Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

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

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

DATE: **July 11, 2022**

RE: **Policy Board Meeting**

There will be a meeting of the Bismarck-Mandan MPO Policy Board on **Tuesday, July 19, 2022, 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 Policy Board.

AGENDA

1. MINUTES
   Review and Possible Approval of Minutes from June 21, 2022 Meeting 3

2. JULY ELECTION OF OFFICERS – Rachel Lukaszewski, MPO
   ACTION ITEM: Election of Officers from July 2022-July 2024

3. 2022-2025 TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT – Stephen Larson, MPO
   Bis-Man Transit 5339 Grant Project, Amendment (Exhibit A) 9
   Updated 2022-2025 TIP Transit Program of Projects (Exhibit B) 11
   ACTION ITEM: 2022-2025 TIP Amendment

4. CONSIDERATION OF RECREATIONAL TRAILS PROGRAM (RTP) APPLICATION – Kim Riepl, MPO
   City of Mandan 19th Street Trail Project (Exhibit C) 13
   ACTION ITEM: RTP Application

5. TRANSIT DEVELOPMENT PLAN (TDP) – Rachel Lukaszewski, MPO
   Notice of QBS Process, QBS Letter
   ACTION ITEM: TDP Consultant Approval

6. TITLE VI PLAN UPDATE – Stephen Larson, MPO
   Title VI Plan (Exhibit D) 23
   ACTION ITEM: Title VI Plan Update

7. CONSIDERATION OF URBAN ROAD PROGRAM PROJECT FOR FY 2027 – Rachel Lukaszewski, MPO
   MTP Short-Range Projects List (Exhibit E) 87
   ACTION ITEM: Consideration of Urban Road Program Project

8. EAST MAIN AVENUE CORRIDOR STUDY – Sara Schmidt, SRF
   Progress Report (Exhibit F) 89

9. SUNSET DRIVE CORRIDOR STUDY – Adam McGill, KLJ
   Progress Report (Exhibit G) 91

10. 2022-2025 TRANSPORTATION IMPROVEMENT PROGRAM MODIFICATIONS – Stephen Larson, MPO
    2022-2025 TIP Administrative Modifications (Exhibit H) 93

11. MPO SOLICITATION OF GRANTS TIMELINE – Kim Riepl, MPO
    Solicitation Schedule (Exhibit I) 103

12. INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA) – Kim Riepl, MPO
    https://www.transportation.gov/dot-navigator

13. OTHER BUSINESS

14. ADJOURNMENT

Next scheduled Policy Board meeting is on 8/16/2022. 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
East Main Avenue Corridor Study	30	06/30/2023
Sunset Drive Corridor Study	2	08/31/2023

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
JUNE 21, 2022

The Bismarck-Mandan Metropolitan Planning Organization (MPO) Policy Board met on June 21, 2022, at 1:30 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 N. 5th Street, Bismarck, ND. Chair Gerarld Wise presided.

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

Others present or attending via Zoom were Rachel Lukaszewski and Kim Riepl of the Bismarck-Mandan MPO; Scott Harmstead, SRF Consulting; and Deidre Hughes, Bis-Man Transit.

CALL TO ORDER

Chair Wise called the June 21, 2022 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 May 17, 2022 Regular Meeting of the Policy Board.

MOTION: Mr. Bakken made a motion to approve the minutes of the May Regular Meeting. Mr. Zachmeier seconded the motion and with Steve Bakken, Andy Zachmeier, Tim Helbling, and Chair Wise voting in favor, the minutes of the May 17, 2022 Regular Meeting were approved.

2022-2025 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AMENDMENT

Mr. Larson presented on this item. The MPO advertised one TIP Amendment (Exhibit A) for the required 15-day comment period, and no public comments were received. Mr. Larson presented a brief overview of the amendment.

The amendment is for an existing project in the TIP, a North Dakota Department of Transportation (NDDOT) led safety project for the installation of wrong way detection systems. There is one project location within the Bismarck-Mandan MPO area, at the McKenzie Drive Interchange. Mr. Larson noted TAC corrected the project location to include several other locations statewide, including Fargo, Valley City, and Jamestown. The amendment addresses increased cost estimates for the project, as shown on the amendment form. The estimate is for the entire project, and a specific estimate for just the Bismarck-Mandan MPO part of the project is not yet available. TAC recommended approval of the amendment.

Mr. Bakken asked if a wrong way detection system might be considered in the future for 7th St and Expressway and/or 9th St and Expressway in Bismarck. He said he sees people turn the wrong way at those intersections, and on other portions of those one-

ways especially south of Front Ave. He 7th St and Expressway is a particular issue in his estimation. Mr. Larson said he can reach out to NDDOT with Mr. Bakken's comments.

Public Hearing: Chair Wise opened the public hearing for comments on the proposed 2022-2025 TIP amendment. Hearing and seeing no comments, Chair Wise closed the public hearing.

MOTION: Mr. Bakken made a motion to approve the 2022-2025 TIP Amendment as presented. Mr. Zachmeier seconded the motion, and with Steve Bakken, Andy Zachmeier, Tim Helbling, and Chair Wise voting in favor, the motion was approved.

2025-2050 MTP/TDMSE UPDATE

Ms. Lukaszewski presented on this item. She reminded the board the MPO sent out an RFP to solicit for the MTP/TDMSE (Metropolitan Transportation Plan/Travel Demand Model Socio Economic) Study earlier this year. Only one proposal was received from the consulting team of HDR and SRF. NDDOT advised the MPO to re-advertise the project, and after a robust re-advertisement period (which included advertising on nationwide platforms and sending a specific email to the consulting community) no additional proposals were received. Based on the re-advertising effort, NDDOT approved the MPO's selection process, and the selection committee was allowed to interview the proposing team. The committee recommended promoting HDR and SRF as the consultants for the MTP/TDMSE Study, and TAC recommended approval of this recommendation.

MOTION: Mr. Helbling made a motion to approve HDR and SRF as the consulting team for the MTP/TDMSE Update, as presented. Mr. Zachmeier seconded the motion, and with Steve Bakken, Andy Zachmeier, Tim Helbling, and Chair Wise voting in favor, the motion was approved.

RESOLUTION OF SUPPORT FOR BIS-MAN TRANSIT'S PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP)

Mr. Larson referred to Exhibit C in the packet. He explained the exhibit is a resolution of support for Bis-Man Transit's PTASP and its associated safety targets. The Federal Transit Administration (FTA) requires public transportation operators to develop a PTASP and accompanying targets to ensure both its operators and the general public remain safe during transit operations. Targets may be set by a State Department of Transportation and adopted by local transit providers, or the transit provider may set their own targets separately from the State. In this instance, Bis-Man Transit is supporting and promoting the targets established by the NDDOT Transit Division.

FTA also requests the MPO support Bis-Man Transit's PTASP and safety targets, which is why the MPO created a resolution of support. The Transit Board adopts or updates these targets, and reaffirms their PTASP, on an annual basis, so their most recent concurrence runs from July 2022 through June of 2023. The safety targets have not changed from last year's adoption. TAC recommended approval of the targets as presented.

MOTION: Mr. Bakken made a motion to approve the resolution of support for Bis-Man Transit's PTASP, as presented. Mr. Zachmeier seconded the motion, and with Steve Bakken, Andy Zachmeier, Tim Helbling, and Chair Wise voting in favor, the motion was approved.

BISMARCK-MANDAN MPO SELF-CERTIFICATION

Mr. Larson presented on Exhibit D. He explained the MPO's self-certification is required by United States code. This code requires MPOs to certify their planning processes are being carried out in accordance with federal law, and that the MTP and TIP the MPO develops are also consistent with these federal requirements. The self-certification must be updated at least every four years, but the Bismarck-Mandan MPO updates its self-certification each year as part of its TIP development. Mr. Larson said the self-certification means the MPO is declaring compliance with current highway bill legislation, specifically in ten different areas. These areas include MPO operations and functions, air quality control standards, Title VI and the Civil Rights Act, the Disadvantaged Business Enterprise, and five different areas of nondiscrimination. If Policy Board approves the self-certification, it will be sent to NDDOT for approval, and the approved copy will be placed in the MPO's 2023-2026 TIP. TAC recommended approval of the self-certification.

MOTION: Mr. Bakken made a motion to approve the MPO's Self-Certification as presented. Mr. Helbling seconded the motion, and with Steve Bakken, Andy Zachmeier, Tim Helbling, and Chair Wise voting in favor, the motion was approved.

EAST MAIN AVENUE CORRIDOR STUDY

Mr. Harmstead provided a study update for SRF. He explained they have completed their data collection for the study and prepared their first draft of an analysis of existing conditions on the corridor. They are also getting ready for the second Study Review Committee meeting on Thursday, where they expect to discuss issues and needs. On July 13, SRF will have its property and business owner open house for the study in the first-floor conference room at the City/County Building in Bismarck (221 N 5th St). The time slots for this will be 8 a.m. to 9:30 a.m., 11:30 a.m. to 1 p.m., and 4:30 p.m. to 6 p.m. SRF will also have a community workshop on July 14 from 4:30 p.m. to 6 p.m. at Bismarck High School. There is another round of public engagement planned for November 30/December 1. In preparation for the public outreach events, SRF will (among other things) be sending postcards to the property and business owners along East Main Avenue, advertising on social media, and walking the corridor to distribute fliers. Mr. Harmstead said the study is on schedule and he is excited for the public involvement portion.

SUNSET DRIVE CORRIDOR STUDY

Ms. Riepl provided an update on the Sunset Drive Corridor Study, which has a budget of $180,000. She said the study is underway, as the contract with KLJ was signed in May and KLJ accepted the notice to proceed on June 6. The study is expected to conclude in fourteen months. KLJ has received May traffic counts for the four signalized

intersections along the corridor from NDDOT, and they are working on processing them. There will be additional traffic counts collected in the fall all along the corridor since school dismissed before KLJ was able to start collection. KLJ is working on the study schedule and finalizing the team for the steering committee. The first steering committee meeting is expected in July. KLJ hopes to have the first draft of their Public Involvement Plan ready to present at that meeting. Ms. Riepl expects KLJ will present the update on their progress for TAC and Policy Board in July

TRANSPORTATION ALTERNATIVES (TA) FY2024 AND FY2025 SOLICITATION

Ms. Riepl explained the MPO received notice from NDDOT in May of changes to the TA program being made because of the new Infrastructure Investment and Jobs Act (IIJA) bill. Not all the changes have been clearly defined, but NDDOT was notified additional TA funding will be made available, and the federal caps ($200,000 limit for rural projects, and $290,00 for urban projects) will be lifted. The MPO sent out a solicitation to its local jurisdictions on May 13 informing them of these changes and letting them know of NDDOT's intention to combine Fiscal Years 2024 and 2025 into one solicitation. The MPO set July 15 as its TA application deadline.

The TA program provides funding for pedestrian and bicycle projects, safe routes to school and safe routes for non-drivers, conversion and use of abandoned railroad corridor projects for non-motorized users, community improvement activities, environmental mitigation projects, and more. The MPO received the official TA solicitation from NDDOT at the end of May, and this was forwarded to the MPO's local jurisdictions. Once the MPO receives projects from its local jurisdictions, MPO staff and the Bike-Ped Subcommittee will score and rank them. The applications will then be brought to TAC and Policy Board for approval before being forwarded to NDDOT. NDDOT must receive these projects by August 19, so the timeline will be tight. Local jurisdictions still need approval from their own boards prior to submitting their applications to the MPO.

OTHER BUSINESS

Election of Officers and July Policy Board Meeting Location

Ms. Riepl said July marks the expiration of the two-year terms for the Policy Board's Chair and Vice-Chair, so elections for these two-year positions will be held at the July Policy Board meeting. She asked the board to consider nominations for these positions, as this will be the first order of business at the next meeting. She also reminded members Policy Board will be meeting in Mandan starting in July, and continuing through December.

2025-2050 MTP/TDMSE QBS Letter

Ms. Lukaszewski said the QBS Letter is prepared to certify that the MPO utilizes a qualifications-based selection (QBS) process for selecting consultants on its studies. She noted the MPO added a line to the QBS Letter to cite the approved consultant, which for the MTP/TDMSE is HDR with subconsultants of SRF and ETC Institute. The MPO provides the QBS Letter to TAC and Policy Board for informational purposes and it does not require approval. The Policy Board chair does sign it, however.

Thank you to Mayor Bakken and Commissioner Jones

Chair Wise extended thanks, which was reiterated by MPO staff, to Mayor Bakken and Commissioner Jones for their years of service to the City of Bismarck, Burleigh County, and the Policy Board. Mr. Bakken thanked Chair Wise and said he hopes he continues as Chair.

1804 and River Road Study

Mr. Bakken asked about the status of a study looking into re-directing Highway 1804 onto River Road. Ms. Lukaszewski said the intention is to include this as part of the universe of alternatives for the consultant to study and consider as part of the MTP update. Mr. Bakken said with the recent landslide issue in Burleigh County he just wants to reiterate he thinks an 1804/River Road project would benefit Bismarck, the County, and the State. Ms. Lukaszewski said she will make sure the consultant is aware of this project. She thanked Mr. Bakken for his service.

ADJOURNMENT

There being no further business, Chair Wise declared the meeting adjourned at 2:07 p.m.

The next scheduled meeting will take place July 19, 2022, at 1:30 p.m. in the Ed "Bosh" Froehlich Meeting Room in the Mandan City Hall, 205 2nd Ave NW, Mandan.

Respectfully submitted,

_____
Stephen Larson
Recording Secretary

APPROVED:

_____
MPO Policy Board Chair

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EXHIBIT A

Bismarck-Mandan MPO

TIP 2022-2025 Amendment

Project Year(s) FY2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
Bis-Man Transit	12 (new)	$156,000	$0.00	$39,000	$195,000	FTA Section 5339 Bus & Bus Facilities Formula Grant

Project Description:	This project includes procurement and installation of a Genfare Fast Fare Farebox System consisting of seven (7) fixed-route fareboxes which are using outdated technology. The Genfare Odessey platform is over 20 years old, and parts have become obsolete. It is anticipated that support for the existing system will be discontinued at the end of 2022. Also, a new 76,000lb capacity bus hoist will be ordered to replace the existing bus hoist which is 18 years old and has exceeded its useful life expectancy of 16 years. Local match at 80/20 will be paid by Bis-Man Transit. NDDOT has requested the reallocation of a portion of the FY2022 Section 5339 Small Urban Program funds in the amount of $156,000 to provide the (80%) federal funding for this project, the letter for which is attached to this amendment.
Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan:	The project is consistent with the Arrive 2045 MTP, specifically with goals 1B, 5A, and 5B.

Amendment Approved on _____ by the Bismarck-Mandan MPO Policy Board

_____

_____ Bismarck-Mandan MPO Policy Board Chair

NORTH Dakota | Transportation
Be Legendary.™

May 9, 2022

Ms. Cindy Terwilliger
FTA Region 8 Administrator
Federal Transit Administration
Byron Rogers Federal Building
1961 Stout Street, Suite 13-301
Denver, CO 80294

Dear Ms. Terwilliger:

Please consider this sub-allocation letter as the written request to reallocate a portion of the FY2022 Section 5339 small urban program funds of $156,000. This will allow the North Dakota Department of Transportation small urban provider city of Bismarck/BisMan Transit Board to directly request $156,000 from FTA. This will leave the amount of $297,297 to be sub-allocated next year.

Sub-allocation Breakdown:

City of Bismarck/BisMan Transit Board: $156,000

Please provide confirmation of the completed sub-allocation and the process as to how the small urban providers request the funds.

Thank you for your consideration of this request.

Jennifer Turnbow
Deputy Director for Planning

38/bh
c: Ranae Tunison, Transportation Program Specialist

EXHIBIT B

Project #	Project Location	Project Type	Funding	Project Description	Funding Source	2022	2023	2024	2025	Total
1	Bismarck/ Mandan Area	Capital Cost of Contracting (CCOC)	FTA Sec. 9 (5307) 80 / 20	Preventative maintenance and operating costs associated with the operations contract	Fed	$1,088,000	$1,088,000	$1,088,000	$1,088,000	$4,352,000
					State	$0	$0	$0	$0	$0
					Local	$272,000	$272,000	$272,000	$272,000	$1,088,000
					Total	$1,360,000	$1,360,000	$1,360,000	$1,360,000	$5,440,000
2	Bismarck/ Mandan Area	Preventative Maintenance	FTA Sec. 9 (5307) 80 / 20	Preventative maintenance on transit vehicles	Fed	$10,000	$10,300	$10,609	$10,927	$41,836
					State	$0	$0	$0	$0	$0
					Local	$2,500	$2,575	$2,652	$2,732	$10,459
					Total	$12,500	$12,875	$13,261	$13,659	$52,295
3	Bismarck/ Mandan Area	Operating Expenses	FTA Sec. 9 (5307) 50 / 50	Operating assistance for elderly/disabled and fixed route service	Fed	$180,090	$185,493	$191,057	$196,789	$753,429
					State	$316,528	$326,024	$335,805	$345,879	$1,324,235
					Local	$180,090	$185,493	$191,057	$196,789	$753,429
					Total	$676,708	$697,009	$717,920	$739,457	$2,831,094
4	Bismarck/ Mandan Area	Security	FTA Sec. 9 (5307) 80 / 20	Public transportation security projects	Fed	$12,910	$13,297	$13,696	$14,107	$54,011
					State	$0	$0	$0	$0	$0
					Local	$3,228	$3,325	$3,425	$3,527	$13,505
					Total	$16,138	$16,622	$17,121	$17,634	$67,515
5	Bismarck/ Mandan Area	Transit Planning	FTA Sec. 8 (5303) (5313) 80/20	Provide funding for the Transit Development Plan	Fed	$0	$0	$0	$0	$0
					State	$0	$0	$0	$0	$0
					Local	$0	$0	$0	$0	$0
					Total	$0	$0	$0	$0	$0
6	Bismarck/ Mandan Area	Capital Grant	FTA Section (5339) 85/15	Provide funding to replace, rehabilitate, and purchase buses and related equipment, including shop equipment, and construct bus related facilities	Fed	$398,516	$0	$410,471	$820,942	$1,629,929
					State	$0	$0	$0	$0	$0
					Local	$70,326	$0	$72,436	$144,872	$287,634
					Total	$468,842	$0	$482,907	$965,814	$1,917,563
7	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA Section (5339) 85/15	Provide funding to replace, rehabilitate, and purchase buses and related equipment, including shop equipment, and construct bus related facilities	Fed	$797,031.46	$0	$0	$0	$797,031
					State	$0	$0	$0	$0	$0
					Local	$140,652	$0	$0	$0	$140,652
					Total	$937,683	$0	$0	$0	$937,683
8	Bismarck/ Mandan Area	Capital Grant	FTA Section (5310) 80 / 20	Capital projects including vehicle purchases and mobility management for elderly and disabled	Fed	$208,014	$240,312	$21,642	$245,417	$715,385
					State	$0	$0	$0	$0	$0
					Local	$36,708	$42,902	$4,328	$43,833	$127,771
					Total	$244,722	$283,214	$25,970	$289,250	$843,156
9	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA Section (5310) 50 / 50	Operating assistance to the elderly and disabled	Fed	$115,760	$119,233	$122,810	$126,494	$484,297
					State	$0	$0	$0	$0	$0
					Local	$115,760	$119,233	$122,810	$126,494	$484,297
					Total	$231,520	$238,466	$245,620	$252,988	$968,593
10	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA CRSSA (5310) 100/0	Mobility Manager salary assistance	Fed	$25,500	$0	$0	$0	$25,500
					State	$0	$0	$0	$0	$0
					Local	$0	$0	$0	$0	$0
					Total	$25,500	$0	$0	$0	$25,500
11	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA ARP 100/0	Operating assistance for elderly/disabled and fixed route service	Fed	$1,332,869	$0	$0	$0	$1,332,869
					State	$0	$0	$0	$0	$0
					Local	$0	$0	$0	$0	$0
					Total	$1,332,869	$0	$0	$0	$1,332,869
12	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA Section (5339) 80/20	Provide funding to replace, rehabilitate, and purchase buses and related equipment, including shop equipment, and construct bus related facilities	Fed	$156,000	$0	$0	$0	$156,000
					State	$0	$0	$0	$0	$0
					Local	$39,000	$0	$0	$0	$39,000
					Total	$195,000	$0	$0	$0	$195,000

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EXHIBIT C

20963 - City of Mandan 19th Street Trail

Application Details

Funding Opportunity: 20783-RTP - FY23 Recreational Trail Program Application
Funding Opportunity Due Date: May 3, 2022 11:59 PM
Program Area: Recreational Trails Program
Status: Submitted
Stage: Final Application

Initial Submit Date: May 3, 2022 10:17 AM
Initially Submitted By: Scott Harmstead
Last Submit Date:
Last Submitted By:

Contact Information

Primary Contact Information

Name: Salutation Scott (First Name) Roxby (Middle Name) Harmstead (Last Name)
Title: Director
Email*: sharmstead@srfconsulting.com
Address*: 2370 Vermont Ave

Bismarck (City) North Dakota (State/Province) 58504 (Postal Code/Zip)
Phone*: (701) 354-2405 Ext.
Phone
###-###-####
Fax: ###-###-####

Organization Information

Name*: SRF Consulting Group, Inc.
Organization Type*: Contractor
Tax Id:
Organization Website:
Address*: 2370 Vermont Ave.

Bismarck (City) North Dakota (State/Province) 58504-0000 (Postal Code/Zip)

14

Phone*: 701-354-2405 Ext.
###-###-####

Fax: ###-###-####

SAM.gov Entity ID:

SAM.gov Name:

SAM.gov Entity ID Expiration Date:

Applicant Information

Applicant Information

Applicant Legal Name*: City of Mandan

Applicant Type*: Local Govt

Employer/Taxpayer Identification Number (EIN/TIN)*: 22227719

Organizational DUNS*: 2147483647

Street Address*: 205 Second Avenue NW
Address Line 1
Address Line 2
Mandan North Dakota
City State

Please enter the 9-digit Zip Code. To obtain the zip+4 codes go to https://tools.usps.com/go/ZipLookupAction_input.

Zip Code*: 58554-3125
9-digit Zip Code (Example: #####-####)

Is the mailing address different from the street address?

Mailing Address*: No

Mailing Address: Address Line 1
Address Line 2
City North Dakota
State

To obtain the zip+4 codes go to https://tools.usps.com/go/ZipLookupAction_input.

Zip Code: 9-digit Zip Code (Example: #####-####)

Name and contact information of person to be contacted on matters involving this application:

Contact Person*: Justin Froseth
First Name Last Name
Engineering and Planning Director City of Mandan
Title Organization
701-667-3225 jfroseth@cityofmandan.com
Phone Number Email Address

Is the Reimbursement Contact the same as the Contact Person listed above?

Reimbursement Contact*: Yes

Reimbursement Contact Information:

Reimbursement Contact: First Name Last Name
Title Organization

Mailing Address: Address Line 1
Address Line 2
City State

To obtain the zip+4 codes go to https://tools.usps.com/go/ZipLookupAction_input.

Zip Code: 15

Please enter the 9-digit Zip Code.

Phone Number Email Address

All Project Sponsors must have an established Title VI Program in order to receive RTP funding. If a Project Sponsor does not have an established Title VI Program at the time of application, one may be established in the months following application submission and the Sponsor can still be eligible for RTP funding. In order to establish a Title VI Program, find more information by clicking on the Title VI tab at NDPRD?s website at: NDPRD. Once the Project Sponsor has established a Title VI Program, a completed manual must be submitted to NDPRD. After NDPRD approves the program, a Grant Award Agreement can be issued.

