



AGENDA

**Mankato City Council
Regular Meeting
July 22, 2024 - 6 p.m.
IGC - Mankato Room**

1. **Call Meeting to Order**

Roll Call

Pledge of Allegiance to our Flag

2. **Approval of Agenda**

3. **Approval of Minutes**

Regular Meeting of July 8, 2024

4. **Public Open Forum (15 Minutes)**

Citizens may address the Council on matters not on the agenda, and are encouraged to register with the City Clerk prior to the start of the meeting. Those wishing to speak are limited to three minutes and must state their name and address for the record.

5. **Consent Calendar**

NOTE: All items listed under the Consent Calendar will be enacted by one motion. There will be no separate discussion of these items. If a Council Member wishes to discuss any of these items, they may ask that the item be removed from the Consent Calendar. Removed item(s) will be discussed and acted upon by separate motion.

- A. Resolution Approving Application for Mankato Area Youth Baseball Association (MAYBA) to Conduct Lawful Gambling at MC's Garage, 1861 Adams Street, #400, Mankato.
- B. Resolution authorizing the City Manager to submit Redevelopment Grant application to the Minnesota Department of Employment and Economic Development for 101-121 East Main Street, 118 South 2nd Street (Hotel Mankato LLC).
- C. Resolution approving the Transit Safety Plan Update.

- D. Resolution to release the Request for Quotes for the Transit Automated Voice Announcement System.
- E. Resolution considering bids on Capital Improvement Project 11083; Transit Bus Stop Improvements.
- F. Resolution authorizing the City Manager to apply for 2025 discretionary funds for the Airport Terminal Program (ATP), made available under the Infrastructure Investment and Jobs Act of 2021 (IIJA), Public Law 117–58, also known as the Bipartisan Infrastructure Law (BIL) for the Air Traffic Control Tower (ATCT) at the Mankato Regional Airport (MKT).
- G. Resolution authorizing the City Manager to negotiate and enter into a contract for professional services with Toltz, King, Duvall, Anderson, and Associates (TKDA) to perform an environmental assessment for the purpose of constructing an Air Traffic Control Tower (ATCT) at the Mankato Regional Airport (MKT).

6. **City Manager's Report**

- A. Resolution authorizing the use of Public Safety Aid funds to purchase a traffic safety vehicle.
- B. Report on project and change order 3 and 4 for Capital Improvement Project 10994; Riverfront Drive.
- C. General updates

7. **Reports of City Council Members**

8. **Miscellaneous Business**

View all city committee meetings by clicking on our [City Calendar](#)

Work Session, August 5, 2024, 6 p.m., Minnesota River Room

Regular Council Meeting, August 12, 2024, 6 p.m., Mankato Room (with EDA to follow if needed)

Regular Council Meeting, August 26, 2024, 6 p.m., Mankato Room (with Work Session to follow)

9. **Adjournment**



MINUTES

**Mankato City Council
Regular Meeting
July 8, 2024 - 6 p.m.
IGC - Mankato Room**

1. **Call Meeting to Order**

Roll Call

Members Present: Dennis Dieken, Michael McLaughlin, Jenn Melby-Kelley, Jessica Hatanpa, Kevin Mettler, Mike Laven, and Mayor Najwa Massad.

Staff Present: City Manager Susan Arntz, Community Development Director Mark Konz, Public Works Director Jeff Johnson, Assistant City Engineer Michael McCarty, and City Clerk Renae Kopischke.

Pledge of Allegiance to our Flag

2. **Approval of Agenda**

Ms. Hatanpa moved and Mr. Mettler seconded a motion to approve the agenda as written. The motion carried unanimously.

3. **Approval of Minutes**

Mr. Laven moved and Mr. Dieken seconded a motion to approve the minutes of the Regular Meeting of June 24, 2024 as written. The motion carried unanimously.

4. **Appearances, Recognition, and Proclamations**

Presentation of Ambassador Awards to East High School:

- Track Member Adaylia Borgmeier
- Girls' Softball Team

Presentation by the League of Minnesota Cities of the 2024 City of Excellence Award; Creative Involvement of City Residents

5. **Public Open Forum (15 Minutes)**

Sophia Hoiseth, 212 Byron Street, representing the YWCA, mentioned the young women's initiative Minnesota Greater Mankato Cabinet that engages young women and gender-expansive youth in policy, advocacy, and community change essential for addressing systemic inequities and building a more inclusive society for all. She commented on the creation of the cabinet as well as membership and provided handouts.

