Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

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TO: **Bismarck-Mandan Metropolitan Planning Organization Technical Advisory Committee**

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

DATE: **August 9, 2021**

RE: **TAC Meeting**

There will be a meeting of the Bismarck-Mandan MPO Technical Advisory Committee on **Monday, August 16, 2021, at 10:00 AM.** The meeting will be held in the Tom Baker Meeting Room of the City/County Office Building at 221 N. 5th Street, Bismarck, ND. The agenda is outlined below.

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

Many of the 14 (fourteen) TAC members will attend this meeting remotely. **TAC members and those presenting at the meeting will receive ZOOM invites approximately 1 business day prior to the meeting. Individuals wishing to participate via ZOOM should email contact information to mpo@bismarcknd.gov at least 3 days in advance of the meeting to receive a meeting invite tailored uniquely to them.**

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

AGENDA

1. MINUTES
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2. 2022-2025 DRAFT TIP PRESENTATION & APPROVAL – Rachel Drewlow, MPO
   Public Hearing: 2022-2025 Draft TIP (Exhibit A) 9
   Draft TIP also available online at:
   https://www.bismarcknd.gov/DocumentCenter/View/38285/DRAFT_TIP_2022-2025
   ACTION ITEM: 2022-2025 Draft TIP Approval

3. TITLE VI PLAN UPDATE – Kim Riepl, MPO
   Title VI Plan (Exhibit B) 65
   ACTION ITEM: Title VI Plan Update

4. BIS-MAN TRANSIT 5310 MID-YEAR GRANT APPLICATION – Deidre Hughes, Bis-Man Transit
   5310 Mid-Year Grant Application (Exhibit C) 129
   ACTION ITEM: 5310 Mid-Year Grant Application

5. 2018-2020 URBAN HIGH CRASH LOCATIONS – Kim Riepl, MPO
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6. ROADWAY PROJECTS – All Jurisdictions

7. OTHER BUSINESS

8. ADJOURNMENT

Next scheduled TAC meeting is on 9/20/2021. Please call 701-355-1852 with questions.

Any individual requiring special accommodations to allow access or participation at the meeting is asked to notify ADA Coordinator, Bismarck-Mandan MPO, PO Box 5503, Bismarck, ND 58506-5503 or complete and submit the Request for Reasonable Accommodations form at http://www.bismarcknd.gov/DocumentCenter/View/23201 at least five (5) days prior to the meeting.

PROJECTS UPDATE

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

Common MPO Acronyms

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

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

BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION
TECHNICAL ADVISORY COMMITTEE
JULY 19, 2021

The Bismarck-Mandan Metropolitan Planning Organization (MPO) Technical Advisory Committee (TAC) met on July 19, 2021, at 10:00 a.m. in the Tom Baker Meeting Room, City/County Office Building, 221 N. 5th Street, Bismarck. Rachel Drewlow presided.

Members present or participating via Zoom were Ben Ehreth, Chuck Peterson, Dan Schriock, Deidre Hughes, Mark Berg for Gabe Schell, John Saiki, Andrew Stromme, Justin Froseth, Kevin Nelson, Mitch Flanagan, Natalie Pierce, Dean Schloss, Wayne Zacher, and Rachel Drewlow.

Others present or participating via Zoom were Kim Riepl and Stephen Larson, Bismarck-Mandan MPO.

MINUTES

Chair Drewlow called for consideration of the minutes from June 14, 2021.

MOTION: Mr. Froseth made a motion to approve the June 14, 2021 minutes as presented. Mr. Ehreth seconded the motion and with Ben Ehreth, Chuck Peterson, Dan Schriock, Deidre Hughes, Mark Berg, John Saiki, Andrew Stromme, Justin Froseth, Kevin Nelson, Mitch Flanagan, Natalie Pierce, Dean Schloss, Wayne Zacher, and Chair Drewlow voting in favor, the minutes of the June 14, 2021 meeting were approved.

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

Chair Drewlow referred members to Exhibit A of the meeting packet for the PTASP Resolution of Support. She explained that PTASP is a federal requirement through the Federal Transit Administration (FTA). FTA requires public transportation operators to develop a plan to ensure both its operators and the general public remain safe during transit operations. The MPO was notified last fall by FTA that the MPO is expected to support Transit's PTASP plan. Chair Drewlow indicated PTASP came up again this summer as part of the MPO's TIP update process, and MPO staff have drafted a resolution of support for Bis-Man Transit's PTASP and its corresponding safety targets. The targets were created by the North Dakota Department of Transportation (NDDOT), and the Bis-Man Transit Board last adopted them in September of 2020 for the period running from June 2020 to June 2021. Bis-Man Transit recently re-adopted these safety targets for the 2021-2022 period, and they will continue to be updated annually going forward. Chair Drewlow stated the MPO will consider supporting the PTASP targets each time Transit adopts or updates them. Chair Drewlow then went over the text of the resolution for the benefit of members.

Mr. Ehreth asked if the safety targets NDDOT generated and Bis-Man Transit adopted are attainable and representative of the incidents/injuries Transit has seen over the past few years. Ms. Hughes said they are very attainable, Bis-Man Transit has fortunately had very few

injuries over the years, and so the targets are the same as those they have had for a number of previous years. She indicated they have not had any issues meeting them.

Chair Drewlow explained that just as the MPO adopts federal performance measures and targets through NDDOT in order to meet Federal Highway Administration (FHWA) requirements, Bis-Man Transit is allowed, in a similar fashion, to adopt NDDOT's targets in order to meet FTA requirements. Chair Drewlow reiterated that FTA asked the MPO to review and support Bis-Man Transit's PTASP targets for the sake of consistent processes across all areas of transportation planning.

Mr. Ehreth asked if there are any negative ramifications if the safety targets are not met. Chair Drewlow said there are none for the MPO, and Ms. Hughes added that there are none for Bis-Man Transit.

MOTION: Mr. Ehreth made a motion to approve the PTASP resolution as presented. Mr. Stromme seconded the motion and with Ben Ehreth, Chuck Peterson, Dan Schriock, Deidre Hughes, Mark Berg, John Saiki, Andrew Stromme, Justin Froseth, Kevin Nelson, Mitch Flanagan, Natalie Pierce, Dean Schloss, Wayne Zacher, and Chair Drewlow voting in favor, the motion was approved.

REVIEW & APPROVAL OF THE EAST MAIN AVENUE CORRIDOR STUDY REQUEST FOR PROPOSAL (RFP)

Chair Drewlow referred TAC members to Exhibit B in the meeting packet for this RFP. She said it has been a while since the MPO's last RFP, and the MPO is excited to get started on this new project. The RFP for this study has a not to exceed budget of $200,000, and the local match funds will be provided by the City of Bismarck shared between the Planning and Engineering Departments. The East Main Avenue Corridor Study will be a review of Bismarck's East Main Avenue, between 7th Street and 26th Street. Upon approval of the RFP, the MPO is planning to solicit for the project through the NDDOT's solicitation website. Proposals would need to be returned to the MPO no later than August 13, 2021.

Chair Drewlow explained the study will complete the transportation analysis of the East Main Avenue Corridor. The analysis will lead to recommendations for roadway configuration and access management. There will also be a special focus on the impacts of potential land-use infill and/or re-development along the corridor. The selection committee for this study will be made up of five individuals, who will represent the MPO, City of Bismarck Engineering, City of Bismarck Planning, and Bis-Man Transit. Interested consultants will find information on how to respond to the RFP within the body of the RFP document.

Chair Drewlow gave a brief overview of the existing conditions on East Main Avenue (and also referred to page 8 of the RFP for more information). She said there has been a need for concrete pavement repair on this road for a number of years, but local landowners have protested out the repair request. The road is now nearing a state where it may potentially need a complete reconstruction. Because of this, the City of Bismarck Engineering Department approached the MPO to conduct a study to determine what other changes and improvements (such as right-of-way assignments) should be considered if reconstruction is pursued. Also, most of Main Avenue is currently a five-lane roadway, and it is uncertain whether the number of lanes could be reduced on parts of the roadway.

Chair Drewlow mentioned that re-configuring East Main Avenue may allow greater right-of-way for pedestrians, including wider sidewalks, or transit bump-outs. There are also

gravel parking lots and potentially under-utilized lands along East Main Avenue, and there is an opportunity to look at how the area may develop in the coming years, and how development would affect traffic patterns.

Chair Drewlow said the scope of work will be fairly typical for a project of this nature. Project management, including monthly progress reports to TAC and Policy Board, will be required. There will also be a Study Review Committee made up of stakeholders in the community and in all levels of government. There will be data collection and a detailed evaluation of the existing conditions on East Main Avenue, along with technical analysis and use of Travel Demand Modeling. The consultant selected for the study will need to identify issues and assess needs along the East Main Avenue Corridor, and will be requested to develop alternatives for how the roadway may look under a variety of different conditions. They will need to provide possible geometric improvements, including intersection control (especially at priority intersections). Because there are multiple accesses and driveways along East Main Avenue, the study will evaluate how to manage or shift access points. Bicycle, pedestrian, and transit service levels will be examined, along with Intelligent Transportation Systems (ITS) and traffic operations, transportation demand management, incident management and alternate routes, lighting enhancements, and parking strategies.

Chair Drewlow continued and said the consultant performing the study will need to provide an Alternative Impact Analysis, which will be shared with the public. The public participation aspects of the study are being left fairly open for the consultant to determine, but two or three public input meetings are expected over the course of the study. MPO staff are open to having virtual meetings, in-person meetings, or a combination of both. The MPO is also open to having someone from the consultant's team assist with public outreach and the MPO's social media posts about the study. Chair Drewlow said the items that will wrap up the study, such as the Planning Level Purpose and Need Statement, Project Implementation, the Draft and Final Report, and the Executive Summary, are usual for MPO studies. The Draft, Final Report, and Executive Summary will be reviewed and considered by the steering committee, TAC and Policy Board, and the public.

Chair Drewlow said the expectation is to complete the project by the end of 2022, and the project length is about fourteen months. This is a little quicker than usual, but the MPO wants to move the project forward so it does not lose traction. Chair Drewlow asked if anyone had any questions on the RFP, or had any additional information they wished to provide. There were no additional comments or questions.

MOTION: Mr. Ehreth made a motion to approve the East Main Avenue Corridor Study RFP as presented. Mr. Berg seconded the motion and with Ben Ehreth, Chuck Peterson, Dan Schriock, Deidre Hughes, Mark Berg, John Saiki, Andrew Stromme, Justin Froseth, Kevin Nelson, Mitch Flanagan, Natalie Pierce, Dean Schloss, Wayne Zacher, and Chair Drewlow voting in favor, the RFP was approved.

BISMARCK-MANDAN MPO SELF-CERTIFICATION

Kim Riepl presented on this item (exhibit C in the packet) for the MPO. She explained United States code requires MPOs to certify that their planning process is being carried out in

accordance with federal law, and that it supports the development of a comprehensive Metropolitan Transportation Plan (MTP) and a Transportation Improvement Program (TIP) consistent with federal requirements. The self-certification must be updated at least once every four years, but the Bismarck-Mandan MPO makes it a practice to self-certify annually as part of each TIP development cycle. The self-certification means the MPO is declaring compliance with current highway bill legislation, specifically in ten different areas. These areas include MPO operations and functions, air quality control standards, Title VI and the Civil Rights Act, the Disadvantaged Business Enterprise, Equal Employment Opportunity, and five different areas of nondiscrimination. Once this self-certification is approved by the MPO's Policy Board, it will be forwarded to NDDOT for their approval, and the approved copy will be included in the 2022-2025 TIP.

MOTION: Mr. Froseth made a motion to approve the Bismarck-Mandan MPO Self-Certification as presented. Mr. Stromme seconded the motion and with Ben Ehreth, Chuck Peterson, Dan Schriock, Deidre Hughes, Mark Berg, John Saiki, Andrew Stromme, Justin Froseth, Kevin Nelson, Mitch Flanagan, Natalie Pierce, Dean Schloss, Wayne Zacher, and Chair Drewlow voting in favor, the Self-Certification was approved.

ROADWAY PROJECTS-ALL JURISDICTIONS

Mr. Saiki provided an update on Morton County's projects. He said their biggest project this year is going to be micro-surfacing from New Salem going east to the Business Loop in Mandan. Otherwise he said there will just be routine work, such as graveling and bridge repairs.

Mr. Froseth provided the update for the City of Mandan. He said it continues to be a very busy summer of work on some of their major roads, and the work is going pretty well. He said the project on ND Highway 1806 North is shaping up with the aggregate bays mostly complete and the curb and gutter work laid. Attention will soon shift to the roundabout that will be located at Old Red Trail and Collins Avenue. He believes this will be a good traffic solution for this intersection, even with a new high school now being planned for a location not far away (the high school plan was not known during the design phase for the intersection). Mr. Froseth said the Main Street project is also progressing, as the contractor is working on what is likely the most impactful part of the project, between Collins Avenue and 6th Avenue Northwest. He said there are also still quite a few cones up on the majority of Main Street; pavement grinding was just finished and they are working on sealing joints. He understands citizens may be tired of the cones going up and down, but once joint sealing is done there will just be the work between Collins and 6th, and some future re-striping and traffic signals expected in the fall. Finally, he said the work on the Expressway median barriers is nearly done, and the rehab of Expressway Bridge should be coming soon.

Mr. Berg provided the update for the City of Bismarck. He said Divide Avenue at North 4th Street is closed for intersection reconstruction. He said mill and overlay, chip seal, and curb and gutter repair are going on all over the city. He said that cement soil stabilization is planned for Calgary Avenue, so that road will be closed for a few weeks once that begins. He said they have the water mains repaired in the South Washington Street area, and are now pouring concrete. They want to cement the intersections on Washington Street between Expressway South and Easy Street. Mr. Berg said it is a very busy year for Bismarck projects, they also have a lot of underground infrastructure projects going on. He additionally anticipates impacts on

some major corridors in next year's city projects.

Mr. Schriock gave the update for Burleigh County. He said they are progressing forward with their 43rd Avenue project, they hope to wrap up phase 2 within the next couple of weeks, and move to phase 3 (the final phase) which will run from Centennial Road to Roosevelt Drive. He also said they have selected a consultant for the bridge designs at the 66th Street railroad grade separation that will be bid in the fall of 2022. Mr. Froseth asked him which consultant was selected, Mr. Schriock said it was HDR.

Mr. Nelson provided the update for the City of Lincoln. He said they did find a leak in a water line within the right-of-way of 66th Street south of Lincoln Road. He said excavations began today to find that leak, and 66th Street south of Lincoln Road (down by Humbert Street, a couple blocks south of Lincoln Road) will be closed for a time.

OTHER BUSINESS

Metropolitan Statistical Area (MSA) update

Chair Drewlow told members that the Office of Management and Budget (OMB) for the Federal Government had recently been considering raising the population threshold for an MSA from 50,000 to 100,000. OMB has since given final notice that they will not be changing this threshold. Chair Drewlow indicated there was concern that if the threshold had been raised, it could have changed Bismarck-Mandan's status as an MSA and affected federal funding for the MPO, but that possibility has now been removed for the time being.

Big Sky Passenger Rail Authority (BSPRA) update

Chair Drewlow said BSPRA is a coalition of counties, mostly in Montana, with the goal of reinstating the Hiawatha Passenger Rail Line. BSPRA is reaching out to counties along this line, requesting support for this goal. Morton County was contacted, and they wanted other MPO jurisdictions to have a chance to weigh in, and so they brought it to Policy Board. Because many of the questions that came up at Policy Board were a bit beyond the scope of transportation planning, Chair Drewlow, at the request of Policy Board, contacted Brian Ritter at Bis-Man Chamber EDC. Mr. Ritter facilitated a joint meeting of all five commissions and councils in the MPO area, as an informational opportunity for members to learn more about BSPRA's goal. The meeting will be held on July 28 from 11:00 a.m. to 12:00 p.m. at the Bis-Man Chamber EDC Building, but Zoom invites are also being provided for those who cannot attend in person. Chair Drewlow said it is possible this issue could come back to TAC and Policy Board in the future, depending on what the individual commissions and councils decide to do with it.

Potential formatting changes for future TAC meetings

Chair Drewlow explained that one of TAC's members asked her when, or if, TAC will be returning to in-person meetings. Chair Drewlow said she understands this is a difficult decision to make, especially with an additional wave of COVID potentially coming. She said she wanted to bring up the subject now so that members can begin considering the subject, and at next month's meeting this discussion will be an agenda item for TAC's consideration. Members will have the opportunity at the August meeting to discuss pros and cons of switching to in-person meetings, and possible options and timelines if such a change were to be pursued.

BNSF Railroad Bridge

Mr. Ehreth informed TAC that the draft Environmental Impact Statement for the BNSF bridge replacement has been released for public comment. Comments need to be submitted by July 26th. Mr. Ehreth said he will share the comments link with Chair Drewlow, who said she will then forward it on to TAC members.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:47 a.m., with the next scheduled meeting to take place on August 16, 2021, at 10:00 a.m.

Respectfully Submitted,

Stephen Larson
Recording Secretary

APPROVED:

_____
Rachel Drewlow, Chair

EXHIBIT A

Bismarck-Mandan

METROPOLITAN PLANNING ORGANIZATION

FY 2022-2025

TRANSPORTATION IMPROVEMENT PROGRAM

DRAFT

RESOLUTION

WHEREAS, the U.S. Department of Transportation requires the development and annual updating of a Transportation Improvement Program (TIP) for each urbanized area under the direction of a Metropolitan Planning Organization (MPO); and

WHEREAS, the Bismarck-Mandan Metropolitan Planning Organization has been designated as the policy body with responsibility for performing urban transportation planning reviews; and

WHEREAS, the Bismarck-Mandan Metropolitan Planning Organization under 23 CFR 450.336, certifies that its planning process complies with requirements such as: non-discrimination on the basis of sex, color, creed, disablement, age or national origin; and compliance with Section 174 and 176 (c) and (d) of the Clean Air Act; and

WHEREAS, the Bismarck-Mandan Metropolitan Planning Organization under 23 CFR 450.336 and the requirements of the Federal-Aid Planning Process, certifies that its planning process complies with requirements for involvement of minority business enterprises; involvement of the appropriate public and private transportation providers; elderly and disabled utilization of transportation services and facilities; consultation with officials responsible for other types of planning activities; and

NOW, THEREFORE, BE IT RESOLVED, that the Bismarck-Mandan Metropolitan Planning Organization hereby adopts the Bismarck-Mandan Transportation Improvement Program for the FY 2022 through 2025.

BE IT RESOLVED, that the Bismarck-Mandan Metropolitan Planning Organization certifies that the requirements of 23 CFR 450.336 and FAST Act (Pub. L. 114-357) are met.

Dated this ____ day of _____, 2021

_____ _____

Chair Date
Bismarck-Mandan
Metropolitan Planning Organization

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TRANSPORTATION IMPROVEMENT PROGRAM OVERVIEW

The Transportation Improvement Program (TIP) for the Bismarck-Mandan Planning Area shows the significant transportation system improvements to be implemented during the next four years. The 2022-2025 TIP is prepared as a requirement of the Federal-aid planning process.

The requirements of 23 CFR 450.326 stipulate each MPO must develop a TIP, and project selection must be performed in cooperation with MPOs. Similarly, the local TIP must be developed in cooperation with the State. While federal regulations require this document be updated every four years, the Bismarck/Mandan MPO updates the TIP annually. The duration of the TIP is four federal fiscal years. In order to remain consistent with these requirements, projects programmed for 2022 are considered the Annual Element and are priority 1. Program Years 2023 and 2024 and 2025 are designated as future year projects and are priority 2, 3, and priority 4 respectively.

The projects which comprise the TIP were developed, studied, and evaluated as part of the Metropolitan "3C" Transportation Planning Processes which has been established in the Bismarck-Mandan Planning Area. The TIP may be modified at any time consistent with the procedures established for its development and consistent with the appropriate sub-plan or element of the Transportation Plan.

The projects selected for inclusion in the TIP are based upon MPO review, local prioritization and funding factors, DOT prioritization and funding considerations, as well as consistency with the 2020-2045 Metropolitan Transportation Plan, as determined by the MPO. Figure 1 shows a flowchart of the typical schedule of development for the TIP.

It is the intent that the 2022-2025 TIP is compliant with the requirements of the MAP -21 and FAST Act regulations. The following three paragraphs discuss efforts undertaken to incorporate a variety of federal initiatives into the planning process, namely, Performance-Based Planning and Programming (PBPP), Transportation Systems Management and Operations (TSM&O), and Transit Asset Management (TAM).

MAP-21 and FAST ACT requires incorporation of Performance-Based Planning and Programming (PBPP) in the development of the MPOs Metropolitan Transportation Plan (MTP) and TIP. Further, 23 CFR 450.326(d) defines that 'the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets.' Information about the various performance measures and annual targets are included in a later section.

The MPO has made efforts to incorporate Transportation Systems Management and Operations (TSM&O) and its objectives into the planning process. Actions include incorporating TSM&O language and ideas into the 2020-2045 MTP, and (as a result) the TIP, by considering TSM&O projects during the selection and prioritization process. As a developing system, TSM&O is

expected to be further integrated in future years. Overall, TSM&O elements will aim to preserve capacity while improving the security, safety and reliability of the existing transportation system.

Federal requirements regarding Transit Asset Management (TAM) are completed in cooperation with Bis-Man Transit. The MPO must report upon the condition of transit's fleet and, if necessary, facilities. The MPO is also required to list all applicable TIP projects that maintain or enhance transit assets in a State of Good Repair. Finally, the MPO will determine if Transit has adequate planning to maintain its assets in the future. Reporting of the TAM targets—which were established by NDDOT and adopted by Transit—can be found in a later section of the TIP.

23 U.S.C. Sec. 134 indicates that projects in the MPO area, which are funded with federal assistance, must be included in a Transportation Improvement Program (TIP) and approved by the Metropolitan Planning Organization (MPO).

MPO staff worked with the local communities and State Department of Transportation to prepare the FY 2022-2025 Transportation Improvement Program for the Bismarck-Mandan Metropolitan Area.

In 2019, the MPO adopted a Transit Development Plan (TDP) for Bis-Man Transit, who brokers the current transit system.

The MPO Public Participation Plan was followed in developing this TIP. A copy of the Public Participation Plan is available for inspection at the following locations:

Bismarck-Mandan Metropolitan Planning Organization
221 N 5th Street/ P.O. Box 5503
Bismarck, ND 58506-5503
(701) 355-1840

Bismarck Veterans Memorial Public Library
515 N 5th Street
Bismarck, ND 58501

Morton Mandan Public Library
609 W Main St.
Mandan, ND 58554

Online: http://www.bismarcknd.gov/index.aspx?nid=1225

The Transportation Improvement Program (TIP) development process provides an opportunity for discussing and receiving input on the various transportation projects under consideration.

TIP Project Selection Process

Project selection for the 2022-2025 TIP was accomplished through the MPO/DOT TIP process of local jurisdiction project selection, MPO and NDDOT review, subsequent funding development by the NDDOT, and finally TIP public review and final submission to the MPO Policy Board, the NDDOT, FHWA, and FTA as detailed in Figure 1.

TIP Amendment Process

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

- 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 increase (greater than or equal to 25% of the total project cost)
- Adding or removing projects from 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 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 15-day notice period as the Mandan News is currently only published once per week. Significant TIP Amendments will require MPO Policy Board approval.