Is the Applicant Title VI Compliant?*: No

Evidence of Compliance Attachment:

OR

Evidence of Compliance Website Link(s):

Project Description

Scope of Project

Based on the State Comprehensive Outdoor Recreation Plan (SCORP) SCORP, please identify the following:

Region*: Primary

Scope of Project*: Trail Extension
Select all that apply.

If Construction of New Trails OR Restoration of Existing Trails: 0.00
Number of Miles

If Trail Extension: 0.89 How long is your trail currently? 0.86 Number of Miles Extension

Project Impacts*: Bicycling/Mountain Biking/Fat Tire Biking,Walking/Hiking
Select all that apply.

If other, please list:

Land Ownership where grant funds are applied.

Land Ownership*: Local

Who holds the title to the project land(s)?

Holds Title*: City of Mandan. Temporary and permanent easements will need to be acquired from private land owners.

Who will own the title & insure equipment purchase?

Equipment Purchase*: NA

Does the project fall within a federal highway right-of-way?

Federal Highway*: No

Does your project take place within the jurisdiction of one of the three Metropolitan Planning Organizations (MPO): Bismarck-Mandan, Fargo, or Grand Forks?

MPO*: Yes

If yes, which one?

MPO: Bismarck-Mandan
Please choose one.

If yes, has your project received approval from the MPO?

Approval: Yes

If yes, provide documentation.

Approval Documentation: BismarckMandan_BikePedPlan_FINAL_12.19.17.pdf

Accessibility

*All RTP projects must meet accessibility guidelines in compliance with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Architectural Barriers Act, PROWAG or the Outdoor Accessibility Guidelines. For more information refer to the: U.S. Access Board.
Indicate which guidelines and standards will apply and the project elements affected by the compliance: (i.e. vault toilet, running slope, parking area, signage, etc.)

Architectural Barriers Act (ABA) Accessibility Standards

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ABA*: No

Project Elements Affected:

Public Rights-of-Way Accessibility Guidelines (PROWAG)

PROWAG*: Yes

Project Elements Affected:

The entire project has been designed using American Association of State Highway and Transportation Officials (AASHTO) Design Guidelines for bicycle facilities and all ADA ramps at street crossings designed to meet PROWAG.

Americans with Disabilities Act (ADA) Standards (2010)

ADA*: Yes

Project Elements Affected:

The entire project has been designed using American Association of State Highway and Transportation Officials (AASHTO) Design Guidelines for bicycle facilities and all ADA ramps at street crossings designed to meet PROWAG.

Forest Service Trail Accessibility Guidelines (FSTAG)

FSTAG*: No

Project Elements Affected:

Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG)

FSORAG*: No

Project Elements Affected:

Project Details

Requirement and Evaluation

Provide a brief narrative to understand the **scope of the project.**

Please explain if the application is for one or more phases of a multi-phase project.

Scope of Project*:

The project involves a multi-use trail extension for pedestrians and bicyclists traveling along 19th St SE and two protected intersection crossings to connect the trail to the surrounding neighborhood. Residential development west of Fort Lincoln Elementary School necessitates pedestrian and bicycle facility improvements and the need to provide accessibility to the trail near the school. The trail completes a connection between the existing trail along ND Hwy 1806 and a future trail planned along ND Hwy 6 near the City of Mandan Municipal Golf Course. These improvements are identified in the Bismarck - Mandan Bicycle and Pedestrian Plan. This is the second phase of a three-phase trail project. The initial phase extends along the south side of 19th St SE from ND Hwy 1806 to Macedonia Ave SE. This project is the second phase, along the south side of 19th St SE from Macedonia Ave SE to ND Hwy 6. The final phase will follow ND Hwy 6 from 19th St SE to the Mandan Municipal Golf Course.

Clearly define the goals for the project (with a delineation of which user groups would benefit from the project).

Goals*:

Further trail connection across southern Mandan: The trail extension will further a trail network planned in southern Mandan that envisions a connection from ND Hwy 1806 to ND Hwy 6 and the Mandan Municipal Golf Course. This network provides an alternative to driving for pedestrians and bicycles traversing southern Mandan. This will also be an important recreational corridor for walkers, runners, and bicyclists looking to traverse southern Mandan. Safe route to Fort Lincoln Elementary School: The trail extension will connect children who live in neighborhoods directly west of Fort Lincoln Elementary School to the school via a trail safely separated from the roadway. To enhance safety for children crossing 19th St SE to access the trail, intersection crossings with rectangular rapid flash beacons will be added to crosswalk improvements at 4th Avenue SW and Canyon Road SW.

A statement with costs associated with the project (ex. material/service purchases including hardware, sand/gravel concrete, landscape materials, signs, design/engineering services, contractor services, equipment rates, equipment costs, and land lease payments).

Costs*:

The estimated cost to construct the trail improvements is $1,030,000. The improvements include: a 10 ft shared use trail, grading, rectangular rapid flashing beacons, signage, culvert extensions and other hydraulic structure improvements. The estimated ROW costs includes 2 temporary easements, and 3 permanent easements for project construction and future maintenance. These will cost $17,400 to obtain. The construction engineering administration is estimated to be approximately 10% of the contractor construction cost. This is estimated to be about $100,000. Total cost to perform all of the above is $1,147,400.

Evidence of local/area support (council resolutions, minutes of public meetings, letters of support, etc.). Evidence of MPO support must be included if applicable.

Local Support*:

For Bismarck - Mandan MPO support, reference Figure 4-4 of the Bicycle and Pedestrian Plan (2017) that indicates this extension as a planned facility. This Plan was adopted Dec. 19, 2017. A virtual public input meeting was held Monday, March 29, 2021. The meeting was advertised in the Mandan News prior to the meeting. The North Dakota Department of Transportation hosted the meeting material and provided a link to the pre-recorded presentation. A total of 28 comments were received. The majority of those who commented were in favor of the project. See attachments for minutes documenting Mandan City Commission approval of project.

Availability/access to 20% match. Matching funds must not be from other federal sources such as Transportation Enhancement (TE) or Transportation Alternatives Program (TAP) through the Department of Transportation. A resolution or confirmation letter from the sponsor will be required prior to any award of a grant.

Matching Funds*:

Matching funds will be provided via a local assessment district made up of surrounding neighborhoods who will benefit from the trail. Local assessment district matching funds have been committed via Mandan City Commission resolution (see minutes in attached documents). The current assessment district match amount is estimated to be $607,400, or 53% of the project's total cost. Note that the City has also been awarded $290,000 in Transportation Alternative funding through NDDOT.

Evidence of applicant capability to carry out project. For development projects, applicant capability to operate, maintain, and protect trail and facilities when completed.

Capability*:

Maintenance of the multi-use trail will be the responsibility of the Mandan Park District. The Mandan Park District currently maintains phase I of the trail that was constructed east of this project segment. The Park District is planning to complete phase III of the trail along ND Hwy 6 to the Mandan Municipal Golf Course following completion of this project (phase II).

Consideration for trail user group(s); location & relevance of the trail for the intended or existing users; clarity, detail, and quality of project plan/design; quality of existing development (if any); attention to safety, accessibility and health considerations.

Site and Project Quality*:

NDDOT standards ensure accessibility for all trail users, including pedestrian, bicyclists, and disabled persons. NDDOT and the City of Mandan provided project design oversight. The trail will be designed to fit in the neighborhood setting and connect to the surrounding homes via delineated crosswalks--two of which will be protected with flashing beacons. The trail provides a safe route to school for children. The trail will also cross a tributary to the Heart River--this area is a protected natural wooded area and will add to the aesthetic quality of the trail for the benefit of recreational users and others. Improvements will be made for water conveyance throughout the project corridor to ensure proper drainage.

Public need and benefit of project: safety concerns, urgency of action, potential to lose the opportunity, number of people who would benefit from the project when compared to cost.

Why Should This Project be Funded?*:

The trail will serve subdivisions including 1,718 existing and planned homes and approximately 3,848 people. The trail will serve regional trail users, especially bicyclists and runners reaching the trail from other destinations in Mandan, Morton County, or elsewhere. Safety concerns will be alleviated as the 19th St SE corridor lacks a pedestrian and bike facility and pedestrian crossings from the neighborhoods located west of Macedonia Dr to ND Hwy 6. A Transportation Alternatives grant has been obtained, an assessment district is committed, trail design has been completed, and environmental approval has been attained through NDDOT for the use of federal funds. The City is prepared.

How many people could be expected to use the trail over the course of the year as a result of the project?

Use of Trail*: 3848

Identify adverse impacts that might be realized as a result of completing the project, and how the project design attempts to mitigate adverse impacts. How might the project improve conditions for adjacent landowners?

Adverse Impacts*:

The project received National Environmental Policy Act (NEPA) Categorical Exclusion approval July 6, 2021 from NDDOT. This document is available upon request. This will be critical trail where none currently exists to access Fort Lincoln Elementary School, neighborhoods in southern Mandan, and the greater Bismarck - Mandan trail system. This represents a significant local and regional amenity that will positively affect residential property values and provide a safe path separated from the roadways for walkers, runners, and bicyclists.

Project Information

Title of Applicant?s Project*: City of Mandan 19th Street Trail

Description of Project*:

The project involves a multi-use trail extension for pedestrians and bicyclists traveling along 19th St SE and two protected intersection crossings to connect the trail to the surrounding neighborhood. This project is the second phase of a three-phase trail along 19th St SE, and follows the south side of 19th St SE from Macedonia Ave SE to ND Hwy 6.

*Recipients have 18 months to complete the project.

Estimated Start Date and End Date*: 04/01/2023 08/19/2023

Start Date End Date

Location

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Project Address (if available):

Project City/Town*: Mandan

County*: Morton

Latitude
(degrees, minutes, seconds): Ex. 46d78m56.9s
Longitude
(degrees, minutes, seconds): Ex. 100d62m21.7s

Latitude and Longitude*: 46°48'24.63"N 100°53'33.22"W
Latitude Longitude

Describe the project location.
Example: New trail in ABC Park starting at 5th Street for a distance of 300 feet to the intersection of 6th Street and Avenue D. Includes the Avenue D crosswalk and then runs for 2300 feet to Harold?s Drainage trailhead.

Location:

Trail extension along the south side of 19th St SE from Macedonia Ave SE for a distance of 0.86 mile west to ND Hwy 6. Includes two crosswalk improvements at 4th Ave SW and Canyon Rd SW.

Legal Address (if applicable):

Example: Township Region Section

Environmental Screening

Initial Environmental Screening

Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.

Geological Resources*: No/Negligible Impacts

Air Quality*: No/Negligible Impacts

Sound (noise impacts)*: No/Negligible Impacts

Water Quality/Quantity*: No/Negligible Impacts

Stream Flow Characteristics*: No/Negligible Impacts

Marine/Estuarine*: Not Applicable

Floodplains/Wetlands*: Not Applicable

Land use/ownership patterns; property values; community livability.

Land Use*: Not Applicable

Circulation/Transportation*: Not Applicable

Plant/animal/fish species of special concern and habitat; state/federal listed or proposed for listing.

Species of Concern*: No/Negligible Impacts

Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.

Unique Ecosystems*: No/Negligible Impacts

Introduce or promote invasive species (plant or animal).

Invasive Species*: No/Negligible Impacts

Recreation resources, land parks, open space, conservation areas, recreation trails, facilities, services, opportunities, public access, etc.

Recreation Resources*: Not Applicable

Accessibility for Populations with Disabilities*: Not Applicable

Overall aesthetics, special characteristics/features.

Aesthetics*: Not Applicable

Historical/cultural resources, including landscapes, ethnographic, archaeological, structures, etc.

Historical Resources*: No/Negligible Impacts

Socioeconomics*: Not Applicable

Minority and Low-income Populations*: Not Applicable

Energy resources (geothermal, fossil fuels, etc.)

Energy Resources*: Not Applicable

Other agency or tribal land use plans or policies.

Other Agency or Tribal Land*: Not Applicable

Land/structures with history of contamination/hazardous materials even if remediated.

Hazardous Materials*: Not Applicable

Other important environmental resources to address.

Other*: Not Applicable

Additional Information or Clarification:

The project received National Environmental Policy Act (NEPA) Categorical Exclusion approval attained 7/6/21 from NDDOT. This document is provided in the attachments section.

Certifications Regarding Debarment, Suspension, and Other Responsibility Matters

Certification - Primary Covered Transactions

This certification is for a **Primary** covered transaction and is applicable.

Primary*: Yes

Certification - Lower Tier Covered Transactions

This certification is for a **Lower Tier** covered transaction and is applicable.

Lower Tier*: Yes

Certification - Regarding Drug-Free Workplace Requirements - NOT AN INDIVIDUAL

This certification is for an applicant who in NOT AN INDIVIDUAL.

Not An Individual*: Yes

Certification - Regarding Drug-Free Workplace Requirements - INDIVIDUAL

This certification is for an applicant who is **AN INDIVIDUAL.**

Individual*: N/A

Certification - Regarding Lobbying

This certification is for the award of any of the following and the amount exceeds $100,000:
A federal grant for cooperative agreement;
Subcontract or subgrant under the grant or cooperative agreement.

Applicable*: N/A

This certification is for the award of a Federal Loan Exceeding the amount of $150,000, or a subgrant or subcontract exceeding $100,000 under the loan.

Applicable*: N/A

Authorization

As the authorized certifying official, I hereby certify that the application is accurate to the best of my knowledge.

Authorization*: Yes

Responsible Official*: Justin Froseth
First Name Last Name

Engineering and Planning Director 04/29/2022
Title Date

Attachments

Attachments

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Named Attachment	Required	Description	File Name	Type	Size	Upload Date
Project Location Map		Location Map	location map.JPG	JPG	202 KB	04/28/2022 09:27 PM
Site Development Plans (if available)		Final Trail Plans	TAU-1-988046_Final Plans_1of3_ED.pdf	pdf	24 MB	04/28/2022 09:26 PM
Written assurances/leases that confirm the project will be open for public use		Statement confirming trail will be placed in city (public) right of way per trail final plans and NDDOT environmental approval.	Confirmation of Placement in Public ROW.docx	docx	11 KB	04/29/2022 08:43 AM
Recent Cultural Review Letters or Documents (if applicable)		State Historical Society Approval Letter	SHPO.pdf	pdf	347 KB	04/28/2022 09:32 PM
Board Meeting Minutes and/or Letters of Support for Project		Mandan City Commission meeting minutes noting approval to move forward with trail project design services (now since completed).	2020-09-15 Mandan City Commission Meeting Minutes.pdf	pdf	108 KB	04/29/2022 01:54 PM
Written Confirmation of MPO Approval (if applicable)		Bismarck-Mandan MPO Bike and Ped Plan. Approved by MPO in 2017. See page 23 (Figure 4-4) and page 126 that shows planned trail.	BismarckMandan_BikePedPlan_FINAL_12.19.17.pdf	pdf	60 MB	04/28/2022 09:38 PM

Additional Information

Description	File Name	Type	Size	Upload Date
NDDOT and City of Mandan approved programmatic categorical exclusion document.	TAU-1-988046 PCN 22573_ CATEX_Signed_SRF_02210708.pdf	pdf	24 MB	04/28/2022 09:41 PM
Evidence of Mandan City Commission approval of local assessment district match for project.	2021-12-07_Minutes_Assessment District Match-2.pdf	pdf	114 KB	04/28/2022 10:14 PM
Map of the subdivisions included in the assessment district approved by the Mandan City Commission. These are all subdivisions that will benefit from the trail.	Benefited Subdivisions.pdf	pdf	1 MB	04/28/2022 10:50 PM
There was some difficulty in saving the City of Mandan's DUN and EIN numbers. This shows the numbers as provided by City staff.	RE_ City TIN and DUNS.pdf	pdf	207 KB	05/02/2022 04:30 PM

RTP Budget Narrative

Budget Information

Cost Classification	Total Cost	Additional or Sponsor Covered Costs	Total Allowable Costs
Administrative and legal expenses	$0.00	$0.00	$0.00
Land, structures, rights-of-way, appraisals, etc.	$17,400.00	$17,400.00	$0.00
Relocation expenses and payments	$0.00	$0.00	$0.00
Architectural and engineering fees	$0.00	$0.00	$0.00
Project inspection fees	$100,000.00	$100,000.00	$0.00
Site work	$0.00	$0.00	$0.00
Demolition and removal	$0.00	$0.00	$0.00
Construction	$1,030,000.00	$717,500.00	$312,500.00
Equipment	$0.00	$0.00	$0.00
Miscellaneous	$0.00	$0.00	$0.00
	$1,147,400.00	**$834,900.00**	**$312,500.00**

Contingency

Contingency (typ. 10-20%): $0.00

Total Budget

Total Project Cost: $312,500.00

RTP Federal Assistance Requested Total: $250,000.00

Financial Match

Match Source	Type of Match	Amount	Secured
Local	Cash	$607,400.00	Yes
		$607,400.00	

Partial Funding Feasibility

Would partial funding affect the grant?

Partial Funding*: Yes

If Yes, Briefly Explain:

The City is working to bridge the funding gap created by the current high construction cost/bid environment.

Cost Estimate

Description	File Name	Type	Size	Upload Date
Bid document that indicates the low bid for the project. The low bid is being used as the cost estimate as it exceeded the engineer's estimate.	Notice of Bids for_22573_NDDOT_City of Mandan.pdf	pdf	374 KB	04/29/2022 09:29 AM

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EXHIBIT D

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

TITLE VI AND NON-DISCRIMINATION / ADA PLAN

Leanne Schmidt
Human Resources Department
221 North 5th Street, Bismarck, ND 58501

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Original Date 3/20/2012
Rev.: 6/2015; 6/2016
9/24/2019; 11/2020; 6/2022

BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION (MPO)
TITLE VI AND NONDISCRIMINATION/ADA PROGRAM POLICY STATEMENT

The Bismarck-Mandan MPO, hereinafter referred to as the "Recipient" is committed to compliance with Title VI of the Civil Rights Act of 1964, the Federal-Aid Highway Act of 1973, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973/ADA of 1990, and all related regulations and statutes. Taken together, these requirements define an encompassing Title VI/ADA Program. Title VI and the additional Nondiscrimination requirements are applicable to programs receiving federal financial assistance due to the Civil Rights Restoration Act of 1987.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Specifically, 42 USC 2000d state that "No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." In addition to Title VI, there are other Nondiscrimination statutes which include: Section 162(a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (sex), Age Discrimination Act of 1975 (age), and Section 504 of the Rehabilitation Act of 1973/ADA of 1990 (disability).

There are two Presidential Executive Orders that place further emphasis upon the Title VI protections. Executive Order 12898 ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse environmental or human health effects on minority and low-income populations. Executive Order 13166 directs recipients of Federal financial assistance that to ensure compliance with Title VI, they must take reasonable steps to ensure that limited English proficiency persons have meaningful access to their programs.

> The Recipient is committed to and supports taking all steps to ensure that no person or groups(s) of persons shall, on the grounds of race, color, national origin, sex, age, disability, limited English proficiency, or income status*, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Recipient, regardless of whether those programs and activities are federally funded or not.
>
> The Recipient also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, the Recipient will provide meaningful access to services for persons with limited English proficiency.

In the event the Recipient distributes federal-aid funds to a subrecipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

The Recipient's Title VI/ADA Program Coordinator (Leanne Schmidt, Director of Human Resources, 701-355-1330, 221 N. 5th St., Bismarck, ND 58501, lschmidt@bismarcknd.gov), by appointment of the Chairperson of the Recipient, is responsible for initiating and monitoring Title VI/ADA Program activities, preparing reports and other responsibilities, and is granted the authority to develop, administer, and monitor the Title VI/Nondiscrimination and ADA Program as promulgated.

Further, the Chairperson of the Recipient sub-delegates and charges the Bismarck-Mandan Metropolitan Planning Organizations' Principal Transportation Planner, Transportation Planners, and Transportation Specialist with the responsibilities to ensure compliance with Title VI/Nondiscrimination and ADA Program requirements in their respective program areas.

Anyone who believes that he or she has been discriminated against should contact Leanne Schmidt, Bismarck-Mandan MPO Title VI/ADA Program Coordinator, Bismarck-Mandan Metropolitan Planning Organization, 221 N. 5th Street, Bismarck, ND at 701-355-1330. TTY users may call Relay North Dakota at 711 or 1-800-366-6888 (toll Free).

*Title VI of the Civil Rights Act of 1964 governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 USC 324; age, 42 USC 6101; disability, Section 504 of the Rehabilitation Act of 1973/ADA of 1990; low income, EO 12898; and limited English proficiency, EO 13166.

_____
Signature

Chair, Bismarck-Mandan MPO Policy Board
Title

_____
Date

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The **Bismarck-Mandan Metropolitan Planning Organization (MPO), Bismarck, Burleigh County** (herein referred to as the "Recipient"), **HEREBY AGREES THAT,** as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration is subject to and will comply with the following:

Statutory/Regulatory 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);
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);*
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

> *"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Federal-Aid Highway Program.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of

funding source:

> *"The Bismarck-Mandan Metropolitan Planning Organization (MPO), Bismarck, Burleigh County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US.C.§§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

   a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
   b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

   a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
   b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the **Bismarck-Mandan Metropolitan Planning Organization (MPO), Bismarck, Burleigh County** also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Highway Administration's access to records, accounts, documents, information, facilities, and staff. It is also recognized that compliance with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration is required. Records and reports must be kept, and the material submitted for review upon request to the Federal Highway Administration, or its designee in a timely, complete, and accurate way. Additionally, compliance with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance, will be satisfied.

The **Bismarck-Mandan Metropolitan Planning Organization (MPO), Bismarck, Burleigh County** gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal-Aid Highway Program. This ASSURANCE is binding on **Bismarck-Mandan Metropolitan Planning Organization (MPO), Bismarck, Burleigh County**, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

, Chair	Bismarck-Mandan MPO, Bismarck, Burleigh County
Name (Type/print)	Recipient
Signature	Date

BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION

The Bismarck-Mandan Metropolitan Planning Organization (BMMPO) employed 3 full-time staff members. Staff was comprised of the following: one Principal Transportation Planner, who, pursuant to BMMPO By-Laws, also functions as the MPO Executive Director; one Transportation Planner; and one Transportation Specialist. Additionally, the Human Resources Director for the City of Bismarck serves the BMMPO in the capacity of Title VI Coordinator and ADA Coordinator, and assumes both roles by appointment.

GENDER			RACE							
F	M	NR	W	HL	AA	AI	AS	NH	TM	NR
3	1		4							
75%	25%		100%							

TECHNICAL ADVISORY COMMITTEE

The Bismarck-Mandan MPO (BMMPO) Technical Advisory Committee (TAC) consists of 14 members. Each member is appointed as prescribed within the BMMPO By-Laws. The membership is comprised of representatives (or their designees) from BMMPO jurisdictions and stakeholders as follows: Bismarck City Engineer, Bismarck Community Development Director, Burleigh County Building Official/Director, Burleigh County Engineer, City of Lincoln, Freight Interests, Mandan City Engineer, Mandan City Planner, Morton County Engineer, Morton County Planner, MPO Executive Director or MPO Transportation Planner, North Dakota Department of Transportation (NDDOT) Bismarck District Official, NDDOT MPO Coordinator, and Transit Director.

