



## Bis-Man Transit Board Meeting

November 22, 2022, 11:30 AM

<https://us02web.zoom.us/j/85416804517>

Call in: +1 312 626 6799; Meeting ID: 854 1680 4517

### Welcome & Introductions

### Approval of Agenda

### Consent Agenda

1. Previous Month's Minutes
  - a. Attachment A – 2022/10/27 Regular Meeting
  - b. Attachment B – 2022/11/16 Finance Committee Meeting
2. Financial Report
  - a. Attachment C
3. Ride Stats
  - a. Attachment D

### Public Comment

### New Business

1. Transit Development Plan Update – *Bill Troe, SRF Consulting*
2. FY24 5339 and 5310 Grant Application Approval
  - a. Attachment E
3. FY23 Budget Approval
  - a. Attachment F
4. Employee Handbook Update
  - a. Attachment G
5. Role of the Board Discussion

### Executive Director Report

1. Ridership Update
2. Winter Storm Closure Process
3. City of Bismarck Contract Update

### Operations Report

1. October Update
  - a. Attachment H

### Other Business

### Adjourn

- **The next Board Meeting will be held on December 15, 2022, at 11:30 am. •**



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Bismarck, ND 58501



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A

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

## Bis-Man Transit Board Meeting

October 27, 2022, 11:30 AM  
Via Zoom and In-person at  
3750 E Rosser Ave. Bismarck, ND 58501

**Attending:**

Lynn Wolf, President

DeNae Kautzmann, Secretary

Glenn Lauinger

Andrew Stromme

Steve Heydt

Helen Baumgartner

Royce Schultze

Commissioner Rohr

**Not Attending:**

Karel Sovak

Lacey Long

Commissioner Splonkowski

**Staff:**

Deidre Hughes

Mike Mundahl

Taylor Kitzan

Tom Reisenauer

Danae Thiery

**Guests:**

Trevor Vannett

Susan Dingle

Jen Weil

Jacey Enget

Rachel Drewlow

Randee Sailer



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

**Approval of Agenda:** Glenn moved to approve the agenda. Helen seconded the motion. Motion carried unanimously.

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

**Public Comment:** N/A

**New Business:**

1. Transit Asset Plan Recommendation – Deidre explained that the Bis-Man Transit TAM plan is mirrored from the NDDOT TAM plan, with minor changes to the plan and forms that are specific to Bis-Man Transit. Staff recommended approval of the TAM plan as presented. Glenn moved to approve the TAM plan. Royce seconded the motion. Motion carried unanimously.
2. Maintenance Plan Recommendation – Deidre explained that the Maintenance Plan is another plan that is mirrored from the NDDOT Maintenance Plan with room to customize items specified to Bis-Man Transit. Deidre worked with Tom on this plan and recommended approval of the Maintenance Plan as presented. Steve moved to approve the Maintenance Plan. DeNae seconded the motion. Motion carried unanimously.
3. 2022 Stuff the Bus Discussion – Deidre discussed that Bis-Man Transit is looking to run the 4<sup>th</sup> Annual “Stuff the Bus” event from December 5<sup>th</sup> to December 16<sup>th</sup>. A list of items for donations will be accepted at the Bis-Man Transit facility and on-board the CAT buses with AID Inc. Bis-Man Transit will end the event on December 16<sup>th</sup> with a Blood Drive from Vitalant in the Board Room at the facility. Royce asked Deidre how Bis-Man Transit chooses agencies for the Stuff the Bus event. Deidre answered that this year AID Inc. sent a letter looking for donations and that she reached out to see if we could do a drive for their agency. Helen asked what items AID Inc. are looking for. Deidre answered that staff will post the list on the website, social media, and through a press release. Deidre also commented that items will include toasters, towels, and other similar items for families that have been displaced that are getting back on their feet. Steve recommended that in the future, to increase ridership, to offer a one day or time period where if a rider boards the bus with a donation, that they can ride for free. Deidre thanked Steve for the recommendation. Helen moved to approve the 2022 Stuff the Bus event. Royce seconded the motion. Motion carried unanimously.



4. Free Ride Day Recommendation – November 8<sup>th</sup>

Deidre discussed that staff is recommending approval to offer free rides on Election Day November 8<sup>th</sup>. This event has always been successful in the past on both paratransit and CAT services. The last Free Ride Day was held for the municipal elections in June of 2022 and ridership was 381 rides for CAT and 341 rides for paratransit. Royce moved to approve Free Ride Day on Election Day, November 8<sup>th</sup>. DeNae seconded the motion. Motion carried unanimously.
5. West River Transit Lease Recommendation – Deidre discussed that Bis-Man Transit is looking for a one-year lease agreement with West River Transit at a 3% increase for the 2023 calendar year. Steve moved to approve the West River Transit Lease for calendar year 2023. Helen seconded the motion. Motion carried unanimously.
6. Jefferson Lines Lease Recommendation – Deidre explained that staff is looking for approval for a 10-month lease agreement with Jefferson Lines at a 3% increase to align with National Express contract, as National Express staffs the Jefferson Lines bus depot. Helen asked if the 3% rent increase is an annual increase. Deidre answered yes that is increased by 3% at the beginning of every one-year term, except during COVID, there was no increase. DeNae moved to approve the Jefferson Lines 10-month lease agreement. Glenn seconded the motion. Motion carried unanimously.
7. National Express Quarter Four Liquidated Damage Request – Deidre discussed that Craig requested if the Board would consider a suspension on liquidated damages for performance due to staffing issues for Quarter 4 of 2022. National Express has paid \$37,000 over budget for 2022. Lynn asked the types of things that National Express has done to try to help the staffing issues. Deidre answered that National Express has increased their starting wages for both CAT and paratransit drivers, offering a \$2,000 sign-on bonuses, attending job fairs, advertising with a sign out front of the facility, online, and radio and bus advertisements, as well as cold calls to potential employees. Lynn asked Deidre to explain the \$37,000 increase to the liquidated damages budget. Deidre explained that these are charges for excessive trip duration, on-time performance, and complaints. Deidre commented that these charges are not related to accidents, that those are charged separately. Glenn moved to approve suspending National Express liquidated damages for performance for Quarter 4 of 2022. DeNae seconded the motion. Motion carried unanimously.

#### **Executive Director Report:**

1. Remaining 2022 Project Update – Deidre explained that she is working on the following:
  - FY2023 Budget



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- FY2023 5310 Mobility Manager, After Hours & Sunday Service & 5339 Replacement Cutaway buses & Fixed Route bus grant applications
- Operations RFP to be released January 3, 2023
- TDP with SRF – Community Survey currently out on the Bis-Man Transit website
- RFP for fareboxes to be released October 31, 2022 and this will wrap up Triennial Procurement findings

Deidre commented that she reached out to Janelle Combs at the City of Bismarck on the Contract Amendment and that she was out of the office. Depending on the timing of completion of that amendment as well as approval of projects, there may be a Special Meeting scheduled in place of the November Regular Board Meeting, as Deidre will not be able to attend that meeting. Lynn reminded the Board to watch out for a doodle poll link to reschedule to November Board Meeting. Deidre informed the Board that DeNae reminded her that the Otto Bremer Trust grant extension had been approved to prepay on a Cutaway Bus from Harlow's Sales so the \$81,600 will not have to be turned back. DeNae congratulated Deidre on coming up with a solution with the Otto Bremer grant, so we did not have to turn those funds back.

**Operations Report:** Danae discussed that on Halloween all employees have the option to dress-up in costumes that are work appropriate, not too scary, and no face masks or coverings for safety reasons. Transit is also having an in-office potluck for the holiday, so the office will be filled with delicious food and goodies for all employees to enjoy. Danae commented that National Express is still struggling with a driver shortage on both systems. This effects on-time performance, customer scheduling availability, and possible out of service routes. Operations has been diligently working on creative and effective ways to attract applicants and new hires, but unfortunately has fallen victim to the national labor shortage. Operations has increased starting rates on both sides, added a sign-on bonus, and have been posting job openings on all social media platforms available. Danae asked that everyone help spread the word about job openings for drivers.

**Other Business:** N/A

Helen moved to adjourn the meeting. DeNae seconded the motion. Motion carried unanimously.

Meeting adjourned at 12:10 P.M.



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B

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# Bis-Man Transit Finance Committee Meeting Minutes

November 16, 2022, 1:00 P.M.

Via Zoom

Attending:

DeNae Kautzman

Glenn Lauinger

Lynn Wolf

Staff:

Deidre Hughes

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Meeting was called to order.

Deidre walked the Committee through the Board agenda. The budget will be tweaked as we just learned the internet cost is increasing. Grant application requests were reviewed. 5310 grant includes After Hours, Sunday, and Holiday paratransit costs as well as Mobility Manager salary. The lowest priority for funding is holiday. If the additional paratransit hours and salary of mobility manager are not approved we will have to pay for out of pocket. The budget does include Mobility Manager costs. 5339 grant is to replace busses. Bus 1001 received ok from feds to replace as its useful life will be exhausted even with the 2020 new engine. All busses will not be purchased until 2024 or 2025 and is not reflected in the 2023 budget.

2023 budget appears to be in a deficit but it is due to surplus being within 2022 as we had to draw on ARP Additional Assistance grant. We will have \$2.4 million at year end.

Discussion was held on employee increases for 2023 and whether sustainable and whether we should follow city increases. It was determined that we are close to the City of Bismarck with recommendation. We are roughly 1% higher in COLA increase but this is based on recommendation of the Administrative Committee to increase retirement employer contribution by 1%. We are unable to increase it due to IRS regulations so the recommended increase was put towards the COLA. The yearly amount is \$4,000 which is sustainable.

Health insurance cap was discussed. It needs to be increased so employees don't pay out of pocket.

Lynn moved to recommend to the Board that the 2023 budget be approved with the internet cost adjusted and the health insurance cap being raised to \$1,200. Glenn seconded. Motion carried.

Vacation accrual was discussed. The committee recommends that the Board adopt the same accrual rate as the City of Bismarck.

If the health insurance cap is raised and the vacation accrual rate is changed, the policy manual will need to be updated.

Deidre discussed paratransit rides increasing due to no taxi service. 200 more applications have come in, primarily from seniors.

Deidre also indicated that the Board will be brought up to date on contract amendments with the City. We will wait until after the TDP is completed as it will probably generate needed amendments. Holiday hours will be as set by contract per City Attorney interpretation.

Glenn indicated he received a call about how Transit determines shut down in a storm. Deidre works with Public Works to find out what road conditions are and whether any are closed. It was recommended that she explain the process. DeNae indicated it is improper for the public to call Board members concerning matters of operation. We are a policy board. It puts Board members in awkward







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position. Lynn indicated that he had that happen on another Board he is on and explained how it was addressed. This matter will be placed on the agenda.

Meeting adjourned.

D

## October 2022

### MONTHLY REPORT

	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD	
<b>RIDERSHIP</b>							
FIXED ROUTE	7,822	62,312	6,147	46,082	27.25%	35.22%	
PARATRANSIT	7,809	77,655	7,825	71,429	-0.20%	8.72%	
Total	15,631	139,967	13,972	117,511	11.87%	19.11%	
FR AVG. DAILY BOARDINGS	300.85						
DR AVG. DAILY BOARDINGS	251.90						
<b>Pass./Hour    Pass./Hour    Pass./Hour</b>							
<b>REVENUE HOURS</b>	<b>Month</b>	<b>YTD</b>	<b>Month</b>	<b>YTD</b>	<b>PY YTD</b>	<b>PY YTD</b>	<b>% INC/DEC OVR PYTD</b>
FIXED ROUTE	1,814.00	17,891.28	4.31	3.48	2.53	18,212.5	-1.76%
PARATRANSIT	2,385.69	25,379.92	3.27	3.06	3.01	23,706.3	7.06%
Total	4,199.69	43,271.20	3.72	3.23	2.8	41,918.8	
<b>Pass./Mile    Pass./Mile</b>							
<b>REVENUE MILES</b>	<b>Month</b>	<b>YTD</b>	<b>Month</b>	<b>YTD</b>	<b>PY YTD</b>	<b>PY YTD</b>	<b>% INC/DEC OVR PYTD</b>
FIXED ROUTE	28,581	284,074	0.27	0.22	295,001		-3.70%
PARATRANSIT	35,469.98	362,429.78	0.22	0.21	324,361		11.74%
Total	64,051.38	646,503.93	0.49	0.43	619,363		4.38%
<b>ON TIME PERFORMANCE</b>							
	<b>Month</b>	<b>YTD</b>	<b>PY Month</b>	<b>PY YTD</b>	<b>% INC/DEC OVR PYM</b>	<b>% INC/DEC OVR PYTD</b>	
FIXED ROUTE	79.00%	84.00%	90.00%		-12.22%		
PARATRANSIT	86.00%	92.10%	95.00%	94.00%	-9.47%	-2.02%	
<b>RIDERSHIP PER ROUTE</b>							
<b>ROUTE</b>	<b>Month</b>	<b>YTD</b>	<b>PY Month</b>	<b>PY YTD</b>	<b>% INC/DEC OVR PYM</b>	<b>% INC/DEC OVR PYTD</b>	
BLACK	1603	12968		1365		17.4%	
BLUE	848	7432		760		11.6%	
GREEN	1431	11979		1276		12.1%	
RED	804	6844		728		10.4%	
ORANGE	1858	12499		938		98.1%	
PURPLE	1278	10590		1080		18.3%	
<b>RIDERSHIP BY DESTINATION</b> <i>(Included in 'Ridership Per Route' Numbers)</i>							
U-Mary	223	1617		165		35.2%	
UTTC	72	548					
Bismarck Library	387						
Mandan Walmart	99						
Mandan Dans	431						
<b>ACCIDENTS</b>							
	<b>Month</b>	<b>Month at Fault</b>	<b>YTD</b>	<b>YTD at Fault</b>			
FIXED ROUTE	1	1	8	4			
PARATRANSIT	3	2	15	9			
SERVICE VEHICLE	0	0	0	0			
<b>COMPLAINTS</b>							
	<b>Month</b>	<b>YTD</b>					
FIXED ROUTE	3	18					
PARATRANSIT	1	19					
Office Staff	0	3					
<b>COMPLIMENTS</b>							
	<b>Month</b>	<b>YTD</b>					
FIXED ROUTE	0	3					
PARATRANSIT	3	7					
Office Staff	0	0					

## FY2024 - Section 5310 – Enhanced Mobility of Seniors & Individuals with Disabilities

Agency Name	<b>Bis-Man Transit Board</b>	
Agency Contact	<b>Deidre Hughes</b>	Phone: <b>701.258.6817</b>
Unique Entity ID #	<b>83-441-0987</b>	

Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Program aims to **improve mobility for seniors and individuals with disabilities** by removing barriers to transportation service and expanding transportation mobility options. Under 49 U.S.C. 5310 funding provides financial assistance for capital purchases and operating assistance for transportation services planned, designed, and carried out to meet the special transportation needs of older adults and persons with disabilities in all small urban and rural areas. The program requires coordination of federally assisted programs and community services to make the most efficient use of federal resources.

The entire Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program is further explained in FTA Circular 9070.1G, located on the FTA website at:

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070\\_1G\\_FINAL\\_circular\\_4-20-15%281%29.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070_1G_FINAL_circular_4-20-15%281%29.pdf)

### Please Note:

- Capital project requests for ADA vehicles will require a minimum of **15% Local Match**. All other capital project requests will require a minimum of **20% Local Match**.
- Mobility Manager salary is a capital project expense and requires a minimum of **20% Local Match for Section 5310 annual apportionment funds**.
- Assets purchased with Federal Funds must be maintained and inventoried through a Transit Asset Management (TAM) Plan.
- As with most Federal Assistance Programs, Section 5310 is designed as a reimbursement program. Your agency should be prepared to pay for expenses upon delivery/acceptance and then request reimbursement from NDDOT.
- If you are awarded a Section 5310 project, your agency will be required to report a number of performance measures, at least annually, to NDDOT. Information required to report may include, but not limited to the following:
  - The number of 5310 one-way trips;

- The number of 5310 vehicles you have in service; and
- 5310 ridership demographics.
- If requesting a replacement vehicle, the vehicle listed must have met FTA/NDDOT Useful Life. However, regardless of useful life having been met, federal interest remains until the value of the vehicle or equipment falls below \$5,000.
- If you receive \$750,000 from any federal source, you are required to have a Single Audit per 2 CFR 200 Subpart F.
- Vehicles may be used to provide meal delivery service for homebound persons on a regular basis in conjunction with passenger transportation. Delivery service **must not** conflict with the provision of transit services or result in reduced service to transit passengers.
- Federal Funds awarded for vehicles will only be awarded for ADA vehicles requests.
- Prior to contracting, your agency must have a completed FY 2023 FTA Certifications and Assurances uploaded in BlackCat.
- Prior to contracting, your agency must be active in the System of Award Management (SAM.gov).
- All applications are due **December 30, 2022, 12:00pm CDT**. Late and/or incomplete applications may be subject to a penalty percentage reduction of requested amount or may be eliminated from funding consideration.
- The NDDOT Transit Staff is available to provide guidance and answer any questions on the application process. E-mail: [bhanson@nd.gov](mailto:bhanson@nd.gov), [dkarel@nd.gov](mailto:dkarel@nd.gov), or [jsmall@nd.gov](mailto:jsmall@nd.gov).

## General Information

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

Bis-Man Transit currently provides fixed route service for the cities of Bismarck and Mandan and complementary paratransit services, with demand response available for senior and disabled passengers, including those in the City of Lincoln. Bis-Man Transit continues to transition current demand response riders to our fixed route service and gain new fixed route ridership through continued outreach and community partnership efforts. Due to the COVID-19 pandemic, Bis-Man Transit experienced a significant decline in ridership for 2020 and 2021. However, ridership continues to increase in 2022 for both fixed and paratransit routes. The most recent route re-design went into effect on February 1, 2021.

Fixed route service is provided on six routes from 6:30 a.m. - 7:00 p.m. Monday through Friday and 7:30 a.m. – 7:00 p.m. on Saturday. All nine vehicles in the fixed route fleet are ADA accessible, with service provided for Bismarck and Mandan. Regular fares are \$1.50 for a one-way trip, \$6.00 for a 1-day pass, and \$36 for a 30-day pass. Fares for those certified to utilize our demand response services or those over 65 can ride free. Reduced fares for students K-College, Veterans, and those on Medicare is \$.75 for a one-way trip, \$3.00 for a one-day trip, and \$24.00 for a 30-day pass.

In 2020, 55,445 unlinked passenger trips were provided on fixed route. In 2021, 56,744 unlinked passenger

trips were provided on fixed route. Fixed route ridership has continued to increase for 2022, with 62,312 trips from January through October.

Paratransit/demand response service is provided to individuals with disabilities and seniors over 70 with a fleet of 19 cutaway buses and two rear lift vans. The service area covers the city limits of Bismarck and Mandan, the city of Lincoln, and within ¾ mile of any fixed route. A one-way fare is \$3.00/ Services are provided from 5:30 am – 12:00 am, Monday through Saturday, and 7:30 am - 2:30 pm on Sunday. In 2020, 71,635 unlinked passenger trips were provided on paratransit. In 2021, 86,203 unlinked passenger trips were provided on paratransit. Ridership continues to increase in 2022.

