



Bis-Man Transit Board Meeting

February 24, 2022, 11:30AM

<https://us02web.zoom.us/j/83791336649>

Call in: +1 312 626 6799; Meeting ID: 837 9133 6649

Welcome & Introductions

Approval of Agenda

Consent Agenda

1. Previous Month's Minutes
 - a. Attachment A – 2022/1/27 Regular Meeting
 - b. Attachment B – 2022/1/24 Finance Committee Meeting Correction
 - c. Attachment C – 2022/2/17 Finance Committee Meeting
2. Financial Report
 - a. Attachment D
3. Ride Stats
 - a. Attachment E
4. Read and Ride Wrap Removal
 - a. Attachment F
5. No Show Policy Amendment
 - a. Attachment G
6. Advertising Contract Amendment
 - a. Attachment H
7. Executive Director 2022 Vacation Carry Over
 - a. Attachment I

Public Comment

Unfinished Business

New Business

1. Vehicle Insurance Update & Discussion
 - a. Attachment J



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com

2. Late Payment & Returned Check Policy
 - a. Attachment K
3. AARP Community Challenge 2022 Grant
 - a. Attachment L
4. Transit Development Plan Scope of Work - *Rachel Drewlow*
 - a. Attachment M

Executive Director Report

1. Gillig Bus Purchase Update
2. Bismarck State College Bus Request

Operations Report

Other Business

Adjourn

- **The next Board Meeting will be held March 24, 2022 at 11:30am.**



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



A

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

Bis-Man Transit Regular Board Meeting Minutes

January 27, 2022, 11:30 A.M.

Via Zoom

Attending:	Shauna Laber, President	Lynn Wolf, Vice President
	DeNae Kautzmann, Secretary	Helen Baumgartner
	Glenn Lauinger	Karel Sovak
	Lacey Long	Royce Schultze
	Commissioner Rohr	

Not Attending:	Steve Heydt
----------------	-------------

Staff:	Deidre Hughes	Taylor Kitzen
	Craig Thomas	Mike Mundahl
	Tom Reisenauer	

Guests	Mike Connelly	Trevor Vannett
	Rachel Drewlow	Susan Dingle



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismant transit.com



701.258.6817



www.bismant transit.com



Meeting was called to order at 11:30 A.M.

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

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

Public Comment: Trevor Vannett recommended that Christmas Day 2022 hours should be extended from 2:30 P.M. to 5:30/6:00 P.M.

Unfinished Business:

1. 2022 Christmas Hours – Paratransit: Deidre opened discussion to determine Christmas 2022 hours. DeNae asked if a majority of the rides on the attachment were on Christmas Eve. Deidre explained yes because it is not a regular service day and is not a holiday. DeNae explained the contract with National Express and that it's up to their staff to determine holiday hours up to 45 hours annually. Royce agreed with Trevor's recommendation to extend the Christmas Day 2022 paratransit hours until 5:30/6:00 P.M. Helen explained that she agrees with Karel's previous recommendation to work with National Express, the Admin Staff, and CTIC to set the Christmas Day 2022 paratransit hours. Glenn commented that the Board determines Holiday Hours, not National Express. DeNae discussed that Bis-Man Transit is a business and there are other factors to look at when determining service hours. Karel re-stated his previous meeting motion and explained that it did not supersede a previous policy. DeNae commented that the Board should not be involved in Holiday Hours as long as up to 45 hours are determined by National Express and Admin Staff. DeNae moved to table the discussion to work with staff to determine the Christmas Day 2022 paratransit hours. Lynn seconded the motion. Motion carried unanimously.

It was agreed by the Board after discussion that the first four Board members that were interested in helping determine the Christmas Day 2022 paratransit hours with National Express and Admin Staff are able to volunteer. Helen, DeNae, Royce, and Lynn volunteered to meet with National Express and Admin Staff to bring a decision to the full Board of Directors.





New Business:

1. **Advertising Plan Update/Read and Ride Discussion:** Deidre discussed that the Advertising Plan hasn't been reviewed or updated since 2020 when advertising was taken in-house. Deidre explained the highlighted changes made in the Attachment. Staff recommends approval of the new plan by the Board. Glenn moved to approve the Advertising Plan update. Karel seconded the motion. Motion carried unanimously.

Deidre explained that the Read and Ride CAT bus wrap was for a term of one year with the original sponsors, Feil Orthodontics and Starion Bank. This wrap has been on Bus 1003 since 2018. Deidre has reached out to the sponsors to see if they would like to continue their sponsorship and have not heard back. Deidre commented that selling a one-year full wrap would generate \$8,400 in revenue. Shauna recommended we wait to take any action on whether to remove the Read and Ride wrap until we hear back from the sponsors.

2. **City of Bismarck Mutual Aid Agreement Discussion:** Deidre discussed that she has been working with Gary Stockert from the City of Bismarck on updates for this agreement, including the emergency rate for services provided by Bis-Man Transit. Deidre explained that there have been emergency circumstances in the past that Bis-Man Transit did provide emergency services for and reimbursement was made by the City of Bismarck.
3. **Operations Contract RFP Planning:** Deidre discussed that a new Operations RFP will have to be started this year and to avoid a number of issues that were incurred from the last RFP, she requested that Board members be involved in the process. The Finance Committee was assigned the task of assisting in the development of the RFP.

Executive Director Report: Deidre discussed the different projects staff will be starting which includes NTD Reporting, 2021 Audit Preparation, and Triennial Final Submission/Corrections.

Operations Report: Danae recognized January's Employee of the Month as dispatcher, Christa Culver. Christa has been with National Express since November of 2018 and has shown exemplary work. Danae discussed Operations goals for 2022 mentioned in the last meeting. Operations has hired one new fixed route driver and are in early stages of hiring more drivers for both fixed route and paratransit. In November, National Express's corporate office invited all locations to participate in a photo contest to assist with business development. One submission made by Craig and Danae was chosen for second place. This photo included a National Express paratransit driver, Fred Faul, assisting a passenger onto the lift of the bus. The National Express team was awarded prizes for their employees for the winning submission.





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

Other Business: N/A

Meeting adjourned at 12:28 P.M.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



B

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

Bis-Man Transit Finance Committee Meeting Minutes

January 24, 2022, 9:30 A.M.

Via Zoom

Attending:

Glenn Lauinger

Chair DeNae Kautzmann

Shauna Laber

Staff:

Deidre Hughes

Taylor Kitzan



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



Meeting was called to order at 9:30 A.M.

Finance discussed 2022 Christmas paratransit hours. The committee is split as to whether to change the holiday/Sunday hours policy. Information provided by Deidre on the average number of rides and timing was very informative and helpful. Deidre indicated that Operations said that Sundays required 4 drivers whereas if the hours are changed it would require 8 drivers. Given the numbers Glenn questioned if 8 drivers is accurate. DeNae asked for a percentage of riders affected by the policy and also asked for Christmas Eve ridership numbers. It was brought up that the contract would have to be amended if we decide to change the holiday policy because we no longer allow operations to decide when and where the 45 maximum hours will be used on holidays.

Deidre presented the advertising plan changes. The updates include a non-refundable deposit of one-month cost on a full wrap year contract, elimination of front window wrap for unobstructed driver view; contract change to include invoice timing, change to the hold harmless clause, and late payment charge of 5%; and list of approved printers and installers. Mann Signs is added as an installer. Finance suggested that language be included that this list is subject to change per administrative decision. The Ride and Read wrap was only to be for one year. Cost to remove is \$1200-\$2400. Potential income for a new wrap is \$8,400. Glenn suggested that Feil Orthodontics and Starion Bank be contacted to see if they want to continue to sponsor it.

The City of Bismarck Mutual Aid Agreement was discussed. Concern was expressed that there is no end date. It is currently being updated. Costs in current document are inaccurate. Rather than list costs since this agreement is not reviewed annually, that the costs be per Bis-Man Transit's operations agreement. If the City prefers to have a fixed dollar amount, then Finance recommends that the agreement be amended annually to reflect the current cost.

Deidre indicated that the operations RFP is coming up. She requested a Committee be formed to assist in drafting the RFP and to provide oversight. The Finance Committee agreed to oversee this project rather than setting up a new committee.

Deidre received a new quote from Gillig on a new bus for which we made a grant application. The price is higher than originally requested and we can no longer use the State of Virginia's contract and have to use the State of Washington. She requested that the Board delegate to the Executive Committee the authority to purchase the bus after she finishes negotiating with Gillig so that she can take it the Bismarck City Commission the first part of February. The Finance committee recommends that the Board approve the expenditure of not more than \$490,000 to purchase a new Gillig fixed route bus.

Glenn asked for an update on the Administrative Committee. Deidre indicated that the committee has not met. This is preventing the close out of 2021 due to back pay and other issues. Shauna stated that she would reach out to Karel the chairmen of the committee.

Meeting adjourned at 10:25 A.M.





C

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

Bis-Man Transit Finance Committee Meeting Minutes

February 17, 2022, 9:00 A.M.

Via Zoom

Attending:

Glenn Lauinger

Chair DeNae Kautzmann

Shauna Laber

Staff:

Deidre Hughes

Taylor Kitzan



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



Meeting was called to order at 9:00 A.M.

Deidre stated that Starion did not want to continue sponsoring the Read and Ride bus wrap and Feil Orthodontics did not respond. There are several companies wishing to advertise with a full bus wrap. The Board consent agenda contains approval to remove the Read and Ride wrap. The Finance Committee agreed.

There may be a potential issue with the vehicle insurance through NDIRF. There was an accident in Fargo with a city bus where the driver was contracted which has caused the underwriters to review the policy and premium for all transportation companies that have the same set up. Jordan from Choice and Vanessa from Starion are working on quotes. Jordan is our old insurance agent from Starion. Our current policy expires April 1.

The no show policy amendment sets penalties for repeat offenses 5,6,7 etc. because it wasn't addressed. It is a minor amendment and Finance members agreed it should go on the consent agenda.

Late payment and returned check fees policy was discussed. Glenn questioned compounded late fees. He found a statute that seems to indicate a 1.75% late fee. The draft policy is for 5% and a \$10 fee for returned checks. Deidre will research and DeNae indicated she would assist.

Deidre took vacation at the end of the year but was shorted 8.5 hours due to being called into the office for unforeseen meetings and addressing service suspension on Dec 27. The personnel policy allows the Board to approve the carry-over of hours in excess of 120 hours due to extenuating circumstances. The Finance Committee found that her vacation was planned and was being taken. Extenuating circumstances caused her to have to work during her scheduled vacation and should be approved for carry over. The Finance Committee agreed it should be put on the consent agenda.

Deidre will seek Board approval to apply for the AARP Community Challenge 2022 Grant. If received it would fund polished videos explaining how to use the CAT such as how to board, how to read the bus schedule. The average award is \$15,000. Preliminary quotes range from \$11,000-\$30,000.

We have not received the Transit Development Plan scope of work from Rachel yet. She will present at the Board meeting and Board members will be able to give input. Deidre gave Rachel all the information from our strategic planning sessions.

