Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

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TO: **Bismarck-Mandan Metropolitan Planning Organization Policy Board**

FROM: **Rachel Drewlow, MPO Executive Director**

DATE: **November 8, 2021**

RE: **Policy Board Meeting**

There will be a meeting of the Bismarck-Mandan MPO Policy Board on **Tuesday, November 16, 2021, at 1:30 PM.** The meeting will be held in the Ed "Bosh" Froehlich Meeting Room of the Mandan City Hall at 205 2nd Avenue NW, Mandan, ND. The agenda is outlined below.

The City of Bismarck and Policy Board members are encouraging citizens to provide their comments for public hearing items on the Bismarck-Mandan MPO Policy Board agenda via email to mpo@bismarcknd.gov. Please include which item number your comment references. It will be sent to the members, as well as placed with the minutes. To ensure your comments are received prior to the meeting, please submit them by 5:00 pm 1 business day prior to the meeting. If you would like to participate via video or audio link for a 3-5 minute comment on a regular agenda public hearing item, please provide your name, agenda item and e-mail address to the above e-mail at least 3 days before the meeting.

Many of the 5 (five) Policy Board members will attend this meeting remotely. **Policy Board members and those presenting at the meeting will receive ZOOM invites approximately 1 business day prior to the meeting. Individuals wishing to participate via ZOOM should email contact information to mpo@bismarcknd.gov at least 3 days in advance of the meeting to receive a meeting invite tailored uniquely to them.**

As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access at 102.5 FM Radio, or stream FreeTv.org and RadioAccess.org. Agenda items can be found online at MPO Technical Advisory Committee.

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12. ADJOURNMENT

Next scheduled Policy Board meeting is on 12/21/2021. Please call 701-355-1852 with questions. Any individual requiring special accommodations to allow access or participation at the meeting is asked to notify ADA Coordinator, Bismarck-Mandan MPO, PO Box 5503, Bismarck, ND 58506-5503 or complete and submit the Request for Reasonable Accommodations form at http://www.bismarcknd.gov/DocumentCenter/View/23201 at least five (5) days prior to the meeting.

PROJECTS UPDATE

Project	% Complete	Contracted Completion Date
Intersection Analysis Study	100	01/31/2021
2020 Ortho/Topo Mapping Project	100	11/30/2020
2020 Pavement Conditions & Analysis Report	100	4/30/2021

Common MPO Acronyms

ATAC: Advanced Traffic Analysis Center	NDDOT: North Dakota Department of Transportation
CPG: Consolidated Planning Grant	RSP: Regionally Significant Project
FHWA: Federal Highway Administration	TDM: Travel Demand Model
FTA: Federal Transit Administration	TIP: Transportation Improvement Plan
MTP: Metropolitan Transportation Plan	UPWP: Unified Planning Work Program

A full list of common MPO acronyms may be accessed online
https://www.bismarcknd.gov/DocumentCenter/View/37890/MPO-acronyms

BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION
POLICY BOARD MEETING
OCTOBER 19, 2021

The Bismarck-Mandan Metropolitan Planning Organization (MPO) Policy Board met on October 19, 2021, at 1:30 p.m. in the Ed "Bosh" Froehlich Meeting Room, Mandan City Hall, 205 2nd Avenue NW, Mandan, ND. Chairman Gerarld Wise presided.

Members present or participating via Zoom were Gerarld Wise, Kathleen Jones, Andy Zachmeier, Steve Bakken, and Tim Helbling.

Others present or attending via Zoom were Rachel Drewlow, Kim Riepl and Stephen Larson of the Bismarck-Mandan MPO; and Ben Ehreth, Community Development.

CALL TO ORDER

Chair Wise called the October 19, 2021 meeting of the Bismarck-Mandan Metropolitan Planning Organization Policy Board to order.

MINUTES

Chair Wise called for a motion to approve the minutes of the September 21, 2021 Regular Meeting of the Policy Board.

MOTION: Mr. Helbling made a motion to approve the minutes of the September Regular Meeting. Ms. Jones seconded the motion and with Tim Helbling, Steve Bakken, Kathleen Jones, and Chair Wise voting in favor, the minutes of the September 21, 2021 Regular Meeting were approved.

2022-2025 DRAFT FINAL TIP PRESENTATION & APPROVAL

Ms. Drewlow reminded members that the MPO failed to hold the public hearing for the Draft Final TIP at last month's TAC meeting. The public hearing was re-advertised and held at yesterday's TAC meeting. No public comments were received at the hearing, and TAC re-affirmed their recommendation to approve the TIP. Ms. Drewlow briefly went over the changes made to the TIP since it was last presented to Policy Board.

Project 25.1.01 was changed to 25.6.11 to account for a change in the project's lead agency from Bismarck to North Dakota Department of Transportation (NDDOT). Project 25.6.12 was added to the TIP, for mill and overlay, ADA ramps, and lighting on Bismarck's 7th and 9th Streets. There were a number of minor typological revisions made to the TIP, and all the public comments received on the TIP were added to the document. The TIP maps were updated, the Program of Projects received some formatting updates, and the annual project phase cost estimates were added to the TIP after NDDOT provided them. Finally, some cost updates were made to the Transit Program of Projects in order to match the State Transportation Improvement Program (STIP). Policy Board had no questions on these revisions.

MOTION: Ms. Jones made a motion to approve the 2022-2025 Draft Final TIP as presented. Mr. Helbling seconded the motion, and with Tim Helbling, Steve Bakken, Kathleen Jones, and Chair Wise voting in favor, the motion was approved.

PM1 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) TARGETS ADOPTION

Ms. Drewlow referred to Exhibit B. She explained every year NDDOT is required by federal law to revise their safety performance targets for the PM1 HSIP. This is one of three areas of performance targets that state DOTs and MPOs are required to adopt on a regular basis. The resolution of adoption included in Exhibit B shows the updated PM1 Targets NDDOT has adopted for the year 2022.

Per federal law, there are five areas of safety which should be monitored and reported upon for PM1. The data for these areas is based on a rolling average for the previous five years. The first area is number of fatalities, the second is rate of fatalities, the third is number of serious injuries, the fourth is rate of serious injuries, and the fifth is number of non-motorized fatalities and serious injuries. The targets for 2022 show that NDDOT is looking to reduce the number of safety incidents on the state highway system over the next year.

The MPO has made a practice of adopting the PM1 HSIP Targets on an annual basis, as allowed by federal law. This is primarily because the federal government's requirements on MPO staff if the MPO were to develop its own targets are beyond what the MPO believes is feasible based on its resources. Ms. Drewlow explained the MPO is thus recommending adopting NDDOT's targets again this year, and will continue to pursue and promote projects that help NDDOT meet its safety goals. Per TAC's recommendation, the resolution of adoption now includes language to clarify that the safety data is based on statewide numbers and is not specific to the Bismarck-Mandan MPO region. TAC recommended approval of NDDOT's PM1 Targets.

MOTION: Ms. Jones made a motion to approve the PM1 HSIP Targets as presented. Mr. Bakken seconded the motion, and with Tim Helbling, Steve Bakken, Kathleen Jones, and Chair Wise voting in favor, the motion was approved.

APPROVAL FOR SOCIO-ECONOMIC DATA PURCHASE

Ms. Drewlow explained that Exhibit C in the packet shows a page from the MPO's 2021-2022 UPWP. The UPWP is a two-year outlook for MPO expenses and projects, and Exhibit C highlights the planned socio-economic data purchase for this year, at an estimated $4,000. Socio-economic data is purchased by the MPO every five years. The MPO has not always come to Policy Board to approve this kind of request, but the data acquisition page is a recent (2019) addition to the UPWP, and so Ms. Drewlow wanted to take a more formal approach to the purchase this year. The socio-economic data will be used in the MPO's model update for 2022, and the purchase of the data was supported by TAC.

MOTION: Ms. Jones made a motion to approve the Socio-Economic Data Purchase as presented. Mr. Bakken seconded the motion, and with Tim Helbling, Steve Bakken, Kathleen Jones, and Chair Wise voting in favor, the motion was approved.

Note: Andy Zachmeier joined the meeting after the approval of the Socio-Economic Data Purchase.

AUTHORIZATION REQUEST OF MPO EXECUTIVE DIRECTOR CONCERNING CONTRACTS & MICRO-PURCHASES

Ms. Drewlow presented Exhibit D to the board. She indicated TAC did recommend approval of this item, with some changes that are notated in red. The MPO has not often pursued formalized policies in the past. However, with the socio-economic data purchase coming up, Ms. Drewlow believes it would be helpful for the MPO to have formal staff-level authority to approve certain kinds of contracts and purchases. Exhibit D contains the specifics of what MPO staff is requesting.

Ms. Drewlow referred to the reason for the policy, which is to seek staff-level approval for contracts and purchases holding low or no financial risk and would allow the MPO to maintain its workflow and efficiently develop work products. She explained the policy would apply to contracts previously approved by TAC and Policy Board, or to products previously approved by the boards in the UPWP that are considered micro-purchases (such as the socio-economic data). Routine office expenses do not need individual approval by Policy Board, and are not included with this policy.

Ms. Drewlow said a micro-purchase, for MPO related activities, is defined by the federal government as a purchase using federal funds that is less than $10,000 and requires one reasonable quote. The micro-purchase threshold was formerly $3,000 to $3,500, but in the past few years the federal government increased it to $10,000 to make it easier for offices to function efficiently. NDDOT and the City of Bismarck also approved this change. The MPO would like to request the same from Policy Board.

Ms. Drewlow went over four specific requests the MPO is making in this new policy. The first request would give MPO staff the ability to execute contracts, after review and approval by TAC and Policy Board, in the rare instances when the Policy Board Chair is not indicated as the signer. This would usually just apply to multi-party contracts, such as the ATAC Master Agreement, where the MPO Executive Director is listed as the signer. This policy would create a standing privilege to allow the person listed on the contract to sign after TAC and Policy Board have approved the contract.

The second request would allow MPO staff to execute transportation planning study contracts after the cost of the project and the consultant have been approved by TAC and Policy Board. In the past, this privilege has had to be requested for each new study, whereas this policy would make this a standing privilege. Ms. Drewlow noted that the MPO is currently creating a new draft template for planning study contracts, which will be presented to TAC and Policy Board for review before it is implemented in future studies.

The third request would permit the MPO to extend transportation planning studies, when no additional cost is involved, up to one time per study and for not more than two months (TAC changed the time allowed from four to two months). This kind of

extension would allow for instances where the end of a study is slowed or approvals of the study take longer than expected. The MPO will continue to strive to ensure such extensions would be needed infrequently, if at all. However, the ability for the MPO to grant short extensions would help prevent occurrences where a study might need to be stopped completely in order to get board approval for such an extension. Additionally, TAC and Policy Board would be made aware of any contract extension of this nature at their next scheduled board meeting (this was also suggested by TAC). Ms. Drewlow clarified no funding change could be approved for a study without being brought to TAC and Policy Board for approval.

The final request would be for MPO staff to be able to execute micro-purchases or contracts less than $10,000, when they have been listed and approved in an active UPWP, without needing to seek additional board approval. This privilege would likely apply primarily to data purchases or specialty office purchases.

Ms. Drewlow concluded by saying her intention is to bring this policy back to TAC and Policy Board for consideration with each new UPWP (the next UPWP will be considered in the summer of 2022).

MOTION: Ms. Jones made a motion to approve the MPO Staff-Level Approvals and Contract Execution Policy. Mr. Helbling seconded the motion.

DISCUSSION: Mr. Zachmeier said he is against any kind of permission for MPO staff to extend planning study contracts. He said the power for extending contracts by North Dakota Century Code lies with elected officials, and he said giving staff permission to extend contracts without board approval would not, he believes, be within state law and so he cannot in good conscience support it. Since the motion addresses all requests in the policy at once, he will have to vote no on the motion. Chair Wise noted his statement and a roll call vote was held.

ROLL CALL VOTE: Ms. Jones had made a motion to approve the MPO Staff-Level Approvals and Contract Execution Policy as presented. Mr. Helbling had seconded the motion, and with Tim Helbling, Steve Bakken, Kathleen Jones, and Chair Wise voting in favor, and Andy Zachmeier voting in opposition, the motion was approved.

INTELLIGENT TRANSPORTATION SYSTEM (ITS) UPDATE

Ms. Riepl presented on this item. She explained Intelligent Transportation Systems (ITS) are those technology-based systems put in place to assist in making the transportation network safer and more efficient. These systems vary widely, from two-way radio communication, to dynamic message centers along construction sites, to live stream roadway cameras, and more. The Regional Architecture (RA) is the framework that houses the various systems available to regional agencies for their use. Collectively, the project is referred to as the ITS update, or the ITSRA update. The Bismarck-Mandan MPO last updated the ITSRA in 2013, and the current update has been ongoing for about six months and is tracking for a completion by December 31 of this year.

Ms. Riepl reminded members there are five user service areas for ITSRA. These are emergency management, data management, maintenance and construction management, public transportation, and traffic management. Within these five service areas, there are service packages identified to assist the stakeholders in each service area. In the current RA there are twenty-one existing or planned service packages, and this update is proposing to increase this to twenty-eight. Ms. Riepl said an all-stakeholders meeting was held for the ITSRA on September 30 to identify specific elements that need to be included in the update, and to verify and refine previously identified information for the draft final ITSRA report.

ATAC is performing follow up work on the all-stakeholders meeting and making sure all applicable information is gathered for the report. Ms. Riepl noted ATAC is planning to present a more extensive update to TAC and Policy Board in November.

BISMARCK COMP PLAN UPDATE

Mr. Ehreth gave an update on the City of Bismarck's Comprehensive Plan, "Together 2045." He said the plan started development earlier this year, and includes the City of Bismarck and Bismarck's Extra Territorial Area. Comprehensive Plans are required by North Dakota law if a community engages in zoning activities (which Bismarck does). There are no specific criteria in state statute for what specifically should be included in a Comprehensive Plan or how often it should be updated. Generally, Bismarck tries to update the plan about every five years. The MPO has assisted with elements of the plan in the past, including Bismarck's Land Use Plan and the Fringe Area Road Master Plan. Bismarck (through the Community Development Department) is now attempting to consolidate these two plans, and some others, together into the one Comprehensive Plan.

Mr. Ehreth said the Community Development Department has just started the public engagement process for the Comprehensive Plan. The goal is to see what kind of needs, concerns, and desires Bismarck citizens have in the area of community development. Mr. Ehreth said they were able to have a booth at the street fair this summer and received a lot of engagement from the event. They also had a couple of public meetings, with some interactive exercises, at the end of September. He said Bismarck has a pretty good idea of how much growth is expected over the next twenty-five years. Currently Bismarck has a population around 75,000, and this is expected to increase by about 1,000 per year, equating to about 500 homes a year. This may mean expanding Bismarck's corporate limits by another 12 to 17 square miles by 2045. One of the goals of the Comprehensive Plan is to look at where the projected new homes and jobs would be best situated. The public has had opportunity to give feedback on this using some interactive maps at the public meetings.

Mr. Ehreth said a household survey was released in June to a statistically valid random sample set of both owner and renter occupied homes in Bismarck's jurisdictional area. He said they received good feedback from this. The survey asked some open-ended questions about the greatest challenges or threats facing Bismarck over the next twenty-five years. Traffic was a top three concern for citizens based on the survey results, and the top area for community improvement based on the results was roadway improvement.

Mr. Ehreth said the project website for the Comprehensive Plan is www.bismarcknd.gov/together2045. The website, at least through the end of October, will have a short virtual public meeting about the project the public can watch, and there is an active survey on the site. Going forward there will be some specific focus groups formed to help with developing the plan, including one focused on transportation. Community Development is handling the plan almost exclusively in-house, although the Department of Commerce provided some grant funding for some of the public involvement expenses involved in the project, and the Career Academy assisted with the project logo.

Ultimately, the Comprehensive Plan will help provide the community with a roadmap for development in future years, and will lead to policy recommendations (that may, for example, impact zoning and subdivision regulations). It should be finished in December of 2022, and Mr. Ehreth anticipates coming back to TAC and Policy Board at another strategic time to provide another update.

EAST MAIN AVENUE CORRIDOR STUDY UPDATE

Ms. Riepl reminded members the Request for Proposals for the East Main Avenue Corridor Study was approved at last month's TAC and Policy Board meetings. It was released for solicitation immediately, with a deadline of October 13 for consultants to submit proposals. The MPO received two proposals by the deadline. The first was from Bolton and Menk, using Odney as a subconsultant. The second proposal was from SRF, with Apex and TC2 as subconsultants. The selection committee will meet on October 20 to determine the parameters and dates of the consultant interviews (the interviews will be sometime between November 8 and 10). The selection committee is composed of representatives of Bis-Man Transit, Bismarck Planning, Bismarck Engineering, and the MPO. Ms. Riepl will serve as moderator for the selection committee. More information will be provided to the boards at the November meetings.

OTHER BUSINESS

Roadway Program Applications Update

Ms. Drewlow made members aware that this month the MPO received grant applications from City and County Engineers in the MPO area, as well as the Parks and Recreation Department, regarding the annual grant opportunities available to them. The MPO will be scoring, reviewing, and gathering committees to prioritize these projects over the next few weeks, and plans to bring most or all applications to Policy Board next month. Ms. Drewlow said this may make it a longer meeting than usual, but staff will do their best to summarize the projects and give the information to the board in a timely manner.

ADJOURNMENT

There being no further business, Chair Wise declared the meeting adjourned at 2:17 p.m.

The next scheduled meeting will take place November 16, 2021, at 1:30 p.m. in the Ed "Bosh" Froehlich Meeting Room in Mandan City Hall, 205 2nd Avenue NW, Mandan.

Respectfully submitted,

_____
Stephen Larson
Recording Secretary

APPROVED:

_____
MPO Policy Board Chair

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EXHIBIT A

TRANSPORTATION ALTERNATIVES PROJECT SUMMARY

MPO STAFF SCORING 10/27/2021 / BMMPO BIKE-PED SUBCOMMITTEE RANKING 11/03/2021

Submitting Agency	Description	Total Cost / Federal	1	2	3	4	5	6	7	8	Subcommittee Average Rank	MPO Score	Combined Score	Overall Rank
CONSTRUCTION PROJECTS														
Bismarck Parks and Recreation District	**South Washington Trail Extension (Meridian Drive to Sibley Park):** 10' wide shared use asphalt trail extension to Sibley Park (approximately 4,568 linear feet or 0.86 Miles)	$394,411 / $290,000	2	2	2	2	1	2	1	1	1.625	1	2.625	2
City of Bismarck	**US 83/ State Street Multi-Use Trail Extension (Calgary Ave to 43rd Ave):** 10' wide asphalt shared use path extension, approximately 2,500 linear feet	$310,000 / $248,000	1	1	1	1	2	1	2	2	1.375	1	2.375	1
PRESERVATION PROJECTS														
Bismarck Parks and Recreation District	**Hay Creek Trail Renovation:** Remove and replace asphalt on .45 miles (2,368.8 linear feet) of shared use trail from Lilac to 26th Street stairs	$194,928 / $155,934	1	1	1	1	1	1	1	1	1	1	2	1

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EXHIBIT B

NDDOT Transportation Alternatives Program Application FY 2025

South Washington Trail Extension – Meridian Drive to Sibley Park

BISMARCK PARKS AND RECREATION DISTRICT
Est. 1927

NDDOT's Transportation Alternatives Program Application

1. **Project Name:** South Washington Street Trail Extension–Meridian Drive to Sibley Park

2. **Project Location:** Bismarck, North Dakota

3. **Project Contact:** Bismarck Parks and Recreation District (BPRD)

4. **Contact Person:**
Kevin Klipfel, Executive Director
Bismarck Parks and Recreation District (BPRD)
400 East Front Avenue Bismarck, ND 58503
701-222-6455 kklipfel@bisparks.org

5. **Project Sponsor:** City of Bismarck

6. **Sponsoring Official:**
Steve Bakken, Mayor
221 North 5th Street, Bismarck, ND 58501
701-222-6471

7. **Project Description:**
The proposed project includes a trail extension of the well-utilized South Washington Street Trail from South Meadows Park to General Sibley Park and Campground. South Washington Trail is currently part of a safe trail route to South Meadows Park, Solheim Elementary and Wachter Middle School from many residential subdivisions and is also a commuter and recreational trail connection to the Burleigh Avenue Trail, University Avenue Trail and all businesses in the heart of South Bismarck. Adding the South Washington Trail extension would allow for a direct trail connection to General Sibley Park and Campground, a recreation and tourism destination. *Please refer to Exhibit 2, Trail Site Plan.*

   The **South Washington extension trail** would be a 10' shared use asphalt trail that will begin where the existing trail ends at Meridian Drive and go south to the entrance to Sibley Park, approximate **4,568 LF**. The new trail connection, including crossings, would add .86 miles to the trail system in south Bismarck. *Please refer to Exhibit 1, Project Location Map.*

8. **Project Cost:**
The estimated construction cost of the proposed trail segment is $ 394,411 including a 10% contingency. Federal Funds in the amount $290,000 are requested. The construction cost does not include any local costs of topographic survey, utility relocation, right-of-way acquisition, or preliminary and construction engineering. The remaining balance of the project will be budgeted and funded from the BPRD General Construction Fund. *Please refer to a detailed Preliminary Cost Estimate, Exhibit 3.*

9. **What TAP category best fits your project?**
Category A: Construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation.

10. **Supporting Data:**
1) Is this project part of an identified tourism, recreation or transportation plan and if so, explain?

a. The **Arrive 2045 Metropolitan Transportation Plan (MTP)** highlights the need for safe trail alternatives to traditional transportation options, including Objective 5C: "Improve bicycle and pedestrian system accessibility and connectivity opportunities while maintaining safety by implementing transportation investments identified in the most recent Bismarck-Mandan MPO Bicycle and Pedestrian Plan".

b. The **Bismarck Mandan MPO Bicycle and Pedestrian Master Plan** includes five goals for the community, and this proposed project helps to fulfill all five goals. This trail extension is specifically called out as a recommended connection.

b. The **2018-2022 State of North Dakota State Comprehensive Outdoor Recreation Plan** – Recreational Trail Needs identifies that Region 7, which includes Burleigh County, the primary need is trails. In addition, the 2018-2022 ND SCORP Recreation Trail Needs identified maintenance as a priority, stating that both "quality and quantity of trails are critical to the recreation user's experience". In addition, the **Bismarck Parks and Recreation District conducted a community survey** in January of 2019 and trails ranked #2 in importance of recreational amenities.

2) Is your project tied to another project? If so, please explain.

The proposed trail connections would tie in to the South Washington Trail and the larger trail system in south Bismarck.

3) How does your project fit with similar projects in your community and/or region?

Bismarck Parks and Recreation District maintains over 55 miles of paved trails and is committed to providing a comprehensive trail system for the betterment of the community. Currently, BPRD is constructing and replacing segments of the trail system throughout the area to continue that commitment to the residents.

4) Provide the names of governmental agencies that are in support of this project. Also, please state if there is support from the general public, other groups and organizations.

a. Bismarck Parks and Recreation District
b. City of Bismarck
c. Bismarck-Mandan Metropolitan Planning Organization
d. North State Parks and Recreation Department supports trails throughout the state in general:

1. The ND Comprehensive Outdoor Recreation Plan identifies trails as its number one priority in the Region.

11. Public Accessibility:

Bismarck Parks and Recreation District will own and maintain the trail. In addition to regular maintenance to keep the trails in good condition, BPRD also clears the trails in the winter to allow for use year-round.

12. Matching Funds Provided By:

Bismarck Parks and Recreation District will provide matching funds.

13. Will Right of Way For This Project Be Needed?

Yes. There is currently two lots for which ROW or easements will need to be secured.

14. Maintenance of This Project Will Be Provided By:

The Bismarck Parks & Recreation District will provide the required trail maintenance.

15. Environmental Impacts

1) Land Use -The land use adjacent to the proposed trail includes recreational/public use and residential. There are minimal negative impacts to land use as a result of this trail.

2) Farmland -No farmland will be affected as a result of the trail overlay.

3) Social -This project is expected to have a positive impact upon the neighborhood and the community as a whole. The trail will continue to allow access to various recreational areas, businesses, schools, parks, public facilities, and neighborhoods through alternate modes of transportation.

4) Economic -The positive economic benefits to the immediate area are expected to be small. The economic benefit of trails in general, to the community as a whole, is much greater.

5) Relocation -Neither people or businesses will be relocated by this project.

6) Wetlands -This existing trail does include a few crossings of identified wetland areas. All efforts will be made to minimize any impact of the topography and drainage within the project perimeters.

7) Flood Plain - The proposed trails do not go through floodplain.

8) Threatened or Endangered Species -There are no threatened or endangered species within or along the project corridor.

9) Cultural Resources - There are no known cultural resources within this development area.

10) Hazardous Waste -There are no known hazardous waste sites within the project area.

16. Signatures

Contact Person: _____ Date: 10-15-2021

Sponsoring Official: _____ Date: 10/15/2021

MPO Official: _____ Date: _____

17. Attachments

Exhibit 1 – Project Location Map
Exhibit 2 – Trail Site Plan
Exhibit 3 – Preliminary Cost Estimate
Exhibit 4 – Existing Conditions
Exhibit 5 – BPRD Board Minutes
Exhibit 6 – City of Bismarck Endorsement

Exhibit 1 – Project Location Map

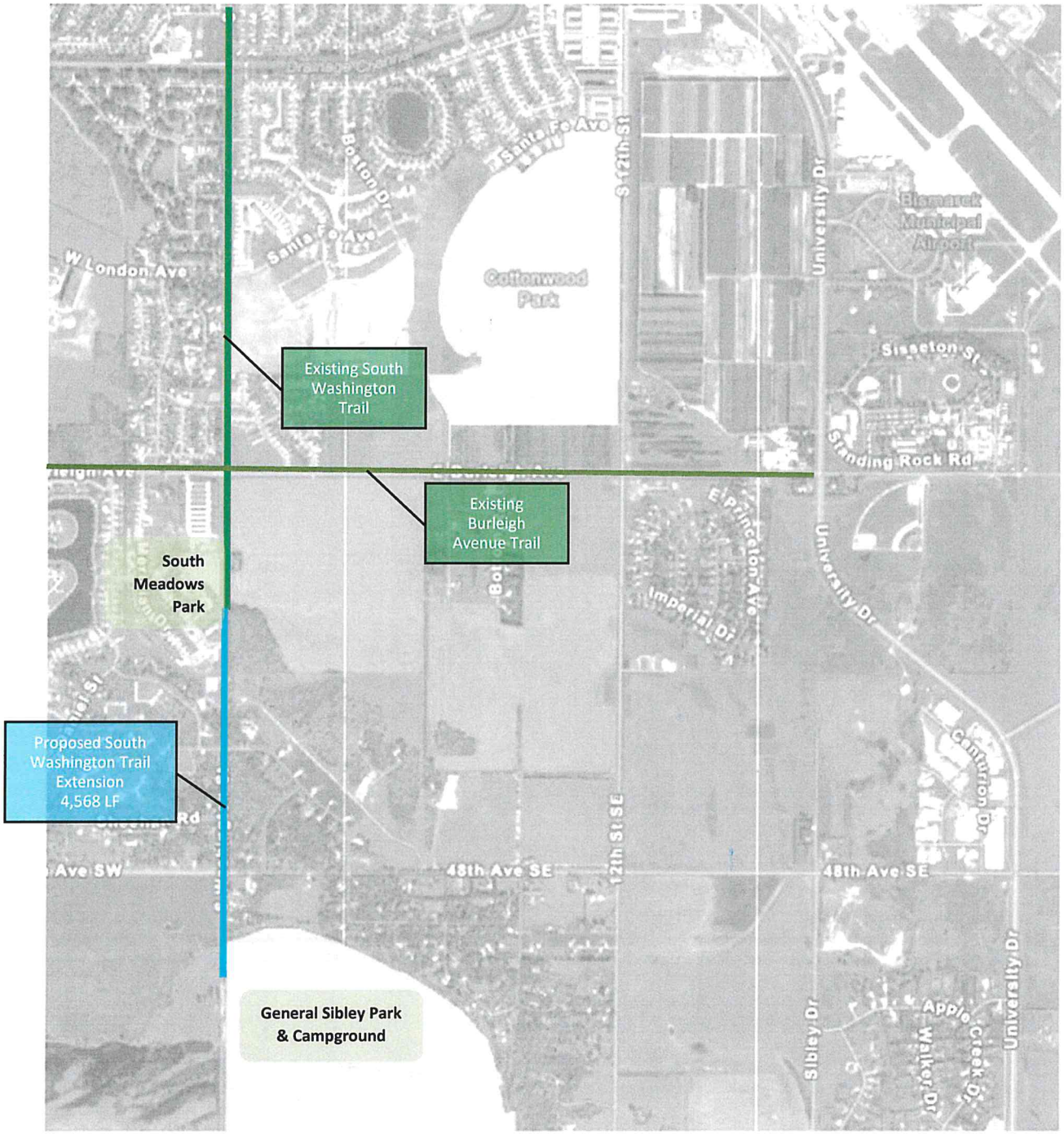


Exhibit 2 – Trail Site Plan

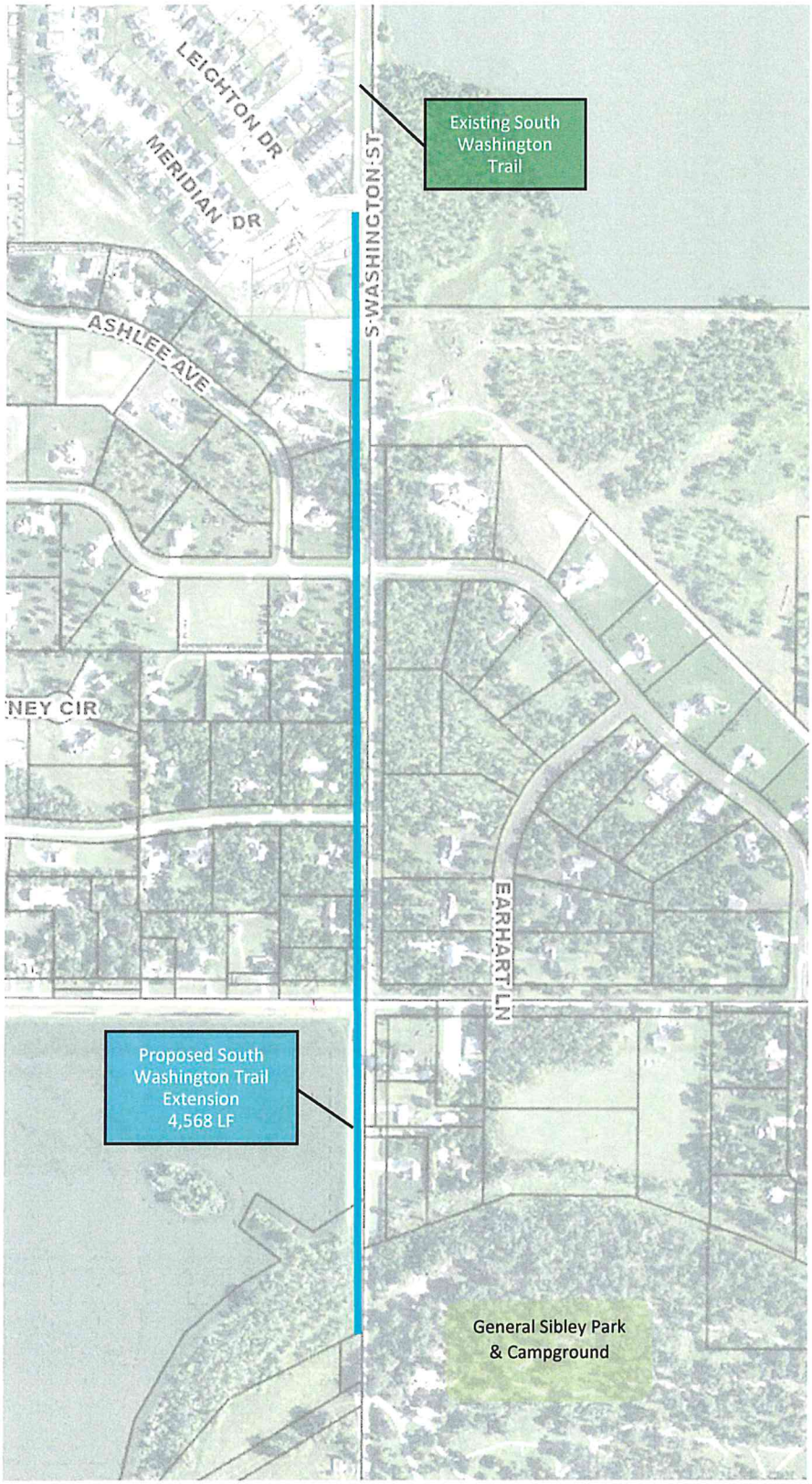


Exhibit 3 – Preliminary Cost Estimate

South Washington Trail Extension					
Meridian Drive to General Sibley Park & Campground					
Estimated Total Trail Length = 4,568 LF (.86 miles)					
Preliminary Opinion of Cost					10/7/2021
Item	Description	Quantity	Unit	Unit Price	Total
1	Mobilization	1	EA	$ 26,000	$ 26,000
2	Contract Bond	1	EA	$ 4,600	$ 4,600
3	Topsoil (remove and replace)	1200	CY	$ 15	$ 18,000
4	Tree Removals	1	LS	$ 65,000	$ 65,000
5	Earthwork cut/fill	1	LS	$ 30,000	$ 30,000
6	Seeding	2.07	ACRE	$ 3,000	$ 6,210
7	Hydro Mulch	2.07	ACRE	$ 3,500	$ 7,245
8	Aggregate Base Course CL 5	1150	TON	$ 45	$ 51,750
9	Commercial Grade Hot Asphalt Mix (2 3/4")	875	TON	$ 130	$ 113,750
10	Pedestrian Crossings	5	EA	$ 3,000	$ 15,000
11	Signage	1	LS	$ 6,000	$ 6,000
12	Traffic Control	1	LS	$ 5,000	$ 5,000
13	Erosion Control	1	LS	$ 10,000	$ 10,000
				Total Construction Cost =	$ 358,555
				Construction Contingency (10%) =	$ 35,856
				Total Estimated Construction Cost =	**$ 394,411**

Exhibit 4 - Existing Conditions

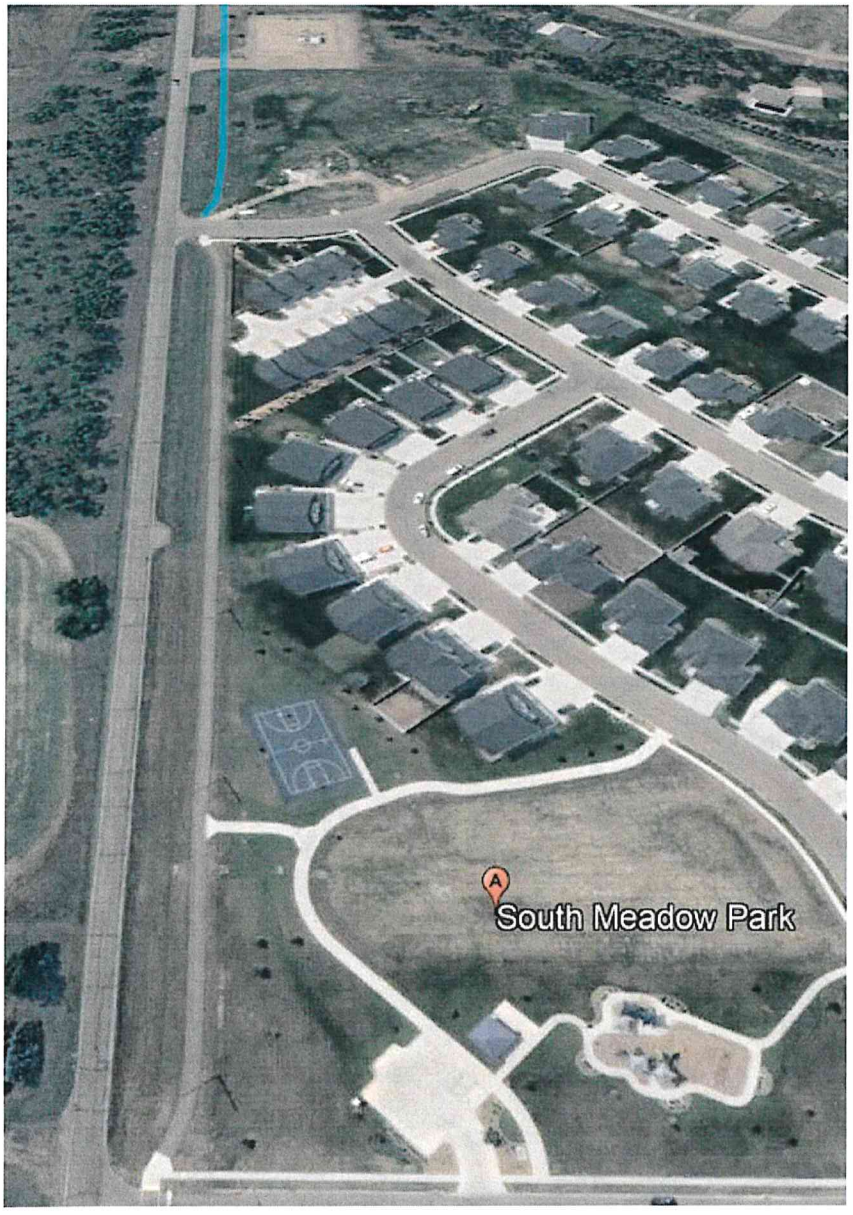


Exhibit 5 – BPRD Board of Park Commissioner Draft Minutes

MINUTES OF THE BOARD OF PARK COMMISSIONERS
September 16, 2021

The Board of Park Commissioners held their regular meeting on September 16, 2021 in the Tom Baker meeting room of the City/County Building. Vice President Munson called the meeting to order at 5:15 pm. Commissioners Gilbertson, Jordan, and Zimmerman were present. President Jeske was present via phone.