Services are provided in both Burleigh and Morton Counties

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

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

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

*The mobility manager's duties are required for the processing of paratransit eligibility as well as rider training for both paratransit and fixed-route passengers. This item was not indicated as a project within the Transit Development Plan but can be found within the Coordinated Public Transit – Human Services Transportation Plan 2022 on page 28.*

3. What percentage of change in ridership has your agency experienced in the since the last application? Provide a brief explanation of the reason for the change in ridership.

- Increase  
 Decrease

Bis-Man Transit experienced a 17% increase in ridership from SFY2021 to SFY2022.

4. List all existing public transportation providers operating in your service area.

N/A

5. Are you the lead transit provider in your area? If not, what is the relationship of your program(s) to other transportation providers?

- Yes  
 No

6. Please describe the need for transit service in your area **for seniors and individuals with disabilities**? Why does this need exist? How have you determined this need? How will the proposed project address this need for service?

In Bismarck/Mandan, we have a large elderly and disabled population that requires public transportation to take them to medical appointments, employment, recreation, and other destinations. The need for these

trips extends into the evening hours. Recently, local taxi services have suspended operations, increasing the need for public transportation options after hours. From 7:00 PM to 12:00 AM Monday through Saturday, we transport approximately 5,600 annually, demonstrating that evening-hour rides are needed in the community. From 7:30 AM to 2:30 PM on Sundays, we transport approximately 3,200 passengers annually.

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

Public transportation is promoted within the community using social media, the company website, participation in public school and college orientation days and community fairs, as well as various business partnerships. Fixed route bus maps have been placed throughout Bismarck and Mandan to encourage potential riders to try the CAT Bus service. With the decrease in public parking available in the downtown Bismarck area, public transportation will play a major role in providing access to this area for individuals within the community. With limited taxi services offered within the service area, the need for transportation solutions has expanded.

## Ridership and Fleet Information

**\*Report actual ridership numbers, miles and hours for SFY2022 & 2021.**

**\*Enter current fleet information below.**

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

	SFY2022 - Ridership and Fleet Information	SFY2021 - Ridership and Fleet Information
Number of Annual Ridership (Trips) Provided	155,278	129,516
Number of Annual Revenue Hours	52,380	49,158
Number of Annual Revenue Miles	764,907	729,583
Number of Vehicles in Fleet	29	30

8. What is the purpose of the three most requested trips that your clients require? (e.g. medical, shopping, employment, education, social, etc.)

1. Employment

2. Medical

3. Social Services

## Coordinated Public Transit Human Services Transportation Plan

**Applicants must be part of a locally derived Coordinated Public Transit Human Services Transportation Plan approved by North Dakota Department of Transportation (NDDOT) and uploaded to BlackCat Resources prior to submission of this application.**



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

The Coordinated Public Human Services Transportation Plan was approved on October 28, 2021 and has been uploaded into BlackCat. Several items from the previous plan were retained in the new plan. This includes continuing to transition paratransit riders to fixed route, improving partnerships, and increasing marketing efforts.

The Bis-Man Transit staff has presented to several clubs and community groups since the last grant request to encourage public transit use and awareness.

Additional items in the new plan include increasing public signage for better-fixed route visibility and exploring after-hour service for fixed route riders with a 2023 timeline. The loss in taxi service in the community has increased the focus on after-hour service options for the general public, but funding and staffing have caused delays.

Solar lighting has been installed on all bus shelters, and additional benches are being placed on route in November 2022 to increase public transit visibility. Staff is seeking funding for replacing all fixed route bus street signs through alternate grants.

10. Describe any potential opportunities for additional coordination. (include social service agencies, county social services, community actions, educational institutions, youth groups, veteran services, religious organizations, other transportation services, etc.) that may address unmet transit needs in your service area.

Bis-Man Transit continues to focus on coordination with education institutions, local hospitals, social service agencies, group homes, and retirement communities. Staff attended all higher education orientation events in the fall of 2022 to educate students on public transit options.

Bis-Man Transit recently became a member of the Missouri Valley Homeless Coalition to understand better what public transit can do to lessen the transportation burden for other non-profit organizations in the community. The executive director is an active participant in the Missouri Valley Homeless Coalition's Unmet Needs Committee, which meets monthly. This is an ongoing effort for the organization.

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

**Yes**

**No**

12. If you marked Yes above, indicate the page number where this project is listed.

If you marked No above, explain why this project is not part of your current plan.

*The mobility manager project request can be found on page 28 of the Coordinated Public Transit – Human Services Transportation Plan 2022.*

After-hours and Sunday service are discussed on page 14.

## Non-Vehicle Project Request

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

13. Please describe in detail your proposed project. Be specific and include a description of what you would like to purchase and how it benefits your transportation program.

The project will help cover the expense of employing a marketing specialist to focus communication efforts on the transportation options available to the community, training potential riders and agencies on the various services available and processing the eligibility paperwork that is required for paratransit services.

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

**Yes**

**No**

15. Total cost of this project.

Total Cost (include federal and local amounts): \$31,000

Federal Funds Requested: \$24,800

Local Match Amount: \$6,200

Source(s) of Local Match: Mill levy funds

## Vehicle Project Request

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

16. Provide a description of the vehicle you are requesting. (include: Year, Make, ADA qualified, and seating capacity)

Year: 2023

Make/Model: Ford E-450 6.8L

Seating Capacity: 14+ Driver

Lift/Ramp:  Yes  No

Gas/Diesel/Other: Gas

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



18. What type of vehicle are you requesting?
<input checked="" type="checkbox"/> Replacement Vehicle <input type="checkbox"/> Expansion Vehicle
19. If requesting a replacement, which vehicle in your fleet are you replacing? 1701
a. Vehicle Information Number (VIN): 1FD4E4FS3HDC05257
b. Vehicle Year: 2017
c. Make/Model: Ford Econoline
d. Current Mileage: 188,205
e. Vehicle In Service Date: 10/28/2016
f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal
g. Has this vehicle information been updated in BlackCat Inventory? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
20. If requesting an expansion vehicle, list the agency/community/county to be served (include hours and days of service and estimated ridership).
21. If operating a fixed route, what are the paratransit eligibility criteria for people to ride your service?
All paratransit riders are able to utilize the fixed route service free of charge, with proof of eligibility.
22. Provide an estimated timeline for the purchase of this vehicle. Provide a separate timeline if you are applying for different types of vehicles. <b><u>See sample timeline below, add or remove lines as needed.</u></b>
Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): If awarded, Bis-Man Transit will purchase the vehicle off of the State Bid.
Contract Award Date: Summer 2023
Order Date: Fall 2023
Initial Vehicle Delivery Date: Fall 2024
Final Vehicle Delivery Date (if more than one vehicle): Winter 2024
Contract Completion: Spring 2025
Final Payment Submitted to DOT: Spring 2025

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

Total Vehicle Cost (include federal and local amounts): \$107,168.75

Federal Funds Requested: \$91,093.44

Local Match Amount: \$16,075.31

Source(s) of Local Match: Mill levy funds

Following are suggested price requests for vehicles based on current state bid quotes. Keep in mind if you intend to order vehicles with additional options, prices will vary accordingly. See the State Bid website at <a href="https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm">https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm</a>		Estimated Delivery time (in months)
15 Passenger or 12 + 2 Passenger Cutaway/Bus NDDOT Term Contract No. 300	Base Price - \$75,000 - \$99,000 <b>NOTE: Will be re-bid October 2022 – Expect Price Increases.</b>	12 – 24
Rear Lift ADA Transit Vehicle NDDOT Term Contract No. 301	Base price - \$55,000 – \$72,000 <b>NOTE: Currently out for bid – Expect Price Increases.</b>	12 – 24
Frontrunner – Low Floor Vehicle – New England Wheels NDDOT Term Contract No. 381	Base Price - \$145,132 - \$146,607	12 – 24
ADA Low Floor Mini Van NDDOT Term Contract No. 382	Base Price - \$69,900	9 – 12
Low-Floor Paratransit Ramp Buses NDDOT Term Contract No. 383	Base Price - \$96,720 - \$110,000	12 – 24
Trolley – Carriage and Villager NDDOT Term Contract No. 386 & 388	Base Price - \$125,000 - \$219,522	6 – 12
FTA Useful Life Standards		
Mini-Vans/Modified Vans – 3-14 passenger	4 years or 100,000 miles	
Med-Size Light Duty Cutaway – 8-16 passenger	5 years or 150,000 miles	
Med-Size Med Duty Cutaway/Bus – 16-30 passenger	7 years or 200,000 miles	
Med-Size Heavy Duty Bus – 24-25 passenger	10 years or 350,000 miles	
Large Heavy-Duty Bus – 35-40+ passenger	12 years or 500,000 miles	

## Equipment & Miscellaneous Capital Projects

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

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

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

**Travel & Training**

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

Total amount to date reimbursed for travel in FY2023:

32. Provide the conferences and meetings you will be requesting to attend this year and include an estimated RTAP Travel Budget to be requested.

Total estimated travel budget for FY2024:

## Local Match & Total Funding Request

In the table below, list requested projects by priority, and specify in detail the sources and dollar amounts of Local Match funding (State Aid, Mill Levy, Other Directly Generated Funds etc.) that are available to be used towards each project (Vehicle, Facility Rehabilitation & Construction, and/or Equipment/Miscellaneous Capital). In-kind funds cannot be used as local match to 5310 contracts.

**Local match listed here cannot be already targeted as match for a FY2024 5339 or 5311 applications.**

**Farebox revenue cannot be used as Local Match.**

**Documentation of sources of Local Match (including State Aid) MUST be attached or it will not be considered.** Documentation must include a financial obligation amount. This amount may be an estimation or record of the previous amount provided to the transit agency and requires a signature of the organization providing the local share. Without a financial amount and required signature, such local amounts won't be considered as supporting match. Federal funds will only be awarded if sufficient match is provided.

**This project ranking should match your prioritization in BlackCat.**

Ranking	Project	Federal Dollars Requested	Local Match Needed	Sources of Local Match*
1	After Hours Service	\$74,395	\$74,395	Mill Levy Funds
2	Sunday Service	\$38,480	\$38,480	Mill Levy Funds
3	Mobility Manager	\$24,800	\$6,200	Mill Levy Funds
4	2023 Ford Cutaway	\$91,093	\$16,075	Mill Levy Funds
5	2023 Ford Cutaway	\$91,093	\$16,075	Mill Levy Funds

<b>6</b>	2023 Ford Cutaway	\$91,093	\$16,075	Mill Levy Funds
<b>7</b>	2023 Ford Cutaway	\$91,093	\$16,075	Mill Levy Funds
<b>8</b>	Holiday Service	\$4,600	\$4,600	Mill Levy Funds
	<b>Total</b>	\$506,649	\$187,976	Mill Levy Funds

## **APPLICATION CHECKLIST AND SIGNATURE PAGE**

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

### **Section 5310 Applicants must submit the following (check box when complete):**

<input checked="" type="checkbox"/>	Completed 5310 Application;
<input checked="" type="checkbox"/>	Document(s) identifying sources of local match funds – Signed letters from source(s) of local match, FY2023 State Aid Contract or award letter, mill levy, city funds, etc.;
<input checked="" type="checkbox"/>	Update vehicle information, mileage and condition in BlackCat Inventory;
<input checked="" type="checkbox"/>	Update Transit Board Members information in BlackCat;
<input checked="" type="checkbox"/>	Certify and upload a current Authorizing Resolution form (only complete if there has been a change to your agencies signing authority since the last application);
<input checked="" type="checkbox"/>	Upload your annual registration from the System for Award Management (SAM.gov)
	Complete and include the NDDOT ITS Project Architecture Checklist Systems Engineering Compliance (SFN 60212), (if applicable);
<input checked="" type="checkbox"/>	The following documents MUST be current and uploaded into BlackCat Resources: Coordinated Human Services Plan, 3-5 Year Plan, Title VI Plan, Drug & Alcohol Plan, and TAM Plan.

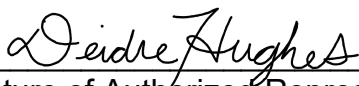
I hereby certify that as a person authorized to sign for

Bis-Man Transit Board

Transit Agency Name

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

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



Signature of Authorized Representative

11/22/2022

Date

## Section 5310

### ADDITIONAL NON-VEHICLE PROJECT REQUEST

#### Non-Vehicle Project Request

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

1. Please describe in detail your proposed project. Be specific and include a description of what you would like to purchase and how it benefits your transportation program.

The project will help cover the expense of maintaining nighttime services for those passengers who are elderly and disabled. After-hours complementary demand response service takes place from 7:00 PM to 12:00 AM, Monday through Saturday. Presently, there are few transportation alternatives for the elderly and disabled population within the service area. This leaves Bis-Man Transit as the only option for many during the nighttime hours currently offered. With funding on the decline, it is increasingly difficult to maintain demand response services for the special needs community outside of the required ADA times.

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

Yes

No

3. Total cost of this project.

Total Cost (include federal and local amounts): \$148,790  
Federal Funds Requested: \$74,395  
Local Match Amount: \$74,395  
Source(s) of Local Match: Mill levy funds

### ADDITIONAL NON-VEHICLE PROJECT REQUEST

#### Non-Vehicle Project Request

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

1. Please describe in detail your proposed project. Be specific and include a description of what you would like to purchase and how it benefits your transportation program.

The project will help cover the expense of Sunday services for those passengers who are elderly and disabled. Sunday complementary demand response service takes place from 7:30 AM to 2:30 PM. Presently, there are few transportation alternatives for the elderly and disabled population within the service area. This leaves Bis-Man Transit as the only option for individuals seeking transportation on Sundays. With funding on the decline, it is increasingly difficult to maintain demand response services for the special needs community outside of the required ADA times.

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

Yes

No

3. Total cost of this project.

Total Cost (include federal and local amounts): \$76,960

Federal Funds Requested: \$38,480

Local Match Amount: \$38,480

Source(s) of Local Match: Mill levy funds

## ADDITIONAL NON-VEHICLE PROJECT REQUEST

### Non-Vehicle Project Request

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

1. Please describe in detail your proposed project. Be specific and include a description of what you would like to purchase and how it benefits your transportation program.

The project will help cover the expense of maintaining Holiday service for those passengers who are elderly and disabled. Holiday complementary demand response service is provided for six holidays each year. Service is provided on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Presently, there are few transportation alternatives for the elderly and disabled population within the service area. This leaves Bis-Man Transit as the only option for Holiday transportation. With funding on the decline, it is increasingly difficult to maintain demand response services for the special needs community outside of the required ADA times.

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

Yes

No



3. Total cost of this project.

Total Cost (include federal and local amounts): \$9,200

Federal Funds Requested: \$4,600

Local Match Amount: \$4,600

Source(s) of Local Match: Mill levy funds

## Section 5310 – Additional VEHICLE PROJECT REQUESTS

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

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

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

Year: 2023

Make/Model: Ford E-450 6.8L

Seating Capacity: 14+ Driver

Lift/Ramp:  Yes  No

Gas/Diesel/Other: Gas

5. What type of vehicle are you requesting?

Replacement Vehicle

Expansion Vehicle

6. If requesting a replacement, which vehicle in your fleet are you replacing? 1702

a. Vehicle Information Number (VIN): 1FDFE4FS1HDC05256

b. Vehicle Year: 2017

c. Make/Model: Ford Econoline

d. Current Mileage: 193,964

e. Vehicle In Service Date: 10/28/2016

f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal

g. Has this vehicle information been updated in BlackCat Inventory?  Yes  No

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

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

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): If awarded, Bis-Man Transit will purchase the vehicle off the State Bid.

Contract Award Date: Summer 2023

Order Date: Fall 2023

Initial Vehicle Delivery Date: Fall 2024

Final Vehicle Deliver Date (if more than one vehicle): Winter 2024

Contract Completion: Spring 2025

Final Payment Submitted to DOT: Spring 2025

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

Total Vehicle Cost (include federal and local amounts): \$107,168.75

Federal Funds Requested Amount: \$91,093.44

Local Match Amount: \$16,075.31

Source(s) of Local Match: Mill levy funds

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

Yes List section and page number(s):

Per Bis-Man Transit's 3 to 5-year Capital Investment Plan, paratransit bus replacements are planned for 2024. This can be found on page 64 of the 2019 Transit Development Plan.

No (Applicant must provide an explanation)

Following are suggested price requests for vehicles based on current state bid quotes. Keep in mind if you intend to order vehicles with additional options, prices will vary accordingly. See the State Bid Contracts on the website at <a href="https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm">https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm</a>		Expected Delivery time (in months)
15 Passenger or 12 + 2 Passenger Cutaway/Bus NDDOT Term Contract No. 300	Base Price - \$75,000 - \$99,000 <i>NOTE: Will be re-bid October 2022 – Expect Price Increases.</i>	12 – 24
Rear Lift ADA Transit Vehicle NDDOT Term Contract No. 301 & 301B	Base price - \$55,000 – \$72,000 <i>NOTE: Currently out for bid – Expect Price Increases.</i>	12 – 24
Frontrunner – Low Floor Vehicle – New England Wheels NDDOT Term Contract No. 381	Base Price - \$145,132 - \$146,607	12 – 24
ADA Low Floor Mini Van NDDOT Term Contract No. 382	Base Price - \$69,900	9 – 12
Low-Floor Paratransit Ramp Buses NDDOT Term Contract No. 383	Base Price - \$96,720 - \$110,000	12 – 24
Trolley – Carriage and Villager NDDOT Term Contract No. 386 & 388	Base Price - \$125,000 - \$219,522	6 – 12
FTA Useful Life Standards		
Mini-Vans/Modified Vans – 3-14 passenger	4 years or 100,000 miles	
Med-Size Light Duty Cutaway – 8-16 passenger	5 years or 150,000 miles	
Med-Size Med Duty Cutaway/Bus – 16-30 passenger	7 years or 200,000 miles	
Med-Size Heavy Duty Bus – 24-25 passenger	10 years or 350,000 miles	
Large Heavy-Duty Bus – 35-40+ passenger	12 years or 500,000 miles	

## Section 5310 – Additional VEHICLE PROJECT REQUESTS

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

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

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

Year: 2023  
Make/Model: Ford E-450 6.8L  
Seating Capacity: 14+ Driver  
Lift/Ramp:  Yes  No  
Gas/Diesel/Other: Gas

5. What type of vehicle are you requesting?

- Replacement Vehicle  
 Expansion Vehicle

6. If requesting a replacement, which vehicle in your fleet are you replacing? 1703

a. Vehicle Information Number (VIN): 1FDFE4FS5HDC05258

b. Vehicle Year: 2017

c. Make/Model: Ford Econoline

d. Current Mileage: 187,905

e. Vehicle In Service Date: 10/28/2016

f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal

g. Has this vehicle information been updated in BlackCat Inventory?  Yes  No

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

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

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): If awarded, Bis-Man Transit will purchase the vehicle off the State Bid.

Contract Award Date: Summer 2023

Order Date: Fall 2023

Initial Vehicle Delivery Date: Fall 2024

Final Vehicle Deliver Date (if more than one vehicle): Winter 2024

Contract Completion: Spring 2025

Final Payment Submitted to DOT: Spring 2025

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

Total Vehicle Cost (include federal and local amounts): \$107,168.75

Federal Funds Requested Amount: \$91,093.44

Local Match Amount: \$16,075.31

Source(s) of Local Match: Mill levy funds

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

Yes List section and page number(s):

Per Bis-Man Transit's 3 to 5-year Capital Investment Plan, paratransit bus replacements are planned for 2024. This can be found on page 64 of the 2019 Transit Development Plan.