Dr. Jensen, BSC President, has expressed interest in a decommissioned bus. Either buying it or having it donated. Deidre said the bus will have to be appraised before depositing it.





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

DeNae discussed charging premium rates for paratransit service outside of fixed route hours. Since we are looking at holiday hours we should look at the bigger picture. There are less than 35 individuals using the service on holidays. How many are using it during extended hours during the week and on Sunday? Does it make sense to continue it? The cities of Fargo, Grand Forks, and Minot do not provide holiday service. Shauna indicated that it is something that should be reviewed and studied. It could be part of the Transit Development Plan. Deidre will pass this issue along to Rachel.

Meeting adjourned at 9:40 A.M.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



January 2022

MONTHLY REPORT

	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD	
RIDERSHIP							
FIXED ROUTE	5,131	5,131	3,878	3,878	32.31%	32.31%	
PARATRANSIT	7,439	7,439	6,066	6,066	22.63%	22.63%	
Total	12,570	12,570	9,944	9,944	26.41%	26.41%	
FR AVG. DAILY BOARDINGS	205.24						
DR AVG. DAILY BOARDINGS	239.97						
			Pass./Hour	Pass./Hour	Pass./Hour		
						% INC/DEC	
REVENUE HOURS	Month	YTD	Month	YTD	PY YTD	PY YTD	OVR PYTD
FIXED ROUTE	1,774.00	1,774.00	2.89	2.89	2.23	1,742.5	1.81%
PARATRANSIT	2,622.31	2,622.31	2.84	2.84	2.72	2,226.7	17.76%
Total	4,396.31	4,396.31	2.86	2.86	2.5	3,969.2	
			Pass./Mile	Pass./Mile			
							% INC/DEC
REVENUE MILES	Month	YTD	Month	YTD	PY YTD		OVR PYTD
FIXED ROUTE	28,212	28,212	0.18	0.18	29,535		-4.48%
PARATRANSIT	33,797.22	33,797.22	0.22	0.22	29,690		13.83%
Total	62,009.42	62,009.42	0.40	0.40	59,225		4.70%
					% INC/DEC		% INC/DEC
ON TIME PERFORMANCE	Month	YTD	PY Month	PY YTD	OVR PYM		OVR PYTD
FIXED ROUTE	88.00%	88.00%					
PARATRANSIT	93.00%	93.00%	94.00%	94.00%	-1.06%		-1.06%
RIDERSHIP PER ROUTE							% INC/DEC
ROUTE	Month	YTD		PY Month			0.81352709
BLACK	1066	1066		757			40.8%
BLUE	768	768		696			10.3%
GREEN	974	974		473			105.9%
RED	683	683		650			5.1%
ORANGE	806	806					
PURPLE	834	834		625			33.4%
U-Mary	108	108		63			71.4%
ACCIDENTS	Month	Month at Fault	YTD	YTD at Fault			
FIXED ROUTE	3	2	3	2			
PARATRANSIT	1	0	1	0			
SERVICE VEHICLE	0	0	0	0			
COMPLAINTS	Month	YTD					
FIXED ROUTE	1	1					
PARATRANSIT	2	2					
Office Staff	0	0					
COMPLIMENTS	Month	YTD					
FIXED ROUTE	0	0					
PARATRANSIT	1	1					
Office Staff	0	0					



F

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

February 24, 2022

TO: Bis-Man Transit Board of Directors

FROM: Bis-Man Transit Staff

SUBJECT: Bus 1003 Read and Ride Bus Wrap Removal Recommendation

BACKGROUND: The “Read and Ride” bus wrap was installed on fixed route bus 1003 in November of 2018 to encourage showcase advertising possibilities on CAT buses.

DISCUSSION: As the demand increases for advertising space on CAT buses, staff is seeking approval for removal of the wrap. Advertising space could then be sold for at a rate of \$8,400 for a 12-month, full wrap.

FINANCIAL IMPACT: The estimated cost for wrap removal is between \$1,200 and \$2,400, depending on the time required for removal.

RECOMMENDATION: Staff recommends approval of the Read and Ride bus wrap removal.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



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

February 24, 2022

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: No Show Policy Amendment

RECOMMENDATION: Staff and the Finance Committee recommend approval of the No Show Policy with the amended change notated in red.

BACKGROUND: The current No Show Policy was approved by the Board on February 25, 2021. This policy did not indicate the repercussions for additional offences.

- First occurrence — A warning letter will be issued advising the rider that he/she has violated
- Bis-man Transit's no-show/late cancellation policy.
- Second occurrence — Customer will receive a seven (7) day suspension.
- Third occurrence — Customer will receive a fourteen (14) day suspension.
- Fourth occurrence — Customer will receive a twenty-one (21) day suspension.
- **Subsequent occurrences will result in an additional seven (7) day suspension.**



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com



Bis-Man Transit No Show Policy

In order to be considered “a no show”, each of the following conditions has occurred:

- The customer has a scheduled paratransit trip.
- The ADA vehicle arrives at the scheduled pick-up point within the scheduled thirty (30) minute pick-up window.
- The driver waits at least five (5) full minutes beyond the start of the scheduled pick-up window, and the customer fails to board the vehicle.

Late cancellations will be counted as a no-show for the purposes of this policy.

A late cancellation occurs when the customer (or customer's representative) fails to call dispatch thirty (30) minutes or more prior to the scheduled pick-up time to cancel his/her ride.

If the customer has more than one ride scheduled, having a no-show does not automatically cancel the rest of the rides for the day. It is still the customer's responsibility to call and cancel the remaining rides for the day. If the rides are not cancelled, and the customer does not ride, the result would be additional no-shows.

Bis-Man Transit will track scheduled trips, no-shows, and late cancellations by customer. Bis-Man Transit will identify customers who have three (3) or more no-shows/late cancellations within any thirty (30) day period.

On the day the rider violates the no-show/late cancellation policy, the following progressive action will be taken:

- First occurrence — A warning letter will be issued advising the rider that he/she has violated Bis-man Transit's no-show/late cancellation policy.
- Second occurrence — Customer will receive a seven (7) day suspension.
- Third occurrence — Customer will receive a fourteen (14) day suspension.
- Fourth occurrence — Customer will receive a twenty-one (21) day suspension.
- **Subsequent occurrences will result in an additional seven (7) day suspension.**

Appealing a Warning or Suspension

Customers are given the opportunity to appeal a suspension of service with Bis-Man Transit. If any citizen using the Bis-Man Transit system has a concern or disagreement, they are asked to submit their issue in writing. All written appeals will be investigated and a response issued within five (5) working days.

If the individual is not satisfied with the response received from the Administrative office, they have the right to appeal the decision to the Bis-Man Transit Board of Directors at their next scheduled meeting. After the Board of Directors has reviewed the situation, they will provide a written response within ten (10) working days.

No-shows are EXCUSED when the trip is missed for the following reasons:

- The customer has a family emergency
- Mobility aid failure
- Appointment cancelled/delayed for reasons not the customers fault
- Adverse weather: Snow storm, extreme heat or extreme cold
- Staffing error: The transit coordinator did not make all the cancellations the client requested; or customer just found out the ride was scheduled for the wrong day, time, or location; or the customer was not informed that his/her pick-up time was changed, and was not ready.

No-shows or cancels are NOT EXCUSED when the trip is missed for the following reasons:



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com

- Customer didn't want to travel today
- Customer changed their mind about using appointment
- Customer didn't know or forgot that he/she had a ride scheduled or was supposed to call to cancel
- Customer got another ride
- Customer told someone else he/she was not planning to travel (driver, facility, etc.)
- Someone else scheduled the ride for him/her
- Customer does not want to ride with specific driver or passenger, or on a specific vehicle



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com



H

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

February 24, 2022

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: Advertising Contract Correction

RECOMMENDATION: Staff and the Finance Committee recommend approval of the Advertising Contract with the amended change highlighted in the attached document.

BACKGROUND: The current Advertising Contract was approved by the Board on January 27, 2022.

DISCUSSION: The approved contract indicated advertisers would be charged a 5% late fee for past due invoices. A 5% late change would be in violation of the North Dakota Century Code, section 13-01-14. The presented advertising contract adjusts the late fee to 1.5%.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



This Transit Advertising Agreement, herein called "Agreement," is made by and between Bis-Man Transit and _____, herein called "Advertiser." In consideration of the fee paid by Advertiser, and the covenants, promises and agreements of Advertiser and Bis-Man Transit hereinafter provided, Bis-Man Transit hereby assigns to Advertiser:

Product Type - Description/Fleet Number

THIS AGREEMENT IS SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

Section 1. Limitations on Use

This agreement applies only to the approved advertisements listed above.

Section 2. Period of Use

This agreement shall be for a period of **12 months** beginning on _____, **2022** and ending on _____, **2023** or upon a 30-day written termination notice from Bis-Man Transit or a 10-day written termination notice from the Advertiser. For installations completed from the 1st through the 15th of the month, the Advertising contract will begin the 1st day of that month. For installations completed from the 16th through the end of the month, the Advertising contract will begin the 1st day of the following month.

Section 3. Payments & Fees

Advertiser is fully responsible for the cost of sign production and installation determined by an approved printer/installer. Advertiser will be invoiced a total amount of \$_____, or \$_____ per month for the advertisement listed above.

☐ One-Time Payment of \$_____

☐ Monthly Payments of \$_____

Invoices will be billed to Advertiser in accordance with the contract start date listed in Section 2. Invoice payment is due by the 15th day of the month. *Please be advised that there will be a 1.5% interest charge per month on late invoices.* Upon expiration or termination of the contract, it is the Advertiser's responsibility to schedule and pay for advertisement removal with an approved vendor within 7 days of contract expiration or termination.

Section 4. Liability

Bis-Man Transit is not responsible for any damages caused as a result of transit advertising. The Advertiser is solely responsible for any legal liability arising out of or relating to the Advertisement, and/or such violations as infringement or misappropriation of any copyright, patent, trademark, trade secret, unfair competition, defamation, invasion of privacy or rights of celebrity, violation of any anti-discrimination law or regulation, or any other right of any person or entity. Advertiser agrees to indemnify Bis-Man Transit and to hold Bis-Man Transit harmless from any and all liability, loss, damages, claims, or causes of action, including reasonable legal fees and expenses that may be incurred by Bis-Man Transit, arising out of or related to Advertiser's breach of any of the foregoing representations and warranties. The Advertiser agrees to hold harmless Bis-Man Transit for any damages and/or personal injury claims arising from the Advertiser's participation in transit advertising. In the event the Bis-Man Transit asset containing the purchased advertisement is out of service for more than 2 weeks, the advertiser will not be charged during that time.

Section 5. Governing Law

It is agreed that this Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of North Dakota.

Bis-Man Transit Representative Date

Advertiser Date



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



February 24, 2022

TO: Bis-Man Transit Board of Directors

FROM: Bis-Man Transit Staff

SUBJECT: 2021 Executive Director Vacation Carry Over Approval

BACKGROUND: Bis-Man Transit staff can carry over a maximum of 120 vacation hours each calendar year, per the employee handbook.

