



Bis-Man Transit Board Meeting

September 24, 2020, 11:30AM

<https://us02web.zoom.us/j/kcPzgC3WMo>

(312)626-6799; Meeting ID: 840 1671 7308

Welcome & Introductions

Approval of Agenda

Consent Agenda

1. Previous Month's Minutes
 - a. Attachment A – August Regular Meeting
2. Financial Report
 - a. Attachment B
3. Ride Stats
 - a. Attachment C
4. Adoption of State of North Dakota Safety Plan
 - a. Attachment D

Public Comment

Standing Committee Update

1. Finance Committee Update

Ad Hoc Committee Update

1. New Route Task Force Update

Unfinished Business

1. Strategic Planning Discussion
 - a. Attachment E

Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

3750 East Rosser Avenue, Bismarck, ND 58501 • P: (701) 258-6817 • F: (701) 258-6752 • www.bismantransit.com

2. Route Redesign Recommendation
 - a. Attachment F

New Business (Regular Agenda)

1. Bis-Man Transit Vision Statement Discussion
2. City of Bismarck Contract Discussion
 - a. Attachment G
3. AVL/GPS RFP Bid Acceptance
 - a. Attachment H
4. Grant Applications
 - a. Attachment I (5339b Discretionary Grant)

Executive Director Report

1. Advertising Update
2. Staff Update
3. Training/Chamber Update

Operations Report

Other Business

Adjourn

- **The next Board Meeting will be held October 22, 2020 at 11:30am.**



Bis-Man Transit Regular Board Meeting Minutes

August 27, 2020, 11:30 A.M.

Via Zoom

Attending:	President/Shalna Laber	Vice President/Lynn Wolf
	Sec. /Tres. DeNae Kautzmann	Glenn Lauinger
	Royce Schultze	

Not Attending:	Steve Heydt	Lacey Long
	Karel Sovak	Kim Stevenson

Staff:	Deidre Hughes	Craig Thomas
	Tom Reisenauer	Taylor Kitzen

Guests:	Steve Saunders	Helen Baumgartner
	Trevor Vannett	Susan Dingle

Meeting was called to order at 11:32 A.M.

Approval of Agenda: Lynn moved to approve the agenda. Royce seconded the motion. Motion carried unanimously.

Consent Agenda: DeNae moved to approve the consent agenda. Lynn seconded the motion. Motion carried unanimously.

Public Comment: No Public Comment.

Unfinished Business:

- 1. Strategic Planning Location:** Deidre discussed that the Strategic Planning session will be on Saturday, September 12th from 10 A.M. to 2 P.M. Deidre discussed that the location for Strategic Planning could be at U-Mary for \$600 plus catering costs or at the Transit facility at no cost. Deidre explained that those who choose to attend can attend in-person or via Zoom meeting. Glenn moved to hold the Strategic Planning session at the Transit facility. Royce seconded the motion. Motion carried unanimously.
- 2. COVID-19 Safety Update:** Deidre discussed that she had researched a fogger machine that would help disinfect the buses in a timely manner. Deidre explained that purchasing the fogger would help reduce labor costs to National Express employees for cleaning and can be purchased on the state bid. DeNae moved to purchase the fogger machine. Glenn seconded the motion. Motion carried unanimously.

New Business:

- 1. CTAA Conference:** Deidre explained that the CTAA (Community Transportation Association of America) Conference is a national conference that will be held in Louisville, Kentucky November 15th – 18th. Staff recommends that the Executive Director is approved to attend the conference. Karel moved to approve the Executive Director to attend the CTAA Conference and expense. Lynn seconded the motion. Motion carried unanimously.
- 2. Chamber of Commerce Membership Dues:** Deidre discussed that the Chamber of Commerce Membership Dues were pulled from the budget when it was previously reviewed due to cost. Deidre asked the board for approval of Bis-Man Transit continuing their membership with the Chamber of Commerce at a fee of \$295. Lynn moved to continue the membership of the Bismarck-Mandan Chamber of Commerce at a rate of \$295 and the budget is amended accordingly. Karel seconded the motion. Motion carried unanimously.
- 3. FTA Discretionary Grant:** Deidre explained that she had received correspondence from the FTA that NDDOT received 15 million dollars for statewide bus purchases

off of the FTA Discretionary Grant. Deidre discussed that there is not an application to apply for the grant at this time, but Bis-Man Transit does plan to apply when the application becomes available. Deidre explained that the FTA Discretionary Grant would give funding to replace two fixed-route buses that are outside of useful life at a 15% match or \$150,000.

Executive Director Report:

- 1. CARES Funding Reimbursement Update:** Deidre discussed that Taylor is finished with April's reimbursement and is in progress on May's reimbursement. Steve Saunders informed the board that the first CARES Act reimbursement request has been received and is currently under review with the City of Bismarck's Finance department.
- 2. Community Outreach:** Deidre discussed that, in August, Taylor and Danae (with National Express) were able to participate in the BisMarket event held near the Bismarck Larks stadium. Deidre discussed that Mike and herself were able to attend the Bismarck State College Orientation Day event. Deidre explained that due to COVID-19, she is not sure if we will be able to attend any other events in the near future.
- 3. Advertising Update:** Deidre discussed that she attended a meeting with Bismarck Airport staff earlier in the month and they are interested in doing a full wrap for five years on a fixed-route bus. Deidre discussed that there are only three open benches out of twenty-seven and there is also interest in two more full wraps from a local insurance agency.
- 4. Contract Review Update:** Deidre discussed that Glenn and herself have been working at looking through contracts that auto-renew or that are coming due. Deidre discussed that there are two contracts coming due, the credit card processing contract and the website contract. Deidre explained that Taylor and herself are looking for different vendors for both of the contracts.

Operations Report: Nothing to report.

Standing Committee Update

- 1. Finance Committee Update:** No other business that wasn't previously reported.

Ad Hoc Committee Update

- 1. New Route Task Force:** Deidre discussed that there is still great participation in the New Route Task Force. Deidre discussed at the last meeting that the task force reviewed the comments from the survey that was sent out to the public. Deidre commented that if anyone was interested in those comments that she would be able to share them, but they will be posted on the website. Deidre

explained that the next steps will be redesigning routes and taking those routes to the proper channels after they are decided upon.

Other Business: No other business.

Meeting adjourned at 12:02 P.M.



August 2020

MONTHLY REPORT

	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD
RIDERSHIP						
FIXED ROUTE	4,685	37,141	8,304	69,384	-43.58%	-46.47%
PARATRANSIT	6,195	47,798	9,153	73,622	-32.32%	-35.08%
Total	10,880	84,939	17,457	143,006	-37.68%	-40.60%
FR AVG. DAILY BOARDINGS	180.19					
DR AVG. DAILY BOARDINGS	199.84					
			Pass./Hour	Pass./Hour	Pass./Hour	% INC/DEC
REVENUE HOURS	Month	YTD	Month	YTD	PY YTD	PY YTD OVR PYTD
FIXED ROUTE	1,791.34	11,330.87	2.62	3.28	4.96	14,001.0 -19.07%
PARATRANSIT	2,446.45	19,615.48	2.53	2.44	2.80	26,261.1 -25.31%
Total	4,237.79	30,946.35	2.57	2.74	3.6	40,262.2
			Pass./Mile	Pass./Mile		% INC/DEC
REVENUE MILES	Month	YTD	Month	YTD	PY YTD	PY YTD OVR PYTD
FIXED ROUTE	30,291	187,825	0.15	0.20	231,921	-19.01%
PARATRANSIT	32,396.68	256,892.73	0.19	0.19	353,036	-27.23%
Total	62,687.68	444,717.73	0.35	0.38	584,957	-23.97%
ON TIME PERFORMANCE	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD
FIXED ROUTE	82.83%	84.41%	79.77%	79.78%	3.84%	5.80%
PARATRANSIT	98.00%	98.40%	97.00%	96.00%	1.03%	2.50%
RIDERSHIP PER ROUTE						% INC/DEC
ROUTE	Month	YTD		PY Month		OVR PYM
BLACK	859	7173		1377		-37.6%
BLUE	841	7078		1492		-43.6%
GREEN	586	4975		871		-32.7%
RED	815	7214		1783		-54.3%
BROWN	722	5393		1507		-52.1%
PURPLE	862	5308		1274		-32.3%
U-Mary	0	673		116		-100.0%
ACCIDENTS	Month	Month at Fault	YTD	YTD at Fault		
FIXED ROUTE	0	0	3	0		
PARATRANSIT	1	1	5	5		
SERVICE VEHICLE	0	0	0	0		
COMPLAINTS	Month	YTD				
FIXED ROUTE	4	18				
PARATRANSIT	0	18				
COMPLIMENTS	Month	YTD				
FIXED ROUTE	0	1				
PARATRANSIT	2	18				
Office Staff	0	4				

D

North Dakota Department of Transportation
Transit Section

State Agency Safety Plan
Small Public Transportation Providers
September 2020

Table of Contents

1. Transit Agency Information	2
2. Plan Development, Approval, and Updates	3
3. Safety Performance Targets	4
4. Safety Management Policy	5
5. Safety Risk Management	9
6. Safety Assurance	12
7. Safety Promotion	15
8. Additional Information	16
9. Definitions of Terms Used in the Safety Plan	17
10. Commonly Used Acronyms	19
11. Safety Management Policy Statement	20

1. Transit Information

Name	North Department of Transportation			
Address	608 E Boulevard Ave, Bismarck, ND 58505-0700			
Name and Title of Accountable Executive	Becky Hanson, Transit Program Manager			
Name of Chief Safety Officer (CSO) or Safety Management System (SMS) Executive	NA			
Mode(s) of Service Covered by This Plan	Fixed Route Bus; Paratransit	List All FTA Funding Types (e.g., 5307, 5310, 5311)	5307, 5310, 5339, 5311	
Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)	Fixed Route Bus; Paratransit			
Does the agency provide transit services on behalf of another transit agency or entity?	No	No	Description of Arrangement(s)	not applicable
Name and Address of Transit Agency or Entity for Which Service Is Provided	not applicable			

2. Plan Development, Approval, and Updates

Name of Person Who Drafted This Plan	Darcy Karel, Transportation Management Officer	
Signature by the Accountable Executive	Signature of Accountable Executive	Date of Signature
	Becky Hanson Transit Program Manager	
Approval by the Director of the Office of Transportation Programs	Director of NDDOT	Date of Approval
	Steve Salwei Director of the Office of Transportation	

Version Number and Updates			
<i>Record the complete history of successive versions of this plan.</i>			
Version Number	Section/Pages Affected	Reason for Change	Date Issued
1		New Document	September 2020

Annual Review and Update of the Public Transportation Agency Safety Plan (PTFASP)
This plan will be reviewed and updated by the NDDOT transit staff by July 1 of each year. The Transit Program Manager will review and approve any changes and forward to the Director of Office of Transportation Programs for final review and approval.

