxi drivers. The individual who organized Fairfax Green and is identified as

its managing member, Mr. Kohistany Shah, holds a Fairfax County hack (taxicab driver) license but has been working for the past six years with Union Cab in Alexandria. The other member is a taxi driver currently working in the District of Columbia.

Fairfax Green does not currently provide taxicab service in any jurisdiction. According to its application, neither member has any experience owning or managing a taxicab business, or any type of business. The application does not demonstrate that Fairfax Green or its members have an understanding of taxicab business operations or of the Fairfax County taxicab market.

Fairfax Green does not currently own a dispatch system. According to its application, Fairfax Green does not have any experience in taxicab dispatch service. While Fairfax Green proposed the purchase of a computerized dispatch system if it received its requested certificates, the application did not demonstrate that Fairfax Green has the technical expertise to operate, manage, and maintain that system, nor did it explain how Fairfax Green would compensate for that lack of expertise.

G.2. Fairfax Green received 68 points for its financials

Fairfax Green is a start-up that lacks historical financial statements and so provided only pro forma statements regarding its first two years of operation. The pro forma statements contained a number of irregularities that significantly undermined their credibility. For example, certain statements could not be reconciled (e.g., balance statement and statement of estimated cash flows), in some instances depreciation principles were incorrectly applied, and a number of costs and revenues were not included (e.g., the cost of insuring the two wheelchair-accessible taxicabs Fairfax Green proposed to purchase).

Fairfax Green's revenue and expense estimates raised additional concerns. Fairfax Green did not explain how it derived its estimates, stating simply that they were "derived from the owners and their long experience in the taxi industry." Further, Fairfax Green predicated its revenue estimates on 60 active certificates, rather than the 80 requested. Fairfax Green did not explain its use of 60 certificates, but it may reflect Fairfax Green's intent to ramp up service over a multi-year period. The Code does not permit operators to phase in service over a period of years. Under § 84.1-2-9(b), certificates that are not placed in service within 180 days become null and void and are available for redistribution.

The documentation that Fairfax Green provided regarding available cash funds and net worth did not satisfy the elements required by the application.

G.3. Fairfax Green received 61 points for its application responses

Although Fairfax Green included responses to all application questions, those responses were often cursory and lacking in detail.

Fairfax Green provided a business plan, but it lacked detail about key topics, such as its staffing and management, and did not discuss matters essential to viability and growth, including the development of its driver network and marketing. Its business plan offered little assurance that Fairfax Green is either familiar with or has anticipated what its proposed operations would entail.

Fairfax Green also did not appear familiar with the county's taxicab regulatory requirements, particularly those regarding fleet requirements. For example, some indeterminate portion of Fairfax Green's proposed fleet will be comprised of 2010 vehicles, but 2010 models are more than two model years old and thus under § 84.1-8-5(m)(1) may not be placed in service. In addition, the number of wheelchair-accessible vehicles that Fairfax Green proposes is below Code requirements. To comply with the Code's four percent requirement, Fairfax Green should have proposed three wheelchair-accessible taxicabs. It proposed only two.

G.4. Fairfax Green was awarded eight extra points

Fairfax Green received eight points for its discussion of electronic payment options. Fairfax Green received no points regarding wheelchair accessibility because its proposal to include two wheelchair-accessible vehicles in its fleet did not satisfy Code requirements.

V. EVIDENCE OF DEMAND AND PUBLIC WELFARE

When an applicant requests certificates in excess of the number determined by the Board, then the CPC must determine whether such applicant has met its burden of "establishing that public welfare will be enhanced by the award of the certificates of public convenience and necessity requested in the application", and the applicant must do so by providing "factual documented evidence indicating the demand and establishing public welfare," as required by § 84.1-2-5(b). If the CPC determines that the applicant has satisfied its burden that the excess number of certificates is necessary to meet demand for taxicab service and the public welfare, then under § 84.1-2-6(b) the CPC may recommend additional certificate allocations to the Board.

In this case, two applicants submitted requests for certificates in excess of the Board-authorized 39 certificates: Fairfax Green, which requested 80 certificates, and enviroCAB, which requested 200 certificates.¹¹ Both applicants submitted material in support of their requests.

¹¹ GoGreen requested 40 certificates, which exceeds 39, but stated that it did not request certificates in excess of the Board-determined number and did not provide information or material in support of excess certificates.

A. Fairfax Green

Fairfax Green requested 80 certificates, or 41 above and beyond the 39 that the Board authorized. As a part of its application, Fairfax Green submitted a statement of public demand and public welfare containing information to support its request for these 41 additional certificates. Its discussion and supporting documentation was provided as Attachment F to its application.

Fairfax Green's primary argument appeared to be that economic development and growth in Fairfax County warrant the award of an additional 41 certificates. It also presented arguments regarding population, the number of taxicab operator certificates on a per capita basis as compared to other jurisdictions, and the opening of new Metrorail stations. In support of these arguments, Fairfax Green included several categories of documents in Attachment F: (1) a study prepared in 2012 by Arlington County regarding taxicab demand in Arlington County; (2) media accounts from newspaper and other websites regarding growth associated with long-term development and economic activity in Fairfax County; and (3) Fairfax County reports and excerpts from Fairfax County's website about long-term development, particularly in the Tyson's area.

None of the documents Fairfax Green submitted demonstrate a need for an additional 41 certificates. The Arlington study analyzes the need for certificates in Arlington County, and not in Fairfax County, which is a very different market.¹² The various media accounts and Fairfax County materials submitted address economic or demographic activity, but do not present any related correlation to the need for additional certificates beyond the 39 indicated by the results of taxicab demand formula as adjusted by the CPC.

Fairfax Green's arguments regarding population and per-capita taxicab comparisons also did not demonstrate a need for 41 additional certificates.¹³ Fairfax Green noted that the Arlington County study included a comparison of authorized taxicabs on a per capita basis in a number of jurisdictions (Attachment 5 shows the number of taxicabs per person in Washington, D.C.area jurisdictions). Fairfax Green contended that, based on numbers in the Arlington County study, an appropriate number of taxicabs in Fairfax County would be 795, not the 615 authorized. Fairfax Green's contention is not consistent with industry studies. In a widely-referenced study within the taxicab industry, a noted taxicab transportation economist, Bruce Schaller, used a regression model to identify factors that measure changes in local demand for taxicab service. Mr. Schaller concluded that population data was not a statistically significant variable for

¹² Arlington County exhibits many of the characteristics of a city rather than a county; does not require dispatch service of all its taxicab companies, as does Fairfax County; has twice as many Metrorail stops as Fairfax County; has a significant number of taxicabs that serve a vibrant nightlife business; and has a significant number of taxicabs that serve Reagan National airport.

¹³ As shown in Attachment 2, the taxicab demand formula includes population growth as one of the weighted components in determining taxicab demand.

explaining the number of taxicabs in a jurisdiction.¹⁴ Similarly, as shown in Attachment 6, a 2013 study conducted by O'Hara Associates of 14 large size cities in the United States illustrates a 3,000 percent difference in numbers of taxicabs per 10,000 populations.¹⁵ The results of these studies strongly suggest that comparisons of population, or numbers of taxicabs per capita, between jurisdictions is not a meaningful stand-alone method to measure the relative need or demand for taxicab services.

