



TECHNICAL ADVISORY COMMITTEE MEETING

WEDNESDAY, JANUARY 9TH, 2019 – 1:30 P.M.

EAST GRAND FORKS CITY HALL TRAINING ROOM

MEMBERS

Kadrmass/Lang _____

Laesch/Konickson _____

West _____

Ellis _____

Johnson/Hanson _____

Magnuson _____

Bail/Emery _____

Kuharenko/Williams _____

Sanders _____

Gengler/Halford _____

Bergman/Rood _____

Christianson _____

Riesinger/Audette _____

1. CALL TO ORDER
2. CALL OF ROLL
3. DETERMINATION OF A QUORUM
4. MATTER OF APPROVAL OF THE DECEMBER 12TH, 2018, MINUTES OF THE TECHNICAL ADVISORY COMMITTEE
5. MATTER OF FINAL APPROVAL OF THE 2045 BIKE/PED ELEMENT..... VIAFARA
6. MATTER OF APPROVAL OF FY2019 T.I.P. AMENDMENTS..... HAUGEN
 - a. Public Hearing
 - b. Committee Action
7. MATTER OF APPROVAL OF CANDIDATE PROJECTS FOR NDDOT FTA 5339 SOLICITATION HAUGEN
8. MATTER OF APPROVAL OF THE EGF ADA TRANSITION PLAN..... HAUGEN
9. MATTER OF APPROVAL OF RFQ FOR TRANSIT ABSORPTION OF UND SHUTTLE HAUGEN
10. OTHER BUSINESS
 - a. 2019 Annual Work Program Project Update
11. ADJOURNMENT

ANY INDIVIDUAL REQUIRING A SPECIAL ACCOMMODATION TO ALLOW ACCESS OR PARTICIPATION AT THIS MEETING IS ASKED TO NOTIFY EARL HAUGEN, MPO EXECUTIVE DIRECTOR AT (701) 746-2660 OF HIS/HER NEEDS FIVE (5) DAYS PRIOR TO THE MEETING. ALSO, MATERIALS CAN BE PROVIDED IN ALTERNATIVE FORMATS: LARGE PRINT, BRAILLE, CASSETTE TAPE, OR ON COMPUTER DISK FOR PEOPLE WITH DISABILITIES OR WITH LIMITED ENGLISH PROFICIENCY (LEP) BY CONTACTING THE MPO EXECUTIVE DIRECTOR (701) 746-2667 FIVE (5) DAYS PRIOR TO THE MEETING.

**PROCEEDINGS OF THE
TECHNICAL ADVISORY COMMITTEE
Wednesday, December 12th, 2018
East Grand Forks City Hall Training Conference Room**

CALL TO ORDER

Earl Haugen Chairman, called the December 12th, 2018, meeting of the MPO Technical Advisory Committee to order at 1:30 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Michael Johnson, NDDOT-Bismarck; David Kuharenko, Grand Forks Engineering; Stephanie Halford, Grand Forks Planning; Jesse Kadrmas, NDDOT-Local District; Ryan Riesinger, Airport Authority; Nancy Ellis, East Grand Forks Planning; Dale Bergman, Area Cities Transit; Brad Bail, East Grand Forks Consulting - Engineer; Nick West, Grand Forks County Engineer.

Absent: Darren Laesch, Paul Konickson, Richard Audette, Dustin Lang, Brad Gengler, Ryan Brooks, Steve Emery, Lane Magnuson, Ali Rood, Stacey Hanson, Mike Yavarow, Lars Christianson, and Rich Sanders.

Guest(s) present: Jane Williams, Grand Forks Engineering.

Staff present: Earl Haugen, GF/EGF MPO Executive Director; Teri Kouba, GF/EGF MPO Senior Planner; Jairo Viafara, GF/EGF MPO Senior Planner; and Peggy McNelis, GF/EGF Office Manager.

DETERMINATION OF A QUORUM

Haugen declared a quorum was present.

MATTER OF APPROVAL OF THE NOVEMBER 14TH, 2018, MINUTES OF THE TECHNICAL ADVISORY COMMITTEE

MOVED BY ELLIS, SECONDED BY KADRMAS, TO APPROVE THE NOVEMBER 14TH, 2018, MINUTES OF THE TECHNICAL ADVISORY COMMITTEE, AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

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MATTER OF APPROVAL OF DRAFT 2045 STREET/HIGHWAY PLAN ELEMENT

Haugen reported that this is for final action of the Technical Advisory Committee on the Draft 2045 Street/Highway Plan that has been out for review and comments since the last meeting.

Haugen referred to the staff report and pointed out that it does list the action taken by our partner agencies on each side of the river. He stated that Grand Forks Planning and Zoning has taken action and their City Council will meet on Monday; and East Grand Forks' Planning and Zoning has taken action and their City Council will meet on Tuesday. He added that both Polk County and Grand Forks County have taken final action as well.

Haugen stated that they did give a presentation to the MnDOT working group; and talked about the comments that we received on those drafts, the concern about getting the current T.I.P. better recognized in this draft, and that was done; and they also gave a presentation to NDDOT upper management and Mr. Johnson has provided some comments that were incorporated into the document as well, so with that we have a resolution for consideration of the MPO Board at their meeting next week.

Haugen said that staff is recommending the Technical Advisory Committee approve forwarding a recommendation to the MPO Board that they adopt the Draft Final Street/Highway Element as presented.

Kuharenko pointed out that, he believes it is the fifth "whereas" in the Resolution, it talks about the bicycle plan, and he is wondering if that is something that we have to be concerned about since the Bike/Ped Plan hasn't yet been adopted. Haugen responded that this is just listing what the three main elements of the Long Range Transportation Plan are, it doesn't give the dates of their adoptions, so when we adopt a resolution for Transit it will have the same language, it will just have "transit" at the top instead of "2045 Metropolitan Transportation Plan".

Kuharenko pointed out that Ken Vein's name is misspelled on the signature page.

Williams said that she doesn't see where MnDOT is listed anywhere in this document, do they need to be. She pointed out that we do talk about the NDDOT but not MnDOT. Haugen responded that because NDDOT is our lead agency, that is what it states, that NDDOT is the lead agency. Williams said, though, that there isn't any mention of MnDOT anywhere in the document at all, and that is what she is asking, do we need to have them in there somewhere. Haugen responded that we haven't included them in the past, we only identify who our lead state agency is.

MOVED BY BAIL, SECONDED BY BERGMAN, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE ADOPTION OF THE 2045 STREET/HIGHWAY ELEMENT, AS PRESENTED.

Voting Aye: Kadrmas, Halford, Johnson, Ellis, Riesinger, Bergman, Bail, Kuharenko, and West.

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Voting Nay: None.

Absent: Lang, Gengler, Brooks, Laesch, Hanson, Yavarow, Rood, Magnuson, Sanders, Emery, Audette, Konickson, and Christianson.

MATTER OF APPROVAL OF NORTH DAKOTA CANDIDATE PROJECTS FOR 2020-2023 T.I.P.

a. Transportation Alternative Projects

Viafara reported that there are two projects that are being submitted for consideration by the City of Grand Forks to the Transportation Alternative Program. He commented that this is a highly competitive grant, therefore support for these kind of initiatives is very important.

Viafara stated that the City is submitting two shared use path projects; one is located adjacent to South Columbia Road from 40th Avenue South to 47th Avenue South. He explained that this project will provide a safer walking and bicycling environment for school children, commuters and recreational users, and also provide access and mobility around the school in that area.

Viafara said that the second project is adjacent to University Avenue from the Mobile Home Park to North 48th Street. He explained that in this area there are a number of low income families and people that we may deem to be within the Environmental Justice criteria. He added that this is part of the existing and proposed Bicycle and Pedestrian Plan to afford that people from this type of neighborhood have accessibility and mobility, and also to improve the comfort level when they are either walking or bicycling around the neighborhood.

Viafara commented that these two projects incorporate a number of traffic control devices that help us to decrease fuel consumption and also address the last segment of linking around the corridors and also enhance safety for the public, particularly for non-motorized users.

Viafara said that, overall, the two initiatives improve user safety and comfort, they also help us to increase the existing bicycle and pedestrian network by adding new segments, and enhance access and mobility around the neighborhood.

Viafara stated that the MPO staff is recommending the Technical Advisory Committee approve forward a recommendation to the MPO Executive Policy Board that they approve the Transportation Alternative projects submitted for competition, and give them priority ranking.

MOVED BY KUHARENKO, SECONDED BY HALFORD, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE TRANSPORTATION ALTERNATIVES PROJECTS SUBMITTED AS BEING CONSISTENT WITH THE MPO LONG RANGE TRANSPORTATION PLAN, AND GIVE THEM PRIORITY RANKING.

Voting Aye: Kadrmas, Halford, Johnson, Ellis, Riesinger, Bergman, Bail, Kuharenko, and West.

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Voting Nay: None.

Absent: Lang, Gengler, Brooks, Laesch, Hanson, Yavarow, Rood, Magnuson, Sanders, Emery, Audette, Konickson, and Christianson.

Haugen commented that just as a reminder on the North Dakota side the Recreational Trails Grant is still open for added projects through January 5th.

b. HSIP Projects

Haugen reiterated that this program was open for candidate projects to be submitted, and they received one from the City of Grand Forks.

Haugen reported that the project is for Red Light Confirmation Indicators for the Intersections of South Washington Street and 40th Avenue South and South Washington Street and 47th Avenue South, and is for materials only. He commented that the total cost is \$10,000 with \$9,000 in federal funding, and is consistent with our proposed safety plan.

MOVED BY BERGMAN, SECONDED BY ELLIS, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE HSIP PROJECT SUBMITTED AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN AND TO GIVE IT PRIORITY RANKING.

Voting Aye: Kadrmas, Halford, Johnson, Ellis, Riesinger, Bergman, Bail, Kuharenko, and West.

Voting Nay: None.

Absent: Lang, Gengler, Brooks, Laesch, Hanson, Yavarow, Rood, Magnuson, Sanders, Emery, Audette, Konickson, and Christianson.

c. Urban Grant Projects

Haugen reported that this is the second year of solicitation for this program so it is still a work in progress.

Haugen stated that they received one application from the City of Grand Forks to reconstruct 3rd Street between DeMers and University Avenue. He said that the total project cost is \$3.5 million with a federal grant request of just short of \$2.5 million.

Haugen commented that this project includes possible treatments such as curb bump outs, ornamental street lighting, street scape amenities, etc. He stated that the project is working with the Downtown Action Plan activity that is taking place, there are still some details being work on, as far as the streetscape theme to try to connect all of the downtown. He added that in the 2045 Street/Highway Plan element we do have this stretch of the downtown identified as one of the Main Street Urban Grant Projects.

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MOVED BY HALFORD, SECONDED BY ELLIS, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE URBAN GRANT PROGRAM PROJECT AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN AND TO GIVE IT PRIORITY RANKING.

Voting Aye: Kadrmas, Halford, Johnson, Ellis, Riesinger, Bergman, Bail, Kuharenko, and West.

Voting Nay: None.

Absent: Lang, Gengler, Brooks, Laesch, Hanson, Yavarow, Rood, Magnuson, Sanders, Emery, Audette, Konickson, and Christianson.

d. Urban Regional Roads Projects

Haugen reported that as indicated in the staff report, and in the solicitation letter, the NDDOT was not opening the 2023 year for candidate projects; however there were instances such as urgent issues or phase construction that was allowed. He stated that outside of the 2023 year the current years of the T.I.P. are fiscally constrained, but the City and the District still submitted a worksheet for a 2020 request, and that was the NEPA document for 32nd Avenue Congestion.

Haugen said that there was also a 2022 chip seal project on North 5th Street; they are already going to mill and overlay that so this would be a follow-up project to that work being done in 2020.

Haugen referred to the summary sheet and pointed out that you will notice that they are still showing a regional traffic signal upgrade project for 2022; that currently is listed as an illustrative project in the T.I.P., and it can remain illustrative in the 2022 year or a request can be made to consider it for a later year we can probably consider it with the next T.I.P. cycle since 2023 is closed.

Kuharenko stated that it shows it in the S.T.I.P. that it is a pending project, and so they ended up including it just as a reverification more than anything, and that is part of the reason they didn't include a new scoping worksheet because the year didn't change and the dollars didn't change. Haugen commented the pending and illustrative are the same, just different terms, there is no money attached to it and to get money attached to it either money either has to be found somewhere for that year or else apply for a subsequent year and then prioritize it versus all the other projects for that year.

Haugen commented that on the regional side the State always want to have that plus-one year as sort of a heads up that a project is a possible candidate for that year, however it isn't a formal submittal for our consideration. He added that in the document we received are two projects; one is for an interchange that addresses congestion on 32nd Avenue, and we just note that it is not in the Transportation Plan and is beyond our fiscal constraint; and the other is the reconstruction of South Washington Street between Hammerling and 8th Avenue South, but that is identified in the short-term of the 2045 Street and Highway Plan.

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Bergman asked if the intersection at 32nd, is that South Washington Street. Haugen responded that it is an interchange that addresses the congestion on 32nd, that is how it is identified. Bergman asked if it is an interchange on I-29. Haugen responded that the documentation identifies 47th Avenue as a possible location, but that is still up to the NEPA document, etc., so it isn't an intersection, the best guess is that it is an interchange, but that isn't a for-sure decision.

Kuharenko reported that they essentially set it up as a construction project to follow-up the NEPA document.

Haugen commented that there are a couple of other projects that were shown on the summary sheet; those are the ones that we are taking care of prior to the adoption of the next T.I.P. so they will be addressed with a different action, hopefully next January, because they are tied in with some other T.I.P. amendments that we have to do next January.

Haugen said that as Mr. Johnson is here he would ask him; since we've got a closed solicitation on the Regional Program from the State, we got a submittal for a NEPA project and a Chip Seal project for the year prior to the one announced as being closed; and he knows that the chip seal is no big deal, but the NEPA is a bigger deal, so what is NDDOT's thought. Johnson responded that he would agree the chip seal is not a big deal at all, you can submit that one; but the environmental document is a little different as they typically don't line item those in the S.T.I.P. unless it is like an EEA or EIS level type document, and even then it is rare as they have preliminary engineering identified in the S.T.I.P. in our District 9, so if it is determined that we should move forward with any project, whether it be this interchange or another one, we kind of just move forward with the PE in terms of timing for funding so identifying this funding as part of this process he doesn't think needs to be done right now.

Johnson commented that the other element that is tied to this; this feeds right into the Urban Interstate Priorities Process that some of you are aware of that they work with the counties and the districts and the cities on to identify Urban Interstate needs across the State. He said that the local government division has been tasked with doing a decision document with all of those nearer term priorities to determine how they want to proceed with them, if they should proceed with them, and how many they should proceed with and this is on that list, so that is controlled by that decision right now and they haven't reached that point yet. He added that he doesn't know of the timing for when it is going to happen, but that's the more appropriate spot for it because if they don't get the green light to move forward on that project, there is no need to identify funding for it right now.

Kuharenko stated, though, that if it is green-lighted they would still have to submit documentation to get it into the S.T.I.P. correct. Johnson responded that they would just authorize engineering funding, they don't line item each project in the T.I.P. and S.T.I.P., there would be way too many.

Haugen commented that part of the decision, if you do go with the decision to do the preliminary engineering; is we have to identify another phase, which currently isn't identified in the documents, so it is his understanding that Federal Highway can't sign off on a document unless

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there is a shown fiscally constrained plan of implementation, so we simply can't just do the PE without any additional actions that have to be done. Johnson added that you can start it, they just won't act on it if there is another level of authorization.

Haugen stated that it seems like we have one candidate project and that is the Chip Seal project for consideration during the actual next T.I.P. years, and then we have two projects in the plus-one year with one being identified as being consistent and within fiscal constraint and the other not.

MOVED BY BERGMAN, SECONDED BY BAIL, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE URBAN REGIONAL PROGRAM CANDIDATE PROJECTS SUBJECT TO THE RECOMMENDED CHANGES PER DISCUSSION.

Kuharenko stated that for him, he is looking at this from the City side, and he knows the City Council's approval was based on list that they submitted; and so even though it may not be considered by the MPO to be eligible for this program, he would push more for the list that the City Council approved be moved forward. He said that that way it will be moved forward to the MPO Executive Policy Board, and there are two members from the Grand Forks City Council on that board, so that would be his preference.

Haugen asked what the motion is stating. Kuharenko responded that the motion would be to move the recommendation and the priority ranking as approved by the Grand Forks City Council to the MPO Executive Policy Board for further consideration, something along those lines. Haugen asked if we are finding it as being consistent with our Long Range Transportation Plan as part of the motion. Williams asked if we could do a plan amendment to make it consistent. Haugen responded that we could not do that within today's time constraint.

West asked who made the request for the NEPA project. Kuharenko responded that it was a request made by both the City and the State; and approved by the Grand Forks City Council to bring forward to the MPO. West said, then, that the City Council has already heard it and thought it worthy to move forward. Kuharenko responded that that is correct and added that that is how it was moved forward to the Technical Advisory Committee. West asked if the DOT is okay with that. Haugen said the District may be yet the HQ may not.

