

TO: Bismarck-Mandan Metropolitan Planning Organization Policy Board

FROM: Rachel Lukaszewski, MPO Executive Director

DATE: December 11, 2023

RE: Policy Board Meeting

There will be a meeting of the Bismarck-Mandan MPO Policy Board on **Tuesday, December 19, 2023, 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.

Any of the 5 (five) Policy Board members can 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 or streaming live and archived online at FreeTv.org. Agenda items can be found online at [MPO Policy Board](#).

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Next scheduled Policy Board meeting is on 1/16/2024. 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

<u>Project</u>	<u>% Complete</u>	<u>Contracted Completion Date</u>
East Main Avenue Corridor Study (Bismarck)	100	06/30/2023
Sunset Drive Corridor Study (Mandan)	100	08/31/2023
2023 Transit Development Plan (Bis-Man Transit)	100	12/31/2023
Arrive 2050 Forecast/Arrive 2050 MTP (MPO wide)	36	03/31/2025
2023 Ortho-Contour Project (MPO wide)	76	02/29/2024
Safe Routes to Services Study (Bismarck/Mandan)	0	12/31/2024

Common MPO Acronyms

ATAC: Advanced Traffic Analysis Center	NDDOT: North Dakota Department of Transportation
CPG: Consolidated Planning Grant	TAZ: Traffic Analysis Zone
FHWA: Federal Highway Administration	TDMSE: Travel Demand Model & Socioeconomic Data
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
NOVEMBER 21, 2023**

The Bismarck-Mandan Metropolitan Planning Organization (MPO) Policy Board met November 21, 2023, at 1:30 p.m. in the Ed “Bosh” Froehlich Meeting Room, Mandan City Hall, 205 2nd Ave NW, Mandan, ND. Andy Zachmeier presided.

Members present or participating via Zoom were Mike Schmitz, Tim Helbling, Steve Schwab, and Andy Zachmeier. Member absent was Keli Berglund.

Others present or attending via Zoom were Kim Riepl, Paulette Jacobsen, Rachel Lukaszewski, and Stephen Larson of the Bismarck-Mandan MPO; Bill Troe, SRF Consulting; Deidre Hughes, Bis-Man Transit; Cody Christianson, Bolton & Menk; Miles Strain, 95West Aerial Mapping; and Jason Carbee, HDR.

CALL TO ORDER

Vice-Chair Zachmeier called the November 21, 2023 meeting of the Bismarck-Mandan Metropolitan Planning Organization Policy Board to order.

APPROVAL OF THE AGENDA

Mr. Zachmeier requested to add to the agenda, under Other Business, an action item related to the possible addition of the Pledge of Allegiance to Policy Board meetings.

MOTION: Mr. Helbling made a motion to approve the altered agenda as amended. Mr. Schmitz seconded the motion and with Tim Helbling, Mike Schmitz, and Vice-Chair Zachmeier voting in favor, the motion was approved.

MINUTES

Vice-Chair Zachmeier called for a motion to approve the minutes of the October 17, 2023 Regular Meeting of the Policy Board.

MOTION: Mr. Schmitz made a motion to approve the October Regular Meeting minutes. Mr. Helbling seconded the motion and with Tim Helbling, Mike Schmitz, and Vice-Chair Zachmeier voting in favor, the motion was approved.

2024-2027 TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT

Mr. Larson presented. This month the MPO processed one amendment to the 2024-2027 TIP. The amendment was advertised for the required 15-day comment period, and no public comments were received. A public hearing was also held at TAC yesterday, and no comments were received. The amendment, Exhibit A, adds a project for pavement markings on a variety of US and ND highways throughout North Dakota Department of Transportation’s (NDDOT) Bismarck District. A portion of this work will be within the MPO area. TAC recommended approval of the amendment as presented.

MOTION: Mr. Helbling made a motion to approve the 2024-2027 TIP Amendment as presented. Mr. Schmitz seconded the motion and with Mike Schmitz, Tim Helbling, and Vice-Chair Zachmeier voting in favor, the motion was approved.

Note: Mr. Schwab joined the meeting after approval of the amendment.

2028 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) PROJECTS

Ms. Riepl presented. Exhibit B is the summary sheet for the 2028 HSIP applications. The MPO received two applications from the City of Bismarck. HSIP projects are eligible for ninety percent federal funding. Both Bismarck projects were scored by MPO staff against the goals and objectives of the Metropolitan Transportation Plan (MTP) and received scores of 12.5. The points do not indicate a ranking but are presented for discussion and potential prioritization. HSIP projects historically have been submitted to NDDOT unprioritized, but this is at board discretion.

The first Bismarck application is a construction project on the I-94 eastbound ramp at the Schafer Street and Divide Avenue/Tyler Parkway intersection. The project will consist of signage on the north ramp approach, added pavement markings, and replacement of the east/west left turn protected/permissive signal to a flashing yellow arrow. Also, Bismarck will realign the left turn lanes on Tyler Parkway/Divide Avenue to remove the negative offset. The total project cost is \$80,000, with a requested federal share of \$72,000. The second Bismarck application is a construction project at the ND Highway 1804/University Drive and Yegen Road intersection, for the installation of an intersection lighting system to illuminate the operational area of the intersection. The project cost is \$165,000, with a requested federal share of \$148,500. TAC recommended approval of both projects to be forwarded to NDDOT without prioritization.

MOTION: Mr. Schmitz made a motion to approve the 2028 HSIP projects as presented to forward to NDDOT, unprioritized. Mr. Helbling seconded the motion and with Steve Schwab, Tim Helbling, Mike Schmitz, and Vice-Chair Zachmeier voting in favor, the motion was approved.

2027 URBAN GRANTS PROJECTS

Ms. Riepl presented. Exhibit E is a summary sheet for the 2027 Urban Grants project applications. This year the MPO received two applications, one from the City of Bismarck and one from the City of Mandan.

The City of Bismarck application is a reconstruction of East Main Avenue from 7th Street to 9th Street. This would convert the roadway from a 4-lane to a 3-lane section with on-street parking. New pavement, curb and gutter, lighting, storm sewer work, pavement markings, and pedestrian facilities would be included. Safety improvements would include wider sidewalks, boulevards (with landscaping) for snow storage and multi modal access, and possible curb extensions and high visibility crosswalks at intersections. The total cost is estimated at \$2,795,650, with a requested federal share of \$2,033,200.

The City of Mandan application is for their downtown reconstruction phase II (phase I has received FY 2025 Urban Grants funding). Phase II would reconstruct 1st Street NW from 2nd Avenue NW to 4th Avenue NW, 3rd Avenue NW from 1st Street NW to Main Street, and 2nd Avenue NW from 1st Street NW to Main Street. The full

reconstruction of 1st Street NW is needed due to very poor pavement condition and the need to replace the water main. Sidewalk and ramp improvements will bring the area up to ADA compliance. Curb bulb outs at 1st Street intersections, signage and striping, beautification elements, and lighting will be incorporated. A reverse angle parking trial may be attempted on a portion of 1st Street. Signalization warrants and potential roundabout placement at 1st Street intersections will be examined during preliminary design. Phase II is a standalone project, not dependent on phases I or III. The total cost is \$4,781,290, with a requested federal share of \$3,500,119.

Ms. Riepl noted the projects were scored by MPO staff against the goals and objectives of the MTP. Both projects scored 16.4 out of 16.4 points. These scores do not indicate a ranking but are provided to the board for information. Policy Board may submit these projects to NDDOT prioritized or unprioritized. TAC voted yesterday to recommend submittal to NDDOT unprioritized.

MOTION: Mr. Helbling made a motion to approve the 2027 Urban Grants projects as presented to forward to NDDOT, unprioritized. Mr. Schmitz seconded the motion and with Steve Schwab, Tim Helbling, Mike Schmitz, and Vice-Chair Zachmeier voting in favor, the motion was approved.

2026 TRANSPORTATION ALTERNATIVES (TA) PROJECTS

Ms. Riepl presented. This year the MPO received three FY 2026 TA applications, as summarized in Exhibit H. One application is from the Bismarck Parks and Recreation District (BPRD), one is from the City of Bismarck, and one is from the City of Mandan.

The BPRD application is to construct a Sunrise Trail connection (from East Century Avenue to Sunrise Park). It will install a 10-foot-wide shared use concrete trail extension from Sunrise Park to the future extension of Century Avenue. The total cost is \$591,800, and the federal share requested is \$473,440. The Bismarck application is for the rehabilitation of an existing shared use path which runs along State Street from Divide Avenue to Calgary Avenue. The total cost is \$412,000, with a requested federal share of \$329,600. Finally, the City of Mandan application is for the construction of an eight-foot-wide concrete trail on the east side of 8th Avenue NW, from 24th Street NW to 27th Street NW. This is just north of the new Mandan High School. The total cost is \$580,000 and the requested federal share is \$464,000.

All applications were reviewed and ranked by members of the MPO's Bike-Ped Subcommittee, and their rankings are shown in the columns labeled 1 through 10 on the table in Exhibit H. This ranking was done using the goals and objectives of both the MTP and the 2017 Bike-Ped Plan, as well as the technical expertise of the members. MPO staff also scored the projects using the MTP goals and objectives. The overall rank shown on the table indicates the City of Mandan's project was ranked first, the City of Bismarck's was second, and the BPRD project was third. These scores and rankings were provided to TAC for information and as a recommendation for prioritization. At TAC, Bismarck City Engineer Gabe Schell expressed concern that the State Street project was prioritized over the Sunrise Trail project. Because the State Street project has other funding opportunities available to it, he recommended the Sunrise Trail project receive priority over the State Street project. TAC voted to recommend approval of all three TA projects, with Mandan's 8th Avenue project ranked first, BPRD's Sunrise Trail project

second, and Bismarck's State Street project third. Policy Board can accept TAC's recommendation, choose its own prioritization, or submit to NDDOT without prioritization. MPO staff does not recommend submitting unprioritized. Former NDDOT selection committee members have said it is helpful for local communities to rank projects before submittal.

MOTION: Mr. Schmitz made a motion to approve the 2026 TA projects as presented to forward to NDDOT, with Mandan's 8th Avenue NW project as first priority, the Sunrise Trail Connection project as second priority, and the Bismarck State Street project as third priority. Mr. Helbling seconded the motion and with Tim Helbling, Mike Schmitz, and Vice-Chair Zachmeier voting in favor and Steve Schwab voting against, the motion was approved.

2023 TRANSIT DEVELOPMENT PLAN (TDP)

Mr. Troe gave the final presentation for the TDP on behalf of SRF. Policy Board is the last stop in the approval process. This TDP has produced recommendations for addressing Bis-Man Transit's funding gap, service, and organizational structure.

Transit's funding gap has been mentioned many times. COVID funding helped fill this gap for a time, but now Transit's reserves are projected to be exhausted by 2026, and the annual gap between revenue and expenditures averages about \$1.5 million. SRF reviewed Transit's finances and options to close the gap, including cuts to service, adjustments to revenue, or some combination of both. Mr. Troe showed a slide of the various service alternatives for Transit that were evaluated, and noted that only one, a conversion of all Transit service to a demand-response service (eliminating fixed-route service and putting paratransit riders into the same category as the general public) would close the gap, and that this alternative would significantly impact and reduce the number of riders served. SRF does not believe small changes to the fixed-route service would be viable. There is little redundancy between the routes in the current fixed-route system.

SRF looked at a variety of alternatives for increasing funding, both short and long-term. In the short-term, both the Cities of Bismarck and Mandan have provided some funding for Transit's non-ADA service, which is paratransit service operated outside of fixed-route hours. Transit has also been reaching out to local organizations who utilize Transit, who might be able to provide some funding for the service. Federal, state, and local sources were also evaluated. Federal and state sources of funding will not increase dramatically over the next few years. Long-term, increasing the local funding for Transit through property tax levies is possible, but there is not much appetite for this locally. A more viable option would be to explore a sales tax increase. A 1/10 of a cent increase would generate about \$2 million annually, which would close Transit's gap.

The TDP also addressed Transit's organizational structure and proposed some alternatives to the current structure. A couple of options include Transit being brought into the City of Bismarck, either as a new department, or under an existing department. These options included possibly bringing the bus drivers, mechanics, and others into the City also and this option was eliminated, since the City's overhead is higher than the existing overhead for the contractor Transit employs to hire drivers and mechanics. The concept of a Transit Authority was examined, which would make Transit a stand-alone, autonomous entity tasked with providing transit services in the region. Legislative action

would be required to make this concept a reality. In the short-term, the TDP recommends retaining the current organizational structure for Transit, as moving to a city department does not address most of the current issues. In the long-term, if a Transit Authority is desired, it is recommended Bis-Man Transit coordinate with Transit in Fargo-Moorhead, as this option has been something they have been considering.

Ms. Lukaszewski noted the board is being asked to approve the final TDP document and its recommendations. Approval does not tie the board or anyone else to any specific action outlined in the plan. Mr. Schmitz supports the plan, with the understanding that some of its recommendations will need further vetting.

MOTION: Mr. Schmitz made a motion to approve the 2023 TDP as presented. Mr. Helbling seconded the motion and with Tim Helbling, Mike Schmitz, and Vice-Chair Zachmeier voting in favor and Steve Schwab voting against, the motion was approved.

ARRIVE 2050 FORECAST/ARRIVE 2050 MTP

Mr. Carbee provided a study update for HDR. HDR held a successful round of public open houses for the MTP on November 9. One open house was held in Bismarck at the YMCA, and the other was held in Mandan at the Innovation Barn. They had some good public engagement, and they are still holding an online open house to collect additional public feedback through December 9. The Travel Demand Model is being completed, and when that is available the Forecast portion of this project will be finished, hopefully around the end of the year. Early 2024 will see more frequent interaction with the MTP Steering Committee, and more public engagement in the spring.

SAFE ROUTES TO SERVICES/COMPLETE STREETS STUDY

Ms. Riepl introduced the study. It is being funded by the MPO, the City of Bismarck, and the City of Mandan. It will address capacity building elements in a transportation context to help identify safety and connectivity concerns for vulnerable populations in Bismarck and Mandan. The intent is to gain better understanding of the community and transportation conditions for areas with concentrated populations of vulnerable, disabled, or disadvantaged people. The study will look at how the transportation network currently serves these populations in accessing essential services, and what might be done to improve it. Ms. Riepl introduced Cody Christianson with Bolton & Menk, the consulting firm selected for this study, to provide insight into how they will approach this project.

Mr. Christianson explained this is a unique project that they are excited about. The study just got underway. Bolton & Menk will be working with community advisory groups, a strategy that has been successful on other projects, especially in the Minneapolis area. The idea is to bring local organizations who serve vulnerable populations on as advisory groups and pay them as vendors for their work on the study. The Steering Committee for the study will have its first meeting on December 20, and at that meeting the Public Engagement Plan will be presented.

2023 ORTHO-CONTOUR PROJECT

Mr. Strain provided an update for 95West. The project is about 65% completed as of the end of October, and 95West is working through the most extensive manual labor portions of the project now. They will be submitting a pilot this week for a portion of their collection in Bismarck and Mandan, and they are working with City of Bismarck GIS to get access to some mapping features. The Lidar portion of the project is coming along, and 95West is working on having laminated maps available for the final product.

2024-2027 TIP ADMINISTRATIVE MODIFICATION

Mr. Larson presented on one administrative modification the MPO processed this month to the 2024-2027 TIP (Exhibit P). This change is presented for informational purposes. The modification moves a project from FY 2023 to 2024, for the installation of wrong way detection systems at the Bismarck Expressway/McKenzie Drive Interchange.

OTHER BUSINESS**Pledge of Allegiance**

Mr. Zachmeier said North Dakota law was recently changed to require the Pledge of Allegiance before many board meetings. The City of Bismarck attorney indicated Policy Board would not fall under this requirement, but Mr. Zachmeier would like the board to consider adopting the Pledge of Allegiance at meetings. He believes it is a way to show solidarity, unity, and respect for the flag and the nation. Mr. Schmitz, Mr. Helbling, and Mr. Schwab expressed support for Mr. Zachmeier's proposal.

MOTION: Mr. Schwab made a motion to add the Pledge of Allegiance to all future Policy Board meetings. Mr. Helbling seconded the motion and with Steve Schwab, Tim Helbling, Mike Schmitz, and Vice-Chair Zachmeier voting in favor, the motion was approved.

ADJOURNMENT

There being no further business, Vice-Chair Zachmeier declared the meeting adjourned at 2:22 p.m.

The next scheduled meeting will take place December 19, 2023, at 1:30 p.m. in the Ed "Bosh" Froehlich Room in Mandan City Hall, 205 2nd Ave NW, Mandan.

Respectfully submitted,

Stephen Larson
Recording Secretary

APPROVED:

MPO Policy Board Chair



Public Participation Plan
for the
Bismarck-Mandan
Metropolitan Planning Organization
DECEMBER 2023

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PUBLIC PARTICIPATION PLAN PURPOSE

The Bismarck-Mandan Metropolitan Planning Organization (MPO), with the aid of this Public Participation Plan, desires the participation and involvement of a broad range of interest groups, organizations, governments, and citizens to result in more creative and effective decision-making. Public participation:

- Educates the public on transportation issues and opportunities
- Builds public knowledge and trust about processes and issues
- Identifies public concerns and values
- Gathers information, develops consensus, resolves conflicts, and produces better decisions
- Enhances the accountability of government decisions through increased opportunity for citizen participation
- Gains the fresh perspective of empowered citizens leading to creative approaches
- Allows plans to be evaluated and refined
- Reduces delays and costs from not having public involvement

Public Participation Regulations

Public participation in transportation planning and programming gained new emphasis under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and was further expanded by the 1998 Transportation Equity Act for the 21st Century (TEA-21), the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and the 1994 Environmental Justice Executive Order 12898.

More recently, the Infrastructure Investment and Jobs Act (IIJA, Pub. L. 117-58) became the most current transportation authorization as it was signed into law November 15, 2021. Each transportation authorization differs in some regards to the one which preceded it. However, one thing has remained constant, and that is the requirement for a continuous, cooperative, and comprehensive metropolitan transportation planning process for the plans and programs developed by the MPO.

Federal regulations, such as those contained within 23 CFR 450.316, require MPOs to include public participation in development and implementation of their programs, plans, and activities, including the development and approval of their Metropolitan Transportation Plans (MTP) and Transportation Improvement Programs (TIP).

In developing MTPs and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the area that are affected by transportation (including, but not limited to, State and local planned growth, economic development, environmental protection, airport operations, and freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop MTPs and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area provided by:

- Recipients of assistance under title 49 U.S.C. Chapter 53

- Governmental agencies and non-profit organizations (including their representatives) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services
- Recipients of assistance under 23 U.S.C. 201-204

Federal regulations require early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts. It is policy of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), which are both oversight agencies of the MPO, to actively involve the public in a process that is transparent, cooperative, collaborative, and continuing.

Federal regulations further state that public participation must:

- Be proactive
- Provide complete information
- Provide timely public notice
- Enable full public access to key decisions
- Give opportunities for early and ongoing involvement to enable review and comment prior to any formal decisions
- Give explicit consideration and response to public input received during development of all MPO programs, plans, and activities, including the MTP and the TIP
- Consider the needs of those traditionally underserved by existing transportation systems

Role of the MPO

The MPO shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to be involved in the metropolitan transportation planning process.

The MPO should provide complete information, timely public notice, and access to public decisions. The intent of these mandates is to solicit public comment on ideas, issues, and scope on alternatives, allowing the public to have a real influence throughout the planning stages and decision-making process.

In carrying out the public process, the MPO shall, to the maximum extent practicable:

- Hold any public meetings at convenient and accessible locations and at varying times;
- Employ visualization techniques to describe plans; and
- Make public information available in electronically accessible formats, such as websites or remote meetings, as appropriate to afford reasonable opportunity for consideration of public information

Goals & Objectives

Goal 1: Early Involvement

The public will be involved early in the decision-making process.

Objective: Initiate the public involvement process once adequate information has been gathered to identify planning scope and to enable beneficial communication with the public and interested parties.

Objective: Actively encourage and facilitate early public participation and examination of regional issues.

Goal 2: Opportunity

All citizens will be given the opportunity to participate in transportation decision-making processes.

Objective: The MPO will evaluate notification methods and select the most appropriate for enhancing opportunity for public input. The MPO will take appropriate steps to give input opportunities to vulnerable and underserved populations in the community.

Objective: Provide relevant jurisdictions, agencies, transportation modes, and interested parties the opportunity for ongoing involvement in regional decision making through representation on MPO committees and advisory bodies which develop recommendations on transportation issues.

Goal 3: Information

The public will be provided with clear, timely, and accurate information.

Objective: Expand the public's awareness and understanding of regional issues and MPO activities by disseminating information through an effective and multifaceted effort.

Objective: Employ visualization techniques wherever they may be effectively used. Key planning information will be made available either on the MPO's website or a website for each individual project, as well as on social media, as appropriate.

Goal 4: Techniques

The public participation process will be flexible and varied. Several techniques will be utilized and combined to yield the most effective results and to meet a particular need.

Objective: Increase interaction and dialogue with local governments on day-to-day metropolitan transportation issues to yield input on solutions. Coordinate informal meetings to discuss transportation issues and designate a transportation contact for each jurisdiction.

