

522nd Transportation Technical Committee Fargo-Moorhead Metropolitan Council of Governments THURSDAY, October 14, 2021 – 10:00 a.m.

AGENDA

1. Call to Order and Introductions
2. Approve the Agenda Action Item
3. Consider Minutes of the September 9, 2021 TTC Meeting Action Item
4. Public Input Opportunity Public Input
5. Various Solicitations Due Fall/Winter 2021 Information/Discussion Items
 - a. Summary of Solicitations and Due Dates
 - b. MTP Priorities, Goals and Objectives
 - c. Changes due to TMA and Schedule for Adoption
6. US Highway 10 through Dilworth Request for Proposals Action Item
7. University & 10th Street Request for Proposals Action Item
8. Metro Profile 2021 Overview Information Item
9. 2050 Demographic Forecast Update Information Item
10. Project Updates Information Item
11. Agency Updates Discussion Item
 - a. City of Fargo
 - b. City of Moorhead
 - c. City of West Fargo
 - d. City of Dilworth
 - e. City of Horace
 - f. Cass County
 - g. Clay County
 - h. Other Member Jurisdictions
12. Additional Business Information Item
13. Adjourn

REMINDER: The next TTC meeting will be held **WEDNESDAY, NOVEMBER 10, 2021** at 10:00 a.m.

Due to ongoing public health concerns related to COVID-19, Metro COG is encouraging citizens to provide their comments on agenda items via email to leach@fmmetrocog.org. To ensure your comments are received prior to the meeting, please submit them by 8:00 a.m. on the day of the meeting and reference which agenda item your comments address. If you would like to appear via video or audio link for comments or questions on a regular agenda or public hearing item, please provide your e-mail address and contact information to the above e-mail at least one business day before the meeting.

For Public Participation, please REGISTER with the following link:

https://us02web.zoom.us/webinar/register/WN_dIzX-YmVSMOMyn4YFhtmWA

Red Action Items require roll call votes.

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

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PLANNING ORGANIZATION SERVING

FARGO, WEST FARGO, HORACE, CASS COUNTY, NORTH DAKOTA AND MOORHEAD, DILWORTH, CLAY COUNTY, MINNESOTA

**521st Meeting of the
FM Metro COG Transportation Technical Committee
Thursday, September 9, 2021 – 10:00 am
Metro COG Conference Room**

Members Present:

Jonathan	Atkins	City of Moorhead Traffic Engineering
Jason	Benson	Cass County Highway Engineering
Julie	Bommelmann	City of Fargo, MATBUS
Brenda	Derrig	Fargo City Engineering (alternate for Jeremy Gorden)
Maegin	Elshaug	West Fargo Planning
Cindy	Gray	Metro COG
Matthew	Jacobson	Clay County Planning
Peyton	Mastera	City of Dilworth Administration
Aaron	Nelson	Fargo City Planning
Grace	Puppe	Cass County Planning
Mary	Safgren	MnDOT– District 4
Russ	Sahr	City of Horace Planning
Justin	Sorum	Clay County Engineering
Lori	Van Beek	City of Moorhead, MATBUS
Andrew	Wrucke	City of West Fargo Engineering
Wayne	Zacher	NDDOT – Local Government Division

Members Absent:

Jeremy	Gorden	City of Fargo Transportation Engineering (alt present)
Robin	Huston	City of Moorhead Planning
Kim	Lipetsky	Fargo Cass Public Health
Joe	Raso	GFMEDC
Brit	Stevens	NDSU – Transportation Manager
Mark	Wolter	Freight Representative, Midnite Express

Others Present:

Adam	Altenburg	Metro COG
Angie	Bolstad	Stantec
Luke	Champa	Metro COG
Ari	Del Rosario	Metro COG
Dan	Farnsworth	Metro COG
Matthew	Huettl	HDR
Savanna	Leach	Metro COG
Michael	Maddox	Metro COG
Brent	Muscha	Apex Engineering
Joe	Peyerl	NDDOT
Anna	Pierce	MnDOT
Jordan	Smith	City of Moorhead - MATBUS
Tom	Soucy	Cass County Highway Engineering
Steve	Strack	Houston Engineering
Jamie	Wark	SRF Consulting

1. CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order at 10:00 am, on September 9, 2021 by Chair Gray. A quorum was present.

2. Approve the 521st TTC Meeting Agenda

Chair Gray asked if there were any questions about or changes to the 521st TTC Meeting Agenda.

**Motion: Approve the 521st TTC Meeting Agenda.
Mr. Mastera moved, seconded by Ms. Bommelman
MOTION, PASSED.
Motion carried unanimously.**

3. APPROVE August 12, 2021 TTC MEETING MINUTES

Chair Gray asked if there were any questions about or changes to the August 12, 2021 TTC Meeting Minutes.

**Motion: Approve the August 12, 2021 TTC Minutes.
Mr. Sahr moved, seconded by Mr. Atkins
MOTION, PASSED
Motion carried unanimously.**

4. Public Comment Opportunity

No public comments were made or received.

5. ATAC Master Agreement

Ms. Gray presented the 2021-2024 Master Agreement with NDSU, Advanced Traffic Analysis Center (ATAC), and the Upper Great Plains Transportation Institute (UGPTI). ATAC assists Metro COG with travel demand modeling, traffic operations support, Intelligent Transportation Systems (ITS) support, data collection, and other similar activities. There are four outstanding addendums to the 2018 (current) agreement, including: Intersection Data Collection and Reporting, Automated Traffic Signal Performance Measures (ATSPM), Dynamic Traffic Assignment (DTA) model, and Moorhead Intersection Traffic Data Collection. Metro COG has scoped the following projects for the 2021-2022 UPWP: Assistance with Household and Job Data, DTA Analysis, Travel Demand Model Update, Interstate Operations Analysis SRC participation, and ITS Plan Update. Ms. Gray noted that some updates were made to the master agreement in an effort to improve the requirements of the scopes of work and schedules for the project addendums.

**Motion: Recommend Policy Board approval of the North Dakota MPO Planning Support Program Master Agreement.
Ms. Bommelman moved, seconded by Mr. Mastera
MOTION, PASSED
Motion carried unanimously.**

6. 2022-2025 TIP Final Adoption

Mr. Champa presented the final draft of the 2022-2025 Transportation Improvement Program (TIP).

The Final Draft 2022-2025 TIP is comprised of projects as currently listed in NDDOT and MnDOT Draft State Transportation Improvement Programs (STIPs). Since the initial draft document was released in July, Metro COG updated language throughout the document to reflect minor changes or clarifications and to address comments received by planning partners. Other sections with major updates include the Introduction, Project Locator Map, Detailed Project Listings, Financial Plan and Fiscal Constraint, Overview of Federal Aid Programs, Performance Measures, and Public Involvement sections. Appendix A, public input, and Appendix C, local CIPs, were also updated.

Specific items to highlight since the initial Draft Metro COG 2022-2025 TIP document was released in July:

- Locally Funded and Illustrative projects (page 32)
- Detailed project listings (pages 45-54)
- Lump sum projects (page 55)
- Performance measures (pages 83-96)
- Public involvement (pages 105-107)
- Appendix A (pages 113-134)
- Appendix C (pages 137-146)

Motion: Pending Public Comment, recommend Policy Board approval of the Final Draft Metro COG 2022-2025 Transportation Improvement Program (TIP).

Mr. Atkins moved, seconded by Mr. Benson.

MOTION, PASSED

Motion carried unanimously.

7. Red River Greenway Study Consultant Selection

Mr. Champa presented Confluence, Inc. (with subconsultants Toole Design and AE2S) as the highest-ranked consultant for the Red River Greenway Study. Four firms submitted proposals: Confluence, HKGi, SRF, and Stantec. Confluence's cost proposal came in at \$155,000, which is the project's budget. The project is slated to be completed in November of 2022.

Motion: Recommend Policy Board approval of Metro COG entering into contract with Confluence, Inc. to complete the Red River Greenway Study.

Mr. Nelson moved, seconded by Ms. Derrig

MOTION, PASSED

Motion carried unanimously.

8. Mapleton Comprehensive Plan Contract

Mr. Altenburg presented the contract with the City of Mapleton to complete the Mapleton Comprehensive and Transportation Plan.

This plan will examine existing conditions and economic, demographic, and social trends in the city and surrounding area, as well as an in-depth look at transportation and related infrastructure needs. Emphasis will also be placed on an assessment of existing land use patterns, an analysis of supplementary planning strategies, revised goals and policies, and an action and implementation matrix to achieve community goals and initiatives.

The total cost for the performance of work pursuant to this agreement shall not exceed a total of \$47,900.00. This amount shall include all project costs including labor, general and administrative overhead, travel, fixed fees, materials, supplies, and other miscellaneous costs. Metro COG shall be responsible for \$28,797.35, which is 80 percent of eligible project costs. The City of Mapleton shall be responsible for the additional \$19,078.96, which consists of 20 percent of eligible project costs and 100 percent of non-eligible project costs.

Mr. Zacher noted that in the contract, Mapleton's local share varies from \$19,078.96 (exact) to \$19,100 (rounded up). Mr. Zacher said either amount is acceptable, but whatever final amount chosen should be consistent in the contract.

Motion: Recommend Policy Board approval of the contract and scope of work for the Mapleton Comprehensive and Transportation Plan.

Mr. Benson moved, seconded by Mr. Sahr

MOTION, PASSED

Motion carried unanimously.

9. Date of November TTC Meeting

Ms. Gray noted that the November TTC meeting would fall on Thursday, November 11th, which is also Veterans Day, a Federal holiday. The Metro COG meeting schedule that was published in the Fargo Forum in January of 2021 has the meeting scheduled for Wednesday, November 10th. Ms. Gray wanted to ensure all members were aware of this. No committee members stated any issues with the rescheduled date. Ms. Gray stated that Metro COG would follow up with a meeting invitation for Wednesday, November 10th at 10:00 AM.

10. Agency Updates

Fargo – initiating a Growth Management Plan update

Moorhead – Final cutover for underpass in October. Transit – mobile ticketing and best fare updates.

West Fargo – Sheyenne Street project into Phase III.

Cass County – FM Diversion work continuing on control structures and I-29 bypasses.

Clay County – Clay County Comp Plan underway

MnDOT- SMTP Performance Measure workshop will be on Tuesday, September 14th from 10:30-12:30. Work Group members have been invited to participate in this event and an Equity Workshop on Monday, October 4th. TA/ SRTS Solicitation opening soon. HSIP solicitation open.

NDDOT – I-29 bypasses of diversion channel underway

11. Additional Business

No additional business

12. Adjourn

The 521st Regular Meeting of the TTC was adjourned on September 9, 2021 at 10:57 a.m.

THE NEXT FM METRO COG TRANSPORTATION TECHNICAL COMMITTEE MEETING WILL BE HELD October 14, 2021, 10:00 A.M.

Respectfully Submitted,

Savanna Leach
Executive Assistant

To: Transportation Technical Committee
From: Dan Farnsworth / Luke Champa
Date: October 7, 2021
Re: **Project Solicitations**

Several project solicitations have been initiated recently by NDDOT and MnDOT. They are described below for your information and consideration. All applications that are due to Metro COG by November 19, 2021 will be reviewed by TTC and Policy Board at their December meetings in preparation for application due dates.

Transportation Alternatives (TA) Project Solicitation

The Transportation Alternatives (TA) program, is a federally-funded grant opportunity for projects that provide alternative means of transportation such as bicycle/pedestrian trails, safe routes to school projects, crosswalk improvements, and more.

Grant solicitations have recently been announced for jurisdictions within both MN and ND. These solicitations and associated dates are as follows:

North Dakota

- **September 20, 2021** – Announcement of joint TA and Safe Routes to School solicitation
- **November 19, 2021** – Deadline to submit applications to Metro COG
- **Spring of 2022** – Announcement to applicants

All applicants located within Metro COG's planning boundary will need to submit applications to Metro COG (Dan Farnsworth). Prior to the TTC and Policy Board meetings, Metro COG reviews the applications with the Bicycle and Pedestrian Committee, and projects are prioritized based on approved criteria. Any applicants located outside of the Metro COG planning boundary will submit applications directly to NDDOT. If unsure whether your jurisdiction is in Metro COG's planning boundary, feel free to contact Dan Farnsworth at the contact information provided below. Please visit <https://www.dot.nd.gov/divisions/localgov/TA.htm> for more information.

Minnesota

- **October 1, 2021** – Announcement of joint TA and Safe Routes to School solicitation
- **November 1, 2021** - Deadline to submit letters of intent
- **January 14, 2022** - Deadline to submit full applications
- **April 15, 2022** – Announcement to applicants

Interested applicants will need to submit letters of intent by **November 1st, 2021**. These letters will need to be submitted online using the following link: www.mndot.gov/ta. If the project is found to be eligible, applicants will be asked to complete the full

application, which will be due to Wayne Hurley (WCI) by **January 14th, 2021**. Please visit www.mndot.gov/ta for more information.

If you have any questions, feel free to contact Dan Farnsworth at 701-532-5106 or farnsworth@fmmetrocog.org.

Highway Safety Improvement Program (HSIP) Project Solicitation

HSIP is a core Federal-aid highway program with the purpose of achieving a significant reduction in fatalities and serious injuries on public roadways.

North Dakota

NDDOT is soliciting projects for the 2023-2026 Highway Safety Improvement Program (HSIP). Jurisdictions are encouraged to apply. All jurisdictions within Metro COG's planning boundary will need to be submitted to Metro COG by **November 19th, 2021**. Please submit any projects to Luke Champa at champa@fmmetrocog.org.

Many TTC members received an email from NDDOT on September 28th regarding this solicitation. However for those who did not receive the information or have additional questions, please contact Metro COG staff or Justin Schlosser (NDDOT) at jjschlossernd.gov or 701-328-2673.

Minnesota

MnDOT is soliciting projects for the 2023-2026 Greater Minnesota local Highway Safety Improvement Program (HSIP). Interested applicants are encouraged to visit MnDOT's HSIP webpage at (<https://www.dot.state.mn.us/trafficeng/safety/hsip.html>) for application details. Different to past years, applications located within Metro COG's planning area will need to submit their applications directly to Metro COG. Please submit applications to Luke Champa at champa@fmmetrocog.org by **October 29th, 2021**.