No (Applicant must provide an explanation)

Following are suggested price requests for vehicles based on current state bid quotes. Keep in mind if you intend to order vehicles with additional options, prices will vary accordingly. See the State Bid Contracts on the website at <a href="https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm">https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm</a>		Expected Delivery time (in months)
15 Passenger or 12 + 2 Passenger Cutaway/Bus NDDOT Term Contract No. 300	Base Price - \$75,000 - \$99,000 <i>NOTE: Will be re-bid October 2022 – Expect Price Increases.</i>	12 – 24
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FTA Useful Life Standards		
Mini-Vans/Modified Vans – 3-14 passenger	4 years or 100,000 miles	
Med-Size Light Duty Cutaway – 8-16 passenger	5 years or 150,000 miles	
Med-Size Med Duty Cutaway/Bus – 16-30 passenger	7 years or 200,000 miles	
Med-Size Heavy Duty Bus – 24-25 passenger	10 years or 350,000 miles	
Large Heavy-Duty Bus – 35-40+ passenger	12 years or 500,000 miles	

## Section 5310 – Additional VEHICLE PROJECT REQUESTS

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

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

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

Year: 2023

Make/Model: Ford E-450 6.8L

Seating Capacity: 14+ Driver  
Lift/Ramp:  Yes  No  
Gas/Diesel/Other: Gas

5. What type of vehicle are you requesting?

- Replacement Vehicle  
 Expansion Vehicle

6. If requesting a replacement, which vehicle in your fleet are you replacing? 1704

a. Vehicle Information Number (VIN): 1FDFE4FS5HDC05261

b. Vehicle Year: 2017

c. Make/Model: Ford Econoline

d. Current Mileage: 205,636

e. Vehicle In Service Date: 10/28/2016

f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal

g. Has this vehicle information been updated in BlackCat Inventory?  Yes  No

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

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

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): If awarded, Bis-Man Transit will purchase the vehicle off the State Bid.

Contract Award Date: Summer 2023

Order Date: Fall 2023

Initial Vehicle Delivery Date: Fall 2024

Final Vehicle Deliver Date (if more than one vehicle): Winter 2024

Contract Completion: Spring 2025

Final Payment Submitted to DOT: Spring 2025

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

Total Vehicle Cost (include federal and local amounts): \$107,168.75

Federal Funds Requested Amount: \$91,093.44

Local Match Amount: \$16,075.31

Source(s) of Local Match: Mill levy funds

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

Yes List section and page number(s):

Per Bis-Man Transit's 3 to 5-year Capital Investment Plan, paratransit bus replacements are planned for 2024. This can be found on page 64 of the 2019 Transit Development Plan.

No (Applicant must provide an explanation)

Following are suggested price requests for vehicles based on current state bid quotes. Keep in mind if you intend to order vehicles with additional options, prices will vary accordingly. See the State Bid Contracts on the website at <a href="https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm">https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm</a>		Expected Delivery time (in months)
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Mini-Vans/Modified Vans – 3-14 passenger	4 years or 100,000 miles	
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Med-Size Med Duty Cutaway/Bus – 16-30 passenger	7 years or 200,000 miles	
Med-Size Heavy Duty Bus – 24-25 passenger	10 years or 350,000 miles	
Large Heavy-Duty Bus – 35-40+ passenger	12 years or 500,000 miles	

The goal of the Bis-Man Transit Board, Mobility manager is to increase awareness of mobility options throughout the community on both fixed route and demand response modes of service. These goals are to be met through marketing efforts, discussions with human services providers, community leaders, and other transportation service providers that touch the community

### **2020 Achievements**

- While many in-person events have been postponed or cancelled due to the pandemic, we were able to participate in a student welcome day at Bismarck State College.
- Bis-Man Transit participated in BisMarket with a CAT Bus.
- Worked with the New Route Task Force to redesign the CAT Bus fixed routes – attended a series of public input meetings and a public hearing.
- Promoted a free ride day to coincide with election day, which provided free rides to fixed route & paratransit riders.
- Updated paratransit forms on website so they can be completed and signed electronically.

### **2021 Goals**

- Send out recertification notifications to expiring paratransit riders at least 2 months in advance.
- Attend bi-monthly Citizen Transportation Advocacy Group (CTAG) meetings.
- Improve electronic communications for public transportation (i.e. create short video tutorials).
- Find a new website host to develop a more user-friendly website that is ADA compliant.
- Participate in ADA / Title VI training as available.
- Assist with the roll out of new apps, allowing fixed route riders to plan trips and locate buses.
- Distribute new route information to stakeholders in the community (i.e. clinics, homeless shelters, AARC, etc.).
- Become more involved with businesses and non-profits located along the new fixed routes.

#### **Added for second half of 2021:**

- Create rider guide for UTTC (similar to that created for UMary & NDSU School of Nursing)
- Look for opportunities to build community partnerships

### **2021 Achievements**

- I have sent out recertification notifications to expiring paratransit riders at least 2 months in advance.
- Attended Community Transportation Input Committee meetings.
- Updated rider guides to reflect the route changes that went into effect in February, 2021.
- Delivered rider guides to various locations around town, speaking with organizations as the opportunity presented itself to answer questions (Ruth Meiers, Dakota Recovery Center, etc...)
- Updated rider guides/trip planners for UMary & NDSU School of Nursing. Provided them to representatives from each school, and made them accessible via our website.
- Updated paratransit correspondence & applications to reflect the new logo & letterhead.



- Re-designed, printed & laminated new signage for the CAT and paratransit buses.
- Participated in an online class presented by Dakota Center for Independent Living to educate the public about new changes with CAT routes & paratransit service (no-show policy). 4/20/21
- Hosted CAT travel training for Dakota Recover Center. 7/8/21
- Participated in Touch A Truck event in Mandan. 5/15/21
- Promoted Dump the Pump 2021, which offered free rides on CAT & Paratransit buses.
- Currently working on “How To” tutorial videos for riding fixed route CAT buses. Scripts have been written. Registered for “Premiere Pro CC for Beginners: Video Editing in Premiere” online tutorial to assist with the editing process. This continues to be a work in progress going into 2022.
- 8/21/2021 – Participated in BisMarket, creating an opportunity to educate the public on the CAT bus.
- 8/23/21 – Participated in BSC Welcome Fair
- 9/16/2021 – Participated in the UMary Community Fair
- 9/22/2021 – Participated in the UTTC Career & Community Fair
- 10/20/2021 – Completed online course “Understanding ADA” through Rutgers
- November 2021 - Team effort to promote Missouri Valley Coalition For Homeless People food & winter clothing drive by collecting donations at the Bis-Man Transit administrative office.
- December 2021 – Team effort to hold a blood drive / stuff the bus (Toys For Tots) event at the Bis-Man Transit administrative office.
- Created rider guide for UTTC (similar to the one created for UMary & NDSU School of Nursing) & distributed them to campus (UTTC Wellness Center) & during the UTTC Career & Community Fair. Also available for download through our website.
- Ran a campaign on social media promoting outdoor recreational opportunities accessible via the CAT bus & encouraging bike rack use.
- Incorporated the online payment portal into our website, and created an insert to include with paratransit ID cards explaining how to access the payment portal, and how to use diminishing balances.
- I have continued to build on the relationship with Bismarck Sign Company to increase advertising revenue (advertise here wraps on shelters).

## **2022 Goals**

- Send out recertification notifications to expiring paratransit riders at least 2 months in advance.
- Attend bi-monthly Community Transportation Input Committee (CTIC) meetings.
- Continue to improve electronic communications for public transportation (short video tutorials). This is a work in progress from 2021.
- Look for opportunities to participate in training (ADA, Title VI, Transit Marketing).
- Look for opportunities to work with stakeholders along the fixed routes (ie... provide “train the trainer” travel training).
- Develop a social media campaign to run during the winter months to encourage riding the CAT bus to various winter activity destinations.
- Run a social media campaign to promote outdoor activities (summer months) accessible via the CAT bus.
- Learn the new Ecolane portal.
- Continue to work on updating portions of the website.

## **2022 Achievements**

- Send out recertification notifications to expiring paratransit riders at least 2 months in advance.
- Attended monthly Community Transportation Input Committee (CTIC) meetings.
- I have sent out recertification notifications to expiring paratransit riders at least 2 months in advance.
- Delivered rider guides to various locations around town, speaking with organizations as the opportunity presented itself to answer questions (Ruth Meiers, Dakota Recovery Center, etc...)
- Spoke about fixed-route & paratransit service at a low-income residential building tenant meeting, and assisted residents with completing applications for paratransit.
- Participated in various college & community events (University of Mary Community Fair, United Tribes Technical College Community Fair, BisMarket, Touch A Truck), speaking with the public about public transportation.
- Re-designed, printed & laminated new signage for the CAT and paratransit buses.
- Promoted “Free Ride Days” on election days, which offered free rides on CAT & Paratransit buses.
- Worked with a local video production company on “How To” tutorial videos for riding fixed route CAT and paratransit buses.
- Worked with our team to hold a fill the bus event to collect school supplies for the Bismarck Public Schools Foundation to benefit children in need throughout the area.
- Working with our team to hold a winter blood drive / stuff the bus event at the Bis-Man Transit administrative office.
- Ran a campaign on social media promoting outdoor recreational opportunities accessible via the CAT bus & encouraging bike rack use.

- Working with contact at United Tribes Technical College to promote fixed route service to students on campus.

Performance Review Goals:

- Push / Focus On Shelters / Para Windows
- CAT Videos
- Training Videos (ie... how to use Transloc App, etc...)
- Marketing Grants (Private or Federal – Public Awareness – Transit Development)
- Look For More Training
- BSC Semester Training / Library Trainings / Mobility Training

FY2024 - Section 5339 Bus & Bus Facilities Program	
Agency Name	Bis-Man Transit Board
Agency Contact	Deidre Hughes <span style="float: right;">Phone: 701.258.6817</span>
Unique Entity ID #	83-441-0987

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

The entire Section 5339 – Bus and Bus Facilities Grants is further explained in FTA Circular 9300.1B, located on the FTA website at [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final\\_C\\_9300\\_1\\_Bpub.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final_C_9300_1_Bpub.pdf).

**Please Note:**

- Capital project requests for ADA vehicles will require a minimum of **15% Local Match**. All other capital project requests will require a minimum of **20% Local Match**.
- **Farebox revenue cannot be used as Local Match.**
- Assets purchased with Federal Funds must be maintained and inventoried through a Transit Asset Management (TAM) Program.
- As with most Federal Assistance Programs, 5339 is designed as a reimbursement program. Your agency should be prepared to pay for your expenses upon delivery/acceptance and then request reimbursement from NDDOT.
- If requesting a replacement vehicle, the vehicle listed must have met FTA/NDDOT Useful Life. However, regardless of useful life having been met, federal interest remains until the value of the vehicle or equipment falls below \$5,000.
- If you receive \$750,000 from any federal source, you are required to have a Single Audit per 2 CFR 200 Subpart F.
- Prior to contracting, your agency must have a completed FY 2023 FTA Certifications and Assurances uploaded in BlackCat.
- Prior to contracting, your agency must be active in the System of Award Management (SAM.gov).

- All applications are due **December 30, 2022 12:00pm CDT**. Late and/or incomplete applications may be subject to a penalty percentage reduction of requested amount or may be eliminated from funding consideration.
- The NDDOT Transit Staff is available to provide guidance and answer any questions on the application process. E-mail: [bhanson@nd.gov](mailto:bhanson@nd.gov), [dkarel@nd.gov](mailto:dkarel@nd.gov), or [jsmall@nd.gov](mailto:jsmall@nd.gov).

## GENERAL INFORMATION

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

Bis-Man Transit currently provides fixed route service for the cities of Bismarck and Mandan and complementary paratransit services, with demand response available for senior and disabled passengers, including those in the City of Lincoln. Bis-Man Transit continues to transition current demand response riders to our fixed route service and gain new fixed route ridership through continued outreach and community partnership efforts. Due to the COVID-19 pandemic, Bis-Man Transit experienced a significant decline in ridership for 2020 and 2021. However, ridership continues to increase in 2022 for both fixed and paratransit routes. The most recent route re-design went into effect on February 1, 2021.

Fixed route service is provided on six routes from 6:30 a.m. - 7:00 p.m. Monday through Friday and 7:30 a.m. – 7:00 p.m. on Saturday. All nine vehicles in the fixed route fleet are ADA accessible, with service provided for Bismarck and Mandan. Regular fares are \$1.50 for a one-way trip, \$6.00 for a 1-day pass, and \$36 for a 30-day pass. Fares for those certified to utilize our demand response services or those over 65 can ride free. Reduced fares for students K-College, Veterans, and those on Medicare is \$.75 for a one-way trip, \$3.00 for a one-day trip, and \$24.00 for a 30-day pass.

In 2020, 55,445 unlinked passenger trips were provided on fixed route. In 2021, 56,744 unlinked passenger trips were provided on fixed route. Fixed route ridership has continued to increase for 2022, with 62,312 trips from January through October.

Paratransit/demand response service is provided to individuals with disabilities and seniors over 70 with a fleet of 19 cutaway buses and two rear lift vans. The service area covers the city limits of Bismarck and Mandan, the city of Lincoln, and within  $\frac{3}{4}$  mile of any fixed route. A one-way fare is \$3.00/ Services are provided from 5:30 am – 12:00 am, Monday through Saturday, and 7:30 am - 2:30 pm on Sunday. In 2020, 71,635 unlinked passenger trips were provided on paratransit. In 2021, 86,203 unlinked passenger trips were provided on paratransit. Ridership continues to increase in 2022.

Services are provided in both Burleigh and Morton Counties

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

The fixed route bus purchase that will be completed with the funds from this request will increase the safety, sustainability, and efficiency of the services we provide, by ensuring that current equipment is in optimal working condition and within useful life parameters. The current bus we are seeking to replace is outside of useful life.

3. What percentage of change in ridership has your agency experienced in the since the last application? Provide a brief explanation of the reason for the change in ridership.

- Increase  
 Decrease

Bis-Man Transit experienced a 17% increase in ridership from SFY2021 to SFY2022.

## VEHICLE PROJECT REQUESTS

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

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

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

Year: 2024

Make/Model: Gillig Low Floor

Seating Capacity: 28

Lift/Ramp:  Yes  No

Gas/Diesel/Other: Diesel

5. What type of vehicle are you requesting?

- Replacement Vehicle  
 Expansion Vehicle

6. If requesting a replacement, which vehicle in your fleet are you replacing? 1003

a. Vehicle Information Number (VIN):

b. Vehicle Year: 2010

c. Make/Model: Gillig Low Floor

d. Current Mileage: 423,219

e. Vehicle In Service Date: 09/09/2010

f. Vehicle Condition Rating (Adequate, Excellent, Good, Marginal, Poor): Marginal

g. Has this vehicle information been updated in BlackCat Inventory?  Yes  No

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

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

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes): Summer 2023/Upon award – Purchasing vehicle off the State of Washington bid
Contract Award Date: Summer 2023
Order Date: Summer 2023
Initial Vehicle Delivery Date: Summer 2024
Final Vehicle Deliver Date (if more than one vehicle): Not applicable
Contract Completion: Fall 2024
Final Payment Submitted to DOT: Fall 2024
9. Amount requested for vehicle (include the base price plus all options with this request):
Total Vehicle Cost (include federal and local amounts): \$475,000 Federal Funds Requested Amount: \$403,750 Local Match Amount: \$71,250 Source(s) of Local Match: Mill Levy funds
10. Explain where in your current 3-5 Year Plan this project(s) is specifically stated (list section and page number(s)). Your current plan must be uploaded into BlackCat Resources.
<input checked="" type="checkbox"/> Yes List section and page number(s):  Per Bis-Man Transit's 3 to 5-year Capital Investment Plan, one fixed route bus replacement is planned for 2024. This can be found on page 64 of the 2019 Transit Development Plan.
<input type="checkbox"/> No (Applicant must provide an explanation)

Following are suggested price requests for vehicles based on current state bid quotes. Keep in mind if you intend to order vehicles with additional options, prices will vary accordingly. See the State Bid Contracts on the website at <a href="https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm">https://apps.nd.gov/csd/spo/services/bidder/listCurrentContracts.htm</a>		Estimated Delivery time (in months)
15 Passenger or 12 + 2 Passenger Cutaway/Bus NDDOT Term Contract No. 300	Base Price - \$75,000 - \$99,000 <b>NOTE: Will be re-bid October 2022 – Expect Price Increases.</b>	12 – 24
Rear Lift ADA Transit Vehicle NDDOT Term Contract No. 301	Base price - \$55,000 – \$72,000 <b>NOTE: Currently out for bid – Expect Price Increases.</b>	12 – 24
Frontrunner – Low Floor Vehicle – New England Wheels NDDOT Term Contract No. 381	Base Price - \$145,132 - \$146,607	12 – 24
ADA Low Floor Mini Van NDDOT Term Contract No. 382	Base Price - \$69,900	9 – 12
Low-Floor Paratransit Ramp Buses NDDOT Term Contract No. 383	Base Price - \$96,720 - \$110,000	12 – 24
Trolley – Carriage and Villager NDDOT Term Contract No. 386 & 388	Base Price - \$125,000 - \$219,522	6 – 12
FTA Useful Life Standards		
Mini-Vans/Modified Vans – 3-14 passenger	4 years or 100,000 miles	
Med-Size Light Duty Cutaway – 8-16 passenger	5 years or 150,000 miles	

Med-Size Med Duty Cutaway/Bus – 16-30 passenger	7 years or 200,000 miles
Med-Size Heavy Duty Bus – 24-25 passenger	10 years or 350,000 miles
Large Heavy-Duty Bus – 35-40+ passenger	12 years or 500,000 miles

## TRANSIT FACILITY PROJECT

**NOTE: This request MUST first be created as a project in the Black Cat Transit Data Management System.**

### REHABILITATION/RENOVATION OF A TRANSIT FACILITY

11. Do you currently have a transit facility?

Yes     No

12. If yes, provide information on the current facility.

Federally Funded:  Yes     No     Other

Year Constructed:

Square Footage:

Parking spots:

Has this facility been renovated in the past?  Yes     No    If Yes - Describe

13. Give a detailed description and justification of the proposed project. Include the need for rehabilitation, improvements, or remodeling, necessary repair work, cost estimates, temporary or permanent repair, and other details that you deem relevant to assist NDDOT in making a project determination.

14. Provide an estimated timeline for the project (s). Provide a separate timeline for each project you are applying for. See sample timeline below, add or remove lines as needed.

Request for Proposal (RFP)/Invitation for Bid (IFB) Issue Date:

Contract Award Date:

Project State Date:

Contract Completion Date:

Final Payment Submitted to DOT:

15. Has your Agency completed the FTA Region 8 Categorical Exclusion Worksheet for this project? The worksheet and instructions can be found in BlackCat Global Resources or on NDDOT Transit website under Procurement at <https://www.dot.nd.gov/divisions/localgov/transit-operator-portal.htm>

Yes (Applicant must complete and attach the worksheet)

No (Applicant must provide an explanation)

16. Has your agency completed and attached an Equity Analysis for this renovation? NOTE: An Equity Analysis must occur before the preferred site is selected.