6. **Consent Calendar**

NOTE: All items listed under the Consent Calendar will be enacted by one motion. There will be no separate discussion of these items. If a Council Member wishes to discuss any of these items, they may ask that the item be removed from the Consent Calendar. Removed item(s) will be discussed and acted upon by separate motion.

Ms. Hatanpa pulled item 6.J. Ms. Hatanpa moved and Mr. Mettler seconded a motion to approve the Consent Calendar as amended. With all members voting in favor, the motion carried.

- A. Motion approving amendment to 2024 Park Pilot Projects.
- B. Resolution appointing Election Judges for the 2024 Primary Election.
- C. Motion approving a Preliminary Plat of The Station. The subject property is described as that part of the easterly 20 acres of the Northeast Quarter of the Northeast Quarter and the North Half of the southeast Quarter of the Southeast Quarter, all in Section 3, Township 108, Range 26, Blue Earth County, Minnesota, lying westerly of the railroad right of way; by request of Orion Development, Inc.
- D. Resolution approving an amendment to a Conditional Use Permit to allow the construction of an additional structure on the current lot for a childcare facility and for a certificate of design compliance for the new structure in the Highway Gateway Overlay District. The subject property is described as the west 181.51 feet of Lot 6, Block 2, Country Club Estates No. 11 (120 Birkdale Drive); by request of Julie Oachs, Jrs. Academy, LLC.
- E. Resolution approving an amendment to a Planned Unit Development to allow for changes in the townhome phase of the project including, but not limited to, the footprint and the exterior elevations of a 10-plex townhome. The subject property is described as Lot 2, Block 1, The Neighborhood subdivision. (110-144 Dewey Lane); by request of Dewey Townhomes, LLC.

- F. Resolution approving an amendment to the Planned Unit Development to allow for an approximately 5,000 square foot addition to an existing building within the medical campus and for a certificate of design compliance for the proposed modifications for the property located within the Highway Gateway Overlay District. The subject property is described as Lot 1, Block 1, Mankato Clinic First Addition, etal (1431 Premier Drive); by request of Orthopedic and Fracture Clinic.
- G. Resolution approving Final Plat review of River Bluff Cottages, and for an amendment to the previously approved Planned Unit Development. The subject property is described as Outlot A, Sibley Parkway; by request of River Bluff Cottages, LLC.
- H. Resolutions approving a Planned Unit Development for a commercial development with shared, private drive access way and shared amenities; a Conditional Use Permit to allow a drive-thru between the building and the property frontage in the Highway Gateway Overlay District; and a Certificate of Design Compliance for the construction of three new structures within the Highway Gateway Overlay District. The subject property is described as Lots 1, 2, and 3, Block 1, Victory Commercial Park; by request of Mankato Interchange Investment.
- I. Resolution of Support for the Partnership Community Land Trust Phase IV in Mankato.
- J. Ms. Hatanpa noted changes that were made on the Kern Bridge highlighting the flooding and the height modifications. Mr. McLaughlin thanked the staff for their work in securing funding.

Ms. Hatanpa moved and Mr. Dieken seconded a motion to approve the Resolutions receiving reports, ordering improvements, and advertising for bids for Capital Improvement Projects: 10884 - Kern Bridge; and 11001 - Land of Memories Trail. The motion carried unanimously.
- K. Resolution considering bids on Capital Improvement Project 11074; 2024 Resurfacing and Miscellaneous Sidewalks.
- L. Resolution authorizing the City Manager to submit an application to the Minnesota Department of Transportation for a Transportation and Economic Development (TED) Program Grant for the Local Share of Improvements on US Highway 169.

- M. Set August 12, 2024, as date of public hearing for a vacation of an alley described as All that part of the north-south running alley dedicated in Block 14, Map of Mankato, according to the recorded plat thereof, lying north of the Westerly extension of the north line of Lot 7, Block 14, Map of Mankato, according to the recorded plat thereof, City of Mankato, Blue Earth County, Minnesota; preliminary plat review of Hotel Mankato Redevelopment plat; a conditional use permit to allow two hotels in the CBD-C, Central Business District Core; and a certificate of design compliance for the construction of a new, approximately 250,00 square foot development in the Downtown Gateway Overlay District and the Downtown Design District. The subject properties are 101 East Main, 121 and 123 East Main, and 118 South 2nd Street; by request of Emily Nepp with permission of the property owner(s).