Urban Roads Program (URP) Project Prioritization and Solicitation

NDDOT and Metro COG are soliciting applications for Urban Roads Program projects for funding in Federal Fiscal Year (FFY) 2026 (STBGP-U). Metro COG will lead solicitation and prioritization of Local Public Agency projects and then submit to NDDOT Local Government for final selection. The Urban Roads Program provides eligibility for a wide variety of transportation improvement projects on locally owned roadways that are part of the federal aid system. Eligibility requires a city population of greater than 5,000.

Additional information about the program can be found at <https://www.dot.nd.gov/divisions/localgov/#programareas>. Interested jurisdictions located within Metro COG's urbanized area will need to submit their applications directly to Metro COG by **Friday, November 19th, 2021**. Applications must be submitted to Luke Champa at champa@fmmetrocog.org.

Urban Regional Roads Program Project Prioritization and Solicitation

NDDOT and Metro COG are soliciting applications for Urban Regional Roads Program projects to be constructed in Federal Fiscal Year (FFY) 2026 (STBGP-R). Metro COG will lead solicitation and prioritization of projects in coordination with NDDOT – Fargo District and Local Public Agencies. Projects are then submitted to NDDOT Local Government for final selection. The Urban Regional Roads program provides eligibility for a wide variety of transportation improvement projects for roadways that are part of the interstate system, national highway system, or state highway system and located within the urbanized area.

Additional information about the program can be found at <https://www.dot.nd.gov/divisions/localgov/#programareas>. Interested jurisdictions located within Metro COG’s planning area will need to submit their applications directly to Metro COG by **Friday, November 19th, 2021**. Applications must be submitted to Luke Champa at champa@fmmetroco.org.

Urban Grant Program (UGP)

NDDOT is soliciting applications for the Urban Grant Program which provides funding for cities with a population over 5,000 to make transportation infrastructure improvements within core business districts. Improvements are intended to promote multimodal transportation. Metro COG will lead solicitation and prioritization of projects in coordination with Local Public Agencies and submit to NDDOT Local Government for final selection.

Additional information about the program can be found at <https://www.dot.nd.gov/divisions/localgov/ugp.htm>. Interested jurisdictions located within Metro COG’s planning area will need to submit their applications directly to Metro COG by **Friday, November 19th, 2021**. Applications must be submitted to Luke Champa at champa@fmmetroco.org.

ND Small Town Revitalization Endeavor for Enhancing Transportation (NDSTREET)

NDDOT is soliciting applications for NDSTREET Program projects to be constructed in 2023. This program provides opportunities for smaller cities to upgrade their existing transportation infrastructure on or along the state highway within their community. NDSTREET grants are available to cities with a population of less than 5,000 and a state highway within corporate limits.

Additional information about the program can be found at www.dot.nd.gov/divisions/localgov/ndstreet.htm. Interested jurisdictions located within Metro COG’s planning area will need to submit their applications directly to Metro COG by **Friday, November 19th, 2021**. Applications must be submitted to Luke Champa at champa@fmmetroco.org.

FTA Section 5310/5339 Transit Grant Applications (North Dakota)

NDDOT is soliciting applications for transit grants under FTA Section 5310 and Section 5339. Section 5310 provides funding for transit projects that improve mobility for the elderly and persons with disabilities while Section 5339 provides funding for transit projects that involve replacement of buses, improvements to bus facilities, and more.

All applications for FTA funding will be administered through NDDOT's BlackCat Grants Software. To review the application guidelines and apply, please visit <http://www.dot.nd.gov/divisions/localgov/transit.htm>. Transit provider located within Metro COG's planning area will need to submit their applications via BlackCat by **November 19th, 2021**.

To: Transportation Technical Committee
From: Michael Maddox, AICP
Date: October 8, 2021
Re: **2045 MTP STBG Project Solicitation Guidance**

Metro COG developed a list of roadway needs selected for federal funding within the 2045 MTP. This list is designed to guide the solicitation of projects for STBG funding every year. Metro COG's consultant (HDR) and staff worked with local jurisdictions to cultivate a list of transportation needs in each surface transportation mode. Project details such as construction activity and cost were included.

MTP projects included in the list were scored and ranked according to goals listed in the MTP. Those goals included:

- System Safety & Security
- Travel Efficiency & Reliability
- Walking & Biking
- Transit Access
- Maintain Transportation Infrastructure
- Environmental Sustainability
- Economic Development & Transportation Decisions
- Emerging Transportation Trends

Projects were put into time bins (short-term, near mid-term, far mid-term, long-term) based upon the availability of federal funding versus project cost, and the priority of the need, and then split into three categories (Attachment 1). Those categories loosely correspond to whether the project expands or maintains the transportation system, or separately if the project was outside of the MTP's fiscal constraint.

The purpose of putting the projects into time bins was to solidify the solicitation process that occurs every year. The prioritized project list is merely a guide knowing that priorities can shift year-to-year for a variety of reasons. However, Metro COG planned that these priorities were going to serve as a guide for project funding requests and decisions.

In the last couple of years, Metro COG has seen project submissions that both do and do not reflect the needs identified in the MTP. Projects submitted (successfully funded projects are in bold) for STBG funding include:

2018

- URP (80% federal / 20% local match)
 - **Fargo 52nd Ave S** – 63rd St to Sheyenne Reconstruction (programmed pending FY 2022) \$7,000,000 Total Cost
 - **Fargo 17th Ave S** – 5th St to 17th St Reconstruction (not programmed) \$3,750,000 Total Cost

- **Fargo Transit Capital** – Purchase Fixed Route Bus (programmed pending FY 2022) \$1,250,000 Total Cost
- **West Fargo Sheyenne St** – 40th Ave S to 52nd Ave S Reconstruction (not programmed) \$9,300,000 Total Cost

2019

1. URRP (80% federal / 20% local match)
 - **Fargo/NDDOT 19th Ave N** – From I-29 to 18th St N Reconstruction (not programmed) \$13,800,000 Total Cost
2. URP (80% federal / 20% local match)
 - **Fargo 64th Ave S Interchange** – new interchange (programmed pending FY 2025 outside of URP not using STBGP-U funds but Interstate Maintenance funds) \$18,250,000 Total Cost
 - **Fargo Transit Capital** – Purchase Fixed Route Bus (programmed pending FY 2023) \$1,250,000 Total Cost
 - **Fargo 32nd Ave S** – from 25th St S to University Dr Reconstruction (programmed pending FY 2024) \$11,080,000 Total Cost
 - **West Fargo Sheyenne St** – 40th Ave S to 52nd Ave S Reconstruction (not programmed) \$12,000,000 Total Cost

2020

3. URP (80% federal / 20% local match)
 - **West Fargo Sheyenne St** – 40th Ave S to 52nd Ave S Reconstruction (not programmed) \$12,000,000 Total Cost
 - **West Fargo 9th St NE** – from Main Ave to 12th Ave NE Reconstruction (programmed FY 2025) \$9,400,000 Total Cost
 - **Fargo Bike and Ped Bridge over the Red River at 40th Ave S/Bluestem** – New bike and ped bridge (not programmed) \$2,000,000 Total Cost (ND side cost) – both sides of river cost is around \$4.8M
 - **Fargo Striping Replacement Project** – Citywide Arterials and Collectors (not programmed) \$1,200,000 Total Cost
 - **Fargo 17th Ave S** – from 38th St S to 42nd St S Reconstruction (not programmed) \$4,000,000 Total Cost
 - **Fargo 25th St S** – from 32nd Ave S to Rose Creek (Drain 27) Bridge Mill and Overlay (not programmed) \$1,200,000 Total Cost
 - **Fargo CPR** – 45th St from 16th Ave N to 32nd Ave S, Main Ave from 25th St to 45th St, and 7th Ave N from 25th St to I-29 (not programmed) \$1,900,000 Total Cost

Metro COG would like to discuss recent solicitations for STBG funding and the needs set forth by the MTP in preparation for the solicitation that will occur in this fall. Metro COG would like to have a discussion of project needs and priorities with the Transportation Technical Committee (TTC). This discussion will let everyone know what each jurisdiction will plan to apply for and give Metro COG a chance to make sure that project needs correspond with the MTP.

TABLE 12.3: SHORT TERM (2023-2025) ROADWAY PROJECTS BY JURISDICTION

Project ID	Corridor	From	To	Project Type	Project Jurisdiction	Cost Estimate (2019)	Short Term (2023-2025) Costs	STBG Funds	Local Funds
Minnesota Projects									
58*	34th St	I-94	12th Ave S	Corridor Management/ Preservation*	Moorhead	\$3,300,000	\$4,010,000	\$1,888,710	\$2,121,290
R128	S 30th Ave	S 14th St	S 20th St	Preservation	Moorhead	\$1,868,000	\$2,610,000	\$1,229,310	\$1,380,690
North Dakota Projects									
19	Sheyenne St	40th Ave S	52nd Ave S	Roadway Widening to 3-lane Urban Street	West Fargo	\$7,725,000	\$9,400,000	\$7,520,000	\$1,880,000
88	I-29	at 64th Ave S		Interchange	Fargo/NDDOT	\$18,000,000	\$21,900,000	\$12,797,000	\$9,103,000
R16	19th Ave N	I-29	Dakota Dr N	Preservation	Fargo	\$5,000,000	\$6,080,000	\$4,864,000	\$1,216,000
R17	19th Ave N	Dakota Dr N	18th St N	Preservation	Fargo	\$4,200,000	\$5,110,000	\$4,088,000	\$1,022,000
R27	32nd Ave S	25th St	University	Preservation	Fargo	\$7,900,000	\$9,610,000	\$6,688,000	\$2,922,000
Total							\$58,720,000	\$39,075,020	\$19,644,980
Minnesota							\$6,620,000	\$3,118,020	\$3,501,980
North Dakota							\$52,100,000	\$35,957,000	\$16,143,000

TABLE 12.4: NEAR MID TERM (2026-2029) ROADWAY PROJECTS BY JURISDICTION

Project ID	Corridor	From	To	Project Type	Project Jurisdiction	Cost Estimate (2019)	Near Mid Term (2026-2029) Costs	STBG Funds	Local Funds
Minnesota Projects									
R127	40th Ave S	9th St S	40th St S	Preservation	Moorhead	\$3,900,000	\$5,400,000	\$2,300,000	\$3,100,000
R133	34th St N	3rd Ave NW	28th Ave N	Preservation	Moorhead	\$3,500,000	\$4,900,000	\$2,080,000	\$2,820,000
North Dakota Projects									
51	Veterans Blvd	52nd Ave S	64th Ave S	New 3-lane urban Street	Fargo / Horace	\$7,425,000	\$10,400,000	\$8,320,000	\$2,080,000
R25	25th St S	25th St 0.13 mi N Rose Creek	23rd Ave	Preservation	Fargo	\$18,400,000	\$25,700,000	\$20,560,000	\$5,140,000
R58	9th St NE	Main Ave E	12th Ave NE	Preservation	West Fargo	\$5,500,000	\$7,700,000	\$6,160,000	\$1,540,000
R61	9th St E	7th Ave E	Main Ave E	Preservation	West Fargo	\$3,300,000	\$4,600,000	\$3,680,000	\$920,000
Total							\$53,300,000	\$43,100,000	\$12,500,000
Minnesota							\$4,900,000	\$4,380,000	\$2,820,000
North Dakota							\$48,400,000	\$38,720,000	\$9,680,000

TABLE 12.5: FAR MID TERM (2030-2035) ROADWAY PROJECTS BY JURISDICTION

Project ID	Corridor	From	To	Project Type	Project Jurisdiction	Cost Estimate (2019)	Far Mid Term (2030-2035) Costs	STBG Funds	Local Funds
Minnesota Projects									
R116	N 1st Ave	2nd St N	US 10 E	Preservation	Moorhead	\$6,400,000	\$10,900,000	\$5,050,000	\$5,850,000
R130	S 12th Ave	Appletree Ln	34th St S	Preservation	Moorhead	\$2,600,000	\$4,400,000	\$2,040,000	\$2,360,000
North Dakota Projects									
5	76th Ave S	45th St	I-29	New 3-lane urban Street	Fargo	\$7,500,000	\$12,700,000	\$10,160,000	\$2,540,000
9	Sheyenne St	52nd Ave S	64th Ave S	Roadway Widening to 3-lane urban street	Horace	\$7,275,000	\$12,400,000	\$9,920,000	\$2,480,000
18	76th Ave S	I-29	25th St	New 3-lane urban Street	Fargo	\$14,425,000	\$24,500,000	\$19,600,000	\$4,900,000
32	I-29	at 76th Ave		Interchange	Fargo/ NDDOT	\$18,000,000	\$30,600,000	\$24,480,000	\$6,120,000
R24	University Dr	University Dr .01 mi N of I94	14th Ave	Preservation	Fargo	\$5,200,000	\$8,800,000	\$7,040,000	\$1,760,000
R49	10th St N	1st Ave N	8th Ave N	Preservation	Fargo	\$2,400,000	\$4,100,000	\$3,280,000	\$820,000
Total							\$97,500,000	\$81,570,000	\$20,980,000
Minnesota							\$4,400,000	\$7,090,000	\$2,360,000
North Dakota							\$93,100,000	\$74,480,000	\$18,620,000