Johnson commented that that is the other issue on the table; there is the full gamut of this is a locally funded interchange or this is an interstate funded interchange; we don't know that yet either, and that is part of that decision making process. Kuharenko stated that one of the reasons they ended up pushing this forward is because if there are congestion issues at 32nd Avenue South, 32nd Avenue is a State Highway, and so what do we need to do to address that, and so whether or not it is an interchange or something else, we would have to see, and that is what the purpose is of the NEPA document going through engineering, it is to determine what is needed, or if anything is needed at all, that is also part of the reason why for the local funding they are looking at, instead of the typical funding split, they are looking at the City putting forward about half of the cost of that project just to get it off the ground.

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Bergman said, though, that we just heard from Mr. Johnson that a NEPA document isn't something that is needed. Johnson reiterated that we don't typically identify those line item by line item in the T.I.P. and S.T.I.P. Bergman said, though that they can still do the document right. Johnson responded that you can make the request to get it going; typically they won't start unless we have funding identified for the construction project, and in this case we don't have that money identified. He said that in other instances where this has happened it has been a management decision to move forward and start the document anyway, and worry about the construction money later, or it has been a locally funded effort completely. He said that, again, he goes back to a decision document that management has to review and sign off on to determine; one, should we go forward with this at all, and two, who is going to pay for what and when.

Johnson stated that, speaking candidly, there are a lot of concerns in Bismarck with where they are at in the season, the Legislature is going to be starting, and with funding the way it is and the initiatives set forth by our governing bodies, that a new interchange in the rural part of an urban area is not going to be supported very well, but he can't make that call, that is what management has to do.

Haugen asked for clarification on the motion; are you trying to address the 2020 NEPA document as part of the motion. Kuharenko responded that he is so that it can be further discussed at the MPO Executive Policy Board level.

MOVED BY BERGMAN, SECONDED BY BAIL, TO AMEND THE MOTION TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE URBAN REGIONAL PROGRAM CANDIDATE PROJECTS AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN AND TO GIVE THEM PRIORITY RANKING.

Voting Aye: Halford, Ellis, Riesinger, Bergman, Bail, Kuharenko, and West.

Voting Nay: Kadrmas and Johnson.

Absent: Lang, Gengler, Brooks, Laesch, Hanson, Yavarow, Rood, Magnuson, Sanders, Emery, Audette, Konickson, and Christianson.

e. Urban Local Roads Projects

Haugen reported that this was not frozen, just the regional side was. He said that for 2023 the City did submit a scoping worksheet for the Columbia Road Overpass fix, and included in the packet was a draft report from the consultant that identifies necessary corrective action. He stated that the cost estimate is 45% higher than the cost estimate that we had in our Street and Highway Plan.

Haugen commented that just as we discussed on the regional side, the traffic signal update, there wasn't a scope of work worksheet done for that so that will still be listed as a pending/illustrative in 2022, is that correct. Kuharenko responded that that is correct.

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Haugen stated that the Columbia Road Overpass project is in the short-term and this is a 2023 application so staff recommends priority ranking for the project.

MOVED BY KUHARENKO, SECONDED BY ELLIS, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE URBAN LOCAL ROADS CONDIDATE PROJECTS FOR THE FY2020-2023 T.I.P. AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN AND GIVE THEM PRIORITY RANKING.

Voting Aye: Kadrmas, Halford, Johnson, Ellis, Riesinger, Bergman, Bail, Kuharenko, and West.

Voting Nay: None.

Absent: Lang, Gengler, Brooks, Laesch, Hanson, Yavarow, Rood, Magnuson, Sanders, Emery, Audette, Konickson, and Christianson.

MATTER OF PRELIMINARY APPROVAL OF THE 2045 BIKE/PED ELEMENT

Viafara reported that MPO Staff is asking the members of the Technical Advisory Committee to please provide comments and support and preliminary approval of the 2045 Bike/Ped Element. He pointed out that the draft report has been submitted for your consideration.

Viafara stated that this was submitted to the Grand Forks Planning Commission and to the East Grand Forks City Council, and so far comments and preliminary approval have been received from the Grand Forks Planning Commission and the the East Grand Forks City Council.

Viafara referred to the packet and reported that you will find an Executive Summary that is more or less outlining all of the activities that have taken place, and gives a background on the development of the plan. He said that it includes the goals and objectives, and also the analysis of this information, and at the end provides some idea of the type of recommendations that we are planning to make for your consideration.

Viafara referred to a slide presentation (a copy of which is included in the file and available upon request) and went over it briefly.

Presentation ensued.

Williams referred to the Executive Summary and pointed out that in #9 Pedestrian and Bicycle Crashes it discusses pedestrian and bicycle crashes; and then in #10 Pedestrian and Bicyclists Accidents it discusses pedestrian and bicycle accidents. She stated that crash(es) is the correct term, they no longer use the term accident(s) as they are all crashes. Viafara asked if she wanted that change made in the slides or in the document, he said that he can go over it and certainly heed your advice. Williams responded that that is up to him, she is just letting you know that “accident” is not the correct term. Viafara asked if she would provide some findings for the reason for that. Williams said that she would refer him to NDDOT for that. Johnson stated that

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he doesn't know the full reason, but they no longer use "accident" as the defining an instance of a crash because they are not all accidental, but they are all crashes regardless of the severity.

***MOVED BY ELLIS, SECONDED BY BAIL, TO APPROVE FORWARDING A
RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY
APPROVE THE PRELIMINARY DRAFT 2045 BIKE/PED ELEMENT REPORT.***

Halford said that currently the document is incomplete, when will they see a complete document. Viafara responded that that is what they are working on. He said that by the end of next week you will see a complete document. Halford asked if a link to that would be e-mailed out to everyone. Viafara responded that he would have to have his supervisor review it and provide some comments and guidance, and then he will make it available to everyone.

Halford pointed out that the targets in the first section say "still to be determined" on a lot of them, will those be addressed as well. Viafara responded that they are to be determined. He said that she had asked that question before. Halford agreed that she had. Viafara stated that, basically, if you look carefully at the tables you have the performance measure; what is pending is the performance target, and there are a couple of documents that we review that Department of Engineering indicated that they would like to have the performance targets that are flexible, that are doable, and that are onerous, so because of that those are really pending for us to discuss later and at the moment he has not received any particular feedback on that so his suggestion, at least for now, is for him to submit a report to you, a response, leave them how they are, and then convene through the different stakeholders, somebody that will help us, even engineering or planning, that will tell us exactly how they feel about the few targets that are missing.

Halford stated that she did not get that from past conversations. Viafara responded that it is stated on the report. He said that if you look at the report they submitted the performance measures and the targets for you guys to set, there is some indication that the department would like to have a level of flexibility, and because of the conditions of your staff, and internal issues you don't want them to be onerous. Halford said, then, for clarification if she hadn't brought up that question would it just be left to be determined and we would approve the document and then it would have gone on like that and we would have made up our own targets on the side. Viafara responded that whenever there are targets; there are a number of targets that have already been assumed; there are some targets that do not belong to the MPO because we don't have the means to track them. He cited that the MPO doesn't have the means to track the number of citations that are issued for snow removal, or the number of feet or miles of sidewalks so he has to ask the Department of Engineering to tell us every year what has happened, so because of that they are to be determined. He added that there are also some that are coming from transit as the MPO doesn't track the number of bike licenses or the number of permits a day issued for people who bring their bikes so we need to use the baselines. Halford asked why there aren't baselines shown in the plan then. Viafara responded that he can ask them to provide the baselines if that is what you want, but right from the beginning that was the understanding, the MPO is bringing something to the departments that they unfortunately don't have the information for; that is transit, engineering, or planning; and the few that you see belong to the MPO, so we will do them through the use of the travel modeling that we have and through surveys.

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Haugen commented that Mr. Viafara and himself briefly talked about this yesterday morning and his understanding was that there are some targets that are yet to be identified, so he asked Mr. Viafara to put all of the language of targets in the plan into one place so we can see them all concisely; there were some that were going to be lined out because they are no longer desired, so he was going to do that; that is what he anticipated to be distributed by Friday of next week. He added that there would be a suggested target that the MPO would put in there for those items that we understand are still desired, and that is what would be distributed next week. Williams said, then that the MPO is going to identify a target and then we are going to go from there. Haugen responded that that is correct. Kuharenko commented that the last time he was aware of this they were given a number of, and this was probably a year or year and a half ago, they were given a list and they ended up divvying them to whomever was responsible for them and then worked on figuring out what the appropriate language would be, but he doesn't think there was a discussion as to what the actual target would be at that point in time. Viafara responded that that is correct, and that is why they are in the column to be determined. Kuharenko said that the reason he is a little concerned with that is because it sounds like what is being thrown out there is that they haven't been responsive. Viafara responded that that isn't what he wanted it to sound like, but we need a cooperative effort so for the MPO it is not really appropriate for to tell you what to do because you are the ones that hire the contractors so rather we would prefer that you tell us every year, this year we built this number of sidewalks, etc.

Voting Aye: Kadrmas, Halford, Johnson, Ellis, Riesinger, Bergman, Bail, Kuharenko, and West.

Voting Nay: None.

Absent: Lang, Gengler, Brooks, Laesch, Hanson, Yavarow, Rood, Magnuson, Sanders, Emery, Audette, Konickson, and Christianson.

MATTER OF UPDATE ON GRAND FORKS DOWNTOWN PARKING STUDY

Haugen reported that the big takeaway from this study is that we can't really compare this update to the 2011 studies as the survey boundaries are slightly different, but some trends are similar. He explained that there is some less occupancy with this study so fewer vehicles are parking downtown so there is more parking available. He added that the other item is that observed overtime parking has increased since 2011. He stated that they did get some parking enforcement information and it is relatively flat and is not consistent.

Haugen commented that for event management; they observed the recent holiday parade that took place and they found that it was a poorly attended event due to weather; so they were unable to get good event parking information, thus they are trying to use the experience of staff to do that, plus the video capture that we get from the signals around the area downtown to get some idea of how traffic is building up during those bigger events to get a better sense of the event piece.

Williams asked what was left to do on this study. Haugen responded that a future demand needs to be identified, and there are management recommendations to consider to help improve the

**PROCEEDINGS OF THE
TECHNICAL ADVISORY COMMITTEE
Wednesday, December 12th, 2018**

City's management of the parking lots. He added that there is more redevelopment being proposed in the downtown area so they are trying to assure that there is enough parking to accommodate it and then possibly identify; if you look at the occupancy with the supply there is right now one might surmise that there is more supply than demand, and then perhaps some redevelopment can take place with some of surplus lots

Information only.

OTHER BUSINESS

a. 2018 Annual Work Program Project Update

Haugen reported that the monthly work program update is included for your review.

Johnson pointed out that the report shows that the Grand Forks Downtown Transportation Plan has a completion date of August 2018; shouldn't it be 2019. Haugen responded that it isn't correct. He said that the Grand Forks Transportation Plan shouldn't be on this report, it doesn't begin until 2019.

b. East Grand Forks ADA Draft

Haugen reported that the East Grand Forks ADA Transition Plan draft is available on the MPO website and the review and comment period ends December 21st and approval is in January.

c. Mn220 North Study

Haugen reported that the Mn 220 North Study has a website link on our webpage and there is an open house scheduled for December 18th.

ADJOURNMENT

***MOVED BY KUHARENKO, SECONDED BY BERGMAN, TO ADJOURN THE
DECEMBER 12TH, 2018, TECHNICAL ADVISORY COMMITTEE MEETING AT 2:36 P.M.***

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted by,

Peggy McNelis,
Office Manager

Overcoming Barriers

Strengthening Connections



Ensuring Opportunities

Planning One Community

“A community that provides a variety of complementary transportation choices, that are fiscally constrained, for people and goods.”

MPO Staff Report

MPO Technical Advisory Committee, January, 9 2019 1:30 pm

MPO Executive Policy Board, January 23, 2019 12:00 Noon

RECOMMENDED ACTION	Recommend to MPO Executive Policy Board to adopt the 2045 Bicycle and Pedestrian Element
---------------------------	--

Matter of Approval of the Bicycle and Pedestrian Element of the 2045 Metropolitan Transportation Plan.

BACKGROUND:

Guided by the Bicycle and Pedestrian Advisory Board, for the last two and a half years, MPO staff has been dedicatedly working on the drafting of the 2045 Bicycle and Pedestrian Element. The draft document is available for review at:

<https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Aascds%3AUS%3A0fc27304-74d5-434e-9555-370ef8b7ab40>

Stakeholders and related agencies have been striving to address the bicycle and pedestrians needs and system’s physical conditions, improve children’s and user’s safety and to enhance access and mobility for members of vulnerable populations for the communities of East Grand Forks (MN) and Grand Forks (ND). On December 21, 2018, MPO staff prepared and submitted a set of proposed Performance Measures to fulfill the Goals, Objectives and Standards supporting the Advancement of the Bicycle and Pedestrian Element. A full draft version of the Performance Measures document is attached.

MPOs are required by the Federal Highway Administration (FHWA) to adopt performance targets for defined performance measures, including for safety, transit asset management, system performance, bridge condition and pavement condition. In this regard, enabling regulations and

requirements emanate from the enacted FAST (*Fixing America Surface Transportation*) (2015) Act. FAST encourages a performance-driven and outcome-based transportation planning process.

As requested by stakeholders at the Technical Advisory Committee (TAC) Meeting on December 12, 2018, the set of Performance Measures document was prepared by MPO staff to help local governments, stakeholders and agencies to establish baselines and benchmark progress towards improvements in local pedestrian and bicycle transportation. Performance Measures serve to track performance outcomes, to measure progress toward achieving national transportation goals and to inform transportation decision making.

However, defining, adopting and implementing these proposed measures require the dedicated cooperation of local government's departments, other state agencies and stakeholders. As a result, the development of the proposed performance measure targets –among others- relies heavily on staff's availability, accessibility of information and stakeholder's support for these measures. Implementation of the proposed measures requires stakeholder's cooperation.

ANALYSIS AND FINDINGS OF FACT:

- None

SUPPORT MATERIALS:

- Full Version Preliminary Performance Measures Report (ATTACHED)

**GOAL 1: ECONOMIC VITALITY
PERFORMANCE MEASURES**

Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
1	1	1.1.1	1.1 Access to community destinations (Performance Measures Guidebook) ¹	Estimated % of residences within a 1/4 mile of walking distance from an existing pedestrian facility	Increase to 100% in next 5-years Currently 99% of the residences are within 1/4 mile of a sidewalk	<ul style="list-style-type: none"> Local parcel data GIS data on schools, parks, healthcare centers, and other daily destinations Optional: Demographic MPO GIS-ATAC Trip Generation Model MPO GIS-ATAC Trip Generation Model
1	1	1.1.4		Estimated % of residences within 2-miles biking distance of an existing bicycle facility	100% of residences in both cities are inside 2-miles buffers.	
1	1	1.1.5				
1	1	1.1.6				
1	1	1.1.3	1.1 Access to jobs (Performance Measures Guidebook)	Estimated % of jobs within a 1/4 mile of walking distance from an existing pedestrian facility. Except Airport	Increase to 100% in 5-years Currently 90% of jobs are within 1/4 mile of a sidewalk	
				Estimated % of jobs within 2-miles biking distance of an existing bicycle facility	99.9% of jobs in both cities are inside 2-miles buffers. Except GF Airport	

**GOAL 2: SECURITY
PERFORMANCE MEASURES**

See: Goal 2: See: Action Initiatives

¹https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/performance_measures_guidebook/pm_guidebook.pdf

**GOAL 3: ACCESSIBILITY & MOBILITY
PERFORMANCE MEASURES**

Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
8	3	8.2.3	3.1 Accessibility	Number of ADA curb ramps installed into existing sidewalks / shared use paths annually & every five years	EGF: After 10 years, 40% of accessibility features that were constructed after January 26, 1991, would be ADA compliant. GF: TBD	Inventory data for: Baseline to be provided by Departments of Engineering
8 5	3 5	8.2.3 8.5.4		Miles of sidewalk installed annually	Install at least 1.5 miles (EGF) and 3.0 miles of sidewalks (GF) per year for the next five years. Estimated Sidewalk construction 2012-2015: EGF: 5.50 Miles GF: 17.58 Miles	
8 7	3 1	8.2.3 7.1.3		Miles of proposed bicycle facilities installed annually	Build 20% (2-Miles per year) of planned Bicycle Facilities in the next five years	

3	3	3.3.1	3.3 Mobility	Commute Mode Share	<p>Increase Commuting Share by 25% in next five years by 5% per year by Mode for</p> <p>Grand Forks at Existing: Bicycle 1.0 =1.25 Walked 4.1=5.1</p> <p>East Grand Forks at Existing: Bicycle 0.1 =0.125 Walked 2.0 =3.1</p>	American Community Survey 5-Years Estimates
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**GOAL 4: ENVIRONMENTAL/ENERGY/QUALITY OF LIFE
PERFORMANCE MEASURES**

Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
4 4 4 4	2 6 6 6	4.2.1 4.6.1 4.6.2 4.6.3	Transportation disadvantaged Population served (as defined in EJ Manual)	Percent of transportation-disadvantaged population within a 2-miles biking distance to an existing bike path, or shared use path.	100% of residences in both cities are inside 2-miles buffers.	
1 1 3	1 1 3	1.1.1 1.1.6 3.3.1	4.3 Physical Activity and Health	Percent/Increase/Decrease of walking trips	Increase by 550 (15% number of bicyclists and pedestrians) on the Greenway	Local Counts: Greenway Trail: 3853 Biking:2234 Walking:1616 (2015)
3 4	3 3	3.3.2 4.3.3		Percent increase/decrease of bicycle trips	Increase by 30 (10% annually) – in the next five years- the number of Elementary students biking or walking to school as measured at the Bike-Walk to School Day	Walk-Bike to School Day: 300 (2017)

**GOAL 5: INTEGRATION & CONNECTIVITY
PERFORMANCE MEASURES**

Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
3	3	3.3.1	5.1 Bicycle boarding on buses.	Percent of transit shelters on fixed routes that are accessible and are adjacent to bike network	Increase to 70% in the next five years Currently 19 of 35 transit shelters are adjacent to bike network	Cities Area Transit Agency
				Percent of fixed-route transit vehicles equipped with racks to accommodate bicycles	Target 100%	

**GOAL 6: EFFICIENT SYSTEM MANAGEMENT
PERFORMANCE MEASURES**

Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
6	2	6.2.1	6.1 Comparison of programmed dollar amounts to actual obligated dollar amounts.	Have no greater than 25 percent variance when comparing programmed dollar amounts to the actual obligated dollar amounts for projects listed in the GF/EGF MPO TIP.	Target #0 MPO Annual Report	MPO TIP/Financial
6	2	6.2.2				
6	2	6.2.1				

**GOAL 7: SYSTEM PRESERVATION
PERFORMANCE MEASURES**

Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
7	1	7.1.2	7.2 Pavement Condition (on bicycle network facilities)	Percent good and poor pavement condition rated for Non-interstate roads with on road bike facilities	Increase to 40% the miles rated as good (Currently 15% rated Good) 5% miles rated as poor (Currently 0% rated Poor)	Pavement Condition Analysis Study (2014)
7	2	7.2.1				
7	1	7.1.2	7.3 Bridge condition (on bicycle network facilities)	Percent of Bridge Structures NHS/Non-interstate leading to bicycle/pedestrian facilities. Focus on Bridge Structures that are part of network	Increase to 100% the number bridge structures with Multi-use trails rating condition equal to or greater than 60%	Ratings: 2016 US Hwy Over Ped/83.1 River Rd/Gateway: 79.8 J.F Kennedy: 48* A.G Sorlie: 50.4* L. Murray M: 75.4 Bygland Rd/Over Stream: 81.9 Bygland Rd/Over Stream: 97.5 Current rating: 71% Pedestrian Bridges are not rated *Rehabilitation work not included

**GOAL 8: SAFETY
PERFORMANCE MEASURES**

Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
8	1	8.1.1	8.1 Reduce fatal, injury, total crash rates for bicyclists and pedestrians. Account for Annual Average:	Number of Non-motorized fatalities (GF-2010-16=0) (EGF-2011-14=0)	Zero Deaths	Performance Plan North Dakota Highway Safety Plan (2018) Minnesota Highway Safety Plan
				Number of Non-Motorized Serious Injuries (GF-2010-16=10) (EGF-2010-15=6)	3 or less	

**GOAL 9: RESILIENCE & RELIABILITY
PERFORMANCE MEASURES**

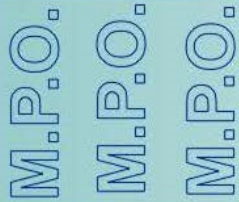
Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
9	1	9.1.4	9.1 System Reliability for Bicycle and Pedestrian Activities	Snow Removal: Report on a coordinated program for education and enforcement with the community	Reduce by 50% Number of Complaints received concerning Snow Removal	Grand Forks-East Grand Forks Departments of Engineering
9	2	9.2.2			Reduce by 50% Length of (Lft) sidewalk cleared as a result of a complaint.	Grand Forks #Complaints (2018) Estimated: 232 East Grand Forks: TBD (2018) Estimated: 18,860 Lft. (311 calls)

**GOAL 10: TOURISM
PERFORMANCE MEASURES**

Goal	Objective	Standard	Topic	Performance Measure	Performance Target	Data Sources/ Gathered By:
10	2	10.2.1	10.1 Access to tourist sites & other community destinations	Number of Hotels adjacent to multi-use facilities	Increase by 2 hotels in next 5-years	• Local parcel data
10	2	10.2.2			Currently 87.5% of the hotels are adjacent to a Multi-use facility	
10	2	10.2.3				

Overcoming Barriers

Strengthening Connections



Grand Forks - East Grand Forks Metropolitan Planning Organization

Ensuring Opportunities

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MPO Staff Report

Technical Advisory Committee: January 9, 2019

MPO Executive Board: January 23, 2019

RECOMMENDED ACTION: Recommend the approval of FY2019 TIP amendment to the MPO Executive Board.

Matter of the Public Hearing on FY2019 TIP Amendment.

Background: After the MPO adopts a four year TIP, amendments may need to be process when a project cost estimate changes significantly or the scope of the project changes or federal programs have announced funding awards.

The proposed amendments entail:

1. East Grand Forks carrying over from FY2018 the purchase of a transit vehicle. The reason is due to the timing of FTA end of year “freezing” its software prior to East Grand Forks finalizing the “paperwork”. Thus, shifting the funds to FY2019.
2. Grand Forks was awarded FTA 5339 funds from the most recent solicitation. These funds need to be amended into the TIP in order for Grand Forks to access this award.
3. NDDOT has determined to complete a mill and overlay pavement preservation project on US2 between N. 55th St and N. 69th St. Currently in the TIP are projects for pavement preservation from N. 69th St (boundary between “rural” and “urban” projects) westward. This project would address the one mile stretch of US2 with a “rural” cross section although it is physically located within the “urban” geography.
4. NDDOT has initiated a pilot program for safety improvements along Interstate Highways. These are state funds to install high tension median cables at a few key locations. One is located within the MPO area.

The attached proposed project listing shows the new projects. Also attached is the public hearing notice (being held at the TAC meeting) that was published concerning these proposed

amendments.

Findings and Analysis:

- Project modifications have been identified.
- The proposed projects are consistent with the MPO Long Range Transportation Plan.
- A Public Hearing is scheduled for January 9th at the TAC meeting; written comments are being accepted until 11:00 am, January 9th.
- These amended projects do not impact funds in the TIP so fiscal constraint is maintained.

Support Materials:

- Copy of Public Hearing Notice.
- Copy of Amendments



PUBLIC NOTICE

The Grand Forks - East Grand Forks Metropolitan Planning Organization (MPO) will hold a public hearing on the proposed amendment to the MPO 2019 to 2022 Transportation Improvement Program (TIP). The TIP also incorporates the local transit operators' Program of Projects (POP). The hearing will be held in the Training Room of East Grand Forks City Hall, 600 DeMers Ave., East Grand Forks, Minnesota. The hearing will start at 1:30 PM on January 9th. The public, particularly special and private sector transportation providers, are encouraged to attend.

The TIP potential amendments affect projects in both Minnesota and North Dakota; it includes both transit projects and highway projects. A copy of the proposed amendments to the TIP is available for review and comment weekdays between 8 AM and 5 PM at the MPO Offices in Grand Forks City Hall and East Grand Forks City Hall. Comments on the draft TIP can be submitted to either MPO Office until noon on January 9th.

For further information, contact Mr. Earl Haugen at 701/746/2660. The GF-EGFMPO will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions for the hearing and visually challenged or persons with limited English Proficiency (LEP) will be made if the meeting conductors are notified 5 days prior to the meeting date, if possible. To request language interpretation, an auxiliary aid or service (i.e., sign language interpreter, accessible parking, or materials in alternative format) contact Earl Haugen of GF-EGFMPO at 701-746-2660. TTY users may use Relay North Dakota 711 or 1-800-366-6888.

Materials can be provided in alternative formats: large print, Braille, cassette tape, or on computer disk for people with disabilities or with LEP by Earl Haugen of GF-EGFMPO at 701-746-2660. TTY users may use Relay North Dakota 711 or 1-800-366-6888.

GRAND FORKS - EAST GRAND FORKS METROPOLITAN PLANNING ORGANIZATION

TRANSPORTATION IMPROVEMENT PROGRAM

FISCAL YEARS 2019-2022

URBAN AREA	PROJECT LOCATION	FACILITY	PROJECT DESCRIPTION	ESTIMATED COST (THOUSANDS) AND SOURCE OF FUNDING					STAGING	ANNUAL ELEMENT	FUTURE EXPENDITURES						
	RESPONSIBLE AGENCY	CLASSIFICATION							2019	2020	2021	2022					
PROJECT NUMBER	PROJECT TYPE	FUNDING STATUS		TOTAL	FEDERAL	STATE	OTHER	LOCAL	Operations								
				FUNDING SOURCE					CONSTR.								
									TOTAL								
East Grand Forks #4	East Grand Forks	NA	Purchase a fare collection equipment	REMARKS:													
	East Grand Forks	Operations	TRF-0018-19C						Operations								
	Fixed-Route Transit Service	Entitlement		TOTAL	FEDERAL	STATE	OTHER	LOCAL	R.O.W.	220.00							
									CONSTR.	NA							
									TOTAL	220.00							
									FTA 5307								
East Grand Forks #4a	East Grand Forks	NA	Purchase of a Class 300 vehicle for demand response and as back-up for fixed route. TRF-0018-18C	REMARKS: Amended into FY2019 Originally FY2018 purchase													
	East Grand Forks	Capital							Operations								
	Paratransit Vehicle	Discretionary		TOTAL	FEDERAL	STATE	OTHER	LOCAL	R.O.W.	140.00							
									CONSTR.	NA							
									TOTAL	140.00							
			Intentionally left blank	REMARKS:													
									Operations								
				TOTAL	FEDERAL	STATE	OTHER	LOCAL	R.O.W.								
									CONSTR.								
									TOTAL								

GRAND FORKS - EAST GRAND FORKS METROPOLITAN PLANNING ORGANIZATION

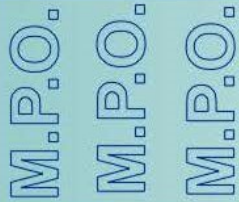
TRANSPORTATION IMPROVEMENT PROGRAM

FISCAL YEARS 2019 - 2022

URBAN AREA	PROJECT LOCATION	FACILITY	PROJECT DESCRIPTION	ESTIMATED COST (THOUSANDS) AND SOURCE OF FUNDING					STAGING	ANNUAL ELEMENT	FUTURE EXPENDITURES				
										2019	2020	2021	2022		
PROJECT NUMBER	RESPONSIBLE AGENCY	CLASSIFICATION	PROJECT DESCRIPTION	TOTAL	FEDERAL	STATE	OTHER	LOCAL	Operations						
									Capital						
	P.E.														
PROJECT TYPE	FUNDING STATUS														
FUNDING SOURCE									CONSTR.						
TOTAL															
Grand Forks #3a No PCN	Grand Forks	NA	Purchase fare collection equipment, purchase computer servers, purchase generator	REMARKS: Awarded December 2018 Amended January 2019											
	Grand Forks	Capital							Operations						
									Capital	456.00					
									P.E.						
	Fixed Route	Discretionary		TOTAL	FEDERAL	STATE	OTHER	LOCAL	R.O.W.						
				456.00	365.04			91.26	CONSTR.						
				FTA #5339 Capital					TOTAL	456.00					
Grand Forks #3b No PCN	Grand Forks	US 2	Mill and overlay between N. 55th St and N. 69th St.	REMARKS: Amended in January 2019											
	NDDOT	Principle Arterial							Operations						
									Capital						
									P.E.						
	Pavement Preserve	Discretionary		TOTAL	FEDERAL	STATE	OTHER	LOCAL	R.O.W.						
				567.00	454.00	113.00			CONSTR.			567.00			
									TOTAL			567.00			
Grand Forks #3c No PCN	Grand Forks	I-29	Install high tension median cable guard rail between Gateway Dr and 32nd Ave S.	REMARKS: Amended in January 2019											
	NDDOT	Interstate							Operations						
									Capital						
									P.E.						
	Safety	Discretionary		TOTAL	FEDERAL	STATE	OTHER	LOCAL	R.O.W.						
				840.00		840.00			CONSTR.						
									TOTAL	840.00					

Overcoming Barriers

Strengthening Connections



Grand Forks - East Grand Forks Metropolitan Planning Organization

Ensuring Opportunities

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MPO Staff Report

Technical Advisory Committee: January 9, 2019

MPO Executive Board: January 23, 2019

RECOMMENDED ACTION: Approve priorities of the Grand Forks Cities Area Transit 5339 Bus Competitive Grant application with the priority order given to the MPO Executive Board.

Matter of Approval of priorities of the Grand Forks Cities Area Transit 5339 Bus Competitive Grant application.

Background: In November, the MPO, together with NDDOT, solicited applications for FTA 5339 Bus Competitive Grant Funds. The NDDOT has a deadline of January 29, 2019. All applications from the MPO area need to have MPO submittal to NDDOT through Black Cat; applications were due to the MPO by Jan. 3rd. This ensured the candidate projects could be vetted through the MPO in time to meet the NDDOT deadline.

The only application that the MPO received for 5339 projects was from Cities Area Transit (CAT). This staff report will list each FTA project below in priority order. There is a total of \$2.7 million in funding available for vehicles only.

CAT 5339 funding request includes the following projects in priority order:

1. **Heavy Duty Buses:** This project involves the purchase of three (3) heavy duty buses for the operation of University of North Dakota campus circulator routes. Total cost of the project is \$1,521,000. CAT is requesting \$1,216,800 in Section 5339 funding; the 20% local match of \$304,200 will be paid by the University of North Dakota.
2. **Shop Pickup Replacement:** This project involves replacement of a shop pickup that was purchased in 2009 and has exceeded their useful life. Total cost of the project is \$25,000. CAT is requesting \$20,000 in Section 5339 funding; the 20% local match of \$5,000 will be paid out of the Grand Forks City Public Transportation budget.

3. **Staff Car Replacement:** This project involves replacement of a staff car that was purchased in 2010 and has exceeded their useful life. Total cost of the project is \$18,000. CAT is requesting \$14,400 in Section 5339 funding; the 20% local match of \$3,600 will be paid out of the Grand Forks City Public Transportation budget.
4. **Shop Pickup:** This project involves purchase of an additional shop pickup. This is necessary to support CAT staff in the performance of tasks related to the maintenance and repair of vehicles, facilities, bus shelters, and grounds. Total cost of the project is \$20,000. CAT is requesting \$16,000 in Section 5339 funding; the 20% local match of \$4,000 will be paid out of the Grand Forks City Public Transportation budget.

Findings and Analysis:

- The TDP does list priority on State of Good Repair and Transit Asset Management.
- Staff recommends approval of the 5339 application as being consistent with the TDP.

Support Materials:

- CAT Staff reports
- Section 5339 Application



City of Grand Forks Staff Report

Committee of the Whole – December 17, 2018

City Council – December 17, 2018

Agenda Item: North Dakota Section 5339 Midyear Funding Application

Submitted by: Dale Bergman, Public Transportation Division Director
Ali Rood, Mobility Manager

Staff Recommended Action: Approve Cities Area Transit (CAT) application for North Dakota Section 5339: Bus and Bus Facilities funding in the amount of \$1,267,200

Committee Recommended Action:

Council Action:

BACKGROUND:

The North Dakota Department of Transportation (NDDOT) has released a notice of funding availability and request for applications for Section 5339: Bus and Bus Facilities program. This funding is for vehicles only. Staff recommends approval of its North Dakota Section 5339 funding request of \$1,267,200. These projects were not funded in the most recent Section 5339 request.

ANALYSIS & FINDINGS OF FACT:

- The Section 5339 funding request includes the following projects in priority order:

1. Heavy Duty Buses

This project involves the purchase of three (3) heavy duty buses for the operation of University of North Dakota campus circulator routes. The total cost of the project is \$1,521,000. CAT is requesting \$1,216,800 in Section 5339 funding; the 20% local match of \$304,200 will be paid by the University of North Dakota.

2. Shop Pickup Replacement

This project involves replacement of a shop pickup that was purchased in 2009 and has exceeded its useful life. The total cost of the project is \$25,000. CAT is requesting \$20,000 in Section 5339 funding; the 20% local match of \$5,000 will be paid out of the City's Public Transportation budget.

3. Staff Car Replacement

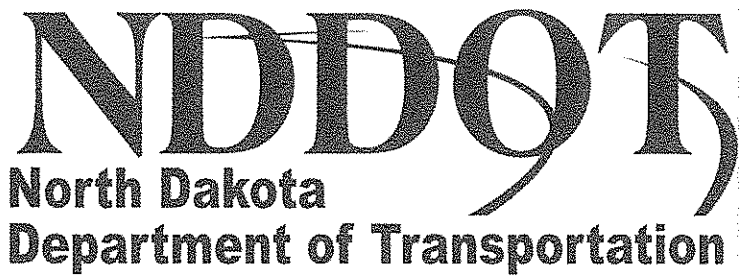
This project involves replacement of a staff car that was purchased in 2010 and has exceeded its useful life. The total cost of the project is \$18,000. CAT is requesting \$14,400 in Section 5339 funding; the 20% local match of \$3,600 will be paid out of the City's Public Transportation budget.