3. Transit Safety Performance Targets

Safety Performance Measures <ol style="list-style-type: none"> 1. Fatalities – total number and rate per total VRM 2. Injuries – Total number and rate per total Vehicle Revenue Miles (VRM) 3. Safety Events – Total number and rate per total VRM 4. System Reliability – Mean distance between major mechanical failures 							
<i>Targets for transit agencies should be based on a review of the previous 5 years safety performance data.</i>							
Safety Performance Targets:							
Mode of Transit Service	Fatalities (total)	Fatalities (per 100 thousand VRM)	Injuries (total)	Injuries (per 100 thousand VRM)	Safety Events (total)	Safety Events (per 100 thousand VRM)	System Reliability (VRM / failures)
Fixed Route Bus	0	0	5 or less	0.2	7 or less	0.28	10,000
ADA / Paratransit	0	0	1 or less	0.1	1 or less	0.1	70,000

Safety Performance Target Coordination <p><i>5307 recipients should coordinate with their MPOs on transit agency safety performance targets. If resulting targets differ from state recommended targets, they will need state approval.</i></p> <p>The state's Safety Plan, including safety performance targets, should be shared with the Metropolitan Planning Organization (MPO) annually. State transit staff are available to coordinate with 5307 recipients and the MPOs, in the selection of safety performance targets upon request.</p>		
Date NDDOT Targets Transmitted to	5307 recipients	Metropolitan Planning Organizations

4. Safety Management Policy

Safety Management Policy Statement
<p>Safety is a core value at NDDOT, and managing safety is a core business function for public transportation in the state. We will develop, implement, maintain, and continuously improve processes to ensure the safety of transit customers, employees and the public. NDDOT is committed to the following safety objectives:</p> <ul style="list-style-type: none">• Communicating the purpose and benefits of the Safety Management System (SMS) to all staff, managers, supervisors, and employees.• Providing a culture of open reporting of all safety concerns, ensuring that no action will be taken against any employee who discloses a safety concern through the Employee Safety Reporting Program (ESRP), unless such disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures.• Providing appropriate management involvement and the necessary resources to establish an effective ESRP that will encourage employees to communicate and report any unsafe work conditions, hazards, or at-risk behavior to the management team.• Identifying hazardous and unsafe work conditions and analyzing data from the ESRP. (After thoroughly analyzing provided data, processes and procedures will be developed to mitigate safety risk to an acceptable level.)• Establishing safety performance targets that are realistic, measurable, and data driven. Continually improving safety performance through management processes that ensure appropriate safety management action is taken and is effective.
Safety Management Policy Communication
<p>NDDOT employees receive on-going safety training through e-learning, online posts on MyDOT, and emails from the Safety and Maintenance divisions. Copies of potential safety hazard awareness are posted on bulletin boards throughout the NDDOT building. NDDOT has incorporated review and distribution of Safety Policies into new-hire training and at the annual, all-staff, spring refresher training.</p> <p>In addition, the NDDOT Safety Division develops, implements, and evaluates programs designed to reduce crashes and related fatalities and injuries. The Safety Division includes the Traffic Safety Program which addresses identified traffic safety issues including: lack of seat belt use, drug and alcohol impaired driving, distracted driving, young driver speed, motorcycle safety, pedestrian and bicycle safety, and other concerns that are disseminated to the public through various social media avenues.</p>

Authorities, Accountabilities, and Responsibilities for Transit Agencies <i>Transit agencies adopting the state plan must describe their local authorities, accountabilities, and responsibilities and identify the following individuals for the development and management of their transit agency's SMS.</i>	
Accountable Executive	<p>The following authorities, accountabilities, and responsibilities could be examples under the plan:</p> <ul style="list-style-type: none"> • Controls and directs human and capital resources needed to develop and maintain the Agency Safety Plan (ASP) and SMS. • Designates an adequately trained CSO who is a direct report. • Ensures that the SMS is effectively implemented. • Ensures action is taken to address substandard performance in the SMS. • Assumes ultimate responsibility for carrying out the ASP and SMS. • Maintains responsibility for carrying out the agency's Transit Asset Management Plan.
Chief Safety Officer (CSO) or SMS Executive	<p>The Accountable Executive designates the CSO. The CSO may have the following authorities, accountabilities, and responsibilities under the plan:</p> <ul style="list-style-type: none"> • Develops SMS policies and procedures. • Ensures and oversees day-to-day implementation and operation of SMS. • Manages ESRP. • Chairs the Safety Committee and <ul style="list-style-type: none"> ○ Coordinates the activities of the committee; ○ Establishes and maintains a Safety Risk Register and Safety Event Log to monitor and analyze trends in hazards, occurrences, incidents, and accidents; and ○ Maintains and distributes minutes of committee meetings. • Advises the Accountable Executive on SMS progress and status. • Identifies substandard performance in SMS and develops action plans for approval by the Accountable Executive. • Ensures policies are consistent with safety objectives. • Provides Safety Risk Management (SRM) expertise and support for other personnel who conduct and oversee Safety Assurance activities.
Agency Leadership and Executive Management	<p>Agency Leadership and Executive Management also have authorities and responsibilities for day-to-day SMS implementation and operation of SMS under this plan Agency Leadership and Executive Management could include:</p> <ul style="list-style-type: none"> • Director of Operations, • Chief Dispatcher, • Director of Vehicle Maintenance, • Director of Human Resources and Training,

	<ul style="list-style-type: none"> • Director of Procurement, and Operations managers/supervisors.
	<p>Agency Leadership and Executive Management personnel have the following authorities, accountabilities, and responsibilities:</p> <ul style="list-style-type: none"> • Participate as members of Safety Committee (operations managers and supervisors should be rotated through the Safety Committee on temporary-set terms and other positions are permanent members). • Complete training on SMS and ASP elements. • Oversee day-to-day operations of the SMS in their departments. • Modify policies in their departments consistent with implementation of the SMS, as necessary. • Provide subject matter expertise to support implementation of the SMS as requested by the Accountable Executive or the CSO, including SRM activities, investigation of safety events, development of safety risk mitigations, and monitoring of mitigation effectiveness.
Key Staff and Activities	<p>Agency should utilize a Safety Committee, as well as a monthly Drivers' Meeting, regularly held staff meetings, etc. to support its SMS and safety programs:</p> <ul style="list-style-type: none"> • Safety Committee: Any safety hazards reported will be jointly evaluated by the Safety Committee and the CSO. The Safety Committee members may include the CSO, Assistant Director of Operations, an operations manager, a representative from dispatch, a representative from fixed route, a representative from paratransit, and a representative from County Risk Management, etc. They may meet regularly to review issues and make recommendations to improve safety. • Drivers' Meetings: A permanent agenda item in all Drivers' Meetings should be dedicated to safety. Safety issues should be discussed and documented. • Staff Meetings: Hazard reports and mitigations will be shared, safety topics will be brought up for open discussion, further feedback solicited, and hazard self-reporting further encouraged. Information discussed in these meetings will be documented.
Employee Safety Reporting Program	

ESRP encourages employees who identify safety concerns in their day-to-day duties to report them to senior management in good faith without fear of retribution. There are many ways employees can report safety conditions:

- Report conditions directly to the dispatcher, who will add them to the daily Operations Log.
- Report conditions anonymously via a locked comment box in the driver area.
- Report conditions using their name or anonymously to a dedicated safety email address.
- Report conditions directly to any supervisor, manager, or director.

Examples of information typically reported include:

- Safety concerns in the operating environment (for example, county or city road conditions, or the condition of facilities or vehicles);
- Policies and procedures that are not working as intended (for example, insufficient time to complete pre-trip inspection);
- Events that senior managers might not otherwise know about (for example, near misses); and
- Information about why a safety event occurred (for example, radio communication challenges).

Daily, the CSO reviews the dispatch daily Operations Log, checks the comment box and dedicated email address, and documents identified safety conditions in the Safety Risk Register. The CSO, supported by the Safety Committee, as necessary, will review and address each employee report, ensuring that hazards and their consequences are appropriately identified and resolved through the SRM process and that reported deficiencies and non-compliance with rules or procedures are managed through the Safety Assurance process.

The CSO discusses actions taken to address reported safety conditions during the Staff Meetings. Additionally, if the reporting employee provided his or her name during the reporting process, the CSO or designee, follows up directly with the employee when it is determined whether to act, and after any mitigations are implemented.

Participation is encouraged in the ESRP by protecting employees that report safety conditions in good faith. However disciplinary action may be taken if the report involves any of the following:

- Willful participation in illegal activity, such as assault or theft;
- Gross negligence, such as knowingly utilizing heavy equipment for purposes other than intended such that people or property are put at risk; or
- Deliberate or willful disregard of regulations or procedures, such as reporting to work under the influence of controlled substances.

5. Safety Risk Management

Safety Risk Management Process

Describe the Safety Risk Management process, including:

- *Safety Hazard Identification: The methods or processes to identify hazards and consequences of the hazards.*
- *Safety Risk Assessment: The methods or processes to assess the safety risks associated with identified safety hazards.*
- *Safety Risk Mitigation: The methods or processes to identify mitigations or strategies necessary as a result of safety risk assessment.*

Safety Risk Management Process

The SRM process is primarily a method to ensure the safety of operations, passengers, employees, vehicles, and facilities. It is a process whereby hazards and their consequences are identified, assessed for potential safety risk, and resolved in a manner acceptable to leadership. The SRM process allows careful examination of what could cause harm and determine whether sufficient precautions have been taken to minimize the harm, or if further mitigations are necessary.

The CSO leads the SRM process, working with the Safety Committee to identify hazards and consequences, assess safety risk of potential consequences, and mitigate safety risk. The results of a SRM process should be documented in the Safety Risk Register and referenced materials.

The SRM process applies to all elements of the system including operations and maintenance; facilities and vehicles; and personnel recruitment, training, and supervision.

Here are descriptions of the following FTA terms:

- **Event** – Any accident, incident, or occurrence.
- **Hazard** – Any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure; or damage to the environment.
- **Risk** – Composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk Mitigation** – Method(s) to eliminate or reduce the effects of hazards.
- **Consequence** – An effect of a hazard involving injury, illness, death, or damage to property or the environment.

Safety Hazard Identification

The safety hazard identification process offers the ability to identify hazards and potential consequences in the operation and maintenance of the transit system. Hazards can be identified through a variety of sources, including:

- ESRP;
- Review of vehicle camera footage;
- Review of monthly performance data and safety performance targets;

- Observations from supervisors;
- Maintenance reports;
- Comments from customers, passengers, and third parties, including insurance pool and vendors;
- Safety Committee, Drivers, and Staff Meetings;
- Results of audits and inspections of vehicles and facilities;
- Results of training assessments;
- Investigations into safety events, incidents, and occurrences; and
- Federal Transit Administration (FTA), NDDOT, and other oversight authorities

When a safety concern is observed by management or supervisory personnel, whatever the source, it is reported to the CSO. Procedures for reporting hazards to the CSO are reviewed during Staff Meetings and in the Safety Committee. The CSO also receives employee reports from the ESRP, customer comments related to safety, and the dispatch daily Operations Log. The CSO reviews these sources for hazards and documents them in the Safety Risk Register.

The CSO also may enter hazards into the Safety Risk Register based on the review of operations and maintenance, the results of audits and observations, and information received from FTA, NDDOT and other oversight authorities, as well as the National Transportation Safety Board.

The CSO may conduct further analyses of hazards and consequences entered into the Safety Risk Register to collect information and identify additional consequences and to inform which hazards should be prioritized for safety risk assessment. When following up on identified hazards, the CSO may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assessing the possible hazardous conditions, generating visual documentation (photographs and/or video), and take any measurements deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;
- Review any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.);
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any past reported hazards of a similar nature; and
- Evaluate tasks and/or processes associated with the reported hazard.

The CSO will then prepare an agenda to discuss identified hazards and consequences with the Safety Committee during their meetings. This agenda may include additional background on the hazards and consequences, such as the results of trend analyses, vehicle camera footage, vendor documentation, reports and observations, or information supplied by FTA, NDDOT or other oversight authorities.

Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the SRM process for safety risk assessment and mitigation. This means the CSO believes

immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment that would constitute a violation of Environmental Protection Agency or North Dakota's environmental protection standards. Otherwise, the Safety Committee will prioritize hazards for further SRM activity.

Safety Risk Assessment

Safety risks associated with identified safety hazards are assessed using a safety risk assessment process. This includes an assessment of the likelihood and severity of the consequences of hazards, including existing mitigations, and prioritizing hazards based on safety risk.

The CSO and Safety Committee assess prioritized hazards using a Safety Risk Matrix. This matrix expresses assessed risk as a combination of one severity category and one likelihood level, also referred to as a *hazard rating*. For example, a risk may be assessed as "1A" or the combination of a Catastrophic (1) severity category and a Frequent (A) probability level.

This matrix also categorizes combined risks into levels, High, Medium, or Low, based on the likelihood of occurrence and severity of the outcome. For purposes of accepting risk:

- "High" hazard ratings will be considered unacceptable and require action to mitigate the safety risk,
- "Medium" hazard ratings will be considered undesirable and require the Safety Committee to make a decision regarding their acceptability, and
- "Low" hazard ratings may be accepted by the CSO without additional review.