Yes

No (Applicant must provide an explanation)



17. Your agency will be **required** to interview and hire an architect/consultant to design the plans and specifications and manage the bidding and construction of this building to meet FTA and NDDOT standards and requirements. Provide the dollar amount are you requesting.

Total Cost (include federal and local amounts):

Federal Funds Requested:

Local Match Amount:

Source(s) of Local Match:

18. An Independent Cost Estimate (ICE) is required to show that the price is fair and reasonable? Explain your process for completing the ICE.

19. Are you proposing to use the value of land as match, in whole or part, for your project? If yes, please indicate whether this is an appraised value or estimate. Only the portion of land required for the project may be considered in this valuation.

Yes

No

Appraised Value     Estimate Value

20. Does the appraised value or estimate cover your entire match? If not, Identify other sources of local match for this project.

21. Has your agency held public meetings about this project? If yes, when and did the community support this project? Include documentation of all public meetings (agendas, advertisements, meeting minutes, comments, and list of attendees)

Yes, and documents are attached. Meeting dates:

No (Applicant must provide an explanation)

22. Does your agency have a written Facility Maintenance Plan? Explain the procedures to ensure facility & equipment is inspected and maintained per manufacturer's warranty instructions on a regular scheduled basis as described in your Facility Maintenance and TAM Plans.

Yes

No (Applicant must provide an explanation)

23. Are your facility and any maintenance records recorded in your TAM maintenance program as required by NDDOT? If No, please explain.

Yes

No (Applicant must provide an explanation)

24. What is the condition (1(Poor) – 5 (Excellent) rating scale assessment) rating of your current facility?

25. Total project cost?

Total Cost (include federal and local amounts):

Federal Funds Requested:

Local Match Amount:

Source(s) of Local Match:

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

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

### PURCHASING A TRANSIT FACILITY

Complete this portion if you are requesting funding to purchase an existing transit facility.

27. If purchasing a facility, what is the asking price?

28. An Independent Cost Estimate (ICE) is required to show that the price is fair and reasonable? Explain your process for completing the ICE.

29. Justify why it is more cost effective to purchase this facility versus building a new one.

30. Describe the facility you are considering for purchase in detail. Provide purpose of facility (administration, storage, etc.), specifications, environmental assessments, drawings/plans, etc.

Year Constructed:  
 Square Footage:  
 Parking spots:

31. Are there any known environmental issues with the facility you are proposing to purchase? (e.g., underground fuel storage) If yes, please describe.

- Yes (Applicant must provide an explanation)  
 No

32. Will this facility require any renovation for use in your transit program? If yes, please describe these renovations in detail and specify whether these costs are figured into the above asking price.

- Yes (Applicant must provide an explanation and associated cost)  
 No

33. Has your agency held any public meetings about this project? If yes, when and did the community support this project? Include documentation of all public meetings (agendas, advertisements, meeting minutes, comments, and list of attendees)

- Yes, and documents are attached. Meeting dates:  
 No (Applicant must provide an explanation)

34. Provide an estimated timeline for the project (s). Provide a separate timeline for each project you are applying for. NOTE: If renovations are needed you will need to add that to the timeline. **See sample timeline below, add or remove lines as needed.**

Request for Proposal (RFP)/Invitation For Bids (IFB) Documents Date:

Purchase Date:

Contract Completion:

Final Payment Submitted to DOT:

35. Total project cost including purchase and renovations.

Total Cost (include federal and local amounts):  
 Federal Funds Requested:

Local Match Amount:  
Source(s) of Local Match:

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

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

### BUILDING A TRANSIT FACILITY

Complete this portion if you are requesting funding to build a new transit facility.

37. Describe in detail the need for a facility in your transit program.

38. Describe your proposed project in detail. Include a description of all the amenities you feel the project will need to meet your needs – e.g., purpose of facility, square footage, office space, number of vehicles it will hold, wash bays, etc. Keep in mind, this facility should be designed to meet your current needs with a reasonable projection of your future needs.

39. Has your Agency completed the FTA Region 8 Categorical Exclusion Worksheet for this project? The worksheet and instructions can be found in BlackCat Global Resources or on NDDOT Transit website under Procurement at <https://www.dot.nd.gov/divisions/localgov/transit-operator-portal.htm>

- Yes (Applicant must complete and attach the worksheet)  
 No (Applicant must provide an explanation)

40. Has your agency completed and attached an Equity Analysis for this renovation? NOTE: An Equity Analysis must occur before the preferred site is selected.

- Yes  
 No (Applicant must provide an explanation)

41. Do you have preliminary design plans for this project? If you do, please include a copy with this application.

- Yes  
 No

42. Your agency will be **required** to interview and hire an architect/consultant to design the plans and specifications and manage the bidding and construction of this building to meet FTA and NDDOT standards and requirements. Provide the dollar amount are you requesting.

Total Cost (include federal and local amounts):  
Federal Funds Requested:  
Local Match Amount:  
Source(s) of Local Match:

43. Are you proposing to use the value of land as match, in whole or part, for your project? If yes, please indicate whether this is an appraised value or estimate. Only the portion of land required for the project may be considered in this valuation

- Yes  
 No

<input type="checkbox"/> Appraised Value <input type="checkbox"/> Estimate Value
44. Does the appraised value or estimate cover your entire match? If not, identify other sources of match for this project.
<input type="checkbox"/> Yes <input type="checkbox"/> No
45. Has your agency held any public meetings about this project? If yes, when and did the community support this project? Include documentation of all public meetings (agendas, advertisements, meeting minutes, comments, and list of attendees).
<input type="checkbox"/> Yes, and documents are attached. Meeting dates: <input type="checkbox"/> No (Applicant must provide an explanation)
46. Have you looked at options to scale the building back in case the construction costs come in over budget?
<input type="checkbox"/> Yes <input type="checkbox"/> No (Applicant must provide an explanation)
47. Provide an estimated timeline for the project (s). Provide a separate timeline for each project you are applying for. <b><u>See sample timeline below, add or remove lines as needed.</u></b>
Request For Proposal (RFP) Issue Date:
Contract Award Date:
Project Start Date:
Contract Completion:
Final Payment Submitted to DOT:
48. Total project cost?
Total Cost (include federal and local amounts): Federal Funds Requested: Local Match Amount: Source(s) of Local Match:
49. Explain where in your current 3-5 Year plan this project(s) is specifically stated (list section and page number(s)). Your current plan must be uploaded into BlackCat Resources.
<input type="checkbox"/> Yes    List section and page number(s): <input type="checkbox"/> No (Applicant must provide an explanation)

## EQUIPMENT & MISCELLANEOUS CAPITAL PROJECTS

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

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

50. Describe your proposed project(s) in detail.

Description:

Quantity:

Purpose:

51. How does this project(s) enhance your transportation program?

52. Have you completed an Independent Cost Estimate document to show that the price is fair and reasonable? Provide this documentation.

- Yes  
 No (Applicant must provide an explanation)

53. Is an ITS Project/Architecture Checklist required for this project? Review (23 CFR 940.13), see SFN 60212 located in the BlackCat Global Resources.

- Yes  
 No (Applicant must provide an explanation)

54. Has the NDDOT ITS Project/Architecture Checklist been completed and submitted with this application for review?

- Yes  
 No (Applicant must provide an explanation)

55. Provide an estimated timeline for the purchase of this equipment. Provide a separate timeline if you are applying for different types of equipment. **See sample timeline below, add or remove lines as needed.**

Procurement Type (State Bid, Request For Proposal (RFP)/Invitation For Bid (IFB), Quotes):

RFP/IFB/Quotes Issue Date:

Contract Award Date:

Order Date:

Deliver/Installation/Project Completion Date:

Final Payment Submitted to DOT:

56. Total project cost?

Total Cost (include federal and local amounts):

Federal Funds Requested Amount:

Local Match Amount:

Source(s) of Local Match:

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

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

## Local Match & Total Funding Request

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

**Local match listed here cannot be already targeted as match for a FY2024 5310 or 5311 applications.**

**Farebox revenue cannot be used as Local Match.**

**Documentation of sources of Local Match (including State Aid) MUST be attached or it will not be considered.** Documentation must include a financial obligation amount. This amount may be an estimation or record of the previous amount provided to the transit agency and requires a signature of the organization providing the local share. Without a financial amount and required signature, such local amounts won't be considered as supporting match. Federal funds will only be awarded if sufficient match is provided.

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

Ranking	Project	Federal Dollars Requested	Local Match Needed	Sources of Local Match
1	2024 Gillig Low Floor	\$403,750	\$71,250	Mill Levy Funds
2				
3				
4				
5				

## Application Checklist and Signature Page

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

Section 5339 Applicants must submit the following (check when complete):	
x	Completed 5339 Application;
x	Document(s) showing sources of local match funds – Signed letters from source(s) of local match, FY2023 State Aid Contract or award letter, mill levy, city funds, etc.;
x	Update <u>vehicle/facility/equipment</u> information, mileage, condition, etc. in BlackCat Inventory;
x	Certify and upload a current Authorizing Resolution form (only complete if there has been a change to your agencies signing authority since the last application);
x	Upload your annual registration from the System for Award Management (SAM.gov)
x	Complete and include the FTA Categorical Exclusion Worksheet (if applicable);
x	Update Transit Board Members information in BlackCat;
	Complete and include the NDDOT ITS Architecture Checklist Systems Engineering Compliance (SFN 60212), (if applicable);
	Update any complete Preliminary Assessment/Application for Capital Assistance forms(s) (if applicable);
x	The following documents MUST be current and uploaded into BlackCat Resources: 3-5 Year Plan, Title VI Plan, Drug & Alcohol Plan, Cost Allocation Plan, Cognizant Agency Letter (if applicable), and TAM Plan.

I hereby certify that as a person authorized to sign for

Bis-Man Transit Board

**Transit Agency Name**

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

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

*Deidre Hughes*  
**Signature of Authorized Representative**

11/22/2022  
**Date**

**BIS-MAN TRANSIT  
EMPLOYEE HANDBOOK  
(01/01/2023)**

**WELCOME**

**Welcome to Bis-Man Transit!**

This Employee Handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees are required to read the Employee Handbook and be familiar with its contents. Any questions about this handbook should be directed to management.

Public transportation is a critical component to building social and economic growth in the Bismarck-Mandan area. Bis-Man Transit transports people to work, school, healthcare, shopping and recreation and our employees that provide these services that our customers and community rely upon. Take pride in knowing that you are joining a team that drives growth and success for Bis-Man Transit and the community.

Your employment at Bis-Man Transit will be challenging, enjoyable and rewarding. We are excited to have you with us and wish you every success here!

Deidre Hughes  
Executive Director



## **EMPLOYMENT**

**AT WILL STATEMENT:** Your employment with Bis-Man Transit is a voluntary one and is subject to termination by you or Bis-Man Transit at will, with or without cause, and with or without notice, at any time. Nothing in these policies shall be interpreted to be in conflict with or to eliminate or modify in any way the employment-at-will status of Bis-Man Transit employees.

This policy of employment-at-will may not be modified by any officer or employee and shall not be modified in any publication or document. The only exception to this policy is a written employment agreement approved at the discretion of the Executive Director or Board of Directors, whichever is applicable.

These personnel policies shall not be construed to be a contract between Bis-Man Transit and its employees. Bis-Man Transit reserves the right to amend, revise, or delete any of the policies herein.

**EVALUATION PERIOD:** The first three (3) months of employment and the first three (3) months after a transfer to a new position shall be considered an evaluation period. The evaluation period is a time for Bis-Man Transit to determine whether the employee is an appropriate match for the position. It is also a time for the employee to determine if the job is suitable to the employee. Bis-Man Transit in its discretion may extend the evaluation period thirty (30) days. Bis-Man Transit retains the right to terminate employment or return an employee to a prior position or comparable position at any point during or upon conclusion of the evaluation period. Completion of the evaluation period shall not confer any enforceable or contractual right to continued employment.

**EQUAL EMPLOYMENT OPPORTUNITY:** As a matter of policy, Bis-Man Transit requires all aspects of the employment relationship, training and promotions, and all personnel actions to be based on individual merit and individual capabilities. Bis-Man Transit shall not discriminate on the basis of race, religion, color, national origin, sex, sexual orientation, age, or disability, marital status, military status, unfavorable discharge from military service (except dishonorable), or any other protected status under applicable local, state or federal law. This policy applies to recruitment, hiring, compensation, promotion, transfer, disciplinary action, discharge, training, and all other terms, conditions and privileges of employment.

Bis-Man Transit will provide a reasonable accommodation to employees with a disability upon request, provided accommodation does not present an undue hardship. Reasonable accommodation generally involves modification or adjustment of a job, employment practice, or the work environment which makes it possible for an individual with a disability to perform the essential functions of the employee's job. An employee who believes he or she requires accommodation should contact the Executive Director. Consideration of such requests may entail an interactive dialogue over the requested accommodation. As part of the interactive process, Bis-Man Transit may request the employee to provide certain medical information related to the employee's ability to perform the essential job functions with or without reasonable accommodation.

## **CATEGORIES OF EMPLOYEES**

For purposes of salary administration and eligibility for overtime payments and employee benefits, Bis-Man Transit classifies its employees and other workers as follows:

A) Full-time employees- Employees hired to work Bis-Man Transit's full-time (36) hour workweek on a regular basis. Such employees may be "exempt" or "nonexempt" as further defined.

B) Part-time employees- Employees hired to work fewer than thirty (36) hours per week on a regular basis. Such employees may be "exempt" or "nonexempt" as defined below.

C) Temporary employees- Employees engaged to work full time or part time on Bis-Man Transit's payroll with the understanding that their employment will be terminated no later than on completion of a specific assignment. (Note that a temporary employee may be offered and may accept a new temporary assignment with Bis-Man Transit and thus still retain temporary status.) Such employees may be "exempt" or "nonexempt" as defined below. (Note that employees hired through temporary employment agencies or as independent contractors for specific temporary assignments are employees of the respective agency or independent contractors and not employees of Bis-Man Transit.)

D) Nonexempt employees- Employees who are required to be paid overtime at the rate of one and one-half times (1.5) times their regular rate of pay for all hours worked beyond forty (40) paid hours in a workweek, in accordance with applicable state and federal wage and hour laws.

E) Exempt employees- Employees who perform administrative, executive or professional work as determined by Bis-Man Transit to be exempt from overtime requirements under applicable state and federal wage and hour laws.

## **JOB/INTERNAL POSTING**

It is the policy of Bis-Man Transit to hire the most qualified employees available for all jobs and to encourage a career within Bis-Man Transit by promoting present employees whenever possible to fill vacancies as well as creating and sustaining a welcoming culture in which to conduct BIS-MAN TRANSIT business.

The Executive Director is responsible for the final selection and filling of authorized positions within Bis-Man Transit. The Executive Director is encouraged to consider current qualified Bis-Man Transit employees for vacant positions and may post job vacancies for a minimum of three (3) days internally before seeking applications from the general public. The posting of a notice internally does not guarantee placement of an internal candidate. In all instances, Bis-Man Transit will seek to fill a position with the most qualified applicant whether from within the organization or outside of the organization.

All candidates for a position may be subject to a drug test, criminal background check and other background investigation to determine qualifications and fitness for employment. Additionally,

all candidates for a position may be subject to a post-offer, pre-employment health examination to determine fitness for the position applied for when said position requires particular physical demands of the candidate.

### **TRANSFER AND PROMOTIONS**

It is the policy of BIS-MAN TRANSIT to transfer and promote from within consistent with the interests of Bis-Man Transit. Employees are urged to obtain the necessary skills, training, education, professional registration or licenses necessary in order to be eligible candidates for transfer or promotion.

Criteria for Promotion to be considered - Employees seeking promotion to an open position must also apply to the Executive Director. They may be required to re-submit an application and they will also be interviewed by the hiring authority. In the selection of an employee to fill a higher job, the following will be considered:

A) Aptitude, skills, ability and past performance, where applicable;

B) Prior or newly acquired credentials which may qualify the employee for consideration in another classification.

### **TELEWORK**

Bis-Man Transit confirms its commitment to recruit, develop, and retain a diverse and skilled workforce. Teleworking, or telecommuting, occurs when an eligible employee is allowed to work from home or another location on a full- or part-time basis. Teleworking is not a guaranteed benefit of employment and is not allowed under any circumstances where the operational needs of Bis-Man Transit would be adversely affected or disrupted or when an employee's telework arrangement would create an undue burden on Bis-Man Transit and other employees.

#### Definition of Teleworking

Telework is defined as working at home or at other off-site locations that are linked electronically (via computer, fax, etc.) to a central office or principal place of employment. Teleworking is a cooperative arrangement between Bis-Man Transit and staff, based upon the needs of the job and the Organization.

Teleworking is not a formal, universal employee benefit. Rather it is an alternative method of meeting the needs of the company. Bis-Man Transit has the right to refuse to make teleworking available to an employee and to terminate a teleworking arrangement at any time.

#### Eligibility

To be eligible for consideration of a telework arrangement, an employee must have no record of performance problems or disciplinary actions within the preceding two (2) years or term of employment. In the case of a new hire, the Organization will conduct a thorough reference check with past employers to determine whether he/she meets the requirement.

The employee must have demonstrated the following prior to approval of telework: proven ability to perform, high job knowledge, ability to establish clear objectives, flexibility and the ability to work independently and with dependability.

In addition, the employee must hold a position that will allow for the employee to work alone or with equipment that can be transported or kept at the alternate work site and have clearly defined tasks and objectives, does not require a regular direct face to face contact either with a client or team members, has measurable work activities, and does not require a high degree of supervision.

Prior written approval of any teleworking arrangement must be received by the Executive Director prior to any regular telework being performed.

#### Job Responsibilities

Under no circumstances will job responsibilities change due to teleworking. Professionalism in terms of job responsibilities, work output, and customer orientation will continue to follow the standards set by the Organization. The amount of time an employee is expected to work will not change due to teleworking. In the event that business conditions require the teleworking employee's presence at a central work location function, meeting, or other event, the employee is expected to report to the central work location, even if such occurs during normally scheduled home-work area hours.

#### Contact with the Central Work Location

Once a teleworking arrangement has been approved, the teleworking employee is responsible for maintaining contact with the Executive Director. It is expected that the Executive Director and the teleworker will act together to keep each other apprised of events or information obtained during the working day just as they normally would in an on-site employment arrangement.

#### Alternate Work Area

Bis-Man Transit shall provide workers' compensation and liability protection as obligated by State Statutes for the employee while in the course of employment within the agreed upon location and defined work schedule. The Organization assumes no responsibility for any activity, damages, or injury which is not directly associated or resulting from the official job duties for which the Organization has no ability to exercise control. The Organization assumes no responsibility for the employee's personal property.

In addition, the following must be adhered to:

A) A designated workspace should be maintained by the employee in a clean, professional, and safe condition.

B) Any change in the approved job assignment, location or defined work schedule must be reviewed and approved by the Executive Director in advance.

C) As liability may extend to accidents which could occur in the alternative work location, the Organization retains the right to make on-site inspections of this work area, at a mutually agreed upon time, to ensure that safe work conditions exist.

D) Employee tax implications related to alternate work locations are the responsibility of the employee.

E) Employee expenses not specifically covered in this policy will be dealt with on a case-by-case basis between the employee and the Executive Director.

F) Employees who work at home will manage dependent care and personal responsibilities in a way that allows them to successfully meet job responsibilities.