4. Shop Pickup

This project involves the purchase of an additional shop pickup. This is necessary to support CAT staff in the performance of tasks related to maintenance and repair of vehicles, facilities, bus shelters, and grounds. The total cost of the project is \$20,000. CAT is requesting \$16,000 in Section 5339 funding; the 20% local match of \$4,000 will be paid out of the City's Public Transportation budget.

SUPPORT MATERIALS:

- North Dakota Section 5339 Midyear Funding Application



FY 2019
Mid-Year Application for
Transit Funding

Section 5339 Bus & Bus Facilities Grant Program	
Agency Name	City of Grand Forks Cities Area Transit (CAT)
Agency Contact	Dale Bergman Phone: 701-746-2590
DUNS #	071347249

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

NDDOT will use Section 5339 funds for vehicle purchases, bus related facility construction, including garages and transfer stations. Section 5339 funds can also be used for new technology, safety and security items for transit and vehicle rehabilitation. **The federal share of eligible project costs may not exceed 80% of the cost of the project.**

The entire Section 5339 – Bus and Bus Facilities Grants is further explained in FTA Circular 9300.1B, located on the FTA website at https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final_C_9300_1_Bpub.pdf.

Please Note:

- Capital project requests will require a minimum of **20% Local Match**.
- Assets purchased with Federal Funds must be maintained and inventoried through the Transit Asset Management (TAM) Program.
- As with most Federal Assistance Programs, 5339 is designed as a reimbursement program. Your agency should be prepared to pay for your equipment upon delivery/acceptance and then request reimbursement from NDDOT.
- If requesting a replacement vehicle, the vehicle listed must have met FTA/NDDOT Useful Life. However, regardless of useful life having been met, federal interest remains until the value of the vehicle or equipment falls below \$5,000.
- If you receive \$750,000 from any federal source you are required to have a Single Audit per 2 CFR 200 subpart F.
- All applications are due **October 19, 2018, 12:00pm CDT**. Late and/or incomplete applications may be subject to a penalty percentage reduction of requested amount.

GENERAL INFORMATION

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

CAT provides fixed route and paratransit service in the city of Grand Forks, ND. CAT also has a contract to provide public transit services in the city of East Grand Forks, MN. The most recent Transit Development Plan was adopted by both cities in June 2017. The plan proposed a restructured fixed route system aimed at improving performance and increasing ridership over the next five years. The restructured routes went in to effect on July 16, 2018.

CAT services operate within the city limits of Grand Forks and East Grand Forks from 6 am to 10 pm Monday through Friday and 8 am to 10 pm Saturdays. The adult fare for fixed route is \$1.50, \$0.75 for students, and \$0.60 for seniors, persons with disabilities, and Medicare card holders. The one-way fare for paratransit is \$3.00.

2. Provide a detailed explanation of how and why this request is important to your agency and how it will improve or provide for future service to citizens in the communities/counties you provide service to. Explain where in your current 3-5 year plan this project(s) is specifically stated (list section and page number(s)).

This capital request is important to expand public transportation services and bring assets that have exceeded their useful life to a state of good repair.

VEHICLE PROJECT REQUESTS

There is space provided below to request a replacement or expansion vehicle. If applying for more than one vehicle, please attach additional sheets and create a separate project for each vehicle in the Black Cat System.

4. Description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)

3 Heavy Duty Fixed Route Vehicles; ADA accessible; 33 seated + 28 standing

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

These vehicles are needed to expand public transportation services under contract with the University of North Dakota. UND currently operates three shuttle bus routes Monday through Friday from 7:30 am to 4:30 pm. These routes circulate on campus during the fall and spring academic semesters. UND has been provided an annual budgetary estimate of \$450,000 for CAT to operate these routes in 2019, which they have agreed to fund. The anticipated first year increase in public transit ridership is 120,000. CAT intends to put all three buses in service beginning August 26, 2019. The buses will not be used exclusively on UND campus. They will be integrated in to the overall CAT fleet for use on any fixed route. If all three buses are not funded in 2019, UND will continue to operate state fleet buses as necessary. The current state fleet buses are not open to the public and are not allowed to leave the campus area. A full transition to CAT is necessary for consistent branding and ease of use. One provider on campus and throughout the community will streamline the system for users and increase public transit ridership among students, faculty, staff, and campus visitors.

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

a. Vehicle Information Number (VIN):

b. Vehicle Year:

c. Make/Model:
d. Current Mileage:
7. If requesting an expansion vehicle, list the agency/community/county to be served (include: hours and days of service and estimated ridership).
These vehicles will operate in the CAT fixed route service area within Grand Forks and East Grand Forks. Expanded service will operate on the University of North Dakota campus Monday through Friday from 7:30 am to 4:30 pm.
8. Provide an estimated timeline for the purchase of this vehicle (s). Provide a separate timeline if you are applying for different types of vehicles. <i>See sample timeline below, add or remove lines as needed.</i>
RFP/IFB Issue Date: Current consortium contract with New Flyer
Contract Award Date: Current consortium contract with New Flyer
Initial Vehicle Delivery Date: 7/19
Final Vehicle Deliver Date: 8/19
Contract Completion: 8/19
Final Payment Submitted to DOT: 9/19
9. Estimate the total cost of vehicle.
\$1,521,000 for three
There is space provided below to request a replacement or expansion vehicle. If applying for more than one vehicle, please attach additional sheets and create a separate project for each vehicle in the Black Cat System.
4. Description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)
2019 Chevrolet 2500
5. Describe in detail which programs and services the requested vehicle will be utilized in and how it will enhance or maintain your service?
This vehicle will support CAT's service as a shop/maintenance pickup
6. If requesting a replacement, which vehicle in your fleet are you replacing?
a. Vehicle Information Number (VIN): 1FTBF2B60BEA69149
b. Vehicle Year: 2011
c. Make/Model: Ford F250
d. Current Mileage: 55,291
7. If requesting an expansion vehicle, list the agency/community/county to be served (include: hours and days of service and estimated ridership).
8. Provide an estimated timeline for the purchase of this vehicle (s). Provide a separate timeline if you are applying for different types of vehicles. <i>See sample timeline below, add or remove lines as needed.</i>
RFP/IFB Issue Date: Current State Bid
Contract Award Date: Current State Bid
Initial Vehicle Delivery Date: 4/19

Final Vehicle Deliver Date: 4/19
Contract Completion: 4/19
Final Payment Submitted to DOT: 5/19
9. Estimate the total cost of vehicle.
\$25,000

There is space provided below to request a replacement or expansion vehicle. If applying for more than one vehicle, please attach additional sheets and create a separate project for each vehicle in the Black Cat System.

4. Description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)
2019 Ford Fusion

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

This vehicle will support CAT's service as a staff/lunch/relief car for fixed route Bus Operators.

6. If requesting a replacement, which vehicle in your fleet are you replacing?
--

e. Vehicle Information Number (VIN): 3PAHP0GA2AR430181
f. Vehicle Year: 2010
g. Make/Model: Ford Fusion
h. Current Mileage: 78,716

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

8. Provide an estimated timeline for the purchase of this vehicle (s). Provide a separate timeline if you are applying for different types of vehicles. <i>See sample timeline below, add or remove lines as needed.</i>
--

RFP/IFB Issue Date: Current State Bid
Contract Award Date: Current State Bid
Initial Vehicle Delivery Date: 4/19
Final Vehicle Deliver Date: 4/19
Contract Completion: 4/19
Final Payment Submitted to DOT: 5/19
9. Estimate the total cost of vehicle.
\$18,000

There is space provided below to request a replacement or expansion vehicle. If applying for more than one vehicle, please attach additional sheets and create a separate project for each vehicle in the Black Cat System.

4. Description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)
2019 Chevrolet 1500

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

This vehicle will support CAT's service as an additional staff/lunch/relief/shop/maintenance pickup

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

i. Vehicle Information Number (VIN):

j. Vehicle Year: 2011

k. Make/Model: Ford F250

l. Current Mileage:

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

This vehicle will support CAT's expanded services that went in to effect July 2018, as well as the planned UND service expansion.

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

RFP/IFB Issue Date: Current State Bid

Contract Award Date: Current State Bid

Initial Vehicle Delivery Date: 4/19

Final Vehicle Deliver Date: 4/19

Contract Completion: 4/19

Final Payment Submitted to DOT: 5/19

9. Estimate the total cost of vehicle.

\$20,000

FY 2019 PROJECT FUNDING REQUEST

In the table below, list requested projects by priority, and specify in detail the sources and dollar amounts of Local Match funding (state aid, mill levy, donations, contract income, etc.) that are available to be used towards each project (Vehicle, Facility Rehabilitation & Construction, and/or Equipment/Miscellaneous Capital).

*Documentation of sources of Local Match (including state aid) MUST be attached or it will not be considered.

Ranking	Project	Estimated Cost of Project	Local Match Needed	Sources of Local Match*
1	3 Heavy Duty Buses	\$1,521,000	\$304,200	University of North Dakota
2	Shop Pickup Replacement	\$20,000	\$5,000	Mill Levy
3	Staff Car Replacement	\$18,000	\$3,600	Mill Levy
4	Support Pickup	\$20,000	\$4,000	Mill Levy

The NDDOT Transit Staff is available to provide guidance and answer any questions on the application process.

North Dakota Department of Transportation
Local Government Division Transit Section
608 East Boulevard Avenue
Bismarck, ND 58505-0700

Phone: (701) 328-2542, 328-2835, 328-2194, or 328-3720,
E-mail: bhanson@nd.gov, dkarel@nd.gov, jsmall@nd.gov or conelson@nd.gov .

Overcoming Barriers

Strengthening Connections



Ensuring Opportunities

Planning One Community

“A community that provides a variety of complementary transportation choices, that are fiscally constrained, for people and goods.”

MPO Staff Report
Technical Advisory Committee: January 9, 2019
MPO Executive Board: January 23, 2019

RECOMMENDED ACTION: Adoption of the Final Draft East Grand Forks ADA Transition Plan for Public Right-of-Way.

Matter of the Adoption of the Final Draft East Grand Forks ADA Transition Plan for Public Right-of-Way.

Background:

FHWA-MN and MnDOT placed renewed emphasis on progress towards ADA compliance, particularly within the public right of way. In order for the agencies requesting federal transportation funds to be programmed in the TIP, an ADA transition plan must be done.

The City and the MPO hired SRF in April to do the necessary work to prepare a Transition Plan for the City. At the end of June/beginning of July SRF was out collecting data for the self-evaluation portion of the plan. They have spent July and most of August doing a quality control checks on the data collected. A focus group meeting with members of the community that are most affected by the improvements to accessibility was held on October 4th. A public meeting was held on the same day.

The Draft East Grand Forks ADA Transition Plan for Public Right-of-Way allows for the public to know who they can contact for accessibility issues and gives them a process to follow to have issues resolved. The plan also gives an updateable database to track ADA compliance as the City works toward making the right-of-way more accessible to all. A public meeting was held on Dec. 6th from in East Grand Forks City Hall Training Room. No comments came from the public meeting. Public comments were due by Dec. 21st. No comments were received.

The final draft plan will be presented to East Grand Forks Planning and Zoning Commission on Jan.10th. The City Council will consider the draft at its January 15th meeting.

Findings and Analysis:

- The Plan has all elements to needed for a compliant ADA Transition Plan.
- Staff recommends adoption of the Plan

Support Materials:

- Draft East Grand Forks ADA Transition Plan for Public Right-of-Way.
- Appendix available www.theforksmpo.org

City of East Grand Forks
Americans with Disabilities Act
Transition Plan for Public Right of Way

November 2018

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Executive Summary

The City of East Grand Forks ADA Transition Plan for Public Rights-of-Way is the summary of a three-phase approach to evaluating accessibility of the community's infrastructure and achieving compliance with the Americans with Disabilities Act. This plan includes documentation of the following:

- The purpose and need of the document, and a summary of applicable federal law related to accessibility
- Documentation of the City of East Grand Forks' policies and procedures related to accessibility of public rights-of-way
- Project field review guide
- Inventory of curb ramps and other facilities and their condition
- Public outreach efforts
- Required elements of an ADA Transition Plan – public comments, grievance procedure, appointment of ADA Coordinator, monitoring of the ADA Transition Plan, etc.

Through this effort, the City of East Grand Forks determined that 22 percent of inventoried facilities are compliant with ADA standards. The City of East Grand Forks set a policy goal of achieving compliance through scheduled updates over the next 30 years.

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Introduction

Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals based on disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, City of East Grand Forks must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, “...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#))

As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150](#), the City of East Grand Forks has conducted a self-evaluation of its facilities within public rights of way and has developed this Transition Plan detailing how the organization will ensure that all the facilities are accessible to all individuals.

This Transition Plan applies to City of East Grand Forks Public-Rights-of-Way (City owned sidewalks, curb ramps, signals, pedestrian trails, etc.), and other areas of ADA Compliance are inventoried under the auspices of other local documents. County, State, or Transit (Cities Area Transit) contacts and information may be found in [APPENDIX E](#).

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial

assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

Agency Requirements

Under Title II, City of East Grand Forks must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability ([28 C.F.R. Sec. 35.130 \(a\)](#)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result ([28 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective ([28 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others ([29 C.F.R. Sec. 35.160\(a\)](#)).
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [[28 CFR Sec. 104.8\(a\)](#)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.
- Must reference the ADA requirements specific to accessible transportation facilities as it applies to public right-of-way [[49 CFR 37.9](#) and [Subpart C](#)] [[United States Access Board Chapter 4: Accessible Routes](#)].

This document has been created to specifically cover accessibility within the public rights-of-way and does not include information on the City of East Grand Forks programs, practices, or building facilities not related to public rights-of-way.

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Public Rights-of-Way

For the purpose of the plan, public rights-of-way in the City of East Grand Forks include roadways and their adjacent facilities that serve a transportation purpose. This includes sidewalks, curb ramps, and signals. Public rights-of-way do not include buildings, publicly accessible technology, recreational trails and facilities, and private property. These are subject areas that are covered outside of Title II of ADA or other City of East Grand Forks documents.

Transit Facilities

The city of East Grand Forks partners with Cities Area Transit (CAT) in the development and deployment of transit facilities. These facilities include stops and shelters, and portions of the pedestrian network that approach these locations. Per 49 CFR 37.9(c) transit and transportation facilities in the public right-of-way must be accessible, and meet the standards set forth by the United States Access Board.

Self-Evaluation

Under Title II of the Americans with Disabilities Act (ADA) and in compliance with 28 CFR 35.105, the city of East Grand Forks is required to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs to identify programs which are insufficiently accessible. This self-evaluation specifically examines the accessibility of the City of East Grand Forks' pedestrian access route and public rights-of-way. Evaluations for each ADA feature class within public rights-of-way consisted of the following: curb ramps to include trail crossings at city roads; sidewalk control points to include every driveway; shared-use paths and trail facilities; and on-street transit facilities.

An inventory of the current curb ramps, sidewalks, and signalized intersections were conducted during June 2018 in East Grand Forks. This evaluation inventory gives the opportunity to evaluate pedestrian facilities on a case by case basis and create an improvement schedule based upon priority areas. Currently, 17% of curb ramps are fully compliant with ADA standards; non-compliance in ramps is due to the ramp construction, noncompliant markings or tactile elements, signalization of the intersection, or a technically infeasible location.

Currently, 55% of signalized intersections with pedestrian indications are ADA compliant; signals did not meet Accessible Pedestrian Signal requirements when the landing is missing or inadequate, pushbuttons are not 10 feet apart, a vibrotactile pushbutton with an arrow in the correct direction is not present, and/or an audible indication is missing.

Sidewalks are 27% ADA compliant; sidewalk deficiencies are typically the result of materials, lack of width, lack of adequate passing space, and/or slope.

The inventory will continue to be developed and monitored on an ongoing basis by City of East Grand Forks staff or project partners.

The inventory of pedestrian facilities within its public right-of-way consisted of the evaluation of the following facilities:

- 601 sidewalk points to equal 51.36 miles of sidewalk including shared use paths (27% compliant)
- 937 curb ramps (17% compliant)
- 44 accessible pedestrian signals (55% compliant)

A detailed evaluation on how these facilities relate to ADA standards is found in [APPENDIX A](#) and will be updated periodically.

As the City of East Grand Forks continues to implement its Capital Improvement Program (CIP), other public rights-of-way including sidewalks and other pedestrian linkages will be evaluated and improved for ADA compliance.

Field Manual for Data Collection

The field manual was developed to serve as a tool for the City's data collection process. The Field Manual includes all the materials used to conduct the field review of facilities and public rights-of-way for the City's future reference. In addition to detailed instructions and graphics, the guide contains steps to develop the GIS database. The GIS database is an online cloud-based mapping application. The purpose of the GIS database is to house the inventory of all existing ADA locations within the City with the capability to update, add, and share information as necessary. The database will serve as a management tool for the City. Field guide materials are attached in [APPENDIX F](#).