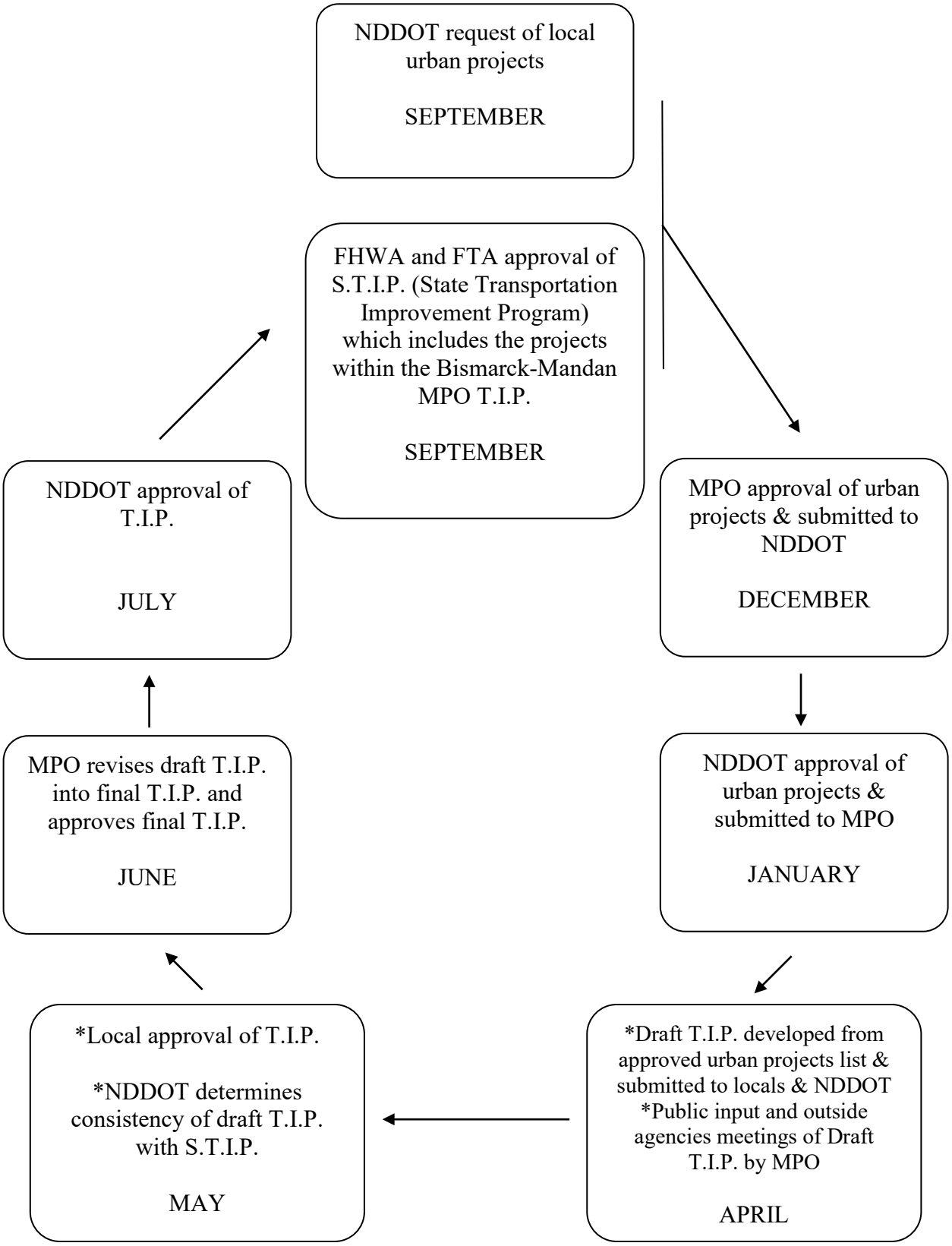
TIP Administrative Modifications may include:

- 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 an RSP or the Annual Lump-Sum Project Phase Estimates.

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.

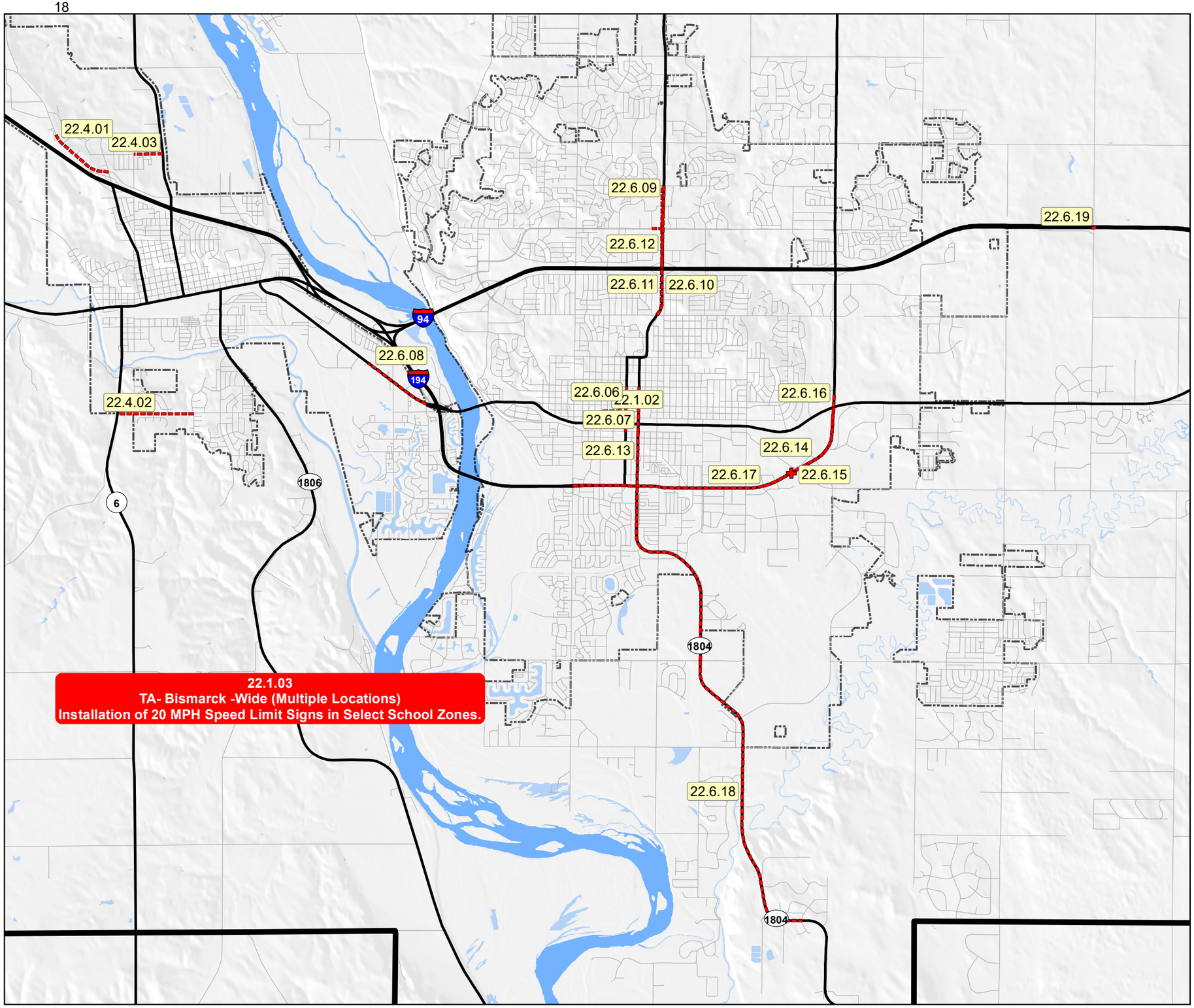
Participation plan please see: http://bismarcknd.gov/1225/Public-Participation-Plan.

MPO TIP Process (Figure 1)



2022-2025

ROADWAY IMPROVEMENT PROJECT LIST



Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

2022-2025 Transportation Improvement Program (Year 2022)

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

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

Map created by RAD July 2021 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
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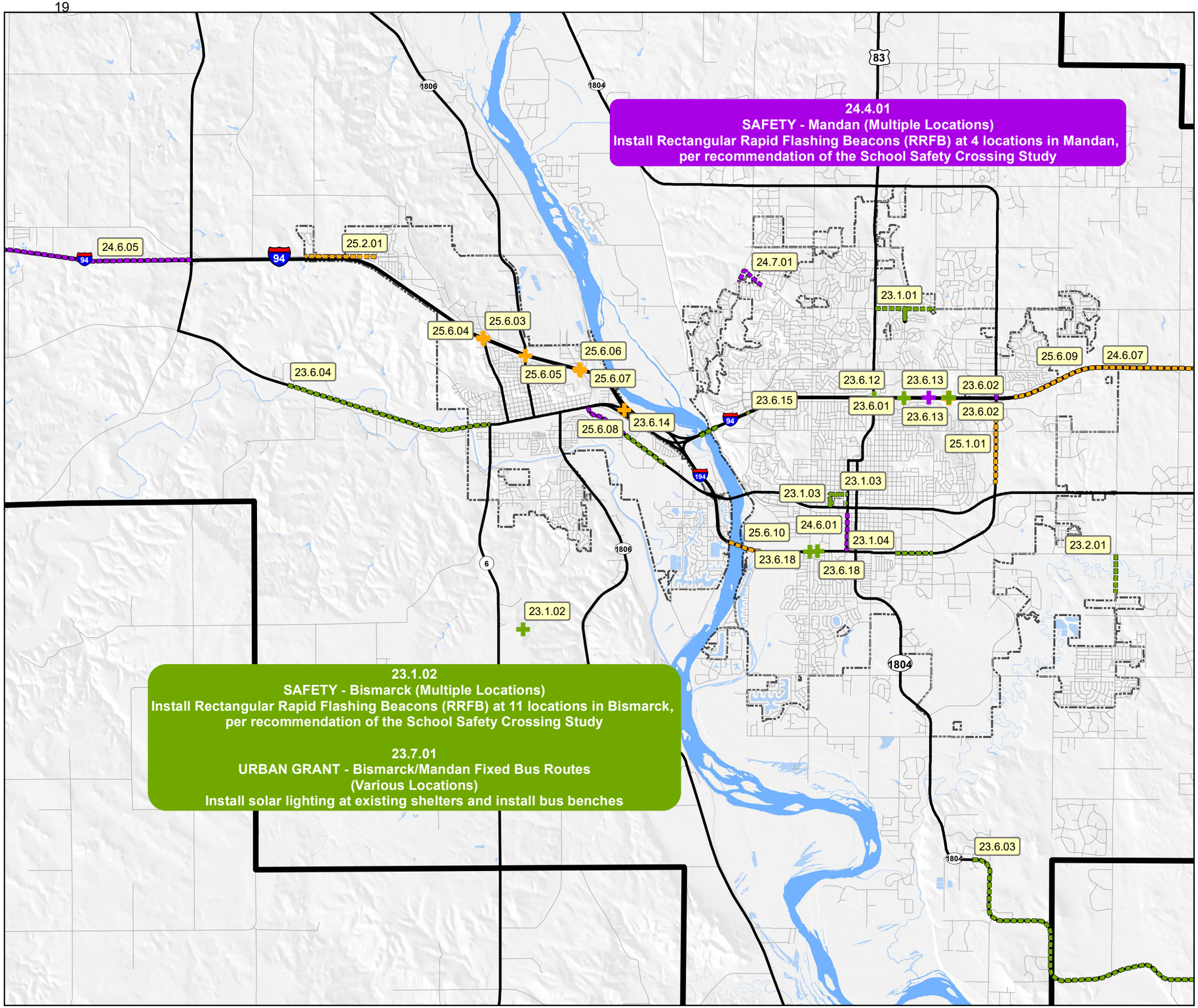

Bismarck-Mandan Metropolitan Planning Organization

2022-2025 Transportation Improvement Program (Years 2023 - 2025)

TIP POINTS

- 2023
- 2024
- 2025

TIP LINES

- 2023
- 2024
- 2025
- MPO Boundary
- Corporate Limits

N W E S

0 ½ 1 2 3 Miles

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

Map created by RAD July 2021 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
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PROJECT YEAR 2022

ESTIMATED COST IN DOLLARS

LEAD AGENCY	REFERENCE NUMBER	PROJECT DESCRIPTION	FEDERAL	STATE	LOCAL	TOTAL	FEDERAL PROGRAM SOURCE	PCN	AMENDMENT/ MODIFICATION (Date)
BISMARCK	22.1.02	Urban Grants Project - Bismarck Thayer Avenue (N 3rd St-N 6th St) & N 6th St (Main Av - Rosser Av) (CPR, Curb & Gutter, Bulb-outs, Sidewalk, ADA Ramps, Pavement Marking, LED Roadway Lighting, Pedestrian Lighting, Street Trees, Landscaping, Signing, Parking Improvements)	$1,280,000	$0	$320,000 (Bismarck)	$1,600,000	UGP	22870	
BISMARCK	22.1.03	Transportation Alternatives - Bismarck Public School Safety Improvement Project (City-Wide) (Installation of 20 MPH speed limit signs near public schools)	$27,516	$0	$6,484 (Bismarck)	$34,000	TAU	22950	
MANDAN	22.4.01	Transportation Alternatives - Mandan - Old Red Trail Phase 2 Shared Use Path (South side of Old Red Trail, starting at Sunset Drive going west 0.8 miles) (2 inch overlay with 0.5 inch leveling course for the existing 10.5 foot wide path)	$168,237	$0	$39,642 (Mandan)	$207,879	TAU	22951	
MANDAN	22.4.02	Transportation Alternatives - Mandan 19th St SE Trail Project~ (South Side of 19th SE, ND Highway 6 to Macedonia Av SE) (10' Wide Shared Use Path, 4,570' ft Long, Signed & Marked X-Walks, Rapid Rectangular Flashing Beacon)	$290,000	$0	$369,000 (Mandan)	$659,000	TAU	22573	
MANDAN	22.4.03	*Urban Roads - Mandan 27th Street (ND Highway 1806 to 8th Ave NW) (Reconstruction)	$1,052,090	$0	$947,910 (Mandan)	$2,000,000	SU	22537	
NDDOT	22.6.06	^~Urban Regional - Bismarck 7th St (Ave C to Front Ave) (Signals)	$890,230	$99,770	$110,000 (Bismarck)	$1,100,000	NHU	22904	
NDDOT	22.6.07	^~Urban Regional - Bismarck 9th St (Ave C to Front Ave) (Signals)	$890,230	$99,770	$110,000 (Bismarck)	$1,100,000	NHU	22904	
NDDOT	22.6.08	Urban Regional - Mandan Memorial Highway (Memorial Highway Phase 1, Extents TBD) (Reconstruction, Sanitary Sewer & Drainage)	$7,081,375	$793,625	$3,375,000 (Mandan)	$11,250,000	SU-CPU	22005 23133	
NDDOT	22.6.09	*#Safety - State Street/ US 83 (Calgary Ave to 1-94) (Turn Lanes)	$2,250,000	$250,000	$0 (Bismarck)	$2,500,000	SHE	20098	
NDDOT	22.6.10	*#Safety - State Street/ US 83 (1-94 to Divide Ave) (Turn Lanes)	$2,520,000	$140,000	$140,000 (Bismarck)	$2,800,000	SHE	20097	
NDDOT	22.6.11	Urban Regional - Bismarck State St (Divide Av to I-94) (.7 miles, CPR, Grinding)	$659,580	$73,920	$81,500 (Bismarck)	$815,000	NHU	22769	
NDDOT	22.6.12	Urban Regional - Bismarck State St (I-94 to Calgary Ave), (Century Ave/11th St) (1 mile, CPR, Grinding)	$1,869,483	$440,517	$0 (Bismarck)	$2,310,000	NHU	22770	
NDDOT	22.6.13	Urban Regional - Bismarck 9th St (Front Av to Bismarck Expressway) (.6 miles, Mill & Overlay, Curb & Gutter)	$760,742	$85,258	$94,000 (Bismarck)	$940,000	NHU	23202	
NDDOT	22.6.14	*Safety - Bismarck Expressway Lighting (Burlington Dr to Yegen Rd and Yegen Rd to Main Ave) (Install corridor lighting in gaps along Bismarck Expy, Turn lanes)	$396,000	$22,000	$22,000 (Bismarck)	$440,000	SHE	23155	
NDDOT	22.6.15	Urban Regional - Bismarck Expy Railroad Bridge (Bismarck Expy BN & CP Railway Bridge) (Approach Slab & Barrier Spall Repair, SE Beam End Repair, Seal Joints & Barrier)	$171,352	$19,204	$21,173 (Bismarck)	$211,729	NHU	22905	
NDDOT	22.6.16	Urban Regional - Bismarck Expy (Main Av to end of asphalt) (Mill & Overlay, ADA Ramp Rev)	$60,698	$6,802	$7,500 (Bismarck)	$75,000	NHU	23208	
NDDOT	22.6.17	Urban Regional - Bismarck Expy (Washington St to Main Av) (Mill & Overlay, ADA Ramp Rev)	$1,618,600	$181,400	$200,000 (Bismarck)	$2,000,000	NHU	23207	
NDDOT	22.6.18	^Urban Regional - ND 1804 (Signal St to Bismarck Expy) (Mill & Overlay)	$2,427,900	$272,100	$300,000 (Bismarck)	$3,000,000	SU	23223	
NDDOT	22.6.19	~Bridge - I-94 (5 miles east of US Highway 83, 80th St, EB) (Structure Replacement)	$3,600,000	$400,000	$0 (Burleigh Co.)	$4,000,000	IM	21854	

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

^ Pending Availability of Federal Funds

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

~ Projects are funded in 2021, but are constructed in 2022

PROJECT YEAR 2023

ESTIMATED COST IN DOLLARS

LEAD AGENCY	REFERENCE NUMBER	PROJECT DESCRIPTION	FEDERAL	STATE	LOCAL	TOTAL	FEDERAL PROGRAM SOURCE	PCN	AMENDMENT/ MODIFICATION (Date)
BISMARCK	23.1.01	*^@Urban Roads - Bismarck 43rd Ave (State St - 26th St) & 19 St (N Valley Lp/Yucca Av - 43rd Av) (Reconstruction and Widening)	$4,800,000	$0	$9,200,000 (Bismarck)	$14,000,000	NHU	22929	
BISMARCK	23.1.02	Safety - Rectangular Rapid Flashing Beacons (RRFB) in Bismarck (Various Locations) (Install RRFP at up to 11 locations, recommended by School Safety Crossing Study)	$378,000	$0	$42,000 (Bismarck)	$420,000			
BISMARCK	23.1.03	Urban Grants Project - Bismarck 3rd/4th/5th St, Rosser Av, Broadway (3rd St from Main-Rosser, Rosser from 3rd-7th, 4th St from Rosser-Thayer, 5th St from Rosser-Thayer, & Broadway from 3rd-4th & 6th-7th) (Mill & Overlay, Curb & Gutter, ADA Ramp Rev, Bikeway/Walkway, Lighting, Signal Revision, Landscaping, Signing, Signal Modifications, Pavement Marking)	$786,313	$0	$1,125,687 (Bismarck)	$1,912,000	UGP	23216	
BISMARCK	23.1.04	Transportation Alternatives - Bismarck Expy (Bismarck Expy Pedestrian Facility) (Structure Items)	$250,883	$0	$59,117 (Bismarck)	$310,000	TAU	23235	
BURLEIGH	23.2.01	*Urban Roads - Burleigh County 66th St (Apple Creek Rd to Northgate Dr) (Reconstruction, Structures)	$8,000,000 (UR) $2,710,000 (CO Federal Aid) $171,147 (CVD)	$0	$2,718,853 (Burleigh)	$13,600,000	SU	23055	
NDDOT	23.6.02	Bridge - I-94 (1 mile E of US 83 N, EB) (Approach Slabs, Expand Joint Mod)	$168,480	$18,720	$0 (Bismarck)	$187,200	IM	23009	
NDDOT	23.6.03	Rural - Hwy 1804 (N Hazelton Jct to Signal St) (24.9 miles, Thin Overlay)	$3,566,000	$840,000	$0 (Morton)	$4,406,000	SS		
NDDOT	23.6.12	Bridge - I-94 (Junction of US 83 N & I-94, EB) (Spall Repair, Structure Incidentals)	$73,008	$8,112	$0 (Bismarck)	$81,120	IM		
NDDOT	23.6.13	Bridge - I-94 (1 mile E of US 83 N, EB) (Deck Overlay, Rail Retrofit)	$536,328	$59,592	$0 (Bismarck)	$595,920	IM	23009	
NDDOT	23.6.14	Urban Regional - Mandan Memorial Highway (Memorial Highway Phase 2, Extents TBD) (Reconstruction, City Utilities)	$13,758,100	$1,541,900	$6,700,000 (Mandan)	$22,000,000	SU-CPU		
NDDOT	23.6.15	Bridge - I-94 (2 miles west of US Highway 83, Tyler Parkway, EB) (Expansion Joint Modifications, Approach Slabs, Spall Repair)	$308,876	$34,320	$0 (Bismarck)	$343,196	IM	22603	
NDDOT	23.6.16	Bridge - I-94 (3 miles west of US Highway 83, Grant Marsh, EB) (Structure Paint, Median X-Overs)	$526,707	$58,523	$0 (Multiple)	$585,230	IM	22603	
NDDOT	23.6.17	Bridge - I-94 (3 miles west of US Highway 83, Grant Marsh, EB) (Deck Overlay, Approach Slabs, Structure Paint, Spall Repair, Structure/Incidentals)	$4,494,271	$499,364	$0 (Multiple)	$4,993,635	IM	22603	
NDDOT	23.6.18	*Safety - Hwy 810 E/Bisamrck Expressway (.4 miles, W of Washington St to East of 2nd Street) (Pavement Markings, Intersection Improvements, Turn Lanes, Flashing Beacon)	$199,800	$11,100	$11,100 (Bismarck)	$222,000	SHE	23225	
OTHER	23.7.01	Urban Grants Project - Bismarck/Mandan Fixed Bus Route (Various Locations) (Solar Lighting at Existing Shelters, Bus Benches)	$11,200	$0	$2,800 (Bismarck via Bis-Man Transit)	$14,000	UGP		

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

^Pending Availability of Federal Funds

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

+ Urban Limits are approximately 0.6 miles west of Heart River Bridge

@ City plans to advance construct project in 2022

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

PROJECT YEAR 2024

ESTIMATED COST IN DOLLARS

LEAD AGENCY	REFERENCE NUMBER	PROJECT DESCRIPTION	FEDERAL	STATE	LOCAL	TOTAL	FEDERAL PROGRAM SOURCE	PCN	AMENDMENT/ MODIFICATION (Date)
MANDAN	24.4.01	Safety - Rectangular Rapid Flashing Beacons (RRFB) in Mandan (Various Locations) (Install RRFP at up to 4 locations, recommended by School Safety Crossing Study)	$126,000	$0	$14,000 (Mandan)	$140,000			
NDDOT	24.6.01	^Urban Regional - Bismarck 7th St (Front Av to Bismarck Expressway) (.6 miles, Reconstruction)	$2,529,062	$283,438	$312,500 (Bismarck)	$3,125,000	NHU	23201	
NDDOT	24.6.03	Urban Regional - Mandan Memorial Highway (Memorial Highway Phase 3, Extents TBD) (3.3 miles, Reconstruction, City Utilities)	$11,330,200	$1,269,800	$4,900,000 (Mandan)	$17,500,000	SU-CPU		
NDDOT	24.6.07	MPO Rural - I-94 (East of 161 Interchange to east of Menoken Interchange) (9.8 miles, Median X-Overs, Ramp Connections)	$1,366,544	$151,838	$0 (Burleigh)	$1,518,382	IM	22639	
NDDOT	24.6.09	*Urban - I-94 (2 miles E of US 83 N, EB, Centennial/Bismarck Expressway) (Structure/Incidentals, Ramp Revisions)	$27,000,000	$3,000,000	$0 (Bismarck)	$30,000,000	IM	22648	
NDDOT	24.6.10	Bridge - I-94 (1 mile E of US 83 N) (Structure Paint)	$223,891	$24,877	$0 (Bismarck)	$248,768	IM	22614	
BISMARCK PARKS & REC DISTRICT	24.7.01	Transportation Alternatives - Bismarck Ash Coulee & Tyler Parkway (Bikeway/Walkway)	$290,000	$0	$99,015 (Bis P&R District)	$389,015	TAU	23236	

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^Pending Availability of Federal Funds

PROJECT YEAR 2025

ESTIMATED COST IN DOLLARS

LEAD AGENCY	REFERENCE NUMBER	PROJECT DESCRIPTION	FEDERAL	STATE	LOCAL	TOTAL	FEDERAL PROGRAM SOURCE	PCN	AMENDMENT/ MODIFICATION (Date)
BISMARCK	25.1.01	^Urban Regional - Bismarck Expy (I-94 to Rosser Ave) (CPR, Grinding)	$1,968,800	$246,100	$246,100 (Bismarck)	$2,461,000	NHU		
MANDAN	25.2.01	*^Urban Roads - Mandan Old Red Trail (40th Ave NW to Urban Limits) (Reconstruction)	$4,000,000	$0	$1,000,000 (Mandan)	$5,000,000	SU		
NDDOT	25.6.01	Bridge - I-94 (1 mile east of US 83 North, RR Hay Creek, West Bound) (Structure Paint)	$315,861	$35,096	$0 (Bismarck)	$350,957	IM	22644	
NDDOT	25.6.02	Bridge - I-94 (1 mile east of US 83 North, RR Hay Creek, East Bound) (Structure Paint)	$315,861	$35,096	$0 (Bismarck)	$350,957	IM	22644	
NDDOT	25.6.03	Bridge - I-94 (5 mile east of ND 25, East Bound) (Structure Paint)	$263,218	$29,247	$0 (Mandan)	$292,465	IM	22644	
NDDOT	25.6.04	Bridge - I-94 (5 mile east of ND 25, West Bound) (Structure Paint)	$263,218	$29,247	$0 (Mandan)	$292,465	IM	22644	
NDDOT	25.6.05	Bridge - I-94 (6 mile east of ND 25, East Bound) (Structure Paint)	$263,218	$29,247	$0 (Mandan)	$292,465	IM	22644	
NDDOT	25.6.06	Bridge - I-94 (6 mile east of ND 25, West Bound) (Structure Paint)	$263,218	$29,247	$0 (Mandan)	$292,465	IM	22644	
NDDOT	25.6.07	Bridge - I-94 (5 mile west of US 83 North, East Bound) (Structure Paint)	$263,218	$29,247	$0 (Burleigh)	$292,465	IM	22644	
NDDOT	25.6.08	Bridge - I-94 (5 mile west of US 83 North, West Bound) (Structure Paint)	$263,218	$29,247	$0 (Burleigh)	$292,465	IM	22644	
NDDOT	25.6.09	Rural - I-94 (East of 161 Interchange to east of Menoken Interchange) (9.8 mi Fencing, PCC Pave)	$23,505,300	$2,611,700	$0 (Burleigh)	$26,117,000	IM	22957	
NDDOT	25.6.10	Safety - Bismarck Expy (Bismarck Expy Bridge) (.5 miles Anti-Icing System)	$1,173,600	$130,400	$0 (Bismarck)	$1,304,000	S-HEU	17110	

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^Pending Availability of Federal Funds

ANNUAL LUMP-SUM PROJECT PHASE COST ESTIMATES FOR NON-REGIONALLY SIGNIFICANT PROJECTS

YEAR	PROJECT DESCRIPTION	FEDERAL	STATE	LOCAL	TOTAL	AMENDMENT/ MODIFICATION (Date)
2022	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Preliminary Engineering (PE)					
2022	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Right of Way (ROW)					
2022	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Utilities					
2023	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Preliminary Engineering (PE)					
2023	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Right of Way (ROW)					
2023	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Utilities					
2024	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Preliminary Engineering (PE)					
2024	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Right of Way (ROW)					
2024	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Utilities					
2025	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Preliminary Engineering (PE)					
2025	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Right of Way (ROW)					
2025	Annual Lump Sum for Non-Regionally Significant Projects Project Phase: Utilities					

Note: No projects in the 2022-2025 TIP were identified as RSP.
Above estimates are provided by NDDOT, based on spreadsheets maintained for their planning and construction purposes.
As of the printing of the draft TIP in July 2021, NDDOT had not provided their estimates.

