

**538th Transportation Technical Committee**  
**Fargo-Moorhead Metropolitan Council of Governments**  
**THURSDAY, February 9, 2023 – 10:00 a.m.**  
**Metro COG Conference Room**  
**AGENDA**

- |  |                               |
|--|-------------------------------|
| 1. Call to Order and Introductions                                   |                               |
| 2. Approve the Agenda  | Action Item                   |
| 3. Consider Minutes of the January 12, 2023 TTC Meeting              | Action Item                   |
| 4. Public Input Opportunity  | Public Input                  |
| 5. Metropolitan Transportation Plan Amendment #3                     | Action Item                   |
| 6. 2023-2026 Transportation Improvement Program Amendment #4         | Action Item                   |
| 7. STBG Project Prioritization                                       | Action Item                   |
| 8. Red River Greenway Study Final Report                             | Action Item                   |
| 9. EV Readiness Study RFP (continued)                                | Action Item                   |
| 10. Moorhead 20 <sup>th</sup> Street & I-94 Interchange Analysis RFP | Action Item                   |
| 11. Performance Measures Update                                      | Action Item                   |
| 12. Safe Streets and Roads for All (SS4A) Action Plan Grant Update   | Discussion Item               |
| 13. Agency Updates   | Discussion Item               |
| a. City of Fargo   | e. City of Horace             |
| b. City of Moorhead  | f. Cass County                |
| c. City of West Fargo  | g. Clay County                |
| d. City of Dilworth  | h. Other Member Jurisdictions |
| 14. Additional Business  | Information Item              |
| 15. Adjourn  |                               |

REMINDER: The next TTC meeting will be held **Thursday, March 9, 2023** at 10:00 a.m.

Metro COG is encouraging citizens to provide their comments on agenda items via email to [leach@fmmetrocog.org](mailto:leach@fmmetrocog.org). To ensure your comments are received prior to the meeting, please submit them by 8:00 a.m. on the day of the meeting and reference which agenda item your comments address. If you would like to appear via video or audio link for comments or questions on a regular agenda or public hearing item, please provide your e-mail address and contact information to the above e-mail at least one business day before the meeting.

**For Public Participation, please REGISTER with the following link:**

[https://us02web.zoom.us/webinar/register/WN\\_R7d0IBkuSqWQ9pMNU6UBIQ](https://us02web.zoom.us/webinar/register/WN_R7d0IBkuSqWQ9pMNU6UBIQ)

Red Action Items require roll call votes.

**NOTE: Full Agenda packets can be found on the Metro COG Web Site at <http://www.fmmetrocog.org> – Committees**

Metro COG is committed to ensuring all individuals, regardless of race, color, sex, age, national origin, disability/handicap, sexual orientation, and/or income status have access to Metro COG's programs and services. Meeting facilities will be accessible to mobility impaired individuals. Metro COG will make a good faith effort to accommodate requests for translation services for meeting proceedings and related materials. Please contact Savanna Leach, Metro COG Executive Assistant, at 701-532-5100 at least five days in advance of the meeting if any special accommodations are required for any member of the public to be able to participate in the meeting.

**537th Meeting of the  
FM Metro COG Transportation Technical Committee  
Thursday, January 12, 2023 – 10:00 am  
Metro COG Conference Room**

**Members Present:**

|          |             |   |
|----------|-------------|---|
| Jonathan | Atkins      | City of Moorhead Traffic Engineering                  |
| Julie    | Bommelmann  | City of Fargo, MATBUS                                 |
| Nicole   | Crutchfield | City of Fargo Planning                                |
| Jeremy   | Gorden      | City of Fargo Transportation Engineering              |
| Cindy    | Gray        | Metro COG   |
| Jace     | Hellman     | City of Horace – Community Development Director       |
| Robin    | Huston      | City of Moorhead Planning                             |
| Matthew  | Jacobson    | Clay County Planning                                  |
| Kelly    | Krapu       | Freight Representative - TrueNorth Compliance Service |
| Don      | Lorsung     | City of Dilworth Community Development                |
| Aaron    | Nelson      | West Fargo City Planning                              |
| Joe      | Raso        | GFMEDC  |
| Mary     | Safgren     | MnDOT – District 4                                    |
| Justin   | Sorum       | Clay County Engineering                               |
| Tom      | Soucy       | Cass County Engineering (alternate for Jason Benson)  |
| Lori     | Van Beek    | City of Moorhead, MATBUS                              |
| Andrew   | Wrucke      | City of West Fargo Engineering                        |
| Wayne    | Zacher      | NDDOT – Local Government Division                     |

**Members Absent:**

|       |         |   |
|-------|---------|---|
| Jason | Benson  | Cass County Highway Engineering (alternate present) |
| Grace | Puppe   | Cass County Planning                                |
| Brit  | Stevens | NDSU – Transportation Manager                       |

**Others Present:**

|          |             |   |
|----------|-------------|---|
| Adam     | Altenburg   | Metro COG                               |
| Paul     | Bervik      | Metro COG                               |
| Angie    | Bolstad     | Stantec                                 |
| Russ     | Buchholz    | NDDOT                                   |
| Jaron    | Capps       | Metro COG                               |
| Brian    | Carlson     | SEH, Inc.                               |
| Connor   | Cox         | WSB                                     |
| James    | Dahlman     | Interstate Engineering / City of Horace |
| Ari      | Del Rosario | Metro COG                               |
| Brenda   | Derrig      | City of Fargo Engineering               |
| Dylan    | Dunn        | Moore Engineering                       |
| Dan      | Farnsworth  | Metro COG                               |
| Sharijad | Hasan       | ATAC/UGPTI                              |
| Matthew  | Huettl      | HDR                                     |
| Beth     | Kallestad   | MnDOT                                   |
| Joe      | Klein       | NDDOT                                   |

|         |           |                     |
|---------|-----------|---------------------|
| Savanna | Leach     | Metro COG           |
| Michael | Maddox    | Metro COG           |
| Brent   | Muscha    | Apex Engineering    |
| Anna    | Pierce    | MnDOT               |
| Ayden   | Schaffler | Metro COG           |
| Jordan  | Smith     | MATBUS              |
| Kristen | Sperry    | FHWA – ND           |
| Kalvin  | Strecker  | Houston Engineering |
| Daniel  | Triller   | SEH, Inc.           |

**1. CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order at 10:00 am, on January 12, 2023 by Chair Gray. A quorum was present.

**2. Approve the 537 TTC Meeting Agenda**

Chair Gray asked if there were any questions or changes to the 537 TTC Meeting Agenda.

**Motion: Approve the 537 TTC Meeting Agenda.**  
**Mr. Raso moved, seconded by Mr. Atkins**  
**MOTION, PASSED.**  
**Motion carried unanimously.**

**3. APPROVE December 8, 2022 TTC MEETING MINUTES**

Chair Gray asked if there were any questions or changes to the December 8, 2022 TTC Meeting Minutes.

Ms. Huston asked for a correction on the minutes, saying the NW Growth plan should be the North, South, and West growth plan

**Motion: Approve the December 8, 2022 TTC Minutes.**  
**Mr. Lorsung moved, seconded by Ms. Krapu**  
**MOTION, PASSED**  
**Motion carried unanimously.**

**4. Public Comment Opportunity**

No public comments were made or received.

**5. 2023-2026 TIP Amendment #3**

Mr. Bervik presented Amendment #3 to the 2023-2026 Transportation Improvement Program. The proposed amendment to the 2023-2026 TIP reflects modified federally funded projects within the Metropolitan Planning Area (MPA).

A public notice was published in The Forum of Fargo-Moorhead on Wednesday, January 4, 2023, which advertised the public meeting, detailed how to request more information, and provided information on how to make public comment regarding the proposed amendment. The public notice advertised that any

public comments will be accepted until 12:00 p.m. (noon) on Thursday, January 19, 2023. No written comments have been received.

The proposed amendment to the 2023-2026 TIP is as follows:

1. **Modification of Project 1220005:** Construction of a shared-use path in Horace, ND (2023). The project cost decreased by 0.2%. Federal and local cost share of the project shifted.
2. **Modification of Project 1220006:** Third-phase of construction of a shared-use path along County Road 17 in Horace, ND (2023). The project cost decreased by 11.4%. Federal and local cost share of the project shifted.

**Mr. Soucy asked if Cass County was still the lead on this project, and Mr. Hellman and Mr. Zacher agreed that Horace would be taking over as the lead on this project. Ms. Gray said that this changed will be incorporated before review by the Policy Board.**

3. **Modification of Project 5230001:** Purchase of AVA/AVL System (2023) for fixed-route transit vehicles by Moorhead Transit. The project cost increased by 20%.
4. **Modification of Project 5230002:** Purchase of paratransit scheduling software (2023) by Moorhead Transit. The project cost increased by 20%.
5. **Modification of Project 9162667:** Rehabilitation of 10.9 miles of 1-94W with a thin mill and overlay from East of Casselton to near Fargo (2023) by NDDOT. The project cost increased by 55.9%.
6. **Modification of Project 9231003:** Pavement marking (2023) within NDDOT – Fargo District. The project cost increased by 48.2%.
7. **Modification of Project 5210020:** Construction of transit hub improvements at Walmart in Dilworth, MN (2023) by Moorhead Transit. Change in project description.
8. **Modification of Project 9210005:** Installation of High-Tension Cable Median Guardrail along I-29 from County Road 20 to south of Argusville (2024) by NDDOT. The project year shifted from 2023.
9. **Modification of Project 9220039:** Installation of High-Tension Cable Median Guardrail along I-29 from south of Argusville to Gardner (2024) by NDDOT. The project year shifted from 2023.
10. **Modification of Project 9221002:** Installation of a Wrong Way Detection System on I-29 at Exist 69 (2024) by NDDOT. The project year shifted from 2023.
11. **Modification of Project 9221004:** Upgrading lighting to LEDs at various locations throughout Fargo District (2024) by NDDOT. The project description was updated.
12. **Modification of Project 9221005:** Rehabilitating the shoulder of ND 46 (2026) by NDDOT. The project year shifted from 2025.
13. **New Project 5233024:** Purchase of software for Moorhead, MN (2023) by City of Moorhead.
14. **New Project 5233025:** Construction of transit hub improvements at Walmart in Dilworth, MN (2023) by Moorhead Transit.

15. **New Project 8233026:** Improving interchange lighting on I-94 at exits 22, 24, 32, 38, 56, 67, 77(2024) by MNDOT.
16. **New Project 9233027:** Rehabilitating the bridge deck of the Cass County Legal Drain 14 crossing on 37<sup>th</sup> Street NE (2023) by NDDOT.
17. **New Project 9233028:** Rehabilitating the bridge deck, approach slab and guardrail of the I-29 and ND46 interchange (2026) by NDDOT.
18. **New Project 9233029:** Rehabilitating the bridge decks with an over lay and spall repair on the swan creek and I-94 bridges (2026) by NDDOT.
19. **New Project 9233030:** Rehabilitating two bridges with new coatings (paint crack sealing, and bridge deck seal) on I-29 at the interchanges of ND 46 and I-94 (2026) by NDDOT.

Ms. Gray described one of the proposed TIP additions as a project that would be funded under the new Carbon Reduction Program (CRP). The project consists of the purchase of the purchase of ATMS software by the City of Moorhead for the purpose of improving signal operations and reducing delay. \$50,000 in CRP funds will be programmed for this purpose. The local match will consist of 20 percent of the funding in the form of city funds and city purchase of a computer and monitors exclusively devoted to the use of using the ATMS software and monitoring the system with the use of the software. Based on guidance from MnDOT, Metro COG is collaborating with Moorhead Transit to assist in the documentation of information to ensure that the use of Carbon Reduction Program (CRP) funds meets eligibility requirements and is consistent with Minnesota's carbon reduction priorities.

Moorhead's other proposed CRP project includes additional funding of \$70,000 for a transit transfer hub (i.e. depot) and shelter on the north side of Walmart in Dilworth. The location of Walmart is east of 34<sup>th</sup> Street N and south of 8<sup>th</sup> Avenue N. The project is already in the TIP using 5307 funds, but the funds are not adequate to fully fund the hub, and the CRP funds will help get the local share down closer to 20 percent.

Projects eligible for CFP funding include those that are eligible under 23 U.S.C.142. Based on 23 U.S.C. 142: Public Transportation, transit shelters and depots are eligible projects. The facility proposed for Dilworth would serve as both a transfer hub/station and as a shelter. Ms. Gray explained that for future years, Metro COG will be doing a solicitation for STBG projects, but for this first year, we needed to build on projects that could be executed quickly because they are either already in the TIP or do not require a lengthy project development process.

**Motion: Recommend Policy Board approval of Amendment #3 to the Metro COG 2023-2026 Transportation Improvement Program.**

**Mr. Lorsung moved, seconded by Mr. Atkins**

**MOTION, PASSED**

**Motion carried unanimously.**

**6. F-M Metro Bicycle & Pedestrian Plan**

Mr. Farnsworth presented the FM Metro Bicycle & Pedestrian Plan Update for 2022. Every five years Metro COG, in cooperation with the local jurisdictions, updates the Bicycle & Pedestrian Plan.

This plan was guided by a 23-member study review committee with representation from local jurisdictions, parks departments, local health agencies, citizens, and more. Public engagement was also held twice throughout Plan's development. Upon completion of the final plan, presentations were made to all local elected bodies and some planning commissions. The plan has received broad support.

**Motion: Recommend Policy Board approval of the FM Metro Bicycle & Pedestrian Plan Update**

**Mr. Hellman moved, seconded by Ms. Crutchfield**

**MOTION, PASSED**

**Motion carried unanimously.**

**7. F-M Regional ITS Architecture Plan**

Mr. Farnsworth and Mr. Hasan presented the FM Regional Intelligent Transportation Systems (ITS) Architecture Plan update.

Mr. Farnsworth explained that ITS uses technology and communication to improve traffic flow, improve transportation safety, and notify roadway users of current traveling conditions. Such ITS in our region can include dynamic message signs, traffic signal coordination, emergency vehicle preemption, and more.

Mr. Hasan explained that ITS architecture is the blueprint which displays and coordinates the existing and proposed connectivity and interaction of all ITS components in an area or region. The goal of the Fargo-Moorhead Regional ITS Architecture is to guide the implementation of ITS systems and coordinate funding, development, information sharing, and operations of ITS systems in the region. This plan utilizes the latest national standard for ITS architecture (ARC-IT 9.1).

This plan was guided by the Fargo-Moorhead Metropolitan Traffic Operations Working Group which consists of local and state traffic engineers and other applicable stakeholders. In addition, regional stakeholders were contacted to better identify needs and issues and inform the contents of this plan.

This is the fourth F-M Regional ITS Architecture Plan update, with the last update occurring in 2014.

**Motion: Recommend Policy Board approval of FM Regional Intelligent Transportation Systems (ITS) Architecture Plan**

**Mr. Atkins moved, seconded by Ms. Van Beek**

**MOTION, PASSED**

**Motion carried unanimously.**

**\*Mr. Sorum left the meeting**

**8. Electric Vehicle Readiness Study Request for Proposals**

Before the RFP was presented, Ms. Gray introduced Ms. Kallestad from MnDOT to present Minnesota's state Electric Vehicle Infrastructure Plans, and Mr. Buchholz from NDDOT to address North Dakota's plan if there are any questions about it.

Ms. Kallestad presented MnDOT's Electric Vehicle Infrastructure Plan and talked about a subsequent TIP Amendment for funding of EV infrastructure.

Mr. Buchholz from NDDOT said that their NEVI Plan is complete, and their plan for approaching infrastructure should be released within the next few months.

Mr. Altenburg presented the Electric Vehicle Readiness Study Request for Proposals (RFP).

He explained that to prepare for a growing number of plug-in electric vehicles (PEVs) in the Fargo-Moorhead metropolitan area and to better understand the needs and impacts this will have on communities and local governments, Metro COG has prepared an RFP to develop a regional electric vehicle (EV) readiness study.

The study will provide local jurisdictions with public understanding of EV feasibility and benefits, assist in identifying current and potential barriers to EV adoption, and inform cities, counties, and other planning partners on infrastructure-related best practices to meet current and future EV needs of the metropolitan area. This is similar in scope to plans developed by cities and regional areas throughout the United States in recent years, which take an impartial look at EV trends and how best communities should lay the groundwork to become EV-ready. This study will also tie into recent National Electric Vehicle Infrastructure (NEVI) plans developed and completed by NDDOT and MnDOT, including goals, strategies, and key takeaways identified in each plan.

Ms. Derrig asked how Metro COG intends to include the private entities into this study. Mr. Altenburg said that the local private entities will be included on the Study Review Committee (SRC). Ms. Gray explained that she and Adam attended a meeting with the City of Fargo administration, Commissioner Strand and representatives from Cass County Electric, and Xcel Energy that was valuable. The entities are aware of the inevitable shift to EVs, and are eager to participate in this study.

Mr. Zacher said he has not yet reviewed the RFP, as there were still some questions on the NDDOT EV Plan and the use of Carbon Reduction Program funds; he stated that he will get this reviewed ASAP. Ms. Gray explained that she, Mr. Zacher, and the City of Fargo had received email communication from Stacey Hanson at NDDOT that stated that the use of CRP funds for this study

would be acceptable and Ms. Hanson identified the stipulations for using these Federal funds in her correspondence. Mr. Atkins asked if they should hold the recommendation to approve the RFP until Mr. Zacher has completed his review. Mr. Zacher said that was not necessary, as any revisions are usually administrative and not related to the scope of work itself.

Mr. Atkins asked if Moorhead Public Service was present at the round table meeting this morning with the City of Fargo. Mr. Altenburg said they were not, but they will be included in the Study Review Committee and considered a stakeholder. Mr. Atkins suggested that the RFP be tabled until next month after a discussion with Moorhead Public Service is held, and all local private entities are satisfied with moving forward.

**Motion: Table the release of the Request for Proposals until confirmation of all local private providers be included in the discussion of this study.**

**Mr. Lorsung moved, seconded by Mr. Atkins**

**MOTION, PASSED**

**Motion carried unanimously.**

**9. Metropolitan Transportation Plan 2050 Request for Proposals**

Mr. Maddox presented the Metropolitan Transportation Plan (MTP) 2050 request for proposals.

Metro COG is responsible for providing a long-range, fiscally constrained listing of multimodal transportation needs within the FM area and establish a 3C planning process to identify, prioritize, study, and program funding for those identified needs. The Metropolitan Transportation Plan (MTP) is required to be updated every five years, and has a planning horizon of twenty-five years.

The Census Bureau released the 2020 Census Urbanized Area populations in December 2022. The Fargo Moorhead Region has now officially surpassed the 200,000-population threshold, and as such will become a Transportation Management Area (TMA) in federal fiscal year 2024 (October 1, 2023). The 2050 MTP must include all required elements to facilitate a smooth transition to TMA status.

Metro COG has set a budget of \$400,000 for this project. The budget is spread over two years (2024 and 2025). The goal is for the project to be completed in the summer of 2025 and adopted in September, 2025 (prior to the beginning of Federal fiscal year 2026).

**Motion: Recommend Policy Board approval of the Metropolitan Transportation Plan 2050 Request for Proposals**

**Ms. Crutchfield moved, seconded by Mr. Hellman**

**MOTION, PASSED**

**Motion carried unanimously.**



**10. Performance Measures Update**

Mr. Del Rosario presented the upcoming Performance Measures Update.

Metro COG is currently in the process of collecting and analyzing the performance data and plans to continue supporting the performance targets established by each respective state as explained above. Metro COG will be seeking a recommendation to adopt its MPO targets at next month's February TTC meeting.

In years previous, TTC has recommended to Policy Board to support the performance targets established by each respective state. This has meant the adoption of MnDOT's Performance Measure targets for the Minnesota portion of the MPA and the adoption of NDDOT's Performance Measure targets for the North Dakota portion of the MPA. Mr. Del Rosario stated that Metro COG is looking for any input on using this approach again. Ms. Gray stated that the Policy Board has asked, in the past, why Metro COG doesn't set its own targets for our metropolitan area rather than falling under the targets set by the state. There was discussion as to the benefits of using the state targets. Ms. Gray suggested that separate local targets that are not set for the purpose of meeting the federal requirements could be set if policy makers direct us to move in that direction in the future.

**11. Agency Updates**

Metro COG - Ms. Gray asked the TTC to watch their emails for a Title VI/EEO survey from Metro COG in the next coming weeks. The Metro COG Title VI/ LEP Plan update is due in 2023. STBG Grant Solicitation open and the deadline was moved to January 24<sup>th</sup> as stated in the email received by all jurisdictions.

West Fargo – Downtown Masterplan RFP will be on their website soon.

Dilworth – US10 Study Public Open House on Thursday.

Freight – Transportation Club Party is coming up. Ms. Krapu thanked Mr. Bervik for his help recently at a high school safety event. Mr. Bervik assisted with the No Zone portion of the event.

**12. Additional Business**

No additional business

**13. Adjourn**

The 537 Regular Meeting of the TTC was adjourned on January 12, 2023 at 12:22 p.m.

**THE NEXT FM METRO COG TRANSPORTATION TECHNICAL COMMITTEE MEETING WILL BE HELD February 9, 2023, 10:00 A.M.**

Respectfully Submitted,

Savanna Leach  
Executive Assistant

**To:** Transportation Technical Committee  
**From:** Michael Maddox, AICP – Senior Transportation Planner  
**Date:** February 3, 2023  
**Re:** **Metropolitan Transportation Plan (MTP) Amendment #3**

Metro COG is processing an amendment to the MTP to address the application for STBG funding for three (3) projects (see below). These projects were not anticipated when the MTP was completed in 2019 and are examples of changing conditions that must be addressed throughout the planning, programming, and project development process.

- **17<sup>th</sup> Avenue South from University Drive to 25<sup>th</sup> Street (Fargo)** –Reconstruction of a one (1) mile segment of urban roadway. The project will also include construction of a new shared use path. The estimated total project cost is \$17,200,000.
- **9<sup>th</sup> Street NW from Main Avenue to 8<sup>th</sup> Avenue NW (West Fargo)** – The project will reconstruct the existing rural asphalt section into a commercial/industrial concrete urban section. The estimated total project cost is \$7,600,00.
- **Center Street NW from Main Avenue to 12 Avenue NW (West Fargo)** – The project will reconstruct the existing rural asphalt section into a commercial/industrial concrete urban section. The estimated total project cost is \$9,500,00.

Metro COG will present information about the proposed MTP amendment and its relationship to the financial constraints in the MTP at the TTC meeting. As preservation projects, they are strongly supported by the goals and objectives of the MTP. Public participation for MTP amendments requires one public input meeting and a 15-day public comment period. The public input meeting will be held at the regularly scheduled Policy Board meeting on Thursday February 16, 2023 at 4:00pm. The public comment period will open Wednesday February 8, 2023 and will end 12:00 noon Friday February 24, 2023. Information about the MTP amendment is also available on Metro COG's website.

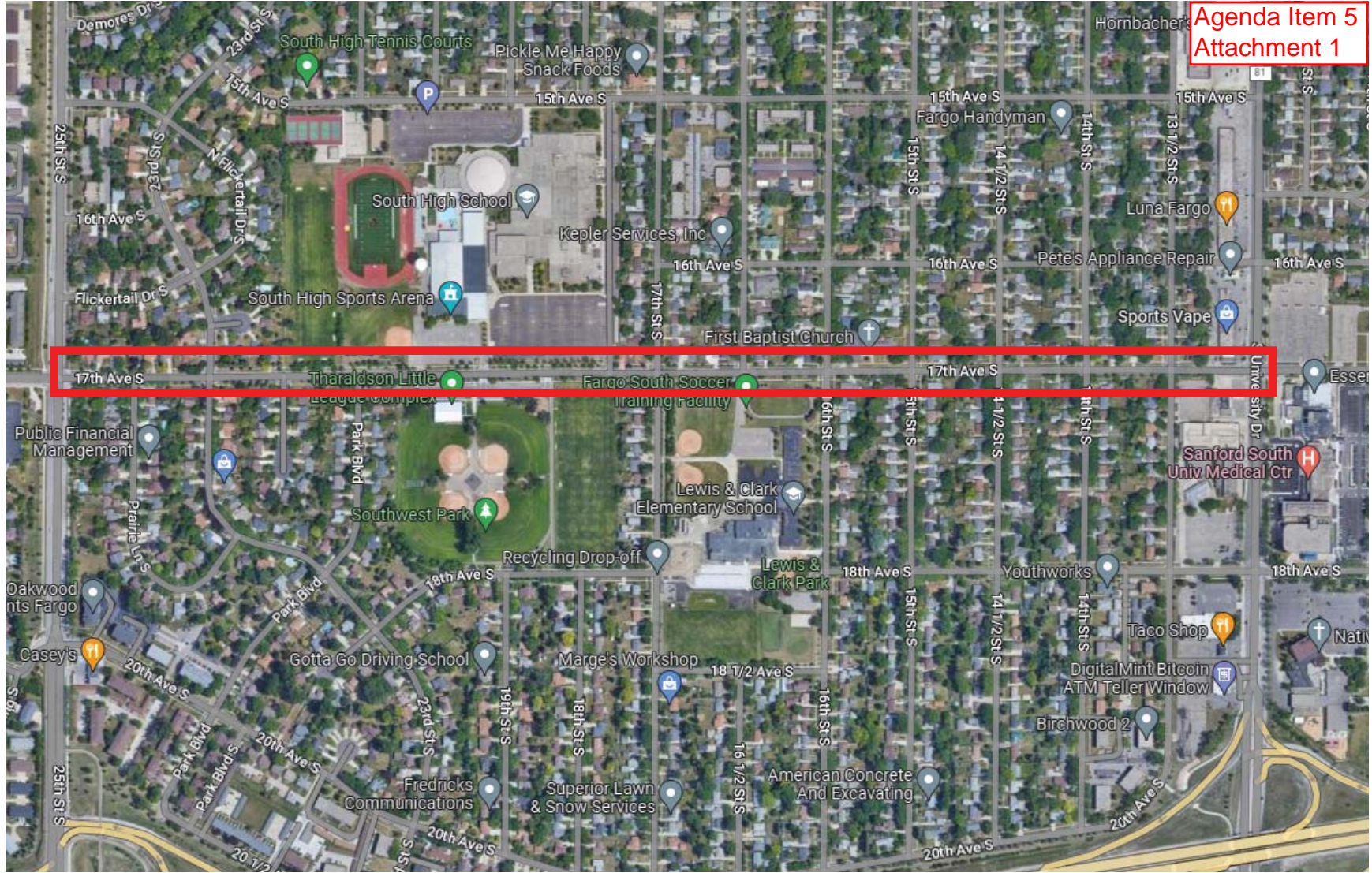
As of the writing of this memo, Metro COG staff have not received any comments on the addition of these three (3) projects to the MTP.

#### Attachments

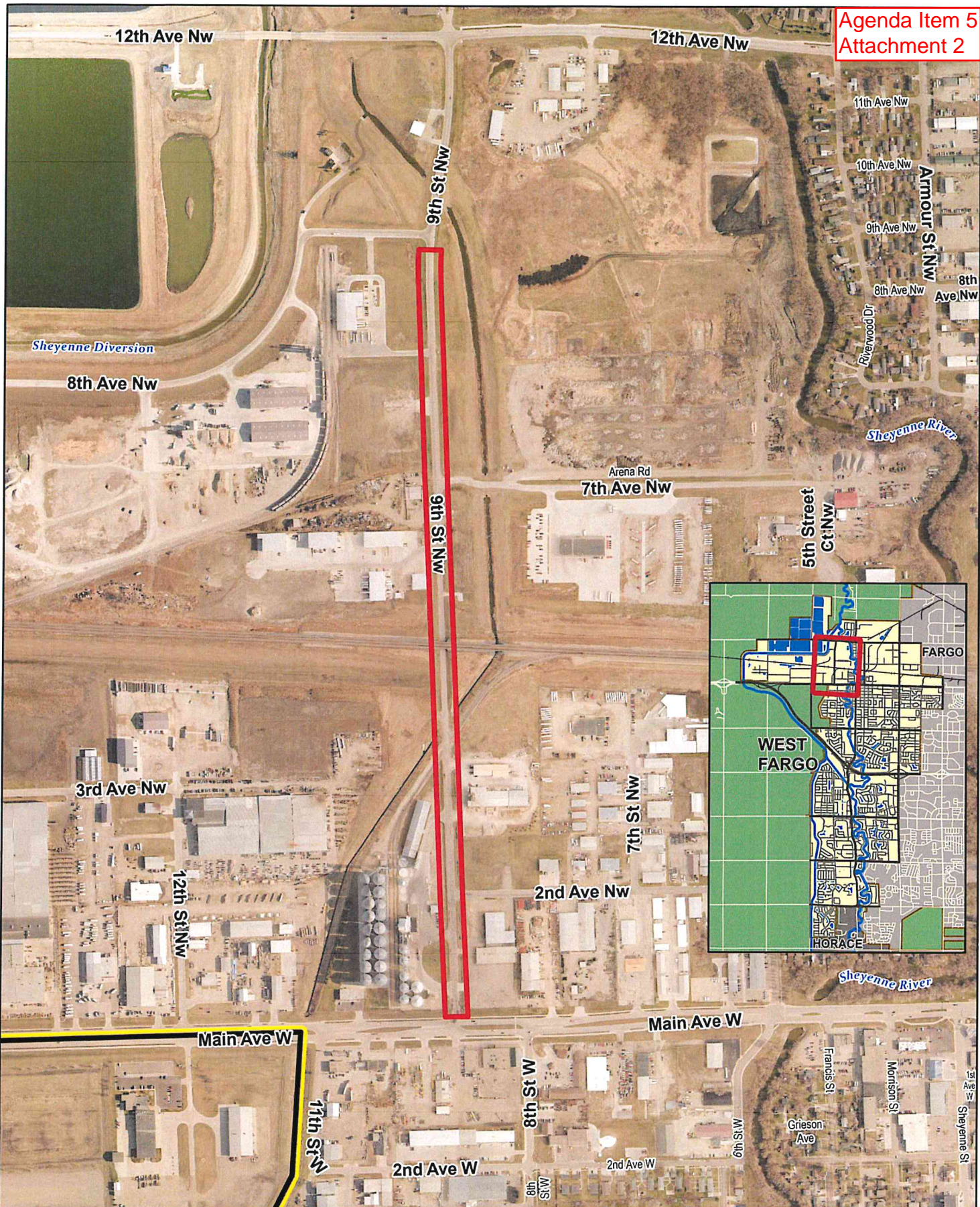
1. 17<sup>th</sup> Avenue S Project Location Map
2. 9<sup>th</sup> Street NW Project Location Map
3. Center Street Project Location Map
4. MTP Future Roadway Plan Map

**Requested Action: Recommend approval of the proposed Amendment #3 to the Metropolitan Transportation Plan (MTP) to the Policy Board.**

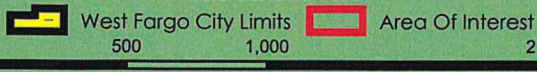
**Agenda Item 5  
Attachment 1**



**17th Avenue South from University Drive to 25th Street  
Fargo STBG Application**

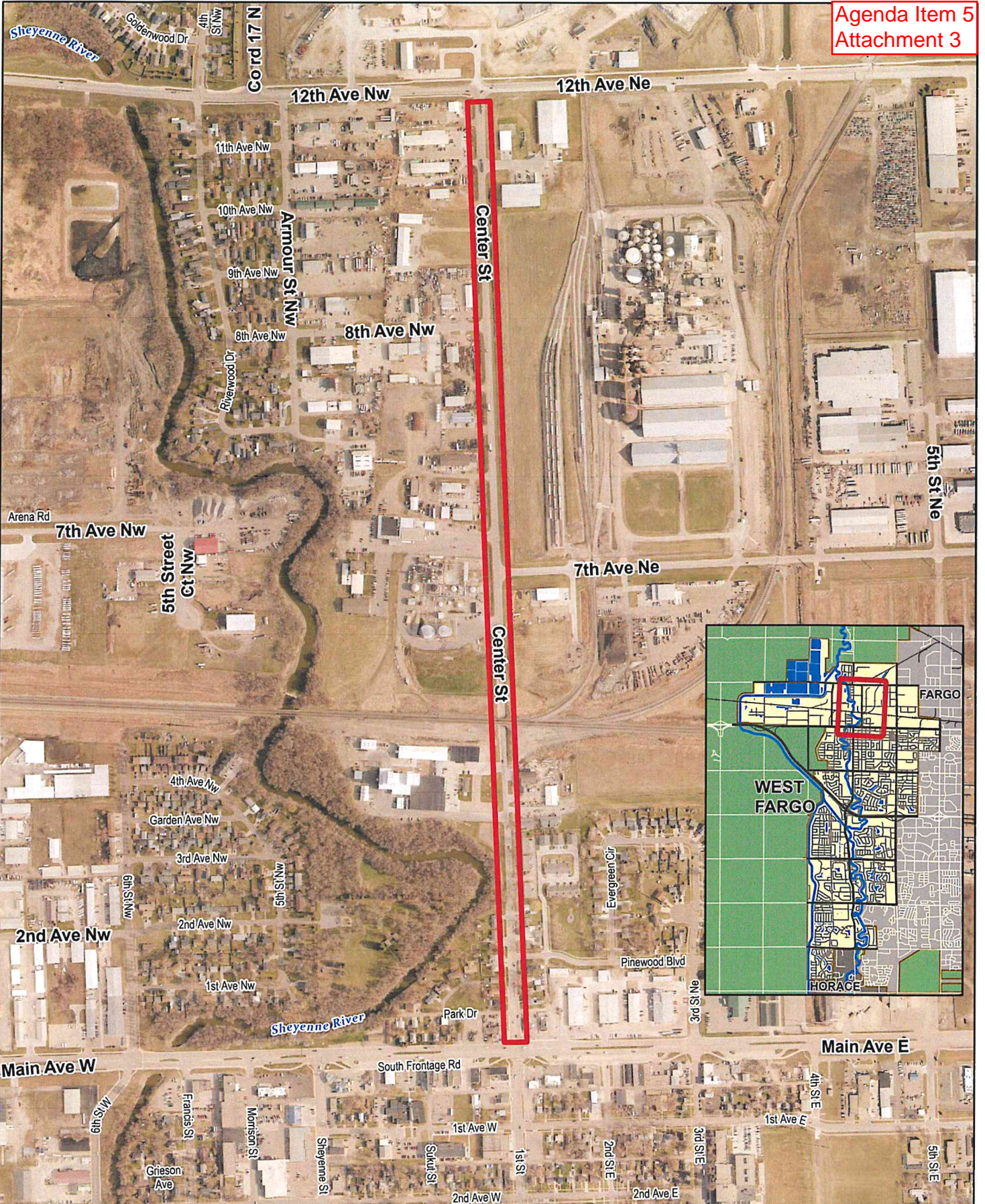


**MetroCOG Construction Application  
9th Street NW**



This map is intended for reference purposes only. The City of West Fargo does not make claim that the features depicted represent true locations; therefore the City assumes no liability for any errors or omissions herein.