Commissioner Zimmerman moved approval of the agenda as presented. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson and President Jeske. The nays being none, the motion carried.

Finance Director Kathy Feist provided an overview of the proposed 2022 operating budget. Vice President Munson opened the public hearing on the 2022 budget. He asked three times for anyone opposed or concerned with the budget to appear before the Board. He then asked three times for anyone in favor of the budget to appear before the Board. Hearing no comments, Vice President Munson closed the public hearing.

Commissioner Gilbertson moved to approve the second reading of the budget resolution and mill levy. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Commissioner Jordan moved to adopt the 2022 operating budget. Commissioner Zimmerman seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Beth Demke with Gateway to Science appeared before the Board as the featured partner and program.

Travis Johnson with Houston Engineering reviewed the bids received for the development of Hidden Star Neighborhood Park. Commissioner Zimmerman moved to accept the apparent low bid of $603,154 from Earthwork Services. Commissioner Gilbertson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Commissioner Jordan moved to approve a change order, conditional upon the approval of the contractor, which would reduce the cost of the construction by $114,327, and the revised contract award would be lowered to $488,827. President Jeske seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Jason Petryszyn with Swenson Hagen reviewed the bids received for the Promontory Point Neighborhood Park project. Commissioner Gilbertson moved to accept the apparent low bid of $455,693.25 from Northwest Contracting, Inc. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

President Jeske moved approval of the change order to reduce the cost of the Promontory Park Neighborhood Park project to $384,538.25. Commissioner Gilbertson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, and President Jeske. Nays: Commissioners Zimmerman and Munson. The motion carried.

Jason Petryszyn from Swenson Hagen reviewed information with the Board about the Boden Addition that includes the option for a neighborhood park. This park could potentially replace the Boulder Ridge neighborhood park which hasn't been developed yet. Commissioner Gilbertson moved to direct staff to

receive input from neighbors in the Boden Addition regarding the potential park as well as discuss options regarding both the Boulder Ridge neighborhood park and the option for one in the Boden Addition. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Executive Director Bina provided information about a potential partnership with the Bismarck Public School District and others to expand multi-use facilities/ice opportunities. Jeff Ubl with Ubl Design reviewed a draft concept for a potential renovation/expansion opportunity at the VFW Sports Center. The Board directed staff to schedule a special meeting, prior to the October meeting, to consider approving a consultant for the project.

Commissioner Gilbertson moved that staff begin the consultant selection process to select a consultant to develop a final design/cost estimates and discovery phase with Bismarck Public Schools and others for the potential renovation/expansion opportunity at the VFW Sports Center. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

The ND Recreation and Park Association held its annual awards banquet on September 14, 2021. Vice President Munson recognized the following local award recipients:

- The Cottonwood Park expansion received the Golden Egg Award, which recognizes outstanding and innovative park projects in North Dakota.
- Dr. Steve Chuppe, co-chair of Bismarck Recreation Council capital campaigns for the Bismarck Municipal Ballpark and Cottonwood Park Expansion, received the Citizen Advocacy Award.
- Mike Wald, facilities manager for ice arenas and outdoor pools, received the Distinguished Professional Award.
- Two former Bismarck Parks and Recreation District employees were inducted into the NDRPA Hall of Fame, the association's highest honor – Tim Kuntz and Dennis Nybo.

Community Relations Manager Dana Schaar Jahner provided the Board with information about the Bismarck Recreation Council and its endowment fund that was started in 2019. She then showed the Board a video about the endowment fund that has been developed to raise awareness.

Vice President Munson reviewed the following items on the consent agenda:

- Review and approval of August 19 and September 7, 2021 Board meeting minutes.
- Board authorization to apply for Land and Water Fund Conservation and Transportation Alternative grants for the following projects:
    - Land and Water Fund Conservation Grants: One would be to create a new neighborhood park and trailhead at what is now called Hay Creek Park, off 26th Street and the second proposed project would be for two playgrounds - the first would be a replacement playground at Sam McQuade Softball Complex and the second playground is a new play area at the Joann Hetzel Memorial 4-H Building at the Missouri Valley Complex.
    - Transportation Alternative Grants: The first proposed project is an extension of the South Washington Trail from South Meadows Park to General Sibley Park and Campground and the second proposed project is a trail rehabilitation project of a portion of the Hay Creek Trail from Lilac to the 26th Street staircase.
- Consideration of Agreements
    - Amendment to Commercial Lease regarding the Joann Hetzel Memorial 4-H Building
    - Updated lease agreement with Dakota Zoo
    - Bismarck Sports Group (BSG) video board signage addendum
    - Eagles Park Lease with Bismarck Fraternal Order of Eagles Aerie No. 2237
- Request Board authorization to call for bids for 2022 equipment purchases.

Commissioner Gilbertson moved to approve the consent agenda with the except of the item regarding the grant applications. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes:

Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

After receiving additional information, Commissioner Zimmerman moved approval for staff to apply for Land and Water Conservation Fund and Transportation Alternative grants. Commissioner Gilbertson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Commissioner Gilbertson moved to appoint Kevin Klipfel as Clerk of the Park District, effective October 2, 2021. Commissioner Jeske seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried. Legal Counsel Connie Hofland administered the oath of office.

Commissioner Zimmerman moved to approve bills for payment with checks 407293 to 407301 and 206290 to 206626 along with bank drafts DFT001005 to DFT001011, EFTs 1483 to 1524 and direct deposits 41754 to 42857. Commissioner Munson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Zimmerman, Munson and President Jeske. The nays being none, the motion carried.

Vice President Munson recognized retiring Executive Director Randy Bina by reading the following:

Whereas, **Randy Bina**, in his capacity as the Executive Director of the Bismarck Parks and Recreation District since 2011, has served the residents and visitors of the City of Bismarck in a most exceptional, professional, and collaborative manner; and

Whereas, he has provided leadership and inspiration that has greatly assisted in providing high quality park, program, facility, and event experiences that are affordable, accessible, and sustainable; and

Whereas, Randy Bina has given freely and graciously of his time and many talents to the Park District of the City of Bismarck for these many years, greatly contributing to a better, more active community; and

Whereas, it is fitting and proper that such dedication, loyalty, and public service be recognized, publicly proclaimed, historically noted, and made part of the permanent record of the Bismarck Parks and Recreation District;

Now, therefore, be it resolved by the Park District of the City of Bismarck and on behalf of the citizens of Bismarck, on this 16th day of September 2021, that the Board of Park Commissioners and staff of the Bismarck Parks and Recreation District extend to Randy Bina sincere thanks and grateful appreciation for his outstanding leadership and distinguished service.

The next regular Board meeting will be held on October 21, 2021 at 5:15 pm in the Tom Baker Meeting Room. The meeting was adjourned at 7:22 pm.

Exhibit 6 – City of Bismarck Endorsement

Bismarck

City Administration

TO: Gabe Schell, City Engineer

DATE: 10/13/2021

FROM: Jason Tomanek, Assistant City Administrator

SUBJECT: Endorsement of Bismarck Parks and Recreation District Application for NDDOT Transportation Alternatives Grant

The Board of City Commissioners met on Tuesday, October 12, 2021 and considered endorsing a Bismarck Parks and Recreation District grant request for two (2) projects for the NDDOT Transportation Alternatives funds to the Metropolitan Planning Organization.

- South Washington Street Trail – South Meadows Park to General Sibley Park
- Hay Creek Trail – Lilac Lane to 26th Street Staircase

The scope of the south Washington Street trail would be to extend the trail from South Meadows Park to General Sibley Park and Campground. The trail extension would be approximately 4,568 linear feet or 0.86 miles of new trail. The Hay Creek Trail would be a rehabilitation project that would begin at Lilac Lane to the 26th Street staircase. A map of the proposed project locations is attached.

If awarded, Bismarck Parks & Recreation District would enter into a companion agreement with the City of Bismarck and assume all responsibilities for local matching dollars and maintenance of the improvement. Construction would occur in 2025.

The Commission considered the request and approved it as presented.

EXHIBIT C

Bismarck ENGINEERING

October 15, 2021

Pam Wenger, TA Program Manager
Local Government Division
North Dakota Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

Transportation Alternative Program Application

Ms. Wenger,

This letter is to submit the attached application for a Transportation Alternative Program (TA) project to be considered for 2025 funding. The safety concern is to provide a pedestrian/bicycle facility along US 83/State Street. The construction of a pedestrian/bicycle facility along US 83/State Street will provide a facility for the non-motorized public to safely access a large and growing retail area along the north US 83/State Street corridor. This project would connect to additional pedestrian/bicycle facilities constructed on 43rd Avenue between Washington St. and State St.in 2020 and would connect for future pedestrian/bicycle facilities on 43rd Avenue to the east to 26th Street programmed to be constructed in 2022.

The long-term benefits after implementation would be realized through improved safety and accessibility for non-motorized public to reach a large retail area and additional connectivity of pedestrian/bicycle network. This facility would be constructed near the outside edge of the right of way to preserve this investment if State Street is reconstructed in the future. Funding is also requested of the NDDOT through the Urban Regional program to provide additional flexibility to the NDDOT for available funding options if they elect to move forward with this project.

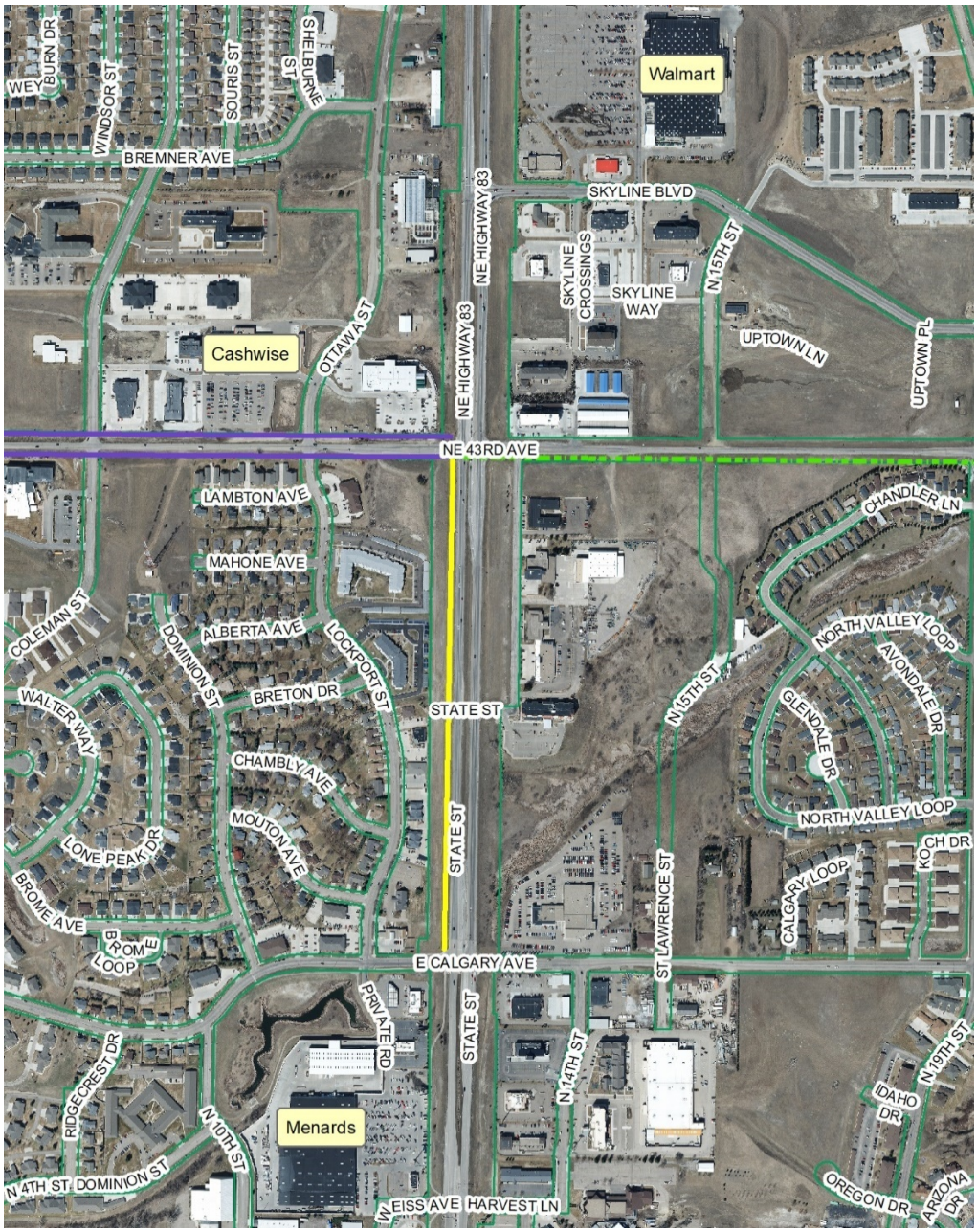
If you have any question, contact my office.

Sincerely,

Gabe Schell, PE
Bismarck City Engineer
Attachments

1. **Project Name:**
   US 83/State Street multi-use trail Extension

2. **Project Location:**
   The project is located along US 83/State Street beginning north of Calgary Avenue and continuing north to 43rd Avenue NE as shown in yellow. The purple lines reflect shared use path (north side) and sidewalks (south side) installed in 2020 as part of the 43rd Avenue NE reconstruction. The dashed green lines reflect the shared use path programmed for inclusion in the 43rd Avenue NE reconstruction project between State St and 26th Street schedule for construction in 2023.



3. **Project Contact:**
   City of Bismarck

4. **Contact Person:**
   Gabe Schell, City Engineer
   gschell@bismarcknd.gov
   701-355-1505
   P.O. Box 5503
   Bismarck, ND 58506-5503

5. **Project Sponsor:**
   Board of City Commissioners
   City of Bismarck

6. **Sponsoring Official:**
   Steve Bakken, Mayor
   sbakken@bismarcknd.gov
   701-355-1300
   P.O. Box 5503
   Bismarck ND 58506-5503

7. **Project Description:**
   The project includes approximately 2500 LF of asphalt pavement trail extension from the northwest pedestrian ramp of US 83/Calgary Avenue to the southwest pedestrian ramp of US 83/43rd Avenue. The 10' wide shared use path would be an extension of the north/south path along State Street that terminates at the ND Capitol Grounds and provides connectivity to east/west facilities such as sidewalks and on-street bike lanes on Divide Avenue and sidewalks and shared use paths on Century Avenue and 43rd Avenue.

8. Project Cost

The estimated construction cost of the proposed improvements is $310,000 with requested TA funds of $248,000 and local match of $62,000 plus all funds above the approved cost share. Please find the detailed estimate prepared by City of Bismarck Engineering staff below.

US 83/State Street Trail						
Estimate of Cost						
City of Bismarck October 2021						
	ITEM	DESCRIPTION	UNIT	QUANTIT	UNIT PRICE	TOTAL COST
	1	Contract Bond	LS	1	$ 5,000.00	$ 5,000.00
	2	Common Excavation	CY	1350	$ 32.00	$ 43,200.00
	3	Subgrade Preparation-Type A-12 IN	Sta	25	$ 320.00	$ 8,000.00
	4	Topsoil	CY	700	$ 21.00	$ 14,700.00
	5	Seeding Class III	ACRE	1.5	$ 1,550.00	$ 2,325.00
	6	Hydraulic Mulch	ACRE	1.5	$ 3,200.00	$ 4,800.00
	7	Aggregate Base Closures CL 5	TON	1350	$ 52.00	$ 70,200.00
	8	SS1H or CSS1H or MS1 Emulsified Asphalt	SY	2000	$ 3.50	$ 7,000.00
	9	Commercial Grade Hot Mix Asphalt	TON	500	$ 115.00	$ 57,500.00
	10	PG-58-28	TON	50	$ 58.00	$ 2,900.00
	11	Mobilization	LS	1	$ 20,000.00	$ 20,000.00
	12	Traffic Control	LS	1	$ 5,000.00	$ 5,000.00
	13	Erosion Control	LS	1	$ 5,000.00	$ 5,000.00
					Estimated Construction Cost=	$ 245,625.00
					(undeveloped Design Details) CONTINGENCY (10%)=	$ 47,135.00
					TOTAL ESTIMATED CONSTRUCTION COST BASE BID=	$ 292,760.00
					2% inflation Index for 3 years (2024 Costs)	$ 310,676.91
					TA Request (80%)	$ 248,541.53
					Local Match (20%)	$ 62,135.38

9. TA Category:

Type A: Construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990.

10. Supporting Data:

The purpose of this project is to provide increased network connectivity of the non-motorized user by filling in what will be a gap in the network by 2022. This project would provide additional access to retail, shopping and housing uses in north Bismarck and provide critical system linkage to recently constructed or programmed pedestrian facilities on 43rd Avenue NE. The 2017 Bismarck Mandan Bicycle and Pedestrian plan identified continuing connections of non-motorized transportation facilities along State Street between Calgary Avenue and 43rd Avenue. All modifications to the signal system at US 83/43rd Avenue would be included in the

43rd Avenue reconstruction project and no funds are being requested from the TA program for that work. Comments/requests from the public and observation of pedestrians walking along the shoulder of US83/State Street including motorized wheel chairs.

11. Public Accessibility:

This project is located in the public right of way of State Street (US Highway 83). NDDOT would be the owner with City of Bismarck responsible through our cost participation and maintenance agreement with NDDOT for day to day maintenance.

12. Matching Funding Provided by:

If a projected is awarded, the City of Bismarck will budget for a project through our Capital Improvements Program for the year the project is awarded. Matching funds would be sales tax or general property tax.

13. Right-of–way Requirements:

All construction will be contained within the public right-of-way and will be operated and maintained by the City of Bismarck.

14. Maintenance of this Project:

Jeff Heintz
Public Works Service Operations Dept
City of Bismarck

Maintenance responsibilities would be the City of Bismarck. Typically, Bismarck Parks and Recreation District provides snow removal services on shared use paths throughout Bismarck through a mutual agreement.

15. Environmental Impacts:

- Land Use: No impacts, all construction will be conducted within the public right-of-way
- Farmland: No farmland will be impact, all work with in the urbanize area of the City of Bismarck
- Social: Positive social impact by providing an opportunity for the public. Improve health and safety the public by improving the ability to walk and bike.
- Section 4(f) & 6(f): No impacts anticipated.
- Economic: No negative economic impacts anticipated
- Relocation: No impacts, all construction will be conducted within the public right-of-way
- Wetlands: No impacts, all construction will be conducted within the public right-of-way

- Floodplain: No impacts, all construction will be conducted outside of regulatory floodplain or floodway.
- Threatened or Endangered Species: No impacts, all construction will be conducted within the public right-of-way
- Cultural Recourses: No impacts, all construction will be conducted within previously disturbed areas within the right-of-way.
- Hazardous Waste: No impacts anticipated, all construction will be conducted within the public right-of-way

16. Required Signatures:

Contact Person:

Gabe Schell, City Engineer — Date: 10/15/21

Responsible Official:

Mayor, City of Bismarck — Date: 10/15/2021

MPO Official:

Gerald Wise, Policy Board Chairman — Date

EXHIBIT D

NDDOT Transportation Alternatives Program Application FY 2025

Hay Creek Trail Section Renovation – Lilac to 26th Street Stairs

BISMARCK PARKS AND RECREATION DISTRICT
Est. 1927

NDDOT's Transportation Alternatives Program Application

1. **Project Name:** Hay Creek Trail Section Rehabilitation – North Connections

2. **Project Location:** Bismarck, North Dakota

3. **Project Contact:** Bismarck Parks and Recreation District (BPRD)

4. **Contact Person:**
Kevin Klipfel, Executive Director
Bismarck Parks and Recreation District (BPRD)
400 East Front Avenue Bismarck, ND 58503
701-222-6455 kklipfel@bisparks.org

5. **Project Sponsor:** City of Bismarck

6. **Sponsoring Official:**
Steve Bakken, Mayor
221 North 5th Street, Bismarck, ND 58501
701-222-6471

7. **Project Description:**
The Hay Creek Trail is a segment of the Bismarck Parks and Recreation District's Hay Creek Trail system. This segment allows users to travel north and south on the east side of Bismarck through a natural corridor, off the busy roadways. ***Please refer to Exhibit 2, Trail Connection Map.***

Trail Rehabilitation
The trail section shown in red on the attached Exhibit 1 needs replacement to improve accessibility and safety, due to cracks, wearing, and overall condition. This portion of the project consists of removal and replacement of the asphalt. The shared use path sections total approximately 2,368.8 linear feet, or .45 miles. ***Please refer to Exhibit 1.***

8. **Project Cost:**
The estimated construction cost of the proposed trail segment is $194,928.80 including a 10% contingency. Federal Funds in the amount of 80% of the total cost, or $155,934.04 are requested. The construction cost does not include any local costs of topographic survey, utility relocation, right-of-way acquisition, or preliminary and construction engineering. ***Please refer to a detailed Preliminary Cost Estimate, Exhibit 3.***

9. **What TAP category best fits your project?**
Category A: Construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation.

10. **Supporting Data:**
1) Is this project part of an identified tourism, recreation or transportation plan and if so, explain?

a. The Bismarck-Mandan Metropolitan Planning Organization Long Range Transportation Plan does include this trail connection as a priority. In addition, the Bismarck Parks and Recreation District conducted a community survey in 2019. Hiking trails were the #2 recreation activity requested.

b. The 2018-2022 State of North Dakota State Comprehensive Outdoor Recreation Plan – Recreational Trail Needs identifies that Region 7, which includes Burleigh County, the primary need is trails. In addition, the 2018-2022 ND SCORP Recreation Trail Needs identified maintenance as a priority, stating that both "quality and quantity of trails are critical to the recreation user's experience".

2) Is your project tied to another project? If so, please explain.
No.

3) How does your project fit with similar projects in your community and/or region?
Bismarck Parks and Recreation District maintains over 55 miles of paved trails and is committed to providing a comprehensive trail system for the betterment of the community. Currently, BPRD is constructing and replacing segments of the trail system throughout the area to continue that commitment to the residents.

4) Provide the names of governmental agencies that are in support of this project. Also, please state if there is support from the general public, other groups and organizations.
a. Bismarck Parks and Recreation District
b. City of Bismarck
c. Bismarck-Mandan Metropolitan Planning Organization
d. North State Parks and Recreation Department supports trails throughout the state in general:
1. The ND Comprehensive Outdoor Recreation Plan identifies trails as its number one priority in the Region and the SCORP Recreation Trail Needs document identifies that quality is as important as quantity.

11. Public Accessibility:
Bismarck Parks and Recreation District will own and maintain the trail. In addition to regular maintenance to keep the trails in good condition, BPRD also clears the trails in the winter to allow for use year-round.

12. Matching Funds Provided By:
Bismarck Parks and Recreation District will provide matching funds.

13. Will Right of Way For This Project Be Needed?
No new right of way will be required. The trail is within the public ROW.

14. Maintenance of This Project Will Be Provided By:
The Bismarck Parks & Recreation District will provide the required trail maintenance for this project.

15. Environmental Impacts
1) Land Use -The land use adjacent to the proposed trail includes recreational/public use and

residential. There are minimal negative impacts to land use as a result of this trail.

2) Farmland -No farmland will be affected as a result of the trail overlay.
3) Social -This project is expected to have a positive impact upon the neighborhood and the community as a whole. The trail will continue to allow access to various recreational areas, businesses, schools, parks, public facilities, and neighborhoods through alternate modes of transportation. The proposed trail overlay could have a positive impact on the health of Bismarck residents by encouraging more pedestrian and bicycle use and less motor vehicle travel.
4) Economic -The positive economic benefits to the immediate area are expected to be small. The economic benefit of trails in general, to the community as a whole, is much greater.
5) Relocation -Neither people or businesses will be relocated by this project.
6) Wetlands -This existing trail segment does not cross any wetlands.
7) Flood Plain - This existing trail does not go through floodplain.
8) Threatened or Endangered Species -There are no threatened or endangered species within or along the project corridor.
9) Cultural Resources - There are no known cultural resources within this development area, and this project is a trail overlay of an existing amenity.
10) Hazardous Waste -There are no known hazardous waste sites within the project area.

16. Signatures

Contact Person: _____ Date: 10-15-2021

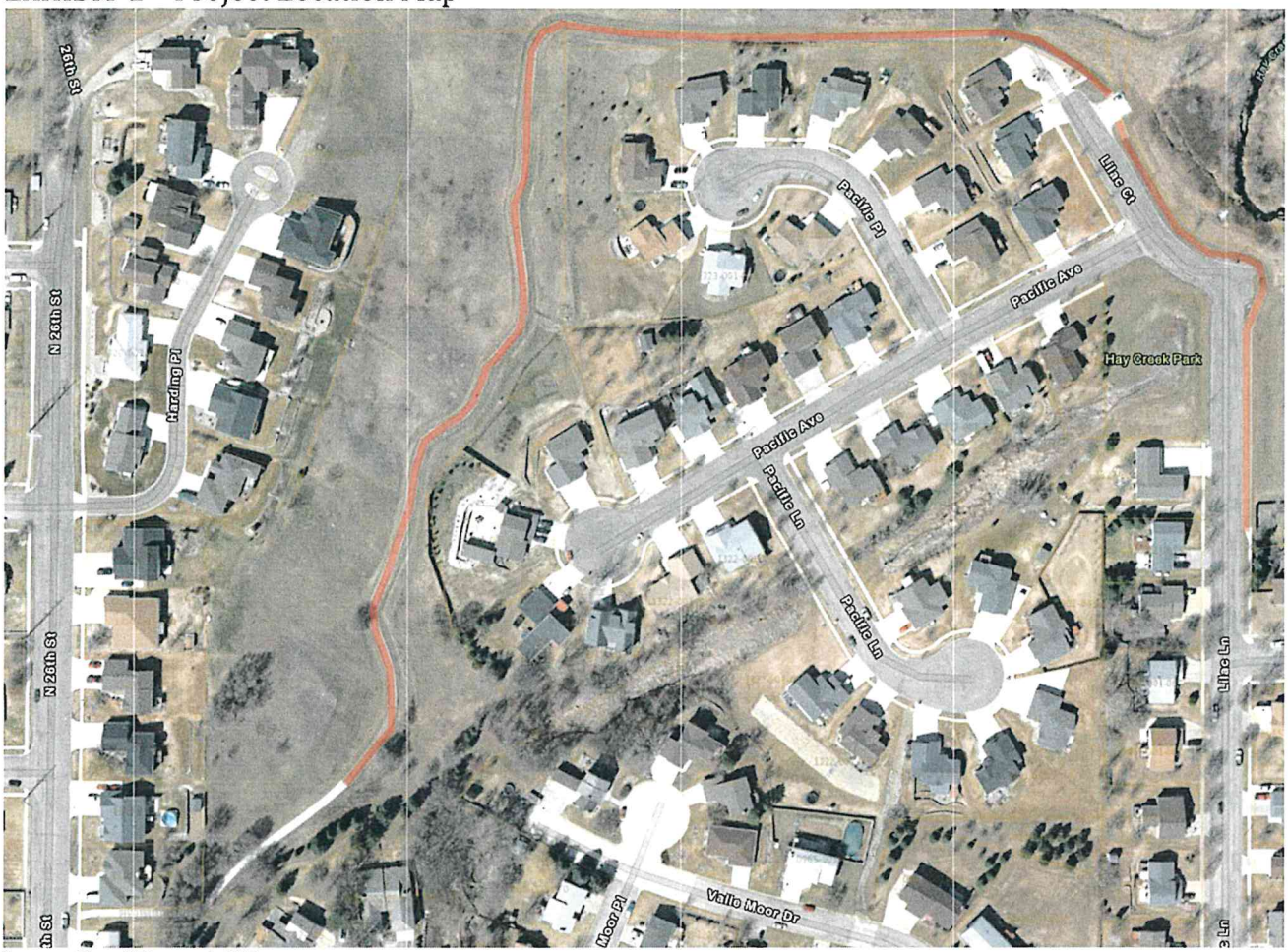
Sponsoring Official: _____ Date: 10/15/2021

MPO Official: _____ Date: _____

17. Attachments

Exhibit 1 – Project Location Map
Exhibit 2 – Trail Connections Map
Exhibit 3 – Preliminary Cost Estimate
Exhibit 4 – Existing Conditions
Exhibit 5 - Bismarck Parks and Recreation District Minutes
Exhibit 6 - City of Bismarck Endorsement