DISCUSSION: Due to weather conditions resulting in service suspension and a variety of time sensitive meetings in December 2021 when the Executive Director was on vacation, Deidre Hughes carried over 8.5 vacation hours.

FINANCIAL IMPACT: Although there is not a direct cost to Bis-Man Transit, the financial liability to Bis-Man Transit if the request to allow the Executive Director to carry over more than 120 vacation hours into 2022 is \$432.99.

RECOMMENDATION: Staff recommends approval of the request to allow the Executive Director to carry over the 8.5 vacation hours lost January 1, 2022 with corrective action in place to ensure this does not occur moving forward.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com

BIS-MAN Transit Board

Proposal by: Jordan Kvale, Commercial Insurance Advisor



Letter to the board

Bis-Man Transit Board members are the driving force that steer this organization towards a sustainable future by ensuring sound governance and adequate resources to advance the mission. My hope is to once again be a part of that driving force as your trusted insurance advisor.

For the past 4 years I have had the privilege of representing the Bis-Man Transit Board with NDIRF. During that time, remedies were made within the policy to account for coverage shortcomings, and steps were put into place to execute the most streamlined means of communication for policy changes and the servicing of claims.

Commercial Auto insurance is in turmoil. Large settlements over the last year have pushed insurance carriers into uncharted territory regarding loss ratios. NDIRF is no different. This year Bis-Man Transit will either see a substantial insurance premium increase or a reduction in coverage, or both, that could leave Bis-Man Transit and the City of Bismarck exposed.

My proposal to the board:

Choice Insurance is currently seeking proposals with two public transit insurance carriers that would offer comparisons against NDIRF's renewal offering. Regardless of the outcome of those proposals, I would greatly appreciate the opportunity to represent Bis-Man Transit should you keep your existing policy with NDIRF. That can be accomplished by having the Executive Director sign an Agent of Record letter.

If NDIRF reduces your liability limit, you will/may need to purchase excess liability insurance to reach the \$5M liability limit required by the City of Bismarck. The public transit insurance carriers that I have approached are aware of this situation and are willing to offer excess liability limit options should you retain NDIRF as your primary carrier.

Value-added services provided by Choice Insurance

- **CSR24**— An online portal Bis-Man Transit will share with Choice Insurance to access policy documents, ID cards, Certificates of Insurance, and allow online requests for claims, changes, and other communication. This system will further enhance claims servicing and policy changes.
- **In-House Client Services Specialist - Austin Simonieg**—Austin has prior experience as a Loss Control Engineer. Bis-Man Transit would benefit from his services. Austin and I would be able to participate in your driver safety meetings, discussing current industry standards, and safety protocol, which could help mitigate driver accidents.
- **Account Servicer - Lesley Bentz** —Lesley will handle all claims, changes, and communication with Tom, Craig, and Deidre. She has many years of experience and is very capable of assisting with all Bis-Man Transit's insurance needs.

Coverage Insights

Brought to you by: Choice Insurance



The Impact of Social Inflation on the Commercial Auto Insurance Market

In recent years, social inflation has become a growing concern within the commercial insurance market. Social inflation refers to the rising costs of insurance claims. These inflation issues are the result of several societal shifts, such as increased litigation funding, tort reform challenges and deteriorating public sentiment toward corporations.

Although social inflation has affected various lines of commercial coverage, the auto insurance market has been particularly impacted. This is mainly due to trends occurring in the trucking industry, including a surge in costly lawsuits and subsequent settlements brought on by increasing crash frequency and severity.

Amid these difficult conditions, it's important for businesses to understand what's causing social inflation and how to respond properly. Review the following article for more information on the primary drivers of social inflation, how social inflation is affecting the commercial auto insurance space and what businesses can do to mitigate associated coverage concerns.

Primary Drivers of Social Inflation

Multiple factors have been frequently cited as reasons for social inflation issues over the past few years. These factors include the following:

- **Litigation funding**—One of the main drivers of social inflation is increased litigation or, more specifically, litigation funding. Litigation funding is when a third party provides financing for a lawsuit. In exchange, the third party receives a portion of the settlement. In the past, the steep cost of attorney fees would often scare plaintiffs away from taking a lawsuit to trial. But, through litigation funding, most or all costs associated with litigation are covered by a third party, which has increased the volume of cases being pursued. Not only is litigation funding becoming more common, but it also increases the cost of litigation overall—sometimes to seven figures. This is because plaintiffs can take cases further and seek larger settlements.
- **Tort reform rollbacks**—Tort reform refers to laws designed to reduce litigation. In particular, tort reforms are used to prevent frivolous lawsuits and preserve laws that prevent abusive practices against businesses. Over the last several decades, many states have enacted tort reforms, leading to fewer claims and caps on punitive damages. However, in recent years, a number of states have modified tort reforms or challenged them as unconstitutional. Complicating matters, tort reform is subject to uncertainty, as it's primarily tied to the interests of individual states. Should tort reform continue to erode, there could be fewer restrictions on punitive and noneconomic damages—which can drive up the cost of claims and exacerbate social inflation.
- **Public sentiment toward corporations**—In the past decade, overall public sentiment and trust toward businesses (especially large corporations) have deteriorated. These attitudes have been fueled by the spreading of extreme ideas and opinions via media outlets and social media platforms as well as the growing perception that businesses should be held liable for incidents involving injuries or other damages, regardless of whether such incidents stemmed from their negligence. This trend has had a considerable impact on how businesses are perceived by a jury in court, and employers are held to a high standard for issues related to the way they conduct their business. In fact, juries are increasingly likely to sympathize with plaintiffs, especially if a business's reputation has been tarnished in some way in the past. As a result, plaintiff attorneys are likely to play to a jury's emotions rather than the facts of the case. Compounding this issue, there's an increasing public

perception that businesses—particularly large ones—can afford the cost of any damages. This means juries are likely to have fewer reservations when it comes to awarding damages, thus resulting in larger settlements, increased claim costs and subsequent social inflation issues.

The culmination of these factors has allowed for a surge in litigation against businesses and related insurance claims. Furthermore, the settlements resulting from such litigation have soared in price, leading to a rising number of nuclear verdicts—jury awards with penalties exceeding \$10 million. According to recent loss data from Advisen (a Zywave company), the median cost of a nuclear verdict increased from \$20 million to \$27 million between 2015 and 2020, representing a 35% jump. What's worse, lasting impacts and trends from the ongoing COVID-19 pandemic are expected to contribute to additional nuclear verdicts in the months and years to come. As these verdicts continue to surge in cost and frequency, excessive insurance claim expenses and social inflation issues will likely follow suit.

How Social Inflation Affects the Commercial Auto Insurance Market

Social inflation can create difficulties for all lines of commercial coverage. Specifically, the rising litigation expenses associated with social inflation often result in costly insurance claims, forcing insurers to make major payouts to affected policyholders. These substantial payouts can lead to poor loss ratios and reduced underwriting profits. To combat such losses, insurers are increasingly likely to elevate policyholders' premium costs and introduce additional coverage restrictions.

While these challenges have occurred throughout the commercial insurance space, the auto insurance segment has faced significant struggles due to social inflation. This is primarily because the commercial auto market had already been unprofitable for insurers over the past decade. According to a recent report from AM Best, commercial auto underwriters saw more than \$22 billion in underwriting losses between 2011 and 2020 despite underwriters increasing commercial auto premium pricing for more than 40 consecutive quarters, dating back to Q3 of 2011. Consequently, rising social inflation issues have simply exacerbated the commercial auto segment's existing profitability concerns, extending the hard market and creating continued challenges for insurers and policyholders alike. Looking ahead, industry experts predict that this hard market will continue to be a concern in 2022 and beyond.

As such, the majority of businesses with commercial auto exposures—regardless of their industry or vehicle class—will likely have a more difficult renewal process by way of greater premium rates, lowered capacity and more stringent policy requirements or restrictions. Further, policyholders with larger fleets or a poor loss history may experience more severe rate increases.

Taking a closer look into the reasons why the commercial auto insurance market has encountered prolonged profitability issues and is being more substantially affected by social inflation, it's important to note that various trends within the trucking industry have contributed to these market challenges. Namely, certain sector-specific developments have resulted in increased litigation, a rise in nuclear verdicts and—subsequently—greater losses for the commercial auto segment overall. Such trucking industry trends include the following:

- **Elevated accident frequency**—First, fatal truck crashes have become increasingly common over the last decade, leading to further litigation and associated expenses. In fact, the National Safety Council (NSC) reported that fatal crashes involving large trucks have risen 43% since 2010, totaling more than 5,000 incidents annually. According to the National Highway Traffic Safety Administration, such crashes have been linked to an increase in unsafe or negligent behaviors behind the wheel (e.g., speeding, hard braking and distracted driving).
- **Greater accident severity**—In addition to elevated accident frequency, road incidents have also surged in severity. This rise in severity is evident through the aforementioned increase in fatal truck crashes as well as the surging cost of a single fatality. According to loss data from Advisen (a Zywave company), the median cost of a single fatality jumped to \$3.7 million in 2020, which represents a 60% increase from \$2.3 million in 2010. Apart from fatalities, road incidents resulting in major injuries have also contributed to elevated crash severity. Data from the NSC confirmed that 160,000 injuries result from truck crashes each year. These injuries often require multiple doctor visits, complex procedures (e.g., surgery) and advanced treatment plans, which can extend recovery time and influence overall medical costs. In any case, such severe accidents have been a driving factor in increased trucking industry litigation and related losses.
- **Increased violations**—Lastly, both driver and vehicle violations have led to additional litigation (and subsequent costs) across the trucking sector. These violations can stem from a lack of driver safety education and poor vehicle maintenance protocols. The latest Federal Motor Carrier Safety Administration (FMCSA) data found that the most common driver violations include inadequate licensing, driving record issues and electronic logging device concerns. On the other hand, the most common vehicle violations include tire problems, defective brakes and inoperative turn signals. According to the

American Transportation Research Institute (ATRI), the top violations that have resulted in plaintiff-favored verdicts include those related to hours-of-service rules, poor driver history, fatigued driving and the use of controlled substances behind the wheel.

As a result of these industry trends, the average jury award for a lawsuit above \$1 million involving a truck crash has skyrocketed by 1,000% over the past decade—climbing from \$2.3 million to \$22.3 million, according to the ATRI. Additionally, the percentage of trucking awards exceeding \$10 million increased 15% between 2017 and 2021, with these significant losses accounting for more than one-third (35%) of trucking losses over \$1 million. This is a notable increase from the prior eight years, when trucking awards over \$10 million accounted for just 20% of losses over \$1 million, according to loss data from Advisen (a Zywave company).