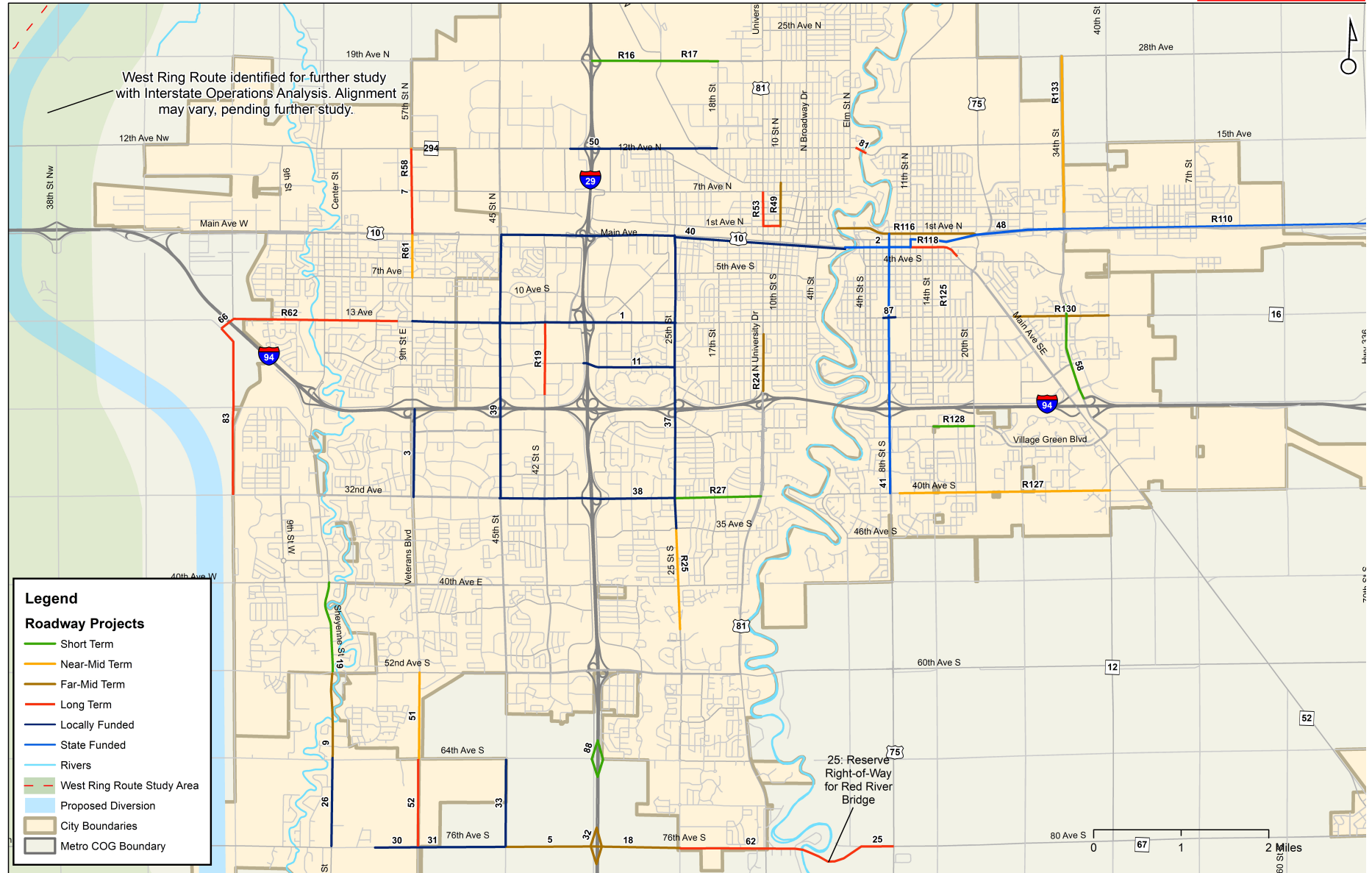
### MetroCOG Construction Application Center Street



This map is intended for reference purposes only. The City of West Fargo does not make claim that the features depicted represent true locations; therefore the City assumes no liability for any errors or omissions herein.



FIGURE 12.3: FUTURE ROADWAY PLAN, FISCALLY-CONSTRAINED PROJECTS, URBAN VIEW



**To:** Transportation Technical Committee  
**From:** Paul Bervik, Assistant Transportation Planner  
**Date:** February 3, 2023  
**Re:** **2023-2026 Transportation Improvement Program (TIP) Amendment 4**

The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) will hold a virtual public meeting via Zoom Video Communications on Thursday, February 16, 2023 at 4:00 p.m. to consider public comments regarding a proposed amendment to the 2023-2026 Transportation Improvement Program (TIP) for the FM Metropolitan Area. The proposed amendment to the 2023-2026 TIP reflects modified federally funded projects within the Metropolitan Planning Area (MPA).

A public notice was published in The Forum of Fargo-Moorhead on Wednesday, February 1, 2023, which advertised the public meeting, detailed how to request more information, and provided information on how to make public comment regarding the proposed amendment. The public notice advertised that public comments will be accepted until 12:00 p.m. (noon) on Thursday, February 16, 2023. As of the writing of this memo, no written comments have been received.

The proposed amendment to the 2023-2026 TIP is as follows:

1. **Modification of Project 9220009:** Mill and overlay of ND 18N from Leonard to Casselton (2023). The project cost decreased by 48.6%. Federal and state funding adjusted accordingly.
2. **Modification of Project 9231006:** Chip seal coat on US-81 (19<sup>th</sup> Avenue North) from Dakota Drive to I-29 (2023) in Fargo, ND. The project cost decreased by 28.8%. Federal, state, and local funding adjusted accordingly.
3. **Modification of Project 9162668:** Reconstruction of Main Avenue in Fargo, ND from University Drive to 25<sup>th</sup> Street (2026) by NDDOT. The project year shifted from 2024.

See **Attachment 1** for more detailed project information.

**Attachment 2** is included for your information. This shows Administrative Adjustment 1 that was incorporated on Thursday February 2, 2023.

**Requested Action: Recommend approval of Amendment 4 of the Metro COG 2023-2026 Transportation Improvement Program (TIP) to the Policy Board.**



| Lead Agency | Metro COG ID<br>State Number | Project<br>Year | Project Location | Length | Project Limits<br>From To | Project Description | Improvement<br>Type | Total<br>Project Cost | Federal<br>Revenue<br>Source | Other<br>Revenue<br>Source | Revenue |
|-------------|------------------------------|-----------------|------------------|--------|---------------------------|---------------------|---------------------|-----------------------|------------------------------|----------------------------|---------|
|-------------|------------------------------|-----------------|------------------|--------|---------------------------|---------------------|---------------------|-----------------------|------------------------------|----------------------------|---------|

Amendment 4 - 2023-2026 Metro COG TIP

Existing projects with a change in cost

|       |                  |      |                       |        |                                  |                  |                |                                       |     |                |   |
|-------|------------------|------|-----------------------|--------|----------------------------------|------------------|----------------|---------------------------------------|-----|----------------|---|
| NDDOT | 9220009<br>23656 | 2023 | ND 18N                | 19.2   | W Jct 46<br>Leonard<br>Casselton | Mill and Overlay | Rehabilitation | \$4,848,200<br><del>\$3,262,000</del> | IM  | State          | \$3,878,560<br><del>\$2,640,000</del><br>\$969,640<br><del>\$622,000</del>                                  |
| NDDOT | 9231006<br>23844 | 2023 | US-81 (19th Avenue N) | 0.7581 | Dakota Drive<br>I-29             | Chip Seal Coat   | Rehabilitation | \$71,200<br><del>\$100,000</del>      | NHU | State<br>Local | \$57,622.16<br><del>\$80,930</del><br>\$6,457.84<br><del>\$9,070</del><br>\$7,120.00<br><del>\$10,000</del> |

Amendment 4 - 2023-2026 Metro COG TIP

Existing projects with a non-cost change

|       |                  |                         |          |     |                       |                            |                |              |       |                |   |
|-------|------------------|-------------------------|----------|-----|-----------------------|----------------------------|----------------|--------------|-------|----------------|---|
| NDDOT | 9162668<br>23199 | 2026<br><del>2024</del> | Main Ave | 1.0 | University<br>25th St | Reconstruction of Main Ave | Reconstruction | \$15,412,522 | NHS-U | State<br>Local | \$8,369,948<br>\$1,226,416<br>\$5,816,158 |
|-------|------------------|-------------------------|----------|-----|-----------------------|----------------------------|----------------|--------------|-------|----------------|---|



**To:** Cognizant Agencies  
**From:** Michael Maddox, AICP  
**Date:** January 20, 2023  
**Re:** *Administrative Adjustment #1 to the 2023-2026 Transportation Improvement Program (TIP) for the Fargo-Moorhead Metropolitan Area*

The purpose of this memo is to inform you that the Fargo-Moorhead Metropolitan Council of Governments (Metro COG) has completed Administrative Adjustments to the projects below in the 2023-2026 Transportation Improvement Program (TIP). Based on the policies pertaining to amendment and administrative adjustments in Section 10 of the Metro COG 2023-2026 TIP, no formal MPO action is required for Administrative Adjustments. This memo summarizes the changes made to the Metro COG 2023-2026 TIP based upon updated project awards, project cost estimates, and technical corrections. The attached project table shows the updated projects included in this Administrative Adjustment.

1. **Modification of Project 8233026:** Improving interchange lighting on I-94 at exits 22, 24, 32, 38, 55, 67, 77(2024) by MNDOT. Change in project description.
2. **Modification of Project 5233024:** Purchase of an Advanced Traffic Management Software (ATMS) and a computer and screens to monitor the system for Moorhead, MN (2023) by City of Moorhead. Change in project description.
3. **Modification of Project 9233027:** Rehabilitating the bridge deck of the Cass County Legal Drain 14 crossing on 37<sup>th</sup> Street NE (2023) by NDDOT. Updating the Funding Source.
4. **Modification of Project 8210019:** Construction of 11<sup>th</sup> Street Grade Separation in Moorhead, MN (2023) by MNDOT. Updating State Funding Source.
5. **Modification of Project 8230004:** Preliminary Engineer for 11<sup>th</sup> Street Grade Separation in Moorhead, MN (2023) by MNDOT. Updating State Funding Source.
6. **Modification of Project 5200003:** Operating Assistance for Moorhead Transit (2023) by MNDOT. Updating State Funding Source.
7. **Modification of Project 5220032:** Paratransit Operating Assistance for Moorhead Transit (2023) by MNDOT. Updating State Funding Source.
8. **Modification of Project 8200011:** Mill and overlay of MN 9 from Barnesville to I-94 (2023) by MNDOT. Updating State Funding Source.
9. **Modification of Project 8230002:** Preliminary Engineer for 11<sup>th</sup> Street Grade Separation in Moorhead, MN (2023) by MNDOT. Updating State Funding Source.

The above adjustment is pursuant to Section 10 of the Metro COG 2023-2026 TIP which states the following applicable reasons to perform an administrative adjustment:

- The change does not impact fiscal constraint

No changes with this administrative adjustment impacted cost or cost breakdown, therefore fiscal constraint is maintained.

Thank you for your attention to this matter. Please contact me at (701) 532-5104 if you have any questions.

Sincerely,

Michael Maddox  
Senior Transportation Planner  
Fargo-Moorhead Metro COG

Attached: (1) 2023-2026 TIP Administrative Adjustment #1 Project List

| Lead Agency      | Metro COG ID<br>State Number | Project<br>Year | Project Location  | Length | Project Limits<br>From To |   | Project Description   | Improvement<br>Type     | Total<br>Project Cost | Federal<br>Revenue<br>Source | Other<br>Revenue<br>Source              | Revenue                                  |
|------------------|------------------------------|-----------------|---|--------|---------------------------|---|---|-------------------------|-----------------------|------------------------------|---|--|
| City of Moorhead | 5233024<br>1401-203          | 2023            | Moorhead  |        |                           |   | **CRP**CITY OF MOORHEAD: PURCHASE SOFTWARE FOR ADVANCED TRAFFIC MANAGEMENT SOFTWARE (ATMS) AND ASSOCIATED HARDWARE<br><del>Purchase of an Advanced Traffic Management Software (ATMS) and a computer and screens to monitor the system.</del> | Safety                  | \$60,000              | CRP                          | Local                                   | \$50,000<br>\$10,000                     |
| MNDOT            | 8233026<br>5690-152          | 2024            | I-94 Various Locations  |        |                           |   | ON I94, INTERCHANGE LIGHTING AT EXIT 22, 24, 32, 38, 55 <del>56</del> , 67, 77 (22 and 24 are within the MPA)   | Safety                  | \$1,200,000           | HSIP                         | State                                   | \$960,000<br>\$240,000                   |
| NDDOT            | 9233027<br>23628             | 2023            | 2.5 Miles East of Mapleton on the Frontage Road South of I-94 |        |                           | Intersection of 37th Street NE and Cass County Legal Drain 14 | Bridge Deck Replacement (#0010-013.192)   | Rehabilitation          | \$528,500             | BRO<br><del>HA</del>         | State                                   | \$422,800<br>\$105,700                   |
| MnDOT            | 8210019<br>1401-177          | 2024            | US 10 & 11th St   |        | 8th St                    | 14th St   | **B2020**INNO**: On US 10, From 8th Street to 14th Street, Construct New Underpass Under BNSF RR in Moorhead (Associated to 144-010-020)  | Reconstruction          | \$75,500,000          | STBGP-U                      | State<br><del>State Bond</del><br>Local | \$8,642,000<br>\$66,358,000<br>\$500,000 |
| MnDOT            | 8230004<br>1401-177PE1       | 2024            | US 10 & 11th St   |        | 8th St                    | 14th St   | **B2020**: On US 10, From 8th Street to 14th Street, Preliminary Engineering New Underpass Under BNSF RR in Moorhead (Associated to 144-010-020)  | Preliminary Engineering | \$500,000             |                              | State<br><del>State Bond</del>          | \$500,000                                |
| Moorhead Transit | 5200003<br>TRF-0034-23E      | 2023            | Transit   |        |                           |   | Sect 5307: City of Moorhead, Operating Assistance   | Transit Operations      | \$4,039,990           | FTA 5307                     | State<br><del>State Bond</del><br>Local | \$931,512<br>\$2,192,480<br>\$915,998    |
| Moorhead Transit | 5220032<br>TRF-0034-23F      | 2023            | Transit   |        |                           |   | City of Moorhead, Paratransit Operating Assistance  | Transit Operations      | \$709,651             | FTA 5307                     | State<br><del>State Bond</del><br>Local | \$73,058<br>\$530,145<br>\$106,448       |
| MNDOT            | 8200011<br>1409-25           | 2023            | MN 9  | 2.1    | Barnesville               | I-94  | On MN 9, In Barnesville to I-94, Reconstruct, Mill and Overlay, Multi-Use Trail, and ADA Improvements (Associated with project 2200033) (Includes SP#1408-13)   | Rehabilitation          | \$5,757,000           | STBGP-R                      | State<br><del>State Bond</del><br>Local | \$3,818,552<br>\$954,638<br>\$983,810    |
| MNDOT            | 8230002<br>1401-177PE        | 2023            | US 10 & 11th St   |        | 8th St                    | 14th St   | **B2020**: ON US 10, FROM 8TH STREET TO 14TH STREET, PRELIMINARY ENGINEERING NEW UNDERPASS UNDER BNSF RR IN MOORHEAD (ASSOCIATED TO 144-010-020)  | Preliminary Engineering | \$1,500,000           |                              | State<br><del>State Bond</del>          | \$1,500,000                              |

**To:** Transportation Technical Committee  
**From:** Michael Maddox, Senior Transportation Planner  
**Date:** February 3, 2023  
**Re:** **Surface Transportation Block Grant (STBG) Solicitation and Prioritization**

In November, 2022, Metro COG began a solicitation for future projects to be funded with STBG funding in fiscal year (FY) 2026 and 2027. The application form was presented at the November TTC meeting and distributed to local jurisdictions following that meeting. Metro COG staff followed up by requesting meetings with each jurisdiction to discuss the application form and the process of project solicitation. Thank you to those of you who responded and made time to meet with us to go over the application and discuss your ideas.

As explained in the solicitation and during the meetings, this is the initiation of Metro COG's responsibility to work with all of you to program projects after we are designated as a Transportation Management Area (TMA), which is expected to occur by Oct 1, 2023.

Metro COG followed up with all local jurisdictions after the initial distribution of the solicitation materials to allow for an extension of the deadline. This was done at the request of the City of Fargo due to the desire to solidify cost estimates and bring the project proposals and applications to various committees, commissions, and the City Commission for review, recommendations, and approval. The deadline was changed from January 12, 2023 to January 24, 2023 to allow for the additional local review, and this was communicated to all jurisdictions via email on December 16, 2022.

Below is a list of the projects grouped by state and fiscal year. The TTC will be asked to review multiple funding scenarios and will be recommending a preferred prioritization to Policy Board.

**North Dakota STBG Projects 2026 (\$4,318,064):** – Metro COG has received four (4) project applications for Surface Transportation Block Grant Program (STBG) funding in FY 2026 following Metro COG's solicitation of projects released in November 2022. Three (3) of the project applications are asking for additional funding for projects that are currently programmed in the TIP

- **Currently Programmed with FY 2024 STBG: 32<sup>nd</sup> Avenue South from University Drive to 22<sup>nd</sup> Street (Fargo – 2024 Advanced Construction Project (AC))**
  - Primary Improvement: Reconstruction of Urban Section
  - Additional Improvements: Pedestrian Infrastructure and Lighting
  - Total Project Cost: \$27,000,000,
  - Previously Programmed STBG: \$9,880,000 (37%) (2024)
  - Requested 2026 STBG: \$3,118,000 (AC)
  - Total Federal Funds Requested: \$12,998,000 (48%).
  - Required Local Match: \$3,249,500 (City of Fargo)

- Remaining Costs: \$10,752,500 (City of Fargo)
- MTP Roadway Project Prioritization Score: Not Ranked
- MTP Bicycle and Pedestrian Project Prioritization Score: Not Ranked
- **Currently Programmed with FY 2026 STBG: North Broadway Bridge Reconstruction (Fargo)**
  - Primary Improvement: Replacement of Broadway Bridge do to bridge structural failure.
  - Additional Improvements: Geotechnical Stability
  - Total Project Cost: \$10,500,00
  - Previously Programed STBG: \$4,200,000 (40%) (2026)
  - Requested 2026 STBG: \$1,200,000
  - Total Federal Funds Requested: \$5,400,000 (51%)
  - Required Local Match: \$1,350,000 (City of Fargo)
  - Remaining Costs: \$3,750,000 (Clay County)
  - MTP Roadway Project Prioritization Score: Not Ranked
  - MTP Bicycle and Pedestrian Project Prioritization Score: Not Ranked
- **Currently Programmed with FY 2026 STBG: Bicycle and Pedestrian bridge over the Red River at 40<sup>th</sup> Avenue S River (Fargo)**
  - Primary Improvement: Pedestrian Bridge over the Red River
  - Additional Improvements: Connecting to existing Pedestrian Infrastructure
  - Total Project Cost: \$10,020,00
  - Previously Programed STBG: \$1,760,000 (18%) (2026)
  - Requested 2026 STBG: N/A
  - Total Federal Funds Requested: \$4,1600,000 (42%)
  - Required Local Match: \$1,040,000 (City of Fargo)
  - Remaining Costs: \$4,800,000 (Assumed to be City of Moorhead)
  - MTP Roadway Project Prioritization Score: Not Ranked
  - MTP Bicycle and Pedestrian Project Prioritization Score: 8
- **9<sup>th</sup> Street NW from Main Avenue to 8<sup>th</sup> Avenue NW (West Fargo)**
  - Primary Improvement: Reconstruction of the existing rural asphalt section into a commercial/industrial concrete urban section
  - Additional Improvements: N/A
  - Total Project Cost: \$7,600,000
  - Requested 2026 STBG: \$6,100,000 (80%)
  - Required Local Match: \$1,500,000 (City of West Fargo)
  - Remaining Costs: (City of West Fargo)
  - MTP Roadway Project Prioritization Score: Not in the MTP
  - MTP Bicycle and Pedestrian Project Prioritization Score: Not in the MTP

**North Dakota STBG Projects 2027 (\$10,484,210):** – Metro COG has received five (5) project applications for STBG funding for FY 2027 following Metro COG's solicitation of projects released in November 2022.

- **17<sup>th</sup> Avenue South from University Drive to 25<sup>th</sup> Street (Fargo)**
  - Primary Improvement: Reconstruction of one (1) mile worth of urban roadway
  - Additional Improvements: Pedestrian Infrastructure (Shared-Use Path)
  - Total Project Cost: \$17,200,000
  - Requested 2027 STBG: \$8,000,000 (47%)
  - Required Local Match: \$2,000,000 (City of Fargo)
  - Remaining Costs: \$7,200,000 (City of Fargo)
  - MTP Roadway Project Prioritization Score: Not in the MTP
  - MTP Bicycle and Pedestrian Project Prioritization Score: 16
  
- **Currently Programmed with FY 2026 STBG: Bicycle and Pedestrian bridge over the Red River at 40<sup>th</sup> Avenue S River (Fargo)**
  - Primary Improvement: Pedestrian Bridge over the Red River
  - Additional Improvements: Connecting to existing Pedestrian Infrastructure
  - Total Project Cost: \$10,020,00
  - Previously Programed STBG: \$1,760,000 (18%) (2026)
  - Requested 2027 STBG: \$2,400,000
  - Total Federal Funds Requested: \$4,1600,000 (42%)
  - Required Local Match: \$1,040,000 (City of Fargo)
  - Remaining Costs: \$4,800,000 (Assumed to be City of Moorhead)
  - MTP Roadway Project Prioritization Score: Not Ranked
  - MTP Bicycle and Pedestrian Project Prioritization Score: 8
  
- **Center Street NW from Main Avenue to 12 Avenue NW (West Fargo)**
  - Primary Improvement: Reconstruction of the existing rural asphalt section into a commercial/industrial concrete urban section
  - Additional Improvements: N/A
  - Total Project Cost: \$9,500,00
  - Requested 2027 STBG: \$7,600,000 (80%)
  - Required Local Match: \$1,900,000 (City of West Fargo)
  - Remaining Costs: (City of West Fargo)
  - MTP Roadway Project Prioritization Score: Not in the MTP
  - MTP Bicycle and Pedestrian Project Prioritization Score: 12

- **Sheyenne Street from 40<sup>th</sup> Avenue S to 52<sup>nd</sup> Avenue S (West Fargo)**
  - Primary Improvement: Reconstruction of the existing rural asphalt section into a commercial/industrial concrete urban section
  - Additional Improvements: Pedestrian Infrastructure (Shared-Use Path)
  - Total Project Cost: \$11,050,000
  - Requested 2027 STBG: \$8,800,000 (80%)
  - Required Local Match: \$2,250,000 (City of West Fargo)
  - Remaining Costs: (City of West Fargo)
  - MTP Roadway Project Prioritization Score: 4
  - MTP Bicycle and Pedestrian Project Prioritization Score: 12
  
- **52<sup>nd</sup> Avenue S from Sheyenne Street to western city limits (West Fargo)**
  - Primary Improvement: Reconstruction of the existing rural asphalt section into a concrete urban section
  - Additional Improvements: Pedestrian Infrastructure (Shared-Use Path)
  - Total Project Cost: \$15,250,000
  - Requested 2027 STBG: \$12,000,000 (79%)
  - Required Local Match: \$3,250,000 (City of West Fargo)
  - Remaining Costs: (City of West Fargo)
  - MTP Roadway Project Prioritization Score: 3
  - MTP Bicycle and Pedestrian Project Prioritization Score: Not Ranked

**Minnesota STBG Projects 2027 (\$1,071,608):** – Metro COG has received one (1) project for FY 2027 solicitation.

- **Currently Programmed with FY 2024 STBG: 11<sup>th</sup> Street Grade Separation (Moorhead – 2024 Advanced Construction Project (AC))**
  - Primary Improvement: Construction of a new underpass under BNSF railroad in Moorhead
  - Additional Improvements: Pedestrian Infrastructure (Shared-Use Path)
  - Total Project Cost: \$75,500,000
  - Previously Programmed STBG: \$8,642,000 (11%) (2024)
  - Requested 2027 STBG: \$1,071,608 (AC)
  - Total Federal Funds Requested: \$9,713,608 (13%)
  - Required Local Match: \$1,428,402 (City of Moorhead)
  - Remaining Costs: \$63,357,990 (City of Moorhead and MNDOT)
  - MTP Roadway Project Prioritization Score: 12
  - MTP Bicycle and Pedestrian Project Prioritization Score: Not Ranked

All of the projects submitted for STBG funding are consistent with the goals, objectives, and policies of the Metro COG **Metropolitan Transportation Plan (MTP), Metro Grow: 2045 Fargo-Moorhead Transportation Plan** however, as discussed in the previous agenda item, three reconstruction projects (9<sup>th</sup> Street NW, Center Street, and 17<sup>th</sup> Avenue South) are not currently in the MTP and are in the process of being added through an amendment. Even if these projects are not selected for STBG funding in this



cycle of solicitation, it is advantageous to get them into the MTP since they have been identified as needed preservation projects.

A prioritization exercise, based upon the Goals, Objectives, and Policy direction of the MTP will take place at the TTC meeting February 9, 2023 to rank the projects. As you can see, the requests far exceed the funding available in Metro COG's estimated STBG direct suballocation.

**We cannot stress the following points enough:**

- Projects selected for funding must be feasible and unlikely to be delayed or deemed infeasible as they go through project development and design due to environmental, geotechnical, or permitting issues.
- Cost estimates must be carefully thought through and as accurate as possible to avoid delays due to higher-than-estimated costs and unavailability of sufficient funds.
- Priority projects that are not selected for funding should still enter the project development process as federally funded projects to ensure that we can move them into the TIP for funding if another project is delayed.

Metro COG is likely to be designated as a TMA well before FY2026 and FY 2027. Metro COG has the flexibility to adjust projects currently in the TIP according to local funding priorities in compliance with the MTP.

Metro COG is requesting that the TTC prioritize projects and identify STBG funding for the projects in FY2026 and FY2027 listed above. Those recommendations will be provided to the Metro COG Policy Board for their consideration.

**Attachments**

1. List of programmed and proposed STBG projects
2. 32<sup>nd</sup> Ave S STBG application
3. Broadway Bridge STBG application
4. 40<sup>th</sup> Ave S Pedestrian Bridge STBG application
5. 9<sup>th</sup> St NW STBG application
6. 17<sup>th</sup> Ave S STBG application
7. Center St STBG application
8. Sheyenne St STBG application
9. 52<sup>nd</sup> Ave S STBG application
10. 11<sup>th</sup> St Grade Separation STBG application

**Requested Action: The recommended action will consist of a recommendation to the Policy Board regarding a prioritized list of projects and the funding designated for each project.**

| <b>ND 2026</b>            | Not<br>Programmed | Previously<br>Programmed | Total                |
|---------------------------|-------------------|--------------------------|----------------------|
| 2026 STBG Funding Picture | \$ 4,318,064      | \$ 5,960,000             | <b>\$ 10,278,064</b> |

| Jurisdiction | Project Name           | Total<br>Additional<br>Requested<br>2026 Funds | Previously<br>Programmed<br>2026 Funding | Total<br>Requested<br>2026 Funding |
|--------------|------------------------|--|--|------------------------------------|
| Fargo        | 32nd Avenue S          | \$ 3,118,000                                   | \$ -                                     | \$ 3,118,000                       |
| Fargo        | Broadway Bridge        | \$ 1,200,000                                   | \$ 4,200,000                             | \$ 5,400,000                       |
| Fargo        | 40th Avenue Ped Bridge | \$ -   | \$ 1,760,000                             | \$ 1,760,000                       |
| West Fargo   | 9th Street NW          | \$ 6,100,000                                   | \$ -                                     | \$ 6,100,000                       |
| Total:       |                        | \$ 10,418,000                                  | \$ 5,960,000                             | <b>\$ 16,378,000</b>               |

| <b>ND 2027</b>            | Not<br>Programmed | Previously<br>Programmed | Total                |
|---------------------------|-------------------|--------------------------|----------------------|
| 2026 STBG Funding Picture | \$ 10,484,210     | \$ -                     | <b>\$ 10,484,210</b> |

| Jurisdiction | Project Name           | Total<br>Additional<br>Requested<br>2027 Funds | Previously<br>Programmed<br>2027 Funding | Total<br>Requested<br>2027 Funding |
|--------------|------------------------|--|--|------------------------------------|
| Fargo        | 40th Avenue Ped Bridge | \$4,160,000                                    | \$ -                                     | \$4,160,000                        |
| Fargo        | 17th Avenue S          | \$8,000,000                                    | \$ -                                     | \$8,000,000                        |
| West Fargo   | Center Street          | \$7,600,000                                    | \$ -                                     | \$7,600,000                        |
| West Fargo   | Sheyenne Street        | \$8,800,000                                    | \$ -                                     | \$8,800,000                        |
| West Fargo   | 52nd Avenue S          | \$12,000,000                                   | \$ -                                     | \$12,000,000                       |
| Total:       |                        | \$40,560,000                                   | \$ -                                     | <b>\$40,560,000</b>                |

| <b>MN 2027</b>            | Not<br>Programmed | Previously<br>Programmed | Total               |
|---------------------------|-------------------|--------------------------|---------------------|
| 2026 STBG Funding Picture | \$ 1,071,608      | \$ -                     | <b>\$ 1,071,608</b> |

| Jurisdiction | Project Name             | Total<br>Additional<br>Requested<br>2027 Funds | Previously<br>Programmed<br>2027 Funding | Total<br>Requested<br>2027 Funding |
|--------------|--------------------------|--|--|------------------------------------|
| Moorhead     | 11th St Grade Separation | \$ 1,071,608                                   | \$ -                                     | \$ 1,071,608                       |
| Total:       |                          | \$ 1,071,608                                   | \$ -                                     | <b>\$ 1,071,608</b>                |

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 1: Project Information

**Project Summary:**

|  |  |                                 |  |  |
|--|--|---------------------------------|--|--|
| Project Location: 32nd Avenue S            |  |                                 |  |  |
| Lead Jurisdiction: City of Fargo           |  |                                 |  |  |
| Project Contact: Jeremy Gorden             |  |                                 | Contact Phone: 241-1529                    |  |
| Contact Email Address: jgorden@fargond.gov |  |                                 |  |  |
| Project Limits:                            |  | From: University Drive          | To: 22nd Street                            |  |
| Project Length: 4485'                      |  | Construction Year: 2024-25      | AC:  | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N |
| Funding FY:                                | <input checked="" type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input checked="" type="checkbox"/> FY2026 | <input type="checkbox"/> FY2027                                  |
| Funding Requested:                         | 9.88M                                      |                                 | 3.118M                                     |  |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

We plan on fully reconstructing this roadway to an undivided 5-lane concrete section. The footprint of the roadway will shrink around 5-8' depending on location. We plan on installing a new 72" storm sewer trunk line throughout the corridor. The existing shared use path and sidewalks will be rehabbed, and a new shared use path will replace the existing sidewalk on the north side of the road from the Milwaukee Trail to University Drive. All street lights will be replaced with project. The existing traffic signals will be replaced at 18th Street and at 15th Street, and the traffic signal at University Drive will be rehabbed. Operations will be improved at the traffic signal at University as the jog to get into the left turn lanes will be removed. The sanitary sewer will be either lined in place or replaced as part of the project and the watermain will be replaced. The existing trees on the boulevards will remain in place, and the ones located in the existing median will be removed. Landscaped

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |  |
|---|--|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input checked="" type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input checked="" type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|--|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided |
|----------------------------|------------------------|------------------------|
| ROW Acquisition            |                        |                        |
| Planning                   |                        |                        |
| Utilities                  |                        |                        |
| Construction Engineering   |                        |                        |
| Roadway Construction       | 12.998                 | 14.002M                |
| Bike/Ped Infrastructure    | included above         |                        |
| Lighting                   | included above         |                        |
| Traffic Control            | included above         |                        |
| Transit Capital Purchase   |                        |                        |
| Other:<br>(Please Specify) |                        |                        |
| <b>Total:</b>              | <b>12.998M</b>         | <b>14.002M</b>         |

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

**Step 2: Planning Conformance**

**Plan Inclusion:**

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
  - Metro Transportation Plan
  - Corridor Study
  - Bike/Ped Plan
  - Subarea Plan
  - TIP
  - Transit Development Plan
- Local Plans:
  - Comprehensive Plan
  - Corridor Study
- Other (please specify): \_\_\_\_\_

**Project Need:**

Please describe the need for the project (utilize language from any applicable plan).