Objective: Prior to the beginning of each planning project, establish methods and a schedule for public participation that best fits the unique characteristics of the given planning effort.

Objective: Periodically review the effectiveness of public involvement techniques utilized by the MPO.

PUBLIC PARTICIPATION PROCEDURES FOR REQUIRED MPO DOCUMENTS

Transportation professionals must provide technical and professionally sound guidance, must be fiscally responsible, and must educate the public sufficiently to enable them to offer informed opinions about transportation issues.

*** Procedures for the Metropolitan Transportation Plan (MTP)**

The following steps are considered minimum procedures that will be followed to fulfill the public participation requirements for completion of a Metropolitan Transportation Plan. Additional efforts may be performed when deemed beneficial to the overall public involvement process.

1. The MPO or its representative will meet with each metropolitan jurisdiction to ask them to detail their short and long-term transportation goals.
2. Public meetings will be held on each side of the Missouri River to discuss these lists and generate input on other transportation issues in the metro area.
3. The MPO or its representative will consult with Federal, State, Tribal, wildlife and land management, and regulatory agencies. Additionally, the MPO shall provide reasonable opportunity for comment to interested citizens and groups covered in the MPO's master contact list, which, in general, may include, but is not limited to:
 - Public agencies
 - Representatives of public transportation employees
 - Freight shippers
 - Providers of freight transportation services
 - Private providers of transportation
 - Representatives of users of public transportation
 - Representatives of pedestrians
 - Representatives of bicyclists
 - Representatives of the disabled
 - Representatives of the elderly
 - Environmental review agencies
 - Other interested parties
4. Once a Draft MTP is developed, it will be released for 30-day public comment. A legal notice or advertisement will be published in The Bismarck Tribune at least 30 days prior

to the end of the public comment period. The day of publication does not count toward the 30-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the same 30-day notice period as the Mandan News is currently only published once per week.

5. A press release will be sent to the City of Bismarck's media contacts list in conjunction with the legal notice or advertisement detailed in the previous procedure.
6. At the end of the comment period, the MTP will be presented to local jurisdictions' governing bodies for final review and acceptance. Comments will be compiled and the final MTP will be presented to the TAC and Policy Board for approval.
7. The MPO or its representative will follow the advertisement policy contained within the Public Participation Plan.
8. The MPO will publish the Draft and Final versions of the MTP accessible from the following website: www.bismarcknd.gov/mpo

Addressing Public Comment Related to the MTP

Prior to MPO Policy Board action public comments will be summarized, answered (where appropriate) and suggested modifications presented. If public comment leads to significant changes in the proposed MTP, an additional 15-day comment period will be provided for the public to comment on those revisions. All public comments received will be included in the appendices of the final plan.

Amendments to the MTP

MTP Amendments will be released for a 15-day public comment period if they are significant in nature. Significant amendments may include:

- Adding or removing short, medium, and/or long-range projects
- Any other projects that have the potential to affect the fiscal constraint of the MTP
- Projects negatively impacting air quality or environmental justice areas (concentrated populations of low income and minorities)

The MPO will host a public hearing and publish a legal notice or advertisement in The Bismarck Tribune at least 15 days prior to the public meeting if the proposed amendment is deemed significant in nature. The day of publication does not count toward the 15-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the same 15-day notice period as the Mandan News is currently only published once per week. Significant MTP Amendments will require MPO Policy Board approval.

MTP Administrative Modifications may include minor changes which do not materially alter the purpose, scope, or use of the document. The MPO TAC and Policy Board, as well as NDDOT,

FHWA, and FTA, will be notified regarding an MTP Administrative Modification. Public notification is not required for an MTP Administrative Modification.

***Procedures for the Transportation Improvement Program (TIP)**

The MPO maintains a master contact list of local transportation stakeholders. To the extent possible the MPO will consult with officials responsible for other types of planning activities that are affected by transportation in the area (including, but not limited to, State and local planned growth, economic development, environmental protection, airport operations, and freight movements). Once the Draft TIP is prepared, individuals/agencies on the MPO master contact list will be made aware that it is available for review and comment.

1. Once the Draft TIP is prepared, a legal notice or advertisement will be issued in local newspapers stating:
 - The purpose of the TIP
 - A brief description of the anticipated planning process
 - Actions to be taken
 - The location where locally proposed project lists can be viewed or secured
 - The time and place to obtain information or provide public input on the preliminary proposals
 - The MPO contact, if further information is desired
2. The Draft TIP will be released for 15 days for public comment during which oral and written comments may be submitted (the public can also submit them at the Technical Advisory Committee (TAC) meetings). A legal notice or advertisement will be published in The Bismarck Tribune at least 15 days prior to the end of the public comment period. The day of publication does not count toward the 15-day requirement; however, the final day of the comment period does count toward the required minimum.
3. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the 15-day notice period as the Mandan News is currently only published once per week.
4. The MPO will host a public hearing on submitted Draft TIP projects. Notification for the public meeting may occur in conjunction with the aforementioned 15-day public comment period legal notice or advertisement in the Bismarck Tribune and the Mandan News **or** could occur in addition to the legal notice or advertisement. If notification for the public meeting is published independently of the 15-day public comment period legal notice or advertisement, it will be published at least 15 days prior to the meeting.
5. A press release will be sent to the City of Bismarck's media contacts list in conjunction with the legal notice or advertisement detailed in procedure 3.
6. The MPO will compile oral and written comments and provide them to each jurisdiction and the MPO Policy Board prior to approval.

7. The MPO will publish the Draft and Final versions of the TIP on the following website: www.bismarcknd.gov/mpo
8. The final MPO TIP, once approved by the Policy Board, will be submitted to the state DOT for incorporation into the Statewide Transportation Improvement Program (STIP).

Addressing Public Comment Related to the TIP

Prior to MPO Policy Board action, public comments will be summarized, answered (where appropriate), and suggested modifications presented. If public comment leads to significant changes in a proposed TIP, an additional 15-day comment period will be provided for the public to comment on those revisions. All public comments received will be incorporated into the final TIP.

Amendments/Modifications to the TIP

The TIP will be amended or modified when there are project changes to the first programming year, known as the in-year. Out-year programs will be updated with each annual TIP update.

TIP Amendments will be released for a 15-day public comment period for changes that include the following:

- Major scope changes (including, but not limited to, changing work type such as bridge rehabilitation to replacement, resurface to reconstruct, adding additional work/bridge/lane/intersection/route)
- Significant cost increases (greater than or equal to 25% of the total project cost)
- Adding new projects or removing projects in the TIP
- Capacity-increasing projects
- Projects negatively impacting air quality or environmental justice areas (concentrated populations of low income and minorities)
- Any other projects that have the potential to affect the fiscal constraint of the MTP

The MPO will host a public hearing and publish a legal notice or advertisement in The Bismarck Tribune at least 15 days prior to the hearing whenever a TIP amendment is proposed. The day of publication does not count toward the 15-day requirement; however, the final day of the comment period does count toward the required minimum.

In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the 15-day notice period as the Mandan News is currently only published once per week. TIP Amendments will require MPO Policy Board approval.

The MPO TAC and Policy Board, as well as NDDOT, FHWA, and FTA, will be notified regarding TIP Administrative Modifications. Public notification is not required for a TIP Administrative Modification. Modifications will be considered complete upon document development by MPO staff, and the public, MPO boards, and MPO oversight will be notified of the TIP Administrative Modification(s) at the soonest opportunity for public meeting.

TIP Administrative Modifications include the following:

- Minor scope changes
- Change in construction and/ or funding year, without significant cost increase or major scope change
- Minor cost changes (any decrease of total project cost or an increase less than 25% of the total project cost)
- Notice of advance construction by a local agency
- Change, addition, or deletion to the project phasing of a Regionally Significant Project or the Annual Lump-Sum Project Phase Estimates.

***Procedures for the Title VI and Non-Discrimination/ADA Plan (Title VI)**

1. Title VI is subject to an internal audit, performed by MPO staff, on an annual basis.
2. Deficiencies or updates identified by the audit must be remedied within 90 days from the date of the audit. These are generally considered administrative modifications and may include any of the following:
 - Updates to forms or tables
 - Grammatical corrections to existing text
 - Language or text modification or additions within existing sections of the document for purposes of clarification
3. Although a public notification period is required, neither a public hearing nor formal adoption by the Policy Board are required.
4. Modifications to the Title VI Plan will be released for 15-day public comment period. A legal notice or advertisement will be published in The Bismarck Tribune at least 15 days prior to the end of the period. The day of publication does not count toward the 15-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the same 15-day notice period as the Mandan News is currently only published once per week.
5. At the end of the comment period, the administrative modifications to the Title VI Plan will be presented to TAC and Policy Board for their information.

Significant Revisions to Title VI

Significant changes to Title VI, such as those resulting in a substantially alternative interpretation of an existing section of the document or the creation of a new section to the document, shall require the following procedure.

1. The MPO will release the revised Title VI Plan for a 30-day public comment period, will host a public hearing, and will publish a legal notice or advertisement in The Bismarck Tribune at least 30 days prior to the end of the public comment period. The day of publication does not count toward the 30-day requirement; however, the final day of the

comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the same 30-day notice period as the Mandan News is currently only published once per week.

2. The MPO will compile oral and written comments and provide them to the MPO Policy Board prior to approval.
3. The MPO will publish the Draft and Final version of the Title VI on the following website: www.bismarcknd.gov/mpo .

***Procedures for the Unified Planning Work Program (UPWP)**

1. The MPO will consult with the local MPO member jurisdictions in the development of the UPWP.
2. The MPO will publish the UPWP on the following website: www.bismarcknd.gov/mpo

Amendments to the UPWP

Amendments can be made to the UPWP. Amendments must be approved by the MPO Policy Board, NDDOT and FHWA/FTA (as applicable) before becoming a part of the active UPWP.

The MPO is allowed to move funding between tasks to an amount up to 10% of the total cumulative yearly amount, without North Dakota Department of Transportation (NDDOT) and Federal Highway Administration/Federal Transit Administration (FHWA/FTA) approval.

Funding added over the contract amounts, new projects, or budgetary changes in excess of 10% (cumulative yearly amount) will continue to require NDDOT and FHWA/ FTA approvals of amendments to the UPWP. In addition, the MPO must advise the NDDOT and FHWA/FTA of any budgetary changes within the 10% limits described above.

***Procedures for the Public Participation Plan**

The Public Participation Plan (PPP), at a minimum, should be reviewed and updated as appropriate prior to the MTP development process.

1. The PPP will be released for a 45-day public comment period regarding significant revisions to the document.
2. A legal notice or advertisement will be published in The Bismarck Tribune at least 45 days prior to the end of the public comment period. The day of publication does not count toward the 45-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the 45-day notice period as the Mandan News is currently only published once per week.

3. At the end of the comment period, any comments will be compiled and the final PPP will be presented to the TAC and Policy Board for approval.
4. Copies of the approved PPP shall be provided to FHWA/FTA for informational purposes and shall also be posted to the MPO website at: www.bismarcknd.gov/mpo.

OTHER PUBLIC PARTICIPATION PROCEDURES

General Advertisement Policy

The MPO or its representative will advertise public meetings, hearings, or events in the Bismarck Tribune, and/or the Mandan News. The goal is to place advertisements a minimum of 15 days in advance of the meeting, unless allowed otherwise by the MPO and involved local jurisdictions.

All public notices which publish in the Bismarck Tribune and/or the Mandan News will be posted in an online format to the MPO website at: www.bismarcknd.gov/mpo.

Direct mailing notifications will be considered if appropriate and will be coordinated with local staff to achieve maximum reasonable coverage and response.

Additional notification, when available and applicable, may be provided through the issuance of a press release, and/or through electronic/online means.

Additional Public Outreach Efforts

In addition to public involvement efforts previously identified in this document the MPO will consider the use of the following outreach efforts as appropriate, including, but not limited to:

- Presentations to professional, citizen, and/or student organizations
- Articles in local newsletters
- Press releases and meetings with the local media
- Interviews with local businesses and/or individuals affected by possible study recommendations
- Presentations/workshops by recognized experts in transportation planning related issues
- Online, e-mail, telephone, or mail-out surveys
- E-mail notification of MPO public meetings or events
- Use of Dakota Media Access for MPO meetings, projects, or events
- Use of visual aids such as, but not limited to, maps, charts, pictures, videos, animation, and graphs
- Use of the Internet and social media (including the MPO website, www.bismarcknd.gov/mpo) to provide increased access to MPO material, activities, meetings, projects or events
- Use of local events calendars to provide notification of MPO meetings or events
- An MPO Newsletter
- Develop posters which depict information about upcoming public meetings to be displayed at public, high school, and university libraries, significant shopping centers,

local community events (farmer's markets or festivals), and popular business establishments (for example grocery stores, banks, coffee shops within a given study area)

- Public kiosks

Addressing Public Comment

Public comments that are received will be documented, summarized to committees and addressed in the appropriate planning or programming documents. Significant public input shall be recognized and identified in final documents or appendices, as appropriate. Prior to MPO Policy Board action public comments will be summarized, answered (where appropriate) and suggested modifications presented.

Access to MPO Plans, Programs, and Studies

Hard copies of the current Metropolitan Transportation Plan, Transportation Improvement Program, Title VI and Non-Discrimination/ADA Plan, Unified Planning Work Program, and other MPO planning efforts will be available to request at the MPO office located at:

The City/County Office Building
221 North 5th Street (2nd Floor/Community Development Department)
Bismarck, ND

Electronic versions of the aforementioned documents will also be made available on the following MPO website: www.bismarcknd.gov/mpo

Responsiveness to Special Needs

All public notices will offer the provision of special accommodations or auxiliary aids for those needing such assistance. Upon request by individuals with special needs, the MPO will work with local resources to provide them with information in the format best suited for their request.

Meeting facilities should be accessible to mobility impaired individuals and meetings should be scheduled at various times to accommodate various work schedules. Additionally, options for remote (electronic) participation should be considered for all meetings and offered when practicable. Arrangements for assistance to people with any disability will be pursued.

All public notices shall contain the following language: "To request accommodations for disabilities and/or language assistance, contact Title VI/ADA Coordinator at 701-355-1332, MPO@bismarcknd.gov, or TTY 711 or 1-800-366-6888 at least five (5) days in advance of the meeting."

Additional information on ADA or Limited English Proficiency resources available can be found in the Bismarck-Mandan MPO's Title VI and Non-Discrimination/ADA Plan at <http://www.bismarcknd.gov/1335/Title-VI-and-Non-Discrimination-Plan>.

Environmental Justice

Environmental justice is the public policy goal of ensuring no government activities bear disproportionately high or negative impacts on low income or minority populations. MPOs are required to identify disproportionately high or adverse affects to these populations. Additionally, MPOs are to seek out and consider the needs of those traditionally underserved by existing transportation systems, such as low income and minority households, who may face challenges accessing employment and other services as stated in 23 CFR Part 450.316 (1) (vii).

As required by the IIJA, the MPO will assess the distribution of federal funds and evaluate their Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) for environmental justice considerations.

In an effort to meet the intent of Environmental Justice, the MPO has identified known low income and minority populations. Agencies and groups representing these entities have been added to the MPO's master contact list. This list is updated as more individuals, groups and agencies pertaining to environmental justice are identified.

The MPO will evaluate the potential for adverse impacts on Environmental Justice populations by considering where low income and minority populations issues exist in ongoing transportation planning activities, seeking active participation by these populations, and evaluating Environmental Justice concerns that are identified.

Other Information

The MPO's master contacts list includes, but is not limited to: citizens, elderly and disabled advocacy groups, public and private agencies, officials, government staff, and businesses. The MPO will continue to make additions to and refine its contacts list over time.

The MPO and Bis-Man Transit entered into a joint understanding (Memorandum of Understanding dated 5/23/02) regarding contact and involvement relating to transit and transportation issues. This agreement is available from the MPO upon request. In that agreement, Bis-Man Transit agrees to help the MPO in contacting and involving elderly and disabled individuals and representative groups. Although the MPO maintains contact information for such groups, it is recognized this is a specific area of strength for Bis-Man Transit. It may, at times, become necessary for the MPO to reach out to a more extensive set of recipients than allowed by the current list it maintains. It is understood in these instances Bis-Man Transit will assist in such an effort as requested by the MPO.

Federal regulations identify public participation requirements in the development of the Program of Projects (POP). Bis-Man Transit annually develops a POP for inclusion in the Transit Improvement Project section of the TIP. The public participation requirements identified in United States Code Chapter 49 Section 5307c.1-7 are satisfied by the Public Participation Procedures for the TIP identified in this document.

For a glossary of common MPO acronyms, including acronyms referenced in this plan, please visit the MPO website at: www.bismarcknd.gov/mpo.

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N O R T H Dakota | Transportation

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FY2025 - Section 5339 Bus & Bus Facilities Program		
Agency Name	Bis-Man Transit Board	
Agency Contact	Deidre Hughes	Phone: 701.258.6817
Unique Entity ID #	83-441-0987	

Section 5339 – The Federal Transit Administration (FTA) Section 5339 (Bus & Bus Facilities Program) is a capital-only program and funds are limited to capital projects to replace, rehabilitate, and purchase buses and bus-related equipment, and to construct or rehab bus-related facilities.

The entire Section 5339 – Bus and Bus Facilities Grants is further explained in FTA Circular 9300.1B, located on the FTA website at

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final_C_9300_1_Bpub.pdf.

Please Note:

- Capital project requests for ADA vehicles will require a minimum of **15% Local Match**. All other capital project requests will require a minimum of **20% Local Match**.
- **Farebox revenue cannot be used as Local Match.**
- Assets purchased with Federal Funds must be maintained and inventoried through a Transit Asset Management (TAM) Program.
- As with most Federal Assistance Programs, 5339 is designed as a reimbursement program. Your agency should be prepared to pay for your expenses upon delivery/acceptance and then request reimbursement from NDDOT.
- If requesting a replacement vehicle, the vehicle listed must have met FTA/NDDOT Useful Life. However, regardless of useful life having been met, federal interest remains until the value of the vehicle or equipment falls below \$5,000.
- If you receive \$750,000 from any federal source, you are required to have a Single Audit per 2 CFR 200 Subpart F.
- Prior to contracting, your agency must have a completed FY 2024 FTA Certifications and Assurances uploaded in BlackCat.
- Prior to contracting, your agency must be active in the System of Award Management (SAM.gov).

- All applications are due **December 29, 2023 12:00pm CDT**. Late and/or incomplete applications may be subject to a penalty percentage reduction of requested amount or may be eliminated from funding consideration.
- The NDDOT Transit Staff is available to provide guidance and answer any questions on the application process. E-mail: bhanson@nd.gov, dkarel@nd.gov, or jsmall@nd.gov.

GENERAL INFORMATION

1. Provide a detailed description of the transportation services your agency currently provides and any plans for increasing services, expanding service area and increasing ridership. (include days and hours of service, fare structure, total active and spare vehicles in service, type of service being provided, transportation provided to what counties and communities in your service area, etc.).

Bis-Man Transit currently provides fixed route service for the cities of Bismarck and Mandan and complementary paratransit services, with demand response available for senior and disabled passengers, including those in the City of Lincoln. Bis-Man Transit continues to transition current demand response riders to our fixed route service and gain new fixed route ridership through continued outreach and community partnership efforts. Due to the COVID-19 pandemic, Bis-Man Transit experienced a significant decline in ridership for 2020 and 2021. However, ridership continues to increase in 2023 for both fixed and paratransit routes. The most recent route re-design went into effect on February 1, 2021.

Fixed route service is provided on six routes from 6:30 a.m. - 7:00 p.m. Monday through Friday and 7:30 a.m. - 7:00 p.m. on Saturday. All nine vehicles in the fixed route fleet are ADA accessible, with service provided for Bismarck and Mandan. Regular fares are \$1.50 for a one-way trip, \$6.00 for a 1-day pass, and \$36 for a 30-day pass. Fares for those certified to utilize our demand response services or those over 65 can ride free. Reduced fares for students K-College, Veterans, and those on Medicare is \$.75 for a one-way trip, \$3.00 for a one-day trip, and \$24.00 for a 30-day pass.

In 2022, 74,596 unlinked passenger trips were provided on fixed route, an increase of 17,852 trips from the previous calendar year. Fixed route ridership has continued to increase for 2023, with 72,469 trips from January through September.

Paratransit/demand response service is provided to individuals with disabilities and seniors over 70 with a fleet of 19 cutaway buses and two rear lift vans. The service area covers the city limits of Bismarck and Mandan, the city of Lincoln, and within ¾ mile of any fixed route. A one-way fare is \$3.00/ Services are provided from 5:30 am – 12:00 am, Monday through Saturday, and 7:30 am - 2:30 pm on Sunday. In 2022, 90,430 unlinked passenger trips were provided on paratransit, a slight increase from the previous calendar year.

Services are provided in both Burleigh and Morton Counties

2. Provide a detailed explanation of how and why this request is important to your agency and how it will improve or provide for future service to citizens in the communities/counties you provide service.

As the facility and parking lot age, the need for the proposed repairs and upkeep becomes more pressing. Given the Bis-Man Transit budgetary concerns, these projects can't be afforded solely with local funding.

3. What percentage of change in ridership has your agency experienced in the since the last application? Provide a brief explanation of the reason for the change in ridership.