Steps Businesses Can Take

As increased litigation, nuclear verdicts and social inflation continue to impact the commercial auto insurance market, it's important that policyholders consider the following measures to prevent potential claims and minimize coverage challenges:

- **Ensure adequate hiring practices.** Make sure to hire experienced and qualified drivers. Specifically, drivers should be able to provide proof of proper licensing and a clean driving record. After all, the ATRI found that in 100% of nuclear verdicts reported during 2020 in which a driver's history was used as evidence against a business, the business lost the case.
- **Prioritize retention.** In addition to hiring adequate drivers, it's critical to retain these employees. According to recent research from Idelic, drivers are 40% less likely to get involved in a crash during their second year with a business when compared to their first year—showcasing just how valuable employee retention is. Possible driver retention tactics may include increasing drivers' salaries, allowing extra paid time off or offering well-being stipends.
- **Establish a culture of safety.** It's also vital to communicate the importance of road safety and accident prevention to drivers. This can be accomplished by offering routine driver safety training, scheduling regular safety meetings, providing ample road safety resources and giving rewards to drivers who demonstrate safe behaviors behind the wheel (e.g., a monetary bonus).
- **Utilize technology.** A range of vehicle technology can be used to monitor road conditions, assess drivers' behaviors and prevent accidents. In other words, this technology can collect important data and offer additional insight on how to maintain safe driving operations. Examples of such technology include telematics devices, vehicle cameras, communication systems and advanced navigation programs.
- **Maintain compliance.** To prevent litigation and associated claims due to driver or vehicle violations, it's best to reach out to proper legal counsel to assess compliance requirements—particularly as it relates to Department of Transportation and FMSCA standards. Any applicable requirements should be reflected within workplace policies and procedures.
- **Consult an insurance professional.** Finally, be sure to regularly communicate with a trusted insurance professional regarding proper risk management tactics and coverage solutions. This professional should also be able to determine whether any policy adjustments are necessary and may discover opportunities for premium discounts.

For more coverage guidance, contact us today.

This Coverage Insights is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel or an insurance professional for appropriate advice. © 2022 Zywave, Inc. All rights reserved.



Value Added Services

Mineral

- Comprehensive HR Solution System

Zywave

- OSHA Compliance
- Safety and Loss Control Resources
- Cost Containment Resources
- Strategic Planning
- Data Analysis
- Custom Safety Communications

CSR-24

- Manage your policies online 24/7
- View coverages, policy details
- Issue Auto ID cards, Certificates of Insurance

Jordan Kvale Commercial Insurance Advisor j.kvale@insurewithchoice.com

Contact Jordan for any coverage questions, help with risk management or strategic planning. As a relationship manager, he will also help facilitate any additional resources and develop an annual service plan.

Austin Simonieg Insurance Services Coordinator a.simonieg@insurewithchoice.com

Contact Austin for help with carrier loss control visits or any loss control prevention. He is also able to provide insights on agency resources, such as Mineral and Zywave.

207 E Front Avenue • PO Box 1093 • Bismarck, ND 58504
P 701.224.7044 • F 701.258.3355

insurewithchoice.com • #PeopleFirst

Products sold through our Insurance department are: NOT A DEPOSIT • NOT FDIC INSURED BY ANY FEDERAL GOVERNMENT AGENCY • NOT GUARANTEED BY THE BANK • MAY GO DOWN IN VALUE. Choice Insurance is a division of Choice Financial Group.



K

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

February 24, 2022

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: Late Payment & Returned Check Policy

RECOMMENDATION: Staff and the Finance Committee recommend approval of the Late Payment & Returned Check Policy.

BACKGROUND: There is currently no policy in place for late payments on riders charge accounts or returned checks.

DISCUSSION: Staff contacted the FTA to determine the correct process for handling late fees. It was recommended that Bis-Man Transit develop a late payment policy. The proposed late payment and returned check policy allows staff to charge 1.5% on late payments and \$10 for returned checks. Upon approval, the Late Payment & Returned Check Policy will be included in the Policy and Procedures Handbook which can be found on our website.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com



Bis-Man Transit Late Fee & Returned Check Policy

Late Fee

If any portion of a customer's invoice is not paid by the due date, the last business day of the invoice month, Bis-Man Transit will charge a 1.5% late fee on the unpaid balance the first business day of the following month. After the late fee is assessed, a past due statement will be mailed to the customer showing the new open balance.

Payment on delinquent accounts must be paid by check, cash, money order or credit/debit card. Payment in full can be remitted by mail, in-person, or over the phone to:

Bis-Man Transit
3750 East Rosser Ave.
Bismarck, ND 58501
701-258-6817

8:00 a.m. - 5:00 p.m. Monday – Friday

Returned Check

If a check (electronic or paper) issued to Bis-Man Transit is returned to the bank as unpaid, the customer will be charged a \$10.00 returned check processing fee.

Important Note: Bis-Man Transit reserves the right to terminate a customer's Self Charge funding capabilities as the result of past due statements or returned checks.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



L

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

February 24, 2022

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: 2022 AARP Community Challenge Grant

RECOMMENDATION: Staff and the Finance Committee recommend approval of the grant application for submittal to the AARP.

BACKGROUND: The AARP Community Challenge grant program is part of the nationwide AARP Livable Communities initiative that helps communities become great places to live for residents of all ages. The program is intended to help communities make immediate improvements and jump-start long-term progress.

Since the program's debut in 2017, AARP has awarded \$9.3 million through over 800 grants. Projects have been completed across all 50 states, Washington, D.C., Puerto Rico and the U.S. Virgin Islands.

DISCUSSION: The grant funds will be used to cover the cost of filming, producing and editing short informational videos used to promote public transportation for the community.

FINANCIAL IMPACT: If the application is approved by AARP, Bis-Man Transit is not required to provide local match for the project. Staff is awaiting quotes for the filming, producing, and editing of the videos. At this time, quotes range from \$11,000 - \$30,000.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com



**AARP
COMMUNITY
CHALLENGE**

Grants to make communities livable for people of all ages
aarp.org/CommunityChallenge

ATTACHMENT A: SAMPLE APPLICATION

AARP Community Challenge 2022

Grants to make communities more livable for people of all ages

All applications must be submitted through the online application portal at
www.aarp.org/communitychallenge by March 22, 2022, 5:00 p.m. ET

***NOTE:** All fields must be filled out completely in order for the application to be accepted. Please use "n/a" for "not applicable" where appropriate.*

BASIC INFORMATION

1. **Name of Applicant Organization:** _____

2. **Amount of this grant request:** _____

NOTE: AARP reserves the right to award less funds than requested, so applicants should be prepared to discuss how they would scale down their proposals **if asked**.

3. **Organization Profile.** How has this organization been involved in work to make this community more livable, particularly for people 50-plus? Please briefly describe and include the issues on which the organization has worked.

4. **Organization Mailing Address:**

Address: _____

City: _____ **State:** _____ **Zip:** _____

5. **Organization Tax Status.** Please check the one that best applies:

☐ 501(C)(3) Nonprofit

☐ 501(C)(4) Nonprofit

☐ 501(C)(6) Nonprofit

☐ a municipality

☐ another unit of government

☐ other (Please Describe) _____

6. Organization Tax Identification Number: _____

(if municipality, enter n/a)

7. Organization Website: _____

(if none, enter n/a)

8. Organization Twitter Handle: _____

(if none, enter n/a)

9. Organization Facebook Name: _____

(if none, enter n/a)

10. Did your organization apply for an AARP Community Challenge grant in 2017, 2018, 2019, 2020, or 2021?

- ☐ Yes – Selected more than once
- ☐ Yes – Selected once
- ☐ Yes – Not selected
- ☐ No – did not apply

11. How did you hear about this grant opportunity?

- ☐ The AARP State Office in my state
- ☐ The AARP Livable Communities e-newsletter
- ☐ An organizational newsletter or conference
- ☐ A local event or newsletter
- ☐ Word of mouth in the community
- ☐ Social Media
- ☐ Other: _____

POINT OF CONTACT

12. Organization Contact:

Name: _____ Title: _____

Phone: _____ Email: _____

COMMUNITY DETAILS

13. Name of municipality where project will be physically located/delivered:

14. Approximate address where this project will be delivered:

NOTE: This information is for AARP's analysis purposes only and will not be used in award information, etc.

Address: _____

City: _____ State: _____ Zip: _____

15. Approximate population for the city/town/area where this project will be delivered:

NOTE: Please only enter a numerical amount and not population ranges. We recommend a quick internet search of the municipality and population.

16. Would you describe this community as:

- ☐ Rural
☐ Suburban
☐ Urban

PROJECT DETAILS

17. Project Description. Please provide a description of your project in 2,000 characters or less (including spaces). Please also include any benefits of your project specifically for people 50-plus.

NOTE: This grant may NOT be used for the following activities:

- Partisan, political or election related activities
- Planning activities, assessments or surveys of communities without tangible engagement
- Studies with no follow-up action
- Publication of books or reports
- The acquisition of land and/or buildings or a vehicle (such as a car or truck) purchase
- Solely to sponsor other organizations' events or activities
- Research and development for a nonprofit endeavor
- Research and development for a for-profit endeavor
- The promotion of a for-profit entity and/or its products and services

- 18. Project Short Summary.** In under 250 characters (including spaces), please describe your project and the impact it will have on the community. Please include relevant references to older adults. Think of it as a one or two sentence summary you would include in a press release.

***For example:** This project will turn overgrown vacant lots into community gardens with raised flower beds and install accessible benches at a park frequented by older adults.*

- 19. Upload one attachment if needed.** **NOTE:** *This is not required, but you may share one document, i.e., designs, map, photo, supporting materials. Please combine multiple items into one file.*

- 20. Social Impact Goal.** Which of the following social impact goals *best* describes your project?

- ☐ increasing social connections between older adults and all residents of the community (with a focus on people age 50 and older)
- ☐ improving the health and wellness of older adults and all residents of the community (with a focus on people age 50 and older)
- ☐ Improving economic conditions for older adults and all residents (with a focus on people age 50 and older)
- ☐ increasing ways older adults and all residents (with a focus on people age 50 and older) safely move around the community
- ☐ creating a range of housing options for older adults and all residents (with a focus on people age 50 and older) to safely live
- ☐ strengthening connections between government, older adults and all residents (with a focus on people age 50 and older), leading to improved community relations
- ☐ making the community more inclusive and meeting the needs of diverse older adults and residents (with a focus on people age 50 and older)

- 21. Project Category.** Please select the category below that best describes your project, along with the primary corresponding subcategory.