This roadway has outlived its useful life, and its time for replacement. The street is prone to flooding when an intense rainfall occurs, and as part of this project we will be installing a second main storm sewer pipe. The signalized intersection at University Drive needs modification to improve traffic operations.

**ADA Compliance:**

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- Yes  
 No

Please describe ADA elements of this project (if applicable).

We will replace most if not all of the existing sidewalk, and all the ADA ramps at the intersections will be replaced with the most current design for ADA ramps including detectable warning panels and with proper grading. Also at the signalized intersections, the pedestrian push buttons will be ADA compliant and will be relocated to the appropriate location for crossing the street.

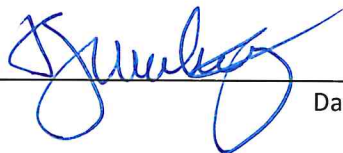
**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**


**Step 3: Signature**

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I do hereby formally submit the aforementioned project to Metro COG for federal funding on this day 23 of January (month), 2023 (year).

In Witness Whereof:

 1/23/23  
\_\_\_\_\_  
(Mayor) Date

 for Brenda Derrig 1-23-24  
\_\_\_\_\_  
(City Engineer) Date

32<sup>nd</sup> Avenue S Street Reconstruction Project



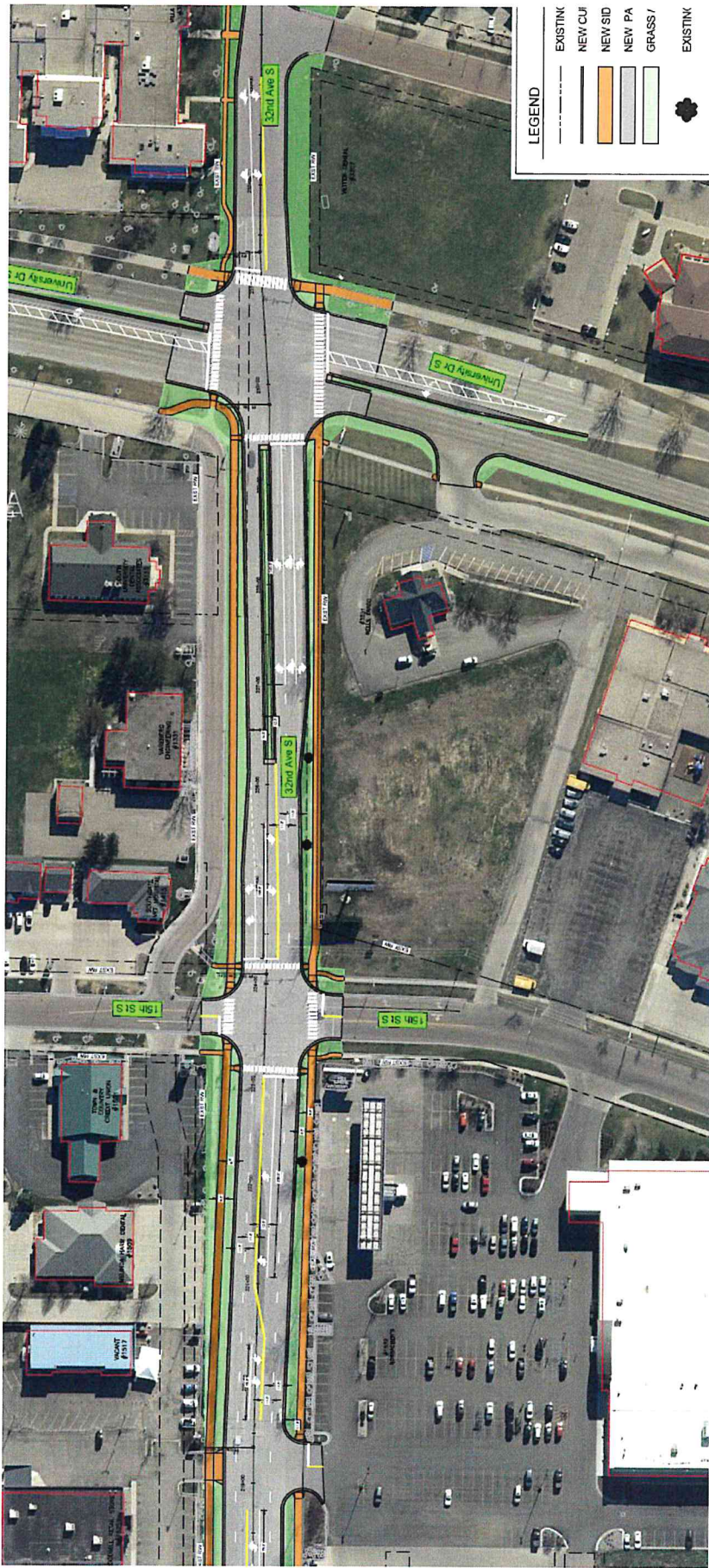
Agenda Item 7  
Attachment 2

Agenda Item 7  
Attachment 2





Agenda Item 7  
Attachment 2



## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 1: Project Information

**Project Summary:**

|  |                                 |                                 |  |  |
|--|---------------------------------|---------------------------------|--|--|
| Project Location: N Broadway Bridge over Red River |                                 |                                 |  |  |
| Lead Jurisdiction: City of Fargo                   |                                 |                                 |  |  |
| Project Contact: Jeremy Gorden                     |                                 |                                 | Contact Phone: 241-1529                    |  |
| Contact Email Address: jgorden@fargond.gov         |                                 |                                 |  |  |
| Project Limits:                                    |                                 | From: 37th Ave N                | To: Clay County                            |  |
| Project Length: 1622'                              |                                 | Construction Year: 2026         | AC:  | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N |
| Funding FY:  | <input type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input checked="" type="checkbox"/> FY2026 | <input type="checkbox"/> FY2027                                  |
| Funding Requested:                                 |                                 |                                 | 5.4M                                       |  |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

This project would call for a new bridge over the Red River. The existing bridge has failed and will be demolished this year (getting bid Jan 24, 2023). A portion of road leading up the bridge will be relocated away from the river due to a slope failure. This project would be funded equally between the City of Fargo and Clay County (Mn).

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |  |
|---|--|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input checked="" type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input checked="" type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|--|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided            |
|----------------------------|------------------------|-----------------------------------|
| ROW Acquisition            |                        |                                   |
| Planning                   |                        |                                   |
| Utilities                  |                        |                                   |
| Construction Engineering   |                        |                                   |
| Roadway Construction       | 5.4M                   | 1.35M Local Fargo (3.75M Clay Co) |
| Bike/Ped Infrastructure    | included above         |                                   |
| Lighting                   | included above         |                                   |
| Traffic Control            | included above         |                                   |
| Transit Capital Purchase   |                        |                                   |
| Other:<br>(Please Specify) |                        |                                   |
| <b>Total:</b>              | <b>5.4M</b>            | <b>5.1M</b>                       |

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

**Step 2: Planning Conformance**

**Plan Inclusion:**

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
  - Metro Transportation Plan
  - Corridor Study
  - Bike/Ped Plan
  - Subarea Plan
  - TIP
  - Transit Development Plan
- Local Plans:
  - Comprehensive Plan
  - Corridor Study
- Other (please specify): Included in Bicycle Gap Study (COG)

**Project Need:**

Please describe the need for the project (utilize language from any applicable plan).

The purpose of the project is to replace a structurally deficient bridge that 3,000 people use per day for crossing the Red River in Fargo. The 30 year old structure has failed and needs to be replaced.

**ADA Compliance:**

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- Yes
- No

Please describe ADA elements of this project (if applicable).

NA


**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

**Step 3: Signature**

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I do hereby formally submit the aforementioned project to Metro COG for federal funding on this day 23 of January (month), 2023 (year).

In Witness Whereof:

  
\_\_\_\_\_  
(Mayor) Date 1/23/23

 for Brenda Derrig  
\_\_\_\_\_  
(City Engineer) Date 1-23-23

N Broadway Bridge Project Location Map

Agenda Item 7  
Attachment 3



## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 1: Project Information

**Project Summary:**

|  |                                 |                                 |  |                                 |                                       |
|--|---------------------------------|---------------------------------|--|---------------------------------|---------------------------------------|
| Project Location: 40th Avenue S Pedestrian Bridge over Red River |                                 |                                 |  |                                 |                                       |
| Lead Jurisdiction: City of Fargo                                 |                                 |                                 |  |                                 |                                       |
| Project Contact: Jeremy Gorden                                   |                                 |                                 | Contact Phone: 241-1529                    |                                 |                                       |
| Contact Email Address: jgorden@fargond.gov                       |                                 |                                 |  |                                 |                                       |
| Project Limits:  |                                 | From: University Drive          | To: Bluestem Center                        |                                 |                                       |
| Project Length: 1260' (800' in ND)                               |                                 | Construction Year: 2026         | AC:  | <input type="checkbox"/> Y      | <input checked="" type="checkbox"/> N |
| Funding FY:  | <input type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input checked="" type="checkbox"/> FY2026 | <input type="checkbox"/> FY2027 |                                       |
| Funding Requested:   |                                 |                                 | 4.16                                       |                                 |                                       |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

A new pedestrian bridge project over the Red River. This is a missing link in our pedestrian system between the cities of Fargo and Moorhead. This would be an 800' long bridge that would be an estimated six-span structure built to be higher than a 100-year flood in elevation. This would be located on a section line between both cities.

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |   |
|---|---|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input checked="" type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|---|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided            |
|----------------------------|------------------------|-----------------------------------|
| ROW Acquisition            |                        |                                   |
| Planning                   |                        |                                   |
| Utilities                  |                        |                                   |
| Construction Engineering   |                        |                                   |
| Roadway Construction       | 4.16M                  | 1.04M Local Fargo (4.8M Moorhead) |
| Bike/Ped Infrastructure    | included above         |                                   |
| Lighting                   | included above         |                                   |
| Traffic Control            | included above         |                                   |
| Transit Capital Purchase   |                        |                                   |
| Other:<br>(Please Specify) |                        |                                   |
| <b>Total:</b>              | <b>4.16M</b>           | <b>5.86M</b>                      |



## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 2: Planning Conformance

#### Plan Inclusion:

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
  - Metro Transportation Plan
  - Corridor Study
  - Bike/Ped Plan
  - Subarea Plan
  - TIP
  - Transit Development Plan
- Local Plans:
  - Comprehensive Plan
  - Corridor Study
- Other (please specify): Included in Bicycle Gap Study (COG)

#### Project Need:

Please describe the need for the project (utilize language from any applicable plan).

The proposed bridge and path project would connect to existing shared use paths on both sides of the river. This project would fill a critical gap identified in the Metro Area bicycle and pedestrian network. The connection is noted in multiple studies and would be the only bicycle/pedestrian crossing south of I-94 which would provide immediate connections to regional bike/ped facilities such as shared use paths along University Drive S and 40th Avenue S, ultimately connecting to the Milwaukee Trail, located a ½ mile to the west. On the Moorhead side, the new bridge would connect to the Moorhead River Corridor Trail, and (future) Heartland Trail. The new bridge would provide critical connections to Discovery Middle School, Lions Conservancy Park, and the park system along the Milwaukee Trail on the Fargo side of the Red River. On the Moorhead side of the river, the new bridge would also provide a direct connection to the Bluestem Amphitheater, a regional cultural attraction.

#### ADA Compliance:

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- Yes  
 No

Please describe ADA elements of this project (if applicable).

NA


**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

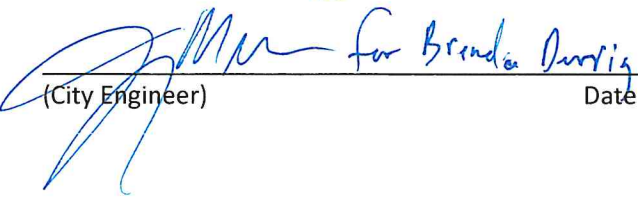
**Step 3: Signature**

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I do hereby formally submit the aforementioned project to Metro COG for federal funding on this day 23 of January (month), 2023 (year).

In Witness Whereof:

 1-23-23  
\_\_\_\_\_  
(Mayor) Date

 1-23-23  
\_\_\_\_\_  
(City Engineer) Date



# Gap 9 | Recommended Bridge & Path Alignment

## Recommended Bikeway Concept

The recommendation for Gap 9 is a high-clearance bicycle and pedestrian bridge crossing the Red River and shared use paths that connect to existing paths on both sides of the river. Unlike the existing lift bridges crossing the Red River in Fargo/Moorhead, the proposed bridge would be a high-clearance bridge that would not need to be lifted during flood events. This is due to the existing slopes on both sides of the river at this location. A high-clearance bridge would also increase usability of the bridge during flood situations. The recommended bridge is assumed to be 800 feet long and 15 feet wide. The bridge is recommended to be 800 feet long so that it is located at an elevation high enough to avoid the vast majority of floods. At 800 feet in length, the bridge would be at an approximate elevation of 903 feet, which is equivalent to a 37-foot river stage and is above the 100-year floodplain. Implementation of this bridge will require geotechnical analysis, optimum crossing location analysis, coordination with the US Army Corps of Engineers, and more.

The proposed shared use paths would connect the bridge to existing shared use paths on both sides of the river. On the west side, a shared use path would connect the bridge to the path at the intersection of 40th Avenue S and University Drive in Fargo. On the east side, a shared use path would connect the bridge to the path on the north side of 50th Avenue SW in Moorhead. Implementation of this path on the east side will require approval and coordination with the Trollwood Performing Arts School. The path alignment shown does not necessarily reflect a preferred alignment; further coordination the City of Moorhead and Trollwood Performing Arts School is required.

## Planning-Level Cost Estimate

| Recommended Concept           | Approximate Cost Range    |
|-------------------------------|---------------------------|
| Bicycle and Pedestrian Bridge | \$3,313,560 - \$4,638,984 |
| Shared Use Path               | \$646,440 - \$911,016     |
| Total                         | \$3,960,000 - \$5,550,000 |

### Cost Estimate Notes

- New path length: 1,737 ft. (0.33 mi.)
  - 464 ft (West) + 1,273 ft (East)
- New bridge assumed to be 800 feet long and 15 feet wide (11-foot trail, 2 feet each side for parapets)
- New path assumed to be 11-foot concrete
- Includes ADA curb ramps
- Right of way acquisition not included
- Unit Prices per MnDOT 2018 Statewide Average Bid Prices
- All costs in 2018 dollars

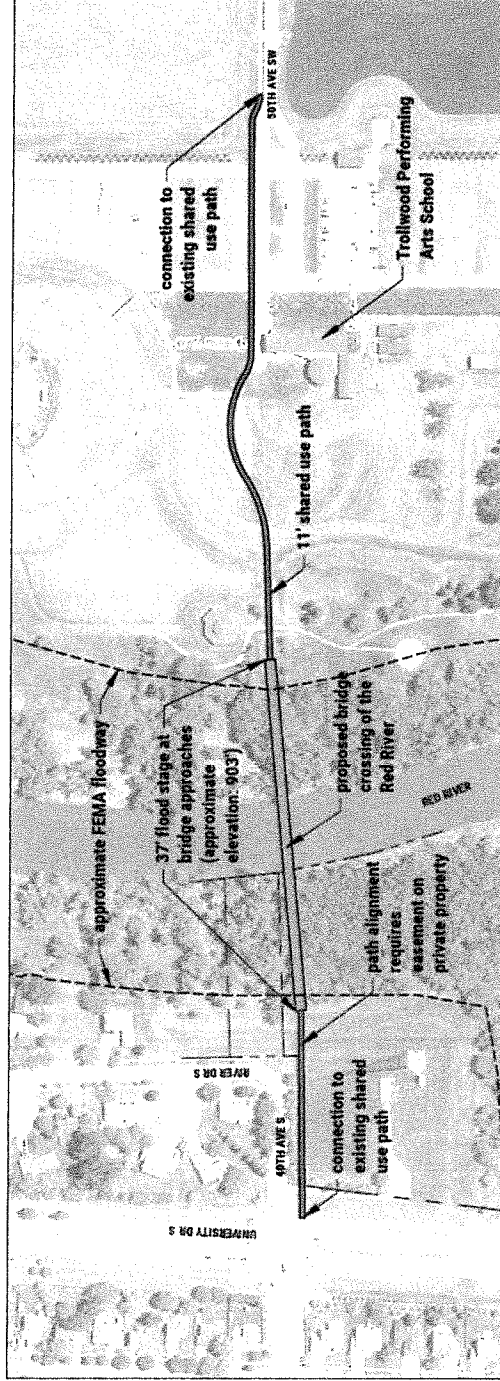
### Lead Agencies

- City of Fargo
- City of Moorhead

### Key Stakeholder

- Trollwood Performing Arts School
- Riverkeepers

Recommended Bridge Alignment



Agenda Item 7  
Attachment 4

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Instructions

The Fargo-Moorhead Metropolitan Council of Government (Metro COG) is soliciting projects for use of its direct suballocation of Surface Transportation Block Grant (STBG) program funds annual for federal fiscal years (FFY) 2024-2027.

**Table 1:** Funding Amounts Available by Year Included in the Solicitation

| State        | FY 2024 | FY 2025 | FY 2026     | FY 2027      |
|--------------|---------|---------|-------------|--------------|
| North Dakota | \$0     | \$0     | \$4,318,064 | \$10,484,210 |
| Minnesota    |         |         |             | \$1,071,608  |

Please complete the following form with all applicable information. This information will be used to assess and prioritize the project versus other project applications received by Metro COG. Completing all elements of this form thoroughly will help Metro COG staff to review projects and work with the TTC and Policy Board to prioritize projects.

### Project Eligibility

Projects eligible for STBG funding must be within the Metro COG Urbanized Area Boundary (UZA), be consistent with Metro Grow: 2045 FM Area Metropolitan Transportation Plan (MTP), and meet general eligibility requirements for use of federal aid dollars under Title 23 of the US Code.

### Process

After project applications are submitted to Metro COG, staff will review each application. This review will take eligibility, ability to fund, need, Title VI & EJ impacts, conformance with plans, and priority in the MTP as well as other factors into consideration. Staff will prepare a rough prioritization based upon these and other factors, and will consider various funding scenarios if multiple projects are able to be funded in a single fiscal year. This information will be presented to Metro COG’s Transportation Technical Committee (TTC). The TTC will recommend a prioritized list of projects for funding to Metro COG’s Policy Board. The Policy Board will then determine which projects are funded and how much funding will be allotted to each project in each of the fiscal years during which funding is available.

### Schedule

- |                   |  |
|-------------------|--|
| November 10, 2022 | • Begin project solicitation process   |
| January 12, 2023  | • End application process. Metro COG staff begin reviewing projects.   |
| February 9, 2023  | • The Transportation Technical Committee (TTC) reviews and prioritizes projects. TTC makes a funding recommendation to the Policy Board. |
| February 16, 2023 | • Policy Board reviews projects and awards funding.  |

After funding is awarded, Metro COG will begin working with each local jurisdiction to monitor and track project progress to ensure projects are able to stay on track for the year funded, or to ensure that we know, far enough in advance, about scheduling or cost issues that could affect project programming the timely obligation of federal funds.

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

**Step 1: Project Information**

**Project Summary:**

|  |                                 |                                 |  |   |
|--|---------------------------------|---------------------------------|--|---|
| Project Location: 9th Street NW - Main Ave W to 8th Ave NW |                                 |                                 |  |   |
| Lead Jurisdiction: West Fargo                              |                                 |                                 |  |   |
| Project Contact: Andrew Wrucke                             |                                 |                                 | Contact Phone: 701-515-5105                |   |
| Contact Email Address: andrew.wrucke@westfargond.gov       |                                 |                                 |  |   |
| Project Limits: 9th St NW                                  |                                 | From: Main Ave W                |  | To: 8th Ave NW  |
| Project Length: 3,600'                                     |                                 | Construction Year: 2026         |  | AC: <input type="checkbox"/> Y <input type="checkbox"/> N |
| Funding FY: 2026   | <input type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input checked="" type="checkbox"/> FY2026 | <input type="checkbox"/> FY2027                           |
| Funding Requested:   |                                 |                                 | \$6,100,000                                |   |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

Project will reconstruct existing rural asphalt section of former county road into a commercial/industrial concrete urban section. Project will add storm sewer with a new 3-lane 40' urban commercial roadway, matching the existing roadway section to the north. Project will also examine adding bike/pedestrian facilities to the corridor. Existing road is in poor condition and will need to be rebuilt in next 5-10 years, and has experienced a growth in traffic with a growth in commerce along the corridor.

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |  |
|---|--|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input checked="" type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input checked="" type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|--|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will be used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided |
|----------------------------|------------------------|------------------------|
| ROW Acquisition            |                        |                        |
| Planning                   |                        |                        |
| Utilities                  |                        |                        |
| Construction Engineering   |                        |                        |
| Roadway Construction       | \$5,900,000            | \$1,450,000            |
| Bike/Ped Infrastructure    | \$200,000              | \$50,000               |
| Lighting                   |                        |                        |
| Traffic Control            |                        |                        |
| Transit Capital Purchase   |                        |                        |
| Other:<br>(Please Specify) |                        |                        |
| <b>Total:</b>              | <b>\$6,100,000</b>     | <b>\$1,500,000</b>     |

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 2: Planning Conformance

**Plan Inclusion:**

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
  - Metro Transportation Plan
  - Corridor Study
  - Bike/Ped Plan
  - Subarea Plan
  - TIP
  - Transit Development Plan
- Local Plans:
  - Comprehensive Plan
  - Corridor Study
- Other (please specify): \_\_\_\_\_

**Project Need:**

Please describe the need for the project (utilize language from any applicable plan).

Existing road is asphalt rural section constructed by the County 30+ years ago. Roadway design is not in compliance with current industrial/commercial design standards and will need to be rebuilt and upgraded. Roadway sees continued growth in heavy traffic as industry grows along the corridor and north of 12th Ave NW. Bike/Pedestrian facilities could be included to improve access between Main Ave W and 12th Ave NW. Existing road is one of three major N/S corridors north of Main Ave.

**ADA Compliance:**

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- Yes  
 No

Please describe ADA elements of this project (if applicable).

Any multi-use paths will include ADA compliant curb ramps.

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**


**Step 3: Signature**

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

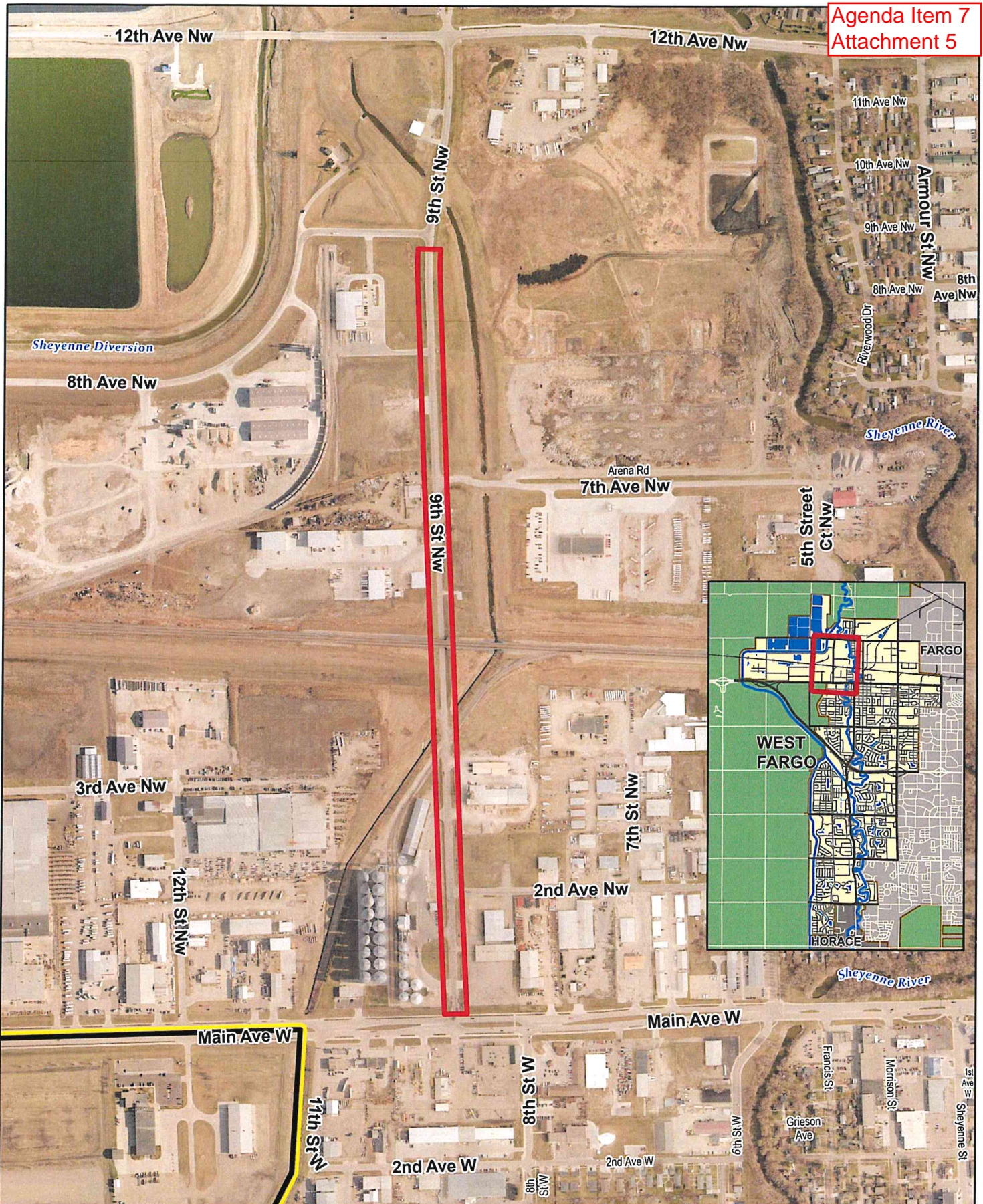
I due hereby formally submit the aforementioned project to Metro COG for federal funding on this day 3<sup>rd</sup> of January (month), 2023 (year).

In Witness Thereof:

  
\_\_\_\_\_  
(Mayor) Date Jan 6/23

  
\_\_\_\_\_  
(City Engineer) Date 1/3/23





**MetroCOG Construction Application  
9th Street NW**



This map is intended for reference purposes only. The City of West Fargo does not make claim that the features depicted represent true locations; therefore the City assumes no liability for any errors or omissions herein.



## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 1: Project Information

**Project Summary:**

|  |                                 |                                 |                                 |  |
|--|---------------------------------|---------------------------------|---------------------------------|--|
| Project Location: 17th Avenue S            |                                 |                                 |                                 |  |
| Lead Jurisdiction: City of Fargo           |                                 |                                 |                                 |  |
| Project Contact: Jeremy Gorden             |                                 |                                 | Contact Phone: 241-1529         |  |
| Contact Email Address: jgorden@fargond.gov |                                 |                                 |                                 |  |
| Project Limits:                            |                                 | From: University Drive          |                                 | To: 25th Street  |
| Project Length: 5280'                      |                                 | Construction Year: 2027         |                                 | AC: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N |
| Funding FY:                                | <input type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input type="checkbox"/> FY2026 | <input checked="" type="checkbox"/> FY2027                           |
| Funding Requested:                         |                                 |                                 |                                 | 8,000,000  |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

17th Ave S is a 2-lane roadway with sidewalks on both sides. The right of way width is 80' throughout. It is functionally classified as a collector street. There are two public schools adjacent to this corridor. The average annual daily traffic near University Drive is 3760 vehicles, and near 25th Street it is 6740 vehicles. The portion from University to 17th Street was built in the late 1950's, and the portion west of there to 25th Street was built in the mid 1970's. The street varies in width between 30' to 35'. Street lighting is present for the entire stretch. No shared use path exists today. Our plan is to fully reconstruct the roadway to a concrete section and upgrade one of the sidewalks to shared use path. There is no plan on widening the roadway, but we do plan on improving operations at the traffic signal at University Drive. The proposed cross section has yet to be determined, but could be reduced from the existing width to assist in creating room on the boulevard for the new shared use path. There will be replacement of sanitary and storm sewer, as well as the existing water main. The street lighting on the east half was recently installed, but the west half the street lights will be replaced. This avenue is defined in our Go 2030 as an 'Active Living Street' and the FM Metro Bike and Ped Plan identify it as a future bicycle corridor. We plan on installing a shared use path from I-29 to 5th Street, a distance of nearly 2.4 miles, and this project is integral to making that path a reality.

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |  |
|---|--|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input checked="" type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input checked="" type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|--|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided |
|----------------------------|------------------------|------------------------|
| ROW Acquisition            |                        |                        |
| Planning                   |                        |                        |
| Utilities                  |                        |                        |
| Construction Engineering   |                        |                        |
| Roadway Construction       | 8,000,000              | 9,200,000              |
| Bike/Ped Infrastructure    | included above         |                        |
| Lighting                   | included above         |                        |
| Traffic Control            | included above         |                        |
| Transit Capital Purchase   |                        |                        |
| Other:<br>(Please Specify) |                        |                        |
| <b>Total:</b>              | <b>8,000,000</b>       | <b>9,200,000</b>       |

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 2: Planning Conformance

#### Plan Inclusion:

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:

Metro Transportation Plan

Subarea Plan

Corridor Study

TIP

Bike/Ped Plan

Transit Development Plan

- Local Plans:

Comprehensive Plan

Corridor Study

- Other (please specify): Core Neighborhoods Plan

#### Project Need:

Please describe the need for the project (utilize language from any applicable plan).

This roadway has outlived its useful life, and its time for replacement. This project also gives us the opportunity to implement a new shared use path in with the design. The signalized intersection at University Drive needs modification to improve traffic operations.

#### ADA Compliance:

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

Yes

No

Please describe ADA elements of this project (if applicable).

We will replace most if not all of the existing sidewalk, and all the ADA ramps at the intersections will be replaced with the most current design for ADA ramps including detectable warning panels and with proper grading. Also at the signalized intersections, the pedestrian push buttons will be ADA compliant and will be relocated to the appropriate location for crossing the street.

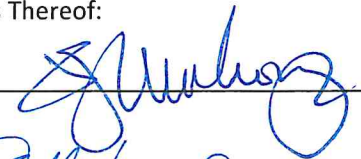
**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

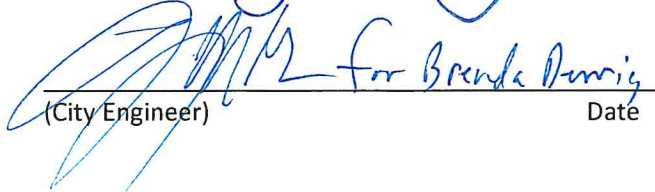
**Step 3: Signature**

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I do hereby formally submit the aforementioned project to Metro COG for federal funding on this day 23 of January (month), 2023 (year).