2022-2025

TRANSIT IMPROVEMENT PROJECT LIST

BISMARCK-MANDAN MPO BIS-MAN TRANSIT IMPROVEMENT PROGRAM For 2022-2025 Page 1 of 1

Project #	Project Location	Project Type	Funding	Project Description	Funding Source	2022	2023	2024	2025	Total
1	Bismarck/ Mandan Area	Capital Cost of Contracting (CCOC)	FTA Sec. 9 (5307) 80 / 20	Preventative maintenance and operating costs associated with the operations contract	Fed State Local Total	$1,088,000 $0 $272,000 $1,360,000	$1,088,000 $0 $272,000 $1,360,000	$1,088,000 $0 $272,000 $1,360,000	$1,088,000 $0 $272,000 $1,360,000	$4,352,000 $0 $1,088,000 $5,440,000
2	Bismarck/ Mandan Area	Preventative Maintenance	FTA Sec. 9 (5307) 80 / 20	Preventative maintenance on transit vehicles	Fed State Local Total	$10,000 $0 $2,500 $12,500	$10,300 $0 $2,575 $12,875	$10,609 $0 $2,652 $13,261	$10,927 $0 $2,732 $13,659	$41,836 $0 $10,459 $52,295
3	Bismarck/ Mandan Area	Operating Expenses	FTA Sec. 9 (5307) 50 / 50	Operating assistance for elderly/disabled and fixed route service	Fed State Local Total	$155,316 $316,528 $155,316 $627,160	$159,975 $326,024 $159,975 $645,975	$164,775 $335,805 $164,775 $665,354	$169,718 $345,879 $169,718 $685,315	$649,784 $1,324,235 $649,784 $2,623,804
4	Bismarck/ Mandan Area	Security	FTA Sec. 9 (5307) 80 / 20	Public transportation security projects	Fed State Local Total	$12,660 $0 $3,165 $15,825	$13,040 $0 $3,260 $16,300	$13,431 $0 $3,358 $16,789	$13,834 $0 $3,458 $17,292	$52,965 $0 $13,241 $66,206
5	Bismarck/ Mandan Area	Transit Planning	FTA Sec. 8 (5303) (5313) 80/20	Provide funding for the Transit Development Plan	Fed State Local Total	$0 $0 $0 $0	$0 $0 $0 $0	$0 $0 $0 $0	$0 $0 $0 $0	$0 $0 $0 $0
6	Bismarck/ Mandan Area	Capital Grant	FTA Section (5339) 85/15	Provide funding to replace, rehabilitate, and purchase buses and related equipment, including shop equipment, and construct bus related facilities	Fed State Local Total	$398,516 $0 $70,326 $468,842	$0 $0 $0 $0	$410,471 $0 $72,436 $482,907	$820,942 $0 $144,872 $965,814	$1,629,929 $0 $287,634 $1,917,563
7	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA Section (5339) 85/15	Provide funding to replace, rehabilitate, and purchase buses and related equipment, including shop equipment, and construct bus related facilities	Fed State Local Total	$797,031.46 $0 $140,652 $937,683	$0 $0 $0 $0	$0 $0 $0 $0	$0 $0 $0 $0	$797,031 $0 $140,652 $937,683
8	Bismarck/ Mandan Area	Capital Grant	FTA Section (5310) 80 / 20	Capital projects including vehicle purchases and mobility management for elderly and disabled	Fed State Local Total	$208,014 $0 $36,708 $244,722	$240,312 $0 $42,902 $283,214	$21,642 $0 $4,328 $25,970	$245,417 $0 $43,833 $289,250	$715,385 $0 $127,771 $843,156
9	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA Section (5310) 50 / 50	Operating assistance to the elderly and disabled	Fed State Local Total	$115,760 $0 $115,760 $231,520	$119,233 $0 $119,233 $238,466	$122,810 $0 $122,810 $245,620	$126,494 $0 $126,494 $252,988	$484,297 $0 $484,297 $968,593
10	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA CRSSA (5310) 100/0	Mobility Manager salary assistance	Fed State Local Total	$25,500 $0 $0 $25,500	$0 $0 $0 $0	$0 $0 $0 $0	$0 $0 $0 $0	$25,500 $0 $0 $25,500
11	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA ARP 100/0	Operating assistance for elderly/disabled and fixed route service	Fed State Local Total	$1,332,869 $0 $0 $1,332,869	$0 $0 $0 $0	$0 $0 $0 $0	$0 $0 $0 $0	$1,332,869 $0 $0 $1,332,869

2022-2025

EXPENSE/REVENUE SUMMARY

FY 2022 - 2025 TIP

EXPENSE SUMMARY BY GEOGRAPHIC LOCATION

PROJECTS	FUNDING SOURCE	BISMARCK	LINCOLN	MANDAN	BURLEIGH	MORTON	MULTIPLE MPO JURISDICTIONS	TOTAL COST ($)
	Federal ([1]Construction)	6,473,516	0	8,423,465	3,600,000	0	0	18,496,981
	Federal ([2]Preservation)	9,348,815	0	168,237	0	0	0	9,517,052
	State ([1]Construction)	412,000	0	793,625	400,000	0	0	1,605,625
Annual Element	State ([2]Preservation)	1,278,741	0	0	0	0	0	1,278,741
2022	Local ([1]Construction)	488,484	0	4,691,910	0	0	0	5,180,394
	Local ([2]Preservation)	924,173	0	39,642	0	0	0	963,815
	*Other Local ([1]Construction)	0	0	0	0	0	0	0
	*Other Local ([2]Preservation)	0	0	0	0	0	0	0
	PLI ([1]Construction)	0	0	0	0	0	0	0
	**PLI ([2]Preservation)	0	0	0	0	0	0	0
	Total (Construction/Engineering)	7,374,000	0	13,909,000	4,000,000	0	0	25,283,000
	Total (Preservation)	11,551,729	0	207,879	0	0	0	11,759,608
	Total	18,925,729	0	14,116,879	4,000,000	0	0	37,042,608
	Federal ([1]Construction)	$38,574,850	0	30,267,172	12,774,127	0	5,020,978	86,637,127
	Federal ([2]Preservation)	2,755,113	0	0	23,505,300	3,566,000	0	29,826,413
Future Projects	State ([1]Construction)	3,640,751	0	2,928,688	210,332	0	557,887	7,337,658
2023-2025	State ([2]Preservation)	246,100	0	0	2,611,700	840,000	0	3,697,800
	Local ([1]Construction)	9,624,717	0	12,614,000	2,718,853	0	0	24,957,570
	Local ([2]Preservation)	1,371,787	0	0	0	0	0	1,371,787
	*Other Local ([1]Construction)	101,815	0	0	0	0	0	101,815
	*Other Local ([2]Preservation)	0	0	0	0	0	0	0
	Total (Construction/Engineering)	51,942,133	0	45,809,860	15,703,312	0	5,578,865	119,034,170
	Total (Preservation)	4,373,000	0	0	26,117,000	4,406,000	0	34,896,000
	Total	56,315,133	0	45,809,860	41,820,312	4,406,000	5,578,865	153,930,170
Total	**FY 2022-2025**	**75,240,862**	**0**	**59,926,739**	**45,820,312**	**4,406,000**	**5,578,865**	**190,972,778**

REVENUE SUMMARY

PROJECTS	REVENUE SOURCE	BISMARCK	LINCOLN	MANDAN	BURLEIGH	MORTON	MULTIPLE MPO JURISDICTIONS	TOTAL COST ($)
	Federal ([1]Construction)	6,673,316	0	8,423,465	3,600,000	0	0	18,696,781
	Federal ([2]Preservation)	9,348,815	0	168,237	0	0	0	9,517,052
	State ([1]Construction)	423,100	0	793,625	400,000	0	0	1,616,725
Annual Element	State ([2]Preservation)	1,278,741	0	0	0	0	0	1,278,741
2022	Local ([1]Construction)	499,584	0	4,691,910	0	0	0	5,191,494
	Local ([2]Preservation)	924,173	0	39,642	0	0	0	963,815
	*Other Local ([1]Construction)	0	0	0	0	0	0	0
	*Other Local ([2]Preservation)	0	0	0	0	0	0	0
	PLI ([1]Construction)	0	0	0	0	0	0	0
	**PLI ([2]Preservation)	0	0	0	0	0	0	0
	Total (Construction/Engineering)	7,596,000	0	13,909,000	4,000,000	0	0	25,505,000
	Total (Preservation)	11,551,729	0	207,879	0	0	0	11,759,608
	Total	19,147,729	0	14,116,879	4,000,000	0	0	37,264,608
	Federal ([1]Construction)	38,574,850	0	30,267,172	12,774,127	0	5,020,978	81,616,149
	Federal ([2]Preservation)	2,755,113	0	0	23,505,300	3,566,000	0	29,826,413
Future Projects	State ([1]Construction)	3,640,751	0	2,928,688	210,332	0	557,887	6,779,771
2023-2025	State ([2]Preservation)	246,100	0	0	2,611,700	840,000	0	3,697,800
	Local ([1]Construction)	9,624,717	0	12,614,000	2,718,853	0	0	24,957,570
	Local ([2]Preservation)	1,371,787	0	0	0	0	0	1,371,787
	*Other Local ([1]Construction)	101,815	0	0	0	0	0	101,815
	*Other Local ([2]Presevation)	0	0	0	0	0	0	0
	Total (Construction/Engineering)	51,942,133	0	45,809,860	15,703,312	0	5,578,865	119,034,170
	Total (Preservation)	4,373,000		0	26,117,000	4,406,000	0	34,896,000
	Total	56,315,133	0	45,809,860	41,820,312	4,406,000	5,578,865	153,930,170
Total	**FY 2022-2025**	**75,462,862**	**0**	**59,926,739**	**45,820,312**	**4,406,000**	**5,578,865**	**191,194,778**

*Other Local refers to another non-traditional local matching funding source such as a local Park District or University. The specific local funding source is identified in the project.

PLI (Preservation) refers to preservation type projects (i.e. mill and overlay, etc.) on Federal-Aid Eligible Roadways that are funded **solely by a partner city or county.

[1] Construction projects refer to expansion and/or rehabilitation projects. Expansion projects focus on improving traffic flow or safety and could include projects such as: adding through lanes or turn lanes; new streets;upgrading an intersection; or new/improved interchanges on interstate. Rehabilitation projects are focused on maintaining the current network and may include projects such as: resurfacing or reconstructing a new street or multi-use trail; or bridge replacement.

[2] Preservation refers to activities conducted to maintain the current transportation system in a state of good repair, such as mill and overlays, etc.

TRANSIT PROJECTS FUNDING/COSTS SUMMARY OF BISMARCK-MANDAN AREA

2022 - 2025

	FUNDING SOURCE	FUNDING AMOUNT ($)	ANTICIPATED COSTS ($)
Annual Element 2022	Federal	$4,143,666	$4,143,666
	Federal Match	$0	$0
	State	$316,528	$316,528
	Local	$796,427	$796,427
	Total	$5,256,621	$5,256,621
Future Projects 2023-2025	Federal	$5,937,930	$5,937,930
	Federal Match	$0	$0
	State	$1,007,707	$1,007,707
	Local	$2,005,411	$2,005,411
	Total	$8,951,048	$8,951,048
Transit Total	**FY 2022-2025**	**$14,207,669**	**$14,207,669**

2022-2025

OPERATIONS AND MAINTENANCE

Operations and Maintenance (O&M) includes the routine and regular activities necessary to maintain a safe and operational roadway network. These activities may include winter maintenance (snow removal, sanding, plowing, salting), street sweeping, street maintenance (pot holes, chip seals, crack seals, signalization/ lighting, sign repair and replacement, concrete pavement repairs, gravel and grading), or labor costs associated with the administration and/or engineering of these activities. O&M is specific to managing the day-to-day operations of the road system. Therefore, it does not include new construction, major rehabilitation, or reconstruction of any transportation system element.

According to U.S. Federal Code of Regulation 23 CFR 450.324(f), the Metropolitan Planning Organization (MPO) is required to report on the local and state funds used toward O&M activities. Cost estimates are captured at a 'system level'—that is, they are comprehensive of all roadways within the metropolitan area and should be inclusive of a variety of O&M activities. Further, the cost estimates indicate the sources of local funding and approximate how much of the local funds are used on Federal-Aid Highways (i.e. roadways deemed eligible to be (re)-constructed with federal funds).

The MPO fulfills its federal O&M reporting requirement with assistance from NDDOT and its member cities and counties. Traditionally, the jurisdictions/NDDOT provide an estimate of expenditures for the base year of the TIP and forecast future years at a 4% inflation rate.

Although federal funding is not used toward state or local O&M programs within the MPO area, these types of activities are supported by the MPO's 2045 Metropolitan Transportation Plan. They are supported specifically through goals that aim to 'Maintain and Improve Regional Mobility and Connections' and 'Maintain the Transportation System in a State-of-Good-Repair'. Further support is found in the goals and objectives of the 2020-2045 MTP, which was adopted in March 2020.

The following is a breakdown of O&M for the 2022-2025 TIP.

Bismarck-Mandan MPO Operations and Maintenance NDDOT and Member Jurisdiction Expenditures and Revenues 2022-2025

NDDOT Operations and Maintenance Expenses/Revenues for Federal-Aid Highways in the Bismarck-Mandan MPO Area

Year(s)	Anticipated Operations and Maintenance Expenses[1]	Anticipated Maintenance and Operations Revenue[1]	Federal-aid Highway Lane Miles in Bismarck-Mandan MPO Area which NDDOT Provides Operation and Maintenance Activities	Percent Federal-Aid Highway Lane Miles in MPO per Total Statewide Roadway Lane Miles	MPO Area Apportioned Operations and Maintenance Expenses	MPO Area Apportioned Operations and Maintenance Revenues
2022	$125,588	$125,588	312	1.90%	$2,386.17	$2,386.17
2023-2025	$376,764	$376,764	312	1.90%	$7,158.52	$7,158.52

[1]The operations and maintenance expenditures/revenues consider all roadway lane miles maintained by NDDOT throughout the State of North Dakota.

City of Bismarck Operations and Maintenance Expenses/Revenues

Year	Anticipated Operations and Maintenance Expenses[1*]	Anticipated Maintenance and Operations Revenue[1*]	Funding Sources for Operations and Maintenance Activities	Percent of Federal-Aid Highways to total roadways in City of Bismarck[2]	City of Bismarck Apportioned Operations and Maintenance Expenses for Federal-Aid Highways[2]	City of Bismarck Apportioned Operations and Maintenance Revenues for Federal-Aid Highways[2]
2022	$11,851,004	$11,851,004	State Motor Vehicle Fuel and Licensing, General Fund, Street Light Utility fund	26.90%	$3,187,920.08	$3,187,920.08
2023	$12,206,534	$12,206,534	State Motor Vehicle Fuel and Licensing, General Fund, Street Light Utility fund	26.90%	$3,283,557.65	$3,283,557.65
2024	$12,572,730	$12,572,730	State Motor Vehicle Fuel and Licensing, General Fund, Street Light Utility fund	26.90%	$3,382,064.37	$3,382,064.37
2025	$12,949,912	$12,949,912	State Motor Vehicle Fuel and Licensing, General Fund, Street Light Utility fund	26.90%	$3,483,526.33	$3,483,526.33

[1]The operations and maintenance expenditures/revenues consider all roadway lane miles in the City of Bismarck (excluding Federal-aid Highways that fall solely within the jurisdictional responsibility of NDDOT).
[2]Mileage calculations for Federal-aid Highways is based on centerline roadway miles and excludes roadways maintained solely by NDDOT.
*4% inflation rate was assumed for future year expenses and revenues.

Federal-Aid Highways in the City of Bismarck

Name	Location	Jurisdiction Responsible for Operations and Maintenance
US 83/State Street	Within Bismarck Corporate City Limits	Partnership with NDDOT
Expressway	Between Expressway Bridge and I-94	Partnership with NDDOT
7th and 9th Streets	Between Boulevard and Expressway	Partnership with NDDOT
ND 1804/University	Between Expressway and Corporate City Limits	Partnership with NDDOT
I-94	Within Bismarck Corporate City Limits	NDDOT is Fully Responsible
All other functionally classified roadways	Within Bismarck Corporate City Limits	City is Fully Responsible

Burleigh County Operations and Maintenance Expenses/Revenues

Year	Anticipated Operations and Maintenance Expenses[1*]	Anticipated Maintenance and Operations Revenue[1*]	Funding Sources for Operations and Maintenance Activities	Percent Federal-Aid Highways to total roadways in Metropolitan portion of Burleigh County[2]	Burleigh County Apportioned Operations and Maintenance Expenses for Federal-Aid HIghways[2]	Burleigh County Apportioned Operations and Maintenance Revenues for Federal-Aid Highways[2]
2022	$1,106,909	$1,106,909	Hwy Gas Tax and Mill Levy	5.60%	$61,986.90	$61,986.90
2023	$1,151,185	$1,151,185	Hwy Gas Tax and Mill Levy	5.60%	$64,466.36	$64,466.36
2024	$1,197,233	$1,197,233	Hwy Gas Tax and Mill Levy	5.60%	$67,045.05	$67,045.05
2025	$1,245,122	$1,245,122	Hwy Gas Tax and Mill Levy	5.60%	$69,726.83	$69,726.83

[1]The operations and maintenance expenditures/revenues consider all roadway lane miles in Burleigh County (excluding Federal-aid Highways that fall solely within the jurisdictional responsibility of NDDOT).
[2]Mileage calculations for Federal-aid Highways is based on centerline roadway miles and excludes roadways maintained solely by NDDOT.
*4% inflation rate was assumed for future year expenses and revenues.

Federal-Aid Highways in Burleigh County

Name	Location	Jurisdiction Responsible for Operations and Maintenance
ND 1804	North of Bismarck to County Line	NDDOT is Fully Responsible
Interstate 94	County Wide	NDDOT is Fully Responsible
ND 1804	South of Bismarck to County Line	NDDOT is Fully Responsible
US Highway 83	North of Bismarck to County Line	NDDOT is Fully Responsible
All other functionally classified roadways	Bismarck and Lincoln Corporate City Limits to Urbanized Area Boundary	County is Fully Responsible

City of Mandan Operations and Maintenance Expenses/Revenues

Year	Anticipated Operations and Maintenance Expenses[1*]	Anticipated Maintenance and Operations Revenue[1*]	Funding Sources for Operations and Maintenance Activities	Percent Federal-Aid Highways to total roadways in City of Mandan[2]	City of Mandan Apportioned Operations and Maintenance Expenses for Federal-Aid Highways[2]	City of Mandan Apportioned Operations and Maintenance Revenues for Federal-Aid Highways[2]
2022	$1,604,600	$1,604,600	Highway Tax Distribution	29.90%	$479,775.40	$479,775.40
2023	$1,668,784	$1,668,784	Highway Tax Distribution	29.90%	$498,966.42	$498,966.42
2024	$1,735,535	$1,735,535	Highway Tax Distribution	29.90%	$518,924.97	$518,924.97
2025	$1,804,957	$1,804,957	Highway Tax Distribution	29.90%	$539,682.14	$539,682.14

[1]The operations and maintenance expenditures/revenues consider all roadway lane miles in the City of Mandan (excluding Federal-aid Highways that fall solely within the jurisdictional responsibility of NDDOT).
[2]Mileage calculations for Federal-aid Highways is based on centerline roadway miles and excludes roadways maintained solely by NDDOT.
*4% inflation rate was assumed for future year expenses and revenues.

Federal-Aid Highways in the City of Mandan

Name	Location	Jurisdiction Responsible for Operations and Maintenance
ND 1806	Within Mandan Corporate City Limit	City is Fully Responsible
Mandan Avenue	Between Main Avenue and I-94	City is Fully Responsible
Main Street	Between ND 6 and I-94	City is Fully Responsible
ND 6	Within Mandan Corporate City Limit	Partnership with NDDOT
Memorial Highway	Between Main Avenue and Liberty Memorial Bridge	NDDOT is Fully Responsible
Business Loop	Between ND 6 and Mandan Corporate City Limits	City is Fully Responsible
Highway 810	Between Memorial Highway Interchange and Expressway Bridge	NDDOT is Fully Responsible
I-94	Within Mandan Corporate City Limits	NDDOT is Fully Responsible
All other functionally classified roadways	Within Mandan Corporate City Limits	City is Fully Responsible

Morton County Operations and Maintenance Expenses/Revenues

Year	Anticipated Operations and Maintenance Expenses[1*]	Anticipated Maintenance and Operations Revenue[1*]	Funding Sources for Operations and Maintenance Activities	Percent Federal-Aid Highways to total roadways in Metropolitan portion of Morton County[2]	Morton County Apportioned Operations and Maintenance Expenses for Federal-Aid Highways[2]	Morton County Apportioned Operations and Maintenance Revenues for Federal-Aid Highways[2]
2022	$6,640,771	$6,640,771	Mill Levies, State and Federal Funding, Gas Tax	0.11%	$7,304.85	$7,304.85
2023	$6,906,401	$6,906,401	Mill Levies, State and Federal Funding, Gas Tax	0.11%	$7,597.04	$7,597.04
2024	$7,182,658	$7,182,658	Mill Levies, State and Federal Funding, Gas Tax	0.11%	$7,900.92	$7,900.92
2025	$7,469,964	$7,469,964	Mill Levies, State and Federal Funding, Gas Tax	0.11%	$8,216.96	$8,216.96

[1]The operations and maintenance expenditures/revenues consider all roadway lane miles in Morton County within the MPO (excluding Federal-aid Highways that fall solely within the jurisdictional responsibility of NDDOT).
[2]Mileage calculations for Federal-aid Highways is based on centerline roadway miles and excludes roadways maintained solely by NDDOT.
*4% inflation rate was assumed for future year expenses and revenues.

