

Notice of withdrawal from the contract

On February 20, 2023, Contract for services No 1.-14.3/23/6 (hereinafter the contract) was concluded between the cities of Tallinn and Tartu (contracting authorities) and SIA "mobility.delivered", Mobilly and SIA "Jāņa Sēta" (contractors). According to p 1.1 of the contract, the subject of the contract is the development and implementation of the mobility service (MAAS) or mobility service platform (hereinafter the platform). Clause 1.2 of the contract states that the list and content of the works, more detailed description and requirements of the works and the platform are presented in the basic documents of the public procurement (public procurement reference number 252117), and in the technical description and its annexes being an integral part of the contract, regardless of their immediate addition to the contract.

According to clause 1.6 of the contract, the contractors undertook to hand over the platform to the contracting authorities by August 8, 2023 at the latest.

Contractors submitted mobile app LINNK to contracting authorities on the deadline noted in point 1.6. Contracting authorities checked the quality of the mobile app and found many deficiencies.

The contracting authorities, based on Art 114 of the Law of Obligations Act (hereinafter LOA) submitted to contractors to eliminate the deficiencies and to hand over the mobile app LINNK to contracting authorities no later than August 25, 2023 (e-mail sent on 10.08.2023 at 5.10 PM). The contracting authorities explained that if the contractors do not eliminate the deficiencies by the specified deadline, the contracting authorities reserve the right to apply the legal remedies provided by law and the contract, including the withdrawal from the contract.

The contractors showcased on August 29, 2023 mobile app LINNK once again. The contracting authorities admit that the contractors have made improvements to the app, but still the app does not meet the requirements set out in the tender and the contract and is therefore not usable in the required functionality. The disadvantages are listed in the table below:

REQUIREMENTS	Fulfilled Yes (Y)/ No (N)	Comment
USER REGISTRATION		
When registering a user, minimal data is requested to start using the MaaS platform, to enable quick start of use.	Y	
User registration must provide access to almost to all individual mobility services included in the MaaS platform.	Y	
During registration, the user should enter data only once - the user may not be asked to deliver for the same data several times, unless the user does not want his data to be saved.	Y	Consent asked and it is possible to delete the account with all the data (except money transactions)
The user's data can be requested all at once or in parts according to the mobility services the user wants to use. For example, if the user wants to start using the car rental service, additional related questions, such as having a driver's license, etc., can be asked during the activation of this type of service. However, even in this case, the data should be requested to be delivered only once, if the user allows the data to be stored.	N	Not seen in the app.
If necessary, permission to use the service can also be refused, if keeping and storing the user's data is an important prerequisite for using the service, but the user does not allow saving data. In this case, the user must also be clearly informed about it.	Y	Policy and terms of usage are existing and user accepts it before starting the usage.
The user can also be registered separately, for example, on the platform of the mobility service operator, if there are legal or other obstacles that do not allow this user registration process to be carried out in full for the consumption of a service on the MaaS platform. At the same time, this registration process must be once only and, in the future, it must be possible to use the corresponding service without leaving the MaaS platform.	N	Not existing, but it is optional requirement.
It must also be possible for the user to withdraw the approval of registration and publication of their data, i.e. delete the account with all data. At the same time, the users must see the data stored about their self and, if necessary, also be	Y	Yes, it is existing.