NOTE: *We understand there is some crossover between categories and that several might apply to your project. Please select the main category that aligns most closely with your initial goal.*

- ☐ **Create vibrant public places** in the community through permanent or temporary solutions that improve open spaces, parks and access to other amenities for residents (especially those 50-plus)
 - ☐ Activities to engage residents (particularly people 50-plus) in vibrant public places (e.g., open streets events)
 - ☐ Public space activation with a focus on the needs of those 50-plus (e.g., public plaza improvements, parklets, street trees, alleyway activation, accessible seating and games in public spaces, seating along Main Street corridors, signage in neighborhoods)
 - ☐ Public art installations that make a space more inviting for multigenerational use, including to decrease 50-plus social isolation (e.g., murals and sculptures that are connected to a broader plan for multigenerational use for the public space)

- ☐ Park enhancements to serve all residents with emphasis on people 50-plus (e.g., accessible park equipment improvements, new structures, dog parks)
 - ☐ Community gardens for all residents (especially for people 50-plus) (e.g., building accessible community garden beds)
 - ☐ Accessibility of amenities (e.g., increasing accessibility features of park equipment)
 - ☐ Public safety interventions (e.g., proper lighting, landscaping, block revitalization/maintenance)
 - ☐ Other (please only select if your project does not fit into one of the above categories and please describe in detail) _____
-

- ☐ **Deliver a range of transportation and mobility options** for residents (especially those 50-plus) through permanent or temporary solutions that increase connectivity, walkability, bikeability and access to public and private transit and safety.
 - ☐ Activities to engage people (with an emphasis on people 50-plus) in transportation options/safety (e.g., open streets events)
 - ☐ Roadway/sidewalks/crosswalk improvement and beautification (with emphasis on the safety needs of the 50-plus) (e.g., markings for crosswalks, traffic calming pop-ups at intersections)
 - ☐ Bikeability, especially for people 50-plus (e.g., bike sharing options, temporary bike lanes)
 - ☐ Public or private transit access and safety for residents (with an emphasis on people 50-plus) (e.g., transit shelters, activating and improving transit stops)
 - ☐ Micro-mobility enhancements/management for residents (with an emphasis on people 50-plus) (e.g., parking and training on scooters, e-bikes for older adults, etc.)
 - ☐ Expansion and enhancement of existing transportation options (especially for people 50-plus) (e.g., adding volunteer-led transportation programs, enhanced coordination of existing transportation resources)
 - ☐ Improved wayfinding throughout the community (e.g., signage and markings that are visible for all ages)
 - ☐ Trails (e.g., completing and connecting trails, signage, improving accessibility for all abilities and people 50-plus)
 - ☐ Accessibility of transportation amenities (e.g., increasing accessibility features of transportation options for people of all abilities, including ADA compliance, with emphasis on people 50-plus, etc.)
 - ☐ Other (please only select if your project does not fit into one of the above categories and please describe in detail) _____
-

- ☐ **Support a range of housing options** for residents (especially people 50-plus and their families) in the community through permanent or temporary solutions that increase the availability of accessible and affordable choices.
 - ☐ Accessory dwelling units and tiny homes, particularly those with accessibility features
 - ☐ Co-housing programming and resources for older adults

- ☐ Resources about housing options and available services for residents (with emphasis on those 50-plus)
 - ☐ Innovative or new home maintenance, repair and support services to support residents' ability to live independently and age
 - ☐ Lifelong housing and accessibility for older adults
 - ☐ Other (please only select if your project does not fit into one of the above categories and please describe in detail) _____
-

- ☐ **Increase civic engagement** with innovative and tangible projects that bring residents (especially those 50-plus) and local leaders together to address challenges and facilitate a greater sense of inclusion.
 - ☐ Developing projects based on residents' (especially people 50-plus) priorities (e.g., participatory budgeting efforts)
 - ☐ Bringing resident insight and volunteer power (especially people 50-plus) into local government (e.g., citizen academies, local volunteers supporting City Hall efforts)
 - ☐ Engaging residents alongside thought leaders in problem solving for wants and needs, especially those 50-plus (e.g., hackathons)
 - ☐ Tools and programming to capture data and feedback from residents (especially those 50-plus)
 - ☐ Activities that highlight the use of data to improve decision-making in local government, especially on behalf of older adults
 - ☐ Other ideas that improve civic engagement in the community (please only select if your project does not fit into one of the above categories and please describe in detail) _____
-

- ☐ **Focus on diversity, equity and inclusion** while improving the built and social environment of a community for all ages (focusing on residents age 50 and over).
 - ☐ Inclusive housing solutions that address disparities, with a focus on people 50-plus and meet the needs of diverse populations
 - ☐ Inclusive transportation solutions that address disparities, with a focus on people 50-plus and meet the needs of diverse populations
 - ☐ Inclusive public space improvements that address disparities with a focus on people 50-plus and meet the needs of diverse populations
 - ☐ Inclusive civic engagement efforts that address disparities with a focus on people 50-plus and meet the needs of diverse populations
 - ☐ Inclusive efforts to help family caregivers and allow residents with a focus on people 50-plus to live independently as they age
 - ☐ Other changes to make a community more inclusive, address disparities and meet the needs of diverse populations (please only select if your project does not fit into one of the above categories and please describe in detail). _____
-

- ☐ Support communities' efforts to **build engagement and leverage funding available under new federal programs** to support residents (especially those 50-plus) through laws like the American Rescue Plan Act, the Infrastructure Investment and Jobs Act, and more.
- ☐ Activities to engage residents and build support for planned investments *or* installing temporary or permanent changes that build on changes under new federal programs that improve a community's transportation infrastructure, with a focus on people 50-plus (e.g., demonstrations of roadway, crosswalk, sidewalk improvements, improving the accessibility of public transit, etc.)
 - ☐ Activities to engage residents and build support for planned investments *or* installing temporary or permanent changes that build on changes under new federal programs that improve a community's housing options, with a focus on people 50-plus (e.g., programs and outreach to increase housing stability, demonstrations of new housing options, additional improvements to existing or planned housing, etc.)
 - ☐ Activities to engage residents and build support for planned investments *or* installing temporary or permanent changes that build on changes under new federal programs that improve a community's public spaces, with a focus on people 50-plus (e.g., demonstrations of new park accessibility and public space improvements, improving spaces that were improved leveraging federal funds, etc.)
 - ☐ Activities to engage residents and build support for planned investments *or* installing temporary or permanent changes that build on changes under new federal programs that improve a community's connectivity to broadband/high speed internet, with a focus on people 50-plus (e.g., purchasing of hotspots, expanding wireless network access at libraries, training/engaging older adults, etc.)
 - ☐ Other (please only select if your project does not fit into one of the above categories and please describe in detail) _____
-

- ☐ **Other Community improvements;** including health services, community development, and coronavirus pandemic recovery (with a focus on the needs of people 50-plus)
- ☐ Recovery from the coronavirus pandemic with an emphasis on community development, improvements to public spaces and transportation services, with a focus on people age 50 and older
 - ☐ Connectivity improvements, including broadband access, with a focus on people age 50 and older
 - ☐ Activities that increase access to healthcare services, with a focus on people age 50 and older
 - ☐ Activities that support family caregivers, with a focus on people age 50 and older
 - ☐ Activities to support entrepreneurship to improve economic resilience for people age 50 and older.
 - ☐ Other (please only select if your project does not fit into one of the above categories and please describe in detail) _____

22. Project Deliverables. Please specify the individual deliverables of your project. Quantify and provide as much detail as you can about any **physical structures (such as benches, lighting, signage, etc.), events, dates, addresses, communications, people reached, volunteers involved, etc.** within 300 characters (including spaces) for each deliverable.

Before you enter your answers, PLEASE READ the examples below and review Attachment D.

For example:

- I. The Organization will purchase and install structures with LED lighting with custom side panels at (ADDRESS)
a. Quantity: 3*
- II. The Organization will purchase and install ADA compliant benches at (ADDRESS)
a. Quantity: 7*
- III. The Organization will purchase and install AARP branded signage at (ADDRESS)
a. Quantity: 15*
- IV. The Organization will purchase and install accessible raised garden beds
a. Quantity: 10*
- V. The Organization will hold event on (DATE) (event examples: workshops, hackathon, trainings)
a. Quantity: 1*
- VI. The Organization's goal is to have community members to be trained at workshops on 50+ issues
a. Quantity: 250, including at least 125 people age 50 and older*
- VII. The Organization will hold a (kick-off, ribbon cutting, etc.) event on November 1, 2022.
a. Quantity: 1*
- VIII. The Organization has a goal of attendees at event
a. Quantity: 400, including at least 200 people age 50 and older*
- IX. The Organization will engage volunteers over the course of the project – including painting accessible benches made of outdoor materials, installation, and the kick-off event
a. Quantity: goal of 70, including at least 35 people age 50 and older*

Deliverable 1: _____

Quantity: _____

Deliverable 2: _____

Quantity: _____

Deliverable 3: _____

Quantity: _____

Deliverable 4: _____

Quantity: _____

Deliverable 5: _____

Quantity: _____

Add more deliverables as necessary

23. Project Type:

NOTE: Proposals for the project types described below will be prioritized over those that support ongoing programming or events.

- ☐ **Permanent physical** improvements in the community
- ☐ **Temporary demonstrations** that lead to long-term change
- ☐ **New, innovative programming** or services

PROJECT NARRATIVE AND BUDGET

Please complete each section with 2,000 characters or fewer (including spaces).

- 24. Livable Communities Activities.** Please describe how the Community Challenge project will be integrated with ongoing efforts to make this community more livable for all (with a focus on people 50-plus) and have a lasting impact.

- 25. Community engagement.** Please describe how residents and local organizations have been engaged in the area's livable communities' activities (with a focus on people 50-plus) to date. How will you engage the community and involve older residents as you execute this grant?

- 26. Role of volunteers.** Will volunteers age 50 and older play a role in the implementation of the Community Challenge project?

- ☐ Yes
- ☐ No

- a. **Please describe.** NOTE: Even if you answered "No" above, if volunteers of any age will play a role in implementing the Community Challenge project, please explain.

27. Older Adults. How will your project benefit residents age 50 and over?

28. Diversity and Inclusion. Regardless of your project category, will your project focus on, impact or benefit a specific multicultural population of older adults and their families in the community?

☐ Yes

☐ No

a. If so, please select the one or two who will be primarily impacted below.

- ☐ African American/Black
- ☐ Hispanic/Latino
- ☐ Asian American Pacific Islander
- ☐ Native American
- ☐ LGBTQ+
- ☐ Other: _____

b. Please describe how the effort focuses on or impacts this population (including any emphasis on people 50-plus and their families).

29. Disparities. Will your project improve or address existing disparities (including racial or economic) experienced in the community (especially for people age 50 and older)?

☐ Yes

☐ No

Please describe: _____

30. Veterans and Military Families. Will your project have an emphasis on veterans and their families of all ages (including those age 50 and older)?

☐ Yes

☐ No

Please describe: _____

- 31. Federal Investments.** Regardless of your project category, is your project connected to any efforts that were supported or are planning to build engagement, under recent federal legislation that supports communities (including the American Rescue Plan Act, the Infrastructure Investment and Jobs Act or others) to benefit residents (with a focus on people 50-plus)?

☐ Yes

☐ No

Please describe: _____

- 32. Grant Budget.** Please specify all expenses that will be covered by this grant. Itemize anticipated expenses and income (if any) for this proposal. Please ensure that the Total Grant Amount Requested below matches the amount you entered in Question #2 at the beginning of this application.

	Expense	Additional information
Contracted services costs		
Staff costs, if any (NOTE: AARP will typically only award grants that spend 0-15% on staff costs. However, AARP reserves the right to award compelling projects that go beyond this range.)		
Materials & supplies, if any		
Travel expenses, if any		
TOTAL GRANT AMOUNT REQUESTED		

- 33. Matching/Supporting Funds and In-Kind Support.** Matching funds are NOT required. Please detail any matching/supporting funds or in-kind support the organization will receive to contribute toward this project. Include volunteer/donated work as in-kind support.