Using a categorization of High, Medium, or Low allows for hazards to be prioritized for mitigation based on their associated safety risk.

The CSO schedules safety risk assessment activities on the Safety Committee agenda and prepares a Safety Risk Assessment Package. This package is distributed in advance of the Safety Committee meeting. During the meeting, the CSO reviews the hazard and its consequence(s) and reviews available information distributed in the Safety Risk Assessment Package on severity and likelihood. The CSO may request support from members of the Safety Committee in obtaining additional information to support the safety risk assessment.

Once sufficient information has been obtained, the CSO will facilitate completion of relevant sections of the Safety Risk Register using the Safety Risk Assessment Matrix, with the Safety Committee. The CSO will document the Safety Committee's safety risk assessment, including hazard rating and mitigation options for each assessed safety hazard in the Safety Risk Register. The CSO will maintain on file, Safety Committee agendas, Safety Risk Assessment Packages, additional information collection, and completed Safety Risk Register sections for a period of three years from the date of generation.

Safety Risk Mitigation

The Accountable Executive and CSO review current methods of safety risk mitigation and establish methods or procedures to mitigate or eliminate safety risk associated with specific hazards based on recommendations from the Safety Committee. Safety risk can be reduced by reducing the likelihood and/or severity of potential consequences of hazards.

Prioritization of safety risk mitigations is based on the results of safety risk assessments. The CSO tracks and updates safety risk mitigation information in the Safety Risk Register and makes the Register available to the Safety Committee during meetings and to the staff upon request.

In the Safety Risk Register, the Chief Safety Officer will also document any specific measures or activities, such as reviews, observations, or audits, that will be conducted to monitor the effectiveness of mitigations once implemented.

6. Safety Assurance

The Safety Assurance process:

- Evaluates compliance with operations and maintenance procedures to determine whether existing rules and procedures are sufficient to control safety risk;
- Assesses the effectiveness of safety risk mitigations to make sure the mitigations are appropriate and are implemented as intended;
- Investigates safety events to identify causal factors; and
- Analyzes information from safety reporting, including data about safety failures, defects, or conditions.

Safety Performance Monitoring and Measurement

Following are processes put in place to monitor the transit system for compliance with operations and maintenance procedures, including:

- Safety audits,
- Informal inspections,
- Regular review of onboard camera footage to assess drivers and specific incidents,
- Safety surveys,
- ESRP,
- Investigation of safety occurrences,
- Safety review prior to the launch or modification of any facet of service,
- Daily data gathering and monitoring of data related to the delivery of service, and
- Regular vehicle inspections and preventative maintenance.

Results from the above processes are compared against recent performance trends by the CSO to determine where action needs to be taken. The CSO enters any identified non-compliant or ineffective activities, including mitigations, back into the SRM process for reevaluation by the Safety Committee.

Activities to monitor operations which identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended.

Monitors safety risk mitigations to determine if they have been implemented and are effective, appropriate, and working as intended. The CSO maintains a list of safety risk mitigations in the Safety Risk Register. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The CSO establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns monitoring activities to the appropriate director, manager, or supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports; conducting job performance observations; or other activities. The CSO will endeavor to make use of existing processes and activities before assigning new information collection activities.

The CSO and Safety Committee will review the performance of individual safety risk mitigations during Safety Committee meetings, based on the reporting schedule determined for each mitigation, and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the Safety Committee will propose a course of action to modify the mitigation or take other action to manage the safety risk. The CSO will approve or modify this proposed course of action and oversee its execution.

The CSO and Safety Committee also monitors operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from accident, incident, and occurrence investigations;
- Monitoring employee safety reporting;
- Reviewing results of internal safety audits and inspections; and
- Analyzing operational and safety data to identify emerging safety concerns.

The CSO works with the Safety Committee and Accountable Executive to carry out and document all monitoring activities.

Activities to conduct investigations of safety events to identify causal factors.

Documented procedures are maintained for conducting safety investigations of events (accidents, incidents, and occurrences, as defined by FTA) to find causal and contributing factors and review the existing mitigations in place at the time of the event. These procedures also reflect all traffic safety reporting and investigation requirements established by North Dakota's Department of Motor Vehicles.

The CSO maintains all documentation of investigation policies, processes, forms, checklists, activities, and results. As detailed in the procedures, an investigation report is prepared and sent to the Accident/Incident Review Board for integration into their analysis of the event.

The Accident/Incident Review Board may consist of members that represent management, the union, operations, and maintenance. The CSO chairs the board. The Accident/Incident Review Board determines whether:

- The accident was preventable or non-preventable;
- Personnel require discipline or retraining;
- The causal factor(s) indicate(s) that a safety hazard contributed to or was present during the event; and
- The accident appears to involve underlying organizational causal factors beyond just individual employee behavior.

Activities to monitor information reported through internal safety reporting programs.

The CSO and Safety Committee routinely review safety data captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels. When necessary, the CSO and Safety Committee ensure that the concerns are investigated or analyzed through the SRM process.

The CSO and Safety Committee also review internal and external reviews, including audits and assessments, with findings concerning safety performance, compliance with operations and maintenance procedures, or the effectiveness of safety risk mitigations.

7. Safety Promotion

Competencies and Training

Comprehensive safety training program applies to all employees directly responsible for safety, including:

- Bus vehicle operators,
- Dispatchers,
- Maintenance technicians,
- Managers and supervisors,
- Agency Leadership and Executive Management,
- CSO, and
- Accountable Executive.

Resources are dedicated to conduct a comprehensive safety training program, as well as training on SMS roles and responsibilities. The scope of the safety training, including annual refresher training, is appropriate to each employee's individual safety-related job responsibilities and their role in the SMS.

Operations safety-related skill training includes the following:

- New-hire bus vehicle operator classroom and hands-on skill training,
- Bus vehicle operator refresher training,
- Bus vehicle operator retraining (recertification or return to work),
- Classroom and on-the-job training for dispatchers,
- Classroom and on-the-job training for operations supervisors and managers, and
- Accident investigation training for operations supervisors and

managers. Vehicle maintenance safety-related skill training includes the following:

- Ongoing vehicle maintenance technician skill training,
- Ongoing skill training for vehicle maintenance supervisors,
- Accident investigation training for vehicle maintenance supervisors,
- Ongoing hazardous material training for vehicle maintenance technicians and supervisors, and
- Training provided by vendors.

The Accountable Executive and Agency Leadership and Executive Management team must complete FTA's SMS Awareness online training.

Safety Communication

The CSO and Director of Human Resources and Training, coordinate safety communication activities for the SMS. Activities focus on the three categories of communication activity established in 49 CFR Part 673 (Part 673):

- **Communicating safety and safety performance information throughout the agency:**
Information is communicated on safety and safety performance through newsletters and during Staff Meetings along with a permanent agenda item in all monthly Drivers' Meetings dedicated to safety. Information typically conveyed during these meetings includes safety performance statistics, lessons learned from recent occurrences, upcoming events that may impact service or safety performance, and updates regarding SMS implementation. Also, requests for information from drivers during these meetings, which is recorded in meeting minutes. Finally, the Director of Human Resources and Training posts safety bulletins and flyers on the bulletin boards located in all bus operator and maintenance technician break rooms, advertising safety messages and promoting awareness of safety issues.
- **Communicating information on hazards and safety risks relevant to employees' roles and responsibilities throughout the agency:**
As part of new-hire training, safety policies and procedures are distributed, included in the Employee Handbook, to all employees. Training is provided on these policies and procedures and discussed during safety talks between supervisors and bus operators and vehicle technicians. For newly emerging issues or safety events at the agency, the CSO issues bulletins or messages to employees that are reinforced by supervisors in one-on-one or group discussions with employees.
- **Informing employees of safety actions taken in response to reports submitted through the ESRP:**
Targeted communication to inform employees of safety actions taken in response to reports submitted through the ESRP is provided, including handouts and flyers, safety talks, updates to bulletin boards, and one-on-one discussions between employees and supervisors.

8. Additional Information

Any documentation will be maintained which is related to the implementation of the SMS; the programs, policies, and procedures used to carry out this ASP; and the results from the SMS processes and activities for three years after creation. They will be available to the FTA, NDDOT, or other Federal or oversight entity upon request.

9. Definitions of Terms Used in the Safety Plan

Following are all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

- **Accident** means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; or an evacuation for life safety reasons.
- **Accountable Executive** means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.
- **Equivalent Authority** means an entity that carries out duties similar to that of a Board of Directors for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.
- **Event** means any Accident, Incident, or Occurrence.
- **Hazard** means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- **Incident** means an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.
- **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.
- **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
- **Occurrence** means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.
- **Operator** of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.
- **Performance measure** means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
- **Performance target** means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.

- **Public Transportation Agency Safety Plan (or Agency Safety Plan, ASP)** means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.
- **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.
- **Safety Assurance** means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
- **Safety Management Policy** means a transit documented commitment to safety, which defines the safety objectives and the accountabilities and responsibilities of employees regarding safety.
- **Safety Management System (SMS)** means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.
- **Safety performance target** means a performance target related to safety management activities.
- **Safety Promotion** means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.
- **Safety risk assessment** means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
- **Safety Risk Management (SRM)** means a process within an Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.
- **Serious injury** means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.
- **Transit agency** means an operator of a public transportation system.
- **Transit Asset Management Plan** means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

10. Commonly Used Acronyms

Acronym	Word or Phase
ADA	American's with Disabilities Act of 1990
ASP	Agency Safety Plan (also referred to as a PTASP in Part 673)
CFR	Code of Federal Regulations
CSO	Chief Safety Officer
ESRP	Employee Safety Reporting Program
FTA	Federal Transit Administration
MPO	Metropolitan Planning Organization
Part 673	49 CFR Part 673 (Public Transportation Agency Safety Plan)
SMS	Safety Management System
SRM	Safety Risk Management
U.S.C.	United States Code
VRM	Vehicle Revenue Miles

Appendix A

Safety Management Policy Statement

The management of safety is one of our core business functions. [Transit agency] is committed to developing, implementing, maintaining, and constantly improving processes to ensure that all our transit service delivery activities take place under a balanced allocation of organizational resources, aimed at achieving the highest level of safety performance and meeting established standards.

All levels of management and all employees are accountable for the delivery of this highest level of safety performance, starting with the [Chief Executive Officer (CEO)/Managing Director/or as appropriate to the organization].

[Transit agency] commitment is to:

- **Support** the management of safety through the provision of appropriate resources, that will result in an organizational culture that fosters safe practices, encourages effective employee safety reporting and communication, and actively manages safety with the same attention to results as the attention to the results of the other management systems of the organization;
- **Integrate** the management of safety among the primary responsibilities of all managers and employees;
- **Clearly define** for all staff, managers and employees alike, their accountabilities and responsibilities for the delivery of the organization's safety performance and the performance of our safety management system;
- **Establish and operate** hazard identification and analysis, and safety risk evaluation activities, including an employee safety reporting program as a fundamental source for safety concerns and hazard identification, in order to eliminate or mitigate the safety risks of the consequences of hazards resulting from our operations or activities to a point which is consistent with our acceptable level of safety performance;
- **Ensure** that no action will be taken against any employee who discloses a safety concern through the employee safety reporting program, unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures;
- **Comply** with, and wherever possible exceed, legislative and regulatory requirements and standards;

- **Ensure** that sufficient skilled and trained human resources are available to implement safety management processes;
- **Ensure** that all staff are provided with adequate and appropriate safety-related information and training, are competent in safety management matters, and are allocated only tasks commensurate with their skills;
- **Establish and measure** our safety performance against realistic and data-driven safety performance indicators and safety performance targets;
- **Continually improve** our safety performance through management processes that ensure that appropriate safety management action is taken and is effective; and
- **Ensure** externally supplied systems and services to support our operations are delivered meeting our safety performance standards.