2045 Fargo-Moorhead Transportation Plan



TABLE 12.6: LONG TERM (2036-2045) ROADWAY PROJECTS BY JURISDICTION

Project ID	Corridor	From	To	Project Type	Project Jurisdiction	Cost Estimate (2019)	Long Term (2036-2045) Costs	STBG Funds	Local Funds
Minnesota Projects									
R118	Main Ave	S 11th St	S 3rd Ave	Reconstruction	Moorhead	\$3,300,000	\$11,550,000	\$9,240,000	\$2,310,000
North Dakota Projects									
7	9th St	Main Ave	12th Ave N	Grade Separation	West Fargo	\$20,000,000	\$46,480,000	\$30,537,360	\$15,942,640
25	76th Ave S / 80th Ave S	Red River (Forest River Road)	US 75	Preserve Right of Way for Future Bridge	Fargo / Clay County	\$2,000,000	\$4,650,000	\$3,055,050	\$1,594,950
52	Veterans Blvd	64th Ave S	76th Ave S	New Street	Fargo / Horace	\$7,500,000	\$17,430,000	\$11,451,510	\$5,978,490
62	76th Ave	25th St	Red River	Roadway Widening	Fargo	\$9,900,000	\$23,010,000	\$15,117,570	\$7,892,430
65	Northwest Regional Route	I-29	I-94	Expressway Route	Cass County-urban only	\$6,000,000	\$13,940,000	\$9,158,580	\$4,781,420
66	13th Ave	at I-94		Grade Separation	West Fargo	\$12,180,000	\$28,310,000	\$18,599,670	\$9,710,330
70	SW Beltway Route	I-94	100th Ave S	Expressway Route	Cass County	\$3,000,000	\$6,970,000	\$4,579,290	\$2,390,710
75	100th Ave S	38th St	Horace	Other	Cass County	\$3,015,000	\$7,010,000	\$4,605,570	\$2,404,430
81	12th Ave N / 15th Ave N	Elm Street (Fargo)	11th St N (Moorhead)	Raise Elevation of Bridge	Fargo / Moorhead	\$10,300,000	\$23,940,000	\$15,728,580	\$8,211,420
83	Approx 14th St	Potential 13th Ave	32nd Ave	New Street	West Fargo	\$14,690,000	\$34,140,000	\$22,429,980	\$11,710,020
R19	42nd St S	19th Ave	13th Ave	Preservation	Fargo	\$6,600,000	\$15,340,000	\$10,078,380	\$5,261,620
R53	University Dr N	10th St N	7th Ave N	Preservation	Fargo	\$2,800,000	\$6,510,000	\$4,277,070	\$2,232,930
R62	13th Avenue	Prairie Pkwy	15th St W	Preservation	West Fargo	\$6,880,000	\$15,990,000	\$10,505,430	\$5,484,570
Total							\$255,270,000	\$169,364,040	\$85,905,960
Minnesota							\$11,550,000	\$9,240,000	\$2,310,000
North Dakota							\$243,720,000	\$160,124,040	\$83,595,960



To: Transportation Technical Committee
From: Cindy Gray, Executive Director
Date: October 10, 2021
Re: **TMA Project Prioritization**

Over the next year, in anticipation of TMA designation, Metro COG will work with the TTC and Policy Board on a process of project prioritization and selection. This will take time, and we will initiate the discussion over the next couple of months, and continue to refine it and work with NDDOT, MnDOT, FHWA and FTA to be ready for the transition.

At the TTC meeting, we hope to have a brief discussion of how we see the schedule and process for this transition occurring.

Requested Action: None – discussion item only

To: Transportation Technical Committee
From: Michael Maddox, AICP
Date: October 8, 2021
Re: **TH 10 thru Dilworth Corridor Study RFP**

In 2020, Metro COG completed a corridor study of US Highway 10 and 75 through Moorhead. The bounds of that study ended at 34th Street. The study was conducted in preparation for MnDOT's plans for reconstruction of both roadways. MnDOT and Metro COG would like to conduct a similar corridor study on TH 10 (US Hwy 10) through Dilworth, as the corridor is slated for reconstruction with the next 5-10 years.

Like the US 10/75 Corridor Study, the aim of the project will be to analyze the corridor to assist MnDOT with its upcoming construction project. Of particular importance, will be the analysis of the roadway cross section in Downtown Dilworth, which is bisected by TH 10. Study tasks will focus on how the roadway can support the surrounding land uses, while maintaining the facility as a highly functionally classified facility. The study will also address the relationship between existing and future development/redevelopment in Dilworth within close proximity to US 10, and how bicycle and pedestrian infrastructure can be improved along the corridor.

Metro COG has worked with study partners to develop an RFP which includes a proposed scope of work. Metro COG has identified \$160,000 in its work program to complete the study.

Requested Action: Recommend Policy Board approval of the RFP for the US 10 Corridor Study thru Dilworth.

**FARGO-MOORHEAD
METROPOLITAN COUNCIL OF GOVERNMENTS**

REQUEST FOR PROPOSALS (RFP)

PROJECT NO. 2021-223

TH 10 Corridor Study through Dilworth

October 8, 2021

APPROVED:

Cynthia R. Gray, AICP
Metro COG, Executive Director

REQUEST FOR PROPOSALS (RFP)

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

TH 10 Corridor Study through Dilworth

Selection criteria will follow a qualifications-based review process to analyze proposals from responding consultants. The most qualified candidates will be invited to present an oral interview. Upon completion of technical ranking, oral interviews and possible discussion with candidate consultants, Metro COG will enter into negotiations with the top ranked consulting firm. The consultant will submit with their response to this RFP a **sealed cost proposal**. The cost proposal of the top ranked firm will be opened during contract negotiations. Those firms not selected for direct negotiations will have their unopened cost proposals returned. Metro COG reserves the right to reject any or all cost proposals submitted. This project will be funded in part with federal transportation funds and has a not-to-exceed budget of **\$160,000 dollars**.

Interested firms may request a hard copy of this RFP by telephoning 701.232.3242, or by email at leach@fmmetrocog.org. Copies will be posted on the North Dakota Department of Transportation QBS website (www.dot.nd.gov) and will also be available for download in PDF format at www.fmmetrocog.org.

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

All proposals received by **4:30 pm on Wednesday, November 17, 2021** at Metro COG's office will be given equal consideration. Minority, women-owned and disadvantaged business enterprises are encouraged to participate. Respondents must submit six (6) hard copies and one (1) digital PDF copy of the proposal. The full length of each proposal should not exceed fifteen (15) double-sided pages for a total of thirty (30) pages, including any supporting material, charts, or tables.

Hard copies of technical and/or cost proposals should be delivered to the contact below:

Michael Maddox, AICP
Fargo-Moorhead Metropolitan Council of Governments
Case Plaza, Suite 232
One 2nd Street North
Fargo, ND 58102
maddox@fmmetrocog.org
701-232-3242 ext. 33

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

Note – This document can be made available in alternative formats for persons with disabilities by calling Savanna Leach, Office Manager at 701.532.5100 or email at leach@fmmetrocog.org.

TABLE OF CONTENTS

I. Agency Overview.....4

II. Purpose of Request.....4

III. Background Information.....4

IV. Project Objective6

V. Scope of Work and Performance Tasks6

VI. Implementation Schedule.....12

VII. Evaluation and Selection Process.....13

VIII. Proposal Content and Format.....14

IX. Submittal Information.....15

X. General RFP Requirements.....15

XI. Additional Information16

XII. Contractual Information.....16

XIII. Payments.....17

XIV. Federal and State Funds.....17

XV. Title VI Assurances.....18

XVI. Termination Provisions19

XVII. Limitation on Consultant.....19

XVIII. Conflict of Interest19

XIX. Insurance20

XX. Risk Management.....20

Exhibit A – Cost Proposal Form.....22

Exhibit B – Debarment of Suspension Certification.....23

Exhibit C – Certification of Restriction on Lobbying.....24

Exhibit D – Standard Form 330.....25

I. Agency Overview

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

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

II. Purpose of Request

The intent of this RFP is to obtain professional consultant services to conduct a transportation corridor study along Trunk Highway (TH) 10 (US 10) through Dilworth, Minnesota. The study will evaluate different alternatives for management of existing and future traffic flow; with discussion on alternative lane configurations, access management, on-street parking recommendations, intersection control options, alternative intersection concepts, freight flow, bicycle and pedestrian connectivity, transit needs, street lighting needs, public utility needs, and potential impacts to intersecting streets. MNDOT is also interested in the development of planning level cost estimates for project alternatives.

III. Background Information

In 2018, Metro COG conducted a study of portions of US 10 and US 75 through Moorhead which ended at 34th Street, which is the border between Moorhead and Dilworth. This study continues where that previous study concluded, studying US 10 (TH10) through Dilworth, Minnesota. The proposed limits of the study are from 34th Street to Highway 336. The study should also pay particular attention to the operations of the intersection of 34th Street and TH 10. The City of Dilworth is also interested in evaluating intersection traffic control measures at intersections along the corridor. There is currently only one signalized intersection in this segment.

MNDOT has incorporated the construction of this project within their ten-year highway improvement program (CHIP). MNDOT would like to plan, design, and construct the project on this corridor within that time period. The plan should incorporate all elements of local communities, stakeholders, and the traveling public so that this project fulfills community needs. MNDOT would like this study to address the future needs of the corridor in order to provide solutions that will last for the life of the reconstructed facility.

This segment of US 10 has many contextual elements with varying transportation purposes. It serves as access to the downtown core of Dilworth and is part of the local grid roadway network; it is a primary freight route with an intermodal facility, and a commuter route for daily work trips. As the roadway progresses eastward from 34th Street, it changes in character from a four-lane divided roadway with left and right turn lanes and significant access control to a four-lane roadway without a median and no dedicated turn lanes, and on the east side of Dilworth, US 10 goes back to a divided

highway. The City of Dilworth and MnDOT have had to work closely with each other to build an understanding of how this urbanized and urbanizing portion of US 10 will best work in the best interests of the residents of Dilworth and the traveling public. This study should address this transition by addressing the roadway within the downtown context of Dilworth, projected traffic volumes and capacity recommendations, alternate routes, access management, posted speed along with speed transition, and the overall cross section among other things.

In 2020, a US 10/75 study was completed which addressed US 10 west of 34th Street. One of the alternatives of this study was to change the character of the roadway (US 75 to 34th Street) from a divided highway to that of an urban cross section by narrowing lanes and eliminating the median. Likewise, this study should consider how the urban segments of this corridor could enhance the context of the adjacent existing and future land uses.

The main objective of this corridor study is to define what the vision is for the US 10 corridor in Dilworth, MN. The Minnesota Department of Transportation (MnDOT) District 4 is planning reconstruction projects along this corridor throughout the upcoming decade due to aging pavement and intends to incorporate the findings of this study into its preliminary design and public outreach. The proposed study will include reviewing: traffic operations, bike/pedestrian and transit needs, safety, stormwater requirements, and environmental documentation needs. Additional elements of this plan are to work with the City of Dilworth to consider varying contextual areas as well as to envision future redevelopment areas along the corridor. The study should provide roadway alternatives that balance the need for traffic/freight movement with the need to support multimodal elements of the varying contextual areas along the corridor.

As part of this study process, concept layouts and typical sections, along with preliminary cost estimates will be developed for all alternatives for each contextual area. The consultant should propose how the corridor should be divided into contextual elements, recognizing that the study area consists of a highway commercial area, a downtown core, residential areas that are slated for future land use transition, and urbanizing areas of a more suburban nature on the east side of the study area. The consultant will need to address project staging and the impacts associated with it.

The US 10/75 corridor study recommended removal of the median where the old weigh station used to reside where the north portion of US 10 and US 75 merge. Minnesota State Patrol does periodic freight enforcement at that location. This study should take the recommendations of that previous study into consideration and evaluate locations for a commercial vehicle enforcement location along this segment of TH 10.

North of Dilworth, 15th Avenue N (Clay CR 83) is a gravel road between CR 11 and 40th Street N (CR 9). One of the considerations of the overall roadway network and the future needs of US 10 through Dilworth should include the paving of this three-mile segment of 15th Avenue N. This roadway connects with a Red River bridge between Moorhead and Fargo and provides connectivity to major traffic generators such as the Veterans Administration Health Care System, North Dakota State University (NDSU), and many industrial employers. Study participants are interested in determining if improvements to this route would serve as an alternate route to US 10, and if that would make it feasible for US 10 to be reconstructed in a manner that would better-serve the downtown context of Dilworth.

One of the recommendations of the US 10/75 Study in Moorhead was to consider moving the

commercial vehicle site from US 10 in Moorhead to somewhere east of Dilworth. Study participants are interested in identifying an optimal location for this function to take place, but it may not need to be a full weigh-station. A pull-off where portable scales can be used may be sufficient.

Metro COG is currently working with NDSU's Advanced Traffic Analysis Center (ATAC) and MnDOT to determine construction phasing and the associated impacts to traffic during construction by utilizing Metro COG's recently completed Dynamic Traffic Assignment (DTA) model. The goal is to try to phase projects in a manner that minimizes impacts to the traveling public. The consultant should work with ATAC and Metro COG to integrate the recommendations of this plan into the DTA model to determine when the project should be constructed relative to other regional projects as well as to foresee traffic diversions and impacts.

IV. Project Objective

The objective of the TH 10 Corridor Study through Dilworth is to identify a recommended set of potential improvement projects for consideration in future construction programs, derived from a transparent, rational, and meaningful transportation planning process.

The recommendations of this study will include short- and long-term solutions for current and anticipated travel demand that are best suited to existing and future adjacent land uses along the corridor. The recommendations should provide reasonable detail including but not limited to: number and width of lanes, planning level vertical and horizontal alignments to determine right-of-way widths (no engineered products), intersection configurations including turn lanes and traffic control, travel speed, and bicycle, pedestrian, transit facilities, aesthetic improvements, detours, and staging.

V. Scope of Work and Performance Tasks

Metro COG is seeking a consultant that can not only provide the typical qualifications necessary in the development of the corridor study but also has the ability to demonstrate pro-activeness, vision, innovation, and collaboration in examining and proposing study alternatives.

Outlined below is the scope of work that will guide development of the TH 10 Corridor Study through Dilworth. Metro COG has included the following scope of work to provide interested consultants insight into study intent, context, coordination, responsibilities, and other elements to help facilitate proposal development. This outline is not necessarily all-inclusive and the consultant may include in the proposal any additional tasks deemed necessary to successfully complete the study.