	Matching Funds/Supporting Funds	In-Kind Support
Nonprofit		
Private		
Public		

34. How will you use AARP branding?

- 35. Other Funding.** AARP might be contacted by other potential funders that could be interested in funding projects that were not funded through the AARP Community Challenge. The potential funders may have additional process steps and funding requirements than those of the AARP Community Challenge. If requested, AARP would like to send your contact information, organization name and a short description of your proposal, including the community where the project would take place ("Project Information"). Please note that these projects will be subject to any potential funder's own terms, conditions and review. Please indicate in your application whether or not you give permission to AARP to share your Project Information with other potential funders. If you select "yes," you agree on behalf of yourself and your organization to release AARP and its affiliates and their respective officers, directors, employees, contractors, agents and representatives from all liability associated with sharing the Project Information with potential funders. We will alert you before this Project Information is given to potential funders. **Do you give AARP permission to share this Project Information with other organizations that might be interested in funding your project?**

☐ YES

☐ NO

An opportunity for other possible AARP funding. Please note that by submitting a proposal for the AARP Community Challenge initiative, you and your organization give AARP permission to reach out to you and others at your organization about other possible AARP funding opportunities that your proposal may be eligible for based on the AARP Community Challenge criteria. However, please note that AARP is not obligated in any way to consider your proposal for any additional AARP funding.

NOTIFICATION

When you SUBMIT this application, you will receive a confirmation email within the hour. Please make sure to check your spam folder if you do not see it. If you do NOT receive a submission confirmation, you have NOT submitted successfully. Please go back and make sure you completed ALL required questions and did not go over the text box character limits.

All applicants will be notified of their funding status by email in May. To receive funding, selected applicants must execute and return a binding Memorandum of Understanding and completed financial forms to the AARP National office in a timely manner.



REQUEST FOR PROPOSALS FOR ENGINEERING TRANSPORTATION PLANNING SERVICES

The Bismarck-Mandan Metropolitan Planning Organization (MPO) and Bis-Man Transit request proposals from qualified consultants for the following project:

2022 Transit Development Plan

Qualifications based selection criteria will be used to analyze technical proposals and interviews from responding consultants. The MPO reserves the right to reject any or all proposals. **This project has a not to exceed budget of \$175,000.**

Interested firms should contact, Rachel Drewlow, Executive Director, at the Bismarck-Mandan MPO, 221 N 5th Street P.O. Box 5503, Bismarck ND 58506. Contact can also be made via phone 701.355.1852 or by email: rdrewlow@bismarcknd.gov

All proposals received by 4:00 PM (CST) on April 7, 2022 will be given consideration for an interview. The Bismarck-Mandan MPO reserves the right to limit the interviews to a maximum of five (5) firms whose proposals most clearly meet the RFP requirements. Firms will be notified in writing or by phone of shortlist results. Successful candidates will receive date, time and location information for the interviews. Consultant may provide a video conference platform for team members participating remotely.

It is the responsibility of the consultant to ensure all required elements of the proposal are submitted. Proposals missing required elements will be rejected and consultants will be denied interviews.

Minority, women-owned, and disadvantaged business enterprises are encouraged to participate. Respondents must submit six (6) copies of the written proposal and one (1) electronic copy. The full length of the proposal shall be no more than eight (8) pages, and preferably printed as double sided. Stapling is preferred over spiral binding. Appendix material is not counted toward the eight (8) page limit. Submittals must be received no later than 4:00 PM (CST) April 7, 2022 and may be shipped or hand delivered to:

Bismarck-Mandan MPO
221 N 5th Street
P.O. Box 5503
Bismarck, ND 58506-5503

Once submitted, the proposals become the property of the MPO. Proprietary information must be clearly noted in the proposal, or it will be subject to open records laws.

Contents

I. PURPOSE OF REQUEST	Error! Bookmark not defined.
II. GENERAL INSTRUCTIONS	3
III. CONTENT OF PROPOSALS	4
IV: ADDITIONAL REQUIRMENTS AND MISCELLANEOUS INFORMATION	5
V. EVALUATION CRITERIA AND PROCESS	6
VI. REGIONAL CONTEXT AND EXISTING CONDITIONS.....	6
VII. OBJECTIVE	7
VIII: STUDY AREA.....	8
IX. SCOPE OF WORK	8
X. REVIEW AND COMPLETION PROCESS	10
XI. PUBLIC INVOLVEMENT PLAN	11
XII: INFORMATION AVAILABLE TO THE CONSULTANT	12

Appendix A: Proposed Sub-Consultant Request Form

Appendix B: Consultant Self Certification of Government-Wide Debarment and Suspension (Nonprocurement) Form

Appendix C: Certification and Restriction on Lobbying Form

Appendix D: State, Federal and Local Clauses

I. PURPOSE OF THE REQUEST

The purpose of this Request for Proposals (RFP) is to provide interested consulting firms with enough information about the professional services desired by the Bismarck-Mandan Metropolitan Planning Organization (MPO) for the following project:

2022 Transit Development Plan

The MPO is requesting services to complete an evaluation and operational analysis of the transit system managed by Bis-Man Transit, which serves Bismarck and Mandan, ND. This study will be in cooperation with the cities of Bismarck and Mandan; the Bis-Man Transit Board, the North Dakota Department of Transportation (NDDOT), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).

II. GENERAL INSTRUCTIONS

A. Any questions or comments regarding this proposal should be submitted to:

Bismarck-Mandan MPO
221 N 5th Street
P.O. Box 5503
Bismarck, ND 58506-5503

Phone: 701.355.1852

E-Mail: rdrewlow@bismarcknd.gov

(Please submit all questions in writing no later than April 6, 2022)

B. Proposals shall be submitted to:

Bismarck-Mandan MPO
City/County Building
221 N 5th Street
P.O. Box 5503
Bismarck, ND 58506-5503

C. All Proposals must be clearly identified and marked as follows:

Proposal for:
2022 Transit Development Plan
Firm's Name
Bismarck-Mandan MPO

- D.** The MPO will only consider proposals received prior to 4:00 PM Central Time on Thursday, April 7, 2022. Six (6) copies of the written proposal and one (1) electronic copy must be received by the deadline. Electronic copies may be sent via a flash drive or emailed to rdrewlow@bismarcknd.gov. Proposals received after the 4:00 PM deadline will be considered unresponsive and will not be considered for an interview. The MPO reserves the right to reject any or all proposals.

E. Proposal Cut Down:

The Selection Committee intends to interview between three (3) and five (5) consultants, depending on the number and quality of proposals received. Strength of the written proposals will be the basis for awarding an interview. Consultants who are awarded an interview will be notified by phone. Consultants not selected for an interview will be notified in writing.

<p>F. Selection Committee: The Selection Committee will consist of a six (6) person panel; five (5) voters and one (1) moderator. Committee members represent the following entities: MPO/City of Lincoln, City of Bismarck, City of Mandan, Bis-Man Transit, and a member of the community at large/business community. The MPO Project Manager will moderate the interviews and provide a tie breaking vote in the event that neither Consultant employs a ND-Certified DBE.</p>
<p>G. Interviews: Consultants will be evaluated on both the written proposal and in-person interviews. Ranking is based on the criteria listed in Section V: Evaluation Criteria and Process. Interviews are planned to be held between May 3-6, 2022. Consultants will be given forty-five (45) minutes for their interview and Q&A. Consultants manage their own time and are encouraged to leave space at the conclusion of their presentation for questions and answers. There will be fifteen (15) minute breaks between interviews for set up and tear down. Consultant may provide a video conference platform for team members participating remotely.</p>
<p>H. Disadvantaged Business Enterprise: In the event that two consultants are equally ranked as the top consultant, additional positive consideration will be given to proposals which employ a Disadvantaged Business Enterprise (DBE) company. The DBE company must be certified with the North Dakota Department of Transportation (NDDOT). This applies equally to the prime or sub-consulting company, and any such company should be identified in the proposal.</p>
<p>I. Selection and Approvals: Selection will be based on the interview committee's recommendation and a successful cost proposal. All interviewees will be notified of the selection results by phone and formal letter. Approval of the top ranked consultant will be requested of the MPO's TAC and Policy Board.</p>
<p>J. Contract Negotiations: Contract development will begin immediately after Policy Board approval of the top-ranked consultant. The MPO has a template contract which will be use for the study. Consultant will be required to prepare a scope of work and final fee schedule, which will be included in the contract. The draft contract is reviewed by MPO Staff, local and federal partners, and legal counsel(s). After negotiations, the MPO intends to execute the contract upon staff authority.</p> <p>Final negotiations will include submission of:</p> <ol style="list-style-type: none"> 1) Prime Consultant scope of work and final fee schedule not exceeding \$175,000 2) Scope of work and fee schedule for <u>ALL</u> Subconsultants 3) Prime Consultant Certificate of Liability Insurance 4) Prime Consultant Indirect Cost Form (blank form will be provided by MPO) 5) SFN 60233: Prime Consultant Request to Sublet Form (blank form will be provided by MPO) 6) Up-to-date SF330 Form for NDDOT (See Section III: Content of Proposals).

III. CONTENT OF PROPOSALS

Length of Proposals:

The proposal pages shall be numbered and limited to eight (8) pages, preferably double sided. The reverse of the first page would be page 2. The cover page, table of contents, and appendix material will not count toward the eight (8) page limit. Stapling is preferred over spiral binding.

Required Elements for Proposal:

The consultants are requested to be as brief and concise as possible. The consultant's written proposal shall address the following major sections:

1. Description of firm
2. Organizational chart showing project team and general activities
3. Table of key individuals' time-available for project/study
4. Understanding of project and proposed work approach
5. Brief examples of past, pertinent work projects

Required Elements for Appendix:

The consultant's appendix must include the following items unless noted as 'optional'. The following items will not count toward the eight (8) page limit and may take as many pages as needed.

- **Proposed Project Schedule:** Proposed schedules may begin as soon as May 18, 2022, and should detail all activities necessary to complete the study. Activities may include but are not limited to:
 - Contract Negotiations
 - Monthly Updates (via telephone or in person) to MPO TAC and Policy Boards
 - Updates (as needed) to the Bis-Man Transit Board.
 - Data Acquisition (provided, as available, by MPO, NDDOT, City of Bismarck, City of Mandan, and Bis-Man Transit)
 - Stakeholder Interviews/ Bis-Man Transit Board
 - Steering Committee Meetings/ Activities
 - Public Outreach Activities (webpage, meetings, social media, news releases, etc.)
 - Public Input Meetings
 - Documents/Tech Memos for Study Milestones
 - Draft Report Development
 - Draft Report Review by Steering Committee, MPO, NDDOT, FHWA, and FTA (required before presentation to the Bis-Man Transit Board, City Commissions, and MPO Boards)
 - Final Presentations to the Bis-Man Transit Board, Bismarck City Commission, Mandan City Commission, MPO TAC and Policy Board.
- **Quality Control/Quality Assurance (QC/QA) program:** Detail the program that will be used on the project. This (QC/QA) program must identify the team members, their responsibilities, and stages of development at which each is to be responsible.
- **Required Qualification Based Selection (QBS) Documents:**
 - Signed Proposed Sub-Consultant Request Form (Appendix A)
 - Signed Consultant Self Certification of Government-Wide Debarment and Suspension (Nonprocurement) Form (Appendix B)
 - Signed and Notarized Certification and Restriction on Lobbying Form (Appendix C)
- **Resumes or list of Personnel:** Detail who will be assigned to work on the project (including titles, education, and/or work experience).
- **Optional:** Consultants are encouraged to update or complete a Federal Standard Form 330 (Architect-Engineer Qualifications). The SF 330 is an NDDOT requirement, and proves the consultant is pre-qualified to provide architectural, engineering and/or planning services for NDDOT. Consultants will not be penalized if the SF 330 is omitted in their proposal, but **the consultant selected for contract negotiations must provide an active SF-330 before the contract can be signed.**

See http://www.dot.nd.gov/divisions/environmental/docs/consultnt_prequal_requirements.pdf for link to the SF 330. All SF 330 forms will be kept on file by the MPO and forwarded to NDDOT.