7. **City Manager's Report**

Ms. Arntz provided a brief update on the flooding and indicated that a video was being prepared highlighting the flood recovery efforts.

8. **Reports of City Council Members**

Mr. Laven stated that he attended the League of Minnesota Cities Conference and provided updates on some of his discussions as well as commented on the city manager's presentation on opioid funding.

9. **Miscellaneous Business**

View all city committee meetings by clicking on our [City Calendar](#)

Regular Council Meeting, July 22, 2024, 6 p.m., Mankato Room (with Work Session to follow)

Work Session, August 5, 2024, 6 p.m., Minnesota River Room

Regular Council Meeting, August 12, 2024, 6 p.m., Mankato Room (with EDA to follow if needed)

10. **Adjournment**

There being no further business before the Council, Ms. Melby-Kelley moved and Mr. Mettler seconded a motion to adjourn. With all members voting in favor, the meeting adjourned at 6:26 p.m.

Minutes Approved.

Mayor Massad

ATTEST:

Renae Kopischke
City Clerk



AGENDA RECOMMENDATION

Consent Calendar 5. A.

City Council Regular Meeting

Meeting Date: 07/22/2024

Agenda Item:

Resolution Approving Application for Mankato Area Youth Baseball Association (MAYBA) to Conduct Lawful Gambling at MC's Garage, 1861 Adams Street, #400, Mankato.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

Mankato Area Youth Baseball Association (MAYBA) paid gambling tax in the amount of \$44,619 in 2023. Mankato Area Youth Baseball Association (MAYBA) expenditures for 2023 were \$185,610. Of those funds, 92.16% were spent in the local trade area in 2023.

A background investigation of all persons described in the application reveals nothing to preclude issuance of the license.

Attachments

Resolution

**RESOLUTION APPROVING APPLICATION FOR MANKATO AREA YOUTH
BASEBALL ASSOCIATION (MAYBA) TO CONDUCT LAWFUL GAMBLING
AT MC'S GARAGE, 1861 ADAMS ST. #400, MANKATO, MN**

WHEREAS, Mankato City Code Sections 5.43 -5.45, as well as Minnesota Statute 349, outline the regulations regarding lawful gambling activities, and

WHEREAS, Mankato Area Youth Baseball Association (MAYBA) has submitted the required applications, and

WHEREAS, not more than 90 days have passed since the application submission date, and

WHEREAS, Mankato Area Youth Baseball Association (MAYBA) has complied with all the requirements of Mankato City Code.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Mankato that the application submitted by Mankato Area Youth Baseball Association (MAYBA) to conduct lawful gambling at MC's Garage, 1861 Adams St., #400, Mankato is hereby approved.

Adopted this 22nd day of July 2024.

Najwa Massad
Mayor

ATTEST:

Renae Kopischke
City Clerk



AGENDA RECOMMENDATION

Consent Calendar 5. B.

City Council Regular Meeting

Meeting Date: 07/22/2024

Agenda Item:

Resolution authorizing the City Manager to submit Redevelopment Grant application to the Minnesota Department of Employment and Economic Development for 101-121 East Main Street, 118 South 2nd Street (Hotel Mankato LLC).

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

The Minnesota Department of Employment and Economic Development (DEED) is accepting applications for the redevelopment grant program. The program offers grants to assist communities with the costs of redeveloping blighted industrial, residential, or commercial sites and putting land back into productive use. Eligible costs include building and site demolition, infrastructure, soil stabilization, pounding, or other environmental infrastructure, asbestos abatement and lead paint mitigation. Grants can assist with up to 50 percent of the costs to redevelop sites and require a 50 percent local match.

The next grant round has applications due August 1, 2024. DEED anticipates awarding at least half of the grant funds to sites located outside the seven-county Twin Cities metropolitan area.