[Accountable Executive]

Date



Bis-Man Transit Strategic Planning Session

September 12, 2020, 1:00PM

Attending in Person:

Shauna Laber (President, Board)

Lynn Wolf (Vice President, Board)

Glenn Lauinger (Board)

Lacey Long (Board)

Deidre (Staff)

Robin (Facilitator)

Attending Virtually:

Royce Schultz (Board)

Ben Ereth (City of Bismarck)

Steve Saunders (City of Bismarck)

Rachel Drewlow (City of Bismarck)

Nancy Guy (Bismarck City Commissioner)

A. Introductions and Expectations

1. Working towards action items – check-in points for forward progress. (Deidre)
2. Deidre's goals and vision/future - frequent check-in – linking agenda items to the plan to keep it in the front of our minds. Firm plan that gets us going for 3-5 years. Possibly more sustainable. (Nancy)
3. Plan creation with the team with a plan that leads to a more robust partnership with the community. (Shauna)
4. Increase the efficiency. and ridership of the fixed route services. (Lacey)
5. Expansion with paratransit and fixed route to include more community members (Royce)
6. Viable plan going forward for everyone to keep in mind for the moving forward with goals. Workable plan (Steve S)
7. Spending time together. Bolster the fixed route ridership and continue services for paratransit riders. Stabilization of finances for the organization. (Lynn)
8. Different capacity to participate. Set expectation – implementation component with what and when. (Ben)
9. Long term financial security. Increase fixed route ridership. (Glenn)

B. Group Norms and Housekeeping: Parking lot for items that are not directly related.

C. SWOT Survey Review:

a. Is the mission of Bis-Man Transit current and true?

Just under 70% said "Yes". Just over 30% said "For The Most Part". There were no answers for "Somewhat" or "No".

In discussion, all feel like the mission is being fulfilled. It is the cornerstone of who we are. Nancy said make the mission statement more prominent. Lynn said add to the top of the letterhead and busses. Ben said make the mission present in the overall culture (drivers, board, all staff).

b. Is the vision for Bis-Man Transit current and true?

Just over 20% said "Yes". Just over 30% said "For The Most Part". 10% said "Somewhat". Just over 30% said "No".

In discussion, there were mixed feelings on the vision. The majority of the members feel it is unknown and needs to be more dominant. Currently, there is a convoluted mix of

vision and mission. It affects the ability to put together a strategic plan. Without a vision, there is no way to move forward with options. Steps moving forward are:

- 1.) Update the current plan and address the 15-year vision.
- 2.) Create a 1-year plan, knowing that the organization is prepping for a more robust strategic plan with several meetings and address the lack of vision.
- 3.) Attempt to create a 3 to 5-year plan without a vision.

Deidre said the 3 to 5-year plan that is currently in place should be reviewed and tweaked to make it more acceptable. Lacey said she was concerned about biting off more than we can chew. Shauna said she was in favor of a one-year short plan due to the COVID-19 and the challenges that it brings. Lynn was in favor of a one-year plan with the idea that we will work towards a workable vision. Rachel said that key Board members were missing, that may create problems in the future. She also spoke about how can the one-year plan transition to an extended, longer term plan. Nancy agreed with Shauna and Rachel, and said she views the one-year plan as a bridge into a longer-term goal. She mentioned more participation from the Board. Royce agreed with the one-year plan.

c. What percentage of the current strategic plan was completed?

The range was 24% to 70%. The average was 47%. In discussion, bits and pieces were completed, but the goal was never fully realized. The previous plan was more than what was obtainable. The majority were comfortable with creating a one-year plan with one goal being the prep work to move towards a more sustainable, long term plan. Shauna indicated she did not want to govern a Board that is divided. It was discussed to identify 3 goals for the year to map out clear milestones & work toward the action planning.

d. What were the three biggest successes in the past two years?

7 Mentions – New Director
4 Mentions – Board relationships
4 Mentions – COVID-19 plan
3 Mentions – Financial understanding and future
4 Mentions – National Express bus contract
2 Mentions – CARES funding
1 Mentions – Bus wrap advertising, Community Outreach, CTAG, Driver Safety, Paratransit Changes, Renegotiation of the operations contract, Route evaluation.

Brought up during discussion, were healthy Board dynamics, with passionate people willing to commit time and talent, and the handling of the COVID-19 response may have improved public perception. Shauna commented that on the survey, the renegotiation of the operations contract was the same as the National Express bus contract.

e. What were two items in the current strategic plan that were not completed and need to be?

- Fix the fixed route and para-transit (balance budget to sustain future)
- Be there for public
- Addressing route issues to maximize ridership and value to the community
- Applying for and getting additional financial resources
- Update policies and procedures - Develop succession plan.
- Fiscal - Investment policy, leverage memberships, contract management policy.
- Marketing Plan
- Fixed Route plan to increase ridership and value to the community
- Marketing and fiscal
- No downtown HUB
- Bad headways for fixed route service
- Recommend fixed route system changes to achieve simplicity and efficiency.
- Design and implement a plan to bring operational efficiency to Para Transit
- Increasing Fixed Route Ridership
- Developing a contingency plan for contractor/City non-renewal
- Marketing needs to be addressed (and should be with new hire)
- Fixed route needs review

KEY POINTS:

1. Action Plans
2. Fixed Route
3. Funding
4. Marketing

f. If only one thing can be accomplished in the next three years so Bis-Man Transit can be successful, what is it?

- 10-year plan - What is the end game? How do we make a few steps in that direction?
- Increase ridership
- Promote fixed route to increase ridership
- Sound financial footing and clean audit
- Community support and participation
- Developing safe, efficient, timely fixed-route service
- Improve fixed-route ridership by 1) increasing headway of routes and 2) increase the number of routes offered
- Increasing the fixed route ridership
- Redefine most effective fixed routes to enhance ridership within the communities

KEY POINTS:

1. Fixed Route
2. Sustainability with Funding

Strengths & Opportunities

<ul style="list-style-type: none"> • Board • Director • City/MPO Relationship • Funding for future • new ED • great use of current board members on various standing committees to add value • new route task force is doing a great job to get public energized and use current resources more effectively • Using outside networking to get ad revenue more effectively in the past 5 months • looking to continue this growth and leveraging the community • Need continued city staff buy in and support • Safety • Affordable service • Knowledgeable Board • Positive working relationships with City • MPO • Operations • Marketing and Public Exposure • Transfer Center • Partnerships • Advertising revenue • Staff expertise & dedication • high demand for ParaTransit services • BOD expertise & dedication • Better understanding of operations and financial condition • Staff and BOD commitment to providing a high value service to the community. • Robust campaign for advertising on the buses • Apply technology to increase service value to riders • Increase service hours for both ParaTransit and Fixed Route 	<ul style="list-style-type: none"> • Re-designing fixed routes to increase ridership and value to the community Create a Transit Hub somewhere in downtown Bismarck for buying passes, changing buses, etc. • Concerned and informed leadership • Concerned and informed board • Support of cities • New Director • good will from public over Transit's handling of the COVID handling • transit in best financial shape it has been in years • New Executive Director • CARES funding and new State Grants • Young, fresh energy of staff • Positive relationship with Operations contractor • Replacement software for RouteMatch • • Deidre's leadership and the hiring of a new staff. • The quality, dedication and commitment of the Board of Directors. • CTAG and New Route Task Force commitment to improving public transportation. External: • The support received from the MPO and the City staff. • Opportunity for increased stakeholder involvement. • Ex Dir/Board (relationship between the two), • greater public involvement (CTAG) • partnership with city of Bismarck • National Express contract • Better relations with Mandan and Lincoln • more engagement with UMary and like routes, • Board evaluation process
--	---

In discussion, Shauna said she is seeing items in the works since Deidre took over. She also mentioned Glenn stepping in as a Board member in an interim capacity. She said people involved are doing great work, and the Fixed Route Task Force is moving in the right direction. She said currently strengths and opportunities are big wins.

Lynn agreed.

Nancy said there has been good progress recently that can be built on & said we should leverage Deidre, the Board, City relationships, Marketing and PR, and opportunities with CTAG.

Weaknesses & Threats

<ul style="list-style-type: none"> • Funding • Covid-19 • Ridership seems to continue to diminish, reflecting either a public transit system that is either not meeting public needs or the public doesn't need transit??? • Funding (both standard and expected as well as additional grants) in an economic recession/depression will be extraordinarily challenging. • Pandemic situation that lingers for years will create issues with people feeling safe to ride public transportation all over the USA - causing further deterioration of funding and support • Lack of fixed route exposure • Decreasing fixed route ridership • Staff training opportunities/admin staff retention • Customer services - dispatch and drivers • Rolling stock age • Funding • Driver retention • Decrease in ridership leads to not being award STIC funding. • Lack of central transit hub • High Risk audit status • Weak relationship with City Commission • Lack of clear vision for future • Lack of public awareness and support • Decreased funding (federal, state, local) • Increased costs 	<ul style="list-style-type: none"> • Loss of transfer stations at malls north & south Bismarck • Takeover of operations by City of Bismarck • Limitations on fiscal needs • Securing customers in using the transit • No downtown HUB • No succession Plan with small staff (short term/long term) • • Regaining financial footing with advertising on buses, benches, and website. • Lack of funding provided by local agencies • Reimbursement backlog still exists despite infusion from CARES Funding. • Low fixed-route ridership for a community of our size • Damaged Stakeholder/Rider relations that need to be repaired • Fixed Route ridership has been on the decline • The route changes made several years ago were not effective • A long-term plan for financial stability needs to be established in the next five years • A determination needs to be made concerning the viability of in-house operation of the system • A determination needs to be made concerning the viability of the City operating the system • Board governance, evaluation process of Ex Dir and Board • Inability to redefine most effective routes
--	---

- | | |
|---|--|
| <ul style="list-style-type: none"> • Disruptive technology (self-driving cars, etc.) • Continued reduced ridership • Loss of Federal Funding | |
|---|--|

It was discussed that the list needs to be addressed and goals need to be mitigated.

KEY POINTS:

1. Loss of Funding
2. Lack of Central Hub

Ben said the main themes were fixed route issues coupled with financial stability. In order to have better fixed route service, there needs to be more funding. He discussed take funding from para-transit or increase funding to allow for fixed route pain points to be addressed. CARES funding acted as a stop point, but may not have fixed the overall sustainability of the current issues.

Steve said the main themes were fixed route issues intertwined with the funding issues. He mentioned a lack of a central hub for the downtown area, and said it was a major weakness that affects the organization negatively.

Rachel discussed that although recognizing that fixed route is a major issue, we may need to branch out to work with Cities/Schools/Businesses. How can we create a better landscape for the fixed routes & said that more time spent on buses makes fixed route less attractive? An item that was brought up was increasing one bus is \$250,000, so it is a major undertaking & all were advised to keep this in mind when discussing the expansion and growth of the system.

Nancy commented on finding new funding sources. CARES was a blessing out of the blue for Bis-Man Transit. Traditional funding sources are unreliable or dying out over time. We need to look for opportunities to seek out untapped grant money, and delve into decreasing fixed route ridership. Do we know what our riders really want? She said transfer points are frequently brought to her attention. She also said we need a succession plan in the event the City does not wish to continue with the service, or extend the contract to Bis-Man Transit. She also brought up transfer points & a main hub.

Lynn said the funding piece is a major concern. How have we been able to sustain this long? Ho can we impress upon the cities, specifically Mandan, that public transportation is extremely important, so they are willing to provide funding options. It was also discussed that we should somehow work with high school and middle schools

to tap into that ridership, and would be interesting to see if there is a way to tie the new route task force into the school districts. Lynn also commented on the marketing piece, and said we should continue to build up on the marketing plan.

Glenn commented that if the City did not extend the contract, Bis-Man Transit would liquidate and be no more. It was also discussed that the CARES funding gives us a 5-year window to figure out the major issues. Current funding means a \$500,000 deficit for our operations as it is. We need to look for opportunities to potentially bring the operations contractor in-house possibly 2 to 3 years from now, which may result in some cost reductions. Deidre would need to do a great deal of research into this. The CARES funding gives us an opportunity to figure a lot of these items out.