EXHIBIT 1 – Project Location Map



Source: City of Bismarck GIS

EXHIBIT 2 – Trail Connections Map

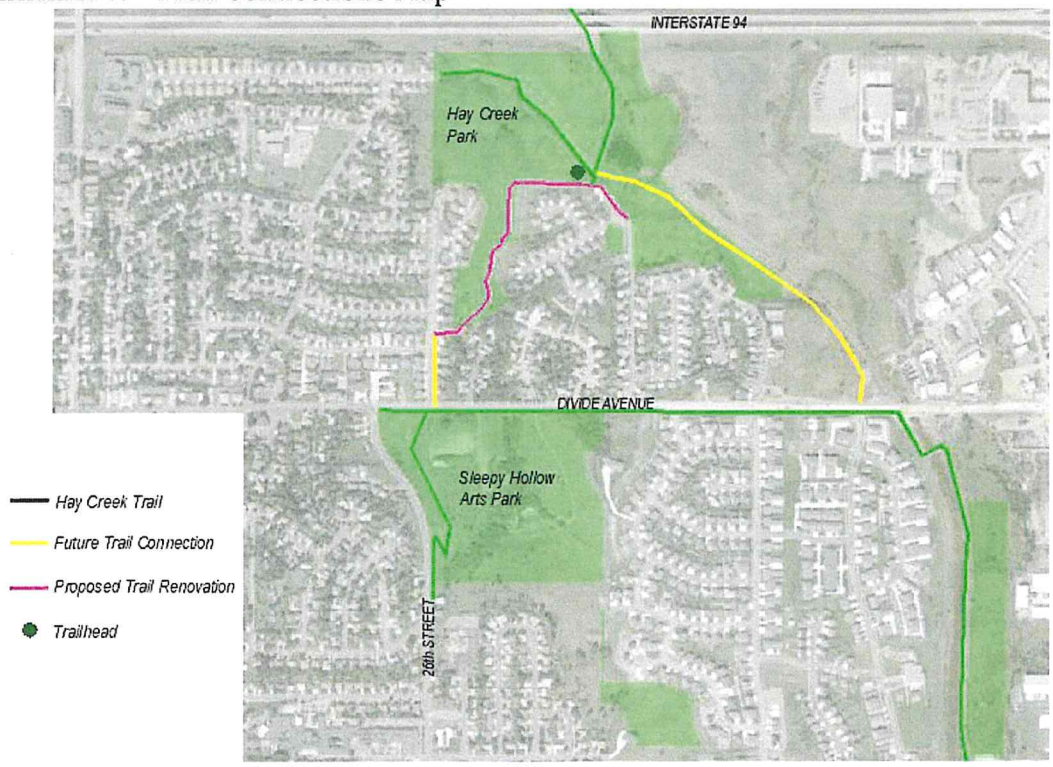
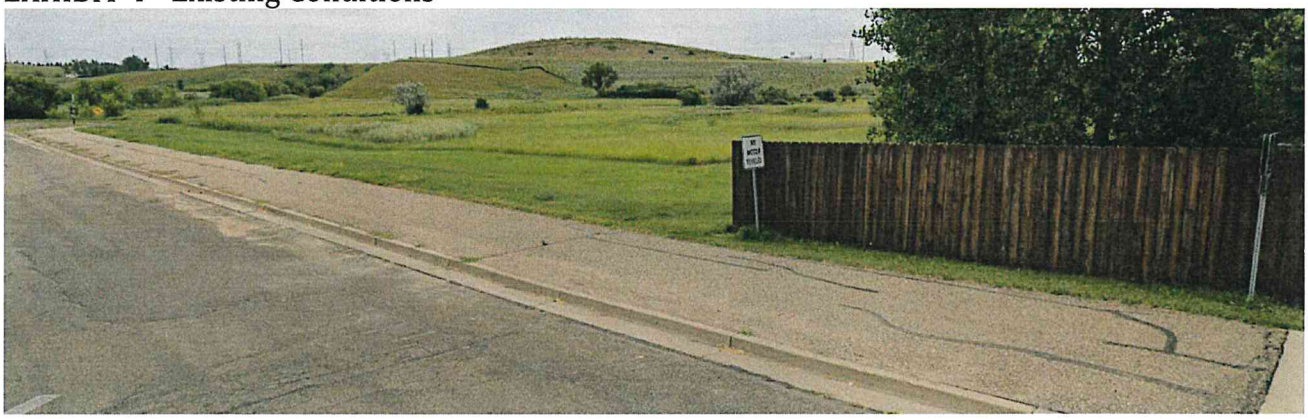
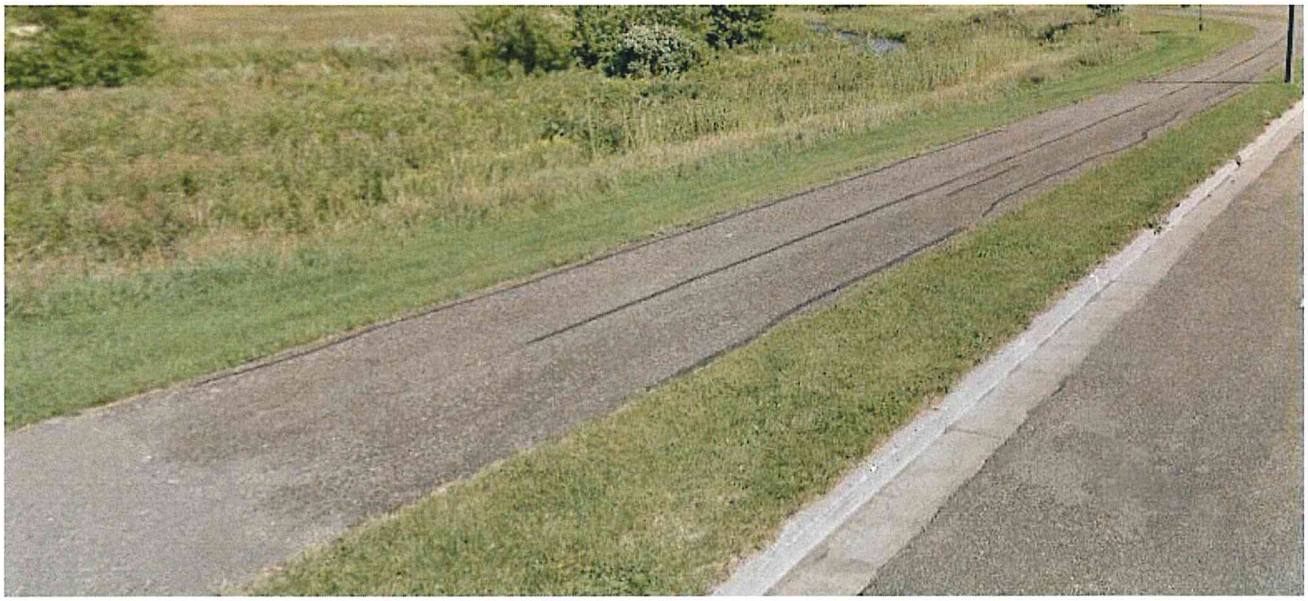


EXHIBIT 3 – Preliminary Cost Estimate

Hay Creek Trail - Lilac to the 26th Street Stairs					
Estimated Total Trail length = 2,369 LF (.45 Miles)					
Preliminary Opinion of Cost					
10/12/2021					
Item	Description	QTY	Unit	Unit Price	Total
1	Contract Bond	1	LS	$ 2,400.00	$ 2,400.00
2	Mobilization	1	LS	$ 15,000.00	$ 15,000.00
3	Remove Asphalt	2632	SY	$ 10.00	$ 26,320.00
4	Remove Gravel	20	TON	$ 15.00	$ 300.00
5	Aggregate Base Course CL 5	430	TON	$ 50.00	$ 21,500.00
6	Commercial Grade Hot Asphalt Mix (2")	255	TON	$ 150.00	$ 38,250.00
7	4" Concrete Sidewalk	667	SY	$ 64.00	$ 42,688.00
8	Erosion Control	1	LS	$ 5,000.00	$ 5,000.00
9	Topsoil	100	CY	$ 200.00	$ 20,000.00
10	Seeding	0.5	ACRE	$ 3,000.00	$ 1,500.00
11	Hydro Mulch	0.5	ACRE	$ 3,500.00	$ 1,750.00
12	Signage	1	LS	$ 2,500.00	$ 2,500.00
				Total Construction Cost =	$ 177,208.00
				Construction Contingency (10%) =	$ 17,720.80
				Total Estimated Construction Cost =	$ 194,928.80

EXHIBIT 4 - Existing Conditions





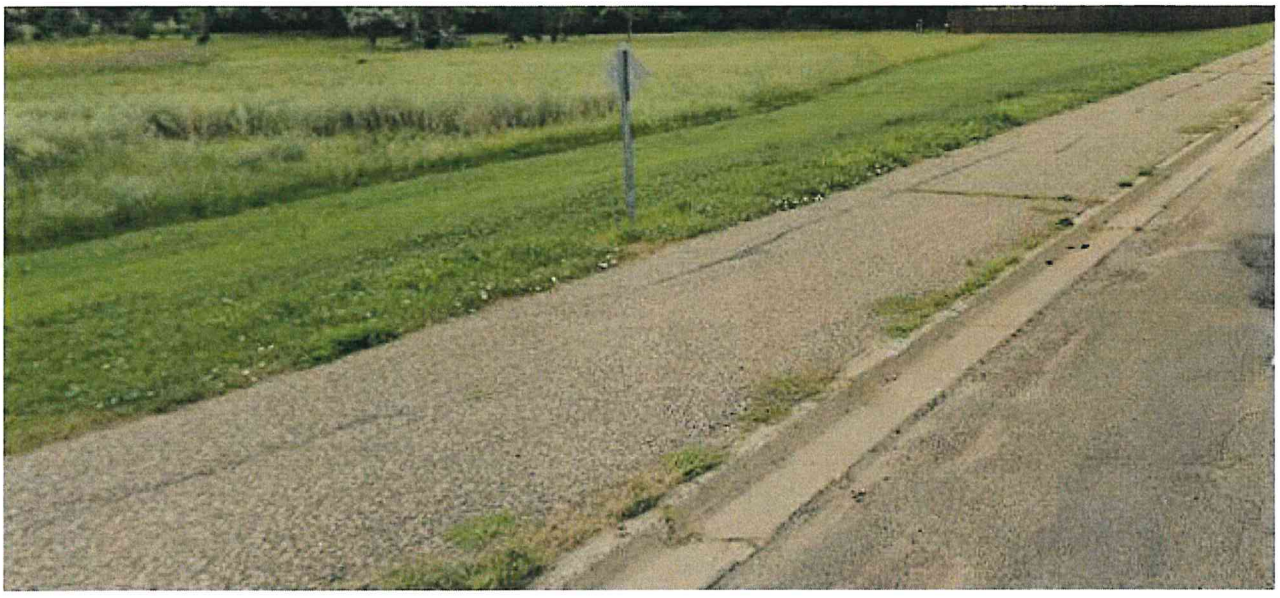


EXHIBIT 5 – BPRD Board of Park Commissioner Minutes

MINUTES OF THE BOARD OF PARK COMMISSIONERS
September 16, 2021

The Board of Park Commissioners held their regular meeting on September 16, 2021 in the Tom Baker meeting room of the City/County Building. Vice President Munson called the meeting to order at 5:15 pm. Commissioners Gilbertson, Jordan, and Zimmerman were present. President Jeske was present via phone.

Commissioner Zimmerman moved approval of the agenda as presented. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson and President Jeske. The nays being none, the motion carried.

Finance Director Kathy Feist provided an overview of the proposed 2022 operating budget. Vice President Munson opened the public hearing on the 2022 budget. He asked three times for anyone opposed or concerned with the budget to appear before the Board. He then asked three times for anyone in favor of the budget to appear before the Board. Hearing no comments, Vice President Munson closed the public hearing.

Commissioner Gilbertson moved to approve the second reading of the budget resolution and mill levy. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Commissioner Jordan moved to adopt the 2022 operating budget. Commissioner Zimmerman seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Beth Demke with Gateway to Science appeared before the Board as the featured partner and program.

Travis Johnson with Houston Engineering reviewed the bids received for the development of Hidden Star Neighborhood Park. Commissioner Zimmerman moved to accept the apparent low bid of $603,154 from Earthwork Services. Commissioner Gilbertson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Commissioner Jordan moved to approve a change order, conditional upon the approval of the contractor, which would reduce the cost of the construction by $114,327, and the revised contract award would be lowered to $488,827. President Jeske seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Jason Petryszyn with Swenson Hagen reviewed the bids received for the Promontory Point Neighborhood Park project. Commissioner Gilbertson moved to accept the apparent low bid of $455,693.25 from Northwest Contracting, Inc. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

President Jeske moved approval of the change order to reduce the cost of the Promontory Park Neighborhood Park project to $384,538.25. Commissioner Gilbertson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, and President Jeske. Nays: Commissioners Zimmerman and Munson. The motion carried.

Jason Petryszyn from Swenson Hagen reviewed information with the Board about the Boden Addition that includes the option for a neighborhood park. This park could potentially replace the Boulder Ridge neighborhood park which hasn't been developed yet. Commissioner Gilbertson moved to direct staff to receive input from neighbors in the Boden Addition regarding the potential park as well as discuss options regarding both the Boulder Ridge neighborhood park and the option for one in the Boden Addition. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Executive Director Bina provided information about a potential partnership with the Bismarck Public School District and others to expand multi-use facilities/ice opportunities. Jeff Ubl with Ubl Design reviewed a draft concept for a potential renovation/expansion opportunity at the VFW Sports Center. The Board directed staff to schedule a special meeting, prior to the October meeting, to consider approving a consultant for the project.

Commissioner Gilbertson moved that staff begin the consultant selection process to select a consultant to develop a final design/cost estimates and discovery phase with Bismarck Public Schools and others for the potential renovation/expansion opportunity at the VFW Sports Center. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

The ND Recreation and Park Association held its annual awards banquet on September 14, 2021. Vice President Munson recognized the following local award recipients:

- The Cottonwood Park expansion received the Golden Egg Award, which recognizes outstanding and innovative park projects in North Dakota.
- Dr. Steve Chuppe, co-chair of Bismarck Recreation Council capital campaigns for the Bismarck Municipal Ballpark and Cottonwood Park Expansion, received the Citizen Advocacy Award.
- Mike Wald, facilities manager for ice arenas and outdoor pools, received the Distinguished Professional Award.
- Two former Bismarck Parks and Recreation District employees were inducted into the NDRPA Hall of Fame, the association's highest honor – Tim Kuntz and Dennis Nybo.

Community Relations Manager Dana Schaar Jahner provided the Board with information about the Bismarck Recreation Council and its endowment fund that was started in 2019. She then showed the Board a video about the endowment fund that has been developed to raise awareness.

Vice President Munson reviewed the following items on the consent agenda:

- Review and approval of August 19 and September 7, 2021 Board meeting minutes.
- Board authorization to apply for Land and Water Fund Conservation and Transportation Alternative grants for the following projects:
    - Land and Water Fund Conservation Grants: One would be to create a new neighborhood park and trailhead at what is now called Hay Creek Park, off 26th Street and the second proposed project would be for two playgrounds - the first would be a replacement playground at Sam McQuade Softball Complex and the second playground is a new play area at the Joann Hetzel Memorial 4-H Building at the Missouri Valley Complex.
    - Transportation Alternative Grants: The first proposed project is an extension of the South Washington Trail from South Meadows Park to General Sibley Park and Campground and the second proposed project is a trail rehabilitation project of a portion of the Hay Creek Trail from Lilac to the 26th Street staircase.
- Consideration of Agreements

- Amendment to Commercial Lease regarding the Joann Hetzel Memorial 4-H Building
- Updated lease agreement with Dakota Zoo
- Bismarck Sports Group (BSG) video board signage addendum
- Eagles Park Lease with Bismarck Fraternal Order of Eagles Aerie No. 2237

- Request Board authorization to call for bids for 2022 equipment purchases.

Commissioner Gilbertson moved to approve the consent agenda with the except of the item regarding the grant applications. Commissioner Jordan seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

After receiving additional information, Commissioner Zimmerman moved approval for staff to apply for Land and Water Conservation Fund and Transportation Alternative grants. Commissioner Gilbertson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried.

Commissioner Gilbertson moved to appoint Kevin Klipfel as Clerk of the Park District, effective October 2, 2021. Commissioner Jeske seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Jordan, Zimmerman, Munson, and President Jeske. The nays being none, the motion carried. Legal Counsel Connie Hofland administered the oath of office.

Commissioner Zimmerman moved to approve bills for payment with checks 407293 to 407301 and 206290 to 206626 along with bank drafts DFT001005 to DFT001011, EFTs 1483 to 1524 and direct deposits 41754 to 42857. Commissioner Munson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Zimmerman, Munson and President Jeske. The nays being none, the motion carried.

Vice President Munson recognized retiring Executive Director Randy Bina by reading the following:

Whereas, **Randy Bina**, in his capacity as the Executive Director of the Bismarck Parks and Recreation District since 2011, has served the residents and visitors of the City of Bismarck in a most exceptional, professional, and collaborative manner; and

Whereas, he has provided leadership and inspiration that has greatly assisted in providing high quality park, program, facility, and event experiences that are affordable, accessible, and sustainable; and

Whereas, Randy Bina has given freely and graciously of his time and many talents to the Park District of the City of Bismarck for these many years, greatly contributing to a better, more active community; and

Whereas, it is fitting and proper that such dedication, loyalty, and public service be recognized, publicly proclaimed, historically noted, and made part of the permanent record of the Bismarck Parks and Recreation District;

Now, therefore, be it resolved by the Park District of the City of Bismarck and on behalf of the citizens of Bismarck, on this 16th day of September 2021, that the Board of Park Commissioners and staff of the Bismarck Parks and Recreation District extend to Randy Bina sincere thanks and grateful appreciation for his outstanding leadership and distinguished service.

The next regular Board meeting will be held on October 21, 2021 at 5:15 pm in the Tom Baker Meeting Room. The meeting was adjourned at 7:22 pm.

EXHIBIT 6 - City of Bismarck Endorsement

Bismarck

City Administration

TO: Gabe Schell, City Engineer

DATE: 10/13/2021

FROM: Jason Tomanek, Assistant City Administrator

SUBJECT: Endorsement of Bismarck Parks and Recreation District Application for NDDOT Transportation Alternatives Grant

The Board of City Commissioners met on Tuesday, October 12, 2021 and considered endorsing a Bismarck Parks and Recreation District grant request for two (2) projects for the NDDOT Transportation Alternatives funds to the Metropolitan Planning Organization.

- South Washington Street Trail – South Meadows Park to General Sibley Park
- Hay Creek Trail – Lilac Lane to 26th Street Staircase

The scope of the south Washington Street trail would be to extend the trail from South Meadows Park to General Sibley Park and Campground. The trail extension would be approximately 4,568 linear feet or 0.86 miles of new trail. The Hay Creek Trail would be a rehabilitation project that would begin at Lilac Lane to the 26th Street staircase. A map of the proposed project locations is attached.

If awarded, Bismarck Parks & Recreation District would enter into a companion agreement with the City of Bismarck and assume all responsibilities for local matching dollars and maintenance of the improvement. Construction would occur in 2025.

The Commission considered the request and approved it as presented.

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HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) / LOCAL ROADS SAFETY PROGRAM (LRSP) SUMMARY

NOVEMBER 2021

A total of one (1) project application was submitted for fiscal funding year 2026 HSIP/LRSP. The submitting jurisdiction is Burleigh County. The project was scored against the goals and objectives of the Metropolitan Transportation Plan (MTP) by MPO staff. Points are provided to TAC and Policy Board for information, discussion, and potential prioritization.

JURISDICTION	TYPE	PROJECT DESCRIPTION	TOTAL COST / FEDERAL COST	MTP	POINTS
Burleigh County	Construction	**Centennial Road/71st Ave Intersection Reconstruction** Construction of a roundabout to include adjoining 41st St NE and Rooster Road, including lighting and landscaping	$4.5 million / $4,050,000	YES	11.3

klr_nov_2021

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EXHIBIT F

HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) PROJECT APPLICATION

North Dakota Department of Transportation, Programming
SFN 59959 (11-2019)

23 USC § 409 Documents
NDDOT Reserves All Objections

Please attach a location map(s). You may use additional sheets to further describe your project.

Agency Name			NDDOT District
Burleigh County			1
Contact Name			**Current Date**
Marcus Hall			10/15/21
Email Address		**Telephone Number**	**Project Cost Estimate (attach detailed copy)**
mahall@nd.gov		701-204-7748	4,500,000.00

Location Description	Roadway Ownership	Vision Zero Emphasis Area (check all that apply)	Functional Class
Legal Description: Section 1, 2, 11, and 12 Township 139 North, Range 80 West 71st Ave. NE, Centennial Road, 41st St. NE, & Rooster Road	☐ State ☒ County ☐ City ☐ Tribe	☒ Younger Drivers ☒ Speeding or Aggressive Drivers ☐ Alcohol-Related ☐ Unbelted Vehicle Occupants ☒ Lane Departure ☒ Intersections	☐ Local Road or Street ☐ Minor Collector ☐ Major Collector ☐ Minor Arterial ☒ Principal Arterial

Improvement Category (check all that apply)

☐ Access Management	☒ Intersection Geometry	☐ Parking	☐ Roadway Delineation
☐ Advanced Technology & ITS	☒ Intersection Traffic Control	☐ Pedestrians & Bicyclists	☐ Roadway Signs & Traffic Control
☐ Alignment	☒ Lighting	☐ Railroad Grade Crossings	☐ Shoulder Treatments
☐ Animal Related	☐ Miscellaneous	☐ Roadside	☒ Speed Management
☐ Interchange Design	☐ Non-infrastructure	☐ Roadway	☐ Work Zone

Describe Current Safety Issues

This intersection was identified for safety improvements in the Burleigh County LSRP due to the high volume of traffic flow that has developed in recent years and a current roadway geometry that does not meet current or future needs. It is also recognized in the Bismarck-Mandan MPO Arrive 2045 MTP Short Range Projects. Upon a site visit, there appears to be a lot of turn movements from Centennial to 71st and vice versa especially during the peak hour commutes. The intersection could use lighting to improve visibility at night. Speed limit is currently set at 55mph throughout the curve causing potential for high speed collisions with all the turning movements observed.
Lane Departures have been observed on multiple instances. The reflective delineators are replaced frequently along the curve. This area has a higher density of Rural Residential housing and this intersection serves as a direct route to Legacy High School, causing a large number of younger, lesser experienced drivers using these roadways on a daily basis. With the younger, inexperienced drivers we are also seeing increased speeds.

Describe Proposed Safety Improvements

The current configuration of this intersection is within the vicinity of 5 different roadway segments along a super-elevated spiral curve making it difficult to configure a safe intersection that meets all needs of all the roadways. Due to the high traffic volume, projected growth, turn movements required, and necessary geometry changes it is proposed to construct a roundabout to allow traffic to continue movement while increasing safety while servicing traffic from five different roadways. Providing a roundabout would address the current geometric configuration, speed and lighting issues.

For questions or comments contact:
Justin Schlosser
701-328-2673
jjschlosser@nd.gov

Please email completed form to this address: hsip@nd.gov

SCOPING REPORT

Report Completed By: Daniel Schriock, P.E. **Date**: 10-15-2021
Phone Number: (701) 204-7748

Project Description: Reconstruction of 71st Avenue NE, Centennial Road, 41st Street NE, & Rooster Road intersection.
Legal Description: Section 1, 2, 11, and 12 Township 139 North, Range 80 West
Functional and Funding Roadway Classification: Principal Arterial
Project Schedule: Proposed to use funding from 2026 HSIP Funds

Purpose and Need of Project: This intersection was identified for safety improvements due to the high volume of traffic flow that has developed in recent years and a current roadway geometry that does not meet current or future needs. Thankfully crashes have not yet increased, but unfortunately the number of near misses has been rising and this is due to continued development in the area and vehicular and truck traffic diverting around Bismarck to use the 71st/Centennial corridor. Due to the high traffic volume, projected growth, turn movements required, and necessary geometry changes it is proposed to construct a roundabout to allow traffic to continue movement while increasing safety while servicing traffic from five different roads. Burleigh County already has sufficient right-of-way to allow installation of the roundabout. The utility impacts will be moderate with some relocation necessary.

1. Construction History

CONSTRUCTION HISTORY – 71ST AVENUE NE & CENTENNIAL ROAD				
Year	Construction	Depth (in)	Width (ft)	Oil
2007	L&R Turn Lanes 71st & Centennial	4	12	PG 58-28
2014	Asphalt Overlay	3	28	PG 58-28
2020	Right Turn Lane 71st St W. Bound	4	14	PG 58-28

2. Existing Conditions
   71st Avenue NE (West):
   Existing Inslopes - Left: 4:1 Right: 4:1
   Existing Typical Section - Driving Lanes: 12 Shoulders: 2 ft Total Asphalt Width: 36 ft
   Total Gravel Width: 32 ft Depth of Asphalt: Unknown
   Depth of Gravel: Unknown Turn Lanes: Left

Average Daily Traffic:		
Year	**ADT**	**Source**
2015	4,200	Bismarck-Mandan MPO MTP
2019	5,245	NDDOT
2026	6,900	Forecasted (2019 at 4% Growth)
2045	19,300	Bismarck-Mandan MPO MTP

71st Avenue NE (East):
Existing Inslopes - Left: 4:1 Right: 4:1
Existing Typical Section - Driving Lanes: 12 Shoulders: 2 ft Total Asphalt Width: 36 ft
Total Gravel Width: 32 ft Depth of Asphalt: Unknown
Depth of Gravel: Unknown Turn Lanes: Left

Average Daily Traffic:		
Year	**ADT**	**Source**
2015	1,100	Bismarck-Mandan MPO MTP
2019	3,110	NDDOT
2026	4,100	Forecasted (2019 at 4% Growth)
2045	11,000	Bismarck-Mandan MPO MTP

Centennial Road:
Existing Inslopes - Left: 4:1 Right: 4:1
Existing Typical Section - Driving Lanes: 12 Shoulders: 3 ft Total Asphalt Width: 48 ft
Total Gravel Width: 32 ft Depth of Asphalt: Unknown
Depth of Gravel: Unknown Turn Lanes: Left & Right

Average Daily Traffic:		
Year	**ADT**	**Source**
2015	3,800	Bismarck-Mandan MPO MTP
2019	6,625	NDDOT
2026	8,720	Forecasted (2019 at 4% Growth)
2045	18,000	Bismarck-Mandan MPO MTP

41st Street NE:
Existing Inslopes - Left: 4:1 Right: 4:1
Existing Typical Section - Driving Lanes: 12 Shoulders: 0 ft Total Asphalt Width: 24 ft
Total Gravel Width: 28 ft Depth of Asphalt: Unknown
Depth of Gravel: Unknown Turn Lanes: None

Average Daily Traffic:		
Year	**ADT**	**Source**
2015	1,300	Bismarck-Mandan MPO MTP
2019	870	NDDOT
2026	1,150	Forecasted (2019 at 4% Growth)
2045	3,000	Bismarck-Mandan MPO MTP

Rooster Road:
Existing Inslopes - Left: 4:1 Right: 4:1
Existing Typical Section - Driving Lanes: 12 Shoulders: 0 ft Total Asphalt Width: 24 ft
Total Gravel Width: 26 ft Depth of Asphalt: Unknown
Depth of Gravel: 3 In Turn Lanes: None

Average Daily Traffic:		
Year	**ADT**	**Source**
2015	ND	Bismarck-Mandan MPO MTP
2019	ND	NDDOT
2026	ND	Forecasted (2019 at 4% Growth)
2045	ND	Bismarck-Mandan MPO MTP

3. Condition of Pavement Section:
   The existing roadway has low amounts of longitudinal and transverse cracks.

4. Existing Geometry:
   Horizontal Curves: Yes – through the intersection
   Vertical Curves: Yes – through curve and intersection
   Major Intersections: 71st Avenue NE and Centennial Road.
   Vertical Clearances: NA
   Ramps: None
   Existing Structures: None
   Centerline Culverts: East –west culvert under 41st Street NE.

5. Access Points to Adjoining Properties:
   41st Street NE and Rooster Road would also be included in the potential roundabout and these roads grant access to local roads for adjoining properties.

6. Existing Sidewalks/Shared Use Paths:
   There are no existing sidewalks or shared use paths.

7. Existing or Additional Storm Sewer:
   Under 41st Avenue NE there is an existing east-west culvert. The culvert sizes and locations will be in accordance with the Storm Water Master Plan.

8. County Water and Sanitary Sewer Line:
   There is no existing water or sanitary sewer lines.

9. Existing Lighting Systems:
   There are no existing lighting systems in the project corridor.

10. Traffic Signals and Turning Lanes:
    There are turn lanes in the intersection of 71st Avenue NE and Centennial Road.

Burleigh County Highway Department

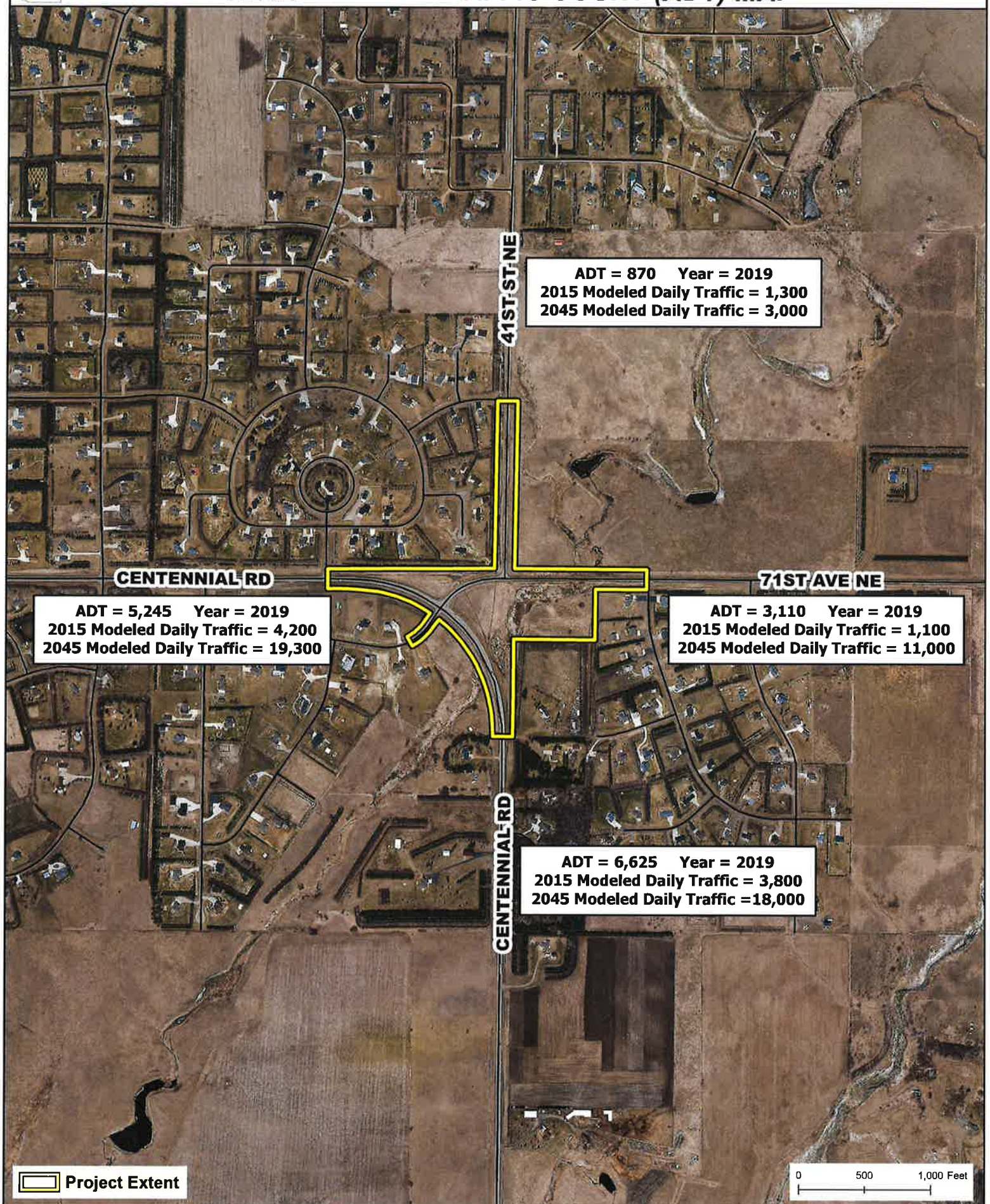
Preliminary Estimate of Costs
Reconstruction of 71st Ave. NE, Centennial Road, 41st St. NE, & Rooster Road Intersection
10/15/2021

Item Description		Price
Roundabout		$3,500,000.00
Lighting		$150,000.00
Landscaping		$50,000.00
Right of Way		$50,000.00
Design Engineering		$375,000.00
Construction Engineering		$375,000.00
	Total	**$4,500,000.00**

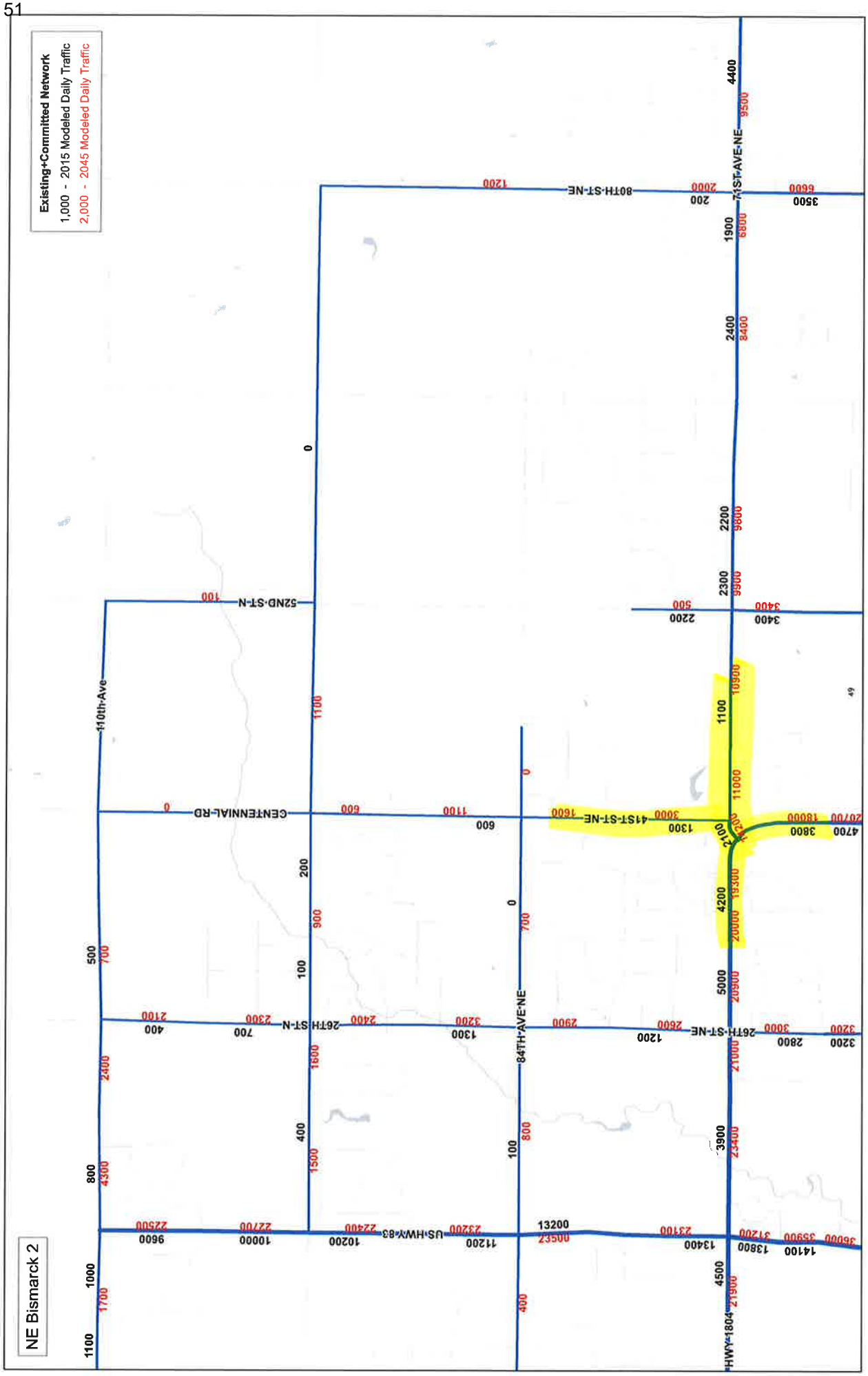
BURLEIGH COUNTY, NORTH DAKOTA
AVERAGE DAILY TRAFFIC COUNT (ADT) MAP

N

10/15/2021



Map produced by Burleigh County GIS. This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.


Existing+Committed Network
1,000 - 2015 Modeled Daily Traffic
2,000 - 2045 Modeled Daily Traffic
NE Bismarck 2
80TH ST NE
71ST AVE NE
52ND ST N
110th Ave
CENTENNIAL RD
41ST ST NE
26TH ST N
84TH AVE NE
26TH ST NE
US HWY 83
HWY 1804

Intersection and/or Urban Crash Summary Sheets

Total Crashes: 2 (Sorted by Date)
City: Bismarck
Location: Centennial Rd / 71st Ave N / Rooster Rd / 41st St
Start - End Date: 9/1/2016 - 8/31/2021 (5 Years)

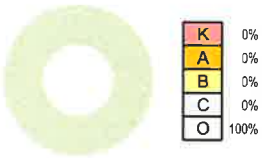
Notes: Animal crashes were not included.