Mankato Hotel, LLC plans to redevelop the property located at 101-121 East Main Street and 118 South 2nd Street. The site was developed by 1884. Historical uses on the site include hotels, dry goods grocery, hardware store, cigar factory, saloon, jewelry store, tailor, billiards, barber, moving pictures, drug store, gun shop, restaurant, furniture store, dwellings, livery, automobile dealership, sheds and other accessory structures. The proposed redevelopment would include demolishing the existing buildings and constructing two hotels with a total of 282 hotel guest rooms, including a 168-stall underground parking garage and 9 surface parking stalls. A four-story, extended stay Element by Westin hotel with 126 all-suite guest rooms is proposed at the intersection of

North Riverfront Drive and Main Street, and a 10-story AC by Marriott hotel with 156 hotel guest rooms is proposed at the intersection of Second and Main Streets. The two hotels will be adjoined by a common lobby with direct connection to the existing City skywalk, providing hotel guests with direct access to the Civic Center. The hotels will share common guest amenities, including a pool, fitness center, guest laundry, lounge spaces, business pods, and a conference room. A future coffee shop is proposed at the main level and a third-party restaurant with rooftop patio space at the 10th floor of the AC hotel would overlook the Minnesota River Valley.

The City of Mankato would be seeking \$1,859,385 in redevelopment grant funds to assist with the redevelopment of the property. Eligible costs would be for building demolition, site demolition, geotechnical soil corrections, soil stabilization, and public infrastructure (water, storm, sanitary, lighting, sidewalks). The 50 percent match would be paid by the developer.

The application deadline is August 1, 2024. To be eligible, the City Council must approve a resolution authorizing submission of the grant application. If a grant is awarded, the final grant agreement will be submitted to the City Council for approval prior to execution and the City will enter into a subrecipient agreement with the developer. It is anticipated that grant awards will be announced in September or October 2024. Consenting to the submission of the application does not bind the City to approve the final grant agreement. Any other city applications, such as obtaining building permits, are required to be completed prior to redevelopment activity occurring along with obtaining zoning approvals.

Attachments

Resolution

General Location Map

Site Plan

DEED redevelopment grant application

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING SUBMISSION OF DEED REDEVELOPMENT GRANT PROGRAM APPLICATION

BE IT RESOLVED that the City of Mankato has approved the Redevelopment Grant application submitted to the Department of Employment and Economic Development (DEED) on August 1, 2024, by the City of Mankato for the 101-121 E. Main Street and 118 S. 2nd Street (Hotel Mankato) site.

BE IT RESOLVED that the City of Mankato act as the legal sponsor for project(s) contained in the Redevelopment Grant Program application to be submitted on August 1, 2024, and that the City Manager is hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Mankato.

BE IT FURTHER RESOLVED that the City of Mankato has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration.

BE IT FURTHER RESOLVED that the sources and amounts of the local match identified in the application are committed to the project identified.

BE IT FURTHER RESOLVED that if the project identified in the application fails to substantially provide the public benefits listed in the application within five years from the date of the grant award, the City of Mankato may be required to repay 100 percent of the awarded grant per Minn. Stat. § 116J.575, Subd. 4;

BE IT FURTHER RESOLVED that the City of Mankato has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Mankato may enter into an agreement with the State of Minnesota for the above-referenced project(s), and that the City of Mankato certifies that it will comply with all applicable laws and regulation as stated in all contract agreements.

NOW, THEREFORE BE IT FINALLY RESOLVED that the City Manager is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

This resolution shall become effective immediately upon passage.

Dated this 22nd day of July, 2024

I CERTIFY THAT the above resolution was adopted by the City Council of the City of Mankato on July 22, 2024.