Policies, Programs and Practices

In addition to the review of infrastructure, part of the self-evaluation also involves reviewing City policies and procedures. The City of East Grand Forks is committed to providing accessible services to all citizens and addressing the areas for improvement identified in the self-evaluation. The City of East Grand Forks will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed necessary to comply with ADA will be scheduled consistent with facility priorities.

All accessibility improvement requests can be submitted to the ADA Coordinator, see [APPENDIX D](#) for contact information.

City Policies

The City of East Grand Forks' goal is to continue to provide accessible pedestrian design features as part of the City of East Grand Forks capital improvement projects. The City of East Grand Forks will ensure that all new or updated pedestrian facilities are ADA compliant to the maximum extent feasible. The maintenance and construction of all pedestrian facilities within the public access route will follow the policies established by Title II of the ADA, and the guidelines established by Minnesota Department of Transportation (MnDOT) (see [APPENDIX F](#)). These standards and procedures will be kept up to date with nationwide and local best management practices. The following documents were reviewed as part of the self-evaluation. In addition to the City Policies, Polk County developed the Polk County Highway Department ADA Transition Plan. A copy of the Plan may be found in [APPENDIX F](#).

ADA Transition Plan and Self Evaluation (2018)

The City of East Grand Forks is concurrently working on an ADA Transition Plan to be approved in 2019 that applies to all municipal services, facilities, programs and city parking lots only. However, this plan is focused on public rights-of-way and will address the following gaps in the citywide plan:

- The new plan will be updated to reflect the most current ADA guidance and design standards, including language developed by the Minnesota Local Roads Research Board (LRRB) and Proposed Guidelines for Accessible Rights-of-Way (PROWAG)
- The establishment of direct routes and areas of high pedestrian activity will be acknowledged as a factor for right-of-way project prioritization, but not a substitute for full ADA compliance.
- A field review specific to public rights-of-way will be updated to note the past twenty years of progress in meeting ADA compliance and more thoroughly noting where gaps exist.
- The City of East Grand Forks will have a separate grievance procedure for accessibility issues on its public right-of-way.

The City's Draft ADA Transition Plan and Self Evaluation may be found in [APPENDIX F](#).

Capital Improvement Program (CIP)

Projects in the City of East Grand Forks CIP are listed and prioritized based on assessment of pavement condition, financial impacts and other technical analyses (ex. Safety, need for signal improvements, development, etc.). The need for ADA updates and input from the public will be considered with programmed projects in the CIP. The CIP is intended to

provide developers with information about future projects, local utility companies with notice of locations where utility work may be required in conjunction with a local street project to improve coordination, guide city staff in the allocation of resources, and support City code requirements. This plan incorporates the criteria for the CIP by reference.

Winter Maintenance Operations

Keeping pedestrian facilities reasonably clear of snow and ice is a component of ADA compliance. The City declares snow and ice existing on public sidewalk constitutes a public nuisance. Clearing public sidewalks of snow and ice is the responsibility of adjacent private property owner and/or tenant and is delineated in the City's ordinances. City Ordinance Chapter 96, Section 5 requires a property owner and/or occupant to clear snow and ice from adjacent public sidewalks within 12 hours following the end of a snow or ice event. No owner and/or occupant shall be required to remove snow and ice during the continuance of snowstorms. If an owner and/or occupant fails to clear the snow and ice within 24 hours after snow and ice ceased to fall, the City will remove it at the expense of the property owner and/or occupant. At the direction of the Council, the City Administrator will assess the cost and expense of such removal of snow and ice and extend the cost of removal as a special assessment against the lots or parcels adjacent to the public sidewalks, which were cleared. The special assessment will be certified for collection at the time of certifying taxes to the County Auditor. An alternative, the Council may direct the City Administrator to bring suit in a court of competent jurisdiction to recover the cost of clearing and the cost and disbursements of a civil action therefor.

Improvement Schedule

Types of Improvements

Typically, improvements will be made either as a retrofit or as a part of a capital project to address deficiencies in accessibility. The following are examples of projects that the City of East Grand Forks or its partners will undertake:

- Intersection corner ADA improvements
- Sidewalk/Trail ADA improvements (to include at-grade crossings and sidewalk ramps)
- Traffic control signal Accessible Pedestrian Signal upgrades

Rough estimates for the various types of improvements, using 2017-unit prices, are listed in Table 1 below.

Table 1: Improvement Cost Estimates

Infrastructure Element	Cost
Curb Ramp	\$1,750-\$2,500 per unit
Concrete Sidewalks	\$8-\$10 per square foot
Accessible Pedestrian Signals	\$8,000-\$12,000 per eight button intersection

The lower estimate includes the addition of eight APS buttons on existing infrastructure, while the higher estimate consists of a full improvement to include pushbuttons and pedestrian station. It is important to understand that much of these costs will be incorporated into existing and planned projects. Cost estimates are based on review of peer projects and are in calendar year 2017 dollars.

Prioritization

Prioritizing and scheduling of improvements will be established by the City of East Grand Forks City Staff. Factors that determine this include, but are not limited to: severity of non-compliance, barriers to access a program, feasibility of remedies, safety concerns, and whether a location receives high public use. Consideration will also be given to locations that would most likely not be updated by other City programs. During the public input meeting held on October 4, 2018, attendees expressed that higher project prioritization be placed on areas completely without curb ramps over other spot improvements. Further, priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991 (marking the formalization of ADA requirements), and accessibility features were omitted. Resident requests and location are also considerations for prioritizing improvements. To best use public resources, the priority areas for planned improvements projects were identified in the completion of this plan. These areas have been selected due to their proximity to specific land uses such as schools, government offices and medical facilities, as well as from the receipt of public comments. A list of priority areas within the City of East Grand Forks and a detailed description of priority area criteria can be found in [APPENDIX B](#).

Public External Agency Coordination

Some external agencies are responsible for right-of-way pedestrian facilities within the jurisdiction of the City of East Grand Forks. The City will coordinate with those agencies to track and assist in the facilitation of eliminating accessibility barriers along their routes. Additionally, this Transition Plan supports the goals of other adopted planning documents that affect public right-of-way within the City of East Grand Forks planning area. External Agencies' plans may be found at the following links:

MnDOT ADA Transition Plan, 2010

<http://www.dot.state.mn.us/ada/transitionplan.html>

Cities Area Transit (CAT)

<http://www.grandforksgov.com/government/city-departments/cities-area-transit-cat>

Contact information for each external agencies' ADA staff may be found in **APPENDIX E**.

Implementation Schedule

The City of East Grand Forks has set the following schedule goals for the improvement of accessibility to public right-of-way and pedestrian access routes:

- *Baseline of the City's total existing facilities' condition: 22% compliant including four sidewalk segments.*
- *After 10 years, 40% of accessibility features that were constructed after January 26, 1991, would be ADA compliant.*
- *After 20 years, 65% of accessibility features within the priority areas identified by East Grand Forks staff would be ADA compliant.*
- *After 30 years, 95% of accessibility features within the jurisdiction of East Grand Forks would be ADA compliant.*
- *On a yearly basis, shelter accessibility improvements are planned by CAT for one existing shelter facility per year.*

The 30-year time frame to achieve 95 percent accessibility and the required commitment of funding is framed as a policy goal. The availability of funding and future development trends in the City of East Grand Forks may affect how these projects are prioritized, and the timing of public right-of-way improvements may affect progress toward the compliance goal. As stated earlier in this document, ADA compliance will be achieved in two manners: 1) through scheduled improvements to utilities and public rights-of-way, and 2) through specific ADA retrofit projects. These projects will be determined by the city CIP or on a case by case basis determined by the ADA Coordinator and the City's grievance procedure. A detailed schedule and budget for the CIP and specific projects can be found on the City's website at <http://www.efg.mn>

ADA Coordinator

In accordance with 28 CFR 35.107(a), the City of East Grand Forks has identified an ADA Title II Coordinator to oversee the City of East Grand Forks policies and procedures. Contact information for this individual can be found in **APPENDIX E**.

Public Outreach

Prior to the development of the Plan, a public input meeting and a focused discussion meeting were held on October 4, 2018 in the Training Room of East Grand Forks City Hall. The focus of the meeting was to gather public input on the ADA transition plan and provide guidance on prioritization. Stakeholders involved in the efforts included Options staff and various City Staff. Further details including the presentation and public comments may be found in [APPENDIX C](#).

Public Comment

The ADA Transition Plan for Public Rights-of-Way was posted on the City of East Grand Forks ADA website and made available for public comment for approximately Number weeks prior to its recommendation for adoption. A link to the Plan and a public notice was distributed in December 2018. Additionally, the draft version of the Plan was distributed to key stakeholders including school administrators, local senior centers, and businesses and service centers that have been identified as high priority areas for right-of-way improvements. The City will make a reasonable effort to incorporate public comments into the final version of the report. A printed hard copy of the draft document is also available for review at City of East Grand Forks City Hall, 600 DeMers Avenue, East Grand Forks, MN 56721.

Further detail is included in [APPENDIX C](#).

Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities regarding the ADA. A version of this public notice is provided in [APPENDIX D](#). If users of City of East Grand Forks' facilities and services believe the City has not provided reasonable accommodation, they have the right to file a grievance.

To monitor the progress of compliance, the City of East Grand Forks, in accordance with 28 CFR 35.107(b), has established a grievance procedure for the prompt and equitable resolution of comments, concerns or questions from the citizens of East Grand Forks. The ADA grievance form is available online and at City Hall and can be returned to the ADA Coordinator. The form may be used by anyone wishing to file a complaint, comment, or concern regarding discrimination based on disability. A sample of the Grievance Form can be found in [APPENDIX D](#).

Monitor the Progress

The City of East Grand Forks' ADA Transition Plan for Public Rights of Way is an evolving document requiring periodic updates as conditions within the city change. The City will evaluate the Plan as projects progress and complete updates to the document as necessary. The City of East Grand Forks will establish a public comment period with each future modification to the main body of the plan.

Management Database

As a part of the development of the draft plan, the City of East Grand Forks implemented a management system through their existing GIS geodatabase to improve prioritization and scheduling. The City's geodatabase joined with the facilities' inventory survey, which was completed during the development of the draft, and serves as a tracking system that may be used to identify the City's progress in achieving complete ADA compliance. Through strict and consistent collection procedures established by the City, projects in remediation will be periodically assessed and re-defined as "scheduled," "in progress/in-design," and "completed" within the management system to ensure the most accurate information is available. With access to the most up-to-date information, the City of East Grand Forks may efficiently map and identify future improvements based on the CIP. Additionally, categories and priorities may change over time, along with state and federal accessibility policies. It is intended that as projects are completed and policies are updated the geodatabase can accommodate these changes.

Appendices

A. Self-Evaluation Results

B. Schedule and Budget for ADA Improvements

C. Public Outreach

D. Grievance Procedure

E. Contact Information

F. City of East Grand Forks ADA Design Standards and Procedures

G. Glossary of Terms

Attachments

A-1: Facility Inventory Report

C-1: Public Input Meeting Presentation

F-1: City of East Grand Forks Transition Plan and Self-Evaluation (2018)

F-2: Polk County Transition Plan

F-3: PROWAG

F-4: Minnesota Accessibility Code

F-5: City of East Grand Forks ADA Transition Plan Inventory Manual

F-6: Applicable forms, checklists, maps, etc.

Appendix A – Self-Evaluation Results

Data Collection for the city of East Grand Forks Self-Evaluation occurred in the Summer of 2018. An Americans with Disabilities Act (ADA) consultant and their staff completed the Data Collection inventory through a GPS application.

At the time of the inventory the City of East Grand Forks was following general ADA design guidance and procedures, which included a commitment to providing access to all users but did not have any formal policies or practices regarding ADA accessibility within the public Right-of-Way transportation system.

This initial self-evaluation of pedestrian facilities yielded the following results:

Figure 1: Self Evaluation Results

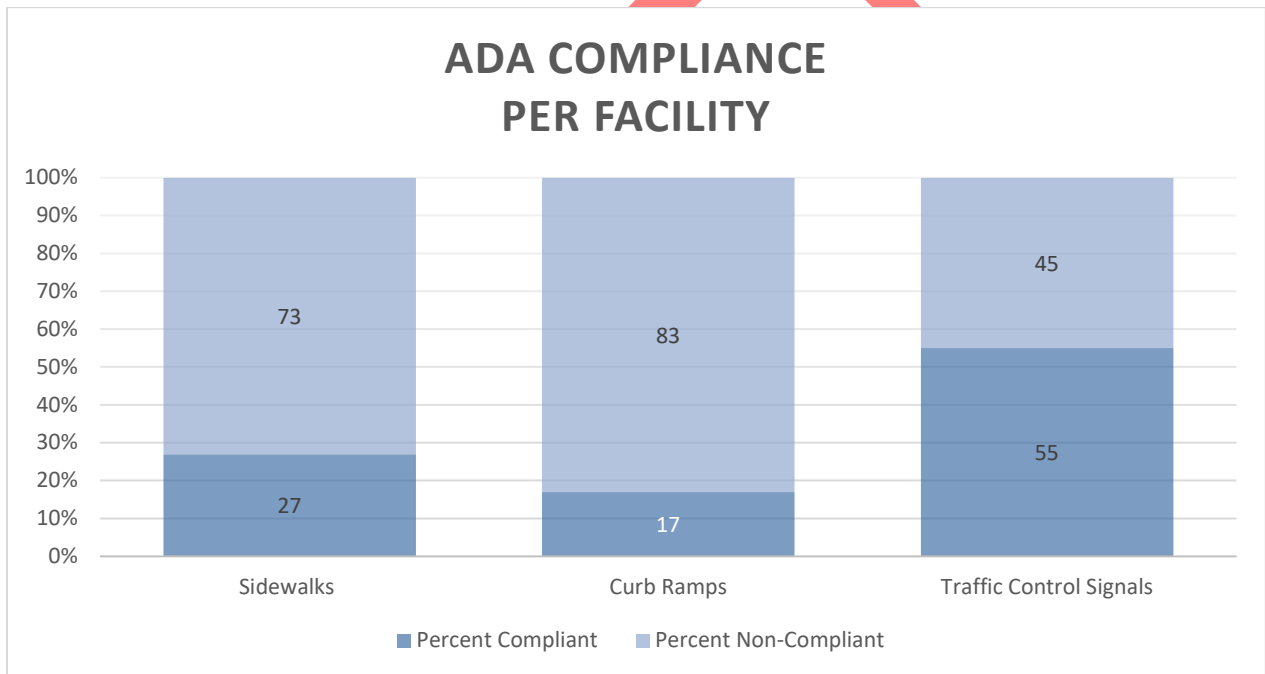


Figure represents percent ADA compliance for city.

Chart Description: Twenty-seven percent of sidewalks were ADA compliant. Seventeen percent of curb ramps were ADA compliant. Fifty-five percent of traffic control signals were ADA compliant.

Appendix B – Schedule and Budget for ADA Improvements

Cost Estimates

Unit Prices

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative 2017 costs for some typical accessibility improvements based on if the improvements are included as part of a retrofit type project, or as part of a larger comprehensive capital improvement project.

Concrete Sidewalk / Trail ADA improvement retrofit: +/- \$8.00 - \$10.00 per square foot

Curb Ramp ADA improvement retrofit: +/- \$1750 - \$2500 each

Traffic control signal APS upgrade for entire intersection: +/- \$8,000 - \$12,000 each

Single Traffic control signal pushbutton station replacement +/- \$1500 each

For the entire jurisdiction's budgeting purpose, the cost to improve a concrete sidewalk was estimated to be \$10 per square foot and a single curb ramp was estimated to be \$2500.

Jurisdiction

Based on the results of the self-evaluation, the estimate costs associated with providing ADA accessibility within the jurisdiction is \$1,981,890. The City of East Grand Forks is committed in making a significant investment as referenced in the total estimated cost in the upcoming years. The City of East Grand Forks will take a systematic approach to providing accessibility to absorb the cost into the City's budget for improvements to the public right of way.

Prioritization Areas

The City of East Grand Forks has established the following criteria to establish priority levels. The City will consider all resident requests as received, which may affect the prioritization levels when appropriate.

Highest priority—Category 1A: Gap in Facilities in a High Priority Area

- No curb ramp where sidewalk or pedestrian path exists and location near a medical center, school, transit facility, government building, non-auto dependent households or similar facility.

Category 1B: Poor Facility in a High Priority Area

- Existing curb ramp with a noncompliant running slope and location near a medical center, school, transit facility, government building or similar facility.

Category 2A: Gap in Facilities

- No curb ramp where a sidewalk or pedestrian path exists (not located near a medical center or similar facility).

Category 2B: Poor Facility

- An existing curb ramp with a noncompliant running slope (not located near a medical center or similar facility).

Category 3: Inaccessible Crosswalk

- No curb ramp where a striped crosswalk exists.

Category 4: Incomplete Intersection

- One curb ramp per corner and another is needed to serve the other crossing direction.

Category 5A: Curb Ramp with Poor Landing

- An existing curb ramp with an insufficient landing.

Category 5B: Obstructed Curb Ramp

- An existing curb ramp with obstructions in the ramp or the landing.