At a minimum, the consultant will be expected to establish detailed analyses, recommendations, and/or deliverables for the following tasks:

Task 1: Project Management and Coordination

This task involves activities required to manage the project budget including staff, equipment and documentation. It also, includes the preparation of progress reports, documenting travel and expense receipts, and preparing and submitting expense invoices. It is imperative to consider the public and keep citizens informed of the planning activities and outcomes using a strategy that

includes the internet and social media. Metro COG will host the project website. The consultant will be required to provide project materials that will allow the Metro COG project manager to keep the site up-to-date. This task also includes bi-monthly progress meetings with Metro COG, the preparation of meeting agendas, and taking and reporting meeting notes with emphasis on decisions and action items.

Task 2: Public and Agency Involvement

This task will include the development of a public participation plan in accordance with Metro COG's Public Participation Plan that will, at a minimum, include:

- Study Review Committee (SRC) – The consultant will work with Metro COG to determine the members of the SRC. The SRC shall include at a minimum one representative from each of the following: Metro COG; City of Dilworth; Clay County and MnDOT. The Consultant, in consultation with Metro COG, will be responsible for scheduling the SRC meetings. The Consultant shall identify key times during the planning level phase in which the study meetings shall be held. The Consultant will be responsible for developing materials necessary to conduct the SRC meetings.
- Public Input Meetings – A minimum of Two (2) Public Input Meetings shall be held throughout the planning process. The first meeting should be held to introduce the project to the public; review existing project corridor conditions with the public; and request input from the public on the project corridor's issues/needs. The second public meeting should be held after the study alternatives have been developed and technically evaluated to collect public input on the proposed study. The Consultant will be responsible for providing advertising materials, press release write-ups, and newspaper ad write-ups. Metro COG, the City of Dilworth, and Mn/DOT will work with the Consultant in distributing public meeting information to property owners, business operators, residents, the media, and the general public, and display information on corresponding websites.

The consultant should track its engagement efforts throughout the process in order to document compliance with Title VI and Environmental Justice. MnDOT also completed an Equity Study that must also be considered in public engagement efforts.

- Stakeholder Meetings – The consultant shall include meetings with stakeholders, such as business owners, residents, etc., during the development of the project. This element is especially critical for this project as the corridor runs through the downtown core of Dilworth. The consultant should recommend groups to reach out to and propose methods of engaging stakeholders to gain information and input that will be used in the development of the plan.
- Public Outreach – As part of the public involvement plan, the Contractor shall identify innovative public outreach methods to obtain public input from various stakeholder groups such as the business community, schools, bike/pedestrian/transit community and others. The consultant should propose a methodology to evaluate public input in

order to develop project alternatives. During the Covid-19 Pandemic, Metro COG conducted virtual meetings, as public gatherings were not recommended. However, more and more gatherings have been taking place within the FM region and residents seem to be comfortable with gatherings. As such, this project should use a flexible approach, adaptable to changing public health circumstances, utilizing virtual gatherings when convenient and advisable, but should also meet people where they gather in order to gain input when conditions permit this to be carried out safely. The consultant should look for opportunities to engage citizens in person and also provide virtual opportunities for those that are not comfortable meeting in-person. The selection team will highly value consultants who demonstrate an innovative approach that integrates both in-person and virtual methods.

Task 2 Deliverable: The SRC and Public Meetings will be summarized throughout the project, with the ultimate reporting on public participation coming to fruition after the adoption phase of the plan.

Task 3: Data Collection and Base Mapping

This task will involve collection of current aerial photography, parcel boundaries, above ground and underground utilities (document/desk review), as-builts, topographic data and other electronic base map files necessary to develop concept layouts. No field survey work is assumed for this project. All horizontal and vertical elevation data will be collected from existing State LiDAR and existing MnDOT plan data from previous projects. As part of Task 3, the contractor will also review existing plans and studies related to the project area but not limited to:

- Dilworth Comprehensive Plan
- 2020 Final Report US 10/75 Corridor Study
- METRO GROW: Metro COG's 2045 MTP
- Current FM Metro COG Travel Demand Model
- Manufacturers' Perspectives on the Transportation System: District 4 (including database of findings)
- D4 Freight Plan – under development in 2021
- Clay County Comprehensive and Transportation Plan – under development in 2021
- Metro COG Bicycle and Pedestrian Plan – Currently under development
- MnDOT District 4: Advancing Transportation Equity

The Contractor, working in cooperation with Metro COG and MnDOT, will be responsible for collecting all information and data necessary to complete the study including:

- Crash data
- Current and Historic traffic volume data (AADT and HCAADT)
- Aerial Photos
- Alignments (Historic Research)
- Geometrics
- Stormwater data and plans (MnDOT)
- Previous plans with typical sections for each segment
- Pavement conditions
- Site conditions, obstacles, obstructions, etc.
- Existing access points

- Photos where needed
- Wetlands (NWI)
- Soil/Material risks
- Environmental risks
- Traffic Turning Counts
- Traffic operations
- ITS deployments
- Bicycle and Pedestrian Accommodations
- Transit operations & Transit stop locations
- Lighting
- Right of Way
- Encroachments
- Existing access locations
- Existing land use
- Existing Utilities (Public & Private)
- MnDOT Corridor drone footage

The Contractor will review and incorporate, as appropriate, StreetLight travel behavior data from MnDOT's or Metro COG's current license.

Task 3 Deliverable: The Contractor will summarize the existing conditions in a technical memorandum which will ultimately become part of the corridor study.

Task 4: Traffic Projections and System Capacity Analysis

The Contractor will develop traffic volume projections up to year-2045 starting with year-2020 for the corridor based on available information. The process for establishing traffic projections must be reviewed and receive approval from Metro COG and MnDOT before proceeding. Metro COG recently conducted its regionwide traffic count program. These counts will be made available to the consultant. However, it may be necessary to conduct other counts, which the consultant should integrate into its proposal.

The Contractor will examine the current and future congestion / Level of Service classification of the roadway, and the effect on the average projected travel speeds. MnDOT requires that the percentage time spent following will be determined by data collection to include actual time driving the corridor, and verified by review of video logs provided by MnDOT as available. MnDOT requires that future congestion/Level of Service classification and effects on average travel speeds will be determined by a high-level Synchro/SimTraffic analysis. The calculations will include present and future calculations for no-build as well as after proposed improvements have been completed for comparison. Consideration for additional limiting constraints should include but not be limited to right of way or other proposed methods, upon approval of MnDOT. MnDOT requires that data collection results will be used to establish peak hour percentages of daily volumes and directional distribution. Also, the Contractor will complete Intersection Control Evaluations (ICE) at major intersections of the roadway and provide reports.

A separate scenario shall be provided that assumes the paving of currently unpaved portions of 15th Avenue N west of CR 11.

The Contractor will provide all calculations and supporting documentation for the traffic projections and analysis.

Task 4 Deliverables: The Contractor will provide the following:

- Draft Traffic Projections
- Final Traffic Projections
- Draft System Capacity Analysis
- Final System Capacity Analysis
- Draft ICE Reports
- Final ICE Reports

A technical memorandum will be provided that describes and summarizes this information, and will ultimately become part of the corridor study document.

MnDOT will:

- Review and comments on Draft Traffic, Capacity and ICE Reports
- Provide video logs of the corridor as available for review

Task 5: Land Use, Redevelopment, and Urban Context

As mentioned throughout this document, the US 10 corridor runs through the traditional downtown core of Dilworth. Dilworth, much like the rest of the region, is growing. Much of the development is occurring in the growth area on the eastern edge of Dilworth. However, other communities in the region have taken advantage of the growth pressure to spur redevelopment in core areas, and Dilworth is home to several long-standing locally owned businesses in its downtown core.

The corridor study and subsequent reconstruction of the roadway is an excellent opportunity to study, plan, and implement streetscape improvements that are aimed at helping the community accomplish the goals for its community, and Metro COG, MnDOT and the City of Dilworth agree that this is an important component of the study. The consultant should reference Dilworth's Comprehensive Plan and work with the project team to identify redevelopment areas and other contextual areas where features such as on-street parking and/or enhanced bicycle and pedestrian amenities would be consistent with the City's plan and vision for its future. The consultant is also expected to identify a menu of roadway amenities that could serve to distinguish these areas and signal their context to drivers.

Metro COG's MTP included an illustrative project of a grade separation of the BNSF rail line loosely corresponding to 14th Street NE in Dilworth. Recently BNSF approached the City of Dilworth on negotiating the closure of Main Street S at grade crossing in exchange for their participation in the aforementioned facility. This study should take this into consideration as to how that may impact the TH 10 Corridor.

Task 6: Develop Roadway Configuration Alternatives

The corridor alternatives, including the roadway alternatives and contextual elements referenced in Task 5, should be developed to respond to the issues that were identified during the existing and forecast conditions, review of plans/documents, and public input received. The Contractor will facilitate the discussion, develop, and recommend alternatives that include criteria to be used to analyze the corridor. The contractor will provide an analysis of each configuration of concepts.

MnDOT requires that the alternatives show lane dimensions of the proposed roadway width and will be black and white depictions. The Contractor is encouraged to utilize a flexible approach when determining proposed shoulder and roadway dimensions. Any alternative must be developed to minimum standards and must include documentation demonstrating that sufficient research and investigations were completed relative to minimum standards. If an alternative that uses minimum standards is recommended, documentation must be provided describing by that alternative is warranted and necessary. The plan views will be developed along each typical section and these will be generic and not site specific. The view will show traffic direction and dimensions. Detailed drawings will not be required. Concept drawings accompanied by narrative descriptions and / or graphical representations of the locations and typical sections are adequate.

This task will involve developing to-scale roadway concepts for the alternatives in sufficient detail to assess traffic operations, overall functionality, constructability, and right-of-way impacts. As part of the development process a high-level review of drainage, utilities, and potential environmental impacts will also be conducted and order of magnitude cost estimates will be prepared.

Task 6 Deliverables: The Contractor will provide the following:

- Preliminary Concept Layouts and Typical Sections
- Final Concept Layout and Typical Sections
- Narrative descriptions and/or graphical representations of the locations and typical sections

MnDOT will:

- Review and comment on Concept Layout and Typical Sections

Task 7: Feasibility and Risk Assessment /Screen Alternatives and Refine Preferred Design Concept Layout, Prepare Implementation Plan

The Contractor will provide analysis and reporting of each alternative concept layout. The Contractor will assess and document the risks and feasibility of each concept layout. Some of the risks and feasibility items to be assessed are as follows:

- Right of Way
- Drainage and Water Resources
- Environmental
- Compatibility with local plans and vision
- Permitting
- Cost (including benefit-cost ratio calculations)
- Access (especially where limiting access or turning movements)
- Constructability
- Project Delivery Timeline
- General Stakeholder issues
- Traffic Operations
- Bicycle/Pedestrian connectivity
- Safety

The Contractor will identify the needs of the corridor. The Contractor should seek to balance the needs of motorized traffic with other multimodal transportation needs and identify areas where different needs should be prioritized. These designations will assist MnDOT with the design of the project, which is scheduled for construction sometime within the next 5-10 years and future planning and scheduling efforts to capitalize on funding opportunities and ultimately make improvements when funding is available. A discussion of the remaining needs will also be included in the feasibility and risks for each.

The contractor will also assist MnDOT in developing an implementation plan for the feasible alternatives. The implementation plan will include a tentative implementation schedule, potential funding sources, and if necessary, any phasing of improvements, and will include a purpose and need statement to be carried forward once the NEPA process commences. The implementation plan shall be included in the final report

Task 7 Deliverables: The Contractor will provide the following:

- Preliminary feasibility and risk assessment
- Final feasibility and risk assessment
- Draft Implementation Plan

MnDOT will provide:

- Right-of-way files or plats as available

Task 8: Final Report, Executive Summary and Approval Process

This task will involve writing a final report to document the overall study process, alternatives evaluated and all of the associated analysis, meetings, and public input received. It is assumed that a draft report and up to three rounds of edits will be made before publishing the final report. Up to ten (10) hard copies and a pdf file of the final report will be provided to Metro COG upon completion of the project.

After completion of the final draft report, the adoption process will involve presentations to the City of Dilworth Planning Commission and City Council. A presentation to the Clay County Board may also be necessary. Final adoption will require presentations to Metro COG's Transportation Technical Committee (TTC) and Policy Board.

Task 8 Deliverable: Final report for review and comment, and, upon completion of the final study, the consultant will develop an executive summary which relays all pertinent information to the public in an easy-to-follow format. The adoption process requires presentations of major findings and recommendations to the City of Dilworth Planning Commission and City Council and presentations to the Metro COG TTC and Policy Board. The consultant will also give a presentation to MnDOT management upon completion, and before adoption, of the plan. This meeting will include both D4 and Central Office staff from affected departments.

VI. Implementation Schedule

1) Consultant Selection.

Advertise for Consultant Proposals	10/27/2021
Due Date for Proposal Submittals (by 4:30 pm)	11/17/2021
Review Proposals/Identify Finalists	(week of) 11/22/2021
Interview Finalists	(week of) 11/29/2021
Metro COG Policy Board Contract Approval	12/16/2021

VII. Evaluation and Selection Process

Selection Committee. Metro COG has established a selection committee to select a consultant. The selection committee will consist of representatives from the City of Dilworth, MnDOT, and Metro COG.

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

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

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

A consultant will be selected on or before June, 21 2018 based on an evaluation of the proposals submitted, the recommendation of the selection committee, and approval by Metro COG's Policy Board.