REQUIREMENTS	Fulfilled Yes (Y)/ No (N)	Comment
able to change data to a limited extent (e.g. contact data or credit card data, etc.).		
JOURNEY PLANNER		
The journey planner must be able to find journeys according to the user's wishes in any case within Tallinn and Tartu, but also in the case when the user wants to move from Tallinn to Tartu or vice versa. In other words, the journey planner must be able to propose journeys both within Tallinn and Tartu and also between these cities. If some of the mobility operators used in the calculation of the journey are not integrated with the MaaS platform, they cannot be shown, but the modes of movement used on the MaaS platform must be shown (for example, car rental, walking, bicycle, public transport or a combination of these, etc., which are definitely usable).	Y	Is existing in the app, but it is not possible to test in real life.
In the journey planner, it must be possible to select the destination as accurately as possible (according to the address and the well-known Estonian name of the location - for example Balti Jaama turg, bus station, etc.).	Y	Almost working, but still, there is some things to be improved. Like "Airport" in English doesn't give any result and "tänav" after every street name is not convenient for users. There might be more things to improve.
The journey planner must find the best combinations of different modes of transport for organizing mobility for the user, i.e. combine modes of movement based on selected criteria (e.g. price, time, environmental footprint, comfort, etc.) and also take into account personal preferences - for example, if someone is more interested in one specific mode of movement (including walking). Therefore, the user must be able to define his preferences for the modes of movement - for example, more by public transport or more by foot or more by taxi, etc. If the journey planner allows user to add a personal car, bicycle, etc. to the journey planner's calculation, this is treated as an added value during the evaluation.	Y	Minimum requirement fulfilled
The journey planner must be able to offer all the means of movement offered by the mobility operators connected to the MaaS platform, combine and merge them together (multimodal trip).	Y	Yes, as much there is integrated, it gives it all out.
The journey planner must provide a list of available journey options.	Y	Yes, as much there is integrated, it gives it all out.
In the list of journey options, it must be clearly understood which modes of movement it consists of, while also providing additional information about the journey - for example duration and/or approximate cost and/or approximate size of the environmental footprint. The display of relevant information may depend on the user's choices or personal settings. In addition, other necessary information related to the journey can also be shown.	Y	In app looks like existing. Not sure, how accurate is the data, but it cannot be tested.
The user must be able to choose the most suitable journey from the list.	Y	In app looks like existing
A service, personalized to the user's needs, ensures that the users' requirements and expectations are effectively met, taking into account the uniqueness of each customer. The system should offer recommendations and personalized solutions to the end user according to the user's profile, taking into account the user's preferences and previous mobility pattern (including trip history). It could also be possible to set movement preferences separately for each user, i.e. for example, it is possible to exclude some modes of movement when calculating journeys or to prefer journeys with less walking, etc.).	Y	Filtering works, but any other personalization not existing, but this is more like optional requirement.
The journey planner could also take into account the user's special needs (e.g. disability, visual impairment, etc.), but since this requires receiving the relevant information from the mobility operators, it must be followed if the relevant information is available.	N	Not existing, but still nice to have function.
The journey planner takes into account the situation where, for example, you are riding with a family and offers accordingly suitable solutions for the group of people.	N	Not existing
The journey planner, with the consent of the user, remembers their regular movements and starts to plan them better for the user - for example, daily commuting from home to work and vice versa, etc.	N	List of historical journeys kind of existing in mock-up form, but how it is analysing - not possible to see and test.
Advertisements can also be shown in the journey planner, if they are relevant (for example, in the journey planner's map application, the user can be shown nearby paid parking lots, shops, cafes, etc.) and do not make the experience of using the journey planner uncomfortable for the user (for example, prevent the viewing of movement options) or are not inappropriate in any other way (for example, alcohol or bar advertisement at the next to a car rental service, etc.).	Y/N	Optional requirement.
BOOKING OF JOURNEY, VEHICLE OR RIGHT TO USE THE VEHICLE		
The user selects a suitable journey and services they intend to purchase and use from the list of journey options generated by the journey planner.	Y	Kind of working in the app