Finally, the opening of four new Metrorail Silver line stations in 2014 is expected to have a mixed effect on the demand for taxicab services. As noted in Section III.B, at its May 2013 meeting the CPC recommended an increase in the number of certificates from 35 to 39 due in large part to the CPC's belief that taxicab demand is likely to grow in the 2014-2015 period as new Silver Line Metro stations are opened in Fairfax County. While the new Metrorail stations will likely create new taxicab stands and the opportunity for some level of new business, there is concern among some within the industry that the Metrorail openings will have an adverse effect on taxicab services, in particular the lucrative long-haul trips to the airports and into Washington, D.C.¹⁶ Prematurely adding taxicabs prior to the demonstrated need for additional certificates saturates the market and negatively affects driver incomes.

Evaluation Team Recommendation. The six-person evaluation team considered the arguments and documents Fairfax Green provided as Attachment F to its application in support of its request for an additional 41 certificates. Its consideration included evaluating whether Fairfax Green met its burden under § 84.1-2-5(b) to establish "that public welfare will be enhanced by the award of the certificates of public convenience and necessity requested in the application" and did so by providing "factual documented evidence indicating the demand and establishing public welfare." It was the unanimous recommendation of the evaluation team that Fairfax Green did not meet its burden and did not provide the "factual documented evidence" indicating that demand for taxicab services exceeded the Board-authorized number of 39 certificates. The evaluation team concluded that, based on the information presented by Fairfax Green, the CPC need not recommend that the Board authorize certificates beyond the 39 already authorized.

B. enviroCAB

enviroCAB initially requested 100 taxicab operator certificates. It subsequently amended its application and on August 30, 2013 requested 200 certificates. In both its initial and amended applications, the company included as Attachment F a submission

¹⁴ Schaller, Bruce, "A Regression Model of the Number of Taxicabs in U.S. Cities, Journal of Public Transportation, Vol 8, No. 5 (2005) at p. 69.

¹⁵ O'Hara Associates, *Managing Taxi Supply*, prepared for San Francisco Municipal Transportation Agency (April 2013) at p. p.4-3. A March 2013 draft version of this report is available on the agency's website at <http://www.sfmta.com/about-sfmta/reports/hara-associates-draft-managing-taxi-supply>.

¹⁶ Meeting with Fairfax County Taxicab Drivers Association, August 28, 2013.

in support of “excess” certificates – that is, certificates in excess of the Board-authorized 39. enviroCAB’s amended submission in support of excess certificates differed from the initial submission only in the number of certificates referenced. In all other respects, both the initial and amended versions of Attachment F were identical.

enviroCAB’s request for 200 certificates exceeds the Board-authorized number of 39 by 161. In support of its request for these 161 additional certificates, enviroCAB discussed: (1) an apparent need for more wheelchair-accessible taxicabs; (2) the results of a survey it conducted regarding taxicab response times in four locations; and (3) options for providing service to outlying areas. enviroCAB also appeared to imply that Fairfax County may be underserved because it has significantly fewer cabs than Montgomery County, although Fairfax County has a larger population. As discussed previously, however, population (by itself) is not a statistically significant variable for explaining the number of taxicabs in a jurisdiction.

enviroCAB’s justification for 161 excess certificates appeared to be based in part on data that suggests there is a significant segment of the population that is currently underserved, especially the elderly, the disabled, and residents who live in the less densely populated areas of Fairfax County. This statement was excerpted from the Fairfax County study, “Fairfax Area Transportation Options for Older Adults and People with Disabilities,” which enviroCAB cited. This study recommends that the county increase the number of wheelchair-accessible taxicabs for two primary reasons:

- According to the report, 27 percent of respondents to a survey stated that they were unable to get somewhere in the past month because they could not find transportation. The study does not state that these respondents requested or were unable to obtain taxicab service.
- The study reports that some residents currently expect a two-hour wait for same-day taxicab service. The statement appears based on four or less survey responses out of 1,100 total responses and so may not represent a typical experience.

Data reported to DCCS as part of the certificated operators’ biennial reports indicates that the average number of wheelchair-accessible taxicab trips ranges from 0.6 to 1.5 per day. To the extent the need for additional wheelchair-accessible taxicabs exists, the data available to DCCS suggests that the number of such additional taxicabs need not be large.

Also in support of its request for 161 additional certificates, enviroCAB stated that a major problem in many suburban jurisdictions is that “customers completely overlook the possibility of taking taxicabs” because “response times are low, and taxicab service is [perceived as] very unreliable.” Significantly, enviroCAB did not state that this is the case in Fairfax County, and there is scant evidence of poor service in the Fairfax County taxicab market. Biennial reports submitted to DCCS indicate response times average less than 15 minutes per call. Despite an annual volume of 2.4 million taxicab trips per year, DCCS has received less than 10 complaints for unmet service in 2013 .

Staff suggests that potential riders are generally aware of the availability of taxicabs (high visibility), but that the high cost of service (with tip, a 10-minute ride can cost as much as \$25) deters greater service usage.

As further justification for 161 additional certificates, enviroCAB also reported the results of a survey it conducted that suggests spotty service in certain areas of Fairfax County. To conduct its survey, enviroCAB made a total of 16 telephone calls for taxicabs from four locations: Centreville, Herndon, Reston and Tysons Corner. One call was made to each of the four Fairfax County taxicab operators from each location, with response times noted. enviroCAB concluded that, based on the results of this survey, service is “bad” and taxi drivers do not make the effort to provide service in outlying areas because “nobody calls.” The survey conclusions, which are based on anecdotal experience rather than an analytical foundation, appear inconsistent with DCCS data regarding taxicab response time and its complaint records.

To address the issue of ostensibly poor service to outlying areas, enviroCAB proposed bifurcated certificates. Of its requested 200 certificates, 78 would be traditional certificates entitled to provide service throughout the entire county. The remaining 122 certificates would be permitted to serve only the “suburban” areas of Fairfax County and would be banned from Tyson’s, Fairfax City, and the City of Falls Church. According to enviroCAB, with its bifurcated fleet, “the people of Fairfax County will experience a significant improvement in the quality of service, especially in outlying areas, with the elderly and disabled experiencing an exceptional change in the availability of mobility vans for them.”

enviroCAB did not address the legality of a bifurcated fleet, and its proposal demonstrates a lack of understanding of the County Code, specifically Chapter 84.1, regarding for-hire public transportation. There are no provisions within Section 84.1 that authorize the issuance of certificates with geographic limitations. Staff would not support the concept of geographically-limited certificates because such limitations are not enforceable, would inhibit economic efficiency, and are inconsistent with energy conservation. Staff believes that taxicabs should be able to provide service where the demand is apparent, either by dispatch or stand- derived trip requests, and should not serve arbitrarily designated areas.

Evaluation Team Recommendation. The six-person evaluation team considered the arguments, references, and survey results enviroCAB provided in its Attachment F in support of its request for an additional 161 certificates. Its consideration included evaluating whether enviroCAB met its burden under § 84.1-2-5(b) to establish “that public welfare will be enhanced by the award of the certificates of public convenience and necessity requested in the application” and provided “factual documented evidence indicating the demand and establishing public welfare.” It was the unanimous recommendation of the evaluation team that enviroCAB did not meet its burden and did not provide the “factual documented evidence” indicating that demand for taxicab services exceeded the Board-authorized number of 39 certificates. The evaluation

team concluded that, based on the information presented by enviroCAB, the CPC need not recommend that the Board authorize certificates beyond the 39 already authorized.