Signed: _____

Najwa Massad

Title: Mayor

Date: July 22, 2024

Witnessed by: _____

Renae Kopischke, MMC

Title: City Clerk

Date: July 22, 2024

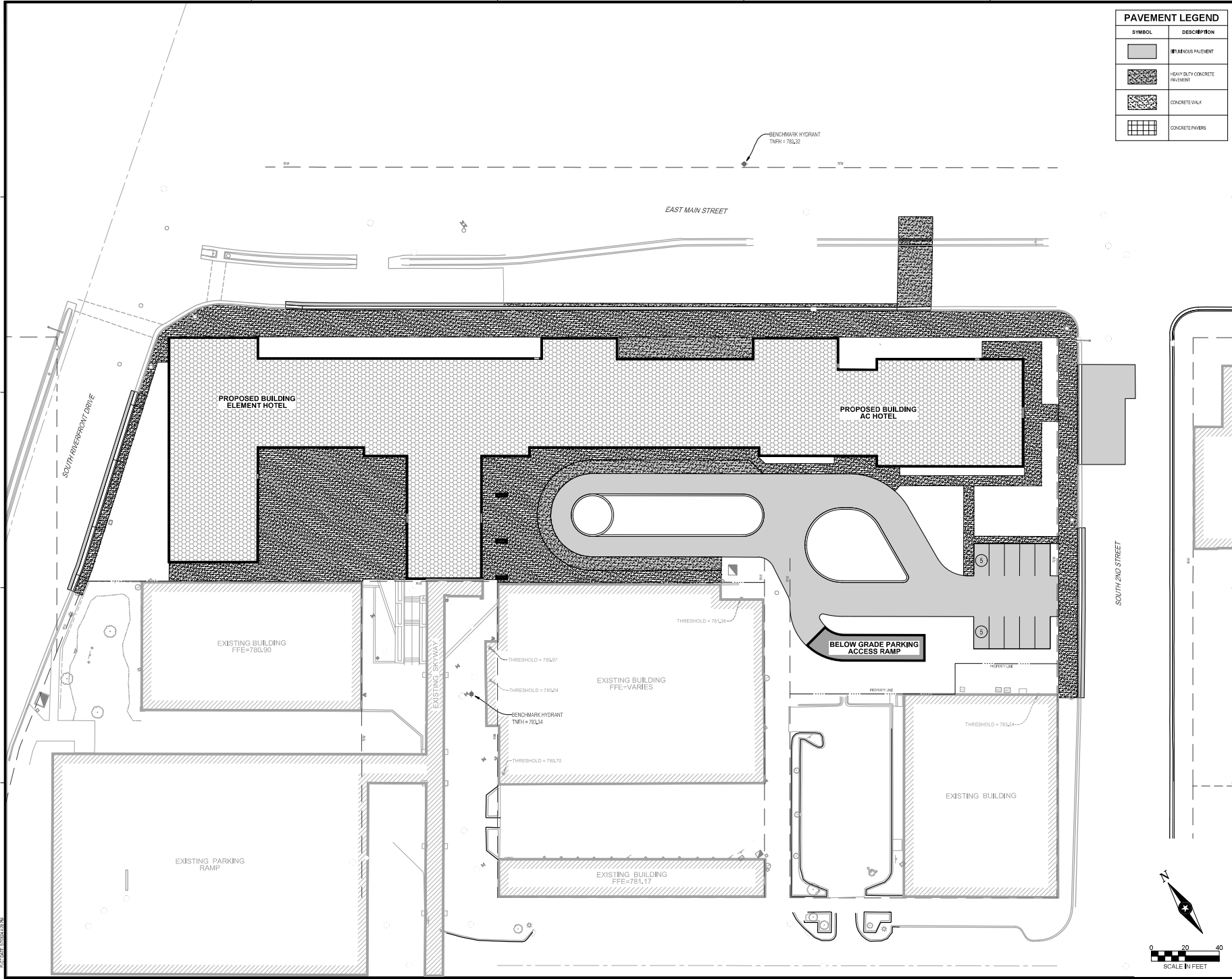
General Location Map



Date: July 2024

Author:

This information is to be used for reference purposes only. The City of Mankato does not guarantee accuracy of the material contained herein and is not responsible for misuse or misinterpretation.



PAVEMENT LEGEND	
SYMBOL	DESCRIPTION
	BLANK PAVEMENT
	HEAVY DUTY CONCRETE PAVEMENT
	CONCRETE WALK
	CONCRETE PAVERS



I HEREBY CERTIFY THAT THE PLAN SPECIFICATION REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 11/14/2019

I HEREBY CERTIFY THAT THE PLAN SPECIFICATION REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 11/14/2019

THIS DOCUMENT IS THE PROPERTY OF ISG GROUP INC. AND MAY NOT BE USED, COPIED OR DUPLICATED WITHOUT OUR WRITTEN CONSENT.