- ☒ Increase
☐ Decrease

Description of change: Since the last application period, Bis-Man Transit has experienced a 13% increase in ridership. The majority of this increase has come from the fixed-route service.

Following are suggested price requests for vehicles based on current state bid quotes. Keep in mind if you intend to order vehicles with additional options, prices will vary accordingly. See the State Bid Contracts on the website at https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm		Estimated Delivery time (in months)
15 Passenger or 12 + 2 Passenger Cutaway/Bus NDDOT Term Contract No. 300	Base Price - \$119,103 - \$133,898	12 – 24
ADA Transit Med or High Roof Vehicle with Rear or Side Lift NDDOT Term Contract No. 301	Base price - \$67,913 - \$102,677	12 – 24
Frontrunner – Low Floor Vehicle – New England Wheels NDDOT Term Contract No. 381	Base Price - \$145,132 - \$146,607	12 – 24
ADA Low Floor Mini Van NDDOT Term Contract No. 382	Base Price - \$69,900	6 – 9
Low-Floor Paratransit Ramp Buses NDDOT Term Contract No. 383	Base Price - \$137,034 - \$145,304	12 – 24
Hometown View Bus NDDOT Term Contract No. 389	Base Price - \$156,850 - \$210,080	8 - 12
Trolley – Carriage and Villager NDDOT Term Contract No. 386	Base Price - \$125,000 - \$168,000	6 – 12
FTA Useful Life Standards		
Mini-Vans/Modified Vans – 3-14 passenger	4 years or 100,000 miles	
Med-Size Light Duty Cutaway – 8-16 passenger	5 years or 150,000 miles	
Med-Size Med Duty Cutaway/Bus – 16-30 passenger	7 years or 200,000 miles	
Med-Size Heavy Duty Bus – 24-25 passenger	10 years or 350,000 miles	
Large Heavy-Duty Bus – 35-40+ passenger	12 years or 500,000 miles	

TRANSIT FACILITY PROJECT

NOTE: This request **MUST** first be created as a project in Black Cat.

REHABILITATION/RENOVATION OF A TRANSIT FACILITY

11. Do you currently have a transit facility?

- ☒ Yes ☐ No

12. If yes, provide information on the current facility.

Federally Funded: ☒ Yes ☐ No ☐ Other

Year Constructed: 1997

Square Footage: 60,795 sq/ft; 28,060 sq/ft concrete

Parking spots: 100

Has this facility been renovated in the past? ☒ Yes ☐ No If Yes - Describe

Two facility improvement projects have been completed since 1997. The first was completed in 2003 and included a garage expansion project for storage and paratransit bus overflow. In 2011, the second project was completed which included the fixed-route bus garage addition.

13. Give a detailed description and justification of the proposed project. Include the need for rehabilitation, improvements, or remodeling, necessary repair work, cost estimates, temporary or permanent repair, and other details that you deem relevant to assist NDDOT in making a project determination.

Project #1 – Concrete and Curbing Repair

Due to normal wear and tear to the parking lot and annual snow removal, several curbs around the facility have been significantly damaged and require replacement. A 550-square-foot portion of the northeast lot has extensive erosion damage near a drain, becoming a safety concern for employees and bus traffic. That portion of the parking lot is blocked off with safety cones to prevent accidents as a temporary fix. Additionally, the concrete aprons on three driveways are severely cracked. Concrete replacement is necessary for permanent repair. Several smaller cracks around the building need a sealant to avoid further, more costly repairs. The estimated cost for this project is \$50,000 based on a 2021 concrete project and the curbing cost the City of Mandan paid for a similar project.

Project #2 – Exterior Facility Painting

The need for the facility exterior to be re-painted was indicated during the 2022 Facility Condition Assessment completed by the City of Bismarck. It was indicated that corrective action should occur immediately to stop further damage to the building. The canopies, blue framework, and brown brick wainscoting have not been repainted in several years and are faded and peeling. The estimated cost for this project is \$30,000 based on a quote received in 2020 and inflation.

Project #3 – Exterior Signage

The Bis-Man Transit facility serves as the fixed route bus stop that offers passengers restrooms, ticket purchasing options, and access to public meetings. In 2021, Bis-Man Transit underwent a rebrand; however, the facility signage was not updated on the bus depot canopy. Based on an internet search, the estimated cost to replace the lighted sign with installation is \$3,000. Since the facility was built, the lighted stand-alone Bismarck Mandan Transit Center sign on the east side of the building has not been maintained or replaced. Unlike all other exterior lights at the facility, the sign has not been converted to LED. Additionally, the lettering and paint have begun peeling. The estimated total cost for this project is \$10,000.

14. Provide an estimated timeline for the project (s). Provide a separate timeline for each project you are applying for. See sample timeline below, add or remove lines as needed. **Project #1**

Request for Proposal (RFP)/Invitation for Bid (IFB) Issue Date: 6/1/2024

Contract Award Date: 7/15/2024

Project Start Date: 8/1/2024

Contract Completion Date: 9/30/2024

Final Payment Submitted to DOT: 10/31/2024

15. Has your Agency completed the FTA Region 8 Categorical Exclusion Worksheet for this project?

The worksheet and instructions can be found in BlackCat Global Resources or on NDDOT Transit website under Procurement at <https://www.dot.nd.gov/divisions/localgov/transit-operator-portal.htm>

- ☐ Yes (Applicant must complete and attach the worksheet)
☒ No (Applicant must provide an explanation) Not required for this project.

16. Has your agency completed and attached an Equity Analysis for this renovation? NOTE: An Equity Analysis must occur before the preferred site is selected.

- ☐ Yes
☒ No (Applicant must provide an explanation) Not required for this project.

17. Your agency will be **required** to interview and hire an architect/consultant to design the plans and specifications and manage the bidding and construction of this building to meet FTA and NDDOT standards and requirements. Provide the dollar amount are you requesting.

Total Cost (include federal and local amounts):

Federal Funds Requested:

Local Match Amount:

Source(s) of Local Match:

18. An Independent Cost Estimate (ICE) is required to show that the price is fair and reasonable. Explain your process for completing the ICE below. Upload your ICE with the application documents.

Independent Cost Estimates have been completed for all three proposed projects.

19. Are you proposing to use the value of land as match, in whole or part, for your project? If yes, please indicate whether this is an appraised value or estimate. Only the portion of land required for the project may be considered in this valuation.

- ☒ No
☐ Yes, Appraised Value:
☐ Yes, Estimate Value:

20. Does the appraised value or estimate cover your entire match? If not, Identify other sources of local match for this project.

21. Has your agency held public meetings about this project? If yes, when and did the community support this project? Include documentation of all public meetings (agendas, advertisements, meeting minutes, comments, and list of attendees)

- ☐ Yes, and documents are attached. Meeting dates:
☒ No (Applicant must provide an explanation)
 Proposed project sizes do not require public meetings.

22. Does your agency have a written Facility Maintenance Plan? Explain the procedures to ensure facility & equipment is inspected and maintained per manufacturer's warranty instructions on a regular scheduled basis as described in your Facility Maintenance and TAM Plans.

- ☒ Yes
☐ No (Applicant must provide an explanation)

23. Are your facility and any maintenance records recorded in your TAM maintenance program as required by NDDOT? If No, please explain.

- ☒ Yes
☐ No (Applicant must provide an explanation)

24. What is the condition (1(Poor) – 5 (Excellent) rating scale assessment) rating of your current facility?

3
25. Total project cost? Project #1
Total Cost (include federal and local amounts): \$50,000 Federal Funds Requested: \$40,000 Local Match Amount: \$10,000 Source(s) of Local Match: Mill Levy
Total project cost? Project #2
Total Cost (include federal and local amounts): \$30,000 Federal Funds Requested: \$24,000 Local Match Amount: \$6,000 Source(s) of Local Match: Mill Levy
Total project cost? Project #3
Total Cost (include federal and local amounts): \$10,000 Federal Funds Requested: \$8,000 Local Match Amount: \$2,000 Source(s) of Local Match: Mill Levy
26. Explain where in your current 3-5 Year Plan this project(s) is specifically stated (list section and page number(s)). Your current plan must be uploaded into the application documents.
☐ Yes List section and page number(s):
☒ No (Applicant must provide an explanation) Facility repairs and maintenance are not discussed within the plan.

14. Provide an estimated timeline for the project (s). Provide a separate timeline for each project you are applying for. Project #2
RFP/IFB/Quotes Issue Date: 6/1/2024
Contract Award Date: 7/15/2024
Project Start Date: 8/1/2024
Contract Completion Date: 9/30/2024
Final Payment Submitted to DOT: 10/31/2024
14. Provide an estimated timeline for the project (s). Provide a separate timeline for each project you are applying for. Project #3
RFP/IFB/Quotes Issue Date: 6/1/2024
Contract Award Date: 7/15/2024
Project Start Date: 8/1/2024
Contract Completion Date: 9/30/2024
Final Payment Submitted to DOT: 10/31/2024

Local Match & Total Funding Request

In the table below, list requested projects by priority, and specify in detail the sources and dollar amounts of Local Match funding (State Aid, Mill Levy, Other Directly Generated Funds, etc.) that are available to be used towards each vehicle project.

Local match listed here cannot be already targeted as match for a FY2025 5310 or 5311 applications.

Farebox revenue cannot be used as Local Match.

Documentation of sources of Local Match (including State Aid) MUST be attached or it will not be considered. Documentation must include a financial obligation amount. This amount may be an estimation or record of the previous amount provided to the transit agency and requires a signature of the organization providing the local share. Without a financial amount and required signature, such local amounts won't be considered as supporting match. Federal funds will only be awarded if sufficient match is provided.

This project ranking should match your prioritization in BlackCat (add additional lines as needed).

Ranking	Project	Federal Dollars Requested	Local Match Needed	Sources of Local Match
1	Concrete and Curbing Repair	\$40,000	\$10,000	Milly Levy
2	Exterior Facility Painting	\$24,000	\$6,000	Mill Levy
3	Exterior Signage	\$8,000	\$2,000	Milly Levy
4				
	TOTAL	\$72,000	\$18,000	Mill Levy

Application Checklist and Signature Page

This checklist is included for your review and completion prior to submittal of your application to ensure your submission includes all required documents.

Section 5339 Applicants must submit the following (check when complete):

x	Completed 5339 Application;
x	Document(s) showing sources and amounts of local match funds – Signed letters from source(s) of local match showing sources and amounts, FY2024 State Aid Contract or award letter, mill levy, city funds, etc.;
x	Update <u>vehicle/facility/equipment</u> information, mileage, condition, etc. in BlackCat Inventory;
	Certify and upload a current Authorizing Resolution form (only complete if there has been a change to your agencies signing authority or board president since the last application);
x	Upload your annual registration from the System for Award Management (SAM.gov) to the application documents;
	Complete and include the FTA Categorical Exclusion Worksheet (if applicable);
x	Update Transit Board Members information in BlackCat;
	Complete and include the NDDOT ITS Architecture Checklist Systems Engineering Compliance (SFN 60212), (if applicable);
	Upload Preliminary Assessment/Application for Capital Assistance forms(s) (if applicable);
x	Upload your 3-5 Year Plan in the application documents;
x	The following documents MUST be current and uploaded into BlackCat Resources: Title VI Plan, Drug & Alcohol Plan, Cost Allocation Plan (if applicable), Cognizant Agency Letter (if applicable), Procurement Plan, and TAM Plan.

I hereby certify that as a person authorized to sign for

Bis-Man Transit Board
Transit Agency Name

That I have reviewed the application submitted and to the best of my knowledge all statements and representations made are true and correct. I also hereby certify:

1. Adequate funds will be available to provide the required local match and to operate the project; and
2. Sufficient managerial and fiscal resources exist to implement and manage the grant as outlined in this application; and
3. The project items purchased under this grant shall be maintained in accordance with the detailed maintenance schedules as stipulated by the manufacturer; and
4. The transit agency agrees to meet the applicable federal and state requirements.

Deirdre Hughes
Signature of Authorized Representative

11/9/2023
Date

NORTH Dakota | Transportation

Be Legendary.™

FY2025 - Section 5310 – Enhanced Mobility of Seniors & Individuals with Disabilities

Agency Name	Bis-Man Transit Board	
Agency Contact	Deidre Hughes	Phone: 701.258.6817
Unique Entity ID #	83-441-0987	

Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Program aims to **improve mobility for seniors and individuals with disabilities** by removing barriers to transportation service and expanding transportation mobility options. Under 49 U.S.C. 5310 funding provides financial assistance for capital purchases and operating assistance for transportation services planned, designed, and carried out to meet the special transportation needs of older adults and persons with disabilities in all small urban and rural areas. The program requires coordination of federally assisted programs and community services to make the most efficient use of federal resources.

The entire Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program is further explained in FTA Circular 9070.1G, located on the FTA website at:

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070_1G_FINAL_circular_4-20-15%281%29.pdf

Please Note:

- Capital project requests for ADA vehicles will require a minimum of **15% Local Match**. All other capital project requests will require a minimum of **20% Local Match**.
- Mobility Manager salary is a capital project expense and requires a minimum of **20% Local Match for Section 5310 annual apportionment funds**.
- Assets purchased with Federal Funds must be maintained and inventoried through a Transit Asset Management (TAM) Plan.
- As with most Federal Assistance Programs, Section 5310 is designed as a reimbursement program. Your agency should be prepared to pay for expenses upon delivery/acceptance and then request reimbursement from NDDOT.
- If you are awarded a Section 5310 project, your agency will be required to report a number of performance measures, at least annually, to NDDOT. Information required to report may include, but not limited to the following:
 - The number of 5310 one-way trips;

- The number of 5310 vehicles you have in service; and
- 5310 ridership demographics.
- If requesting a replacement vehicle, the vehicle listed must have met FTA/NDDOT Useful Life. However, regardless of useful life having been met, federal interest remains until the value of the vehicle or equipment falls below \$5,000.
- If you receive \$750,000 from any federal source, you are required to have a Single Audit per 2 CFR 200 Subpart F.
- Vehicles may be used to provide meal delivery service for homebound persons on a regular basis in conjunction with passenger transportation. Delivery service **must not** conflict with the provision of transit services or result in reduced service to transit passengers.
- Federal Funds awarded for vehicles will only be awarded for ADA vehicles requests.
- Prior to contracting, your agency must have a completed FY 2024 FTA Certifications and Assurances uploaded in BlackCat.
- Prior to contracting, your agency must be active in the System of Award Management (SAM.gov).
- All applications are due **December 29, 2023, 12:00pm CDT**. Late and/or incomplete applications may be subject to a penalty percentage reduction of requested amount or may be eliminated from funding consideration.
- The NDDOT Transit Staff is available to provide guidance and answer any questions on the application process. E-mail: bhanson@nd.gov, dkarel@nd.gov, or jsmall@nd.gov.

General Information

1. Provide a detailed description of the transportation services your agency currently provides for seniors and individuals with disabilities, and any plans for increasing services, expanding service area and increasing ridership. (include days and hours of service, fare structure, total vehicles in service, type of service being provided, transportation provided to what counties and communities in your service area, etc.).

Bis-Man Transit currently provides fixed route service for the cities of Bismarck and Mandan and complementary paratransit services, with demand response available for senior and disabled passengers, including those in the City of Lincoln. Bis-Man Transit continues transitioning current demand response riders to our fixed route service and gaining new fixed route ridership through continued outreach and community partnership efforts. Due to the COVID-19 pandemic, Bis-Man Transit experienced a significant decline in ridership for 2020 and 2021 for both modes. However, ridership continues to increase in 2023 for both modes. The most recent route re-design went into effect on February 1, 2021.

Fixed route service is provided on six routes from 6:30 a.m. - 7:00 p.m. Monday through Friday and 7:30 a.m. - 7:00 p.m. on Saturday. All ten vehicles in the fixed route fleet are ADA accessible, with service provided for Bismarck and Mandan. Regular fares are \$1.50 for a one-way trip, \$6.00 for a 1-day pass, and \$36 for a 30-day pass. Fares for those certified to utilize our demand response services or those over 65 can ride free. Reduced fares for students K-College, Veterans, and those on Medicare is \$.75 for a one-way trip, \$3.00 for a one-day trip, and \$24.00 for a 30-day pass.

In 2022, 74,596 unlinked passenger trips were provided on fixed route, an increase of 17,852 trips from the previous calendar year. Fixed route ridership has continued to increase for 2023, with 72,469 trips from January through September.

Paratransit/demand response service is provided to individuals with disabilities and seniors over 70 with a fleet of 19 cutaway buses and two rear lift vans. The service area covers the city limits of Bismarck and Mandan, the city of Lincoln, and within ¾ mile of any fixed route. A one-way fare is \$3.00/ Services are provided from 5:30 am – 12:00 am, Monday through Saturday, and 7:30 am - 2:30 pm on Sunday. In 2022, 90,430 unlinked passenger trips were provided on paratransit, a slight increase from the previous calendar year.

Services are provided in both Burleigh and Morton Counties

2. Explain where in your current 3-5 Year Plan this project(s) is specifically stated (list section and page number(s)). Your current plan must be uploaded into the application documents.

- ☒ Yes List section and page number(s):
☐ No (Applicant must provide an explanation)

Page 74 of the current Transit Development Plan also describes the possibility of eliminating this evening service if enough funds cannot be obtained to keep the system running under its current design. The plan also details the number of riders that would be impacted if the service is eliminated.

The mobility manager's duties are required for the processing of paratransit eligibility as well as rider training for both paratransit and fixed-route passengers. This item was not indicated as a project within the Transit Development Plan but can be found within the Coordinated Public Transit – Human Services Transportation Plan 2022 on page 28.

3. What percentage of change in ridership has your agency experienced in the since the last application? Provide a brief explanation of the reason for the change in ridership.

- ☒ Increase
☐ Decrease

Description of change: Since the last application period, Bis-Man Transit has experienced a 13% increase in ridership. The majority of this increase has come from the fixed-route service.

4. List all existing public transportation providers operating in your service area.

N/A

5. Are you the lead transit provider in your area? If not, describe the relationship of your program(s) to other transportation providers.

- ☒ Yes
☐ No

6. Please describe the need for transit service in your area for seniors and individuals with disabilities? Why does this need exist? How have you determined this need? How will the proposed project address this need for service?

In Bismarck/Mandan, we have a large elderly and disabled population that requires public transportation to take them to medical appointments, employment, recreation, and other destinations. The need for these trips extends into the early morning and evening hours, Sundays, and holidays. Presently, there are no local registered taxi providers in the area.

From 7:00 PM to 12:00 AM Monday through Saturday, we transport approximately 5,600 passengers annually, demonstrating that evening-hour rides are needed in the community.

From 7:30 AM to 2:30 PM on Sundays, we transport approximately 3,200 passengers annually.

From 5:30 AM to 6:30 AM, Monday through Friday, and 5:30 AM to 7:30 AM Saturday, we transport approximately 3,500 passengers annually.

Bis-Man Transit offers holiday demand response transportation for six holidays, which the fixed-route bus does not operate yearly. On average, 300 trips are completed during these six holidays.

7. Provide a description of how you market the transportation program and to whom in the box below.

Public transportation is promoted within the community using social media, the company website, participation in public school and college orientation days and community fairs, as well as various business partnerships. Recently, Bis-Man Transit has begun running television campaigns annually to increase awareness. Fixed route bus maps have been placed throughout Bismarck and Mandan to encourage potential riders to try the CAT Bus service. Bis-Man Transit utilizes press releases frequently to increase interest in transit-related activities and generate free media coverage. With limited taxi services offered within the service area and a lack of rideshare reliability, the need for transportation solutions has expanded.

Ridership and Fleet Information

***Report actual ridership numbers, miles and hours for SFY2023 & 2022.**

***Enter current fleet information below.**

***Current fleet and mileage information MUST be also be updated in BlackCat Inventory.**

	SFY2023 - Ridership and Fleet Information	SFY2022 - Ridership and Fleet Information
Number of Annual Ridership (Trips) Provided	178,528	155,278
Number of Annual Revenue Hours	51,337.03	52,380.44
Number of Annual Revenue Miles	751,351.27	765,959.39
Number of Vehicles in Fleet	30	29

8. What is the purpose of the three most requested trips that your clients require? (e.g. medical, shopping, employment, education, social, etc.)

1. Employment

2. Medical

3. Social Services

Coordinated Public Transit Human Services Transportation Plan

Applicants must be part of a locally derived Coordinated Public Transit Human Services Transportation Plan approved by North Dakota Department of Transportation (NDDOT) and uploaded with this application.



9. When was your Coordinated Public Transit Human Services Transportation Plan approved by the NDDOT Transit Section? Since submitting your plan describe any additional efforts made to coordinate service.

The Coordinated Public Human Services Transportation Plan was approved on October 28, 2021 and has been uploaded into BlackCat. Several items from the previous plan were retained in the new plan. This includes continuing to transition paratransit riders to fixed route, improving partnerships, and increasing marketing efforts.

The Bis-Man Transit staff has continued to focus on outreach and has presented to several clubs and community groups since the last grant request to encourage public transit use and awareness.

Additional items in the new plan include increasing public signage for better fixed route visibility. This project was completed in September 2023. The loss in taxi service in the community has increased the focus on after-hour service options for the general public, but funding and staffing have caused delays.

Solar lighting has been installed on all bus shelters, and additional benches have been placed on route to increase public transit visibility.