Federal-Aid Highways in Morton County

Name	Location	Jurisdiction Responsible for Operations and Maintenance
25 N	I-94 to County Line	NDDOT is Fully Responsible
I-94	County wide	NDDOT is Fully Responsible
I-94B	Outside of Mandan to I-94	NDDOT is Fully Responsible
ND 1806	North of Mandan to County Line	NDDOT is Fully Responsible
ND 1806	South of Mandan to County Line	NDDOT is Fully Responsible
Highway 6	South and Outside of Mandan to County Line	NDDOT is Fully Responsible
All other functionally classified roadways	Mandan Corporate City Limits to Urbanized Area Boundary	County is Fully Responsible

2022-2023

PROJECTS OF LOCAL IMPORTANCE

The MPO strives to incorporate Projects of Local Importance (PLI) into the TIP. PLI reporting provides a more comprehensive understanding of transportation development within the MPO area. The purpose of PLI identification is to highlight network development that may be done on a local scale, without the MPO's typical federal programs, but are still significant to the regional system.

PLI are identified by partner jurisdictions, at the MPO's request, and coincide with TIP development. To assist jurisdictions in determining PLI designations, the MPO offers the following guidance:

Guidance for Projects of Local Importance

1. Projects must be entirely locally funded OR aided by Federal or State funds other than the typically administered MPO programs. (i.e. Transportation Alternatives Program, Urban Roads Program, Urban Regional Program, Highway Safety Improvement Program,)

2. Projects must have 'substantial' impact on the Regional Transportation Network.
   a. *Projects* could include those identified in the active MTP OR those developed outside of the planning process.
   b. *'Substantial' impacts* have a large degree of influence on the functionality or capacity of a local Jurisdiction's network OR a neighboring Jurisdiction's network OR both.
   c. The *Regional Transportation Network* is all encompassing, including the roadway AND non-roadway/accessory (bike trails, park and rides, transit shelters, etc.) networks.

3. Projects are anticipated to be constructed/ committed within the upcoming 1-2 years. (The MPO reserves the opportunity to report on RSP construction which occurred during the calendar year preceding the TIP's scope.)

4. Projects include mill and overlay, concrete pavement repair, or full depth reconstruction activities that are completed on Federal-Aid Eligible roadways by the local partners. These projects must also be solely locally funded.

The MPO receives few Projects of Local Importance. This is attributed to different development schedules for the TIP and the Counties' and Cities' 'Capital Improvement Plans', as well as a lack of formalized mechanisms to fund local level transportation projects outside of the current federal aid channels. The MPO requests local jurisdictions report on anticipated construction of regionally significant roadways. It is recognized that most local roadways are constructed without federal funds. Roadways that are committed to be constructed and are regionally significant, should be reported with the most current cost estimates available. Reasonable estimates are based on current average costs of similar road sections and will be developed by the respective reporting jurisdiction. In addition, the MPO solicits for PLI whose construction is expected to start in the first 1-2 years of the current TIP's scope.

In early summer of of 2021, the MPO solicited member jurisdictions and parks and recreation entities serving the MPO area for PLI. There were no PLI provided for the 2022-2025 TIP.

REGIONALLY SIGNIFICANT PROJECTS

According to 23 CFR 450.104, a Regionally Significant Project (RSP) is defined as a "transportation project that is on a facility which serves regional transportation needs and would normally be included in the modeling of the metropolitan area's transportation network." Federal regulations require the notation of RSP projects in the MPO's TIP and State DOT's STIP.

In 2021, the North Dakota Department of Transportation (NDDOT) was requested by the North Dakota Division of the Federal Highway Administration (FHWA) to adopt a revised definition for RSP. NDDOT consulted with the state MPO's via their executive directors and offered the MPO's an opportunity to develop a collective definition. The Bismarck-Mandan MPO additionally consulted with its jurisdictions, including the Technical Advisory Committee (TAC), in order to draft a revised RSP definition for their region. On May 18, 2021, the MPO's Policy Board officially approved the following RSP definition:

Definition for Regionally Significant Projects

1. A highway project consisting of the construction of a new interstate interchange, adding interstate through-lane capacity; or
2. Creating new roadways on new right-of-way, both funded with federal funds, which do not consist of an extension of the existing urban roadway network resulting from urban expansion; or
3. Creating a new transit building on a newly purchased real estate.

Going forward, the MPO will note projects that meet this definition in their TIP's Program of Projects and will break out the cost of each RSP project by phasing (phases include preliminary engineering, construction, utilities, and right-of-way). Additionally, NDDOT will provide the MPO with lump sum cost estimates for the phases of all non-RSP projects. The lumps sum cost estimates will also be included in the TIP. The goal of these activities to give the public a clear understanding of the costs and funding sources of local transportation improvement projects.

RSP project phases will be monitored by their lead agency throughout their design lifespan – from award of funds to award of construction bid – and cost changes will be brought to the attention of the MPO. Cost changes will be noted in the TIP by amendment or modification. FHWA releases funds for RSP projects as indicated in the TIP so changes are expected to occur on an ongoing basis.

There are not projected identified currently as RSP in the 2022-2025 TIP.

PERFORMANCE BASED PLANNING AND PROGRAMING

Federal Performance Measures:

Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law in 2012 and included several provisions that collectively transformed the Federal surface transportation program to greater focus on the achievement of performance-based outcomes. In 2015, Fixing America's Surface Transportation (FAST) Act was signed into law. The FAST Act expanded upon MAP-21 performance-based outcomes and provided long-term funding certainty for surface transportation infrastructure planning and investment. This process is collectively known as Performance-Based Planning and Programming (PBPP). Various agencies of the US Department of Transposition (USDOT), which includes FHWA, are responsible of administering the rulemaking regarding PBPP. The overall goal is to link Performance-Based Planning practices to future investments in the transportation system through concordant development of the MPOs Metropolitan Transportation Plan (MTP) and TIP. 23 CFR 450.326(d) specifies this process by stating 'the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets.'

To create an effective PBPP, the federal government has identified seven major aspects of the transportation system which, when kept in good standing, ensure a safer and more efficient network and user experience. State DOTs and MPOs have been directed to emphasis the following Performance Goals Areas in their LRTP/MTP and TIP.

- Safety and Security
- Infrastructure Condition (for Bridges and Pavement)
- Congestion Reduction
- System Reliability for Freight Movement and Economic Vitality
- Alternative Transportation Modes to Automobile Travel
- Environmental Sustainability
- Reduced Project Delivery

For each Performance Goal Area, the MPT also adopts local-level targets and objectives that have been deemed appropriate to meet the needs of the Bismarck-Mandan region. These regional targets and objectives specify how the MPO should improve within a given Performance Goal Area. Regional targets and objectives, along with public input and financial constraint, were used to identify a constrained project lists for the short-, mid-, and long-term planning horizons. The constrained projects—particularly the short-term projects—meet local transportation needs and improve the system consistent with Federal requirements. The Bismarck-Mandan MPO, in accordance with the federal rule, will incorporate the short-term projects identified in the 2020-2045 MTP into the current and future TIPs.

Any system or process must be measured to gauge its effectiveness. Federal rule has ratified specific Performance Measures for three of the seven Performance Goal Areas: Safety and Security (PM1), Infrastructure Condition (PM2), and System Reliability (PM3). These assist State DOTs and MPOs in monitoring the effectiveness of their performance-based planning programs.

Federal guidance outlines which specific data sets should be measured. A list of all Performance Measures can be found in the table below.

PERFORMANCE MEASURES	
PM1: SAFETY AND SECURITY	NOTES
1) Number of Fatalities	- Individual targets are update ANNUALLY - Individual targets are report to FHWA ANNUALLY - Safety Targets are calculated a 5-year rolling average. The 2021 targets are based on the average of data from 2016, 2017, 2018, 2019, and 2020.
2) Rate of Fatalities per 100 million vehicle miles traveled (VMT)	
3) Number of Serious Injuries	
4) Rate of Serious Injuries per 100 million VMT	
5) Number of Non-Motorized Fatalities and Non-Motorized Serious Injuries	
PM2: INFRASTRUCTURE CONDITION	
1) Percent of National Highway System (NHS) Bridges in Good Condition	- Individual target are updated every TWO YEARS (optional) or FOUR YEARS (mandatory). - Individual targets are reported to FHWA ANNUALLY
2) Percentage of NHS Bridges in Poor Condition	
3) Percentage of Interstate Pavement in Good Condition	
4) Percentage of Interstate Pavement in Poor Condition	
5) Percentage of Non-Interstate NHS Pavement in Good Condition	
6) Percentage of Non-Interstate NHS Pavement in Poor Condition	
PM3: SYSTEM RELIABILITY	
1) Percentage of Person Miles Travel on the Interstate that are reliable	- Individual target are updated every FOUR YEARS. - Individual targets are report to FHWA ANNUALLY **- Reliability** is defined as the consistency or dependability of travel times from day to day and at different times of a day. For example, traveling the same distance within the same amount of time, no matter the time of day or days of the week, is a reliable system. Being able to travel quickly at one time but slowly the next (as in a traffic jam) is an unreliable system. Reliability does not guarantee quick travel, but rather, a similar travel experience.
2) Percentage of Person Miles Traveled on the Non-Interstate NHS that are reliable	
3) Truck Travel Time Reliability Index	

As a minimum requirement, State DOTs must establish specific, numerical targets for each measure outlined above. MPOs have the option to adopt their state DOT's targets or create their own. To date, the Bismarck-Mandan MPO has adopted targets established by the North Dakota Department of Transportation. The most recently adopted targets are outlined on the next page.

BMMPO ADOPTED TARGETS				
PM1: SAFETY	BASELINE CONDITION	NDDOT ADDOPTED TARGET	MPO ADDOPTED TARGET	CURRENT ADOPTION PERIOD
1) Number of Fatalities	113	102.0	102.0	2021
2) Rate of Fatalities	1.148	1.103	1.103	2021
3) Number of Serious Injuries	432.4	382.1	382.1	2021
4) Rate of Serious Injuries	4.390	4.046	4.046	2021
5)Number of Non-Motorized Fatalities and Non-Motorized Serious Injuries	33.0	30.4	30.4	2021
PM2: INFRASTRUCTURE CONDITION				
1) Percent of National Highway System (NHS) Bridges in Good Condition	64.44%	60%	60%	2020-2022
2) Percentage of NHS Bridges in Poor Condition	3.67%	4%	4%	2020-2022
3) Percentage of Interstate Pavement in Good Condition	80.2%	75.6%	75.6%	2020-2022
4) Percentage of Interstate Pavement in Poor Condition	0.1%	3%	3%	2020-2022
5) Percentage of Non-Interstate NHS Pavement in Good Condition	62.8%	58.3%	58.3%	2020-2022
6) Percentage of Non-Interstate NHS Pavement in Poor Condition	.3%	3%	3%	2020-2022
PM3: SYSTEM RELIABILITY				
1) Percentage of Person Miles Travel on the Interstate that are reliable	91.6	85%	85%	2020-2022
2) Percentage of Person Miles Traveled on the Non-Interstate NHS that are reliable	99.4	85%	85%	2020-2022
3) Truck Travel Time Reliability Index	1.15	3.0	3.0	2020-2022

Since the MPO has opted to support the NDDOT targets, reporting on this information is completed at the state level. Reporting indicates that the agency has met, has made considered progress toward, or did not meet their established targets.

Some state targets are set at a level lower than the current or baseline condition. This is allowed by the Federal Government when a state's network is in exceptionally good repair or operates well above the national average. This is the case with the National Highway System of North Dakota. Often, it is economically infeasible for a state to maintain the road network at such a high level for perpetuity. In these instances, the adopted target is set at a reasonable level – one that would still be considered 'good' by users.

Federal funds can be tied the accomplishment of or progress towards adopted targets. This incentivizes planning efforts to promote a PBPP processes. It also ensuring a linkage between the planning of project in the MTP and the programing of project in the TIP. Ultimately, the process is designed to use federal funding in a responsible and effective way in order to maintain and enhance the transportation system.

Transit Performance Measures:

Similar rules exist from the Federal Transit Administration (FTA) regarding Performance Based Planning and Programing related to Transit Operations. These include the Public Transportation Agency Safety Plan (PTASP) Rule (49 CFR Part 673) and Transit Asset Management (TAM) (49 CFR Part 625.25).

Public Transportation Agency Safety Plan Rule:

This rule establishes a requirement for Transit Operators to develop a Public Transportation Agency Safety Plan (PTASP) by December 31, 2020. The plan outlines strategies to minimize unsafe situations that may be experienced by users and operators of public transportation. Safety promotion is achieved through the enactment of safety management policy, safety assurances, and risk management procedures. The PTASP also outlines a Transit Operator's safety performance measures and targets. Measure areas include transit-related fatalities, injuries, safety events, and system reliability.

Similar to the FHWA targets, FTA allows local Transit Operators to either adopt the plan created by their State DOT or develop their own PTASP. The Bis-Man Transit Board, representing the area Transit Operator, adopted the NDDOT State Safety Plan in September 2020. The MPO Policy Board approved a resolution of support for the PTASP in July 2021. Bis-Man Transit's current PTASP targets are outlined below:

[Transit] Safety Performance Measures

1. Fatalities - total number and rate per total VRM
2. Injuries -Total number and rate per total Vehicle Revenue Miles (VRM)
3. Safety Events - Total number and rate per total VRM
4. System Reliability- Mean distance between major mechanical failures

Targets for transit agencies should be based on a review of the previous 5 years safety performance data.

[Transit] Safety Performance Targets:

Mode of Transit Service	Fatalities (total)	Fatalities (per 100 thousand VRM)	Injuries (total)	Injuries (per 100 thousand VRM)	Safety Events (total)	Safety Events (per 100 thousand VRM)	System Reliability (VRM/ failures)
Fixed Route Bus	0	0	5 or less	0.2	7 or less	0.28	10,000
ADA/ Paratransit	0	0	1 or less	0.1	1 or less	0.1	70,000

Source: NDDOT Transit Section 'State Agency Safety Plan (for) Small Public Transportation Providers'. Adopted by Bis-Man Transit Board, 9/20.

Transit Asset Management:

Transit Asset Management is reported by Bis-Man Transit on an annual basis. It takes notice of the condition of the transit facilities and vehicles and additionally notates the anticipated revenues used to maintain the fleet and building. The TAM report is included in a separate section of this document. Adoption of the TIP on an annual basis is also considered MPO approval of the TAM report and performance metrics.

2022

TRANSIT ASSET MANAGEMENT (TAM) REPORT

Bis-Man Transit Useful Life Benchmarks and TAM Targets

Bis-Man Transit completed and adopted their TAM plan in September 2018. As of July 2019, the transit provider had adopted performance targets set forth by FTA. Targets areas include rolling stock, equipment, and facilities, and are based on Useful Life Benchmarks (ULB) for vehicles and transit facilities. A description of the Federal, State and local useful life benchmarks and performance targets follow:

Useful Life Benchmark for Vehicles

Category	Length	Seats	FTA UL Years	FTA UL Miles	FTA ULB Years	NDDOT ULB Years	BMTP ULB Years
Heavy Duty Large Bus	35 to 40+ ft	24 to 40+	12	500,000	14	14	14
Heavy Duty Small Bus	30 to 35 ft	24 to 35	10	350,000	14	14	14
Medium Size Cutaway	25 to 30 ft	16 to 30	7	200,000	10	8	10
Light Duty Mid-Sized Cutaway	20 to 25 ft	8 to 16	5	150,000	10	8	10
Light Duty Small Cutaway	16 to 22 ft	3 to 14	4	100,000	10	7	10
Modified Van	20 to 22 ft	3 to 14	4	100,000	8	7	8
Minivan	Up to 12 ft	3 to 12	4	100,000	8	7	8
Automobile		3 to 7	4	100,000	8	7	8

Useful Life Benchmark for Transit Facilities

Category	Usage	ULB Years
Bus Garage	Bus Storage, Wash	40
Garage Operations Facility	Storage, Wash, Dispatch, Training, Light Maintenance	40
Garage Operations Admin	Admin Offices, Storage, Wash, Dispatch	40
Shelters	Seating	20

TAM Performance Measures and Targets (as identified in 49 CFR 625.34)

Asset Category	Performance Measure	Performance Target
Rolling Stock	Age	10% of revenue vehicles within any particular asset class that have met or exceeded their ULB
Equipment	Age	10% of non-revenue vehicles that have met or exceeded their ULB
Facilities	Condition	0% of facilities with a condition rating below 3.0 on the FTA Transit Economic Requirement Model Scale

Bismarck-Mandan MPO Reporting

The Bismarck-Mandan MPO—through their annual Transportation Improvement Program (TIP) update—reports on the condition of Bis-Man Transit's rolling stock and/or facilities (as provided by the National Transit Database), as well as Transit's progress toward adopted performance targets. Further, the TIP provides an opportunity to note future investments which maintain the fleet and facility in a State of Good Repair. The Bis-Man Transit Fleet Inventory provided by Bis-Man Transit follows. This inventory matches information submitted to NDT in the March 2021.

Bis-Man Transit Fleet Inventory

Service Type	Bus Fleet ID	Year	Category	Condition*
Fixed Route	401	2004	Heavy-Duty Small Bus	Adequate
Fixed Route	602	2006	Heavy-Duty Small Bus	Adequate
Fixed Route	1001	2010	Heavy-Duty Small Bus	Good
Fixed Route	1002	2010	Heavy-Duty Small Bus	Good
Fixed Route	1003	2010	Heavy-Duty Small Bus	Good
Fixed Route	1501	2015	Heavy-Duty Large Bus	Good
Fixed Route	1502	2015	Heavy-Duty Large Bus	Good
Paratransit	53	2012	Medium-Duty Bus	Good
Paratransit	54	2012	Medium-Duty Bus	Good
Paratransit	55	2012	Medium-Duty Bus	Good
Paratransit	1701	2017	Medium-Duty Bus	Good
Paratransit	1702	2017	Medium-Duty Bus	Good
Paratransit	1703	2017	Medium-Duty Bus	Good
Paratransit	1704	2017	Medium-Duty Bus	Good
Paratransit	1801	2018	Medium-Duty Bus	Excellent
Paratransit	1802	2018	Medium-Duty Bus	Excellent
Paratransit	1803	2018	Medium-Duty Bus	Excellent
Paratransit	1804	2018	Medium-Duty Bus	Excellent
Paratransit	1901	2018	Medium-Duty Bus	Excellent
Paratransit	1902	2018	Medium-Duty Bus	Excellent
Paratransit	1903	2019	Medium-Duty Bus	Excellent
Paratransit	1904	2019	Medium-Duty Bus	Excellent
Paratransit	1905	2019	Medium-Duty Bus	Excellent
Paratransit	1906	2019	Medium-Duty Bus	Excellent
Paratransit	1907	2019	Medium-Duty Bus	Excellent
Paratransit	1908	2019	Medium-Duty Bus	Excellent
Fixed Route	1909	2019	Heavy-Duty Small Bus	Excellent
Fixed Route	1910	2019	Heavy-Duty Small Bus	Excellent
Paratransit	1911	2019	Light-Duty Van	Excellent
Paratransit	1912	2019	Light-Duty Van	Excellent

* Condition and fleet reported as of June 10, 2021

Typically, the Bismarck-Mandan MPO's TIP includes enhancement projects for Bis-Man Transit fleet and facilities. Projects include, but are not limited to, the procurement of replacement buses, federal and local funds given to annual preventive maintenance and security needs, and like procurements. Upcoming projects in the 2022-2025 TIP which contribute to the preventive maintenance of Transit's assets and State of Good Repair (SOGR) program are shaded below:

Project #	Project Location	Project Type	Funding	Project Description	Funding Source	2022	2023	2024	2025	Total
1	Bismarck/ Mandan Area	Capital Cost of Contracting (CCOC)	FTA Sec. 9 (5307) 80 / 20	Preventative maintenance and operating costs associated with the operations contract	Fed	$1,088,000	$1,088,000	$1,088,000	$1,088,000	$4,352,000
					State	$0	$0	$0	$0	$0
					Local	$272,000	$272,000	$272,000	$272,000	$1,088,000
					Total	$1,360,000	$1,360,000	$1,360,000	$1,360,000	$5,440,000
2	Bismarck/ Mandan Area	Preventative Maintenance	FTA Sec. 9 (5307) 80 / 20	Preventative maintenance on transit vehicles	Fed	$10,000	$10,300	$10,609	$10,927	$41,836
					State	$0	$0	$0	$0	$0
					Local	$2,500	$2,575	$2,652	$2,732	$10,459
					Total	$12,500	$12,875	$13,261	$13,659	$52,295
3	Bismarck/ Mandan Area	Operating Expenses	FTA Sec. 9 (5307) 50 / 50	Operating assistance for elderly/disabled and fixed route service	Fed	$155,316	$159,975	$164,775	$169,718	$649,784
					State	$316,528	$326,024	$335,805	$345,879	$1,324,235
					Local	$155,316	$159,975	$164,775	$169,718	$649,784
					Total	$627,160	$645,975	$665,354	$685,315	$2,623,804
4	Bismarck/ Mandan Area	Security	FTA Sec. 9 (5307) 80 / 20	Public transportation security projects	Fed	$12,660	$13,040	$13,431	$13,834	$52,965
					State	$0	$0	$0	$0	$0
					Local	$3,165	$3,260	$3,358	$3,458	$13,241
					Total	$15,825	$16,300	$16,789	$17,292	$66,206
5	Bismarck/ Mandan Area	Transit Planning	FTA Sec. 8 (5303) (5313) 80/20	Provide funding for the Transit Development Plan	Fed	$0	$0	$0	$0	$0
					State	$0	$0	$0	$0	$0
					Local	$0	$0	$0	$0	$0
					Total	$0	$0	$0	$0	$0
6	Bismarck/ Mandan Area	Capital Grant	FTA Section (5339) 85/15	Provide funding to replace, rehabilitate, and purchase buses and related equipment, including shop equipment, and construct bus related facilities	Fed	$398,516	$0	$410,471	$820,942	$1,629,929
					State	$0	$0	$0	$0	$0
					Local	$70,326	$0	$72,436	$144,872	$287,634
					Total	$468,842	$0	$482,907	$965,814	$1,917,563
7	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA Section (5339) 85/15	Provide funding to replace, rehabilitate, and purchase buses and related equipment, including shop equipment, and construct bus related facilities	Fed	$797,031.46	$0	$0	$0	$0
					State	$0	$0	$0	$0	$0
					Local	$140,652	$0	$0	$0	$0
					Total	$937,683	$0	$0	$0	$0
8	Bismarck/ Mandan Area	Capital Grant	FTA Section (5310) 80 / 20	Capital projects including vehicle purchases and mobility management for elderly and disabled	Fed	$208,014	$240,312	$21,642	$245,417	$715,385
					State	$0	$0	$0	$0	$0
					Local	$36,708	$42,902	$4,328	$43,833	$127,771
					Total	$244,722	$283,214	$25,970	$289,250	$843,156
9	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA Section (5310) 50 / 50	Operating assistance to the elderly and disabled	Fed	$115,760	$119,233	$122,810	$126,494	$484,297
					State	$0	$0	$0	$0	$0
					Local	$115,760	$119,233	$122,810	$126,494	$484,297
					Total	$231,520	$238,466	$245,620	$252,988	$968,593
10	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA CRSSA (5310) 100/0	Mobility Manager salary assistance	Fed	$25,500	$0	$0	$0	$0
					State	$0	$0	$0	$0	$0
					Local		$0	$0	$0	$0
					Total	$25,500	$0	$0	$0	$0
11	Bismarck/ Mandan Area	Discretionary Earmark Grant	FTA ARP 100/0	Operating assistance for elderly/disabled and fixed route service	Fed	$1,332,869	$0	$0	$0	$0
					State	$0	$0	$0	$0	$0
					Local	$0	$0	$0	$0	$0
					Total	$1,332,869	$0	$0	$0	$0

Based on the existing condition of the Bis-Man Transit fleet and facilities, and the programmed activities outlined in the 2022-2025 TIP, the Bis-Man MPO believes the investments fall within category A. of the three federally defined maintenance options:

A.) Sufficient to maintain the current SOGR condition for rolling stock,
B.) Insufficient to maintain current conditions, causing SOGR to worsen, or
C.) Sufficient to improve the SOGR for rolling stock.