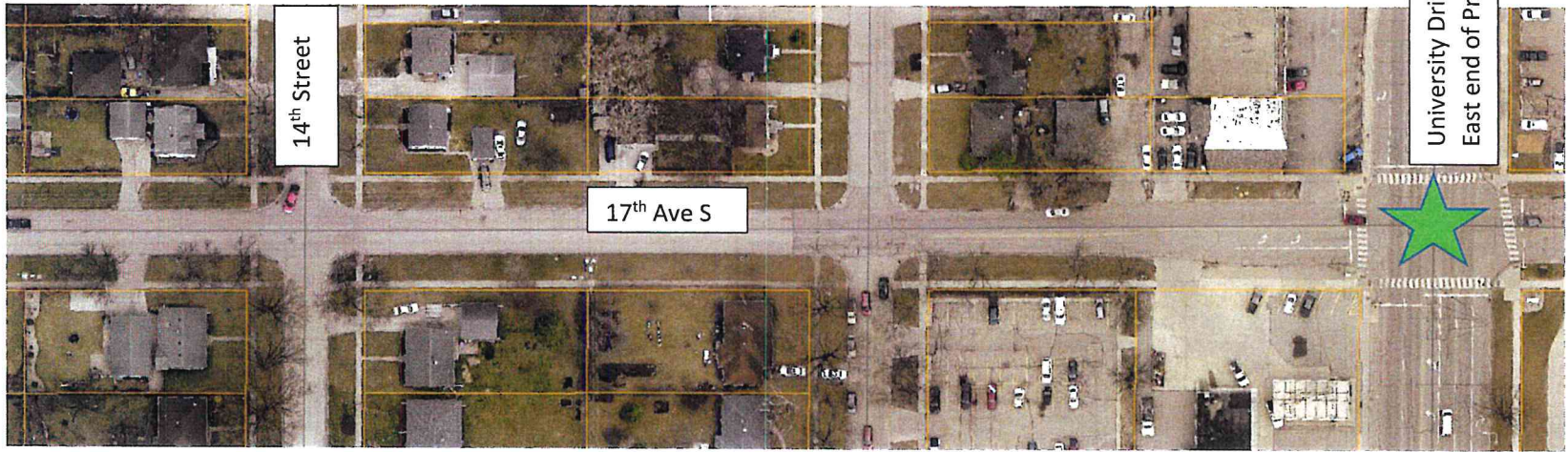
In Witness Whereof:

  
\_\_\_\_\_  
(Mayor) Date 1/23/23

  
\_\_\_\_\_  
(City Engineer) Date 1-23-23

**17<sup>th</sup> Avenue S Project Area**

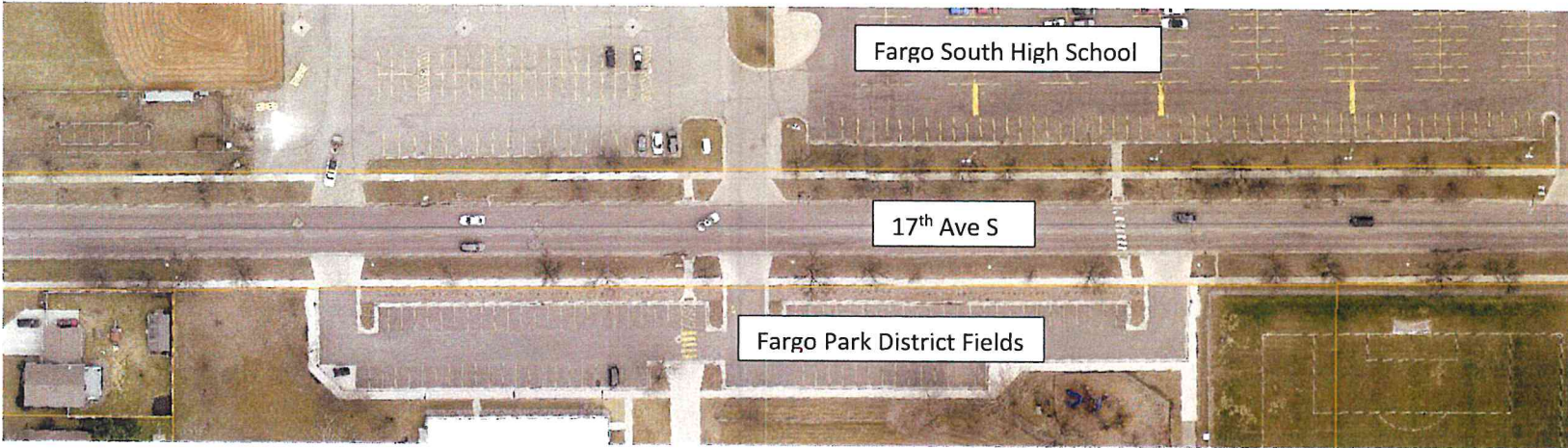
**Agenda Item 7  
Attachment 6**



denotes traffic signal



denotes 4-way stop







## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Instructions

The Fargo-Moorhead Metropolitan Council of Government (Metro COG) is soliciting projects for use of its direct suballocation of Surface Transportation Block Grant (STBG) program funds annual for federal fiscal years (FFY) 2024-2027.

**Table 1:** Funding Amounts Available by Year Included in the Solicitation

| State        | FY 2024 | FY 2025 | FY 2026     | FY 2027      |
|--------------|---------|---------|-------------|--------------|
| North Dakota | \$0     | \$0     | \$4,318,064 | \$10,484,210 |
| Minnesota    |         |         |             | \$1,071,608  |

Please complete the following form with all applicable information. This information will be used to assess and prioritize the project versus other project applications received by Metro COG. Completing all elements of this form thoroughly will help Metro COG staff to review projects and work with the TTC and Policy Board to prioritize projects.

### Project Eligibility

Projects eligible for STBG funding must be within the Metro COG Urbanized Area Boundary (UZA), be consistent with Metro Grow: 2045 FM Area Metropolitan Transportation Plan (MTP), and meet general eligibility requirements for use of federal aid dollars under Title 23 of the US Code.

### Process

After project applications are submitted to Metro COG, staff will review each application. This review will take eligibility, ability to fund, need, Title VI & EJ impacts, conformance with plans, and priority in the MTP as well as other factors into consideration. Staff will prepare a rough prioritization based upon these and other factors, and will consider various funding scenarios if multiple projects are able to be funded in a single fiscal year. This information will be presented to Metro COG's Transportation Technical Committee (TTC). The TTC will recommend a prioritized list of projects for funding to Metro COG's Policy Board. The Policy Board will then determine which projects are funded and how much funding will be allotted to each project in each of the fiscal years during which funding is available.

### Schedule

- |                   |  |
|-------------------|--|
| November 10, 2022 | • Begin project solicitation process   |
| January 12, 2023  | • End application process. Metro COG staff begin reviewing projects.   |
| February 9, 2023  | • The Transportation Technical Committee (TTC) reviews and prioritizes projects. TTC makes a funding recommendation to the Policy Board. |
| February 16, 2023 | • Policy Board reviews projects and awards funding.  |

After funding is awarded, Metro COG will begin working with each local jurisdiction to monitor and track project progress to ensure projects are able to stay on track for the year funded, or to ensure that we know, far enough in advance, about scheduling or cost issues that could affect project programming the timely obligation of federal funds.

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 1: Project Information

**Project Summary:**

|   |                                 |                                 |                                 |   |
|---|---------------------------------|---------------------------------|---------------------------------|---|
| Project Location: Center Street - Main Ave to 12th Ave NW |                                 |                                 |                                 |   |
| Lead Jurisdiction: City of West Fargo                     |                                 |                                 |                                 |   |
| Project Contact: Andrew Wrucke                            |                                 |                                 | Contact Phone: 701-515-5105     |   |
| Contact Email Address: andrew.wrucke@westfargond.gov      |                                 |                                 |                                 |   |
| Project Limits: Center Street                             | From: Main Ave                  |                                 | To: 12th Ave NW                 |   |
| Project Length: 4,700'                                    | Construction Year: 2027         |                                 | AC:                             | <input type="checkbox"/> Y <input type="checkbox"/> N |
| Funding FY: 2027  | <input type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input type="checkbox"/> FY2026 | <input checked="" type="checkbox"/> FY2027            |
| Funding Requested:  |                                 |                                 |                                 | \$7,600,000   |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

Project will reconstruct existing rural asphalt section into a commercial/industrial concrete urban section. Project will add storm sewer with a new 3-lane 40' urban commercial roadway, matching the existing roadway section to the north. Existing road is in poor condition and will need to be rebuilt in next 5-10 years, and has experienced a growth in traffic with a growth in commerce along the corridor. Existing road is one of three major N/S corridors north of Main Ave.

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |   |
|---|---|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input checked="" type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|---|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided |
|----------------------------|------------------------|------------------------|
| ROW Acquisition            |                        |                        |
| Planning                   |                        |                        |
| Utilities                  |                        |                        |
| Construction Engineering   |                        |                        |
| Roadway Construction       | \$7,600,000            | \$1,900,000            |
| Bike/Ped Infrastructure    |                        |                        |
| Lighting                   |                        |                        |
| Traffic Control            |                        |                        |
| Transit Capital Purchase   |                        |                        |
| Other:<br>(Please Specify) |                        |                        |
| <b>Total:</b>              | <b>\$7,600,000</b>     | <b>\$1,900,000</b>     |

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 2: Planning Conformance

**Plan Inclusion:**

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
    - Metro Transportation Plan
    - Corridor Study
    - Bike/Ped Plan
  - Local Plans:
    - Comprehensive Plan
  - Other (please specify): \_\_\_\_\_
- Subarea Plan
  - TIP
  - Transit Development Plan
  - Corridor Study

**Project Need:**

Please describe the need for the project (utilize language from any applicable plan).

Existing road is asphalt rural section constructed by the County 30+ years ago. Roadway design is not in compliance with current industrial/commercial design standards and will need to be rebuilt and upgraded. Roadway was identified in West Fargo 2.0 as a protected commercial corridor.

**ADA Compliance:**

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- Yes  
 No

Please describe ADA elements of this project (if applicable).

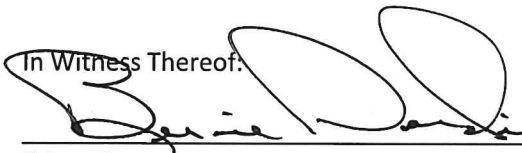
**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**


**Step 3: Signature**

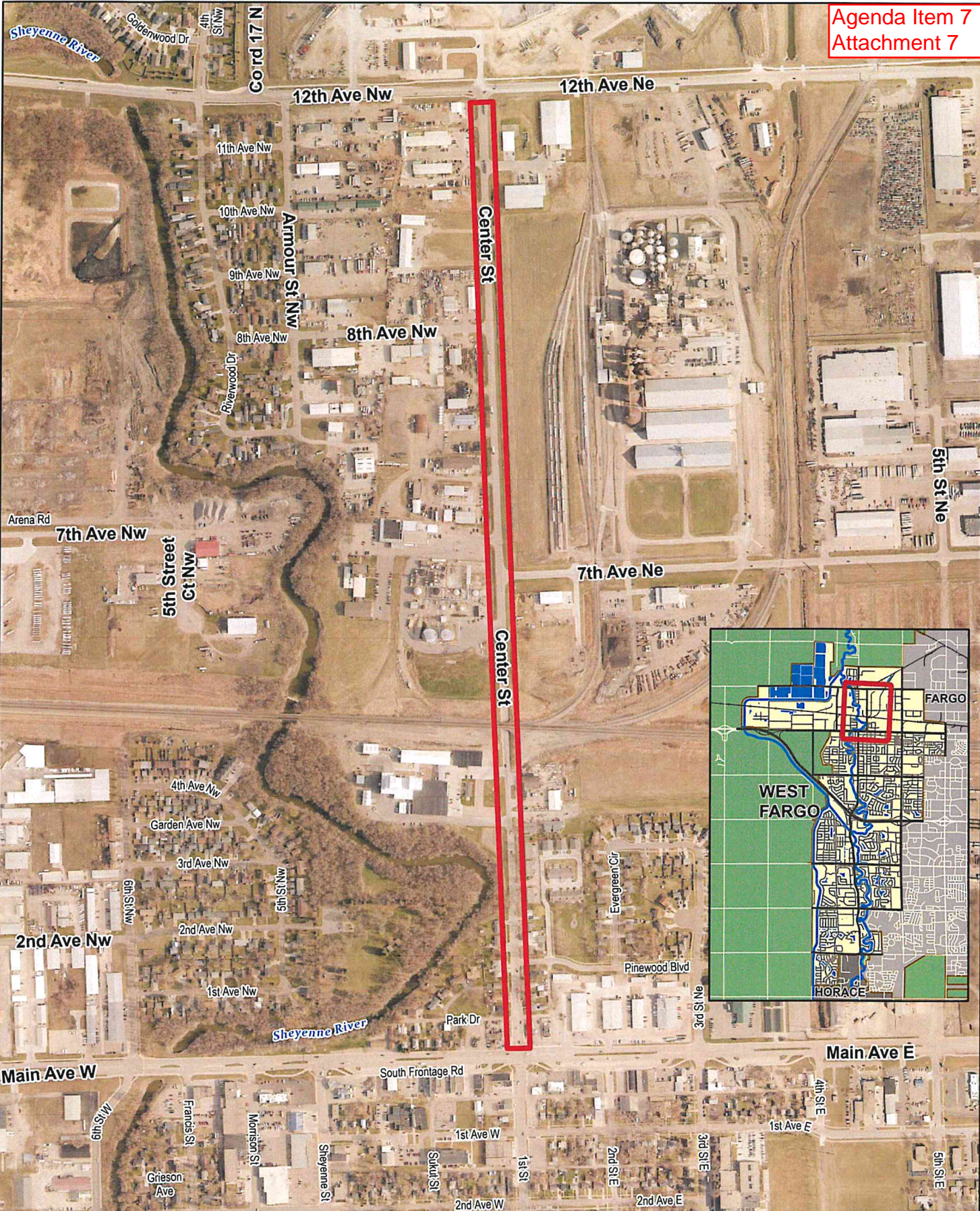
To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I due hereby formally submit the aforementioned project to Metro COG for federal funding on this day, 3<sup>rd</sup> of January (month), 2023 (year).

In Witness Whereof:

  
\_\_\_\_\_  
(Mayor) Date 1-6-23

  
\_\_\_\_\_  
(City Engineer) Date 1/3/23



### MetroCOG Construction Application Center Street



This map is intended for reference purposes only. The City of West Fargo does not make claim that the features depicted represent true locations; therefore the City assumes no liability for any errors or omissions herein.



## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Instructions

The Fargo-Moorhead Metropolitan Council of Government (Metro COG) is soliciting projects for use of its direct suballocation of Surface Transportation Block Grant (STBG) program funds annual for federal fiscal years (FFY) 2024-2027.

**Table 1:** Funding Amounts Available by Year Included in the Solicitation

| State        | FY 2024 | FY 2025 | FY 2026     | FY 2027      |
|--------------|---------|---------|-------------|--------------|
| North Dakota | \$0     | \$0     | \$4,318,064 | \$10,484,210 |
| Minnesota    |         |         |             | \$1,071,608  |

Please complete the following form with all applicable information. This information will be used to assess and prioritize the project versus other project applications received by Metro COG. Completing all elements of this form thoroughly will help Metro COG staff to review projects and work with the TTC and Policy Board to prioritize projects.

### Project Eligibility

Projects eligible for STBG funding must be within the Metro COG Urbanized Area Boundary (UZA), be consistent with Metro Grow: 2045 FM Area Metropolitan Transportation Plan (MTP), and meet general eligibility requirements for use of federal aid dollars under Title 23 of the US Code.

### Process

After project applications are submitted to Metro COG, staff will review each application. This review will take eligibility, ability to fund, need, Title VI & EJ impacts, conformance with plans, and priority in the MTP as well as other factors into consideration. Staff will prepare a rough prioritization based upon these and other factors, and will consider various funding scenarios if multiple projects are able to be funded in a single fiscal year. This information will be presented to Metro COG's Transportation Technical Committee (TTC). The TTC will recommend a prioritized list of projects for funding to Metro COG's Policy Board. The Policy Board will then determine which projects are funded and how much funding will be allotted to each project in each of the fiscal years during which funding is available.

### Schedule

- |                   |  |
|-------------------|--|
| November 10, 2022 | • Begin project solicitation process   |
| January 12, 2023  | • End application process. Metro COG staff begin reviewing projects.   |
| February 9, 2023  | • The Transportation Technical Committee (TTC) reviews and prioritizes projects. TTC makes a funding recommendation to the Policy Board. |
| February 16, 2023 | • Policy Board reviews projects and awards funding.  |

After funding is awarded, Metro COG will begin working with each local jurisdiction to monitor and track project progress to ensure projects are able to stay on track for the year funded, or to ensure that we know, far enough in advance, about scheduling or cost issues that could affect project programming the timely obligation of federal funds.

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 1: Project Information

**Project Summary:**

|                        |                                 |                                 |                                 |   |
|------------------------|---------------------------------|---------------------------------|---------------------------------|---|
| Project Location:      |                                 |                                 |                                 |   |
| Lead Jurisdiction:     |                                 |                                 |                                 |   |
| Project Contact:       |                                 |                                 | Contact Phone:                  |   |
| Contact Email Address: |                                 |                                 |                                 |   |
| Project Limits:        |                                 | From:                           |                                 | To:   |
| Project Length:        |                                 | Construction Year:              |                                 | AC: <input type="checkbox"/> Y <input type="checkbox"/> N |
| Funding FY:            | <input type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input type="checkbox"/> FY2026 | <input type="checkbox"/> FY2027                           |
| Funding Requested:     |                                 |                                 |                                 |   |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application



## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |  |
|---|--|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|--|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will be used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided |
|----------------------------|------------------------|------------------------|
| ROW Acquisition            |                        |                        |
| Planning                   |                        |                        |
| Utilities                  |                        |                        |
| Construction Engineering   |                        |                        |
| Roadway Construction       |                        |                        |
| Bike/Ped Infrastructure    |                        |                        |
| Lighting                   |                        |                        |
| Traffic Control            |                        |                        |
| Transit Capital Purchase   |                        |                        |
| Other:<br>(Please Specify) |                        |                        |
| <b>Total:</b>              |                        |                        |

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 2: Planning Conformance

**Plan Inclusion:**

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
  - Metro Transportation Plan
  - Corridor Study
  - Bike/Ped Plan
  - Subarea Plan
  - TIP
  - Transit Development Plan
- Local Plans:
  - Comprehensive Plan
  - Corridor Study
- Other (please specify): \_\_\_\_\_

**Project Need:**

Please describe the need for the project (utilize language from any applicable plan).

**ADA Compliance:**

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- Yes
- No

Please describe ADA elements of this project (if applicable).

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

**Step 3: Signature**

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I due hereby formally submit the aforementioned project to Metro COG for federal funding on this day \_\_\_\_ of \_\_\_\_\_(month), \_\_\_\_\_(year).

In Witness Thereof:

\_\_\_\_\_  
(Mayor) Date

\_\_\_\_\_  
(City Engineer) Date

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Instructions

The Fargo-Moorhead Metropolitan Council of Government (Metro COG) is soliciting projects for use of its direct suballocation of Surface Transportation Block Grant (STBG) program funds annual for federal fiscal years (FFY) 2024-2027.

**Table 1:** Funding Amounts Available by Year Included in the Solicitation

| State        | FY 2024 | FY 2025 | FY 2026     | FY 2027      |
|--------------|---------|---------|-------------|--------------|
| North Dakota | \$0     | \$0     | \$4,318,064 | \$10,484,210 |
| Minnesota    |         |         |             | \$1,071,608  |

Please complete the following form with all applicable information. This information will be used to assess and prioritize the project versus other project applications received by Metro COG. Completing all elements of this form thoroughly will help Metro COG staff to review projects and work with the TTC and Policy Board to prioritize projects.

### Project Eligibility

Projects eligible for STBG funding must be within the Metro COG Urbanized Area Boundary (UZA), be consistent with Metro Grow: 2045 FM Area Metropolitan Transportation Plan (MTP), and meet general eligibility requirements for use of federal aid dollars under Title 23 of the US Code.

### Process

After project applications are submitted to Metro COG, staff will review each application. This review will take eligibility, ability to fund, need, Title VI & EJ impacts, conformance with plans, and priority in the MTP as well as other factors into consideration. Staff will prepare a rough prioritization based upon these and other factors, and will consider various funding scenarios if multiple projects are able to be funded in a single fiscal year. This information will be presented to Metro COG’s Transportation Technical Committee (TTC). The TTC will recommend a prioritized list of projects for funding to Metro COG’s Policy Board. The Policy Board will then determine which projects are funded and how much funding will be allotted to each project in each of the fiscal years during which funding is available.

### Schedule

- |                   |  |
|-------------------|--|
| November 10, 2022 | • Begin project solicitation process   |
| January 12, 2023  | • End application process. Metro COG staff begin reviewing projects.   |
| February 9, 2023  | • The Transportation Technical Committee (TTC) reviews and prioritizes projects. TTC makes a funding recommendation to the Policy Board. |
| February 16, 2023 | • Policy Board reviews projects and awards funding.  |

After funding is awarded, Metro COG will begin working with each local jurisdiction to monitor and track project progress to ensure projects are able to stay on track for the year funded, or to ensure that we know, far enough in advance, about scheduling or cost issues that could affect project programming the timely obligation of federal funds.

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 1: Project Information

**Project Summary:**

|                        |                                 |                                 |                                 |   |
|------------------------|---------------------------------|---------------------------------|---------------------------------|---|
| Project Location:      |                                 |                                 |                                 |   |
| Lead Jurisdiction:     |                                 |                                 |                                 |   |
| Project Contact:       |                                 |                                 | Contact Phone:                  |   |
| Contact Email Address: |                                 |                                 |                                 |   |
| Project Limits:        |                                 | From:                           |                                 | To:   |
| Project Length:        |                                 | Construction Year:              |                                 | AC: <input type="checkbox"/> Y <input type="checkbox"/> N |
| Funding FY:            | <input type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input type="checkbox"/> FY2026 | <input type="checkbox"/> FY2027                           |
| Funding Requested:     |                                 |                                 |                                 |   |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |  |
|---|--|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|--|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will be used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided |
|----------------------------|------------------------|------------------------|
| ROW Acquisition            |                        |                        |
| Planning                   |                        |                        |
| Utilities                  |                        |                        |
| Construction Engineering   |                        |                        |
| Roadway Construction       |                        |                        |
| Bike/Ped Infrastructure    |                        |                        |
| Lighting                   |                        |                        |
| Traffic Control            |                        |                        |
| Transit Capital Purchase   |                        |                        |
| Other:<br>(Please Specify) |                        |                        |
| <b>Total:</b>              |                        |                        |

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 2: Planning Conformance

**Plan Inclusion:**

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
  - Metro Transportation Plan
  - Corridor Study
  - Bike/Ped Plan
  - Subarea Plan
  - TIP
  - Transit Development Plan
- Local Plans:
  - Comprehensive Plan
  - Corridor Study
- Other (please specify): \_\_\_\_\_

**Project Need:**

Please describe the need for the project (utilize language from any applicable plan).

**ADA Compliance:**

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- Yes
- No

Please describe ADA elements of this project (if applicable).

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

**Step 3: Signature**

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I due hereby formally submit the aforementioned project to Metro COG for federal funding on this day \_\_\_\_ of \_\_\_\_\_(month), \_\_\_\_\_(year).

In Witness Thereof:

\_\_\_\_\_

(Mayor)

Date

\_\_\_\_\_

(City Engineer)

Date



## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Instructions

The Fargo-Moorhead Metropolitan Council of Government (Metro COG) is soliciting projects for use of its direct suballocation of Surface Transportation Block Grant (STBG) program funds annual for federal fiscal years (FFY) 2024-2027.

**Table 1:** Funding Amounts Available by Year Included in the Solicitation

| State        | FY 2024 | FY 2025 | FY 2026     | FY 2027      |
|--------------|---------|---------|-------------|--------------|
| North Dakota | \$0     | \$0     | \$4,318,064 | \$10,484,210 |
| Minnesota    |         |         |             | \$1,071,608  |

Please complete the following form with all applicable information. This information will be used to assess and prioritize the project versus other project applications received by Metro COG. Completing all elements of this form thoroughly will help Metro COG staff to review projects and work with the TTC and Policy Board to prioritize projects.

### Project Eligibility

Projects eligible for STBG funding must be within the Metro COG Urbanized Area Boundary (UZA), be consistent with Metro Grow: 2045 FM Area Metropolitan Transportation Plan (MTP), and meet general eligibility requirements for use of federal aid dollars under Title 23 of the US Code.

### Process

After project applications are submitted to Metro COG, staff will review each application. This review will take eligibility, ability to fund, need, Title VI & EJ impacts, conformance with plans, and priority in the MTP as well as other factors into consideration. Staff will prepare a rough prioritization based upon these and other factors, and will consider various funding scenarios if multiple projects are able to be funded in a single fiscal year. This information will be presented to Metro COG's Transportation Technical Committee (TTC). The TTC will recommend a prioritized list of projects for funding to Metro COG's Policy Board. The Policy Board will then determine which projects are funded and how much funding will be allotted to each project in each of the fiscal years during which funding is available.

### Schedule

- |                   |  |
|-------------------|--|
| November 10, 2022 | • Begin project solicitation process   |
| January 12, 2023  | • End application process. Metro COG staff begin reviewing projects.   |
| February 9, 2023  | • The Transportation Technical Committee (TTC) reviews and prioritizes projects. TTC makes a funding recommendation to the Policy Board. |
| February 16, 2023 | • Policy Board reviews projects and awards funding.  |

After funding is awarded, Metro COG will begin working with each local jurisdiction to monitor and track project progress to ensure projects are able to stay on track for the year funded, or to ensure that we know, far enough in advance, about scheduling or cost issues that could affect project programming the timely obligation of federal funds.

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 1: Project Information

**Project Summary:**

|                        |                                 |                                 |                                 |   |
|------------------------|---------------------------------|---------------------------------|---------------------------------|---|
| Project Location:      |                                 |                                 |                                 |   |
| Lead Jurisdiction:     |                                 |                                 |                                 |   |
| Project Contact:       |                                 |                                 | Contact Phone:                  |   |
| Contact Email Address: |                                 |                                 |                                 |   |
| Project Limits:        |                                 | From:                           |                                 | To:   |
| Project Length:        |                                 | Construction Year:              |                                 | AC: <input type="checkbox"/> Y <input type="checkbox"/> N |
| Funding FY:            | <input type="checkbox"/> FY2024 | <input type="checkbox"/> FY2025 | <input type="checkbox"/> FY2026 | <input type="checkbox"/> FY2027                           |
| Funding Requested:     |                                 |                                 |                                 |   |

**Work Activities:**

Please indicate which project phases will be federally funded (check all that apply).

- Planning
- Right-of-Way Acquisition
- Construction Engineering
- Construction

**Project Narrative:**

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

**Project Map:**

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- A project map has been included as an attachment to the application

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

**Project Classification:**

Given the project types below, please characterize the extent of the proposed project.

- |   |  |
|---|--|
| <input type="checkbox"/> Rehabilitation (mill & overlay, Concrete Crack Repair, etc)<br><input type="checkbox"/> Bridge Repair<br><input type="checkbox"/> Roadway Capacity Expansion<br><input type="checkbox"/> Transit Capital Purchase<br><input type="checkbox"/> Safety Improvement<br><input type="checkbox"/> Intelligent Transportation Systems Deployment | <input type="checkbox"/> Reconstruction<br><input type="checkbox"/> New Roadway<br><input type="checkbox"/> Bicycle & Pedestrian<br><input type="checkbox"/> Transit Bus Replacement<br><input type="checkbox"/> Congestion Management |
|---|--|

**Project Cost Estimate:**

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will be used. Be as precise as possible in your estimation.

| Activity                   | Federal STBG Requested | Local Funding Provided |
|----------------------------|------------------------|------------------------|
| ROW Acquisition            |                        |                        |
| Planning                   |                        |                        |
| Utilities                  |                        |                        |
| Construction Engineering   |                        |                        |
| Roadway Construction       |                        |                        |
| Bike/Ped Infrastructure    |                        |                        |
| Lighting                   |                        |                        |
| Traffic Control            |                        |                        |
| Transit Capital Purchase   |                        |                        |
| Other:<br>(Please Specify) |                        |                        |
| <b>Total:</b>              |                        |                        |

## APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

### Step 2: Planning Conformance

#### Plan Inclusion:

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
  - Metro Transportation Plan
  - Corridor Study
  - Bike/Ped Plan
  - Subarea Plan
  - TIP
  - Transit Development Plan
- Local Plans:
  - Comprehensive Plan
  - Corridor Study
- Other (please specify): \_\_\_\_\_

#### Project Need:

Please describe the need for the project (utilize language from any applicable plan).

#### ADA Compliance:

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- Yes  
 No

Please describe ADA elements of this project (if applicable).

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM  
BLOCK GRANT (STBG) PROGRAM FUNDS**

**Step 3: Signature**

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I due hereby formally submit the aforementioned project to Metro COG for federal funding on this day \_\_\_\_ of \_\_\_\_\_(month), \_\_\_\_\_(year).

In Witness Thereof:

\_\_\_\_\_

(Mayor)

Date

\_\_\_\_\_

(City Engineer)

Date

**To:** Transportation Technical Committee  
**From:** Dan Farnsworth, Ari Del Rosario  
**Date:** February 3, 2023  
**Re:** **Red River Greenway Study Final Report**

Metro COG has been working with consulting firm Confluence on an update to the Red River Greenway Study. The study, which began in the fall of 2021, is now in final draft form and has been presented to the Fargo Park District and Fargo Planning Commission.

The Red River Greenway Study focuses on enhancing and expanding the existing greenway on the Fargo side of the Red River. The study looks at filling existing greenway gaps, extending the greenway to the north and the south along the Red River, and connecting to and incorporating Drains 27 and 53 and their associated amenities.

In 2008 a Red River Greenway Study was completed and looked at both North Dakota and Minnesota sides of the Red River. The City of Moorhead completed a Red River Greenway study in 2014. The intent of this study was to update the Fargo side of the river, examine potential for future enhancements and opportunities for expansion and improved connectivity from the river into the community as the metro area grows.

The final draft report as well as an overview video can be found at the project webpage: <https://confluence.mysocialpinpoint.com/red-river-greenway>

**Requested Action: Recommend Policy Board approval of the Red River Greenway Study Final Report**

**To:** Transportation Technical Committee  
**From:** Adam Altenburg, AICP  
**Date:** February 3, 2023  
**Re:** **Electric Vehicle Readiness Study RFP**

Immediately after the TTC meeting in January, Metro COG reached out to Moorhead Public Service to inform them about the EV Readiness Study including purpose, scope, and other study specifics. Metro COG stressed that they would be a valuable stakeholder alongside other regional utility providers during the planning process.

Moorhead Public Service provided no additional comments or concerns.

Two of six members of Moorhead's Public Service Commission were also presented information on the fast-paced progression of the auto industry toward electric vehicles and the EV Readiness Study in December at Metro COG's Policy Board meeting. After the TTC meeting in January, Metro COG followed up with the Policy Board's current Chair, Moorhead Council Member Chuck Henderson, to see if he had any additional comments or concerns on behalf of the Moorhead Public Service Commission.

As noted, the EV Readiness Study will provide local jurisdictions with public understanding of EV feasibility and benefits, assist in identifying current and potential barriers to EV adoption, and inform cities, counties, and other planning partners on infrastructure-related best practices to meet current and future EV needs of the metropolitan area. This is similar in scope to plans developed by cities and regional areas throughout the United States in recent years, which take an impartial look at EV trends and how best communities should lay the groundwork to become EV-ready. This study will also tie into recent National Electric Vehicle Infrastructure (NEVI) plans developed and completed by NDDOT and MnDOT, including goals, strategies, and key takeaways identified in each plan.

This project was included in Metro COG's approved UPWP for 2023, with the funding source shown as Carbon Reduction Program funds. If necessary, Metro COG will add the project to the TIP once the RFP has been approved and before entering into contract with a consultant.