10. Describe any potential opportunities for additional coordination. (include social service agencies, county social services, community actions, educational institutions, youth groups, veteran services, religious organizations, other transportation services, etc.) that may address unmet transit needs in your service area.

Bis-Man Transit continues to focus on coordination with education institutions, local hospitals, social service agencies, group homes, and retirement communities. Staff attended all local higher education orientation events in the fall of 2023 to educate students on public transit options.

Bis-Man Transit became a member of the Missouri Valley Homeless Coalition in 2022 to better understand what public transit can do to lessen the transportation burden for other non-profit organizations in the community. The executive director is an active participant in the Missouri Valley Homeless Coalition's Inmet Needs Committee, which meets monthly. A pilot program sponsored by the Coalition provided fixed-route bus passes to members was very successful, and data is being gathered to explore continuing the program.

11. Is the requested project(s) part of a Coordinated Public Transit Human Services Transportation Plan?

☒ Yes

☐ No

12. If you marked Yes above, indicate the page number where this project is listed.

If you marked No above, explain why this project is not part of your current plan.

The mobility manager project request can be found on page 28 of the Coordinated Public Transit – Human Services Transportation Plan 2022.

After-hours and Sunday service are discussed on page 14.

Operating Project Request

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat. If applying for more than project, please attach additional sheets and create a separate project for each request.

13. Please describe in detail your proposed project. Be specific and include a description of what you would like to purchase and how it benefits your transportation program.

The project will help cover the expense of maintaining nighttime demand response services for those passengers who are elderly and disabled. After-hours complementary demand response service takes place from 7:00 PM to 12:00 AM, Monday through Saturday. Presently, there are few transportation alternatives for the elderly and disabled population within the service area. This leaves Bis-Man Transit as the only option for many during the nighttime hours. With stagnant funding and inflated expenses, it is increasingly difficult to maintain demand response services for the elderly and special needs community outside of the required ADA times.

14. Total cost of this project.

Total Cost (include federal and local amounts): \$152,000

Federal Funds Requested: \$76,000

Local Match Amount: \$76,000

Source(s) of Local Match: Mill Levy

Vehicle Project Request

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat. If applying for more than vehicle, please attach additional sheets and create a separate project for each vehicle request.

15. Provide a description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)

State Bid Number: 300

Year: 2025

Make/Model: Ford E-450

Seating Capacity: 14 + 4 w/c

Lift/Ramp: ☒ Yes ☐ No

Gas/Diesel/Other: Gas

16. Describe in detail which programs and services the requested vehicle will be utilized in and how it will enhance or maintain your service?

The replacement bus will be used to continue operating our current paratransit/demand response service for the elderly and disabled communities.

17. What type of vehicle are you requesting?

☒ Replacement Vehicle

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☐ Expansion Vehicle

18. If requesting a replacement, which vehicle in your fleet are you replacing? 1801

a. Vehicle Information Number (VIN): 1FDFE4FS8JDC01484

b. Vehicle Year: 2018

c. Make/Model: Ford E-450 Econoline

d. Current Mileage: 178,059

e. Vehicle In Service Date: 6/1/2018

f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal

g. Has this vehicle information been updated in BlackCat Inventory? ☒ Yes ☐ No

19. If requesting an expansion vehicle, list the agency/community/county to be served (include hours and days of service and estimated ridership).

20. If operating a fixed route, what are the paratransit eligibility criteria for people to ride your service?

All paratransit riders are able to utilize the fixed-route service free of charge, with proof of eligibility.

21. Provide an estimated timeline for the purchase of this vehicle. Provide a separate timeline if you are applying for different types of vehicles. **See sample timeline below, add or remove lines as needed.**

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): State Bid

RFP/IFB/Quotes Issue Date: October 1, 2024

Contract Award Date: N/A

Order Date: November 30, 2024

Initial Vehicle Delivery Date: November 30, 2025

Final Vehicle Deliver Date (if more than one vehicle): December 31, 2025

Contract Completion: January 31, 2026

Final Payment Submitted to DOT: February 28, 2026

22. Amount requested for vehicle (include the base price plus all options with this request):

Total Vehicle Cost (include federal and local amounts): \$173,146

Federal Funds Requested: \$147,174

Local Match Amount: \$25,972

Following are suggested price requests for vehicles based on current state bid quotes. Keep in mind if you intend to order vehicles with additional options, prices will vary accordingly. See the State Bid website at https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm		Estimated Delivery time (in months)
15 Passenger or 12 + 2 Passenger Cutaway/Bus NDDOT Term Contract No. 300	Base Price - \$119,103 - \$133,898	12 – 24
ADA Transit Med or High Roof Vehicle with Rear or Side Lift NDDOT Term Contract No. 301	Base price - \$67,913 - \$102,677	12 – 24
Frontrunner – Low Floor Vehicle – New England Wheels NDDOT Term Contract No. 381	Base Price - \$145,132 - \$146,607	12 – 24
ADA Low Floor Mini Van NDDOT Term Contract No. 382	Base Price - \$69,900	6 – 9
Low-Floor Paratransit Ramp Buses NDDOT Term Contract No. 383	Base Price - \$137,034 - \$145,304	12 – 24
Hometown View Bus NDDOT Term Contract No. 389	Base Price - \$156,850 - \$210,080	8 - 12
Trolley – Carriage and Villager NDDOT Term Contract No. 386	Base Price - \$125,000 - \$168,000	6 – 12
FTA Useful Life Standards		
Mini-Vans/Modified Vans – 3-14 passenger	4 years or 100,000 miles	
Med-Size Light Duty Cutaway – 8-16 passenger	5 years or 150,000 miles	
Med-Size Med Duty Cutaway/Bus – 16-30 passenger	7 years or 200,000 miles	
Med-Size Heavy Duty Bus – 24-25 passenger	10 years or 350,000 miles	
Large Heavy-Duty Bus – 35-40+ passenger	12 years or 500,000 miles	

Mobility Manager Position Project Request

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat.

23. Please describe in detail your proposed project.

The project will help cover the expense of employing a marketing and mobility specialist to focus communication efforts on the transportation options available to the community, training potential riders and agencies on the various services available and processing the eligibility paperwork that is required for

paratransit services.

24. Have you attached a current job description including goals and achievements to the application?

☒ Yes

☐ No

25. Total cost of this project.

Total Cost (include federal and local amounts): \$38,000

Federal Funds Requested: \$30,400

Local Match Amount: \$7,600

Source(s) of Local Match: Mill Levy

Local Match & Total Funding Request

In the table below, list requested projects priority, and specify in detail the sources and dollar amounts of Local Match funding (State Aid, Mill Levy, Other Directly Generated Funds etc.) that are available to be used towards each project (Vehicle, Facility Rehabilitation & Construction, and/or Equipment/Miscellaneous Capital). In-kind funds cannot be used as local match to 5310 contracts.

Local match listed here cannot be already targeted as match for a FY2025 5339 or 5311 applications.

Farebox revenue cannot be used as Local Match.

Documentation of sources of Local Match (including State Aid) MUST be attached or it will not be considered. Documentation must include a financial obligation amount. This amount may be an estimation or record of the previous amount provided to the transit agency and requires a signature of the organization providing the local share. Without a financial amount and required signature, such local amounts won't be considered as supporting match. Federal funds will only be awarded if sufficient match is provided.

This project ranking should match your prioritization in BlackCat.

Ranking	Project	Federal Dollars Requested	Local Match Needed	Sources of Local Match*
1	Mobility Manager	\$30,400	\$7,600	Milly Levy
2	After Hours	\$76,000	\$76,000	Milly Levy
3	Sunday	\$52,500	\$52,500	Mill Levy
4	Early Morning	\$32,000	\$32,000	Mill Levy
5	Holiday	\$6,250	\$6,250	Milly Levy
6	1801 Bus Replacement	\$147,174	\$25,972	Mill Levy

7	1802 Bus Replacement	\$147,174	\$25,972	Mill Levy
8	1803 Bus Replacement	\$147,174	\$25,972	Mill Levy
9	1804 Bus Replacement	\$147,174	\$25,972	Mill Levy
	TOTAL	\$785,845	\$278,237	

Additional Operating Project Request

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat. If applying for more than project, please attach additional sheets and create a separate project for each request.

13. Please describe in detail your proposed project. Be specific and include a description of what you would like to purchase and how it benefits your transportation program.

The project will help cover the expense of Sunday services for those passengers who are elderly and disabled. The Sunday complementary demand response service takes place from 7:30 AM to 2:30 PM. Annually, we complete 3,200 Sunday demand response trips. With limited alternative transportation options, Bis-Man Transit is the only option for individuals, especially on Sundays.

14. Total cost of this project.

Total Cost (include federal and local amounts): \$105,000

Federal Funds Requested: \$52,500

Local Match Amount: \$52,500

Source(s) of Local Match: Mill Levy

Additional Operating Project Request

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat. If applying for more than project, please attach additional sheets and create a separate project for each request.

13. Please describe in detail your proposed project. Be specific and include a description of what you would like to purchase and how it benefits your transportation program.

The project will help cover the expense of maintaining early morning services for those passengers who are elderly and disabled. Early morning complementary demand response service occurs from 5:30 AM to 6:30 AM, Monday through Friday and 5:30 AM to 7:30 AM. Many of our early morning trips are to medical appointments and employment. Annually, we provide approximately 3,500 early morning trips for the elderly and disabled riders.

14. Total cost of this project.

Total Cost (include federal and local amounts): \$64,000

Federal Funds Requested: \$32,000

Local Match Amount: \$32,000

Source(s) of Local Match: Mill Levy

Additional Operating Project Request

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat. If applying for more than project, please attach additional sheets and create a separate project for each request.

13. Please describe in detail your proposed project. Be specific and include a description of what you would like to purchase and how it benefits your transportation program.

The project will help cover the expense of maintaining Holiday service for those passengers who are elderly and disabled. Holiday complementary demand response service is provided for six holidays each year. Service is provided on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. We provide approximately 300 holiday trips to elderly and disabled riders annually.

14. Total cost of this project.

Total Cost (include federal and local amounts): \$12,500

Federal Funds Requested: \$6,250

Local Match Amount: \$6,250

Source(s) of Local Match: Mill Levy

Section 5310 – Additional VEHICLE PROJECT REQUESTS

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat. If applying for more than vehicle, please attach additional sheets and create a separate project for each vehicle request.

15. Provide a description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)

State Bid Number: 300
 Year: 2025
 Make/Model: Ford F-450
 Seating Capacity: 14 + 4 w/c
 Lift/Ramp: ☒ Yes ☐ No
 Gas/Diesel/Other: Gas

16. Describe in detail which programs and services the requested vehicle will be utilized in and how it will enhance or maintain your service?

The replacement bus will be used to continue operating our current paratransit/demand response service for the elderly and disabled communities.

17. What type of vehicle are you requesting?

- ☒ Replacement Vehicle
☐ Expansion Vehicle

18. If requesting a replacement, which vehicle in your fleet are you replacing? 1802

- a. Vehicle Information Number (VIN): 1FDFE4FS1JDC01486
- b. Vehicle Year: 2018
- c. Make/Model: Ford F-450 Econoline
- d. Current Mileage: 152,313
- e. Vehicle In Service Date: 6/1/2018
- f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal
- g. Has this vehicle information been updated in BlackCat Inventory? ☒ Yes ☐ No

19. If requesting an expansion vehicle, list the agency/community/county to be served (include hours and days of service and estimated ridership).

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20. If operating a fixed route, what are the paratransit eligibility criteria for people to ride your service?

All paratransit riders are able to utilize the fixed-route service free of charge, with proof of eligibility.

21. Provide an estimated timeline for the purchase of this vehicle. Provide a separate timeline if you are applying for different types of vehicles. **See sample timeline below, add or remove lines as needed.**

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): State Bid

RFP/IFB/Quotes Issue Date: October 1, 2024

Contract Award Date: N/A

Order Date: November 30, 2024

Initial Vehicle Delivery Date: November 30, 2025

Final Vehicle Deliver Date (if more than one vehicle): December 31, 2025

Contract Completion: January 31, 2026

Final Payment Submitted to DOT: February 28, 2026

22. Amount requested for vehicle (include the base price plus all options with this request):

Total Vehicle Cost (include federal and local amounts): \$173,146

Federal Funds Requested: \$147,174

Local Match Amount: \$25,972

Source(s) of Local Match: Mill Levy

Section 5310 – Additional VEHICLE PROJECT REQUESTS

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat. If applying for more than vehicle, please attach additional sheets and create a separate project for each vehicle request.

15. Provide a description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)

State Bid Number: 300

Year: 2025

Make/Model: Ford E-450

Seating Capacity: 14 + 4 w/c

Lift/Ramp: ☒ Yes ☐ No

Gas/Diesel/Other: Gas

16. Describe in detail which programs and services the requested vehicle will be utilized in and how it will enhance or maintain your service?

The replacement bus will be used to continue operating our current paratransit/demand response service for the elderly and disabled communities.

17. What type of vehicle are you requesting?

☒ Replacement Vehicle

☐ Expansion Vehicle

18. If requesting a replacement, which vehicle in your fleet are you replacing? 1803

a. Vehicle Information Number (VIN): 1FDFE4FS7JDC04201

b. Vehicle Year: 2018

c. Make/Model: Ford E-450 Econoline

d. Current Mileage: 180,153

e. Vehicle In Service Date: 6/1/2018

f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal

g. Has this vehicle information been updated in BlackCat Inventory? ☒ Yes ☐ No

19. If requesting an expansion vehicle, list the agency/community/county to be served (include hours and days of service and estimated ridership).

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20. If operating a fixed route, what are the paratransit eligibility criteria for people to ride your service?

All paratransit riders are able to utilize the fixed-route service free of charge, with proof of eligibility.

21. Provide an estimated timeline for the purchase of this vehicle. Provide a separate timeline if you are applying for different types of vehicles. **See sample timeline below, add or remove lines as needed.**

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): State Bid

RFP/IFB/Quotes Issue Date: October 1, 2024

Contract Award Date: N/A

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Contract Completion: January 31, 2026

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22. Amount requested for vehicle (include the base price plus all options with this request):

Total Vehicle Cost (include federal and local amounts): \$173,146

Federal Funds Requested: \$147,174

Local Match Amount: \$25,972

Source(s) of Local Match: Mill Levy

Section 5310 – Additional VEHICLE PROJECT REQUESTS

There is space provided below to request a project. NOTE: This request MUST first be created as a project in Black Cat. If applying for more than vehicle, please attach additional sheets and create a separate project for each vehicle request.

15. Provide a description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)

State Bid Number: 300

Year: 2025

Make/Model: Ford E-450

Seating Capacity: 14 + 4 w/c

Lift/Ramp: ☒ Yes ☐ No

Gas/Diesel/Other: Gas

16. Describe in detail which programs and services the requested vehicle will be utilized in and how it will enhance or maintain your service?

17. What type of vehicle are you requesting?

- ☒ Replacement Vehicle
☐ Expansion Vehicle

18. If requesting a replacement, which vehicle in your fleet are you replacing? 1804

- a. Vehicle Information Number (VIN): 1FDFE4FS1JDC04209
- b. Vehicle Year: 2025
- c. Make/Model: Ford E-450
- d. Current Mileage: 181,114
- e. Vehicle In Service Date: 6/1/2018
- f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal
- g. Has this vehicle information been updated in BlackCat Inventory? ☒ Yes ☐ No

19. If requesting an expansion vehicle, list the agency/community/county to be served (include hours and days of service and estimated ridership).**20. If operating a fixed route, what are the paratransit eligibility criteria for people to ride your service?**

All paratransit riders are able to utilize the fixed-route service free of charge, with proof of eligibility.

21. Provide an estimated timeline for the purchase of this vehicle. Provide a separate timeline if you are applying for different types of vehicles. See sample timeline below, add or remove lines as needed.

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): State Bid

RFP/IFB/Quotes Issue Date: October 1, 2024

Contract Award Date: N/A

Order Date: November 30, 2024

Initial Vehicle Delivery Date: November 30, 2025

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Contract Completion: January 31, 2026

Final Payment Submitted to DOT: February 28, 2026

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22. Amount requested for vehicle (include the base price plus all options with this request):

Total Vehicle Cost (include federal and local amounts): \$173,146

Federal Funds Requested: \$147,174

Local Match Amount: \$25,972

Source(s) of Local Match: Mill Levy

⁴⁹
APPLICATION CHECKLIST AND SIGNATURE PAGE

This checklist is included for your review and completion prior to submittal of your application to ensure your submission includes all required documents.

Section 5310 Applicants must submit the following (check box when complete):	
☒	Completed 5310 Application;
☒	Document(s) showing sources and amounts of local match funds – Signed letters from source(s) of local match showing sources and amounts, FY2024 State Aid Contract or award letter, mill levy, city funds, etc.;
☒	Update vehicle information, mileage and condition in BlackCat Inventory;
☒	Update Transit Board Members information in BlackCat;
	Certify and upload a current Authorizing Resolution form (only complete if there has been a change to your agencies signing authority since the last application);
☒	Upload your annual registration from the System for Award Management (SAM.gov) to the application documents;
	Complete and include the NDDOT ITS Project Architecture Checklist Systems Engineering Compliance (SFN 60212), (if applicable);
	Upload your Coordinated Human Services Plan in the application documents;
☒	Upload your 3-5 Year Plan in the application documents;
	The following documents MUST be current and uploaded into BlackCat Resources: Title VI Plan, Procurement Plan, and TAM Plan;
	Upload Preliminary Assessment/Application for Capital Assistance forms(s) (if applicable).

I hereby certify that as a person authorized to sign for

Bis-Man Transit Board

Transit Agency Name

That I have reviewed the application submitted and to the best of my knowledge all statements and representations made are true and correct. I also hereby certify:

1. Adequate funds will be available to provide the required local match and to operate the project; and
2. Sufficient managerial and fiscal resources exist to implement and manage the grant as outlined in this application; and
3. The project items purchased under this grant shall be maintained in accordance with the detailed maintenance schedules as stipulated by the manufacturer; and
4. The transit agency agrees to meet the applicable federal and state requirements.

Deidre Hughes
Signature of Authorized Representative

11/9/2023
Date

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TAC and Policy Handout

November 18-19th, 2023

Re: Rail/ Highway Crossing Safety Program

Six projects were received for the 2024 Rail/Highway Crossing Safety Program. The submitting jurisdiction was the City of Mandan. Urban Rail projects are not scored by staff or ranked by a committee, but they may be prioritized by TAC and Policy Board prior to submission to NDDOT.

Jurisdiction	Type	Project Location	Total Cost / Federal	MTP	Points
Mandan	Upgrade/Construction	Heskett Rd/38th St Crossings: Add crossing bars and signage, possibly remove some tracks.	Unknown/100 % federal funds	Yes	NA
Mandan	Upgrade/Construction	Landfill Crossing, County Rd 82/Old 10: Replace/upgrade crossing bars.	Unknown/100 % federal funds	Yes	NA
Mandan	Upgrade/Construction	Bisman Ave/Tru North Crossing: Replace/upgrade crossing bars.	Unknown/100 % federal funds	Yes	NA
Mandan	Upgrade/Construction	Division St/Missouri Dr Crossing: Add a crossing bar or corral to slow bike/ped trail users.	Unknown/100 % federal funds	Yes	NA
Mandan	Upgrade/Construction	Fort Lincoln Trolley Crossings: Add crossing arms to increase passenger/tourist safety.	Unknown/100 % federal funds	Yes	NA
Mandan	Upgrade/Construction	YCC Crossing west of Heart River: Address the crossing's skew or eliminate a grade crossing to mitigate prolonged train blockages and improve emergency response.	Unknown/100 % federal funds	Yes	NA

//SL December 2023

Stephen Larson

From: Andrew K. Stromme <andrew.stromme@cityofmandan.com>
Sent: Monday, November 27, 2023 9:09 AM
To: Stephen Larson
Cc: Jarek W. Wigness
Subject: RE: FY 2024 Urban Rail Solicitation Reminder

CAUTION: *External Email - Use caution clicking links or opening attachments*****

Hi Stephen,

Thanks for the reminder on this. We compiled a list, see below.

- **Heskett Rd / 38th by WTP:** Currently 4 or 5 tracks with limited signage and no crossing bars, this location poses risks as recreators and city employees heading to the water treatment plant often cross the tracks. Since MDU stopped using coal at Heskett maybe some of these tracks could be removed? At a minimum, crossing bars should be added. It is our understanding additional trains will begin using this to get to Beulah to the new Talon facility there.
- **Landfill crossing:** - County rd 82 / old 10... we hear that people bypass the crossing bars at the landfill crossing, which do not fully block access so folks allegedly drive around them.
- **Bisman Ave – Tru North:** Reports that drivers go around the crossing bars here. Not much for a ped facility. DOT should cross-reference with memorial highway plans to see if there is anything planned to address this already and get it on the docket separately if not.
- **Division/Missouri Drive ped crossing:** Should be a crossing bar or corral to slow bike/ped trail users at this location.
- **Ft. Lincoln trolley crossings:** multiple trips per day, these crossings lack crossing arms, suggesting a potential safety enhancement opportunity – especially considering this is a passenger/tourist system.
- **YCC crossing west of Heart River:** has an unusual skew and potential increased traffic due to the planned women's correction center project, this crossing could benefit from improvements to enhance emergency response resilience. Addressing the skew or eliminating a grade crossing could mitigate prolonged blockages caused by trains.