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

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

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

VIII. Proposal Content and Format

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

At minimum, proposals shall include the following information:

- 1) **Contact Information.** Name, telephone number, email address, mailing address, and other contact information for the consultant's project manager.
- 2) **Introduction and Executive Summary.** This section shall document the firm name, business address (including telephone, email address(es), year established, type of ownership and parent company (if any), project manager name and qualifications, and any major features that may differentiate this proposal from others, if any.
- 3) **Work Plan and Project Approach Methodology.** Proposals shall include the following, at minimum:
 - a. A detailed list of tasks and subtasks to be completed, including a description of how they will be completed. A detailed work plan identifying the major tasks to be accomplished relative to the requested study tasks and expected product as outlined in this RFP; a detailed approach for completing the plan and a summary of the proposed methodology to establish consensus on recommendations within the final product;
 - b. Milestones for the development of the project and completion of individual tasks should be submitted with the proposal.
 - c. A timeline for completion of the requested services, including all public involvement opportunities and stakeholder meetings.
 - d. List of projects of similar size, scope, type, and complexity that the proposed project team has successfully completed in the past.
 - e. List of the proposed principal(s) who will be responsible for the work, proposed project manager and project team members (with resumes).
 - f. A breakout of time for each member identified as a participant in the development of the project. This shall include a listing of hours, by task, for each member.
 - g. A list of any subcontracted agencies, the tasks they will be assigned, the percent of work to be performed, and the staff that will be assigned.
 - h. List of client references for similar projects described within the RFP.
 - i. Required Disadvantaged Business Enterprise (DBE) and/or Minority Business Enterprise (MBE) Firms participation documentation, if applicable.
 - j. Ability of firm to meet required time schedules. (Staff availability – A listing of all the projects each staff member currently participates in)

- 4) **Signature.** Proposals shall be signed in ink by an authorized member of the firm/project team.
- 5) **Attachments.** Review, complete, and submit the completed versions of the following RFP Attachments with the proposal:

Exhibit A – Cost Proposal Form (Sealed)
Exhibit B – Debarment of Suspension Certification
Exhibit C – Certification of Restriction on Lobbying
Exhibit D – Standard Form 330 (if required – see page 2).

IX. Submittal Information

Hard copies of technical and/or cost proposals should be delivered to the contact below:

Michael Maddox, AICP
Fargo-Moorhead Metropolitan Council of Governments
Case Plaza, Suite 232
One 2nd Street North
Fargo, ND 58102-4807
maddox@fmmetrocog.org

All proposals received by **4:30 pm on Wednesday, November 17, 2021** at the Metro COG office will be given equal consideration. Minority, women-owned and disadvantaged business enterprises are encouraged to participate. Respondents must submit six (6) hard copies and one (1) PDF copy of the proposal. The full length of each proposal should not exceed fifteen (15) double-sided pages for a total of thirty (30) pages; including any supporting material, charts or tables.

Metro COG reserves the right to decline a response to any question.

X. General RFP Requirements

- 1) **Sealed Cost Proposal.** All proposals must be clearly identified and marked with the appropriate project name, with a separately sealed cost proposal per the requirements of this RFP. Cost proposals shall be based on an hourly “not to exceed” amount and shall follow the general format as provided within Exhibit A of this RFP. Metro COG may decide, in its sole discretion, to negotiate a price for the project after the selection committee completes its final ranking. Negotiation will begin with the consultant identified as the most qualified per requirements of this RFP, as determined in the evaluation/selection process. If Metro COG is unable to negotiate a contract for services, negotiations will be terminated and negotiations will begin with the next most qualified consultant. This process shall continue until a satisfactory contract has been negotiated.
- 2) **Consultant Annual Audit Information for Indirect Cost.** Consulting firms proposing to do work for Metro COG must have a current audit rate no older than fifteen (15) months from the close of the firms Fiscal Year. Documentation of this audit rate must be provided with the sealed cost proposal. Firms that do not meet this requirement will not qualify to propose or contract for Metro COG projects until the requirement is met. Firms that have submitted all the necessary information to

Metro COG and are waiting for the completion of the audit will be qualified to submit proposals for work. Information submitted by a firm that is incomplete will not qualify. Firms that do not have a current cognizant Federal Acquisition Regulations (FARs) audit of indirect cost rates must provide this audit prior to the interview. **This document must be attached with the sealed cost proposal.**

- 3) **Debarment of Suspension Certification and Certification of Restriction on Lobbying.** Respondents must attach signed copies of Exhibit B – Debarment of Suspension Certification and Exhibit C – Certification of Restriction on Lobbying within the sealed cost proposal, as well as Exhibit D – Standard Form 330 (if required).
- 4) **Respondent Qualifications.** Respondents must submit evidence that they have relevant past experience and have previously delivered services similar to the requested services within this RFP. Each respondent may also be required to show that similar work has been performed in a satisfactory manner and that no claims of any kind are pending against such work. No proposal will be accepted from a respondent whom is engaged in any work that would impair his/her ability to perform or finance this work.
- 5) **Disadvantaged Business Enterprise.** Pursuant to U.S. Department of Transportation policy and 49 CFR Part 26, Metro COG supports the participation of DBE/MBE businesses in the performance of contracts financed with federal funds under this RFP. Consultants shall make an effort to involve DBE/MBE businesses in this project. If the consultant is a DBE/MBE, a statement indicating that the business is certified DBE/MBE in North Dakota or Minnesota shall be included within the proposal. If the consultant intends to utilize a DBE/MBE to complete a portion of this work, a statement of the subcontractor's certification shall be included. The percent of the total proposed cost to be completed by the DBE/MBE shall be shown within the proposal. Respondents should substantiate (within proposal) efforts made to include DBE/MBE businesses.
- 6) **U.S. Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodations.** Consultants are advised to review and consider the *U.S. Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation* issued in March of 2010 when developing written proposals.
- 7) **North Dakota Department of Transportation Consultant Administration Services Procedure Manual.** Consultants are advised to follow procedures contained in the *North Dakota Department of Transportation Consultant Administration Services Procedure Manual*, which includes pre-qualifications of consultants. Copies of the manual may be found on Metro COG's website at www.fmmetrocoq.org or the NDDOT website at www.dot.nd.gov.

XI. Additional Information

A list of additional reference documents and information may be made available for consultants upon request.

XII. Contractual Information

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

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

XIII. Payments

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

Invoicing – The consultant shall submit invoices for the previous month’s expenses. The invoice period shall be from the first to the last day of the month. Invoices must be submitted to Metro COG on or before the 10th day of the month. Invoices received after the 10th day of the month will not be considered for payment until the following month.

Invoices should include the total amount requested, total amount billed to date, billing percentage, amount of overhead and profit, a delineation of time spent by each participant by task, receipts for all requested reimbursements (travel, hotel, meals, etc.) from the previous month, and a project status report detailing the month’s accomplishments.

XIV. Federal and State Funds

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

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

of 2 CFR 200.

XV. Title VI Assurances

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

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

leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto.

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

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

XVI. Termination Provisions

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

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

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

XVII. Limitation on Consultant

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

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

XVIII. Conflict of Interest

No consultant, subcontractor, or member of any firm proposed to be employed in the preparation of this proposal shall have a past, ongoing, or potential involvement which could be deemed a conflict of interest under North Dakota Century Code or other law. During the term of this agreement, the consultant shall not accept any employment or engage in any consulting work that

would create a conflict of interest with Metro COG or in any way compromise the services to be performed under this agreement. The consultant shall immediately notify Metro COG of any and all potential violations of this paragraph upon becoming aware of the potential violation.

XIX. Insurance

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

XX. Risk Management

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

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

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

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

Metro COG and the State reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time. Any attorney who represents the State under this contract must first qualify as and be appointed by the North Dakota Attorney

General

as a Special Assistant Attorney General as required under North Dakota Century Code Section 54-12-08.

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

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

Exhibit A – Cost Proposal Form

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

REQUIRED BUDGET FORMAT
Summary of Estimated Project Cost

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

Exhibit B – Debarment of Suspension Certification

Background and Applicability: In conjunction with the Office of Management and Budget and other affected federal agencies, DOT published an update to 49 CFR Part 29 on November 26, 2003. This government-wide regulation implements Executive Order 12549, Debarment and Suspension, Executive Order 12689, Debarment and Suspension, and 31 U.S.C. 6101 note (Section 2455, Public Law 103-255, 108 Stat. 3327).

The provisions of Part 29 apply to all grantee contracts and subcontracts at any level expected to equal or exceed \$25,000 as well as any contract or subcontract (at any level) for federally required auditing services. 49 CFR 29.220 (b). This represents a change from prior practice in that the dollar threshold for application of these rules has been lowered from \$100,000 to \$25,000. These are contracts and subcontracts referred to in the regulation as “covered transactions.”

Grantees, contractors, and subcontractors (at any level) that enter into covered transactions are required to verify that the entity (as well as its principals and affiliates) they propose to contract or subcontract with is not excluded or disqualified. They do this by (a) Checking the Excluded Parties List System, (b) Collecting a certification from that person, or (c) Adding a clause or condition to the contract or subcontract. This represents a change from prior practice in that certification is still acceptable but is no longer required. 49 CFR 29.300.

Grantees, contractors, and subcontractors who enter into covered transactions also must require the entities they contract with to comply with 49 CFR 29, subpart C and include this requirement in their own subsequent covered transactions (i.e., the requirement flows down to subcontracts at all levels).

Instructions for Certification: By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.

Suspension and Debarment: This contract is a covered transaction for purposes of 49 CFR Part 29. As such, the contractor is required to verify that none of the contractor, its principals, as defined in 49 CFR 29.995, or affiliates, as defined at 49 CFR 29.905, are excluded or disqualified as defined at 49 CFR 29.940 and 29.945.

The contractor is required to comply with 49 CFR 29, Subpart C and must include the requirement to comply with 49 CFR 29, Subpart C in any lower tier covered transaction it enters into.

By signing and submitting its bid or proposal, the bidder or proposer certifies as follows:

The certification in this clause is a material representation of fact relied upon by the recipient. If it is later determined that the bidder or proposer knowingly rendered an erroneous certification, in addition to remedies available to the recipient, the federal government may pursue available remedies, including but not limited to suspension and/or debarment. The bidder or proposer agrees to comply with the requirements of 49 CFR 29, Subpart C while this offer is valid and throughout the period of any contract that may arise from this order. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

Contractor _____
Signature of Authorized Official _____ Date ____ / ____ / ____
Name & Title of Contractor’s Authorized Official _____

Exhibit C – Certification of Restriction on Lobbying

I, _____ hereby certify on
(Name and Title of Grantee Official)
behalf of _____ that:
(Name of Bidder / Company Name)

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

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S. Code 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Section 3801, et seq, are applicable thereto.

Name of Bidder / Company Name _____

Type or print name _____

Signature of authorized representative _____ Date ___ / ___ / ___

(Title of authorized official)

Exhibit D – Standard Form 330

ARCHITECT-ENGINEER QUALIFICATIONS

PART 1-CONTRACT-SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

1. TITLE AND LOCATION (City and State)

2. PUBLIC NOTICE DATE

3. SOLICITATION OR PROJECT NUMBER

B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE

5. NAME OF FIRM

6. TELEPHONE NUMBER

7. FAX NUMBER

8. E-MAIL ADDRESS

C. PROPOSED TEAM

(Complete this section for the prime contractor and all key personnel.)

i.	[Check]				9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	PRIME	J-V	PARTNER	SUBCONTRACTOR			
i.					<input type="checkbox"/> IF BRANCH OFFICE		
ii.					<input type="checkbox"/> IF BRANCH OFFICE		
iii.					<input type="checkbox"/> IF BRANCH OFFICE		
iv.					<input type="checkbox"/> IF BRANCH OFFICE		
v.					<input type="checkbox"/> IF BRANCH OFFICE		
vi.					<input type="checkbox"/> IF BRANCH OFFICE		

D. ORGANIZATIONAL CHART OF PROPOSED TEAM

FOR LOCAL REPRODUCTION

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS PROJECT

(Complete one Section E for each key personnel)

12. TITLE	13. ROLE IN THIS CONTRACT	14. YEARS EXPERIENCE
		a. TOTAL b. WITH CURRENT FIRM
15. FIRM NAME AND LOCATION (City and State)		
16. EDUCATION (Degree and Specialization)		17. PROFESSIONAL REGISTRATION (State and Discipline)
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)		

FOR RELEVANT PROJECTS

(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED
	PROFESSIONAL SERVICES (BY STATE/CITY) (If applicable)
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED
	PROFESSIONAL SERVICES (BY STATE/CITY) (If applicable)
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED
	PROFESSIONAL SERVICES (BY STATE/CITY) (If applicable)
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED
	PROFESSIONAL SERVICES (BY STATE/CITY) (If applicable)
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED
	PROFESSIONAL SERVICES (BY STATE/CITY) (If applicable)
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input type="checkbox"/> Check if project performed with current firm

G. KEY PERSONNEL PARTICIPATION IN EXAMPLE PROJECTS

26. NAMES OF KEY PERSONNEL (From Section E, Block 1)	27. ROLE IN THIS CONTRACT (From Section E, Block 1)	28. EXAMPLE PROJECTS LISTED IN SECTION F (Fill in "Example Projects Key" section below before completing this table.) Place "X" under project key number for participation in same or similar projects.									
		1	2	3	4	5	6	7	8	9	10

29. EXAMPLE PROJECTS

KEY NUMBER	TITLE OF EXAMPLE PROJECT (From Section F)	KEY NUMBER	TITLE OF EXAMPLE PROJECT (From Section F)
1		1	
2		2	
3		3	
4		4	
5		10	

H. ADDITIONAL INFORMATION

30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

31. SIGNATURE

32. DATE

33. NAME AND TITLE

ARCHITECT-ENGINEER QUALIFICATIONS

1. SOLICITATION NUMBER (If any)

PART II - GENERAL QUALIFICATIONS

(If a firm has branch offices, complete for each specific branch office seeking work.)