Category 5C: Non-Compliant Curb Ramp

- An existing curb ramp with any of the following conditions:
 - A cross slope greater than 2%
 - A width less than 48 inches
- No flush transition or median, or island crossings that are inaccessible.

Category 5D: Curb Ramp in Poor Location

- An existing curb ramp with returned curbs where pedestrian travel across the curb is not permitted.

Category 5E: No Crosswalk Extension

- An existing diagonal curb ramp without the 48-inch extension in the crosswalk.

Category 5F: Lack of Tactile Indicator

- An existing curb ramp without truncated dome texture contrast or without color contrast.

Lowest Priority – Category 6: Non-Compliant Signal or Push Button

- The pedestrian pushbutton is not accessible from the sidewalk or from the ramp.

Transit Improvement Prioritization Areas

While most of the general improvement priorities for Transit Facilities will mirror the geographic and condition criteria identified in the six categories above, several transit factors can also be considered when determining phasing of ADA related improvements.

Lack of Safe Landing Pad – Areas with bus stops that do not have a paved area for transit passengers who use mobility devices to safely board and alight transit vehicles using lifts or ramps.

Insufficient Sidewalk Connections – Areas that may have boarding pads, but lack sidewalk or trail connections to/from the boarding pad.

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Appendix C – Public Outreach

The City of East Grand Forks recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of the City of East Grand Forks.

As part of the ADA Transition Plan’s development process, the City of East Grand Forks posted the draft plan document on the City website at <http://www.egf.mn/>, and made it available for public comment for a period of fifteen days on December 6, 2018. Additionally, a printed copy of the draft plan was made available at the City of East Grand Forks City Hall, 600 DeMers Avenue, East Grand Forks, MN 56721.

To whom it may concern:

The City of East Grand Forks is seeking input from the public on its draft plan to support accessibility for people using its facilities. We invite you to review the draft version of the plan, posted on the City’s website <http://www.egf.mn> as it is being finalized. Feel free to distribute this email to your colleagues, or other that may find this plan to be of interest. The purpose of this notice is to introduce the ADA Transition Plan to the public and inform those that work in “priority areas” related to accessibility about the City’s work thus far. Any comments that you provide may be incorporated into the final version of the plan and help the City of East Grand Forks to identify key areas for improvement, including curb ramps, sidewalks, and traffic signals.

If you need a reasonable accommodation, assistance, or require more information please contact the City East Grand Forks ADA Coordinator, Nancy Ellis.

Thank you for your input,

City of East Grand Forks

Comments received during this period can be found in the following pages of this Appendix.

Record of Public Outreach Summary

A public input and focused discussion meeting were held on October 4, 2018 in the Training Room of East Grand Forks City Hall to gather public input on the ADA transition plan. Officials from the City of East Grand Forks, the Grand Forks-East Grand Forks MPO, and Options: Resource Center for Independent Living were present along with members of the consultant team (SRF Consulting Group).

Most of the discussion during the meeting was educational regarding the purpose and need of the ADA Transition Plan. Visualization of data was also provided for review and as a discussion point. The only point of feedback on project prioritization was that for people with disabilities who navigate the City, areas completely without curb ramps should receive higher priority over other spot improvements. The City and partners received positive feedback for undertaking the ADA Transition Plan effort.

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Public Meeting Advertisement

PUBLIC INPUT NEEDED

ADA Transition Plan Open House

The Grand Forks-East Grand Forks Metropolitan Planning Organization (MPO) and the City of East Grand Forks is preparing an ADA Transition Plan for the City Of East Grand Forks. The Plan will:

- Establish a methodology for evaluation of Public Right-Of-Way,
- Evaluate the Public Right-Of-Way for ADA compliance,
- Establish contacts of responsible City Staff,
- Establish City Policies and Practices in reference to ADA, and
- Establish a prioritization plan and improvement schedule.

The public is encouraged to attend the Open House to provide input and feedback on issues or priorities when it comes to accessibility to Public Rights-Of-Way.

ADA Transition Plan Public Open House

October 4th, 2018

East Grand Forks City Hall- Training Room

600 DeMers Ave

5:00 PM to 6:30 PM

For more information regarding the ADA Transition Plan, please contact:

Teri Kouba, GF-EGF MPO – teri.kouba@theforksmpo.org

The GF-EGFMPO will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions for the hearing and visually challenged or persons with limited English Proficiency (LEP) will be made if the meeting conductors are notified 5 days prior to the meeting date, if possible. To request language interpretation, an auxiliary aid or service (i.e., sign language interpreter, accessible parking, or materials in alternative format) contact Earl Haugen of GF-EGFMPO at 701-746-2660. TTY users may use Relay North Dakota 711 or 1-800-366-6888. Materials can be provided in alternative formats: large print, Braille, cassette tape, or on computer disk for people with disabilities or with LEP by Earl Haugen of GF-EGFMPO at 701-746-2660. TTY users may use Relay North Dakota 711 or 1-800-366-6888.

Appendix D – Grievance Procedure

Under the ADA, each agency is required to publish its responsibilities regarding the ADA. A draft of this public notice is provided in [APPENDIX C](#). If users of public rights-of-way believe the City of East Grand Forks has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107 (b), the City has developed the following grievance procedure for the prompt and equitable resolution of citizens' complaints, concerns, comment, and other grievances.

The City understands that members of the public may desire to contact staff and discuss ADA issues without filing a grievance. Members of the public wishing to contact the ADA Coordinator, listed in [APPENDIX E](#), are encouraged to do so. Contacting staff to informally discuss ADA issues is welcome and does not limit a person's ability or right to file a formal grievance later.

As per ADA requirements, the City has posted a notice outlining its responsibilities. This notice can be found in this Appendix.

The city appreciates and welcomes your comments. The grievance form should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation. To provide feedback, please complete a grievance form located in the following pages (p.24-25), or contact the ADA Coordinator listed in [APPENDIX E](#).

Those wishing to file a written grievance with the City of East Grand Forks may do so by one of the following methods:

Internet

Visit the City of East Grand Forks website [\(link pending after plan adoption\)](#) the [ADA Grievance Form](#). Fill in the form online and click "submit." A copy of The ADA Grievance Form is included in this Appendix.

Telephone

Contact the ADA Coordinator listed in the Contact Information section of Appendix E to submit an oral grievance. The staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

Paper Submittal

Contact the pertinent East Grand Forks staff person listed in the Contact Information section of Appendix E to request a paper copy of the city's grievance form, complete the

form, and submit it to the ADA Coordinator. A staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

After a grievance form is submitted, the following actions will take place:

- Within 15 calendar days after receipt of the complaint, the ADA Coordinator or designee will meet with the complainant to discuss the complaint and possible resolutions.
- Within 15 calendar days of the meeting, the ADA Coordinator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio recording.
- If the response by the ADA coordinator or designee does not satisfactorily resolve the issues, the complainant and/or his/her designee may appeal the decision within 15 calendar days receipt of the response to the contact or his/her designee.
- Within 15 calendar days after receipt of the appeal, the Human Resources contact, or his/her designee will meet with the complainant to discuss the complaint and possible resolutions.
- The Human Resources contact or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint within 15 calendar days after meeting with the complainant.

All communication between the complainant, ADA Coordinator or designee and/or Human Resources will be retained by the City for at least three years.

Public Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA) of 1990, the City of East Grand Forks will not discriminate against qualified individuals with disabilities on the basis of disability in City's services, programs, or activities.

Employment: The City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

Effective Communication: The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should contact the office of ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

The City will not place a surcharge on an individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

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ADA Grievance Form

Please fill out this form completely, in black ink or type. If you need any accommodation or assistance in completing this form, please contact the ADA Coordinator, Nancy Ellis, at 218-773-0124 or nellis@eg.mn. Sign and return to: Nancy Ellis, ADA Coordinator at 600 DeMers Avenue, East Grand Forks, MN 56721.

This ADA Grievance Form is for the use of complaints, concerns, and other grievances associated with the City of East Grand Forks’s public rights-of-way. If one wishes to file a grievance form for the CAT, please refer to the following:

- Cities Area Transit
<http://www.grandforksgov.com/home/showdocument?id=22429>

Section I – Discrimination Description	
Date of Alleged Discrimination (Month, Day, Year): _____	
Have efforts been made to resolve this complaint?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, what is the status of the grievance? _____	
Has the complaint been filed with the Department of Justice or any other Federal, State or local civil rights agency or court?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
Agency or Court: _____	
Contact Name: _____	Contact Title: _____
Agency Name: _____	Phone: _____
Description of Grievance/Discrimination:	

Section II – Complainant Information	
Complainant Name: _____	
Street Address: _____	
City: _____	State: _____ Zip: _____
Home Phone: _____	Work Phone: _____
Mobile Phone: _____	Email: _____
Preferred method of communication:	<input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Phone

Section III – Completed by

Are you filling this complaint out on your own behalf? Yes No

If Yes, complete Section III

If No, please supply the name and relationship of the person for whom you are complaining:

First and last name of person for whom you are filling: _____

Relationship of the person for whom you are filling: _____

Please explain why you have filed for a third party: _____

Please confirm that you have obtained the permission of the aggrieved party, if you are filing on behalf of a third party. Yes No

Section IV – Previous

Have you previously filled an ADA complaint with this agency? Yes No

Section VI – Remedy Sought

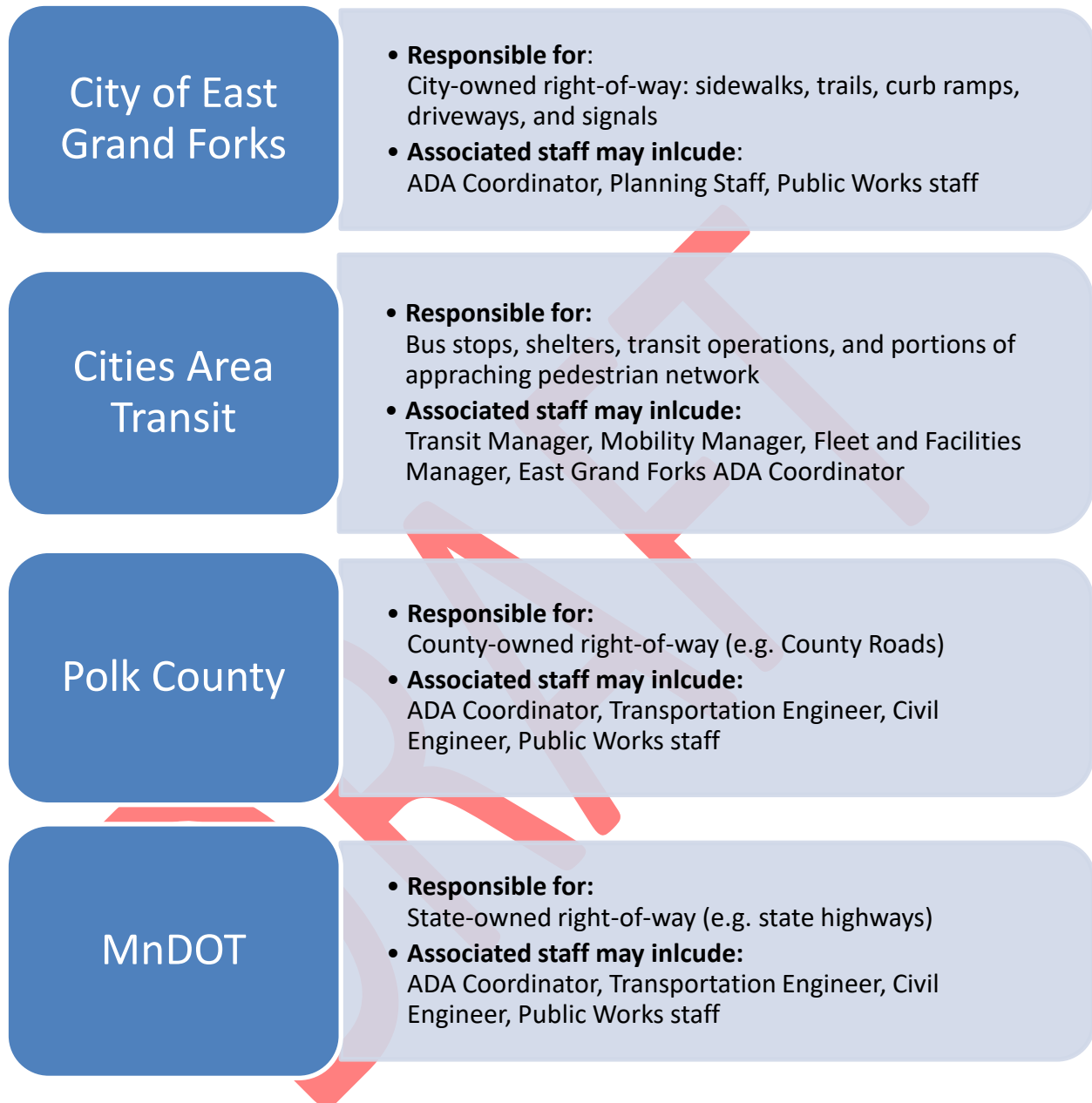
State the specific remedy sought to resolve the issues (s):

You may attach any written or other information that you think is relevant to your complaint.

Signature: _____ Date: _____

I sincerely and truly declare and affirm that the facts contained herein are complete, accurate, and true to the best of my knowledge and belief. Further, I declare and affirm that my statement has been made by me voluntarily without persuasion, coercion, or promise of any kind.

Appendix E – Contacts



Current ADA Contact Information

City of East Grand Forks

ADA Coordinator

Name: Nancy Ellis

Address: 600 DeMers Avenue
East Grand Forks, MN 56721

Phone: 218-773-0124

E-mail: nellis@egf.mn

Cities Area Transit

ADA Coordinator

Name: Ali Rood, Mobility Manager

Address: 450 Kittson Avenue
Grand Forks, ND 58201

Phone: 701-757-1503

Email: arood@grandforksgov.com

Polk County

ADA Contact - Highway Department

Name: Richard Sanders

Address: 820 Old Highway 75 South
Crookston, MN 56716

Phone: 218-470-8253

Email form: <https://www.co.polk.mn.us/index.asp?SEC=C9D0F3CC-A878-413A-AAF6-585173F9983A&Type=QUICKFORM>

Minnesota Department of Transportation

ADA Contact

Kristie Billiar

Kristie.billiar@state.mn.us

651-366-3174

Appendix F – City of East Grand Forks ADA Design Standards and Procedures

City of East Grand Forks- Public Rights-of-Way

Design and Maintenance Procedures

The City of East Grand Forks follows the guidance provided by the United States Department of Transportation (USDOT) and United States Department of Justice (US DOJ) on what constitutes a maintenance project and what constitutes an alteration project.

Maintenance projects include the following work types:

- Crack Filling and Sealing
- Surface Sealing
- Slurry Seals
- Fog Seals
- Scrub Sealing
- Joint Crack Seals
- Joint repairs
- Dowel Bar Retrofit
- Spot High-Friction Treatments
- Diamond Grinding
- Pavement Patching

Alteration Projects include the following work types:

- Open-graded Surface Course
- Cape Seals
- Mill and Fill/Mill and Overlay
- Hot In-Place Recycling
- Microsurfacing/Thin Lift Overlay
- Addition New Layer of Asphalt
- Asphalt and Concrete Rehabilitation and Reconstruction
- New Construction

Intersection Corners

Curb ramps or blended transitions will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the

scope of any project. Those limitations will be noted, and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless if full compliance can be achieved or not, each intersection corner shall be made as compliant as possible in accordance with the judgment of City staff.

Sidewalks / Trails

Sidewalks and trails will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted, and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless if full compliance can be achieved or not, every sidewalk or trail shall be made as compliant as possible in accordance with the judgment of City staff.

Accessible Pedestrian Signals

The purpose of this document is to provide guidance for the City of East Grand Forks on 1) the installation of Accessible Pedestrian Signals (APS) for new construction and existing traffic signal modifications, and 2) the evaluation of existing traffic signal locations after receipt of a reasonable accommodation request for APS installation.

This guidance is specific to APS and the incorporation of APS equipment and functionality into new, modified, and existing traffic signals.

The City of East Grand Forks based this guidance on existing practice and the following: 1) Guidelines for Accessible Pedestrian Signals, APS Prioritization Tool - NCHRP 3-62, 2) Guidelines for Accessible Pedestrian Signals, Final Report – NCHRP 117B, and 3) Accessible Pedestrian Signals: A Guide to Best Practices (Workshop Edition 2010) – NCHRP 150. Per the Minnesota Manual on Uniform Traffic Control Devices (MnMUTCD), an APS is “a device that communicates information about pedestrian timing in nonvisual format such as audible tones, speech messages, and/or vibrating surfaces.” (MnMUTCD, December 2011, Section 1A, page 14).

New Construction of Traffic Signals

At proposed traffic signal locations with any pedestrian elements (countdown timers, marked crosswalks, pedestrian indicators, pedestrian ramps, sidewalk/trail, etc.), whether existing or part of the proposed construction, the city will install an APS traffic signal.

The City will not consider an APS traffic signal for any crossing leg where a pedestrian crossing of that leg is a prohibited movement.