23 USC § 409 Documents
NDDOT Reserves All Objections

VISION ZERO

Statistics

Crash Severity	Letter Code	No. of Crashes
Fatal	K	0
Incapacitating Injury	A	0
Non-incapacitating Injury	B	0
Possible Injury	C	0
Property Damage Only	O	2
		2



Under Construction

Yes = 0 0%

Day of Week

Monday =	0	0%
Tuesday =	1	50%
Wednesday =	0	0%
Thursday =	0	0%
Friday =	0	0%
Saturday =	1	50%
Sunday =	0	0%
	2	

Manner of Collision			Breakdown by Severity K	A	B	C	O
Angle	2	100%	0	0	0	0	2
Rear End	0	0%	0	0	0	0	0
Left Turn	0	0%	0	0	0	0	0
Sideswipe (same dir.)	0	0%	0	0	0	0	0
Sideswipe (opp dir.)	0	0%	0	0	0	0	0
Single Vehicle	0	0%	0	0	0	0	0
Ped/Bike	0	0%	0	0	0	0	0
Head On	0	0%	0	0	0	0	0
Backing	0	0%	0	0	0	0	0
Other	0	0%	0	0	0	0	0
	2	100%	0	0	0	0	2

Surface Conditions			Breakdown by Severity K	A	B	C	O
Dry	2	100%	0	0	0	0	2
Wet	0	0%	0	0	0	0	0
Ice / Snow	0	0%	0	0	0	0	0
Other	0	0%	0	0	0	0	0
	2	100%	0	0	0	0	2

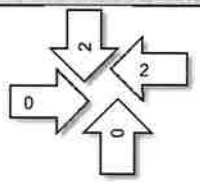
Lighting Conditions			Breakdown by Severity K	A	B	C	O
Dawn/Dusk	0	0%	0	0	0	0	0
Daylight	2	100%	0	0	0	0	2
Dark	0	0%	0	0	0	0	0
Dark (lighted)	0	0%	0	0	0	0	0
Unknown	0	0%	0	0	0	0	0
	2	100%	0	0	0	0	2

V1 and V2 Configuration*

Passenger Car =	0
PU / Van / Utility =	4
Truck =	0
Bus / Motorhome =	0
Motorcycle + Moped =	0
Ped or Bike =	0

These are only the most popular choices.

V1 and V2 Directions



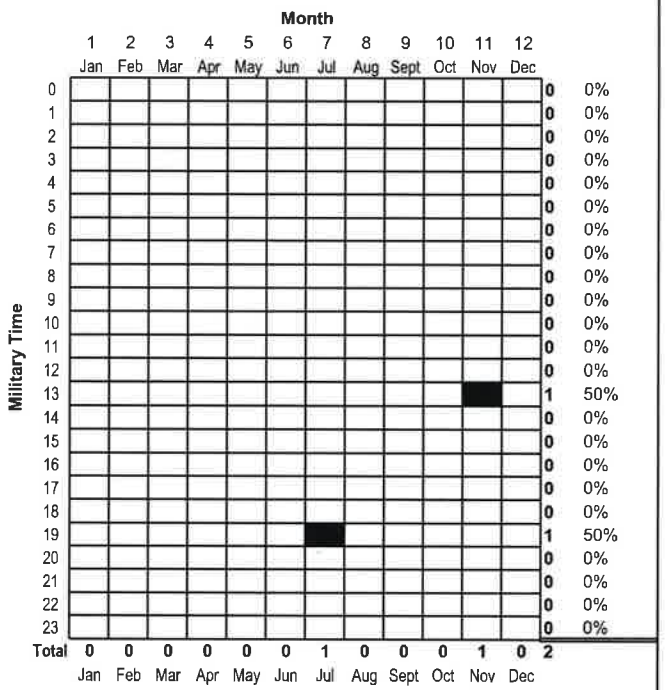
NB = 0
SB = 2
EB = 0
WB = 2

D1 and D2 Alcohol / Drugs*

Yes (alcohol or drugs present) = 0

D1 and D2 Age/Sex

Age	M	F	Total
0-17	2	0	2
18-20	0	0	0
21-24	0	0	0
25-34	1	0	1
35-44	0	1	1
45-54	0	0	0
55-64	0	0	0
65-74	0	0	0
75+	0	0	0
	3	1	4



*Within the Manner of Collision table, values equal to zero are not shown in order to reduce clutter.

Manner of Collision

Year	Start Date	End Date	Angle NB+EB	NB+WB	SB+EB	SB+WB	Sub Total	Rear End NB	SB	EB	WB	Sub Total	Left Turn NB to WB	SB to EB	EB to NB	WB to SB	Sub Total	Sideswipe Same Dir. NB	SB	EB	WB	Sub Total	Backing	Ped / Bike	Single Veh.	Head on or Other	Total
1	9/1/2016	8/31/2017																									0
2	9/1/2017	8/31/2018																									0
3	9/1/2018	8/31/2019																									0
4	9/1/2019	8/31/2020				2	2																				2
5	9/1/2020	8/31/2021																									0
						2	2																				2

Intersection and/or Urban Crash Summary Sheets

Total Crashes: 2 (Sorted by Date)
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Location: Centennial Rd / 71st Ave N / Rooster Rd / 41st St
Start - End Date: 9/1/2016 - 8/31/2021 (5 Years)

23 USC § 409 Documents
NDOT Reserves All Objections

LEGEND
- ▶ Fatal
- ▶ Incapacitating Injury
- ▶ Non-Incapacitating Injury
- ▷ Possible Injury
- ♦ Wet surface
- ❄ Snow, Ice, Slush, Frost
- ▲ Crash related to work zone
- ① Unit number

1. Contributing Factor
* = alcohol or drugs involved

2. Most Harmful Event
For single vehicle crashes, the most harmful event is shown in parentheses in the "Type of Collision" column

VISION ZERO

Crash No. / Crash Severity / Date Day / Surface Conditions (Weather) / Lighting & Time	Type of Collision	① AGE SEX CITY STATE / Unit Configuration / Movement (traffic control) / Contributing Factor[1] / Most Harmful Event[2]		Shortened Narrative	Diagram
1087226 PDO 11/26/19 Tuesday Dry (Cloudy) Daylight 1:56 PM	Angle	① 44F BISMARCK ND Pickup - Van - Utility SB Turning Left (Stop) Failed to Yield	② 34M HAZEN ND Pickup - Van - Utility WB Going Straight	V1 = SW-bound. V2 = NW-bound.	↓ ←
1096560 PDO 07/18/20 Saturday Dry (Clear) Daylight 7:31 PM	Angle	① 15M BISMARCK ND Pickup - Van - Utility SB Turning Left (Stop) Failed to Yield	② 15M BISMARCK ND Pickup - Van - Utility WB Going Straight	V1 = SW-bound. V2 = NW-bound.	↓ ←

53

HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) PROJECT APPLICATION

North Dakota Department of Transportation Programming
SFN 59959 (06-2011)

NE 41st ST & 71st Ave NE (WEST)

Agency Name: Burleigh County | **ND DOT District: 1**
Contact Name: Marcus Hall | **Telephone Number: 701-221-6870**
Email Address: mahall@nd.gov

Please attach a location map(s). You may use additional sheets to further describe your project.

Location Description

Configuration: X
Configuration (2): Undivided
Urban/Rural: Rural
County: Burleigh
Entering ADT: 5460
Traffic Control Device: Thru-Stop
Street Lights: No
Flashers: No
Major ADT: 4535
Minor ADT: 925

SHSP Emphasis Area (check all that apply)

- ☐ Reduce Alcohol Impaired Driving
- ☐ Increase the Use of Safety Restraints for all Occupants
- ☐ Younger Driver/Older Driver Safety
- ☐ Curb Aggressive Driving
- ☐ Improvements to Address Lane Departure Crashes
- ☐ Enhancing Emergency Medical Capabilities to Increase Survivability
- ☑ Improve Intersection Safety

Describe Current Safety Issues & Systemic Ranking Review

North Dakota Crashes, 2008 - 2012 — 5 years

	Total	Angle	K+A
Crashes	2	0	0.00
Rate (per MVM)	0.2	0.0	0.0

	Value	Critical	Risk Ranking
Skew	No	Yes	
On/Near Curve	Yes	Yes	★
Development	No	Yes	
Near RR Crossing	No	Yes	
Distance from previous STOP	No	Yes	
Volume Cross Product	Yes	≥ 100,000	★
Total Crashes	2	>0	★
			★★★

Describe Proposed Safety Improvements

Description	Unit Cost		Units	Cost	Notes -
Roundabout	$1,000,000	per intersection	0	$0.00	
Directional Median	$750,000	per intersection	0	$0.00	
Mainline Dynamic Warning Sign	$50,000	per intersection	1	$50,000.00	
Close Median	$25,000	per intersection	0	$0.00	
Installing Street Lights	$6,000	per street light	1	$6,000.00	
Upgrade Stop Sign	$350	per sign	2	$700.00	
Upgrade Junction Sign	$350	per sign	2	$700.00	
Upgrade Stop Ahead Sign	$450	per sign	2	$900.00	
Upgrade Stop Ahead Marking	$450	per marking	2	$900.00	
Upgrade Stop Bar	$250	per marking	2	$500.00	
Review Signs and CST	$2,450	per intersection	1	$2,450.00	
				$62,150.00	

Signs and Markings and Street Light project costs vary by the number of minor legs associated with the intersection.

Project Cost Estimate (attach detailed copy)

Federal Funds	$55,935
Local Match (10% of Total project cost)	$6,215
Total Project Cost	**$62,150**

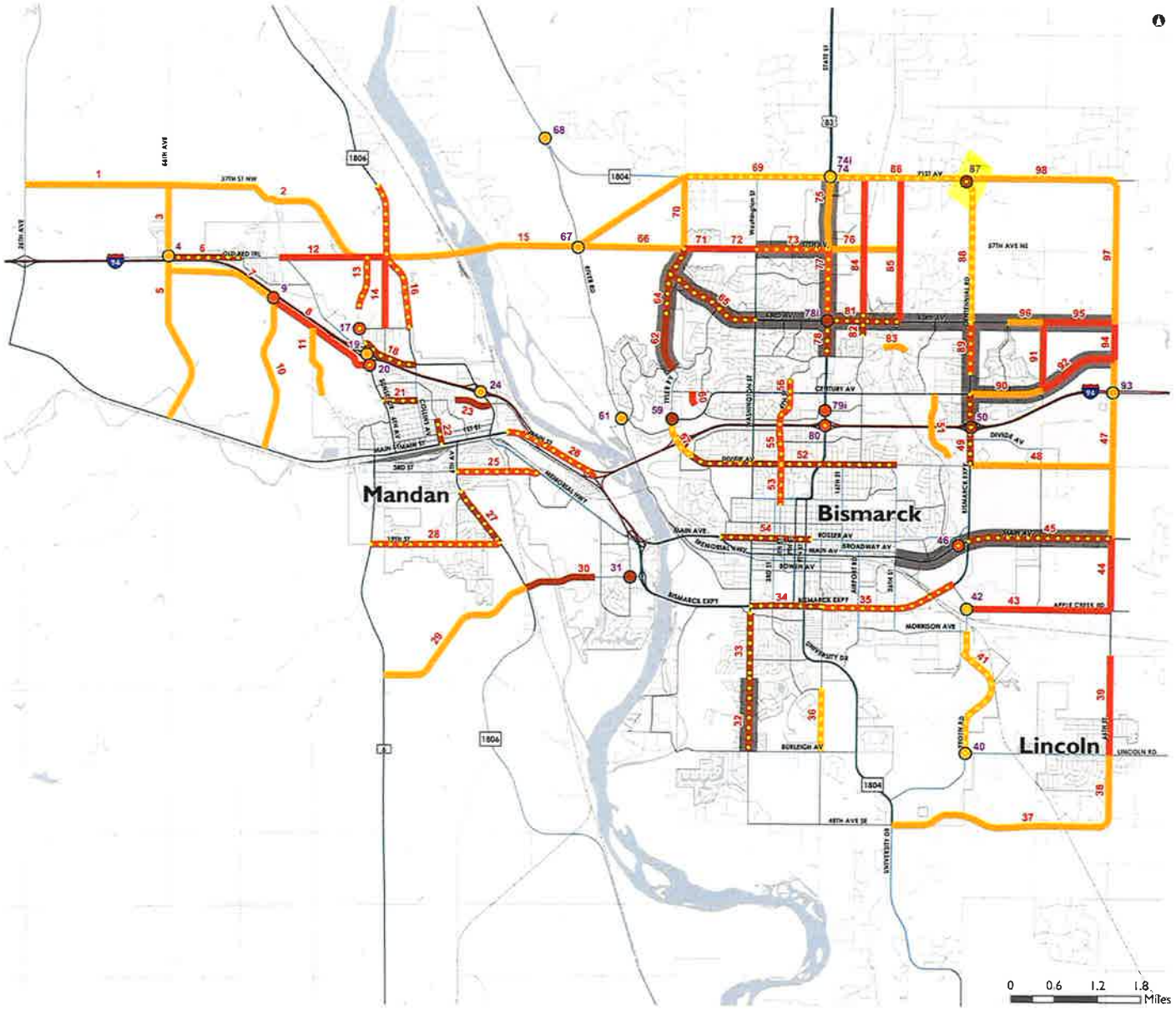
Proposed Year of Construction

NDDOT Central Office Only

Project Accepted?	☐ Yes ☐ No	Reference Number		ID Number	

Notes

Page: 6
Intersection ID: 510.03
Date: 8/13/2013



Project Phasing

- Short Range Projects
- Mid Range Projects
- Long Range Projects
- Short Range Projects for Constrained Plan
- Mid Range Projects for Constrained Plan
- Long Range Projects for Constrained Plan
- Bismarck Sales Tax Eligible Corridors

ARRIVE 2045
Bismarck-Mandan MPO
Metropolitan Transportation Plan

Short-Range Project List

ID	Location	Termini	Termini	Description	Phase	Cost	Year of Expenditure [YOE]	Program	Urban Program Priority
6	Old Red Trail	56th Avenue	40th Avenue NW	Reconstruct as 3-lane urban section.	Short	$8,400,000	$9,826,812	Urban	2
18	Old Red Trail	Sunset Drive	ND1806 / Collins Avenue	Restripe for 3-lane urban section.	Short	$39,500	$46,209	Safety	
21	Division Street	Sunset Drive	ND 1806 / Collins Avenue	Reconstruction.	Short	$2,500,000	$2,924,646	Urban	5
22	3rd Avenue NE	Main Street	5th Street	Reconstruction.	Short	$2,500,000	$2,924,646	Urban (P&M)	7
23	Division Street	8th Avenue E	Mandan Avenue	Construct as 2-lane urban section.	Short	$2,880,000	$3,369,193	Urban	
27	Highway 1806	19th Street	Heart River Bridge	Pavement preservation project, including addition of turn lanes and signals at 8th Avenue and 19th Street.	Short	$1,750,000	$2,047,252	Regional	
30	McKenzie Road	Highway 1806	39th Avenue E	Construct as 2-lane rural section. Include new bridge across Heart River. Add signals at McKenzie Drive/ Bismarck Expressway ramps and at McKenzie Drive/40th Avenue.	Short	$15,650,000	$18,308,286	Urban	
31	McKenzie Road	46th Avenue SE		Intersection capacity improvement.	Short	$2,500,000	$2,924,646	Urban	
32	Washington Street	Burleigh Avenue	Drainage Channel	Reconstruct as 3-lane urban arterial.	Short	$8,720,000	$10,201,167	Urban	3
33	Washington Street	Drainage Channel	Denver Avenue	Turn lane improvements including restripe south of Reno Avenue as 3-lane section.	Short	$39,000	$45,624	Safety	
34	Bismarck Expressway	Washington Street	12th Street	Safety improvements.	Short	$5,000,000	$5,849,293	Safety	
45	Main Avenue	Bismarck Expressway	66th Street	Widen from 2-lane to 3-lane section (including intersection improvement at 52nd Street).	Short	$10,020,000	$11,721,983	Urban	6
49	Bismarck Expressway / Centennial Road	Divide Avenue	Century Avenue	Widen from 5-lane to 6-lane section.	Short	$3,960,000	$4,632,640	Mix	
50	Bismarck Expressway / Centennial Road	I-94		Interchange reconstruction.	Short	$25,000,000	$29,246,464	Interstate	
52	Divide Avenue	Turnpike Avenue	26th Street	Restripe as 3-lane urban section.	Short	$143,500	$167,875	Safety	
54	Rosser Avenue	Main Avenue	10th Street	Restripe as 3-lane urban section.	Short	$62,000	$72,531	Safety	
59	Century Avenue	Tyler Parkway		Intersection capacity improvement.	Short	$2,500,000	$2,924,646	Urban	
62	Tyler Parkway	Valley Drive	43rd Avenue	Construct as 2-lane urban section.	Short	$4,260,000	$4,983,597	Urban	
64	Tyler Parkway	43rd Avenue	57th Avenue	Overlay existing roadway to 2-lane rural section.	Short	$500,000	$584,929	Urban	8
65	Ash Coulee Drive	Tyler Parkway	Washington Street	Widen from 2-lane to 3-lane urban section.	Short	$5,240,000	$6,130,059	Urban	4
78	State Street	Calgary Avenue	43rd Avenue	At grade improvements: Calgary Avenue and 43rd Avenue; widening to 6-lane urban section from Calgary Avenue through 43rd Ave intersection.	Short	$15,185,000	$17,764,302	Regional	
78i	State Street	43rd Avenue		Grade separation.	Short	$30,000,000	$35,095,757	Regional	
81	43rd Avenue	State Street	26th Street	Construct 3-lane or 5-lane urban section.	Short	$10,000,000	$11,698,586	Urban	1
82	19th Street	North Valley Loop/Yucca Avenue	43rd Avenue	Reconstruct as 3-lane urban section.	Short	$1,380,000	$1,614,405	Urban	1
87	71st Avenue	Centennial Road		Intersection capacity improvement.	Short	$2,500,000	$2,924,646	Safety	
TBD	State Street	Calgary Avenue	43rd Avenue	Shared use path.	Short	$1,000,000	$1,169,859	Regional	

URBAN GRANTS PROGRAM SUMMARY

NOVEMBER 2021

A total of three (3) project applications were submitted for the fiscal funding year 2024 Urban Grants Program. The projects were scored against the goals and objectives of the Metropolitan Transportation Plan (MTP) by MPO staff. Points are provided to TAC and Policy Board for information, discussion, and potential prioritization.

JURISDICTION	PROJECT TYPE	PROJECT DESCRIPTION	TOTAL COST / FEDERAL COST	MTP	POINTS
Bismarck	Rehabilitation	**Front Ave and 5th St Pavement Rehab – Front Ave, 9th St to S. Mandan St and 3rd St, Front Ave to Main Ave and 5th St, Bowen Ave to Main Ave.** Mill and overlay, curb and gutter repairs, sidewalk repairs, ADA ramp upgrades, curb extensions, plastic pavement marking, watermain replacement, roadway and pedestrian lighting upgrades, street trees and landscaping improvements, modifications of traffic signals for implementing leading pedestrian intervals, benches, bike racks, bus shelter pads, and signage.	$2,635,600 / $1,468,880 (federal portion represents 80% of cost of construction)	YES	17.498
Bismarck	Rehabilitation	**West CBD Pavement Upgrade – 3rd St, Main Ave to Rosser Ave and Rosser Ave, 3rd St to 7th St, along with portions of 4th St, 5th St, and Broadway Ave.** Mill and overlay, curb and gutter repairs, sidewalk repairs, ADA ramp upgrades, curb extensions, plastic pavement marking, roadway and pedestrian lighting upgrades, street trees and landscaping improvements, modifications of traffic signals for implementing leading pedestrian intervals, and signage.	$1,804,000 / $656,887 in new funding (to be combined with $786,313 previously awarded)	YES	15.198
Mandan	Reconstruction Phase I	**Downtown Core Reconstruct Phase I – 1st St NW from Collins Ave to 6th Ave NW** Full reconstruct on 1st St roadway with concrete (rather than mill and overlay due to exceedingly poor pavement condition; poor curb, gutter, and sidewalk conditions; and a need to replace old watermain); sidewalk and sidewalk ramp improvements to bring up to ADA compliance; possible curb bulb outs; signage and striping; integrating beautification elements recommended in the Mandan Downtown Sub Area Study such as benches, bike racks, LED and decorative lighting; also potential reverse angle parking trial on 1st St. Signalization warrants and potential roundabout placement will be examined during preliminary design.	$6,700,288 / $4,850,390 (federal portion represents 80% of cost of construction)	YES	13.998

klr_nov_2021

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EXHIBIT H

Urban Grant Program Application

Coversheet

LPA
Bismarck

Contact Person
Gabe Schell

Title
City Engineer

Address
221 N 5th Street, Bismarck, ND

Telephone
701-355-1505

Email
gschell@bismarcknd.gov

Project Name
Front Avenue and 5th Street Pavement Rehabilitation

LPA Applicant Signature (Highest Elected Official)

_____

NDDOT District Engineer Signature if project is located on/impacts a State Highway

_____

Date Submitted
10/15/2021

Application Attachment Checklist (check all that have been attached)

☐Relevant excerpts from adopted plans ☐Map(s) depicting project location ☐Cross Section of Roadway/facility

☐Pictures, Graphics, and/or other visual aids ☐Relevant supporting data

☐Other Attachments (describe)
Click here to enter text.

Information in this Box is for NDDOT to Complete

Date Received_____

Is this Project Title 23 Code of Federal Regulation Eligible including location on a federal aid route?
Yes☐ No☐

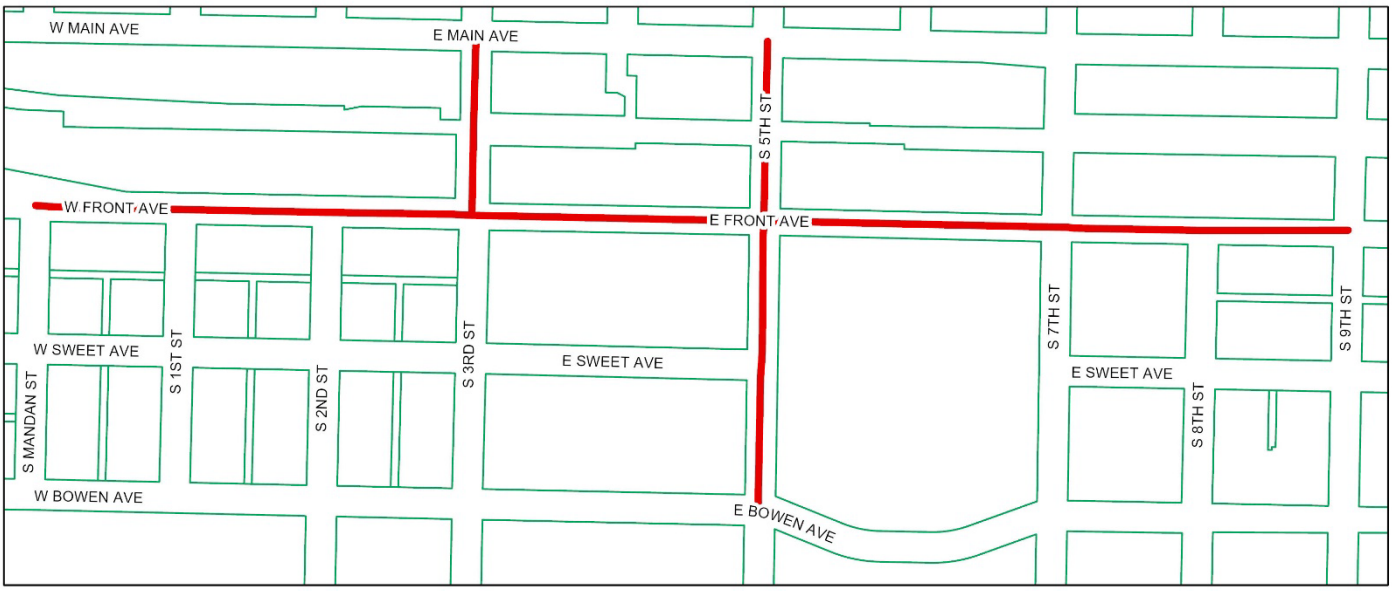
General Project Information

Project Description (including location and scope of work for which funding is requested)

Project consists of improvements to downtown Bismarck primarily on Front Avenue, 3rd Street and 5th Street bounded by Main Avenue on the north, Mandan Street on the west and 9th Street on the east. Project scope includes mill and overlay, curb and gutter repairs, sidewalk repairs, ADA ramp upgrades, curb extensions, plastic pavement marking, watermain replacement, roadway and pedestrian lighting upgrades, street trees and landscaping improvements modifications of traffic signals for implementing leading pedestrian intervals, benches, bike racks, bus shelter pads and signage.

Construction Limits: Front Avenue from Mandan Street to 9th Street, 3rd Street from Front Avenue to Main Avenue and 5th Street from Bowen Avenue to Main Avenue.

Environmental Area: Front Avenue from Mandan Street to 9th Street, 3rd Street from Front Avenue to Main Avenue and 5th Street from Bowen Avenue to Main Avenue.



Total Project Cost

$2,635,600

Amount of Grant Funds Requested (cannot exceed 80% of total project cost)

$1,468,880

Competitive Criteria

1. **Community Need for Project:** Explain why the project is needed including appropriate detail. Include any 100% locally funded components of the project that are part of the overall project or other planned projects that may compliment this project. Documentation of information to support the need such as relevant data, existing and if appropriate projected conditions, and any related analysis through studies or reports would be appropriate to identify in this section. Attachments such as but not limited to: maps, pictures, other graphics; and supporting data demonstrating the need for the project is encouraged.

The primary component of the project is a mill and overlay of Front Avenue from Mandan Street to 9th Street and 5th Street from Sweet Avenue to the railroad tracks. The proposed work would repair the distressed wearing course and would restore the useful life of the previously invested infrastructure through increased load carrying capacity. Front Ave, 3rd Street and 5th Street are functionally classified as minor arterials and provide north/south and east/west connectivity into and out of the CBD. 3rd Street and 5th Street with its quiet zone at-grade crossing of BNSF railroad provides interconnectivity for all modes of transportation from downtown Bismarck to land uses south of the railroad tracks. The project would also revise/improve any non-compliant pedestrian crossing to meet ADA requirements. Select traffic signals would be modified to include push-button activation in order to implement leading pedestrian intervals which have shown to reduce pedestrian/vehicle crashes. This project would evaluate the need for pedestrian lighting along Front Avenue from 3rd Street to 7th Street, 3rd Street between Front Avenue and the railroad tracks, and 5th Street from Bowen Avenue to the railroad tracks.

2. **Community Impact of Project:** Describe how the project will offer significant long term value to the community specifically in addressing the following program objectives (a-f):

   a) Preserve existing transportation assets
   This project would preserve the existing useful life of the asphalt surfacing by milling the wearing course of pavement and overlaying on select roadway. Damaged curb would be replaced to improve stormwater conveyance and aesthetic appeal. Implementation of this project will preserve the majority of the existing infrastructure by making minimal modifications to better serve the public transportation needs.

   b) Ensure safety of all users of the transportation system
   Traffic signals would be evaluated the need for push-button activation in order to implement leading pedestrian intervals which have shown to reduce crashes involving pedestrians. Leading pedestrian interval would allow the pedestrians to get a “head start” into entering the crosswalk with all four signalized approaches showing a red indication for vehicular traffic for 2-3 seconds while the activated pedestrian receives the “walk” designation. This safety feature is proposed only if the signal infrastructure includes pedestrian activated crosswalk in order to minimize vehicular driver frustration of an “all red” indication during the signal cycles with no pedestrian activity.

   c) Improve multi-modal transportation options such as walking, bicycling, and public transportation
   This project would evaluate and enhance multi-modal options by improving ADA ramp locations. Five of the six public transportation routes utilize the bus transit stop on Front Avenue between 5th Street and 7th Street. This project would assess the need for sidewalks at two locations that are presently not installed.

   d) Enhance the economic vitality of the area by providing transportation assets that support: revitalization efforts; development of vacant or underutilized parcels within existing urban areas; and/or redevelopment of established portions of communities
   This project would increase the economic viability of the area by providing a street that accommodates all users. By providing a reliable transportation network for all modes of travel, development and redevelopment interest is maintained or expanded.

   e) Support economically sustainable growth, lessening the need for outward expansion of community transportation infrastructure and associated services
   This project supports existing business and the development of new business in downtown Bismarck by creating an atmosphere more conducive to pedestrian activity both during daytime work and evening social activity. This is accomplished by focusing more on multimodal forms of transportation.

3. **Consistency with an LPA Associated Plan:** Document linkage between the proposed project and a publicly accepted/adopted plan(s) and/or public involvement process. Clear linkage should be demonstrated between the proposed project and the associated public acceptance/support which would include documenting the reference(s) in the plan and/or public involvement process. Relevant excerpts from such documents are encouraged to attach with the application. Examples of publicly accepted/adopted plans might include but are not limited to: Community Comprehensive Plan; Downtown Master Plan; Neighborhood/Subarea/Corridor Plan; Bicycle/Pedestrian Plan; Housing Plan; Long Range Transportation Plan; Transit Development Plan; and/or Renaissance Zone Plan. A stand-alone public involvement process which demonstrates community support for the specific project is also acceptable and should be documented in the application.

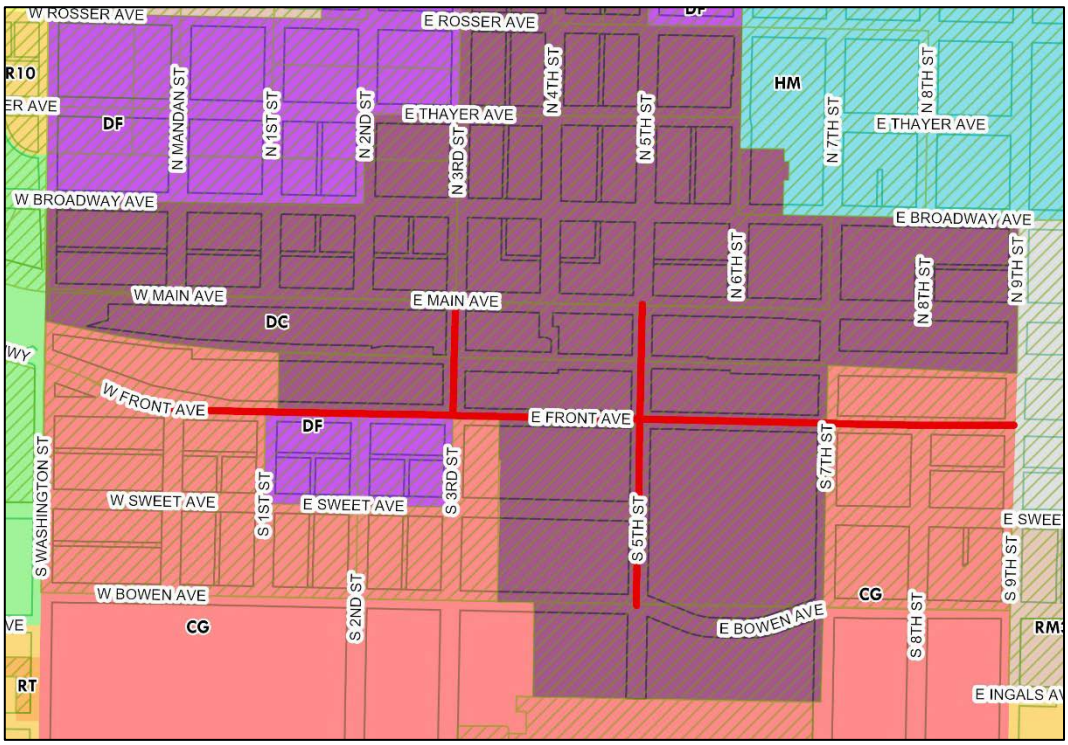
   This project was identified in the Downtown Bismarck Subarea plan to include traffic calming measures and provide for existing business and the development of new business in downtown Bismarck by creating an atmosphere more conducive to pedestrian activity both during daytime work and evening social activity.

   In August of 2019 the board of City Commissioners adopted the Downtown Streetscape Standards. The purpose of these standards was to enhance and preserve the quality of the public right of way in the downtown core and provide an attractive, coherent and safe experience

   Downtown Streetscape Standards Website:
   https://www.bismarcknd.gov/DocumentCenter/View/33761/Downtown-Streetscape-Standards_071119

4. **Project Support of Urban Core/Central Business District:** Projects which directly support the urban core/central business district (CBD) will be given preferential consideration. Identify the project location and how it will support the urban core/CBD. (Attach 8.5” x 11” or 11” x 17” color map depicting project location in relation to urban core/CBD if applicable to the project type)

   This proposed project is near the southern fringe of the downtown core as shown on the map below. Improvements are currently being implemented in the downtown core that are being funded through previous urban grants. This project will continue expand the area to support the continued growth of the activities of the central business district. Investing transportation dollars into these roadways would provide a funding source that would lessen the costs to the adjacent property owners for these improvements.



5. **Projects that Maximize the Return on Investment from Public Funds:** Projects which can demonstrate a positive private return on investment of public funds will be given preferential consideration. Examples of this may include but not be limited to increased retail sales, new jobs, and/or new dwelling units anticipated as a direct result of the proposed project.

   The zoning is downtown core, downtown fringe and commercial for all of the properties within the project area. The land uses vary from event center, retail, office, and restaurants to mixed use residential and public. Maintaining a healthy level of service on the infrastructure within the downtown core, downtown fringe and hospital medical is essential to continuing the development and redevelopment potential in all of these properties. City pedestrian activity on subject corridors and the relationship of non-time limit parking just outside of this area as a generator of pedestrian activity into and out of these roadways throughout the day. Please see the attached letter of support from the Downtown Business Association of Bismarck for additional information.

Existing Conditions
(information requested in this section may not be appropriate for all project types)

Functional Classification of Roadway

Minor Arterials – Front Avenue, 3rd Street and 5th Street

Current AADT (including source)

Front Avenue – 4,800

3rd Street – 10,700

5th Street – 2,500

Source: NDDOT Interactive Map

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Forecasted AADT (including source)

Recently completed 2020-2045 MTP did not cite traffic growth on a corridor by corridor level but the 2045 transportation model did include a percentage of growth anticipated to occur within the community through 2045 to be absorbed by the traffic analysis zones located in the downtown area due to redevelopment.

Posted or Statutory Speed Limit

25 MPH

Cross Section of Roadway (attach graphics depicting current dimensions and key roadway elements)

Majority of roadway widths are 40' or 48' face of curb to face of curb. Two-way traffic. Sidewalk widths are 6' with some areas only having sidewalks on one side of the street. Right of way width is 80'.

Pavement rating or condition

The pavement is in fair condition with the average Pavement Condition Index score of 66 in 2022. The pavement is projected to be in a degraded condition with an anticipated pavement condition index score of 60 in 2024, requiring a mill and overlay.

Year of Last Federal Investment at this Location

When was the current section built?