Request for Proposals (RFP)
TH 10 Corridor Study through Dilworth

2a. FIRM (or Branch Office) NAME			3. YEAR ESTABLISHED	4. UNIQUE ENTITY IDENTIFIER
2b. STREET			5. D U W N C A S E N U M B E R	
2c. CITY	2d. STATE	2e. ZIP CODE	a. TYPE	
6a. POINT OF CONTACT NAME AND TITLE			b. SMALL BUSINESS STATUS	
6b. TELEPHONE NUMBER			16c. E-MAIL ADDRESS	
8a. FORMER FIRM NAME(S) (If any)			8b. YEAR ESTABLISHED	8c. UNIQUE ENTITY IDENTIFIER

9. EMPLOYEES BY DISCIPLINE				10. PROFILE OF FIRM'S EXPERIENCE AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS		
a. Function Code	b. Discipline	c. Number of Employees		a. Profile Code	b. Experience	c. Revenue Index (see below)
		(1) FIRM	(2) BRANCH			
Other Employees:						

11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS <i>(Insert revenue index number shown at right)</i>	PROFESSIONAL SERVICES REVENUE INDEX
a. Federal	1. Less than \$100,000 2. \$100,000 to less than \$250,000 3. \$250,000 to less than \$500,000 4. \$500,000 to less than \$1 million 5. \$1 million to less than \$2 million 6. \$2 million to less than \$5 million 7. \$5 million to less than \$10 million 8. \$10 million to less than \$25 million 9. \$25 million to less than \$50 million 10. \$50 million or greater
b. Non-Federal	
c. Total	

12. AUTHORIZED REPRESENTATIVE
The foregoing is a statement of facts.

a. SIGNATURE	b. DATE
c. NAME AND TITLE	

To: Transportation Technical Committee
From: Michael Maddox, Sr. Transportation Planner and Cindy Gray, Executive Director
Date: October 10, 2021
Re: **RFP for the University Drive and 10th Street Corridor Study**

UPWP Amendment 2, approved in the summer of 2021, included a corridor study of the University Drive and 10th Street one-way pair. The desire for a study that would look at the feasibility of converting these streets to two-way streets, in conjunction with other alternatives that may improve livability and neighborhood preservation, has come to light at different times over the past few years, and most recently was encountered by the City of Fargo during the Core Neighborhoods Master Plan.

Attachment 1 is an RFP for the study. The scope of work has been discussed with the City of Fargo, and is designed in a manner that the later phases of the study can be tailored to the input and outcomes of the first phase of the study. The study is intended to address much more than traffic; it will address the relationship between roadway configuration, land use, and economic impact/feasibility of preserving portions of the surrounding neighborhood, or redeveloping segments where greater investment is desirable.

Requested Action: Recommend approval of the RFP for the University Drive and 10th Street Corridor Study to the Policy Board.

**FARGO-MOORHEAD
METROPOLITAN COUNCIL OF GOVERNMENTS**

REQUEST FOR PROPOSALS (RFP)

PROJECT NO. 2021-225

University Drive and 10th Street Corridor Study

October 2021

APPROVED:

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

REQUEST FOR PROPOSALS (RFP)

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

University Drive and 10th Street Corridor Study

Qualifications based selection criteria will be used to analyze proposals from responding consultants. The most qualified candidates may be invited to present a virtually hosted interview. Upon completion of technical ranking and interviews, Metro COG will enter into negotiations with the top ranked firm. **Sealed cost proposals shall be submitted with the proposal.** The cost proposal of the top ranked firm will be opened during contract negotiations. Those firms not selected for direct negotiations will have their unopened cost proposals returned. Metro COG reserves the right to reject any or all submittals. This project will be funded, in part with federal transportation funds and has a not-to-exceed budget of **\$275,000.**

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

All proposals received by **4:30 pm (Central Time) on Friday, November 19, 2021** at Metro COG's office will be given equal consideration. Proposals received after 4:30 pm (Central Time) on November 19, 2021 will not be considered. Respondents must submit twelve (12) hard copies and a PDF of the proposal, and one (1) sealed hard copy of the cost proposal. The full length of each proposal shall not exceed fifteen (15) double sided pages for a total of thirty (30) pages; including any supporting material, charts, or tables.

The digital version (PDF) of the proposal may be emailed. The consultant must verify that the email was received with the PDF attachment prior to 4:30 pm on the due date. Proposal documents and sealed cost proposals shall be shipped to ensure timely delivery to the contact identified below:

Michael Maddox, Senior Transportation Planner
Fargo-Moorhead Metropolitan Council of Governments
One 2nd Street North, Suite 232
Fargo, ND 58102
maddox@fmmetrocog.org
701-532-5104

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

Questions must be directed to Michael Maddox (phone number and email shown above).

Note: This document can be made available in alternative formats for persons with disabilities by contacting Savanna Leach, Office Manager at 701.532.5100 or leach@fmmetrocog.org.

TABLE OF CONTENTS

I.	Agency Overview	4
II.	Background Information	4
III.	Scope of Work and Performance Tasks.....	7
IV.	Implementation Schedule	14
V.	Evaluation and Selection Process.....	15
VI.	Proposal Content	16
VII.	Submittal Information	17
VIII.	General RFP Requirement	17
IX.	Contractual Information	18
X.	Payments.....	19
XI.	Federal and State Funds	19
XII.	Title VI Assurances	19
XIII.	Termination Provisions.....	21
XIV.	Limitation on Consultant	22
XV.	Conflict of Interest.....	22
XVI.	Insurance.....	22
XVII.	Risk Management	22
	Exhibit A – Cost Proposal Form	
	Exhibit B – Federal Clauses	

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

I AGENCY OVERVIEW

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

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

II BACKGROUND INFORMATION

Metro COG, the City of Fargo, and NDDOT will study the University Drive and 10th Street one-way pair, from 19th Avenue N to 13th Avenue S, to identify opportunities to enhance neighborhood livability and economic conditions along these two corridors. In response to neighborhood input received by the City of Fargo during the development of the Core Neighborhoods Master Plan, these two corridors will be studied to identify roadway alternatives and livability characteristics that will address issues raised by the public. One alternative will likely include a study of the impacts, feasibility and desirability of converting the one-way configuration of University Drive and 10th Street (US Hwy 81) to two-way streets between 19th Avenue N and 13th Avenue S. Other alternatives will be identified during the study process. Traffic forecasts and traffic operations analyses will be conducted to examine the extent to which the roadway sections can be used in their existing configurations and to identify roadway segments that would require partial or full reconstruction and widening. Impacts to intersecting and parallel roadways must be identified and analyzed as well as impacts to adjacent properties. Impacts to freight and delivery services shall be identified and analyzed. Impacts to transit routes, bicyclists and pedestrians will be identified and addressed as part of the study.

Complete streets components, including the advantages, disadvantages, and feasibility of on-street parking and aesthetic improvements shall be identified. Roadway components, traffic control modifications, and other improvements needed to make such a change will be identified. Planning level cost estimates will be provided. Stakeholder and public engagement will be conducted to determine the level of support for leaving the corridors the same, and for changing them to incorporate other configurations or components. A land use and economic analysis will be required to identify if and how changes to the configuration of these corridors could enhance the viability of existing areas of single family residential land use or improve upon the livability

University Drive & 10th Street Corridor Study

of the neighborhoods along University and 10th Street. This analysis should expand upon public input received by the City of Fargo during the development of the Core Neighborhoods Master Plan.

Consultants should describe the extent to which microsimulation efforts could be employed in this study to facilitate the review of alternatives. Refined study alternatives (up to two) should be animated so that the general public can view 3-D walk-thru representations of the alternatives. The alternatives should reflect projected traffic volumes and operations as well as elements usually included in typical corridor studies. A warrant analysis should be done for all existing signalized intersections as well as all proposed traffic control.

Collectively, University Drive and 10th Street are designated as US Highway 81, and are functionally classified as primary arterials. Traffic volumes vary from segment to segment:

- University Drive – 9,000 to 18,000 vehicles per day
- 10th Street – 7,000 to 12,000 vehicles per day

Since these two roadways are signed as US Highway 81, those volumes include tractor-trailers and other such freight traffic, which are commonly seen traversing the corridor.

In 2014, the City of Fargo removed the 1st Avenue North/NP Avenue one-way pair, opting to open it to two-way traffic. Since that occurred, many have wondered if University Drive and 10th Street could similarly be converted. Further thought was given to the conversion after a counter-flow northbound lane was installed on University Drive in 2019 between Main Avenue and NP Avenue under the BNSF XO Line grade separation to facilitate the movement of traffic into downtown Fargo.

The cross-section of the roadways varies as they traverse various contextual areas, which include:

- 13th Avenue to 1st Avenue South – This section of both University Drive and 10th Street consists of mainly single-family residential land uses with a sprinkling of multiple family and institutional uses such as the Cass County Courthouse and Law Enforcement building (both sides of 10th Street S), churches and a school district building on University Drive S. Several former single-family homes have been converted to offices. Sidewalks are present on both sides of the roadways, separated from the travel lanes by tree-lined boulevards.
- 1st Avenue South to 7th Avenue North – This segment of the two corridors is generally considered part of downtown Fargo, although redevelopment consists of a mixture of auto-oriented and pedestrian oriented design. There are a variety of uses in this segment. This includes North Dakota State University's College of Business which is on the corner of 2nd Avenue North and 10th Street. Both roadways

University Drive & 10th Street Corridor Study

have two railroad grade separations within this segment. The roadway cross sections grows to three-lanes in either direction. Typical urban sidewalks exist on both sides of the street, separated from traffic by a narrow boulevard, but no other bicycle infrastructure exists. The presence of boulevard trees is very inconsistent along this segment of both roadways. Intersections with several cross streets are signalized.

- 7th Avenue North to 19th Avenue North – This section transitions back to mostly single-family residential land use on 10th Street N, with an elementary school, a high school, churches, and multiple family land use north of 17th Avenue N, with a gas/station convenience store and strip commercial development along 19th Avenue N between 10th Street N and University Drive. University Drive runs along the east side of the FargoDome, the Sanford Health Athletic Complex, and the rest of NDSU's main campus between 12th Avenue North and 19th Avenue North. Along the opposite side of University Drive, segments of the corridor have been redeveloped as multiple family residential developments and additional campus buildings have replaced single family dwellings. Fraternity and sorority houses continue to line a portion of the corridor east of the campus, along with a gas station/convenience store and a restaurant/bar establishment. This segment has both bicycle and pedestrian infrastructure, including a wide sidewalk along the NDSU campus, typical-width sidewalks along the remainder of both streets, and a one-way on-street bike lane on both University Drive and 10th Street N.

University Drive and 10th Street are one of the predominant ways to access downtown Fargo, and traverse the downtown area en route to large traffic generators such as the NDSU campus, the FargoDome, and the Veterans Administration Hospital, for example, and as such, experience peak hour commuter traffic. The FargoDome also influences traffic volumes during events, such as concerts, circuses, rodeos, athletic events, and numerous other events that draw large traffic volumes, either continuously over several days, or in large, concentrated numbers before and after events. The FargoDome has studied traffic flow into and out of their parking lots to optimize the flow of traffic both before and after events.

Both University Drive and 10th Street are also major corridors for transit. NDSU students comprise approximately 50 percent of MATBUS riders. The highest volume MATBUS transit route operates on University Drive and 10th Street N during the school year between Barry Hall and the NDSU main Campus (33U). The majority of NDSU's students do not live on campus (2,925 students live in residence halls/12,461 total enrollment). NDSU is also one of the largest employers in the region as well, with 2,462 full-time and 3,713 part-time employees.

The City of Fargo has conducted a number of planning studies for the areas adjacent to this corridor, namely the Downtown Master Plan and the Core Neighborhoods Master Plan. They can be found on the City of Fargo Planning and Development Department's website, but are summarized below:

University Drive & 10th Street Corridor Study

- Downtown Master Plan (2016) - Downtown InFocus is a comprehensive, action-oriented guidebook for the future of Fargo's historic Downtown. Downtown is a growing residential neighborhood, home to small and innovative businesses; it possesses a collection of locally-owned stores and restaurants that rivals that of cities with much larger populations.

The Downtown InFocus focus area is comprised of 560 acres in the heart of Fargo. It includes all of the Business Improvements District (BID) and the Renaissance Zone and stretches from University Avenue to the Red River and roughly from Sanford Hospital to the southern edge of Island Park. This study area is larger than the traditional Downtown "core" to account for the fact that the connections between Downtown and the near neighborhoods are critically important to the future of Downtown. The plan recognizes that the study area boundaries are fuzzy meaning that we have not planned for Downtown in a vacuum. This plan does include data and strategies that extend outside of the Downtown study area based upon the feedback and guidance from residents and local leaders.

The plan sets forth a vision of downtown addressing factors such as: growing as a Neighborhood, prospering as a business center, thriving as a destination, and likely most impactful to this study, instituting complete streets holistically. Much of the impetus to study University Drive and 10th Street stems from Downtown Fargo growing to encompass these facilities.

- Core Neighborhoods Master Plan (2020) - The result of the Core Neighborhoods Master Plan is that it achieves both a core-wide perspective for long-term policymaking and a neighborhood-level focus on desired outcomes and implementation. The Core Neighborhoods Master Plan is organized into five interconnected parts to guide decision-making and action by the City of Fargo, resident leaders, and a variety of other stakeholders from individual neighborhoods up to the regional and state levels. Broad commonalities across Fargo's core—revealed throughout the planning process—resulted in a plan that offers a unified approach to decision-making and strategy development throughout the core.

The Core Neighborhoods Master Plan provides detailed findings on a number of issues and provides broad direction of decision-making and the implementation of a specific set of tools. When boiled down to its essence, however, four essential points are critical for understanding what the core neighborhoods need and how to approach the work in coming years.

- Four issues are singled out as priorities in Part 1 due to their prevalence, at some level, throughout the core neighborhoods. Of those four issues, the two that were voiced most frequently are directly related to the condition, maintenance, marketability, and impact of the core's aging housing stock.

University Drive & 10th Street Corridor Study

- Fargo's core neighborhoods feature residential areas developed late in the 19th century when the city was in its infancy, areas developed during the height of the postwar Baby Boom, and everything in between. There are also areas where new construction is a prominent part of the landscape. This level of variety, and the life cycles of homes and social fabric that go with it, are part and parcel of having neighborhoods that have been around for generations. For a relatively young city like Fargo—where most people now live in much newer neighborhoods outside the core—this requires recognition and application of planning concepts that are especially relevant for aging neighborhoods.
- On what basis should decisions on a wide range of issues be made? And how can those decisions be made in a manner that cumulatively moves Fargo and its core neighborhoods in their desired direction? The values and planning principles in Part 3 provide a basic and flexible framework for evaluating opportunities and options—foreseeable and unforeseeable—that are likely to have either a direct or indirect impact on the health and vitality of core neighborhoods. Importantly, this framework makes it clear that many decisions that impact the core in some manner are often not recognizable at first blush as relevant to the core.
- Owing to the range of issues that affect the health and vitality of Fargo's core neighborhoods, a comprehensive toolkit will be needed to adequately address the opportunities and challenges facing the core. The five components of the toolkit in Part 4 acknowledge current practices around each set of tools and recommend changes or additions to those practices. Rather than treating the toolkit as an a la carte menu, it will be critical to view them as parts that reinforce each other. In other words, deriving the full impact of one set of tools will not be possible without the others.