The group took a break from 11:17AM – 11:50AM.

D. Breakout Session

GROUP 1 – Funding – Rachel, Ben, Royce, Shauna, Glenn

GROUP 2 – HUB/Fixed Route – Deidre, Lacey, Lynn, Nancy, Steve

Is the central hub a viable option?

1. Is it still a goal for us to study and look into?
 - a. Study to determine the viability of establishing a fixed hub – if not, need to stop conversations about this.
 - b. How to leverage a partnership with colleges, automated ticketing, staffing needs.
 - i. West Acres Mall in Fargo has a hub in the building
 - c. Steve – A feasibility study will begin conversation; however, unsure of the success. Start the conversation somehow (City, partners) through the Bismarck City Commission to start the dialogue. What are the choices and what are some of the thoughts.
 - i. UMary now owns the building, and public health is renting and looking for a new location.
 - ii. Plans to tear down in the near future have changed.
 - iii. As current Police Department building is restructured, look at possibility of working a transfer hub into the building
 - iv. City of Bismarck does not currently own the strip mall on 5th street. It is currently owned by Bismarck Industries.

Additional discussion was had about starting the conversation with a year would be a reasonable one-year goal. The group was asked to identify one partner / one potential site.

Lynn – Interested in solidifying a partnership with UMary in order to have a central hub.

Steve – Work through a few possibilities and what feasibility is for it to become reality. A downtown subarea study conversation is what triggered this conversation.

Nancy – Feels there is a need to have a study to answer the questions of pricing and specifics of building. Suggested a feasibility study to identify possible locations and partnerships for a central hub in south and central Bismarck.

Deidre – Suggested a small kiosk in the parking lot of UMary that would not allow rolling stock to enter the building. This would allow Front Avenue to remain the main downtown hub

MILESTONES:

- Review of all City planning documents to uncover all possible locations
- Conducting interview with key partners – City Commission, University of Mary, Bismarck Industries
- What are the minimal requirements for a central hub? (Size for buses to turn around, etc.)
- Creation of a Task Force for the hub to be done during the second 6-months of the plan.
 - Could begin earlier if Board commits to hiring a vendor for the feasibility study. Would work with Community Development on pricing.
 - Board members & CTAG.

E. Fixed Route Revamp

- a. Finish the New Route Task Force project

F. Funding Conversations

- a. **GOAL:** Create a vision statement
 1. Vision for the future – Create a vision and vision statement for Bis-Man Transit by hosting a vision session
 2. Bring it to the Board for approval.
 - a. Determine users' needs through established stakeholder relationships.
 - b. Host a visioning session for the Board members
 - c. Adopt the vision Statement
 3. Integrate the vision into the fabric of Bis-Man Transit

Deidre said we should continue to communicate with the various stakeholders including colleges, hospitals, agencies, etc. This should be brought to the table when establishing this vision.

- b. **GOAL:** Increase advertising revenue to \$80,000 by December 31, 2021
 1. **MILESTONE:** Identify advertising income schedule by March 31, 2021.

- c. **GOAL:** Identify and apply for a minimum of one new grant not previously received in 2019 or 2020.
- d. **GOAL:** Investigate and determine the viability of revenue bus services with community stakeholders.
 - 1. Determine if BSC & UMary need closed loop routes.
 - 2. Determine if hospitals / medical facilities require shuttle options.
 - 3. Ensure all FTA guidelines are followed during this process.
- e. **GOAL:** Executing the plan developed by the Fixed Route Task Force
 - 1. Conduct public comment period.
 - 2. Secure approval of the Transit Board.
 - 3. Conduct public hearing.
 - 4. Secure approval by the City Commission.
 - 5. Communicate the changes to current users.
 - 6. Promote the new routes to encourage use.
 - 7. Roll out the changes with Operations.
- f. **GOAL:** Quarterly calibration of the annual plan by the Board.

MEMORANDUM

Date: September 12, 2020

To: Shauna Lauber, Board President, Bis-Man Transit
Deidre Hughes, Executive Director, Bis-Man Transit

From: Robin Thorstenson, Planning Session Facilitator

SUBJ: Annual Planning Session Summary and Recommendations

Thank you for the opportunity to facilitate Bis-Man Transit's planning session. The commitment to your mission was evident in the conversations throughout the day. As a result, the attendees were able to draft an annual plan with seven (7) goals and critical action steps.

Following is a summary of the planning session, the draft annual plan and commitments by the board to ensure plan completion.

Early discussions resulted in a shift in the day's focus. The group agreed that there is a lack of awareness of a vision statement and that a vision statement is critical to an effective strategic plan. The group agreed that the review or development of a vision statement should be based on the input of the entire board and other stakeholders. Recognizing that this planning session was not designed to be a visioning session, the group opted to scale the focus of this session to a one-year plan.

After a review of the SWOT survey results, the attendees identified the following priorities for the next 15 months:

- Marketing
- Sustainable Funding
- Fixed Routes
- Central Hub creation

The group added the creation of a vision statement to the priority list. Then the group developed goals and identified milestones critical for success. The draft annual plan is attached.

Board President Shauna Lauber made several commitments on behalf of the board to ensure plan success. The board will review the draft plan for approval at its September meeting. The board will include in its consent agenda a progress report. And, the board will conduct a quarterly calibration to assess currency of the plan and adjust accordingly. Furthermore, the board will be responsible for executing the goal to create a vision statement which is essential the development of an effective strategic plan.

Bis-Man Transit Strategic Planning Discussion Guide & Summary Notes

Participating: Shauna Lauber, Glenn Lauinger, Lynn Wolfe, Lacey Long, Royce Schultze, Nancy Guy, Ben Ehreth, Steve Saunders, Rachel Drewlow, Deidre Hughes

- **Introductions and Expectations**

Participants share a desired outcome for the planning session. Key themes of those outcomes were 1) the creation of an actionable, pertinent plan; 2) focus on securing financial stability; 3) focus on fixed route ridership

- **Group Norms and Housekeeping**

- **SWOT Survey Review**

- **Key Themes & Observations**

Mission: The group noted that the mission statement could be communicated more widely and more frequently. The group offered specific suggestions to do so.

Successes: The group noted that most of the successes were relatively recent and see them as sustainable

Priorities: Four areas were identified as priorities:

- Marketing
- Sustainable Funding
- Fixed Routes
- Central Hub creation

- **A Vision for Bis-Man Transit**

The group agreed that there is a lack of awareness of a vision statement and that a vision statement is critical to an effective strategic plan. The group agreed that the review or development of a vision statement should be based on the input of the entire board and other stakeholders. Recognizing that this planning session was not designed

to be a visioning session, the group opted to scale the focus of this session to a one-year plan.

- **Where do we go from here?**

The group chose to create the skeleton of an annual plan that would include a goal to create a vision statement. By doing so, the work for the next 15 months is mapped out while allowing pivots due to the pandemic. And the agency will be better positioned to create an effective, pertinent strategic plan with all the needed stakeholders at the table.

- **Building the foundation of a plan**

The group identified seven (7) goals and key action steps to be completed by December 21, 2021. The draft action plan is included in this document.

- **Next Steps and Commitments**

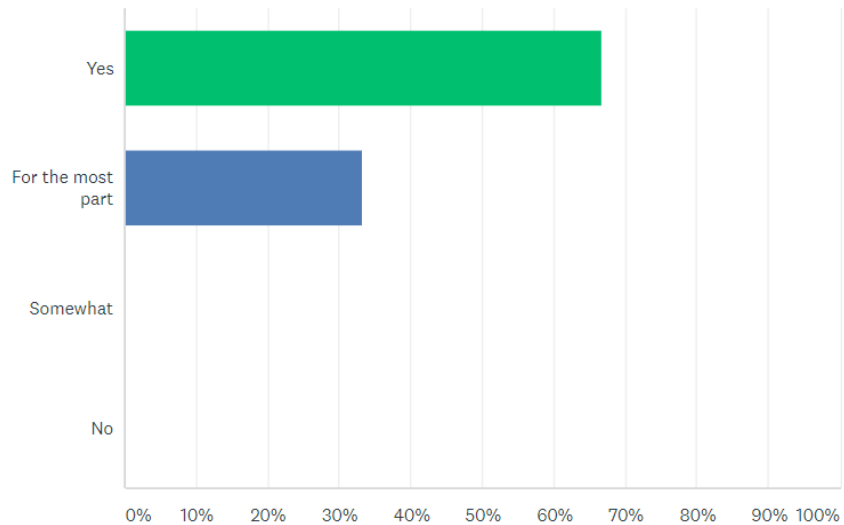
On behalf of the board, President Shauna Lauber committed to the following:

- The board will be asked to review and approve the annual action plan for 2020-2021.
- The board will include a progress report on the annual plan in the consent agenda.
- The board will conduct a quarterly calibration during they will review and assess the plan for currency and needed adjustments.

Bis-Man Transit Strategic Planning SWOT Survey Summary

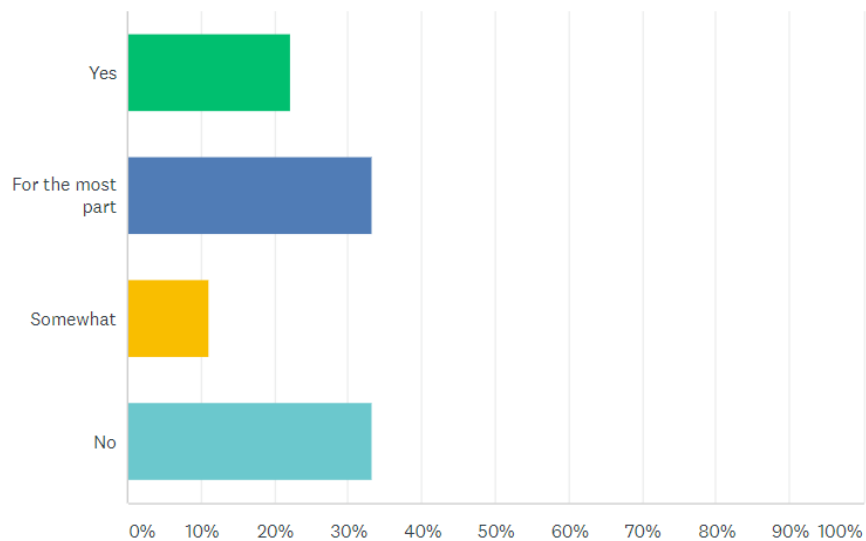
Is the mission of Bis-Man Transit current and true?

Answered: 9 Skipped: 1



Is the vision for Bis-Man Transit current and true?

Answered: 9 Skipped: 1



What percentage of the current strategic plan was completed?

Answered: 9 Skipped: 1

Range 24 to 70%;

Average 47%

What were the three biggest successes in the past two years?

Answered: 10 Skipped: 0

# of mentions	SUCCESS
7	New Director
4	Board relationships
4	Covid-19 Plan
3	Financial understanding and future
3	National Express bus contract
2	CARES funding
	Bus wrap advertising
	Community Outreach
	CTAG
	Driver Safety
	Paratransit changes
	Renegotiation of the operations contract
	Route evaluation

What were two items in the current strategic plan that were not completed and need to be?

Answered: 9 Skipped: 1

- Fix fixed route and para (balance budget to sustain future)
- Be there for public
- Addressing route issues to maximize ridership and value to the community
- Applying for and getting additional financial resources
- Update policies and procedures - Develop succession plan.
- Fiscal - Investment policy, leverage memberships, contract management policy.
- Marketing Plan
- Fixed Route plan to increase ridership and value to the community
- Marketing and fiscal
- No downtown HUB
- Bad headways for fixed route service
- Recommend fixed route system changes to achieve simplicity and efficiency.
- Design and implement a plan to bring operational efficiency to Para Transit
- Increasing Fixed Route Ridership
- Developing a contingency plan for contractor/City nonrenewal
- Marketing needs to be addressed (and should be with new hire)
- Fixed route needs review

If only one thing can be accomplished in the next three years so Bis-Man Transit can be successful, what is it?