VI. FAIRFAX COUNTY CODE: CERTIFICATE ALLOCATIONS

The Code directs the CPC to consider seven specific criteria when making recommendations of taxicab certificate allocations among applicants

As discussed in Section II.D., § 84.1-2-6 directs the CPC to consider seven criteria in making the recommendations that it will submit to the Board regarding allocations among two or more applicants. (See Attachment 1) These criteria lend guidance to the CPC in evaluating all applicants, and aid in identifying the highest-rated applicants among the pool of applicants received.

The following discussion summarizes the applicant's positions with respect to these seven criteria and reflects the basis for the scoring results found in Section IV and Table 3:

1. Current and potential levels of usage of taxicab services in the Fairfax County market.

All applicants have proposed to offer taxicab service throughout Fairfax County. Consequently, all are similarly situated with respect to this criterion.

2. Areas of the County to be served, and the adequacy of existing public vehicle service, existing taxicab service, and other forms of passenger transportation in those areas.

All applicants have proposed to offer taxicab service throughout Fairfax County.

3. The kind, class, fuel efficiency, character of the vehicles to be used, and the adequacy of the proposed dispatch system.

Proposed Vehicles. White Top did not identify or discuss the kind, class, fuel efficiency or character of the vehicles to which it would assign the requested certificates. The six remaining applicants proposed that all vehicles, other than wheelchair-accessible taxicabs, would be hybrid or plug-in electric hybrid vehicles:

- Fairfax Yellow and Red Top each proposed to add 2014 Ford Fusion hybrid vehicles that would be company-owned. Each cab company also proposed to add one plug-in hybrid electric vehicle, the Ford C-MAX Energy Plug-In.
- enviroCAB proposed use of 160 2011 Toyota Prius-V and Toyota Prius vehicles (80 and 80, respectively) in its fleet, as well as 20 2011 Toyota Prius plug-in hybrid electric vehicles. All vehicles would be driver-owned.
- King Cab proposed use of 2011 or later "hybrid/fuel efficient" vehicles with an estimated fuel efficiency of 50 miles per gallon. No further detail was provided. The vehicles would be driver-owned.

- GoGreen proposed a fleet comprised of an unspecified number of 2013 Toyota hybrid models (Prius, Camry, Civic, and Highlander hybrids), as well as an unspecified number of “other hybrid vehicles in the market.” The vehicles would be driver-owned.
- Fairfax Green proposed a fleet comprised of an unspecified number of hybrid vehicles from three manufacturers: the Toyota Prius and Camry, the Chevrolet Malibu, and the Ford Escape. Vehicles would be 2010 model years and later and owned by Fairfax Green drivers.

Wheelchair Accessibility. White Top’s application did not address wheelchair-accessibility. The six remaining applicants offered a range of proposals:

- Fairfax Yellow proposed that nine of its requested 23 certificates, or eight certificates in excess of the minimum required by the Code, would be assigned to wheelchair-accessible 2014 Toyota Sienna vans. All vans would be owned by Fairfax Yellow.
- Red Top proposed that one of its requested 15 certificates be assigned to a wheelchair-accessible 2014 Toyota Sienna van that would be owned by Red Top.
- enviroCAB proposed that 20 of its requested 200 certificates, or 10 percent of its proposed fleet, would be either the MV-1, which is designed to accommodate wheelchairs, or the Ford Transit Connect, which is a commercial vehicle that can be converted to accommodate wheelchairs. All wheelchair-accessible taxicabs would be 2012 models purchased by drivers.
- According to its application, the King Cab fleet would include “a van that is for handicap customers.” King Cab did not describe the van’s make, model, or year. Its pro forma statements do not include costs associated with van ownership, suggesting that the van would be driver-owned.
- In an application response GoGreen stated that its fleet would include two “ADA-compliant” taxicabs, but its financial projections and Section 5.3 of its Business Plan, ADA Compliant Handicap Accessible Vehicle, specify only one. GoGreen did not address ownership or provide any detail regarding the make, model, or year of the proposed vehicle(s).

Adequacy of Proposed Dispatch Systems. This criterion will be addressed from two perspectives: market structure and system capabilities.

1) *Market Structure.* There is a recognized concept in the industry that a taxicab company must have a minimum fleet size to be able to offer meaningful, effective, reliable and timely dispatch services and to be able to do so in a profitable manner. This minimum fleet size will vary by scope of its operating area; the smaller the area, the smaller the fleet size necessary to operate effective dispatch. While there is no industry standard that identifies these minimum parameters, and they will vary by market, the concept is well-known and acknowledged within the industry. Analysis of trip data in Fairfax County

indicates that the largest operator, Fairfax Yellow, is able to generate two to three times as many dispatch calls per day per cab as smaller operators.

Although dispatch is required for all operators in Fairfax County, neighboring localities (of much smaller size than Fairfax County) permit some smaller taxicab companies (less than 50 vehicle) to operate without dispatch because of both the expense associated with implementation and the poor experience of small operators in developing and maintaining an effective dispatch market. These non-dispatch companies essentially can only serve the “hail” or “stand” markets. Attempts to institute dispatch service among smaller operators in neighboring jurisdictions have met with generally poor results. While there are examples of smaller companies implementing some level of dispatch service, they have primarily done so with only limited success (less than an average of two calls per day per cab).

Since the demand for dispatch service taxicab trips in Fairfax County accounts for approximately 60 percent of the completed trips, it is important that a taxicab operator offer not just nominal dispatch services, but rather develop and operate an effective, reliable and timely dispatch service within the county. Staff is concerned that a new entrant, even one receiving all 39 certificates authorized by the Board, may be unable to provide this type and level of dispatch service on a countywide basis. Realistically, a new entrant may have to limit its dispatch service to a confined geographic area of the county in order to meet high service quality standards.

2) *System Capabilities.* All applicants either propose to use or are currently using computerized dispatch systems that can accommodate both telephonic and on-line booking. Mobile data terminals (MDTs) in the taxicabs allow for two-way information exchanges with the dispatch system. The electronic capabilities of these systems include in-cab electronic payment options, such as credit and debit card, global positioning system (GPS) tracking, and data collection. All applicants proposed 24-hour service.

- Fairfax Yellow, Red Top, enviroCAB, and White Top are currently providing dispatch service through existing systems.
- King Cab, GoGreen, and Fairfax Green each proposed the purchase of a Mobile Knowledge dispatch system.

While all applicants stated that they will accept electronic payment, only Red Top and Fairfax Yellow stated that their cabs are equipped with Passenger Information Monitors (PIMs) that enable rear-seat self-service payment.

4. The conformance of proposed operational facilities with zoning and other legal requirements.

- Fairfax Yellow, Red Top, and White Top currently have operational facilities in Fairfax County that conform with zoning and other legal requirements.
- enviroCAB, King Cab, and Fairfax Green each stated that it would obtain facilities in the county if it was awarded taxicab operator certificates. These

facilities would be business offices only; they would not include maintenance or other facilities because vehicles would be owned and maintained by the drivers. Conformance cannot be assessed until a location is obtained.

- GoGreen stated that it would use its Alexandria location. It did not reconcile this statement with the Code requirement that certificated operators maintain a location in Fairfax County.

5. The financial status of the certificate applicant and its effect on permanence and quality of service, as demonstrated by the applicant's ability to provide, maintain, and operate the number of vehicles proposed in accordance with the character of service proposed in the application.