#### Equipment

A) Any hardware or software purchased by Bis-Man Transit remains the property of the Organization and will be returned to the Organization should the alternative work arrangement be terminated.

B) Software owned by the Organization may not be duplicated except as formally authorized by policy.

C) Employees using Organization software must adhere to the manufacturer's licensing agreements.

D) Restricted access materials (such as payroll, personnel files, etc.) may not be taken out of the office, copied, or compromised in any way. Employees working at alternate sites will take all precautions necessary to secure sensitive information and prevent unauthorized access to the Organization.

E) Bis-Man Transit equipment located at an alternative work location may not be used for personal activities.

#### Disclaimers

Bis-Man Transit will follow the rules and regulations of the Fair Labor Standards Act related to all wages owed to non-exempt and exempt employees working under a telework arrangement. Furthermore, in conjunction with the organization's Telework policy, Bis-Man Transit complies with the Americans with Disabilities Act ("ADA") and the Americans with Disabilities Amendments Act ("ADAA") in engaging in an interactive process to determine workplace accommodations for all employees who are injured or sick due to a qualifying short-term or long-term disability.

### **CHANGE OF NAME, ADDRESS, MARITAL OR FAMILY STATUS**

Employees shall report all changes in name, address, telephone number and marital or family status to the Executive Director as follows:

A) Change of address - Provide on Employee Change of Information Form.

B) Change of family status - (add or delete dependents) - Federal and North Dakota Tax forms, beneficiary changes to Deferred Compensation and group insurance.

### **CONFLICT OF INTEREST**

No employee of Bis-Man Transit shall have any substantial interest, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of their duties in the public interest.

No employee of Bis-Man Transit shall use their position to secure special privileges or exemptions, personally or for others. No employee of Bis-Man Transit shall directly or indirectly receive or agree to receive any compensation, gift, reward or gratuity from any source except Bis-Man Transit, for any matter or proceeding connected with or related to the duties of such employee.

Situations that may pose a conflict of interest must be reported to the Executive Director by the employee immediately. However, honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time shall not be deemed as a violation of this section provided such activity is approved by the Executive Director.

### **CONFIDENTIALITY**

You are required at all times while an employee of BIS-MAN TRANSIT and thereafter, to protect confidential information. Confidential information cannot be given to anyone without express prior approval of an authorized member of BIS-MAN TRANSIT management.

Further, all employees are prohibited from directly or indirectly using or allowing the use of official information obtained through, or in connection with, employment with Bis-Man Transit which has not been made available to the general public, for the furtherance of any private interest. Violation of this principle is a serious matter and will result in immediate disciplinary action. Additionally, disclosure of any information discussed and recorded in closed session held by the Board is strictly prohibited. Violation of this provision by any employee of Bis-Man Transit shall result in disciplinary action taken pursuant to those of this policy, and/or other provision that may be required under state law.

During your employment you may receive or have access to varying types of confidential information. Bis-Man Transit places a high value on confidential information. Confidential information means information that is not generally known to the public that is valuable and

which, if disclosed, could compromise client security or cause harm, damage or other adverse consequences to BIS-MAN TRANSIT, clients, customers and fellow employees.

Information is confidential regardless of its form. Your confidentiality obligations extend to confidential information included in memos, emails, computer files and other electronic formats.

### **OUTSIDE EMPLOYMENT**

No full-time or part-time employee shall engage in outside employment which is not compatible with the full and proper discharge of duties and responsibilities of one's position or which tends to impair the capacity to perform one's duties and responsibilities in an acceptable manner. A full-time or part-time employee wishing to engage in outside employment shall notify the Executive Director of outside employment. The Executive Director shall evaluate the outside employment and determine its compatibility with the employee's obligation for full discharge of duties and responsibilities. Bis-Man Transit must assure that no conflict or appearance thereof occurs, and that no unauthorized use of position or Bis-Man Transit's facilities or property takes place.

### **BENEFITS**

Bis-Man Transit has established a variety of employee benefit programs designed to assist employees and their eligible dependents in meeting financial burdens that can result from illness and disability, and to help plan for retirement. This portion of the Employee Handbook contains general descriptions of the benefits to which employees may be entitled.

This employee handbook does not change or otherwise interpret the terms of the official Benefit Plan Documents. To the extent that any of the information contained in this employee handbook is inconsistent with the official Benefit Plan Documents, the provisions of the official documents will govern in all cases.

### **INSURANCE**

GROUP HEALTH INSURANCE: Bis-Man Transit provides health and major medical, dental, and vision to eligible employees. Eligible employees are defined as those who work an average of 36 or more hours a week as determined by Bis-Man Transit. Any eligible employee may enroll after 30 days of employment. The Executive Director will, in addition, promote the benefits and provide information and assistance to those eligible. Employee and family medical coverage is employer paid up to the limit set forth annually by the Board during the annual budget process. Enrollment of dependents after the initial medical insurance sign-up period will be subject to qualifying changes in status. Employee plus one dental and vision coverage is employer paid up to the limit set by the Board during the annual budget process.

Eligibility Date - Any eligible employee may enroll after 30 days of employment.

## **COBRA**

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, if an employee terminates employment with Bis-Man Transit or has any other qualifying event, the employee is entitled to continue participating in the Company's group health plan for a prescribed period of time, usually 18 months. COBRA coverage may not be extended to employees terminated for gross misconduct.

For detailed information or questions on COBRA, employees should contact the Executive Director.

## **HIPAA**

As required by the Health Insurance Portability and Accountability Act (HIPAA), Bis-Man has adopted a policy that protects the privacy and confidentiality of protected health information (PHI) whenever it is used by Bis-Man representatives. The private and confidential use of such information will be the responsibility of all individuals with job duties requiring access to PHI in the course of the jobs.

Bis-Man Transit has designated the Executive Director as the HIPAA Compliance Officer (HCO). Any questions or issues regarding PHI should be presented to the Executive Director for resolution.

## **RETIREMENT PLAN**

Effective January 1, 2021, all eligible employee's contributions will be matched up to a maximum of 3% of the employee's base salary.

## **EDUCATION ASSISTANCE**

Education programs will generally fall within the following categories:

- Bis-Man Transit-sponsored orientation programs.
- In-service/in-house education provided by Bis-Man Transit.
- Outside workshops, lectures, meetings and seminars.

On-going employee education and development opportunities are essential to sustaining an effective and satisfied workforce. Bis-Man Transit will provide, within reasonable, budgeted resources, employee education and development deemed necessary to assist Bis-Man Transit in achieving its stated mission.

Specific program content may change based upon business conditions and situational need. This policy applies to all employees of Bis-Man Transit.

## **POLICY**

A) Employees may pursue education and development opportunities deemed necessary for the execution of day-to-day job-related duties as well as long-term development purposes to promote/grow Bis-Man Transit.



B) Bis-Man Transit may provide and/or facilitate:

1. On-the-job training and/or work-related instruction that prepares/supports the employees in performing their current roles. This includes instruction required by regulation, law and/or organizational policy.
2. Courses, workshops and seminars as well as attendance at conferences and conventions directed at enhancing and/or expanding employee work-related skills.
3. One-on-one, subject-specific mentoring engagements. Engagements are dependent upon mentor/protégé availability and fit with specific employee development needs.

C) It will be the responsibility of the Executive Director to authorize, monitor and ensure programs are satisfactorily completed within reasonable and customary timeframes.

Programs must be scheduled in accordance with Bis-Man Transits' operating needs and budgetary availability.

D) Employees planning to attend an outside conference or convention will be required to obtain the approval of the Board of Directors in advance prior to committing to registration/travel fees.

E) Newly-hired employees will be provided Orientation Training upon hire. Training topics will be designed to rapidly assimilate the employee into Bis-Man Transit organization while maximizing individual performance opportunities. Any specific-to-the job training that is critical will be provided immediately upon starting in the role.

F) Attendance at educational programs will NOT be counted as paid time IF ALL of the following four criteria are met:

1. Attendance is outside of the employee's regular working hours.
2. Attendance is voluntary. (Attendance is not voluntary if it is required by the employer. It is not voluntary if the employee is given to understand or is led to believe that his/her present working conditions or the continuation of his/her employment would be adversely affected by non-attendance.)
3. The educational program is not directly related to the employee's job.
4. The employee does not perform any productive work during such attendance.

G) The employee will be paid at their regular rate of pay per their typical schedule for the time off work for educational program attendance. If the educational program keeps the employee away from home overnight, the time outside of regular working hours will not be considered work time.

H) Travel time to educational programs will be counted as hours worked during normal working hours for non-exempt employees. If drive or travel time is outside of normal work hours and the trip is not an overnight trip, then time spent traveling is compensable for both non-exempt driver and passenger(s).

**TIME OFF**  
*VACATION*

ENTITLEMENT AND ACCRUAL RATE: From the first day of employment, all full-time employees shall accrue vacation leave with pay, according to the following schedule. Application for vacation leave shall be in accordance with Bis-Man Transit policy.

The following table shows the annual accrual of vacation time for eligible employees:

<i>Years of Service</i>	<i>Vacation Time</i>	<b>EXISTING VACATION RATE</b>	
First 3 years	8 hours per month	Date of Hire - 4 Years	8 hours per month
4 <sup>th</sup> - 7 <sup>th</sup> Years	10 hours per month	5-9 Years	10 hours per month
8 <sup>th</sup> - 12 <sup>th</sup> Years	12 hours per month	10-14 Years	12 hours per month
13 <sup>th</sup> – 18 <sup>th</sup> Years	14 hours per month	15-19 Years	14 hours per month
Over 18 years	16 hours per month	20+ Years	16 hours per month

All vacation will be prorated based on an individuals’ hire date. Vacation time is not considered time worked when calculating overtime.

Part time employees will accumulate vacation leave at a prorated rate based on the average weekly hours worked.

- 36-40 hours = 100%
- 28-36 hours = 75%
- 20-28 hours= 50%
- 12-20 hours= 25%
- Less than 12= 0%

Employees shall accumulate vacation time on a monthly basis which will be rolled over annually on December 31<sup>st</sup> of each calendar year. No employee may roll over more than 120 hours of vacation. In the stance of an employee who has already been granted scheduled vacation time off, adequate to avoid forfeiting any accruals or a circumstance beyond the employee's control prevents the taking of the scheduled vacation. Vacation leave extension may also be granted by the Board of Directors during extenuating circumstances.

SCHEDULING OF VACATION TIME: Since vacation leave is perceived to be a benefit for both the employee and Bis-Man Transit, employees should be encouraged to use such leave. The Executive Director will support this policy by preparing a schedule of appropriate times for taking

of such leave and indicating, where known, the dates during which the work load precludes employee scheduled absences. Vacation time may be used in four hour increments. All hourly employees must complete a vacation time off request form and have it approved by the Executive Director prior to utilizing vacation time.

PAYMENT UPON TERMINATION: An employee who is terminated/resigns is entitled to full payment for any unused, earned vacation that has accrued and is available for use.

Bis-Man Transit provides the following notices: (1) Only unused leave benefits that have actually accrued and been earned will be paid out upon an employee's separation from the Company; and (2) NO earned or unearned leave benefits will be paid out to any employee who has been employed with the Company for less than one year and quits employment without giving the Company a five-day notice of employment separation

NO ACCRUAL DURING UNPAID LEAVES OF ABSENCE: Vacation time shall not accrue during any approved unpaid leave of absence, except for military leave, FMLA leave, medical leave of absence resulting from illness or compensated injury. Leave will not accrue after 30 consecutive days in an FMLA status.

#### *PERSONAL LEAVE*

Personal leave is allotted by Bis-Man Transit and is designed to be a flexible form of paid leave and is to be used through an employee's accumulated, earned Vacation time. It may be used for any reason that an employee sees necessary. Unless the reason for personal leave is an emergency situation, precluding the making of prior arrangements, the leave is to be scheduled with the consent of the Executive Director far enough in advance to keep personal leave time geared both to operation needs of Bis-Man Transit and the convenience of the employee.

Personal time leave is allotted for discretionary purposes to every full-time, Bis-Man Transit employee through the use of the employee's available vacation time. A maximum of (40) hours of accumulated and earned vacation time may be allocated as personal time each calendar year. Employees hired after the beginning of the fiscal year shall be allowed to use the pro-rata amount of personal time for that year, based on date of hire. All uses of personal leave shall be charged in one (1) hour increments and is subject to the Executive Director's approval.

Part time employees will be allowed to utilize personal leave at the prorated rate of what is provided to full time employees.

#### **HOLIDAYS**

Bis-Man Transit administration observes ten (10) company paid holidays per year. Paid holidays are as follows: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, and one floating holiday.

FLOATING HOLIDAY: A floating holiday must be approved in writing by the Executive Director. Approvals will be made on a first requested basis but are subject to the needs to Bis-Man Transit for that day.

NON-WORKING HOLIDAY: When a holiday falls on a non-working day, the nearest adjacent workday shall be granted as the holiday.

HOLIDAY REGULATIONS: For the purpose of administration, the following regulations shall be observed:

A) To qualify for holiday pay, an employee shall work the scheduled day prior to and the scheduled day following the holiday. Part-time employees shall work their work assignment the scheduled day prior to and the scheduled day following the holiday to qualify for holiday pay. Any exceptions to this qualification must be approved with the Executive Director prior to an employee's use of vacation. Employees on a current non paid status are not eligible for holiday pay.

B) Part-time regular employees shall be compensated for four (4) hour for holidays according to their normally scheduled workday. The holiday must fall on a day normally scheduled as a workday for part-time employees to be eligible for compensation.

#### *SICK LEAVE*

ENTITLEMENT: It is the policy of Bis-Man Transit to provide protection for its fulltime employees against loss of income because of illness. All eligible employees are encouraged to save as much sick leave as possible to meet serious illness situations. It is a self-insurance program provided by Bis-Man Transit for the employee.

SICK LEAVE BENEFIT: All regular full-time, Bis-Man Transit administration employees receive (8) hours sick leave per month. At the end of the calendar year, an employee may carry over any unused sick days from the prior year. Sick leave may be accumulated to the maximum of (240) hours.

Part time employees will accumulate sick leave at the prorated rate of what is provided to full time employees as described under vacation hours.

TAKING UNEARNED SICK LEAVE NOT PERMITTED: No employee will be permitted to take leave not yet earned. Sick leave shall be paid at full pay at the employee's current rate of compensation.

PURPOSE OF SICK LEAVE: Employees may utilize sick leave when they are too ill to report to work, in the event of injury, or for routine medical and dental appointments. Employees may also use up to 50% of accumulated sick leave earned in the prior 12 months, to care for other ill persons within the employee's immediate family. The immediate family shall be defined as an employee's

spouse and dependent children within the home (including foster children). All foreseeable leave for such purposes shall require specific prior approval of the Executive Director. In the event of sick leave usage for any purpose, the Executive Director may require certification of a medical doctor confirming validity of the illness/injury.

NOTIFICATION: An employee must contact the Executive Director at least one hour prior to their scheduled start time to request the use of sick leave. During authorized sick leave, an employee must notify the Executive Director periodically so that he or she may plan on the return. This may be waived in the event of confinement or illness for a specific period of time as indicated in a physician's statement. The standard procedure for use of sick leave benefits is as follows:

A) An employee on sick leave shall inform the Executive Director of the facts and the reason for the absence as soon as possible. Failure to do so on the first (1st) day of illness may be cause for denial of the sick leave pay for the period of absence.

B) Absence for part of a day that is chargeable to sick leave shall be charged proportionately in an amount not less than one (1) hours per day for non-exempt employees.

C) An employee returning to work after an extended illness of longer than three (3) consecutive days may be required to provide a physician's statement substantiating that the employee may return to work.

Failure to apply for a leave of absence for extended illness upon expiration of all such benefits will result in automatic termination.

D) Notice of an employee's desire to return to work after an illness of one week or more must be given to the Executive Director no later than 5:00 p.m., Monday through Friday, on the workday prior to the date for return to work. The employer may request a physician's note to verify propriety of returning to work and noting any restrictions which the employer will consider and accommodate when appropriate.

AUTHORITY TO SEND HOME: The Executive Director may direct an employee who appears ill to leave work. In such instances, this time off shall be charged to available sick leave.

EXCLUDED FROM OVERTIME BASE: Sick pay for hours not worked will be excluded when computing overtime for the workweek in which it was taken.

RATE OF PAY FOR SICK TIME: An employee shall be paid sick leave equivalent to their normally scheduled straight time pay.

RESULTS OF IMPROPER USE OR REPORTING: An employee who uses sick leave for purposes other than those authorized by this policy or who otherwise use sick leave in a manner inconsistent with this policy or Executive Director who falsely certified sick leave allowance for absence from work may be subject to disciplinary action, up to and including immediate dismissal.

EFFECT OF WORKFORCE SAFETY AND INSURANCE PAYMENTS: Employees who are injured on the job and have lost time from the job because of their injury may not receive sick leave payments once Worker's Compensation Insurance payments begin.

### **LEAVE DONATION**

An employee may be eligible to receive donated sick leave from other employees if he or she is suffering from a medical emergency or donated vacation leave if he or she has a relative or household member suffering from an a medical emergency, which is defined as a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from a leave-sharing plan. Donated sick leave may also be used for an employee for the purpose of donating an organ or bone marrow.

Donated vacation leave is also available for a qualifying exigency arising from the fact that the employee's spouse, child, or parent is a covered military service member who is on covered active duty or has been notified of impending call or order to active duty in the Armed Forces.

#### Amount of Donated Leave

The sick/vacation leave donation cannot exceed four months in a 12-month period.

#### Employee Eligibility to Receive Leave Donation

1. To be eligible to receive donated leave, the employee: Must use all accrued vacation leave, compensatory time, and sick leave prior to receiving the donated hours; (Note: When the situation is for an employee's relative or household member, sick leave means only family sick leave.) Must have over six months of continuous regular service;
2. Cannot be on probationary or temporary status; and
3. Must submit a written request to receive donated hours to the Executive Director.
4. Accompanying this request must be a written statement from a licensed physician or health care practitioner verifying the severe or extraordinary nature of the condition, certifying the leave is necessary, and stating the length of time needed to be absent from work and when the leave should begin.

Also accompanying this request must be a written statement from the Executive Director indicating his or her response to the employee's request.

The Executive Director must approve a request for donated leave before the request is initiated for the employee.

### *Employee Donation*

Employee donations must be done on a voluntary basis.

By completing the Employee Donation of Leave form, an employee can donate leave in one-hour increments.

The donating employee must retain sick and vacation leave balance of at least 40 hours after the donation. Donated annual leave is not returnable.

Employees can donate up to 40 hours of their accrued sick leave hours. Donated sick leave is not returnable.

#### Definitions Specific to Donated Sick Leave

**"Relative of the employee"** is limited to the spouse, child, stepchild, foster child, grandchild, grandparent, stepparent, or parent of the employee.

**"Household member"** means those individuals who reside in the same home, who have mutual obligations to and do provide financial support for one another, and foster children or legal wards, even if they do not live in the same home.

**"Severe" or "extraordinary"** means serious, extreme, or life-threatening. These terms do not include conditions associated with normal pregnancy.

**"Qualifying exigency"** includes short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that may arise out of active duty or call to active duty status and upon which the employer and employee agree

**BALANCE NOT PAID UPON TERMINATION:** Upon termination from Bis-Man Transit service, accumulated but unused sick leave benefits will not be paid.