GENDER			RACE							
F	M	NR	W	HL	AA	AI	AS	NH	TM	NR
2	11	1	12					1		1
14%	79%	7%	86%					7%		7%

POLICY BOARD

The Bismarck-Mandan MPO (BMMPO) Policy Board consists of 5 members. Each member is appointed as prescribed within the BMMPO By-Laws. The membership is comprised of representatives (or their designees) from BMMPO member jurisdictions as follows: Mayor, City of Bismarck; Mayor, City of Lincoln; Mayor, City of Mandan; Commissioner, Burleigh County; Commissioner, Morton County.

GENDER			RACE							
F	M	NR	W	HL	AA	AI	AS	NH	TM	NR
	4	1	4							1
	80%	20%	80%							20%

KEY: F=Female M=Male NR=No Response AA=African American AI=American Indian/Alaska Native NH=Native Hawaiian/Pacific islander AS=Asian TM = 2 or More Races HL=Hispanic/Latino W=White

A. MPO Executive Director

The Executive Director of the MPO is appointed pursuant to the Bylaws of the Bismarck-Mandan Metropolitan Planning Organization, Revised October 2015, Article IV, 6.c The Principal Transportation Planner of the MPO shall serve as Executive Director of the MPO." The Executive Director of the MPO is responsible for the overall implementation and administration of the Title VI and Non Discrimination/ADA Program Access Plan for the Bismarck-Mandan Metropolitan Planning Organization (MPO). The Executive Director is responsible for designation of an ADA Coordinator, a Title VI Coordinator (program administrator), and providing adequate staffing to effectively implement the Title VI and Non Discrimination/ADA Program Access Plan.

B. Transportation Planner

Transportation Planners assist in the implementation of the Bismarck-Mandan MPO's Title VI responsibilities. Such responsibilities include:

1. Maintain knowledge of and adhere to Bismarck-Mandan MPO's Title VI and Non Discrimination/ADA Program Access Plan.

2. Ensure compliance with Title VI requirements in their respective program areas.

3. Assure prompt reporting, processing, and disposition of Title VI issues or complaints in their respective program areas to the Title VI Coordinator.

4. Communicate and coordinate with the Title VI Coordinator all program area Title VI issues or concerns in a timely manner.

5. Assure that practices and procedures involving all programs and activities within their area of responsibility are applied uniformly and equitably in conformance with federal Title VI regulations.

C. Transportation Specialist

Transportation Specialists will support and assist the Transportation Planners, Title VI Coordinator, and ADA Coordinator in their involvement in the program.

D. ADA Coordinator and the ADA Program Access Plan

The Americans with Disabilities Act (ADA) of 1990 is companion civil rights legislation with the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 that prohibits discrimination against people with disabilities. ADA implementing regulations to Title II of the act prohibit discrimination in the provision of services, programs, and activities by state and local governments such that "…No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity." 28 CFR §35.130(a).

The Bismarck-Mandan MPO abides by the ADA. The Bismarck-Mandan MPO implements, monitors, and updates the Bismarck-Mandan Metropolitan Planning Organization Title VI and Non Discrimination/ADA Program Access Plan to ensure no individual is discriminated against on the basis of disability in the provision of its services, programs, and activities.

Appendix A and Appendix E of the Title VI Assurances is required in all contracts which are federally funded to ensure compliance with The Civil Rights Restoration Act of 1987.

The Bismarck-Mandan MPO will make every reasonable accommodation to provide an accessible meeting facility for all persons, and to ensure that communications with applicants, participants, and member of the public with disabilities are as effective as communications with others, 28 CFR §35.160. Individuals may request appropriate provisions, auxiliary aids or services (such as sign language, interpreter, accessible parking, or materials in alternative format), by contacting the ADA Coordinator, Leanne Schmidt, Director of Human Resources, City of Bismarck, at 701-355-1330 , or at lschmidt@bismarcknd.gov. TTY users may call Relay North Dakota at 711 or 1-800-366-6888 (toll free).

The BMMPO has developed a Request for Reasonable Accommodations Form for individuals to request accommodations necessary to access BMMPO programs, services, and activities. The form is available by contacting the ADA Coordinator or at http://www.bismarcknd.gov/DocumentCenter/View/23201 .

The Americans with Disabilities Act requires public agencies with more than 50 employees to create and maintain an ADA Transition Plan. The Bismarck-Mandan MPO employs less than 50 employees and is therefore exempt from creating and maintaining an ADA Transition Plan.

As the Americans with Disabilities Act is companion civil rights legislation with the Civil Rights Act of 1964, all disability related complaints will follow the complaint procedures and forms as outlined in the Bismarck-Mandan MPO Title VI and Non Discrimination Program.

Complaints about violations of ADA by units of state and local governments may also be filed directly with the US Department of Justice. The form may be found at: http://www.ada.gov/publicat.htm#Anchor-TitleII-47857 . For assistance, please call the toll-free ADA Information Line at 800-514 -0301(voice), or 800-514-0383 (TYY), or go to: http://www.ada.gov/ .

E. Title VI Coordinator

The Title VI Coordinator is charged with the responsibility for implementing, monitoring, and ensuring the Bismarck-Mandan Metropolitan Planning Organization (MPO) compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received by the Bismarck-Mandan MPO.

2. Collect Statistical data (race, color, sex, age, disability, or national origin) of participants in and beneficiaries of state highway programs, e.g. affected citizens and impacted communities.

3. Conduct annual Title VI reviews to determine the effectiveness of program activities at all levels for each reporting year ending December 31 prior to March 31 of the following calendar year.

4. Conduct Title VI reviews of consultant contractors and other recipients of federal-aid highway fund contracts administered through the Bismarck-Mandan MPO.

5. Review Bismarck-Mandan MPO program directives. Where applicable, include Title VI language and related requirements.

6. Conduct training programs consisting of, at a minimum, one hour of training per reporting period on Title VI and other related statutes for Bismarck-Mandan MPO employees and recipients of federal highway funds. Post a copy of the Title VI Plan on the Bismarck-Mandan MPO web-site. Post the Title VI Plan on employee bulletin boards at the Bismarck-Mandan MPO worksite. Inform all employees that a copy of the Title VI Plan is available upon request. Instruct all new employees about the Title VI Plan during orientation.

7. Prepare a yearly report of Title VI accomplishments and goals, as required.

8. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English. Post the Title VI Plan on the Bismarck-Mandan MPO web-site. Post Title VI and Non Discrimination Plan and all relevant Title VI materials at main entrances of MPO worksite.

9. Conduct post-grant reviews of the Bismarck-Mandan MPO programs and applicants for compliance with Title VI requirements.

10. Identify and take corrective action to help eliminate discrimination.

11. Establish procedures to promptly resolve identified Title VI deficiencies. Document remedial actions agreed to be necessary. Provide remedial actions within 90 days of identification of a deficiency.

F. Technical Advisory Board (TAC)

The Technical Advisory Committee (TAC) of the Bismarck-Mandan MPO represents the member cities/counties, the North Dakota Department of Transportation, local freight interests, and the local transit authority. It is comprised primarily of planning and engineering staff members who are appointed by their affiliation with their respective agency or transportation related interest group. The TAC is comprised of one representative from each of the following agencies/interest group based on Bismarck-Mandan MPO Bylaws, 2020, and is subject to change as new individuals assume those positions within each agency/interest group:

- Bismarck City Engineer
- Bismarck Community Development Department Director
- Burleigh County Engineer
- Burleigh County Building Official/Director
- City of Lincoln
- Freight Representative
- Mandan City Engineer
- Mandan City Planner
- Morton County Planner
- Morton County Engineer/Road Superintendent
- MPO Executive Director or MPO Transportation Planner
- North Dakota Department of Transportation MPO Coordinator
- North Dakota Department of Transportation Bismarck District Official
- Transit Director

The purpose of the TAC is to discuss and coordinate technical transportation matters under consideration of the MPO, including, but not limited to, highway, transit, auto/rail, bicycle, and pedestrian planning activities; and to facilitate the recommendations to assist the Bismarck-Mandan MPO Policy Board in the transportation planning decision making process for the MPO study area.

G. Policy Board

The Policy Board is a five member board comprised of the mayors of Bismarck, Lincoln, and Mandan, as well as a commissioner each from Burleigh and Morton counties. The Burleigh County Commissioner and the Morton County Commissioner members are appointed members determined by their respective commissions pursuant to assignment to the Bismarck-Mandan MPO Policy Board within their respective portfolios. The Director of the North Dakota Department of Transportation is an Ex-Officio member of the Bismarck-Mandan MPO Policy Board in accordance with Article IV, Section 4 of the Bismarck-Mandan MPO Bylaws.

The Policy Board is the governing body of the MPO and seeks to harmonize the general plans of the cities and counties within the area and plans and planning activities of the federal, state, and local agencies.

Effective Date 3/20/2012
Last Revised June 2022

BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION (BMMPO)
TITLE VI/ADA COMPLAINT PROCEDURE

Introduction

The Bismarck-Mandan MPO (BMMPO) has developed a Title VI/ADA External Complaint Process that provides a prompt process for investigation and dispositions of complaints. All complaints are recorded on a Title VI/ADA Complaint Log. The BMMPO's Title VI External Complaint Process is consistent with the North Dakota Department of Transportation's (NDDOT), the Federal Highway Administration's (FHWA), and the Federal Transit Administration's (FTA) Procedures Manual for Processing External Complaints of Discrimination filed under Title VI of the Civil Rights Act of 1964 and related statutes, the Americans with Disabilities Act of 1990, and/or Section 504 of the Rehabilitation Act of 1973. The nondiscrimination statutes, regulations, Executive Orders (E.O.), directives, and other references are available upon request.

Agencies Authorized to Receive Complaints

Bismarck-Mandan MPO (BMMPO)
Title VI/ADA Coordinator
221 N. 5th Street
Bismarck, ND 58506
Phone: 701-355-1330
Fax: 701-222-6450
TTY: 711 or 800-366-6888
E-mail: lschmidt@bismarcknd.gov

North Dakota Department of Transportation (NDDOT)
Civil Rights Division
608 E. Boulevard Ave. Bismarck, ND 58507-0700
Phone: 701-328-2576
Fax: 701-328-0343
TTY: 711 or 800-366-6888
E-mail: civilrights@nd.gov

Federal Highway Administration (FHWA)
North Dakota Division Office
4503 Coleman St. N., Suite 205
Bismarck, ND 58503
Phone: 701-250-4204
Fax: 701-250-4395
E-mail: NorthDakota.fhwa@dot.gov

United States Department of Transportation (FHWA)
FHWA Headquarters Office of Civil Rights
1200 New Jersey Avenue, SE (HCR-40)
8th Floor E81-105
Washington, DC 20590
Phone: 202-366-0693
Fax: 202-366-1599
TTY: 202-366-5132
E-mail: CivilRights.FHWA@fhwa.dot.gov

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: 888-446-4511

United States Department of Transportation (USDOT)
Departmental Office of Civil Rights
US Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: 202-366-4648
Fax: 202-366-5575
TTY: 202-366-9696

USDOJ – ADA COMPLAINTS
US Department of Justice (USDOJ)
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYAV
Washington, DC 20530
Fax: 202-307-1197
ADA Information Line: 800-514-0301 (voice) or 800-514-0383 (TTY)
Main Section Telephone Number: 202-307-0663 (voice and TTY)

US DOJ – RACE, COLOR, NATIONAL ORIGIN COMPLAINTS
Federal Coordination and Compliance Section – NWB
Civil Rights Division
US Department of Justice (USDOJ)
950 Pennsylvania Avenue, NW
Washington, DC 20530
Phone: 888-848-5306 (English and Spanish)
Phone (voice): 202-307-2222
Phone (TTY): 202-307-2678

Persons Eligible To File

Members of the public, or any specific class of persons, by themselves or by a representative, that believe they have been subjected to discrimination or retaliation prohibited by Title VI of the Civil Rights Act of 1964 (Title VI) and related statutes, Section 504 of the Rehabilitation Act of 1973 (Section 504), or Title II of the Americans with Disabilities Act of 1990 (ADA) may file a complaint.

Filing a Complaint

A complaint is a written or electronic statement concerning an allegation of discrimination that contains a request for the receiving office to take action. Complainants should complete and sign BMMPO's Title VI/ADA Complaint Process form and file by mail, fax, in person, or e-mail. A complaint should contain, at a minimum, the following information:

A written explanation of what has happened;

A way to contact the complainant;

The basis of the complaint, i.e., age, sex, race, color, national origin, disability, income status, or limited English proficiency;

The identification of the respondent, e.g., agency/organization alleged to have discriminated;

Sufficient information to understand the facts that led the complainant to believe that discrimination occurred; and,

The date(s) of the alleged discriminatory act(s).

While the above indicates a complaint should be in writing and signed, BMMPO will accept complaints in alternate formats from persons with disabilities, upon request.

The complainant may contact BMMPO for assistance in filing a complaint.

BMMPO will consider every request for reasonable accommodation to provide:

- accommodation for people with disabilities
- language interpretation for people with limited English proficiency (LEP) and
- translation of written material necessary to access BMMPO programs and information

To request accommodations, complainants may contact Leanne Schmidt, Title VI / ADA Coordinator, BMMPO at 701-355-1330 or lschmidt@bismarcknd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

Timeframes For Filing a Complaint
Complaints must be filed within 180 calendar days of the last date of the alleged discrimination, unless the time for filing is extended. The filing date of the complaint is the earlier of:

- The postmark of the complaint, or
- The date the complaint is received by any agency authorized to receive complaints.

Complainant is Represented by an Attorney
Complainants represented by an attorney shall provide a letter of representation.

Complaints Received by BMMPO
Complaints filed under Title VI in which BMMPO is named as the respondent will be forwarded within two (2) days of receipt by BMMPO to the Civil Rights Division of the NDDOT.

NDDOT provides the FHWA Bismarck Division office the complaint. FHWA will determine the correct agency to review the complaint. The reviewing agency will then make the final decision and will communicate directly with the complainant.

Complaints filed under the Section 504/ADA with BMMPO will be forwarded within two (2) days of receipt by BMMPO to the Civil Rights Division of the NDDOT.

NDDOT provides the complaint to the FHWA Bismarck Division office to be determined by FHWA if the complaint will be investigated in accordance with 49 CFR 27.13(b).

Limited English Proficiency Plan

BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION (MPO)

TITLE VI/ADA COORDINATOR
Leanne Schmidt, Director of Human Resources
221 N. 5th St., Bismarck, ND 58501
701-355-1330

INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the Bismarck-Mandan Metropolitan Planning Organization (MPO) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled ***Improving Access to Services for Persons with Limited English Proficiency***, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all Bismarck-Mandan MPO departments receiving federal grant funds.

Plan Summary

The Bismarck-Mandan MPO has developed this ***Limited English Proficiency Plan*** to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the Bismarck-Mandan MPO used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the Bismarck-Mandan MPO**.**
2. The frequency with which LEP persons come in contact with Bismarck-Mandan MPO services.
3. The nature and importance of services provided by the Bismarck-Mandan MPO to the LEP population.
4. The interpretation services available to the Bismarck-Mandan MPO and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1.) The number or proportion of LEP persons in the service area who may be served or are likely to require Bismarck-Mandan MPO services.

The Bismarck-Mandan MPO staff reviewed the 2011-2015 American Community Survey 5-Year Estimates* for North Dakota and determined that **3,904** individuals in **Bismarck, Lincoln, and Mandan, ND**** (**2.89%** of the population) speak a language other than English. Of those, **1,201**

individuals have limited English proficiency; that is, they speak English less than “very well” or “not at all.” This is only **0.88%** of the overall population in the service area. In **Bismarck, Lincoln**, and **Mandan, ND**,** of those persons with limited English proficiency, **.30%** speaks **German, .29%** speaks **Spanish, .10%** speaks **French, .09%** speaks **Chinese, .02%** speaks **Gujarati, .02%** speaks **Russian, .01%** speaks **Other Asian Languages, .01%** speaks **Pacific Island, .01%** speaks **Other Native Northern American Language, .01%** speaks **Tagalog, .01%** speaks **Greek, .01%** speaks **Polish, <0.01%** speaks **Hebrew, Portuguese, Creole, Yiddish, West Germanic, Scandinavian Languages, Serbo-Croatian, Other Slavic Languages, Hindi, Other Indic Languages, Other Indo-European, Mon khmer (Cambodian), Thai, Arabic, and Other African Languages.**.

Following is a table identifying the number of individuals with the ability to speak English less than “very well” and the associated language spoken at home:

Ability to Speak English Less than "Very Well" and Associated Language Spoken at Home - Bismarck, Lincoln, and Mandan, ND**

Language Spoken at Home	Percent of Total Population	Total Number of Individuals
German	0.30%	412
Spanish or Spanish Creole	0.29%	392
French	0.10%	142
Chinese	0.09%	118
Gujarati	0.02%	28
Russian	0.02%	25
Other Asian Language	0.01%	18
Pacific Island	0.01%	18
Other Native Northern American Language	0.01%	15
Tagalog	0.01%	13
Greek	0.01%	8
Polish	0.01%	7
Hebrew	<0.01%	5

Based on Table B16001 of the 2011-2015 US Census Bureau American Community Survey

**The US Census Bureau has changed collection methodology from the “Long Form” to the American Community Survey. One of the significant differences between the methodologies is that the “Long Form” was a point in time survey collected once every ten years compared to the American Community Survey which is a period survey covering a five-year time frame. Given the relatively small number of individuals who speak languages other than English at home and speak English less than “very well” there may be significantly high Margins of Error associated with some or all of the subject languages.*

***The Metropolitan Statistical Area (MSA) boundary was expanded to include Sioux and Oliver counties in 2013. Population statistics for the updated MSA boundary now include all four counties (Burleigh, Morton, Oliver, and Sioux), an area far beyond the MPO area. In an effort to maintain consistent and relevant growth statistics for communities within the MPO area, staff has dedicated to utilize data for the cities of Bismarck, Lincoln, and Mandan, which comprise the Urbanized Area of the MPO rather than the entire MSA data. Both data sets are supplied by the US Census Bureau, but differ in coverage area. Using data for the cities which comprise the MPO Urbanized Area preserves the statistical area as reflected within the Bismarck-Mandan MPO’s Monitoring Report and more accurately shows population changes within the Bismarck-Mandan MPO area.*

2.) The frequency with which LEP persons come in contact with Bismarck-Mandan MPO services.

The Bismarck-Mandan MPO staff reviewed the frequency with which their office staff and Bismarck-Mandan MPO Policy Board and Technical Advisory Committee (TAC) members have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the Bismarck-Mandan MPO has had **0** requests for interpreters and **0** requests for translated program documents. The Bismarck-Mandan MPO Policy Board and TAC members have had very little contact with LEP persons.

3.) The nature and importance of services provided by the Bismarck-Mandan MPO to the LEP population.

There is no large geographic concentration of any type of LEP individuals in the service area for the Bismarck-Mandan MPO. The majority of the population, 94.66**%,** speak only English. As a result, there are only a few social, professional, or leadership service organizations within the Bismarck-Mandan MPO service area that focus on outreach to LEP individuals. The Bismarck-Mandan MPO staff is most likely to encounter LEP individuals through public meetings, office visits, phone conversations or attendance at Bismarck-Mandan MPO Policy Board and TAC meetings.

4.) The resources available to the Bismarck-Mandan MPO, and overall costs to provide LEP assistance.

The Bismarck-Mandan MPO reviewed its available resources that could be used for providing LEP assistance for oral interpretation and written translation. The Bismarck-Mandan MPO has, through the City of Bismarck, contracted with a telephone based interpreter service to provide immediate interpreter services at no cost to LEP individuals. The Bismarck-Mandan MPO has identified and contacted written translation service providers. The Bismarck-Mandan MPO provides notice to the public of the availability to request accommodations for language assistance. All requests for translation are considered based on the possible impacts and known LEP population.

LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to Bismarck-Mandan MPO services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How the Bismarck-Mandan MPO staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All Bismarck-Mandan MPO staff will be provided with language lists to assist in identifying the language interpretation needed if the occasion arises.

- All Bismarck-Mandan MPO staff who has encountered LEP will be informally surveyed periodically on their experience concerning any contacts with LEP individuals during the previous year.
- When the Bismarck-Mandan MPO sponsors an informational meeting or event, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

Language Assistance Measures
Although there is a very low percentage of LEP individuals in the Bismarck-Mandan MPO service area, that is, persons who speak English less than "very well" or "not at all", it will strive to offer the following measures:

1. The Bismarck-Mandan MPO staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.

2. The following resources will be available to accommodate LEP persons:
   - Language interpretation will be accessed for most languages through a telephone interpretation service.

STAFF TRAINING

The following training will be provided to all staff:
- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of language lists.
- Documentation of language assistance requests.
- Title VI Complaint Process.

All contractors or subcontractors performing work for the Bismarck-Mandan MPO will be required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

The Bismarck-Mandan MPO has an outreach process including a Request For Reasonable Accommodations procedure that refers all requests to the Bismarck-Mandan ADA Coordinator for processing. The Bismarck-Mandan MPO has translation services available and notices of accommodation are placed in public ads, meeting notices, flyers, and agendas. Requests for accommodations are considered as follows:
- The Bismarck-Mandan MPO ADA Coordinator will assess requests for translation of documents based on the possible impacts and known LEP population using the Four Factor Analysis

- The Bismarck-Mandan MPO will make every effort to provide the services in a timely manner
- The Bismarck-Mandan MPO will pay for interpreter services and translation of vital documents as necessary

The Bismarck-Mandan MPO has identified vital documents as those documents that are critical for obtaining the federal services and/or benefits, or is required by law. These may include:

- Applications
- Consent and Complaint Forms
- Notices of Rights and Disciplinary Actions
- Notices advising LEP persons of the availability of free language assistance
- Letters or Notices that require a response

A “safe harbor” provision regarding the translation of documents is provided by the Department of Justice. The DOJ suggests providing written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. The safe harbor provision applies to the translation of written documents only.

The Bismarck-Mandan MPO will make every effort to translate vital documents, as practicable, upon receipt of request for reasonable accommodations for translation. Written translation of Bismarck-Mandan MPO documents can range from translation of an entire document to translation of a short description of the document.

MONITORING

Monitoring and Updating the LEP Plan - The Bismarck-Mandan MPO will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the Bismarck-Mandan MPO service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the Bismarck-Mandan MPO’s financial resources are sufficient to fund language assistance resources needed.
- Determine whether the Bismarck-Mandan MPO fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency’s failure to meet the needs of LEP individuals.