Disclosure of Proposal Ownership:

At the conclusion of the selection process, the contents of all proposals will be subject to the City of Bismarck's Open Records Law and may be open to inspection by interested parties. Any information included in the proposal that the proposing party believes to be a trade secret or proprietary information must be clearly identified in the proposal. Any identified information documented as such and protected by law may be exempt from disclosure.

IV: ADDITIONAL REQUIREMENTS AND MISCELLANEOUS INFORMATION**State, Federal and Local Contract Requirements:**

The City of Bismarck as the MPO's Host Agency, the NDDOT, and FHWA require that specific clauses accompany federally funded projects executed by the MPO. Consultants should be prepared to abide by the necessary clauses which are included verbatim and unaltered in all potential MPO contracts. *The clauses can be reviewed in Appendix D: State, Federal and Local Clauses.*

One additional clause not included in Appendix D, but required due to the use of Federal Funds, is the 'Ownership of Work

Product Clause'. Consultants and subconsultants should be prepared to abide by the following:

Ownership of Work Product: All work products and copyrights of the contract, which result from the contract, are the exclusive property of BMMPO and NDDOT, with an unlimited license for use by the federal government and its assignees without charge.

General Information:

Bismarck-Mandan MPO reserves the right to enter into a supplementary agreement to have the selected firm perform any additional work not currently assigned.

If the contract is terminated prior to completion of the final report, all work completed, which has been compensated for, shall become the property of the NDDOT, as per the 'Ownership of Work Product' Clause. The final report will be submitted using the following formats and standards, if applicable:

- GIS Shapefiles
- MS Word/ MS Excel
- Adobe Acrobat (Standard or Compatible)
- NDDOT Data Collection Codes and Procedures
- NDDOT and/or City, as applicable, Drafting Standards
- NDDOT Design Manual
- Chapter 19 NDDOT Survey and Photogrammetry Manual

V. EVALUATION CRITERIA AND PROCESS

The selection process will be completed in accordance with Bismarck-Mandan MPO policies. Written proposals shall address the firm's ability to perform the necessary services in the allotted time with qualified personnel. Selection will be based on an array of measures chosen from the following criteria:

1. Recent, current, and projected workloads
2. Ability of professional personnel (staff experience and technical capabilities)
3. Related experience on similar projects
4. Location
5. Project understanding, issues and approach
6. Past Performance
7. Willingness to meet time and budget
8. Recent and current work for the agency
9. Project Schedule

The final selection will be based on written proposals along with in-person interviews (with the capability for a consultant-provided online platform). All firms not selected will be notified in writing.

In the event of equally ranked consultants, additional positive consideration will be given to proposals which employ a Disadvantaged Business Enterprise (DBE) company. If no DBE is employed, the moderator's rankings will provide the tie-breaking score. See Section II: General Instructions for more information.

A final scope of work will be developed and price will be negotiated with the successful firm. An agreement will be executed with a single firm. If unable to arrive at a mutual agreement with the top ranked firm, the MPO retains the right to move on to negotiations with the second (then third, etc.) ranked firm. Approved sub-agreements for minor portions of the work will be permitted.

VI. REGIONAL CONTEXT AND EXISTING CONDITIONS

Bismarck-Mandan MPO Region:

The Bismarck-Mandan MPO consists of the cities of Mandan, Bismarck, and Lincoln, and the metropolitan portions of

Burleigh and Morton County. The MPO has a performance-based planning process that supports metropolitan community development and federal, state and local transportation goals. These plans and programs are intended to lead to the development of an integrated, multi-modal metropolitan transportation system that facilitates the safe, efficient and economic movement of people and goods.

The MPO planning area is roughly 394 square miles with an estimated population of approximately 115,000 and 50,000 households (Source: 2013-2017 5-year American Community Survey). The MPO area is bisected from north to south by the Missouri River and is generally comprised of rolling topography throughout. One of the more noteworthy challenges facing the MPO planning area is the heightened level of growth, experienced largely due to energy development in western North Dakota. Historic growth trends in the MPO area have traditionally hovered within a 1% to 1.5% annual rate of population growth. The currently adopted growth projection is a "Continuation of Past Trends", or a 1.2% annual growth rate for the period between 2015 and 2045.

While the population growth is generally perceived as positive, there are some noteworthy concerns, specifically: the impact of recent growth on public service costs, the continued ability of the MPO region to grow in an efficient manner, and the ability to maintain the high quality of life enjoyed by residents of the communities. The heightened rates of growth strain many aspects of the region's transportation infrastructure and create increased demands on area municipal services, schools, and transportation. Also, topography, man-made barriers, and historical development patterns have contributed to challenges regarding roadway connectivity. The MPO's local jurisdictions have worked diligently to meet these needs, and now must develop a balance to accommodate the expanding systems but also maintain current, aging infrastructure.

The MPO has a planning process that supports metropolitan community development and social goals. These plans and programs are intended to lead to the development of an integrated, multi-modal metropolitan transportation system that facilitates the safe, efficient and economic movement of people and goods.

Bis-Man Transit: (NUMBERS NEED TO BE UPDATED FROM TRANSIT)

The Bis-Man Transit system was originally developed in 1989-1990. It was designed as a coordinated transportation system to replace several smaller individual programs.

The City of Bismarck owns the building, vehicles and equipment of the Bis-Man Transit Service. The City of Bismarck has contracted Bis-Man Transit to be the broker, and Bis-Man Transit has hired National Express Transit to provide the operator contract for the services. Bis-Man Transit has two operative components. Bis-Man Transit is the para-transit service and Capital Area Transit (CAT) is the fixed route bussing component.

The para-transit service logs approximately 619,449 miles per year in the Bismarck/Mandan service area. The Transit fixed route service (CAT) will log 306,579 miles this year.

The para-transit service makes 156,032 trips per year and the fixed route service makes 125,760 trips per year. These numbers are annual and representative of the 2016 calendar year. In 2017, the Transit implemented service changes that reduced the hours and eligibility for paratransit riders. Rides have reduced for both paratransit and fixed route modes in the current year.

VII. OBJECTIVE

The purpose of this study is to provide the Bismarck-Mandan MPO and Bis-Man Transit with a quality and usable guidance in which to improve service and operations in a financially solvent manner. The study should evaluate and build upon the current TDP, but provide additional guidance where improvement is needed.

The study should be comprehensive in scope, focusing on community need, perception, and capacity, as well as transit operations. Recommendations should be achievable in a strategic manner and backed by a clear, logical rationale that is useful for decision-makers, staff, and community members. As envisioned, the study will be a blueprint for future activities and programs that will enhance and strengthen the Transit System, helping it and our greater community realize its full mobility potential.

VIII: STUDY AREA

The study area encompasses transits current service area, which includes the corporate limits of Bismarck and Mandan AND ¾ of a mile from an existing route. Routes may be viewed on the Bis-Man Transit website: www.bismantransit.com/

IX. SCOPE OF WORK

Project Management

This task involves activities required to manage the project including staff, equipment, and documentation. It also includes the preparation of progress reports, documenting travel and expense receipts, and preparing and submitting invoices in a timely manner. This task includes monthly progress reports to the MPO, Bis-Man Transit Board and Transit Staff, the Technical Advisory Committee, and to the Policy Board.

Steering Committee

The MPO project manager will assist the consultant in developing a Steering Committee(s) for the study. The Committee(s) may contain but are not limited to the following members:

- City Engineers/ City Traffic Engineers
- City Planners
- Staff of Bis-Man Transit
- Staff member(s) of the MPO
- Members of the Community
- Select Transit Board Members
- NDDOT Local Government Division
- FHWA
- FTA

The consultant shall meet with the Steering Committee periodically, and as necessary, during the study process to review data and recommendations.

The consultant shall provide progress/technical memorandums at key points throughout the study process. Sufficient copies shall be provided for the distribution to the Steering Committee.

Involvement with the Transit Board

Consultant is expected to regularly meet with the Transit Board and consider their input in identifying the future vision for Transit and recommendations for the Transit Development Plan. Study updates should be given to the Transit Board every 2-4 months, or as needed. These presentations are intended as general updates, not opportunities to steer the study. MPO staff feels it would be more beneficial for the Transit Board to designate members to sit on the steering committee and represent the boards interests or instruct the consultant to host design charrettes for the full board to provide guiding input.

Review of Previous Plan:

Consultant will review the previous Transit Development Plan (2017 Transit Development Plan) and evaluate its recommendations. Consultant should assess whether a previous recommendation had been implemented and if it had been implemented to completion. Areas that have not been achieved should be evaluated for their continued value and usefulness to the future of the transit agency.