Overview:
Bis-Man Transit has an active TAM plan and is currently meeting their TAM performance targets.

PROOF OF PUBLIC INVOLVEMENT

Public Meeting Notice

Consultation with Transportation and Planning Officials

Letters to local and regional planning officials and stakeholders (including State and local planned growth, economic development, environmental protection, airport operations and freight movement) were mailed in July of 2021 for the draft TIP with the intention to receive input on proposed TIP projects. In addition, a public meeting was advertised for the Draft TIP consistent with the requirements of the Bismarck-Mandan MPO Public Participation Plan. The Final TIP document considers and includes the responses received from the various agencies and the general public.

STATUS OF PROJECTS FOR 2020

Completion Analysis of 2020 Projects Associated with 2020-2023 TIP

In May 2021 the MPO analyzed the status of all projects programmed for completion in 2020.

Total 2020 Projects – 14
Total Projects added by amendment in 2020 – 2
- Total 2020 projects completed – 6
- Total 2020 projects that were started but not completed – 5
  - **This category includes projects bid or designed in 2020 but not constructed*
- Total 2020 projects that were postponed to a later date – 1
- Total 2020 projects that were cancelled – 2

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

P.O. Box 5503 • 221 North 5th Street
Bismarck, North Dakota 58506
Telephone 701 355 1840
TDD Dial 711
Fax 701 222 6450
Email mpo@bismarcknd.gov
Web www.bismarcknd.gov/MPO

May 18, 2021

Wayne Zacher
Local Government Division
NDDOT
608 E Boulevard Ave
Bismarck, ND 58505-0700

Dear Mr. Zacher:

The following is the 2020 Status Report of projects contained within the Bismarck-Mandan MPO 2020-2023 Transportation Improvement Program (TIP), as of the end of the 2020 Calendar year.

Mandan

Regionally Significant Projects

1. 16th Street NE – 8th Ave NE to Old Red Trail – Extension
    a. Project cancelled due to developer disinterest, no anticipated completion date

Urban Regional Program

1. Main Street – ND 6 to ND 1806 – Traffic signal upgrades
    a. Under contract, project to be constructed in 2021

Urban Grant Program

1. 1st Street NW and Connecting Avenues—5th Avenue to Collins Ave– Road reconstruction and pedestrian improvements
    a. Under contract, project to be constructed in 2021 (Amended September 2020)
    b. Project canceled due cost overages (Amended May 2021)

NDDOT

Bridge

1. Apple Creek Separation – 7 miles east of western junction of US 83 and I-94 – Structural replacement
    a. Project in progress, expected completion fall 2021

Urban Regional Program

1. ND 1806 – I-94 Ramps to 27th St NW - Reconstruction
    a. a. Project getting underway in 2021, expected completion in spring 2022
2. ND 810 – Expressway Bridge - Joint repair, structure paint, structure incidentals, lighting
    a. Bid in March 2021, expected completion in fall 2021
3. US Highway 83 N – Calgary to 57th Ave, northbound - Mill and overlay
    a. Project completed in 2020, finishing final records
4. US Highway 83 N – Calgary to 57th Ave, southbound – Mill and overlay
    a. Project completed in 2020, finishing final records

Rural

1. US Highway 83 – 57th Ave to Wilton, northbound – Mill and overlay, turn lanes
    a. Completed in 2020, finishing final records
2. US Highway 83 – 57th Ave to Wilton, southbound – Mill and overlay, turn lanes
    a. Completed in 2020, finishing final records

Interstate

1. I-94 – Exit 153/ Mandan Ave Interchange – Ramp revisions
    b. Bid in fall 2020, expected completion 2021

OTHER (Bismarck)

Regionally Significant Projects

1. Mill and Overlays
    a. Completed in 2020

OTHER (Bismarck Parks and Recreation District)

Transportation Alternatives

1. Bismarck Sunrise Trail Connection Project – Trail project
    a. Completed in 2020

OTHER (Lincoln Park District)

Recreational Trails Program

1. Lincoln Shared Use Path Project – Lincoln Road, between 52nd St NE and Benteen Dr – Trail project and lighting
    a. Awarded in winter 2020/2021, project to be constructed in 2021

Sincerely,

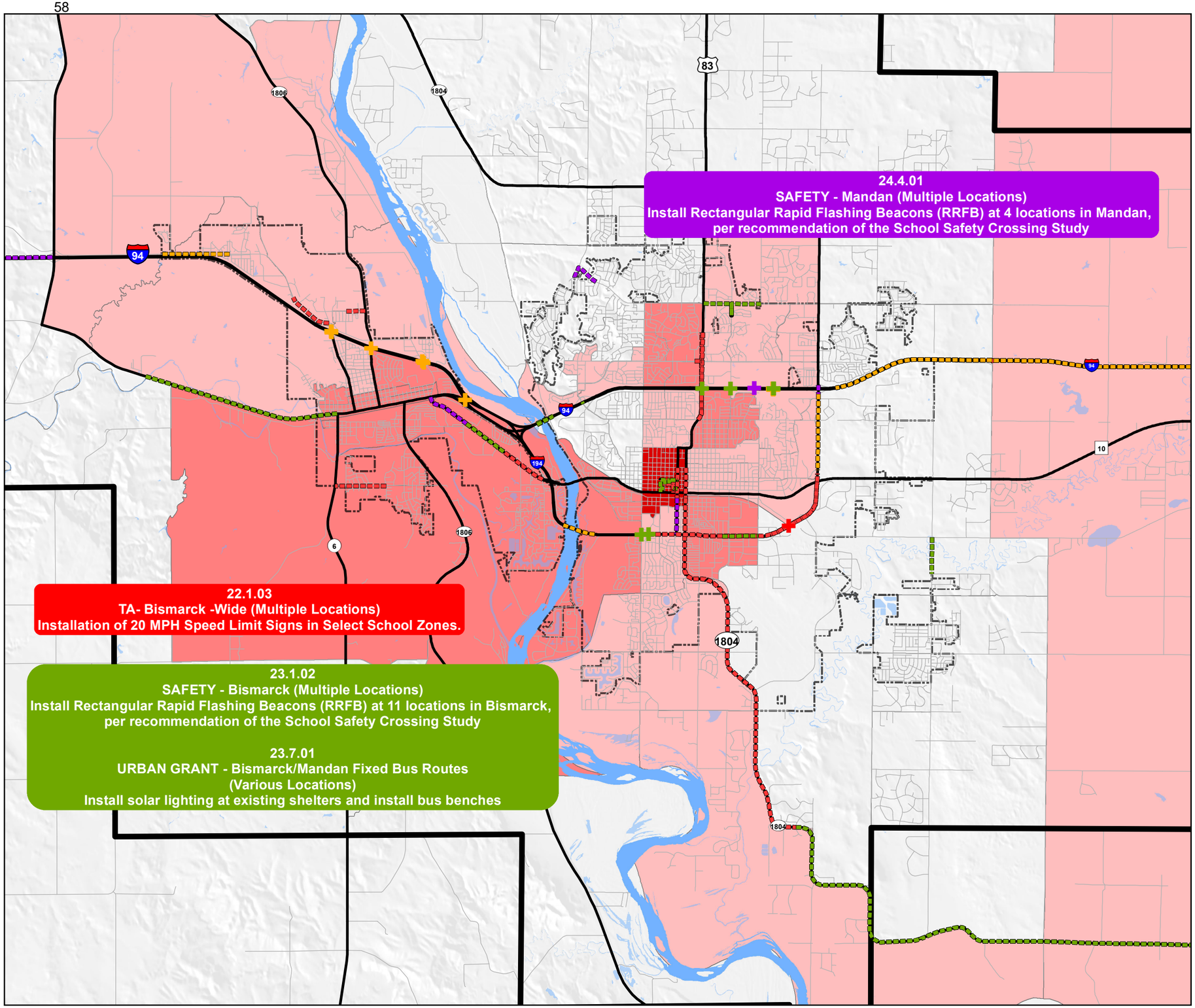
Rachel A. Drewlow

Rachel Drewlow
Bismarck-Mandan MPO Executive Director
Attch: 2020 Project List from the Bismarck-Mandan MPO 2020-2023 TIP and applicable Amendments.

PUBLIC COMMENTS ON 2022-2025 TIP

The Draft 2022-2025 TIP was released for public comment beginning July 29, 2020. Public comments regarding the Draft 2022-2025 TIP were received until 5 pm on August 13, 2021. All stakeholder comments related to the Draft TIP will be considered for incorporation into the Final 2022-2025 TIP.

APPENDIX



Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

2022-2025 TIP Projects with Concentration of Households in Poverty in the MPO Area

TIP POINTS

- 2022
- 2023
- 2024
- 2025

TIP LINES

- 2022
- 2023
- 2024
- 2025

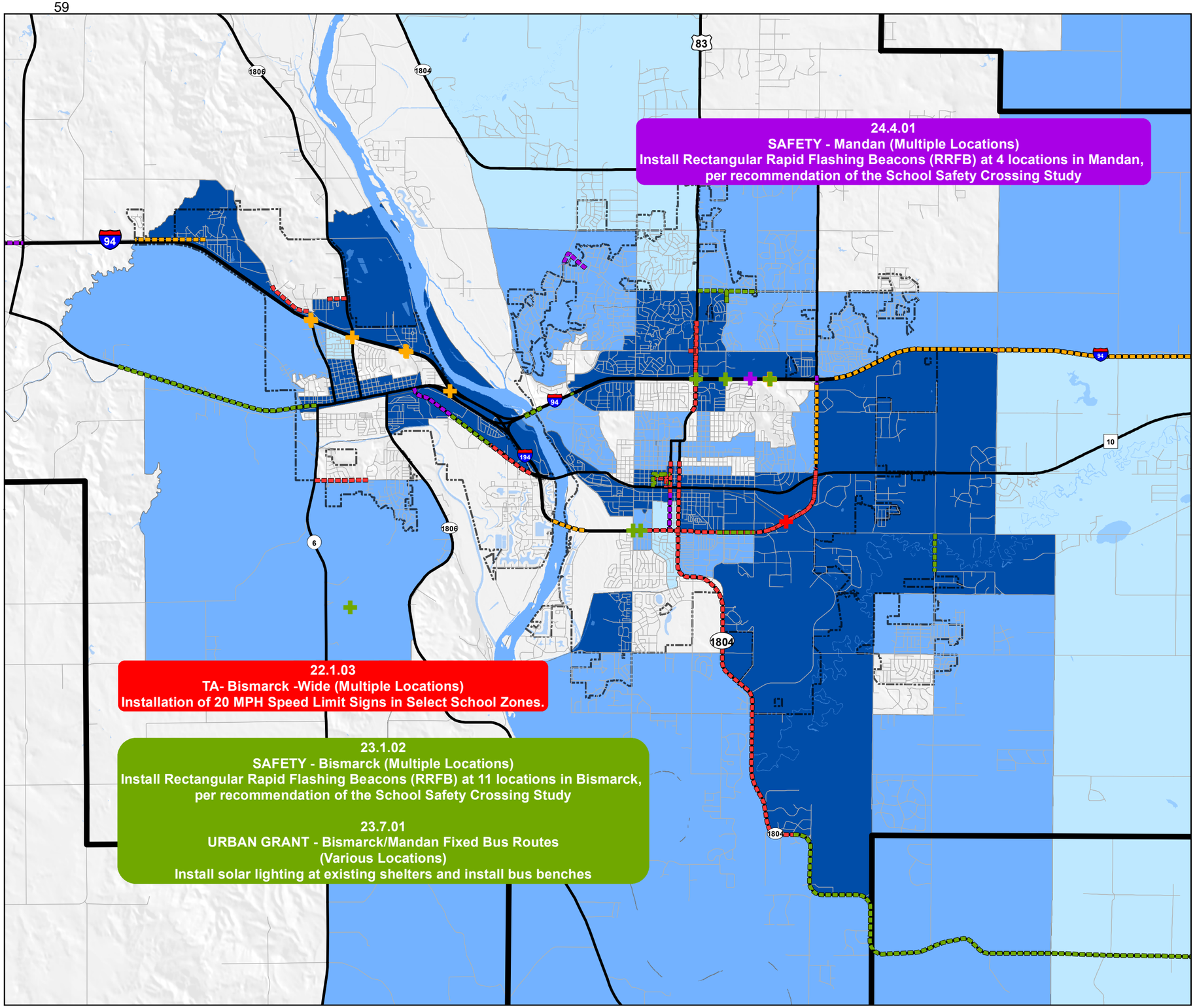
Population in Poverty

(Census Block)

- 0% - 5%
- 5% - 10%
- 10% - 15%
- 15% - 20%
- MPO Boundary
- Corporate Limits

Map created July 2021 by R.A.D. Based on data from the US Census Bureau 2012-2016 American Community Survey Geodatabase format, as well as the City of Bismarck, Morton County, and the MPO. Percent population obtained by considering US Census Bureau Tables B17017e1 and B17017e2.

X:\ArcMapProjects\MPO\TIP\2022 TIP



Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

2022-2025 TIP Projects with Concentration of Minority Population in the MPO Area

TIP POINTS

- 2022
- 2023
- 2024
- 2025

TIP LINEs

- 2022
- 2023
- 2024
- 2025

Minority Population

(Census Block)

- 0% - 3%
- 3.1% - 5%
- 5.1% - 10%
- 10% +
- MPO Boundary
- Corporate Limits

Map created July 2021 by R.A.D. Based on data from the US Census Bureau 2012-2016 American Community Survey Geodatabase format, as well as the City of Bismarck, Morton County, and the MPO. Percent population obtained by considering US Census Bureau Tables B17017e1 and B17017e2.

X:\ArcMapProjects\MPO\TIP\2022 TIP

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 1101(b) of the FAST Act (Pub. L. 114-357) 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

MPO Policy Board chair

Title

7-20-21

Date

North Dakota Department of Transportation

Paul M. Benning

Signature

Local Government Director

Title

7/26/2021

Date

Glossary of Pavement Treatment Types

Glossary of Common Flexible and Rigid Pavement Treatments

The following definitions were obtained from an excerpt of the "Pavement Preservation: Applied Asset Management" training manual offered by the National Center for Pavement Preservation (NCPP) Department of Civil and Environmental Engineering Michigan State University April 2012

FLEXIBLE PAVEMENTS

Asphalt Crack Sealing – Asphalt crack sealing is generally targeted to working cracks. It involves routing or sawing a reservoir, preparing the reservoir by abrasive blasting and thoroughly cleaning it with compressed air. Hot poured, rubberized asphalt sealants are most commonly used with or without backer rod material depending upon crack width/depth.

Asphalt Crack Filling – Asphalt crack filling is principally used for treating non-working cracks. It involves blowing the crack clean with dried, compressed air and filling it with specifically blended asphaltic material. Numerous crack fill configurations have been designed for different types of applications

Fog Seal – A fog seal is the light application of diluted asphalt emulsion to renew surfaces and seal small cracks and surface voids.

Sand Seal – A sand seal is the application of asphalt emulsion followed by a thin layer of sand to seal small cracks and protect pavements. The treatment is used to improve skid resistance and seal pavement surfaces on low volume roads.

Chip Seal – A chip seal is an application of asphalt emulsion followed by a thin layer of aggregate to protect the pavement from oxidation, prevent water infiltration, retard raveling, and restore skid coefficients. Chip seals may be applied in several applications – a single, double or triple course.

Slurry Seal – A slurry seal is a mixture of slow setting emulsified asphalt, well graded fine aggregate, mineral filler, and water. It is used to fill cracks in the pavement, restore a uniform surface texture, seal the surface against water and air intrusion, and to improve skid resistance.

Micro-Surfacing – Micro-Surfacing is a mixture of polymer-modified asphalt emulsion, mineral aggregate, mineral filler, water, and additives, properly proportioned, mixed, and spread on a paved surface.

A single course micro-surfacing applied to a pavement will retard oxidation and improve skid resistance. A multiple-course micro-surfacing application will correct certain pavement surface deficiencies including rutting, minor surface profile irregularities, polished aggregate or low skid resistance, and light to moderate raveling.

Hot Mix Asphalt (HMA) Overlay – These overlays are limited to 1-1/2 inch thickness (170 lbs/sq yd) of generally dense graded mixture. A HMA overlay will improve the ride quality and strengthen the existing pavement structure.

Surface Milling/Non-Structural HMA Overlay – Surface milling is the removal of an existing asphalt surface by the cold milling method followed by the placement of an asphalt overlay with a maximum thickness of 1-1/2 inch. This treatment, which is sometimes called "Mill" and "Fill", will correct several pavement deficiencies such as improving the existing cross section, matching curb and gutter grades, and improving the ride quality.

RIGID PAVEMENTS

Diamond Grinding – Diamond grinding is a process that uses a series of diamond-tipped saw blades mounted on a shaft or arbor to shave off the upper surface (about 0.25 inch) of a rigid pavement.

Diamond grinding is used to improve the surface longitudinal profile and crown of a concrete pavement. Diamond grinding benefits include improved rid equality, removal of joint and crack faults, removal of wheel ruts caused by studded tires, restoration of transverse drainage, and improvement of skid resistance

Concrete Crack Sealing – Concrete crack sealing is a first line of defense in pavement preservation and is intended to prevent or reduce the ingress of moisture and incompressible material into cracks, thereby slowing deterioration. (Crack sealing is not usually done on Continuous Reinforced Concrete Pavement (CRCP)).

The treatment involves sawing, cleaning and sealing of concrete pavement cracks that are longer than 3 feet and wider than 0.125 inch. For cracks wider than 0.4 inch, a backer rod must be used.

Concrete Joint Resealing – This treatment includes the removal of the existing deteriorated joint seals and resealing the transverse and longitudinal joints with preformed neoprene, silicon, or low-modulus hot-poured rubber.

Concrete pavement joints are sealed to prevent water and incompressible materials from entering the pavement structure, thereby slowing the rate of deterioration of the concrete pavement. The many aspects of the process are essentially the same as Concrete Crack Sealing.

Partial Depth Repair – Partial depth repair is used to improve the ride quality and assist in sealing the pavement surface by repairing localized areas of surface deterioration within the upper one-third of the slab depth. The concrete pavement should be in relatively good condition with only localized areas needing repair. This treatment involves substantial hand work at the top portion of the concrete slab.

Dowel Bar (Load Transfer) Retrofit – A dowel bar retrofit is the placement of dowel bars across faulted joints and/or cracks to re-establish load transfer between slabs.
The treatment restores effective load transfer at joints and cracks, significantly reduces the occurrence of severe faulting, and increases the structural capacity of the pavement.

The work consists of five operations: cutting the slots across the joint and/or crack, preparing the slots, placing the dowel bars, backfilling the slots, and opening the pavement to traffic.

Full Depth Concrete Pavement Repair – Full depth concrete pavement repair consists of the removal and replacement of the concrete pavement at the deteriorated joint or open crack. The repair may include the insertion of load transfer dowels, pavement reinforcement, and contraction and/or expansion joints with joint seals.

This treatment will restore pavement structural integrity and should (at least) maintain its existing ride quality. Secondary benefits include reducing the quantity of water entering the pavement structure and slowing the rate of distress.

FUNDING SOURCES

PROJECT PREFIX		
IM	=	Interstate Maintenance - State Project
NH	=	National Highway System - State Project
NHU	=	National Highway System - State Urban Project
AC	=	Advance Construction
SS	=	Non-National Highway System - State Rural Project
SU	=	Non-National Highway System - State or City Urban Project
CPU	=	Non-National Highway System - City Urban Project
STP	=	Transportation Improvement - Non-National Highway System - State Rural Project
STU	=	Transportation Improvement - Non-National Highway System State or City Urban Project
SC	=	Non-National Highway System - County Rural Project
BRI	=	Bridge Replacement - State Project - Interstate System
BRN	=	Bridge Replacement - State Project - National Highway System
U-BRN	=	Urban Bridge Replacement - State Project - National Highway System
BRS	=	Bridge Replacement - State Project - Non-National Highway System
BRU	=	Bridge Replacement - State or City Urban Project - Non-National Highway System
BRC	=	Bridge Replacement - County Project - Non-National Highway System
BRO	=	Bridge Replacement - County Off-System Project
HRR	=	High Risk Rural Roads - State Safety Project – Non-National Highway System
HEN	=	High Hazard Elimination - State Safety Project - National Highway System
SHE	=	High Hazard Elimination - "Small" State Safety Project - National Highway System
HES	=	High Hazard Elimination - State Safety Project - Non-National Highway System
HEU	=	High Hazard Elimination - State or City Urban Safety Project - Non-National Highway System
HEC	=	High Hazard Elimination - County Safety Project - Non-National Highway System - (County major collector)
HEO	=	High Hazard Elimination - County Off-System Safety Project
HLS	=	High Hazard Elimination - State Safety Project
HLU	=	High Hazard Elimination - Urban Safety Project
HLC	=	High Hazard Elimination - County Safety Project
RSN	=	Railroad Crossing Hazard Elimination - State Safety Project - National Highway System
RSS	=	Railroad Crossing Hazard Elimination - State Safety Project - Non-National Highway System
RSU	=	Railroad Crossing Hazard Elimination - State or City Urban Safety Project - Non-National Highway System
RSC	=	Railroad Crossing Hazard Elimination - County Safety Project - Non-National Highway System - (County major collector)
RSO	=	Railroad Crossing Hazard Elimination - County Off-System Safety Project
RPN	=	Railroad Crossing Protection Device - State Safety Project - National Highway System
RPS	=	Railroad Crossing Protection Device - State Safety Project - Non-National Highway System
RPU	=	Railroad Crossing Protection Device - State or City Urban Safety Project - Non-National Highway System
RPC	=	Railroad Crossing Protection Device - County Safety Project - Non-National Highway System - (County major collector)
RPO	=	Railroad Crossing Protection Device - County Off-System Safety Project
TAU	=	Transportation Alternatives - State or City Urban Project – National or Non-National Highway System
TAC	=	Transportation Alternatives - County Project - Non-National Highway System
TCAP	=	Transit - Section 5339 Bus & Bus Facilities
TE/D	=	Transit - Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities
TPL	=	Transit - Section 5303/4 Metropolitan and Statewide Planning
TRUR	=	Transit - Section 5311 Formula Grants for other than Urbanized Areas
TURB	=	Transit - Section 5307 Urbanized Area Formula Program
FHS	=	Forest Highway - State Project
FHC	=	Forest Highway - County Project
FHO	=	Forest Highway - County Off-System Project
SOIA	=	State Oil Infrastructure – Projects funded with special legislative funding for the 2013-2015 Biennium
SOIB	=	State Oil Infrastructure – Projects funded with special legislative funding for the 2015-2017 Biennium
TBD	=	Project Funding will be determined at a future date
ROM	=	Regraveling Project - U.S. Air Force Transporter-Erector System - (FHWA project designation = OM-AD)
SER	=	State Emergency Relief - State projects on any federal aid highway that uses funds from the Emergency Relief Program
SIB	=	State Infrastructure Bank - Projects funded using the State Infrastructure Bank program
UGP	=	Urban Grant Program - Projects funded using the Urban Grant Program
TRP	=	Transportation Research Innovation Projects – State projects using innovation

EXHIBIT B

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

TITLE VI AND NON-DISCRIMINATION / ADA PLAN

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Robert McConnell
Human Resources Department
221 North 5th Street, Bismarck, ND 58501

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

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

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

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

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

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

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

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

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

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

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_____
Signature

Chair, Bismarck-Mandan MPO Policy Board_____
Title

_____
Date

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);*
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

General Assurances

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

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

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

Specific Assurances

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

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

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

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funding source:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Bismarck-Mandan Metropolitan Planning Organization, Bismarck, Burleigh County, RECIPIENT
APPENDIX A OF THE TITLE VI ASSURANCES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

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

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

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

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

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

   a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.