DISSEMINATION OF THE BISMARCK-MANDAN MPO LEP PLAN

The Bismarck-Mandan MPO may disseminate its LEP Plan in any manner as follows:

- Post signs in Bismarck-Mandan MPO service area notifying LEP persons of the LEP Plan and how to access language services.
- State on agendas and public notices that a Request for Reasonable Accommodations form is available to LEP individuals to request documents in various languages.
- Post on the Bismarck-Mandan MPO website the LEP Plan and how to access language services.
- Publish Press Release
- Send copy of press release to advocacy groups and other agencies serving LEP populations

Socio-Economic Information

PROJECT FUNDING YEAR 2022

LEAD AGENCY	REFERENCE NUMBER	PROJECT DESCRIPTION	ESTIMATED COST IN DOLLARS FEDERAL	STATE	LOCAL	TOTAL	FEDERAL PROGRAM SOURCE	PCN	ESTIMATED CONSTRUCTION YEAR	AMENDMENT/ MODIFICATION (Date)
BISMARCK	22.1.02	Urban Grants Project - Bismarck Thayer Avenue (N 3rd St-N 6th St) & N 6th St (Main Av - Rosser Av) (CPR, Curb & Gutter, Bulb-outs, Sidewalk, ADA Ramps, Pavement Marking, LED Roadway Lighting, Pedestrian Lighting, Street Trees, Landscaping, Signing, Parking Improvements)	$1,280,000	$0	$320,000 (Bismarck)	$1,600,000	UGP	22870	2022	
BISMARCK	22.1.03	Transportation Alternatives - Bismarck Public School Safety Improvement Project (City-Wide) (Installation of 20 MPH speed limit signs near public schools)	$27,516	$0	$6,484 (Bismarck)	$34,000	TAU	22950	2022	
BISMARCK	22.1.04 ~~21.1.04~~	Urban Grants Project - Bismarck N 4th St (Main to Thayer), N 5th St (Main to Thayer), Broadway (N 4th St to N 6th St) (CPR, Curb & Gutter, Sidewalk, Pavement Marking, LED Lighting, Pedestrian Lighting, Signing, ADA Ramps, Landscaping)	$1,000,000	$0	$251,000 (Bismarck)	$1,251,000	UGP	22512	NA	Amendment Moved from 2021 (JAN 2022)
MANDAN	22.4.01	Transportation Alternatives - Mandan - Old Red Trail Phase 2 Shared Use Path (South side of Old Red Trail, starting at Sunset Drive going west 0.8 miles) (2 inch overlay with 0.5 inch leveling course for the existing 10.5 foot wide path)	$168,237	$0	$39,642 (Mandan)	$207,879	TAU	22951	2022	
MANDAN	22.4.02	Transportation Alternatives - Mandan 19th St SE Trail Project^ (South Side of 19th SE, ND Highway 6 to Macedonia Av SE) (10' Wide Shared Use Path, 4,570' ft Long, Signed & Marked X-Walks, Rapid Rectangular Flashing Beacon)	$290,000	$0	$369,000 (Mandan)	$659,000	TAU	22573	2022	
MANDAN	22.4.03	#Urban Roads - Mandan 27th St NW & 8th Ave NW (ND Highway 1806 to 8th Ave NW, & Old Red Trail to 27th St NW) (Reconstruction)	~~$1,052,000~~ $1,052,000	$0	~~$947,910~~ $4,348,000 (Mandan)	~~$2,000,000~~ $5,400,000	SU	22537	2023	Amendment Updated Costs & Extents (MAY 2022)
NDDOT	22.6.06	^Urban Regional - Bismarck 7th St (Ave C to Front Ave) (Signals)	*Funded in 2021*	*Funded in 2021*	*Funded in 2021* (Bismarck)	*Funded in 2021*	NHU	22904	2022	
NDDOT	22.6.07	^Urban Regional - Bismarck 9th St (Ave C to Front Ave) (Signals)	*Funded in 2021*	*Funded in 2021*	*Funded in 2021* (Bismarck)	*Funded in 2021*	NHU	22904	2022	
NDDOT	22.6.08	Urban Regional - Mandan Memorial Highway (Memorial Highway Phase 1, Extents TBD) (Reconstruction, Sanitary Sewer & Drainage)	~~$7,081,376~~ $2,706,000	~~$703,625~~ $303,000	~~$3,375,000~~ $2,999,000 (Mandan)	~~$11,260,000~~ $6,008,000	SU-CPU	22005 23133	2022	Modification Costs changed (MAR 2022)
NDDOT	22.6.09	#Safety - State Street/ US 83 (Calgary Ave to 1-94) (Turn Lanes)	$2,250,000	$250,000	$0 (Bismarck)	$2,500,000	SHE	20098	2023	
NDDOT	22.6.10	#Safety - State Street/ US 83 (I-94 to Divide Ave) (Turn Lanes)	$2,520,000	$140,000	$140,000 (Bismarck)	$2,800,000	SHE	20097	2023	
NDDOT	22.6.11	Urban Regional - Bismarck State St (Divide Av to I-94) (.7 miles, CPR, Grinding)	$659,580	$73,920	$81,500 (Bismarck)	$815,000	NHU	22769	2022	
NDDOT	22.6.12	Urban Regional - Bismarck State St (I-94 to Calgary Ave), (Century Ave/11th St) (1 mile, CPR, Grinding)	$1,869,483	$440,517	$0 (Bismarck)	$2,310,000	NHU	22770	2022	
~~NDDOT~~	~~22.6.13~~	~~Urban Regional - Bismarck 9th St~~ ~~(Front Av to Bismarck Expressway)~~ ~~(.6 miles, Mill & Overlay, Curb & Gutter)~~	~~$760,742~~	~~$86,258~~	~~$94,000~~ ~~(Bismarck)~~	~~$940,000~~	~~NHU~~	~~23202~~	~~2022~~	Amendment Moved to 2024 (FEB 2022)
NDDOT	22.6.14	^Safety - Bismarck Expressway Lighting (Burlington Dr to Yegen Rd and Yegen Rd to Main Ave) (Install corridor lighting in gaps along Bismarck Expy, Turn lanes)	$396,000	$22,000	$22,000 (Bismarck)	$440,000	SHE	23155	2022	
NDDOT	22.6.15	Urban Regional - Bismarck Expy Railroad Bridge (Bismarck Expy BN & CP Railway Bridge) (Approach Slab & Barrier Spall Repair, SE Beam End Repair, Seal Joints & Barrier)	~~$171,352~~ $149,371	~~$10,204~~ $16,740	~~$21,173~~ $18,457 (Bismarck)	~~$211,729~~ $184,568	NHU	22905	2022	Modification Costs changed (FEB 2022)
NDDOT	22.6.16	Urban Regional - Bismarck Expy (Main Av to end of asphalt) (Mill & Overlay, ADA Ramp Rev)	$60,698	$6,802	$7,500 (Bismarck)	$75,000	NHU	23208	2022	
NDDOT	22.6.17	Urban Regional - Bismarck Expy (Washington St to Main Av) (Mill & Overlay, ADA Ramp Rev)	~~$1,618,600~~ $1,217,000	~~$181,400~~ $691,000	~~$200,000~~ $42,000 (Bismarck)	~~$2,000,000~~ $1,950,000	NHU	23207	2022	Modification Costs changed (FEB 2022)
NDDOT	22.6.18	^Urban Regional - ND 1804 (Signal St to Bismarck Expy) (Mill & Overlay)	$2,427,900	$272,100	$300,000 (Bismarck)	$3,000,000	SU	23223	2022	
NDDOT	22.6.19	~Bridge - I-94 (5 miles east of US Highway 83, 80th St, EB) (Structure Replacement)	*Funded in 2021*	*Funded in 2021*	*Funded in 2021* (Burleigh)	*Funded in 2021*	IM	21854	2022	
~~NDDOT~~	~~22.6.20~~ ~~(21.6.09)~~	~~^Urban Regional - 1804 Bismarck/Mandan Memorial Bridge~~ ~~(.1 miles, Memorial Bridge)~~ ~~(Clean drains & glands, Clean Tubs, Pigeon Proof Utility Passages, Add Tub drains~~ ~~if needed, & potentially adding steps for access)~~	~~$121,395~~	~~$13,605~~	~~$15,000~~ 50% Bismarck 50% Mandan	~~$150,000~~	~~NHU~~	~~22902~~	~~2022~~	Amendment Moved to 2024 (MAR 2022) (Formerly moved from 2021 in JAN 2022)
NDDOT	22.6.21	~Rural - Statewide ITS equipment (I-94 Mile Marker 165, Apple Creek eastbound Weigh in Motion site) (Electronics added to cabinet)	*Funded in 2021*	*Funded in 2021*	*Funded in 2021*	*Funded in 2021*	SS	23212	2022	Amendment New Project (JAN 2022)
NDDOT	22.6.22	Safety - Bismarck Expwy/McKenzie Drive Interchange (Bismarck Expressway, and McKenzie Drive Interchange west-bound off-ramp) (Installation of wrong way detection systems)	~~$536,500~~ $744,858	~~$59,500~~ $74,486	~~$0~~ $0	~~$596,000~~ $670,372	HEN	23378	NA	Amendment Updated Costs (JUN 2022, Amended into TIP in JAN 2022)
NDDOT	22.6.23	<Safety - US & NH Highways throughout the Bismarck District (I-94, I-94 BL, ND 6, ND 25, ND 1804, ND 1806) (Pavement Markings)	(TBD)	(TBD)	(TBD)	$1,050,186	HES	23426	2022	Amendment New Project (FEB 2022)
NDDOT	22.6.24	Rural - Statewide ITS equipment (I-94 Mile Marker 165, Apple Creek eastbound Weigh in Motion site) (Recalibrate electronics in existing Weigh in Motion cabinet)	$19,800	$2,200	$0	$22,000	NH	23507	NA	Amendment New Project (APR 2022)
NDDOT	22.6.25	<Planning Study - Transportation Management Center (TMC) and SMART Corridor (I-29 from the SD border to the Canadian border, and the TMC may be located in Bismarck) (Planning study to make I-29 a SMART Corridor and to design a TMC)	$550,000	$550,000	$0	$1,100,000	RAISE	23513	NA	Amendment New Project (APR 2022)
NDDOT	22.6.26	Urban Rail - Main Ave Bismarck (Main Ave Rail Crossing between 24th and 26th St) (Remove abandoned rail crossing and related infrastructure, restore pavement as needed)	$126,146	$0	$0	$126,146	RSU	23593	2022	Amendment New Project (APR 2022)
NDDOT	22.6.27	Urban Rail - 43rd Ave NE Bismarck (43rd Ave NE Rail Crossing) (New extended crossing surface, new full depth concrete panels on n and s sidewalks, upgrade and relocation of crossing signal system)	$413,788	$0	$0	$413,788	RSU	23582	2022	Amendment New Project (APR 2022)
NDDOT	22.6.28	Urban Rail - Morrison Ave Bismarck (Morrison Ave Rail Crossing, NPCC spur line) (Upgrade crossing by installation of new, improved rail signal and related accessories)	$244,935	$0	$0	$244,935	RPS	23355	2022	Amendment New Project (APR 2022)
NDDOT	22.6.29 ~~22.6.03~~	< Rural - Hwy 1804 (N Hazelton Jct to Signal St) (24.9 miles, Thin Overlay)	$3,566,000	$840,000	$0 (Burleigh)	$4,406,000	SS	23336	NA	Amendment Moved to 2022 (MAY 2022)
NDDOT	22.6.30	Bridge - I-94 (Sunset Drive Interchange, Mandan) (Preliminary Engineering work for a reconstruction project)	$2,700,000	$300,000	$0	$3,000,000	IM	23594	NA	Amendment New Project (MAY 2022)
NDDOT	22.6.31	Bridge - I-94 (I-94 Midway and Grant Marsh Bridge) (Preliminary Engineering work for a highway planning study evaluating Grant Marsh Bridge)	$4,500,000	$500,000	$0	$5,000,000	IM	23595	NA	Amendment Moved to 2022 (MAY 2022)

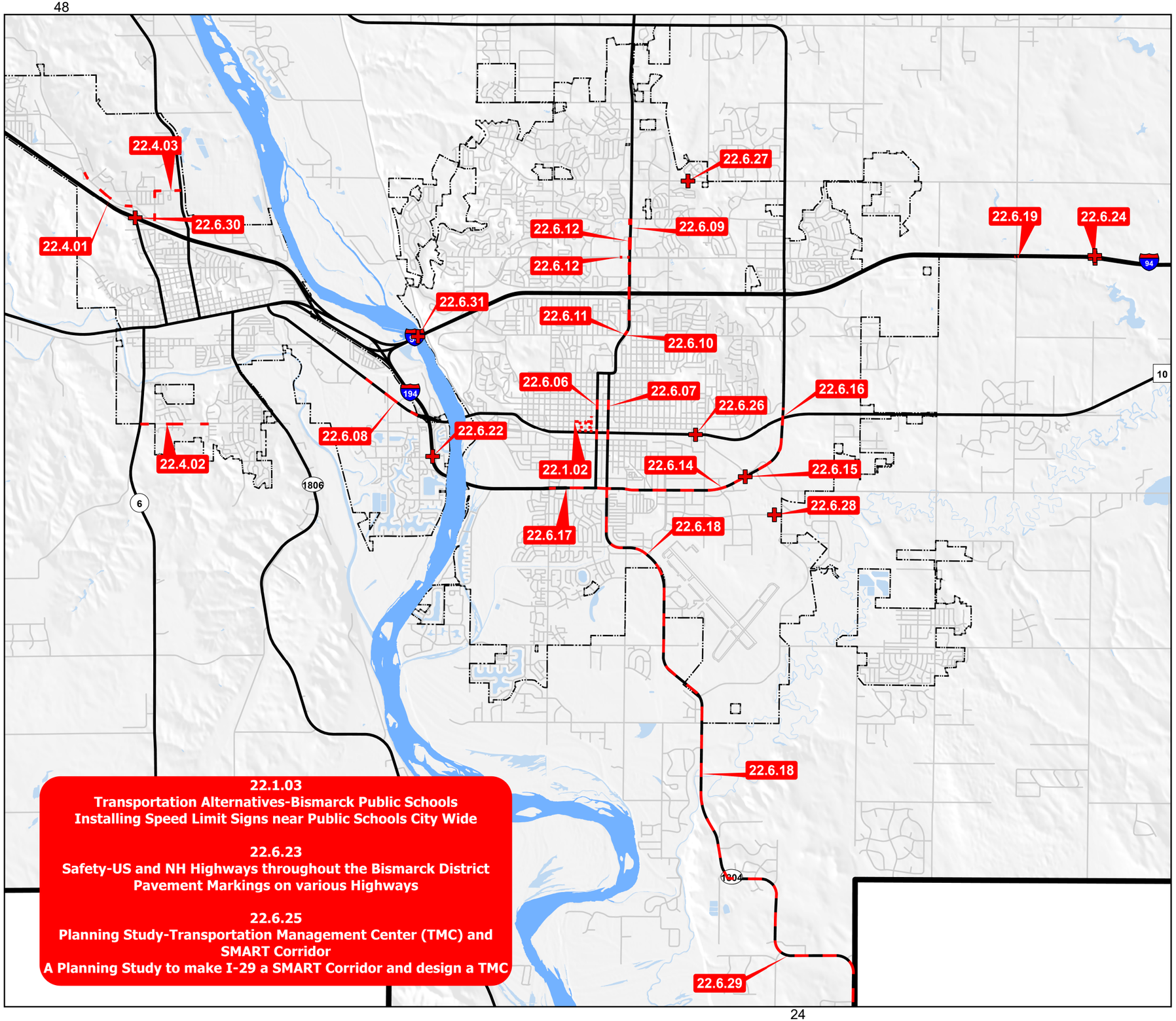
** Represents an "Expansion" project. An expansion project is focused on improving traffic flow through efforts such as: adding through lanes or turn lanes; new streets/roads; upgrading an intersection to a roundabout; or new/improved interchanges.*

^ Pending Availability of Federal Funds

 # Projects are funded in 2022 but will be constructed in 2023.

~ Projects are funded in 2021, but are constructed in 2022. Projects are not included in the expense report.

< Project area extent is larger than the MPO area. Costs have not been prorated.



22.1.03
Transportation Alternatives-Bismarck Public Schools
Installing Speed Limit Signs near Public Schools City Wide

22.6.23
Safety-US and NH Highways throughout the Bismarck District
Pavement Markings on various Highways

22.6.25
Planning Study-Transportation Management Center (TMC) and SMART Corridor
A Planning Study to make I-29 a SMART Corridor and design a TMC

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

2022-2025 Transportation Improvement Program (Year 2022)

- 2022 TIP Points
- 2022 TIP Lines
- MPO Boundary
- Corporate Limits

N
W E
S

2.5 Miles

This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

Map created by SVN June 2022 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
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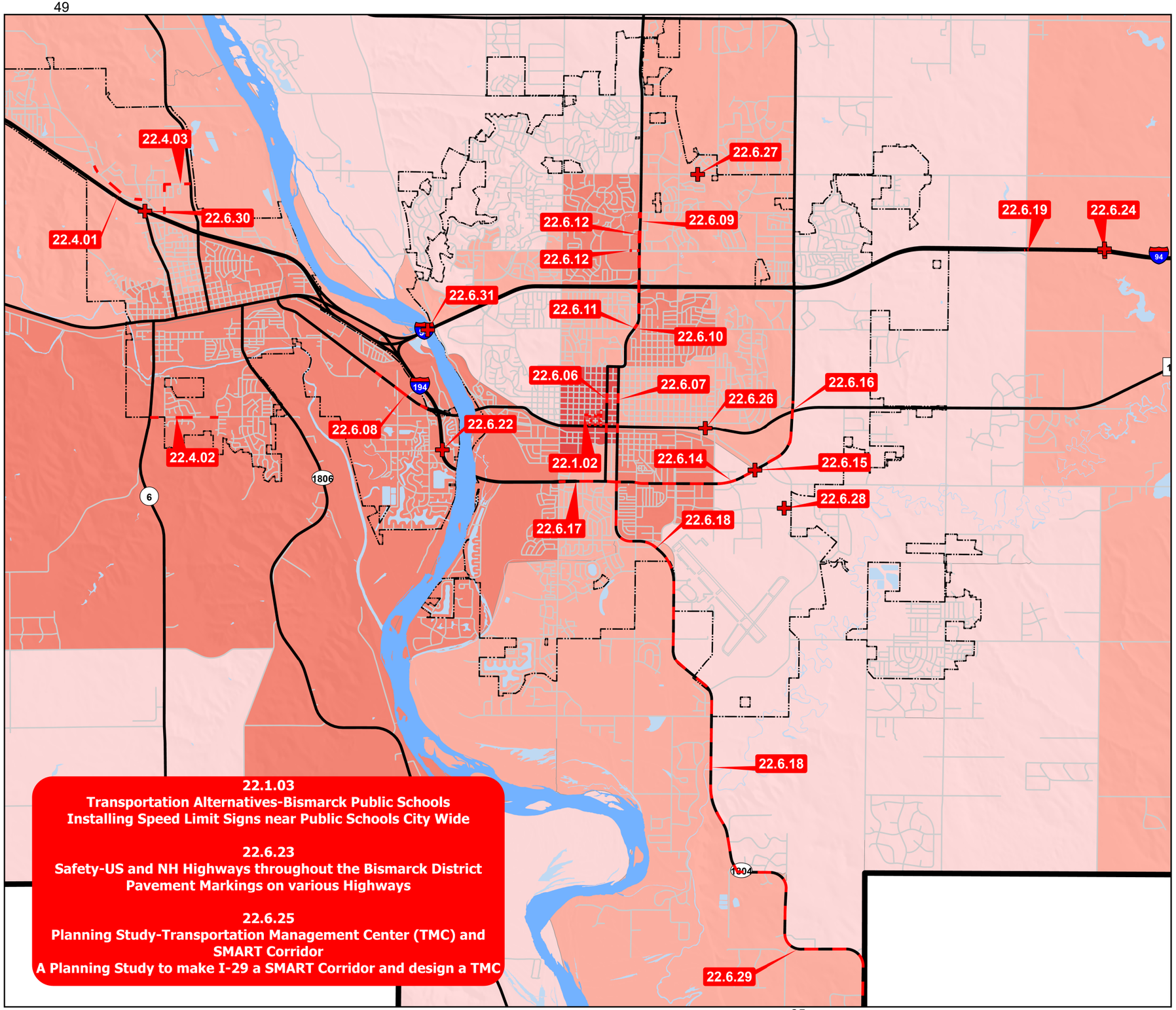

Bismarck-Mandan
Metropolitan Planning Organization

Population in Poverty

2022-2025 Transportation Improvement Program (Year 2022)

- 2022 TIP Points
- 2022 TIP Lines
- MPO Boundary
- Corporate Limits

Population in Poverty (Census Block)

- 0% - 5%
- 5% - 10%
- 10% - 15%
- 15% - 20%

N
W E
S

2.5 Miles

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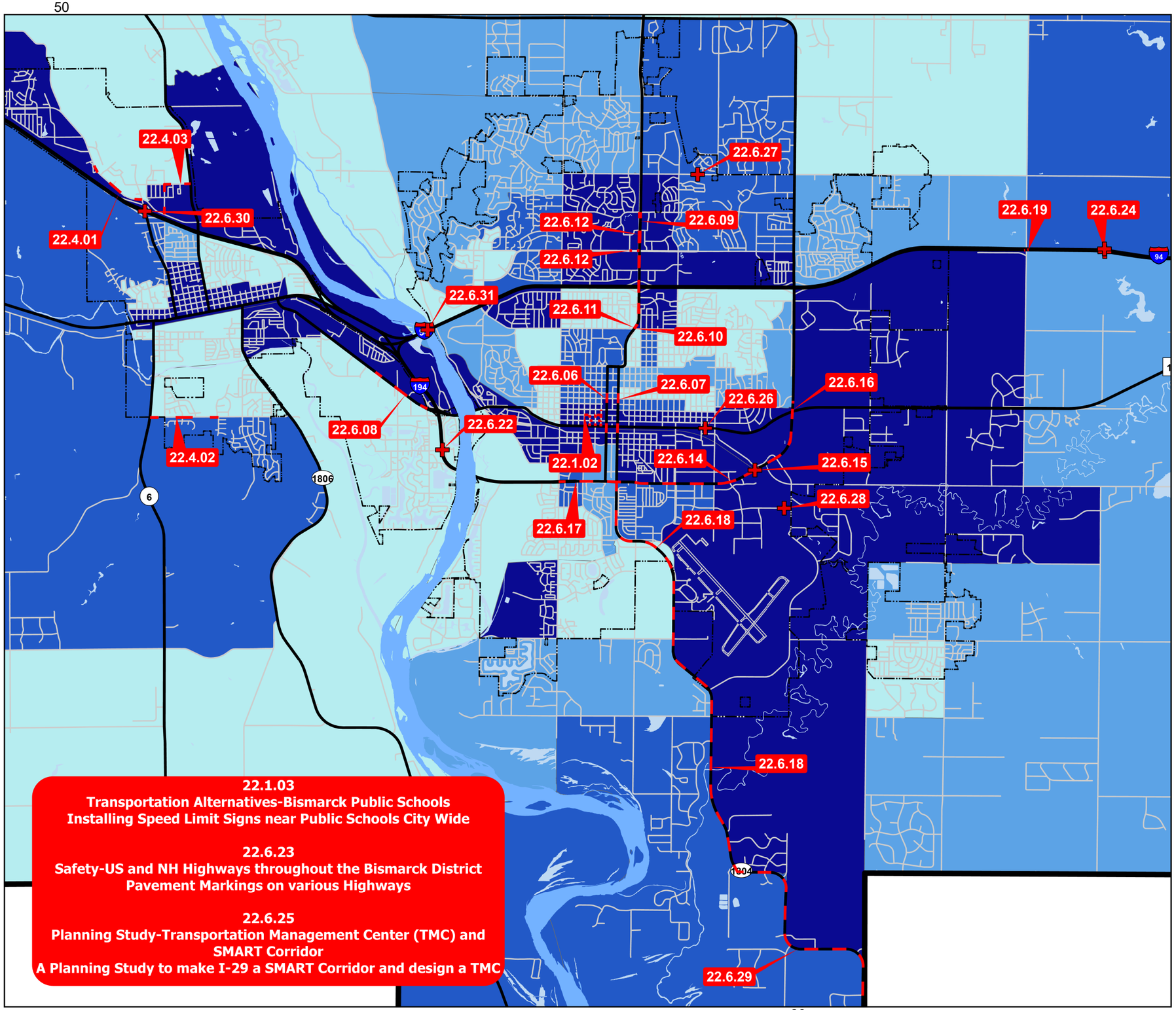