### **FAMILY AND MEDICAL LEAVE:**

**FAMILY AND MEDICAL LEAVE ACT (FMLA):** If an employee has worked for Bis-Man Transit a minimum of one (1) year, and has worked 1,250 hours or more during the twelve (12) months prior to requesting leave, they are eligible for family and medical leave.

If eligible, an employee will be allowed up to twelve (12) weeks of unpaid leave within a twelve (12) month period for the birth or adoption of a child, to provide either physical or psychological care for a child, spouse or parent with a serious health condition, or to care for the employee's own serious health condition. FMLA leave may also be used for qualifying activities if an employee's spouse, son, daughter or parent is on covered active duty or called to covered active duty status. This twelve (12) month period is measured forward from the date an employee's first FMLA leave begins. However, an employee must conclude leave for the birth or placement

of a child for adoption or foster care within twelve (12) months after the event. Leave may begin prior to birth or placement, as circumstances dictate.

To qualify for medical leave, the health condition or treatment(s) must be such that it requires an employee to be absent from work on a recurring basis or for more than a few days for treatment or recovery.

INTERMITTENT OR REDUCED LEAVE: In the case of an employee's own serious health condition or that of a qualifying family member, the employee may take leave intermittently or on a reduced work schedule, if medically necessary. When the leave is for adoption or birth of a child, an employee may take leave intermittently or on a reduced work schedule only with the joint approval of the employee and Bis-Man Transit.

If an employee requests intermittent or reduced leave status, Bis-Man Transit may temporarily transfer them to another position of equivalent pay and benefits to better accommodate their leave.

USE OF PAID TIME OFF BENEFITS: An employee taking an FMLA leave is required to use all available PTO leave benefits, prior to taking the remainder of the FMLA leave unpaid. Using paid time off benefits does not add to the total length of the FMLA leave. PTO time will no longer accrue after 30 days in an FMLA status.

To the extent an employee does not have available paid time off benefits, their pay will be reduced for all full days of unpaid leave taken or for all partial days of leave taken. If the employee is exempt, reducing their pay for partial days off will not affect their exempt status under the Fair Labor Standards Act.

LEAVE PROVISIONS FOR SPOUSES BOTH WORKING FOR BIS-MAN TRANSIT: If leave is taken for the adoption or birth of a child, the maximum combined leave for both spouses is twelve (12) weeks. If leave is taken to care for an ill child or spouse, each spouse is entitled to twelve (12) total weeks of leave.

JOB RESTORATION: Most employees granted leave will be returned to the same position held prior to the leave, or one that is equivalent in pay, benefits, and other terms and conditions of employment.

Certain highly compensated salaried employees are eligible for leave, but are not guaranteed restoration to their position if they choose to take leave.

EMPLOYEE BENEFITS: An employee's health care benefits will continue during their leave. Both Bis-Man Transit and employee will continue to pay their customary portions of the monthly premium. The Accountant will advise the employee of the payment due dates.



**NOTIFICATION:** An employee must provide Bis-Man Transit with thirty (30) days' written notice of their need for leave, or, if emergency conditions prevent such notice, the employee must notify Bis-Man Transit as soon as is practical. Such notice must be provided to the Executive Director. The employee may need to report periodically on their status during the leave period.

Within a reasonable time after receiving an employee's notice, Bis-Man Transit will provide detailed information about the requirements and availability of the leave.

**CERTIFICATION:** Certification of the need for leave to care for an employee's illness or injury or that of a qualifying family member is required. An employee must obtain the following information from a health care provider and make it available to Bis-Man Transit:

- The date the serious health condition began
- The duration of the condition
- A statement that the employee needs to care for the ill person and the estimated length of the leave or a statement that the employee is unable to perform the functions of their job
- If applicable, the medical reasons verifying the need for intermittent leave or a reduced work schedule, such as scheduled dates for treatment(s)

**DISPUTE RESOLUTION:** If there is a dispute about the medical opinion provided by an employee's physician, Bis-Man Transit may require a second opinion by a physician of its choice, at its expense. If a third opinion is necessary, a third doctor may be selected, also at the Bis-Man Transit's expense. The doctor must be agreed upon by both the employee and Bis-Man Transit.

**RELEASE TO RETURN TO WORK:** A doctor's release is required to return from a medical leave of one (1) week or longer.

**PROBLEM RESOLUTION:** It is the policy of Bis-Man Transit not to terminate or discriminate against any employee exercising their rights under the Family Medical Leave Act. If an employee thinks they have been treated unfairly, the employee should contact the Executive Director. If for any reason the problem is not able to be resolved at that level, the employee should contact the Board of Directors. The decision made will be final and binding.

**BENEFIT ACCURALS:** An employee taking leave under the FMLA will continue benefits during the entire period of such FMLA leave, excluding paid time off (PTO) accruals after 30 consecutive days in an FMLA status.

**NOTE:** Bis-Man Transit will comply with all state FMLA laws. When both the federal and state law apply, leave will run concurrently and the provisions more beneficial to the employee will apply. Any revisions to FMLA statutes, regulations or guidelines will automatically be included in this policy upon their effective date, regardless if this policy has specifically been revised to include those revisions

## **TYPES OF LEAVE**

MATERNITY, PATERNITY, ADOPTION, OR FOSTER CARE PLACEMENT: Employees are eligible for up to 12 weeks of family leave (during any rolling 12-month period) for maternity, paternity, adoption, or foster care placement for bonding with the child. All maternity, paternity, or adoption leave must be taken on a consecutive basis and at the time of birth or adoption. If both parents are employed by Bis-Man Transit, they are limited to a total of 12 weeks combined for such bonding leave.

Leave for birth mother maternity recovery is typically six weeks for births. Requests for maternity recovery leave in excess of six weeks must be supported by the employee's physician. Documentation from a physician regarding expected recovery required. Employees may use up to six weeks of paid sick leave concurrently with the first six weeks of leave in connection with maternity, paternity, adoption, or foster care placement for baby bonding time. Once paid sick time (up to six weeks) has been exhausted, the employee must use accrued vacation time concurrently with the FMLA leave as described under the "Provisions" section of this policy. If an employee has less than six weeks of accrued sick leave or elects more than six weeks of maternity, paternity or adoption leave, time off must be vacation and/or approved unpaid leave.

If during maternity leave the employee experiences medical complications, additional sick leave past the normal six weeks may be used.

In regards to Foster Care or Legal Guardianship, each request will be reviewed on a case-by-case basis to determine paid or unpaid leave. Intermittent leave approval may be granted based on the circumstances.

Leave may be taken before the actual placement of a child if an absence from work is required for the placement or foster care to proceed.

SERIOUS HEALTH CONDITION – FAMILY MEMBER: Family: Spouse, parent, child, foster child, or step child under the age of 18 or incapable of self-care.

Up to 80 hours of sick leave in a rolling 12-month period may be used, if available.

Documentation from a physician will be required.

Serious Health Condition – Employee

Employees must use accrued sick leave and/or vacation. The remainder of the leave is unpaid. However, leave donation may apply (see Leave Donation guideline).

Documentation from a physician will be required upon return to work.

SNOW DAYS: On days when the Bis-Man Transit Administrative Office is closed due to adverse weather conditions, employees will be paid for their scheduled work hours. If the administrative office is open but the employee is unable to make it in to the office due to adverse weather, the employee may use available accrued vacation time if available.

BEREAVEMENT LEAVE: Bis-Man Transit provides bereavement leave to employees as follows:

Employees will be granted up to three (3) working days in conjunction with the time of death or date of the funeral for the employee's:

- Parent
- Spouse or Domestic Partner
- Child (including step children)
- Sibling (including step siblings)
- Current Spouse or Domestic Partner's Father or Mother or Sibling
- Sibling's current Spouse or Domestic Partner
- Niece/Nephew
- Grandchild/Grandparent including step relationships
- Aunt/Uncle

A working day shall be defined as a day which the employee is regularly scheduled to work. Pay will be calculated based upon the employee's actual scheduled hours missed due to Bereavement Leave and will be paid at the employee's base rate. Bereavement leave is not counted as hours worked for the purposes of computing overtime pay.

Should additional time off be desired, it must be approved by the Executive Director and will be taken from the employee's vacation/personal time accrual.

Employees must notify the Executive Director of the need for a Bereavement Leave as soon as possible.

## **CIVIC LEAVES OF ABSENCE**

JURY AND WITNESS DUTY: Bis-Man Transit encourages all employees to be civic minded. If notice is received to serve on a jury or as a subpoena for a witness, official documentation should be reported to Bis-Man Transit.

When summoned to jury duty, employees have the option of requesting paid time off or jury duty leave for the time away from the job. An employee requesting jury duty leave shall be granted time off with pay for a maximum of three days. If paid time off is requested for jury duty, the employee may keep the fees paid to them as jury duty pay. If no PTO is available, time off without pay will be given after three days.

When asked to appear as a witness or expert witness on behalf of Bis-Man Transit, an employee shall be deemed to be performing duties or services for Bis-Man Transit and shall receive the same compensation as during regularly scheduled work hours. An employee may not retain any witness fee while serving as a witness on behalf of Bis-Man Transit.

An employee who performs witness duties unrelated to their official capacity with Bis-Man Transit must do so in a paid time off or leave without pay status. In these situations, the employee will retain witness fees, mileage and/or subsistence payments received.

Employees must return to work on any day when jury or witness duty dismisses prior to the end of the employee's regularly scheduled workday.

TIME OFF TO VOTE: Employees are encouraged to vote either before or after work to minimize time away from work. Employees will, however, be allowed up to one hour away from work to vote. If time away from work to vote exceeds more than one (1) hour, employees will be required to use PTO or, if unavailable, unpaid leave.

MILITARY DUTY: Excused absence will be granted to all employees required for military training duty with the National Guard or other branches of the military forces. The employee's salary will be maintained for a maximum of two (2) weeks (ten (10) working days) in a calendar year. In addition, Bis-man Transit will follow all rules and regulations under the Uniformed Services Employment and Reemployment Rights Act (USERRA) for activated military personnel.

EXTENDED LEAVES OF ABSENCE:

A) Vacation leave and compensatory time off accumulated may be used for personal obligations requiring leaves of absence for longer duration than the personal leave, subject to the approval of the Executive Director.

B) The employee must request leave without pay from the Executive Director in writing for leave in excess of available or accumulated paid time off before said leave is taken.

C) Leave under this section or extension thereof must be approved by the Executive Director.

D) An employee on an extended leave of absence, without pay, does not accrue vacation leave or sick leave credit for the period of the unpaid leave of absence. Such employees may continue medical, dental and insurance coverage, but only where the employee pays the total cost of such participation while on unpaid leave of absence.

EXCUSED ABSENCES WITHOUT PAY

The following policy regarding excused absences without pay in no way alters or preempts Bis-Man Transit's legal obligations to employees under the federal Family and Medical Leave Act and the Bis-Man Transit's FMLA policy.

An excused absence without pay may be granted to an employee at the discretion of management for less than thirty (30) consecutive calendar days. An excused absence without pay does not break the continuity of an employee's service provided the employee returns to work at the end of the leave.

Generally, excused absences without pay are limited to looking after urgent personal affairs, taking time off for military training or emergency service, or dealing with the extended sickness of the employee or members of the employee's immediate family, whether or not involving an FMLA leave.

Reinstatement following a period of excused absence without pay is not guaranteed (unless guaranteed under FMLA or other law), since operational conditions may change during that period. If Bis-Man Transit's conditions make reinstatement possible, the employee will receive the same consideration as if employment had not been interrupted.

An employee may not engage in any other employment during this period of absence without the written permission of the Executive Director

Employees taking excused absences without pay are required to use all available paid time off prior to taking an unpaid leave.

## **COMPENSATION**

ANNUAL SALARY ADJUSTMENTS: Upon approval of the Board, employees may be eligible for a salary adjustment as authorized by the Executive Director.

Bis-Man Transit believes that performance measurements and achievement provide the best methodology for determining pay progression. This allows an employee's rate of pay to be determined by the employee's own performance and value to the organization.

It provides Bis-Man Transit with an incentive tool to achieve organizational goals and encourages all employees to reach their maximum potential. Such increases recognize individuals whose performance is superior, as well as those who need to improve.

### *MERIT INCREASES*

ELIGIBILITY: Employees are generally eligible for merit increase consideration on January 1st. Each employee eligible for a merit increase shall be evaluated in accordance with this compensation plan and the requirements of the evaluation instrument and instructions so that said evaluation is completed and discussed with the employee prior to the actual Merit Anniversary Date of January 1st.

In the case of part-time employees, the actual Merit Anniversary Date shall not be considered to have occurred unless the employee has at least nine hundred (900) hours of actual work

hours (including benefit time) since the last merit increase or four hundred and fifty (450) hours when the first merit increase is six (6) months from the date of hire. The merit increase shall be effective on the January 1st.

EVALUATION PERIOD: All newly hired employees shall serve a six (6) month evaluation period which may be extended by the Executive Director if additional time is necessary in order to properly evaluate the employee's prospect of success in the position.

All merit increases require that a performance evaluation form be submitted to the Executive Director along with the merit increase request, i.e. a completed Payroll Change Form. Whether or not the employee receives a merit increase, the evaluation form shall be sent to the Accountant no later than December 20th.

### **OVERTIME PAYMENTS**

The Federal Fair Labor Standards Act (FLSA), as well as State law, requires that all employees who are not exempt from overtime payment be compensated at the rate of one and one-half (1-1/2) times their regular hourly rate for all hours actually worked beyond forty (40) hours in a work week.

CONTINUOUS/NON-CONTINUOUS: In conformance with the FLSA, the following policy for providing overtime payment as wages is utilized for those employees who are eligible for overtime:

A) Employees in non-continuous operations are those employees in position classifications with schedules which do not generally require overtime work and which do not require a replacement when they are absent. These employees shall receive one and one-half (1-1/2) times their regular hourly rate for all hours worked over forty (40) in a workweek.

REQUIREMENTS FOR OVERTIME: All overtime must be authorized by the Executive Director in advance of being worked. The Executive Director will make every effort to assign foreseeable overtime as equitably and evenly as possible. Typically any time spent performing job duties, travel between job sites during work hours, attendance at required training programs/meetings or responding to a work-related subpoena is productive time and counts toward overtime calculations. Paid time off, sick, funeral or jury duties are non-productive and are excluded from overtime calculations.

### **HOURS OF WORK**

The operating days and hours of Bis-Man Transit are Monday through Friday, 8:00 a.m. to 5:00 p.m.

The flextime policy at Bis-Man Transit allows employees to work extra time throughout the work week to allow for early departure. The time of arrival and departure may not differ from the

standard operating hours by more than two hours, except for the half day early departure. For example, a typical flextime arrangement is Monday through Thursday arriving at 7:30 a.m. and departing at 5:30 p.m. and on Friday arriving at 8:00 and departing at 12:00 pm. This arrangement example allows for a one-hour lunch break Monday through Thursday. In the event of a paid holiday within the week, the flextime policy will not be applicable.

The Executive Director approves flextime on a case-by-case basis. A flextime arrangement may be suspended or cancelled at any time. Exempt employees must depart from any flextime schedule when needed to perform their job duties. Nonexempt employees may be asked to work overtime, regardless of a flextime schedule.

REST AND MEAL PERIODS AS HOURS OF WORK: Lunch periods are normally one-half to one (1) hour in duration. Such time is to be considered the employee's time and they should not perform work tasks during their meal period.

A) Employees must be allowed at least a ½ hour uninterrupted meal period if working more than five (5) hours.

B) The Executive Director has the authority to grant rest periods to their employees. Such periods of rest, in general, should not exceed fifteen (15) minutes and the employee may not leave the work facility during such periods of rest and can be called back to work at any time. Typically the rest periods are one in the early part of the shift and one in the latter part of the shift. Either/both can be cancelled at any time based on business needs. The rest period(s) may not be combined with the meal period under any circumstances.

GENERAL PAYROLL INFORMATION - PAYROLL PERIODS: Pay periods shall be bi-weekly completed by weekly on Friday with 26 total pay periods yearly. Paychecks will be issued within seven (7) calendar days of the close of the reporting period.

MERIT BASED BONUS: The Executive Director may qualify for a merit-based bonus yearly at the discretion of the Board of Directors. This will take place in the last quarter of each year, following the employee evaluation, completed by the Board of Directors.

HOLIDAY BONUS: All employees may qualify for a monetary holiday bonus in the last quarter of each year. This is dependent on budget and Board of Director approval.

VOLUNTARY PAYROLL DEDUCTIONS: Other payroll deductions may be offered by the Board to employees if there are sufficient numbers of employees that wish the same type of deduction (i.e. United Way). Such requests shall be reviewed by the Accountant and the Executive Director; their recommendation will be presented to the Board for approval.

## ON THE JOB

### DISCIPLINE PROCEDURE

#### DEFINITIONS:

*Coaching*—Primary method to improve work performance and develop employees for potential advancement within the organization. Goal is to clarify needs, expectations and roles and offer additional assistance to employees so they can be successful in the work environment. It may also include a review of the employee's job description.

*Oral Reprimand/Warning*—Formal discussion in which the employee is verbally advised regarding some act(s) of improper conduct, performance deficiencies or violation of a regulation, rule, etc. The documentation is noted in the Executive Director's file on that employee as well as the employee's personnel file.

*Written Warning*—Formal written statement completed by the Executive Director containing a complete description of an offense or performance deficiency. Where appropriate, the report should also contain written objectives for performance improvement including a timetable for attaining these objectives.

*Disciplinary Suspension*—For (potentially) serious infractions of policies, procedures, values, mission and/or vision of BIS-MAN TRANSIT, an unpaid suspension may be invoked by BIS-MAN TRANSIT Executive Director to gain the employee's acknowledgement of needed behavioral/performance changes required immediately and consistently. An employee may be placed on an interim paid or unpaid suspension while the investigation is carried out, which shall not be considered disciplinary action.

*Discharge*—Taken after previous discipline and expected improvement has not resulted and/or an employee commits an offense that impacts their continued employment cannot be tolerated regardless of previous work history. Discharge results in complete separation from further employment.

*Demotion*—at any point in the disciplinary process, a demotion may be imposed on the employee if their work history, attitude, skills, and/or actions warrant it and if appropriate coaching has been offered/provided to the employee. A demotion could include a temporary or permanent reduction in hours, level of duties assigned, pay, and/or category of employment.

Bis-Man Transit generally follows a progressive discipline policy. The Executive Director has the discretion to select the appropriate level of correction for unacceptable employee behavior based on the issues being considered for discipline. Progressive discipline may include coaching and seeking outside assistance. In instances where verbal discipline is not effective or



appropriate, an employee may receive written notification of reprimand, suspension, demotion, and/or ultimately dismissal. Depending on the conduct, discipline may be imposed at any level.

Typical steps in Progressive Discipline may include one or more of the following:

- A) Coaching including seeking outside assistance,
- B) Oral reprimand or warning,
- C) Written reprimand or warning,
- D) Disciplinary suspension—with or without pay,
- E) Final Action- Demotion or discharge.

A formal Employee Performance Improvement Plan may be suggested/or mandated depending on the issues/behaviors surrounding the (potential) disciplinary action. The Executive Director will work with the employee implement a Performance Improvement Plan.

Documentation concerning written disciplinary actions shall be placed in the employee's personnel files. Employees shall also be required to acknowledge receipt of any written reprimand or warnings by signing the Disciplinary Action Form.