All relevant plans affecting the corridor or areas surrounding the corridor will be given to the consultant for consideration during the data collection phase of the project. Until that time, the plans mentioned above can either be found on Metro COG's or the City of Fargo's website. It is encouraged that all interested consultants review relevant plans on each site prior to submittal.

III SCOPE OF WORK AND PERFORMANCE TASKS

Discussions between Metro COG and the City of Fargo have led to the approach of conducting this project in two distinct phases. The first phase would consist of public and stakeholder outreach, data collection, alternative development, preliminary feasibility, determining impact to the larger transportation network, analyzing impacts to adjacent properties and neighborhoods, and an economic analysis. The second phase would be determined after the feasibility of changing the corridor is discovered in the first phase. Tasks would include a more in-depth analysis of alternatives for the corridor,

planning level layouts of those alternatives to see potential impacts, traffic control, and planning level cost estimation. Metro COG reserves the right to renegotiate the tasks in phase two after the successful completion of phase one. This negotiation will determine the specific information and tasks needed to move forward with the project in a manner that will help City and NDDOT leadership use the study as a decision-making tool.

Metro COG and the City of Fargo have defined what they see as tasks critical to the success of the study; however, consultants should propose any alternate or additional tasks they see as being beneficial.

Below are tasks the Consultant is expected to complete as part of this project:

Task 1 – Project Management and Coordination (All Phases)

The Consultant will be required to manage the study and coordinate with any subconsultants, as well as be responsible for all documentation and equipment needs. The Consultant will identify a project manager from their team to act as the direct point of contact for Metro COG's project manager.

The Consultant should expect bi-weekly progress meetings with Metro COG to discuss the status of the project, seek any guidance, clarification, or information, and discuss any issues or concerns regarding the project. The Consultant should expect additional meetings with Metro COG on an as-needed basis. It's anticipated that these meetings will usually be virtual web-based meetings, with some consisting of a quick check-in, and others being of longer duration to discuss project details.

Additionally, the Consultant should expect to prepare monthly progress reports, submit adequate documentation of any and all travel and expense receipts, and prepare and submit invoices on a monthly basis. When submitting progress reports, the Consultant and subconsultant(s), if applicable, will be required to outline the following:

- Performed work during the reporting period,
- Upcoming tasks,
- Upcoming milestones,
- Status of scope and schedule, and
- Any issues that need to be brought to Metro COG's attention.

All invoices, travel and expense receipts, and progress reports, are due to Metro COG's project manager no later than the 2nd Thursday of each month to ensure invoices are processed in a timely manner.

Task 2 – Data Collection – Documentation of Existing Conditions (Phase 1)

The following data shall be collected and documented as part of the study. These data components will be used to establish existing conditions, and will be critical to the identification of issues and needs.

Traffic Count Data – The Consultant shall propose a strategy for collecting turning movement counts at major intersections along the corridor. Metro COG and NDDOT have collected volumes along corridor segments in 2021. Because of the location of the FargoDome on this Corridor, it will be important to assess the impact of event related traffic. The consultant should propose how it would collect such data.

Metro COG will make access to Streetlight data available to the consultant. This data is helpful in determining the origins and destinations of traffic using the corridor.

Other Data Needs – Due to the complex nature of this corridor, the consultant may need to develop new datasets that would detail corridor conditions. There may be some information on these within current City of Fargo or Metro COG plans. Such data collections efforts may include:

- Existing land use along the corridors, including various housing characteristics: age, condition, historical status, etc.
- Vegetation along the corridor: character, age, quality
- Municipal infrastructure: street lighting, utilities, etc.
- Transit routes and infrastructure: routes, stops, shelters
- Bicycle and pedestrian infrastructure: sidewalks, paths, signage, on-street bicycle lanes, etc.
- Traffic control: including features serving bicycle and pedestrian traffic
- Pavement condition
- Driveways and other property access features (e.g. alleys)
- Roadway characteristics: lane configuration, speed, width, intersections, crosswalks, etc.
- Demographics of the study area: age, race, income, language, and other factors used in both an equity analysis and environmental justice evaluation
- Crash data
- National Environmental Policy Act (NEPA) Considerations

These are some of the many datasets that will need to be collected during the plan's development. Metro COG, the City of Fargo, or NDDOT may have some or all of these datasets already developed. The consultant will need to develop any such datasets that do not currently exist and that would be critical to the plan's development.

Task 3 – Public Engagement, Stakeholder Involvement, and Adoption Process (All Phases, but Emphasized in Phase 1)

Public engagement is a very critical component of this project. Metro COG and the City of Fargo wish to seek input from corridor residents, property owners, and stakeholders about their desires for the future of the corridor and the relationship between the corridor and the surrounding neighborhoods. It will also be important to seek input from the traveling public at large that use these corridors on a regular basis. Certain stakeholders, such as NDSU and the FargoDome are very invested in the relationship between their facilities and the existing roadway configuration. Input from their leadership is critical to

the direction of the study. The Consultant will propose an approach to stakeholder and public engagement which shall ultimately be placed in a public engagement plan, to be reviewed and approved by the Study Review Committee (SRC). The approach to public engagement should be robust and should include multiple means of communicating to stakeholders and the public to ensure thorough input throughout the process.

Since this project is exploratory in nature, the outcome of the project will depend on input from the public. The consultant should not only devise a method to engage with the public, but also a method of evaluating, categorizing, and documenting input received, and using it to help formulate the alternatives that are ultimately studied.

Study Review Committee - membership should be recommended, along with the role of the SRC and the number of meetings.

Stakeholder Groups – The consultant should conduct meetings with stakeholders, which are those groups or individuals who have direct stake in the corridor. Such groups could include, but not limited to:

- Neighborhood Organizations: Downtown Community Partnership, Roosevelt Neighborhood Association, Downtown Neighborhood Association, Hawthorne Neighborhood Association, Clara Barton Neighborhood Associations. Other adjacent or nearby neighborhoods that do not have organizations include the Washington, Jefferson/Carl Ben, and Madison/Unicorn Park Neighborhoods.
- Businesses/Institutions
- Redevelopment interests (including NDSU Development Foundation)
- Residents along the corridor

Public Meetings and Engagement – As stated above, the public engagement plan should include a campaign to reach out to users of this corridor and the general public. The consultant should place particular emphasis on advertising efforts, using such methods as mailings, postcards, dynamic messaging signs, press releases, signs, posters, social media, or any other such project messaging effort that is successful in engaging with the community at large. The consultant should devote space and attention to provide a detailed description of the proposed approach to the outreach campaign within its proposal.

The consultant should also plan specific engagement meetings where the public and stakeholders can come to provide input. The methods for gathering input for these meetings should be included within the project's public engagement strategy. Metro COG prefers active public engagement methods and sees benefit in engagement strategies that employ a graphical approach that is easily understood by non-transportation professionals.

Please note that all public notices, mailings, and social media boosts, etc. shall be paid for out of the project budget. Metro COG's website will be used to host the project

website, and Metro COG staff will work with the consultant to keep the website up-to-date with content provided by the consultant team.

Project Branding/Messaging – The consultant should detail in its proposal how it will brand the project in order to differentiate this project from other projects Metro COG, NDDOT, or the City of Fargo are conducting. The consultant should also propose how it will control project messaging to ensure the public is informed that changing the configuration of the roadways is not a foregone conclusion. This study must be designed to be a fair and impartial evaluation of the feasibility and desirability of change.

Update Meetings – It is important in this project to, from time to time, check in with local boards and commissions on the progression of the study. It is expected that the Fargo Planning Commission and The Fargo City Commission be given opportunity to comment during the process of the study, especially given differing views on the existing one-way pair system. These updates may occur during regularly scheduled Planning Commission meetings, or joint Planning Commission/City Commission “Brown Bag” sessions, which are usually held during the noon hour where staff and consultants can go through information with appointed and elected officials in a more informal setting.

Please anticipate periodic updates (i.e. quarterly or at key project milestones) to Metro COG’s Transportation Technical Committee and Policy Board.

Approval Process – In order to complete the review and approval process, final recommendations must be presented to a number of bodies, which include:

- Public Works Project Evaluation Committee (PWPEC)
- MAT Coordinating Board (detail transit impacts)
- NDDOT Management Team
- Fargo Planning Commission
- Fargo City Commission
- Metro COG Transportation Technical Committee
- Metro COG Policy Board (Final Approval)

Presentations must be made in front of the first six bodies before bringing the final plan for approval in front of the Metro COG Policy Board. A resolution of support should be developed for governing bodies in order to show formal action on support of the study’s recommendations.

Task 4 – Land Use and Economic Analysis (Phase I)

Using the existing Downtown InFocus Master Plan and the Core Neighborhoods Master Plan as a starting point, the consultant shall lead the City of Fargo and Metro COG through an analysis of land uses along the 10th Street and University Drive corridors, and the adjacent blocks between the two corridors, to identify:

- land uses and areas that are most subject to change, and within those, areas where preservation would be more desirable,
- locations where a land use transitions are desirable and consistent with past planning and public input,
- opportunities and constraints resulting from the existing roadway configuration (i.e. the one-way pair) that make it more or less likely that the desired land use and economic characteristics of the area will be achieved.

Change, if desired, does not necessarily equate to redevelopment; it may, in some portions of the study, equate to reinvestment in existing structures and stabilization of existing neighborhoods.

Once the above analysis has been completed, the study should look at the potential economic growth that could occur from land use transitions and/or stabilization of areas that are desirable for preservation. The economic analysis should analyze the likelihood of successful transition under the existing roadway configuration, and a modified roadway configuration, such as converting the one-way pair to two-way streets. Economic factors such as tax base and potential for economic activity, jobs, and support of neighborhood schools should be analyzed, along with other recommended components of an economic analysis.

After alternatives have been developed in a later task, a review shall be conducted to identify components that are consistent with the assumptions of the economic analysis, and components that could be improved upon for the sake of fulfilling the vision that served as the basis for the initial analysis.

Task 5 – Future Traffic Projections

The outcome of Task 4 shall be used to update the socioeconomic data used as part of the travel demand model to prepare future traffic projections. The consultant shall work with NDSU's Advanced Traffic Analysis Center (ATAC) to acquire the most recent model and socioeconomic (SE) data used in the travel demand model (Veterans Boulevard Corridor Extension Study). The consultant, in collaboration with Metro COG and the City of Fargo, will translate the outcomes of Task 4 into equivalent modifications to the socioeconomic data used in the travel demand model to reflect future land uses along and between 10th Street and University Drive. Different scenarios may correlate with different roadway configurations.

Task 6 – Traffic Operations Analysis (Phase 1)

Based on projected traffic volumes, a traffic operations analysis shall be completed that uses a method of traffic simulation that will serve as a tool for evaluating the operations and feasibility of future corridor alternatives.

The consultant should determine other such corridors that may be impacted by the change in operations, and determine what the extent of such impact may be. The consultant will work with the SRC to determine an applicable catchment area for the traffic analysis. Knowing the totality of impacts stemming from the possible conversion is crucial in determining the feasibility of converting the one-way pair system.

Metro COG will coordinate with ATAC to make its Dynamic Traffic Assignment model available for use on the project. The consultant should detail all such other modeling capabilities that it would utilize in studying the corridor.

Task 7 – Alternative Feasibility Analysis (Phase 1)

Consultants should present a detailed summary of their Phase 1: Evaluation of Alternatives analysis. The determination should include a clear methodology of how feasibility is determined, and be easily understood as to how components in the tasks above fit into the methodology. The consultant should work closely with the SRC to develop the criteria that will be used to make the determination.

Based on the review of the alternatives, the consultant will work with the SRC to determine how to proceed. If the determination is made that some type of reconfiguration of the 10th Street and University Drive one-way pair is feasible, a more detailed alternatives analysis will need to occur. If the determination is made that a different alternative for the corridor is not feasible, an investigation into addressing issues with the current configuration of the corridor will need to occur.

The consultant and Metro COG will need to negotiate the scope of work for those tasks after completion of Phase 1 tasks. It is expected that 60-75% of the budget will need to be expended on Phase 1 tasks. The consultant should include a breakdown of Phase 1 and Phase 2 hours within both the project proposal (summary of hours) and the sealed cost proposal.

Elements that may be included in Phase 2 of the University Drive and 10th Street Corridor Study may include:

Feasible:

- Intensive corridor alternative modeling (3-D visualization of alternatives)
- Identification of traffic control modifications or other changes needed
- Identification of Complete Streets components
- Functional Classification Review
- Conceptual layouts
- Parallel corridor impacts and needed improvements

- Equity analysis comparing alternatives
- Planning level summary of NEPA considerations, including an environmental justice review
- Timing and phasing of improvements
- Draft and Final plan development

Infeasible:

- Current traffic control review: signal warrant analysis, etc
- Address current complete street issues
- Evaluation of current traffic control measures
- Roadway characteristics analysis: review how current characteristics such as lane-widths, lane configurations, etc, could be modified have less of an impact on the surrounding neighborhoods and be friendlier to the goals of the subarea (as listed in the Core Neighborhoods Plan).
- Equity analysis comparing alternatives
- Planning level summary of NEPA considerations, including an environmental justice review
- Identification of Complete Streets components
- Draft and Final plan development

The consultant should address the transition of the project from Phase 1 to both possible Phase 2 alternatives with their proposal. The project team should include team members that can adequately continue the project under both scenarios. The consultant should include all such Phase 2 tasks that it would see fit in both scenarios.