Bismarck-Mandan
Metropolitan Planning Organization

Minority Population

2022-2025 Transportation Improvement Program (Year 2022)

- 2022 TIP Points
- 2022 TIP Lines
- MPO Boundary
- Corporate Limits

Minority Population
(Census Block)

- 0% - 3%
- 3.1% - 5%
- 5.1% - 10%
- 10% +

N
W E
S

2.5
Miles

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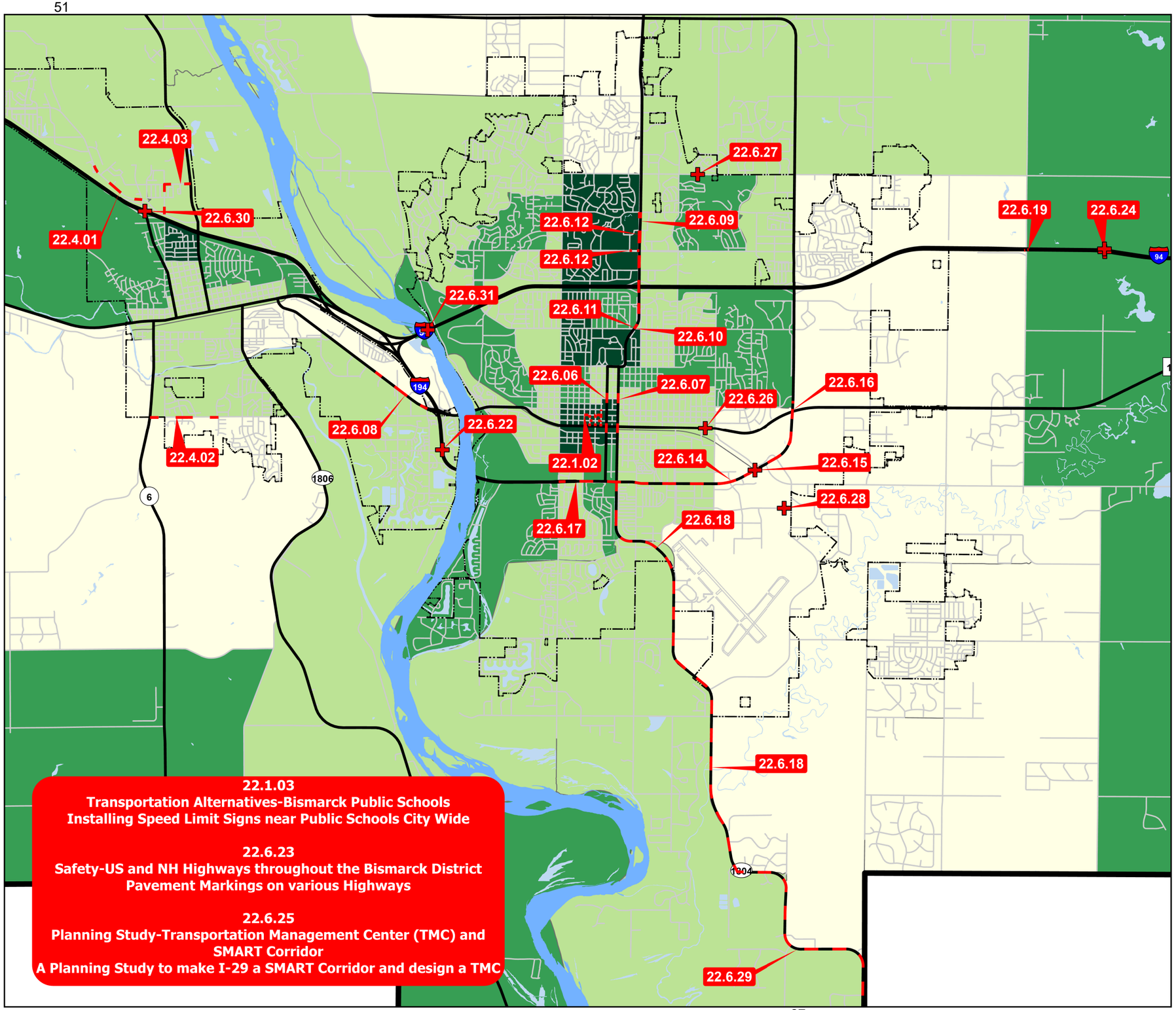

22.1.03
Transportation Alternatives-Bismarck Public Schools
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Bismarck-Mandan
Metropolitan Planning Organization

Elderly Population

2022-2025 Transportation Improvement Program (Year 2022)

- 2022 TIP Points
- 2022 TIP Lines
- MPO Boundary
- Corporate Limits

Elderly Population (Census Block)

- 0% - 10%
- 10.1% - 20%
- 20.1% - 30%
- 30%+

N
W E
S

2.5 Miles

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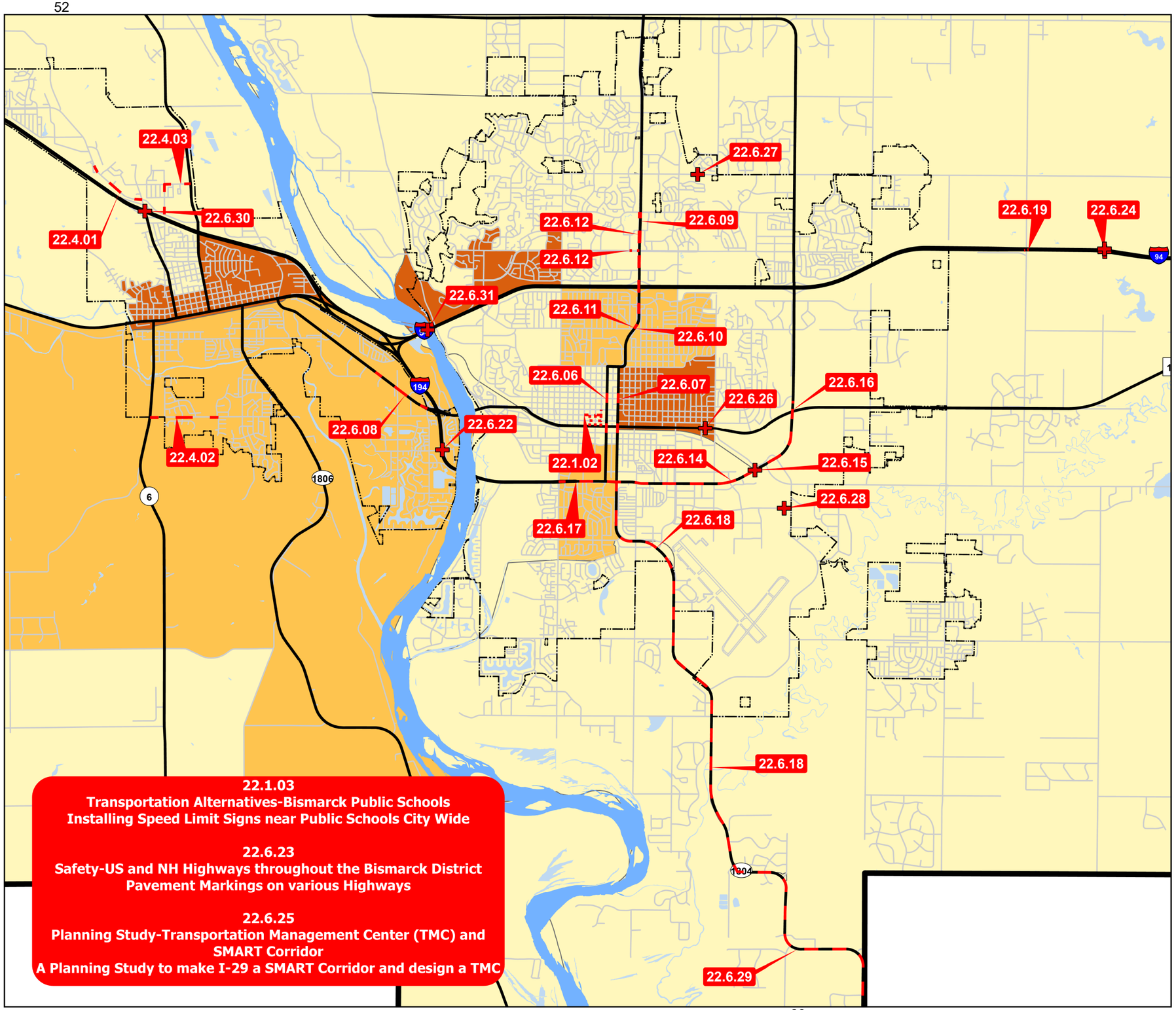

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Installing Speed Limit Signs near Public Schools City Wide

22.6.23
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22.6.25
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Bismarck-Mandan
Metropolitan Planning Organization

Percent German Spoken at Home

2022-2025 Transportation Improvement Program (Year 2022)

- 2022 TIP Points
- 2022 TIP Lines
- MPO Boundary
- Corporate Limits

Percent German Spoken at Home (Census Block)

- 0% - .5%
- .5% - 1%
- 1+%

N
W E
S

2.5
Miles

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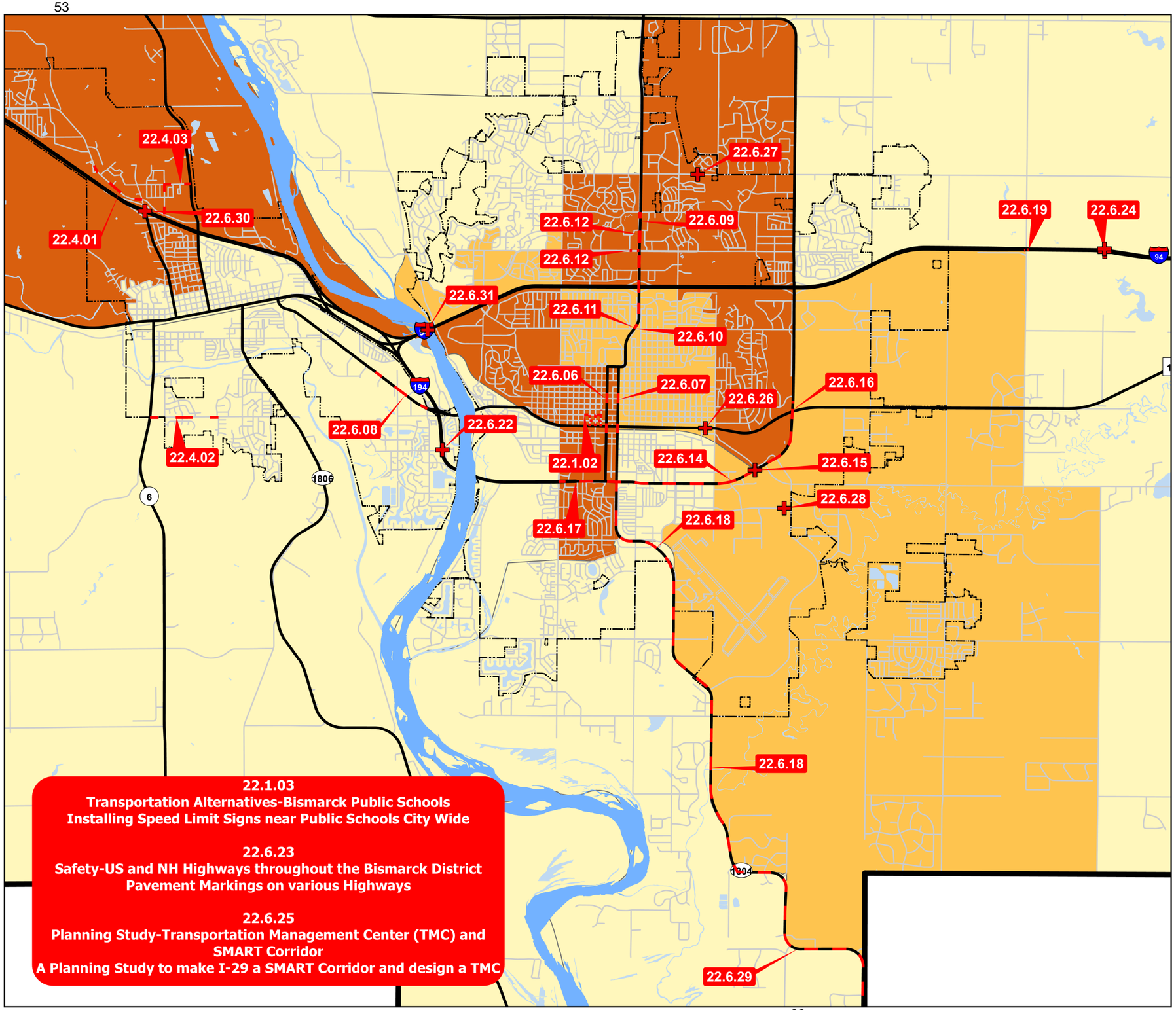

22.1.03
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Bismarck-Mandan
Metropolitan Planning Organization

Percent Other Spoken at Home

2022-2025 Transportation Improvement Program (Year 2022)

- 2022 TIP Points
- 2022 TIP Lines
- MPO Boundary
- Corporate Limits

Percent Other Spoken at Home (Census Block)

- 0% - .5%
- .5% - 1%
- 1+%

N
W E
S

2.5 Miles

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Bismarck-Mandan Metropolitan Planning Organization, Bismarck, Burleigh County, RECIPIENT
APPENDIX A 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 as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) 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 Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. Information and Reports: The Contractor will provide all information and reports required by the Acts,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 Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination 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 Contractor under the contract until the Contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor 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 Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.

A

Bismarck-Mandan Metropolitan Planning Organization (MPO), Bismarck, Burleigh County
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 n on - discrimination 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).

E

REQUEST FOR REASONABLE ACCOMMODATIONS

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

Name		Telephone Number	
Street/Mailing Address	City	State	ZIP Code
Preferred Method of Contact ☐ Day Phone ☐ Email ☐ USPS	Email Address		

Type of Event:
☐ Public Meeting/Public Hearing
☐ Training
☐ Other (specify) _____

Date of Event	and/or	Date Needed	Location of Event

PART II: LIMITED ENGLISH PROFICIENCY (LEP)

☐ Yes ☐ No Do you need language assistance for LEP?

Language Assistance
☐ Oral Interpretation (specify language) _____
☐ Written Translation (specify language) _____

Name of Documents

PART III: AMERICANS WITH DISABILITIES ACT (ADA)

☐ Yes ☐ No Do you need an accommodation for a disability?

Types of Accommodation
☐ Interpreter for deaf (specify ASL, tactile, etc.) _____
☐ Assistive Listening device (specify) _____
☐ Physical location accessible for persons with a physical mobility impairment.
☐ Other (specify) _____

Nature of Disability (Medical documentation may be requested)
☐ Physical Mobility Impairment (specify) _____
☐ Speech Impairment (specify) _____
☐ Visual impairment (specify) _____
☐ Hearing Impairment (specify) _____
☐ Other (specify) _____

Alternative Format (Indicate first, second, third choice if possible.) — Date Needed
☐ Braille
☐ Large Print (font point size) _____ ☐ Audio Recording -MP3 _____
☐ Other (specify) _____ ☐ CD/Flash Drive _____

Name of Documents

For Office Use Only
The accommodation request is:
☐ Granted as requested ☐ Granted with change - see additional information ☐ Denied - see additional information

Instructions for Reasonable Request for Accommodations Form:

Requests for Reasonable Accommodations can be made by completing this form.

If you prefer to complete the Request for Reasonable Accommodations form electronically go to the Bismarck-Mandan Metropolitan Planning Organization's website at: http://www.bismarcknd.gov/DocumentCenter/View/23201 . You may then submit the form in one of the following ways:

1. Save the completed form to your computer and email a copy of it to: mpo@bismarcknd.gov .

2. Mail a printed copy of the completed form to:
   Bismarck-Mandan MPO
   ADA Coordinator
   P.O. Box 5503
   Bismarck, ND 58506-5503

If you need assistance to complete the Request for Reasonable Accommodations form, please contact Leanne Schmidt, ADA Coordinator, Bismarck-Mandan MPO at 701-355-1330 or lschmidt@bismarcknd.gov . TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

REQUESTS MUST BE MADE AS SOON AS POSSIBLE.

Appropriate provisions will be considered when the MPO/ADA Coordinator is notified at least ten (10) days prior to the meeting date or fifteen (15) days prior to the date the written comments are due.

Converting printed material may take several weeks.

PART I
Complete all information in this section.

PART II: Limited English Proficiency (LEP)
Check all boxes that apply to the type of language assistance that you are requesting.

PART III: Americans with Disabilities Act (ADA)
Check all boxes that apply to the accommodation(s) that you are requesting.

EXTERNAL COMPLAINTS OF DISCRIMINATION

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

SFN 51795 (1-2022)

COMPLAINANT INFORMATION (Complete all items below.)

Name		Telephone Number	
Address	City	State	ZIP Code
Email Address			

CAUSE OF DISCRIMINATION (Check all that apply.)

Title VI of the Civil Rights Act of 1964		**Other Nondiscrimination Statutes/Executive Orders**	
☐ Race	☐ National Origin	☐ Sex	☐ Disability
☐ Color		☐ Age	☐ Limited English Proficiency

Name of public entity complaint is against.
Provide an explanation of what happened and date(s) of the alleged discriminatory act and location.

WE CANNOT ACCEPT YOUR COMPLAINT WITHOUT A SIGNATURE AND DATE.

Complainant's Signature	Date

Any person or specific class of persons, who believes they were subjected to discrimination on the basis of race, color, national origin; or sex, age, disability, or limited English proficiency in the programs and activities of NDDOT or its sub-recipients (e.g., a city, county, Metropolitan Planning Organization, Transit Agency, etc.,) may by himself/herself or through his/her legally authorized representative, make, sign and date a written complaint and file such complaint with the Department within 180 calendar days following the date of the last instance of the alleged discriminatory action. Complainants must complete in its entirety, sign, and date NDDOT's External Complaints of Discrimination form (SFN 51795) and file by mail, fax, in person, or e-mail. However, the complainant may call NDDOT and provide the allegations by telephone. NDDOT will transcribe the complainant's allegations into the complaint form and send the written complaint to the complainant for corrections, signature, and date.

To request accommodations, complainants may contact the Civil Rights Division, NDDOT at (701) 328-2978 or civilrights@nd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

The NDDOT Civil Rights Division Program Administrator will review the complaint, gather additional information from the complainant if necessary, and refer the complaint to the appropriate federal agency, which in most cases will be the Federal Highway Administration. It is also within your rights to file directly with the appropriate Federal agency that oversees the transportation activities, services or facilities.

FHWA JURISDICTION (Roads and Bridges)

Title VI Complaints will be forwarded to the Division Office.

For Title VI complaints against sub recipients, NDDOT is required to follow the timeframes in 23 CFR 200.9(b)(3) as follows: A copy of the complaint, together with a copy of the NDDOT's report of investigation shall be forwarded to the FHWA Division Office within 60 days of receipt of the delegated complaint from FHWA.

ADA Complaints will be forwarded to the FHWA Division Office.

For a Section 504/ADA complaint against subrecipients, NDDOT shall forward a copy of the complaint, together with a copy of the report of investigation within 90 days of receipt of the delegated complaint to the FHWA Division Office.

The FHWA HCR has delegated authority for dismissing and issuing letters of findings (LOFs) for Title VI, and Section 504/ADA complaints processed by FHWA. LOFs issued by the FHWA HCR are administratively final.

FTA JURISDICTION (Public Transit)

Complaints filed under Title VI, related statutes, and Section 504/ADA in which NDDOT is named as the respondent will be forwarded to FTA Office of Civil Rights.

Title VI, related statutes, and Section 504/ADA complaints filed directly with NDDOT against its sub recipients or contractors will be processed by NDDOT in accordance with the FTA approved complaint procedures under FTA C 4710.1, FTA C 4702.1B, 49 CFR 27.13(b).

NDDOT may investigate complaints against its sub recipients as follows:

1. The complaint will be reviewed within 10 business days to determine whether it contains all the necessary information required for acceptance.
2. If the complaint is complete and no additional information is needed, the complainant will be sent a letter of acceptance along with the Complainant Consent/Release form (SFN 60741) and the Notice About Investigatory Uses of Personal Information fact sheet.

For Title VI or related statutes Complaints, NDDOT is required to follow the FTA C 4702.1B to comply with reporting requirements of 49 CFR 21.9(b). The investigation information is recorded on the Transit Title VI - List of Investigations, Lawsuits, and Complaints (SFN 60805) and included in the Title VI/Nondiscrimination and ADA Program submitted to FTA every three years. Although, FTA regulations do not specify a time frame for the investigation of Title VI complaints, the NDDOT attempts to complete investigations within 90 days of receipt of the complaint from FTA.

For a Section 504/ADA complaint, NDDOT shall forward a copy of the complaint, together with a copy of the report of investigation within 90 days of receipt of the complaint to the FTA Office of Civil Rights.

The FTA has delegated authority for issuing LOFs for Title VI, related statutes, and Section 504/ADA complaints processed by FTA. LOFs issued by the FTA are administratively final.

NDDOT has delegated authority for issuing LOFs for Title VI, related statutes, and Section 504/ADA complaints processed by NDDOT against FTA funded sub recipients. Closure letters or LOFs issued by NDDOT under FTA jurisdiction on Title VI, related statutes, and Section 504/ADA complaints are administratively final. Individuals or a specific class of individuals, personally or through a representative, may submit a complaint to FTA within 180 days from the date of the alleged discrimination.

COMPLAINANT CONSENT/RELEASE
(EXTERNAL COMPLAINTS OF DISCRIMINATION)

Bismarck·Mandan
METROPOLITAN PLANNING ORGANIZATION

Name			
Mailing Address	City	State	ZIP Code
Complaint Number(s) if known:			

Please read the information below, check the appropriate box, and sign this form.

I have read the Notice About Investigatory Uses of Personal Information by the Sub Recipient. As a complainant, I understand that in the course of an investigation it may become necessary for Sub Recipient to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of Sub Recipient to honor requests under the Freedom of Information Act and North Dakota Century Code 44-04-18. I understand that it may be necessary for Sub Recipient to disclose information, including personally identifying details, which it has gathered as a part of its investigation of my complaint. In addition, I understand that as a complainant I am protected by Sub Recipient's regulations from intimidation or retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes enforced by Sub Recipient.

CONSENT/RELEASE

☐ **CONSENT -** I have read and understand the above information and authorize Sub Recipient to reveal my identity to persons at the organization or institution under investigation. I hereby authorize the Sub Recipient to receive material and information about me pertinent to the investigation of my complaint. I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release, and do so voluntarily.

☐ **CONSENT**- The respondent named in this complaint may receive a copy of my complaint upon request.

☐ **CONSENT DENIED** - I have read and understand the above information and do not want Sub Recipient to reveal my identity to the organization or institution under investigation, or to review, receive copies of, or discuss material and information about me, pertinent to the investigation of my complaint. I understand this is likely to impede the investigation of my complaint and may result in the closure of the investigation.

Signature	Date

Sub Recipient
NOTICE OF COMPLAINANT/INTERVIEWEE RIGHTS AND PRIVILEGES

Complainants and individuals who cooperate in an investigation, proceeding or hearing conducted by Sub Recipient are afforded certain rights and protections. This brief description will provide you with an overview of these rights and protections.