Special Requests by Bis-Man Transit:

1. Special Focus Areas
 - a. Identify the long-term vision for transit in our community. Consider the needs and wishes of Users, Citizens, Commissions, and Transit Board and Transit Staff.
 - b. Involve the public in further discussion on the imminent funding shortfall. How can transit involve the community so they better understand the ‘why’ behind service changes so that Transit’s reputation remains favorable in the communities.
2. Organizational Analysis and Peer Comparisons

- a. Compare the Organizational Structure of Transit to that of other Transit agencies in the state and comparable cities.
 - b. **Create infographic/chart** to share with City Commission and the taxpayers
3. Organizational Recommendations
 - a. Describe feasible alternatives for the overall organizational structure
 - b. Outline the costs, advantages and challenges of all feasible alternatives. Ensure all feasible options are permissible under state and federal law.
 - c. Alternatives may include, but are not limited to:
 - i. Grantee administers the system internally and contracts operations
 - ii. Grantee administers and operates the system internally
 - iii. Grantee contracts with a single service provider to administer and operate the system
 - iv. Grantee changes to another entity (ie. Transit Authority) for administration and operations.
 - v. Administration and Operation of the service is privatized
 - d. **Create infographic/chart** to share with City Commission and the taxpayers
4. Analysis of Current Cost of System
 - a. Develop a detailed outline of the costs to managing, operate, and monitoring the Transit system.
 - b. Cost could include:
 - i. Operations and Maintenance Costs
 1. Costs of Fixed-Route Service
 2. Costs of Paratransit Service
 - ii. Capital Costs
 - iii. Administrative Costs
 - iv. Monitoring and Oversight Costs
 - c. **Create infographic/chart** to share with City Commission and the taxpayers
5. Funding Comparisons and 5- to 10-Year Financial Forecast
 - a. Outline Transit's funding sources and annual allocations (Local, State or Federal Funds)
 - b. Describe funding shortfalls and Transit's 5-10 financial forecast
 - c. Compare the funding structure to peer agencies/ communities.
 - d. Outline additional fund-raising opportunities. These could include, but are not limited to:
 - i. Use taxpayer approved mills. If so, how many mills?
 - ii. Use general fund moneys?
 - iii. Use sales tax or another funding alternative?
 - iv. Identify additional organizations and specify opportunity/ requests for their matching funds
 - v. Identify additional grants for transit funding
 - vi. Identify additional revenue streams for Transit (i.e. Demand Response service, Micro-Transit, Match from Local Partners)
 - vii. Identify possibility for additional funding requests through the Cities (Bismarck, Mandan, Lincoln)
 - e. **Create infographic/chart** to share with City Commission and the taxpayers
6. Facility/Service Analysis and Peer Comparisons
 - a. Evaluate the effectiveness of recently changed fixed-routes
 - b. Evaluate the effects of past service changes (reduction in service area, reduction in para-transit eligibility criteria)
 - c. Evaluate shelter placement
 - d. Comparison of the facility/services provided versus peer communities
 - e. **Create infographic/chart** to share with City Commission and the taxpayers
7. Facility/ Service Recommendations
 - a. Identify potential changes/ additions to fixed routes.
 - i. Give particular attention to possibility of returning Mandan to one route (currently 2 routes)
 - b. Recommend alternative types of Transit services
 - i. Offering service at a premium rate (outside ADA required hours and holidays)

- ii. Demand Response service
- iii. Micro-Transit
- c. Develop location for fixed bus stops and outline entities/avenues for funding new stops.
- d. Evaluate if new, central Transit Hub is still a need for the system
- e. Tie services recommendations back to public comments and financial forecast

Update Federal Requirement

Consultant should note the following federal elements which will need mention or adoption into the Transit Development Plan.

- 1. Incorporate adopted Safety and Security Performance Measures/Targets
- 2. Incorporate current and newly adopted Transit Performance Measure
- 3. Incorporate the updated Transit Asset Management (TAM) Plan (to be finalized October 2022)
- 4. Update the lay-out of the TAM Report, if needed (Found in Bis-Man MPO 2022-2025 TIP)

Monthly TAC and Policy Board Meetings:

The consultant will provide monthly updates (i.e. progress reports) to the MPO TAC and Policy Boards. Updates will be conducted verbally and with written memorandums, briefly updating board members on the status of the project. A minimum of one (1) personal appearances is also required before the TAC and Policy Board during the development or completion of the study.

Public Involvement:

See Section XI: Public Involvement Plan for detailed information.

X. REVIEW AND COMPLETION PROCESS

A. Draft Development and Review:

A draft report shall be produced after all recommendations have been developed and approved by the Steering Committee(s). Electronic and/ or paper copies of the draft report shall be provided for the Steering Committee(s), the MPO project manager, the Bis-Man Staff, Bis-Man Transit Board or designees, NDDOT, FHWA and FTA for their review and comment. All comments from the MPO, NDDOT, FHWA, and FTA shall be addressed to the respective entity's satisfaction prior to development of the final draft and final presentations.

B. Final Presentations/ Completion:

The draft report shall be advertised and made available to the public for a minimum of fifteen (15) days before the final presentations.

The consultant will be requested to make a presentation to the Bis-Man Transit Board, the Bismarck Board of City Commissioners, the Mandan Board of City Commissioners, the MPO Technical Advisory Committee and the MPO Policy Board for review and acceptance/approval of the final draft report. Approval of the final draft report by the MPO Policy Board, and subsequent distribution of study deliverables, will mark the completion of the study.

C. Deliverables:

The final study report shall be produced after all comments on the draft report are addressed, final presentations are complete, and the report has been approved by the MPO TAC and Policy Board. A minimum of **eight (8) paper** copies shall be provided. A minimum of one (1) pdf-based electronic copy shall also be provided. All products are to be delivered to the MPO project manager for dissemination to the appropriate City, Transit or MPO staff, Transit Board Member, TAC or Policy Board Members, and oversight entity.

Schedule for Contract Development and Final Study Deadline:

RFP Submittal Deadline	April 7, 2022
Notification for Interviews	April 20-22, 2022
Interviews and Notification of Ranking	May 4-6, 2022
Approval(s) and Notice to Proceed	May 18, 2022
Formal Notification of Firms	May 18-20, 2022
Negotiation of Work Fee and Scope of Work	May - June, 2022
Final Project Report & Presentations	No later than June 31, 2023

XI. PUBLIC INVOLVEMENT PLAN

In order to achieve the proposed vision for the Transit System, it is imperative that residents, businesses and stakeholders be involved in the development of the study. Direct effort should be made to obtain broad-based support from the community. Consultants shall prepare a Public Involvement Plan that is consistent with the MPO Public Participation Plan and complies with Title VI of the Civil Rights Act of 1964 and the Executive Order on Environmental Justice of 1994. The following are the minimum public involvement activities the consultant should include:

- 1) Up to four (4) public meetings/design charrettes for the general public, including residents, businesses, and stakeholders. The up to four (4) meetings will occur at up to two (2) times during the study, and will include one meeting for Bismarck residents and one meeting for Mandan residents. The meetings or comment opportunities may be in-person, online, or hybrid. All input and attendance from the public meetings shall be recorded and all concerns and suggestions will be included and addressed in the study document.
- 2) A web site for the study that will be interesting, provide up-to-date information, and be easy to use by the public;
- 3) Five (5) final presentation meetings, with potential for each to be a public meeting. One meeting with each of the following entities: Bis-Man Transit Board, Bismarck Board of City Commissioners, Mandan Board of City Commissioners, and MPO TAC and Policy Board.

Community Engagement:

Consultants are encouraged to reach out to the community at large and interested or affected community members. Consultants are encouraged to use novel means to inform the public and gather their opinions. Suggested ideas could include but are not limited to: flyers; updates in city bulletins, radio or television PSAs; coordination with local public or commercial media outlets; presentation to community/ business groups, and public meetings.

Online Engagement:

The consultant shall create a website to keep the public informed and engaged regarding the study. The website should include regular updates, including pertinent study documentations, maps, online surveys, public involvement opportunities, and the drafts and final reports. The website should also track hits/visits to the site.

Consultants are required to dedicate one or more staff to the development and maintenance of social media posts or other online engagement tools to enhance the public involvement process and encourage the public's participation.

The MPO hosts a Facebook page which is intended to be a clearing house for all MPO related social media outreach. The MPO will not allow consultants to create additional Facebook pages for MPO studies, but the MPO can allow administrative privileges to designated consultant staff during active phases of the study. This arrangement allows consultants (or their designated staff) to provide study updates and public outreach via Facebook, while also allowing the MPO project manager and the City of Bismarck's Public Information Officer convenient access to monitor public responses.

Newspaper Engagement:

Public meetings and final presentations will be advertised in the local newspaper(s). Consultants are responsible for preparing newspaper advertisements for public meetings and final presentations. The MPO reviews the ads, provides necessary modifications to language and formatting, and coordinates and pays for printing with the local newspaper(s).

XII: INFORMATION AVAILABLE TO THE CONSULTANT

The following resources/data/information is available for the project from the Bismarck-Mandan MPO and its partners:

Past Transit Plans:

1. [2017 Transit Development Plan](#) – 2019
2. [2011 Transit Development Plan](#) (Mobility 2017) – 2012
3. [2006 Transit Development Plan](#)
4. [Bis-Man Transit Management Alternatives Study](#) – (2011)

Major MPO Documents:

5. [MPO 2022-2025 Transportation Improvement Plan](#)
6. [Arrive 2045 \(2020-2045 MTP\)](#) – 2020
7. [TDMSE for 2020 Base Year Model](#) – 2018

Pertinent MPO Transportation Studies and Data:

8. [ITS Architecture Update](#) – 2021
9. [Bismarck-Mandan Intersection Analysis Study](#) – 2020
10. [US 83 Alternative Study](#) – 2019
11. [Downtown Mandan Subarea Study](#) – 2018
12. [2018 Freight Plan](#) – 2018
13. [Bismarck-Mandan Bicycle and Pedestrian Plan](#) – 2017
14. Bismarck-Mandan School Safety Crossing Study – 2017
 - a. [Bismarck Public Schools Final Report](#)
 - b. [Mandan Public Schools Final Report](#)
15. [Mandan and Bismarck Corridors Improvement Study](#) – 2016
16. [Northeast Bismarck Subarea Study](#) – 2015
17. [Downtown Bismarck Subarea Study](#) – 2014
18. 2014 Fringe Area Master Plan – 2014
 - c. [Burleigh-Bismarck-Lincoln](#)
 - d. [Mandan/Morton](#)
19. [North Mandan Subarea Study](#) – 2013
20. [43rd Avenue Corridor Study](#) – 2013
21. [North Mandan Subarea Study](#) – 2013
22. [NW Bismarck Subarea Study](#) – 2011
23. [Lincoln and Bismarck Connection Study](#) – 2008
24. Land base/Infrastructure data from member jurisdictions
25. Colored Digital Orthophotography – 3-inch resolution – 2020
26. Digital Elevation Data – 1-foot contours – 2020

MPO General Documents

27. [Bismarck-Mandan MPO Monitoring Report](#) – 2016/2019
28. [MPO Public Participation Plan](#) – 2021
29. [MPO Title VI/Non-Discrimination Plan](#) – 2017

Partner/Jurisdictional Plans:

30. [Together 2045: Bismarck Compressive Plan Update](#) (Ongoing)
31. [ND State Freight and Rail Plan](#) (Ongoing)
32. [ND Moves Plan \(Statewide Active and Public Transportation Plan\)](#) – 2019
33. [2017 Bismarck Livability Survey Documents](#) – 2017
34. [Mandan Land Use and Transportation Plan](#) – 2015
35. [City of Bismarck Growth Management Plan](#) – 2013

Appendix A: Proposed Sub-Consultant Request Form

**Appendix B: Consultant Self Certification of Government-Wide Debarment and Suspension (Nonprocurement)
Form**

Appendix C: Certification and Restriction on Lobbying Form

Appendix D: Federal, State and Local Clauses

Appendix E: Cost Estimate Form

(Include completed form(s) in a separate sealed envelope – labeled “SEALED COST ESTIMATE – Firm Name” and submit with technical proposal as part of the RFP response. Cost estimates are required of both the prime consultant and any subconsultants.)

The cost estimated should be based on a not-to-exceed budget of \$175,000. Changes in the final contract amount and contract extensions are not anticipated.

REQUIRED BUDGET FORMAT
Please Use Audited DOT Rates Only
2022 Transit Development Plan

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