5th Street from Bowen Ave to Sweet Avenue – Reconstructed 2019

5th Street from Sweet Avenue to BNSF Railroad tracks – Reconstructed 1963

Front Avenue from Mandan Street to 3rd Street – Reconstructed 1958

Year last surfaced or received maintenance?

5th Street from Sweet Avenue to BNSF Railroad tracks – Mill and Overlay 2011

Front Avenue from Mandan Street to 3rd Street – Mill and Overlay 1999

Front Avenue from 3rd Street to 9th Street – Mill and Overlay 2011

Lighting

In Place

Crash Rate or Number of Crashes?

Since 2010 there has been approximately 780 crashes within the project area, of those 78% of crashers resulted in property damage only, 56% of the crashes were intersection related and 76% of crashes were rear ends or angles.

Other Known Safety Concerns?

There was one pedestrian fatality that took place at the railroad crossing in 2021 on 5th Street. There is a quiet rail system with pedestrian arms in place. This system was working properly at the time of the incident.

Intersections (how many, type, control, etc.)

There are 12 intersections in total within the project area. Traffic signal are in place on Front Avenue at 3rd Street, 5th Street, 7th Street and 9th Street as well as on Main Avenue at 3rd Street and 5th Street. The intersection of 5th Street and Bowen Avenue is all-way stop controlled. All other intersection are stop controlled

Is parking allowed and what type?

Yes, parallel parking at select locations

Are there any bridges, box culverts, etc. within the project corridor?

No

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What is the condition of the existing sanitary sewer, storm sewer, and water lines?

Underground infrastructure for storm and sanitary sewer is in good condition at this time. The watermain on Front Ave and 5th Street is in need of replacement.

Are there any Access points to adjoining property that present a special concern?

No

Bicycle/Pedestrian, and Public Transportation Accommodations (Sidewalk, shared use paths, bicycle lanes)?

6' minimum width sidewalks are in place throughout the project area. There are two locations on Front Avenue where the sidewalk is only on one side of the street.

Is there an existing transit or other public transportation facility located within the project limits?

Yes, on Front Avenue between 5th Street and 7th Street.

Do any school buses, transit buses, other multi-modal vehicles, etc. use this route?

Yes, transit routes utilize all streets within the project limits.

Does a RRX or RR facility exist within the project limits?

Yes, there are quiet zone at grade crossings of BNSF railroad located on 3rd Street and 5th Street between Main Avenue and Front Avenue

Other existing conditions that are not listed identified above?

None at this time

Proposed Improvements

(information requested in this section may not be appropriate for all project types)

What are the proposed Improvements (specific scope of work)?

This project proposes a mill and overlay on Front Ave from Mandan Street to 9th Street and 5th Street from Sweet Ave to the railroad tracks. Installation of permanent pavement markings, upgrade ADA ramps and select watermain replacement is also proposed for these streets.

Pedestrian curb extensions would be considered at the intersection of 5th Street and Sweet Avenue.

Pedestrian lighting would be considered on Front Ave from 3rd Street to 7th Street, 5th Street from Bowen Ave to railroad tracks and 3rd Street from Front Avenue to railroad tracks.

Proposed Length

5,115 feet (0.97 miles)

Proposed Cross Section (attach graphics depicting current dimensions and key roadway elements)

No change to existing cross section

Proposed Surfacing Type

Asphalt, no change

Proposed Lighting, if applicable

Installation of pedestrian lighting on Front Avenue from 3rd Street to 7th Street, 3rd Street from Front Avenue to BNSF Railroad and 5th Street from Bowen Avenue to BNSF Railroad.

Proposed Traffic Control changes

None

Proposed Safety Improvements

Should any of the existing traffic signals be unwarranted and the signal is removed, pedestrian

crossings at the intersection would be addressed. At the intersections where, near miss interactions between pedestrians and vehicular traffic is occurring, the implementation of leading pedestrian intervals could be considered to give more of an advantage to pedestrians by allowing pedestrian extra crossing time before cars can go. Intersections will be evaluated to determine if curb extensions could be installed.

Proposed Intersection Improvements

Consideration for high visibility crosswalks and curb extensions.

Proposed Traffic Calming Measures

Pedestrian curb extensions included at select intersections.

Will parking be allowed and type?

Yes, exiting parallel parking will remain. No additional parking will be added to the project area.

Will any bridges, box culverts, etc. be built/replaced within the project corridor and how will they be modified?

No

Will any private utilities, water lines, sanitary sewer, and/or storm sewer lines need to be replaced or worked on with this project or potentially in the recent future (identify year)? Have private utilities been coordinated with?

The City watermain on Front Avenue and 5th Street will be replaced. There are no known issues of private utility at this time.

Are there any access points along the project corridor that need to be addressed for mobility or safety concerns?

No

Will a Sidewalk or shared use path be installed or replaced?

Sidewalk gaps along Front Avenue will be installed

What ADA improvements will need to be made on this project?

Installation of tactile truncated dome panels at pedestrian crossings.

Do any special accommodations need to be made for school buses, public transportation, other multi-modal vehicles, etc. on this route?

Consideration for transit routes and bus transit stops will be looked into during the construction of the project.

Proposed Railroad Crossing Work

No.

Other Proposed Improvements

Click here to enter text.

Environmental/Cultural Issues on the proposed Projects

Identify *Yes*, *No*, or *Unknown* for each environmental/cultural issue. If *Yes*, provide a brief description of the issue in the *Comments* box.

Agricultural, Archeological sites, and/or Historical sites

Yes, portions of some the streets lie within the Downtown Bismarck Historic District. Within the district are many buildings list as individually eligible/contributing structures. Project improvements would not require right of way or impact any existing building and there are no contributing historical elements within the right of way itself.

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Lakes, waterways, floodplains Wetland
No

Stormwater management
No

Hazardous materials sites
No

Hazardous materials on existing structure
No

Upland habitat
No

Endangered/threatened/migratory species
No

Section 4(f) (Refers to the use of publicly owned park and recreational lands, wildlife and waterfowl refuges, and significant historical or archeological sites in transportation project development.)
No

Section 6(f) (Refers to Land and Water Conservation Fund (LWCF) Act - the conversion to other use of lands or facilities acquired with LWCF Act funds and requires replacement of used land with lands of equal value and use.)
No

Through/adjacent to tribal land
No

Additional comments on Environmental/Cultural Issues section
Click here to enter text.

Miscellaneous Issues of Proposed Improvements

Construction Restrictions *(migratory bird, local events, etc.)*
No

Right-of-Way Required (parcels, owners, relocations, etc.) (NOTE: It is recommended that local funds be used to acquire right-of-way on the LPA system.)
No

Proposed Traffic Control during Construction
Maintain traffic on roadway. Detour used at times or restriction to one-way during phasing.

Ineligible Project Items
City watermian replacement

Additional comments on Miscellaneous Issues section
Click here to enter text.

Cost Estimate

Itemized Project Cost Estimate (For roadway projects this might include things like preliminary engineering, right-of-way, utilities, construction, construction engineering, bridges, and miscellaneous. For other types of projects include relevant items. Rows can be added as to the following table as necessary).

Item	Total	Federal	State	Local
Engineering (In House)	239,600			239,600
Watermain Replacement	559,900			559,900
Construction of Project (2024)	1,836,100	1,468,880		367,220
Totals	2,635,600	1,468,880		1,166,720

What is the source of the local funds?

Sales tax and/or special assessments.

City of Bismarck
Engineering Department
NDDOT Grant Support

September 28, 2021
Mark Berg, Gabe Schell, City of Bismarck elected officials & NDDOT

I'm writing to express support for Bismarck's current NDDOT Urban Grant Program application for Downtown Bismarck related projects. Our organizations represent over 200 businesses with nearly 9,000 employees, we also advocate for the largest and densest employment center in Bismarck located Downtown.

Smart Efficient Infrastructure: Bismarck's pursuit of infill projects has led to more than $150 million dollars in returned taxable valuation on existing infrastructure, generating wealth for the community. As the downtown continues to grow and intensify in use, these NDDOT Urban Road Grant applications would support the highest value per acre areas in our community. We are writing to give support for the following:

- *7th Street –Front Avenue to Broadway Avenue and 9th Street – Front Avenue to Main Avenue Concrete Pavement Repair*
- *Additional matching funds for the downtown street pavement rehabilitation – Rosser Avenue, 3rd Street to 7th Street and 3rd Street, Rosser Avenue to Main 9 Avenue.*
- *Front Avenue/5th Street improvements*

As always, we want to touch briefly on the return on investment for road improvements in Downtown Bismarck. When done with all modes of transportation and pedestrians in mind, we can see a very positive ROI. Improvement's like our Main Ave Road Diet, Quiet Rail Zone, Chancellor Square Reconfiguration, and our 5th St Demonstration Project have produced positive returns including:

- Increase in private commercial activity (based on permit applications)
- Increase in pedestrian activity
- New housing units
- Safer intersections and roadways
- Improved pedestrian environment and experience
- Continued increase in property valuation

We will continue to work with our partners at the City of Bismarck and NDDOT to help further this application in any way. Thank you for your consideration.

Sincerely,

Kate Herzog, President & COO
Downtown Bismarck Community Foundation 501c3 &

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EXHIBIT I

Urban Grant Program Application

Coversheet

LPA
Bismarck

Contact Person
Gabe Schell

Title
City Engineer

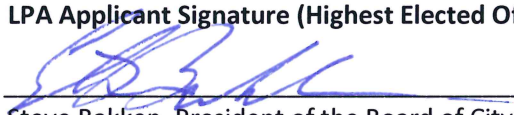
Address
221 N 5th Street, Bismarck, ND

Telephone
701-355-1505

Email
gschell@bismarcknd.gov

Project Name
West CBD- Pavement Upgrade

LPA Applicant Signature (Highest Elected Official)



Steve Bakken, President of the Board of City Commissioners

NDDOT District Engineer Signature if project is located on/impacts a State Highway

Date Submitted
10/15/2021

Application Attachment Checklist (check all that have been attached)

☐Relevant excerpts from adopted plans ☐Map(s) depicting project location ☐Cross Section of Roadway/facility

☐Pictures, Graphics, and/or other visual aids ☐Relevant supporting data

☐Other Attachments (describe)
Click here to enter text.

Information in this Box is for NDDOT to Complete

Date Received_____

Is this Project Title 23 Code of Federal Regulation Eligible including location on a federal aid route?
Yes☐ No☐

General Project Information

Project Description (including location and scope of work for which funding is requested)

Project consists of improvements to downtown Bismarck primarily on N 3rd St and E Rosser Avenue bounded by Main Avenue on the south, Rosser Avenue on the north, 3rd Street on the west and 7th Street on the east. Project scope includes mill and overlay, curb and gutter repairs, sidewalk repairs, ADA ramp upgrades, plastic pavement marking, roadway and pedestrian lighting upgrades, street trees and landscaping improvements modifications of traffic signals for implementing leading pedestrian intervals, and signage.

Construction Limits: 3rd St from Main Ave to Rosser Ave, Rosser Ave from 3rd St to7th St, 4th St from Rosser Ave to Thayer Ave, 5th St from Rosser Ave to Thayer Ave, Broadway Ave from 3rd St to 4th St. and Broadway Ave from 6th Street to 7th St.

Environmental Area: 3rd St from Main Ave to Rosser Ave, Rosser Ave from 3rd St to7th St, 4th St from Rosser Ave to Thayer Ave, 5th St from Rosser Ave to Thayer Ave, Broadway Ave from 3rd St to 4th St. and Broadway Ave from 6th Street to 7th St.

This project was selected for partial funding in spring of 2021. The City of Bismarck accepted $786,313 in federal funding in spring of 2021 but respectfully requests additional consideration for fulling funding the original $1,450,000 grant request.

Total Project Cost

$1,804,00

Amount of Grant Funds Requested (cannot exceed 80% of total project cost)

$656,887 in new funding is requested to be combined with $786,313 in previously awarded funds for a total match of $1,443,200 representing 80% of the total project cost

Competitive Criteria

1. **Community Need for Project:** Explain why the project is needed including appropriate detail. Include any 100% locally funded components of the project that are part of the overall project or other planned projects that may compliment this project. Documentation of information to support the need such as relevant data, existing and if appropriate projected conditions, and any related analysis through studies or reports would be appropriate to identify in this section. Attachments such as but not limited to: maps, pictures, other graphics; and supporting data demonstrating the need for the project is encouraged.

The primary component of the project is a mill and overlay of the roadway. The proposed work would repair the distressed wearing course and would restore the useful life of the previously invested infrastructure through increased load carrying capacity. 3rd Street and Rosser Avenue are functionally classified as minor arterials and provide north/south and east/west connectivity into and out of the CBD. Broadway Avenue, 4th Street and 5th Street are functionally classified as collector roadways within the project area. 3rd Street N with its quiet zone at-grade crossing of BNSF railroad provides interconnectivity for all modes of transportation from downtown Bismarck to land uses south of the railroad tracks. The project would also revise/improve any non-compliant pedestrian crossing to meet ADA requirements. Select traffic signals would modified to include push-button activation in order to implement leading pedestrian intervals which have shown to reduce pedestrian/vehicle crashes. The existing lighting along 3rd Street between Broadway Ave and Rosser Ave would be improved and would expand the existing pedestrian lighting system to include 3rd Street.

2. **Community Impact of Project:** Describe how the project will offer significant long-term value to the community specifically in addressing the following program objectives (a-f):

   a) Preserve existing transportation assets
   This project would preserve the existing useful life of the asphalt surfacing by milling the wearing course of pavement and overlaying roadway. Damaged curb would be replaced to improve stormwater conveyance and aesthetic appeal. The existing boulevard trees would be maintained and opportunities for replanting empty tree wells would be included. Implementation of this project will preserve the majority of the existing infrastructure by making minimal modifications to better serve the public transportation needs.

   b) Ensure safety of all users of the transportation system
   Unwarranted traffic signals would be removed and the proposed improvements to the ADA ramps would be located at areas closer to the stopping location of vehicles to improve visibility of the pedestrian in the cross walk. Where traffic signals are no longer warranted and are to be removed, pedestrian crossing improvements would be made such as curb extensions and/or pushbutton actuated Rectangular Rapid Flashing Beacons. Traffic signals would include push-button activation in order to implement leading pedestrian intervals which have shown to reduce crashes involving pedestrians. Leading pedestrian interval would allow the pedestrians to get a “head start” into entering the crosswalk with all four signalized approaches showing a red indication for vehicular traffic for 2-3 seconds while the activated pedestrian receives the “walk” designation. This safety feature is proposed only if the signal infrastructure includes pedestrian activated crosswalk in order to minimize vehicular driver frustration of an “all red” indication during the signal cycles with no pedestrian activity.

   c) Improve multi-modal transportation options such as walking, bicycling, and public transportation
   This project would evaluate and enhance multi-modal options by improving ADA ramp locations and realigning curbs to better delineate pedestrian spaces. Public transportation Black and Red Routes utilize

5th Street through the project area with service to the City/County Building and County Courthouse among other locations.

d) Enhance the economic vitality of the area by providing transportation assets that support: revitalization efforts; development of vacant or underutilized parcels within existing urban areas; and/or redevelopment of established portions of communities

This project would increase the economic viability of the area by providing a street that accommodates all users. This is an area which has hosted community and economic events such as the Downtown Street Fair that promotes economic activity at both the street vendor as well as the store front level. By providing a reliable transportation network for all modes of travel, development and redevelopment interest is maintained or expanded.

e) Support economically sustainable growth, lessening the need for outward expansion of community transportation infrastructure and associated services

This project supports existing business and the development of new business in downtown Bismarck by creating an atmosphere more conducive to pedestrian activity both during daytime work and evening social activity. This is accomplished by focusing more on multimodal forms of transportation.

There is adequate utility servicing from water and sanitary sewer and no rehabilitation of those facilities is anticipated as part of this project.

3. **Consistency with an LPA Associated Plan:** Document linkage between the proposed project and a publicly accepted/adopted plan(s) and/or public involvement process. Clear linkage should be demonstrated between the proposed project and the associated public acceptance/support which would include documenting the reference(s) in the plan and/or public involvement process. Relevant excerpts from such documents are encouraged to attach with the application. Examples of publicly accepted/adopted plans might include but are not limited to: Community Comprehensive Plan; Downtown Master Plan; Neighborhood/Subarea/Corridor Plan; Bicycle/Pedestrian Plan; Housing Plan; Long Range Transportation Plan; Transit Development Plan; and/or Renaissance Zone Plan. A stand-alone public involvement process which demonstrates community support for the specific project is also acceptable and should be documented in the application.

   This project was identified in the Downtown Bismarck Subarea plan to include traffic calming measures and provide for existing business and the development of new business in downtown Bismarck by creating an atmosphere more conducive to pedestrian activity both during daytime work and evening social activity.

   In August of 2019 the board of City Commissioners adopted the Downtown Streetscape Standards. The purpose of these standards was to enhance and preserve the quality of the public right of way in the downtown core and provide an attractive, coherent and safe experience. The streets of the downtown core serve as an open space for public gatherings and festivals as well carrying traffic.

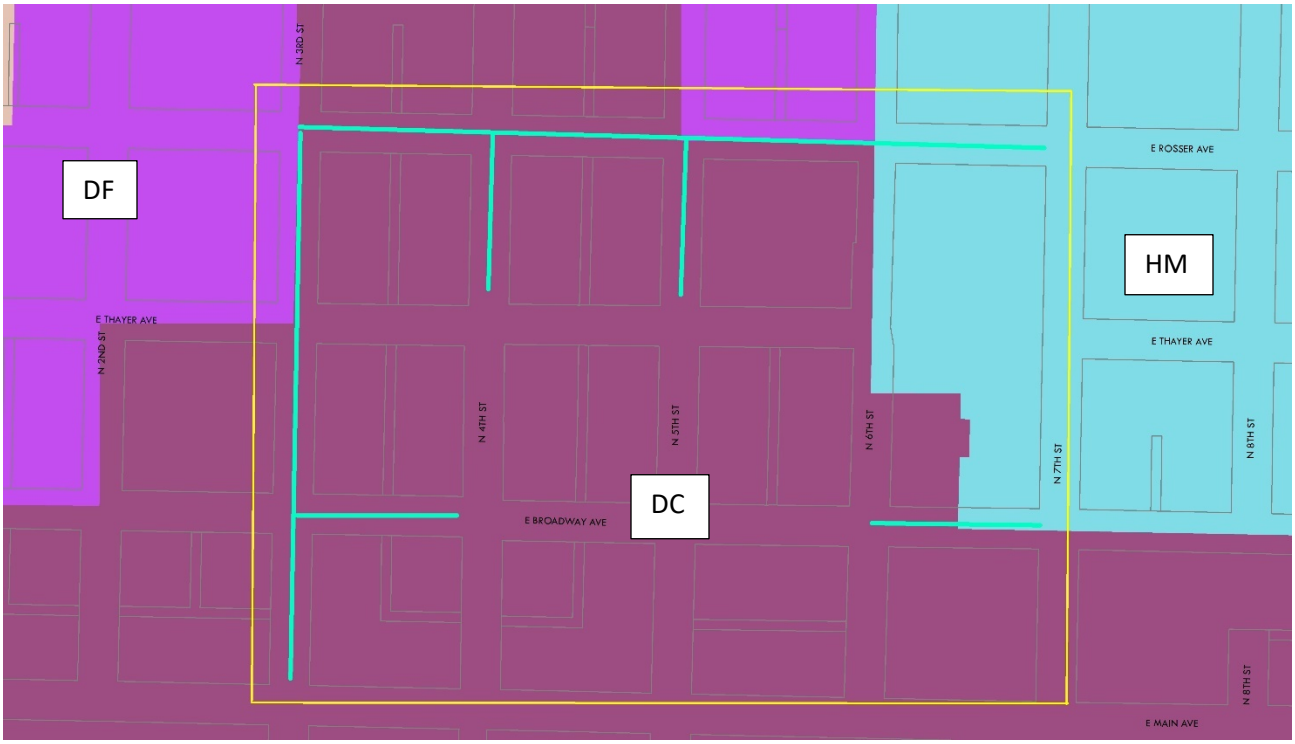
"What attracts people most, it would appear, is other people."
-William Whyte

"Streets and their sidewalks, the public places of a city, are its most vital organs."
-Jane Jacobs

Downtown Streetscape Standards Website:

https://www.bismarcknd.gov/DocumentCenter/View/33761/Downtown-Streetscape-Standards_071119

4. **Project Support of Urban Core/Central Business District:** Projects which directly support the urban core/central business district (CBD) will be given preferential consideration. Identify the project location and how it will support the urban core/CBD. (Attach 8.5" x 11" or 11" x 17" color map depicting project location in relation to urban core/CBD if applicable to the project type). This proposed project is near the north and west fringe of the downtown core as shown on the map below. Improvements are currently being implemented in the downtown core that are being funded through previous urban grants. This project will continue expand the area to support the continued growth of the activities of the central business district. Investing transportation dollars into these roadways would provide a funding source that would lessen the costs to the adjacent property owners for these improvements.



DC = Downtown Core DF = Downtown Fringe HM = Medical

5. **Projects that Maximize the Return on Investment from Public Funds:** Projects which can demonstrate a positive private return on investment of public funds will be given preferential consideration. Examples of this may include but not be limited to increased retail sales, new jobs, and/or new dwelling units anticipated as a direct result of the proposed project.

   The zoning is downtown core, downtown fringe and Hospital medical for all of the properties within the project area. The land uses vary from medical, retail, office, and restaurants to mixed use residential and public. Maintaining a healthy level of service on the infrastructure within the downtown core, downtown fringe and hospital medical is essential to continuing the development and redevelopment potential in all of these properties. City pedestrian activity on subject corridors and the relationship of non-time limit parking just outside of this area as a generator of pedestrian activity into and out of these roadways throughout the day. Please see the attached letter of support from the Downtown Business Association of Bismarck for additional information.

Existing Conditions
(information requested in this section may not be appropriate for all project types)

Functional Classification of Roadway

Minor Arterial – 3rd Street and Rosser Avenue

Collectors – Broadway Avenue, 4th Street and 5th Street

Current AADT (including source)

3rd Street – 8585 ADT (2019)

Rosser Avenue – 7895 ADT (2019)

77

Thayer Avenue – 2500 ADT (2019)

Broadway Avenue – 2755 ADT (2019)

4th Street – 3200 ADT (2018 Miovision)

5th Street – 4400 ADT (2019)

Source: NDDOT Interactive Map

Forecasted AADT (including source)

Recently completed 2020-2045 MTP did not cite traffic growth on a corridor by corridor level but the 2045 transportation model did include a percentage of growth anticipated to occur within the community through 2045 to be absorbed by the traffic analysis zones located in the downtown area due to redevelopment.

Posted or Statutory Speed Limit

25 MPH

Cross Section of Roadway (attach graphics depicting current dimensions and key roadway elements)

Majority of roadway widths 48' face of curb to face of curb. Two-way traffic. Sidewalk widths vary from 6' to as wide as 16' in areas. Right of way width is 80'.

Pavement rating or condition

The pavement is in fair condition with the average Pavement Condition Index score of 71 in 2020. The pavement is projected to be in a degraded condition with an anticipated pavement condition index score of 63 in 2023, requiring a mill and overlay.

Year of Last Federal Investment at this Location

1978

When was the current section built?

3rd Street - Reconstruction 1978, Mill and overlay 2008

Rosser Avenue – Reconstruction 1978, Mill and overlay 2007

Year last surfaced or received maintenance?

3rd Street - Mill and overlay 2008

Rosser Avenue – Mill and overlay 2007

Lighting

In place

Crash Rate or Number of Crashes?

Crashes occurring in the last 10 years with in the projects are mainly property damage type collisions. Two crashes did occur involving bicycles along Rosser Avenue which is marked as a "Share the Road" bicycle facility.

Other Known Safety Concerns?

A number of near misses are reported at the intersection of 6th street and Rosser Avenue by Sanford employees crossing Rosser Avenue.

Intersections (how many, type, control, etc.)

Total of 6 intersections, Traffic signals are in place on Rosser Avenue at 3rd, 4th, 5th, and 6th Street and on Thayer Avenue and Broadway along 3rd Street.

Is parking allowed and what type?

Yes, parallel parking on all roadways

Are there any bridges, box culverts, etc. within the project corridor?

78

None

What is the condition of the existing sanitary sewer, storm sewer, and water lines?

Underground infrastructure in good repair at this time, watermain improvements 2020

Are there any Access points to adjoining property that present a special concern?

None

Bicycle/Pedestrian, and Public Transportation Accommodations (Sidewalk, shared use paths, bicycle lanes)?

Sidewalks on both sides of all streets.

Is there an existing transit or other public transportation facility located within the project limits?

Blue Transit Routes utilize 3rd Street and include stops on demand for users of the system.

Do any school buses, transit buses, other multi-modal vehicles, etc. use this route?

Blue transit route operates on 3rd Street from Main Avenue to Rosser Avenue

Does a RRX or RR facility exist within the project limits?

No, but there are quiet zone at-grade crossings of BNSF railroad located south of the project on 3rd Street and 5th Street.

Other existing conditions that are not listed identified above?

None at this time.

Proposed Improvements
(information requested in this section may not be appropriate for all project types)

What are the proposed Improvements (specific scope of work)?

Mill & Overlay (HBP), Installation of permanent pavement markings, upgrade street lighting and Upgrade ADA ramps, and aesthetic improvements.

Proposed Length

2630'/0.50 mi.

Proposed Cross Section (attach graphics depicting current dimensions and key roadway elements)

No Change, all work will be performed within the

Proposed Surfacing Type

HBP, No Change

Proposed Lighting, if applicable

Convert fixtures to LED. On 3rd Street from Rosser Avenue to Broadway install pedestrian lighting.

Proposed Traffic Control changes

Remove unwarranted Traffic Signals

Proposed Safety Improvements

Should any of the existing traffic signals be unwarranted and the signal is removed, pedestrians crossing at the intersection would be addressed by installing pedestrian actuated flashing beacon system. At the intersections where, near miss interactions between pedestrians and vehicular traffic is occurring, the implementation of leading pedestrian intervals could be considered to give more of an advantage to pedestrians by allowing pedestrians extra crossing time before cars can go. signal.

Proposed Intersection Improvements

ADA ramp and stop bar proposed to move to create a "tighter" intersection that would increase pedestrian visibility. Consideration for high visibility crosswalks.

Proposed Traffic Calming Measures

Pedestrian curb extensions included at select intersections currently without extensions.

Will parking be allowed and type?

Yes. Parallel

Will any bridges, box culverts, etc. be built/replaced within the project corridor and how will they be modified?

No

Will any private utilities, water lines, sanitary sewer, and/or storm sewer lines need to be replaced or worked on with this project or potentially in the recent future (identify year)? Have private utilities been coordinated with?

Spot repairs on water and sanitary sewer.

Are there any access points along the project corridor that need to be addressed for mobility or safety concerns?

No

Will a Sidewalk or shared use path be installed or replaced?

80

No, sidewalks in place, some repairs

What ADA improvements will need to be made on this project?

Installation of Tactile truncated dome panels at pedestrian crossings. Moving locations of ADA ramps to provide increased visibility to pedestrians.

Do any special accommodations need to be made for school buses, public transportation, other multi-modal vehicles, etc. on this route?

Consideration for transit route on 3rd Street and how detour during construction may impact route.

Proposed Railroad Crossing Work

No

Other Proposed Improvements

Click here to enter text.

Environmental/Cultural Issues on the proposed Projects

Identify *Yes*, *No*, or *Unknown* for each environmental/cultural issue. If *Yes*, provide a brief description of the issue in the *Comments* box.

Agricultural, Archeological sites, and/or Historical sites

Yes, portions of some the streets lie within the Downtown Bismarck Historic District. Within the district are many buildings list as individually eligible/contributing structures. Project improvements would not require right of way or impact any existing building and there are no contributing historical elements within the right of way itself.

Lakes, waterways, floodplains Wetland

No

Stormwater management

No

Hazardous materials sites

No

Hazardous materials on existing structure

No

Upland habitat

No

Endangered/threatened/migratory species

No

Section 4(f) (Refers to the use of publicly owned park and recreational lands, wildlife and waterfowl refuges, and significant historical or archeological sites in transportation project development.)

No

Section 6(f) (Refers to Land and Water Conservation Fund (LWCF) Act - the conversion to other use of lands or facilities acquired with LWCF Act funds and requires replacement of used land with lands of equal value and use.)

No

Through/adjacent to tribal land

No

Additional comments on Environmental/Cultural Issues section

Click here to enter text.

Miscellaneous Issues of Proposed Improvements

Construction Restrictions *(migratory bird, local events, etc.)*

Downtown Street Fair in September

Right-of-Way Required (parcels, owners, relocations, etc.) (NOTE: It is recommended that local funds be used to acquire right-of-way on the LPA system.)

No right of way acquisition required.

Proposed Traffic Control during Construction

Maintain traffic on roadway. Detours used at times or restriction to one-way traffic during phasing.

Ineligible Project Items

None

Additional comments on Miscellaneous Issues section

Click here to enter text.

Cost Estimate

Itemized Project Cost Estimate (For roadway projects this might include things like preliminary engineering, right-of-way, utilities, construction, construction engineering, bridges, and miscellaneous. For other types of projects include relevant items. Rows can be added as to the following table as necessary).

Item	Total	Federal	State	Local
Preliminary Engineering (In House)	108,400	0	0	108,400
Construction Engineering (In house)	0	0	0	0
Construction of Project (2024)	1,804,000	1,443,200	0	360,800
Utilities	0			
Bridge	0	0	0	0
Right of Way	0	0	0	0
Totals	1,912,000	1,443,200		469,200

What is the source of the local funds?

Sales Tax and/or special assessments.

City of Bismarck
Engineering Department
NDDOT Grant Support

September 11, 2020

DOWNTOWNERS
BISMARCK

Mark Berg, Gabe Schell, City of Bismarck elected officials & NDDOT

I'm writing to express support for Bismarck's current NDDOT Urban Grant Program for Downtown Bismarck. Our organizations represent over 200 businesses with nearly 9,000 employees, we also advocate for the largest and densest employment center in Bismarck located Downtown.

This project application is targeted near a growing and emerging portion of our west Downtown commercial district. This is an area that was originally more industrial and has over the last two decades turned more commercial and within the last 5 years more mixed-used. Mixed use development is the key to sustainable growth in Downtown Bismarck and making infrastructure improvements that target pedestrians as well as vehicles produces a stronger ROI. Furthermore, portions of this area in the Downtown Fringe are now parking exempt and open up more opportunities for private development.

I again want to touch briefly on the return on investment for road improvements in Downtown Bismarck. When done with all modes of transportation and pedestrians in mind, we can see a very positive ROI. Improvement's like our Main Ave Road Diet, Quiet Rail Zone, Chancellor Square Reconfiguration, and our 5th St Demonstration Project have produced positive returns including:

- Increase in private commercial activity (based on permit applications)
- Increase in pedestrian activity
- New housing units
- Safer intersections and roadways
- Improved pedestrian environment and experience
- Continued increase in property valuation

We will continue to work with our partners at the City of Bismarck and NDDOT to help further this application in any way. Thank you for your consideration.

Sincerely,

Kate Herzog, President & COO
Downtown Bismarck Community Foundation 501c3 &
Downtown Business Association of Bismarck 501c6

EXHIBIT J

Urban Grant Program Application

Coversheet

LPA
City of Mandan

Contact Person
Justin Froseth

Title
Planning and Engineering Director

Address
205 2nd Avenue Northwest

Telephone
701-667-3227

Email
jfroseth@cityofmandan.com

Project Name
1st Street and Avenues Reconstruct (Phase 1)

LPA Applicant Signature (Highest Elected Official)

_____ Tim Helbling, Mayor

NDDOT District Engineer Signature if project is located on/impacts a State Highway

_____

Date Submitted: 10/15/2021

Application Attachment Checklist (check all that have been attached)

☒Relevant excerpts from adopted plans **☒Map(s) depicting project location** **☒Cross Section of Roadway/facility**

☒Pictures, Graphics, and/or other visual aids **☒Relevant supporting data**

☐Other Attachments (describe)
Click here to enter text.

Information in this Box is for NDDOT to Complete

Date Received_____

Is this Project Title 23 Code of Federal Regulation Eligible including location on a federal aid route?
Yes☐ **No☐**

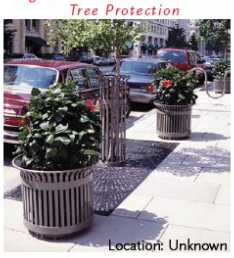
General Project Information

Project Description (including location and scope of work for which funding is requested)

The primary goal and objective of this project is to reconstruct 1st Street NW and several Avenues in the core downtown area of Mandan (see map in Section 4 below). The entire project will be designed as soon as funding is available, but construction is intended to occur in two phases in order to utilize Urban Grant Program (UGP) funding in consecutive years. Based on preliminary cost estimates already completed for the entire project, anticipated specific locations of the first phase include 1st Street NW from Collins Avenue to 6th Avenue NW; anticipated specific locations of the second phase include 2nd, 3rd, 4th, and 5th Avenues from Main Street to 2nd Street NW. The final construction phasing may change, depending on the amount of grant funds awarded as well as confirmation of how each phase should be split after completing final design. Per UGP Policy, City of Mandan (City) will ensure final construction phasing has stand-alone or independent utility and does not require the completion of other phase(s) to meet the project's intended purpose or function. Another UGP Application for the second phase will be submitted next year.

A full reconstruct is needed as opposed to a less intense project such as a mill and overlay because, 1) the condition is such that a mill and overlay would not be sufficient, 2) there are poor curb and gutter and sidewalk conditions, and 3) there is a need to replace old watermain under these avenues. The project will reconstruct these streets with beautification elements integrated throughout. We plan to incorporate examples highlighted in the Downtown Subarea Study that will work best for our streets and avenues when we get to the detailed design. Examples of items we would look to incorporate include Figures 221 through 227 of the Study as shown below.

Figure 221: Planter and Street Tree Protection



Location: Unknown

Figure 222: Portable Planter Boxes

Location: Crested Butte, CO

Figure 223: Decorative Light Fixture

Location: Rapid City, SD

Figure 224: Curb Extension and Planter Box

Location: Concordia, KS

Figure 225: Benches and Trash Receptacles

Location: Omaha, NE

Figure 226: Benches and Trash Receptacles

Location: Rapid City, SD

Figure 227: Bike Racks and Trash Receptacles

Location: Boulder, CO

As a demonstration of its commitment to the project as a priority, the City has already expended more than $178,000 of local funds to-date by hiring KLJ Engineering to complete design and boundary surveys, preliminary environmental, data collection, preliminary engineering and detailed cost analyses. This work occurred between January-November 2020; however, these tasks are currently postponed due to lack of funding.