- A respondent may not force its employees to be represented by the respondent's counsel nor may it intimidate, threaten, coerce or discriminate against any employee who refuses to reveal to the respondent the content of an interview. An employee does, however, have the right to representation during an interview with Sub Recipient. The representative may be the respondent's counsel, the employee's private counsel, or anyone else the interviewee authorizes to be present.

- The laws and regulations which govern Sub Recipient's compliance and enforcement authority provide that no respondent or other person shall intimidate, threaten, coerce or discriminate against any individual because he/she has made a complaint, testified, assisted or participated in any manner in an investigation, proceeding, or hearing conducted under Sub Recipient's jurisdiction, or has asserted rights protected by statutes Sub Recipient enforces.

- Information obtained from the complainant or other individuals which is maintained in Sub Recipient's investigative files may be exempt from disclosure under the Privacy Act, the Freedom of Information Act (FOIA), or North Dakota Century Code (NDCC) 44-04-18 if release of such information would constitute an unwarranted invasion of personal privacy.

The law governing personal information submitted to any public entity, including the Sub Recipient is NDCC 44-04-18.

NDCC 44-04-18 protects individuals from misuse of personal information held by the Sub Recipient. The law applies to records that are kept and that can be located by the individual's name or social security number or other personal identification system. Persons who submit information to the public entity should know that:

- Sub Recipient is required to investigate complaints of discrimination on the basis of race, color, national origin, sex, disability, age, and, in some instances, religion against respondents of Federal financial assistance. Sub Recipient also is authorized to conduct reviews of federally funded respondents to assess their compliance with civil rights laws.

- Information that Sub Recipient collects is analyzed by authorized personnel within the agency. This information may include personnel records or other personal information. Sub Recipient staff may need to reveal certain information to persons outside the agency in the course of verifying facts or gathering new facts to develop a basis for making a civil rights compliance determination. Such details could include the physical condition or age of a complainant. Sub Recipient also may be required to reveal certain information to any individual who requests it under the provisions of NDCC 44-04-18. (See below)

- Personal information will be used only for the specific purpose for which it was submitted, that is, for authorized civil rights compliance and enforcement activities. Except in the instances defined by NDCC Chapter 44-04, Sub Recipient will not release the information to any other agency or individual unless the person who supplied the information submits a written consent. One of these exceptions is when release is required under NDCC 44-04-18. (See below)

- No law requires a complainant to give personal information to Sub Recipient, and no sanctions will be imposed on complainants or other individuals who deny Sub Recipient's request. However, if Sub Recipient fails to obtain information needed to investigate allegations of discrimination, it may be necessary to close the investigation.

- NDCC 44-04-18 permits certain types of systems of records to be exempt from some of its requirements, including the access provisions. It is the policy of Sub Recipient to exercise authority to exempt systems of records only in compelling cases. Sub Recipient may deny a complainant access to the files compiled during the agency investigation of his or her civil rights complaint against a respondent of Federal financial assistance. Complaint files are exempt in order to aid negotiations between respondents and Sub Recipient in resolving civil rights issues and to encourage respondents to furnish information essential to the investigation.

- Sub Recipient does not reveal the names or other identifying information about an individual unless it is necessary for the completion of an investigation or for enforcement activities against a respondent that violates the laws, or unless such information is required to be disclosed under NDCC 44-04-18. Sub Recipient will keep the identity of complainants confidential except to the extent necessary to carry out the purposes of the civil rights laws, or unless disclosure is required under NDCC 44-04-18 or otherwise required by law.

NDCC 44-04-18 gives the public access to certain files and records of the public entity. Individuals can obtain items from many categories of records of the public entity--not just materials that apply to them personally. Sub Recipient must honor requests under NDCC 44-04-18, with some exceptions. Sub Recipient generally is not required to release documents during an investigation or enforcement proceedings if the release could have an adverse effect on the ability of the agency to do its job.

Also, a public entity may refuse a request for records compiled for law enforcement purposes if their release could be an "unwarranted invasion of privacy" of an individual. Requests for other records, such as personnel and medical files, may be denied where the disclosure would be a "clearly unwarranted invasion of privacy."

Instructions for Title VI Complaint Process Form:

General

1. Instructions provided within this form are not meant to be all inclusive. Members of the public or external applicants for employment filing a Title VI/ADA complaint are responsible for all procedural requirements contained in the Bismarck-Mandan MPO's Title VI/ADA External Complaint Process.

2. Under Title VI of the Civil Rights Act of 1964 and the related statutes and regulations, no person or group(s) of persons shall, on the grounds of race, color, national origin, sex, age, disability, limited English proficiency, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Bismarck-Mandan MPO. Members of the public, external applicants for employment, or group(s) of persons who feel they have been discriminated against may file a complaint.

3. Complainants **must** include all required information and **must** meet all timeframes as defined in the Bismarck-Mandan MPO's Title VI/ADA External Complaint Process.

4. Legible copies of all available pertinent documentation should be attached to this form.

5. All inquiries should be directed to the ADA Coordinator, Bismarck-Mandan MPO, 221 N. 5th Street / P.O. Box 5506, Bismarck, ND 58506-5503, Telephone (701)355-1330, TDD 711.

Part I
Complete all information in this section.

Part II
Check all boxes that apply indicating the basis for the complaint. The discrimination **must** be based on at least one of the listed categories.

Part III
State the specific complaint in a manner that clearly identifies the issues upon which the complaint is based.

Part IV
Sign and date this section to verify the information contained in Parts I through III.

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Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

Reporting Year

PART I - COMPLAINANT INFORMATION (Print all items legibly.)

Name		Telephone Number
Mailing Address		Email Address
City	State	ZIP Code

PART II - STATUS OF COMPLAINANT

Check appropriate box[es]

Title VI of the Civil Rights Act of 1964	**Other Nondiscrimination Statutes/Executive Orders**
☐ Race ☐ National Origin	☐ Sex ☐ Disability ☐ Limited English Proficiency
☐ Color	☐ Age ☐ Income Status

Nature of Complaint		
Recipient (Processor of Complaint)		
Date Filed	Date Investigation Completed	Date of Disposition
Disposition		

X

PART I - COMPLAINANT INFORMATION (Print all items legibly.)

Name		Telephone Number
Mailing Address		Email Address
City	State	ZIP Code

PART II - STATUS OF COMPLAINANT

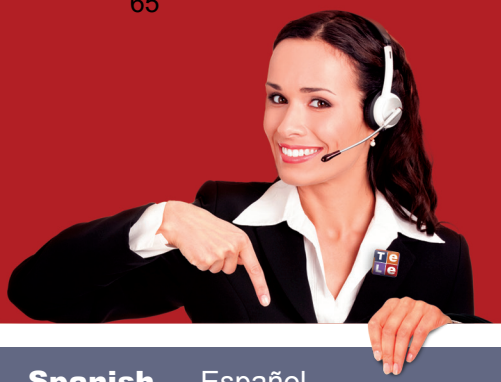
Check appropriate box[es]

Title VI of the Civil Rights Act of 1964	**Other Nondiscrimination Statutes/Executive Orders**
☐ Race ☐ National Origin	☐ Sex ☐ Disability ☐ Limited English Proficiency
☐ Color	☐ Age ☐ Income Status

Nature of Complaint		
Recipient (Processor of Complaint)		
Date Filed	Date Investigation Completed	Date of Disposition
Disposition		

Add Another Section

The Bismarck-Mandan MPO is committed to providing non-discriminatory service. No person shall, on the basis of a person's national origin, race, color, disability, sex, age and/or income status, be excluded from participation or be subjected to discrimination or harassment by the Bismarck-Mandan MPO. Contact the Bismarck-Mandan MPO Project Director at 701-355-1840 to request additional information on our nondiscrimination obligations or to file a complaint.



IF YOU NEED AN INTERPRETER

Please **point to your language**, we will call an Interpreter.

Spanish — Español	Por favor, señale su idioma. Nosotros llamaremos a un interprete.
Amharic — አማርኛ	“እባክዎ ቋንቋዎን ጠቁመው ያሳዩ። አንድ አስተርጓሚ እንጠራልዎታልን።“
Arabic — العربية	رجاء، أشر إلى لغتك . سندعوا لك مترجما.
Bosnian — Bosanki	Molim vas pokazite na vas govomi jezik. Mi cemo pozvati prevodioca.
Burmese — မြန်မာစာ	ကျေးဇူးပြု၍ခင်ဗျားရဲ့စကားကိုပြောပြပါ ခင်ဗျားကိုစကားပြန်ခေါ်ပေးမယ်။
Cambodian — ខ្មែរ	សូមចង្អុលទៅភាសារបស់អ្នក ។ យើងនឹងទូរស័ព្ទទៅអ្នកបកប្រែម្នាក់ ។
Cantonese — 廣東話	請指示您所講的語言。我們會找翻譯。
Creole — Creole	Tanpri fè nou konnen ki lang ou pale. Konsa nou va rele ou yon entèprèt.
Farsi — فارسی	لطفا به زبانی که حرف میزنید اشاره کنید. ما یک مترجم صدا میکنیم
French— Français	S’il vous plait, montrez nous la langue que vous parlez. Nous vous appellerons un interprète.
Hindi — हिन्दी	कृपया अपनी भाषा की ओर इशारा कीजिये। हम एक अनुवादक को बुलायेंगे।
Hmong — Hmoob	Thov taw rau koj yam lus. Peb mam li hu rau ib tus neeg pes lus.
Japanese — 日本語	あなたの国の言葉を指してください。通訳者におつなぎします。
Karen — ကညီကလုာ်	ဝံသးစူးဒုးနဲဉ်ဘဉ်နကတိၤကျိာ်တက့ာ်,ပကကိးနှာ်နၤပုၤကတိၤကျိးထံတၢ်လီၤ
Korean — 한국어	당신의 모국어(母國語)를 가리켜 주십시오. 통역관(通譯官)을 연결시켜 드리겠습니다.
Lao — ລາວ	ກະລຸນາຊີ້ແຈງພາສາຂອງທ່ານ. ພວກເຮົາຈະໂທຫາລ່ວມແປພາສາ.
Mandarin — 國語	请指出您所讲的语言，我们会找翻译。
Portuguese — Português	Por favor, aponte seu idioma. Nós chamaremos um intérprete.
Romanian — Română	Vã rugãm, indicati limba dumneavoastrã. Vã vom chema un interpret.
Somali — Af-Soomaali	Fadlan noo tilmaan afkaaga. Waxaan kuugu yeeri turjubaan.
Russian — Русский	Пожалуйста, укажите на ваш язык и мы позовём вам переводчика.
Swahili — Kiswahili	Tafadhali onyesha lugha yako. Tutamuita mtafsiri.
Thai — ภาษาไทย	กรุณาเลือกภาษาที่คุณต้องการ เราจะติดต่อล่ามให้คุณ
Urdu — اردو	برائے مہربانی اپنی زبان کی طرف اِشارہ کریں،ہم ایک ترجمان کو بُلا لیں گے۔
Vietnamese — Tiêng Viêt Nam	Xin hãy chỉ vào ngôn ngữ của quí vị. Chúng tôi se goi người thông ngôn.

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2004 Census Test

United States Census 2010

LANGUAGE IDENTIFICATION FLASHCARD

☐ ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
☐ Խնդրում ենք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	2. Armenian
☐ যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
☐ ឈូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian
☐ Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
☐ 如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
☐ 如果你能讀中文或講中文，請選擇此框。	7. Traditional Chinese
☐ Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8.Croatian
☐ Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
☐ Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
☐ Mark this box if you read or speak English.	11. English
☐ اگر خواندن و نوشتن فارسي بلد هستيد، اين مربع را علامت بزنيد.	12. Farsi

U.S. DEPARTMENT OF COMMERCE
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☐ Cocher ici si vous lisez ou parlez le français.	13. French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
☐ Marchi questa casella se legge o parla italiano.	21. Italian
☐ 日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
☐ ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
☐ Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

☐ Assinale este quadrado se você lê ou fala português.	26. Portuguese
☐ Însemnaţi această căsuţă dacă citiţi sau vorbiţi româneşte.	27. Romanian
☐ Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
☐ Обележите овај квадратић уколико читате или говорите српски језик.	29. Serbian
☐ Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
☐ Marque esta casilla si lee o habla español.	31. Spanish
☐ Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
☐ ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	33. Thai
☐ Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
☐ Відмітьте цю клітинку, якщо ви читаєте або говорите українською мовою.	35. Ukranian
☐ اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
☐ Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
☐ באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
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Auxiliary Aids and Services

As a recipient of Federal Financial Assistance, the Bismarck-Mandan Metropolitan Planning Organization (MPO) assures compliance with Title VI of the Civil Rights Act of 1964, Regulations, and other pertinent directives. The MPO is required to take reasonable steps to ensure meaningful access to persons with Limited English Proficiency (LEP) through oral and written translation.

Additionally, the MPO has a responsibility to develop a policy in advance of any request for auxiliary aids or services for persons with impaired vision and hearing. With respect to the provision of auxiliary aids to access State Transportation Agency/Local Public Agency (STA/Sub Recipient) programs, services and activities, the most likely of these will be public activities in connection with studies and planning activities pertaining to federal-aid construction projects.

Auxiliary aids and services for deaf or hard of hearing include a wide range of services, equipment, and devices such as:

- sign language interpreter
- note takers
- computer-aided real-time transcription services (CART)
- amplified and hearing-aid compatible telephones
- assistive listening systems
- open or closed captioning and caption decoders
- video relay, or
- text telephones/telephone communication devices for the deaf (TTY/TDD), and
- flashing alarms

Auxiliary aids and services for the vision impaired include providing access to printed information through the following:

- audio recording- MP3
- computer diskettes
- Braille or large print materials, or through the use of qualified readers
- providing verbal descriptions of action and visual information to enhance the accessibility of performances and presentations; and
- making a staff member available as a guide to enable a person with limited vision to find his or her way along an unfamiliar route

The following information provides a synopsis of the critical facts and costs involved in providing oral and written communication services.

North Dakota has laws governing Interpreter Services for individuals that are deaf, deaf-blind, speech impaired, hard of hearing, or who require special communication techniques in order to communicate. Our policy should identify what qualifications are required for interpreters after reviewing the North Dakota Century Code as the Federal Highway Administration (FHWA) Americans With Disabilities Act (ADA) Desk Reference states that when sign language

interpretation is necessary, the ADA requires that it be provided by a "qualified interpreter" and defined at [28 C. F. R. § 35.104].

- North Dakota Century Code
  - Under Occupations & Professions, Chapter 43-52 Interpreters
    - Defines requirements for deaf persons
    - Requires a valid nationally recognized certification or met certification by 2003
    - Contains exceptions
  - Under Judicial Procedure, Civil, Chapter 28-33 Interpreters For Deaf Persons
    - Defines requirements for deaf persons
    - Includes administrative proceedings
    - Requires "Qualified interpreter"- certified by the national registry of interpreters for the deaf or ND Association for the deaf, interpreter approved by the superintendent of the school for the deaf, or, if none available, any other interpreter whose qualifications have been appropriately determined.

The FHWA ADA Desk Reference allows flexibility in providing accommodations. A visual communication accommodation may include the use of other auxiliary aids such as recorded text, electronic documents, or large print text depending on the circumstances.

The FHWA Limited English Proficiency Program Desk Reference states that oral interpreters are not required to have formal certification but certification is helpful. Recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English by following the Safe Harbor provisions.

Safe Harbor. Many recipients would like to ensure with greater certainty that they comply with their obligations to provide written translations in languages other than English. Paragraphs (a) and (b) below outline the circumstances that can provide a "safe harbor" for recipients regarding the requirements for translation of written materials. A "safe harbor" means that if a recipient provides written translations under these circumstances, such action will be considered strong evidence of compliance with the recipient's written-translation obligations under Title VI.

The failure to provide written translations under the circumstances outlined in paragraphs (a) and (b) does not mean there is noncompliance. Rather these paragraphs merely provide a guide for recipients that would like greater certainty of compliance than can be provided by a fact-intensive, four-factor analysis. For example, even if a safe harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

The following actions will be considered strong evidence of compliance with the recipient's written-translation obligations:

a. The STA/Sub Recipient provides written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or

b. If there are fewer than 50 persons in a language group that reached the 5% trigger in (a), the recipient does not translate vital written materials but provides written notice in

the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Available Sources

There are several sources to obtain auxiliary aids and services for persons with Limited English Proficiency or speech, hearing, and vision impairments. Some common sources are as follows:

- Communication Services for the Deaf (CSD) and Interpreting Online (CSDIO)
- CTS Language Link
- Interagency Program for Assistive Technology (IPAT)
- International Translation Services
- Metro Interpreter Resource Center (MIRC)
- ND Association for the Blind (NDAB)
- North Dakota School for the Deaf
- ND Vision Services/School for the Blind (NDVS/SB)
- Relay North Dakota

Communication Services for the Deaf (CSD) and Interpreting Online (CSDIO)
CSD is a private, nonprofit organization dedicated to providing services for all individuals who are deaf or hard of hearing. Interpreter service information including service area, hours of service, rates, etc., can be obtained by contacting CSD.

Additionally, CSD operates CSDIO which enables deaf and hearing people in the same room to communicate through an interpreter at a distant location. Video conferencing equipment is required for this service.

Contact: Cathy Obregon, Communication Services for the Deaf, P.O. Box 66, Fargo, ND 58107; (701) 799-1395; email: cobregon@c-s-d.org website: www.c-s-d.org

CTS LanguageLink
CTS LanguageLink is located in Vancouver, Washington. CTS LanguageLink provides a variety of services including Over-the-Phone-Interpretation, Video Remote Interpretation, Translation, etc. CTS LanguageLink offers telephone interpretation services in more than 240 languages and dialects, and can accommodate call centers and industries like court/legal, general business, government and healthcare/medical.

The State of North Dakota has contracted with CTS Language Link for telephone based interpretive services under the Western States Contracting Alliance (WSCA). The contract provides 24/7/365-days/year/7-days/week/24-hours a day Telephone Based Interpreter Services on an “as needed” basis for Limited English Proficiency (LEP) clients needing immediate interpreter assistance. The contract is not for scheduled, in-person interpretation services.

Government agencies may access the contract at The North Dakota State Procurement Office website at the following location:
https://secure.apps.state.nd.us/csd/spo/services/bidder/listCurrentContracts.htm

Contact: George Schoeck, CTS LanguageLink , WSCA Account Executive, 911 Main St, Suite 10,Vancouver, WA 98660; 360-433-0401; email: naspo@language.link; website: https://language.link/

Interagency Program for Assistive Technology (IPAT)
The North Dakota Interagency Program for Assistive Technology (IPAT) is the North Dakota Telecommunications Equipment Distribution Service for relay equipment. IPAT provides free specialized telecommunications equipment for individuals who are deaf, hard-of-hearing, deaf-blind, or have a speech disability who meet income, residency, disability, etc., qualifications.

IPAT operates a statewide assistive technology Equipment Rental Program for short-term access to a variety of assistive devices. The rental program offers a wide range of devices for short term loan, including: communication; telecommunications; computer access; vision; hearing; seating, positioning, and personal mobility, etc. Rental fees and procedures can be accessed on IPAT's website.

Contact: Mike Chaussee, Executive Director, IPAT, 4501 Coleman St., Suite 107, Bismarck, ND 58503; (701) 258-4728; toll free 1-800-895-4728; email: mchaussee@ndassistive.org website: https://ndassistive.org/

International Translation Services
International Translation Services is located in Moorhead, Minnesota. Leonor Sillers, owner, provides onsite and telephonic interpreters. She also provides written translation services. Interpreter and translation service information including service area, hours of service, rates, etc., can be obtained by contacting Leonor Sillers.

Contact: Phone 218-233-7841; email: Leonor.Sillers@gmail.com

ND Association for the Blind (NDAB)
The North Dakota Association for the Blind publishes the Promoter, a quarterly newsletter. The Promoter is available in alternative formats. You may submit notices or information for publication in the Promoter. Details regarding publications can be obtained by contacting NDAB.

Contact: NDAB, PO Box 824, West Fargo, ND 58078; website: www.ndab.org

North Dakota School for the Deaf
The North Dakota School for the Deaf maintains the ND Freelance Interpreter's List on their website. A disclaimer states that the interpreters listed are not endorsed or in any way recommended by the ND School for the Deaf other than the fact they hold national certification. The interpreters list can be accessed at the web link below.

Contact: Communications Department, Lake Region State College, 1401 College Drive N, Devils Lake, ND 58301; (800) 877-2980; website: www.nd.gov/ndsd
Web link for Interpreters List:
https://www.ndsd.nd.gov/sites/www/files/documents/ND%20Freelance%20Interpreter%20List%20(1-3-2022).pdf

ND Vision Services/School for the Blind (NDVS/SB)
North Dakota Vision Services/School for the Blind operates a Braille Access Center that transcribes materials into Braille or large print and electronic media. The cost of Braille or another alternative formatted project can be obtained by contacting NDVS/SB.

Contact: Leslie Pederson, ND vision Services/School for the Blind, 500 Stanford Rd, Grand Forks, ND 58203; (701) 795-2713; email: lespeder@nd.gov
website: www.ndvisionservices.com

Relay North Dakota
Relay North Dakota is a free service that provides full telephone accessibility to people who are deaf, hard-of-hearing, deaf-blind, and speech-disabled. This service allows hearing callers to communicate with text-telephone (TTY) users and vice versa through specially trained Communication Assistants (CAs). Calls can be made to anywhere in the world, 24 hours a day, 365 days a year with no restrictions on the number, length, or type of calls. All calls are strictly confidential and no records of any conversations are maintained. Anyone wishing to use Relay North Dakota simply dials the relay number to connect with a CA. The CA will dial the requested number and relay the conversation between the two callers.

Contact: Doug Hay, Relay ND Administrator, Telecommunications Analyst, ITD, 4201 Normandy Street, Bismarck, ND 58503; (701) 328-2080; email: dhay@nd.gov Website: www.relaynorthdakota.com

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INTERNET RESOURCES

Limited English Proficiency, a Federal Interagency Website, promotes a positive and cooperative understanding of the importance of language access to federally conducted and federally assisted programs. It is located at www.lep.gov There are numerous documents addressing language issues.

North Dakota Department of Public Instruction website provides statistics on the location and number of students with Limited English Proficient skills. This information may provide an alternate method of identifying LEP populations. Their website is located at www.dpi.state.nd.us

United States Access Board, a Federal Agency Committed to Accessible Design, is an independent federal agency devoted to accessibility for people with disabilities. The Board is a leading source of information on accessible design.
Their website is located at www.access-board.gov

United State Census Bureau, at the Census Bureau Web Site provides on-line access to Data on Race and Hispanic Origin, Age, Employment, Income, Marital Status, Education, Genealogy, Businesses, Governments and more. It is located at www.census.gov

U.S. Department of Justice, Americans with Disabilities Act, ADA Home Page is found at www.ada.gov

- Search- Title II Technical Assistance Manual.
    - Select the Title II Technical Assistance Manual (1993) and Supplement to view a 56-page manual that explains in lay terms what State and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. Many examples are provided for practical guidance. (Spanish edition available)

US Department of Transportation, Federal Highway Administration (FHWA) carries out the Federal highway programs in partnership with the State and local agencies to meet the Nation's transportation needs. FHWA's website hosts vast information about nondiscrimination issues. FHWA's Home Page is found at www.fhwa.dot.gov Under Programs, select Browse by Topic, and see specifically the following:

- Search- Overview Environmental Justice
    - Describes and explains Environmental Justice (EJ) issues
- Search- Civil Rights FHWA
    - Under Programs – Select and read about FHWA Programs
        - Title VI and Nondiscrimination
        - Limited English Proficiency
        - Americans with Disabilities Act (ADA)/Section 504 of the Rehabilitation Act of 1973 (504)
        - Many others

Notice of Disclaimer

The Bismarck-Mandan Metropolitan Planning Organization (MPO) follows the provisions of Title VI and Nondiscrimination as required by Federal Law. The MPO has developed this Auxiliary Aids and Services resource document on an "as is" basis as a public service.