REQUIREMENTS	Fulfilled Yes (Y)/ No (N)	Comment
The MaaS platform issues the necessary confirmations to use the vehicles or rides to the end user.	N	No integrations done, so not possible to test
The MaaS platform informs the service providers about the transaction so that they can book the necessary resource.	N	No integrations done, so not possible to test
If, for example, the list of these services also includes some movement options for which long-term advance booking is not possible or the user is not willing to pay the additional cost associated with long-term booking, then the MaaS platform can make reservations already during the operation of the journey (e.g. when the user approaches the corresponding area, where user should move on using some other modes of transport or way) informing the user about this and, if necessary, asking the user for additional confirmation to make subsequent bookings or order rights to use the vehicle.	N	Not existing.
The user must be able to cancel the corresponding reservations or rights to have a ride if they wish, but if booking is only possible for a certain fee, the MaaS platform must warn the user in advance that the costs associated with making the reservation will be incurred regardless of whether user ends up using it.	N	Cancelling is available in current app, but how does it really work - it is not possible to test.
PAYMENT FOR THE JOURNEY		
Payment for the journey must be convenient and clearly understandable for the user. For example, pay-as-you-go or, for example, as a monthly subscription to a customized mobility package, but other options can also be used. When choosing travel options, the user is provided with the most convenient solution (for example, the pay-as-you-go option with automatic card payment).	Y	Payment works. Still the pre-payment is not the most convenient for users.
The MaaS operator takes care of the execution of financial transactions with the end user and the distribution of revenues to service providers involved in the provision of the service.	Y	Payment works. Main idea of this requirement was that cities will not take this responsibility to make any payment transactions.
The MaaS operator shall be liable for costs, fines or other claims related to financial operations.	Y/N	It is the topic of commercial agreements between MaaS operator and other mobility operators. And based on information only Ridango has signed the contract (the contract is between private companies and City people have not seen, if it is really existing). The functionality is not possible to test.
Billing should also be usable in a B2B environment, as many users may actually be paid for by their employer.	N	Not possible to test and not possible to evaluate the existence, still optional requirement.
DYNAMIC GUIDANCE DURING THE JOURNEY		
The MaaS operator ensures the smooth operation of the MaaS platform and informs the end user about possible travel delays, changes of the journey or other relevant information.	N	Not possible to test and not possible to evaluate the existence
During the journey, changes may be caused by delays of mobility service providers, availability of mobility devices or cancellation of some trips, etc. The MaaS operator is responsible for assisting MaaS users, customer support and communication.	N	Not possible to test and not possible to evaluate the existence
The MaaS platform must help the user navigate during the journey and inform the user about the following activities, so that the journey can be successfully completed without any major problems.	Y/N	In the app some mock-ups are available, but in real-life it is hard to evaluate is ready and working accordingly.
The MaaS platform could systematically and automatically monitor the progress of the journey and proactively notify the user of possible problems. For example, if it is known that the next step of the planned journey, which may be a bus, will be late, then the MaaS platform could automatically suggest an alternative way of moving, which would still ensure by user approval that the user gets to the destination on time.	N	Not possible to test and not possible to evaluate the existence
STARTING AND TERMINATING THE USE OF THE VEHICLE		
Without leaving the MaaS platform, the user can choose, book and unlock the vehicle they need, start driving with it and end the rental of the corresponding vehicle.	Y/N	Inside the app looks like all OK, but to test it, it needs API integrations.
SHARING MOBILITY DATA WITH THE CITY		
Tallinn would like to receive statistical data in CSV format through the secured channel as follows:	N	No idea, is it done or not. No indications found nor tests done.