- Fairfax Yellow and Red Top achieved near perfect scores – 195 out of 198 – regarding their financials.
- enviroCAB received 135 out of 198 points for its financials.
- White Top, King Cab, GoGreen, and Fairfax Green each received points in the range of 60 to 68 for their financials (66, 60, 65, and 68, respectively).

This criterion includes a consideration of the “applicant’s ability to provide, maintain, and operate” vehicles. Only Red Top and Fairfax Yellow proposed to provide and maintain the vehicles described in their applications.

6. The character and responsibility and related business experience of the applicant.

- Fairfax Yellow and Red Top, both of which are long-time providers of taxicab services in Fairfax County, received near perfect scores – 192 out of 198 – for their industry experience.
- enviroCAB and White Top, both of which have taxicab experience and provide dispatch service, received 148 and 141 points, respectively, for their industry experience.
- King Cab received 101 points for its industry experience. That experience includes only limited dispatch operations.
- GoGreen and Fairfax Green received scores of 54 and 66, respectively, for their industry experience. Both applications evidenced limited experience in owning or managing a taxicab business or in providing dispatch services.

7. The investigative report of the Director and the applications of the applicants.

VII. STAFF RECOMMENDATIONS ON ALLOCATION OF 39 CERTIFICATES

Staff’s objective in this review process has been to fairly and accurately evaluate all applications received in order to identify those companies that exhibit superior fleet characteristics and are the most qualified taxicab certificate applicants. Staff believes that by evaluating the applications with this objective, the process has identified those

companies that have the greatest probability of providing the highest level of on-demand taxicab service to Fairfax County residents, businesses, and visitors.

In evaluating the applicants and their applications, staff primarily considered three categories of scoring criteria. These three categories were (1) demonstrated industry experience; (2) financial wherewithal and knowledge of generally accepted accounting procedures; and (3) quality of the application responses. The applicants' scores in each of these categories are shown in Table. 3.

Other factors contributed to the development of staff's recommendations. As noted, the Fairfax County taxicab market is reliant on dispatch service, with approximately 60 percent of trips originated by dispatch. In developing its recommendations, staff has sought to identify the mix of taxicab companies that can provide the highest levels of dispatch service. Second, staff has sought to maximize the deployment of newer models, hybrid vehicles, and specialized taxicab vehicles designed to serve individuals with disabilities.

The CPC may take various approaches in allocating the 39 certificates among the applicants. This section identifies and discusses three allocation recommendations for CPC consideration. The first is staff's recommended allocation. It is followed by two alternative recommendations.

A. Staff's Primary Recommendation

The CPC should recommend that the Board allocate the 39 authorized certificates in a way that awards the majority of vehicles to the highest-rated applicants, maximizes the number of wheelchair-accessible vehicles (10), and ensures the deployment of new 2014 hybrid vehicles.

Under this recommended approach, the CPC would recommend the following awards:

- Fairfax Yellow would be awarded 23 taxicab operator certificates. Fifteen of these certificates would be assigned to 2014 hybrid vehicles (including one plug-in hybrid) and nine would be assigned to 2014 wheelchair-accessible vehicles.
- Red Top would be awarded 10 taxicab operator certificates. Nine of these certificates would be assigned to 2014 hybrid vehicles (including one plug-in hybrid) and one would be assigned to a 2014 wheelchair-accessible vehicle.
- White Top would be awarded six taxicab operator certificates

Fairfax Yellow was the highest-rated applicant. It also was one of two applicants (the other being enviroCAB) whose application offered a significant increase in accessible vehicles over and above the four-percent minimum required by the Code. Fairfax Yellow requested 23 certificates and, under the Code, would have been required to offer one wheelchair-accessible taxicab. Instead of proposing just one wheelchair-accessible vehicle, however, Fairfax Yellow proposed nine.

The two other awardees, Red Top and White Top, were the second and fourth highest-rated applicants, respectively.

Staff has identified five advantages associated with this recommended allocation. First, this approach maximizes the number of wheelchair-accessible vehicles proposed in the application process. Under this approach, more than quarter of the available certificates – 10 out of 39 – would be assigned to wheelchair-accessible vehicles, increasing the number of wheelchair-accessible taxicabs from 23 to 33 (representing a 43% increase from the current fleet) . Second, because the awardees are incumbents with existing dispatch systems, this recommended allocation ensures that the new certificates will be integrated seamlessly into the county’s existing taxicab fleet. Third, in their applications each of the three companies identified and explained the need for more certificates, so an award of additional certificates to them should improve dispatch call service. Fourth, this recommended allocation rewards the two highest-rated applicants among the seven who applied. And finally, the recommended allocation is aligned with staff’s assessment of the companies’ performance in providing taxicab service in Fairfax County. Staff assessed their performance using evaluation criteria specific to incumbent taxicab operators, such as certificate utilization rate, vehicle condition, etc. The criteria and assessment results are provided in Attachment 6. As Attachment 6 shows, Fairfax Yellow achieved the highest evaluation scores, followed closely by Red Top and then White Top.

B. Staff Secondary Recommendation: No. 1

The CPC could recommend that the Board allocate all 39 authorized certificates to enviroCAB

If all 39 certificates were allocated to enviroCAB, then the allocation would be made to the potential new entrant that scored most highly in the application evaluation process.¹⁷ Additionally, enviroCAB may be better situated to succeed than the other new entrants, as the company has both dispatch experience and a dispatch system currently in place, and through its parent, Veolia, enviroCAB has resources and expertise available that other potential new entrants do not possess.

It is unknown if 39 certificates would provide enviroCAB with a sufficient number of certificates to establish a financially-viable taxicab company in Fairfax County, and it is highly doubtful that 39 certificates would be sufficient to provide effective countywide dispatch service. Given the chance to amend its application, enviroCAB doubled the size of its requested number of certificates from 100 to 200, stating that “[a] minimum 200 vehicle fleet is critical to enviroCAB’s ability to provide high-quality service throughout the entire county.” Significantly, enviroCAB’s application does not provide sufficient information to assess how enviroCAB would perform with only 39 of its requested 200 certificates. It cannot be determined from enviroCAB’s pro forma statements whether and to what extent its operations are scalable. While the financial

¹⁷ enviroCAB was the third highest scoring applicant, after incumbents Fairfax Yellow and Red Top.

statements associated with its 50-cab Arlington County operation could have provided some insight, enviroCAB did not provide those statements.

It should be noted that while awarding certificates to enviroCAB would increase the competitive options available to customers, the extent to which it would offer a competitive alternative for drivers cannot be determined. First, enviroCAB offers an alternative only for those drivers who are willing to purchase, maintain, and insure their own later-model hybrid vehicles. It does not offer options for those with more limited financial resources who would prefer to lease a vehicle. Second, enviroCAB would not necessarily offer drivers a low-cost alternative to other operators. Unlike several other applicants, enviroCAB did not specify the stand dues it would charge Fairfax County drivers. However, given enviroCAB's estimated annual revenues derived from stand fees, it appears enviroCAB's stand dues would not be the lowest in Fairfax County. Further, enviroCAB's revenue estimates indicate that it plans a 12.5 percent increase in stand dues between Years 1 and 2.