Andrew

From: Stephen Larson [mailto:slarson@bismarcknd.gov]
Sent: Monday, November 27, 2023 8:37 AM
To: Ben Ehreth <behreth@bismarcknd.gov>; Gabe Schell <gschell@bismarcknd.gov>; John Saiki <john.saiki@mortonnd.org>; Jarek W. Wigness <jarek.wigness@cityofmandan.com>; Marcus Hall <mahall@nd.gov>; Natalie Pierce <natalie.pierce@mortonnd.org>; Nick Nustad <nnustad@mtnplains.com>; Andrew K. Stromme <andrew.stromme@cityofmandan.com>; Dan Schriock <dschriock@nd.gov>; wzacher@nd.gov; Flanagan, Mitch <mflanagan@nd.gov>
Cc: Rachel Lukaszewski <rlukaszewski@bismarcknd.gov>; Kimberly Riepl <kriepl@bismarcknd.gov>; Paulette Jacobsen <pjacobsen@bismarcknd.gov>
Subject: RE: FY 2024 Urban Rail Solicitation Reminder

Good morning everyone,

MEMO TO: Ron Henke
Director

FROM: Wayne A. Zacher, P.E.

DATE: 12/07/2023

SUBJECT: 38231482: Bismarck-Mandan MPO 2024 UPWP Contract

MPO UPWP Contract practices have changed over the past year. We have moved from 2-year UPWPs with 2-year contracts to encouraging a 2-year rolling UPWP with an annual contract. This will help us with the subrecipient monitoring requirements of 2 CFR 200. We are still transitioning this practice, so the UPWP is originally approved 2023-2024 UPWP even though there have been amendments made, the changes were made to 2023.

This is a standard contract; no one-time changes were necessary.

38/waz

Contract Routing:
Stacey Hanson;
Paul Benning;
Shannon Sauer;
Rachel Lukaszewski, BMMPO Executive Director;
BMMPO Policy Board Chairperson;
BMMPO Witness;
Wayne Zacher;
Clint Morgenstern;
Chad Orn;
Stacey Hanson

**North Dakota Department of Transportation
METROPOLITAN PLANNING ORGANIZATION AGREEMENT**

Federal Award Information – to be provided by NDDOT

Assistance Listing No.: 20.205, 20.505

Assistance Listing Title: Highway Planning & Construction, Metropolitan Transportation Planning & State & Non-Metropolitan Planning & Research

Award Name: Federal-Aid Highway Program

Awarding Federal Agency: Federal Highway Administration (FHWA), Federal Transit Administration (FTA)

Pass-through entity: North Dakota Department of Transportation (NDDOT)

NDDOT Program Mgr.: Zacher, Wayne A. Telephone: (701)328-4828

Subrecipient/LPA Name:

Subrecipient Unique Entity Identifier (UEI) No.:

Federal Award Identification No. (FAIN):

Federal Award Date:

Subaward Period of Performance Start & End Date:

Subaward Budget Period Start & End Date:

Amount of Federal Funds Obligated by this action: \$

Total Amount of Federal Funds Obligated to the subrecipient: \$

Total Federal Award: \$

Federal Award Project Description:

Research and Development Activities:

Indirect Cost Rate (ICAP):

Notice to Subrecipients: Federal awards may have specific compliance requirements. If you are not aware of the specific requirements for your award, please contact your NDDOT Program Manager.

**Entity: Bismarck-Mandan Metropolitan Planning Organization
Description: Unified Planning Work Program
Duration: 2024**

This agreement is entered into by and between the State of North Dakota, acting through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and Bismarck-Mandan Metropolitan Planning Organization, hereinafter referred to as the Subrecipient, whose address is PO Box 5503, Bismarck, ND 58506.

WHEREAS, Federal Law 23 U.S.C., Section 134, requires that a continuing, comprehensive, and cooperative (3-C) transportation planning process be carried out between state and local governments in urbanized areas, and

WHEREAS, the Subrecipient has been designated by the Governor of North Dakota as the Metropolitan Planning Organization responsible, together with NDDOT, for carrying out the provisions of 23 U.S.C. 134, and

WHEREAS, Section 5303 Federal Transit Administration (FTA) and PL Federal Highway Administration (FHWA) funding, hereinafter referred to as Consolidated Planning Grant (CPG) funds will be administered by NDDOT for the purpose of transportation planning in urbanized areas, and

WHEREAS, the Subrecipient is eligible to receive CPG funds from both FHWA and FTA under 23 U.S.C. 104(f) and 49 U.S.C. 5305(d), and

WHEREAS, the Subrecipient has prepared and approved a Unified Planning Work Program (UPWP) in accordance with the guidelines set forth by the FHWA and FTA for utilization of available CPG funds.

NOW, THEREFORE, in consideration of the mutual covenants herein set forth, NDDOT and the Subrecipient agree as follows:

1. **SCOPE OF WORK:** The Subrecipient shall perform, in a satisfactory and timely manner, those tasks and activities as outlined in the Subrecipient's UPWP and approved by NDDOT, FHWA, and FTA, a copy of which is attached hereto and made a part hereof. The Subrecipient shall follow NDDOT policies and procedures, as outlined in the NDDOT Local Government Manual, in the completion of the UPWP and abide by all applicable federal regulations, including 2 CFR 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.
2. **PERIOD OF PERFORMANCE:** The period of performance will be from January 1, 2024 to December 31, 2024.
3. **COMPENSATION:**
 - NDDOT shall reimburse the Subrecipient 80 percent of all eligible costs as presented in the budget section of the UPWP, up to a maximum of \$838,010. The Subrecipient shall provide the remaining 20 percent and all cost overruns from non-federal funds. Budget transfers among cost categories shall comply with 2 CFR 200.

- The Subrecipient will make all contract payments. No costs will be incurred by NDDOT for this project. NDDOT will reimburse the Subrecipient for the federal aid eligible amount. Payment will be made upon receipt of the Subrecipient's request for reimbursement.
 - The Subrecipient shall provide monthly billing to NDDOT. To be eligible, costs must be limited to those costs that are allowed under federal regulations (2 CFR 200). Monthly billings will include the submittal of a report documenting the tasks completed in the billing period.
 - All requests for reimbursement must be submitted to NDDOT within 90 days of the period of performance end date of this agreement. NDDOT may take actions as outlined in 2 CFR 200.339, such as withholding payments, pending correction of non-compliance with this agreement. All invoices are subject to audit, at NDDOT's discretion.
 - Payments under this agreement will be made from federal funds obtained through the Infrastructure Investment and Jobs Act of 2021, Public Law 117-58, 23 U.S.C. 104. The Subrecipient is responsible for compliance with all federal requirements imposed on these funds and accepts full financial responsibility for any requirements imposed by Subrecipient's failure to comply with federal requirements. Reimbursement will be predicated on availability of federal funds. The Subrecipient further agrees to pay any and all lawful claims arising out of or incidental to the performance of the work covered by this agreement, if not eligible for federal funds.
 - All work provided by the Subrecipient under this agreement must be performed to NDDOT's satisfaction and in accordance with all applicable federal, state, and local laws and regulations. The Subrecipient will not receive payment for work found by NDDOT to be unsatisfactory or performed in violation of federal, state, or local law.
4. **INDIRECT COST RATE PROVISION:** Federal agencies and NDDOT shall review and approve the negotiated indirect cost rate, unless there is a federal statute that states otherwise, or a federal agency head has made other approved provisions. Any rate approved by a federal agency, or a cognizant agency must be approved by NDDOT.
- If the subrecipient does not have a federally negotiated indirect cost rate, the NDDOT can either:
- negotiate an indirect rate with the subrecipient.
 - allow the de minimis 10% flat rate (the de minimis rate, is not applicable in certain cases (200.414(f); Appendix VII.D.1.B).) This rate may be used indefinitely, until the subrecipient seeks to formally negotiate a rate. If the de minimis rate is used, the NDDOT does not need to review and approve.
5. **COST PRINCIPLES:** The Subrecipient agrees to follow the cost principles and allowable cost guidelines in accordance with 2 CFR Part 200, Subpart E. The Subrecipient will maintain a financial management system that complies with the minimum requirements of 2 CFR Part 200.

6. **FEDERAL FUNDING:** This contract is subject to a financial assistance contract between the state of North Dakota, the Federal Highway Administration, and the USDOT. Federal funds may not be obligated prior to authorization by FHWA.
7. **TERMS EXTENDING BEYOND BIENNIUM:** Payments by NDDOT beyond the current state biennium shall be contingent on sufficient funds being appropriated by the Federal Government or State Legislature for NDDOT. In the event of insufficient appropriations, NDDOT may give a minimum of 30 days' notice to terminate this agreement/contract and have no further obligation to the Subrecipient.
8. **RECORDS AND INSPECTION:** The Subrecipient shall maintain all accounting and project records NDDOT may require. NDDOT and the Federal Government shall at all times be permitted to inspect the work and have access to all books, records, correspondence, instructions, receipts, vouchers, and memorandum pertaining to the work hereunder and copies thereof shall be furnished when requested. Such records shall be made available to NDDOT and the federal government for inspection and audit during the agreement term and for three years after the closure of the consolidated planning grant, unless any litigation, claim, or audit is started before the expiration of the three years, in which case the records shall be retained until such action is satisfied. The Subrecipient agrees to conduct records retention and access in accordance with 2 CFR Part 200.334-338, as applicable.
9. **SUBCONTRACTING:** The Subrecipient shall not assign any portion of the work under this agreement, execute any contract, or obligate itself in any manner with a third party with respect to its rights and responsibilities to this agreement without written consent of NDDOT. Any agreement with a subcontractor does not create a contractual relationship between the NDDOT and the subcontractor. If a subcontract is made, the Subrecipient must follow procedures outlined in 2 CFR 200.331.
10. **SUBCONTRACT PROVISIONS:** The Subrecipient shall include the following statement of financial assistance in any advertisement or invitation to bid for any procurement under this agreement:

"This contract is subject to a financial assistance contract between the state of North Dakota and the USDOT."
11. **ASSIGNMENTS:** The Subrecipient shall not assign nor transfer the Subrecipient's interests or duties under this agreement without the express written consent of the state.
12. **RISK ASSESSMENTS:** The NDDOT conducts pre-award risk assessments prior to issuing a subaward contract. The Subrecipient shall conduct risk assessments of their sub awardees either before or after making the award to determine the appropriate level of monitoring. The contractor shall document its procedures for assessing risk and have them available upon NDDOT request.

13. **RISK BASED MONITORING:**

a. The NDDOT has conducted a risk assessment, as required by 2 CFR 200.332, and has determined the following risk-based monitoring requirements for this award:

- All payments are on a reimbursement basis.
- Require submittal of Title VI pre-authorization paperwork.
- Require submittal of FFATA form.
- Require submittal of biannual progress reports.
- Annual Mid-Year Review.

Risk assessments may be repeated throughout the period of performance and monitoring requirements adjusted based on level of risk.

b. In the event of noncompliance or failure to perform, the NDDOT has the authority to apply remedies, in accordance with 2 CFR 200.339, including but not limited to temporarily withholding payments, disallowances, suspension or termination of the federal award, suspension of other federal awards received by the subrecipient, debarment or other remedies including civil and/or criminal penalties, as appropriate and in accordance with 2 CFR 200.332.

14. **PROCUREMENT:** The Subrecipient shall follow the policies and procedures of the state when procuring property and services under a federal award, in accordance with 2 CFR 1201.317.

15. **EQUIPMENT:** The Subrecipient shall follow the policies and procedures of the state with respect to use, management and disposal of equipment acquired under a federal award, in accordance with 2 CFR 1201.313.

16. **PROCUREMENT OF RECOVERED MATERIALS:** In accordance with 2 CFR 200.323, the Subrecipient and its contractors shall comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act.

17. **TERMINATION:**

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

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

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

- ii. If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this contract or are no longer eligible for the funding proposed for payments authorized by this contract;
- iii. If any license or certificate required by law or regulation to be held by the Subrecipient to provide the services required by this contract is for any reason denied, revoked, or not renewed;

Any such termination of this contract under (i), (ii), or (iii), above, shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

- a. NDDOT, by written notice to the Subrecipient, may terminate the whole or any part of this agreement:
 - i. If the Subrecipient fails to provide services called for by this contract within the time specified herein or any extension thereof; or
 - ii. If the Subrecipient fails to perform any of the other provisions of this contract, or so fails to pursue the work as to endanger performance of this contract in accordance with its terms, and after receipt of written notice from NDDOT, fails to correct such failures within ten days or such longer period as NDDOT may authorize.

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

19. **SEVERABILITY:** If any part of this agreement is determined to be invalid, illegal, or unenforceable, the determination does not affect the validity, legality, or enforceability of any other part of this agreement, and the remaining parts of this agreement shall be carried out by each party.

20. **CLOSEOUT:** NDDOT and the Subrecipient will comply with 2 CFR 200.344 closeout requirements. The contractor shall submit, no later than 90 calendar days after the period of performance end date of this agreement, all financial, performance and other reports as required by the terms and conditions of this agreement. The NDDOT will close out the agreement with the federal awarding agency when it determines that all applicable administrative actions and all required work have been completed and the agreement has reached its period of performance end date.

21. **CIVIL RIGHTS:** Appendices A and E of the Title VI Assurances, attached, are hereby incorporated into, and made a part of this agreement.

22. NONDISCRIMINATION – COMPLIANCE WITH LAWS: The Subrecipient agrees to comply with all applicable laws and rules, including, but not limited to, those relating to nondiscrimination, accessibility, and civil rights.

23. AFFIRMATIVE ACTION PROGRAMS: The Subrecipient and subcontractors shall develop and maintain an affirmative action program, as defined in 49 CFR Part 21 and a Minority Business Enterprise Action Program in accordance with 49 CFR Part 26, as appropriate; to ensure that persons and businesses are not discriminated against because of race, religion, color, national origin, disability, age, sex, political opinions or affiliations, or status with regard to marriage or public assistance, in programs, projects and activities.

Should the Subrecipient fail to comply with any Federal civil rights statute, or any order or regulation issued under such statute, NDDOT shall notify the Subrecipient of the determination and shall direct the Subrecipient to take the action that may be necessary to ensure compliance. If, within a reasonable period of time, after receiving notification the Subrecipient fails or refuses to take action required by the notice, NDDOT shall take action as may be determined to be appropriate, including but not limited to the withholding of payments to the Subrecipient under the agreement in whole or in part.

24. DISADVANTAGED BUSINESS ENTERPRISE: In the performance of this agreement, the Subrecipient shall cooperate with NDDOT in meeting its commitments and goals with regard to the maximum utilization of disadvantaged business enterprises and will use its best efforts to ensure that disadvantaged business enterprises shall have the maximum practical opportunities to compete for subcontract work under this agreement. The Subrecipient shall comply with the requirements of 49 CFR Part 26.

The Subrecipient shall not discriminate on the basis of race, color national origin, or sex in the award and performance of any USDOT assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Subrecipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. NDDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Subrecipient of its failure to carry out its approved program, the USDOT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et. seq.)

The Subrecipient will include the following paragraph verbatim in any subcontracts they sign relative to this project:

The Subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Subrecipient shall

carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the Subrecipient to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the NDDOT deems appropriate.

25. **PROMPT PAYMENT:** Payment of invoices by the Subrecipient shall be within 20 days of Receipt, as required for NDDOT's DBE program.

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

27. **DRUG-FREE WORKPLACE:** The Subrecipient shall comply with the requirements for drug-free workplace, in accordance with 49 CFR 32, Subpart B.

28. **AUDITS:**

- a. Entities that receive federal funds through NDDOT may be required to obtain an audit in accordance with 2 CFR Part 200, Subpart F. A copy of such audit, covering the term of this agreement, shall be submitted to NDDOT. Entities that expend \$750,000 or less in federal funds, in a fiscal year, from all sources may be subject to reviews by NDDOT at its discretion. These requirements are applicable to counties, cities, state agencies, Indian tribes, colleges, hospitals, and non-profit businesses.
- b. The Subrecipient must fill out and submit to NDDOT the Single Audit Certification (SFN60639) and a schedule of federal expenditures for their fiscal year end. The Subrecipient must submit their Single Audit to NDDOT as well as the Federal Audit Clearinghouse. This audit report must be submitted within 30 calendar days after the Subrecipient receives the report from their auditors, or nine months after the end of the audit period, whichever comes first.

29. **CONFLICTS OF INTEREST:** No official or employee of a state or any other governmental instrumentality who is authorized in his official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting or approving any contract or subcontract in connection with a project shall have, directly or indirectly, any financial or other personal interest in any such contract or subcontract. No engineer, attorney, appraiser, inspector, or other person performing services for a state or a governmental instrumentality in connection with a project shall have, directly or indirectly, a financial or other personal interest, other than his employment or retention by a state or other governmental instrumentality, in any contract or subcontract in connection with such project. No officer or employee of such person retained by a state or other governmental instrumentality shall have, directly or indirectly, any financial or other personal interest in any real property acquired for a project unless such interest is openly

disclosed upon the public records of NDDOT and of such other governmental instrumentality, and such officer, employee, or person has not participated in such acquisition for and in behalf of the state.

30. INDEMNIFICATION: The Risk Management Appendix, attached, is hereby incorporated, and made a part of this agreement.

31. PERSONNEL: The Subrecipient assures that personnel will be available to perform the required services. Such personnel shall not be considered employees of NDDOT for any purpose.

32. DISCLAIMER: The Subrecipient must include the following statement in all plans, studies, and reports funded under this contract: "The preparation of this report has been funded in part by the US Department of Transportation, Federal Highway Administration and Federal Transit Administration. The contents of this document reflect the views of the authors who are responsible for the facts or accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the US Department of Transportation. The report does not constitute a standard, specification, or regulation."

33. COMPLIANCE WITH LAW: In performance of its obligations under this agreement, the Subrecipient shall comply with and require each of its subcontractors to comply with all applicable provisions of Federal, State, and local laws and regulations. The provisions of this agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and assigns. The failure of the state to enforce any provisions of this contract shall not constitute a waiver by the State of that or any other provision.

34. TELECOMMUNICATIONS CERTIFICATION: By signing this agreement, the Subrecipient certifies, in accordance with 2 CFR 200.216 and Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232), that it will not obligate or expend grant funds to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. The Subrecipient will include this requirement in all subcontracts related to this agreement.

35. BYRD ANTI-LOBBYING AMENDMENT: (31 USC 1352) Subrecipients that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 USC 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

36. DEBARMENT AND SUSPENSION: The Subrecipient is advised that their signature on this agreement certifies that the company or any person associated therewith is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three years; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction on any matter involving fraud or official misconduct within the past three years. For all bids or proposals of third-party contracts and subcontracts, the Subrecipient shall:

- a. Obtain from all bidders a signed Certification of Primary Participant Regarding Debarment, Suspension, and Other Responsibility Matters, as provided in 2 CFR 180 and 2 CFR 1200.
- b. Check the Excluded Parties Listing System (EPLS) at www.sam.gov to ensure the selected vendor or contractor has not been excluded from doing business with the federal government. The Subrecipient shall document the search results and include as part of the third-party contract.
- c. Add a clause to the subcontract that the subcontractor shall maintain active registration in the System for Award Management at www.sam.gov.

37. GOVERNING LAW AND VENUE: Notwithstanding any rules regarding the choice of law or venue, it is agreed by the parties that this contract shall be governed by and construed in accordance with applicable federal law and the laws of the state of North Dakota, at the time this contract was executed. All disputes arising from this agreement shall be brought in the South Central District Court of the state of North Dakota.

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

39. OWNERSHIP OF WORK PRODUCT: All work products and copyrights of the contract, which result from this contract, are the exclusive property of NDDOT, with an unlimited license for use by the federal government and its assignees without charge. The Subrecipient shall furnish to NDDOT copies of all data and other items prepared or developed as a part of the contract.

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

North Dakota Dept. of Transportation

Local Government Division

608 East Boulevard Avenue

Bismarck, ND 58505-0700

41. ADDITIONAL FEDERAL CLAUSES: The Contractor must comply with all provisions in Appendix B, which is attached and incorporated by reference herein.

DRAFT

EXECUTED the date last below signed.

WITNESS:

NAME (TYPE OR PRINT)

SIGNATURE

DATE

SUBRECIPIENT:

NAME (TYPE OR PRINT)

SIGNATURE

*

TITLE

DATE

APPROVED as to substance by:

NORTH DAKOTA DEPARTMENT OF
TRANSPORTATION:

LOCAL GOVERNMENT ENGINEER (TYPE OR PRINT)

SIGNATURE

DATE

DEPUTY DIRECTOR FOR PLANNING (TYPE OR PRINT)

SIGNATURE

DATE

* Policy Board Chairperson

CLA 1029 (Div. 38)
L.D. Approved 10-28-14; 11-23

CERTIFICATION OF LOCAL MATCH

It is hereby certified that the _____ will provide non-federal funds, whose source is identified below, as match for the amount the Subrecipient is obligated to pay under the terms of the attached agreement with the North Dakota Department of Transportation. The certified amount does not duplicate any federal claims for reimbursement, nor are the funds used to match other federal funds, unless expressly allowed by federal regulation.