REQUIREMENTS	Fulfilled Yes (Y)/ No (N)	Comment
Number of connected customers per week;		
Number of registered trips per week;		
Customer group (age and gender group, occupational group (student, university student, working person, unemployed, tourist)).		
Trip statistics: start time, end time, duration, start place, end place, change place, change time, average speed, trip cost.		
Vehicle-related statistics: vehicle availability, vehicle rotation per day; desired choice (e-scooter, bicycle, rental car, taxi / ride hailing, public transport); the number of targeted trips per desired option; by service providers (Bolt, TLT, Elron, etc.).		
Tartu would like to receive data as follows:	N	No idea, is it done or not. No indications found nor tests done.
Number of trips per day;		
Day trips by modality (on foot, bicycle, public transport, e-scooter, rental car, etc.);		
Number of passengers per day (if possible, also by gender/age);		
CO2 saved per day;		
Distance travelled per day;		
Distribution of trips by city districts;		
The data needs to be transferred to the IoT platform of the city of Tartu (Cumulocity). Documentation for development: http://cumulocity.com/guides/concepts/introduction/ .		
INTEGRATION OF THE SERVICES OF MOBILITY OPERATORS WITH MAAS PLATFORM		
The following operators operate in Tallinn and Tartu, with whom the contracting authority evaluates the plans of integration according to the evaluation criteria and what is presented in the proposal:		
Mobility service Operator Public transport usage rights Ridango (Tallinn, Tartu, Elron, Põhja-Eesti ÜTK, Kagu-Eesti ÜTK) e-scooters Bolt, Tuul (Comodule), Bikeep Shared/rental cars Bolt, CityBee, Elmo rent, Beast (maybe also Sixt, Avis, Hertz...) City bike rental Tallinn - Bolt, Tartu - Bewegen Taxi service / Ride hailing Bolt, Uber, Forus Takso, Tulika, Tallink, Elektritakso... Intercity transport Elron (Ridango ticketing system), T-Pilet (Turnit)	N	It is planned to deliver after some time, but currently there is no proper integrations done.
In addition, there may be additional transport service operators who are just starting to operate in Tallinn and Tartu. Their integration with the MaaS platform is also evaluated according to the evaluation criteria.		
API integrations must be done as much as possible according to the capabilities of the mobility service operator - it is known that not all API interfaces of mobility service operators are ready yet, so it is necessary to first integrate those that are and then find ways to integrate additional services in cooperation with the contracting authority. At least the entire trip planning, booking and payment (for the entire journey) must be available in one MaaS environment, i.e. the user should not "jump" between different applications.	Y/N	Inside the app looks like all OK, but to test it, it needs API integrations.
Integrations can be done gradually (i.e. agilely), however, according to priorities, the interface with the public transport ticketing system is essential, then taxi service (ride hailing), e-scooters and city bikes, car rental and then everything else.	N	No integrations done
TECHNICAL TERMS OF THE SOLUTION		
The MaaS service must work primarily on smartphones, in particular as a downloadable application, enabling the use of various modes of transport and transport service providers.	Y/N	App is downloadable in special test environment.
If the web browser version is also used, the corresponding solution is published in the domain provided by the supplier. The contracting authority adds a reference to the solution's domain and/or smartphone application on its website.	N	It was not required, as it was like optional requirement.
The supplier is responsible for the operation of the solution within the framework described in the proposal.	N	MaaS app is kind of existing, although it is not possible to test it either use it like it was planned.

REQUIREMENTS	Fulfilled Yes (Y)/ No (N)	Comment
The supplier must be able to host the mobility data collected with the MaaS solution and transmitted to the cities in a location other than the hosting environment provided by the successful supplier.	N	No data collected, so not possible to test
The MaaS solution must meet the requirements for the collection and protection of personal data set out in the legislation in force in the Republic of Estonia.	Y	Probably yes - might need special confirmation from data protection officer
The MaaS solution must be created at least in Estonian, English and Russian. The supplier guarantees the linguistic correctness of the solution. The language used in the solution must be linguistically correct and understandable, which would not hinder the listener/reader/viewer from understanding it (e.g. there must not be a strong accent when someone should speak or grammatical errors in the texts).	Y	All 3 required languages are existing in the app
The MaaS solution must be of high-quality, attractive, innovative, simple and a convenient way to use environmentally friendly modes of transportation.	N	Unfortunately, the delivered app is not high-quality because is having still many bugs and not completed functionality. And no proper integrations done, so in fact it is not usable.
The MaaS solution must create strong positive emotions in the target groups (including likes and shares).	N	By evaluating the current app, which was delivered, it is hard to imagine, that gives positive emotions and brings any value to target group. It is not possible to test either.
The MaaS solution must have a short learning curve for using the software. The MaaS solution must have intuitive and, if necessary, system-guided use.	N	It is not possible to test, because of there is no proper integrations done.

LOA Article 116(1) states that a contracting party may withdraw from the contract if the other contracting party has significantly breached the obligation arising from the contract (significant breach of contract). The second subsection of the same Article states that a significant breach of contract primarily occurs if the other party to the contract does not fulfill its obligations within the additional term specified in Art 114 of this law.

Based on the above, the contracting authorities announce that they are withdrawing from the contract and this is the reason not to accept TRANSFER-ACCEPTANCE ACT sent 31.08.2023. by SIA "mobility.delivered".

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31.08.2023