If all 39 certificates are awarded to enviroCAB, it would appear appropriate to require that enviroCAB designate 10 percent of those certificates, or four certificates, to wheelchair-accessible taxicabs, consistent with both its initial and amended applications. Further, because enviroCAB has no experience with wheelchair-accessible taxicabs and did not discuss how it would incentivize drivers to purchase them, a recommendation to award the certificates to enviroCAB should provide that if the wheelchair-accessible taxicabs are not placed in service within the 180-day time period established by § 84.1-2-9(b), then enviroCAB is obligated to purchase and operate those vehicles itself.

This recommended allocation has several advantages. First, it allows new entry into the Fairfax County taxicab market. Second, because enviroCAB currently has a dispatch system and call center in place in a neighboring jurisdiction, its entry will not be delayed while it establishes that aspect of its operation. Third, assuming enviroCAB was required to designate 10 percent of its certificates as wheelchair-accessible, consistent with its applications' proposals, then it would add four wheelchair-accessible vehicles to the county fleet, which is double the Code minimum of two.

This recommendation also has several disadvantages. First, as noted, a grant of 39 certificates may not be sufficient to allow enviroCAB to establish a financially viable operation. Second, 39 certificates does not appear sufficient to allow enviroCAB to provide effective dispatch service throughout all of Fairfax County. Third, in the absence of effective dispatch, enviroCAB's drivers may have to primarily serve the stand market, which accounts for just 40 percent of total county trips. Fourth, this approach offers just four wheelchair-accessible taxicabs, which is six less than staff's primary recommendation.

C. Staff Secondary Recommendation: No. 2

The CPC could recommend that the Board allocate the 39 authorized certificates among the potential four new entrants:

Under this recommended approach, the CPC could recommend that the Board award each potential entrant roughly the same number of certificates: enviroCAB, King Cab, and Fairfax Green each would be awarded 10 certificates, and nine certificates would be awarded to GoGreen. GoGreen would be awarded nine due to its failure to acknowledge or describe its Alexandria operations, including its probationary status, or provide the financial statements associated with those operations.

This option, if adopted by the CPC, would discount the application evaluation process and scores. It would simply divide the 39 certificates among the four new entrants, three of which had the lowest evaluation scores of the applicant pool.

Several potential new entrants stated in their applications that the Fairfax County taxicab market would be well-served by increasing the number of authorized operators. In theory, an increase in the number of certificate holders may offer customers more choices when selecting a provider and may offer drivers additional options with respect to working conditions, lease fees, stand dues, and so forth. The quality of those choices and options cannot be known in advance, however.

A review of the applicants' financial documentation indicates that it is unlikely that an allocation on this basis would provide each recipient with a sufficient number of certificates to establish a financially-viable taxicab company. The revenue estimates included in the potential entrants' pro forma statements were based primarily or entirely on the stand dues that will be generated from the requested number of certificates. Estimated revenues will drop substantially if the applicants receive only a fraction of the requested certificates. For example, the estimated revenues in King Cab's pro forma statements reflect the stand dues generated by the 30 certificates it requested. Awarding it one-third that number, or 10 certificates, will drop its revenues by one-third. That one-third will be insufficient to cover King Cab's significant fixed start-up expenses, including the leasing of a business location, the purchase of a dispatch system, and the staffing of a call center. According to King Cab's pro forma statements, with one-third the estimated revenue it will end each year with a loss. The same is true for Fairfax Green, GoGreen, and enviroCAB: given their estimated expenses – many of which are not scalable – awarding the applicants just 10, or even nine, certificates essentially guarantees that the companies will operate at a loss.

The advantage to this recommended allocation is that it allows four new companies to enter the Fairfax County taxicab market.

There are a number of disadvantages, however. First, an award of nine or ten certificates would be inadequate to establish a financially viable operation providing the on-demand countywide taxicab service each applicant proposed. Second, even assuming financial viability is not a concern, an award of nine or ten certificates would

be insufficient to provide effective, reliable and timely dispatch service, particularly in a market the size of Fairfax County. Third, in the absence of effective dispatch, drivers would need to serve the stand market, which accounts for just 40 percent of total county taxicab trips. Fourth, although the number of certificates in service would increase, there would no increase in the number of wheelchair-accessible vehicles. None of the awardees would be required to provide wheelchair-accessible vehicles, because that requirement pertains only to those companies with fleets of 25 taxicabs or more. Consequently, the number of wheelchair-accessible vehicles would remain at 23, which are 10 fewer vehicles than those available under staff's primary allocation recommendation.

ATTACHMENT 1

FAIRFAX COUNTY CODE
CHAPTER 84.1, *PUBLIC TRANSPORTATION*
ARTICLE 2, *OPERATOR'S CERTIFICATES*
Sections 84.1-2-1 through 84.1-2-6

CHAPTER 84.1, PUBLIC TRANSPORTATION
Article 2, Operator's Certificates, Sections 2-1 through 2-6

Section 84.1-2-1. Operator's certificate required.

No person will operate or permit to be operated a taxicab or taxicabs in the County without having been approved for and been issued operator's certificates by the County. The individual numbered certificate, issued by the Department, must be carried in the taxicab to which it pertains at all times during operation and must be presented, upon request, to any taxicab inspector or duly sworn law enforcement officer. The driver of a taxicab which is duly authorized as a taxicab in any other jurisdiction of this State or in any other state may convey into and discharge within the County a passenger or passengers; and, if required by the passenger or passengers, the taxicab driver who conveyed the passenger or passengers into the County may wait for the passenger or passengers and convey the passenger to his or her ultimate destination. The driver of a taxicab registered in any other jurisdiction will not otherwise convey, pick up, wait for or solicit a passenger or passengers within this County, except as permitted in Section 84.1-10-1 or Section 84.1-10-2. (4-00-84.1; 56-08-84.1.)

Section 84.1-2-2. Application; forms; contents; notice of application.

- (a) Applications for operator's certificates or for an increase in the number of individual certificates authorized to be issued to a certificate holder will be accepted by the Director on a biennial basis, in odd numbered years by 4:00 p.m. June 30. Incomplete applications will be returned to the applicant, who will be given seven calendar days after receipt of a rejected application to correct any deficiencies. A resubmitted application which remains incomplete will be returned and will not be processed. In the event that certificates are made available for redistribution as in Section 84.1-2-9, the Director will establish prescribed milestone dates for certificate application similar to the timing intervals for the biennial certificate application process as set forth herein.
- (b) Application for operator's certificates, or for an increase in the number of individual certificates authorized to be issued, will be made by the proposed operator or its duly authorized agent upon forms provided and in the format requested by the Department. The applicant will provide full answers to all questions on the application, and that information will be submitted under oath. The Director may require full disclosure of all corporate, financial, and business interests of the applicant and of all corporate, financial and business interests of persons having a corporate, financial or business interest in the applicant. Information required on the application will be related to the considerations of the Commission in its investigation of the public convenience and necessity of additional certificates as stated in Section 84.1-2-6(b).

- (c) The fee for processing operator's certificate applications will be \$100.00 for each vehicle to be operated under the application. This application processing fee is nonrefundable, and it will be paid by check or money order upon submission of the application to the Director.
- (d) In order to carry out the purposes of this Chapter, the Department, the Commission, or the Board may ask for information in addition to that provided on the application from the applicant.
- (e) An applicant for operator's certificates, or a certificate holder applying for an increase in the number of individual certificates authorized to be issued to such certificate holder, will, within seven calendar days of such application, provide written notice of such application to all other County certificate holders, to any driver association as defined herein, and if a current County Certificate holder, will conspicuously display notice of such application at the applicant's place of business. Such notice will be provided by certified mail to the regular place of business of other certificate holders and to the legal address of any driver association as defined herein. Notice will be sufficient if it describes the number of certificates sought, the area to be served, identification of the applicant, and the date of the application.
- (f) If the Department has not received proof of notification by any applicant within 15 calendar days from the date of the receipt by the Department, that applicant's application will be returned and not processed. (4-00-84.1; 56-08-84.1.)