Non-Federal Match Funds provided by Subrecipient. Please designate the source(s) of funds in the Subrecipient budget that will be used to match the federal funds obligated for this project through the North Dakota Department of Transportation.

Source:

Executed at _____, North Dakota, the last date below signed.

ATTEST:

APPROVED:

MPO (TYPE OR PRINT)

Subrecipient of _____

SIGNATURE

NAME (TYPE OR PRINT)

DATE

SIGNATURE

*

TITLE

DATE

*Policy Board Chairperson

**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
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 Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the 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.

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

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

Pertinent Non-Discrimination Authorities:

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

Federal Clauses

Buy America requirements – 23 CFR 635.410

- (a) The provisions of this section shall prevail and be given precedence over any requirements of this subpart which are contrary to this section. However, nothing in this section shall be construed to be contrary to the requirements of § 635.409(a) of this subpart.
- (b) No Federal-aid highway construction project is to be authorized for advertisement or otherwise authorized to proceed unless at least one of the following requirements is met:
 - (1) The project either: (i) Includes no permanently incorporated steel or iron materials, or (ii) if steel or iron materials are to be used, all manufacturing processes, including application of a coating, for these materials must occur in the United States. Coating includes all processes which protect or enhance the value of the material to which the coating is applied.
 - (2) The State has standard contract provisions that require the use of domestic materials and products, including steel and iron materials, to the same or greater extent as the provisions set forth in this section.
 - (3) The State elects to include alternate bid provisions for foreign and domestic steel and iron materials which comply with the following requirements. Any procedure for obtaining alternate bids based on furnishing foreign steel and iron materials which is acceptable to the Division Administrator may be used. The contract provisions must (i) require all bidders to submit a bid based on furnishing domestic steel and iron materials, and (ii) clearly state that the contract will be awarded to the bidder who submits the lowest total bid based on furnishing domestic steel and iron materials unless such total bid exceeds the lowest total bid based on furnishing foreign steel and iron materials by more than 25 percent.
 - (4) When steel and iron materials are used in a project, the requirements of this section do not prevent a minimal use of foreign steel and iron materials, if the cost of such materials used does not exceed one-tenth of one percent (0.1 percent) of the total contract cost or \$2,500, whichever is greater. For purposes of this paragraph, the cost is that shown to be the value of the steel and iron products as they are delivered to the project.
- (c)(1) A State may request a waiver of the provisions of this section if;
 - (i) The application of those provisions would be inconsistent with the public interest; or
 - (ii) Steel and iron materials/products are not produced in the United States in sufficient and reasonably available quantities which are of a satisfactory quality.
- (2) A request for waiver, accompanied by supporting information, must be submitted in writing to the Regional Federal Highway Administrator (RFHWA) through the FHWA Division Administrator. A request must be submitted sufficiently in advance of the need for the waiver in order to allow time for proper review and action on the request. The RFHWA will have approval authority on the request.
- (3) Requests for waivers may be made for specific projects, or for certain materials or products in specific geographic areas, or for combinations of both, depending on the circumstances.
- (4) The denial of the request by the RFHWA may be appealed by the State to the Federal Highway Administrator (Administrator), whose action on the request shall be considered administratively final.
- (5) A request for a waiver which involves nationwide public interest or availability issues or more than one FHWA region may be submitted by the RFHWA to the Administrator for action.
- (6) A request for waiver and an appeal from a denial of a request must include facts and justification to support the granting of the waiver. The FHWA response to a request or appeal will be in

writing and made available to the public upon request. Any request for a nationwide waiver and FHWA's action on such a request may be published in the **Federal Register** for public comment.

- (7) In determining whether the waivers described in paragraph (c)(1) of this section will be granted, the FHWA will consider all appropriate factors including, but not limited to, cost, administrative burden, and delay that would be imposed if the provision were not waived.

- (d) Standard State and Federal-aid contract procedures may be used to assure compliance with the requirements of this section.

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

41 CFR 60-1.4(a)

- (a) *Government contracts.* Except as otherwise provided, each contracting agency shall include the following equal opportunity clause contained in section 202 of the order in each of its Government contracts (and modifications thereof if not included in the original contract): during the performance of this contract, the contractor agrees as follows:
- (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
 - (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
 - (3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
 - (4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the secretary of labor.
 - (5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the secretary of labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the secretary of labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

- (6) In the event of the contractor's non-compliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the secretary of labor, or as otherwise provided by law.
- (7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the secretary of labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the secretary of labor as a means of enforcing such provisions including sanctions for noncompliance: *provided, however*, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the contractor may request the united states to enter into such litigation to protect the interests of the United States.

2 CFR Part 200 Appendix II (C)

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

USDOT Disadvantaged Business Enterprise Program Requirements – 49 CFR 26

Each financial assistance agreement you sign with a DOT operating administration (or a primary recipient) must include the following assurance:

THE RECIPIENT SHALL NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, OR SEX IN THE AWARD AND PERFORMANCE OF ANY DOT-ASSISTED CONTRACT OR IN THE ADMINISTRATION OF ITS DBE PROGRAM OR THE REQUIREMENTS OF 49 CFR PART 26. THE RECIPIENT SHALL TAKE ALL NECESSARY AND REASONABLE STEPS UNDER 49 CFR PART 26 TO ENSURE NONDISCRIMINATION IN THE AWARD AND ADMINISTRATION OF DOT-ASSISTED CONTRACTS. THE RECIPIENT'S DBE PROGRAM, AS REQUIRED BY 49 CFR PART 26 AND AS APPROVED BY DOT, IS INCORPORATED BY REFERENCE IN THIS AGREEMENT. IMPLEMENTATION OF THIS PROGRAM IS A LEGAL OBLIGATION AND FAILURE TO CARRY OUT ITS TERMS SHALL BE TREATED AS A VIOLATION OF THIS AGREEMENT. UPON NOTIFICATION TO THE RECIPIENT OF ITS FAILURE TO CARRY OUT ITS APPROVED PROGRAM, THE DEPARTMENT MAY IMPOSE SANCTIONS AS PROVIDED FOR UNDER PART 26 AND MAY, IN APPROPRIATE CASES, REFER THE MATTER FOR ENFORCEMENT UNDER 18 U.S.C. 1001 AND/OR THE PROGRAM FRAUD CIVIL REMEDIES ACT OF 1986 (31 U.S.C. 3801 *ET SEQ.*).

Each contract you sign with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

THE CONTRACTOR, SUB RECIPIENT OR SUBCONTRACTOR SHALL NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, OR SEX IN THE PERFORMANCE OF THIS CONTRACT. THE CONTRACTOR SHALL CARRY OUT APPLICABLE REQUIREMENTS OF 49 CFR PART 26 IN THE AWARD AND ADMINISTRATION OF DOT-ASSISTED CONTRACTS. FAILURE BY THE CONTRACTOR TO CARRY OUT THESE REQUIREMENTS IS A MATERIAL BREACH OF THIS CONTRACT, WHICH MAY RESULT IN THE TERMINATION OF THIS CONTRACT OR SUCH OTHER REMEDY AS THE RECIPIENT DEEMS APPROPRIATE.

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

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

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

- (B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

Rights to Inventions Made Under a Contract or Agreement – 2 CFR Part 200 Appendix II (F)

- (F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

Debarment and Suspension - 2 CFR Part 200 Appendix II (I)

- (I) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), “Debarment and Suspension.” The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Byrd Anti-Lobbying Amendment - 2 CFR Part 200 Appendix II (J)

- (J) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award of \$100,000 or more must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

Risk Management Appendix

Routine* Service Agreements with Sovereign Entities and Political Subdivisions of the State of North Dakota:

Parties: **State** – State of North Dakota, its agencies, officers and employees

Governmental Entity – The Governmental Entity executing the attached document, its agencies, officers and employees

Governments – State and Government Entity, as defined above

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

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

- 1) **Commercial general liability and automobile liability** insurance – minimum limits of liability required of the Governmental Entity are **\$406,250 per person and \$1,625,000 per occurrence**. The minimum limits of liability required of the State are **\$406,250 per person and \$1,625,000 per occurrence**.
- 2) **Workers compensation** insurance meeting all statutory limits.
- 3) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

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

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

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

Subcontractor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota: 1) commercial general liability; 2) automobile liability; and 3) workers compensation insurance all covering the Subcontractor for any and all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are \$500,000 per person and \$2,000,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workers compensation. The Governments shall be endorsed on the commercial general liability policy and automobile liability policy as additional insureds. The Governments shall have all the benefits, rights and coverages of an additional insured under these policies that shall not be limited to the minimum limits of insurance required by this agreement or by the contractual indemnity obligations of the Contractor. Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurance company may have against the Governments as well as provisions that the policy and/or endorsement may not be canceled or modified without thirty (30) days prior written notice to the undersigned representatives of the Governments, and that any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08. Subcontractor's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the Governments. Any insurance, self-insurance or self-retention maintained by the Governments shall be excess of the Contractor's insurance and the Subcontractor's insurance and shall not contribute with them. The insolvency or bankruptcy of the insured Subcontractor shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Subcontractor from meeting the retention limit under the policy. Any deductible amount or other obligations under the Subcontractor's policy(ies) shall be the sole responsibility of the Subcontractor. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The Governments will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Subcontractor in excess of the minimum requirements set forth above. The Government Entity that hired the Subcontractor shall be held responsible for ensuring compliance with the above requirements by all Subcontractors. The Governments reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

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

RM Consulted 2007
Revised 11-23





2024
UNIFIED PLANNING WORK PROGRAM

Final Draft
December 2023

BISMARCK-MANDAN MPO

UNIFIED PLANNING WORK PROGRAM for 2024

Funding identified in the UPWP is provided by the following partners.

FHWA
FTA
NDDOT
City of Bismarck
City of Mandan
City of Lincoln
Burleigh County
Morton County
Bis-Man Transit

Document prepared by: Rachel Lukaszewski
Executive Director/ Principal Transportation Planner
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701-355-1852

USDOT Disclaimer: This document was prepared with federal funds but does not reflect the views or policies of the United States Department of Transportation.

THE SIGNATURE ON THE LINE THAT FOLLOWS CONSTITUTES THE OFFICIAL ADOPTION OF THE 2024 UNIFIED PLANNING WORK PROGRAM (UPWP) BY THE BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION (MPO). THE UPWP WAS ADOPTED ON _____.

MIKE SCHMITZ, CHAIRPERSON
BISMARCK-MANDAN MPO

DATE

BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION
UNIFIED PLANNING WORK PROGRAM
January 2024 through December 2024

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INTRODUCTION

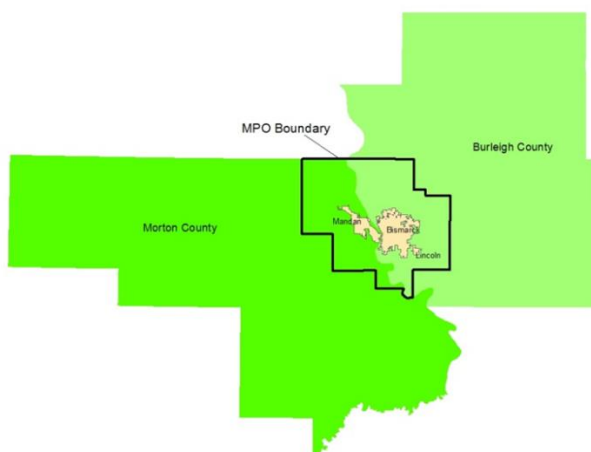
The Unified Planning Work Program (UPWP) is a description of the multi-modal transportation planning projects that will be conducted in the Bismarck/Mandan MPO area in calendar year 2024. This document is the foundation for requesting federal funds as well as a control tool for scheduling, budgeting and monitoring the transportation planning process.

The 2024 UPWP was developed with the input of the North Dakota Department of Transportation (NDDOT), Federal Transit Administration (FTA), and Federal Highway Administration (FHWA), Bismarck Transit and the jurisdictional partners of the MPO (Bismarck, Lincoln, Mandan, Burleigh County and Morton County). Also, public input from previous MPO studies was used to form the 2024 UPWP.

The 2024 UPWP is the MPO's budgeting action tool that takes the goals and projects from the active MPO Metropolitan Transportation Plan (*Arrive 2045*) and formats the chosen projects into a budgeting action plan.

It is hoped that this 2024 UPWP will not only provide the MPO with a very useful budgeting, scheduling and monitoring tool, but will also provide an understandable expectation of what the MPO will endeavor in 2024, with the public's help.

MPO BOUNDARY MAP



MPO STAFF

Rachel Lukaszewski: Executive Director/ Principal Transportation Planner
Kim Riepl: Transportation Planner
Stephen Larson: Transportation Specialist
Paulette Jacobsen: Part-Time Transportation/Transit Planner

PREVIOUS ACCOMPLISHMENTS

Since January 2023 the MPO has completed a Title VI audit and plan update and 17 TIP amendments (as of the updating of this document in August 2023). There have also been several projects completed. These projects include the East Main Avenue Corridor Study and the Sunset Drive Corridor Study, as well as a couple of projects completed in conjunction with ATAC.

The MPO filled its vacant part time position in the third quarter of 2023.

The MPO updated its Public Participation Plan in 2023.

UPWP NEW ADDITIONS

The 2024 UPWP is being prepared to address initial changes to the Consolidated Planning Grant and newly required annual Unified Planning Work Program contract. The Consolidated Planning Grant, as of 2024, will be divided amongst four MPOs with the inauguration of the Central Dakota MPO in Minot, ND. However, NDDOT has pledged to provide funding as previously approved for the 2024 year. Therefore, it is not anticipated the new CPG formula will be use until the development of the 2025 UPWP. In this transition year, NDDOT will increase monitoring of the UPWP spending to ensure a timely opening and closing of the annual award.

The 2024 UPWP has been revised from its previous version as the 2023-2024 UPWP. The reader will note that the 2023 budgetary items have been blacked out, and the Task 101 and 204 have been updated to reflect more accurate building rental fees and changes/encumbrances to the planned Transportation Planning Studies and Data Acquisitions. Closing tables have been updated to reflect these changes to the overall program.

SOURCE OF UPWP FUNDS

Funding identified in the UPWP is provided by the following partners. Federal funds are allocated under the Consolidated Planning Grant (CPG). State funds, when used, are provided thru allocation by the state legislature and/or NDDOT Local Government Division. Local funds are provided through local sales tax or mill levy. The columns below indicate the agency providing funding and the type of funding they provide.

FHWA (Fed)	City of Bismarck (Local)
FTA (Fed)	City of Mandan (Local)
NDDOT (Fed/State)	City of Lincoln (Local)
	Burleigh County (Local)
	Morton County (Local)
	Bis-Man Transit (Local)

FEDERAL PLANNING FACTORS

FHWA and FTA have encouraged MPOs to plan in a continuous, cooperative, and comprehensive manner, as well as to give prioritization to the federal planning factors in their project selection, strategies and services. (23 CFR 450.306(b)). The ten federal planning factors are listed below.

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
2. Increase the safety of the transportation system for motorized and non-motorized users;
3. Increase the security of the transportation system for motorized and non-motorized users;
4. Increase accessibility and mobility of people and freight;
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
7. Promote efficient system management and operation;
8. Emphasize the preservation of the existing transportation system;

9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
10. Enhance travel and tourism.

The MPO is committed to upholding these 10 factors in the planning process. This includes involving federal, state, and local input—including public input—into the development of planning studies through Title VI compliant public input plans, collection of ideas and direction from study steering committees, and sufficient time to review and comment before planning studies are adopted/accepted by the MPO boards and partner jurisdictions.

MTP/ FEDERAL PERFORMANCE GOALS AND UPWP PROJECTS

The 2020-2045 Metropolitan Transportation Plan (MTP) adopts the federal goals areas established through the MAP-21 and FAST Act legislation, which have now been replaced by the Infrastructure Investment and Jobs Act (IIJA):

1. Safety and Security
2. Infrastructure Conditions
3. Congestion Reduction
4. System Reliability for Freight Movement and Economic Vitality
5. Alternative Transportation Modes to Automobile Travel
6. Environmental Sustainability
7. Reduced Project Delay

Following is a table which identifies which MTP Goals are addressed by the 2024 UPWP identified Studies and Data.

MTP Goals

	1	2	3	4	5	6	7
Continuation of the Travel Demand Model and Socio-Economic Update/ 2025-2050 Metropolitan Transportation Plan Update)	x	x	x	x	x	x	x
Continuation of the Safe Routes to Services/ Complete Streets Study	x				x		
MPO Safety Policies Study	x		x	x			
Bike-Ped Origin-Destination Data Purchase from Streetlight					x		
Continuation of the 2023 Ortho-LiDAR Collection	x		x			x	

TIMELINE FOR METROPOLITAN TRANSPORTATION PLAN UPDATE

- 2021
- Develop RFP for a joint study: Travel Demand Model and Socio-Economic Update (TDMSE) **AND** the 2025-2050 Metropolitan Transportation Plan [1-2Q]
 - Purchase Socio-Economic Data (Household and Employment Estimates) [2-3Q]
 - IF NEEDED: ‘Clean-Up’ Socio-Economic Data [3-4Q]

- Update the Traffic Analysis Zone (TAZ) Structure and roadway network to reflect current conditions [3-4 Q]
- 2022
- Purchase Origin-Destination Data to be used to calibrate the updated TDM [3Q]
 - Execute the Travel Demand Model and Socio-Economic Update (TDMSE) [3Q]
 - Assess the need for additional data for the MTP and TDM [3-4Q]
 - Determine Forecast Methodology and Growth Scenarios [3-4Q]
 - Develop the baseline population and employment estimates and the 2045 projections [3-4Q]
 - Allocate future residents and employees by TAZ (2035-2045 mid, 2045-2050 long) [4Q]
 - Review the current Travel Demand Model [3-4Q]
- 2023
- ATAC updates Travel Demand Model (TDM) [Q2-Q4]
 - Begin 2025-2050 MTP update [3Q]
- 2025
- Adoption of 2025-2050 MTP [1Q]

2021 PLANNING EMPHASIS AREAS

In 2021, FHWA and FTA jointly issued updated Planning Emphasis Area (PEAs). It is the federal government's priority that these PEAs be incorporated into the MPO's UPWP and inform planning processes. The updated PEAs include:

- Tackling the Climate Crisis – Transition to a Clean Energy, Resilient Future
- Equity and Justice⁴⁰ in Transportation Planning
- Complete Streets
- Public Involvement (specifically, Virtual Public involvement)
- Strategic Highway Network (STRAHNET)/U.S. Department of Defense (DOD) Coordination
- Federal Land Management Agency (FLMA) Coordination
- Planning and Environment Linkages (PEL)
- Data in Transportation Planning

The 2024 UPWP highlights multiple PEAs. Both **equity** and **complete streets** will be addressed by planning studies (Task 204) which are programmed for 2024. This specifically includes the continuation of the 2021 TDMSE/ 2050 MTP and the Safe Routes to Services/ Complete Streets Study. All planning studies also provide an opportunity to look more closely at **planning and environmental linkages**. Items regarding **climate crisis** and **data in transportation planning** can be addressed through the continuation of the 2021 TDMSE/ 2050 MTP in 2024. Additionally, coordination with the **Strategic Highway Network (STRAHNET)/ US Department of Defense (DOD)** and **Federal Land Management Agency (FLMA)** may be possible through distribution of the TIP (Task 205) to State and Federal partners during Draft TIP consideration. Finally, all MPO studies and projects provide opportunity incorporate **virtual public involvement (VPI)** into our public outreach efforts.

An additional planning emphasis area—highlighted under the IIJA legislation—is to promote **safe and accessible transportation options**. This requires 2.5% of the MPO's CPG funds to be used toward evaluation of complete streets elements, safety, and equity. The MPO will meet this requirement through

staff time and expenditures attributed to the Bike-Ped Subcommittee as well as select transportation planning studies. For a typical MPO calendar year, this 2.5% is estimated to be \$13,550.

UPWP AMENDMENT THRESHOLD

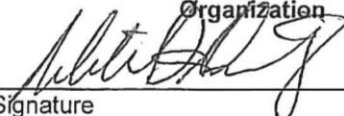
The MPO can move funding between tasks to an amount up to 10% of the total cumulative yearly amount, without North Dakota Department of Transportation (NDDOT) and Federal Highway Administration/Federal Transit Administration (FHWA/FTA) approval. Funding added to a planning study or data acquisition already under contract, new tasks or projects, or budgetary changes in excess of 10% (cumulative yearly amount) will continue to require NDDOT and FHWA/FTA approvals of amendments to the UPWP. In addition, the MPO must advise the NDDOT and FHWA/FTA of any budgetary changes within the 10% limits described above.

TRANSPORTATION PLANNING PROCESS SELF CERTIFICATION STATEMENT

The Bismarck-Mandan Metropolitan Planning Organization (BMMPO) hereby certifies that it is carrying out a continuing, cooperative, and comprehensive transportation planning process in accordance with the applicable requirements of:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and 23 CFR Part 450;
2. In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 11101(e) of the IIJA (Pub. L. 117-58) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Bismarck-Mandan Metropolitan Planning
Organization


Signature

Policy Board Chair
Title

6/20/23
Date

North Dakota Department of Transportation


Signature

Local Government Engineer
Title

7/21/2023
Date

BISMARCK-MANDAN MPO ACTIVITIES SUPPORTING TITLE VI AND ENVIRONMENTAL JUSTICE

The MPO recognizes Title VI and Environmental Justice requirements as they relate to the planning process. The requirements directly affect such elements within the planning process including, but not limited to, plan development, public involvement, and project management decisions.

