



# Community Development Department

**DATE:** January 18, 2022  
**FROM:** Ben Ehreth, AICP, Community Development Director  
**ITEM:** Authorizing Resolution for Bis-Man Transit Grant Filing

**REQUEST:**

The Bismarck-Mandan Metropolitan Planning Organization (MPO), on behalf of Bis-Man Transit, requests approval of an Authorizing Resolution to allow Bis-Man Transit to make application through the North Dakota Department of Transportation for Section 5310 and Section 5339 funding to support capital assistance projects.

Please place this item on the January 25, 2022 City Commission meeting agenda.

**BACKGROUND INFORMATION:**

Bis-Man Transit buses and service vehicles are assigned by title to the City of Bismarck. It is understood that such vehicles purchased by Bis-Man Transit through state or federal funding programs will be assigned and titled to the City of Bismarck with the grant funds for the purchase of such vehicles passing through the City of Bismarck (grantee) to Bis-Man Transit (subrecipient) for reimbursement.

North Dakota Department of Transportation has set forth specific requirements regarding the pass-through grant process pertaining specifically to the relationship of grantee/subrecipient of the City of Bismarck and Bis-Man Transit, respectively. One of these requirements is the authorization of Bis-Man Transit, by the City of Bismarck, to make application for Section 5310 and Section 5339 capital assistance through the North Dakota Department of Transportation. The authorization is provided by resolution, as attached, and is updated on an annual basis.

**RECOMMENDED CITY COMMISSION ACTION:**

Staff recommends the Bismarck City Commission approve the Authorizing Resolution to be signed by the President of the Bismarck City Commission.

**STAFF CONTACT INFORMATION:**

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## Authorizing Resolution

This resolution authorizes the filing of an application for a grant under 49 U.S.C. Sections 5310 and 5339, as amended by The Fixing America's Surface Transportation (FAST) Act, Public Law No. 114-94, December 4, 2015, and other authorizing legislation to be enacted,

WHEREAS, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration (FTA) to support capital assistance projects for non-urbanized area public transportation systems under Sections 5310 and 5339 of The Fixing America's Surface Transportation (FAST) Act, Public Law No. 114-94, December 4, 2015, as amended; and

WHEREAS, the North Dakota Department of Transportation has been designated by the Governor to administer Sections 5310 and 5339; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including provisions for the local share of project costs;

THEREFORE, BE IT RESOLVED on behalf of the City of Bismarck that Bis-Man Transit is authorized to execute and file an application with the North Dakota Department of Transportation to aid the financing of capital assistance for projects pursuant to Sections 5310 and 5339 of The Fixing America's Surface Transportation (FAST) Act, Public Law No. 114-94, December 4, 2015, as amended;

That Bis-Man Transit is authorized to furnish such additional information as the North Dakota Department of Transportation may require in connection with the application of the project.

The undersigned duly qualified and acting President of the Bismarck Board of City Commissioners certifies that the foregoing is a true and correct statement.

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(Date)

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(Signature of Officer)

President, Bismarck Board of City Commissioners

(Title of Officer)