Signing the Disciplinary Action Form is not, however, considered an acceptance of or agreement to the action taken, only receipt of said discipline.

Employees shall be given the option of respond to any disciplinary action in writing. This document will be placed in the employee's file along with the written disciplinary action taken.

### **GENERAL RULES OF CONDUCT**

It is the purpose of this policy to provide a framework for the proper conduct of Bis-Man Transit employees while on the job. It is further intended that discipline, where justified, be meted out in an equitable manner. Finally, it is intended that within very broad and general guidelines, the Executive Director is responsible for the implementation of this policy within their specific jurisdictional work areas.

A) The Executive Director should be certain that new employees are aware of existing work rules. This should be done during the employee's initial orientation and should be repeated at the end of the evaluation period. In addition, the Executive Director will discuss company rules with new employees and periodically with all employees as the need arises.

B) To ensure orderly operations and provide the best possible work environment, Bis-Man Transit expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization. All active employees are covered under this policy. It is not

possible to list all forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment. The list is not intended to be exhaustive.

- Theft, loss, misappropriation, destruction/damage or inappropriate removal or possession of Bis-Man Transit funds, equipment or property
- Violation of the attendance policy or unauthorized absences; including repeated tardiness and leaving duty prior to fulfilling shift obligations
- Fighting or threatening violence while on duty or in the workplace
- Sexual or other unlawful or unwelcome harassment
- Failure to request leave in an authorized manner or abusing an approved leave
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Unauthorized use of telephones, mail system, internet or other employer-owned equipment
- Unauthorized disclosure of confidential information
- Failure to complete work duties as assigned including proper bus operation, dispatch and service procedures and protocols; including unauthorized exchange of work assignments
- Insubordination, including refusal or failure to follow the Executive Director or Board of Directors work orders
- Discourtesy or disrespect to a member of the public, a coworker or a Bis-Man Transit Executive Director
- Falsifying or altering any Bis-Man Transit record or report
- Violation of the dress code policy
- Willful misrepresentation or concealment of any fact requested during the hiring or investigatory process
- Violation of Bis-Man Transit Smoking Policy
- Violation of any Safety procedure or policy, including Drug Free Workplace and Substance Abuse Policy
- Disruptive behavior which causes negativity in the workplace, interruption in operations, or affects workplace morale
- Gambling while on duty or on Bis-Man Transit property
- Conduct tending to bring disrepute on Bis-Man Transit, its Board, or personnel
- Improper use of equipment; including but not limited to, computers, cell phones and the internet
- Solicitation of passengers of the public for any purpose while on duty, in uniform or any other situation where it may be construed that the employee is representing Bis-Man Transit
- Upon conviction of a felony impairing employment; or suspension or revocation of your driver's license or receiving traffic violation while operating a Bis-Man Transit owned vehicle
- Holding other employment or engaging in activities that interfere with or adversely affect the performance of your job duties

- Sleeping while on duty
- Violation of any Bis-Man Transit policy or procedure not listed

C) While this listing is not comprehensive, it is sufficient to demonstrate the types of behavior that may indicate an improper attitude toward the job.

### **PERSONAL APPEARANCE**

Dress Code: Business Attire

Staff is expected to present a professional, business-like appearance.

Casual attire/jeans may be worn on Friday of each week.

### **WORKPLACE VIOLENCE POLICY**

Bis-Man Transit values its employees and the Board affirms its commitment to providing workplaces and facilities that minimize the potential for violence. It is the intent of this policy to ensure that everyone associated with Bis-Man Transit, including employees and the public, never feels threatened by any forms of violence. Bis-Man Transit has a zero tolerance policy for violence, whether by or toward employees.

“Violence” shall include physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking or engaging in those activities. It shall also include acts, threats, intentions of harm, destruction, towards self, others or property, and may be psychological as well as physical, and the perception thereof.

Bis-Man Transit strictly prohibits weapons of any type in its facility or on any Bis-Man Transit property and at any Bis-Man Transit sponsored event. This includes visible and concealed weapons, even those for which the owner has obtained the necessary permits. While this list is not all-inclusive, “weapons” include firearms, knives, any explosive materials and any other object that could be used to harass, intimidate or injure another individual.

#### **A) Disciplinary Action:**

The investigation regarding alleged/actual workplace violence will begin immediately following Bis-Man Transit’s leadership knowledge. If it is determined that an employee is engaging in any form of violence in the workplace or threatening violence in the workplace, the employee shall be terminated immediately. No talk of or joking about violence will be tolerated. In cases of acts or threats of violence by employees, Bis-Man Transit endorses immediate and definitive use of the disciplinary process outlined in this document, resulting in termination of said employees. Criminal prosecution will be pursued as appropriate, as well.

#### **B) Responsibility:**

1. The Executive Director has overall responsibility for maintaining this policy, administering workplace violence prevention measures, and coordinating post-incident activities. The

Executive Director will also identify resources that may be used in developing training plans and workplace violence measures.

2. The Executive Director shall make safety one of his or her highest concerns. Employees should tell the Executive Director or the President of the Board of Directors about the real/perceived workplace violence immediately.
3. Employees shall report all acts and/or threats of violence (real or perceived) to the Executive Director or President of the Board of Directors. Employees should learn to recognize and respond to behaviors by potential perpetrators that may indicate a risk of violence.

When made aware of a real or perceived threat of violence, management shall conduct a thorough investigation, provide support for employees, and take specific actions to help prevent all acts of violence. Management is also responsible for documenting and reporting such incidences to Human Resources.

## **Drug and Alcohol Testing**

### Drug Testing

- BIS-MAN TRANSIT will require testing for prohibited drugs in accordance with 49 CFR Part 655.21, which includes; Marijuana, Cocaine, Opiates, Amphetamines, and Phencyclidine. All urine specimens shall be split-sample and shall be taken promptly with as little delay as possible. The “primary” sample shall be at least 30ml of urine; the “split” sample shall be at least 15ml of urine. Immediately after the specimen is collected, and in the presence of the employee, the specimen shall be divided into two separate containers, labeled, and sealed. The employee is obligated to identify each specimen and initial the specimen containers. The container containing the “primary” sample shall be sent to a Department of Health and Human Services (DHSS) certified testing laboratory on that day or the next normal business day by courier or the fastest practical method available. The “split” sample shall be preserved.
- The employee shall be given an opportunity to have the “split” sample tested at a DHHS certified laboratory of their own choosing and at their own expense within 72 hours of being informed of a positive result by the Executive Director. An employee shall be reimbursed for the cost of the “split” sample test if the “split” sample test results in a negative finding.

Additionally, if the “split” sample test results in a negative finding, the employee will be reimbursed for compensation lost as a result of the “primary” sample positive test.

- The failure of an employee to provide specimens of sufficient quantity, even after a 3 hour second opportunity following drinking up to 40 ounces of water, distributed reasonably through a period, will cause the employee to be referred for a medical evaluation to

develop pertinent information as to whether the employee's inability to provide a specimen is genuine or constitutes a refusal to test.

This medical evaluation shall be sent to the Executive Director. While this process is being accomplished the employee shall not be allowed to perform a safety-sensitive function and the employee will be placed on leave without pay. If the Executive Director concludes that there is a medically valid reason for the employee's inability to produce a specimen, the employee will be reimbursed for lost pay.

If the Executive Director concludes that there is not a medically valid reason for the employee's inability to produce a specimen, the employee's failure will be considered a refusal to test.

- An employee who has a verified positive drug test shall immediately be removed from performing a safety-sensitive function and will be subject to immediate termination of employment. The employee will then be referred to a Substance Abuse Professional (SAP) for evaluation.

#### Refusal to Take a DOT Drug Test

As an employee, you are considered to have refused to take a drug test if you:

- Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
- Fail to remain at the testing site until the testing is complete; Provided that an employee who leaves the testing site before the process commences for a pre-employment test is not deemed to have refused to test.
- Fail to provide a urine specimen for any drug test required by Part 40.191 or DOT agency regulations; Provided that an employee who does not provide a urine specimen because they have left the testing site before the testing process commences for a pre-employment test is not deemed to have refused.
- Fail to permit the observation or monitoring of your provision of a specimen, if so required.
- Fail to provide a sufficient amount of urine when directed, and it has been determined through a medical evaluation, that there was no adequate medical explanation for the failure.
- Fail or decline to take an additional drug test that the employer or collector has directed you to take.

- Fail to undergo a medical examination or evaluation as directed by the Executive Director as part of the verification process. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment.
- Fail to cooperate with any part of the testing process. For example: refuse to empty pockets when directed by the collector, behaving in a confrontational way that disrupts the collection process, fail to wash hands after being instructed to do so by the collector.
- Fail to follow the observer's instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around in order to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process. (Direct Observation Tests Only)
- Possess or wear a prosthetic device that could be used to interfere with the collection process.
- Admit to the collector or the Executive Director that you adulterated or substituted the specimen.

#### Alcohol Testing

- BIS-MAN TRANSIT will require alcohol testing in accordance with Federal Transit Administration (FTA) requirements set forth in Part 40. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A "screen" test shall be conducted first. Any result less than .02% alcohol concentration is considered a negative test. If the alcohol concentration is .02% or greater, a second "confirmation" test must be conducted. This test shall be by means of an Evidential Breath Testing (EBT) device that prints out the results, date, time, a sequential test number, and the name and serial number of the EBT. The alcohol test must be conducted by a Breath Alcohol Technician (BAT) who is trained to operate the EBT and is proficient in all breath alcohol testing procedures.
- Employees shall only be tested for alcohol while performing a safety-sensitive function, just before performing a safety-sensitive function, or just after performing a safety-sensitive function. Any test with a result of .02% or greater but less than .04% shall cause the employee to immediately be placed on leave without pay for at least 25 hours. Employees with a test result of .02% or greater shall be subject to disciplinary action up to and including termination of employment. Employees with a test result of .04% or greater shall immediately be removed from their safety-sensitive function and will be referred to a SAP for evaluation.
- Failure of the employee to provide an adequate amount of breath during a breath alcohol test will cause the employee to be immediately referred for a medical evaluation to

develop pertinent information concerning whether the employee's inability to provide the adequate amount of breath is genuine or constitutes a refusal to test.

The physician shall submit a written medical evaluation to the Executive Director. While this process is being accomplished the employee will be placed on leave without pay. If the Executive Director concludes that there is a medically valid reason for the employee's inability to produce a specimen, the employee will be reimbursed for lost pay. If the Executive Director concludes that there is not a medically valid reason for the employee's failure to produce a specimen the employee's failure will be considered a refusal to test.

#### Refusal to Take a DOT Alcohol Test

As an employee, you are considered to have refused to take an alcohol test if you:

- Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
- Fail to remain at the testing site until the testing process is complete; Provided that an employee who leaves the testing site before the process commences for a pre-employment test is not deemed to have refused to test.
- Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations; Provided that an employee who does not provide an adequate amount of breath or saliva because they have left the testing site before the testing process commences for a pre-employment test is not deemed to have refused a test.
- Fail to provide a sufficient breath specimen and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- Fail to undergo a medical examination or evaluation as directed by the employer as part of the insufficient breath procedures outlined at 40.265(c).
- Fail to sign the certification at step 2 of the ATF (see 40.241(g) and 10.251(d)).
- Fail to cooperate with any part of the testing process.

As an employee, if you refuse to take an alcohol test, you incur the same consequences specified under DOT agency regulations for a violation of the DOT agency regulations.

As a BAT or STT, or as the physician evaluating a "shy lung" situation, when an employee refuses to test as provided in this section, you must terminate the portion of the testing process in which you are involved, document the refusal on the ATF or in a separate document which you cause

to be attached to the form. You must immediately notify the DER by a means that ensures the refusal notification is immediately received. You must make this notification directly to the DER.

### Compliance

For the purposes of implementing this policy and complying with FTA regulations, all safety-sensitive employees will be required to take and successfully pass urine drug testing and breath alcohol testing under the following circumstances. Refusal to submit to such screenings shall be considered a positive test. A positive test will result in disciplinary action up to and including termination of employment. The random drug testing will be continuous and reasonably spread throughout the year on all days and hours during which safety-sensitive functions are being performed.

- Pre-Employment Testing – Applicants for safety-sensitive positions will be required to take a drug test, administered in accordance with these policy requirements and resulting in a verified negative before they can be hired for a safety-sensitive position. Employees who wish to transfer from other positions to a safety-sensitive position will be required to take a drug test, administered in accordance with these policy requirements and resulting in a verified negative before they can be transferred to a safety-sensitive position.
- Reasonable Suspicion Testing – Employees employed in safety-sensitive positions will be subject to drug and alcohol testing the Executive Director, who has been trained in the detection of prohibited drug and alcohol abuse, has reasonable suspicion to believe that the covered employee has used prohibited drugs and/or alcohol. Reasonable suspicion will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.
- Post-Accident Testing – Safety-sensitive employees will be required to submit to prohibited drug and alcohol testing subsequent to an accident involving BIS-MAN TRANSIT owned or leased vehicles in the following instances:
  - Fatal Accidents – As soon as practicable following an accident which involves the loss of human life, each surviving safety-sensitive employee that was operating a BIS-MAN TRANSIT vehicle involved in the accident will be tested.
  - Non-Fatal Accidents and Property Damage Accidents – As soon as practicable following an accident not involving the loss of human life, each operator of a BIS-MAN TRANSIT vehicle involved in the accident will be tested:
    - If an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident
    - In any occurrence in which the BIS-MAN TRANSIT vehicle involved or one or more vehicles involved incurs disabling damage as a result of the occurrence and such vehicles are transported away from the scene by a tow truck or other vehicle



- In any occurrence in which the mass transit vehicle involved is a rail car, trolley car, trolley bus, or vessel and the mass transit vehicle is removed from operation.
  - Following an accident which requires employee post-accident testing, employees to be tested must have an alcohol test administered within two (2) hours following the accident. If an alcohol test is not conducted within two (2) hours the employer shall prepare and maintain on file a record stating the reasons for which the alcohol test was not promptly administered. If an alcohol test is not administered within eight (8) hours following the accident, the employer shall cease attempt to administer an alcohol test and maintain the record. Records will be submitted to the FTA up request of the Administrator. Prohibited drug testing will occur within thirty-two (32) hours of the time of the accident.  
Any employee subject to post-accident testing must refrain from alcohol use for eight (8) hours following the accident or until the employee has completed a post-accident test, whichever comes first.
  - An employee subject to post-accident testing may not leave the scene of an accident without receiving express permission from the Executive Director. In the event that the employee receives Executive Director permission to leave the scene, the employee subject to post-accident testing must remain readily available for post-accident testing and keep the Executive Director advised of their location. An employee who is subject to post-accident testing who leaves the scene of an accident without the express permission of the Executive Director or who fails to keep the Executive Director advised of their location prior to submitting to post-accident testing will be deemed to have refused to submit to testing. Nothing in this paragraph should be construed to prohibit the covered employee subject to post-accident testing from leaving the scene of an accident for the period of time necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
  - You must not collect, by catheterization or other means, urine from an unconscious employee to conduct a drug test under this part. Nor may you catheterize a conscious employee. However, you must inform an employee who normally voids through self-catheterization that the employee is required to provide a specimen in that manner. If, as an employee, you normally void through self-catheterization and decline to do so, this constitutes a refusal to test.
- Random Testing – On various occasions throughout the year covered employees may be randomly tested for prohibited drug and/or alcohol use any time while on duty. Random testing will be performed at all hours of the day and all days when safety-sensitive functions are performed. The number of covered employees selected for testing each calendar year will be, at a minimum, an amount equal to the number of employees required to be tested pursuant to FTA regulations. The selection of safety-sensitive employees for random alcohol testing will be made up using a scientifically valid method that ensures each covered employee that they will have an equal chance of being selected each time random selections are made.

- Safety-sensitive employees selected for a random test must proceed immediately to the test facility following notification of the random test.
- Return to Duty Testing – A safety-sensitive employee that has not performed a safety-sensitive function for ninety (90) consecutive days or more, and has been removed from the random pool during this period, must take a Pre-Employment drug test with a verified negative result prior to returning to duty. If a covered employee’s employment has not been terminated by the employer as a result of a refusal to test or as a result of a verified positive prohibited drug and/or alcohol test, before returning to duty a covered employee shall be required:
  - To take a return to duty prohibited drug and/or alcohol test with a verified negative result.
  - To be evaluated by a SAP to determine whether the covered employee has properly followed the recommendations for corrective action of the prohibited drug and/or alcohol abuse problem including successful completion of a SAP recommended rehabilitation program.
  - To receive a determination from the MRO that the employee may return to work.
  - To submit to periodic, unannounced follow up prohibited drug and/or alcohol tests for a period of up to sixty (60) months after the employee returns to duty.

### Drug Test Results

The prohibited drug test results of employees will be reviewed by the BIS-MAN TRANSIT testing provider’s MRO to determine whether there is any indication of a violation of the BIS-MAN TRANSIT prohibited drug policy. If an employee test results in a positive result, the MRO will give the person tested an opportunity to discuss the results and provide documentation of legally prescribed medication, which might account for the positive test result. The MRO will release test results to BIS-MAN TRANSIT, which will maintain them in a secure location with controlled access separate from the employee’s personnel records.

In the event that an employee’s prohibited drug test is positive, the MRO will refer the employee to a SAP. Based on information gleaned by the SAP, the SAP may make additional referrals and recommendations to the employee.

If the MRO informs the employer that a negative test result was diluted, the employer will take the following action:

- Schedule the employee for a retest and ensure that the employee is given the minimum possible advance notice that they must go to the collection site.
- Treat the result of the directed test as the test result of record.
- If the directed test result is negative-dilute, the employee will not be required to take an additional test because the result was dilute.
- If the employee declines to take the directed test, the employee has refused the test for the purpose of this part and DOT agency regulations.

### Alcohol Test Results

Alcohol test results shall be provided on forms established by Subpart C40.59 Appendix A. Copy 1 (white) will be retained by the BAT, copy 2 (green) shall be provided to the employee, and copy 3 (blue) shall be transmitted to BIS-MAN TRANSIT. In the event that an employee's alcohol test is positive, a SAP will discuss the matter with the employee and, based on information gleaned by the SAP, the SAP may make additional referrals and recommendations to the employee.

#### General

- Test results from all drug and alcohol tests shall be retained by BIS-MAN TRANSIT in a secured location with controlled access as specified in 49 CFR Part 655.73.
- Test results will not be released to any party without the employee's written consent, except as otherwise required by law.

#### Education Program

The Executive Director will list and conspicuously post in a location accessible to all employees, a current listing of the names and locations of the following policy facilitators:

- Designated Prohibited Drug and Alcohol Specimen Collection Service
- Designated Prohibited Drug Testing Facility
- Designated Substance Abuse Professional Services
- Designated Breath Alcohol Technician Testing Services

The Executive Director will determine whether reasonable suspicion exists to require a driver to undergo testing under 49 CFR Part 655.14 receive at least sixty (60) minutes of education on alcohol misuse recognition. In the event that an employee is sent for alcohol testing because of a reasonable cause judgment made by the Executive Director, the Executive Director will accompany the employee to the testing facility.

Executive Director are required to use and apply all aspects of this policy in an unbiased and impartial manner. If the Executive Director knowingly disregards the requirements of this policy or who is found to deliberately misuse the policy in regard to subordinates shall be subject to disciplinary action up to and including termination of employment.