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

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Bismarck-Mandan Metropolitan Planning Organization (MPO), Bismarck, Burleigh County
APPENDIX E OF THE TITLE VI ASSURANCES

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

Pertinent Non-Discrimination Authorities:

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

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BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION

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

GENDER			RACE							
F	M	NR	W	HL	AA	AI	AS	NH	TM	NR
2	1	1	3							1
50%	25%	25%	75%							25%

TECHNICAL ADVISORY COMMITTEE

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

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

POLICY BOARD

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

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

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

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A. MPO Executive Director

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

B. Transportation Planner

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

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

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

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

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

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

C. Transportation Specialist

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

D. ADA Coordinator and the ADA Program Access Plan

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

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services, programs, or activities of a public entity, or be subjected to discrimination by any public entity." 28 CFR §35.130(a).

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

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

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

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

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

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

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

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E. Title VI Coordinator

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

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

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

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

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

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

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

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

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

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

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

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

F. Technical Advisory Board (TAC)

The Technical Advisory Committee (TAC) of the Bismarck-Mandan MPO represents the member cities/counties, the North Dakota Department of Transportation, local freight interests, and the local transit authority. It is comprised primarily of planning and engineering staff members who are appointed by their affiliation with their respective agency or transportation related interest group. The TAC is comprised of one representative from each of the following agencies/interest group based on Bismarck-Mandan MPO Bylaws, 2015, and is subject to change as new individuals assume those positions within each agency/interest group:

- City of Lincoln
- Bismarck City Engineer
- Burleigh County Engineer
- Freight Representative
- Mandan City Engineer
- Morton County Planner
- Morton County Road Superintendent
- MPO Executive Director
- MPO Transportation Planner
- North Dakota Department of Transportation
- Transit Director

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

G. Policy Board

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

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

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

Introduction

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

Agencies Authorized to Receive Complaints

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

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

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

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

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

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

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

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

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Persons Eligible To File

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

Filing a Complaint

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

A written explanation of what has happened;

A way to contact the complainant;

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

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

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

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

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

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

BMMPO will consider every request for reasonable accommodation to provide:

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

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

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

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

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

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

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

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

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

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Limited English Proficiency Plan
BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION (MPO)

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

INTRODUCTION

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

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

Plan Summary

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

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

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

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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LANGUAGE ASSISTANCE

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

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

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

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

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

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

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

STAFF TRAINING

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

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

TRANSLATION OF DOCUMENTS

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

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

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

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

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

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

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MONITORING

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

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

DISSEMINATION OF THE BISMARCK-MANDAN MPO LEP PLAN

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

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

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Socio-Economic Information

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PROJECT YEAR 2021

ESTIMATED COST IN DOLLARS

LEAD AGENCY	REFERENCE NUMBER	PROJECT DESCRIPTION	FEDERAL	STATE	LOCAL	TOTAL	FEDERAL PROGRAM SOURCE	PCN	AMENDMENT/ MODIFICATION (Date)
BISMARCK	21.1.01	Safety - Bismarck (26th St & Interstate Ave) (Restriping/pavement markings)	$503,460	$0	$55,940	$559,400	HES	23058	Amendment escription change, PCN adde (JAN 2021)
BISMARCK	21.1.02	Safety - Bismarck (Century Ave & Washington St, Century Ave & 4th St) (Positive Left Turns)	$770,000	$0	$85,000	$855,000	HEU	22835	Modification Added PCN (JAN 2021)
BISMARCK	21.1.03	Safety - Bismarck (7 St & Ave D, 7th St & Ave E, 9th St & Ave D, and 9th St & Ave E) (Rapid Rectangular Flashing Beacon)	$300,000	$17,000	$17,000	$334,000	SHE	22836	Modification Changed FPS (JAN 2021)
BISMARCK	21.1.04	Urban Grants Project - Bismarck N 4th St (Main to Thayer), N 5th St (Main to Thayer), Broadway (N 4th St to N 6th St) (CPR[1], Curb & Gutter, Sidewalk, Pavement Marking, LED Lighting, Pedestrian Lighting, Signing, ADA Ramps, Landscaping)	$1,000,000	$0	$251,000	$1,251,000	UGP	22512	
BISMARCK	21.1.05	Regionally Significant Project (RSP) - Resurface & Reconstruct (Bismarck Wide) (Rehabilitation on Functionally Classified Roadways, Solely Local Funded)	$0	$0	$6,622,372	$6,622,372			
BISMARCK	21.1.06 ~~22.1.01~~	*Urban Roads - Bismarck 43rd Ave (Montreal St to State St) (Reconstruction and Widening)	$7,280,000	$0	$1,820,000	$9,100,000	NHU	22492	Amendment Moved from 2022 (APR 2021)
BURLEIGH	21.2.01	*Urban Roads - Burleigh County 43rd Ave (North 26th St to Roosevelt Dr) (Reconstruction and widening)	$4,200,000	$0	$1,050,000	$5,250,000	NHU-SU	22435	Modification Changed FPS (JAN 2021)
LINCOLN	21.3.01	Transportation Alternatives - SRTS - Lincoln (66th St & Dolan Dr, Lincoln Rd & McDougall Dr, South Side Dolan Dr - 66th St to Butler St, Lincoln Rd & Benteen St, Lincoln Rd - McDougall to 66th (X- Walks, New Sidewalks, Lighting along Shared Use Path)	$223,000	$0	$53,000	$276,000	TAU	22572	Modification Changed FPS (JAN 2021)
MANDAN	21.4.01	Transportation Alternatives - Mandan 19th St SE Trail Project (South Side of 19th SE, ND Highway 6 to Macedonia Av SE) (10' Wide Shared Use Path, 4,570' ft Long, Signed & Marked X-Walks, Rapid Rectangular Flashing Beacon)	$290,000	$0	$73,000	$363,000	TAU	22573	Modification Changed FPS (JAN 2021)
~~MANDAN~~	~~21.4.02~~	~~Urban Grants Project - Mandan~~ ~~1st St NW (5th Av NW to Collins Av), 2nd Av NW (Main to 2nd St NW),~~ ~~3rd Av NW (Main to 2nd St NW), 4th Av NW (Main to 2nd St NW),~~ ~~5th Av NW (1st St NW to 2nd St NW)~~ ~~(Reconstruction, Watermain, Sidewalk, ADA Ramps, LED Lighting,~~ ~~Signing, Striping, Parking, Beautification)~~	~~$2,428,000~~	~~$0~~	~~$2,272,000~~	~~$4,700,000~~	~~UGP~~	~~22551~~	Amendment Project Removed (MAY 2021)
MANDAN	21.4.03	Urban Regional - Mandan ND 1806 (.7 miles, Main St to Heart River Bridge) (Deck Overlay, Bridge Rail Retrofit, Approach Slabs, CPR[1], Signal)	$1,001,694	$112,262	$123,773	$1,237,729	NHU	22903	
MANDAN	21.4.04	^*Urban Roads - Mandan 27th Street (ND Highway 1806 to 8th Ave NW) (Reconstruction)	$1,052,090	$0	$947,910	$2,000,000	SU	22537	
NDDOT	21.6.02	Rural - I-94 (Mandan Ave Interchange, EB) (.3 miles PCC Pavement, Ramp Revisions)	$3,150,000	$350,000	$0	$3,500,000	IM	22182	
NDDOT	21.6.03	^[MPO]Rural - I-94, Westbound lanes (W Sweet Briar E to ND 25 Interchange) (10.2 miles CPR, Grinding, HBP on Ramps)	$1,190,000	$132,000	$0	$1,322,000	IM		
NDDOT	21.6.04	Safety - Mandan I-194 (South of I-94 to Memorial Highway, EB/WB) (.6 miles PCC, Concrete Median Barrier)	$2,128,000	$236,000	$0	$2,365,000	HEN	22440	Amendment Cost & FPS changed (JAN 2021)
NDDOT	21.6.05	Safety - Mandan ND 810 (Memorial Highway - McKenzie Dr, EB/WB) (Concrete Median Barrier)	$1,462,421	$81,246	$81,246	$1,624,913	HEN	22441	Modification Cost & FPS changed (FEB 2021)
NDDOT	21.6.06	Safety - I-94 Mandan (W of Sunset Dr - E of Mandan Av)[#] (High Tension Median Cable Guardrail)	$776,256	$86,251	$0	$862,507	HEN	22442	Modification Updated cost (JAN 21)
NDDOT	21.6.09	^Urban Regional - I-94B Bismarck/Mandan Memorial Bridge (.1 miles, Memorial Bridge) (Railing, Deck Sealing, Access)	$202,325	$22,675	$25,000 50% Bismarck 50% Mandan	$250,000	NHU	22902	Modification Updated shares (FEB 2021)
NDDOT	21.6.11	Urban Regional - ND 810 (Bismarck & Mandan) (Expressway Bridge) (Joint Repair, Structure Paint, Structure/Incidentals, Grinding)	$1,446,886	$162,155	$195,038 50% Bismarck 50% Mandan	$1,787,825	NHU	22863	Modification Costs updated (FEB 2021)
NDDOT	21.6.12	Urban Regional - Mandan ND 1806 (I-94 Ramps to 27th St NW) (1.5 miles Reconstruction)	$6,417,000	$719,000	$1,254,000	$8,390,000	NHU	22181	Modification Updated cost (JAN 2021)
NDDOT	21.6.13	^Urban Regional - Bismarck Expressway (BN & CP Railway Bridge, 2 miles south, 1 mile west of I-94 Exit 161) (Spall Repairs, Beam Repair, Joint Sealing)	$52,605	$5,895	$6,500	$65,000	UGP	22905	Modification Extents added (JAN 2021)
NDDOT	21.6.14 (JAN 2021)	Rural - I-94 Business Loop) (Between ND 25 and W Main St) (Chip Seal)	$272,952	$64,029	$0	$336,981	NHU	23038	Amendment New Project (JAN 2021)
NDDOT	21.6.15 (JAN 2021)	Weather Station - I-94 (West-bound I-94, costs only for work within MPO boundary) (Installing weather station called Environmental Sensor Station)	$44,673	$10,527	$0	$55,200	ITS	22936	Amendment New Project (JAN 2021)
NDDOT	21.6.14 (MAR 2021)	Rural - State Parks and Rec Signs (MPO-area wide) (Cost of Signs, Contract Bond, Mobilization)	$125,875	$16,301	$0	$142,176	SS	23169	Amendment New Project (MAR 2021)
NDDOT	21.6.15 ~~24.6.08~~ (MAY 2021)	Bridge - I-94 (5 miles east of US Highway 83, 80th St, EB) (Structure Replacement)	$4,670,773 ~~$3,600,000~~ ~~$3,543,000~~	$467,077 ~~$400,000~~ ~~$394,000~~	$0	$4,203,696 ~~$4,000,000~~ ~~$3,937,000~~	IM	21854	Modification cost updated (JUN 2021) Amended moved from 24 (MAY 2021)
NA	NA	Regionally Significant Projects Project Phase: 2021 Preliminary Engineering (PE)	$1,762,000	$216,000	$151,000	$2,129,000			Amendment New Project (MAR 2021)
NA	NA	Regionally Significant Projects Project Phase: 2021 Right of Way (ROW)	$2,082,000	$234,000	$258,000	$2,574,000			Amendment New Project (MAR 2021)
NA	NA	Regionally Significant Projects Project Phase: 2021 Utilities	$568,000	$64,000	$71,000	$703,000			Amendment New Project (MAR 2021)

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

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

CPR[1] = Concrete Pavement Repair

HBP[2] = Hot Bituminous Pavement

 # Approximately 0.4 miles west of Sunset Dr & 0.4miles east of Mandan Av

^Pending Availability of Federal Funds

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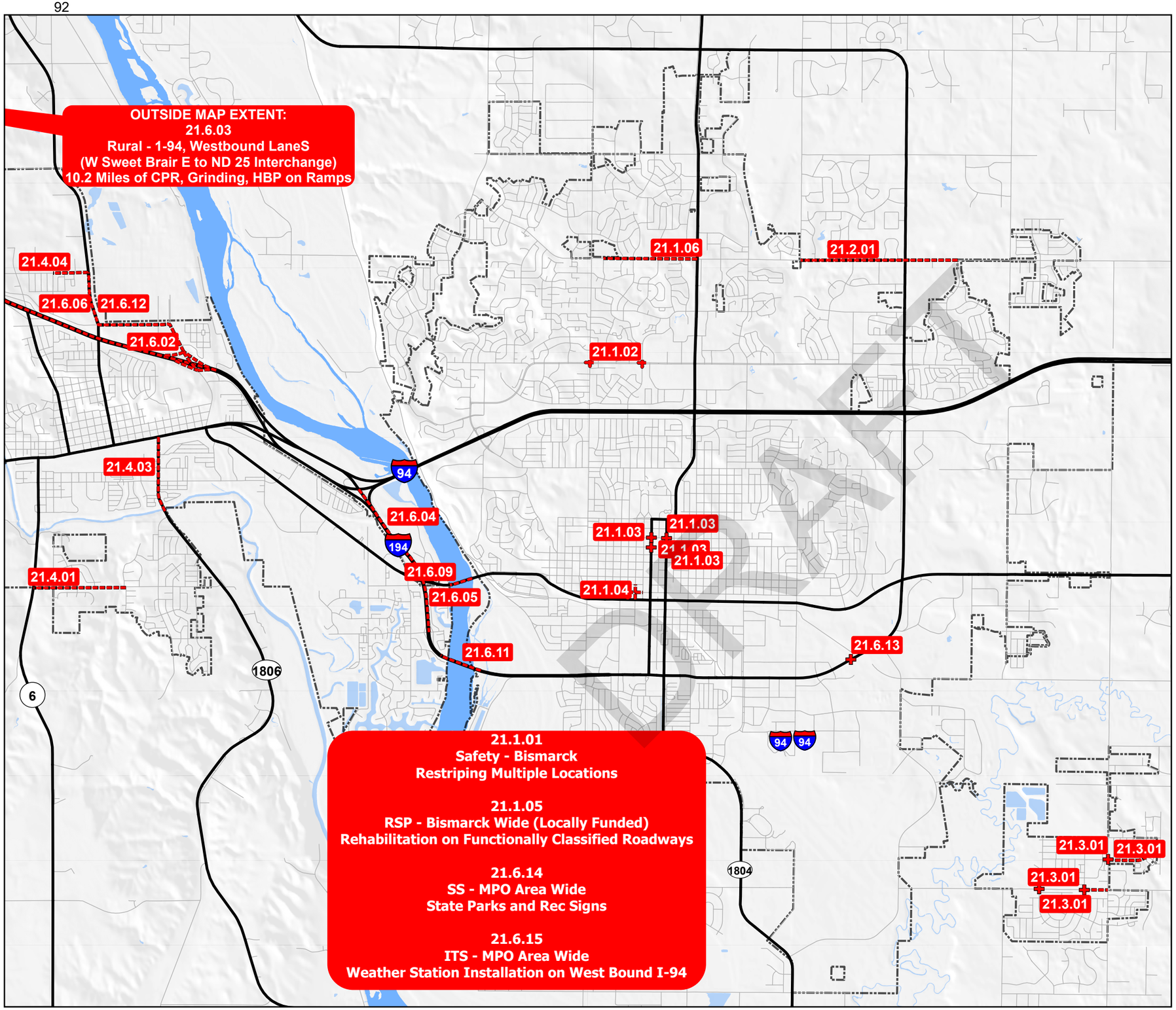

Bismarck-Mandan
Metropolitan Planning Organization

2021-2024 Transportation Improvement Program (Year 2021)

- 2021 TIP Points
- 2021 TIP Lines
- MPO Boundary
- Corporate Limits

N
W E
S

0 0.42 0.85 1.7 2.55 Miles

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

Map created by RAD July 2021 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
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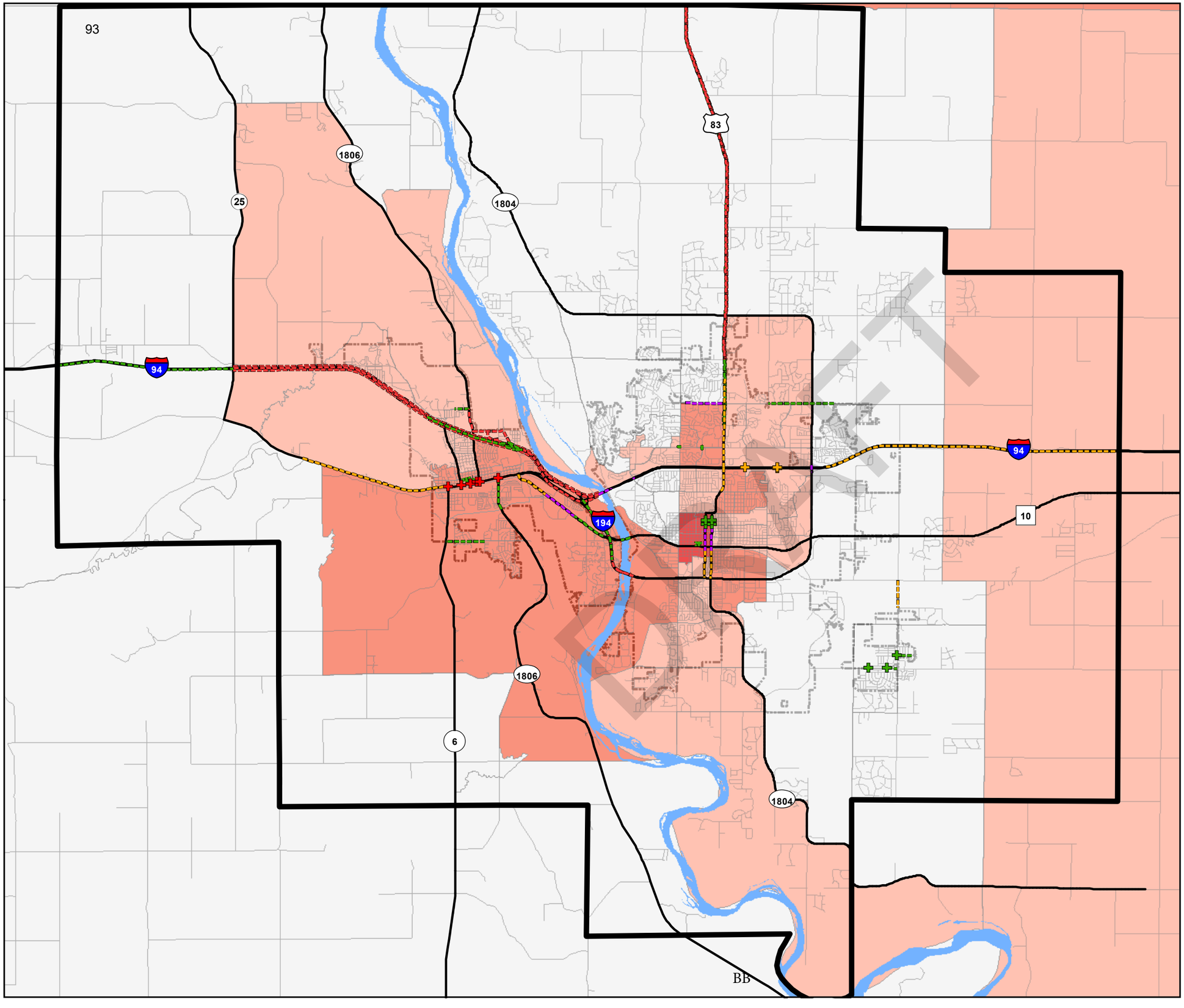
Bismarck·Mandan
METROPOLITAN PLANNING ORGANIZATION

Percent of Households in Poverty in the MPO Area



Population in Poverty

(Census Tracts)

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

TIP Points

YEAR

- 2020
- 2021
- 2023

TIP Lines

2020-2023 TIP Projects

- 2020
- 2021
- 2022
- 2023
- Streets
- Corporate Limits
- MPO Boundary

Map created September 2019 by D.A.N. Based on data from the US Census Bureau 2012-2016 American Community Survey Geodatabase format, as well as the City of Bismarck, Morton County, and the MPO. Percent population obtained by considering US Census Bureau Tables B17017e1 and B17017e2.

X:\ArcMapProjects\MPO\Census Maps\Minority Population

Bismarck·Mandan
METROPOLITAN PLANNING ORGANIZATION

Percent Minority Population in the MPO Area

Minority Population

(Census Tracts)

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

TIP Points

YEAR

- 2020
- 2021
- 2023

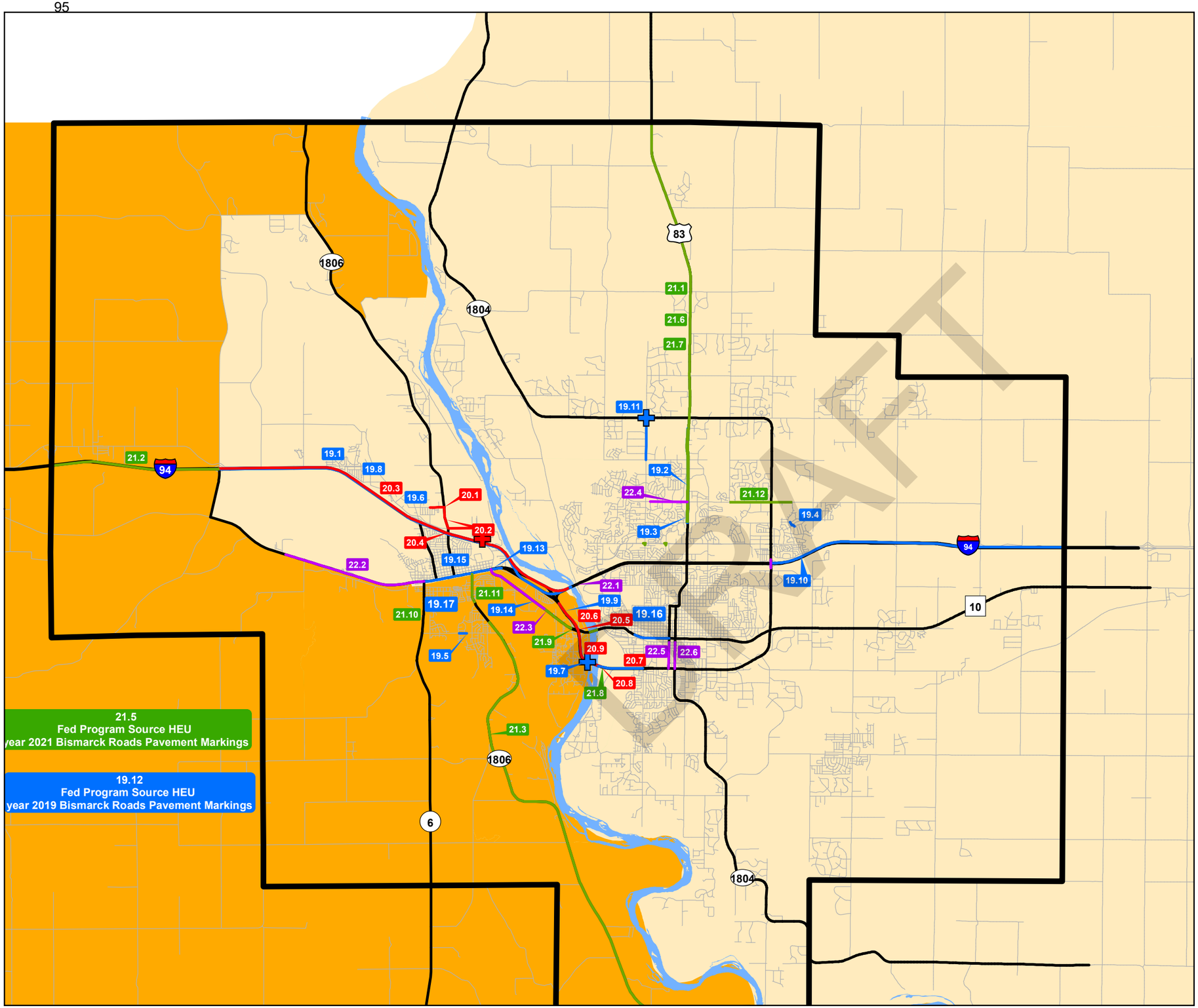
TIP Lines

2020-2023 TIP Projects

- 2020
- 2021
- 2022
- 2023
- Streets
- Corporate Limits
- MPO Boundary

Map created September 2019 by D.A.N. Based on data from the US Census Bureau 2012-2016 American Community Survey Geodatabase format, as well as the City of Bismarck, Morton County, and the MPO. Percent population obtained by considering US Census Bureau Tables B17017e1 and B17017e2.