IV IMPLEMENTATION SCHEDULE

1) Consultant Selection

Advertise for Consultant Proposals	10/25/2021
Due Date for Proposal Submittals (by 4:30pm)	11/19/2021
Review Proposals/Identify Finalists	11/22/2021 – 11/26/2021
Interview Finalists	between 11/29/2021 and 12/3/2021
Metro COG Board Approval/Consultant Notice	12/16/2021
Contract Negotiations	1/4/2022 – 1/7/2022
Signed Contract	Immediately after contract negotiations
Notice to Proceed	One day following a signed contract

V EVALUATION AND SELECTION PROCESS

Selection Committee. The Client will establish a selection committee to select a Consultant. The committee will likely consist of Metro COG staff as well as staff from NDDOT, MnDOT and local jurisdictions.

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

- 20% - Understanding of project objectives
- 20% - Proposed approach, work plan, and management techniques
- 20% - Experience with similar projects
- 20% - Expertise of the technical and professional staff assigned to the project
- 20% - Current workload and ability to meet deadlines

The Selection Committee, at the discretion of the Client and under the guidance of NDDOT policy, will entertain virtual presentations for the top candidates to provide additional information for the evaluation process. The presentations will be followed by a question and answer period during which the committee may question the prospective Consultants about their proposed approaches.

A Consultant will be selected on **December 16, 2021** based on an evaluation of the proposals submitted, the recommendation of the Selection Committee and approval by the Metro COG Policy Board.

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

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

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

VI PROPOSAL CONTENT

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

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

- 1) Contact Information.** Name, telephone number, email address, mailing address and other contact information for the Consultant's Project Manager.
- 2) Introduction and Executive Summary.** This section shall document the Consultant name, business address (including telephone, FAX, email address(es)), year established, type of ownership and parent company (if any), project manager name and qualifications, and any major facts, features, recommendations or conclusions that may differentiate this proposal from others, if any.
- 3) Work Plan and Project Methodology.** Proposals shall include the following, at minimum:
 - a) A detailed work plan identifying the major tasks to be accomplished relative to the requested study tasks and expected product as outlined in this RFP;
 - b) A timeline for completion of the requested services, identifying milestones for development of the project and completion of individual tasks.
 - c) List of projects with similar size, scope, type, and complexity that the proposed project team has successfully completed in the past.
 - d) List of the proposed principal(s) who will be responsible for the work, proposed Project Manager and project team members (with resumes).
 - e) A breakout of hours for each member of the team by major task area, and an overall indication of the level of effort (percentage of overall project team hours) allocated to each task. Note that specific budget information is to be submitted in a sealed cost proposal as described below in Section VIII. General Proposal Requirements.
 - f) A list of any subcontracted agencies, the tasks they will be assigned, the percent of work to be performed, and the staff that will be assigned.
 - g) List of client references for similar projects described within the RFP.
 - h) Required Disadvantaged Business Enterprise (DBE) and/or Minority Business Enterprise (MBE) Firms participation documentation, if applicable.
 - i) Ability of firm to meet required time schedules based on current and known future workload of the staff assigned to the project.
 - j) The nature of the counting equipment proposed and details of the reliability and proven capability of the equipment to gather accurate, reliable data.
- 4) Signature.** Proposals shall be signed in ink by an authorized member of the firm/project team.
- 5) Attachments.** Review, complete, and submit the completed versions of the following RFP Attachments with the proposal:

Exhibit A - Cost Proposal Form (as identified in VIII 1)
Exhibit B – Federal Clauses

VII Submittal Information

Hard copies of technical and cost proposals should be shipped to ensure timely delivery to the contact as defined below:

Michael Maddox, AICP
Senior Transportation Planner
Fargo-Moorhead Metropolitan Council of Governments
Case Plaza, Suite 232
One 2nd Street North
Fargo, ND 58102-4807
gray@fmmetrocog.org

Proposals shall be received by **4:30 pm (Central Time) on November 19, 2021** at the Metro COG office. Minority, women-owned and disadvantaged business enterprises are encouraged to participate. Respondents must submit twelve (12) hard copies and one Adobe Acrobat (.pdf) copy of the proposal. The full length of each proposal should not exceed fifteen (15) double sided pages for a total of thirty (30) pages; including any supporting material, charts or tables.

VIII GENERAL RFP REQUIREMENTS

- 1) **Sealed Cost Proposal.** All proposals must be clearly identified and marked with the appropriate project name; inclusive of a separately sealed cost proposal per the requirements of this RFP. Cost proposals shall be based on an hourly "not to exceed" amount and shall follow the general format as provided within Exhibit A of this RFP. Metro COG may decide, in its sole discretion, to negotiate a price for the project after the selection committee completes its final ranking. Negotiation will begin with the Consultant identified as the most qualified per requirements of this RFP, as determined in the evaluation/selection process. If Metro COG is unable to negotiate a contract for services negotiations will be terminated and negotiations will begin with the next most qualified Consultant. This process will continue until a satisfactory contract has been negotiated.
- 2) **Consultant Annual Audit Information for Indirect Cost.** Consulting firms proposing to do work for Metro COG must have a current audit rate no older than 15 months from the close of the firm's Fiscal Year. Documentation of this audit rate must be provided with the sealed cost proposal. Firms that do not meet this requirement will not qualify to propose or contract for Metro COG projects until the requirement is met. Firms that have submitted all the necessary information to Metro COG and are waiting for the completion of the audit will be qualified to submit proposals for work. Information submitted by a firm that is incomplete will not qualify. Firms that do not have a current cognizant Federal Acquisition Regulations (FARs) audit of indirect cost rates must provide this audit prior to the interview. **This documentation should be attached with the sealed cost proposal.**

- 3) **Debarment of Suspension Certification and Certification of Restriction on Lobbying.** See Exhibit B, Federal Clauses.
- 4) **Respondent Qualifications.** Respondents must submit evidence that they have relevant past experience and have previously delivered services similar to the requested services within this RFP. Each respondent may also be required to show that similar work has been performed in a satisfactory manner and that no claims of any kind are pending against such work. No proposal will be accepted from a respondent whom is engaged in any work that would impair his or her ability to perform or finance this work.
- 5) **Disadvantaged Business Enterprise.** Pursuant to Department of Transportation policy and 49 CFR Part 23, Metro COG supports the participation of DBE/MBE businesses in the performance of contracts financed with federal funds under this RFP. Consultants shall make an effort to involve DBE/MBE businesses in this project. If the Consultant is a DBE/MBE, a statement indicating that the business is certified DBE/MBE in North Dakota or Minnesota shall be included within the proposal. If the Consultant intends to utilize a DBE/MBE to complete a portion of this work, a statement of the Subconsultant's certification shall be included. The percent of the total proposed cost to be completed by the DBE/MBE shall be shown within the proposal. Respondents should substantiate (within proposal) efforts made to include DBE/MBE businesses.
- 6) **US DOT Policy Statement on Bicycle and Pedestrian Accommodations.** Consultants are advised to review and consider the *US DOT Policy Statement on Bicycle and Pedestrian Accommodation* issued in March of 2010 when developing written proposals.
- 7) **North Dakota Department of Transportation Consultant Administration Services Procedure Manual.** Applicants to this Request for Proposal are required to follow procedures contained in the *NDDOT Consultant Administration Services Procedure Manual*, which includes prequalification of Consultants. Copies of the Manual may be found on the Metro COG website www.fmmetrocog.org or the NDDOT website at www.dot.nd.gov.

IX CONTRACTUAL INFORMATION

- 1) The Client reserves the right to reject any or all proposals or to award the contract to the next most qualified firm if the successful firm does not execute a contract within forty-five (45) days after the award of the proposal. The Client will not pay for any information contained in proposals obtained from participating firms.
- 2) The Client reserves the right to request clarification on any information submitted and additionally reserves the right to request additional information of one (1) or more applicants.

- 3) Any proposal may be withdrawn up until the proposal submission deadline. Any proposals not withdrawn shall constitute an irrevocable offer for services set forth within the RFP for a period of ninety (90) days or until one or more of the proposals have been approved by the Metro COG Policy Board.
- 4) If, through any cause, the Consultant shall fail to fulfill in a timely and proper manner the obligations agreed to, the Client shall have the right to terminate its contract by specifying the date of termination in a written notice to the firm at least ninety (90) working days before the termination date. In this event, the firm shall be entitled to just and equitable compensation for any satisfactory work completed.
- 5) Any agreement or contract resulting from the acceptance of a proposal shall be on forms either supplied by or approved by the Client and shall contain, as a minimum, applicable provisions of the Request for Proposals. The Client reserves the right to reject any agreement that does not conform to the Request for Proposal and any Metro COG requirements for agreements and contracts.
- 6) The Consultant shall not assign any interest in the contract and shall not transfer any interest in the same without prior written consent of Metro COG.

X PAYMENTS

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

XI FEDERAL AND STATE FUNDS

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

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

XII TITLE VI ASSURANCES

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

- 1) **Compliance with Regulations.** The Consultant shall comply with the regulations

relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations).

- 2) **Nondiscrimination.** The Consultant, with regard to the work performed by it, shall not discriminate on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, in the selection and retention of Subconsultants, including procurements of materials and leases of equipment. The Consultant shall not participate, either directly or indirectly, in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- 3) **Solicitations for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiation, made by the Consultant for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential Subconsultant or supplier shall be notified by the Consultant of the Consultant's obligations to Metro COG and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**.
- 4) **Information and Reports.** The Consultant shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Metro COG or the North Dakota Department of Transportation to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a Consultant is in the exclusive possession of another who fails or refuses to furnish this information, the Consultant shall so certify to Metro COG, or the North Dakota Department of Transportation, as appropriate, and shall set forth what efforts it has made to obtain the information.
- 5) **Sanctions for Noncompliance.** In the event of the Consultant's noncompliance with the nondiscrimination provisions as outlined herein, the Client and the North Dakota Department of Transportation shall impose such sanctions as it or the Federal Highway Administration / Federal Transit Administration may determine to be appropriate, including but not limited to:
 - 6) Withholding of payments to the Consultant under the contract until the Consultant complies; or
 - 7) Cancellation, termination, or suspension of the contract, in whole or in part.
- 8) **Incorporation of Title VI Provisions.** The Consultant shall include the provisions of Section XII, paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto.

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

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

XIII TERMINATION PROVISIONS

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

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

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

XIV LIMITATION ON CONSULTANT

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

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

XV CONFLICT OF INTEREST

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

XVI INSURANCE

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

XVII RISK MANAGEMENT

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

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

1. Commercial general liability and automobile liability insurance - minimum limits of liability required are \$250,000 per person and \$1,000,000 per occurrence.
2. Workforce Safety insurance meeting all statutory limits.
3. The Client and the State of North Dakota, its agencies, officers, and employees (State) shall be endorsed as an additional insured on the commercial general liability and automobile liability policies.
4. Said endorsements shall contain a "Waiver of Subrogation" in favor of the Client and the state of North Dakota.

5. The policies and endorsements may not be canceled or modified without thirty (30) days prior written notice to the undersigned Client and the State Risk Management Department.

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

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

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

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

Exhibit A – Cost Proposal Form

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

REQUIRED BUDGET FORMAT

Summary of Estimated Project Cost

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

Exhibit B

Federal Clauses

Request for Proposals (RFP)
University Drive & 10th Street Corridor Study

To: Transportation Technical Committee
From: Ari Del Rosario, Assistant Planner and Cindy Gray, Executive Director
Date: October 10, 2021
Re: **Metro Profile**

The latest Metro Profile is nearly complete and will be ready for distribution and review by TTC members within the next week or so. Since we are still missing some of the required data, you may see some placeholders where data will be inserted when the information is received. In the meantime, a short preview will be provided at the TTC meeting to discuss some of the main findings of this year's update.

Requested Action: None – This item will also be on next month's agenda as an action item.

To: Transportation Technical Committee (TTC)
From: Adam Altenburg, AICP
Date: October 8, 2021
Re: **Metro COG Baseline 2050 Demographic Forecast Consultant Selection**

The Fargo-Moorhead Metropolitan Council of Government sought professional consultant services for the Baseline 2050 Demographic Forecast, the primary objective of which is the completion of a demographic forecast for the Fargo-Moorhead metropolitan area to the year 2050. This data is a critical element to Metro COG's metropolitan planning program. Although forecast data is used by Metro COG and local jurisdictions for a variety of purposes, its core purpose is in maintaining and updating the regional travel demand model (TDM). The most current demographic study was completed in 2017 and set forth projections through the year 2045 for the Metropolitan Statistical Area (MSA).

In August, Metro COG's Policy Board approved the RFP to secure a consultant to complete the technical and planning tasks outlined in the scope of work under an approved budget of \$50,000. Metro COG received one (1) proposal from SRF Consulting Group prior to the September 10 closing date. NDDOT consultant selection guidelines state that if Metro COG receives less than three (3) proposals for any consultant planning study, it is required to resolicit the RFP or receive permission from NDDOT to move forward with the proposals received. NDDOT gave permission to proceed with the one (1) proposal on September 14.

The selection committee met virtually with the consultant team on September 24 to further understand each consultant's technical qualifications, task deliverables, and past project experience. Selection committee members included:

Mark Williams, City of Fargo
Peyton Mastera, City of Dilworth
Matt Jacobson, Clay County
Adam Altenburg, Metro COG

Tim Solberg, City of West Fargo
Grace Puppe, Cass County
Cindy Gray, Metro COG

Robin Huston from the City of Moorhead and Brenton Holper from the City of Horace were unable to attend.

Based on scoring criteria, the written technical proposal, and the in-person interview, the selection committee chose the proposal submitted by SRF Consulting Group with Praxis Strategy Group as subconsultant.

The cost proposal form submitted by SRF Consulting Group was \$49,987.19, of which 80 percent will be funded with Metro COG CPG funds. Metro COG met virtually with SRF Consulting Group on September 30 to review and finalize the scope and fee for this project. In order to expedite the selection process, Metro COG's Executive Committee signed a Resolution of Approval to move forward with SRF Consulting Group and Praxis Strategy group on October 6, 2021 at their regular meeting.

Requested Action: None