The Executive Director will ensure that all employees receive at least sixty (60) minutes of education on prohibited drug use.

#### Laws and Regulations

- All records will be retained as listed in 49 CFR Part 655.71.
- BIS-MAN TRANSIT will comply with all Federal, State, and Local laws and regulations concerning prohibited drug and alcohol testing as well as violations of prohibited drug and alcohol use in the work place.

- Any safety-sensitive employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of prohibited drugs or alcohol as well as test results. Access shall be contingent upon payment for records requested.
- BIS-MAN TRANSIT shall release information regarding a covered employee's record to any identified person pursuant to a specific written authorization from the employee.

### Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both management and employees have important roles to play.

- In addition to those responsibilities listed above, management shall also:
  - Observe employee performance.
  - Investigate reports of dangerous practices.
- In addition to being concerned about working in a safe environment, employees are instructed to:
  - Support fellow workers in seeking help for prohibited drug and/or alcohol problems.
  - Report dangerous behavior to the Executive Director or any other management employee.

### **USE OF BIS-MAN TRANSIT PROPERTY AND FACILITIES**

Use of Bis-Man Transit Equipment, Supplies or Tools:

A) Equipment, supplies or tools shall not be used for private or unauthorized purposes.

B) Employees shall be responsible for the care and conservation of Bis-Man Transit equipment, supplies or tools and shall promptly report accidents, breakdowns or malfunctions of any unit in order that necessary repairs may be made.

C) Pursuant to the City of Bismarck fire code and the NAFPA Code and because of the fire hazard to the public, employees, and Bis-Man Transit property, employees are prohibited from burning any open flame including candles in any Bis-Man Transit building or facility.

Other Property: Employees are required to return all Bis-Man Transit property or equipment in their possession upon separation from employment, promotion and/or transfer, leave of absence or suspension.

Use of Bis-Man Transit Telephone: Employees shall limit the use of all personal calls during work that interfere with their job or create a safety issue. In addition, payment for any charges accrued to Bis-Man Transit telephones will be the employee's responsibility.

Use of Transit-Owned Vehicles: Employees allowed use of Transit-owned vehicles are to do so for Bis-Man Transit business only. Any employees who are assigned Bis-Man Transit vehicles for long-term/take-home use must report all mileage accrued on the vehicle for personal use.

## **ACCEPTABLE USE POLICY FOR ELECTRONIC MAIL**

The purpose of this policy shall be to set forth and encourage the proper use of the electronic communications facilities provided to the employees of Bis-Man Transit. This policy applies to all technology in use in the workplace or similar technology as may be introduced, including computers, radios, phones, smart phones, personal data devices, faxes, voicemails, and removable storage devices.

### Definitions:

1. Bis-Man Transit Information Network -- The network of computers and other electronic devices provided for the electronic transaction of Bis-Man Transit business.
2. Electronic Mail -- A facility for the transmission of messages within or outside Bis-Man Transit that relies on the electronic transmission or receipt of digital information.
3. Encryption Software -- Proprietary Software that changes information from its native state to an unrecognizable coded state which can only be returned to its native state with special software.
4. Global Communications Facility -- Any facility that allows the interactive transmission of data to or from locations outside Bis-Man Transit. This definition includes the INTERNET and other technology resources that allow network access or remote communications.

### Use:

1. The Board desires that use of Bis-Man Transit facilities shall be primarily for the transaction of Bis-Man Transit business. Use of these facilities for personal purposes, unless specifically authorized by the Executive Director for training purposes, shall be prohibited. Users have no expectation of privacy in connection with the use of Bis-Man Transit technology resources, including the creation, entry, receipt, storage, accessing, viewing or transmission of data.
2. All data created, entered, received, stored, accessed, viewed or transmitted via Bis-Man Transit technology resources are Bis-Man Transit property. Business-related data may neither be used for any purpose unrelated to Bis-Man Transit business nor sold, transmitted, conveyed or communicated in any way to anyone outside of Bis-Man Transit without express authorization.
3. Use of these facilities for purposes that are illegal under existing Federal or State law, shall be expressly prohibited. Use of these facilities in a manner inconsistent with Bis-Man Transit policies, including its policy against harassment, is also prohibited.

4. The Executive Director, may, from time to time, establish guidelines, consistent with this policy, to ensure the effective and efficient use of these facilities. These guidelines may include, but are not limited to, limitations on time available and the global facilities that can be accessed.
5. Bis-Man Transit employees who now have access to these facilities shall indicate their acceptance and agreement to comply with this policy in writing or their access may be terminated or suspended. Employees wishing to have access shall be required to indicate their agreement prior to being given access.
6. Use of encryption software must be specifically approved by the Executive Director prior to using such software for the storage, receipt or transmission of data.

Monitoring:

1. The Executive Director may monitor the use of the facilities and report the amount of time utilized on a monthly basis.
2. At the direction of the Executive, Bis-Man Transit may electronically monitor use of these facilities by viewing material created, entered, received, stored, accessed, viewed or transmitted Bis-Man Transit Information Network or on any computer or device in use in Bis-Man Transit facilities; or by directly viewing activity on the screen as it occurs.

Enforcement:

1. If an employee violates the policy, the Executive may suspend and/or terminate the employee's access to the electronic mail and global communications facility available on Bis-Man Transit Information Network.
2. Violation of this policy may result in disciplinary action pursuant to the adopted Personnel Policy Manual.

**ACCEPTABLE USE POLICY FOR CELLULAR PHONES**

An employee who uses a Bis-Man Transit owned or leased vehicle is prohibited from using a cell phone or other personal electronic device, hands on or hands off, while driving whether the business conducted is personal or company-related. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or listening to other media while driving a Bis-Man Transit owned or leased vehicle.

Employees may not use or wear wired headphones, wireless headphones, blue tooth earpieces or headsets, wireless headsets, or use any other wireless speaker system that is Bis-Man to a cell

phone or other personal electronic device while they are driving or operating a Bis-Man Transit owned or leased vehicles.

Employees that are issued a company-supplied device, such as the Galaxy Tablets, are required to come to a complete stop in order to unlock the device or remain at a stop location so that it may be used safely prior to departing.

Employees operating a *revenue* vehicle (bus) and wishing to use their cell phone or other similar personal electronic device may only do so after they have:

- Stopped in a safe location, such as at a Transfer Center,
- Placed the vehicle in park (if so equipped) or in neutral with the parking brake applied and,
- Exited the vehicle.

Employees operating a *non-revenue* vehicle (car, truck) and wishing to use their cell phone or other similar personal electronic device may only do so after they have:

- Stopped in a safe location, parked in a designated parking space, and placed the vehicle in park or;
- Stopped in a safe location with the vehicle in park, turned on the four-way flashers, and exited the vehicle.

In the event of an emergency situation on board a Bis-Man Transit owned or leased vehicle an employee may use their personal cell phone to contact the authorities only after they have attempted emergency radio contact with the dispatch office. The vehicle must still be stopped in the safest location available at the time of the emergency and the transmission must be in park (if so equipped) or in neutral with the parking brake applied.

Employees who violate this policy will be subject to the following disciplinary action:

- First Offense-Suspension without pay for a period of three (3) day.
- Second Offense-Termination of Employment.

## **SMOKING**

The use of tobacco products by Bis-Man Transit employees, contractors, visitors, and customers while on board or in any vehicle owned/operated by Bis-Man Transit is prohibited.

The use of any tobacco products by Bis-Man Transit employees, contractors, visitors and customers while in any facility or within 20 feet of any entrance to any facility, owned/operated by Bis-Man Transit is prohibited.

Tobacco products may only be used in *designated areas* on Bis-Man Transit property.

In accordance with N.D.C.C. § 23-12-10: *In order to protect the public health and welfare and to recognize the need for individuals to breathe smoke-free air, smoking is prohibited in all enclosed*

*areas of: a) Public places; and b) Places of employment. Smoking is prohibited within twenty feet [6.10 meters] of entrances, exits, operable windows, air intakes, and ventilation systems of enclosed areas in which smoking is prohibited.*

In addition to abiding by the policy stated above, Bis-Man Transit strongly encourages its employees, contractors, visitors, vendors and customers to refrain from the use of tobacco products and to remain tobacco free.

All Bis-Man Transit employees are encouraged to communicate the Tobacco-Free Areas and Vehicles Policy with courtesy and diplomacy to other employees, customers, visitors and vendors to those vehicles and facilities that are owned and/or operated by Bis-Man Transit.

## **HARRASSMENT**

Bis-Man Transit is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Bis-Man Transit expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

It is the policy of Bis-Man Transit to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. Bis-Man Transit prohibits any such discrimination or harassment.

Bis-Man Transit encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Bis-Man Transit to promptly and thoroughly investigate such reports.

Bis-Man Transit prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

### *Definitions of Harassment*

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual



deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

#### *Individuals and Conduct Covered*

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Bis-Man Transit (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

#### *Complaint Process*

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with the Executive Director or any member of management.

When possible, Bis-Man Transit encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Bis-Man Transit recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Bis-Man Transit encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore,

although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

#### **HIRING OF RELATIVES RESTRICTED**

It is the policy of Bis-Man Transit to hire the best qualified employees available for all jobs; however, in the interest of avoiding favoritism, the appearance of favoritism, or other conflicts in the workplace, immediate family members (to include employee's spouse, parents, children, grandchildren, father-in-law, mother in-law, brother-in-law, sister-in-law, and stepchildren) will not be eligible for employment within BIS-MAN TRANSIT.

#### **EXPENSE REIMBURSEMENT**

This policy is designed to assist employees in reporting expenses incurred while conducting Bis-Man Transit business activities.

Bis-Man Transit expects employees to act responsibly and professionally when incurring and submitting costs. The organization will reimburse employees for reasonable expenses on pre-approved business. This includes, for example, travel fares, accommodations, meals, tips, internet service, and purchases made on behalf of the organization.

Non travel related expenses must follow procurement policy guidelines.

Bis-Man Transit does not pay for local travel to and from the office. If employees use their vehicles for business travel, mileage, and appropriate parking fees will be reimbursed as per Internal Revenue Service Guidelines. Bis-Man Transit will not be responsible for fuel, maintenance, traffic or parking violations.

### *General guidelines*

- Original receipts are required for reimbursement. These expenses include:
  - Boarding passes for airplane / train travel
  - Credit card receipts
  - Detailed merchant receipts
  
- Out-Of-Town Meals & Incidentals
  - As per Federal GSA per diem rates
    - 1<sup>st</sup> quarter 6 am – 12 Noon                      20%
    - 2<sup>nd</sup> quarter 12 Noon to 6 pm                      30%
    - 3<sup>rd</sup> quarter 6 pm to 12 midnight                      50%
    - 4<sup>th</sup> quarter 12 Midnight to 6 am                      (Actual cost of lodging)

(Calculated per-diem may be paid in advance of the travel)
  
- Receipts must be accompanied by a summary which outlines:
  - The nature of the expense
  - The name and titles of the individuals involved
  - The purpose for the expense
  
- Expense summaries must be submitted with receipts and approved by the Executive Director.
  
- All expenses and summaries must be submitted within 30 days to the Accountant for payment.

### *Travel guidelines*

- Employees are encouraged to fly coach class with the lowest available airfare for non-stop travel.
  
- All employees are expected to utilize the most cost efficient ground transportation option available. Including bus, rail or taxi. If a car rental is required prior Executive Director authorization is necessary. Employees are requested to rent mid-sized or compact vehicles. Employees will be reimbursed for the fuel costs associated with renting a vehicle.
  
- Any employee who chooses to use their own vehicle for travel purposes must have proof of up to date insurance on file and agrees to follow all policies as described herein related to use of company vehicles.

- Employees will be reimbursed for reasonable hotel accommodations. Discounted room rates should be requested at the time of room booking.
- The following list includes examples of non-reimbursable expenses:
  - Personal travel insurance
  - First Class Tickets or upgrades
  - Personal reading materials
  - Childcare
  - Toiletries, cosmetics, or grooming products
  - Expenses occurred by spouses, children, or relatives
  - In-room movies or video games
  - Alcoholic beverages
  - Sporting activities, shows, etc.

Any questions related to the content of this policy or its interpretation should be directed to the Accountant.

### **PROFESSIONAL DEVELOPMENT**

**TRAINING, CONFERENCES AND SEMINARS:** Registration fees or similar expenses for approved training courses, conferences, seminars and conventions are reimbursable if approved in advance by the Executive Director.

**MEETINGS, LECTURES AND TRAINING PROGRAMS:** Generally, attendance at meetings, lectures and training programs are presumed to be hours of work. Exceptions to this presumption may apply under the following conditions:

A) Involuntary and Voluntary attendance - Where attendance is required at such events, they are to be considered work hours. Where attendance is not required, meetings, lectures and training programs may not be considered hours worked.

B) Related Training - Only training directly related to the employee's job is to be considered as hours worked. Programs conducted for the personal edification and/or entertainment of employees may not be considered as time worked.

C) Independent Training - Training in which the employee participates on their own, even though it may be job related, is not to be considered as hours worked.

### **LICENSURE AND CERTIFICATION**

Certain positions require an employee to hold current licenses and/or certifications. It is the responsibility of the employee to maintain these required basic documents for their job. Employees are responsible to provide documentation validating current licensure, or certification at each renewal. Employees who allow required licensure or certification to lapse or have such suspended or revoked, or who have actions taken against their license are responsible to report

this immediately to the Executive Director. Individuals allowing required licensure or certification to lapse or who have had such revoked will be removed from their position.

Termination of employment may occur at management discretion in instances where the revocation or lapse of required licensure and/or certification has occurred.

### **DUES OF PROFESSIONAL OR TECHNICAL ORGANIZATIONS**

Dues paid by employees for approved memberships in professional or technical organizations are reimbursable. Dues paid by all other employees are limited to two such approved memberships per employee per calendar year unless approved in advance by the Executive Director. Amounts claimed for reimbursement should be itemized on the expense report and substantiated by receipts.

### **SEPARATION**

#### **TERMINATION AND SEPARATION**

*Resignation - Voluntary:* An employee may resign from Bis-Man Transit employment by presenting a resignation, in writing, to the Executive Director.

To resign in good standing, an employee must give at least fourteen (14) calendar days' notice. The Executive Director may choose to set the date for actual termination prior to the end of fourteen (14) calendar days. In order to establish a uniform policy regarding resignation, the following procedure will be used:

- A) When an employee notifies the Executive Director of the intent to resign, an exit interview should be conducted with the Executive Director.
  
- B) The Executive Director should make sure that all Bis-Man Transit property and equipment in the possession of the employee, including keys, tools, uniforms, insurance cards, etc., are returned prior to the employee's departure.
  
- C) An employee leaving in good standing is eligible for re-employment at a later date provided that the last performance evaluation was satisfactory or better and notice was appropriately fulfilled.

Unless a release form is signed by employee allowing additional information to be given out, only their dates of hire and termination and last position held may be released to reference calls.

*Resignation – Involuntary:* An employee shall be regarded as having resigned a position if able to notify the Executive Director of the reason for an absence, but fails to do so for three (3) consecutive working days. Involuntary Resignation shall also apply to employees who have notified the Executive Director within the necessary time period, but have exhausted all available leave time. Compensation owed to the employee during the pay period including the resignation will be paid on the appropriate payday.

*Dismissal:* During an initial evaluation period, an employee may be dismissed at any time at the discretion of the Executive Director. This policy does not apply to an employee serving an evaluation period following a transfer or promotion.

An employee who has been dismissed shall not be deemed to have severed employment in good standing. The employee shall be furnished with a statement, in writing, from the Executive Director

A) The order of the terminations shall be established by the Executive Director on the basis of the needs of Bis-Man Transit, and are subject to the provisions of any applicable collective bargaining agreements.

B) Factors such as relative merit and seniority of the persons may be considered for termination.

C) Employees who have not completed the evaluation period shall be terminated before other persons in the class are terminated. Also, consideration shall be given to full-time employees before part-time and temporary employees.

D) The affected employees shall be notified as quickly as possible, and in no event less than seven (7) days before the action takes place.

E) Employees terminated under this section have the same rights and privileges to re-employment as employees on a granted leave of absence without pay.

F) Employees affected by action under this section are eligible for all compensation due in the same manner as an employee resigning under favorable conditions.

G) A copy of the circumstances shall be retained in the employee's personnel file.

#### **REHIRE OF FORMER EMPLOYEES**

Former employees of Bis-Man Transit may be considered for reemployment with Bis-Man Transit under the following conditions:

A) The employee gave satisfactory advance notice upon resignation and fulfilled that notice appropriately. Notice is defined as two weeks for non-exempt staff and four weeks for exempt staff.

B) The employee's last evaluation was satisfactory.

#### **MISCELLANEOUS**

Donations or contributions are not reimbursable expense items.

### **CREDIT CARDS**

A) A Bis-Man Transit employee may request to use Bis-Man Transit credit card to make travel arrangements such as confirming a hotel room and commercial carrier transportation.

B) All requests for authority to use Bis-Man Transit credit card must be made to the Executive Director.

C) Charges shall not be made to Bis-Man Transit credit cards, which are not covered by a sufficient appropriation in the approved and adopted Bis-Man Transit budget.

### **RESTRICTION OF POLITICAL ACTIVITIES**

No Bis-Man Transit employee shall engage in political activities during working hours or using Bis-Man Transit property. No Bis-Man Transit employee will be intimidated into supporting or contributing to partisan political activities.

Any violation of this rule is cause for suspension or dismissal. Outside of working hours, there shall be no restriction on political activities, except employees under Federal grants covered by the Hatch Act.

### **GIFT BAN**

No employee shall solicit or accept any gift from any prohibited source or in violation of any federal or State statute, rule, regulation or any policy or resolution. This ban applies to and includes spouses of, and immediate family living with, the employee.

Definition of "Disallowed Gifts":

A) Cash and cash equivalents including gift cards and certificates.

B) Non-sympathy gifts.

C) Company-purchased birthday, shower, holiday or any other personal gifts.

D) BIS-MAN TRANSIT property.

E) Alcohol and/or tobacco products.

F) Illegal items.

## Employee Acknowledgement Form

I have received a copy of the Bis-Man Transit Employee Handbook. I understand that I am to become familiar with its contents as it outlines my responsibilities, benefits and Bis-Man Transit guidelines. This Handbook supersedes and replaces all prior statements and practices whether presented verbally or in writing. The Employee Handbook describes important information about Bis-Man Transit, and I understand that I should consult the Executive Director regarding any questions not answered in the handbook.

Since the information, policies and benefits described herein are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

**Employees Name (printed):**

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**Employees Signature:**

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**Date:**

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## 11-22-22 Operations Update

The Halloween festivities went off without a hitch. We had staff dress up, an employee-supplied potluck, and a jack-o-lantern candy bucket on every bus. We have done these things in past years with great participation and feedback, and this year was no exception.

Progress on recruitment has been slow, but not due to lack of effort on Management's part. Cold calls continue to be made, job ads are posted on social media, and a sign is on the property advertising our open positions.

The recent snowfall has made an impact on both systems. Road closures, detours, and vehicles stuck in snow has slowed down operations and the staff shortage with the snowfall together has put a strain on our drivers and performance. We continue to do our very best with being as on-time as possible while still putting the drivers' and riders' safety first.