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 states: “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 subjected to discrimination under any program or activity receiving federal financial assistance.”

The Bismarck-Mandan MPO Policy Board approved changes to the MPO’s Title VI and Non-Discrimination/ADA Plan in July 2023. This document provides policies prohibiting discrimination on the basis of race, color, or national origin. The Title VI/ADA Coordinator is identified within the Title VI Plan and contact information is also provided.

There is also a section within the document which provides information, forms and instructions relative to filing complaints in the event any individual feels he/she has been discriminated against in the MPO’s programs or processes.

The Title VI and Non-Discrimination/ADA Plan is subject to annual audits performed by the Title VI/ADA Coordinator in conjunction with MPO staff to assess the program’s effectiveness at all levels and to ensure continued compliance with Title VI requirements. The audits are completed each year by March 31 for the reporting period running July 1 to June 30. Remedial actions are taken within 90 days of the audit, and approval of plan updates typically occurs in July.

The Title VI and Non-Discrimination/ADA Plan contains a section which includes a list of MPO staff and appointed positions within the MPO, including the Technical Advisory Committee and Policy Board. It identifies how each position is appointed and details the responsibilities of each as it relates to Title VI.

Additionally, training programs for all MPO employees on Title VI and other related statutes are conducted annually, and will consist of, minimally, one hour of training per reporting period.

Bismarck-Mandan MPO maintains maps within the Title VI and Non-Discrimination/ADA Plan indicating high concentrations of minority, low-income, and elderly and limited English proficiency populations for consideration in planning and programming activities.

Finally, the Bismarck-Mandan MPO also includes appropriate FTA Federal Clauses, and “Title VI Assurances”, which contain language prohibiting discrimination of groups identified in the Civil Rights Act of 1964, within all of the Request for Proposals (RFPs) and contracts for all studies solicited by Bismarck-Mandan MPO.

Environmental Justice

Executive Order 12989, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, ensures non-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.

Bismarck-Mandan MPO’s Public Participation Plan, originally adopted May 2010, requires the evaluation of adverse impacts through MPO activities to “Environmental Justice” groups

including low-income and minority populations. The MPO maintains maps with high concentrations of minority, low-income, limited English proficiency, and elderly populations for consideration in planning and programming activities. These maps are included in the Title VI and Non-Discrimination/ADA Plan, the 2020-2045 Long Range Transportation Plan (the Metropolitan Transportation Plan, or MTP, updated every five years), and the Transportation Improvement Program (updated annually). The socio-economic data used to maintain the maps is utilized in a variety of applications, including MPO studies and the production and updating of the Bismarck-Mandan Metropolitan Planning Organization Monitoring Report.

Further, the MPO seeks the active participation of Environmental Justice populations in the planning process as identified in the Public Participation Plan. The document indicates that meeting facilities should be accessible to mobility impaired individuals and meetings should be scheduled at various times to accommodate various work schedules. Contact information for the Title VI/ADA Coordinator is provided within the Title VI Plan and is also provided on MPO meeting agendas and on the MPO webpage to ensure accessibility by individuals with disabilities to request appropriate provisions, auxiliary aids, or services for meeting facilities or materials. Forms, along with complete instructions, to request reasonable accommodations and processes for filing of complaints about violations are also provided.

Bismarck-Mandan MPO maintains a database of approximately 220 transportation stakeholders within the Bismarck-Mandan Metropolitan Planning Area (MPA). The stakeholders are sent notification and/or draft copies of various studies and programs including, but not limited to, the Metropolitan Transportation Plan (MTP), the Transportation Improvement Program (TIP), and newsletter updates (as available) which provide information on MPO activities. A variety of organizations representing low-income, minority, and elderly agencies and advocacy groups are on the MPO stakeholder list.

Bismarck-Mandan MPO continues to increase accessibility to its programs and activities by all applicants, participants, and members of the public regardless of race, color, national origin, sex, age, disability, or income status and has recently installed display racks containing the Title VI and Non Discrimination/ADA Plan, the Title VI Policy Statement, LEP Plan, ADA reasonable accommodations request forms, Title VI complaint forms and procedures, and newsletters (when available) at the entrances of the MPO work site. Additionally, forms, documents, meeting information, and study updates are made accessible via social media using Facebook to link to the MPO webpage. Copies of adopted programs and plans, such as the TIP and the MTP, as well as final reports of adopted MPO studies are made available through the public libraries in both Bismarck and Mandan.

ADMINISTRATION

100

101 ADMINISTRATION, COORDINATION & TRANSPORTATION PERFORMANCE MANAGEMENT 2024

Objective:

The MPO manages and coordinates the accounts, records, agreements, and administration of contracts for the Unified Planning Work Program and the Bismarck-Mandan Metropolitan Planning Organization. This task provides the necessary coordination and communications between the various agencies in the Bismarck-Mandan Metropolitan area and provides for citizen information and involvement. This task uses Transportation Performance Management processes and follows performance-based planning and programming practices.

Present Status:

The Bismarck-Mandan Metropolitan Planning Organization (MPO) is presently staffed with an Executive Director, a Transportation Planner, a part-time Transit/Transportation Planner, and a Transportation Specialist, who are responsible for coordinating MPO activities with the various entities within the boundaries of the MPO, which represents the MPO's operational and technical agencies. Work accomplished under this task in 2023 included reporting and billing activities and preparations for and attendance at the Technical Advisory Committee (TAC) and MPO Policy Board Meetings.

Proposed Work:

Compile and maintain records of MPO work in progress as performed by individual consulting companies and submit them to the North Dakota Department of Transportation. Prepare monthly billings for MPO activities in progress as outlined in the Unified Planning Work Program and receive and disburse funds received for these MPO activities.

The MPO provides liaison activities to the MPO's membership including preparation of agendas and minutes, scheduling, and attendance at Technical Advisory Committee (TAC) and MPO Policy Board meetings. The MPO also takes leadership in the development and management of general transportation and data acquisitions, as well as administration of general office activities.

Products:

Products of the MPO include formal meetings of the MPO Policy Board and Technical Advisory Committee (TAC) and submission of billings and monthly activity summaries, as well as coordination and management of all MPO accounts and records.

In addition to the general administration and management of office, the MPO staff provide project management for various general planning studies and data acquisitions each calendar year.

Completion Date:
Ongoing Activity.

Estimated Expenditures:

		<u>2024</u>
General Staff Administration of MPO Program*		\$272,637
Office Space Rental/ Parking		27,088
Office Equipment and Supplies		2,000
Telephone Service		600
Mileage (Local)		500
Postage		750
Printing		1,200
Direct Miscellaneous Costs		1,000
TOTAL		305,775

Proposed Source of Funds:

CPG (80% or less)		244,620
Local (20% or greater)		61,155
TOTAL		305,775

* Staff includes 3 full-time members (1 Executive Director, 1 Transportation Planner, 1 Transportation Specialist) and 1 part-time member (Transit/Transportation Planner)

**101 ADMINISTRATION, COORDINATION & TRANSPORTATION
PERFORMANCE MANAGEMENT**

100.101.00

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	305,775	244,620	61,155	
Mandan		0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	305,775	244,620	61,155	

102 TRAINING/TRAVEL AND EDUCATION 2024

Objective:

To provide MPO support staff with appropriate skills to carry out the comprehensive, continuing and coordinated Transportation Planning Process.

Present Status:

Training activities undertaken during 2023 were virtual only (as of this document's update in October 2023).

Proposed Work:

The MPO will encourage staff attendance at selected national/local short courses, seminars, and conferences. The MPO will work with other MPOs, FHWA, FTA and the NDDOT to develop and support local training programs.

Products:

To foster a more informed, capable, and efficient staff.

Completion Date:

Ongoing Activity.

Estimated expenditures:

		<u>2024</u>
Associated Training Costs		\$3,500
Transportation and Lodging		8,800
Books/Subscriptions/Dues of		2,400
Transportation Planning Material		
and Organizations		
Mileage (Non-local)		500
Meals		1,500
TOTAL		16,700

Proposed Source of Funds:

CPG (80%)		13,360
Local (20%)		3,340
TOTAL		16,700

100.102.00**102 TRAINING, EDUCATION & ASSOCIATED TRAVEL**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	16,700	13,360	3,340	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	16,700	13,360	3,340	

103 UNIFIED PLANNING WORK PROGRAM DEVELOPMENT 2024

Objective:

To prepare a Unified Planning Work Program (UPWP) for the Bismarck-Mandan Metropolitan Planning Organization and any subsequent UPWP amendments.

Present Status:

The Bismarck-Mandan Metropolitan Planning Organization has operated under a unified work program for the past thirty-six years.

Proposed Work:

The 2025-2026 Unified Planning Work Program will be developed by the MPO staff, with assistance from the Planning and Engineering departments of the cities of Bismarck, Mandan, Lincoln, and Burleigh and Morton counties, as well as being offered for review and input by local citizen groups as required under the Infrastructure Investment and Jobs Act (IIJA) regulatory requirements. Maintenance of the 2024 UPWP will be provided by the MPO staff.

Products:

2025-2026 UPWP and Amendments to the 2024 UPWP.

Completion Date:

Preliminary 2025-2026 Draft:	September 2024
Final 2025-2026 UPWP:	October 2024

Estimated Expenses:

Development of UPWP and Amendments	[REDACTED]	<u>2024</u> \$4,323
TOTAL	[REDACTED]	4,323

Proposed Source of Funds:

CPG (80%)	[REDACTED]	3,458
Local (20%)	[REDACTED]	865
TOTAL	[REDACTED]	4,323

100.103.00**103 UNIFIED PLANNING WORK PROGRAM**

(All Amounts in Dollars \$)

YEAR 2023

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	4,323	3,458	865	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	4,323	3,458	865	

104 COMPUTER ENHANCEMENTS AND SOFTWARE 2024

Objectives:

To enhance the MPO's capabilities to monitor transportation data traffic forecasting, and traffic operations. To overall improve MPO staff's ability to provide analysis, communication, and distribute applicable transportation related data. To keep staff informed on pertinent transportation issues. To build and furnish reports to satisfy FHWA, FTA, and NDDOT reporting requirements.

Present Status:

During 2023 the Bismarck-Mandan MPO used computers and associated software to aid the transportation planning efforts of Bismarck, Mandan, Lincoln, Morton County and Burleigh County within the MPO area.

Proposed Work:

To provide computer hardware and software aid to the transportation planning efforts of the MPO.

Products:

To provide the MPO with effective administration, data processing, and analytical tools for transportation planning.

Completion Date:

Ongoing Activity.

Estimated Expenditures:

		<u>2024</u>
Computers and Misc. Hardware		\$3,000
Computer Software		3,200
TOTAL		6,200

Proposed Source of Funds:

CPG (80%)		4,960
Local (20%)		1,240
TOTAL		6,200

100.104.00**104 COMPUTER ENHANCEMENTS & SOFTWARE**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	6,200	4,960	1,240	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	6,200	4,960	1,240	

105 TRANSIT SYSTEM ADMINISTRATION AND LIAISON 2024

Objective:

To provide technical assistance and coordinated transportation planning to Bis-Man Transit. Support the City of Bismarck and Bis-Man Transit in maintaining State and Federal requirements, promoting community use of the transit system, and implementing recommendations of the Transit Development Plan.

Present Status:

Facilitate interaction between the City of Bismarck and Bis-Man Transit, including updates to the contract, reporting to FTA, assisting with communication to the City Commission, and planning for the preparation and administration of Transit grants.

Proposed Work:

To maintain grant maintenance and control functions. To act as a liaison between FTA, the City of Bismarck, and Bis-Man Transit regarding FTA and NDDOT grant applications, reports and meetings. To adhere to federal performance measures requirements pertaining to Transit operations within the MPO. Update member jurisdictions of transit developments at TAC and Policy Board Meetings. Activities also include aiding Transit during the FTA Triennial Review, expected to begin in 2024.

Products:

Prepare grants pertaining to Operations, Bus and Bus Facilities, and Mobility of Seniors and Persons with Disabilities, along with all the associated reporting. Maintenance of appropriate FTA records on behalf of the City of Bismarck and Bis-Man Transit. Completion of the Triennial Review.

Completion Date:

Ongoing.

Estimated Expenditures:

		<u>2024</u>
Transit Liaison and Administration		\$36,613
TOTAL		36,613

Proposed Source of Funds:

CPG (80%)		29,290
Local (20%)		7,323
TOTAL		36,613

100.105.00**105 TRANSIT SYSTEM ADMINISTRATION**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	36,613	29,290	7,323	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	36,613	29,290	7,323	

TRANSPORTATION PLANNING

200

201 SUBCOMMITTEES
 (Bis-Man MPO Bicycle-Pedestrian Subcommittee and Freight Advisory Committee)
2024

Objective:

To further recommendations of the Bicycle-Pedestrian Plan and Freight Plan using engaged local partners and community members. Coordinated by MPO staff and allowed to enhance transportation needs and MPO objectives related to alternative modes of transportation and/or freight.

Present Status:

The MPO's Bicycle-Pedestrian Subcommittee meets several times a year. They evaluate and prioritize the TA applications for consideration by TAC and Policy Board. A Freight Advisory Committee has not yet formed but may form in the future.

Proposed Work:

During the 2024 calendar year, Bicycle-Pedestrian Subcommittee will review and critique TA applications to improve the applications and make them more competitive in the statewide selection. The Subcommittee will subsequently score and prioritize the applications for consideration by TAC and Policy Board. Finally, the Subcommittee will pursue special projects in an ad-hoc manner as the group's interests align with the Bicycle-Pedestrian Plan.

Products:

The Bicycle-Pedestrian Subcommittee will help create improved TA applications which also align with local, state and federal performance measures. They will also compile a list of TA prioritized projects to be considered by the MPO TAC and Policy Board.

Completion Date:

Ongoing Activity.

Estimated Expenditures:

		<u>2024*</u>
Staff Coordination		\$2,493
Ad Hoc Activities		2,500
TOTAL		4,993

Proposed Funding Sources:

CPG (80%)		3,994
Local (20%)		999
TOTAL		4,993

*Approximately 40% of Staff Coordination contributes toward the 2.5% spending requirement for Safe and Accessible Transportation Options. This equals approximately \$800 for calendar year 2024.

200.201.00**201 SUBCOMMITTEES****BICYCLE- PEDESTRIAN SUBCOMMITTEE and FREIGHT ADVISORY COMMITTEE**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	4,993	3,994	999	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	4,993	3,994	999	

202 MONITORING AND REPORTING 2024

Objective:

To continually monitor trends of the Bismarck-Mandan Metropolitan area transportation system through the development of a Surveillance and Monitoring Report.

Present Status:

The Bismarck-Mandan MPO monitors transportation trends for significant transportation modes for a variety of reasons including, but not limited to, performance measures, transportation modeling, and other transportation planning related efforts. An annual surveillance and monitoring report was developed to share these trends with local partners and the community. Due to MPO staff reduction in 2019, there has been very little work done in this area since 2018. The plan is to resurrect and update the monitoring and reporting data 2024 and continue to monitor transportation, socio-economic, and related trends to assist in the transportation planning process.

Products:

The MPO updates the Surveillance and Monitoring report on a rolling basis. This report monitors transportation, socio-economic, and related trends to assist in the transportation planning process.

Completion Date:

Ongoing activity.

Estimated Expenditures:

		<u>2024</u>
Staff Update of Surveillance and Monitoring Report		\$7,256
TOTAL		7,256

Proposed Funding Sources:

CPG (80%)		5,805
Local (20%)		1,451
TOTAL		7,256

200.202.00**202 MONITORING AND REPORTING**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	7,256	5,805	1,451	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	7,256	5,805	1,451	

203 STAFF RELATED TDM 2024

Objective:

To routinely update and maintain the Travel Demand Model (TDM), through coordination with Advanced Traffic Analysis Center (ATAC), direct MPO staff efforts, and a consultant-led Model Review and Socio-Economic Projections effort.

Present Status:

The TDM update was completed in 2023. The TDM was reviewed through the Model Review and Socio-Economic Projection Project, which also includes projection and allocation of future households and employment centers. This effort occurred in coordination with local jurisdictions and approval of the TAC and Policy Boards and will feed directly into the ongoing Metropolitan Transportation Plan update.

MPO staff will annually update ATAC on roadway network expansions, with the release of the 'Status of Projects Report' for the annual Transportation Improvement Program.

A routine update of the population and employment data, by traffic analysis zones (TAZ), will be performed using building permits issued by local units of government, Census and American Community Survey data, and other purchased data. The updated population and employment data may be reviewed to determine if there are significant differences in growth patterns from those projected.

Products:

The Travel Demand Model was updated in 2023. MPO staff efforts will include, but are not limited to, review of census data and/or other acquired data (i.e. origin-destination data, socio-economic data), coordination with local jurisdiction on revisions to current and future land use, revaluation and adjustment (if needed) of the TAZ network, annual notification to ATAC of roadway network expansion, and coordination of and management of the contracted Socio-Economic and Projections Project.

Completion Date:

The development of the next TDM was completed in 2023, as part of the TDMSE/MTP Study update. Amendment, revision, or data preparation are an ongoing activity.

Estimated Expenditures:

Staff Related TDM



2024
\$4,931

TOTAL



\$4,931

Proposed Funding Sources:

CPG (80%)



3,945

Local (20%)



986

TOTAL



4,931

200.203.00**203 STAFF RELATED TDM**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	4,931	3,945	986	
Mandan		0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	4,931	3,945	986	

204 PLANNING STUDIES/ DATA ACQUISITION 2024

Objective:

To provide for studies of specific transportation concerns that may have an impact on the MPO's Transportation Plan, Transportation Improvement Program or MPO planning process.

Present Status:

At the request of the MPO and based on needs identified in the 2020-2045 Long Range Transportation Plan, local jurisdictional partners and MPO staff brought forward recommendations for transportation-related planning studies. Projects were discussed by the jurisdictions. Preferred projects were allocated funds within the MPO's allowance and have been approved by the TAC and Policy Board.

Proposed Work:

The proposed work will be completed by consulting or data collection firms. **Calendar year 2024 projects include the Annual ATAC fee, Study Associated Modeling and Ad Hoc Activities Performed by ATAC, the Travel Demand Model and Socio-Economic Update/ 2025-2050 Metropolitan Transportation Plan Update, the Safe Routes to Services/ Complete Streets Study, MPO Safety Policies Study, a Bike-Ped Origin-Destination Data Purchase from Streetlight, and the Ortho-LiDAR Collection.**

New studies that will commence in 2024 will be the following: MPO Safety Policies Study.

The MPO will pursue data acquisitions for the following efforts in 2024: Bike-Ped Origin-Destination Data Purchase from Streetlight (for the Safe Routes to Services Study).

Products, Start Schedules, and Completion Dates:

Product	Description	Targeted Start or Date of Contract	Completion Date
ATAC Annual Fee	Master Agreement Contract, which includes NDDOT and other State MPOs. Established for a three-year period with an annual fee paid at the end of each calendar year. Allows MPO and local jurisdictions access to limited ad-hoc model runs, access to ATAC staff for technical questions, maintenance and hosting of the MPO's travel demand model, and coordination of 2-3 partnership meetings during the Calander year.	Contracted: 10/20/2021	Contract ends October 2024; renewal is expected for same month.
Study Associated Modeling and Ad Hoc Activities Performed by ATAC	Funding set-aside to cover the development of the Travel Demand Model and/or ad-hoc requests which are above and beyond the allowances of the Annual Fee. Ad hoc projects resulting from MPO or local jurisdiction special requests may arise throughout the year. The TDM was updated in 2023, but additional modeling runs are expected in 2024 for the MTP scenarios. An addendum will be pursued for MTP scenarios. Any final funding may be used for a Phase 2 of the Signalized Intersection Pilot Program, which completed its Phase 1 in December 2023.	Contracted as Master Agreement Addendums; As needed	12/31/2024

*Travel Demand Model and Socio-Economic Update/ 2025-2050 Metropolitan Transportation Plan	Standard update of the Travel Demand Model and Socio-Economic Update and subsequent 2025-2050 Metropolitan Transportation Plan. Updates and discuss the MPO's 1) projections for future households and businesses, 2) transportation goals and objectives, and 3) current state of transportation systems. Identifies a fiscally constrained list of improvements to the target year of 2050.	Contracted: 8/29/2022	3/31/2025
*Safe Routes to Services/ Complete Streets Study	Identifies concentrations of vulnerable persons within Bismarck and Mandan. Identifies the modes and routes these populations use to access every-day services (hospitals, food stores, shelters, etc.). Offers recommendations to ensure safe travel on these routes or system improvements to encourage use of alternative routes. Includes development of Safe Routes for All (SS4A) Plan/SS4A Elements for Bismarck and Mandan.	Contracted: 10/18/22023	12/31/2024
MPO Safety Policies Study	Look at safety deficiencies in the MPO area—across all MPO jurisdictions. Identify best practices for consistent implementation of safety countermeasures and define engineering best practices. Scope items may include identifying current conditions and countermeasures used; performing safety analysis, recommending new crash-countermeasures; developing policies for consistent installation of countermeasures specific to each jurisdiction; develop supporting material for SS4A grants (which will be submitted by local jurisdictions); create SS4A Action Plan for the local jurisdictions. Utilize the federal checklist of what should be included in the SS4A Action Plan. [Scope is subject to adjustment during RFP development, Final Scope will be approved after NDDOT review and MPO Board Approval.]9	Targeted Start: April/May 2024	Targeted End Date: 6/31/2025
Bike-Ped Origin-Destination Data Purchase from Streetlight	Micro-purchase of Origin-Destination Data to be used for the Safe Routes to Services/ Complete Streets Study. Will show the routes with vulnerable populations are using to access daily service centers in the community.	Targeted Start: Jan/Feb 2024	Targeted End Date: 4/30/32024
Ortho-LiDAR Collection	Collection of the MPO-area orthophotography and Lidar imagery. To be used in condition with local jurisdictions for GIS and mapping needs.	Contracted: 3/28/2023	2/29/2024

*These activities may contribute toward the 2.5% spending requirement for Safe and Accessible Transportation Options. The primary contributor will be the Safe Routes to Services/ Complete Streets Study, and this amount will be between \$29,025 - \$44,205 as determined by the contract.