X:\ArcMapProjects\MPO\Census Maps\Minority Population



Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

2019-2022 Transportation Improvement Program

Ability to Speak English Less than "Very Well" in the Bismarck-Mandan MPO Area 2010-2014

MPO Boundary

2019-2022 TIP Projects

- 2019
- 2020
- 2021
- 2022

Percent Speak English Less Than Very Well
(By Census Tract)

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

N
W E
S

Miles
0 0.5 1 2 3 4

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

Map created by WRH June 2019 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.

*Defined by 2010-2014 US Census Bureau American Community Survey Table B16001

W:\MPO\Title VI\Maps\2017-2020TIP_Language_LowEnglishProficiency_June2019.mxd

Bismarck-Mandan Metropolitan Planning Organization, Bismarck, Burleigh County, RECIPIENT
APPENDIX A OF THE TITLE VI ASSURANCES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

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

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

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

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

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

   a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.

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

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Bismarck-Mandan Metropolitan Planning Organization (MPO), Bismarck, Burleigh County
APPENDIX E OF THE TITLE VI ASSURANCES

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

Pertinent Non-Discrimination Authorities:

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

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REQUEST FOR REASONABLE ACCOMMODATIONS

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

Date	

Name	Telephone Number

Street/Mailing Address	City	State	ZIP Code

Preferred Method of Contact ☐Day Phone ☐Email ☐USPS	Email Address

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

Date of Event	and/or	Date Needed	Location of Event

PART II: LIMITED ENGLISH PROFICIENCY (LEP)

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

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

Name of Documents

PART III: AMERICANS WITH DISABILITIES ACT (ADA)

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

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

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

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

Name of Documents

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

DRAFT

Instructions for Reasonable Request for Accommodations Form:

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

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

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

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

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

REQUESTS MUST BE MADE AS SOON AS POSSIBLE.

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

Converting printed material may take several weeks.

PART I
Complete all information in this section.

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

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

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EXTERNAL COMPLAINTS OF DISCRIMINATION

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

SFN 51795 (11-2020)

COMPLAINANT INFORMATION (Complete all items below.)

Name		Telephone Number	
Address	City	State	ZIP Code
Email Address			

CAUSE OF DISCRIMINATION (Check all that apply.)

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

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

WE CANNOT ACCEPT YOUR COMPLAINT WITHOUT A SIGNATURE AND DATE.

Complainant's Signature	Date

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

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

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

FHWA JURISDICTION (Roads and Bridges)

Title VI Complaints will be forwarded to the Division Office.

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

ADA Complaints will be forwarded to the FHWA Division Office.

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

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

FTA JURISDICTION (Public Transit)

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

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

NDDOT may investigate complaints against its sub recipients as follows:

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

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

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

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

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

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COMPLAINANT CONSENT/RELEASE
(EXTERNAL COMPLAINTS OF DISCRIMINATION)

Bismarck·Mandan
METROPOLITAN PLANNING ORGANIZATION

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

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

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

CONSENT/RELEASE

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

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

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

Signature	Date

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Sub Recipient
NOTICE OF COMPLAINANT/INTERVIEWEE RIGHTS AND PRIVILEGES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Instructions for Title VI Complaint Process Form:

General

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

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

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

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

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

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Part I
Complete all information in this section.

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

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

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

Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

Reporting Year

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

Name		Telephone Number
Mailing Address		Email Address
City	State	ZIP Code

PART II - STATUS OF COMPLAINANT

Check appropriate box[es]

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

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

X

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

Name		Telephone Number
Mailing Address		Email Address
City	State	ZIP Code

PART II - STATUS OF COMPLAINANT

Check appropriate box[es]

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

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

Add Another Section

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

DRAFT

IF YOU NEED AN INTERPRETER

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

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

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2004 Census Test

United States Census 2010

LANGUAGE IDENTIFICATION FLASHCARD

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

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

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

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Auxiliary Aids and Services

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Available Sources

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

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

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

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

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

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

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

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

Contact: Richard Miller, CTS LanguageLink , WSCA Account Executive, 911 Main St, Suite 10, Vancouver, WA 98660; 1-800-208-2620; email: richard.miller@ctslanguagelink.com ; website: **www.ctslanguagelink.com**

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

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

Contact: Judie Lee, Executive Director, Program Director, IPAT, 3240 15th St. South, Suite B, Fargo, ND 58104; (701) 365-4728; toll free 1-800-895-4728; email: jlee@ndipat.org website: www.ndipat.org

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

Contact: Leonor Sillers via email: Leonor.Sillers@gmail.com no website

Metro Interpreter Resource Center (MIRC)
The Metro Interpreter Resource Center (MIRC) is located in and serves the Fargo area. They work with local city and county government. MIRC provides access to an Oral Interpreter List for an annual fee for nonprofits and for profit businesses.

Interpreter and translation service information including service area, hours of service, rates, etc., can be obtained by contacting MIRC.

Contact: Hatidza Asovic, Coordinator, MIRC, 3350 35th Ave SW, Fargo, ND 58104; (701) 241-8594; email: hasovic@cityoffargo.com website: www.rrrmirc.com

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

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Contact: Mark Kueffler, President, NDAB, West Fargo, ND 58078; (701) 866-9908; website: www.ndab.org or Kathy Larson, Promoter Editor, klarson@dia.net 15225 59th St. NW, Williston, ND 58801-9560; (701) 875-4291.

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

Contact: Communications Department, Lake Region State College, 1401 College Drive N, Devils Lake, ND 58301; (800) 877-2980; website: www.nd.gov/ndsd
Web link for Interpreters List: www.nd.gov/ndsd/outreach/doc/freelance-interpreters-2011.pdf

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

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

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

Contact: Roxy Ennen, Relay ND Administrator, Telecommunications Analyst, ITD, 4201 Normandy Street, Bismarck, ND 58503; (701) 328-2300; email: rennen@nd.gov
Website: www.relaynorthdakota.com

INTERNET RESOURCES

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

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

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

United State Census Bureau, at the Census Bureau Web Site provides on-line access to Data on Race and Hispanic Origin, Age, Employment, Income, Marital Status, Education, Genealogy, Businesses, Governments and more. It is located at www.census.gov Put your mouse on Data and select American Fact Finder where you can locate detailed data sets. There is a Help tab available on the Fact Finder ribbon.

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

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

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

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

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Notice of Disclaimer

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

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

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Bismarck-Mandan
METROPOLITAN PLANNING ORGANIZATION

PLEASE USE DARK INK AND PRINT CLEARLY

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

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

Sex: ☐ Female ☐ Male

Disability: ☐ Yes ☐ No

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

Race:

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

Language most frequently spoken in your home:

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

Do you receive public assistance? ☐ Yes ☐ No

Indicate how you heard about the event:

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

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For Office Use

Event Date ☐☐ ☐☐ ☐☐☐☐

City ☐☐☐

County ☐☐

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

Div/Dist Number ☐☐

PCN ☐☐☐☐☐

ROW
☐ Negotiation
☐ Relocation

Consultant ☐☐☐☐

Subrecipient
☐ Yes
☐ No

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

Sub Recipient Title VI Public Participation Survey

Instructions

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

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

2. Process the survey information within your agency.

NDDOT Survey Processing

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

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

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

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

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

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GOALS AND ACCOMPLISHMENTS

FY2014 Goals and Accomplishments

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

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

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

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

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

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

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GOALS AND ACCOMPLISHMENTS

FY2015 Goals and Accomplishments

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

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

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

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

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

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GOALS AND ACCOMPLISHMENTS

FY2016 Goals and Accomplishments

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

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

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

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

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GOALS AND ACCOMPLISHMENTS

FY2017 Goals and Accomplishments

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

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

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

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

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

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GOALS AND ACCOMPLISHMENTS

FY2018 Goals and Accomplishments

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

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

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

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

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

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GOALS AND ACCOMPLISHMENTS

FY2019 Goals and Accomplishments

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

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

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

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

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

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GOALS AND ACCOMPLISHMENTS

FY2020 Goals and Accomplishments

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

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

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

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

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

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GOALS AND ACCOMPLISHMENTS

FY2021 Goals and Accomplishments

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

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

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

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

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

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EXHIBIT C

NORTH Dakota | Transportation

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FY2022 - Section 5310 – Enhanced Mobility of Seniors & Individuals with Disabilities – Mid-Year Application		
Agency Name	**Bis-Man Transit**	
Agency Contact	**Deidre Hughes**	Phone: 701.258.6817
DUNS #	**83-441-0987**	

Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Program goal is to ***improve mobility for older adults and individuals with disabilities throughout the country.*** 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 in order 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:

- This application for funding will use FTA annual apportionment Section 5310 funds, Coronavirus Response and Relief Supplemental Apportionments Act (CRRSAA) for 2021 and American Rescue Plan (ARP) Act of 2021 funds.
- CRRSAA and ARP for operating and mobility manager projects is 100% federal funds with no match required. Funding these operating and mobility manager projects is the top priority for these funds. ADA vehicles may not be funded at 100%.
- 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.
- Public transportation: the term 'public transportation' means regular, continuing shared–ride surface transportation services that are open to the general public or are open to a segment of the general public defined by age, disability, or low income; and does not include: intercity bus service; charter bus service; school bus service; sightseeing service; courtesy shuttle service for patrons of one or

more specific establishments; or intra-terminal or intra-facility shuttle service.

- 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.
- All applications are due **August 26, 2021, 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, jsmall@nd.gov or conelson@nd.gov.

General Information

1. Provide a detailed description of the transportation services your agency currently provides for seniors and disabled individuals, 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. We remain focused on transitioning current demand response riders to our fixed route service, as well as gaining new fixed route ridership with a fixed route redesign. A complete route restructure will help bolster fixed route ridership and make for a more usable system for Bismarck and Mandan by shifting routes to low-income residential locations. The most recent route re-design went into effect 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 9 vehicles in the fixed route fleet are ADA accessible with service being 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 who are certified to utilize our demand response services or those over the age of 65 are able to 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 2019, 102,538 unlinked passenger trips were provided on fixed route. In 2020, 55,445 unlinked passenger trips were provided on fixed route. The significant decline can be attributed to the COVID-19 pandemic.

Paratransit/demand response service is provided to individuals with disabilities and seniors over the age of 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 5:30am – 12:00am, Monday through Saturday and 7:30am - 2:30pm on Sunday. In 2019, 108,609 unlinked passenger trips were provided on paratransit. In 2020, 71,635 unlinked passenger trips were provided on paratransit. The significant decline can be attributed to the COVID-19 pandemic.

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 BlackCat Resources.

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

Page 57 of the current Transit Development Plan also describes the possibility of eliminating this evening service if enough funds are not able to be obtained to keep the system running under its current design.

The mobility manager 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; however, is necessary to continue providing service.

3. What percentage of change in ridership has your agency experienced in the SFY2021 reporting period? Provide a brief explanation of the reason for the change in ridership.

☐ Increase

☒ Decrease 22% decrease in total ridership from SFY2020 to SFY2021 due to the COVID-19 pandemic.

4. List all existing public transportation providers operating in your service area. ***See definition of public transportation under the Notes on Page 1 of this application.***

N/A

5. Are you the lead transit provider in your area? If not, what is 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 disabled individuals. 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 require public transportation to take them to medical appointments, employment, recreation and other destinations. The need for these trips extends into the evening hours. From 7:00 PM to 12:00 AM Monday thru Saturday, we transport approximately 6,500 on an annual basis which demonstrates that rides are needed in the community. From 7:30 AM to 2:30 PM on Sundays, we transport approximately 4,000 passengers on an annual basis.

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

☒ **Yes** Public transportation is promoted within the community through the use of social media, company website, participation in public school and college orientation days and community fairs, as well as various business partnerships. With the decrease in public parking available in the downtown Bismarck area, public transportation will play a major role in providing access to this area for individuals within the community.

☐ **No**

Ridership and Fleet Information

***Report actual ridership numbers, miles and hours for SFY2020 & 2021.**

***Enter current fleet information below.**

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

	SFY2020 - Ridership and Fleet Information	SFY2021- Ridership and Fleet Information
Number of Annual Ridership (Trips) Provided	166,716	129,516
Number of Annual Revenue Hours	51,701.90	49,158.35
Number of Annual Revenue Miles	754,324.68	729,583.35
Number of Vehicles in Fleet	30	30

10. 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 to BlackCat Resources prior to submission of this application.

8. When was your Coordinated Public Transit Human Services Transportation Plan approved by the NDDOT Transit Section? Has it been uploaded into BlackCat Resources? Since submitting your plan describe any additional efforts made to coordinate service.

The Coordinated Public Human Services Plan was approved on May 1, 2017 and has been uploaded into BlackCat. Since the creation of the plan we have developed a Transit Development plan which included public input and discussions with human service providers. The Community Transportation Advocacy Group has been meeting quarterly since June of 2018. Meetings were temporarily suspended due to COVID-19. At this time, the Community Transportation Advocacy Group has been disbanded and replaced with the Community Transportation Input Committee, which meets monthly to discuss Board Agenda items that pertain to rider policies and community outreach. This committee contains a number of riders and rider advocates from within the community as well as three Board members.

At this time, Bis-Man Transit staff is beginning the process to update the Coordinated Public Human Service Plan with anticipated finalization in late 2021.

9. 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. Through the recent route changes, many of these agencies were contacted for input. The current routes provide better access and coverage than in the past.

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

☒ **Yes**

☐ **No**

11. 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.

Discussion of the need for evening and weekend services is on page 8 of the Human Service Coordination Plan.

Non-Vehicle Project Request

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

12. 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 employing a marketing professional to focus communication efforts on the transportation options available to the community, training potential riders and agencies on the various services available, and process the eligibility paperwork that is required for paratransit services.

13. If this is a request for Mobility Manager funding, a current job description, including goals and achievements from the previous year, must be attached. Have you attached these documents to this application?

☒ **Yes**

☐ **No**

14. Total cost of this project.

Total Cost (include federal and local amounts): $25,500
Federal Funds Requested: $25,500
Local Match Amount: N/A
Source(s) of Local Match: N/A

Vehicle Project Request

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

Year:
Make/Model:
Seating Capacity:
Lift/Ramp: ☐ Yes ☐ No
Gas/Diesel/Other:

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?
a. Vehicle Information Number (VIN):
b. Vehicle Year:
c. Make/Model:
d. Current Mileage:
e. Vehicle In Service Date:
f. 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?
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.***
Request For Proposal (RFP)/Invitation For Bid (IFB) Issue Date:
Contract Award Date:
Initial Vehicle Delivery Date:
Final Vehicle Deliver Date:
Contract Completion:
Final Payment Submitted to DOT:
22. Amount requested for vehicle (include the base price plus all options with this request):
Total Vehicle Cost (include federal and local amounts): Federal Funds Requested: Local Match Amount: Source(s) of Local Match:

Non-Vehicle Project Request
There is space provided below to request a project. NOTE: This request MUST first be created as a

project in the Black Cat System. If applying for more than project, please attach additional sheets and create a separate project for each request.
16. 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 night time services for those passengers who are elderly and disabled. With funding on the decline, it is increasingly difficult to maintain demand response services for the special need's community outside of the required ADA times.
17. If this is a request for Mobility Manager funding, a current job description, including goals and achievements from the previous year, must be attached. Have you attached these documents to this application?
☐ **Yes** ☒ **No**
18. Total cost of this project.
Total Cost (include federal and local amounts): $142,212 Federal Funds Requested: $142,212 Local Match Amount: N/A Source(s) of Local Match: N/A

Non-Vehicle Project Request
There is space provided below to request a project. NOTE: This request MUST first be created as a project in the Black Cat System. If applying for more than project, please attach additional sheets and create a separate project for each request.
16. 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 Sunday services for those passengers who are elderly and disabled. With funding sources on the decline, it is increasingly difficult to maintain demand response services for the special need's community outside the required ADA times.
17. If this is a request for Mobility Manager funding, a current job description, including goals and achievements from the previous year, must be attached. Have you attached these documents to this application?
☐ **Yes** ☒ **No**
18. Total cost of this project.
Total Cost (include federal and local amounts): $89,308

Federal Funds Requested: $89,308 Local Match Amount: N/A Source(s) of Local Match: N/A

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		Expected Delivery time (in months)
15 Passenger or 12 + 2 Passenger Cutaway/Bus NDDOT Term Contract No. 300	Base Price - $64,700 - $88,000	6 - 9
ADA Transit Vehicle NDDOT Term Contract No. 301 & 301B	Base price - $45,000 – $56,000	3 - 6
Frontrunner – Low Floor Vehicle – New England Wheels NDDOT Term Contract No. 381	Base Price - $109,500 – $111,000	6 - 9
ADA Low Floor Mini Van NDDOT Term Contract No. 382	Base Price - $45,818	1 - 4
Low-Floor Paratransit Ramp Buses NDDOT Term Contract No. 383	Base Price - $96,720 - $110,000	6 - 9
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	

Equipment & Miscellaneous Capital Projects

Fill in the requested information below regarding your Equipment and Miscellaneous Capital Project(s). These projects must directly relate to your transportation program. Any equipment purchased with these funds must be required for, and used for, public transportation.

NOTE: This request MUST first be created as a project in the Black Cat System. If applying for more than project, please attach additional sheets and create a separate project for each.

23. Describe your proposed project(s) in detail (detail MUST include: type, quantity, cost, purpose of equipment being requested).
Type: Quantity: Purpose:
24. How does this project enhance your transportation program?
25. Have you completed an Independent Cost Estimate document to show that the price is fair and reasonable? Provide this documentation.
☐ Yes ☐ No (Applicant must provide an explanation)
26. Is an ITS Project/Architecture Checklist required for this project? Review (23 CFR 940.13), see SFN 60212 located in the BlackCat Global Resources.
☐ Yes ☐ No (Applicant must provide an explanation)
27. Has the NDDOT ITS Project/Architecture Checklist been completed and submitted with this application for review?
☐ Yes ☐ No (Applicant must provide an explanation)
28. Provide an estimated timeline for the purchase of this equipment. Provide a separate timeline if you are applying for different types of equipment. ***See sample timeline below, add or remove lines as needed.***
Request For Proposal (RFP)/Invitation For Bid (IFB) Issue Date:
Contract Award Date:
Deliver/Installation Date:
Contract Completion:
Final Payment Submitted to DOT:
29. Total cost for the project?
Total Cost (include federal and local amounts): Federal Funds Requested: Local Match Amount: Source(s) of Local Match:

Travel & Training

30. List the training the Director attended in the past year. Included dates and conference/training name, including the DOT meetings.

Total amount reimbursed for travel in FY2021:
31. Provide the conferences and meetings you will be requesting to attend this year and include an estimated RTAP Travel Budget to be requested.
Total estimated travel budget for FY2022:

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 project (Vehicle, Facility Rehabilitation & Construction, and/or Equipment/Miscellaneous Capital).

Local match listed here cannot be already targeted as match for a FY2022 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.

This project ranking should match your prioritization in BlackCat.

Ranking	Project	Federal Cost of Project	Local Match Needed	Sources of Local Match*
1	Mobility Manager	$25,500	0	0
2	After Hours Demand Response Service	$142,212	0	0
3	Sunday Demand Response Service	$89,308	0	0
4				
5				

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. Please upload the required documents in your agency's account in the BlackCat Transit Data Management System (BlackCat).

	Section 5310 Applicants must submit the following (check box when complete):
X	Completed 5310 Application;
X	Completed the FY2021 FTA Certifications and Assurances in BlackCat, (only complete once per year);
X	Document(s) identifying sources of local match funds – Signed letters from source(s) of local match that include the dollar amount committed, State Aid Contract or award letter showing dollar amounts, mill levy, city funds, etc.;
NA	Update vehicle information, mileage and condition in BlackCat Inventory;
X	Update Transit Board Members information in BlackCat;
X	Certify and upload a current Authorizing Resolution form;
X	Upload your annual registration from the System for Award Management (SAM.gov);
NA	Complete and include the NDDOT ITS Project Architecture Checklist Systems Engineering Compliance (SFN 60212), (if applicable);
X	The following documents MUST be current and uploaded into BlackCat Resources: Coordinated Human Services Plan, 3-5 Year Plan, Title VI Plan, Drug & Alcohol Plan, and TAM Plan.

I hereby certify that as a person authorized to sign for

Bis-Man Transit

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.

Deidra Hughes

Signature of Authorized Representative

7/27/2021

Date

EXHIBIT D

Prepared by the North Dakota Department of Transportation
Programming Division, Traffic Operations Section, June 2021
Sorted By Rank

2018-2020 Urban High Crash Locations

23 USC § 409 Documents
NDDOT Reserves All Objections

City	Location	Crash Severity					Total By Year	Total Crashes	Weighted Total	Rank 2018-2020	Prior Rank	Trends	Related Studies / Projects
		Fatal	InjA	InjB	InjC	PDO							
Fargo	13th Ave S & 45th St	0	4	12	5	55	2018 = 35 2019 = 29 2020 = 12	76	534	**1**	2	44% of crashes occurred during non-dry conditions.	---
Bismarck	Bismarck Expwy & 3rd St	0	2	4	22	49	2018 = 23 2019 = 32 2020 = 22	77	469	**2**	15	There were 36 WB rear end crashes, with 12 of 36 during the 5pm hour.	In 2018 PCN 21817 installed law enforcement confirmation lights. In 2019 additional traffic used this road while I-94 was reduced to 1 lane. In December 2020 coordination timings were revised.
Grand Forks	32nd Ave S & 31st St	0	2	10	12	42	2018 = 20 2019 = 24 2020 = 22	66	454	**3**	5	There were 38 E/W left turn crashes (21 WB to SB, 17 EB to NB).	In 2021 PCN 21884 will re-align the negative offset left turn lanes and install FYA left turn heads.
Grand Forks	Washington St & Demers Ave	1	0	8	8	62	2018 = 37 2019 = 24 2020 = 18	79	386	**4**	6	There were 20 N/S left turn crashes (11 SB to EB, 9 NB to WB). The fatal crash involved a NB vehicle travelling "at least 50mph" in the SB lane and hit the traffic signal pole.	In 2022 PCN 22167 plans to reconstruct the railroad bridge just north of this intersection. In 2021 a road safety review is planned.
Bismarck	State St & Century Ave	0	1	5	13	89	2018 = 36 2019 = 42 2020 = 30	108	372	**5**	3	There were 65 rear end crashes, no predominant direction or time-of-day. There were 7 WB to SB left turn crashes.	In 2018 PCN 21817 installed law enforcement confirmation lights. In January 2020 traffic signal timings were revised. PCN 20097/20098 is a planned safety project for 2023.
Fargo	45th St & 23rd Ave S	0	1	8	13	36	2018 = 23 2019 = 21 2020 = 14	58	370	**6**	3	There were 19 N/S left turn crashes (12 NB to WB, 7 SB to EB) with 8 of 19 during non-dry conditions. The N/S left turn lanes are negative offset with FYA heads. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	---
Bismarck	State St & Interstate Ave	0	0	8	14	68	2018 = 39 2019 = 36 2020 = 15	90	358	**7**	7	There were 62 rear end crashes (26 NB, 16 WB, 15 SB, 5 EB) with 35 of 62 during non-dry conditions.	In 2018 PCN 21817 installed law enforcement confirmation lights. In January 2020 traffic signal timings were revised. PCN 20097/20098 is a planned safety project for 2023.
Bismarck	Main Ave & 7th St	0	2	5	10	53	2018 = 23 2019 = 30 2020 = 17	70	358	**7**	8	There were 17 angle crashes involving SB+WB vehicles. Two other crashes involved a bicyclist, and both involved the bicyclist attempting to cross during a red light.	In 2018 PCN 21817 installed law enforcement confirmation lights. In 2020 PCN 22259 installed permanent pavement markings (road diet to west of here). In 2022 PCN 22904 plans to replace the traffic signal, install leading pedestrian intervals, and install side street vehicle detection.
Bismarck	State St & I-94 EB Ramps	1	1	5	7	29	2018 = 18 2019 = 13 2020 = 12	43	346	**9**	22	No trends were identified. The fatal crash involved a SB driver (86yrs old) who ran red light and hit an EB to NB left turner.	In 2018 PCN 21817 installed law enforcement confirmation lights. In January 2020 traffic signal timings were revised. PCN 20097/20098 is a planned safety project for 2023.
Grand Forks	32nd Ave S & 34th St	0	2	8	6	31	2018 = 16 2019 = 19 2020 = 12	47	343	**10**	1	There were 16 E/W left turn crashes (10 WB to SB, 6 EB to NB).	In 2021 PCN 21884 will re-align the negative offset left turn lanes and install FYA left turn heads.