Under no circumstances does the MPO warrant or certify the information to be free of errors or deficiencies of any kind. The MPO specifically disclaims all warranties, express or implied, including but not limited to the warranties of merchantability and fitness for a particular purpose.

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Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex: ☐ Female ☐ Male

Disability: ☐ Yes ☐ No

Age: ☐ 34 and younger ☐ 35-54 ☐ 55 and older

Race:

☐ American Indian/Alaskan Native
☐ Asian
☐ Black/African American
☐ Hispanic or Latino
☐ Native Hawaiian/Other Pacific Islander
☐ White
☐ Other _____

Language most frequently spoken in your home:

☐ Arabic ☐ German ☐ Somali ☐ Vietnamese
☐ Bosnian ☐ Nepali ☐ Spanish ☐ Other _____
☐ Croatian ☐ Russian ☐ Swahili
☐ English ☐ Serbian ☐ Turkish

Do you receive public assistance? ☐ Yes ☐ No

Indicate how you heard about the event:

☐ Internet ☐ Mailing ☐ NDDOT Contact ☐ Newspaper
☐ Radio ☐ Social Service Agency ☐ Television
☐ Advocacy Group (which group) _____
☐ Other _____

For Office Use

Event Date ☐☐ ☐☐ ☐☐☐☐

City ☐☐☐

County ☐☐

MPO
☐ Bismarck-Mandan
☐ Fargo-Moorhead Metro COG
☐ Grand Forks-East Grand Forks

Div/Dist Number ☐☐

PCN ☐☐☐☐☐

ROW
☐ Negotiation
☐ Relocation

Consultant ☐☐☐☐

Subrecipient
☐ Yes
☐ No

After you have completed this form, please place it in the designated location.

Sub Recipient Title VI Public Participation Survey

Instructions

NDDOT developed the Title VI Public Participation Survey to collect statistical data of participants and beneficiaries of NDDOT and its' sub recipient's programs. This survey is a means to determine if FHWA or FTA financial assistance is reaching communities and populations that need the assistance as well as a means to quantitatively monitor the performance of our Title VI and nondiscrimination programs.

1. At your event, explain the purpose of the survey. The purpose of the survey is printed on the survey along with instructions on filling out the survey. The language question is intended to capture Limited English Proficiency (LEP) persons attending. The public assistance question is intended to capture traditionally underserved populations attending. Encourage event attendees to complete the survey. (Only the public attending the events should complete the survey. It is not intended for NDDOT, city, county, or consultant employees who are hosting the event.)

2. Process the survey information within your agency.

NDDOT Survey Processing

Sub recipients may send the completed surveys to the Local Government Division, NDDOT, for processing, if you have 30 or more responses. The NDDOT will process the completed surveys. The results will be provided to you from the Local Government Division.

The Title VI Public Participation Survey has been set up by NDDOT for use with the ILINX Capture Program. The surveys are scanned documents that automatically sort and record data into a file. The data file has the capability to be sorted on identifying information to produce a variety of reports.

If you choose to have NDDOT process your surveys, please follow the procedures listed below.

1. ILINX Capture requires specific processing to ensure accurate and timely reports. Prior to printing the survey, specific fields must be completed. Use leading zeros.
   - **Event Date:** Enter the date the event is being held.
   - **City:** Enter the ND city number. See code list on NDDOT website at http://www.dot.nd.gov/divisions/civilrights/subrecipients-titlevi.htm
   - **County**: Enter the ND county number. See code list on NDDOT website at http://www.dot.nd.gov/divisions/civilrights/subrecipients-titlevi.htm
   - **Division/District Number:** Leave blank. For NDDOT use only.
   - **Project Control Number (PCN):** Enter number if applicable. If there are multiple PCN's, only enter the Parent PCN.
   - **Right of Way (ROW):** Select/shade the appropriate oval only if the survey is being completed for the specific activity selected.
   - **Consultant:** Enter the Consultant ID number. See the Pre-Qualified Consultant List on NDDOT website at http://www.dot.nd.gov/business/consultants.htm For Consultants not listed, leave blank.
   - **MPO:** For use by MPO's only. If you are an MPO, select/shade your MPO area.
   - **Sub recipient:** Select Yes.

2. Save the survey completed with identifying information to your files. Do not copy the surveys for use at public events. Copies will not scan by the ILINX Capture program.
   a. Print as many original documents as you need for your event.

GOALS AND ACCOMPLISHMENTS

FY2014 Goals and Accomplishments

The North Dakota Department of Transportation conducted an audit of the Bismarck-Mandan Metropolitan Planning Organization's Title VI and Non Discrimination Program on June 26, 2014. The audit resulted in the following goals for 2014:

1. Update forms within the Title VI Plan
    a. Revised the Title VI Policy Statement and Assurances document to reflect the new Policy Board Chairman as signatory
    b. Included the ADA form for Request of Reasonable Accommodation
    c. Added the Bismarck-Mandan MPO logo to all forms

2. Increase accessibility by the general public to the Title VI Plan and Policy Statement, LEP Plan, and Title VI Complaint and Procedures Forms
    a. Printed versions of these documents have been placed in display racks positioned at both main entrances of the building in which the Bismarck-Mandan MPO is located.
    b. These documents are now all accessible via Face Book.

3. Identify appointed positions within the Bismarck-Mandan MPO and indicate how they are filled
    a. A new section of the Title VI plan, "Organization, Staffing, & Responsibilities" was created to identify the organization and staffing of the MPO, including positions on MPO committees (Technical Advisory Committee) and boards (Policy Board).
    b. Responsibilities relative to Title VI and Non Discrimination Plan for each position are provided within the new section, "Organization, Staffing, & Responsibilities".

4. Identify an ADA Coordinator for Bismarck-Mandan MPO Title VI purposes
    a. The Bismarck-Mandan MPO employs less than 50 employees, and is therefore not required to create and maintain an ADA Transition Plan. However, an ADA Coordinator has been identified for Bismarck-Mandan Title VI purposes. This information, including contact information for the ADA Coordinator and how to file a complaint, is provided in several areas:
        i. Within the Title VI and Non Discrimination Plan document in the "Organization, Staffing, & Responsibilities" section
        ii. On printed material posted at each of the two main entrances of the Bismarck-Mandan MPO worksite
        iii. On the MPO webpage
        iv. On Face Book

5. Provide a minimum of one hour of training annually related to Title VI to all MPO staff

GOALS AND ACCOMPLISHMENTS

FY2015 Goals and Accomplishments

The Bismarck-Mandan MPO conducted a self- audit of its Title VI and Non Discrimination Program on March 30, 2015. The self-audit resulted in the following goals for 2015:

1. Update Title VI Plan
    a. All references to “handicap” or “handicapped” were changed to “disability” or “disabled”, respectively.
    b. Updated Employee / Member information table
    c. Updated forms
        i. Title VI Complaint Form and Instructions
        ii. ADA Request for Reasonable Accomodations Form and Instructions
    d. Updated Title VI Assurances and related appendices
    e. Updated the Limited English Proficiency Plan
    f. Updated Auxiliary Aids and Services portion, and added a disclaimer

2. Develop an ADA Program Access Plan as part of the Title VI document
    a. The title of the document was changed to reflect the inclusion of ADA requirements
    b. New language was added throughout the Title VI Plan to reflect ADA requirements.
    c. A new appendix was added to the Assurances. Appendix E provides the nondiscrimination statutes and authorities relevant to Title VI
    d. Forms were updated
        i. Title VI/**ADA** Complaint Form and Instructions
        ii. Request for Reasonable Accommodations Form and Instructions

3. Seek ways to diversify employment recruitment efforts relative to attracting female or minority applicants - ongoing
    a. City of Bismarck Human Relations Committee
    b. City of Bismarck Human Resources Department

4. Provide a minimum of one hour of training annually related to Title VI to all MPO staff
    a. Staff viewed the video “Breaking Down the Language Barrier” and participated in review of identification of LEP individuals and use of the “I Speak” language lists and utilizing the telephonic interpretation service.

GOALS AND ACCOMPLISHMENTS

FY2016 Goals and Accomplishments

The Bismarck-Mandan MPO conducted a self- audit of its Title VI and Non Discrimination/ADA Program Access Plan on March 30, 2016. The self-audit resulted in the following goals for 2016:

1. Update Title VI Plan
    a. All references to "Title VI and Non-Discrimination Plan" were changed to "Title VI and Nondiscrimination/ADA Program"
    b. Updated the Policy Statement to include language to appropriately address ADA requirements
    c. Updated Organization, Staffing & Responsibilities Section
        i. Employee / Member information table
        ii. MPO Executive Director – reference to MPO Bylaws
            1. New revision date of Bylaws
            2. Article IV, 4.c changed to Article IV, 6.c
            3. Executive Director position assigned to the Principal Transportation Planner of the MPO
        iii. Office Assistant changed to Transportation Specialist
        iv. Updated Section F, Technical Advisory Board and Section G, Policy Board, to reflect Bylaws revision date and change in Article and Section reference
        v. Updated the Complaint Procedure
            1. Added an introduction
            2. Revised all language to include ADA references
            3. Deleted Sections
                a. Scope of Title VI Complaints
                b. Formal Title VI Complaint Procedure
            4. Added Sections
                a. Agencies Authorized to Receive Complaints
                b. Persons Eligible to File
                c. Filing a Complaint
                d. Timeframes for Filing a Complaint
                e. Complainant Represented by Attorney
                f. Complaints Received by BMMPO
    d. Updated maps to include overlay of TIP (Transportation Improvement Program) projects on each
    e. Updated forms
        i. Title VI Complaint Form and Instructions
        ii. ADA Request for Reasonable Accommodations Form and Instructions

2. Seek ways to diversify employment recruitment efforts relative to attracting female or minority applicants - ongoing
    a. City of Bismarck Human Relations Committee
    b. City of Bismarck Human Resources Department

3. Provide a minimum of one hour of training annually related to Title VI to all MPO staff
    a. Staff viewed the training video on ADA and Section 504 titled "Introduction-General Overview-General Requirements" and participated in the self-test for each section of the video

GOALS AND ACCOMPLISHMENTS

FY2017 Goals and Accomplishments

The Bismarck-Mandan MPO completed a self- audit of its Title VI and Non Discrimination/ADA Program Access Plan on March 31, 2017. The self-audit resulted in the following goals for 2017:

1. Update Title VI Plan
    a. Updated Organization, Staffing & Responsibilities Table
    b. Updated LEP Plan
        i. Update Meaningful Access: Four-Factor Analysis
            1. Methodology Change
                a. no longer using the entire MSA as obtained from the US Census Bureau American Community Survey as the MSA now includes data for Burleigh, Morton, Oliver and Sioux counties combined
                b. Using data for the cities of Bismarck, Lincoln, and Mandan which comprise the Urbanized Area of the MPO
            2. Language Other Than English statistical data
            3. Language Spoken at Home table
    c. Updated language maps to reflect new data from the American Community Survey 2011-2015
        i. German Spoken at Home map
        ii. All Other Languages Spoken at Home map

2. Provide a minimum of one hour of training annually related to Title VI to all MPO staff
    a. Staff viewed the training video on ADA and Section 504 titled “Program Accessibility” and participated in the self-test sections after reviewing the previously-viewed sections “Introduction-General Overview-General Requirements (originally presented 3/29/2016).

3. Seek ways to diversify employment recruitment efforts relative to attracting female or minority applicants - ongoing
    a. City of Bismarck Human Relations Committee
    b. City of Bismarck Human Resources Department

4. Expand outreach efforts to ensure minority, women, elderly, disabled, low income, and LEP populations are provided equal opportunity to participate in MPO programs and activities
    a. Local Social Service agencies
    b. Minority publications

GOALS AND ACCOMPLISHMENTS

FY2018 Goals and Accomplishments

The Bismarck-Mandan MPO completed a self- audit of its Title VI and Non Discrimination/ADA Program Access Plan on March 28, 2018. The self-audit resulted in the following goals for 2018:

1. Update Title VI Plan, External Complaints
    a. Complainant Consent/Release Form
    b. Notice About Investigatory Uses of Personal Information

2. Provide a minimum of one hour of training annually related to Title VI to all MPO staff
    a. Staff participated in a training session and exercise in discrimination, viewing a training video titled “Blue Eyes, Brown Eyes” (3/28/18)

3. Seek ways to diversify employment recruitment efforts relative to attracting female or minority applicants - ongoing
    a. City of Bismarck Human Relations Committee
    b. City of Bismarck Human Resources Department

4. Expand outreach efforts to ensure minority, women, elderly, disabled, low income, and LEP populations are provided equal opportunity to participate in MPO programs and activities - ongoing
    a. Local Social Service agencies
    b. Minority publications
    c. Increased public outreach efforts to engage citizens less likely to attend public meetings
        i. Community sponsored events
        ii. Citizen forums
        iii. Focus groups
        iv. Surveys
            1. Online
            2. Direct mail
            3. Public Events

GOALS AND ACCOMPLISHMENTS

FY2019 Goals and Accomplishments

The Bismarck-Mandan MPO completed a self- audit of its Title VI and Non-Discrimination/ADA Program Access Plan on March 28, 2019. The self-audit resulted in the following goals for 2019:

1. Update Title VI Plan
    a. Organization, Staffing & Responsibilities
    b. Socio-Economic/ 2019-2022 TIP Projects Maps
        i. Minority
        ii. Elderly
        iii. Poverty
        iv. Limited English Proficiency
    c. Updated Table of Contents

2. Provide a minimum of one hour of training annually related to Title VI to all MPO staff
    a. Staff participated in a training session and exercise in discrimination, viewing a video titled “The Store That Refused to Sell Oprah a Handbag” (3/27/19)

3. Seek ways to diversify employment recruitment efforts relative to attracting female or minority applicants – *ongoing, there was no recruitment in this reporting period*
    a. City of Bismarck Human Relations Committee
    b. City of Bismarck Human Resources Department

4. Expand outreach efforts to ensure minority, women, elderly, disabled, low income, and LEP populations are provided equal opportunity to participate in MPO programs and activities - ongoing
    a. Local Social Service agencies
    b. Minority publications
    c. Increased public outreach efforts to engage citizens less likely to attend public meetings
        i. Community sponsored events
        ii. Citizen forums
        iii. Focus groups
        iv. Surveys
            1. Online
            2. Direct mail
            3. Public Events

GOALS AND ACCOMPLISHMENTS

FY2020 Goals and Accomplishments

The Bismarck-Mandan MPO completed a self- audit of its Title VI and Non-Discrimination/ADA Program Access Plan on March 31, 2020. The self-audit resulted in the following goals for 2020:

1. Update Title VI Plan
    a. Organization, Staffing & Responsibilities
        i. Refashioned the table depicting the demographic representation of the BMMPO to reflect information in percentages rather than raw numbers
        ii. Amended the text in the table to describe the selection and composition of the various boards and committees of the BMMPO
    b. Socio-Economic/ 2020-2023 TIP Projects Maps
        i. Minority
        ii. Elderly
        iii. Poverty
        iv. Limited English Proficiency
    c. Updated Table of Contents

2. Provide a minimum of one hour of training annually related to Title VI to all MPO staff
    a. Staff participated in a training session and exercise in discrimination, viewing a video titled “I Am a Person” (3/31/20)

3. Seek ways to diversify employment recruitment efforts relative to attracting female or minority applicants – *ongoing, there was no recruitment in this reporting period*
    a. City of Bismarck Human Relations Committee
    b. City of Bismarck Human Resources Department

4. Expand outreach efforts to ensure minority, women, elderly, disabled, low income, and LEP populations are provided equal opportunity to participate in MPO programs and activities - ongoing
    a. Local Social Service agencies
    b. Minority publications
    c. Increased public outreach efforts to engage citizens less likely to attend public meetings
        i. Community sponsored events
        ii. Citizen forums
        iii. Focus groups
        iv. Surveys
            1. Online
            2. Direct mail
            3. Public Events
        v. Virtual public participation opportunities
            1. TAC and Policy Board meetings
            2. Public Input Meetings

GOALS AND ACCOMPLISHMENTS

FY2021 Goals and Accomplishments

The Bismarck-Mandan MPO completed a self- audit of its Title VI and Non- Discrimination/ADA Program Access Plan on March 31, 2021. The self-audit resulted in the following goals and/or accomplishments in 2021:

1. Update Title VI Plan
    a. Organization, Staffing & Responsibilities
        i. Circulated demographic surveys to new MPO staff members and new members of MPO committees
        ii. Updated the table depicting the demographic representation of the BMMPO to reflect staffing and committee composition changes
    b. Socio-Economic/Year 2021 TIP Projects Maps
        i. Minority
        ii. Elderly
        iii. Poverty
        iv. Limited English Proficiency
    c. Vital Documents of the MPO
        i. Identified vital documents of MPO programs
        ii. Included vital documents of MPO programs in the Limited English Proficiency Plan (LEP)

2. Provide a minimum of one hour of training annually related to Title VI to all MPO staff
    a. Staff participated in an online training session and exercise in discrimination, viewing a series of videos titled “Fundamentals of Title VI and ADA/Section 504”

3. Seek ways to diversify employment recruitment efforts relative to attracting female or minority applicants – *ongoing*
    a. Three positions filled in reporting period
        i. Principal Transportation Planner
        ii. Transportation Planner
        iii. Transportation Specialist
    b. Two of three open positions were filled with female or minority applicants

4. GOAL: Expand outreach efforts to ensure minority, women, elderly, disabled, low income, and LEP populations are provided equal opportunity to participate in MPO programs and activities
    a. Local Social Service agencies
    b. Minority publications
    c. Increased public outreach efforts to engage citizens less likely to attend public meetings
        i. Community sponsored events
        ii. Citizen forums
        iii. Focus groups
        iv. Surveys
            1. Online
            2. Direct mail
            3. Public Events
        v. Virtual public participation opportunities
            1. TAC and Policy Board meetings
            2. Public Input Meetings

GOALS AND ACCOMPLISHMENTS

FY2022 Goals and Accomplishments

The Bismarck-Mandan MPO completed a self- audit of its Title VI and Non- Discrimination/ADA Program Access Plan in March, 2022. The self-audit resulted in the following goals and/or accomplishments in 2022:

1. Update Title VI Plan
    a. Organization, Staffing & Responsibilities
        i. Circulated demographic surveys to the new Title VI/ADA Coordinator and new members of MPO committees
        ii. Updated the table depicting the demographic representation of the BMMPO to reflect changes
    b. Socio-Economic/Year 2022 TIP Projects Maps
        i. Minority
        ii. Elderly
        iii. Poverty
        iv. Limited English Proficiency
    c. Appendix G Auxiliary Aids and Services
        i. Updated Appendix for accuracy

2. Provide a minimum of one hour of training annually related to Title VI to all MPO staff
    a. Staff participated in an in-person training session (which was also offered online), viewing three videos on the history of Civil Rights and Title VI.

3. Seek ways to diversify employment recruitment efforts relative to attracting female or minority applicants – *ongoing*
    a. Zero positions filled in reporting period
    b. Efforts to hire a part-time Transportation Planner are ongoing

4. Expand outreach efforts to ensure minority, women, elderly, disabled, low income, and LEP populations have equal opportunity to participate in MPO programs and activities – *ongoing*
    a. Local Social Service agencies
        i. Reached out to the Missouri Valley Coalition for Homeless People as part of low-income and disadvantaged community outreach for the East Main Avenue Corridor Study (June 2022)
    b. Minority publications
    c. Increase public outreach efforts to engage citizens less likely to attend public meetings
        i. Community sponsored events
        ii. Citizen forums
        iii. Focus groups
        iv. Surveys
            1. Online
            2. Direct mail
            3. Public Events
        v. Virtual public participation opportunities
            1. TAC and Policy Board meetings
            2. Public Input Meetings

5. GOAL: Update the MPO's Public Participation Plan (PPP) over the next year to support the MPO's continued outreach efforts

EXHIBIT E

Table 9.4: Short-Range Project List

ID	Location	Termini	Termini	Description	Phase	Cost	Year of Expenditure [YOE]	Program	Urban Program Priority
6	(1/2) 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	

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PROGRESS REPORT

SRF COMM. NOS.	14186
PROGRESS REPORT NO.	5
DATE	July 5, 2022

REPORTING PERIOD	June 2022
PROJECT NAME	Bismarck E Main Ave Corridor Study
PREPARED BY	Scott Harmstead – SRF

PROBLEMS ENCOUNTERED/ITEMS OF CONCERN

Project Issues/Concerns
NA. Contract executed 2/14/22

April snowstorm delayed traffic counts/cameras to week of May 2. No significant impact to overall project schedule anticipated.

Existing Conditions and Issues and Needs memorandums to be combined.

TASK PROGRESS – SCHEDULE/BUDGET SUMMARY

TASK	PERCENT COMPLETE	NOTES	STATUS
Phase 1 – Baseline Input	99%	Traffic data collection complete. Existing operations analysis via VISSIM complete. ATAC has completed existing and future model runs, currently under SRF review. Existing Conditions memorandum submitted to staff for review.	On Schedule
Phase 2 – Issues and Needs	99%	VISSIM model further developed and 2045 no-build model complete. Issues and Needs memorandum to be combined with Existing Conditions memorandum.	On Schedule
Phase 3 – Alternative Development	1%		On Schedule
Phase 4- Alternative Analysis	4%		On Schedule
Phase 5 – Finalization and Implementation	0%		On Schedule
Engagement	35%	Stakeholder and community meeting locations and times set, prep for July meetings underway. SRF walked corridor June 28. Postcards sent to all property owners along corridor.	On Schedule
Project Management	37%	Client check-ins, progress reports, internal coordination	On Schedule
Total	**30%**		**On Schedule**

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EXHIBIT G

Status Report #1

Project: Sunset Drive Corridor Study

Consultant: KLJ

Reporting Period: 6/1/2022 – 7/7/2022

Tasks Completed to Date:

Task	% of Task Complete
Task 1 – Project Management and Coordination	5%
Task 2 – Public Engagement	10%
Task 3 – Existing Conditions Documentation	5%
Task 4 – Future Conditions Analysis	0%
Task 5 – Goals/Objectives/Project Purpose & Need	0%
Task 6 – Alternatives Development	0%
Task 7 – Alternative Analysis	0%
Task 8 – Project Implementation & Corridor Concept Plan	0%
Task 9 – Draft Report	0%

Overall percentage of project complete: 2%

Summary of activities within reporting period:

Task 1 – Project Management and Coordination

- Project Oversight and management with BMMPO

Task 2 – Public Engagement

- Draft Public Involvement plan in development (about 90% Complete); presenting to Study Committee (SC) #1
- Steering Committee (SC) #1 – Project kickoff meeting scheduled for July 20th. Draft Agenda submitted to MPO.
- Developing online Social Pinpoint (SPP) project survey and interactive issues map

Task 3 – Existing Conditions Report

- Received Mio-Vision data from NDDOT for signalized intersections.
- Requested crash data from NDDOT
- Develop data list for submittal to MPO; initiated preliminary data review.
- Field collection pending for August/September

Task 4 – Future Conditions Analysis

- No Activities

Task 5 – Goals/Objectives/Project Purpose & Need

- No activities

Task 6 – Alternatives Development

- No activities

Task 7 – Alternative Analysis

- No activities

Task 8 – Project Implementation & Corridor Concept Plan

- No activities

Task 9 – Draft and Final Report

- No activities

EXHIBIT H

EXHIBIT H

Bismarck-Mandan MPO

TIP 2022-2025 Administrative Modification

Project Year(s) 2023; 2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
Bismarck	23.1.02 (old) 22.1.05 (new)	$659,580	$73,920	$81,500 (Bismarck)	$815,000	HEU

Project Description:	This project is a Bismarck safety project for the installation of Rectangular Rapid Flashing Beacons at various locations (up to eleven) around Bismarck, as recommended by the School Safety Crossing Study. This modification is to move the project from funding year 2023 to funding year 2022. All other project details remain unchanged. The PCN number is 23372.
Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan:	This project is currently in the TIP and is therefore consistent with the Arrive 2045 MTP.