Estimated Expenditures:

		<u>2024</u>
Planning Studies		\$661,400
Data Acquisitions		28,000
TOTAL		689,400

Proposed Source of Funds:

CPG (80%)		551,520
Local (20%)		137,880
TOTAL		689,400

200.204.00**204 TRANSPORTATION PLANNING STUDIES and DATA ACQUISITIONS***(Data acquisitions on next page; All Amounts in Dollars \$)***YEAR ----**

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	PROJECT PARTICIPATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other*	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	PROJECT PARTICIPATION
Bismarck	396,840	317,472	79,368	A,B,C,D,E,F,G
Mandan	168,280	134,624	33,656	A,B,C,D,E,F,G
Morton County	12,035	9,628	2,407	A,B,E,F,G
Burleigh County	72,210	57,768	14,442	A,B,E,F,G
Lincoln	12,035	9,628	2,407	A,B,E,F,G
Other	0	0	0	
TOTAL	661,400	529,120	132,280	

PLANNED STUDIES

A---ATAC Annual Fee (\$10,000) - yearly

B---Study Associated Modeling (\$25,000)

C---Safe Routes to Services/ Complete Streets Study (\$100,000) - 2024

D---Safe Routes to Services/Complete Streets Study (\$60,000) - Encumbered from 2023

E---Travel Demand Management and Socio-Economic Study (TDMSE)/ 2025-2050 Metropolitan Transportation Plan (MTP) (\$215,000) - 2024

F---Travel Demand Management and Socio-Economic Study (TDMSE)/ 2025-2050 Metropolitan Transportation Plan (MTP) (\$105,000) - Encumbered from 2023

G---MPO Safety Policies Study (\$180,000) ~ 73% in 2024, 27% in 2025

200.204.00**DATA ACQUISITIONS**

(All Amounts in Dollars \$)

YEAR 2023

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	PROJECT PARTICIPATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	PROJECT PARTICIPATION
Bismarck	10,560	8,448	2,112	2, 3
Mandan	4,120	3,296	824	2, 3
Morton County	6,750	5,400	1,350	3
Burleigh County	6,390	5,112	1,278	3
Lincoln	180	144	36	3
Other	0	0	0	
TOTAL	28,000	22,400	5,600	

Data Procurement	Cycle	Last Collection	Next Collection	Estimated Cost
1 - Socio-Economic Data	5 years	2021	TBD	4,000
2 - Origin-Destination Data (Bike-Ped Collection)	5 years	2022	2024	10,000
3 - Ortho/LiDAR Collection (Encumbered from 2023)	3 years	2023	2026	18,000
4 - Pavement Management	3-5 years	2020	2025	100,000
5 - Traffic Counting	Ad Hoc	2022	TBD	100,000

205 TRANSPORTATION IMPROVEMENT PROGRAM 2024

Objective:

Prepare Transportation Improvement Program (TIP) in summer of 2024, as well as subsequent TIP amendments that comply with the Infrastructure Investment and Jobs Act (IIJA) regulatory requirements. Submit amendments to the North Dakota Department of Transportation.

Present Status:

A TIP has been prepared and approved nearly every year since 1983. The MPO has an approved 2024-2027 TIP.

Proposed Work:

MPO staff will develop a TIP in summer 2024 that meets the requirements of the Infrastructure Investment and Jobs Act (IIJA). The TIPs will have projects that were prioritized and approved through coordination between the MPO, its member jurisdictions, and NDDOT. Starting in 2020, projects will be compliant with the updated performance-based 2020-2045 MTP. All MPO TIP projects will be financially constrained.

Product:

The 2025-2028 TIP, and amendments to the 2024-2027 TIP.

Completion Date:

Priority List Submission: December 2023

Draft TIP: July 2024

Final TIP: August 2024

Estimated Expenditures:

		<u>2024</u>
TIP Development, Implementation, and Amendments		\$13,479
TOTAL		13,479

Proposed Source of Funds:

CPG (80%)		10,783
Local (20%)		2,696
TOTAL		13,479

200.205.00**205 TRANSPORTATION IMPROVEMENT PROGRAM**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	13,479	10,783	2,696	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	13,479	10,783	2,696	

206 METROPOLITAN TRANSPORTATION PLAN 2024

Objective:

To define, identify and prioritize the transportation needs of the Bismarck-Mandan area by creating a fiscally constrained, performance-based Metropolitan Transportation Plan. The MTP should be developed in coordination with the public, stakeholders, jurisdictional partners, and state and federal oversight, and be compliant with the Infrastructure Investment and Jobs Act (IIJA) legislation.

Present Status:

The active 2020-2045 MTP (Metropolitan Transportation Plan), *Arrive 2045*, was adopted in February 2020 and addressed the concerns of public and local partners regarding the transportation network and major modes of transportation. The MTP identifies which alternatives are available and feasible to implement, that will allow the metropolitan area to improve through 2045. An update of the TDMSE/ 2050 MTP began in Summer 2022. Work will continue on this update through Spring 2025.

Proposed Work:

Staff hours will be allocated to the 2050 MTP update in 2024. Some staff time has been allocated for amendments to the 2020-2050 MTP, if they are needed.

Products:

A performance-based Metropolitan Transportation Plan that can guide the MPO and partner agencies in 2025 and beyond.

To prepare amendments to the current MTP as needed.

Completion Date:

March 2025

Estimated Expenditures:

		<u>2024</u>
Staff Coordination for MTP		\$15,576
TOTAL		15,576

Proposed Source of Funds:

CPG (80%)		12,461
Local (20%)		3,115
TOTAL		15,576

200.206.00**206 METROPOLITAN TRANSPORTATION PLAN**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	15,576	12,461	3,115	
Mandan		0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	15,576	12,461	3,115	

PROGRAM IMPLEMENTATION

300

301 GIS/IT DEVELOPMENT AND IMPLEMENTATION 2024

Objective:

The Bismarck-Mandan Metropolitan Planning Organization (MPO) uses an MPO Geographic Information System (GIS) that provides access to a common digital geographic database for land use planning, zoning activities, traffic analysis, and other related activities.

The MPO also presently has four computers. The MPO at times requires technical help from City of Bismarck professionals to maintain and aid the MPO in its computer use and applications.

Present status:

Presently the following has been developed in GIS: MPO and Transportation Study information and data, Bismarck/Mandan Bike Trails, MPO TIP project and development maps, functionally classified roadways within the MPO area, digital aerial photographs and aerial contours.

NOTE: The City of Bismarck lacks an indirect cost plan and therefore cannot charge the MPO for these activities. This task will be \$0 until there are mechanisms to charge the MPO.

Proposed Work:

To continue to provide valuable map data and imagery concerning MPO projects in conjunction with all the partner entities. To assist MPO in census, transit, roadway, and bridge imagery, and other projects as needed.

Product:

The computer aided and generated products Geographic Information System (GIS) for Bismarck-Mandan Area MPO. The products generated by GIS usage benefit the MPO a great deal.

Estimated Expenditures:

GIS Production		<u>2024</u> \$0
TOTAL		\$0

Proposed Source of Funds:

CPG (80%)		\$0
Local (20%)		\$0
TOTAL		\$0

300.301.00**301 GIS PROGRAM**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

302 CITIZEN PARTICIPATION PROGRAM 2024

Objective:

To establish procedures and plan that provide for citizen input into the planning process as part of the development of the following: the MPO's Metropolitan Transportation Plan, the UPWP, the TIP, the DBE Program, and the Public Participation Plan. The MPO will use this process to identify community issues regarding transportation planning and will consider these issues when developing programs within the MPO's planning area. This task also provides funds for newspaper advertisements that notify the public of public hearings.

Present Status:

As stipulated in the Infrastructure Investment and Jobs Act (IIJA), the UPWP, the DBE Program, the Public Participation Plan (PPP), the Metropolitan Transportation Plan, and the TIP will receive public review at various levels during the development and update processes by the MPO.

Proposed Work:

To pay for advertisements for the MPO operational functional tools of TIP, UPWP, DBE Program, and the Metropolitan Transportation Plan (MTP), and applicable transportation studies as prescribed by the Infrastructure Investment and Jobs Act (IIJA), utilizing the Public Participation Plan.

To pay for staff time to prepare the Public Participation Plan. The plan will be updated in 2023, so no staff time is expected for this task in 2024.

Product:

Ongoing program.

Completion Date:

The Public Participation Plan was updated in 2023. Payments for advertisements is an ongoing activity.

Estimated Expenditures:

Advertising		<u>2024</u>
Evaluation and Update of Public Participation Plan		\$5,750 0
TOTAL		5,750

Proposed Source of Funds:

CPG (80%)		4,600
Local (20%)		1,150

TOTAL



5,750

300.302.00**302 CITIZEN PARTICIPATION**

(All Amounts in Dollars \$)

YEAR ----

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	0	0	0	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	0	0	0	

YEAR 2024

MPO ENTITY	TOTAL	FED 80%	LOCAL 20%	EXPLANATION
Bismarck	5,750	4,600	1,150	
Mandan	0	0	0	
Morton County	0	0	0	
Burleigh County	0	0	0	
Lincoln	0	0	0	
Other	0	0	0	
TOTAL	5,750	4,600	1,150	

COST SUMMARIES APPENDIX

FY 2024

**Unified Planning Work Program
Staff Allocation of Hours by Task
2024**

	PT Time Planner	Planner	Executive Director	Transportation Specialist
101: Administration, Coordination and Transporting Performance Management	1126	1530	1530	1730
102: Training, Travel, and Education	0	0	0	0
103: UPWP	0	30	40	10
104: Computer Enhancement and Software	0	0	0	0
105: Transit System Administration and Liaison	200	210	200	200
201: Subcommittees	0	50	0	0
202: Monitoring and Reporting	100	50	10	30
203: Staff Related TDM	0	50	20	30
204: MPO and Local Planning Studies/ Data Acquisition	0	0	0	0
205: Transportation Improvement Program	30	90	80	80
206: Metropolitan Transportation Plan	0	70	200	0
301: GIS Program	0	0	0	0
302: Citizen Participation	0	0	0	0
TOTAL	1456	2080	2080	2080

2024 Unified Planning Work Program Summary By Task
(All Amounts in Dollars \$)

Task	Funding Year 2024								
	Total	Federal	Local	Bismarck	Mandan	Morton	Burleigh	Lincoln	Other
101	305,775	244,620	61,155	61,155	0	0	0	0	0
102	16,700	13,360	3,340	3,340	0	0	0	0	0
103	4,323	3,458	865	865	0	0	0	0	0
104	6,200	4,960	1,240	1,240	0	0	0	0	0
105	36,613	29,290	7,323	7,323	0	0	0	0	0
201	4,993	3,994	999	999	0	0	0	0	0
202	7,256	5,805	1,451	1,451	0	0	0	0	0
203	4,931	3,945	986	986	0	0	0	0	0
*204	689,400	551,520	137,880	81,480	34,480	3,757	15,720	2,443	0
205	13,479	10,783	2,696	2,696	0	0	0	0	0
206	15,576	12,461	3,115	3,115	0	0	0	0	0
301	0	0	0	0	0	0	0	0	0
302	5,750	4,600	1,150	1,150	0	0	0	0	0
	1,110,996	888,797	222,199	165,799	34,480	3,757	15,720	2,443	0

*Includes Carryover Projects from 2023 into 2024:

	Total	Federal	Local	Partner
Safe Routes to Services/ Complete Streets Study	80,000	64,000	16,000	Bismarck/Mandan
TDMSE/ MTP	105,000	84,000	21,000	All
Ortho-LiDAR Collection	18,000	14,400	3,600	All

CPG Funds Available for 2024 UPWP			
Year	CPG Funds	Est. CPG Available 1/1/2024	Est. CPG Remaining 12/31/2024
2024	888,857	888,857	60

Funding Breakdown and Program Source by Task
(All Amounts in Dollars \$)

Task	Funding Year 2024						
	Total	Federal Total	Federal Source	State Totals	State Source	Local Totals	Local Source
101	305,775	244,620	CPG	0	NA	61,155	Mill Levy; Sales Tax
102	16,700	13,360	CPG	0	NA	3,340	Mill Levy; Sales Tax
103	4,323	3,458	CPG	0	NA	865	Mill Levy; Sales Tax
104	6,200	4,960	CPG	0	NA	1,240	Mill Levy; Sales Tax
105	36,613	29,290	CPG	0	NA	7,323	Mill Levy; Sales Tax
201	4,993	3,994	CPG	0	NA	999	Mill Levy; Sales Tax
202	7,256	5,805	CPG	0	NA	1,451	Mill Levy; Sales Tax
203	4,931	3,945	CPG	0	NA	986	Mill Levy; Sales Tax
*204	689,400	551,520	CPG	0	NA	137,880	Mill Levy; Sales Tax
205	13,479	10,783	CPG	0	NA	2,696	Mill Levy; Sales Tax
206	15,576	12,461	CPG	0	NA	3,115	Mill Levy; Sales Tax
301	0	0	NA	0	NA	0	NA
302	5,750	4,600	CPG	0	NA	1,150	Mill Levy; Sales Tax
	1,110,996	888,797		0		222,199	

*Includes Carryover Projects from 2023 into 2024:

	Total	Federal	Local
Safe Routes to Services/ Complete Streets Study	80,000	64,000	16,000
TDMSE/ MTP	105,000	84,000	21,000
Ortho-LiDAR	18,000	14,400	3,600

Rate and Program Source by Task

Task	Funding Year 2024					
	Federal Rate	Federal Source	State Rate	State Source	Local Rate	Local Source
101	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
102	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
103	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
104	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
105	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
201	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
202	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
203	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
204	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
205	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
206	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax
301	0%	NA	0%	NA	0%	NA
302	80%	CPG	0%	NA	20%	Mill Levy; Sales Tax

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Progress Report

Date: Friday, December 08, 2023

Project: Bismarck-Mandan Arrive 2050 Update

To: Rachel Lukaszewski

From: Jason Carbee

Subject: Progress Report for November 5, 2023 to December 2, 2023

Please note that this progress report summarizes the work completed during the period above.

MTP Task 1 – Project Management

- The consultants continued monthly accounting and progress reports.
- Consulting team continued internal coordination calls.
- Continued MPO-HDR-SRF team coordination calls.
- Provided updates to TAC and Policy Board meetings.

MTP Task 2 – MTP Engagement

- Community Household Survey was finalized by ETC staff.
- Finalized development of the materials and logistics for the first MTP Open Houses for November 9.
- HDR staff helped facilitate the Open Houses for:
 - 11:30-1:30 at Bismarck Missouri Valley YMCA
 - 4:00-6:00 at Mandan Innovation Barn
- Uploaded project website and materials for online public meeting.
- Began development of summary materials for open houses.

MTP Task 3 – MTP Data Collection

- HDR received additional GIS files from MPO.

MTP TASK 5 – Baseline System Conditions

- Finalized assessments of MPO past plans and partner agency plans. Documentation in the next period.
- Continued evaluating and analyzing data and identifying and analyzing additional data to support MTP requirements.
- SRF staff worked on transit and pavement data.
- Began development of the existing conditions document, including safety, congestion, and reliability.

Project Progress Summary

Task	Start Date	End Date	Percent Complete		Explanation / Discussion
			Period Start	Period End	
TDMSE Task 1 - Project Management	Sep-22	Aug-23	99%	99%	
TDMSE Task 2 - Outreach and Stakeholder Consultation	Sep-22	Jun-23	100%	100%	
TDMSE Task 3- TDMSE Data Needs	Sep-22	Nov-23	100%	100%	
TDMSE Task 4 - TDMSE Methodology	Oct-22	Nov-23	100%	100%	
TDMSE Task 5 - Development Scenario and Forecasts	Nov-22	Feb-23	100%	100%	
TDMSE Task 6 - Baseline Study Expectations (Forecasts)	Nov-22	Mar-23	100%	100%	
TDMSE Task 7- Allocate Socioeconomic Data	Dec-22	Aug-23	100%	100%	
TDMSE Task 8 - Model Performance Review and Validation	Feb-23	Jan- 24?	0%	0%	Note – received base year model Dec 5. Anticipate 2050 E+C in December
TDMSE Task 9 - Report	Sep-22	Feb-24	50%	50%	
MTP TASK 1 - Project Management	Jun-23	Dec-24	13%	13%	Continued accounting and invoicing.
MTP TASK 2 – Public Engagement	Jun-23	Dec-24	20%	22%	Attended Nov 9 open houses
MTP TASK 3 – Data Collection	Jun-23	Sep-23	75%	90%	
MTP TASK 4 – Goals, Objectives & Performance Measures	Aug-23	Oct-23	0%	0%	
MTP TASK 5 – Baseline System Conditions	Aug-23	Jan-24	10%	35%	Continued development of baseline conditions
MTP TASK 6 - Develop & Screen Alternatives	Jan-24	May-24	0%	0%	
MTP TASK 7 – Financial Plan and Implementation Schedule	Oct-23	Jun-24	0%	0%	
MTP TASK 8 – MTP Document Development and Review	Jun-24	Dec-24	0%	0%	
Project Totals	Sep-22	Dec-24	31%	36%	

Bismarck-Mandan MPO * 2023 Ortho - Lidar Project * Period ending 11/30/23

<i>Bismarck-Mandan MPO Field Survey</i>				
Phase (Percent of Project)	Percent Complete	Start	End	Comments
Kick-off Meeting (0.5%)	100.00%	4/20/2023	4/20/2023	
Targeting (2%)	100.00%	4/24/2023	4/30/2023	
Field Survey (3%)	100.00%	4/24/2023	6/30/2023	MPO opted for NAD83(2011) on 6/30/23
Survey Report (0.5%)	0.00%			
Supplemental Field Topo (2.5%)	0.00%			

<i>Bismarck-Mandan MPO Digital Orthophotos</i>				
Phase (Percent of Project)	Percent Complete	Start	End	Comments
Imagery Acquisition (9%)	100.00%	5/3/2023	5/3/2023	NTP 5/1 * Acquisition start-up 5/3
Raw Imagery Processing and QC (1%)	100.00%	5/5/2023	5/19/2023	
Aero-Triangulation (2%)	100.00%	7/17/2023	8/1/2023	Holding for control and datum/projection finalization
Stereo Model Set QC (1%)	100.00%	8/5/2023	8/7/2023	Review for parallax / target report
Orthophoto Processing (22%)	60.00%	9/5/2023		Pilot delivery in October - needs resubmission
Accuracy Analysis (0.5%)	0.00%			Accuracy reporting
File Formatting and Mosaics (3%)	0.00%			
Metadata (1%)	0.00%			
Final Delivery (Due 12/31/23)				due 12/31/23

<i>Bismarck-Mandan MPO Lidar Terrain</i>				
Phase (Percent of Project)	Percent Complete	Start	End	
Lidar Acquisition (9%)	100.00%	5/3/2023	5/3/2023	NTP 5/1 * Acquisition start-up 5/3
Calibration and Index (4%)	100.00%	5/9/2023	9/5/2023	New boresight required * calibrate * adj to control
Bare Earth Edit (25%)	85.00%	9/6/2023		
Hydro Breakline Collection (10%)	100.00%	8/25/2023		Hydro flattening
Terrain Building and Formatting (2%)	0.00%			Drape water lines and snow voids for final terrain
Contour Generation (2%)	0.00%			
Final Delivery (Due 12/31/23)				due 12/31/23

Project Percent Complete	75.95%
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2024 MPO CALENDAR OF MEETINGS

	<u>TAC</u>	<u>Policy Board</u>
January	16	16
February	20	20
March	18	19
April	15	16
May	20	21
June	17	18
July	15	16
August	19	20
September	16	17
October	14	15
November	18	19
December	16	17

TAC meetings begin at 10:00 am
Policy Board meetings begin at 1:30 pm

TAC meetings are held in:
Bismarck January-June
Mandan July-December
Policy Board meetings are held in:
Bismarck January-June
Mandan July-December

**Progress Reports and Study Exhibits to be included in meeting packets are due a minimum
of 10 days prior to the TAC meeting dates**