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		Fatal	InjA	InjB	InjC	PDO							
Bismarck	State St & 43rd Ave N	0	1	8	10	41	2018 = 16 2019 = 15 2020 = 29	60	342	**11**	---	NB rear end crashes doubled in 2020 (2018=6, 2019=7, 2020=16), possibly due to reduced lanes during two road construction projects.	In 2020 PCN 22492 and PCN 17378 both impacted operations at this intersection. In ~2024 PCN 22929 plans to reconstruct 43rd Ave from this intersection east.
Bismarck	Bismarck Expwy & Washington St	0	1	5	13	57	2018 = 31 2019 = 30 2020 = 15	76	340	**12**	13	There were 51 rear end crashes (21 EB, 12 WB, 10 SB, 8 NB), no predominant time of day.	In March 2019 an RSR report recommended eliminating the 3rd EB through lane and revising SB to have a shared thru-right lane. HSIP #102002 / PCN 23225 plans to implement the recommendations in ~2023. In December 2020 coordination timings were revised.
Bismarck	Bismarck Expwy & Main Ave	0	2	6	8	21	2018 = 13 2019 = 17 2020 = 7	37	321	**13**	29	There were 11 left turn crashes (no predominant direction), but only 2 in 2020.	In 2018 PCN 21817 installed law enforcement confirmation lights.
Bismarck	Bismarck Expwy & Miriam Ave	0	2	1	13	44	2018 = 27 2019 = 17 2020 = 16	60	314	**14**	35	There were 46 rear end crashes, with 21 of 46 occurring from 4-6pm.	In 2018 PCN 21817 installed law enforcement confirmation lights. In 2024 PCN 22648 plans to reconstruct the nearby interchange.
Fargo	45th St & 19th Ave S	0	1	6	9	55	2018 = 34 2019 = 25 2020 = 12	71	311	**15**	18	There were 37 SB rear end crashes (2018=18, 2019=12, 2020=7), with the highest amount (8 of 37) during the 5pm hour. The E/W left turn lanes are negative offset with protected-permissive left turn phasing. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	---
Fargo	45th St & 17th Ave S	0	0	6	16	33	2018 = 22 2019 = 20 2020 = 13	55	311	**15**	9	There were 17 SB rear end crashes. There were 6 WB to SB left turn crashes, but none in 2020. The E/W left turn lanes are negative offset with protected-permissive left turn phasing. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	---
Grand Forks	32nd Ave S & Columbia Rd	1	1	1	9	35	2018 = 19 2019 = 19 2020 = 9	47	306	**17**	34	51% of total crashes occurred during non-dry conditions. The fatal crash involved a driver who attempted to make an EB to NB left turn on red and was hit by a WB vehicle.	In 2021 PCN 21884 will install NB to WB and WB to SB dual left turn lanes.
Fargo	13th Ave S & 38th St	0	2	5	7	29	2018 = 17 2019 = 17 2020 = 9	43	301	**18**	10	No trends were identified.	---
Grand Forks	32nd Ave S & 20th St	1	0	6	7	22	2018 = 16 2019 = 14 2020 = 6	36	301	**18**	11	There were 19 E/W left turn crashes (11 EB to NB, 8 WB to SB). The fatal crash involved a NB pedestrian (alcohol involved) attempting to cross on red and was hit by an EB vehicle.	In 2021 PCN 21884 will re-align the negative offset left turn lanes and install FYA left turn heads.
Williston	US 2 & 42nd St W	1	1	2	7	23	2018 = 14 2019 = 14 2020 = 6	34	289	**20**	20	No trends were identified. The fatal crash involved a SB emergency vehicle that was hit by a WB vehicle. The driver of the WB vehicle was unbelted, tossed around the vehicle during the crash, and died.	---
Fargo	13th Ave S & 36th St / I-29 NB Ramps	0	0	6	13	43	2018 = 23 2019 = 24 2020 = 15	62	288	**21**	17	49% of crashes occurred during non-dry conditions. There were two bicycle crashes in 2019 and both involved a vehicle making a NB to EB right turn.	In 2023 PCN 22629 plans to revise the nearby frontage road intersection on the north side of this intersection.

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City	Location	Crash Severity					Total By Year	Total Crashes	Weighted Total	Rank 2018-2020	Prior Rank	Trends	Related Studies / Projects
		Fatal	InjA	InjB	InjC	PDO							
Fargo	45th St & I-94 WB Ramps	0	0	5	14	48	2018 = 37 2019 = 21 2020 = 9	67	287	**22**	12	There were 27 WB rear end crashes in 2018, but then only 8 and 5 in 2019 and 2020 respectively.	---
Bismarck	State St & Divide Ave	0	0	5	13	53	2018 = 23 2019 = 29 2020 = 19	71	281	**23**	18	There were 52 rear end crashes (20 SB, 14 NB, 12 WB, 6 EB) with 25 of 52 during non-dry conditions.	In 2018 PCN 21817 installed law enforcement confirmation lights. In January 2020 traffic signal timings were revised. PCN 20097/20098 is a planned safety project for 2023.
West Fargo	Veterans Blvd & 23rd Ave E	0	1	6	6	52	2018 = 24 2019 = 28 2020 = 13	65	275	**24**	25	There were 29 N/S rear end crashes (18 SB, 11 NB). There were 9 NB to WB left turn crashes. The NB to WB left turn movement has negative offset left turn lanes and protected-permissive left turn phasing. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	---
Fargo	10th St & 1st Ave N	0	1	7	7	22	2018 = 13 2019 = 13 2020 = 11	37	273	**25**	---	There were 22 angle crashes (14 NB+WB, 7 NB+EB, 1 SB+EB).	---
Fargo	Main Ave & University Dr	0	2	5	5	23	2018 = 13 2019 = 14 2020 = 8	35	273	**25**	37	40% of total crashes occurred during dark conditions. There were four crashes that involved either a pedestrian or a bicyclist, but no patterns.	In 2020 PCN 21170 reconstructed the intersection.
Fargo	32nd Ave S & 39th St	0	1	6	7	27	2018 = 14 2019 = 17 2020 = 10	41	261	**27**	---	There were 10 WB to SB left turn crashes. There were 11 sideswipe same direction crashes in the WB to SB dual left turn lanes. All left turn movements appear to have either dual lefts or negative offset left turn lanes. For these conditions, NDDOT's Traffic Operations Manual shows the left turn phasing should be protected-only.	---
Fargo	13th Ave S & 25th St	0	0	3	16	33	2018 = 23 2019 = 19 2020 = 10	52	260	**28**	21	There were 19 angle crashes, with 10 of 19 during non-dry conditions. All directions have negative offset left turn lanes with FYA heads. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	In 2022 PCN 22826 plans to reconstruct the intersection.
Fargo	32nd Ave S & 25th St	0	1	6	7	23	2018 = 14 2019 = 20 2020 = 3	37	257	**29**	32	43% of total crashes occurred during non-dry conditions. 32% of total crashes occurred during dark conditions. 2 crashes involved drivers making EB to SB right turns on red and hitting either a NB pedestrian or a NB bicyclist. The E/W left turn lanes are negative offset with protected-permissive left turn phasing. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	---
Fargo	32nd Ave S & 45th St	0	0	7	10	27	2018 = 19 2019 = 12 2020 = 13	44	256	**30**	46	There were 12 angle crashes, with 5 of 12 during ice/snow conditions. 43% of total crashes occurred during non-dry conditions. The WB to SB left turn is negative offset with protected-permissive left turn phasing. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	---

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Sorted By Rank

2018-2020 Urban High Crash Locations

23 USC § 409 Documents
NDDOT Reserves All Objections

City	Location	Crash Severity					Total By Year	Total Crashes	Weighted Total	Rank 2018-2020	Prior Rank	Trends	Related Studies / Projects
		Fatal	InjA	InjB	InjC	PDO							
Fargo	45th St & 15th Ave S	0	1	4	10	20	2018 = 19 2019 = 7 2020 = 9	35	253	**31**	16	There were 12 NB to WB left turn crashes, with 7 of 12 during non-dry conditions. All directions have negative offset left turn lanes with protected-permissive left turn phasing. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	---
Bismarck	Main Ave & 9th St	0	0	6	8	61	2018 = 24 2019 = 21 2020 = 30	75	251	**32**	30	WB rear end crashes quadrupled in 2020 after striping was revised to only 1 WB through lane (2018=5, 2019=4, 2020=19), with 16 of 19 occurring after 9:40pm. There were 21 angle crashes that involved NB+EB vehicles, with 10 of 21 between 11am and 1:30pm.	In 2018 PCN 21817 installed law enforcement confirmation lights. In 2020 PCN 22259 installed striping that reduced WB to only 1 through lane. In 2022 PCN 22904 plans to replace the traffic signal and install side street vehicle detection. Restriping 2 WB through lanes is planned to be studied with upcoming Main Ave corridor study.
Bismarck	Bismarck Expwy & Airport Rd	0	1	6	6	22	2018 = 11 2019 = 18 2020 = 6	35	245	**33**	23	There were 21 EB/WB rear end crashes, but only 3 in 2020.	In 2018 PCN 21817 installed law enforcement confirmation lights. In 2019 additional traffic used this road while I-94 was reduced to 1 lane. In December 2020 coordination timings were revised.
Bismarck	Bismarck Expwy & 7th St	0	1	4	8	33	2018 = 20 2019 = 17 2020 = 9	46	244	**34**	24	There were 35 rear end crashes (no predominant direction).	In 2018 PCN 21817 installed law enforcement confirmation lights. In 2019 additional traffic used this road while I-94 was reduced to 1 lane. In December 2020 coordination timings were revised.
Grand Forks	32nd Ave S & Washington St	0	1	2	10	36	2018 = 22 2019 = 14 2020 = 13	49	235	**35**	45	There were 11 angle crashes (no predominant direction), with 6 of 11 during dark conditions. The highest number of total crashes was during the 5pm hour (12 crashes).	---
Minot	Broadway & 20th Ave SW	0	1	5	5	36	2018 = 16 2019 = 16 2020 = 15	47	231	**36**	49	There were 16 left turn crashes (7 NB to WB, 4 EB to NB, 3 WB to SB, 2 SB to EB), with 11 of 16 during non-dry conditions.	In 2020 a city project replaced the traffic signal cabinet, video detection system, and EVP system. In 2021 coordination timings are planned to be revised.
Minot	US 2 & Evergreen Ave	0	1	7	3	17	2018 = 9 2019 = 13 2020 = 6	28	224	**37**	41	14 angle crashes involved vehicles NB from the frontage rd and WB on US 2.	In 2022 PCN 22829 plans to revise access control in this area.
Fargo	32nd Ave S & 42nd St	0	1	5	6	17	2018 = 8 2019 = 9 2020 = 12	29	223	**38**	47	There were 9 angle crashes (2018=2, 2019=1, 2020=6). There were 5 WB to SB left turn crashes. All directions have either dual lefts or negative offset left turn lanes with FYA heads. NDDOT's Traffic Operations Manual shows these movements should have protected-only left turn phasing.	---
Fargo	13th Ave S & 32nd St / Westrac Dr	0	0	6	9	21	2018 = 11 2019 = 20 2020 = 5	36	222	**39**	33	There were 11 EB/WB left turn crashes, but only 1 in 2020. The E/W left turn lanes are negative offset with FYA heads. NDDOT's Traffic Operations Manual shows negative offset left turn lanes should have protected-only left turn phasing.	---

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Sorted By Rank

2018-2020 Urban High Crash Locations

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City	Location	Crash Severity					Total By Year	Total Crashes	Weighted Total	Rank 2018-2020	Prior Rank	Trends	Related Studies / Projects
		Fatal	InjA	InjB	InjC	PDO							
Bismarck	Bismarck Expwy & 9th St / University Dr	0	0	5	8	48	2018 = 26 2019 = 20 2020 = 15	61	221	**40**	36	52% of crashes occurred during non-dry conditions. There were 10 WB to SB left turn crashes (2018=7, 2019=2, 2020=1).	In 2018 PCN 21817 installed law enforcement confirmation lights. In 2019 additional traffic used this road while I-94 was reduced to 1 lane. In 2019 WB left turn phasing was revised from prot-perm to prot-only for much of the day. In December 2020 coordination timings were revised.
Williston	US 2 & US 85 (Co 6), N of Williston	1	0	3	4	23	2018 = 9 2019 = 14 2020 = 8	31	218	**41**	25	48% of total crashes occurred during non-dry conditions. There were 10 angle crashes, with 6 of 10 during non-dry conditions. The fatal crash occurred at 1:32am during fog and involved a NB driver (alcohol involved) who ran a red light and rear-ended a vehicle that had just made an EB to NB left turn and was not yet up to full speed.	---
Bismarck	Century Ave & 4th St	0	1	3	8	19	2018 = 13 2019 = 12 2020 = 6	31	213	**42**	41	55% of crashes occurred during non-dry conditions.	In 2018 PCN 21817 installed law enforcement confirmation lights. In 2021 PCN 22835 will re-align the EB/WB left turn lanes from negative offset to zero offset.
Bismarck	7th St & Front Ave	0	1	4	6	23	2018 = 13 2019 = 12 2020 = 9	34	212	**43**	---	There were 15 angle crashes that involved SB and WB vehicles.	In 2022 PCN 22904 plans to replace the traffic signal, install leading pedestrian intervals, and install side street vehicle detection.
Fargo	13th Ave S & 42nd St	0	0	6	7	32	2018 = 16 2019 = 19 2020 = 10	45	211	**44**	27	There were 15 WB rear end crashes, with 9 in 2019.	---
Fargo	13th Ave S & 34th St / Fiechtner Dr	0	0	7	6	20	2018 = 17 2019 = 13 2020 = 3	33	205	**45**	41	There were 8 angle crashes, with 5 of 8 during non-dry conditions.	---
Minot	Broadway & 31st Ave SW	0	2	2	3	22	2018 = 14 2019 = 10 2020 = 5	29	199	**46**	38	52% of total crashes occurred during non-dry conditions.	In 2020 PCN 22134 made minor modifications to the intersection's east leg. In 2021 coordination timings are planned to be revised.
Fargo	University Dr & 8th Ave N	0	0	5	7	32	2018 = 28 2019 = 12 2020 = 4	44	194	**47**	---	There were 35 angle crashes (22 in 2018, 10 in 2019, 3 in 2020). In 2018, 17 of 22 angle crashes involved NB traffic (normally a one-way SB).	In 2018, road construction for PCN 21400 and 21168 had NB/SB traffic on University Dr, which is typically a one-way SB.
Bismarck	State St & Calgary Ave	0	0	5	7	28	2018 = 19 2019 = 5 2020 = 16	40	190	**48**	---	NB rear end crashes jumped in 2020 (2018=6, 2019=2, 2020=12), possibly due to reduced lanes during road construction.	In 2020 PCN 17378 impacted operations at this intersection. In 2023 PCN 20097/20098 plans to revise left turn phasing and install EB/WB right turn lanes.
Fargo	45th St & 40th Ave S	1	0	1	5	17	2018 = 6 2019 = 13 2020 = 5	24	189	**49**	31	No trends were identified. The fatal crash involved a NB driver who stopped at the red light, began creeping forward, accelerated rapidly, veered left, hit a light pole, and hit a SB vehicle.	---
Williston	2nd Ave W & 26th St W	0	0	3	5	81	2018 = 40 2019 = 30 2020 = 19	89	187	**50**	50	There were 70 rear end crashes (25 SB, 22 NB, 17 WB, 6 EB).	Intersection reconfiguration is being studied with PCN 22255.

Notes:

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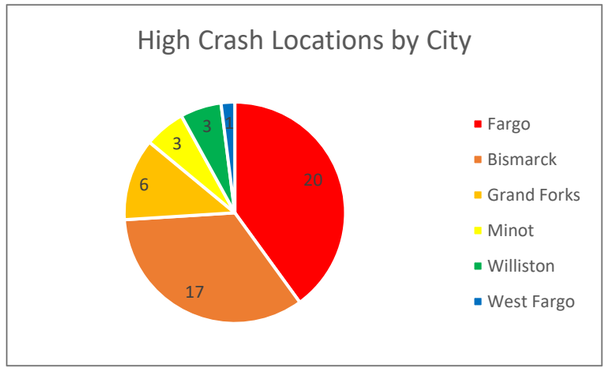
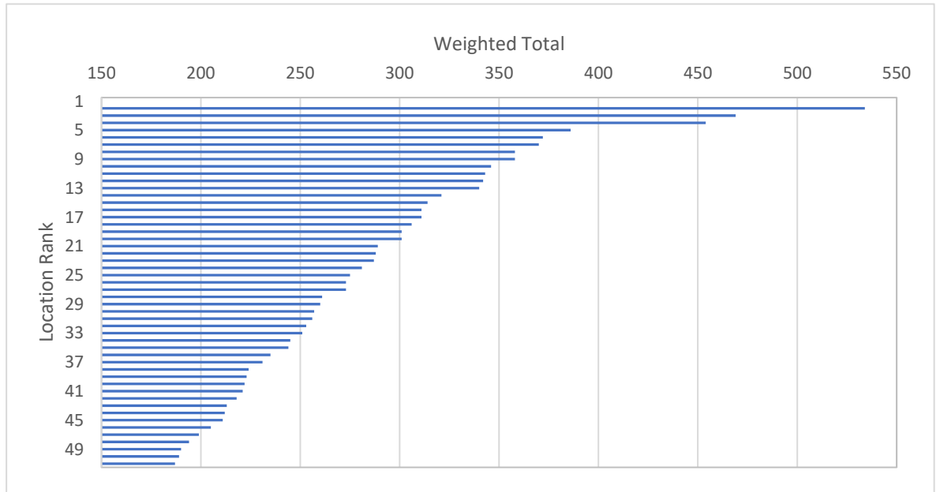
		Fatal	InjA	InjB	InjC	PDO							

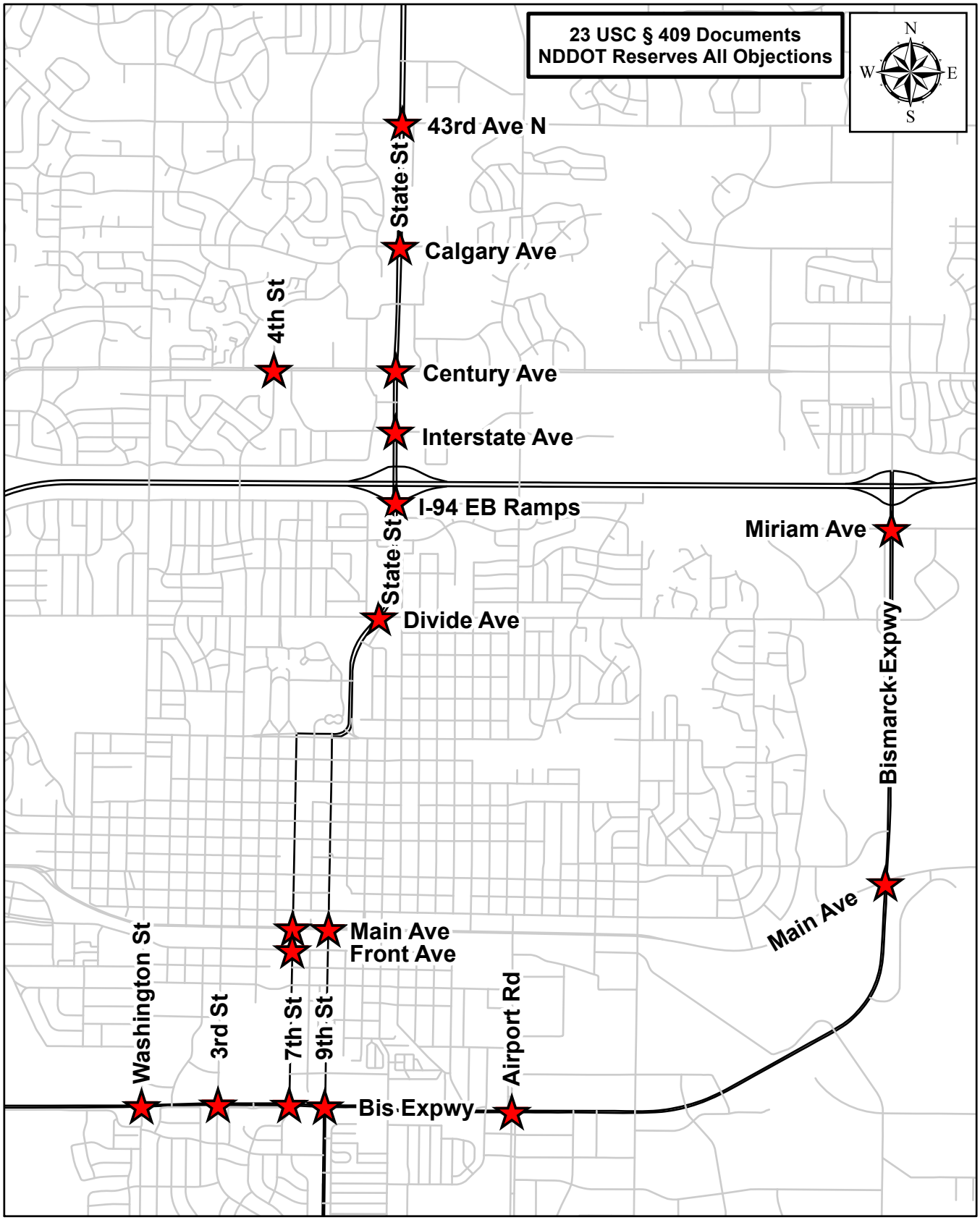
-2020 traffic volumes were lower than normal at many intersections due to the COVID-19 pandemic. This may be a reason most locations had fewer crashes in 2020.
-On 8/1/2019 a legislative change increased the cost threshold for a reportable crash from $1,000 to $4,000. This may be a reason for reduced numbers of crashes.
-Urban = within the Urban Area boundary of a community with population 5,000 or more.
-InjA = Incapacitating Injury, InjB = Non-Incapacitating Injury, InjC = Possible Injury, PDO = Property Damage Only.
-Weighted Total = 100*Fatal crashes + 55*InjA crashes + 17*InjB crashes + 11*InjC crashes + 1*PDO crashes.

High Crash Locations by City	
20	Fargo
17	Bismarck
6	Grand Forks
3	Minot
3	Williston
1	West Fargo
50	**Total**





2018-2020 Bismarck High Crash Locations



17 Locations in Bismarck
Time Period = 1/1/18 - 12/31/20

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North Dakota Department of Transportation
Programming Division
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June 2021