Total Project Cost

The Phase 1 estimate is $6,700,288 while the total project estimate is $12,297,480. Both of these figures represent the total project, including non-participating costs. Refer to the Cost Estimate section below for more detailed information.

Amount of Grant Funds Requested (cannot exceed 80% of total project cost)

$4,850,390 (represents 80% of Phase 1 participating costs)

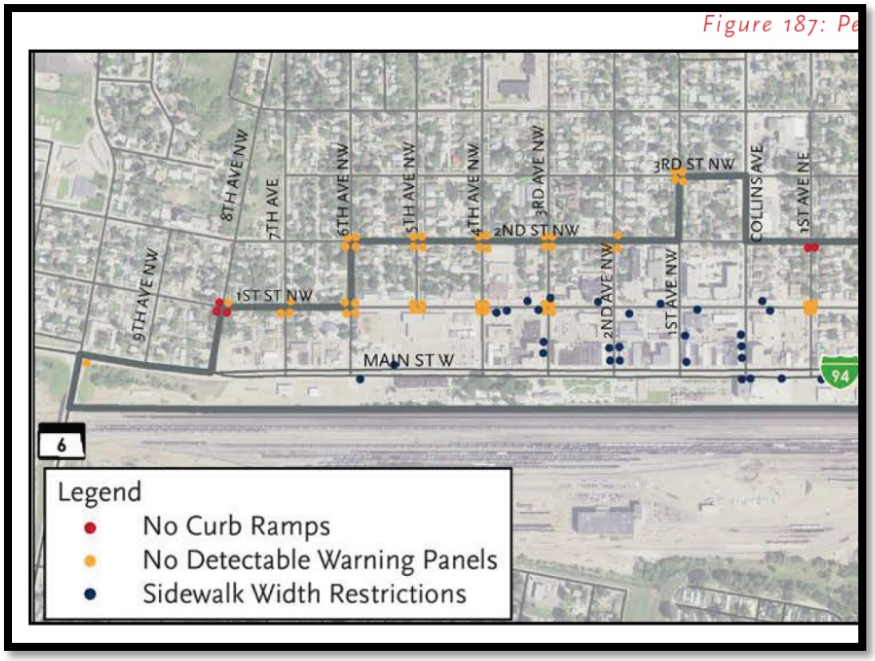
Competitive Criteria

1. **Community Need for Project:** Explain why the project is needed including appropriate detail. Include any 100% locally funded components of the project that are part of the overall project or other planned projects that may compliment this project. Documentation of information to support the need such as relevant data, existing and if appropriate projected conditions, and any related analysis through studies or reports would be appropriate to identify in this section. Attachments such as but not limited to: maps, pictures, other graphics; and supporting data demonstrating the need for the project is encouraged.

   The City, in partnership with the Bismarck-Mandan Metropolitan Planning Organization (BMMPO), recently completed the Downtown Subarea Study (Study), led by KLJ, in late 2016. From that Study, many existing problems had been discussed as expressed by steering committee members. City staff had three actively engaged representatives that participated in the Study's steering committee and continue in that ad hoc capacity today by participating in beautification discussions regarding the downtown area. Some prevalent comments from these meetings, which have also been expressed since the Study was completed, are:

   a. Poor pavement conditions of avenues in the core downtown area.
   b. Poor sidewalk conditions of avenues in the core downtown area. There are many examples of non-conformance with ADA requirements, as illustrated in Figure 187 on the following page, pulled from the Downtown Subarea Study draft plan.
   c. Unsightly downtown infrastructure (streets and sidewalks), as illustrated in the pictures on the following page.
   d. Request have been made for the possibility of using Avenue Sidewalks for patron seating areas if infrastructure improvements are made.

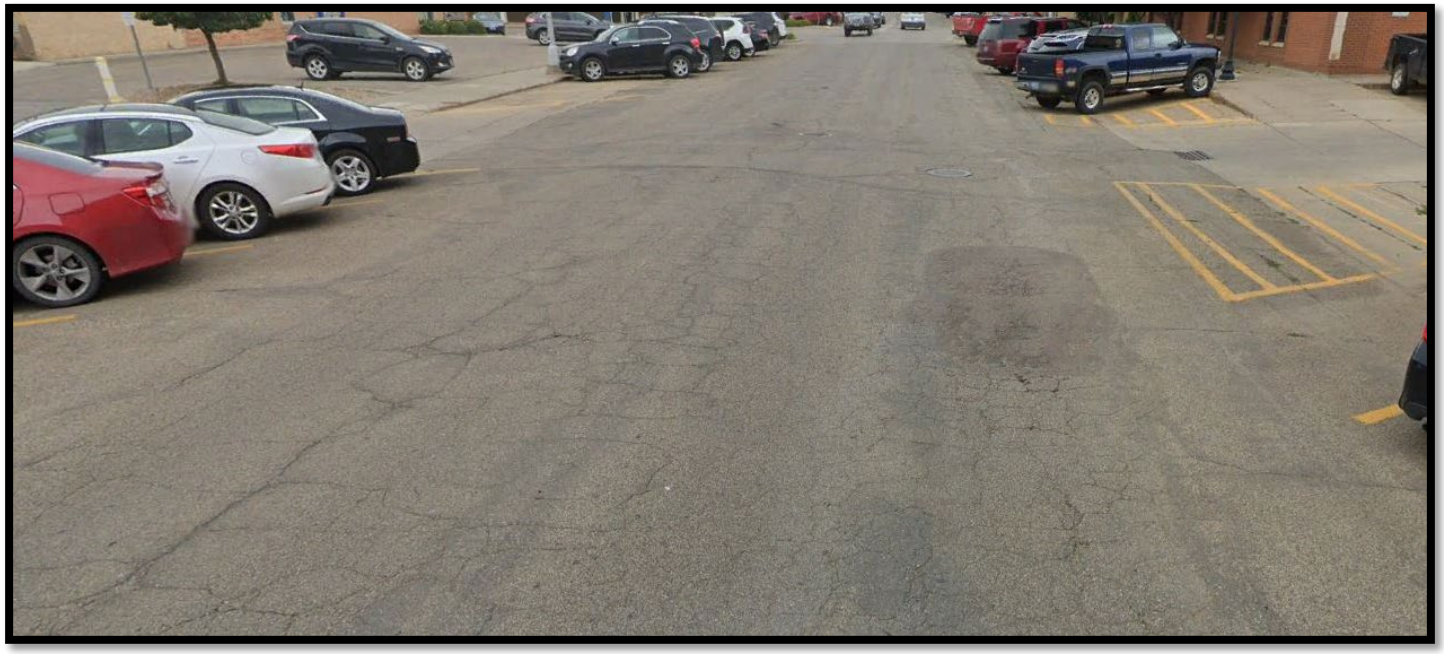
   With the above concerns in mind, coupled with a desire to make Mandan's core downtown area more walkable and patron friendly, the Downtown Subarea Study team provided ideas to revitalize downtown avenues. Though the ideas for the avenues were not developed to the level of detail our primary corridors (Main Street and 1st Street) were, the Study did bring forward ideas with a welcoming environment in mind to revitalize and make the core downtown area more patron friendly.



Addressing the condition of the road segments targeted for this project, pavement condition studies done in both 2012 and 2016 show predominately poor conditions for these segments.

Below is 1st Street NW between 1st and 2nd Avenue looking east to 1st Avenue.

Below is 1st Street NW between 1st and 2nd Avenue looking west to 2nd Avenue.



Below is 1st Street NW between 2nd and 3rd Avenue looking east to 2nd Avenue.

Below is 1st Street NW between 3rd and 4th Avenue looking west to 4th Avenue.

Below is 1st Street NW between 4th and 5th Avenue looking east to 4th Avenue.

All images shown above in this section are Google Earth street view screenshots from August 2019.

Below is 2nd Avenue NW just north of Main Street looking south to Main. Taken December of 2017.

Below is 2nd Avenue NW between 1st and 2nd Street looking south to 1st Street. Taken December of 2017.

Below is 4th Avenue NW between Main Street and 1st Street looking north towards 1st Street. Taken December of 2017.

2. **Community Impact of Project:** Describe how the project will offer significant long term value to the community specifically in addressing the following program objectives (a-f):

a) Preserve existing transportation assets

This project will reconstruct existing core downtown streets and avenues. Streets are some of our most valuable assets in the community as they accommodate all modes of transportation in the core of the city.

b) Ensure safety of all users of the transportation system

We will improve deficiencies in our sidewalk system for all reconstructed streets, especially ADA non-conformance. We will explore the widening of sidewalks during preliminary design to see if that would be the best approach for the city, while balancing roadway needs. We are not calling for drastic changes to vehicle operation on the avenues with this plan. The Study did develop an alternative on 1st Street that called for reverse angle parking. We will explore that in preliminary design with the possibility of implementing along 1st Street, perhaps in a couple block segment as a trial run. Staff acknowledges safety benefits to reverse angle parking, especially as it relates to bicycles sharing the roadway. However, we do not presently have community buy-in for this idea.

c) Improve multi-modal transportation options such as walking, bicycling, and public transportation

The improved safety and aesthetics of this project will greatly improve the walkability of downtown Mandan. As a result of improved walkability, we hope these changes will promote more people that rely on public transportation to frequent downtown Mandan more often.

d) Enhance the economic vitality of the area by providing transportation assets that support: revitalization efforts; development of vacant or underutilized parcels within existing urban areas; and/or redevelopment of established portions of communities

This project will have a very positive effect on revitalizing downtown Mandan. This goes back to the improved walkability of the area. In addition to the City's improvements outlined in this application, a barbeque restaurant, brewery, German-inspired beer hall, craft cocktail bar have all committed to Main Street in this core downtown area since this Study was started. The City has purchased property that sat vacant for years between 4th and 6th Avenues just north of Main. The City is actively working with the private sector to bring the best use to that property.

e) Support economically sustainable growth, lessening the need for outward expansion of community transportation infrastructure and associated services

In the heart of downtown Mandan, this project will make downtown Mandan more walkable, and the anticipation is that these improvements will help drive more commercial investment in downtown Mandan resulting in a decreased need for that investment to expand to the fringes of the city.

3. **Consistency with an LPA Associated Plan:** Document linkage between the proposed project and a publicly accepted/adopted plan(s) and/or public involvement process. Clear linkage should be demonstrated between the proposed project and the associated public acceptance/support which would include documenting the reference(s) in the plan and/or public involvement process. Relevant excerpts from such documents are encouraged to attach with the application. Examples of publicly accepted/adopted plans might include but are not limited to: Community Comprehensive Plan; Downtown Master Plan; Neighborhood/Subarea/Corridor Plan; Bicycle/Pedestrian Plan; Housing Plan; Long Range Transportation Plan; Transit Development Plan; and/or Renaissance Zone Plan. A stand-alone public involvement process which demonstrates community support for the specific project is also acceptable and should be documented in the application.

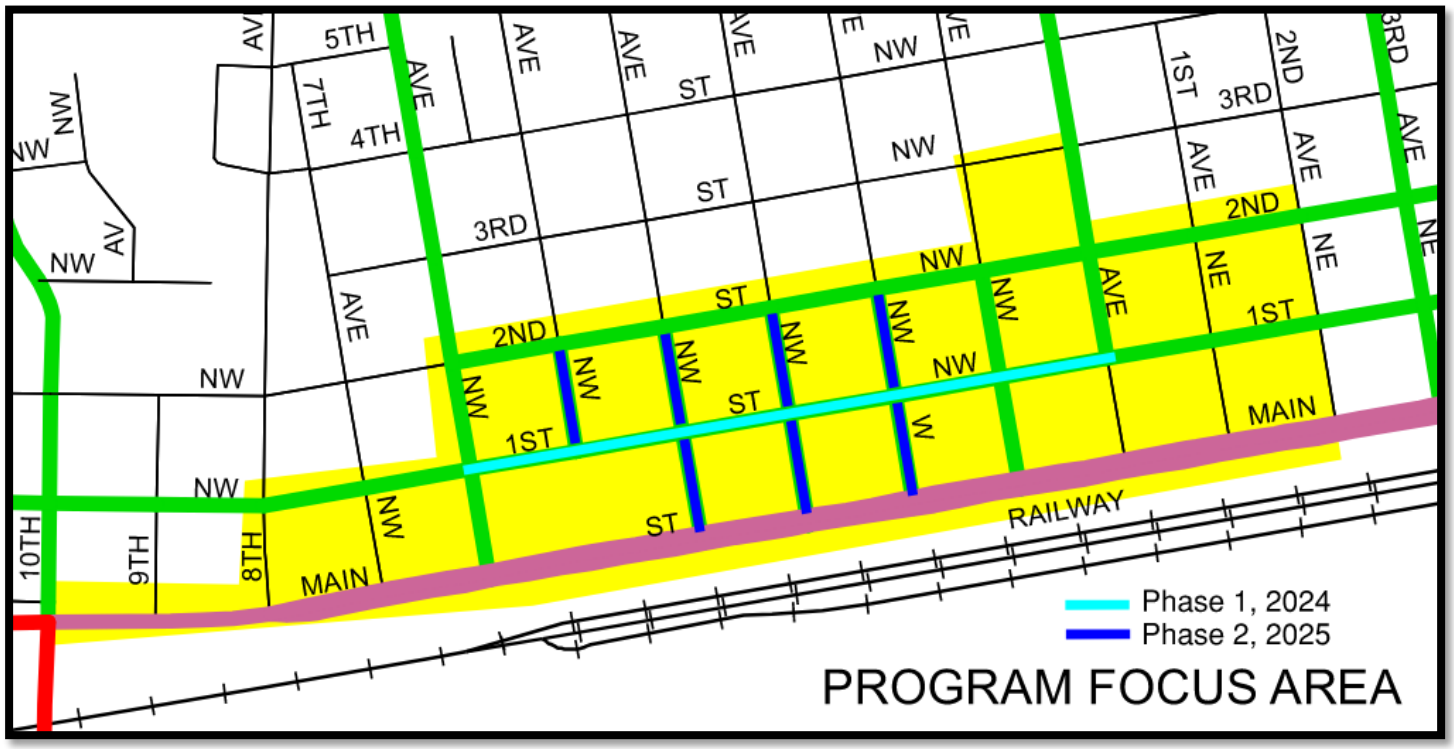
   This project is inspired by the Mandan Downtown Subarea Study. The Study was led by the BMMPO in partnership with the City. The consultant expert for this effort is KLJ. The Study received final approval from both the City Commission and the Metropolitan Planning Organization Policy Board. More information may be found by clicking either of the following links:

   https://www.bismarcknd.gov/DocumentCenter/View/31642/Downtown_Mandan_Subarea_Study_Final_Report

   https://www.kljeng.com/featured-projects/downtown-mandan-subarea-study

4. **Project Support of Urban Core/Central Business District:** Projects which directly support the urban core/central business district (CBD) will be given preferential consideration. Identify the project location and how it will support the urban core/CBD. (Attach 8.5" x 11" or 11" x 17" color map depicting project location in relation to urban core/CBD if applicable to the project type)

   This project is in the heart of downtown Mandan. Below is a map depicting the project location as it relates to the map furnished by the DOT for the Urban Grant Program. The project location for what is anticipated to be Phase 1 is shown in light blue, while anticipated Phase 2 is shown in dark blue.



5. **Projects that Maximize the Return on Investment from Public Funds:** Projects which can demonstrate a positive private return on investment of public funds will be given preferential consideration. Examples of this may include but not be limited to increased retail sales, new jobs, and/or new dwelling units anticipated as a direct result of the proposed project.

   The City has already laid some groundwork in revitalizing downtown Mandan. Examples include the investments incentive programs such as the restaurant sales tax incentive and the Renascence Zone building improvements program. More recently, the City purchased the property between 4th and 6th Avenues NW, just north of Main Street, and is working on private/public partnerships in order to redevelop that area for the benefit of the entire community. This project fits well with the previous efforts to improve vibrancy of our downtown area while allowing us to realize significant economic benefits.

Existing Conditions
(information requested in this section may not be appropriate for all project types)

Functional Classification of Roadway

1st Street NW (anticipated phase 1) is a minor arterial. Avenues (anticipated phase 2) are collectors.

Current AADT (including source)

Varies from 1,030 on 4th Avenue to about 5,255 on 1st street NW near Collins Avenue. (From NDDOT interactive traffic counts site. All 2016 counts.)

Forecasted AADT (including source)

2040 projection Varies from 1,167 on 4th Avenue to about 5,939 on 1st Street near Collins Avenue. (Factor derived from Downtown Subarea Study Traffic Forecasting Memo on page 2 of 4, then applied to current AADT numbers).

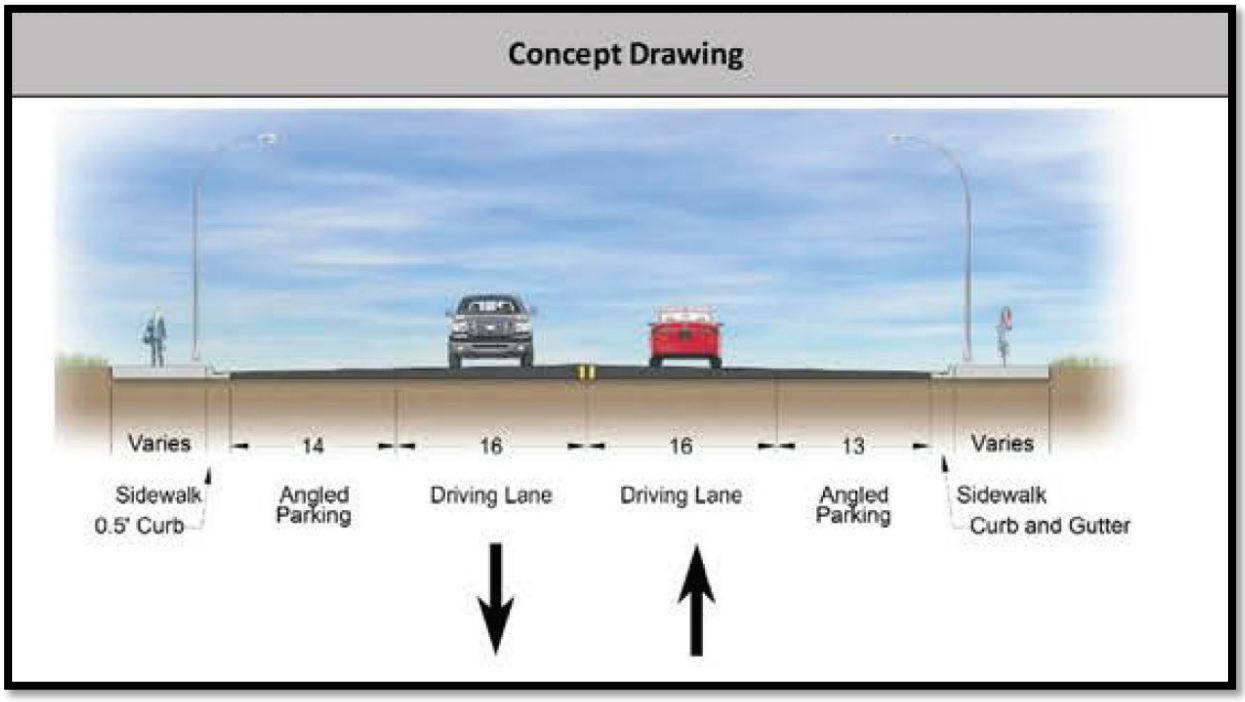
Posted or Statutory Speed Limit

25 mph

Cross Section of Roadway (attach graphics depicting current dimensions and key roadway elements)

Avenues are approximately 60 feet wide from face of curb to face of curb with angled parking allowed on both sides and one driving lane in each direction, unstriped. They are typically lined with sidewalk against the curb and gutter. The sidewalk is about 10 feet wide except for where a basement access was allowed to protrude out into the sidewalk space. Below is a 2019 Google Earth street view snip to illustrate a typical cross section of our downtown avenues. This is 2nd Avenue just north of Main Street and looking north.

Below is the existing cross section of 1st Street.

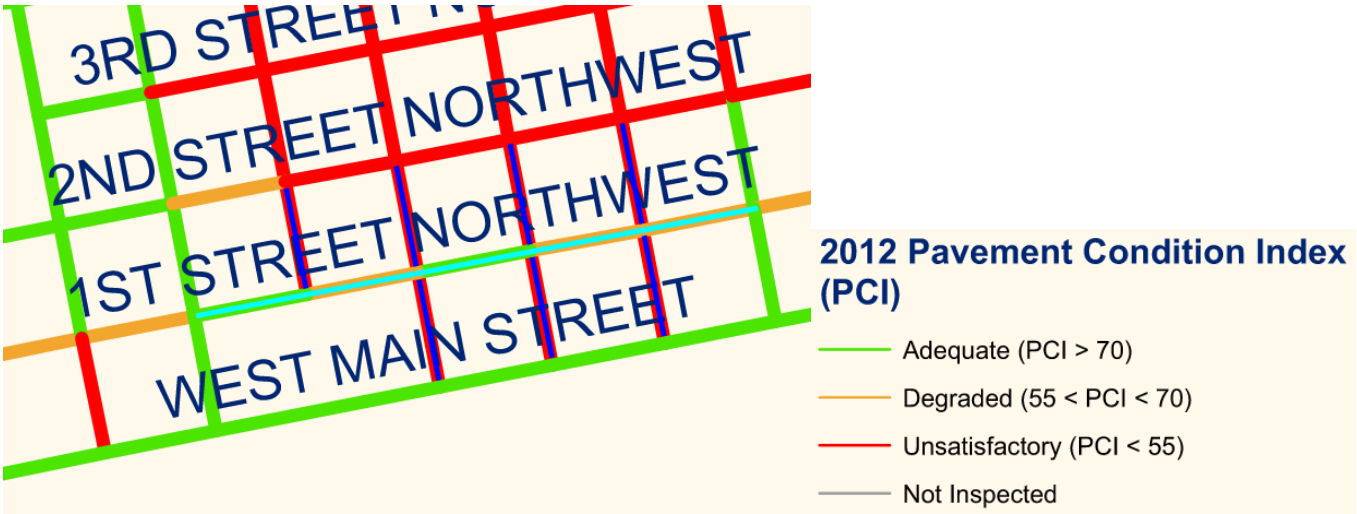


Pavement rating or condition

Avenues are unsatisfactory and 1st Street NW is mostly classified as degraded according to the 2012 Mandan State of the Streets Technical Report.

https://www.cityofmandan.com/vertical/sites/%7B38C3EFDC-F4D8-4D02-9E13-0987A081A7A4%7D/uploads/Dynatest_PCI.pdf

Below is a screenshot of Appendix A, Map 3: Pavement Condition Index (PCI) Values from the 2012 Mandan State of the Streets Technical Report.



They are also shown to be in poor condition from the 2016 pavement condition survey done in all urban areas statewide. A snapshot of that is shown below.

https://dotsc.ugpti.ndsu.nodak.edu/grit_viewer/

Year of Last Federal Investment at this Location

None found.

When was the current section built?

Record not found.

Year last surfaced or received maintenance?

Do not know.

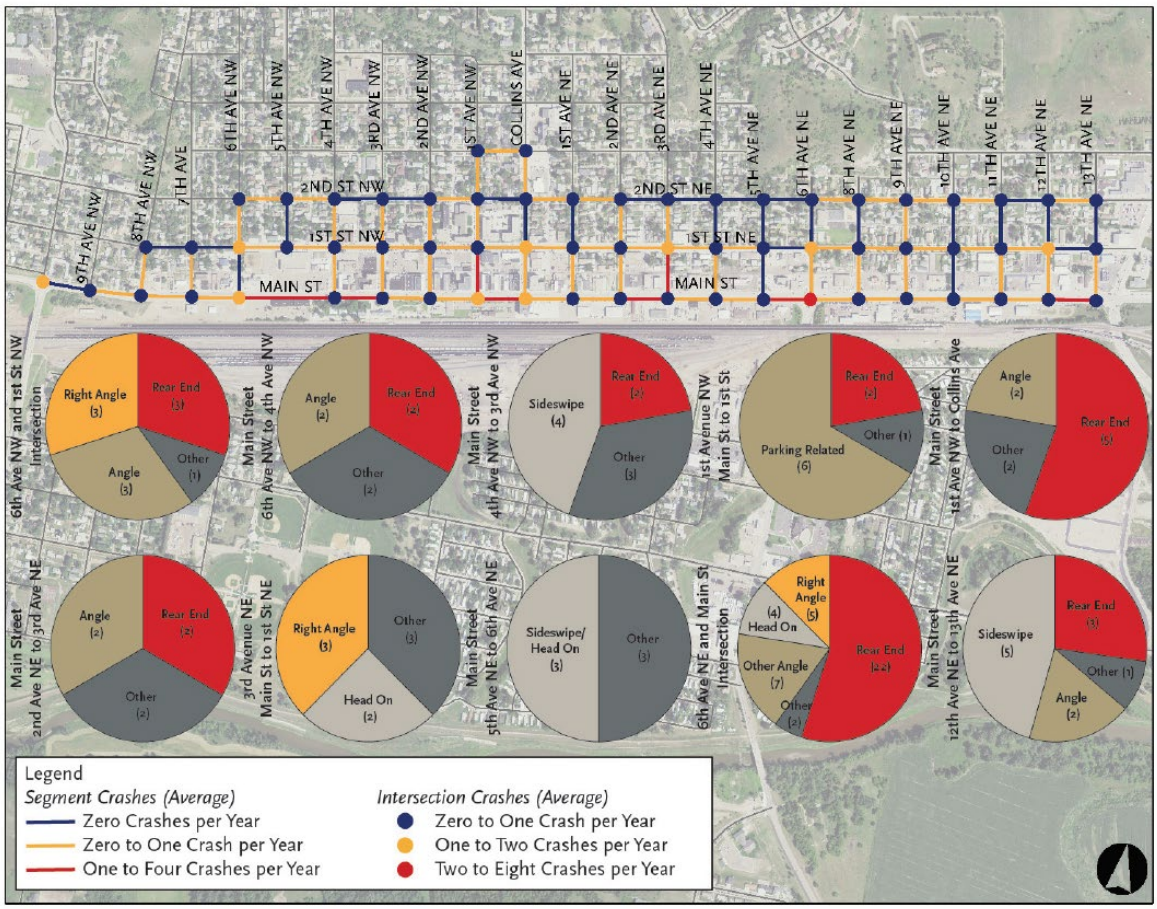
Lighting

Mix of LED and high-pressure sodium.

Crash Rate or Number of Crashes?

Of minimal concern within the corridors of this project. Figure 38 from the Downtown Subarea Study illustrates an NDDOT traffic operations study done in the fall of 2016.

Figure 38: Crashes in Study Area



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Other Known Safety Concerns?

Pedestrian crossing. Poor bicycling conditions.

Intersections (how many, type, control, etc.)

Reconstruction limits include going through 7 street intersections and 13 alleyways.

Is parking allowed and what type?

Yes. Predominately angle with some parallel.

Are there any bridges, box culverts, etc. within the project corridor?

No.

What is the condition of the existing sanitary sewer, storm sewer, and water lines?

Watermain needs replacement under much of the proposed project area. Possibly sanitary unless we accomplish that with trenchless methods. That decision has yet to be made. It is anticipated that a fair amount of storm inlet work will be needed. Likely about 3,000 feet of storm main replacement needed as well.

Are there any Access points to adjoining property that present a special concern?

None of particular concern.

Bicycle/Pedestrian, and Public Transportation Accommodations (Sidewalk, shared use paths, bicycle lanes)?

Sidewalk of varying widths along most of these corridors. An important element of this project would be to make sure they are all up to ADA standards and that they fit with the goal of creating a more walkable district.

Is there an existing transit or other public transportation facility located within the project limits?

The Capital Area Transit (CAT) fixed route service comes within a block of the west side of the project limits.

Do any school buses, transit buses, other multi-modal vehicles, etc. use this route?

Would expect some school bussing, but not certain.

Does a RRX or RR facility exist within the project limits?

No, but the BNSF main line and rail yard is a couple blocks south of most of this work, just south of Main Street.

Other existing conditions that are not listed identified above?

None

Proposed Improvements

(information requested in this section may not be appropriate for all project types)

What are the proposed Improvements (specific scope of work)?

This project's main goal and objective is to reconstruct 1st Street NW and several avenues in the core downtown area of Mandan with concrete. Based on preliminary cost estimates already completed for the entire project, anticipated specific locations of the first phase include 1st Street NW from Collins Avenue to 6th Avenue NW; anticipated specific locations of the second phase include 2nd, 3rd, 4th, and 5th Avenues from Main Street to 2nd Street NW. The proposed project is to reconstruct these streets and avenues with beautification elements being integrated throughout. As described above, the City's intent is to phase these improvements.

Proposed Length

Approximately 4,500 feet for the total project. Approximately 2,400 feet for anticipated phase 1 and approximately 2,100 feet for anticipated phase 2.

Proposed Cross Section (attach graphics depicting current dimensions and key roadway elements)

Proposed cross sections will be similar to the existing as seen above. During preliminary design, we will want to look at sidewalk widths vs. roadway widths to see how we may make some changes to accomplish the goal of making the district more walkable and patron friendly. Changes to the existing cross sections aren't anticipated to be major in nature.

Proposed Surfacing Type

New concrete.

Proposed Lighting, if applicable

We will want to incorporate new, LED lighting into this project. We will explore decorative where it makes sense.

Proposed Traffic Control changes

With the urban regional project programmed, Main Street got all new traffic signalization in 2019. Within the Study, an alternate for consideration was for 1st Street to be a roundabout corridor. That ranked lower than some of the other alternatives, but we would still consider during preliminary design if it made sense for any of these intersections at that time. Also, we would check for any signalization warrants.

Proposed Safety Improvements

Reconstruct sidewalks to bring to ADA compliance. Updated signage and striping where applicable to make traffic flow clearer to all modes of transportation. Evaluate opportunities to improve parking configurations.

Proposed Intersection Improvements

Will look at any signalization warrants or roundabouts during preliminary design. Possible curb bulb outs. Improvements to sidewalk ramps.

Proposed Traffic Calming Measures

Urban design elements to narrow the feel of the corridor's some such as planters.

Will parking be allowed and type?

Yes. We will keep the angle parking for the majority of the corridor, and consider a possible trial of reverse angle parking that could be extended if well received.

Will any bridges, box culverts, etc. be built/replaced within the project corridor and how will they be modified?

No.

Will any private utilities, water lines, sanitary sewer, and/or storm sewer lines need to be replaced or worked on with this project or potentially in the recent future (identify year)? Have private utilities been coordinated with?

Yes, most of the watermain under many of these streets will need to be replaced. Also, expect that most of the storm sewer will need to be replaced that runs under many of these streets. Sanitary sewer replacement should be minimal. Most of it runs in the alleys in the project area. What doesn't could be done with trenchless technologies. Private utilities have not yet been contacted.

Are there any access points along the project corridor that need to be addressed for mobility or safety concerns?

None of particular note.

Will a Sidewalk or shared use path be installed or replaced?

Yes. Most of the sidewalk along these streets is in poor conditions and in need of replacement.

What ADA improvements will need to be made on this project?

Currently, there are many areas of non-conformance as previously stated. We will bring all sidewalk within these project limits up to ADA compliance.

Do any special accommodations need to be made for school buses, public transportation, other multi-modal vehicles, etc. on this route?

None anticipated.

Proposed Railroad Crossing Work

No.

Other Proposed Improvements

Nothing else major anticipated.

Environmental/Cultural Issues on the proposed Projects

Identify *Yes*, *No*, or *Unknown* for each environmental/cultural issue. If *Yes*, provide a brief description of the issue in the *Comments* box.

Agricultural, Archeological sites, and/or Historical sites

None anticipated.

Lakes, waterways, floodplains Wetland

No.

Stormwater management

Updated stormwater facilities throughout planned. However, no major stormwater issues exist in this particular project area.

Hazardous materials sites

The project area is in direct correlation with the diesel spill recovery effort that has been ongoing for over 10 years. The recovery has been a great success, with over 95% of the product being recovered and wells are actively being retired.

Hazardous materials on existing structure

None in addition to the above.

Upland habitat

None.

Endangered/threatened/migratory species

None.

Section 4(f) (Refers to the use of publicly owned park and recreational lands, wildlife and waterfowl refuges, and significant historical or archeological sites in transportation project development.)

Public park space on the south side of Main Street near this project. None directly along the proposed corridor though.

Section 6(f) (Refers to Land and Water Conservation Fund (LWCF) Act - the conversion to other use of lands or facilities acquired with LWCF Act funds and requires replacement of used land with lands of equal value and use.)

None known of.

Through/adjacent to tribal land

None known of.

Additional comments on Environmental/Cultural Issues section

Historic in nature being in the core downtown area of the City.

Miscellaneous Issues of Proposed Improvements

Construction Restrictions *(migratory bird, local events, etc.)*

Mandan Progress Organization events occur typically about five or six weekends over the summer months. During construction, we would want to be cognizant of those and prepare accordingly.

Right-of-Way Required (parcels, owners, relocations, etc.) (NOTE: It is recommended that local funds be used to acquire right-of-way on the LPA system.)

None anticipated. However, will full reconstruction of all sidewalk, we will be working right up to the property line with zero building setbacks in many cases. Will need to be cognizant of that throughout.

Proposed Traffic Control during Construction

We will need some temporary traffic control to get people through the site. Closures are expected since the project is a concrete reconstruct of these streets. The City will coordinate with the property owners and businesses as much as possible.

Ineligible Project Items

We recognize that the watermain replacement and any sanitary sewer work will all need to be locally funded. We may want to address the condition of our alleyways at the same time as well. If so, we recognize that will be locally funded as well.

Additional comments on Miscellaneous Issues section

None.

Cost Estimate

Itemized Project Cost Estimate (For roadway projects this might include things like preliminary engineering, right-of-way, utilities, construction, construction engineering, bridges, and miscellaneous. For other types of projects include relevant items. Rows can be added as to the following table as necessary).

Item	Total Project	Total (Phase 1)	Federal (Phase 1)	State (Phase 1)	Local (Phase 1)
Preliminary & Final Engineering	$ 920,950	$ 690,713	$ 552,570	-	$ 138,143
Eligible Item Construction and Contingency	$ 9,209,500	$ 4,911,800	$ 3,929,440	-	$ 982,360
Construction Engineering	$ 920,950	$ 460,475	$ 368,380	-	$ 92,095
Subtotal – UGP Eligible (Participating)	$ 11,051,400	$ 6,062,988	$ 4,850,390		$ 1,212,598
Watermain Replacement (includes Engineering)	$ 1,246,080	$ 637,300	-	-	$ 637,300
Total Project	$ 12,297,480	$ 6,700,288	$4,850,390	$ 0	$ 1,849,898

Please see attached preliminary detailed cost estimate for the project dated October 2021 for more detail on the anticipate scope of construction and breakdown of phases.

What is the source of the local funds?