Answered: 9 Skipped: 1

- 10 year plan - What is the end game? How do we make a few steps in that direction?
- Increase ridership
- Promote fixed route to increase ridership
- Sound financial footing and clean audit
- Community support and participation
- Developing safe, efficient, timely fixed-route service
- Improve fixed-route ridership by 1) increasing headway of routes and 2) increase the number of routes offered
- Increasing the fixed route ridership
- Redefine most effective fixed routes to enhance ridership within the communities

Strengths & Opportunities

<ul style="list-style-type: none"> • Board • Director • City/MPO Relationship • Funding for future • new ED • great use of current board members on various standing committees to add value • new route task force is doing a great job to get public energized and use current resources more effectively • Using outside networking to get ad revenue more effectively in the past 5 months • looking to continue this growth and leveraging the community • Need continued city staff buy in and support • Safety • Affordable service • Knowledgeable Board • Positive working relationships with City • MPO • Operations • Marketing and Public Exposure • Transfer Center • Partnerships • Advertising revenue • Staff expertise & dedication • high demand for ParaTransit services • BOD expertise & dedication • Better understanding of operations and financial condition • Staff and BOD commitment to providing a high value service to the community. • Robust campaign for advertising on the buses • Apply technology to increase service value to riders • Increase service hours for both ParaTransit and Fixed Route 	<ul style="list-style-type: none"> • Re-designing fixed routes to increase ridership and value to the community • Create a Transit Hub somewhere in downtown Bismarck for buying passes, changing buses, etc. • Concerned and informed leadership • Concerned and informed board • Support of cities • New Director • good will from public over Transit's handling of the COVID handling • transit in best financial shape it has been in years • New Executive Director • CARES funding and new State Grants • Young, fresh energy of staff • Positive relationship with Operations contractor • Replacement software for RouteMatch • • Deidre's leadership and the hiring of a new staff. • The quality, dedication and commitment of the Board of Directors. • CTAG and New Route Task Force commitment to improving public transportation. External: • The support received from the MPO and the City staff. • Opportunity for increased stakeholder involvement. • Ex Dir/Board (relationship between the two), • greater public involvement (CTAG) • partnership with city of Bismarck • National Express contract • Better relations with Mandan and Lincoln • more engagement with UMary and like routes, • Board evaluation process
--	--

Weaknesses & Threats

<ul style="list-style-type: none"> • Funding • Covid-19 • Ridership seems to continue to diminish, reflecting either a public transit system that is either not meeting public needs or the public doesn't need transit??? • Funding (both standard and expected as well as additional grants) in an economic recession/depression will be extraordinarily challenging. • Pandemic situation that lingers for years will create issues with people feeling safe to ride public transportation all over the USA - causing further deterioration of funding and support • Lack of fixed route exposure • Decreasing fixed route ridership • Staff training opportunities/admin staff retention • Customer services - dispatch and drivers • Rolling stock age • Funding • Driver retention • Decrease in ridership leads to not being award STIC funding. • Lack of central transit hub • High Risk audit status • Weak relationship with City Commission • Lack of clear vision for future • Lack of public awareness and support • Decreased funding (federal, state, local) • Increased costs • Disruptive technology (self-driving cars, etc.) • Continued reduced ridership • Loss of Federal Funding 	<ul style="list-style-type: none"> • Loss of transfer stations at malls north & south Bismarck • Takeover of operations by City of Bismarck • Limitations on fiscal needs • Securing customers in using the transit • No downtown HUB • No succession Plan with small staff (short term/long term) • • Regaining financial footing with advertising on buses, benches, and website. • Lack of funding provided by local agencies • Reimbursement backlog still exists despite infusion from CARES Funding. • Low fixed-route ridership for a community of our size • Damaged Stakeholder/Rider relations that need to be repaired • Fixed Route ridership has been on the decline • The route changes made several years ago were not effective • A long-term plan for financial stability needs to be established in the next five years • A determination needs to be made concerning the viability of in-house operation of the system • A determination needs to be made concerning the viability of the City operating the system • Board governance, evaluation process of Ex Dir and Board • Inability to redefine most effective routes
---	--

Bis-Man Transit 2020-2021 Annual Plan (draft)

Goal: Create a vision statement.

- Determine users' needs through established stakeholder relationships
- Host a visioning session for the board members
 - Add to next board meeting agenda – when and how
- Adopt the vision statement
- Integrate that vision into the fabric of the organization

Goal: Increase advertising revenue to \$80,000 by December 31, 2021.

- Identify advertising income schedule by 3/31/20.

Goal: Identify and apply for a minimum of one new grant not previously received in 2019 or 2020.

Goal: Investigate and determine the viability of revenue bus services with community stakeholders with consideration of FTA regs.

- Determine if BSC and/or University of Mary need closed loop routes
- Determine if hospitals, medical facilities require shuttle options

Goal: Identify possible locations and partnerships for a central hub in south or central Bismarck.

- Review pertinent city planning documents to uncover all possible locations
- Conduct interviews with potential key partners including city commission, UMary, Bismarck Industries
- Determine the minimal requirements for the centralized hub would be
- Create a task force upon completion of the work of the Fixed Route task force to undertake the hub initiative

Goal: Executing the plan developed by the Fixed Route Task Force.

- Secure approval by the Transit Board
- Conduct public comment period
- Secure approval by the City Commission
- Communicate the changes to current users
- Promote the new routes to encourage use
- Roll-out the changes with operations

Goal: Quarterly calibration of the annual plan by the board.

- Monthly progress reports provided to board
- Quarterly calibration would be a dedicated board discussion

AGREEMENT

The City of Bismarck, hereinafter the "City", and Bis-Man Transit Board, hereinafter "Public Transit", agree as follows:

WHEREAS, Public Transit will provide the City a fixed route public transportation service and an ADA regulated complementary Para-transit service.

WHEREAS, funding for these programs will be provided by Local agencies, Local governments, the State of North Dakota, the U.S. Department of Transportation, and the Federal Transit Administration (FTA); and

WHEREAS, the actual transit services may be provided by private-for-profit or private-non-profit transportation providers under contract with Public Transit.

The City and Public Transit agree that Public Transit shall provide the transportation services for this program subject to the following terms and conditions:

1. Contract term shall expire December 31, 2021, with an option to extend the contract twice, for five (5) years each. This contract may be terminated by either party with 120-day written notice.
2. Public Transit will be comprised of a governing council to which input regarding the operation of the system can be forwarded. This input shall be used in future decisions regarding the operation of the system pursuant to the Policy for Fare and Service Changes (or as amended) which will be forwarded to the City for approval, amendment or denial.
3. This agreement shall not be assigned without express written consent of the City.

General Terms of Service:

1. Service Area:
 - a. Service area will be the cities of Bismarck and Mandan and other areas determined by demand and other prevailing circumstances.
 - b. The service area will be set by Public Transit and approved by the City Commission, as described in the Policy for Fare and Service Changes (or as amended).
2. Hours of Service:
 - a. Para-transit: Service shall be provided at a minimum of the same operating hours as fixed route service or as otherwise increased by Public Transit.
 - b. Fixed Route: Hours vary according to current published route schedules.

- c. Hours of service will be set by Public Transit and approved by the City Commission, as described in the Policy for Fare and Service Changes (or as amended).
3. Fares:
 - a. Fares and methods of payments will be set by Public Transit and approved by the City Commission. The City may choose to alter fares during the course of the contract. If the City raises or lowers the fare this increase/decrease will be passed on to Public Transit and will have no impact on the overall reimbursement rates per trip to Public Transit's providers.
4. Fixed Routes and Transit Hub:
 - a. Minor Routes: Minor Route Changes are subject to modification by Public Transit as described in the Policy for Fare and Service Changes (or as amended).
 - b. Major Routes: Fixed Routes will be set by Public Transit and approved by the City Commission, as described in the Policy for Fare and Service Changes (or as amended).
 - c. Transit Hub: Transit Hubs may be established or relocated by Public Transit, and will be approved by the City Commission, as described in the Policy for Fare and Service Changes (or as amended).
5. Ridership:
 - a. Para-transit: Rider eligibility is restricted to those persons who have been certified by Public Transit, pursuant to ADA eligibility standards or as otherwise described in Public Transit eligibility policy.
 - b. Public Transit reserves the right to modify the methods and standards used to certify users and must do so in compliance with the Americans with Disabilities Act.
 - c. Fixed Route: The Fixed Route system is open to the general public.
6. Passenger Assistance:
 - a. Para-transit: As a minimum standard, the Para-transit service will provide origin-to-destination passenger assistance.
 - b. Fixed Route: As a minimum standard, the Fixed Route service will operate to the standards assigned by FTA.
7. Two-Way Communication: Public Transit must ensure two-way communication is available for use between each driver and dispatch at all times on revenue vehicles.
8. Complaints: Any complaints that the City receives regarding the brokered Transit service will be forwarded to Public Transit. All complaints will be managed per Public Transit policies and FTA standards.
9. Vehicle Identification: All revenue vehicles will be marked with the service name, telephone number, and vehicle number.

Physical Facilities:

1. Public Transit will be responsible for providing all facilities, equipment and personnel necessary to carry out this brokerage contract, except for the main transit facility at 3750 E. Rosser Avenue, Bismarck, ND, 58501, revenue and service vehicles, and any other equipment or items which the City may choose to provide.
2. Public Transit shall use the office and transit garage facility provided by the City to house all personnel and support equipment at one location unless otherwise agreed between the parties. It is the responsibility of Public Transit to furnish all necessary support equipment, such as office furniture, files, and a telephone system.

Fiduciary Elements and Responsibilities:

1. Public Transit shall comply with all uniform administrative, cost principles, and audit requirements per 2 CFR Part 200 for the use of FTA funding in the administration of all related contracts
2. Annual Budget: Public Transit shall submit a report of the budgeted Bismarck Mill Levy and Federal Grants, based on the upcoming calendar year, for the City annual budget approval, no later than July 1.
3. Annual Audit: Public Transit shall have its books of record, and those of the system, audited in accordance with Federal audit specifications each fiscal year. A copy of said audit, covering the fiscal year, shall be provided to the City before July 1 of any given year. Public Transit shall respond and clear all findings, qualified opinions, and material weaknesses within the timeframe specified by the City. All records must be available to the City or Federal authorities as described in Federal and Local record keeping guidelines.
4. FTA Grants:
 - a. At the end of each month Public Transit shall submit any required documentation to the City to receive FTA reimbursement payments for their own operations and/or operations of contracted service providers.
 - b. Public Transit will provide all necessary monthly operating and financial reports reconciled by the Transit administrator and compiled on a computerized financial software program, based on provider and Public Transit data.
 - c. Public Transit shall comply with all Federal and State requirements for the use of FTA funding in the administration of all related contract.
 - d. Each month Public Transit shall submit billing for the Federal portion of Transit services. The City shall reimburse the Federal share of costs to Public Transit as soon as possible.
 - e. Public Transit will also be responsible for raising the Local, non-Federal share to match the FTA transit grant for these services.

5. Procurement Policy: Public Transit shall be responsible for preparation of specifications for all new equipment procurements in accordance with Public Transit's Procurement Policy. All such equipment purchases in excess of \$25,000 must be approved by the City Commission.
6. Tax Exemption: The City sales tax exempt number may be applied to Public Transit purchases for equipment in the amount of \$5,000 or greater.
7. Insurance: Public Transit shall provide all applicable insurance as specified by Appendix Part I, either directly or through its sub-contracting providers. All policies shall list the City of Bismarck as an additional insured. Certificates of insurance shall be provided to the City annually or whenever coverage is bound.
8. City Administrative Fee: Public Transit will pay the City an administrative fee based on the annual cost allocation formula for administrative support services.