**Requested Action: Recommend Policy Board approval the Electric Vehicle Readiness Study RFP.**

**FARGO-MOORHEAD  
METROPOLITAN COUNCIL OF GOVERNMENTS**

**REQUEST FOR PROPOSALS (RFP)**

**PROJECT NO. 2023-204**

***ELECTRIC VEHICLE READINESS STUDY***

*February, 2023*

**APPROVED:**

---

**Cynthia R. Gray**  
**Metro COG, Executive Director**

**METROCOG**  
FM REGIONAL TRANSPORTATION PLANNING ORGANIZATION



## **REQUEST FOR PROPOSALS (RFP)**

The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) is seeking requests for proposals from qualified consultants for the following:

### **Electric Vehicle Readiness Study**

Qualifications based selection criteria will be used to analyze proposals from responding consultants. The most qualified candidates may be invited to present an in-person or virtual interview. Upon completion of technical ranking and interviews, Metro COG will enter into negotiations with the top ranked firm. **Sealed cost proposals shall be submitted with the RFP.** The cost proposal of the top ranked firm will be opened during contract negotiations. Those firms not selected for direct negotiations will have their unopened cost proposals returned. Metro COG reserves the right to reject any or all submittals. This project will be funded, in part with federal transportation funds and has a not-to-exceed budget of **\$150,000.**

Interested firms can request a full copy of the RFP by telephoning 701.532.5100, or by e-mail: [metrococ@fmmetrococ.org](mailto:metrococ@fmmetrococ.org). Copies will be posted on the North Dakota Department of Transportation QBS website (<https://www.dot.nd.gov>) and are also available for download in .pdf format at [www.fmmetrococ.org](http://www.fmmetrococ.org).

All applicants must be prequalified with the North Dakota Department of Transportation (NDDOT). If not prequalified with the NDDOT, applicants will be required to submit a completed Standard Form 330 (Exhibit D) with their submittal of information.

All proposals received by **4:30 p.m. on Friday, March 24, 2023** at Metro COG's office will be given equal consideration. Respondents must submit one (1) PDF of the proposal, and one (1) sealed hard copy of the cost proposal. The full length of each proposal should not exceed thirty (30) pages; including any supporting material, charts, or tables.

A PDF of the proposal may be emailed or delivered by USB. Hard copies of sealed cost proposals shall be delivered to the contact below:

Adam Altenburg, AICP  
Fargo-Moorhead Metropolitan Council of Governments  
One 2<sup>nd</sup> Street North, Suite 232  
Fargo, ND 58102-4807  
[altenburg@fmmetrococ.org](mailto:altenburg@fmmetrococ.org)  
701.532.5105

Fax versions will not be accepted as substitutes for hard copies. Once submitted, the proposals will become the property of Metro COG.

**Note:** The document can be made available in alternative formats for persons with disabilities by contacting Savanna Leach, Office Manager at 701.532.5100 or [leach@fmmetrococ.org](mailto:leach@fmmetrococ.org).

## TABLE OF CONTENTS

|        |   |    |
|--------|---|----|
| I.     | Agency Overview .....                                       | 4  |
| II.    | Purpose of Request .....                                    | 4  |
| III.   | Project Background and Project Objective.....               | 4  |
| IV.    | Scope of Work and Performance Tasks.....                    | 5  |
| V.     | Implementation Schedule .....                               | 11 |
| VI.    | Evaluation and Selection Process.....                       | 12 |
| VII.   | Proposal Content and Format .....                           | 13 |
| VIII.  | Submittal Information .....                                 | 14 |
| IX.    | General RFP Requirements .....                              | 15 |
| X.     | Additional Information .....                                | 16 |
| XI.    | Contractual Information .....                               | 16 |
| XII.   | Payments.....   | 17 |
| XIII.  | Federal and State Funds.....                                | 17 |
| XIV.   | Title VI Assurances .....                                   | 18 |
| XV.    | Termination Provisions.....                                 | 19 |
| XVI.   | Limitation on Consultant .....                              | 20 |
| XVII.  | Conflict of Interest.....                                   | 20 |
| XVIII. | Insurance.....  | 20 |
| XIX.   | Risk Management .....                                       | 20 |
|        | Exhibit A – Cost Proposal Form .....                        | 23 |
|        | Exhibit B – Federal Clauses.....                            | 24 |
|        | Exhibit C – SFN 60232: Proposed Subconsultant Request ..... | 28 |

## **I. Agency Overview**

The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) serves as the Council of Governments (COG) and Metropolitan Planning Organization (MPO) for the greater Fargo, North Dakota – Moorhead, Minnesota metropolitan area. As the designated MPO for the Fargo-Moorhead metropolitan area, Metro COG is responsible under federal law for maintaining a continuous, comprehensive, and coordinated transportation planning process.

Metro COG is responsible, in cooperation with the North Dakota and Minnesota Departments of Transportation (NDDOT and MnDOT, respectively) and local planning partners, for carrying out the metropolitan transportation planning process and other planning issues of a regional nature. Metro COG represents eleven cities and portions of two counties that comprise the Metro COG region in these efforts.

## **II. Purpose of Request**

To prepare and guide electric vehicle (EV) implementation in the Fargo-Moorhead metropolitan area, Metro COG is seeking proposals to develop an Electric Vehicle Readiness Study. The study is intended to assist in coordinating the implementation and siting of appropriate Plug-in Electric Vehicle (PEV) charging infrastructure and inform jurisdictions, government agencies, and other partners in PEV infrastructure-related best practices and funding opportunities to meet the electric vehicle needs of the metropolitan area and its future growth.

## **III. Project Background and Project Objective**

Electric vehicles are gaining traction among consumers, governments, and automakers as battery prices fall and the benefits of EVs increase. Since 2016, virtually every major automobile manufacturer has announced plans to transition to electric or plug-in hybrid vehicles. As cities and regions look to capitalize on the opportunity that EVs can bring, from lower maintenance costs for consumers to better air quality for residents, they also must lay the groundwork for their communities to become 'EV-ready'.

With battery prices coming down, EVs are already among the lowest total cost of ownership vehicles in the passenger car market and will continue to become more affordable for the average consumer. Moreover, EVs can help cities and regions meet air quality goals, save money in city fleets, limit consumer shock to volatile oil and gasoline prices, and more. In an era where an increasing number of cities are setting local goals for reducing energy use and greenhouse gas emissions, facilitating EV deployment is becoming a vital tool in cities' toolbox to achieve energy and sustainability goals.

However, more EVs on the road will require more infrastructure and support, and cities and regional areas will play a huge role in shaping this future.

The objective of this report is to make the Fargo-Moorhead metropolitan area EV ready by developing a vision for electric vehicle readiness, identifying key partnerships and actionable strategies, and facilitating community support for EVs.

#### **IV. Scope of Work and Performance Tasks**

Metro COG is seeking a consultant that can not only provide the typical qualifications necessary in the development of the Electric Vehicle Readiness Study but also has the ability to provide pro-activeness, vision, innovation, and collaboration in examining and proposing EV strategies and recommendations.

Outlined below is the scope of work that will guide the development of the Electric Vehicle Readiness Study. Metro COG has included the following scope of work to provide interested consultants insight into project intent, context, coordination, responsibilities, and other elements to help facilitate proposal development.

This outline is not necessarily all-inclusive and the consultant may include in the proposal any additional performance tasks that will integrate innovative approaches to successfully complete the report. At a minimum, the consultant shall be expected to establish detailed analyses, assessments, and recommendations for the following tasks:

**Task 1: Project Structure and Work Plan.** Building on the scope of work presented in their proposal, and incorporating any relevant changes made during contract negotiations, the consultant will prepare a detailed work plan and the achievable timeline for the Electric Vehicle Readiness Study anticipated to be completed by March 2024. The work plan will outline the overall approach, as well as specific actions and activities that will occur during the project and how these will result in a successful conclusion to the study.

**Task 2: Project Management and Coordination.** The consultant shall be required to manage the study and coordination with any subconsultants, as well as bear responsibility for all documentation and equipment needs. The consultant will identify a project lead from their team to act as the direct point of contact for Metro COG's project manager.

This task will also include regular progress meetings with Metro COG, the preparation of monthly progress reports, documentation of travel and expense receipts, and the preparation and submission of invoices. When submitting progress reports, the consultant will be required to outline the following:

- Performed work;
- Upcoming tasks or milestones;
- Status of scope and schedule; and
- Any issues to be aware of.

Development of the Electric Vehicle Readiness Study will be guided by a Study Review Committee (SRC), which will provide oversight and input into study assessments, analyses, policies, and recommendations. The consultant should expect up to five (5) meetings with the SRC.

The consultant shall be responsible for the preparation and coordination of all data collection, data analysis, technical memorandum, and draft documents for the SRC. Metro COG shall be responsible for coordinating and scheduling SRC meetings and assisting the consultant in developing agendas. The consultant will be expected to work closely with Metro COG on the coordination and distribution of materials to the SRC as applicable to consultant work tasks, as well as be responsible for the recording of meeting minutes.

The SRC is scheduled to be comprised of representatives from each of Metro COG's seven primary jurisdictions: Fargo, West Fargo, Horace, and Cass County, ND; and Moorhead, Dilworth, and Clay County, MN. Metro COG will look to the consultant for guidance on including other SRC members whose consistent input and feedback may be valuable, including potential stakeholders identified in Task 3 (see below). The proposal should describe if input from these or other entities would be better as SRC members or stakeholder groups.

**Task 3: Public Involvement and Stakeholder Consultation.** In compliance with Metro COG's adopted Public Participation Plan (PPP), the consultant will develop and implement a community engagement program that seeks to gain input from community members from across the Fargo-Moorhead metropolitan area. At minimum, the community engagement program should address the following:

- Engagement strategies and activities tied back to reaching identified stakeholder groups;
- Timeline for community engagement activities and desired type of community feedback;
- Communication methods for sharing information with residents, businesses, and community members; and
- Strategy for effective and consistent messaging.

The consultant will conduct outreach with stakeholders to identify existing conditions, obstacles to, and opportunities for increased use of EVs and EV infrastructure in the Fargo-Moorhead metropolitan area.

Initial stakeholder outreach may include interviews with city and county departments, transit agencies, automobile dealerships, local groups with EV interest and ownership, representatives of other transportation-related stakeholder groups, utility providers, and technical experts. The consultant will facilitate all stakeholder activities.

In addition to stakeholder consultation, the consultant shall facilitate, at minimum, one (1) general public involvement meeting. **This shall be done in addition to joint outreach efforts with MnDOT's completed 2022 Electric Vehicle Infrastructure Plan tentatively scheduled for May 2023.** The consultant should also consider opportunities for pop-up meetings that coincide with scheduled summer and/or fall community events in the Fargo-Moorhead metropolitan area.

Online community engagement software, tools, or surveys may be utilized in order to provide a robust and well-rounded engagement experience.

It is imperative that the community is informed of planning activities and outcomes using strategies that include the use of the internet and social media. Providing information to Metro COG for posting on their website and other social media platforms will be required.

The consultant is encouraged to review [Promising Practices for Meaningful Public Involvement in Transportation Decision-Making](#) for additional insights.

**Task 4: Identification of Desired Outcomes, Vision, and Goals.** Early in the study, the consultant shall work with the SRC to determine the desired outcomes of the study, the vision for the region relative to the integration of EVs, and goals for regional readiness to support the vision. The vision and goals are likely to evolve throughout the study process, but ultimately will guide the team toward actionable strategies, as described in subsequent tasks.

**Task 5: Assessment.** Assessment is needed to outline existing conditions in the Fargo-Moorhead metropolitan area, identify critical barriers and gaps, identify key needs, identify potential programs and partnerships, and provide background for report development. Knowledge of EV infrastructure, trends, and research is critical to inform this assessment.

This task shall include the review of pertinent local and regional plans to provide a community context and description of how the study aligns with or connects to other community goals, plans, and priorities. Strategies and goals of North Dakota's and Minnesota's Electric Vehicle Infrastructure Plans shall also be acknowledged and incorporated where applicable.

This task shall also include the evaluation of existing conditions, including the collection and assessment of existing PEV data, forecasts, and tools, and work to adapt them to Metro COG's metropolitan planning area. It shall include identification and description of current PEV charging infrastructure and existing PEV and EV services, available technologies, and best practices.

The consultant will perform needs and gaps research to identify barriers to PEV usage, including barriers in the areas of policy, infrastructure, services, land use and zoning, parking, building and development codes, permitting and inspection, procurement, training and education, coordination, and funding.

The consultant shall identify opportunities to support PEV usage, including partnerships, procurement, incentives, electric rate structures, non-financial public sector incentives and programs, outreach to local businesses and residents, funding, and market-based and other approaches.

**Task 6: Equity Analysis.** The consultant shall assess equitable access to EV infrastructure and services in the Fargo-Moorhead metropolitan area. Opportunities to increase equitable access to EV infrastructure and services for traditionally underserved residents, such as multifamily housing residents, renters, lower-income residents, non-native English speakers, and BIPOC, must be analyzed for incorporation into the vision, goals, and action-based strategies.

**Task 7: Identification of Infrastructure and Service Needs.** The consultant shall develop a charging infrastructure plan for the Fargo-Moorhead metropolitan area that recommends potential upgrades, analyzes options for EV charging station locations based on current demand, and anticipated demand growth within existing infrastructure in both developed and newly developing areas of the metropolitan area. The plan shall also distinguish between public and private opportunities, determines appropriate equipment types and charging speeds for each recommended location, and provides cost estimates for recommended improvements.

The infrastructure plan should provide an analysis of the potential grid impacts of EVs, address electricity rate structures, identify battery and other options needed to manage demand charge, and summarize predominant concerns and issues as well as preferred alternatives.

The consultant shall also identify needed services, such as local EV sales and services, among other desirable services, to support widespread EV usage and recommend methods to address, deliver, or incentivize solutions to ensure the development of any missing vital services.

**Task 8: Strategies and Recommendations.** The consultant shall identify barriers to and methods of increasing EV usage by residents and in public and private fleets, identify opportunities such as smart charging, renewable energy, and battery storage to optimize grid capacity, analyze innovative charging options (e.g. curbside, streetlight, solar, and wireless) and their applicability in the Fargo-Moorhead metropolitan area. The consultant shall also investigate opportunities to partner with regional organizations and entities to increase EV usage and opportunities.

The consultant shall make recommendations for implementation options by key stakeholders (such as state and local governments and public-private partnerships) and other actions to further develop EV readiness and support current and future implementation. Strategies should include estimated deployment to meet the increasing demand and codes or ordinances needed.

Recommendations shall strive to advance EV usage, leverage existing plans and data sources, and lead to widespread deployment of public and private PEV infrastructure. Specific recommendations should address infrastructure, services, policies, programs, partnerships, leading by example, funding, and guidance.

**Task 9: Funding Guidance.** The consultant shall identify existing and potential funding opportunities, incentives, and rebates, including grants and funding sources for EV usage and implementation of strategies and recommendations. This may include local funds, public and private grants, and other funding mechanisms.

The consultant shall also research and recommend utility payment methods for PEV customer usage of public charger ports to recover costs and generate revenue. This includes developing guidance in regard to the implementation of PEV-related codes or ordinances. The consultant shall identify cost-effective strategies for jurisdictions to support EV charging on municipal property and the public right-of-way for fleet and/or public use and analyze factors such as ownership models, parking and charging fees, infrastructure costs, operations and maintenance costs, Low Carbon Fuel Standard credits, utility demand charges, and synergies with other alternative transportation efforts. New or complementary technologies including solar energy systems, battery storage, demand management systems, bidirectional charging, and possible integration with emerging autonomous vehicle (AV) technologies should be considered in funding guidance as well.

**Task 10: Implementation Plan.** The consultant shall develop timelines, estimated costs, and opportunities for funding, identify roles and responsibilities for Metro COG planning partners, stakeholders, potential partners, and the community, and metrics and/or performance targets to track performance. The implementation plan should include both immediate guidance and anticipated needs in five-year increments over the next 20 years.



**Task 11: Administrative Draft and Final EV Readiness Plan.** The consultant will prepare an administrative draft of the report for review and comment by the SRC. This draft is to be provided as an electronic PDF to SRC members. Comments received from the SRC will be incorporated into the final report.

Upon final review and consent by the SRC, the consultant will develop a final report that is visually appealing, easy for policymakers and stakeholders to understand, and communicates EV strategies and recommendations. The report should be able to be used both digitally and in hard copy format. This may take the form of separate print and web formats.

Specifically, the consultant should develop a final report that:

- Is organized and communicates a clear message both graphically and with accompanying text;
- Is easy to read and understand; and
- Explains key implications as they relate to infrastructure, services, policies, programs, partnerships, funding, and recommendations.

The consultant shall provide Metro COG with appropriate presentation materials for final review and approval of the Electric Vehicle Readiness Study by Metro COG's TTC and Policy Board. Metro COG shall be responsible for presenting and achieving final recommendations and approval of the study. If the consultant wishes to include assistance with the final approval process in their scope of work, this should be accounted for in the proposal.

**Task 12: Executive Summary/Fact Sheet.** Upon completion of the final report, the consultant shall develop a brief executive summary or fact sheet in PDF format which relays all pertinent information in an easy-to-follow format. The summary should be concise and highly graphic, highlighting major assumptions, strategies, and recommendations.

**Task 13: Deliverables.** Upon final completion, the consultant will be responsible for providing a high-resolution document in PDF format. **The consultant is also expected to provide Metro COG with all data and study products.** All meeting summaries and technical analyses should be included as an appendix of the study.

**NOTE:** If the consultant wishes to modify or include additional tasks deemed necessary to complete the study, this must be agreed to by Metro COG before issuing the notice to proceed.

## V. Implementation Schedule

### 1) Consultant Selection.

|   |                     |
|---|---------------------|
| Advertise for Consultant Proposals              | 2/21/2023           |
| Deadline for RFP Clarifications/Questions       | 3/17/2023           |
| Due Date for Proposal Submittals (by 4:30 p.m.) | 3/24/2023           |
| Review Proposals/Identify Finalists             | (week of) 3/27/2023 |
| Interview Finalists                             | (week of) 4/3/2023  |
| Metro COG Board Approval/Consultant Notice      | (week of) 4/17/2023 |
| Contract Negotiations/Signed Contract           | (week of) 4/24/2023 |
| QBS Submittal and Approval                      | (week of) 5/1/2023  |
| Notice to Proceed*                              | (week of) 5/8/2023  |

### 2) Project Development (Major Milestones).

|  |                    |
|--|--------------------|
| Project Start-Up/Mobilization          | (week of) 5/8/2023 |
| Draft Report Completed                 | February 2023      |
| Final Report Received/Project Closeout | April 2024         |
| Final Invoices Received                | May 2024           |

\*Notice to Proceed shall not be issued until the consultant has provided all materials required for contracting, including but not limited to the Proposed Subconsultant Request form (SFN 60232 (9-2016) and Prime Consultant Request to Sublet form (SFN 60233 (9-2019) form, if applicable, and the Qualifications Based Selection documentation has been fully compiled by Metro COG and submitted to and approved by the North Dakota Department of Transportation.

## VI. Evaluation and Selection Process

**Selection Committee.** Metro COG will establish a selection committee to select a consultant. The selection committee will potentially consist of representatives from each of Metro COG's seven primary jurisdictions: Fargo, West Fargo, Horace, and Cass County, ND; and Moorhead, Dilworth, and Clay County, MN.

The consultant selection process will be administered under the following criteria:

- 20% The consultant's past experience with similar projects, including the consultant's ability, familiarity, and involvement in handling similar types of activities
- 20% Specific qualifications of the consultant's project manager and key staff's experience related to the development of similar studies
- 20% The consultant's project understanding, proposed project approach and methodology, project work plan, and project management techniques
- 20% The consultant's record of past performance on similar projects, including quality of work, ability to meet deadlines, and ability to control costs
- 20% Current workload and the availability of key personnel and other resources to perform the work within the specified timeframe

The selection committee, at the discretion of Metro COG and under the guidance of NDDOT policy, will entertain formal oral presentations for the top candidates to provide additional input into the evaluation process. Oral presentations will be followed by a question-and-answer period during which the selection committee may question the prospective consultants about their proposed approaches.

A consultant will be selected on April 20, 2023 based on an evaluation of the proposals submitted, the recommendation of the selection committee, and approval by Metro COG's Policy Board. Metro COG reserves the right to reject any or all proposals or to waive minor irregularities in said proposal, and reserves the right to negotiate minor deviations to the proposal with the successful consultant. Metro COG reserves the right to award a contract to the firm or individual that presents the proposal, which, in the sole judgement of Metro COG, best accomplishes the desired results.

The RFP does not commit Metro COG to award a contract, to pay any costs incurred in the preparation of the contract in response to this request, or to procure or contract for services or supplies. Metro COG reserves the right to withdraw this RFP at any time without prior notice.

All proposals, whether selected or rejected, shall become the property of Metro COG.

## VII. Proposal Content and Format

The purpose of the proposal is to demonstrate the qualifications, competence, and capacity of the consultant seeking to provide comprehensive services specified herein for Metro COG, in conformity with the requirements of the RFP.

The proposal should demonstrate qualifications of the firm and its staff to undertake this project. It should also specify the proposed approach that best meets the RFP requirements. The proposal must address each of the service specifications under the Scope of Work and Performance Tasks.

At minimum, proposals shall include the following information:

- 1) **Contact Information.** Name, telephone number, email address, mailing address, and other contact information for the consultant's project manager.
- 2) **Introduction and Executive Summary.** This section shall document the firm name, business address (including telephone, email address(es), year established, type of ownership and parent company (if any), project manager name and qualifications, and any major features that may differentiate this proposal from others, if any.
- 3) **Work Plan and Project Approach Methodology.** Proposals shall include the following, at minimum:
  - a) Detailed work plan identifying the major tasks to be accomplished relative to the requested study tasks and expected product as outlined in this RFP;
  - b) Timeline for completion of the requested services, including all public outreach and stakeholder meetings, identifying milestones for development of the project, and completion of individual tasks;
  - c) List of projects with similar size, scope, type, and complexity that the proposed project team has successfully completed in the past;
  - d) List of the proposed principal(s) who will be responsible for the work, proposed Project Manager, and project team members (with resumes);
  - e) Breakout of hours for each member of the team by major task area, and an overall indication of the level of effort (percentage of overall project team hours) allocated to each task. Note that specific budget information is to be submitted in a sealed cost proposal as described in Section IX: General RFP Requirements;
  - f) List of any subcontracted agencies, the tasks they will be assigned, the percent of work to be performed, and the staff that will be assigned;

- g) List of client references for similar projects described within the RFP;
  - h) Required Disadvantaged Business Enterprise (DBE) and/or Minority Business Enterprise (MBE) Firms participation documentation, if applicable; and
  - i) Ability of firm to meet required time schedules based on current and known future workload of the staff assigned to the project.
- 4) **Signature.** Proposals shall be signed in ink by an authorized member of the firm/project team.
- 5) **Attachments.** Review, complete, and submit the completed versions of the following RFP Attachments with the proposal:

Exhibit A – Cost Proposal Form  
Exhibit B – Federal Clauses  
Exhibit C – SFN 60232: Proposed Subconsultant Request (if applicable)

#### **VIII. Submittal Information**

A PDF of the proposal may be emailed or delivered by USB. Sealed cost proposals shall be submitted as a hard copy. Hard copies of sealed cost proposals shall be shipped to ensure timely delivery to the project manager as defined below:

Adam Altenburg, AICP  
Fargo-Moorhead Metropolitan Council of Governments  
One 2<sup>nd</sup> Street North, Suite 232  
Fargo, ND 58102-4807  
[altenburg@fmmetrocog.org](mailto:altenburg@fmmetrocog.org)

All proposals received by **4:30 p.m. on Friday, March 24, 2023** at Metro COG's office will be given equal consideration. Minority, women-owned and disadvantaged business enterprises are encouraged to apply. Respondents must submit one (1) PDF copy of the proposal. The full length of each proposal should not exceed thirty (30) pages; including any supporting material, charts, or tables.

The consultant may ask for clarifications of the RFP by submitting written questions to the Metro COG project manager identified above. Questions regarding this RFP must be submitted no later than March 17, 2023. Metro COG reserves the right to decline a response to any question if, in Metro COG's assessment, the information cannot be obtained and shared with all potential firms in a timely manner. All questions and responses will be forwarded to applicants and posted on Metro COG's website on March 20, 2023.

## **IX. General RFP Requirements**

- 1) **Sealed Cost Proposal.** All proposals must be clearly identified and marked with the appropriate project name; inclusive of a separately sealed cost proposal per the requirements of this RFP. Cost proposals shall be based on an hourly “not to exceed” amount and shall follow the general format as provided within Exhibit A of this RFP. Metro COG may decide, in its sole discretion, to negotiate a price for the project after the selection committee completes its final ranking. Negotiation will begin with the Consultant identified as the most qualified per requirements of this RFP, as determined in the evaluation/selection process. If Metro COG is unable to negotiate a contract for services negotiations will be terminated and negotiations will begin with the next most qualified Consultant. This process will continue until a satisfactory contract has been negotiated. The sealed cost proposal is required to include the following documentation:
  - a) **Documentation from the ND Secretary of State detailing the prime consultant is in good standing and is licensed to do business in the State of North Dakota;**
  - b) **Documentation that the prime consultant is registered with the ND Board of Registration; and**
  - c) **Documentation showing registration with the federal System for Award Management (SAM.gov) that the prime consultant has not been suspended, debarred, voluntarily excluded, or deterred ineligible.**
- 2) **Consultant Annual Audit Information for Indirect Cost.** Consulting firms proposing to do work for Metro COG must have a current audit rate no older than fifteen (15) months from the close of the firms Fiscal Year. Documentation of this audit rate must be provided with the sealed cost proposal. Firms that do not meet this requirement will not qualify to propose or contract for Metro COG projects until the requirement is met. Firms that have submitted all the necessary information to Metro COG and are waiting for the completion of the audit will be qualified to submit proposals for work. Information submitted by a firm that is incomplete will not qualify. Firms that do not have a current cognizant Federal Acquisition Regulations (FARs) audit of indirect cost rates must provide this audit prior to the interview. **This documentation should be attached with the sealed cost proposal. The submitted Indirect Rate MUST match the Indirect Rate on all invoicing.**
- 3) **Debarment of Suspension Certification and Certification of Restriction on Lobbying.** See Exhibit B, Federal Clauses regarding Debarment of Suspension and Restriction on Lobbying.
- 4) **Respondent Qualifications.** Respondents must submit evidence that they have relevant past experience and have previously delivered services similar to the requested services within this RFP. Each respondent may also be required to show that similar work has been performed in a satisfactory manner and that no claims of

any kind are pending against such work. No proposal will be accepted from a respondent whom is engaged in any work that would impair his or her ability to perform or finance this work.

- 5) **Disadvantaged Business Enterprise.** Pursuant to Department of Transportation policy and 49 CFR Part 23, Metro COG supports the participation of DBE/MBE businesses in the performance of contracts financed with federal funds under this RFP. Consultants shall make an effort to involve DBE/MBE businesses in this project. If the Consultant is a DBE/MBE, a statement indicating that the business is certified DBE/MBE in North Dakota or Minnesota shall be included within the proposal. If the Consultant intends to utilize a DBE/MBE to complete a portion of this work, a statement of the Subconsultant's certification shall be included. The percent of the total proposed cost to be completed by the DBE/MBE shall be shown within the proposal. Respondents should substantiate (within proposal) efforts made to include DBE/MBE businesses.
- 6) **US DOT Policy Statement on Bicycle and Pedestrian Accommodations.** Consultants are advised to review and consider the *US DOT Policy Statement on Bicycle and Pedestrian Accommodation* issued in March of 2010 when developing written proposals.
- 7) **North Dakota Department of Transportation Consultant Administration Services Procedure Manual.** Applicants to this Request for Proposal are **required** to follow procedures contained in the *NDDOT Consultant Administration Services Procedure Manual*, which includes prequalification of consultants. Copies of the Manual may be found on the Metro COG website [www.fmmetrocog.org](http://www.fmmetrocog.org) or the NDDOT website at [www.dot.nd.gov](http://www.dot.nd.gov).

#### **X. Additional Information**

- 1) **Reference Documents.** Respondents are encouraged to review the following:
  - a) [North Dakota Electric Vehicle Infrastructure Plan](#) (2022)
  - b) [Minnesota Electric Vehicle Infrastructure Plan](#) (2022)

#### **XI. Contractual Information**

- 1) Metro COG reserves the right to reject any or all proposals or to award the contract to the next most qualified firm if the successful firm does not execute a contract within forty-five (45) days after the award of the proposal. Metro COG shall not pay for any information contained in proposals obtained from participating firms.

- 2) Metro COG reserves the right to request clarification on any information submitted and additionally reserves the right to request additional information of one (1) or more applicants.
- 3) Any proposal may be withdrawn up until the proposal submission deadline. Any proposals not withdrawn shall constitute an irrevocable offer for services set forth within the RFP for a period of ninety (90) days or until one or more of the proposals have been approved by Metro COG's Policy Board.
- 4) If, through any cause, the consultant shall fail to fulfill in a timely and proper manner the obligations agreed to, Metro COG shall have the right to terminate its contract by specifying the date of termination in a written notice to the firm at least ninety (90) working days before the termination date. In this event, the firm shall be entitled to just and equitable compensation for any satisfactory work completed.
- 5) Any agreement or contract resulting from the acceptance of a proposal shall be on forms either supplied by or approved by Metro COG and shall contain, as a minimum, applicable provisions of the RFP. Metro COG reserves the right to reject any agreement that does not conform to the RFP and any Metro COG requirements for agreements and contracts.
- 6) The consultant shall not assign any interest in the contract and shall not transfer any interest in the same without prior written consent of Metro COG.
- 7) **The consultant agrees to not start any work on the project until the Qualifications Based Selection requirements have been satisfied and approved by the NDDOT, and Metro COG has provided the consultant with a notice to proceed.**

## **XII. Payments**

The selected consultant shall submit invoices for work completed to Metro COG. Payments shall be made to the consultant by Metro COG in accordance with the contract after all required services and tasks have been completed to the satisfaction of Metro COG.

## **XIII. Federal and State Funds**

The services requested within this RFP will be partially funded with funds from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). As such, the services requested by this RFP will be subject to federal and state requirements and regulations.

The services performed under any resulting agreement shall comply with all applicable federal, state, and local laws and regulations. In addition, this contract will be subject to the relevant requirements of 2 CFR 200.



#### **XIV. Title VI Assurances**

Prospective consultants should be aware of the following contractual requirements regarding compliance with Title VI should they be selected pursuant to this RFP:

- 1) **Compliance with Regulations.** The consultant shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the U.S. Department of Transportation, 49 CFR Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations).
- 2) **Nondiscrimination.** The consultant, with regard to the work performed by it, shall not discriminate on the grounds of race, color, national origin, sex, age, disability/handicap, or income status\*\*, in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The consultant shall not participate, either directly or indirectly, in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- 3) **Solicitations for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiation, made by the consultant for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the consultant of the contractor's obligations to Metro COG and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability/handicap, or income status\*\*.
- 4) **Information and Reports.** The consultant shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Metro COG or NDDOT to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a consultant is in the exclusive possession of another who fails or refuses to furnish this information, the consultant shall so certify to Metro COG, or NDDOT, as appropriate, and shall set forth what efforts it has made to obtain the information.
- 5) **Sanctions for Noncompliance.** In the event of the consultant's noncompliance with the nondiscrimination provisions as outlined herein, Metro COG and NDDOT shall impose such sanctions as it or FHWA may determine to be appropriate, including but not limited to:
  - a) Withholding of payments to the consultant under the contract until the consultant complies; and/or

b) Cancellation, termination, or suspensions of the contract, in part or in whole.

6) **Incorporation of Title VI Provisions.** The consultant shall include the provisions of Section XIII, paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto.

The consultant shall take such action with respect to any subcontract or procurement as Metro COG, the U.S. Department of Transportation, or FHWA may direct as a means of enforcing such provisions, including sanctions for noncompliance provided, however, that in the event a consultant becomes involved in, or is threatened with, litigation by a subcontractor or supplier as a result of such direction, the consultant may request Metro COG enter into such litigation to protect the interests of Metro COG; and, in addition, the consultant may request the United States to enter into such litigation to protect the interests of the United States.

\*\* The Act governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 USC 324; age, 42 USC 6101; disability/handicap, 29 USC 790; and low income, EO 12898.

## **XV. Termination Provisions**

Metro COG reserves the right to cancel any contract for cause upon written notice to the consultant. Cause for cancellation will be documented failure(s) of the consultant to provide services in the quantity or quality required. Notice of such cancellation will be given with sufficient time to allow for the orderly withdrawal of the consultant without additional harm to the participants or Metro COG.

Metro COG may cancel or reduce the amount of service to be rendered if there is, in the opinion of Metro COG, a significant increase in local costs; or if there is insufficient state or federal funding available for the service; thereby terminating the contract or reducing the compensation to be paid under the contract. In such event, Metro COG will notify the consultant in writing ninety (90) days in advance of the date such actions are to be implemented.

In the event of any termination, Metro COG shall pay the agreed rate only for services delivered up to the date of termination. Metro COG has no obligation to the consultant, of any kind, after the date of termination. The consultant shall deliver all records, equipment, and materials to Metro COG within twenty-four (24) hours of the date of termination.