Section 84.1-2-3. False statements on applications.

It will be unlawful for any person to make or cause to be made any false statement in writing for the purpose of procuring an operator's certificate or a hacker's license, or to make any false statements or entry on the records required to be kept by this Chapter. (4-00-84.1; 56-08-84.1.)

Section 84.1-2-4. Investigation of applicant; procedure.

Upon the Director's determination that an application filed under Section 84.1-2-2 of this Chapter is technically complete, the Director will cause to be made a thorough investigation of the character, traffic, criminal record, financial status and service plan of the applicant or its officers, among other relevant factors. Upon completion of the investigation, the information obtained as a result of this investigation, together with all pertinent documents, will be submitted to the Commission.

The Director's report pertaining to all applications for certificates will be distributed to members of the Commission and will be made available to applicant companies and the public not later than 10 calendar days before the scheduled hearing date. (4-00-84.1; 56-08-84.1.)

Section 84.1-2-5. Establishment of public convenience and necessity; burden of applicant.

- (a) The number of certificates that are available to be issued on a biennial basis, will be determined by the Board, based on public convenience and necessity, after considering any appropriate recommendations submitted by the Commission or the Director and such other information as the Board chooses to consider. That number will be reviewed and established by resolution of the Board after May 1 of each odd numbered year, but the Board reserves the right to revise that number by subsequent resolution as the Board deems appropriate. The burden will be upon the applicant to establish the existence of all facts and statements within the applicant's application and to provide such other information as is required or requested pursuant to this Chapter.
- (b) If the applicant applies for certificates in excess of the number determined by the Board, based on public convenience and necessity, the burden of proof for the excess certificates shifts to the applicant. The applicant will then have the burden of establishing that public welfare will be enhanced by the award of the certificates of public convenience and necessity requested in the application. The applicant will be required to provide factual documented evidence indicating the demand and establishing public welfare. (4-00-84.1; 56-08-84.1.)

Section 84.1-2-6. Public hearing; requirements; regulations.

- (a) Upon the filing of applications for operator's certificates, or for any additions to the number of individually numbered certificates issued to an existing certificate holder, the Commission will hold hearings as promptly as practical, prior to September 30 of each year, or as soon thereafter as the Commission conveniently may schedule the matter for hearing. The Commission will give the applicant, certificate holders, and any driver association as defined herein notice of the hearing at least 14 calendar days prior to the hearing date and will cause notice to be published once a week for two successive weeks in a newspaper published or circulated in the County. If the application is for an increase in the number of certificates, the applying certificate holder must conspicuously display notice of such application and the hearing date and place at the applicant's place of business at least 10 calendar days prior to the hearing date.
- (b) The Commission will, upon holding public hearings and after such further investigation as it may deem advisable, make recommendations to the Board of Supervisors the allocation of taxicab certificates among the certificate applicants, which have been designated by the Board for the given year. If an applicant meets the burden of proof for excess certificates as set forth in 84.1-2-5, the Consumer Protection Commission may recommend to the Board additional allocations. In making these recommendations, the Commission will consider the following:

- (1) Current and potential levels of usage of taxicab services in the Fairfax County market as set forth in 84.1-2-5.
 - (2) Areas of the County to be served, and the adequacy of existing public vehicle service, existing taxicab service, and other forms of passenger transportation in those areas;
 - (3) The kind, class, fuel efficiency, character of the vehicles to be used, and the adequacy of the proposed dispatch system;
 - (4) The conformance of proposed operational facilities with zoning and other legal requirements;
 - (5) The financial status of the certificate applicant and its effect on permanence and quality of service, as demonstrated by the applicant's ability to provide, maintain, and operate the number of vehicles proposed in accordance with the character of service proposed in the application;
 - (6) The character and responsibility and related business experience of the applicant;
 - (7) The investigative report of the Director and the applications of the applicants.
- (c) All parties notified under Section 84.1-2-2(e) will have the right to present comments when the Commission holds public hearings to investigate the public convenience and necessity of applied for certificates. (4-00-84.1; 56-08-84.1.)

ATTACHMENT 2
2013 TAXICAB DEMAND FORMULA

**STAFF'S TAXICAB DEMAND FORMULA ANALYSIS
2004 – 2012**

Criteria		Growth Rate (% Change)	x	Formula Weight	=	Weighted Change
Average Trips per Certificate		3.5%	x	50%	=	1.8%
Mass Transit/Tourism		8.2%	x	30%	=	2.4%
Population		8.8%	x	20%	=	1.8%
Total Weighted Change				100%	=	6.0%
576 then-authorized certificates x 6.0% = 35 new certificates						
CPC increase of 10% x 35 = 35 + 4 = 39						

The results of the Taxicab Demand Formula may be increased or decreased by 10 percent to allow for the consideration of less quantifiable factors, such as citizen complaints, evidence of over- or under-utilization of certificates, or changes in known economic conditions.

The CPC voted to recommend to the Board a 10 percent increase in staff's recommended number of certificates, or a total of 39 additional certificates. The CPC expressed a preference for a greater number of taxicabs due to its belief that taxicab demand is likely to grow in the 2014-2015 period as new Silver Line Metro stations are opened in Fairfax County.

During its June 18, 2013 meeting, the Board approved the recommendations of the CPC and DCCS to authorize an additional 39 taxicab certificates.

ATTACHMENT 3

SUMMARY OF CERTIFICATE APPLICATIONS

FAIRFAX COUNTY TAXICAB OPERATOR'S CERTIFICATES APPLICATIONS AS OF AUGUST 30, 2013										
Company	Type of Entity	Certificates Requested	Current Certificates		Driver-Owned		Proposed Vehicles			
			Total	W/A	Current	Proposed	Hybrid	Plug-In/EV	Wheelchair Accessible	Year(s)
Incumbents										
Fairfax Yellow Cab	Corporation	23 (8%↑)	283 49% FFX	11	60/283 21%	0/23 ↓ to 19.6%	13/23	1/23	9/23	2014 (all)
Red Top of Fairfax	Corporation	15 (15%↑)	101 17% FFX	4	47/101 46.5%	0/15 ↓ to 40.5%	13/15	1/15	1/15	2014 (all)
White Top	Corporation	33 (49.2%↑)	67 11.6% FFX	3	60/67 89.5%	33/33 ↑ to 93%	Not discussed (Response to Q11 states "All cabs will be assigned")			
Potential Entrants										
enviroCAB	LLC	200 (122 restricted)	Arlington: 50 certificates	--	--	200/200 100%	160/200	20/200	20/200	2011 – 180 2012 – 20
Fairfax Green	LLC	80	N/A	--	--	78 98%	80/80	--	2 (per Att.F) WA taxis will be co.-owned	2010 and later
GoGreen	Corporation	40	Alexandria – 20 certificates	--	--	40/40 100%	40/40	--	Q9 states 2 but BusPlan states 1 ADA-compliant vehicle	2013 and others
King Cab	Corporation	30	Alexandria – 56 certificates	--	--	30/30 100%	- Q11: [V]ehicles "will all be hybrid/fuel efficient" w/estimated 50 mpg - Bus.Plan: One van for handicap passengers; all vehicles hybrids			