City sales tax fund, City wide property taxes and possibly special assessments to benefiting properties. As previously stated, the City has already expended more than $178,000 of local funds to-date by hiring KLJ Engineering to complete design and boundary surveys, preliminary environmental, data collection, preliminary engineering and detailed cost analyses.

MANDAN DOWNTOWN STREET IMPROVEMENTS
1ST STREET NW, 6TH AVENUE NW TO COLLINS AVENUE
CITY OF MANDAN PROJECT NUMBER: 2019-08, SID 217
NDDOT PROJECT NUMBER: UGP-1-988(045), PCN 22551
KLJ PROJECT NUMBER 1904-02191
OCTOBER, 2021
CONCRETE PAVEMENT, CURB AND GUTTER, STORM SEWER, WATERMAIN, SIDEWALK, PAVEMENT MARKING, LIGHTING, LANDSCAPING

				PHASED QUANTITIES					*PHASED COST*		
SPEC	**CODE**	**ITEM DESCRIPTION**	**UNIT**	*QUANTITY (ANTICIPATED PHASE 1)*	*QUANTITY (ANTICIPATED PHASE 2)*	**TOTAL QUANTITY**	**UNIT PRICE**		*COST (ANTICIPATED PAHSE 1)*	*COST (ANTICIPATED PAHSE 2)*	**COST**
103	**0100**	**CONTRACT BOND**	**L SUM**	*0.5*	*0.5*	**1**	**$40,000**		*$20,000*	*$20,000*	**$40,000**
202	**0136**	**REMOVAL OF PAVEMENT**	**SY**	*14,217*	*14,262*	**28,479**	**$25**		*$355,421*	*$356,552*	**$711,973**
202	**0130**	**REMOVAL OF CURB & GUTTER**	**LF**	*5,248*	*4,063*	**9,311**	**$10**		*$52,480*	*$40,630*	**$93,110**
202	**0230**	**REMOVAL OF INLETS**	**EA**	*12*	*9*	**21**	**$800**		*$9,600*	*$7,200*	**$16,800**
203	**0101**	**COMMON EXCAVATION-TYPE A**	**CY**	*495*	*505*	**1,000**	**$40**		*$19,800*	*$20,200*	**$40,000**
216	**0100**	**WATER**	**M GAL**	*170*	*174*	**344**	**$30**		*$5,108*	*$5,212*	**$10,320**
251	**0000**	**EROSION CONTROL**	**L SUM**	*0.5*	*0.5*	**1**	**$20,500**		*$10,250*	*$10,250*	**$20,500**
302	**0120**	**AGGREGATE BASE COURSE CL 5**	**TON**	*8,073*	*8,325*	**16,398**	**$35**		*$282,555*	*$291,375*	**$573,930**
550	**0112**	**8IN NON-REINF CONCRETE PAVEMENT CL AE**	**SY**	*9,358*	*10,818*	**20,176**	**$100**		*$935,800*	*$1,081,800*	**$2,017,600**
570	**0713**	**8IN CONCRETE PAVEMENT REPAIR-FULL DEPTH-DOWELED**	**SY**	*941*	*0*	**941**	**$200**		*$188,200*	*$0*	**$188,200**
702	**0100**	**MOBILIZATION**	**L SUM**	*0.5*	*0.5*	**1**	**$1,000,000**		*$500,000*	*$500,000*	**$1,000,000**
704	**1100**	**TRAFFIC CONTROL**	**LSUM**	*0.5*	*0.5*	**1**	**$150,000**		*$75,000*	*$75,000*	**$150,000**
709	**0151**	**GEOSYNTHETIC MATERIAL TYPE R1**	**SY**	*11,092*	*12,172*	**23,264**	**$3**		*$33,276*	*$36,515*	**$69,791**
714	**0210**	**PIPE CONC REINF 15IN CL III-STORM DRAIN**	**LF**	*0*	*62*	**62**	**$150**		*$0*	*$9,300*	**$9,300**
714	**0615**	**PIPE CONC REINF 24IN CL III**	**LF**	*963*	*0*	**963**	**$160**		*$154,080*	*$0*	**$154,080**
714	**0820**	**PIPE CONC REINF 30IN CL III**	**LF**	*255*	*0*	**255**	**$175**		*$44,625*	*$0*	**$44,625**
722	**0110**	**MANHOLE 60IN**	**EA**	*0*	*5*	**5**	**$10,400**		*$0*	*$52,000*	**$52,000**
722	**4060**	**INLET MOUNTABLE CURB-TYPE B**	**LF**	*16*	*15*	**31**	**$4,700**		*$75,200*	*$70,500*	**$145,700**
722	**3510**	**INLET-TYPE 2**	**EA**	*12*	*9*	**21**	**$4,500**		*$54,000*	*$40,500*	**$94,500**
722	**6240**	**ADJUST UTILITY APPURTENANCE**	**EA**	*9*	*9*	**18**	**$700**		*$6,237*	*$6,363*	**$12,600**
724	**0210**	**FITTINGS-DUCTILE IRON**	**LBS**	*125*	*125*	**250**	**$25**		*$3,125*	*$3,125*	**$6,250**
724	**0310**	**GATE VALVE & BOX 8IN**	**EA**	*0*	*15*	**15**	**$5,500**		*$0*	*$82,500*	**$82,500**
724	**0314**	**GATE VALVE & BOX 12IN**	**EA**	*8*	*0*	**8**	**$5,600**		*$44,800*	*$0*	**$44,800**
724	**0291**	**REMOVE & REPLACE GATE VALVE W/BOX 4IN**	**EA**	*2*	*0*	**2**	**$5,600**		*$11,200*	*$0*	**$11,200**
724	**0311**	**REMOVE & REPLACE GATE VALVE W/BOX 8IN**	**EA**	*2*	*0*	**2**	**$6,500**		*$13,000*	*$0*	**$13,000**
724	**0313**	**REMOVE & REPLACE GATE VALVE W/BOX 12IN**	**EA**	*10*	*0*	**10**	**$6,500**		*$65,000*	*$0*	**$65,000**
724	**0600**	**WATER SERVICE**	**LF**	*684*	*697*	**1,381**	**$55**		*$37,598*	*$38,357*	**$75,955**
724	**0412**	**8IN HYDRANT**	**EA**	*1*	*1*	**2**	**$7,000**		*$7,000*	*$7,000*	**$14,000**
724	**0430**	**REMOVE HYDRANT**	**EA**	*1*	*1*	**2**	**$2,000**		*$2,000*	*$2,000*	**$4,000**
724	**0830**	**WATERMAIN 8IN PVC**	**LF**	*5*	*2,044*	**2,049**	**$100**		*$500*	*$204,400*	**$204,900**
724	**0850**	**WATERMAIN 12IN PVC**	**LF**	*1,567*	*0*	**1,567**	**$130**		*$203,710*	*$0*	**$203,710**
724	**0000**	**WATER LINE CONNECTION**	**EA**	*14*	*42*	**56**	**$2,500**		*$35,000*	*$105,000*	**$140,000**
748	**0140**	**CURB & GUTTER-TYPE I**	**LF**	*5,248*	*4,063*	**9,311**	**$40**		*$209,920*	*$162,520*	**$372,440**
750	**0030**	**PIGMENTED IMPRINTED CONCRETE**	**SY**	*470*	*0*	**470**	**$200**		*$94,000*	*$0*	**$94,000**
750	**0100**	**SIDEWALK CONCRETE**	**SY**	*3,492*	*2,814*	**6,306**	**$100**		*$349,200*	*$281,400*	**$630,600**
750	**0107**	**SIDEWALK - DECORATIVE**	**SY**	*787*	*0*	**787**	**$200**		*$157,400*	*$0*	**$157,400**
750	**0150**	**SIDEWALK TRENCH DRAIN**	**EA**	*6*	*6*	**12**	**$4,500**		*$26,730*	*$27,270*	**$54,000**
750	**0300**	**STEPS CONCRETE**	**L SUM**	*0.5*	*0.5*	**1**	**$50,000**		*$25,000*	*$25,000*	**$50,000**
750	**1020**	**DRIVEWAY CONCRETE 8IN**	**SY**	*196*	*631*	**827**	**$120**		*$23,520*	*$75,680*	**$99,200**
750	**2115**	**DETECTABLE WARNING PANELS**	**SF**	*285*	*291*	**576**	**$55**		*$15,682*	*$15,998*	**$31,680**
754	**0000**	**PERMANENT SIGNING**	**LSUM**	*0.5*	*0.5*	**1**	**$20,000**		*$10,000*	*$10,000*	**$20,000**
762	**0000**	**PREFORMED PATTERNED PVMT MK**	**L SUM**	*0.5*	*0.5*	**1**	**$70,220**		*$35,110*	*$35,110*	**$70,220**
770	**9402**	**LIGHTING SYSTEM (AESTHETIC)**	**L SUM**	*0.5*	*0.5*	**1**	**$450,000**		*$225,000*	*$225,000*	**$450,000**
970	**0001**	**LANDSCAPING APPURTENANCES**	**L SUM**	*0.5*	*0.5*	**1**	**$200,000**		*$100,000*	*$100,000*	**$200,000**

ANTICIPATED PHASE 1 SUMMARY TABLE

Subtotal Anticipated Phase 1 - Participating	*$4,093,200*
Contingency (20%) - Participating	*$818,600*
Prelim & Final Engineering (75% Of Total Prelim & Final Engineering - Participating)	*$690,713*
Construction Engineering (50% Of Total Construction Engineering - Participating)	*$460,475*
Construction Cost Anticipated Phase 1- Participating (Storm + Road)	***$6,062,988***
Subtotal - Watermain	*$422,900*
Contingency (20%) - Watermain	*$84,600*
Prelim & Final Engineering (75% Of Total Prelim & Final Engineering - Watermain)	*$77,880*
Construction Engineering (50% Of Total Construction Engineering - Watermain)	*$51,920*
Construction Cost Anticipated Phase 1 - Watermain	***$637,300***
ROW Acquisition	*$0.00*
Utility Relocation	*$0.00*
Anticipated Phase 1 Project Cost	**$ 6,700,288**

ANTICIPATED PHASE 2 SUMMARY TABLE

Subtotal Anticipated Phase 2 - Participating	*$3,581,400*
Contingency (20%) - Participating	*$716,300*
Prelim & Final Engineering (25% Of Total Prelim & Final Engineering - Participating)	*$230,238*
Construction Engineering (50% Of Total Construction Engineering - Participating)	*$460,475*
Construction Cost Anticipated Phase 2 - Participating (Storm + Road)	***$4,988,413***
Subtotal - Watermain	*$442,400*
Contingency (20%) - Watermain	*$88,500*
Prelim & Final Engineering (25% Of Total Prelim & Final Engineering - Watermain)	*$25,960*
Construction Engineering (50% Of Total Construction Engineering - Watermain)	*$51,920*
Construction Cost Anticipated Phase 2 - Watermain	***$608,780***
ROW Acquisition	*$0.00*
Utility Relocation	*$0.00*
Anticipated Phase 2 Project Cost	**$ 5,597,193**

TOTAL PROJECT SUMMARY TABLE

Subtotal - Participating	*$7,674,600*
Contingency (20%) - Participating	$1,534,900
Prelim & Final Engineeering (10%) - Participating	$920,950
Construction Engineering (10%) - Participating	$920,950
Total Construction Cost - Participating (Storm + Road)	**$11,051,400**
Subtotal - Watermain	$865,300
Contingency (20%) - Watermain	$173,100
Prelim & Final Engineeering (10%) - Watermain	$103,840
Construction Engineering (10%) - Watermain	$103,840
Total Construction Cost - Watermain	**$1,246,080**
ROW Acquisition	$0.00
Utility Relocation	$0.00
Total Project Cost	**$ 12,297,480**

* The phasing in this cost estimate is based on phase 1 including 1st Street NW from Collins Avenue to 6th Avenue NW and phase 2 including 2nd, 3rd, 4th, and 5th Avenues from Main Street to 2nd Street NW.

EXHIBIT K

101
TAC and Policy Board Handout

November 15-16th, 2021
Re: **Urban Roads Program**

Three projects have been submitted; one (1) the City of Bismarck and two (2) from the City of Mandan. The Bismarck project is ranked third in the 2020-2045 MTP. Staff recommends approval of the South Washington application for construction in 2026, pending availability of Federal funding.

MTP Rank	Jurisdiction	Type	**Location:** Project	Total Cost / Federal	MTP	Points
3	Bismarck	Reconstruction	**South Washington (Wachter Drainage Ditch to Burleigh Ave):** Reconstruct and widen roadway from two-lane rural section to a three-or five-lane concrete urban section with center turn lane and right turn lanes at major intersections. 5700 Feet/ 1.1 Miles	11,700,000 / 9,360,000	Yes	14.632/ 18.698
-	Mandan	Construction	**Division Street (west of Sunset Drive):** Expand the road network with a new urban road. .8 Miles	6,000,000/ 4,800,000	No	8.882/ 18.698
-	Mandan	Construction	**Boundary Road (west of Sunset Drive):** Expand the road network wit ha new urban road. .8 Miles	6,000,000/ 4,800,000	No	8.882/ 18.698

//RAD Nov 2021

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URBAN REGIONAL & URBAN ROADS
PROJECT SCOPING WORKSHEET

DATE:_____10/15/2021_____

PRIORITY#_____ Regional: No Urban Roads: Yes

City:____Bismarck_____ Street:_ Constr. limits: Wachter Drainage Ditch to Burleigh Ave ESA Limits: Wachter Avenue to Burleigh Ave__

County:___Burleigh_____ Length:_5700'/1.1 miles_____

Proposed Improvement: _____reconstruction and widening_____

_____

Cost Estimates Breakdown (in $1,000)							
PE	CE	R/W	Utility	Constr.	Bridges	Non-Participating	Total
500	1000	100	100	10,000	0	0	11700

The cost estimate above is very preliminary and is based on a roadway cost of $10-million dollars taken from the 2020-2045 MTP urban project list.

Present Road: Surface Width? ____24'_____ Surface Type?____Asphalt_____

On Street Parking Allowed? __No__ Present: **(No)** One Side Both Sides Angle Parallel
Proposed: **(No)** One Side Both Sides Angle Parallel

Proposed Improvements

ADT Present: _7700_ Yr: ____2019___ Travel Way Width : __24'_____
ADT Design: __13,900 __ Design year __2040_ No. of Lanes: ___2_____
Design Speed: _____40 MPH_____ Roadway Width: ___24' _____
Maximum Curve: _____NA_____ Min. R/W Width:___100'_____
Maximum Grade: _____6%_____

Right of Way

Will Additional ROW or easement be acquired? ___Yes_____ ROW acquisition by: City DOT
Has any ROW easements been acquired since 7-1-72: __No_ ROW Condemnation by: City DOT
Est. No. of occupied family dwelling to be displaced? __0____
Est. No. business to be displaced? _____0_____

Impacts

Will there be any additional Impacts (Cultural and Environmental Resources):

No

Will there be any impacts to 4(f) or 6(f) properties:

No

Airports: No Public Hearings: yes

Environmental Classification (Cat-Ex, EA, EIS): Cat-ex

Transportation Enhancements: Existing trail on S Washington would be reconstructed as part of this project.

Intermodal: No

Pedestrian Needs: yes

Railroads Crossings

RR Name	No. Xings	No. Tracks and Type of Crossing	Daily Train Movements	Train Speed	Present Protection	Proposed Protection
NA						

Purpose and Need Statement:

This project purposed is to provide mobility, safety and geometric improvements for motorists, pedestrians, cyclists, and transit users to meet current and future needs along this corridor.

This project is identified in 2020-2045 MTP as short-range project with a ranking of 3 on the urban program priority list. Priorities 1 and 2 have been programmed.

Existing Conditions:

1. When was the current street section built? Unknown Has there been any additional maintenance to the street section? none

   How many driving lanes and turning lanes does the street section currently have and what is the widths of the driving and turning lanes? 2 – 12’ travel lanes with no turn lanes

2. What is the condition of the pavement section? Pavement Management rating at the most recent survey in 2020 was a PCI value of 75. Utilizing pavement

management predations models this roadway PCI value of 60 at the year 2025.

A. If the pavement section is asphalt, is there any alligator cracking, longitudinal cracking, transverse cracking, raveling, bituminous patching or rutting?
B. If the pavement section is concrete, are there any broken slabs, faulting, bituminous patching, joint spalling, transverse cracking, or longitudinal cracking.

Any existing geometric concerns? No

4. Are there any access points to adjoining properties that present a special concern?
No

5. Are there any existing sidewalks or shared use path in place?
Multi-use trial along the west side Washington Street.

6. What is the condition of the existing storm sewer? Current drainage is through a rural ditch section. Will any additional storm sewer work need to be done along with this project?
A new stormwater system will be needed to address roadway drainage issues.

7. What is the condition of the city's water and sewer line? Will any work have to be done to the city's water and sewer lines along with this project?
Good Not at this time

8. Describe the existing lighting system currently in place? What type of standards and luminaires are currently being used?
No lighting system is in place.

What intersections currently have traffic signals? None Are there any locations that have a high accident rate? None Are additional turning lanes needed? Likely, consideration for turn lanes and traffic control as part of traffic operations study to be completed for the project.

Remarks:

This section of South Washington Street was part of the Burleigh County roadway network and was paved sometime after 1950. As the City of Bismarck contniued to expand south in the late 1980's, the City of Bismarck took over the maintenance and operatoin of Washington Street. In 2012 the Public Works Deparment perform a maintenance overlay.

The existing facility on south Washington Street is currently a rural two-lane roadway with narrow shoulders. The posted speed limit is 40 MPH and it is functionally classified as an arterial. The existing facility has controlled access onto this corridor. No lighting is in place along this roadway. Due to the surrounding topography, there are no vertical or horizontal alignment issues. The existing pavement conditions need to be addressed. If this roadway is not improved, a preservation overlay may be necessary to keep this roadway in a state of good repair until this roadway can be reconstructed.

There has been significant growth in the area. The property adjacent to Washington Street which zoned for many uses ranging single family (R5) to residential multi-family (RM30) with a small area of CA commercial near the midway of the project. Peak hour traffic flows consist of AM northbound and PM southbound. The City of Bismarck urbanized area has grown around this roadway. At the north end near the stormwater control structure, 2001 ADT was 2500, 2016 ADT was 7655 and the projected 2040 ADT is 13,900 vehicles per day. The increase in development generates higher volumes and higher speeds and creates a need for turn lanes to reduce the potential for crashes. Turn lanes would provide a refuge for turning traffic out of the high-speed travel lanes maintaining a higher travel speed on this corridor. South Washington Street functions as a major connector for the significant residential areas located to the south with the commercial development north of Bismarck Expressway.

Currently all storm water is handled by the rural ditch section. As a result of the surrounding topography, there will stormwater drainage issues that will need to be addressed.

The current City of Bismarck Access managmeent Policy has addressed the majority of access issues at the time of platting of adjacent propoerties to South Washington Street.

A shared use path is in place along the west side of Washington Street. This path would be reconstructed as part of the proposed improvements.

Any work necessary for the City of Bismarck underground infrastructure will be incorporated into the project to limit disturbance to the general public.

Currently no street lights are in place. No traffic signals are located within the project limits. All side street traffic is controlled by stop signs. Traffic signals may be warranted in the future. There are no high crash locations identified in the project limits.

The proposed reconstruction of this rural two-lane high-speed roadway is to a 3 or 5-lane urban concrete roadway with a center left turn lane. Right turn lanes would be considered at major intersections. The City of Bismarck utilizes concrete pavement on most arterial corridors because of longer life and the need for less maintenance resulting in lower life cycle costs. This strategy helps *keep the city transportation system in a state of good repair by proactively investing in roadways that minimize the future maintenance costs and delay to the traveling public.*

To accommodate multimodal methods of travel, a shared-use path will be included on one side of the roadway and a sidewalk on the other will be included as part of the project. Pedestrian crossing facilities would be incorporated into the project to accommodate pedestrians in the residential developments desiring to walk to the developments across of Washington Street. These facilities will link the already existing local neighborhood sidewalks to existing trail

system at Cottonwood Park Complex.

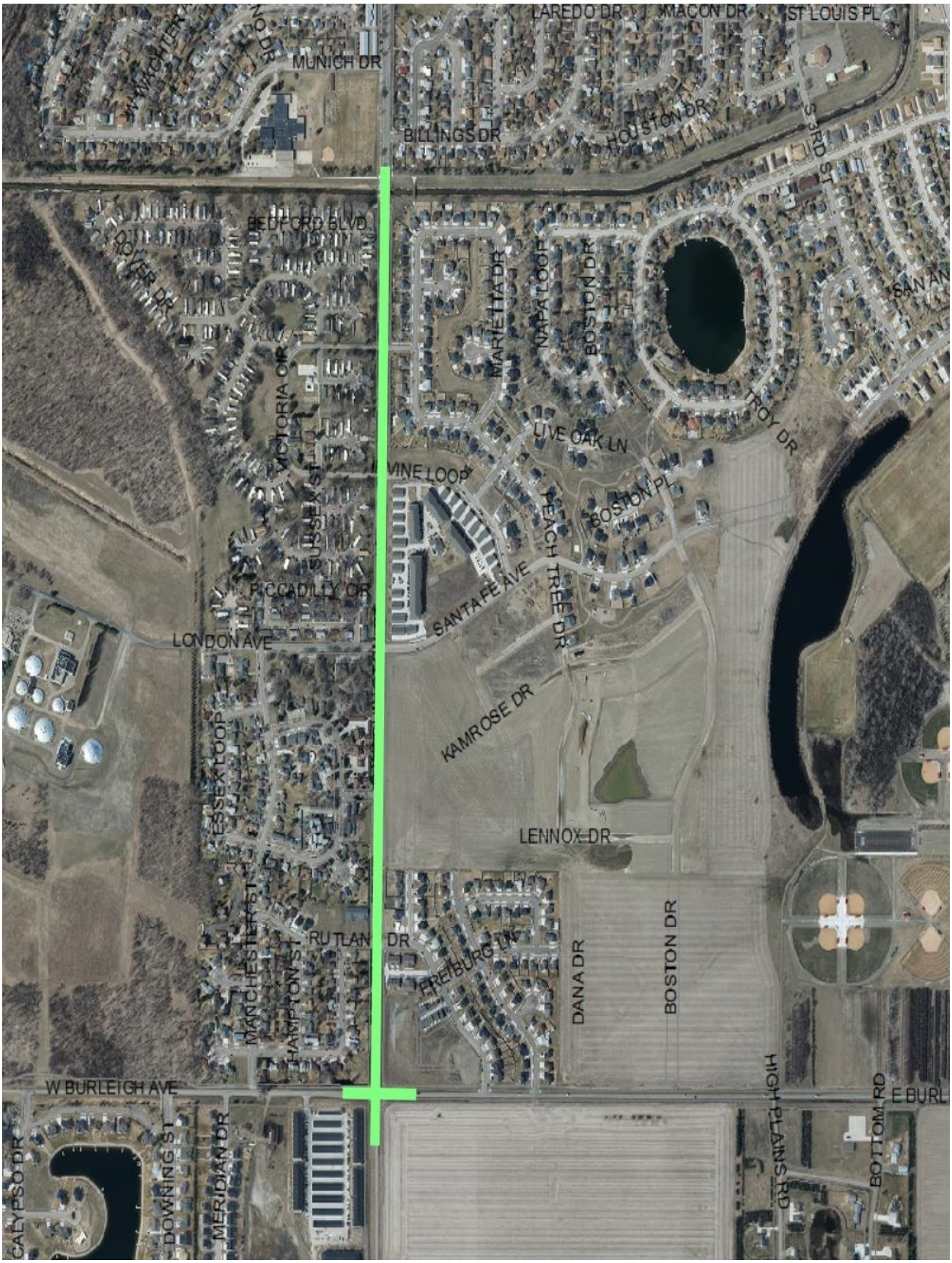
There are not adequate gaps due to the higher volumes of main line traffic during peaks hours for traffic from the side streets to enter this corridor. Major intersections will be evaluated for traffic operations and the appropriate traffic control (signal or roundabout), signing and pavement marking will be incorporated as warranted. An LED street lighting system will be utilized to reduce monthly operating cost resulting from the reduced consumption of energy.

This routed is utilized by BisMan Transit as the “Green Route”. This project will provide increase reliability of the transit system. Transit stops could be incorporated into the project if BisMan Transit identifies locations along the corridor as pickup points.

City Engineer: _____ Date: 10/15/21

District Engineer: _____ Date: _____

Note: ***Please attach a map showing location and extent of the project and any additional supporting documents.***


LAREDO DR
MACON DR
ST LOUIS PL
MUNICH DR
BILLINGS DR
HOUSTON DR
S 3RD ST
BEDFORD BLVD
MARIETTA DR
NAPA LOOP
BOSTON DR
TROY DR
LIVE OAK LN
VINE LOOP
BOSTON PL
PEACH TREE DR
SANTA FE AVE
PICCADILLY CIR
LONDON AVE
KAMROSE DR
LENNOX DR
ESSEX LOOP
MANCHESTER ST
RUTLAND DR
FREIBURG LN
DANA DR
BOSTON DR
HIGH PLAINS RD
W BURLEIGH AVE
E BURL
CALYPSO DR
DOWNING ST
MERIDIAN DR
BOTTOM RD

URBAN REGIONAL & URBAN ROADS
PROJECT SCOPING WORKSHEET

DATE:__October 15, 2021_____

PRIORITY#__1_____ Regional: Y/N Urban Roads: Y/N

City:_Mandan _____ Street:__Division Street_____

County:__Morton_____ Length:__0.8 Miles _____

Proposed Improvement: _Expand the road network with a new urban road. ____

_____

_____

Cost Estimates Breakdown (in $1,000)							
PE	CE	R/W	Utility	Constr.	Bridges	Non-Participating	Total
600	600			4800			6000

Present Road: Surface Width? _NA_____ Surface Type?__Concrete_____

On Street Parking Allowed? TBD___ Present: (No) One Side Both Sides Angle Parallel
Proposed: (No) One Side Both Sides Angle Parallel

Proposed Improvements

ADT Present: _____ Yr: _____
ADT Design: _____ Design year _____
Design Speed: _____
Maximum Curve: _____
Maximum Grade: _____

Travel Way Width : _12'/lane_____
No. of Lanes: __2-3_____
Roadway Width: ___40'_____
Min. R/W Width:_____

Right of Way

Will Additional ROW or easement be acquired? __TBD_____ ROW acquisition by: City DOT
Has any ROW easements been acquired since 7-1-72: __No_ ROW Condemnation by: City DOT
Est. No. of occupied family dwelling to be displaced? __0____

Est. No. business to be displaced? ____0_____

Impacts

Will there be any additional Impacts (Cultural and Environmental Resources): _TBD_____

_____

Will there be any impacts to 4(f) or 6(f) properties: ___Yes, likely_____

Airports: _NA_____ Public Hearings: _TBD_____

Environmental Classification (Cat-Ex, EA, EIS):____TBD_____

Transportation Enhancements: ___Road network expansion_____

Intermodal: ____Not expected_____

Pedestrian Needs: __Multi-use trail anticipated_____

Railroads Crossings						
RR Name	No. Xings	No. Tracks and Type of Crossing	Daily Train Movements	Train Speed	Present Protection	Proposed Protection
NA						

Purpose and Need Statement:

The purpose of this project is to provide an alternate route from Sunset to the west into a potential development area. All existing street options are narrow residential streets. Once linked to Lohstreter this will provide a more direct from the western part of the city to all destinations east of.

Existing Conditions:

This is in a green field area. Street or other infrastructure currently exists.

1. When was the current street section built? Has there been any additional maintenance to the street section?

   _____

2. How many driving lanes and turning lanes does the street section currently have and what is the widths of the driving and turning lanes?

   _____

3. What is the condition of the pavement section?

   A. If the pavement section is asphalt, is there any alligator cracking, longitudinal cracking, transverse cracking, raveling, bituminous patching or rutting?

B. If the pavement section is concrete, are there any broken slabs, faulting, bituminous patching, joint spalling, transverse cracking, or longitudinal cracking.

_____

_____

4. Any existing geometric concerns?

_____

5. Are there any access points to adjoining properties that present a special concern?

_____

6. Are there any existing sidewalks or shared use path in place?

_____

7. What is the condition of the existing storm sewer? Will any additional storm sewer work need to be done along with this project?

_____

8. What is the condition of the city's water and sewer line? Will any work have to be done to the city's water and sewer lines along with this project?

_____

9. Describe the existing lighting system currently in place? What type of standards and luminaires are currently being used?

_____

10. What intersections currently have traffic signals? Are there any locations that have a high accident rate? Are additional turning lanes needed?

_____

Remarks:

_____

_____

_____

_____

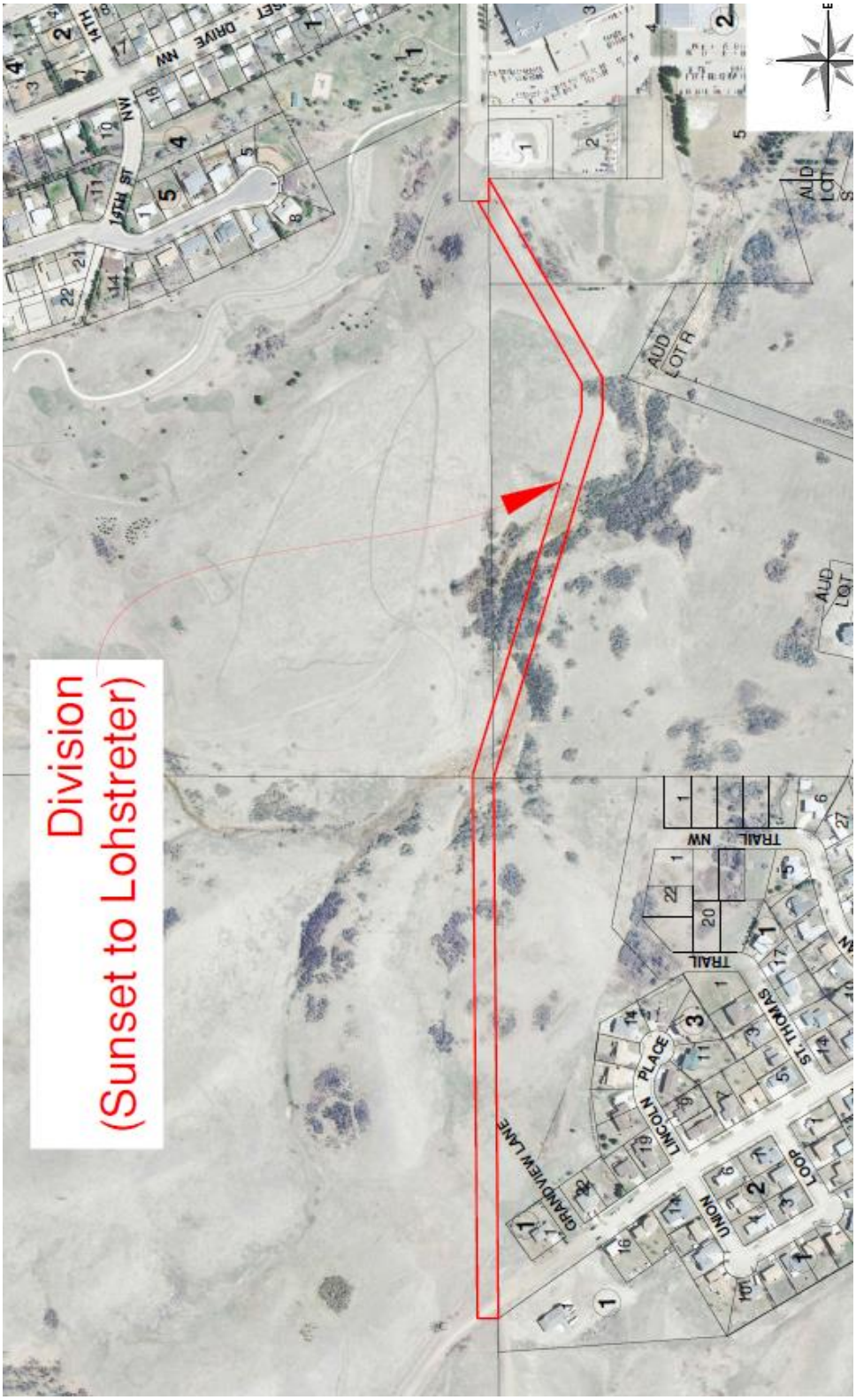
_____

_____

City Engineer: Justin Fossetts Date: October 15, 2021

District Engineer: _____ Date: _____

Note: ***Please attach a map showing location and extent of the project and any additional supporting documents.***



URBAN REGIONAL & URBAN ROADS
PROJECT SCOPING WORKSHEET

DATE:_ October 15, 2021_____

PRIORITY#___2_____ Regional: Y/N Urban Roads: Y/N

City:___Mandan_____ Street:____Boundary Road_____

County:___Morton_____ Length:__0.8 Miles_____

Proposed Improvement: ____Expand t the road network with a new urban road. ___

_____

_____

Cost Estimates Breakdown (in $1,000)							
PE	CE	R/W	Utility	Constr.	Bridges	Non-Participating	Total
600	600			4800			6000

Present Road: Surface Width? ____NA_____ Surface Type?_____Concrete_____

On Street Parking Allowed? _TBD___ Present: (No) One Side Both Sides Angle Parallel
Proposed: (No) One Side Both Sides Angle Parallel

Proposed Improvements

ADT Present: _____ Yr: _____
ADT Design: _____ Design year _____
Design Speed: _____
Maximum Curve: _____
Maximum Grade: _____

Travel Way Width : __12'/lane_____
No. of Lanes: __2-3_____
Roadway Width: __40'_____
Min. R/W Width:_____

Right of Way

Will Additional ROW or easement be acquired? _TBD____ ROW acquisition by: City DOT
Has any ROW easements been acquired since 7-1-72: _____ ROW Condemnation by: City DOT

Est. No. of occupied family dwelling to be displaced? _0___
Est. No. business to be displaced? _____0_____

Impacts

Will there be any additional Impacts (Cultural and Environmental Resources): ___TBD____
_____
Will there be any impacts to 4(f) or 6(f) properties: Yes, likely_____
Airports: __NA_____ Public Hearings: __TBD_____
Environmental Classification (Cat-Ex, EA, EIS):___TBD_____
Transportation Enhancements: ___Road network expansion_____
Intermodal: __Not expected_____
Pedestrian Needs: _Multi-use trail anticipated_____

Railroads Crossings

RR Name	No. Xings	No. Tracks and Type of Crossing	Daily Train Movements	Train Speed	Present Protection	Proposed Protection
NA						

Purpose and Need Statement:

The purpose of this project is to provide an alternate route from Sunset to the west into a potential development area. Would be the first step to ultimately link Sunset Drive with Highway 25 to the west.

Existing Conditions:

This is in a green field area. Street or other infrastructure currently exists.