**XVI. Limitation on Consultant**

All reports and pertinent data or materials are the sole property of Metro COG and may not be used, reproduced, or released in any form without the explicit, written permission of Metro COG.

The consultant should expect to have access only to the public reports and public files of local governmental agencies and Metro COG in preparing the proposal or reports. No compilation, tabulation or analysis of data, definition of opinion, etc., should be anticipated by the consultant from the agencies, unless volunteered by a responsible official in those agencies.

**XVII. Conflict of Interest**

No consultant, subcontractor, or member of any firm proposed to be employed in the preparation of this proposal shall have a past, ongoing, or potential involvement which could be deemed a conflict of interest under North Dakota Century Code or other law. During the term of this agreement, the consultant shall not accept any employment or engage in any consulting work that would create a conflict of interest with Metro COG or in any way compromise the services to be performed under this agreement. The consultant shall immediately notify Metro COG of any and all potential violations of this paragraph upon becoming aware of the potential violation.

**XVIII. Insurance**

The consultant shall provide evidence of insurance as stated in the contract prior to execution of the contract.

**XIX. Risk Management**

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

The consultant shall secure and keep in force during the term of the contract, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota, the following insurance coverage:

- 1) Commercial general liability and automobile liability insurance - minimum limits of liability required are \$250,000 per person and \$1,000,000 per occurrence.
- 2) Workforce Safety insurance meeting all statutory limits.
- 3) Metro COG and the State of North Dakota, its agencies, officers, and employees (State) shall be endorsed as an additional insured on the commercial general liability and automobile liability policies.
- 4) Said endorsements shall contain a "Waiver of Subrogation" in favor of Metro COG and the State of North Dakota.
- 5) The policies and endorsements may not be canceled or modified without thirty (30) days prior written notice to Metro COG and the State Risk Management Department.

The consultant shall furnish a certificate of insurance evidencing the requirements in 1, 3, and 4, above to Metro COG prior to commencement of this agreement.

Metro COG and the State reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time. Any attorney who represents the State under this contract must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C Section 54-12-08.

When a portion of the work under the agreement is sublet, the consultant shall obtain insurance protection (as outlined above) to provide liability coverage to protect the consultant, Metro COG, and the State as a result of work undertaken by the subconsultant. In addition, the consultant shall ensure that any and all parties performing work under the agreement are covered by public liability insurance as outlined above. All subconsultants performing work under the agreement are required to maintain the same scope of insurance required of the consultant. The consultant shall be held responsible for ensuring compliance with those requirements by all subconsultants.

Consultant's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by Metro COG or the State of North Dakota. Any insurance, self-insurance or self-retention maintained by Metro COG or the State shall be excess of the consultant's insurance and shall not contribute with it. The insolvency or bankruptcy of the insured consultant shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured consultant from meeting the retention limit under

the policy. Any deductible amount or other obligations under the policy(ies) shall be the sole responsibility of the consultant. This insurance may be in a policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. Metro COG and the State will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the consultant in excess of the minimum requirements set forth above.

DRAFT

**Exhibit A – Cost Proposal Form**

**Cost Proposal Form** – Include completed cost form (see below) in a separate sealed envelope – labeled “**Sealed Cost Form – Vendor Name**” and submit concurrently with the technical proposal as part of the overall RFP response. The cost estimate should be based on a not to exceed basis and may be further negotiated by Metro COG upon identification of the most qualified contractor. Changes in the final contract amount and contract extensions are not anticipated.

**REQUIRED BUDGET FORMAT**  
 Summary of Estimated Project Cost

| 1.                | Direct Labor  | Hours | x | Rate            | = | Project Cost | Total |      |
|-------------------|---|-------|---|-----------------|---|--------------|-------|------|
|                   | Name, Title, Function   | 0.00  | x | 0.00            | = | 0.00         | 0.00  |      |
|                   |   |       | x |                 | = | 0.00         | 0.00  |      |
|                   |   |       | x |                 | = | 0.00         | 0.00  |      |
|                   |   |       |   | <b>Subtotal</b> | = | 0.00         | 0.00  |      |
| 2.                | <b>Overhead/Indirect Cost (expressed as indirect rate x direct labor)</b> |       |   |                 |   |              | 0.00  | 0.00 |
| 3.                | <b>Subcontractor Costs</b>  |       |   |                 |   |              | 0.00  | 0.00 |
| 4.                | <b>Materials and Supplies Costs</b>                                       |       |   |                 |   |              | 0.00  | 0.00 |
| 5.                | <b>Travel Costs</b>   |       |   |                 |   |              | 0.00  | 0.00 |
| 6.                | <b>Fixed Fee</b>  |       |   |                 |   |              | 0.00  | 0.00 |
| 7.                | <b>Miscellaneous Costs</b>  |       |   |                 |   |              | 0.00  | 0.00 |
| <b>Total Cost</b> |   |       |   |                 | = | 0.00         | 0.00  |      |

**Exhibit B – Federal Clauses**

DRAFT

## Federal Clauses

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

#### 41 CFR 60-1.4(a)

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



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

### **2 CFR Part 200 Appendix II (C)**

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

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

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

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

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

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

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

Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

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

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

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

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

**Exhibit C – Proposed Subconsultant Request**

DRAFT

# PROPOSED SUB-CONSULTANT REQUEST

North Dakota Department of Transportation, Environmental & Transportation Services  
SFN 60232 (9-2016)

Sub-Consultant firms that have been contacted and agree to be listed on a Prime Consultants Project Proposal for work with NDDOT must submit original form and one copy to be attached to the Prime Consultants Proposal. This form is used for informational purposes only.

|                          |            |                              |               |                               |          |
|--------------------------|------------|------------------------------|---------------|-------------------------------|----------|
| NDDOT Project Number     |            | NDDOT Project Control Number |               | Prime Consultant Company Name |          |
| Company Name             |            | Owner                        |               |                               |          |
| Address                  |            | City                         |               | State                         | ZIP Code |
| Company Telephone Number | Fax Number |                              | Email Address |                               |          |

## Type of Work to be Subcontracted

|   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Appraisals               | <input type="checkbox"/> Environmental           | <input type="checkbox"/> Planning           | <input type="checkbox"/> Structural Design    |
| <input type="checkbox"/> Architecture             | <input type="checkbox"/> Geotechnical            | <input type="checkbox"/> Public Involvement | <input type="checkbox"/> Survey               |
| <input type="checkbox"/> Bridge Inspection        | <input type="checkbox"/> Materials Testing       | <input type="checkbox"/> Roadway Design     | <input type="checkbox"/> Traffic Operations   |
| <input type="checkbox"/> Construction Engineering | <input type="checkbox"/> Partnering Facilitation | <input type="checkbox"/> Soil Contamination | <input type="checkbox"/> Wetlands Delineation |
| <input type="checkbox"/> Cultural Resources       | <input type="checkbox"/> Photogrammetry          | <input type="checkbox"/> Steel Fabrication  | <input type="checkbox"/> Other                |

The undersigned declares that all statements listed above are true.

|            |
|------------|
| Firm Name  |
| Print Name |
| Title      |

|           |      |
|-----------|------|
| Signature | Date |
|-----------|------|

|   |                              |                             |
|---|------------------------------|-----------------------------|
| Is Firm Currently NDDOT Certified as a DBE? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|------------------------------|-----------------------------|

**To:** Transportation Technical Committee  
**From:** Dan Farnsworth, Transportation Planner  
**Date:** February 3, 2023  
**Re:** **Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis RFP**

With the interchange of I-94 and 20<sup>th</sup> Street in Moorhead only being a partial interchange (ramps to and from the west only), further analysis of the feasibility of a full interchange and other improvements at this location has been a priority for the City of Moorhead for years.

20<sup>th</sup> Street is a key connection to M-State, MSUM, and other destinations in Moorhead. With no interstate access currently to/from the east at 20<sup>th</sup> Street, drivers need to utilize 8<sup>th</sup> Street (US Hwy 75) or 34<sup>th</sup> Street interchanges.

The Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis will be a consultant led study and is in Metro COG's Unified Planning Work Program (UPWP) for the year 2023. The budget for this study is \$150,000 with 80% (\$120,000) coming from Metro COG's CPG funds, 10% (\$15,000) from the City of Moorhead, and 10% (\$15,000) from MnDOT.

**Attached** is the study's draft RFP which is anticipated to be released pending Policy Board approval on February 16<sup>th</sup>.

**Requested Action: Recommend Policy Board approval of the Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis RFP**

**FARGO-MOORHEAD  
METROPOLITAN COUNCIL OF GOVERNMENTS**

**REQUEST FOR PROPOSALS (RFP)**

**PROJECT NO. 2023-207**

***Moorhead I-94 & 20<sup>th</sup> Street Interchange  
Analysis***

***DRAFT***

*February, 2023*

**APPROVED:**

\_\_\_\_\_

**Cindy Gray  
Metro COG, Executive Director**

**METROCOG**  
FM REGIONAL TRANSPORTATION PLANNING ORGANIZATION

## REQUEST FOR PROPOSALS (RFP)

The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) requests proposals from qualified consultants for the following project:

### **Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

Qualifications based selection criteria will be used to analyze proposals from responding consultants. The most qualified candidates may be invited to present an in-person or virtual interview. Upon completion of technical ranking and interviews, Metro COG will enter into negotiations with the top ranked firm. **Sealed cost proposals shall be submitted with the RFP.** The cost proposal of the top ranked firm will be opened during contract negotiations. Those firms not selected for direct negotiations will have their unopened cost proposals returned. Metro COG reserves the right to reject any or all submittals. This project will be funded, in part with federal transportation funds and has a not-to-exceed budget of **\$150,000.**

Interested firms can request a full copy of the RFP by telephoning 701.532.5100, or by e-mail: [metrococg@fmmetrococg.org](mailto:metrococg@fmmetrococg.org). Copies will be posted on the North Dakota Department of Transportation QBS website (<https://www.dot.nd.gov>) and are also available for download in .pdf format at [www.fmmetrococg.org](http://www.fmmetrococg.org).

All applicants must be prequalified with the North Dakota Department of Transportation (NDDOT). If not prequalified with the NDDOT, applicants will be required to submit a completed Standard Form 330 (Exhibit D) with their submittal of information.

All proposals received by **4:30 p.m. (Central Time) on Friday March 17, 2023** will be given equal consideration. Respondents must submit one (1) PDF of the proposal, and one (1) sealed hard copy of the cost proposal. The full length of each proposal shall not exceed thirty-five (35) pages; including any supporting material, charts, or tables.

Hard copies of technical and/or cost proposals shall be shipped to ensure timely delivery to the contact defined below:

Dan Farnsworth  
Fargo-Moorhead Metropolitan Council of Governments  
Case Plaza, Suite 232  
One 2<sup>nd</sup> Street North  
Fargo, ND 58102  
[farnsworth@fmmetrococg.org](mailto:farnsworth@fmmetrococg.org)  
701-532-5106

Fax versions will not be accepted as substitutes for the cost proposal hard copy. Once submitted, the proposals will become property of Metro COG.

Note: The document can be made available in alternative formats for persons with disabilities by contacting Savanna Leach, Office Manager at 701.532.5100 or [leach@fmmetrococg.org](mailto:leach@fmmetrococg.org).

**TABLE OF CONTENTS**

|      |   |     |
|------|---|-----|
| I    | AGENCY OVERVIEW .....                     | 4   |
| II   | PROJECT BACKGROUND AND OBJECTIVE .....    | 4   |
| III  | SCOPE OF WORK AND PERFORMANCE TASKS ..... | 5   |
| IV   | IMPLEMENTATION SCHEDULE .....             | 9   |
| V    | EVALUATION AND SELECTION PROCESS .....    | 10  |
| VI   | PROPOSAL CONTENT .....                    | 11  |
| VII  | Submittal Information .....               | 12  |
| VIII | GENERAL RFP REQUIREMENTS .....            | 13  |
| IX   | CONTRACTUAL INFORMATION .....             | 15  |
| X    | PAYMENTS .....                            | 15  |
| XI   | FEDERAL AND STATE FUNDS .....             | 16  |
| XII  | TITLE VI ASSURANCES .....                 | 16  |
| XIII | TERMINATION PROVISIONS .....              | 17  |
| XIV  | LIMITATION ON CONSULTANT .....            | 18  |
| XV   | CONFLICT OF INTEREST .....                | 18  |
| XVI  | INSURANCE .....                           | 18  |
| XVII | RISK MANAGEMENT .....                     | 18  |
|      | Exhibit A – Cost Proposal Form .....      | 21  |
|      | Exhibit B – Federal Clauses .....         | 22  |
|      | Exhibit C – SFN 60232: Proposed Sub ..... | 223 |



*Note: Throughout this RFP, Metro COG may be referred to as 'Client' and the consulting firm may be referred to as 'Consultant', 'Contractor', or 'Firm'.*

## **I AGENCY OVERVIEW**

The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) serves as the Council of Governments (COG) and Metropolitan Planning Organization (MPO) for the greater Fargo, North Dakota – Moorhead, Minnesota metropolitan area. As the designated MPO for the Fargo-Moorhead Metropolitan Area, Metro COG is responsible under federal law for maintaining a continuous, comprehensive, and coordinated transportation planning process.

Metro COG is responsible, in cooperation with the North Dakota and Minnesota Departments of Transportation (NDDOT and MnDOT, respectively) and our local planning partners, for carrying out the metropolitan transportation planning process and other planning issues of a regional nature. Metro COG represents eleven cities and two counties that comprise the Metro COG region in these efforts.

## **II PROJECT BACKGROUND AND OBJECTIVE**

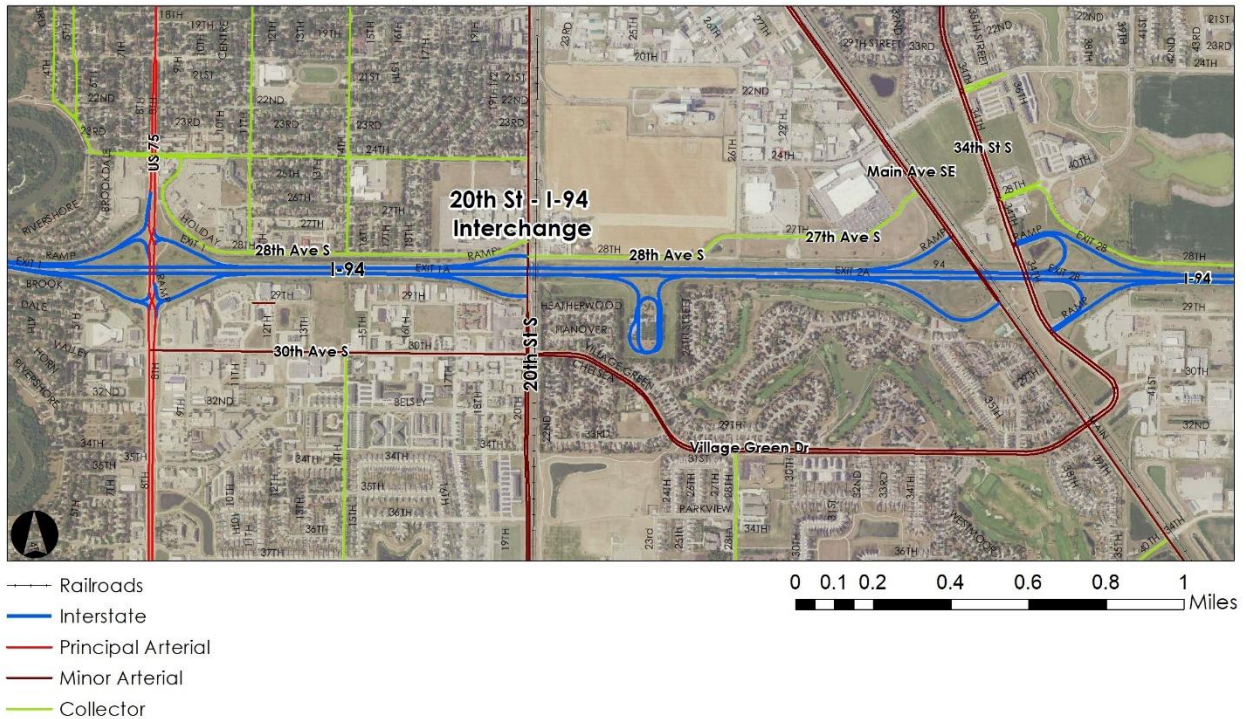
Two interstate highways run through the Fargo-Moorhead Metropolitan Area, Interstate 29 (I-29) and Interstate 94 (I-94). I-94 travels east-west through the entirety of North Dakota, Minnesota and other states to the east and west. I-94 is the most heavily traveled roadway within the Fargo-Moorhead Metropolitan Area per Metro COG's 2021 traffic counts. This interstate corridor plays a key role in national, regional, and local auto and freight transportation.

I-94 has a total of four interchanges which provide direct access to/from the city of Moorhead, MN. However, of the four interchanges only two are full interchanges. The interchange of I-94 and 20<sup>th</sup> St in Moorhead is a partial interchange, providing access to/from the west only. Westbound traffic on I-94 wishing to use 20<sup>th</sup> St must exit at either 34<sup>th</sup> St (1 ¼ miles east of 20<sup>th</sup> St) or 8<sup>th</sup> St/US Hwy 75 (1 mile west of 20<sup>th</sup> St). The lack of interstate connectivity to/from the east on 20<sup>th</sup> St is presumed to increase the use of nearby interchanges and increase travel time for some users.

The objective of this planning study (project) is to analyze the need and feasibility for a full interchange on I-94 at 20<sup>th</sup> St, determine the traffic and travel time changes of a full interchange, and provide planning level layouts and cost estimates for interchange alternatives at this location.

A map on the following page shows the location of the study area.

### Study Area Map



### III SCOPE OF WORK AND PERFORMANCE TASKS

Outlined below is the scope of work that will guide development of the Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis. Metro COG has included the following scope of work to provide interested Consultants with insight into project intent, context, coordination, responsibilities, and other elements to help facilitate proposal development.

This outline is not necessarily all-inclusive. The Consultant may include in the proposal any additional performance tasks or the modification of the tasks listed below that will integrate approaches to successfully complete the project. At a minimum, the Consultant is expected to complete the following tasks as part of this project:

#### Task 1 - Project Management and Coordination

This task involves activities required to manage the project including staff, equipment and documentation. It also includes the preparation of monthly progress reports, documenting travel and expense receipts, and preparing and submitting invoices for reimbursement. In addition, this task includes progress meetings with Metro COG. It should be assumed that progress meetings will occur at least monthly and as needed in between.

The Consultant will assign a single person to serve through the life of the contract as Consultant Project Manager ("PM"). The PM must be the person identified in the selected

**Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

firm's proposal and may not be changed without prior written approval of Metro COG. The PM is responsible for overall project management necessary to ensure the satisfactory completion of the Moorhead I-94 and 20<sup>th</sup> Street Interchange Analysis, on-time and on-budget, in accordance with the scope of services. The PM will serve as a single point of contact and will be expected to ensure the Consultant team is properly managed, adequate resources are available, submittals are timely, quality control processes are utilized for maximum benefit, and invoices are paid in a timely fashion.

The PM will submit monthly invoices with documentation acceptable to Metro COG throughout the life of the contract. Invoices must include the monthly progress report, a breakout of activities by task, employee hours for those tasks, and any supportive documentation for expenses. All invoice submittals, including progress reports, and any supportive materials shall be submitted to the Metro COG project manager no later than the 2<sup>nd</sup> Thursday of the month. This is to ensure invoices are processed in a timely fashion.

**Task 2 – Data Collection and Existing Conditions**

The Consultant shall gather and analyze existing conditions relative to the study area. Metro COG and applicable jurisdictions can aid in these efforts by providing relevant datasets where they exist. All other non-existing datasets necessary to accomplish the goals of the analysis will need to be developed by the Consultant. (Note – engineering services such as surveying and geotechnical analysis are not eligible for Metro COG reimbursement; therefore, such datasets will need to be developed through desk review research).

Data collection and existing conditions should include but is not limited to:

- Roadway geometrics
- Bridge data
- Typical sections
- AADTs & turning movement counts
- Bicycle/pedestrian counts
- Traffic operations
- ITS deployments
- Railroad data – number of trains/speed/crossing closure times
- Bicycle and pedestrian accommodations
- Transit routes
- Freight accommodations
- Crash history (last 5 years)
- Lighting
- Right-of-way
- Existing utilities, including drainage
- Existing/proposed land use
- Environmental data (wetlands, contaminated soils, etc.)

**Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

The Consultant should also review relevant documents and studies related to this project. Special attention should be given to Metro COG's Interstate Operations Analysis which is scheduled for completion in the spring of 2023. Another study, called the 20<sup>th</sup> Street and TH 75 (8<sup>th</sup> Street) Corridor Study was completed in June 2008. The study is posted on Metro COG's RFP website (link forthcoming; for now we'll use this link: <http://www.dot.state.mn.us/consult/documents/D4TH75finalreport.pdf> ).

**Task 3 – Community Engagement**

Community engagement will include the following:

Study Review Committee Meetings

Development of this study will be guided by a Study Review Committee (SRC) who will provide oversight and input into the study process, methodology, parameters of alternatives, and overall findings and recommendations. The Consultant should propose the quantity, timing, and content of these meetings.

The Consultant will be responsible for the preparation and coordination of all information, documents, and agendas for the SRC. The Consultant will be expected to distribute materials to the SRC in a timely manner, no less than three business days prior to the meetings. Metro COG and the Consultant will work together in coordinating and scheduling SRC meetings. The Consultant is also responsible for the recording of meeting minutes, which should be submitted to Metro COG's project manager and will serve as documentation of the SRC's guidance and decisions.

Public Involvement

The Consultant shall propose an approach for public involvement which shall be in accordance with Metro COG's Public Participation Plan (see recently adopted PPP update at [https://fmmetrocog.org/application/files/4016/7277/3608/2022\\_PPP\\_-\\_Final\\_Policy\\_Board\\_Review.pdf](https://fmmetrocog.org/application/files/4016/7277/3608/2022_PPP_-_Final_Policy_Board_Review.pdf)). The Consultant, in cooperation with Metro COG and local agencies, will facilitate all public engagement activities, and should propose the number, type, and strategy for each public involvement effort.

Please note that all public notices, mailings, and social media boosts, etc. shall be paid for out of the project budget. Metro COG's website will be used to host the project webpage, and Metro COG staff will work with the Consultant to keep the website up-to-date with content provided by the Consultant team.

Stakeholder Outreach

In conjunction with Metro COG and the SRC, the Consultant shall develop a list of stakeholders which could be positively and/or negatively impacted by modifications to the I-94 and 20<sup>th</sup> St Interchange. These stakeholders could

**Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

include, but not be limited to: M State, BNSF, MSUM, Moorhead Public Service, Anheuser-Busch, Gavilon Fertilizer, Ken's Sanitation, Triumph Lutheran Brethren Church, etc.

**Task 4 – Purpose and Need**

The Consultant shall work with Metro COG and the SRC in developing a Purpose and Need Statement for inclusion within the study.

**Task 5 – Travel Impact Analysis**

Metro COG's recent Interstate Operations Analysis completed travel demand model (TDM) runs for the interchanges along I-94, including the 20<sup>th</sup> St interchange. In addition, the Interstate Operations Analysis used the TDM to determine projected traffic volumes at the 20<sup>th</sup> St interchange and the adjacent interchanges should a full interchange at 20<sup>th</sup> St be installed. The Consultant should utilize the TDM results provided by the Interstate Operations Analysis.

However, the Interstate Operations Analysis did not analyze the traffic effect of a full 20<sup>th</sup> St interchange on the non-interstate roadway network in the study area. The Consultant is expected to utilize the TDM to analyze the effect that a full interchange would have on the functionally-classified roadway network between 8<sup>th</sup> St (US Hwy 75) and 34<sup>th</sup> St in Moorhead. This analysis should compare the traffic effect of a full interchange versus the existing half interchange.

In addition, the Consultant is highly encouraged to use origin-destination tools such as StreetLight to analyze the existing routing of trips to determine the potential travel patterns and usage of a full interchange at 20<sup>th</sup> St.

**Task 6 – Development of Alternatives**

The Consultant will analyze the future conditions of a No Build alternative as well as Build alternatives. Several preliminary alternatives should first be developed. Of the preliminary alternatives, feasibility analysis should be conducted and a minimum of two Build alternatives should be brought forward for additional analysis. As part of the alternative analysis, environmental impacts should be considered, including but not limited to wetlands, contaminated soils, etc.

The Consultant shall work jointly with Metro COG and the SRC in development of the alternatives. As part of this task, the Consultant will prepare planning level cost estimates for each alternative and the alternatives shall be vetted through the SRC.

The cost-benefit of the alternatives should be considered when developing the alternatives. The Consultant shall not develop alternatives with the motive of consultant-recognition, but rather develop the alternatives which are in the best interest of the public, including responsible stewardship of taxpayer money.

The Consultant should look into potential funding sources for improvements as well as cost participation policy and potential funding splits.

**Task 7 – Draft Report**

Upon completion of the aforementioned tasks, the Consultant shall provide a draft report for review by the SRC, stakeholders and public. The report shall include but not be limited to: existing conditions information, the study's purpose and need, public involvement information and results, interchange alternative layouts, analysis, and costs, and pertinent maps and graphics.

The report shall include an appendix. Meeting summaries, public involvement results, and technical analysis should be included in the appendix of the report.

**Task 8 – Final Report**

Once comments on the draft report have been received and addressed, the Consultant shall assemble the final report. The final report shall be in PDF format.

**Task 9 – Adoption Process**

As part of the study's adoption process, presentations will be made to local boards and committees. The Consultant should budget for up to four presentations of the final study to local boards and committees. This is likely to include the Moorhead Planning Commission, Moorhead City Council, the Metro COG Transportation Technical Committee and the Metro COG Policy Board.

**NOTE:** While under contract, if the Consultant wishes to modify or include additional tasks deemed necessary to complete the study, this must be agreed to by Metro COG before issuing the notice to proceed.

**IV IMPLEMENTATION SCHEDULE**

**1) Consultant Selection**

|  |                              |
|--|------------------------------|
| Advertise for Consultant Proposals           | approximately 2/17/2023      |
| Due Date for Proposal Submittals (by 4:30pm) | 3/17/2023                    |
| Review Proposals/Identify Finalists          | 3/20/2023 – 3/27/2023        |
| Interview Finalists                          | between 4/3/2023 – 4/11/2023 |
| Metro COG Board Approval/Consultant Notice   | 4/20/2023                    |
| Contract Negotiations                        | 4/21/2023 – 4/28/2023        |

Request for Proposals (RFP)  
**Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

|  |                         |
|--|-------------------------|
| Signed Contract                                      | approximately 5/1/2023  |
| QBS Submittal & Approval (between NDDOT & Metro COG) | 5/1/23 – 5/12/23        |
| Notice to Proceed*                                   | approximately 5/15/2023 |

**\*Notice to Proceed shall not be issued until the Consultant has provided all materials required for contracting, including, but not limited to, the Proposed Sub-Consultant Request form (SFN 60232 (9-2016) and Prime Consultant Request to Sublet form (SFN 60233 (9-2019) form, if applicable, and the Qualifications Based Selection documentation has been fully compiled by Metro COG and submitted to and approved by the North Dakota Department of Transportation.**

**2) Project Development (Major Milestones)**

|  |                         |
|--|-------------------------|
| Project Kick-off                       | May 2023                |
| Plan Development                       | May 2023 – January 2024 |
| Final Draft of Study                   | February 2024           |
| Final Completion of Study              | March 2024              |
| Presentations to committees and boards | April - May 2024        |
| Final Invoices Received                | May 2024                |

**V EVALUATION AND SELECTION PROCESS.**

**Selection Committee.** The Client will establish a multijurisdictional selection committee to select a Consultant. The Selection Committee will likely consist of staff from Metro COG, the City of Moorhead, MnDOT, and any other applicable stakeholders.

The Consultant selection process will be administered under the following criteria:

- 25% - Understanding of study objectives and local/regional issues
- 25% - Proposed approach, work plan, and management techniques
- 25% - Experience with similar projects
- 25% - Expertise of the technical and professional staff assigned to the project

The Selection Committee, at the discretion of the Client and under the guidance of NDDOT policy, will entertain formal in-person or virtual presentations for the top candidates to provide additional information for the evaluation process. The presentations will be followed by a question and answer period during which the

committee may question the prospective Consultants about their proposed approaches.

A Consultant will be selected on April 20<sup>th</sup>, 2023 based on an evaluation of the proposals submitted, the recommendation of the Selection Committee and approval by the Metro COG Policy Board.

The Client reserves the right to reject any or all proposals or to waive minor irregularities in said proposal, and reserves the right to negotiate minor deviations to the proposal with the successful Consultant. The Client reserves the right to award a contract to the firm or individual that presents the proposal, which, in the sole judgement of the Client, best accomplishes the desired results.

The RFP does not commit the Client to award a contract, to pay any costs incurred in the preparation of the contract in response to this request or to procure or contract for services or supplies. The Client reserves the right to withdraw this RFP at any time without prior notice.

All proposals, whether selected or rejected, shall become the property of the Client.

## **VI PROPOSAL CONTENT**

The purpose of the proposal is to demonstrate the qualifications, competence, and capacity of the Consultant seeking to provide comprehensive services specified herein for the Client, in conformity with the requirements of the RFP. The proposal should demonstrate qualifications of the firm and its staff to undertake this project. It should also specify the proposed approach that best meets the RFP requirements. The proposal must address each of the service specifications under the Scope of Work and Performance Tasks.

The Client is asking the Consultant to supply the following information. Please include all requested information in the proposal to the fullest extent practical.

- 1) **Contact Information.** Name, telephone number, email address, mailing address and other contact information for the Consultant's Project Manager.
- 2) **Introduction and Executive Summary.** This section shall document the Consultant name, business address (including telephone, email address(es), year established, type of ownership and parent company (if any), project manager name and qualifications, and any major facts, features, recommendations or conclusions that may differentiate this proposal from others, if any.
- 3) **Work Plan and Project Methodology.** Proposals shall include the following, at minimum:
  - a) A detailed work plan identifying the major tasks to be accomplished relative to the requested study tasks and expected product as outlined in this RFP;



**Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

- b) A timeline for completion of the requested services, including all public participation opportunities and stakeholder meetings, identifying milestones for development of the project and completion of individual tasks.
  - c) List of projects with similar size, scope, type, and complexity that the proposed project team has successfully completed in the past.
  - d) List of the proposed principal(s) who will be responsible for the work, proposed Project Manager and project team members (with resumes).
  - e) A breakout of hours for each member of the team by major task area, and an overall indication of the level of effort (percentage of overall project team hours) allocated to each task. Note that specific budget information is to be submitted in a sealed cost proposal as described below in Section VIII. General Proposal Requirements.
  - f) A list of any subcontracted agencies, the tasks they will be assigned, the percent of work to be performed, and the staff that will be assigned.
  - g) List of client references for similar projects described within the RFP.
  - h) Required Disadvantaged Business Enterprise (DBE) and/or Minority Business Enterprise (MBE) Firms participation documentation, if applicable.
  - i) Ability of firm to meet required time schedules based on current and known future workload of the staff assigned to the project.
- 4) **Signature.** Proposals shall be signed by an authorized member of the firm/project team.
- 5) **Attachments.** Review, complete, and submit the completed versions of the following RFP Attachments with the proposal:

Exhibit A - Cost Proposal Form (as identified in VIII 1)

Exhibit B – Federal Clauses

Exhibit C – SFN 60232: Proposed Sub-Consultant Request

**VII Submittal Information**

Proposals shall be submitted in PDF format. Sealed cost proposals shall be submitted as a hard copy. Cost proposals should be shipped to ensure timely delivery to the contact as defined below:

Dan Farnsworth  
Transportation Planner  
Fargo-Moorhead Metropolitan Council of Governments  
Case Plaza, Suite 232  
One 2<sup>nd</sup> Street North  
Fargo, ND 58102-4807  
farnsworth@fmmetrocog.org

All proposals received by 4:30 p.m. on Friday, March 17, 2023 at Metro COG's office will be given equal consideration. Minority, women-owned and disadvantaged business enterprises are encouraged to apply. Respondents must submit one (1) PDF copy of the proposal. The full length of each proposal should not exceed thirty-five (35) pages; including any supporting material, charts, or tables.

The Consultant may ask for clarifications of the RFP by submitting written questions to the Metro COG project manager identified above. Questions regarding this RFP must be submitted no later than March 3, 2023. Metro COG reserves the right to decline a response to any question if, in Metro COG's assessment, the information cannot be obtained and shared with all potential firms in a timely manner. All questions and responses will be forwarded to applicants and posted on Metro COG's website on March 8, 2023.