Public Transit Responsibilities/ Functions: Public Transit will be responsible for the following functions related to administering the coordinated, brokered transit system:

1. Public Transit shall comply with all fiscal responsibilities as outlined in the section 'Fiduciary Elements and Responsibilities'
2. Duties to the City and Public:
 - a. Public Transit shall comply with all Federal requirements established by FTA in the administration of all related contracts, on behalf of the City.
 - b. Public Transit shall seek approval from the City Commission on fare changes, major service changes, Federal funding opportunities, and any other items as outlined in the Fare and Service Change Policy (or as amended). Day-to-day operational policies, necessary to meet the brokered public transportation contract, shall be the purview of Public Transit.
 - c. Certify all riders and maintain and update a computerized file of all persons registered to use the Para-transit service.
 - d. Distribute service information materials to the public.
 - e. Sell prepaid fare tickets to the public and human service agencies.
3. Duties Regarding Third Party Providers:
 - a. If third-party providers will be used, Public Transit will solicit proposals from service providers to furnish system trips pursuant to all Federal regulations and negotiate contracts for same.
 - b. Monitor and enforce provider compliance and performance, as outlined in each provider contract with Public Transit.
 - c. Distribute service information materials to the providers.
4. Duties to Transit Services and Operating Systems:

- a. Public Transit shall collect all system operating data necessary for completion of all Federal, State, and Local reports from its providers and shall submit all reports in a timely manner.
 - b. Public Transit shall maintain all system assets in good mechanical and safe operating condition, including all vehicles, equipment, shelters and buildings. Public Transit will ensure providers development preventive maintenance programs for assets in their charge. The City reserves the right to perform quality reviews.
5. Transit Administrator: Public Transit must designate an on-site Transit Administrator, whose primary function is the management and oversight of all Public Transit services performed. This individual will serve as the point of contact for communication regarding the system. Public Transit must designate a person or staff position that would act on behalf of the Transit Administrator in the event that the Transit Administrator is not able to carry out her/his functions.

City Responsibilities/Functions: The City will be responsible for the following functions related to administering the coordinated, brokered transit system:

1. The City shall comply with all fiscal responsibilities as outlined in the section 'Fiduciary Elements and Responsibilities'
2. The City will be responsible for final review and approval of Federal grants and fare changes, major route changes, and other items as outlined in the Fare and Service Change Policy (or as amended).
3. The City will review the annual budget of Public Transit as part of the subrecipient monitoring process. The budget will be provided to the grants coordinator.
4. City must comply with functions connected with the Federal and State requirements, including liaison with the Federal Transit Administration on all grant and programmatic requirements.
5. The City reserves the right to perform quality reviews of the operating system.
6. The City reserves the right to take inventory of City owned equipment and facilities which are used by Public Transit.
7. The City will designate a representative whose duties include: attend regularly scheduled Public Transit meetings, oversee the administration of FTA funds on behalf of the City, and other activities as needed.

Policy for Fare and Service Changes:

Protocol for Fare and Service Changes are approved as a separate, stand-alone document and are outlined in the Policy for Fare and Service Changes (or as amended).

Advertising Standards:

Public Transit shall exercise discretion in approval of third party advertisements, and the City or City Representative reserves the right to reject any such advertising.

Relationship of City and Public Transit:

Nothing in this agreement shall render the City in any way as a partner, joint venture participant or associate in any way with Public Transit in the operation of public transportation, or subject the City to any obligation, loss, charge or expense in connection with or arising from the operation of the leased premises.

Hold Harmless Clause:

Public Transit agrees to protect, defend, indemnify and hold the City, its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, suits, causes of action, and judgments of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance hereof, except for those actions arising out of the City's own negligence. Without limiting the generality of the foregoing, any and all such claims, etc., relating to personal injury, infringement of any patent, trademark, copyright (or application for any thereof) or of any other tangible or intangible personal or property right, or actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or decree of any court, shall be included in the indemnity hereunder. Public Transit further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc., at his/her sole expense and agrees to bear all other costs and expenses related thereto (including attorney fees and court costs), even if such claim is groundless, false or fraudulent.

Waiver:


No delay or omission in the exercise of any right or in the enforcement of any provision of this agreement shall impair such a right or enforcement or be construed as a waiver. Any waiver of any requirement, term or provision of this agreement by the City must be in writing.

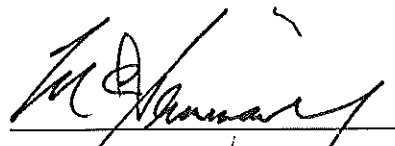
Non-Discrimination Clause:

Public Transit agrees that in the administration of the services, it shall not discriminate against any person, in accordance with all applicable Federal, State and Local regulations.

Effective Date. This agreement, with the Appendix, becomes effective on April 18, 2017, upon signature indicated by the following execution of the parties.

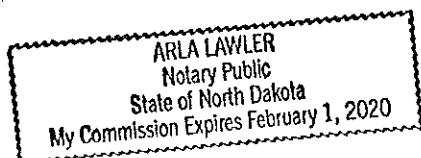
Dated this 18 day of April, 2017.

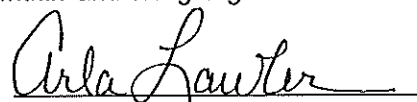
CITY OF BISMARCK

Keith J. Hunke
City Administrator


Michael C. Seminary, President
Board of City Commissioners

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this 18th day of April, 2017, before me personally appeared Mike Seminary, President of Board of City Commissioners, and Keith Hunke, City Administrator, known to me to be the persons who are described in, and who executed the within and foregoing instrument and who severally acknowledged to me that they executed the same.

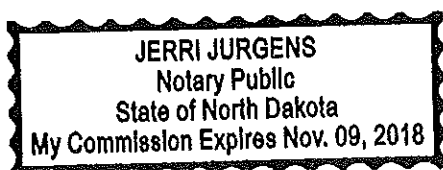


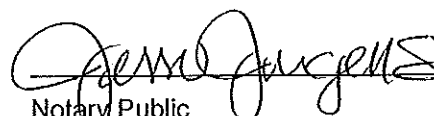

Arla Lawler, Legal Secretary


Ben Ehreth, President
Bis-Man Transit Board

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this 27 day of April, 2017, before me personally appeared _____, known to me to be the person described in, and who executed the within and foregoing instrument and who severally acknowledged to me that he/she executed the same.




Notary Public

Appendix I: Minimum Insurance Requirements

MINIMUM INSURANCE REQUIREMENTS

Lessee shall, at its expense, maintain insurance in full force and effect during the term of this Agreement in such amounts as to meet the minimum limits of liability specified in this Appendix Part I. Insurance shall be placed with companies or underwriters satisfactory to the City. The insurance policy(ies) shall be the standard commercial general liability insurance coverage, covering all operations of the Lessee within the City of Bismarck and shall include, but not by way of limitation, personal injury, property damage, products liability, automobile, and contractual coverage. The City of Bismarck, its elected and appointed officials, agents and employees shall be named as additional insureds with respect to Lessee's operations which are the subject of this Agreement.

Lessee shall, at its own cost and expense, take out and maintain such insurance for the term of this Agreement as the Lessee is required under the Workers' Compensation Act; and also take out and maintain such public liability as will protect the Lessee, the City and its contractors from any claims for damage to persons, property, etc., arising out of, occurring or caused by operations under this Agreement by the Lessee or otherwise arising out of this Agreement. The policy will provide the amounts of insurance specified in this *Appendix Part I*. Upon execution of this Agreement, the Broker will provide the City with certificates of insurance in a form acceptable to the City. Each certificate shall have endorsed thereon a clause naming the City of Bismarck, its elected and appointed officials, agents and employees as additional insured under the policies with respect to Lessee's operations which are the subject of this Agreement.

No cancellation or change in the policy shall become effective until after thirty (30) days' notice by registered mail to the City Administrator, PO Box 5503, Bismarck, ND 58506. "Endeavoring to provide" thirty (30) days' notice of cancellation or change in the policy is not an acceptable endorsement.

Failure of Lessee to take out and/or maintain, or the taking out and/or maintenance of any required insurance shall not relieve Lessee from any liability under this Agreement, nor shall the minimum insurance requirements be construed to conflict with the obligations of Lessee concerning indemnification.

The coverage shall not be less than the amounts specified in *Appendix Part I*; such limits are subject to periodic adjustments upward by Lessee based on Lessee's own assessment of the risks associated with its operations. City shall not in any event be liable for any shortfall in Lessee's coverage.

All insurance must be in effect and so continue during the life of this Agreement in not less than the following amounts:

- A. Workers' Compensation Unlimited-Statutory- in compliance with the Compensation Law of the State of North Dakota.
- B. Comprehensive Commercial Liability Insurance with a combined single limit of \$3,000,000 per occurrence. This insurance shall indicate on the Certificate(s) of insurance the following coverages:

Comprehensive Commercial Liability consisting of:

Premises/Operations
Contractual Liability
Independent Contractors
Products and Completed Operations
Broad Form Property Damage
Personal Injury

- C. Auto Liability Insurance with a combined single limit of \$2,000,000 per occurrence for all owned, non-owned and hired vehicles.

AMENDMENT 1 TO AGREEMENT

The Agreement dated April 18, 2017, between the City of Bismarck and the Bis-Man Transit Board shall be amended as follows:

1. Paragraph 5 of the Section entitled **Fiduciary Elements and Responsibilities** is deleted and replaced with the following language:

5. Public Transit shall be responsible for preparation of specifications for all procurements in accordance with Federal, City, and Public Transit procurement policies. The City representatives will review procurements specific to Federal and City policies. All proposed procurements in excess of \$25,000 must be approved by the City's representative prior to execution. All equipment purchases in excess of \$25,000 must be approved by the Bismarck Board of City Commissioners prior to execution.

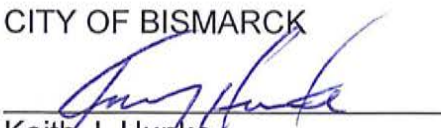
2. Paragraph 6 of the Section entitled **City Responsibilities/Functions** is deleted and replaced with the following language:

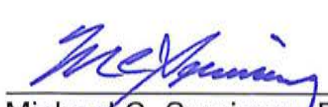
6. Pursuant to FTA regulations and guidelines, the City, as the FTA grant recipient, will have the final authority regarding the care and maintenance of all City owned property provided for Public Transit's use under this Agreement. This includes the real property and improvements thereon owned by the City as well as any equipment and rolling stock owned by the City. Upon notice to Public Transit or its contractor, the City reserves the right to inspect any City owned facilities and equipment used by or in the possession of Public Transit during normal business hours. The City will implement and conduct routine inspections of the facilities and equipment owned by the City and will approve fleet maintenance schedules and warranty monitoring. The City and Public Transit will work together to coordinate required facility and equipment maintenance and warranty work, including maintenance and repairs performed by Public Transit's contractor.

All of the other terms, conditions and provisions of the April 18, 2017 Agreement not specifically amended by this Amendment 1 shall remain in full force and effect.

Dated this 12th day of September, 2017.

CITY OF BISMARCK

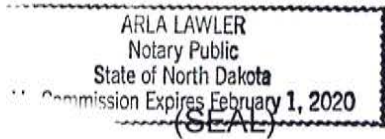

Keith J. Hurke
City Administrator


Michael C. Seminary, President
Board of City Commissioners

STATE OF NORTH DAKOTA)
) SS

COUNTY OF BURLEIGH)
STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this 12th day of September, 2017, before me personally appeared Michael C. Seminary, President of Board of City Commissioners, and Keith J. Hunke, City Administrator, known to me to be the persons who are described in, and who executed the within and foregoing instrument and who severally acknowledged to me that they executed the same.



Arla Lawler
Arla Lawler
Notary Public, Burleigh County,
North Dakota.

BIS-MAN TRANSIT BOARD

Steve Heydt
Steve Heydt, President
Bis-Man Transit Board

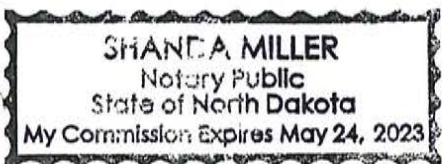
STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this 15 day of September, 2017, before me personally appeared Steve Heydt, President of the Bis-Man Transit Board, known to me to be the person who is described in, and who executed the within and foregoing instrument and who acknowledged to me that he executed the same.