1. When was the current street section built? Has there been any additional maintenance to the street section?
   _____

2. How many driving lanes and turning lanes does the street section currently have and what is the widths of the driving and turning lanes?
   _____

3. What is the condition of the pavement section?

   A. If the pavement section is asphalt, is there any alligator cracking, longitudinal cracking, transverse cracking, raveling, bituminous patching or rutting?
   B. If the pavement section is concrete, are there any broken slabs,

faulting, bituminous patching, joint spalling, transverse cracking, or longitudinal cracking.

_____

_____

4. Any existing geometric concerns?

_____

5. Are there any access points to adjoining properties that present a special concern?

_____

6. Are there any existing sidewalks or shared use path in place?

_____

7. What is the condition of the existing storm sewer? Will any additional storm sewer work need to be done along with this project?

_____

8. What is the condition of the city's water and sewer line? Will any work have to be done to the city's water and sewer lines along with this project?

_____

9. Describe the existing lighting system currently in place? What type of standards and luminaires are currently being used?

_____

10. What intersections currently have traffic signals? Are there any locations that have a high accident rate? Are additional turning lanes needed?

_____

Remarks:

_____

_____

_____

_____

_____

_____

City Engineer: Justin Fossetts Date: October 15, 2021

District Engineer: _____ Date: _____

Note: ***Please attach a map showing location and extent of the project and any additional supporting documents.***

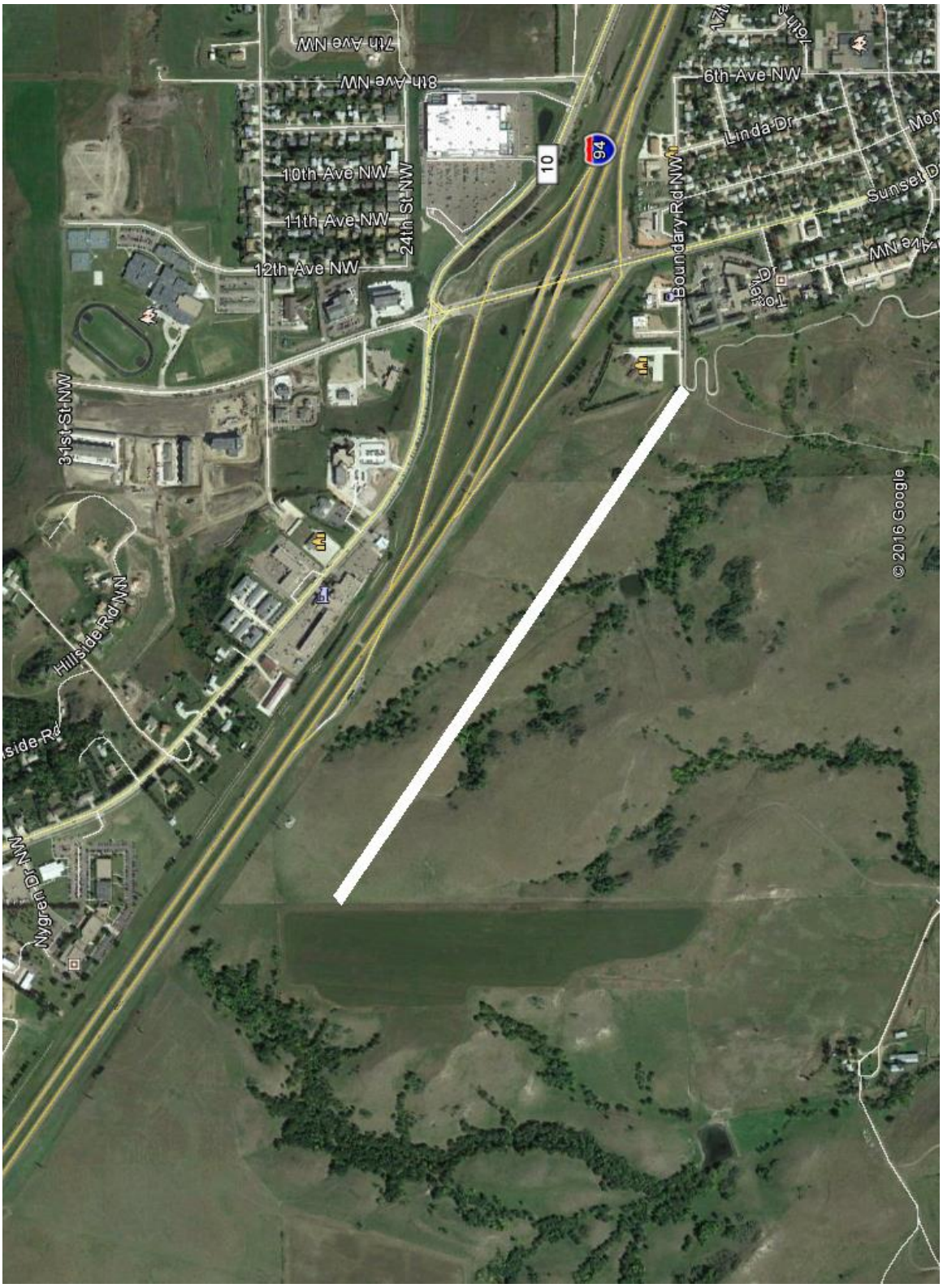


EXHIBIT O

AGREEMENT FOR SERVICES
BETWEEN
(*INSERT NAME HERE*) AND
THE
BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION

THIS AGREEMENT, entered into this_____ day of_____, *(insert year)*, by and between the Bismarck-Mandan Metropolitan Planning Organization (hereinafter called BMMPO or Client), and *(insert name here)* (hereinafter called the Consultant).

WITNESSETH THAT:

WHEREAS, BMMPO desires to retain the Consultant to provide such services with respect to the Client's project known as the *(insert name here)* (the Project).

NOW THEREFORE, the parties hereto do mutually agree as follows:

A. Employment of Consultant and Scope of Work: BMMPO hereby agrees to engage the Consultant, andthe Consultant hereby agrees to perform those tasks and activities as outlined in the Consultant's Statement of Qualifications, and the Consultant's letter of *(insert date)* as illustrated on **Exhibit A** attached hereto and incorporated herein by this reference (the Work Plan).

B. Time of Performance: The services of the Consultant are to commence as soon as practicable after execution of this Agreement. All products shall be completed and delivered to BMMPO by the dates asset forth on **Exhibit A**.

C. Conflicts of Interest: No official or employee of a state or any other governmental instrumentality who is authorized in their official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting or approving any contract or subcontract in connection with a project shall have, directly or indirectly, any financial or other personal interest in any such contract or subcontract. No engineer, attorney, appraiser, inspector, or other person performing services for a state or a governmental instrumentality in connection with a project shall have, directly or indirectly, a financial or other personal interest, other than their employment or retention by a state or other governmental instrumentality, in any contract or subcontract in connection with such project. No officer or employee of such person retained by a state or other governmental instrumentality shall have, directly or indirectly, any financial or other personal interest in any real property acquired for a project unless such interest is openly disclosed upon the public records of BMMPO and of such other governmental instrumentality,and such officer, employee, or person has not participated in such acquisition for and in behalf of the state.

D. Ownership of Work Product: All work products and copyrights of the contract, which result from this contract, are the exclusive property of BMMPO, with an unlimited license for use by the federal government and its assignees without charge.

E. Personnel & Subcontracting: The Consultant will secure, in accordance with the Scope of Work, all personnel required in performing the services under this contract. The Consultant shall not assign any portion of the work under this agreement, execute any contract, or obligate itself in any manner with a third party with respect to its rights and responsibilities to this agreement without written consent of

1. BMMPO. Any agreement with a subconsultant does not create a contractual relationship between the BMMPO and the subconsultant.

F. Assignments: The Consultant shall not assign nor transfer the Consultant's interests or duties under this agreement without the express written consent of the Client.

G. Procurement - Property Management: The Consultant shall adhere to 2 CFR 200 when procuring services, supplies, or equipment, which are incorporated into this agreement by reference and are available from BMMPO.

H. Termination:

1. This contract may be terminated by mutual consent of both parties, or by either party upon 30 days' notice, in writing, and delivered by certified mail or in person.

2. In addition, BMMPO may terminate this contract effective upon delivery of written notice to the Consultant, or at such later date as may be established by BMMPO, under any of the following conditions:

   a. If BMMPO funding from federal, state, or other sources is not obtained and continued at levels sufficient to allow for purchase of the indicated quantity of services. The contract may be modified by agreement of the parties in writing to accommodate a reduction in funds.

   b. If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this contract or are no longer eligible for the funding proposed for payments authorized by this contract;

   c. If any license or certificate required by law or regulation to be held by the Consultant to provide the services required by this contract is for any reason denied, revoked, or not renewed;

   Any such termination of this contract under (a), (b), or (c), above, shall be without prejudice to anyobligations or liabilities of either party already accrued prior to such termination.

3. BMMPO, by written notice to the Consultant, may terminate the whole or any part of this agreement:

   a. If the Consultant fails to provide services called for by this contract within the time specified herein or any extension thereof; or

   b. If the Consultant fails to perform any of the other provisions of this contract, or so fails to pursue the work as to endanger performance of this contract in accordance with its terms, and after receipt of written notice from BMMPO, fails to correct such failures within ten days or such longer period as BMMPO may authorize.

   c. The consultant may terminate this Agreement after 10 days' prior written notice to the Client if the Client breaches this Agreement or fails to pay the Consultant pursuant to the terms of this Agreement and the Client fails to cure within 10 business days after receipt of the consultant's notice, or such longer period of cure as the Consultant may specify in such notice.

4. If BMMPO determines that the progress of the study is not acceptable as measured through the consultant supplied project schedule, which will be an attachment to the signed and approved contract, BMMPO reserves the right to terminate the contract with the consultant with a 45-day written notice.

5. BMMPO desires continuity of consultant staff throughout the project from the firm chosen. If the Consultant replaces key staff and BMMPO is dissatisfied with replacement staff, the firm chosen will have 30 days from the written notice by BMMPO to supply replacement key staff acceptable to the MPO. If the firm chosen fails to supply acceptable replacement staff within the 30-day period, BMMPO may cancel the contract.

I. Governing Law: Notwithstanding any rules regarding the choice of law or venue, it is agreed by the parties that this contract shall be governed by and construed in accordance with applicable federal law and the laws of the state of North Dakota, at the time this contract was executed.

J. Additional Services: From time to time hereafter, the parties hereto may agree to the performance by the Consultant of Additional Services with respect to the Project. Any such agreement shall be set forth in writing in an Addendum and shall be executed by the respective parties prior to Consultant's performance of any services thereunder. Upon proper completion and execution of any such Addendum, such Addendum shall be incorporated into this Agreement and shall have the same force and effect as if the terms of such Addendum were a part of this Agreement as originally executed. The performance of services pursuant to an Addendum shall be subject to the terms and conditions of this Agreement except where the Addendum shall control. In all other respects, any Addendum shall supplement and be construed in accordance with the terms and conditions of this Agreement.

K. Compensation:

1. The total cost to BMMPO for the performance of work pursuant to this Agreement shall not exceed a total of (*insert amount in words and numbers*). This amount will include ALL project costs including labor, general and administrative overhead, fixed fees, travel, materials, supplies, subcontracts, and miscellaneous.

2. The Consultant shall receive payment pursuant to the following:

   a. Labor Services: BMMPO shall compensate the Consultant for labor services on the basis of hourly ratesfor person hours spent on the project in accordance with the individual rate schedule outlined in **Exhibit A**.

   b. Reimbursable Expenses: The Consultant shall be reimbursed for actual expenses as shown in **Exhibit A.** These costsshall not exceed the amounts shown in **Exhibit A.**

3. The MPO reserves the right to hold ten percent (10%) of the total contracted invoiced amounts until the MPO believes it has received all of the following to its satisfaction:

   a. Contracted deliverables as described in the RFP and final contract;

   b. Completed tasks as described in the RFP and final contract; and

c. Satisfactory final product, project, and/or study

L. Allowable Costs and Documentation:

1. Allowable cost must be made in conformance with the project description and the project budget,and all other provisions of this contract, and:

   a. Be necessary in order to accomplish the project.

   b. Be reasonable in amount of the goods or services purchased.

   c. Be actual net costs to the Consultant (i.e., the price paid minus any refunds, rebates or other items of value received by the Consultant which have the effect of reducing the costactually incurred).

   d. Be incurred (and be for work performed) after the date of this contract, unless specific authorization from BMMPO to the contrary is received.

   e. Be treated uniformly and consistently under accounting principles and proceduresapproved or prescribed by BMMPO for its Consultants.

2. All costs charged to the project, including any approved services contributed by the Consultant orothers, shall be documented and supported by properly executed payrolls, time records, invoices,contracts, or vouchers evidencing, in detail, the nature and propriety of the charges.

M. Records: The Consultant shall maintain all accounting and project records BMMPO may require. Such records shall be made available to BMMPO, and the state and federal government for inspection and audit during the agreement term and for three years after the closure of the consolidated planning grant,unless any litigation, claim, or audit is started before the expiration of the three years, in which case the records shall be retained until such action is satisfied.

N. Method of Payment: BMMPO shall pay the Consultant on a monthly basis. The payment shall be madeupon the Consultant's submission of a bill for the previous month's expenses and BMMPO's approval thereof. Such billing shall be made as hereinafter provided in this section.

1. The Consultant shall submit to BMMPO an itemized invoice [identified as INVOICE FOR (month,year)] for the Consultant's eligible costs incurred during that month. ~~Said invoice shall be receivedby BMMPO on or before the second Thursday of the month in which payment is being requested.~~ BMMPO shall remit ~~one hundred percent~~ the federal portion of the amount of the approved invoice within thirty days of invoice receipt. Remaining portions will be provided by the respective jurisdiction or partner agency. The BMMPO makes no claims to the timing of payment by the jurisdictional or partner agencies. ~~Invoices received after the second Thursday of the followingmonth will be payable within sixty days of invoice receipt.~~

2. For the final payment, an itemized invoice (identified as FINAL INVOICE) for the Consultant's remaining eligible costs, shall be submitted upon completion of the project when project deliverables are approved by BMMPO, BMMPO's member jurisdictions, and state and federal grantor agencies. BMMPO shall remit ~~one hundred percent~~ the federal portion of the amount of the approved invoice within thirty days of invoice receipt if deliverables are approved. Remaining portions will be provided

by the respective jurisdiction or partner agency. The BMMPO makes no claims to the timing of payment by the jurisdictional or partner agencies. ~~and the invoiceis received by BMMPO on or before the second Thursday of the month in which payment is being requested. Invoices received after the second Thursday of the month will be payable withinsixty days of invoice receipt.~~

O. Amendments: The terms of this agreement shall not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written instrument signed by the parties.

P. Interest of Consultant: The Consultant covenants that they presently have no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of service required to be performed under this contract. The Consultant further covenants that in the performance of this contract no person having any such interest shall be employed.

Q. Ownership of Work Product: All work products and copyrights of the contract, which result from the contract, are the exclusive property of BMMPO and NDDOT, with an unlimited license for use by the federal government and its assignees without charge.

R. Publication, Reproduction, and Use of Materials: No material produced in whole or part under this Agreement shall, during the life of this Agreement, be subject to copyright in the United States or in another country. Permission and approval must be obtained from BMMPO and its state and federal grant agencies before any notification, report, handbook, manual, plan, or intermediate or final resultsof analyses are published either in the form of paper copies, distributed via mail or email, or published asweb-based content. Draft copies of all deliverables must be prepared by the Consultant and reviewed andapproved by BMMPO and its state and federal grantor agencies before publication. The Consultant, subject to the approval by BMMPO and its state and federal grantor agencies, shall have the authority to publish, disclose, distribute, and otherwise use in whole and part, any reports, data, or other materials prepared under this Agreement.

S. Risk Management and Liability Considerations:

1. Any and all employees of the Consultant or other persons while engaged in the performance of any work or services required by the Consultant under the Agreement, shall not be considered employees of BMMPO; and any and all claims that may or might arise under the Workmen's Compensation Acts of any state on behalf of said employees or other persons while so engaged, and any and all claims made by any third party as a consequence of any act or omission on the part of the Consultant, Consultant's employees or other persons while so engaged on any of the work or services to be rendered shall in no way be the obligation or responsibility of BMMPO or state and federal grantor agencies.

2. The Consultant will indemnify and hold harmless BMMPO, or state and federal grantor agencies and all of their officers, agents and employees from all suits, actions, or claims of any character brought for or on account of any injuries or damages incurred by any persons, organizations, or property resulting from the negligent operations of the Consultants in prosecuting work under this agreement.

3. The Consultant agrees to defend, indemnify, and hold harmless BMMPO, the state of North Dakota, its agencies, officers and employees (State), from and against claims based on thevicarious liability of the State or its agents, but not against claims based on BMMPO or theState's contributory negligence, comparative and/or contributory negligence or fault, solenegligence, or intentional

misconduct. This obligation to defend, indemnify, and hold harmlessdoes not extend to professional liability claims arising from professional errors and omissions. The legal defense provided by the Consultant to BMMPO and the State under this provision mustbe free of any conflicts of interest, even if retention of separate legal counsel for BMMPO and/or State is necessary. Consultant also agrees to defend, indemnify, and hold BMMPO andthe State harmless for reasonable costs, expenses, and attorneys' fees incurred if BMMPO orthe State prevail in an action against the Consultant in establishing and litigating theindemnification coverage provided herein. This obligation shall continue after the termination ofthis agreement.

4. The Consultant shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota: 1) commercial general liability with limits of at least $1,000,000 per occurrence, $1,000,000 aggregate; 2) automobile liability with limits of at least $1,000,000, combined single limit; and 3) workers compensation insurance in amounts as required by statute;all covering the Consultant for any and all claims of any nature applicable to such insurance whichmay in any manner arise out of or result from this agreement. 4) BMMPO shall be endorsed on the commercial general liability and automobile liability policies as additional insureds. 5) Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurancecompany may have against the BMMPO. 6) The policies and endorsements may not be canceled or modified without thirty (30) days prior written notice to the undersigned BMMPOrepresentative, except for Workers' Compensation. **The Consultant shall furnish a certificate of insurance evidencing the requirements in 4 and 5 above to the undersigned representatives ofthe Governments prior to commencement of this agreement.** BMMPO reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsementsat any time.

5. When a portion of a Contract is sublet, the Consultant shall obtain insurance protection (as outlined above) to provide liability coverage to protect the Consultant, BMMPO and the Stateas a result of work undertaken by the Subconsultant. In addition, the Consultant shall ensure thatany and all parties performing work under the Contract are covered by public liability insurance as outlined above. All Subconsultants performing work under the Contract are required to maintain the same scope of insurance required of the Consultant. The Consultant shall be held responsible for ensuring compliance with those requirements by all Subconsultants.

6. The Consultant's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by BMMPO. Any insurance, self-insurance or self- retention maintained by BMMPO shall be excess of the Consultants insurance and shall not contribute with it. The insolvency or bankruptcy of the insured Consultant shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Professional from meeting the retention limit under the policy. The Consultants insurancecoverage shall be shared equally by the Consultant and the BMMPO until the Consultants insurance coverage is exhausted. Any deductible amount or other obligations under the policy(ies) shall be the sole responsibility of the Consultant. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. BMMPO will be indemnified, saved and held harmless to the full extent of any coverage actually secured by the Consultant in excess of the minimum requirements set forth above.

7. Consultant shall secure and keep in force during the term of this agreement and for at least12 months thereafter from an insurance company authorized to do business in North Dakota, professional

liability insurance covering its liability for negligent acts, errors, or omissions in providing or failing to provide professional services, with a minimum coverage limit of $1,000,000 per claim, $1,000,000 aggregate.

8. The Consultant agrees to adhere and abide to the NDDOT Risk Management Appendix in **Exhibit D**.

T. Deliverables and Products. The consultant shall provide BMMPO with deliverables and product withinthe established schedule as outlined in **Exhibit A.**

U. Eligibility of Proposer, Non-Procurement Debarment and Suspension Certification, and Restrictions on Lobbying: The Consultant is advised that their signature on this contract certifies that the Consultant and their agent will comply with all provisions of this agreement as well as applicable federal and state laws, regulations, and procedures. Moreover, the Consultant affirms their compliance with the federal Debarment and Suspension Certification (**Exhibit B**) and the Federal Restrictions on Lobbying (**Exhibit C**)**.**

V. Title VI Assurances: During the performance of this contract, the Consultant, for itself, its assignees, and successors in interest agrees as follows:

1. Compliance with Regulations: The Consultant will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination: The Consultant, with regard to the work performed by it during the contract,shall not discriminate on the grounds of race, color, national origin, sex, age, disability, or incomestatus**, in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Consultant shall not participate, either directly or indirectly, in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the Agreement covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding or negotiation, made by the Consultant for work to beperformed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Consultant of the Consultant's obligations to BMMPO under this Agreement and the Regulations relative to nondiscriminationon the grounds of race, color, national origin, sex, age, disability/handicap, or income status**. ** The Act governs race, color, and national origin. Related Nondiscrimination Authorities governsex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability, 29 U.S.C. 791; and low income, E.O. 12898.

4. Information and Reports: The Consultant will provide all information and reports required by theActs, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Consultant is in the exclusive possession of another who fails or refuses to furnish the information, the Consultant will so certify to the Recipient or the Federal Highway Administration as appropriate, and will setforth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a Consultant's noncompliance with the nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

   a. withholding payments to the Consultant under the contract until the Consultant complies;and/or

   b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The Consultant will include the provisions of paragraphs one throughsix in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Consultant will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided that, if the Consultant becomes involved in, or is threatened with litigation by a subconsultant, or supplier because of such direction, the Consultant may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, theConsultant may request the United States to enter into the litigation to protect the interests of the United States. Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided that, if the Consultant becomes involved in, or is threatened with litigation by a subconsultant, or supplier because of such direction, the Consultant may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, theConsultant may request the United States to enter into the litigation to protect the interests of the United States.

7. The Consultant agrees to adhere and abide to the non-discrimination statues and authorities, as outlined in the NDDOT Title VI Assurances in **Exhibit E**.

W. Disadvantaged Business Enterprise: In the performance of this agreement, the Consultant shall cooperate with BMMPO in meeting its commitments and goals with regard to the maximum utilization of disadvantaged business enterprises, and will use its best efforts to ensure that disadvantaged business enterprises shall have the maximum practical opportunities to compete for subcontract work under this agreement. The Consultant shall comply with the requirements of 49 CFRPart 26.

1. Policy

   a. It is the policy of the Department of Transportation that disadvantaged business enterprises as defined in 49 CFR Part 26, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds under this Agreement. Consequently, the DBE requirements of 49 CFR Part 26 applies to this Agreement.

   b. The Consultant shall not discriminate on the basis of race, color national origin, or sex in the award and performance of any USDOT assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Consultant shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. BMMPO's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated byreference in this agreement. Implementation of this program is a legal obligation and failure to carry outits terms shall be treated as a violation of this agreement. Upon notification to the Consultant of its failure to carry out its approved program, the USDOT may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter

for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et. seq.)

2. DBE Obligation

a. The MPO and contractor agree to ensure that disadvantaged business enterprises as defined in 49 CFR Part 26 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under or pursuant to this Agreement. In this regard, the contractor shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that disadvantaged business enterprises have the maximum opportunity to compete for and perform contracts. The contractor shall not discriminate on the basis of race, creed, color, national origin, age, or sex in the award and performance of DOT-assisted contracts.

The consultant's efforts to involve DBE businesses in this project needs to be shown. If the consultant is a DBE, a statement indicating that the business is certified by the NDDOT as a DBE/MBE shall be included in the proposal. If the consultant intends to utilize a DBE to complete a portion of this work, a statement of the subcontractor's certification by the NDDOT shall be included. The percent of the total proposed cost to be completed by the DBE shall be shown. A copy of NDDOT's current certified DBE Directory can be secured at the Bismarck-Mandan MPO.

b. The Consultant will include the following paragraph verbatim in any subcontracts they sign relative tothis project:

- The Consultant or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Consultant shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the Consultant to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the BMMPO deems appropriate.

X. Disability: The Consultant shall ensure that no qualified disabled individual, as defined in 29 U.S.C. 794 and 49 C.F.R. Part 27 shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance under this agreement.

Y. Successors in Interest: The provisions of this agreement shall be binding upon and shall insure to the benefit of the parties hereby, and their respective successors and assigns.

Z. Notice: All notices, certificates, or other communications shall be considered sufficiently given when delivered or mailed, postage prepaid, to the parties at their respective places of business as set forth below or at a place designated hereafter in writing by the parties.

BMMPO Individual Name	Consultant Individual Name
Individual Title	Individual Title
Bismarck- Mandan MPO	Consultant Company Name
PO Box 5503	Consultant Address
221 N 5th St	Address Second Line

Bismarck, ND 58506	Consultant City, State, Zip
Phone Number	Phone Number
Email	Email

AA. Merger and Waiver: This agreement constitutes the entire agreement between the parties. No waiver, consent, modification, or change of terms of this agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification, or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. The Consultant, by the signature below of its authorized representative, hereby acknowledges that the Consultant has read this agreement, understands it, and agrees to be bound by its terms and conditions.

BB. BMMPO's Responsibilities: BMMPO shall do the following in a timely manner so as not to delay the services of the Consultant:

1. Designate a person to act as BMMPO's representative with respect to the Services. BMMPO'sdesignee shall have complete authority to transmit instructions, receive information, interpret and define BMMPO's policies and decisions with respect to the Services.

2. Furnish the Consultant with all information, criteria, objectives, date, schedules and standards forthe Project and the Services.

3. Examine all drafts, reports, memos, and other documents prepared by the Consultant and render decisions regarding such documents in a timely manner to prevent delay of the Services.

CC. Additional Federal Clauses: The Consultant must comply with all provisions in **Exhibit F**, which is attached and incorporated by reference herein

~~DD. FY-19 National Defense Authorization Act Section 889 Certification Form. The Contractor must execute the certificate attached to this agreement as **Exhibit G**, and prior to the BMMPO executing the Agreement.~~

IN WITNESS THEREOF:

(Insert Consultant Name)

_____

Individual Name and Title, as duly authorized

WITNESS: _____

Dated this_____day of_____, *(insert year)*.

BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION

_____

Rachel Drewlow, BMMPO Executive Director

WITNESS: _____

Dated this_____day of_____, *(insert year)*.

GOVERNMENT-WIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Instructions for Certification: By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.

1. It will comply and facilitate compliance with U.S. DOT regulations, "Nonprocurement Suspension and Debarment," 2 CFR part 1200, which adopts and supplements the U.S. Office of Management and Budget (U.S. OMB) "Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," 2 CFR part 180,

2. To the best of its knowledge and belief, that its Principals and Subrecipients at the first tier:

    a. Are eligible to participate in covered transactions of any Federal department or agency and are not presently:

        1. Debarred

        2. Suspended

        3. Proposed for debarment

        4. Declared ineligible

        5. Voluntarily excluded

        6. Disqualified

    b. Its management has not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for:

        1. Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction,

        2. Violation of any Federal or State antitrust statute, or

        3. Proposed for debarment commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property

    c. It is not presently indicted for, or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in the preceding subsection 2.b of this Certification,

    d. It has not had one or more public transactions (Federal, State, or local) terminated for cause or default within a three-year period preceding this Certification,

    e. If, at a later time, it receives any information that contradicts the statements of subsections 2.a – 2.d above, it will promptly provide that information to FTA,

    f. It will treat each lower tier contract or lower tier subcontract under its Project as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR part 180 if it:

        1. Equals or exceeds $25,000,

        2. Is for audit services, or

        3. Requires the consent of a Federal official, and

    g. It will require that each covered lower tier contractor and subcontractor:

        1. Comply and facilitate compliance with the Federal requirements of 2 CFR parts 180 and 1200, and

        2. Assure that each lower tier participant in its Project is not presently declared by any Federal department or agency to be:

            a. Debarred from participation in its federally funded Project,

            b. Suspended from participation in its federally funded Project,

            c. Proposed for debarment from participation in its federally funded Project,

            d. Declared ineligible to participate in its federally funded Project,

            e. Voluntarily excluded from participation in its federally funded Project, or

            f. Disqualified from participation in its federally funded Project, and

3. It will provide a written explanation as indicated on a page attached in FTA's TrAMS-Web or the Signature Page if it or any of its principals, including any of its first tier Subrecipients or its Third Party Participants at a lower tier, is unable to certify compliance with the preceding statements in this Certification Group.

Certification

Contractor _____

Signature of Authorized Official _____ Date ___/ ___/ _____

Name and Title of Contractor's Authorized Official _____

CERTIFICATION AND RESTRICTIONS ON LOBBYING

I, _____ , hereby certify (Name and title of official)
On behalf of _____ that: (Name of Bidder/Company Name)

- No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- If any funds other than federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. $ 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.
The undersigned certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Section 3801, et seq., are applicable thereto.

Name of Bidder/Company Name _____
Type or print name _____
Signature of Authorized representative _____ Date ___/___/_____
Signature of notary and SEAL _____

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NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX E OF THE TITLE VI ASSURANCES

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.,* 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.),* (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.),* as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.),* (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq*).

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Exhibit E

Risk Management Appendix

Routine* Service Agreements With Sovereign Entities and Political Subdivisions of the State of North Dakota:
Parties: State – State of North Dakota, its agencies, officers and employees
Governmental Entity – The Governmental Entity executing the attached document, its agencies, officers and employees
Governments – State and Government Entity, as defined above

Each party agrees to assume its own liability for any and all claims of any nature including all costs, expenses and attorney's fees which may in any manner result from or arise out of this agreement.

Each party shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds, authorized to do business in North Dakota, the following insurance coverages:

1) **Commercial general liability** and **automobile liability** insurance – minimum limits of liability required of the Governmental Entity are **$250,000 per person** and **$500,000 per occurrence**. The minimum limits of liability required of the State are **$250,000 per person** and **$1,000,000 per occurrence**.
2) **Workers compensation** insurance meeting all statutory limits.
3) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

The State reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

Each party that hires subcontractors shall require any non-public subcontractors, prior to commencement of work set out under an agreement between that party and the non-public subcontractor, to:

Defend, indemnify, and hold harmless the Governments, its agencies, officers and employees, from and against claims based on the vicarious liability of the Governments or its agents, but not against claims based on the Government's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Subcontractor to the Governments under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the Governments is necessary. Subcontractor also agrees to defend, indemnify, and hold the Governments harmless for all costs, expenses and attorneys' fees incurred if the Governments prevail in an action against Subcontractor in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

Subcontractor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota: 1) commercial general liability; 2) automobile liability; and 3) workers compensation insurance all covering the Subcontractor for any and all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are $250,000 per person and $1,000,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workers compensation. The Governments shall be endorsed on the commercial general liability policy and automobile liability policy as additional insureds. The Governments shall have all the benefits, rights and coverages of an additional insured under these policies that shall not be limited to the minimum limits of insurance required by this agreement or by the contractual indemnity obligations of the Contractor. Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurance company may have against the Governments as well as provisions that the policy and/or endorsement may not be canceled or modified without thirty (30) days prior written notice to the undersigned representatives of the Governments, and that any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08. Subcontractor's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the Governments. Any insurance, self-insurance or self-retention maintained by the Governments shall be excess of the Contractor's insurance and the Subcontractor's insurance and shall not contribute with them. The insolvency or bankruptcy of the insured Subcontractor shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Subcontractor from meeting the retention limit under the policy. Any deductible amount or other obligations under the Subcontractor's policy(ies) shall be the sole responsibility of the Subcontractor. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The Governments will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Subcontractor in excess of the minimum requirements set forth above. The Government Entity that hired the Subcontractor shall be held responsible for ensuring compliance with the above requirements by all Subcontractors. The Governments reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

*See *North Dakota Risk Management Manual,* section 5.1 for discussion of "unique" and "routine" agreements.

RM Consulted 2007
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NDDOT
North Dakota
Department of Transportation

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Federal Clauses

Equal Employment Opportunity Clause – 41 CFR 60-1.4(a) and 2 CFR Part 200 Appendix II (C)

41 CFR 60-1.4(a)

(a) *Government contracts.* Except as otherwise provided, each contracting agency shall include the following equal opportunity clause contained in section 202 of the order in each of its Government contracts (and modifications thereof if not included in the original contract):during the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the secretary of labor.

(5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the secretary of labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the secretary of labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the contractor's non-compliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the secretary of labor, or as otherwise provided by law.

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(7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the secretary of labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the secretary of labor as a means of enforcing such provisions including sanctions for noncompliance: *provided, however,* that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the contractor may request the united states to enter into such litigation to protect the interests of the United States.

2 CFR Part 200 Appendix II (C)

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

Sanctions and Penalties for Breach of Contract – 2 CFR Part 200 Appendix II (A)

(A) Contracts for more than the simplified acquisition threshold currently set at $150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

Termination for Cause and Convenience – 2 CFR Part 200 Appendix II (B)

(B) All contracts in excess of $10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

Rights to Inventions Made Under a Contract or Agreement – 2 CFR Part 200 Appendix II (F)

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and

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Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

Debarment and Suspension - 2 CFR Part 200 Appendix II (I)

(I) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Byrd Anti-Lobbying Amendment - 2 CFR Part 200 Appendix II (J)

(J) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award of $100,000 or more must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

EXHIBIT P

November 15-16th, 2021

Re: **Rail/ Highway Crossing Safety Program**

NO projects were received for the 2022 Rail/Highway Crossing Safety Program. This is a notice to TAC and Policy Board that applications will not be forwarded to NDDOT for this program.

Jurisdiction	Type	Project Location	Total Cost / Federal	LRTP	Points
NA	NA	NA	NA	NA	NA

//RAD December 2021

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EXHIBIT Q

Bismarck·Mandan
METROPOLITAN PLANNING ORGANIZATION

P.O. Box 5503 • 221 North 5th Street
Bismarck, North Dakota 58506
Telephone 701 355 1840
TDD Dial 711
Fax 701 222 6450
Email mpo@bismarcknd.gov
Web www.bismarcknd.gov/mpo

"Deep Dive" Webinar
2020 North Dakota Walking and Bicycling Survey

Justin Kristan, Executive Director, North Dakota Active Transportation Alliance, is extending an invitation to all who are interested to join the North Dakota Active Transportation Alliance and the NDDOT for a detailed review of results from the 2020 statewide Walking and Bicycling Survey conducted jointly by NDDOT and NDATA as part of Transportation Connection, North Dakota's updated long range transportation plan.

Results include insights about barriers and opportunities to grow biking and walking, and preferences for specific facilities.

This is a FREE webinar, everyone is invited to attend!

The registration link is https://bit.ly/DeepDiveND

Date: Tuesday November 16, 2021

Time: 3pm to 4pm (Central)

Format: Virtual