Bismarck-Mandan MPO Policy Board informed of Administrative Modification at the _____ meeting.
(date)

Bismarck-Mandan MPO

TIP 2022-2025 Administrative Modification

Project Year(s) 2023; 2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
Bismarck	23.1.04 (old) 22.1.06 (new)	$250,883	$0	$59,117 (Bismarck)	$310,000	TAU

Project Description:	This project is for structural work on the Bismarck Expressway Pedestrian Facility . This administrative modification is to move from project from funding year 2023 to 2022. All other project details remain unchanged. The PCN is 23235.
Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan:	This project is currently in the TIP and is therefore consistent with the Arrive 2045 MTP.

Bismarck-Mandan MPO Policy Board informed of Administrative Modification at the _____ meeting.
(date)

Bismarck-Mandan MPO

TIP 2022-2025 Administrative Modification

Project Year(s) 2023; 2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
NDDOT	23.6.18 (old) 22.6.34 (new)	$199,800	$11,100	$11,100 (Bismarck)	$222,000	SHE

Project Description: This project is for pavement markings, intersections improvements, turn lanes, and flashing beacons on Hwy 810 E/Bismarck Expressway from west of Washington St to East of 2nd St in Bismarck. This administrative modification is to move the project from funding year 2023 to 2022. All other project details remain unchanged. The PCN is 23225.

Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan: This project is currently in the TIP and is therefore consistent with the Arrive 2045 MTP.

Bismarck-Mandan MPO Policy Board informed of Administrative Modification at the _____ meeting.
(date)

Bismarck-Mandan MPO

TIP 2022-2025 Administrative Modification

Project Year(s) 2023; 2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
NDDOT	23.6.13 (old) 22.6.35 (new)	$1,195,087	$132,788	$0	$1,327,875	IM

Project Description: This project is for bridge work (approach slabs, deck overlay, expand joint modification, and rail retrofit) at separate locations along I-94. The first location is the CP Rail/Hay Creek EB structure located one mile east of US 83 N, and the second location is the 19th St Separation located less than 1/2 mile east of US 83 N. This modification moves the project funding year from 2023 to 2022, while all other project details remain unchanged. The PCN is 23009.

Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan: This project is currently in the TIP and is therefore consistent with the Arrive 2045 MTP.

Bismarck-Mandan MPO Policy Board informed of Administrative Modification at the _____ meeting.
(date)

Bismarck-Mandan MPO

TIP 2022-2025 Administrative Modification

Project Year(s) 2024; 2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
NDDOT	24.6.07 (old) 22.6.36 (new)	$1,366,544	$151,838	$0	$1,518,382	IM

Project Description: This project is for ramp connections and median crossovers on I-94, east of the 161 interchange to east of the Menoken interchange. This modification moves the project funding year from 2024 to 2022, while all other project details remain unchanged. The PCN is 22639.

Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan: This project is currently in the TIP and is therefore consistent with the Arrive 2045 MTP.

Bismarck-Mandan MPO Policy Board informed of Administrative Modification at the _____ meeting.
(date)

Bismarck-Mandan MPO

TIP 2022-2025 Administrative Modification

Project Year(s) 2023; 2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
NDDOT	23.6.14 (old) 22.6.32 (new)	$15,848,000	$1,776,000	$5,398,000 (Mandan)	$23,022,000	SU-CPU

Project Description: This project is phase II of the Mandan Memorial Highway Reconstruction project. This modification moves the project funding year from 2023 to 2022. All other project details remain unchanged. The PCN is 23277.

Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan: This project is currently in the TIP and is therefore consistent with the Arrive 2045 MTP.

Bismarck-Mandan MPO Policy Board informed of Administrative Modification at the _____ meeting.
(date)

Bismarck-Mandan MPO

TIP 2022-2025 Administrative Modification

Project Year(s) 2025; 2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
NDDOT	25.6.11 (old) 22.6.33 (new)	$1,968,800	$246,100	$246,100 (Bismarck)	$2,461,000	NHU

Project Description: This project is for Concrete Pavement Repair and grinding on Bismarck Expressway from Rosser Ave to Miriam Ave. This administrative modification is to move the project from funding year 2025 to 2022. All other project details remain unchanged. The PCN is 23346.

Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan: This project is currently in the TIP and is therefore consistent with the Arrive 2045 MTP.

Bismarck-Mandan MPO Policy Board informed of Administrative Modification at the _____ meeting.
(date)

Bismarck-Mandan MPO

TIP 2022-2025 Administrative Modification

Project Year(s) 2022

Entity	Project	Federal	State	Local	Total	Federal Funding Source
NDDOT	22.6.11	$659,580	$73,920	$81,500 (Bismarck)	$815,000	NHU

Project Description: This project is for work on Bismarck's State St from Divide Ave to I-94. This administrative modification is to address the addition of spall repair and structure items for the Bridge at the State St/I-94 junction to the project scope, which already includes Concrete Pavement Repair and grinding. All other project details remain unchanged, including the estimated cost. The PCN is 22769.

Consistency with the Bismarck-Mandan MPO Metropolitan Transportation Plan: This project is currently in the TIP and is therefore consistent with the Arrive 2045 MTP.

Bismarck-Mandan MPO Policy Board informed of Administrative Modification at the _____ meeting.
(date)

BISMARCK-MANDAN MPO TRANSPORTATION IMPROVEMENT PROGRAM 2022-2025 Page 1 of 4

PROJECT FUNDING YEAR 2022

LEAD AGENCY	REFERENCE NUMBER	PROJECT DESCRIPTION	ESTIMATED COST IN DOLLARS FEDERAL	STATE	LOCAL	TOTAL	FEDERAL PROGRAM SOURCE	PCN	ESTIMATED CONSTRUCTION YEAR	AMENDMENT/ MODIFICATION (Date)
BISMARCK	22.1.02	Urban Grants Project - Bismarck Thayer Avenue (N 3rd St-N 6th St) & N 6th St (Main Av - Rosser Av) (CPR, Curb & Gutter, Bulb-outs, Sidewalk, ADA Ramps, Pavement Marking, LED Roadway Lighting, Pedestrian Lighting, Street Trees, Landscaping, Signing, Parking Improvements)	$1,280,000	$0	$320,000 (Bismarck)	$1,600,000	UGP	22870	2022	
BISMARCK	22.1.03	Transportation Alternatives - Bismarck Public School Safety Improvement Project (City-Wide) (Installation of 20 MPH speed limit signs near public schools)	$27,516	$0	$6,484 (Bismarck)	$34,000	TAU	22950	2022	
BISMARCK	22.1.04 ~~21.1.01~~	Urban Grants Project - Bismarck N 4th St (Main to Thayer), N 5th St (Main to Thayer), Broadway (N 4th St to N 6th St) (CPR, Curb & Gutter, Sidewalk, Pavement Marking, LED Lighting, Pedestrian Lighting, Signing, ADA Ramps, Landscaping)	$1,000,000	$0	$251,000 (Bismarck)	$1,251,000	UGP	22512	NA	Amendment Moved from 2021 (JAN 2022)
BISMARCK	22.1.05 ~~23.1.02~~	Safety - Rectangular Rapid Flashing Beacons (RRFB) in Bismarck (Various Locations) (Install RRFB at up to 11 locations, recommended by School Safety Crossing Study)	$378,000	$0	$42,000 (Bismarck)	$420,000	HEU	23372	2023	Modification Moved from 2023 (JULY 2022)
BISMARCK	22.1.06 ~~23.1.01~~	Transportation Alternatives - Bismarck Expy (Bismarck Expy Pedestrian Facility) (Structure Items)	$250,883	$0	$59,117 (Bismarck)	$310,000	TAU	23235	NA	Modification Moved from 2023 (JULY 2022)
MANDAN	22.4.01	Transportation Alternatives - Mandan - Old Red Trail Phase 2 Shared Use Path (South side of Old Red Trail, starting at Sunset Drive going west 0.6 miles) (2 inch overlay with 0.5 inch leveling course for the existing 10.5 foot wide path)	$168,237	$0	$39,642 (Mandan)	$207,879	TAU	22951	2022	
MANDAN	22.4.02	Transportation Alternatives - Mandan 19th St SE Trail Project" (South Side of 19th SE, ND Highway 6 to Macedonia Av SE) (10' Wide Shared Use Path, 4,570' ft Long, Signed & Marked X-Walks, Rapid Rectangular Flashing Beacon)	$290,000	$0	$369,000 (Mandan)	$659,000	TAU	22573	2022	
MANDAN	22.4.03	*^Urban Roads - Mandan 27th St NW & 6th Ave NW (ND Highway 1806 to 8th Ave NW, & Old Red Trail to 27th St NW) (Reconstruction)	~~$1,052,000~~ $1,052,000	$0	~~$947,910~~ $4,348,000 (Mandan)	~~$2,000,000~~ $5,400,000	SU	22537	2023	Amendment Updated Costs & Extents (MAY 2022)
NDDOT	22.6.06	~Urban Regional - Bismarck 7th St (Ave C to Front Ave) (Signals)	*Funded in 2021*	*Funded in 2021*	*Funded in 2021* (Bismarck)	*Funded in 2021*	NHU	22904	2022	
NDDOT	22.6.07	~Urban Regional - Bismarck 9th St (Ave C to Front Ave) (Signals)	*Funded in 2021*	*Funded in 2021*	*Funded in 2021* (Bismarck)	*Funded in 2021*	NHU	22904	2022	
NDDOT	22.6.08	Urban Regional - Mandan Memorial Highway (Memorial Highway Phase 1, Extents TBD) (Reconstruction, Sanitary Sewer & Drainage)	~~$7,081,375~~ $2,706,000	~~$703,625~~ $303,000	~~$3,375,000~~ $2,999,000 (Mandan)	~~$11,250,000~~ $6,008,000	SU-CPU	22005 23133	2022	Modification Costs changed (MAR 2022)
NDDOT	22.6.09	^*Safety - State Street/ US 83 (Calgary Ave to I-94) (Turn Lanes)	$2,250,000	$250,000	$0 (Bismarck)	$2,500,000	SHE	20098	2023	
NDDOT	22.6.10	^*Safety - State Street/ US 83 (I-94 to Divide Ave) (Turn Lanes)	$2,520,000	$140,000	$140,000 (Bismarck)	$2,800,000	SHE	20097	2023	
NDDOT	22.6.11	Urban Regional - Bismarck State St (Divide Av to I-94, State St/I-94 Bridge) (7 miles, CPR, Grinding, Spall Repair, Structure Items)	$659,580	$73,920	$81,500 (Bismarck)	$815,000	NHU	22769	2022	Modification Minor Scope change (JULY 2022)
NDDOT	22.6.12	Urban Regional - Bismarck State St (I-94 to Calgary Ave), (Century Ave/11th St) (1 mile, CPR, Grinding)	$1,869,483	$440,517	$0 (Bismarck)	$2,310,000	NHU	22770	2022	
~~NDDOT~~	~~22.6.13~~	~~Urban Regional - Bismarck 9th St~~ ~~(Front Av to Bismarck Expressway)~~ ~~(.6 miles, Mill & Overlay, Curb & Gutter)~~	~~$760,742~~	~~$85,258~~	~~$94,000~~ ~~(Bismarck)~~	~~$940,000~~	~~NHU~~	~~23302~~	~~2022~~	Amendment Moved to 2024 (FEB 2022)
NDDOT	22.6.14	*Safety - Bismarck Expressway Lighting (Burlington Dr to Yegen Rd and Yegen Rd to Main Ave) (Install corridor lighting in gaps along Bismarck Expy. Turn lanes)	$396,000	$22,000	$22,000 (Bismarck)	$440,000	SHE	23155	2022	
NDDOT	22.6.15	Urban Regional - Bismarck Expy Railroad Bridge (Bismarck Expy BN & CP Railway Bridge) (Approach Slab & Barrier Spall Repair, SE Beam End Repair, Seal Joints & Barrier)	~~$171,352~~ $149,371	~~$19,204~~ $16,740	~~$21,173~~ $18,457 (Bismarck)	~~$211,729~~ $184,568	NHU	22905	2022	Modification Costs changed (FEB 2022)
NDDOT	22.6.16	Urban Regional - Bismarck Expy (Main Av to end of asphalt) (Mill & Overlay, ADA Ramp Rev)	$60,698	$6,802	$7,500 (Bismarck)	$75,000	NHU	23208	2022	
NDDOT	22.6.17	Urban Regional - Bismarck Expy (Washington St to Main Av) (Mill & Overlay, ADA Ramp Rev)	~~$1,618,600~~ $1,217,000	~~$181,400~~ $691,000	~~$200,000~~ $42,000 (Bismarck)	~~$2,000,000~~ $1,950,000	NHU	23207	2022	Modification Costs changed (FEB 2022)
NDDOT	22.6.18	*Urban Regional - ND 1804 (Signal St to Bismarck Expy) (Mill & Overlay)	$2,427,900	$272,100	$300,000 (Bismarck)	$3,000,000	SU	23223	2022	
NDDOT	22.6.19	^Bridge - I-94 (5 miles east of US Highway 83, 80th St, EB) (Structure Replacement)	*Funded in 2021*	*Funded in 2021*	*Funded in 2021* (Burleigh)	*Funded in 2021*	IM	21854	2022	
~~NDDOT~~	~~22.6.20~~ ~~(21.6.09)~~	~~*Urban Regional - I-94B Bismarck/Mandan Memorial Bridge~~ ~~(1 miles, Memorial Bridge)~~ ~~(Clean drains & glands, Clean Tube, Pigeon Proof Utility Passages, Add Tub drains if needed, & potentially adding drops for access)~~	~~$121,356~~	~~$13,605~~	~~$15,000~~ ~~50% Bismarck~~ ~~50% Mandan~~	~~$150,000~~	~~NHU~~	~~22602~~	~~2022~~	Amendment Moved to 2024 (MAR 2022) (Formerly moved from 2021 in JAN 2022)
NDDOT	22.6.21	~Rural - Statewide ITS equipment (I-94 Mile Marker 165, Apple Creek eastbound Weigh in Motion site) (Electronics added to cabinet)	*Funded in 2021*	*Funded in 2021*	*Funded in 2021*	*Funded in 2021*	SS	23212	2022	Amendment New Project (JAN 2022)
NDDOT	22.6.22	<Safety - Bismarck Expwy/McKenzie Drive Interchange (Bismarck Expressway, and McKenzie Drive Interchange west-bound off-ramp) (Installation of wrong way detection systems)	~~$635,500~~ $744,858	~~$50,500~~ $74,486	~~$0~~ $0	~~$686,000~~ $670,372	HEN	23378	NA	Amendment Updated Costs (JUN 2022 Amended into TIP in JAN 2022)
NDDOT	22.6.23	<Safety - US & NH Highways throughout the Bismarck District (I-94, I-94 BL, ND 6, ND 25, ND 1804, ND 1806) (Pavement Markings)	(TBD)	(TBD)	(TBD)	$1,050,186	HES	23426	2022	Amendment New Project (FEB 2022)
NDDOT	22.6.24	Rural - Statewide ITS equipment (I-94 Mile Marker 165, Apple Creek eastbound Weigh in Motion site) (Recalibrate electronics in existing Weigh in Motion cabinet)	$19,800	$2,200	$0	$22,000	NH	23507	NA	Amendment New Project (APR 2022)
NDDOT	22.6.25	<Planning Study - Transportation Management Center (TMC) and SMART Corridor (I-29 from the SD border to the Canadian border, and the TMC may be located in Bismarck) (Planning study to make I-29 a SMART Corridor and to design a TMC)	$550,000	$550,000	$0	$1,100,000	RAISE	23513	NA	Amendment New Project (APR 2022)
NDDOT	22.6.26	Urban Rail - Main Ave Bismarck (Main Ave Rail Crossing between 24th and 26th St) (Remove abandoned rail crossing and related infrastructure, restore pavement as needed)	$126,146	$0	$0	$126,146	RSU	23593	2022	Amendment New Project (APR 2022)
NDDOT	22.6.27	Urban Rail - 43rd Ave NE Bismarck (43rd Ave NE Rail Crossing) (New extended crossing surface, new full depth concrete panels on n and s sidewalks, upgrade and relocation of crossing signal system)	$413,788	$0	$0	$413,788	RSU	23582	2022	Amendment New Project (APR 2022)
NDDOT	22.6.28	Urban Rail - Morrison Ave Bismarck (Morrison Ave Rail Crossing, NPCC spur line) (Upgrade crossing by installation of new, improved rail signal and related accessories)	$244,935	$0	$0	$244,935	RPS	23355	2022	Amendment New Project (APR 2022)
NDDOT	22.6.29 ~~23.6.03~~	< Rural - Hwy 1804 (N Hazelton Jct to Signal St) (24.9 miles, Thin Overlay)	$3,566,000	$840,000	$0 (Burleigh)	$4,406,000	SS	23336	NA	Amendment Moved to 2022 (MAY 2022)
NDDOT	22.6.30	Bridge - I-94 (Sunset Drive Interchange, Mandan) (Preliminary Engineering work for a reconstruction project)	$2,700,000	$300,000	$0	$3,000,000	IM	23594	NA	Amendment New Project (MAY 2022)
NDDOT	22.6.31	Bridge - I-94 (I-94 Midway and Grant Marsh Bridge) (Preliminary Engineering work for a highway planning study evaluating Grant Marsh Bridge)	$4,500,000	$500,000	$0	$5,000,000	IM	23595	NA	Amendment Moved to 2022 (MAY 2022)
NDDOT	22.6.32 ~~23.6.14~~	Urban Regional - Mandan Memorial Highway (Memorial Highway Phase 2, Extents TBD) (Reconstruction, City Utilities)	~~$13,758,100~~ $15,848,000	~~$1,641,900~~ $1,776,000	~~$6,700,000~~ $5,398,000 (Mandan)	~~$22,000,000~~ $23,022,000	SU-CPU	23277	NA	Modification Moved from 2023 (JULY 2022)
NDDOT	22.6.33 ~~25.6.11~~	*Urban Regional - Bismarck Expy (Rosser Ave to Miriam Ave) (CPR, Grinding)	$1,968,800	$246,100	$246,100 (Bismarck)	$2,461,000	NHU	23346	NA	Modification Moved from 2025 (JULY 2022)
NDDOT	22.6.34 ~~23.6.18~~	*Safety - Hwy 810 E/Bismarck Expressway (4 miles, W of Washington St to East of 2nd Street) (Pavement Markings, Intersection Improvements, Turn Lanes, Flashing Beacon)	$199,800	$11,100	$11,100 (Bismarck)	$222,000	SHE	23225	NA	Modification Moved from 2023 (JULY 2022)
NDDOT	22.6.35 ~~23.6.13~~	Bridge - I-94 (CP railhay creek struct. 1 mile E of US 83 N, 19th St separation abt 1/2 mile E of US 83 N) (Deck Overlay, Rail Retrofit, Approach Slabs, Expand Joint Mod)	~~$536,328~~ $1,195,087	~~$59,593~~ $132,788	$0 (Bismarck)	~~$595,920~~ $1,327,875	IM	23009	NA	Modification Moved from 2023 (JULY 2022)
NDDOT	22.6.36 ~~24.6.02~~	<Rural - I-94 (East of 161 Interchange to east of Menoken Interchange) (9.8 miles, Median X-Overs, Ramp Connections)	$1,366,544	$151,838	$0 (Burleigh)	$1,518,382	IM	22639	NA	Modification Moved from 2024 (JULY 2022)

*Represents an "Expansion" project. An expansion project is focused on improving traffic flow through efforts such as: adding through lanes or turn lanes; new streets/roads; upgrading an intersection to a roundabout; or new/improved interchanges.

^ Pending Availability of Federal Funds

* Projects are funded in 2022 but will be constructed in 2023.

~ Projects are funded in 2021, but are constructed in 2022. Projects are not included in the expense report.

< Project area extent is larger than the MPO area. Costs have not been prorated.

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Solicitation Schedule for 2024-2027 TIP

PROGRAM/DESCRIPTION	FUNDING YEAR	MPO SOLICITATION	NDDOT SOLICITATION LETTERS/ INFO / APPLICATION	DATE DUE TO MPO	PRIORITIZATION/ RANKING/APPROVAL BY MPO	STAFF
TA: Transportation Alternatives Program Bicycle & Pedestrian/SRTS & safe routes for non-drivers/conversion & use of abandoned RR corridors to non-motorized use/turnouts, viewing areas and overlooks along roadways/certain community improvement projects/Environmental mitigation projects.	**2024 and 2025**	May 13, 2022	June 1, 2022	Thursday, July 15, 2022	RANKING by MPO & BIKE-PED RANKING by TAC Optional PRIORITIZATION by PB Optional	Kim
HSIP: Highway Safety Improvement Program A core Federal-aid highway program with the purpose to achieve a significant reduction in fatalities and serious injuries on all public roads.	**2027**	August 1, 2022	NOT YET SOLICITED	Friday, October 16, 2022	APPROVAL PRIORITIZATION OPTIONAL	Kim
Urban Roads Program Applications for federal aid on functionally classified roadways are submitted by the city/county. Projects must be within UZA boundary.	**2027**	August 1, 2022	NOT YET SOLICITED	Friday, October 16, 2022	PRIORITY PROJECT BASED ON MTP SHORT TERM PROJECT LIST	Rachel
Urban Regional Roads Program Applications are submitted by the jurisdiction in cooperation with the District (NDDOT).	**2027**	August 1, 2022	NOT YET SOLICITED	Friday, October 16, 2022	SCORING by MPO RANKING by Selection Committee then PRIORITIZATION	Rachel
Urban Grants Program A funding mechanism focused on reinvesting and fortifying a community's existing transportation assets to maximize the public ROI	**2025**	August 1, 2022	NOT YET SOLICITED	Friday, October 16, 2022	SCORING by MPO RANKING by TAC Optional PRIORITIZATION by PB Optional	Kim
Urban Rail / Highway Crossing Safety Projects Federal funds for safety enhancement projects at rail/highway at-grade crossings.	**2024**	WAIT FOR NDDOT SOLCITATION	NOT YET SOLICITED	TBD DUE TO NDDOT PRIOR TO DECEMBER 31	APPROVAL ONLY	ANY
RTP: Recreational Trails Program Funding for both motorized and non-motorized recreational trail projects.	**2024**	Spring 2023	Spring 2023	Spring 2023	APPROVAL ONLY	Kim
PLI: Projects of Local Importance Projects which are locally important are funded 100% by local entities or through federal funding other than the typically MPO administered grants.	**2024/2025**	Spring/Summer 2023		Spring/Summer 2023	PROJECTS INCORPORATED INTO TIP	Stephen

Updated: 7/7/2022