Shanda Miller

(SEAL)

Notary Public, Burleigh County,
North Dakota



Policy for Bis-Man Transit (Paratransit and Fixed Route) Fare and Service Changes

Definition and Approval Process for Temporary Service Changes:

Service changes required for a limited period of time are considered temporary changes. Temporary service changes may be instated as a result of road construction, natural disaster, special event or other like circumstances, and are not intended to be permanent. The Transit Director has the administrative authority to make temporary service changes. The Bis-Man Transit Board of Directors will be notified of temporary service changes at the next regularly scheduled board meeting. The board reserves the right to change or reverse a temporary service change.

If a temporary service change is to become permanent, the Transit Director will evaluate the change and determine if it is minor or major. The Transit Director will then proceed with the prescribed approval process for the identified change.

Definition and Approval Process for Minor Service Changes:

Service changes that result in less than 25% change of existing route mileage are considered minor changes. The Transit Director has the administrative authority to make minor service changes. The Bis-Man Transit Board of Directors will be notified of minor service changes at the next regularly scheduled board meeting. The board reserves the right to change or reverse a minor service changes.

Definition and Approval Process for Major Service Changes:

A service change will be considered major if it meets at least one of the following:

1. Alterations to the geographic service area boundary.
2. Change in hours of service.
3. Change of fares.
4. Elimination of a route.
5. Addition of a route.
6. Any change in a route at or in-excess-of 25% of the existing route mileage.
7. Relocation of a transit hub.

All major service changes will be subject to the public hearing process and must be approved by the Bis-Man Transit Board of Directors prior to forwarding their recommendation to the Bismarck City Commission. Major service changes will only be implemented after approval by the Bismarck City Commission.

Process for Minor Service Changes:

The public will be notified of all minor service changes. Notification avenues may include the official newspaper of Bismarck, public service announcements, or postings on Bis-Man Transit's social media sites.

Process for Major Service Changes:

The Bis-Man Transit Board must solicit and consider public comment before implementing major service changes to the public transportation system. The public includes all residents within the service area, not exclusively citizens of Bismarck. At a minimum, The Bis-Man Transit Board will hold a public hearing regarding the proposed major service changes. Notice of the public hearing must be published at least once in the official newspaper for the City of Bismarck at least 15 days prior to the public hearing. After the public hearing and upon the recommendation of the Bis-Man Transit Board, the proposed major service changes will be considered by the Bismarck City Commission.

Approved by Bis-Man Transit Board

Title: Long/Short

Signature: Debra K. Gorman

Date: 3-23-2017

FY2021 - Section 5339(b) Bus Grant Program

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

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

NDDOT was awarded a competitive Section 5339(b) grant to fund new ADA vehicle purchases on August 10, 2020. **The federal share of eligible project costs may not exceed 85% 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 **15% Local Match**.
- **Farebox revenue cannot be used as Local Match.**
- Assets purchased with Federal Funds must be maintained and inventoried through a Transit Asset Management (TAM) Program.
- As with most Federal Assistance Programs, 5339 is designed as a reimbursement program. Your agency should be prepared to pay for your expenses upon delivery/acceptance and then request reimbursement from NDDOT.
- If requesting a replacement vehicle, the vehicle listed must have met FTA/NDDOT Useful Life. However, regardless of useful life having been met, federal interest remains until the value of the vehicle or equipment falls below \$5,000.
- If you receive \$750,000 from any federal source, you are required to have a Single Audit per 2 CFR 200 subpart F.
- All applications are due **November 23, 2020, 12:00pm CDT**. Late and/or incomplete applications may be subject to a penalty percentage reduction of requested amount or may be eliminated from funding consideration.
- The NDDOT Transit Staff is available to provide guidance and answer any questions on the application process. E-mail: bhanson@nd.gov, dkarel@nd.gov, jsmall@nd.gov or conelson@nd.gov.

GENERAL INFORMATION

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

Bis-Man Transit currently provides fixed route service to the cities of Bismarck and Mandan, and complementary paratransit service, with demand response available for senior and disabled passengers including those in the City of Lincoln. Our current focus is to transition more riders from the demand response service to fixed route.

Fixed Route service is provided on six routes from 6:30 a.m. - 7:00 p.m. Monday through Friday and 8:00 a.m.- 7:00 p.m. on Saturday. All 9 vehicles in the fleet are ADA accessible and service is provided to the cities of Bismarck and Mandan. Regular fares are: \$1.50 for a one-way trip, \$6.00 1-day pass, \$36.00 for a 30-day pass. Fares for those who are ADA eligible disabled riders or over the age of 65 ride free and reduced fares for students K-college, veterans and those on Medicare is \$.75 for a one-way trip, \$3.00 1-day pass, \$24.00 for a 30-day pass. In 2019, 102,538 unlinked passenger trips were provided.

Paratransit/Demand response service is provided with a fleet of 19 cutaway buses and two minivans, to individuals with disabilities and seniors over the age of 70. The service area covers the city limits of Bismarck and Mandan, the city of Lincoln and within $\frac{3}{4}$ mile of any fixed route. A one-way fare is \$3.00. Services are provided from 5:30 am – 12:00 am Monday thru Saturday and 7:30 am – 2:30 pm on Sunday. In 2019, 108,609 unlinked passenger trips were provided.

Both modes of service operate in Burleigh and Morton counties.

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

The projects that will be completed with the funds from this request will increase the safety, sustainability, and efficiency of the services that we provide, by ensuring that current equipment is in optimal working condition and within useful life parameters.

3. What percentage of change in ridership has your agency experienced in the SFY2020 reporting period? Provide a brief explanation of the reason for the change in ridership.

☐ Increase *Fixed route saw a 26% decrease in ridership from July 2018 – June 2019 to July 2019 to June 2020. Demand response saw a 23% decrease from July 2018 – June 2019 to July 2019 to June 2020. Decrease in ridership for both modes of transportation can be attributed to COVID-19 safety and service changes to ensure rider safety.*

☒ Decrease

VEHICLE PROJECT REQUESTS

NOTE: This request MUST first be created as a project in the Black Cat System. Each vehicle must be created as a separate project.

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 Transit Data Management System.

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

Year: 2021

Make/Model: Gillig Low Floor

Seating Capacity: 28

Lift/Ramp: ☒ Yes ☐ No

Gas/Diesel/Other: Diesel

5. What type of vehicle are you requesting?

☒ Replacement Vehicle

☐ Expansion Vehicle

6. If requesting a replacement, which vehicle in your fleet are you replacing? 602

a. Vehicle Information Number (VIN): 15GGE291361091123

b. Vehicle Year: 2006

c. Make/Model: Gillig Low Floor

d. Current Mileage: 538,182

e. Vehicle In Service Date: 5/19/2006

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

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. **See sample timeline below, add or remove lines as needed.**

Contract Award/Order Date: Spring 2021/Upon award

Vehicle Deliver Date: Summer 2022

Final Payment Submitted to DOT: Summer 2022

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

Total Vehicle Cost (include federal and local amounts): \$468,842.04

Federal Funds Requested Amount: \$398,515.73

Local Match Amount: \$70,326.31

Source(s) of Local Match: Local Mill Levy

10. Explain where in your current 3-5 Year Plan this project(s) is specifically stated (list section and page number(s)). Your current plan must be uploaded into BlackCat Global Resources.

Per Bis-Man Transit's 3 to 5-year Capital Investment Plan, one fixed route bus replacement is planned for 2021. This can be found on page 65 of the 2019 Transit Development Plan.

4. Description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)
Year: 2021 Make/Model: Gillig Low Floor Seating Capacity: 28 Lift/Ramp: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Gas/Diesel/Other: Diesel
5. What type of vehicle are you requesting?
<input checked="" type="checkbox"/> Replacement Vehicle <input type="checkbox"/> Expansion Vehicle
6. If requesting a replacement, which vehicle in your fleet are you replacing? 601
a. Vehicle Information Number (VIN): 15GGE291161091122
b. Vehicle Year: 2006
c. Make/Model: Gillig Low Floor
d. Current Mileage: 572,920
e. Vehicle In Service Date: 5/19/2006
f. Has this vehicle information been updated in BlackCat Inventory? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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. <u>See sample timeline below, add or remove lines as needed.</u>
Contract Award/Order Date: Spring 2021/Upon award
Vehicle Deliver Date: Summer 2022
Final Payment Submitted to DOT: Summer 2022
9. Amount requested for vehicle (include the base price plus all options with this request):
Total Vehicle Cost (include federal and local amounts): \$468,842.04 Federal Funds Requested Amount: \$398,515.73 Local Match Amount: \$70,326.31 Source(s) of Local Match: Local Mill Levy
10. Explain where in your current 3-5 Year Plan this project(s) is specifically stated (list section and page number(s)). Your current plan must be uploaded into BlackCat Global Resources.
Due to an accident in January of 2020, a fixed route bus was totaled that was not planned for replacement in 2021.

Following are suggested price requests for vehicles based on current state bid quotes. Keep in mind if you intend to order vehicles with additional options, prices will vary accordingly. See the State Bid Contracts on the website at https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm	Expected Delivery time (in months)
--	------------------------------------

15 Passenger or 12 + 2 Passenger Cutaway/Bus NDDOT Term Contract No. 300	Base Price - \$63,000 - \$78,300	6 - 9
Rear Lift ADA Transit Vehicle NDDOT Term Contract No. 301 & 301B	Base price - \$47,083 – \$61,780	3 - 6
Frontrunner – Low Floor Vehicle – New England Wheels NDDOT Term Contract No. 381	Base Price - \$107,000 – 109,000	6 - 9
ADA Low Floor Mini Van NDDOT Term Contract No. 382	Base Price - \$38,045 - \$38,125	1 - 4
Low-Floor Paratransit Ramp Buses NDDOT Term Contract No. 383	Base Price - \$96,720 - \$109,410	6 - 9
FTA Useful Life Standards		
Mini-Vans/Modified Vans – 3-14 passenger	4 years or 100,000 miles	
Med-Size Light Duty Cutaway – 8-16 passenger	5 years or 150,000 miles	
Med-Size Med Duty Cutaway/Bus – 16-30 passenger	7 years or 200,000 miles	
Med-Size Heavy Duty Bus – 24-25 passenger	10 years or 350,000 miles	
Large Heavy-Duty Bus – 35-40+ passenger	12 years or 500,000 miles	

Local Match & Total Funding Request

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

Local match listed here cannot be already targeted as match for other applications.

Farebox revenue cannot be used as Local Match.

Documentation of sources of Local Match (including State Aid) MUST be attached or it will not be considered.

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

Ranking	Project	Federal Cost of Project	Local Match Needed	Sources of Local Match
1	2021 Gillig Low Floor Fixed Route Replacement	\$398,515.73	\$70,326.31	Local Mill Levy
2	2021 Gillig Low Floor Fixed Route Replacement	\$398,515.73	\$70,326.31	Local Mill Levy

3				
4				
5				

Application Checklist and Signature Page

This checklist is included for your review and completion prior to submittal of your application to ensure your submission includes all required documents. Please upload the required documents in your agency's BlackCat Transit Data Management System.

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

x	Completed 5339 Application;
x	Document(s) showing sources of local match funds – Signed letters from source(s) of local match, State Aid Contract, mill levy, city funds, etc.;
x	Certify and upload the FTA Certifications and Assurances Signature Pages in BlackCat; (new applicants only)
x	Update <u>the replacement vehicle</u> information, mileage and condition in BlackCat Inventory;
x	Certify and upload a current Authorizing Resolution form; (new applicants only)
N/A	Update any complete Preliminary Assessment/Application for Capital Assistance forms(s) (if applicable);

I hereby certify that as a person authorized to sign for

Bis-Man Transit Board

Transit Agency Name

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

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

Signature of Authorized Representative

Date