## **VIII GENERAL RFP REQUIREMENTS.**

**1) Sealed Cost Proposal.** All proposals must be clearly identified and marked with the appropriate project name; inclusive of a separately sealed cost proposal per the requirements of this RFP. Cost proposals shall be based on an hourly "not to exceed" amount and shall follow the general format as provided within Exhibit A of this RFP. Metro COG may decide, in its sole discretion, to negotiate a price for the project after the selection committee completes its final ranking. Negotiation will begin with the Consultant identified as the most qualified per requirements of this RFP, as determined in the evaluation/selection process. If Metro COG is unable to negotiate a contract for services negotiations will be terminated and negotiations will begin with the next most qualified Consultant. This process will continue until a satisfactory contract has been negotiated. The sealed cost proposal is required to include the following documentation:

- a. Documentation from the ND Secretary of State detailing the prime consultant is in good standing and is licensed to do business in the State of North Dakota**
- b. Documentation that the prime consultant is registered with the ND Board of Registration**
- c. Documentation showing registration with the federal System for Award Management (SAM.gov) that the prime consultant has not been**

**suspended, debarred, voluntarily excluded, or deterred ineligible**

- 2) **Consultant Annual Audit Information for Indirect Cost.** Consulting firms proposing to do work for Metro COG must have a current audit rate no older than 15 months from the close of the firms Fiscal Year. Documentation of this audit rate must be provided with the sealed cost proposal. Firms that do not meet this requirement will not qualify to propose or contract for Metro COG projects until the requirement is met. Firms that have submitted all the necessary information to Metro COG and are waiting for the completion of the audit will be qualified to submit proposals for work. Information submitted by a firm that is incomplete will not qualify. Firms that do not have a current cognizant Federal Acquisition Regulations (FARs) audit of indirect cost rates must provide this audit prior to the interview. **This documentation should be attached with the sealed cost proposal. The submitted Indirect Rate MUST match the Indirect Rate on all invoicing.**
- 3) **Debarment of Suspension Certification and Certification of Restriction on Lobbying.** See Exhibit B, Federal Clauses regarding Debarment of Suspension and Restriction on Lobbying.
- 4) **Respondent Qualifications.** Respondents must submit evidence that they have relevant past experience and have previously delivered services similar to the requested services within this RFP. Each respondent may also be required to show that similar work has been performed in a satisfactory manner and that no claims of any kind are pending against such work. No proposal will be accepted from a respondent whom is engaged in any work that would impair his or her ability to perform or finance this work.
- 5) **Disadvantaged Business Enterprise.** Pursuant to Department of Transportation policy and 49 CFR Part 23, Metro COG supports the participation of DBE/MBE businesses in the performance of contracts financed with federal funds under this RFP. Consultants shall make an effort to involve DBE/MBE businesses in this project. If the Consultant is a DBE/MBE, a statement indicating that the business is certified DBE/MBE in North Dakota or Minnesota shall be included within the proposal. If the Consultant intends to utilize a DBE/MBE to complete a portion of this work, a statement of the Subconsultant's certification shall be included. The percent of the total proposed cost to be completed by the DBE/MBE shall be shown within the proposal. Respondents should substantiate (within proposal) efforts made to include DBE/MBE businesses.
- 6) **US DOT Policy Statement on Bicycle and Pedestrian Accommodations.** Consultants are advised to review and consider the *US DOT Policy Statement on Bicycle and Pedestrian Accommodation* issued in March of 2010 when developing written proposals.
- 7) **North Dakota Department of Transportation Consultant Administration Services Procedure Manual.** Applicants to this Request for Proposal are **required** to follow

**Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

procedures contained in the *NDDOT Consultant Administration Services Procedure Manual*, which includes prequalification of Consultants. Copies of the Manual may be found on the Metro COG website [www.fmmetrocog.org](http://www.fmmetrocog.org) or the NDDOT website at [www.dot.nd.gov](http://www.dot.nd.gov).

**IX CONTRACTUAL INFORMATION.**

- 1) The Client reserves the right to reject any or all proposals or to award the contract to the next most qualified firm if the successful firm does not execute a contract within forty-five (45) days after the award of the proposal. The Client will not pay for any information contained in proposals obtained from participating firms.
- 2) The Client reserves the right to request clarification on any information submitted and additionally reserves the right to request additional information of one (1) or more applicants.
- 3) Any proposal may be withdrawn up until the proposal submission deadline. Any proposals not withdrawn shall constitute an irrevocable offer for services set forth within the RFP for a period of ninety (90) days or until one or more of the proposals have been approved by the Metro COG Policy Board.
- 4) If, through any cause, the Consultant shall fail to fulfill in a timely and proper manner the obligations agreed to, the Client shall have the right to terminate its contract by specifying the date of termination in a written notice to the firm at least ninety (90) working days before the termination date. In this event, the firm shall be entitled to just and equitable compensation for any satisfactory work completed.
- 5) Any agreement or contract resulting from the acceptance of a proposal shall be on forms either supplied by or approved by the Client and shall contain, as a minimum, applicable provisions of the Request for Proposals. The Client reserves the right to reject any agreement that does not conform to the Request for Proposal and any Metro COG requirements for agreements and contracts.
- 6) The Consultant shall not assign any interest in the contract and shall not transfer any interest in the same without prior written consent of Metro COG.
- 7) **The Consultant agrees to not start any work on the project until the Qualifications Based Selection requirements have been satisfied and approved by the NDDOT, and Metro COG has provided the consultant with a notice to proceed.**

**X PAYMENTS**

The selected Consultant will submit invoices for work completed to the Client. Payments shall be made to the Consultant by the Client in accordance with the contract after all required services, and items identified in the scope of work and performance tasks, have

been completed to the satisfaction of the Client.

## **XI FEDERAL AND STATE FUNDS**

The services requested within this RFP will be partially funded with funds from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). As such, the services requested by this RFP will be subject to federal and state requirements and regulations.

The services performed under any resulting agreement shall comply with all applicable federal, state, and local laws and regulations. In addition, this contract will be subject to the relevant requirements of 2 CFR 200.

## **XII TITLE VI ASSURANCES**

Prospective Consultants should be aware of the following contractual ("Contractor") requirements regarding compliance with Title VI should they be selected pursuant to this RFP:

- 1) **Compliance with Regulations.** The Consultant shall comply with the regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations).
- 2) **Nondiscrimination.** The Consultant, with regard to the work performed by it, shall not discriminate on the grounds of race, color, national origin, sex, age, disability/handicap, or income status\*\*, in the selection and retention of Subconsultants, including procurements of materials and leases of equipment. The Consultant shall not participate, either directly or indirectly, in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- 3) **Solicitations for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiation, made by the Consultant for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential Subconsultant or supplier shall be notified by the Consultant of the Consultant's obligations to Metro COG and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability/handicap, or income status\*\*.
- 4) **Information and Reports.** The Consultant shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Metro COG or the North Dakota Department of Transportation to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a Consultant is in the

**Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

exclusive possession of another who fails or refuses to furnish this information, the Consultant shall so certify to Metro COG, or the North Dakota Department of Transportation, as appropriate, and shall set forth what efforts it has made to obtain the information.

- 5) **Sanctions for Noncompliance.** In the event of the Consultant's noncompliance with the nondiscrimination provisions as outlined herein, the Client and the North Dakota Department of Transportation shall impose such sanctions as it or the Federal Highway Administration / Federal Transit Administration may determine to be appropriate, including but not limited to:
  - 6) Withholding of payments to the Consultant under the contract until the Consultant complies; or
  - 7) Cancellation, termination, or suspension of the contract, in whole or in part.
- 8) **Incorporation of Title VI Provisions.** The Consultant shall include the provisions of Section XII, paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto.

The Consultant shall take such action with respect to any subcontract or procurement as Metro COG or the U.S. Department of Transportation, Federal Highway Administration, may direct as a means of enforcing such provisions, including sanctions for noncompliance provided, however, that in the event a Consultant becomes involved in, or is threatened with, litigation by a Subconsultant or supplier as a result of such direction, the Consultant may request Metro COG enter into such litigation to protect the interests of Metro COG; and, in addition, the Consultant may request the United States to enter into such litigation to protect the interests of the United States.

\*\* The Act governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 790; and low income, E.O. 12898.

### **XIII TERMINATION PROVISIONS**

The Client reserves the right to cancel any contract for cause upon written notice to the Consultant. Cause for cancellation will be documented failure(s) of the Consultant to provide services in the quantity or quality required. Notice of such cancellation will be given with sufficient time to allow for the orderly withdrawal of the Consultant without additional harm to the participants or the Client.

The Client may cancel or reduce the amount of service to be rendered if there is, in the opinion of the Client, a significant increase in local costs; or if there is insufficient state or federal funding available for the service, thereby terminating the contract or reducing the compensation to be paid under the contract. In such event, the Client will notify the

Consultant in writing ninety (90) days in advance of the date such actions are to be implemented.

In the event of any termination, the Client shall pay the agreed rate only for services delivered up to the date of termination. The Client has no obligation to the Consultant, of any kind, after the date of termination. Consultant shall deliver all records, equipment and materials to the Client within 24 hours of the date of termination.

#### **XIV LIMITATION ON CONSULTANT**

All reports and pertinent data or materials are the sole property of the Client and its state and federal planning partners and may not be used, reproduced or released in any form without the explicit, written permission of the Client.

The Consultant should expect to have access only to the public reports and public files of local governmental agencies and the Client in preparing the proposal or reports. No compilation, tabulation or analysis of data, definition of opinion, etc., should be anticipated by the Consultant from the agencies, unless volunteered by a responsible official in those agencies.

#### **XV CONFLICT OF INTEREST**

No Consultant, Subconsultant, or member of any firm proposed to be employed in the preparation of this proposal shall have a past, ongoing, or potential involvement which could be deemed a conflict of interest under North Dakota Century Code or other law. During the term of this Agreement, the Consultant shall not accept any employment or engage in any consulting work that would create a conflict of interest with the Client or in any way compromise the services to be performed under this agreement. The Consultant shall immediately notify the Client of any and all potential violations of this paragraph upon becoming aware of the potential violation.

#### **XVI INSURANCE**

The Consultant shall provide evidence of insurance as stated in the contract prior to execution of the contract.

#### **XVII RISK MANAGEMENT**

The Consultant agrees to defend, indemnify, and hold harmless the Client and the state of North Dakota, its agencies, officers and employees (State), from and against claims based on the vicarious liability of the Client and the State or its agents, but not against claims based on the Client's and the State's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by Consultant to the Client and the State under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the Client and the State is necessary. Consultant also agrees to defend, indemnify, and hold

the Client and the State harmless for all costs, expenses and attorneys' fees incurred if the Client or the State prevails in an action against Consultant in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this Agreement.

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

1. Commercial general liability and automobile liability insurance - minimum limits of liability required are \$250,000 per person and \$1,000,000 per occurrence.
2. Workforce Safety insurance meeting all statutory limits.
3. The Client and the State of North Dakota, its agencies, officers, and employees (State) shall be endorsed as an additional insured on the commercial general liability and automobile liability policies.
4. Said endorsements shall contain a "Waiver of Subrogation" in favor of the Client and the state of North Dakota.
5. The policies and endorsements may not be canceled or modified without thirty (30) days prior written notice to the undersigned Client and the State Risk Management Department.

The Consultant shall furnish a certificate of insurance evidencing the requirements in 1, 3, and 4, above to the Client prior to commencement of this agreement.

The Client and the State reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time. Any attorney who represents the State under this contract must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08.

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

Consultant's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the Client or State. Any insurance, self-insurance or self-retention maintained by the Client or the State shall be



**Moorhead I-94 & 20<sup>th</sup> Street Interchange Analysis**

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

DRAFT

**Exhibit A – Cost Proposal Form**

**Cost Proposal Form** – Include completed cost form (see below) in a separate sealed envelope – labeled “**Sealed Cost Form – Vendor Name**” and submit with concurrently with the technical proposal as part of the overall RFP response. The cost estimate should be based on a not to exceed basis and may be further negotiated by Metro COG upon identification of the most qualified Consultant. Changes in the final contract amount and contract extensions are not anticipated.

**REQUIRED BUDGET FORMAT**

Summary of Estimated Project Cost

| 1. | <b>Direct Labor</b>   | <b>Hours</b> | <b>x</b> | <b>Rate</b>     | <b>=</b> | <b>Project Cost</b> | <b>Total</b> |
|----|---|--------------|----------|-----------------|----------|---------------------|--------------|
|    | Name, Title, Function   | 0.00         | x        | 0.00            | =        | 0.00                | 0.00         |
|    |   |              | x        |                 | =        | 0.00                | 0.00         |
|    |   |              | x        |                 | =        | 0.00                | 0.00         |
|    |   |              |          | <b>Subtotal</b> | =        | 0.00                | 0.00         |
| 2. | <b>Overhead/Indirect Cost (expressed as indirect rate x direct labor)</b> |              |          |                 |          | 0.00                | 0.00         |
| 3. | <b>Subconsultant Costs</b>  |              |          |                 |          | 0.00                | 0.00         |
| 4. | <b>Materials and Supplies Costs</b>                                       |              |          |                 |          | 0.00                | 0.00         |
| 5. | <b>Travel Costs</b>   |              |          |                 |          | 0.00                | 0.00         |
| 6. | <b>Fixed Fee</b>  |              |          |                 |          | 0.00                | 0.00         |
| 7. | <b>Miscellaneous Costs</b>  |              |          |                 |          | 0.00                | 0.00         |
|    | <b>Total Cost</b>   |              |          |                 | =        | 0.00                | 0.00         |

**Exhibit B - Federal Clauses**

DRAFT

## Federal Clauses

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

#### 41 CFR 60-1.4(a)

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

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

### **2 CFR Part 200 Appendix II (C)**

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

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

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

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

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

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

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

Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

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

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

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

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

**Exhibit C – SFN 60232: Proposed Sub-Consultant Request**

DRAFT

# PROPOSED SUB-CONSULTANT REQUEST

North Dakota Department of Transportation, Environmental & Transportation Services  
SFN 60232 (9-2016)

Sub-Consultant firms that have been contacted and agree to be listed on a Prime Consultants Project Proposal for work with NDDOT must submit original form and one copy to be attached to the Prime Consultants Proposal. This form is used for informational purposes only.

|                          |            |                              |                               |          |
|--------------------------|------------|------------------------------|-------------------------------|----------|
| NDDOT Project Number     |            | NDDOT Project Control Number | Prime Consultant Company Name |          |
| Company Name             |            | Owner                        |                               |          |
| Address                  |            | City                         | State                         | ZIP Code |
| Company Telephone Number | Fax Number |                              | Email Address                 |          |

## Type of Work to be Subcontracted

|   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Appraisals               | <input type="checkbox"/> Environmental           | <input type="checkbox"/> Planning           | <input type="checkbox"/> Structural Design    |
| <input type="checkbox"/> Architecture             | <input type="checkbox"/> Geotechnical            | <input type="checkbox"/> Public Involvement | <input type="checkbox"/> Survey               |
| <input type="checkbox"/> Bridge Inspection        | <input type="checkbox"/> Materials Testing       | <input type="checkbox"/> Roadway Design     | <input type="checkbox"/> Traffic Operations   |
| <input type="checkbox"/> Construction Engineering | <input type="checkbox"/> Partnering Facilitation | <input type="checkbox"/> Soil Contamination | <input type="checkbox"/> Wetlands Delineation |
| <input type="checkbox"/> Cultural Resources       | <input type="checkbox"/> Photogrammetry          | <input type="checkbox"/> Steel Fabrication  | <input type="checkbox"/> Other                |

The undersigned declares that all statements listed above are true.

|            |
|------------|
| Firm Name  |
| Print Name |
| Title      |

|           |      |
|-----------|------|
| Signature | Date |
|-----------|------|

|   |                              |                             |
|---|------------------------------|-----------------------------|
| Is Firm Currently NDDOT Certified as a DBE? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|------------------------------|-----------------------------|



**To:** Transportation Technical Committee  
**From:** Ari Del Rosario, AICP  
**Date:** February 3, 2023  
**Re:** Performance Measure 1 (PM1) – 2023 Safety Target Adoption MN

As a part of the Fixing America's Surface Transportation (FAST) Act, which was signed into law on December 4, 2015, State DOTs and MPOs are required to establish quantifiable targets for performance measures. There are three performance measures.

Performance Measure 1 (PM1) is meant to establish performance targets related to safety. This falls under §490 Subpart B. As such, each state must annually establish and report performance targets for the Highway Safety Improvement Program (HSIP) for the following five (5) safety performance measures:

1. Number of Fatalities
2. Rate of Fatalities
3. Number of Serious Injuries
4. Rate of Serious Injuries
5. Number of Non-motorized Fatalities and Non-motorized Serious Injuries

As an MPO, Metro COG is required by FHWA to either

1. Agree to program projects in each state's portion of the Metropolitan Planning Area (MPA) to support the performance targets established by the respective state and/or
2. Establish MPO specific safety performance targets for all or some of the above five measures.

These are reviewed and revised annually. 2023 is the fifth year we are reviewing and adopting PM1 targets for the MPA.

Since 2018, TTC recommended to Policy Board to adopt MnDOT's Safety Performance Measures for the MPA. Based on the crash data available to us, **Metro COG again requests that TTC recommend adoption of MnDOT's Safety Performance Measures for the MPA.** This information is based on the following analysis and timeframe.

In December 2022, FHWA determined whether a State has met or made significant progress toward meeting 2017-2021 HSIP targets. FHWA used 2015-2019 data as a baseline period for assessing significant progress. In March 2023, FHWA will report their findings to States indicating whether the State has met or made significant progress towards meeting their 2017-2021 HSIP targets.

FHWA uses the following table to determine if a State has met or made significant progress towards their Performance Measure 1 Targets (received from

[https://safety.fhwa.dot.gov/hsip/spm/pm\\_progress\\_fs.cfm](https://safety.fhwa.dot.gov/hsip/spm/pm_progress_fs.cfm)).

**Example Significant Progress Determination for CY 2020 Safety Performance Targets**

| Performance Measure                                     | 5-year Rolling Averages         |                                |                                  | Target Achieved? | Better than Baseline? | Met or Made Significant Progress?                            |
|---|---------------------------------|--------------------------------|----------------------------------|------------------|-----------------------|--|
|   | TARGET 2016 – 2020 <sup>A</sup> | ACTUAL 2016– 2020 <sup>B</sup> | BASELINE 2014– 2018 <sup>C</sup> |                  |                       |  |
| Number of Fatalities                                    | 465                             | 472.4                          | 474                              | No               | ✓ Yes                 | Yes<br>(4 out of 5 targets met or made significant progress) |
| Fatality Rate   | 0.980                           | 0.990                          | 0.988                            | No               | No                    |  |
| Number of Serious Injuries                              | 2,560.0                         | 2,578.4                        | 2,703.2                          | No               | ✓ Yes                 |  |
| Serious Injury Rate                                     | 4.126                           | 4.214                          | 4.288                            | No               | ✓ Yes                 |  |
| Number of Non-motorized Fatalities and Serious Injuries | 108.0                           | 107.6                          | 113.2                            | ✓ Yes            | N/A                   |  |

(A) CY 2020 Targets are established and reported in the August 31, 2019 HSIP Annual Report.

(B) Actual performance is the 5-year rolling average ending in the year for which the targets were established. In this case that is CY 2016-2020.

(C) Baseline performance is the 5-year rolling average that ends prior to the year in which the targets were established. In this case, that is CY 2014-2018, since the targets were established in 2019. Baseline performance is calculated in order to compare whether the actual outcome for CY 2016-2020 was better than the baseline performance (in this case CY 2014-2018), for the targets that were not met.

Then by mid-2023 States that did not meet or make significant progress toward meeting 2017-2021 HSIP targets must submit an HSIP Implementation Plan to FHWA. If a State did not meet or make significant progress toward meeting their 2017-2021 HSIP targets, the State must:

1. Use obligation authority equal to the Fiscal Year 2020 HSIP apportionment only for highway safety improvement projects for October 1, 2023 through September 30, 2024.
2. Develop and submit an HSIP Implementation Plan that describes actions the State will take to meet or make significant progress toward meeting its targets.

Then in December 2023, FHWA will start the process over again and determine whether a State has met or made significant progress toward meeting 2018-2022 HSIP targets. FHWA uses 2016-2020 data as a baseline period for assessing significant progress for this reporting period.

To compare and determine how Metro COG's metropolitan planning area (MPA) contributes to each state's targets, staff have compiled Assessment Tables for PM1 targets for 2021, 2022 and 2023 for each state's portion of the MPA.

**Below are the Assessment Tables.** The Assessment Tables for MnDOT's portion of the MPA are included with numbers that demonstrate how we continue to meet the statewide targets.

## 2021 Performance Measure 1 Target Assessment - MnDOT

2017-2021 Assessment Table

|  | 5-Year Rolling Averages                  |  |  | Assessment  |                          |   |
|--|--|--|--|---|--------------------------|---|
|  | MPO 2015-2019<br>Baseline<br>Performance | Statewide<br>2017-2021<br>Targets<br>Evaluated based on<br>5yr Rolling average | MPO<br>2017-2021<br>Actual<br>Performance<br>(MN portion of MPA) | Statewide<br>Target<br>Achieved?<br>Compares to<br>state goal | Better than<br>Baseline? | Met or Made<br>Significant<br>Progress? |
| Number of Fatalities   | 1.4                                      | 352.4  | 2.0  | Yes   | No                       | Yes                                     |
| Fatality Rate<br>(per 100M VMT)                              | 0.124                                    | 0.582  | 0.304  | Yes   | No                       |   |
| Number of Serious<br>Injuries                                | 9.4                                      | 1579.8   | 8.2  | Yes   | Yes                      |   |
| Serious Injury Rate<br>(per 100M VMT)                        | 0.844                                    | 2.606  | 0.746  | Yes   | Yes                      |   |
| Number of Non-<br>Motorized Fatalities &<br>Serious Injuries | 0.6                                      | 218.2  | 0.6  | Yes   | No                       |   |

## 2022 Performance Measure 1 Target Assessment - MnDOT

2018-2022 Assessment Table

|  | 5-Year Rolling Averages                  |  |  | Assessment  |                          |   |
|--|--|--|--|---|--------------------------|---|
|  | MPO 2016-2020<br>Baseline<br>Performance | Statewide<br>2018-2022<br>Targets<br>Evaluated based on<br>5yr Rolling average | MPO<br>2018-2022<br>Actual<br>Performance<br>(MN portion of MPA) | Statewide<br>Target<br>Achieved?<br>Compares to<br>state goal | Better than<br>Baseline? | Met or Made<br>Significant<br>Progress? |
| Number of Fatalities   | 2.0                                      | 352.4  |  |   |                          |   |
| Fatality Rate<br>(per 100M VMT)                              | 0.222                                    | 0.582  |  |   |                          |   |
| Number of Serious<br>Injuries                                | 8.4                                      | 1463.4   |  |   |                          |   |
| Serious Injury Rate<br>(per 100M VMT)                        | 0.824                                    | 2.470  |  |   |                          |   |
| Number of Non-<br>Motorized Fatalities &<br>Serious Injuries | 0.6                                      | 258.4  |  |   |                          |   |

# 2023 Performance Measure 1 Target Assessment - MnDOT

2019-2023 Assessment Table

|   | 5-Year Rolling Averages            |   |   | Assessment   |                       |                                   |
|---|------------------------------------|---|---|--|-----------------------|-----------------------------------|
|   | MPO 2017-2021 Baseline Performance | Statewide 2019-2023 Targets<br>Evaluated based on 5yr Rolling average | MPO 2019-2023 Actual Performance<br>(MN portion of MPA) | Statewide Target Achieved?<br>Compares to state goal | Better than Baseline? | Met or Made Significant Progress? |
| Number of Fatalities                                  | 2.0                                | 352.4   |   |  |                       |                                   |
| Fatality Rate (per 100M VMT)                          | 0.304                              | 0.582   |   |  |                       |                                   |
| Number of Serious Injuries                            | 8.2                                | 1463.4  |   |  |                       |                                   |
| Serious Injury Rate (per 100M VMT)                    | 0.746                              | 2.470   |   |  |                       |                                   |
| Number of Non-Motorized Fatalities & Serious Injuries | 0.6                                | 258.4   |   |  |                       |                                   |

Within the Assessment Tables, staff have compared the rate of fatalities and the rate of serious injuries to the state targets, they have a common factor of determining the rate based on per 100 million Vehicle Miles Travelled at either level.

In order for the MPO to compare the MPO target (portion of the data for the MPA within the state the targets are adopted in) to the statewide target for the number of fatalities, number of serious injuries, and number of non-motorized fatalities/number of non-motorized serious injuries, MPO staff needed to determine a common factor to compare the data against. It's important to note that FHWA does not illustrate what this common factor is. Therefore, Metro COG staff determined that the best common factor would be population.

The following **Populations table** illustrates the statewide population, jurisdictions within the MPO within that state, a summary of the jurisdictional total population within the MPO, the county population within the that state, and the Fargo-Moorhead Metropolitan Statistical Area (MSA) population. Note that the Census Bureau doesn't collect population for the MPA, instead it collects it based on the MSA, which the Fargo-Moorhead MSA includes all of Cass County, ND and Clay County, MN.

## Minnesota Populations - Based on the 2020 Census

|                                  | Population | % of State Population | % of MSA Population |
|----------------------------------|------------|-----------------------|---------------------|
| <b>Minnesota</b>                 | 5,706,494  | 100%                  | N/A                 |
| Moorhead, MN                     | 44,505     | 0.78%                 | 17.81%              |
| Dilworth, MN                     | 4,612      | 0.08%                 | 1.85%               |
| <b>Member Jurisdiction Total</b> | 49,117     | 0.86%                 | 19.66%              |
| <b>Clay County, MN</b>           | 65,318     | 1.14%                 | 26.14%              |
| F-M MSA                          | 249,843    | N/A                   | 100%                |

Take note that in Minnesota the **Member Jurisdictional total percentage is 0.86%** of the statewide population and the **Clay County population total is 1.14%** of the statewide population. These are the population percentages that staff compared to the percentages listed in gray and parentheses in the 'MPO 2017-2021 Actual Performance\*' column in the assessment tables.

In each Performance Measure 1 Target Assessment table, the MPO Actual Performance column lists the actual 5-year rolling average number for each category (in black) and the percent of the total Statewide target number in that category (in gray). The percent of the Statewide target number is then compared to the percent of the State Population that the Member Jurisdiction Total population is.

For example:

The 2021 PM1 Target Assessment – MnDOT table states that the target for the Number of Fatalities for 2017-2021 is a maximum of 352.4 statewide, which is assessed based on a 5-year rolling average of 2017-2021 statewide data.

The MPO 2017-2021 actual performance for the Minnesota portion of the MPA was 2.0, which is **0.57%** of the total 352.4 target.

The Member Jurisdiction total population is **0.86%** of the statewide population and Clay County's population is **1.14%** of the statewide population.

When compared to either the Member Jurisdiction population or Clay County population percentages, 0.57% is still significantly lower.

Therefore, the MPO is achieving (supporting) the Statewide Target, as adopted in 2021.

Based on the Target Assessment tables for each state that indicate that the Fargo-Moorhead MPO is meeting or making significant progress towards the targets previously adopted, Metro COG requests the TTC recommend the Policy Board approve the attached resolutions for each state that are in support of adopting the statewide Performance Measure 1 – Safety targets, as these targets are in line with the actual performance data.

Once approved by the Policy Board, the resolutions will be signed and distributed to the applicable jurisdictions and programming will occur in accordance.

**Requested Action:** Metro COG requests a favorable recommendation to the Policy Board to adopt MnDOT's 2023 Safety Performance Measures.

**To:** Transportation Technical Committee  
**From:** Ari Del Rosario, AICP  
**Date:** February 3, 2023  
**Re:** Performance Measure 1 (PM1) – 2023 Safety Target Adoption ND

As a part of the Fixing America's Surface Transportation (FAST) Act, which was signed into law on December 4, 2015, State DOTs and MPOs are required to establish quantifiable targets for performance measures. There are three performance measures.

Performance Measure 1 (PM1) is meant to establish performance targets related to safety. This falls under §490 Subpart B. As such, each state must annually establish and report performance targets for the Highway Safety Improvement Program (HSIP) for the following five (5) safety performance measures:

1. Number of Fatalities
2. Rate of Fatalities
3. Number of Serious Injuries
4. Rate of Serious Injuries
5. Number of Non-motorized Fatalities and Non-motorized Serious Injuries

As an MPO, Metro COG is required by FHWA to either

1. Agree to program projects in each state's portion of the Metropolitan Planning Area (MPA) to support the performance targets established by the respective state and/or
2. Establish MPO specific safety performance targets for all or some of the above five measures.

These are reviewed and revised annually. 2023 is the fifth year we are reviewing and adopting PM1 targets for the MPA.

Since 2018, TTC recommended to Policy Board to adopt NDDOT's Safety Performance Measures for the MPA. Based on the crash data available to us, **Metro COG again requests that TTC recommend adoption NDDOT's Safety Performance Measures for the MPA.** This information is based on the following analysis and timeframe.

In December 2022, FHWA determined whether a State has met or made significant progress toward meeting 2017-2021 HSIP targets. FHWA used 2015-2019 data as a baseline period for assessing significant progress. In March 2023, FHWA will report their findings to States indicating whether the State has met or made significant progress towards meeting their 2017-2021 HSIP targets.

FHWA uses the following table to determine if a State has met or made significant progress towards their Performance Measure 1 Targets (received from

[https://safety.fhwa.dot.gov/hsip/spm/pm\\_progress\\_fs.cfm](https://safety.fhwa.dot.gov/hsip/spm/pm_progress_fs.cfm)).

**Example Significant Progress Determination for CY 2020 Safety Performance Targets**

| Performance Measure                                     | 5-year Rolling Averages         |                                |                                  | Target Achieved? | Better than Baseline? | Met or Made Significant Progress?                                   |
|---|---------------------------------|--------------------------------|----------------------------------|------------------|-----------------------|---|
|   | TARGET 2016 – 2020 <sup>A</sup> | ACTUAL 2016– 2020 <sup>B</sup> | BASELINE 2014– 2018 <sup>C</sup> |                  |                       |   |
| Number of Fatalities                                    | 465                             | 472.4                          | 474                              | No               | ✓ Yes                 | <b>Yes</b><br>(4 out of 5 targets met or made significant progress) |
| Fatality Rate   | 0.980                           | 0.990                          | 0.988                            | No               | No                    |   |
| Number of Serious Injuries                              | 2,560.0                         | 2,578.4                        | 2,703.2                          | No               | ✓ Yes                 |   |
| Serious Injury Rate                                     | 4.126                           | 4.214                          | 4.288                            | No               | ✓ Yes                 |   |
| Number of Non-motorized Fatalities and Serious Injuries | 108.0                           | 107.6                          | 113.2                            | ✓ Yes            | N/A                   |   |

(A) CY 2020 Targets are established and reported in the August 31, 2019 HSIP Annual Report.

(B) Actual performance is the 5-year rolling average ending in the year for which the targets were established. In this case that is CY 2016-2020.

(C) Baseline performance is the 5-year rolling average that ends prior to the year in which the targets were established. In this case, that is CY 2014-2018, since the targets were established in 2019. Baseline performance is calculated in order to compare whether the actual outcome for CY 2016-2020 was better than the baseline performance (in this case CY 2014-2018), for the targets that were not met.

Then by mid-2023 States that did not meet or make significant progress toward meeting 2017-2021 HSIP targets must submit an HSIP Implementation Plan to FHWA. If a State did not meet or make significant progress toward meeting their 2017-2021 HSIP targets, the State must:

1. Use obligation authority equal to the Fiscal Year 2019 HSIP apportionment only for highway safety improvement projects for October 1, 2023 through September 30, 2024.
2. Develop and submit a HSIP Implementation Plan that describes actions the State will take to meet or make significant progress toward meeting its targets.

Then in December 2023, FHWA will start the process over again and determine whether a State has met or made significant progress toward meeting 2018-2022 HSIP targets. FHWA uses 2016-2020 data as a baseline period for assessing significant progress for this reporting period.

To compare and determine how Metro COG's metropolitan planning area (MPA) contributes to each state's targets, staff have compiled Assessment Tables for PM1 targets for 2021, 2022 and 2023 for each state's portion of the MPA.

**Below are the Assessment Tables.** The Assessment Tables NDDOT's portion of the MPA are included with numbers that demonstrate how we continue to meet the statewide targets.