FAIRFAX COUNTY TAXICAB OPERATOR'S CERTIFICATES APPLICATIONS AS OF AUGUST 30, 2013						
Company	Dispatch System	Dispatch Staff	In-Cab Equipment		Electronic Payment	Q22: Insurance
			Taximeter	MDT		
Incumbent						
Fairfax Yellow	IP-based system serves Fairfax Yellow, Red Top, and affiliated companies; service 24x7/365	25 FT/ PT dispatchers; 80 taxi reservation agents	Centrodyne Silent 610 (w/ printer)	MDTs to be upgraded to touchscreen tablets	All cabs equipped w/rear-seat self-service PIMs	- Self-insured; 100K/300K/50K; admin support provided by TGI - Owner/operators obtain own ins. satisfying county req'ts
Red Top						
White Top	Mobile Knowledge XDS for Alex/FFX operations; service 24x7/365	Not discussed	Pulars 2030 R, Centrodyne 620 (w/printer)	2008 MDT	Cabs required to accept all credit/debit cards	No response to Q22 but, per BusPlan, drivers will provide their own insurance
Potential Entrants						
enviroCAB	Mobile Knowledge system currently serving Arlington; service 24x7/365	Multiple staff and roles	Taximeter built into 9008 MDT	9008 MDT	All cabs required to accept all major credit cards	- Q22: 100K/300K/25K - BusPlan: Drivers to obtain 100k/300K/50K comp policy
Fairfax Green	Will purchase Mobile Knowledge, but precise system not yet known; 24-hour service	3 shifts/day; appears 1 staff/shift (Fin.Stmts)	Plusar F3 or Senodyne [sic] (w/printer)	Not discussed	Each taxi will accept debit/credit cards	Each driver to obtain own insurance that meets Code requirements
GoGreen	"Will use" Mobile Knowledge XDS; service 24x7/365	3 shifts/day; 1 staff/shift	Centrodyne Silent 620	2008 MDT or 9008 MDT	Will accept all major credit cards	Q22 response is "N/A," but Q23 and BusPlan refer to driver's insurance company
King Cab	"Will look to acquire" Mobile Knowledge XDS; 24-hour service	2-3 shifts per day; 1 staff per shift	Not discussed	2008 MDT	Customers can use debit/credit cards	Q22 response discusses business (not vehicle) ins, but Q23 refers to driver's ins. company

FAIRFAX COUNTY TAXICAB OPERATOR'S CERTIFICATES APPLICATIONS AS OF AUGUST 30, 2013							
Company	Complaints	Fairfax Location	License and Convictions	Stand Dues for O/O	Driver Training	Contract Services	Comments
Incumbent							
Fairfax Yellow	Established procedures; action depends on complaint type	Yes	#26: No #27: N/A	Not discussed	Yes; Driver Training Guide is Appendix 1	VA DMAS, FCPS, MetroAccess, and others	- FFX Yellow and Red Top applications virtually identical - 15% of svc requests not being satisfied due to ↑ calls and worsening traffic (Att.G)
Red Top							
White Top	Addressed by GM	Yes	No response to either Q	\$150/week	Not discussed	Schools (FFX/Alex) Human Svcs Dpts (FFX/Alex) Corporate accounts	Only about 45 cabs active at any time, so transfers 10 calls/day due to shortage
Potential Entrants							
enviroCAB	Uses tracking system; 48-hr response; action depends on complaint type	Will obtain FFX location	#26: No #27: None	Not discussed	Yes; see BusPlan and Exhibits 9,10	Not discussed	
Fairfax Green	Will respond w/in 24 hours; also will submit report to CPC	Will obtain FFX location	#26: None #27: None	Not discussed	Not discussed	Not discussed	Start-up as of 4/18/13
GoGreen	"[W]ill handle all complaints, . . . and take proper actions." Also will maintain complaint log	Will use Alexandria location (3/13)	#26: None #27: None	\$150/week	Yes (type not specified; see Justification, Sec.5.9)	Not discussed	-No discussion of Alexandria operations -Proposes ↓ reduced stand fees during non-peak times
King Cab	Addressed by owner and GM	Will obtain FFX location	#26: No #27: None	\$150/week	Not discussed	Intends to sign contracts	L&Z (WhiteTop) and King share office space; L&Z Ass't Mgr is also King Cab's GM

ATTACHMENT 4
EVALUATION SCORING CRITERIA

Taxicab Certificate Application Assessment - All Applicants

(Assumes satisfaction of criminal background checks and notice requirements)

Evaluation Factors	Points	Considerations	Fairfax County Code Section
<p>1. Financial capability</p> <p><i>Does the applicant have the financial wherewithal to provide service on both a short-term and long-term basis?</i></p>	<p>33</p>	<ul style="list-style-type: none"> - Applicant's financial strength and reserves, as determined by analysis of financial statements - Reasonableness of applicant's projections and pro-formas - Applicant's demonstrated financial knowledge and applicability of generally accepted accounting standards 	<p>Article 2, regarding issuance of Operator's Certificates:</p> <p>84.1-2-2 (b): "The Director may require full disclosure of all corporate, financial, and business interests of the applicant and of [those having a corporate, business, or financial interest in the applicant]."</p> <p>84.1-2-4: "... the Director will cause to be made a thorough investigation of the character, traffic criminal record, financial status and service plan of the applicant or its officers, among other relevant factors."</p> <p>Other provisions demonstrating significance of financial capability:</p> <p>84.1-5-2: "In order to accomplish the purposes of this Chapter... all certificate holders will file, under oath... financial and statistical reports..."</p>
<p>2. Industry experience and operational capability</p> <p><i>What skills and experience ensure that the applicant can successfully operate and manage the business on a day-to-day basis?</i></p>	<p>33</p>	<ul style="list-style-type: none"> - Successful experience in ownership and management of taxicab company or other regulated business - Demonstrated familiarity with the taxicab industry 	<p>Article 2, regarding issuance of Operator's Certificates:</p> <p>84.1-2-6 (b): [In making certificate allocations, the CPC will consider]... "(5) The financial status of the certificate applicant and its effect on permanence and quality of service, as demonstrated by the applicant's ability to provide, maintain, and operate the number of vehicles proposed in accordance with the character of service proposed in the application; (6) The character and responsibility and related business experience of the applicant;"</p> <p>84.1-2-2 (b): "The Director may require full disclosure of all corporate, financial, and business interests of the applicant and of [those having a corporate, business, or financial interest in the applicant]."</p> <p>84.1-2-4 (above): "... The Director will cause to be made a thorough investigation of the character, traffic criminal record, financial status and service plan of the applicant or its officers..."</p>
<p>3. Sufficiency of the business plan, facilities and vehicle fleet</p>	<p>33</p>	<p>1. Business plan (15 pts)</p>	<p>1. 84.1-7-1 (b): "(t) Training requirements. Each certificate holder will ensure that personnel are trained to proficiency" to ensure "safe" vehicle operation and "respectful, and courteous service" to the disabled.</p> <p>1. 84.1-2-6 (b): [In making certificate allocations, the CPC will consider]... "(3) The kind, class, fuel efficiency, [and] character of the vehicles to be used..."</p>