Existing Traffic Signals

The City, after receipt of a reasonable accommodation request for an Accessible Pedestrian Signal (APS) at an existing traffic signal location, shall evaluate the intersection and each crosswalk at the location.

As part of the City's evaluation of a reasonable accommodation request, a meeting between city staff and the person requesting the APS traffic signal will take place at the intersection. The purpose of the meeting would be to ensure that the city fully understands the request and its context and determine if there are other viable accommodations available (e.g. increase the pedestrian walk or clearance times, increase pedestrian understanding of the traffic signal operations, etc.). In addition, the pedestrian's routes of travel should be determined at the meeting.

In its evaluation, engineering department staff may refer to evaluation tools used by peer agencies or other industry standards to determine whether the signal merits immediate modification. Additionally, the department may, based on a balancing of several factors including engineering judgment and the context of the location, install an APS traffic signal even though the evaluation results of the crosswalk by means of this APS evaluation tool do not meet the threshold.

The City will not consider an APS traffic signal for any crossing leg where a pedestrian crossing of that leg is a prohibited movement. The City will consider any upcoming traffic signal or capital projects that are funded, or in the scoping or design phase, in its response to a request to evaluate and/or modify an existing traffic signal as an APS traffic signal (i.e. if construction of a capital project is anticipated the City may elect to postpone such modification and include it in the capital project).

Scheduling

Many factors go into the timing and scheduling for installation of APS traffic signals:

- APS equipment items are unique and project ordering and receiving requires an extended lead time.
- Depending on the timing of the request and the extent of the work required, the department may schedule requests during the following construction season.
- APS installations that require the upgrade of the existing traffic signal controller hardware, the installation of electrical conduits, or pedestrian ramp construction will have an increased schedule length.

For the medication and review of existing traffic signals for the installation of APS, the scheduling of the installation will consider an upcoming capital projects (i.e. if construction of a capital project is anticipated within a year, the City may elect to postpone such modification and include it in the capital project that is funded or in the scoping or design phase).

Bus Stops

Bus stops will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual bus stop locations to achieve full accessibility within the scope of any project. Those limitations will be noted, and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each bus stop location shall be made as compliant as possible in accordance with the judgment of City staff.

Other Transit Facilities

Additional transit facilities are present within the limits of City of East Grand Forks. Those facilities fall under the jurisdiction of CAT. The City of East Grand Forks will work with CAT to ensure that those facilities meet all appropriate accessibility standards. CAT is operated jointly by the cities of East Grand Forks, MN and Grand Forks, ND.

Transit Design Standards

City of East Grand Forks has PROWAG, as adopted by MnDOT, as its design standard. Links to the most current applicable design standards are included in [ATTACHMENT F-2](#).

Additionally, design standards for transit facilities and accessible routes can be found in FTA's Circular on ADA, C 4710.1. <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/americans-disabilities-act-guidance-pdf>.

Appendix G – Glossary Terms

ABA: See Architectural Barriers Act.

ADA: See Americans with Disabilities Act.

ADA Transition Plan: Mn/DOT's transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Statewide Transportation Improvement Program (STIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

ADAAG: See Americans with Disabilities Act Accessibility Guidelines.

Accessible: A facility that provides access to people with disabilities using the design requirements of the ADA.

Accessible Pedestrian Signal (APS): A device that communicates information about the WALK phase in audible and vibrotactile formats.

Alteration: A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

Americans with Disabilities Act (ADA): The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG): contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

APS: See Accessible Pedestrian Signal.

Architectural Barriers Act (ABA): Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Capital Improvement Program (CIP): The CIP for the Transportation Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county's transportation system.

Detectable Warning: A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

DOJ: See United States Department of Justice

Federal Highway Administration (FHWA): A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

FHWA: See Federal Highway Administration

Pedestrian Access Route (PAR): A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

Pedestrian Circulation Route (PCR): A prepared exterior or interior way of passage provided for pedestrian travel.

PROWAG: An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

Right of Way: A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

Section 504: The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

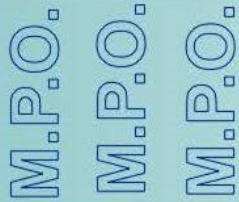
Uniform Accessibility Standards (UFAS): Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

United States Department of Justice (DOJ): The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.

Overcoming Barriers

Strengthening Connections



**Grand Forks - East Grand Forks
Metropolitan Planning Organization**

Ensuring Opportunities

Planning One Community

*“A community that provides a variety of complementary transportation choices, that are fiscally constrained,
for people and goods.”*

MPO Staff Report

Technical Advisory Committee: January 9, 2019

MPO Executive Board: January 23, 2019

RECOMMENDED ACTION: Recommend the approval of Draft Request for Quotes for the CAT/UND Merger Financial Study to the MPO Executive Board.

Matter of the CAT/UND Merger Financial Study.

Background: Cities Area Transit and University of North Dakota have been having continued discussions about merging the two systems. Essentially, the merger is conceptually considered that UND would contract with CAT to operate a public transportation service similar to the current UND Campus Shuttle system. It is hoped that the merger will take place by August 2019 so CAT can operate the routes at the beginning of the Fall Semester.

One of the key components is to document all of the costs associated with merging these two systems. Currently, the CAT system has a fully allocated cost accounting system in place in order to properly document the respective costs shared by Grand Forks and East Grand Forks. The proposed study would take this model and incorporate the anticipated UND shuttle data to recalculate the new cost allocations. This could then be used as a basis to contract with UND to provide the service.

Related to this is the cost to provide the rolling stock necessary. While Grand Forks and the MPO have submitted capital funding request to North Dakota for possible FTA funds contributing to the cost, the fact remains that at least three additional vehicles need to be available to operate the merged service. The study will also examine how the three vehicles will be purchased; either as brand new vehicles and the related cost shares or as used vehicles being used as temporary rolling stock until new vehicles can be purchased.

The MPO is seeking to request quotes rather than the more typical request for qualifications. The scope of work is fairly straight-forward and the budget cost is within the allowable limits to request quotes.

Findings and Analysis:

- The 2019-20 Work Program identifies we will undertake this activity
- The draft RFQ has been reviewed by CAT and UND staff
- The Work Program identifies that a consultant will be retained.
- The budget is \$40,000 with completion by June 30th..

Support Materials:

- Draft RFQ

Overcoming Barriers

Strengthening Connections



Ensuring Opportunities

Planning One Community

*“A community that provides a variety of complementary transportation choices, that are fiscally constrained,
for people and goods.”*

**Grand Forks – East Grand Forks
Metropolitan Planning Organization**

**Request for Quotes
for
Transportation Planning Services**

UND Campus Shuttle Turn Over to Cities Area Transit

February 2019

**REQUEST FOR QUOTES
FOR
TRANSPORTATION PLANNING SERVICES**

The Grand Forks – East Grand Forks Metropolitan Planning Organization (MPO) requests quotes from qualified consultants for the following project:

UND Campus Shuttle Turn Over to Cities Area Transit

Criteria will be used to analyze technical submittals from responding consultants. Upon completion of technical ranking, the MPO will enter into contract negotiations with the top ranked firm. The MPO reserves the right to reject any or all submittals. This project has a budget of \$40,000 dollars.

All quotes received by **February XX, 2019** at Noon at the MPO Office will be given equal consideration. Minority, women-owned, and disadvantaged business enterprises are encouraged to participate. Quotes should be shipped to ensure timely delivery to:

Teri Kouba
Senior Planner
Grand Forks – East Grand Forks MPO
600 DeMers Ave.
East Grand Forks, Minnesota 56721
teri.kouba@theforksmpo.org
Phone: 218/399/3372 (M-W-F) or 701/746/2656 (T-Th)

Once submitted, the quotes become the property of MPO.

I. Requirements

A. *Selection Committee*

The technical quotes will be reviewed by the Selection Committee, which may include staff from local municipalities and multi-jurisdictional bodies as follows:

- Grand Forks Transit Operator
- East Grand Forks Transit Operator
- Grand Forks Finance
- UND
- MPO Staff

Once the written quotes are received, the Selection Committee will meet to rank the quotes. Firms may be asked to expand upon particular points in their written quotes and should be prepared to do so.

B. *Disadvantaged Business Enterprise*

In the performance of this agreement, the contractor shall cooperate with MPO in meeting its goals with regard to the maximum utilization of disadvantaged business enterprises, and will use its best efforts to ensure that such business enterprises shall have the maximum practical opportunities to compete for subcontract work under this agreement.

1. Policy

It is the policy of the Department of Transportation that disadvantaged business enterprises as defined in 49 CFR Part 23, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds under this Agreement. Consequently, the DBE requirements of 49 CFR Part 23 applies to this Agreement.

2. DBE Obligation

The MPO and contractor agree to ensure that disadvantaged business enterprises as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under or pursuant to this Agreement. In this regard, the contractor shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that disadvantaged business enterprises have the maximum opportunity to compete for and perform contracts. The contractor shall not discriminate on the basis of race, creed, color, national origin, age, or sex in the award and performance of DOT-assisted contracts.

C. *Equal Employment Opportunity*

In connection with this proposal and any subsequent contract, the consultant shall not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, disability, sex, or status regarding public assistance. The consultant will take action to ensure that its employees are fairly treated during employment without regard to their race, color, creed, religion, national origin, disability, sex, or status regarding public assistance. Such actions shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising, layoff or termination; rate of pay or other forms of compensation; and selection for training, including internship and/or apprenticeship. The consultant further agrees to insert a similar provision in all subcontracts, except subcontract for standard commercial supplies or raw materials. The consultant will furnish all necessary information and reports and will permit access to its books, records, and accounts by the MPO and/or its representatives including state and federal agencies, for purposes of investigation to ascertain compliance with non-discrimination provisions or any resultant contract.

D. Ownership, Publication, Reproduction, and Use of Materials

All work products of the contractor which result from this contract are the exclusive property of MPO, local partners, and its federal/state grantor agencies. No material produced in whole or part under this agreement shall, during the life of this agreement, be subject to copyright in the United States or in any other country. Permission and approval must be obtained from the MPO before any report, handbook, cassettes, manual, interim data, or results are published. Draft copies of all deliverables must be prepared by the consultant and reviewed and approved by the MPO before publication. The consultant, subject to the approval by the MPO, shall have the authority to publish, disclose, distribute, and otherwise use in whole and part, any reports, data, or other materials prepared under this agreement.

E. Records, Access, and Audits

The consultant shall maintain complete and accurate records with respect to allowable costs incurred and manpower expended under this contract. All such records shall be maintained on a generally accepted accounting basis and shall be clearly identified and readily accessible. The consultant shall provide free access to the representatives of MPO, the US Department of Transportation, and the Comptroller General of the United States at all proper times to such data and records, and their right to inspect and audit all data and records of the Consultant relating to his performance under the contract; and to make transcripts there from as necessary to allow inspection of all work data, documents, proceedings, and activities related to this contract for a period of three (3) years from the date of the final payment under this contract.

F. Conflicts of Interest

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

G. Eligibility of Proposer, Non-procurement, Debarment and Suspension Certification; and Restriction on Lobbying

The consultant is advised that his or her signature on this contract certifies that the company/agency will comply with all provisions of this agreement, as well as applicable federal and state laws, regulations, and procedures. Moreover the consultant affirms its compliance with the federal Debarment and Suspension Certification and the Federal Restrictions on Lobbying.

H. Subcontracting

The contractor may, with prior approval from the MPO, subcontract as necessary to accomplish the contract objectives. Subcontracts shall contain all applicable provisions of this agreement, and copies of the subcontract must be filed with the MPO.

I. Assignments

The contractor shall not assign or transfer the contractor's interest in this agreement without the express written consent of the MPO.

J Procurement - Property Management

The Contractor shall adhere to 2 CFR 200 when procuring services, supplies, or equipment, which are incorporated into this agreement by reference and are available from NDDOT.

K Termination

The right is reserved by either party to terminate this agreement with or without cause at any time if the recipient does not comply with the provisions of this agreement or its attachments.

If the MPO terminates this agreement, it reserves the right to take such action as it deems necessary and appropriate to protect the interests of the MPO, and its state/federal grantor agencies. Such action may include refusing to make any additional reimbursements of funds and requiring the return of all or part of any funds that have already been disbursed.

L Amendments

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

M Civil Rights

The contractor will comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (78 STAT. 252), the regulation of the Federal Department of Transportation, 49 CFT, Part 21, and Executive Order 11246.

The contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, handicap, or national origin. The contractor shall take affirmative action to ensure that applicants are employed and that employees are treated during their employment without regard to their race, religion, color, sex, age, handicap, or national origin. Such actions shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or advertising, layoff or termination, rates of pay, or other forms of compensation, and selection for training, including apprenticeship. Furthermore, the contractor agrees to insert a similar provision in all subcontracts, except subcontracts for standard commercial supplies or raw materials.

N Civil Rights - Noncompliance

If the contractor fails to comply with the federal or state civil rights requirements of this contract, sanctions may be imposed by the FHWA or the NDDOT as may be appropriate, including, but not limited to:

1. Withholding of payments to the contractor under the contract until the contractor complies, or
2. Cancellation, termination, or suspension of the contract, in whole or in part.

O Energy Efficiency

The contractor shall comply with the standards and policies relating to energy efficiency which are contained in the North Dakota Energy Conservation Plan issues in compliance with the Energy Policy & Conservation Act, Public Law 94-163, and Executive Order 11912.

P Handicapped

The contractor shall ensure that no qualified handicapped individual, as defined in 29 USE 706(7) and 49 CFR Part 27 shall, solely by reason of this handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from the assistance under this agreement.

Q EPA Clean Act and Clean Water Acts

The contractor shall comply with the Clean Air Act, 42 U.S.C. 1857; the Clean Water Act, 33 U.S.C. 1251; EPA regulations under 40 CFR Part 15, which prohibits the use of nonexempt federal contracts, grants, or loans of facilities included on the EPA List of Violating Facilities, and Executive Order 11738.

R Successors in Interest

The provisions of this agreement shall be binding upon and shall ensure to the benefit of the parties hereby, and their respective successors and assigns.

S Waivers

The failure of the MPO or its local state/federal grantors to enforce any provisions of this contract shall not constitute a waiver by the MPO or its state/federal grantors of that or any other provision.

T Notice

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

U Hold Harmless

The contractor shall save and hold harmless the MPO, its officer, agents, employees, and member units of government, and the State of North Dakota and Minnesota and the NDDOT and MnDOT, its officers, agents, employees, and members from all claims, suits, or actions of whatsoever nature resulting from or arising out of the activities of the contractor or its subcontractors, agents, or employees under this agreement. It is hereby understood and agreed that any and all employees of the contractor and all other persons employed by the contractor in the performance of any of the services required or provided for under this agreement shall not be considered employees of the MPO, its member units of government, the NDDOT, or the MnDOT and that any and all claims that may arise under the Worker’s Compensation Act on behalf of said employees while so engaged and any and all claims by any third parties as a consequence of any act or omission on the part of said contractor’s employees while so engaged in any of the services to be rendered under this agreement by the contractor shall in no way be the obligation or responsibility of the MPO or its member units of government.

V Compliance with Federal Regulations

The contractor is advised that his or her signature on this contract certifies that its firm will comply with all provisions of this agreement as well as applicable federal and state laws, regulation, and procedures. Moreover, the contractor affirms its compliance with the federal Debarment and Suspension Certification and the federal Restrictions on Lobbying.

II. PRELIMINARY PROJECT SCHEDULE

A. Consultant Selection

Request Quotes from Pre- Qualified Firms	January XX, 2019
Receive Quotes	February XX, 2019
Selection Committee Activity:	
Review Quotes	February XX, 2019
Select Finalist	February 28, 2019
Contract Negotiations Completed	March 1, 2019

MPO Policy Board Approval of Consultant Selection and Contract	March 20, 2019
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B. Project Development

Notice to Proceed	March 28, 2019
First full Draft Report Submittal	May 31, 2019
Final Report Submittal	July 1, 2019

III EVALUATION CRITERIA & PROCESS

The MPO in close coordination with members of the Selection Committee will evaluate the quotes based on, but not limited to, the following criteria and their weights:

A. Nature of the project (20% weighted score)

1. Does the firm show an understanding of the scope of work?

B. Proximity of consultant to project (10% weighted score)

C. Past Performance (20% weighted score)

1. Does the firm routinely deliver desired products in a timely manner?
2. Does the consultant routinely demonstrate initiative, efficient use of time and resources, and reliability in completing their projects?

D. Capability of consultant to produce the required services (25% weighted score)

1. What are the technical and professional skills of each team member?
2. What will be the assigned role each member will play?

E. Ability to meet budget requirements (25% weighted score)

1. Can the team members devote the time and resources necessary to successfully complete this project?

Each quote will be evaluated on the above criteria by the Selection Committee. The Committee will determine which firm would best provide the services requested. The qualifying firm chosen by the Selection Committee will enter into a contract and fee negotiation based on the cost proposal.

The MPO is an Equal Opportunity Employer.