## 2021 Performance Measure 1 Target Assessment - NDDOT

2017-2021 Assessment Table

|   | 5-Year Rolling Averages            |   |   | Assessment   |                       |                                   |
|---|------------------------------------|---|---|--|-----------------------|-----------------------------------|
|   | MPO 2015-2019 Baseline Performance | Statewide 2017-2021 Targets<br>Evaluated based on 5yr Rolling average | MPO 2017-2021 Actual Performance<br>(ND portion of MPA) | Statewide Target Achieved?<br>Compares to state goal | Better than Baseline? | Met or Made Significant Progress? |
| Number of Fatalities                                  | 5.8                                | 101.5   | 5.8   | Yes  | No                    | Yes                               |
| Fatality Rate (per 100M VMT)                          | 0.242                              | 1.105   | 0.267   | Yes  | No                    |                                   |
| Number of Serious Injuries                            | 39.4                               | 378.7   | 34.8  | Yes  | Yes                   |                                   |
| Serious Injury Rate (per 100M VMT)                    | 1.651                              | 4.130   | 1.661   | Yes  | No                    |                                   |
| Number of Non-Motorized Fatalities & Serious Injuries | 5.40                               | 30.4  | 4.80  | Yes  | Yes                   |                                   |

## 2022 Performance Measure 1 Target Assessment - NDDOT

2018-2022 Assessment Table

|   | 5-Year Rolling Averages            |   |   | Assessment   |                       |                                   |
|---|------------------------------------|---|---|--|-----------------------|-----------------------------------|
|   | MPO 2016-2020 Baseline Performance | Statewide 2018-2022 Targets<br>Evaluated based on 5yr Rolling average | MPO 2018-2022 Actual Performance<br>(ND portion of MPA) | Statewide Target Achieved?<br>Compares to state goal | Better than Baseline? | Met or Made Significant Progress? |
| Number of Fatalities                                  | 6.6                                | 96.4  |   |  |                       |                                   |
| Fatality Rate (per 100M VMT)                          | 0.308                              | 1.094   |   |  |                       |                                   |
| Number of Serious Injuries                            | 37.0                               | 359.7   |   |  |                       |                                   |
| Serious Injury Rate (per 100M VMT)                    | 1.660                              | 4.089   |   |  |                       |                                   |
| Number of Non-Motorized Fatalities & Serious Injuries | 5.40                               | 29.8  |   |  |                       |                                   |

# 2023 Performance Measure 1 Target Assessment - NDDOT

2019-2023 Assessment Table

|   | 5-Year Rolling Averages            |   |   | Assessment   |                       |                                   |
|---|------------------------------------|---|---|--|-----------------------|-----------------------------------|
|   | MPO 2017-2021 Baseline Performance | Statewide 2019-2023 Targets<br>Evaluated based on 5yr Rolling average | MPO 2019-2023 Actual Performance<br>(ND portion of MPA) | Statewide Target Achieved?<br>Compares to state goal | Better than Baseline? | Met or Made Significant Progress? |
| Number of Fatalities                                  | 5.8                                | 99.2  |   |  |                       |                                   |
| Fatality Rate (per 100M VMT)                          | 0.267                              | 1.080   |   |  |                       |                                   |
| Number of Serious Injuries                            | 34.8                               | 397.1   |   |  |                       |                                   |
| Serious Injury Rate (per 100M VMT)                    | 1.661                              | 4.201   |   |  |                       |                                   |
| Number of Non-Motorized Fatalities & Serious Injuries | 4.80                               | 33.5  |   |  |                       |                                   |

Within the Assessment Tables, staff have compared the rate of fatalities and the rate of serious injuries to the state targets, they have a common factor of determining the rate based on per 100 million Vehicle Miles Travelled at either level.

In order for the MPO to compare the MPO target (portion of the data for the MPA within the state the targets are adopted in) to the statewide target for the number of fatalities, number of serious injuries, and number of non-motorized fatalities/number of non-motorized serious injuries, MPO staff needed to determine a common factor to compare the data against. It's important to note that FHWA does not illustrate what this common factor is. Therefore, Metro COG staff determined that the best common factor would be population.

The following **Populations table** illustrates the statewide population, jurisdictions within the MPO within that state, a summary of the jurisdictional total population within the MPO, the county population within the that state, and the Fargo-Moorhead Metropolitan Statistical Area (MSA) population. Note that the Census Bureau doesn't collect population for the MPA, instead it collects it based on the MSA, which the Fargo-Moorhead MSA includes all of Cass County, ND and Clay County, MN.

## North Dakota Populations - Based on the 2020 Census

|  | Population | % of State Population | % of MSA Population |
|--|------------|-----------------------|---------------------|
| <b>North Dakota</b>                      | 779,094    | 100%                  | N/A                 |
| Fargo, ND                                | 125,990    | 16.17%                | 50.43%              |
| West Fargo, ND                           | 38,626     | 4.96%                 | 15.46%              |
| Horace, ND                               | 3,085      | 0.40%                 | 1.24%               |
| Prairie Rose, ND                         | 47         | 0.01%                 | 0.02%               |
| Briarwood, ND                            | 43         | 0.01%                 | 0.02%               |
| Frontier, ND                             | 168        | 0.02%                 | 0.07%               |
| North River, ND                          | 58         | 0.01%                 | 0.02%               |
| Reile's Acres, ND                        | 497        | 0.06%                 | 0.20%               |
| <b>Urbanized Area Jurisdiction Total</b> | 168,514    | 21.63%                | 67.45%              |
| <b>Cass County, ND</b>                   | 184,525    | 23.69%                | 73.86%              |
| F-M MSA                                  | 249,843    | N/A                   | 100%                |

Take note that in North Dakota the **Member Jurisdictional total percentage is 21.15%** of the statewide population and the **Cass County population total is 23.69%** of the statewide population. These are the population percentages that staff compared to the percentages listed in gray and parentheses in the 'MPO 2017-2021 Actual Performance\*' column in the assessment tables.

In each Performance Measure 1 Target Assessment table, the MPO Actual Performance column lists the actual 5-year rolling average number for each category (in black) and the percent of the total Statewide target number in that category (in gray). The percent of the Statewide target number is then compared to the percent of the State Population that the Member Jurisdiction Total population is.

For example:

The 2021 PM1 Target Assessment – NDDOT table states that the Number of Fatalities for is 101.5 statewide, which is assessed based on a 5-year rolling average of 2017-2021 statewide data.

The MPO 2017-2021 actual performance for the North Dakota portion of the MPA was 5.8, which is **5.7%** of the total 101.5 target.

The Urbanized Area Jurisdiction total population is **21.63%** of the statewide population and Cass County's population is **23.69%** of the statewide population.

When compared to either the Urbanized Area Jurisdiction population or Cass County population percentages, 5.7% is still significantly lower.

Therefore, the MPO is achieving (supporting) the Statewide Target, as adopted in 2021.

Based on the Target Assessment tables for each state that indicate that the Fargo-Moorhead MPO is meeting or making significant progress towards the targets previously adopted, Metro COG requests the TTC recommend the Policy Board approve the attached resolutions for each state that are in support of adopting the statewide Performance Measure 1 – Safety targets, as these targets are in line with the actual performance data.

Once approved by the Policy Board, the resolutions will be signed and distributed to the applicable jurisdictions and programming will occur in accordance.

**Requested Action:** Metro COG requests a favorable recommendation to the Policy Board to adopt NDDOT's 2023 Safety Performance Measures.



**To:** Transportation Technical Committee  
**From:** Ari Del Rosario  
**Date:** February 3, 2023  
**Re:** Technical Report on FHWA National Performance Management Measure 2 – Pavement Condition (Subpart C) & Bridge Condition (Subpart D) MN

## Overview

On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was passed. This law continues the performance measure methodology established in MAP-21 with further clarification and the establishment of performance measure targets. These revisions include the establishment of quantifiable targets for each performance measure identified in §490 Subpart C to assess NHS pavement condition and §490 Subpart C to assess NHS bridge condition.

As part of the target establishment, Metro COG must (1) report their established targets to the respective State DOTs (i.e. resolutions) and (2) report the baseline condition/performance and progress toward the achievement of the targets in the system performance report in the LRTP.

### §490 Subpart C

Per §490 Subpart C every four years each State DOT is required by Federal Highway Administration (FHWA) to establish four (4) pavement condition performance measure targets. The State DOTs also need to report annually on each of these targets. Below are the performance measure targets for pavement conditions:

- Percent of Interstate Pavement in Good Condition
- Percent of Interstate Pavement in Poor Condition
- Percent of Non-interstate NHS Pavement in Good Condition
- Percent of Non-interstate NHS Pavement in Poor Condition

Each jurisdiction assesses a variety of roadway factors for each segment to calculate the pavement condition. Then those assessments are combined and an output of a standard Pavement Condition Index (PCI) is produced. The following are PCI ratings and their associated range of scores:

|           |        |
|-----------|--------|
| Excellent | 86-100 |
| Good      | 71-85  |
| Fair      | 56-70  |
| Poor      | 0-55   |

## §490 Subpart D

Per §490 Subpart D every four years each State DOT is required by Federal Highway Administration (FHWA) to establish two (2) bridge condition performance measure targets. The State DOTs also need to report annually on each of these targets. Below are the performance measure targets for pavement conditions:

- Percent of NHS Bridges in Good Condition
- Percent of NHS Bridges in Poor Condition

Each bridge on the NHS system is assessed annually and the score is entered into the National Bridge Inventory (NBI). The score is based on the inspection ratings of the bridge's deck, superstructure, and substructure. Each bridge is given an overall rating based on the lowest score of the three elements. The scores are based on the following ranges:

|      |     |
|------|-----|
| Good | 7-9 |
| Fair | 5-6 |
| Poor | 0-4 |

## Data

### §490 Subpart C – Pavement Condition Data

Within each portion of the MPA the pavement condition has been assessed. The following table illustrates the PM2 – pavement conditions within the MN portion of the MPA and the associated State DOT set performance targets.

|  | <b>MN<br/>Portion<br/>of MPA</b> | <b>MnDOT<br/>set<br/>Targets</b> |
|--|----------------------------------|----------------------------------|
| % of Interstate Pavement in Good Condition         | 67.42%                           | 60%                              |
| % of Interstate Pavement in Poor Condition         | 0%                               | 2%                               |
| % of Non-interstate NHS Pavement in Good Condition | 52.94%                           | 55%                              |
| % of Non-interstate NHS Pavement in Poor Condition | 0%                               | 2%                               |

\* Cells filled in green mean that the relative portion of the MPA meets or exceeds the associated State DOT's set targets.

The type of target depends on how the measurement is determined to meet or not meet the target. To meet a good condition target, the percentage needs to be equal to or greater than the target percentage. In order to meet a poor condition target, the percentage needs to be less than or equal to the target percentage.

## §490 Subpart D – Bridge Condition Data

Within the MN portion of the MPA the bridge condition has been assessed. The following table illustrates the PM2 – bridge conditions within MN's portion of the MPA and the associated State DOT set performance targets.

|                                    | <b>MN<br/>Portion<br/>of MPA</b> | <b>MnDOT<br/>set<br/>Targets</b> |
|------------------------------------|----------------------------------|----------------------------------|
| % of NHS Bridges in Good Condition | 11.87%                           | 30%                              |
| % of NHS Bridges in Poor Condition | 5.95%                            | 5%                               |

\* Cells filled in pink mean that the relative portion of the MPA does not meet the associated State DOT set targets.

The type of target depends on how the measurement is determined to meet or not meet the target. To meet a good condition target, the percentage needs to be equal to or greater than the target percentage. In order to meet a poor condition target, the percentage needs to be less than or equal to the target percentage.

## Penalties

There are no penalties for not meeting the “good condition” targets. Although, if a “poor condition” percentage is exceeded (i.e. not met), at the State DOT level, the penalty is that according to 23 CFR 490.413 “(1) during the fiscal year following the determination, the State DOT shall obligate and set aside in an amount equal to 50 percent of funds apportioned to such State for fiscal year 2009 to carry out 23 U.S.C. 144 (as in effect the day before enactment of MAP-21) from amounts apportioned to a State for a fiscal year under 23 U.S.C. 104(b)(1) only for eligible projects on bridges on the NHS. (2) The set-aside and obligation requirement for bridges on the NHS in a State in paragraph (a) of this section for a fiscal year shall remain in effect for each subsequent fiscal year until such time as less than 10 percent of the total deck area of bridges in the State on the NHS is located on bridges that have been classified as Structurally Deficient as determined by FHWA.”

## Summary

For PM2 – Pavement and Bridge Conditions, the respective State DOT set performance measure targets for calendar year 2022-2025.

The MPA is meeting and exceeding the targets related to pavement condition. Metro COG funds some of the Non-Interstate NHS roadways and can plan and maintain those roadways through the LRTP, TIP, and UPWP. The Interstate roadways are planned and maintained by the respective State DOTs.

In regards to bridge conditions, Metro COG does not fund the maintenance of the bridges on the NHS.

**Requested Action:** Metro COG requests a favorable recommendation to the Policy Board to adopt MnDOT's 2023 Pavement and Bridge Condition Performance Measures.



**To:** Transportation Technical Committee**From:** Ari Del Rosario**Date:** February 3, 2023**Re:** Technical Report on FHWA National Performance Management Measure 2 –  
Pavement Condition (Subpart C) & Bridge Condition (Subpart D) ND

## Overview

On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was passed. This law continues the performance measure methodology established in MAP-21 with further clarification and the establishment of performance measure targets. These revisions include the establishment of quantifiable targets for each performance measure identified in §490 Subpart C to assess NHS pavement condition and §490 Subpart C to assess NHS bridge condition.

As part of the target establishment, Metro COG must (1) report their established targets to the respective State DOTs (i.e. resolutions) and (2) report the baseline condition/performance and progress toward the achievement of the targets in the system performance report in the LRTP.

### §490 Subpart C

Per §490 Subpart C every four years each State DOT is required by Federal Highway Administration (FHWA) to establish four (4) pavement condition performance measure targets. The State DOTs also need to report annually on each of these targets. Below are the performance measure targets for pavement conditions:

- Percent of Interstate Pavement in Good Condition
- Percent of Interstate Pavement in Poor Condition
- Percent of Non-interstate NHS Pavement in Good Condition
- Percent of Non-interstate NHS Pavement in Poor Condition

Each jurisdiction assesses a variety of roadway factors for each segment to calculate the pavement condition. Then those assessments are combined and an output of a standard Pavement Condition Index (PCI) is produced. The following are PCI ratings and their associated range of scores:

|           |        |
|-----------|--------|
| Excellent | 86-100 |
| Good      | 71-85  |
| Fair      | 56-70  |
| Poor      | 0-55   |

## §490 Subpart D

Per §490 Subpart D every four years each State DOT is required by Federal Highway Administration (FHWA) to establish two (2) bridge condition performance measure targets. The State DOTs also need to report annually on each of these targets. Below are the performance measure targets for pavement conditions:

- Percent of NHS Bridges in Good Condition
- Percent of NHS Bridges in Poor Condition

Each bridge on the NHS system is assessed annually and the score is entered into the National Bridge Inventory (NBI). The score is based on the inspection ratings of the bridge's deck, superstructure, and substructure. Each bridge is given an overall rating based on the lowest score of the three elements. The scores are based on the following ranges:

|      |     |
|------|-----|
| Good | 7-9 |
| Fair | 5-6 |
| Poor | 0-4 |

## Data

### §490 Subpart C – Pavement Condition Data

Within each portion of the MPA the pavement condition has been assessed. The following table illustrates the PM2 – pavement conditions within the ND portion of the MPA and the associated State DOT set performance targets.

|  | <b>ND<br/>Portion<br/>of MPA</b> | <b>NDDOT<br/>set<br/>Targets</b> |
|--|----------------------------------|----------------------------------|
| % of Interstate Pavement in Good Condition         | 77.35%                           | 75.6%                            |
| % of Interstate Pavement in Poor Condition         | 0%                               | 3%                               |
| % of Non-interstate NHS Pavement in Good Condition | 15.55%                           | 58.3%                            |
| % of Non-interstate NHS Pavement in Poor Condition | 0.87%                            | 3%                               |

\* Cells filled in green mean that the relative portion of the MPA meets or exceeds the associated State DOT's set targets. Cells filled in pink mean that the relative portion of the MPA does not meet the associated State DOT set targets.

The type of target depends on how the measurement is determined to meet or not meet the target. To meet a good condition target, the percentage needs to be equal to or greater than the target percentage. In order to meet a poor condition target, the percentage needs to be less than or equal to the target percentage.

## §490 Subpart D – Bridge Condition Data

Within the ND portion of the MPA the bridge condition has been assessed. The following table illustrates the PM2 – bridge conditions within ND's portion of the MPA and the associated State DOT set performance targets.

|                                    | <b>ND<br/>Portion<br/>of MPA</b> | <b>NDDOT<br/>set<br/>Targets</b> |
|------------------------------------|----------------------------------|----------------------------------|
| % of NHS Bridges in Good Condition | 54.05%                           | 50%                              |
| % of NHS Bridges in Poor Condition | 2.03%                            | 10%                              |

\*Cells filled in green mean that the relative portion of the MPA meets or exceeds the associated State DOT's set targets.

The type of target depends on how the measurement is determined to meet or not meet the target. To meet a good condition target, the percentage needs to be equal to or greater than the target percentage. In order to meet a poor condition target, the percentage needs to be less than or equal to the target percentage.

## Penalties

There are no penalties for not meeting the "good condition" targets. Although, if a "poor condition" percentage is exceeded (i.e. not met), at the State DOT level, the penalty is that according to 23 CFR 490.413 "(1) during the fiscal year following the determination, the State DOT shall obligate and set aside in an amount equal to 50 percent of funds apportioned to such State for fiscal year 2009 to carry out 23 U.S.C. 144 (as in effect the day before enactment of MAP-21) from amounts apportioned to a State for a fiscal year under 23 U.S.C. 104(b)(1) only for eligible projects on bridges on the NHS. (2) The set-aside and obligation requirement for bridges on the NHS in a State in paragraph (a) of this section for a fiscal year shall remain in effect for each subsequent fiscal year until such time as less than 10 percent of the total deck area of bridges in the State on the NHS is located on bridges that have been classified as Structurally Deficient as determined by FHWA."

## Summary

For PM2 – Pavement and Bridge Conditions, the respective State DOT set performance measure targets for calendar year 2022-2025.

The MPA is meeting and exceeding most targets related to pavement condition. Metro COG funds some of the Non-Interstate NHS roadways and can plan and maintain those roadways through the LRTP, TIP, and UPWP. The Interstate roadways are planned and maintained by the respective State DOTs.

In regards to bridge conditions, Metro COG does not fund the maintenance of the bridges on the NHS.

**Requested Action:** Metro COG requests a favorable recommendation to the Policy Board to adopt NDDOT's 2023 Pavement and Bridge Condition Performance Measures.

**To:** Transportation Technical Committee

**From:** Ari Del Rosario, AICP

**Date:** February 3, 2023

**Re:** Technical Report on FHWA National Performance Management Measure 3 – Performance of the NHS (Subpart E) & Freight Movement on the Interstate (Subpart F) MN

## Overview

On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was passed. This law continues the performance measure methodology established in MAP-21 with further clarification and the establishment of performance measure targets. These revisions include the establishment of quantifiable targets for each performance measure identified in §490 Subpart E to assess performance on the NHS and §490 Subpart F to assess freight movement on the Interstate.

As part of the target establishment, Metro COG must (1) report their established targets to the respective State DOTs (i.e. resolutions) and (2) report the baseline condition / performance and progress toward the achievement of the targets in the system performance report in the LRTP.

### §490 Subpart E

Per §490 Subpart E every four years each State DOT is required by Federal Highway Administration (FHWA) to establish two (2) travel reliability performance measure targets. Travel time reliability is defined by the consistency or dependability of travel times from day to day or across different times of the day. The State DOTs also need to report annually on each of these targets. Below are the performance measure targets for travel reliability:

- Percent of person-miles traveled on the Interstate that are reliable
- Percent of person-miles traveled on the Non-Interstate NHS that are reliable

FHWA requires the use of National Performance Management Research Data Set (NPMRDS) to calculate the travel reliability for each roadway segment. NPMRDS uses passive travel data (probe data) to anonymously track how people travel and at what speed the vehicle travels. The NPMRDS provides a monthly archive of probe data that includes average travel times that are reported every 5-minutes when data is available on the NHS.

Using the NPMRDS probe data, the Level of Travel Time Reliability (LOTR) can be calculated for four (4) analysis periods using the following ratio:

Longer travel times (80<sup>th</sup> percentile of travel times)  
to  
Normal travel times (50<sup>th</sup> percentile of travel times)

The analysis periods are:

Morning Weekday (6am-10am)  
Midday Weekday (10am -4pm)  
Afternoon Weekday (4pm-8pm)  
Weekends (6am-8pm)

Reliable segments of roadway are considered to have a ratio of 1.50 or less, whereas segments of roadway with a ratio above 1.50 are considered unreliable.

It is important to note that between 2016 and 2017, NPMRDS switched probe data providers from HERE to INRIX. With that switch there was a dramatic increase in the reliability of the data.

### §490 Subpart F

Per §490 Subpart F every four years each State DOT is required by Federal Highway Administration (FHWA) to establish one (1) freight movement on the Interstate performance measure target. The State DOTs also need to report annually on each of these targets. Below is the performance measure target for freight movement:

- Truck Travel Time Reliability Index

The NPMRDS provides truck travel times on the Interstate system in 15-minute increments.

|      |     |
|------|-----|
| Good | 7-9 |
| Fair | 5-6 |
| Poor | 0-4 |

# Data

## §490 Subpart E – Auto Travel Time Reliability Data

Within the MN portion of the MPA the Travel Time Reliability (TTR) has been assessed. The following table illustrates the PM3 – TTR within each MN's portion of the MPA and the associated State DOT set performance targets.

|  | <b>2021 MN Portion of MPA</b> | <b>MnDOT set Targets</b> |
|--|-------------------------------|--------------------------|
| % of Reliable Person Miles on the Interstate         | 100%                          | 80%                      |
| % of Reliable Person Miles on the Non-Interstate NHS | 85%                           | 82%                      |

\* Cells filled in green mean that the relative portion of the MPA meets or exceeds the associated State DOT's set targets.

Travel time reliability is about consistency. The higher the percentage of reliability, it means that more often the travel time is the same. For example, it takes a person to travel from point A to point B 15 minutes. If the travel time reliability is 90%, it will take that person 15 minutes to get from point A to point B, 9 out of 10 times. The 10<sup>th</sup> time it may take the person a longer time or a short time to travel that distance.

## §490 Subpart F – Truck Travel Time Reliability Data

Within the MN portion of the MPA the Truck Travel Time Reliability (TTTR) Index has been assessed. The following table illustrates the PM3 – TTTR Index within MN's portion of the MPA and the associated State DOT set performance targets.

|                                     | <b>2020 MN Portion of MPA</b> | <b>MnDOT set Targets</b> |
|-------------------------------------|-------------------------------|--------------------------|
| Truck Travel Time Reliability Index | 1.14                          | 1.40                     |

\*Cells filled in green mean that the relative portion of the MPA meets or exceeds the associated State DOT's set targets.

Truck Travel Time Reliability (TTTR) Index is meant to assess the reliability of the travel time it takes to travel a segment of the Interstate System. The higher the number the more unreliable the segment of roadway is. Thus, it is better to have a lower TTTR Index than a higher one. For example, the Twin Cities MPA has a TTTR Index of 1.49 for 2021. That region is significantly more congested along the Interstate system than the Fargo-Moorhead MPA.

## Penalties

The penalties for PM3 are unclear.

## Summary

For PM3 – System Reliability, the respective State DOT set performance measure targets for calendar year 2022-2025.

The current MnDOT targets are as follows:

- Percentage of Person Miles Traveled on the Interstate that are Reliable: 82%
- Percentage of Person Miles Traveled on the Non-Interstate NHS that are Reliable: 90%
- Truck Travel Time Reliability Index: 1.4

**Requested Action:** Metro COG requests a favorable recommendation to the Policy Board to adopt MnDOT's 2023 Auto and Truck Time Reliability Performance Measures.



# Methodology

$$100 \times \frac{\sum_{i=1}^R SL_i \times AV_i \times OF_j}{\sum_{i=1}^T SL_i \times AV_i \times OF_j}$$

R = total number of Interstate System reporting segments that are exhibiting an LOTTR below 1.50 during all of the time periods identified in § 490.511(b)(1)(i) through (iv);

I = Interstate System reporting segment "i";

SL<sub>i</sub> = length, to the nearest thousandth of a mile, of Interstate System reporting segment "i";

AV<sub>i</sub> = total annual traffic volume to the nearest single vehicle, of the Interstate System reporting segment "i";

J = geographic area in which the reporting segment "i" is located where a unique occupancy factor has been determined;

OF<sub>j</sub> = occupancy factor for vehicles on the NHS within a specified geographic area within the State/Metropolitan planning area; and

T = total number of Interstate System reporting segments.

**To:** Transportation Technical Committee

**From:** Ari Del Rosario, AICP

**Date:** February 3, 2023

**Re:** Technical Report on FHWA National Performance Management Measure 3 – Performance of the NHS (Subpart E) & Freight Movement on the Interstate (Subpart F) ND

## Overview

On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was passed. This law continues the performance measure methodology established in MAP-21 with further clarification and the establishment of performance measure targets. These revisions include the establishment of quantifiable targets for each performance measure identified in §490 Subpart E to assess performance on the NHS and §490 Subpart F to assess freight movement on the Interstate.

As part of the target establishment, Metro COG must (1) report their established targets to the respective State DOTs (i.e. resolutions) and (2) report the baseline condition / performance and progress toward the achievement of the targets in the system performance report in the LRTP.

### §490 Subpart E

Per §490 Subpart E every four years each State DOT is required by Federal Highway Administration (FHWA) to establish two (2) travel reliability performance measure targets. Travel time reliability is defined by the consistency or dependability of travel times from day to day or across different times of the day. The State DOTs also need to report annually on each of these targets. Below are the performance measure targets for travel reliability:

- Percent of person-miles traveled on the Interstate that are reliable
- Percent of person-miles traveled on the Non-Interstate NHS that are reliable

FHWA requires the use of National Performance Management Research Data Set (NPMRDS) to calculate the travel reliability for each roadway segment. NPMRDS uses passive travel data (probe data) to anonymously track how people travel and at what speed the vehicle travels. The NPMRDS provides a monthly archive of probe data that includes average travel times that are reported every 5-minutes when data is available on the NHS.

Using the NPMRDS probe data, the Level of Travel Time Reliability (LOTR) can be calculated for four (4) analysis periods using the following ratio:

Longer travel times (80<sup>th</sup> percentile of travel times)  
to  
Normal travel times (50<sup>th</sup> percentile of travel times)

The analysis periods are:

Morning Weekday (6am-10am)  
Midday Weekday (10am -4pm)  
Afternoon Weekday (4pm-8pm)  
Weekends (6am-8pm)

Reliable segments of roadway are considered to have a ratio of 1.50 or less, whereas segments of roadway with a ratio above 1.50 are considered unreliable.

It is important to note that between 2016 and 2017, NPMRDS switched probe data providers from HERE to INRIX. With that switch there was a dramatic increase in the reliability of the data.

## §490 Subpart F

Per §490 Subpart F every four years each State DOT is required by Federal Highway Administration (FHWA) to establish one (1) freight movement on the Interstate performance measure target. The State DOTs also need to report annually on each of these targets. Below is the performance measure target for freight movement:

- Truck Travel Time Reliability Index

The NPMRDS provides truck travel times on the Interstate system in 15-minute increments.

|      |     |
|------|-----|
| Good | 7-9 |
| Fair | 5-6 |
| Poor | 0-4 |

# Data

## §490 Subpart E – Auto Travel Time Reliability Data

Within the ND portion of the MPA the Travel Time Reliability (TTR) has been assessed. The following table illustrates the PM3 – TTR within ND's portion of the MPA and the associated State DOT set performance targets.

|  | <b>2021 ND Portion of MPA</b> | <b>NDDOT set Targets</b> |
|--|-------------------------------|--------------------------|
| % of Reliable Person Miles on the Interstate         | 100%                          | 85%                      |
| % of Reliable Person Miles on the Non-Interstate NHS | 67%                           | 85%                      |

\* Cells filled in green mean that the relative portion of the MPA meets or exceeds the associated State DOT's set targets. Cells filled in pink mean that the relative portion of the MPA does not meet the associated State DOT set targets.

Travel time reliability is about consistency. The higher the percentage of reliability, it means that more often the travel time is the same. For example, it takes a person to travel from point A to point B 15 minutes. If the travel time reliability is 90%, it will take that person 15 minutes to get from point A to point B, 9 out of 10 times. The 10<sup>th</sup> time it may take the person a longer time or a short time to travel that distance.

## §490 Subpart F – Truck Travel Time Reliability Data

Within the ND portion of the MPA the Truck Travel Time Reliability (TTTR) Index has been assessed. The following table illustrates the PM3 – TTTR Index within ND's portion of the MPA and the associated State DOT set performance targets.

|                                     | <b>2021 ND Portion of MPA</b> | <b>NDDOT set Targets</b> |
|-------------------------------------|-------------------------------|--------------------------|
| Truck Travel Time Reliability Index | 1.23                          | 2.00                     |

\*Cells filled in green mean that the relative portion of the MPA meets or exceeds the associated State DOT's set targets.

Truck Travel Time Reliability (TTTR) Index is meant to assess the reliability of the travel time it takes to travel a segment of the Interstate System. The higher the number the more unreliable the segment of roadway is. Thus, it is better to have a lower TTTR Index than a higher one. For example, the Twin Cities MPA has a TTTR Index of 1.49 for 2021. That region is significantly more congested along the Interstate system than the Fargo-Moorhead MPA.

## Penalties

The penalties for PM3 are unclear.

## Summary

For PM3 – System Reliability, the respective State DOT set performance measure targets for calendar year 2022-2025.

The current NDDOT targets are as follows:

- Percentage of Person Miles Traveled on the Interstate that are Reliable: 85%
- Percentage of Person Miles Traveled on the Non-Interstate NHS that are Reliable: 85%
- Truck Travel Time Reliability Index: 2.0

**Requested Action:** Metro COG requests a favorable recommendation to the Policy Board to adopt NDDOT's 2023 Auto and Truck Time Reliability Performance Measures.

# Methodology

$$100 \times \frac{\sum_{i=1}^R SL_i \times AV_i \times OF_j}{\sum_{i=1}^T SL_i \times AV_i \times OF_j}$$

R = total number of Interstate System reporting segments that are exhibiting an LOTTR below 1.50 during all of the time periods identified in § 490.511(b)(1)(i) through (iv);

I = Interstate System reporting segment "i";

SL<sub>i</sub> = length, to the nearest thousandth of a mile, of Interstate System reporting segment "i";

AV<sub>i</sub> = total annual traffic volume to the nearest single vehicle, of the Interstate System reporting segment "i";

J = geographic area in which the reporting segment "i" is located where a unique occupancy factor has been determined;

OF<sub>j</sub> = occupancy factor for vehicles on the NHS within a specified geographic area within the State/Metropolitan planning area; and

T = total number of Interstate System reporting segments.

**To:** Transportation Technical Committee  
**From:** Adam Altenburg, AICP  
**Date:** February 2, 2023  
**Re:** **Safe Streets and Roads for All (SS4A) Action Plan Grant Update**

On January 31, Metro COG was notified that it had been selected to receive a Safe Streets and Roads for All (SS4A) grant award to develop a regional comprehensive safety action plan. This grant application was submitted in September 2022 as a joint application between Metro COG and each of the seven major jurisdictions (Fargo, Moorhead, West Fargo, Dilworth, Horace, Cass County, and Clay County). The selection award is for \$200,000 in federal funding, which requires a 20% (\$50,000) local match for a total project budget of \$250,000.

As detailed in the grant application, this first-of-its-kind regional comprehensive safety action plan will provide a framework of innovative strategies and implementation actions intended to reduce transportation-related fatalities and serious injuries and support federal safety initiatives. One component that has been outlined is a dashboard and toolkit that will include graphic visualizations illustrating safety countermeasures, context-sensitive solutions, and performance measure tracking. Another component of the safety plan is an implementation matrix for implementing safety measures including detailed policies and low-cost/high-impact strategies as well as specific construction projects in the Fargo-Moorhead area including scope, budget, and time frame. Upon completion of this plan, Metro COG and area jurisdictions will be able to apply for implementation grants under the SS4A program to fund the planning, design, and development of multimodal safety improvements.

In the next few weeks, the Federal Highway Administration (FHWA) will establish and execute an SS4A grant agreement with Metro COG. This agreement is required prior to the disbursement of award funds. Metro COG will also receive additional information about next steps, including an invitation to an upcoming FHWA-sponsored webinar for grant recipients regarding the process leading to an executed grant agreement.

At the same time, Metro COG will work to refine an RFP and scope of work for the comprehensive safety action plan that will expand upon the project narrative tasks submitted with the grant application. Metro COG will also work to develop a UPWP amendment to add the comprehensive safety action plan to its 2023-2024 UPWP.

It is envisioned that this RFP will be released in March or April.

More information about FY22 grants awards and selected projects can be found at [www.transportation.gov/grants/SS4A](http://www.transportation.gov/grants/SS4A).

**Requested Action: None.**