Taxicab Certificate Application Assessment - All Applicants

(Assumes satisfaction of criminal background checks and notice requirements)

Evaluation Factors	Points	Considerations	Fairfax County Code Section
<p>To what extent does the applicant's proposal satisfy other Code requirements and provisions?</p>		<p>2. Proposed fleet (4 pts)</p> <p>3. Dispatch system (3 pts)</p> <p>4. Operational facilities or business office (2 pts)</p> <p>5. Other Code provisions (9 pts) (i) zoning compliance (ii) insurance (iii) complaint system</p>	<p>2. 84.1-2-6 (b): [In making certificate allocations, the CPC will consider]. . . . "(3) . . . the adequacy of the proposed dispatch system;"</p> <p>3. 84.1-2-4: ". . . the Director will cause to be made a thorough investigation of the character, traffic criminal record, financial status and service plan of the applicant or its officers"</p> <p>4. 84.1-7-1(a): "(1) All persons engaged in the taxicab business the County will maintain a place of business or office with telephone service within the County"</p> <p>5. (i) 84.1-2-6 (b): [In making certificate allocations, the CPC will consider]. . . . "(4) the conformance of proposed operational facilities with zoning and other legal requirements;"</p> <p>(ii) 84.1-2-11: "(a) . . . [N]o operator's certificates will be issued . . . unless there is in full force and effect [an] . . . automobile insurance policy for each authorized taxicab . . . [or satisfaction of self-insurance requirements]."</p> <p>(iii) 84.1-1-1: ". . . The purpose of this Chapter is to regulate . . . taxicabs . . . [to ensure the provision of] safe, reliable, adequate, and efficient taxicab service. . . ."</p> <p>- 84.1-3-7 (a): "Repeated passenger complaints" [constitutes cause to suspend a hacker's license].</p> <p>(iv) 84.1-2-4: ". . . The Director will cause to be made a thorough investigation . . . of other relevant factors."</p>
<p>Extra points</p>	<p>6</p>	<p>1. Acceptance of electronic payment options</p> <p>2. Additional wheelchair accessible taxicabs</p>	<p>2. 84.1-7-1 (b): "(k) Acceptance of payment. Methods of payment will be at the discretion of the operator [but providing for electronic payments]."</p> <p>3. 84.1-8.5 (o): "Every operator [authorized] to operate 25 or more taxicabs will have at least 4 percent . . . qualify as wheelchair accessible. . . ."</p> <p>(iv) 84.1-2-4: ". . . The Director will cause to be made a thorough investigation . . . of other relevant factors."</p>
<p>Total Evaluation Factors</p>	<p>100</p>		

ATTACHMENT 5

**NUMBER OF TAXICABS IN METROPOLITAN WASHINGTON JURISDICTIONS
2013**

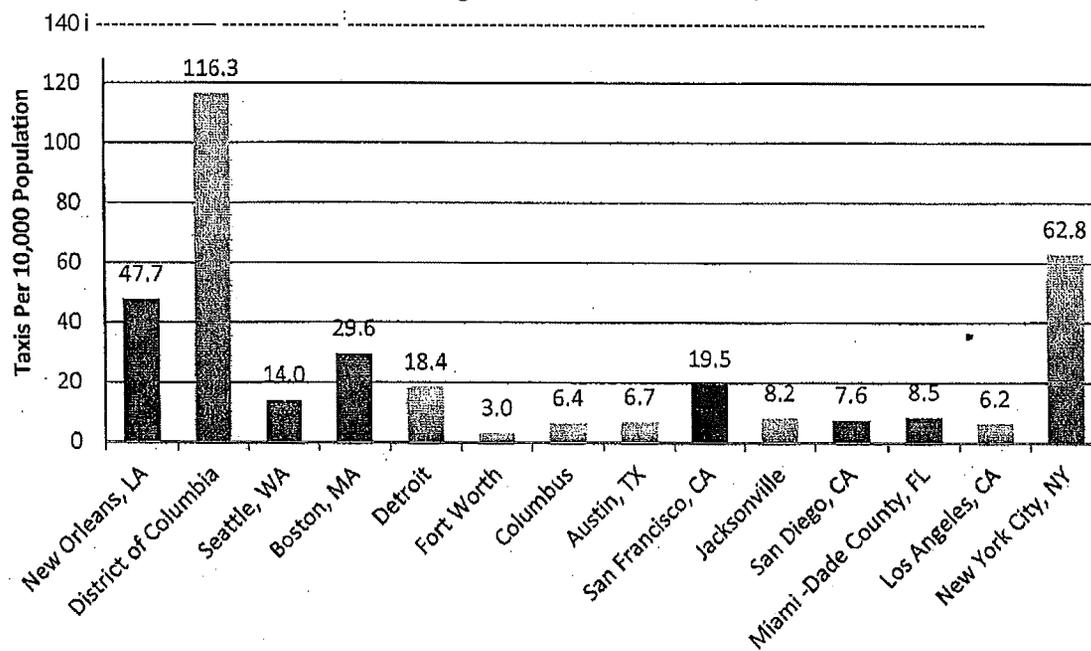
NUMBER OF TAXICABS IN METROPOLITAN WASHINGTON JURISDICTIONS: 2013

Jurisdiction	Number of Taxicabs	Population	Persons per Taxicab
District of Columbia	6,750	632,323	94
Alexandria City	766	146,294	191
Arlington County	787	221,045	281
Baltimore City	1,074	621,342	579
Prince George's County	1,062	881,138	830
Montgomery County	770	1,004,709	1,305
Fairfax County (inc. 2013 authorization)	615	1,118,602	1,819
Fairfax County / current	576	1,118,602	1,942
Prince William County	165	430,289	2,608
Baltimore County	296	817,455	2,762

ATTACHMENT 6

TAXIS PER 10,000 POPULATION
Managing Taxi Supply, O'Hara Associations (2013)

**Taxis Per 10,000 Population, in Order of Population,
Fourteen Large US Cities/Counties, 2011**



'Based on US Census Bureau estimates for 2011.

Source: "Managing Taxi Supply", prepared for San Francisco Municipal Transportation Agency, by O'Hara Associates, April 2013, p.4-3.

ATTACHMENT 7

**EVALUATION SCORING CRITERIA FOR
INCUMBENT TAXICAB OPERATORS**

EVALUATION SCORING CRITERIA FOR INCUMBENT TAXICAB OPERATORS

Evaluation Factor	Maximum Score	Certificated Taxicab Operator		
		Fairfax Yellow	Red Top	White Top
<i>Scored by Evaluation Team and RALB based on DCCS Data (7 scorers)</i>				
Taxi Utilization Rate	210	201	180	88
Drivers Pass/Fail	140	125	125	66
Complaints	70	63	69	52
<i>Subtotal</i>	<i>420</i>	<i>389</i>	<i>374</i>	<i>206</i>
<i>Scored by RALB based on Inspections and Records (1 scorer)</i>				
Vehicle Condition	10	9	9	7
Fleet Fuel Efficiency	10	10	10	8
Insurance	10	10	10	7
RALB Administration	10	9	9	7
<i>Subtotal</i>	<i>40</i>	<i>38</i>	<i>38</i>	<i>29</i>
Total	460	427	412	235

Note: RALB refers to the DCCS Regulation and Licensing Branch.