IV TERMS AND CONDITIONS

- A. The MPO reserves the right to reject any or all quotes, 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.
- B. The MPO reserves the right to request clarification of information submitted and to request additional information of one or more applicants.
- C. Any quote may be withdrawn up until the date and time set for the opening of the quotes. Any quotes not so withdrawn shall constitute an irrevocable offer, for a period of 90 days, to provide to the MPO the services set forth in the attached specifications, or until one or more of the quotes have been approved by the MPO Policy Board.

- D. If, through any cause, the firm shall fail to fulfill in timely and proper manner the obligations agreed to, the MPO 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.
- E. Any agreement or contract resulting from the acceptance of a proposal shall be on forms either supplied by or approved by the MPO and shall contain, as a minimum, applicable provisions of the Request for Qualifications. The MPO reserves the right to reject any agreement that does not conform to the Request for Qualification and any MPO requirements for agreements and contracts.
- F. The firm shall not assign any interest in the contract and shall not transfer any interest in the same without prior written consent of the MPO.

V. QUOTE FORMAT AND CONTENT

Quotes shall include the following sections at a minimum:

1. Summary of Proposed Technical Process/Planning Process
2. Description of Similar Projects
3. Project Staff Information including breakdown of estimated staff hours by each staff class per task
4. References
5. DBE/MBE Participation
6. Cost Quotes

VI. Cost Quotes/Negotiations

1. Cost Quotes

Submit a cost quote for the project work activities. Cost quotes will be separated from technical proposal. Cost Quotes shall be based on hourly “not to exceed” amount. Cost quotes must be prepared using the format provided in Appendix B. Attached to the Cost Quote the Certification of Indirect Rate Form also provided in Appendix B.

2. Contract Negotiations

The MPO will negotiate a price for the project after the Selection Committee completes its final ranking of the consultants. Negotiation will begin with the most qualified consultant. If the MPO is unable to negotiate a fair and reasonable contract for services with the highest ranking firm, negotiations will be formally terminated, and will begin with the next most qualified firm. This process will continue until a satisfactory contract has been negotiated.

The MPO reserves the right to reject any, or all, submittals.

VII. BACKGROUND AND SCOPE OF WORK

Purpose

The University of North Dakota (UND) has run its own campus shuttle service for many years. Cities Area Transit is the public transit provider for the Cities of Grand Forks and East Grand Forks. In an effort to focus on academics UND approached Cities Area Transit (CAT) to turn over the campus shuttle service to CAT. Before this can happen UND and CAT need to come to agreement on costs, bus purchase/replacement, how to get their staff and faculty around campus, what the routes will look like when CAT takes over, and other issues. CAT currently has a contract with UND Student Government to provide rides for students throughout the Cities of Grand Forks and East Grand Forks. A clear understanding of what it means for CAT to take over the campus shuttle service, other contracts, and

federal incentivized performance targets.

Project Tasks

Outlined below is the scope of work that will guide development of this project. The MPO has included the following scope of work to provide Consultants insight into the project intent, context, coordination, responsibilities, and other elements to help facilitate project development.

At minimum, the consultant shall be expected to establish detailed analysis, recommendations and/or deliverables for the following tasks:

Task 0- Project Management

This task involves activities required to manage the project including staff, equipment, and documentation. It also includes the preparation of progress reports, documenting travel and expense receipts, and preparing and submitting invoices. It is imperative to consider the public and keep it informed of the planning activities and outcomes using strategies that include the use of the internet and social media. Maintaining a project website or providing information to the MPO for posting on its website will be required. This task also includes monthly progress meeting with the Client, the preparation of meeting agendas, and taking and reporting meeting minutes.

Task 1- Cost Allocation Model

The Consultant will assist staff in building a cost allocation model that will account for the type of service CAT will be providing to UND. CAT currently has a cost allocation model with East Grand Forks to provide bus service in East Grand Forks. This can be a base for the cost allocation model for the one for UND.

Task 2- Agreements

Bus Purchase and Future Replacement: Currently UND has a lease to use State Fleet vehicles for their current campus shuttle service. If CAT were to start providing the service new buses would need to be purchased that are ADA compliant. An agreement on who is responsible for the purchase of the new buses to start the service. Also, agreement on who is responsible for the replacement of buses for the campus shuttle service.

Staffing: Currently UND has staff that runs the campus shuttle service. CAT needs to know the staffing level and type of staffing needed to provide the campus shuttle service within the public transportation service CAT provides. An agreement on needed staffing levels and if current UND staff will be incorporated into the campus shuttle service by CAT. This needed staffing level will have to be a consideration in the cost allocation model.

Routes: UND currently runs three day routes, one night route (runs until 10:38pm), and an airport route (funded by the aviation department). An agreement on number of routes and if the night route will still be in service needs to be understood. An agreement on if and/or when the airport shuttle is turned over to CAT. If the airport shuttle becomes part of CAT it will need to become a public service, an agreement on how stops at the terminal will be incorporated into the service. Also, an agreement on when and how often the campus shuttle routes would be in service.

Staff, Faculty, Students, and the Public: Currently CAT has a contract with the UND Student Government to provide rides for UND students for a set rate. This service is promoted as free rides for UND Students. The current contract does not include staff and faculty of UND. Staff and faculty currently ride for free on the campus shuttle service to get to various buildings around campus for their jobs. Some type of agreement needs to be reached for staff and faculty to get around campus for their jobs. The agreement needs to take into consideration that the campus shuttle would now be open to the

general public, unlike it is today.

Task 3- 5340 Target Review

Currently CAT receives 5340 funds for Vehicle Revenues per Capita target levels. With the addition of the UND campus shuttle service an analysis of whether or not CAT will attain other 5340 targets and an estimated time when that would happen.

Task 4- Public Involvement

The study shall be supported by no less than three (3) public input meetings. The MPO shall utilize its website and list of interested persons, stakeholders, and targeted interest groups to distribute public input meeting information. The consultant shall prepare notices and public announcements and have them to the MPO one week before the announcement goes out to the public. The MPO shall be responsible for issuing notices and public announcements. The consultant shall get meeting information to the MPO one week before the meeting. The consultant shall be responsible for the facilitation and summarization of the following public input meetings:

Public Input Meeting #1 – Early Input Meeting. The initial public input meeting shall focus on soliciting comments on the existing campus shuttle service and gathering information on ridership issues, service needs, system modifications, or other identified needs.

Public Input Meeting #2 – Presentation of Alternatives. The second public input meeting shall provide an opportunity for the public, stakeholders, and interested parties to provide feedback and comments on system alternatives, including issue identification/needs assessment and alternatives development and analysis.

Public Input Meeting #3 – Draft Study. The final public input meeting shall provide the public an opportunity to comment on recommendations.

Task 5- Document

The main document will be a combining of tasks 1 through 4. An executive summary will be needed as well to be part of an update to the current Transit Development Plan to address the change in services.

A. Consultant Responsibilities

1. Cost Allocation Model between UND and CAT
2. Bus Purchase and Future Replacement Agreement
3. Analysis of incorporation of UND Shuttle services routes into current CAT route structure.
4. Analysis of staffing requirements needed for CAT to take on added routes.
5. 5340 Target Review
6. Executive Summary that will be for an update to the current Transit Development Plan.
7. Public meeting notices/announcements and facilitation/summarization of public meetings

B. Project Deliverables

- Cost Allocation Model
- Executive Summary to be part of an update to the current Transit Development Plan
- UND Campus Shuttle Service turn over to CAT Plan
 - The final product will show recommendations of the Plan.

1. A first full draft report by noon, May 31, 2019

2. An approved final report July 1, 2019 (15 full copies)

One electronic copy of the approved final reports will be delivered to the Grand Forks-East Grand Forks MPO in PDF format. The electronic copies should be complete and such that additional copies of either document could be printed on-demand. In addition, electronic copies of any pertinent working papers, software, and data either during the project or at its conclusion will be delivered to the MPO. The MPO should be able to make updates to all material in the document in the future.

C. Estimated Project Budget

The MPO has budgeted \$40,000 to compensate the selected consultant to complete the scope of work as identified.

D. Other Requirements

The consultant will update the Project Manager on an on-going basis, along with a written monthly progress report which will clearly reflect progress, timeliness, and budget expenditures. The monthly progress report will be required with the submission of each invoice.

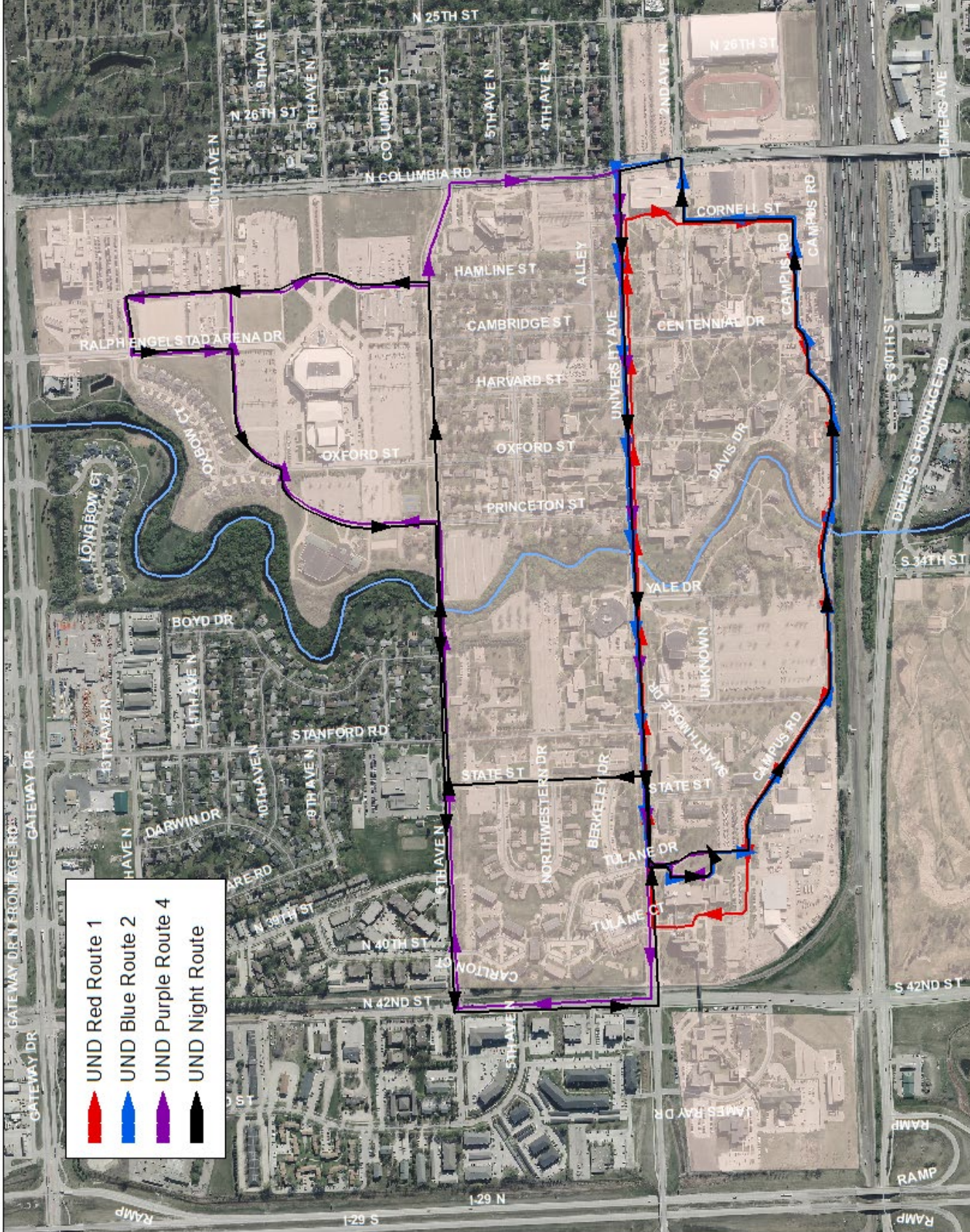
VIII. INFORMATION AVAILABLE FOR CONSULTANT

A. General Information

The following resource data / information is available for the project:

- 2015 Aerial Photography
- Grand Forks/East Grand Forks Long Range Transportation 2045 Plan
- Digital Zoning and Land Use Maps
- Various City Shapefiles

IX. MAP OF PROJECT AREA – next page



APPENDIX A
ATTACHMENTS 1 & 2

DEBARMENT OR SUSPENSION CERTIFICATION

The Participant, _____ (name of firm) certifies to the best of its knowledge and belief, that it and its principals:

- 1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses enumerated in paragraph two (2) of this certification; and
- 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause of default.

THE PARTICIPANT, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. 3801 ET SEQ. ARE APPLICABLE THERETO.

(Signature of Authorized Official)

Date

(Title of Authorized Official)

CERTIFICATION
OF
RESTRICTION ON LOBBYING

I _____, hereby certify
on behalf of

(Name and title of grantee official)

_____ that:

(Name of grantee)

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

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, US Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this _____ day of _____, _____

By _____
(Signature of Authorized Official)

(Title of authorized official)

APPENDIX B COST QUOTE FORM

**(Include completed cost form in a separate Page labeled
 "COST FORM - Vendor Name"
 and submit with technical proposal as part of overall response.)**

COST QUOTE FORM

The cost estimated should be based on a not to exceed cost as negotiated in discussion with the most qualified contractor.
 Changes in the final contract amount and contract extensions are not anticipated.

**REQUIRED BUDGET FORMAT
 Please Use Audited DOT Rates Only
 East Grand Forks ADA Transition Plan**

1. Direct Labor	Hours	X	Rate	=	Total
Name, Title, Function	0.00	X	0.00	=	0.00
		X			
		X			
		X			
2. Overhead					
3. General & Administrative Overhead					
4. Subcontractor Costs					
5. Materials and Supplies Costs					
6. Travel Costs					
7. Fixed Fee					
8. Miscellaneous Costs					
Total Cost					

Certification of Final Indirect Costs

Firm Name: _____

Proposed Indirect Cost Rate: _____

Date of Proposal Preparation (mm/dd/yyyy): _____

Fiscal Period Covered (mm/dd/yyyy to mm/dd/yyyy): _____

The undersigned, certify that I have reviewed the proposal to establish final indirect cost rates for the fiscal period as specified above and to the best of my knowledge and belief:

1. All costs included in this proposal to establish final indirect cost rates are allowable in accordance with the cost principles of the Federal Acquisition Regulations (FAR) of title 48, Code of Federal Regulations (CFR), part 31.
2. This proposal does not include any costs which are expressly unallowable under the cost principles of the FAR of 48 CFR 31.

All known material transactions or events that have occurred affecting the firm's ownership, organization and indirect cost rates have been disclosed.

Signature: _____

Name of Certifying Official (**Print**): _____

Title: _____

Date of Certification (mm/dd/yyyy): _____

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TRANSPORTATION PLAN UPDATE AND IMPLEMENTATION ACTIVITIES

CODE	AREA	TASK	%	COMPLETION DATE
300.1	2045 Street & Highway Plan	Adoption by all local agencies took place during December. The MPO Board adopted the 2045 Street & Highway Element at its December 19th Meeting. Final printing will take place in January.	99%	Dec, 2018
300.1	Transit Development Plan	COMPLETED	100%	July, 2017
300.1	Bicycle and Pedestrian Planning Element (Update)	MPO staff completed preparation of Performance Measures, Proposed Recommendations and Sources of funding to support bicycle and pedestrian initiatives. Attended & made presentations seeking Preliminary Approval of the Bicycle and Pedestrian Element: Grand Forks Planning & Zoning Commission Technical Advisory Committee (TAC) East Grand Forks City Council Work Session MPO Executive Policy Board. Prepared and distributed to stakeholders Draft Bicycle and Pedestrian Element.	95%	Jan, 2019
300	Plan Update (Travel Demand Model)	COMPLETED	100%	Dec, 2018
300.2	CORRIDOR PLANNING			
	US 2/US 81 Skewed Intersection Study	Consultant KLJ has started work on the analysis of Existing Conditions Consultant is working on forming a Steering Committee. A mailing list including names of property owners of premises abutting the corridor has been drafted for public involvement purposes.	20%	Aug, 2020
	Grand Forks Downtown Parking Study	The 2nd Steering Committee meeting was held in December. At the meeting, the existing conditions of the parking situation in Downtown Grand Forks was presented. There was observed fewer parking stall occupied and fewer vehicle turnover at time limited spaces.	40%	1-May-20
	MN 220 N Corridor Study	Received and reviewed Tech Memo # 3: Provide comments. Prepared outreach materials to support Steering Committee # 2 to discuss Issues, Purpose and Need. Prepared outreach material including flyer for door-to-door distribution, organized venue, assisted in preparation of the Agenda. Contacted local news to provided press-releases to invite community to meeting and inform stakeholders on project development.	25%	31-May-19
	Update Arial Photo	COMPLETED	100%	Dec, 2018
	Traffic Count Program	Vision Camera Data Collection & Traffic Analysis Enhancements.	10%	ONGOING
300.5	SPECIAL STUDIES EGF ADA Transition Plan	A public open house took place in December. A draft of the document has been available for review and comment. Approval is expected during January.	95%	Dec. 2018
300.6	PLAN MONITORING, REVIEW AND EVALUATION			
300.7	GIS Development			