PROJECT:

**HOTEL
MANKATO**

MANKATO MINNESOTA

DATE	REVISION	DESCRIPTION	BY

PROJECT NO: 20-00100
CLIENT: 3030 S. RIVERFRONT DRIVE
DRAWN BY: ISG
DESIGNED BY: BMV/NH
REVIEWED BY: NH
ORIGINATOR: NH
CLIENT PROJECTING: -

TITLE

SITE PLAN

SHEET

C3-11

PRELIMINARY NOT FOR CONSTRUCTION PRELIMINARY NOT FOR CONSTRUCTION

Redevelopment Grant Application Submittal Checklist

Logistics

- | | |
|--------------------------|---|
| ☐ | Two complete paper copies (complete copies include all attachments) |
| ☐ | One complete electronic copy (i.e., one flash drive, emailed applications will not be accepted) |
| ☐ | All the above submitted to DEED by 4:00 p.m. on February 1 or August 1 |

Application Form Content

- | | |
|--------------------------|---|
| ☐ | Applicant Information Cover Page |
| ☐ | I. Site Identification and History |
| ☐ | II. Cost Analysis: Redevelopment Sources and Uses (Budget Table) and Construction Sources and Uses |
| ☐ | III. Tax Increment Financing (TIF) Analysis |
| ☐ | IV. Analysis of Redevelopment Potential |
| ☐ | V. Project Schedule |
| ☐ | VI. Payment Information (Applicant's State SWIFT Vendor Number, Location Code, and Address) |
| ☐ | VII. Resolutions (Statutory Cities must authorize Mayor and Clerk) |
| ☐ | VIII. Applicant Disclosures and Certifications (Conflict of Interest and Pre-Award Risk Assessment) |

Application Attachments

- | | |
|--------------------------|---|
| ☐ | Project Summary |
| ☐ | Appraisal or Assessor's Valuation (all parcels must have a current value which cannot be zero) |
| ☐ | Site maps illustrating ALL features requested in Question 4, site photographs |
| ☐ | Geotechnical Soil Evaluation Report (if applicable) |
| ☐ | Construction financing commitments, terms sheets, or letters of interest |
| ☐ | HUD 'Invitation to Apply' letter (if applicable) |
| ☐ | Resolution establishing Redevelopment TIF district and/or documentation of Redevelopment TIF qualifications (slum and blight analysis, building inspection, etc.) |
| ☐ | TIF Cash Flow Analysis (if using TIF) |
| ☐ | Site crime data |
| ☐ | Council action/minutes or other documentation demonstrating local approvals/entitlements |
| ☐ | Current property tax statements for each parcel |
| ☐ | Joint agreements (if project is multi-jurisdictional) |
| ☐ | Local transit schedules |
| ☐ | Developer letter of commitment and/or development agreement |
| ☐ | End-user or business tenant letter(s) of commitment (if applicable) |
| ☐ | Resolution from applicant agency (Statutory Cities MUST authorize Mayor and Clerk) |
| ☐ | MUST BE SUBMITTED AT TIME OF APPLICATION |
| ☐ | Resolution from municipality in which the site is located (if different from applicant agency) |
| ☐ | Conflict of Interest completed and signed by the applicant |
| ☐ | Pre-Award Risk Assessment completed and signed by the applicant (attached org chart) |

MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT

651-259-7451 or toll free at 1-800-657-3858

Brownfields and Redevelopment Unit
Great Northern Building
180 East Fifth Street, Suite 1200
St. Paul, MN 55101

INSTRUCTIONS

PURPOSE/BACKGROUND:

The Redevelopment Grant Program was established by the 1998 legislature to incentivize the redevelopment of old industrial, residential, or commercial properties; and assist private sector development with the challenges/costs these sites contain. Minnesota Statutes §§ 116J.571 – 116J.575 gives the Minnesota Department of Employment and Economic Development (DEED) authority to award grants to assist development authorities with eligible redevelopment costs as defined below.

The Redevelopment Grant Program is for currently or previously developed sites where significant barriers exist to redevelop the land into a different and/or more productive use. This program is not intended for parties that have operated on the site long-term, but rather to assist new parties with site redevelopment.

GRANT FUNDING AVAILABILITY:

Funding amounts have typically varied depending on legislative appropriation; however, DEED anticipates the availability of at least \$2 million per grant round. According to legislative requirement, if sufficient eligible applications are received, at least 50 percent of the grant money will be awarded to projects outside of the seven-county metropolitan area.

APPLICATION DEADLINES:

The Redevelopment Grant Program operates on a semi-annual grant cycle. Deadlines for submitting applications are **February 1** and **August 1 by 4:00 p.m.** each year. If these days fall on a weekend, the deadline will be the following business day. **Three complete sets of application documents are required for each project: 2 paper copies and 1 electronic copy on a flash drive.** An applicant may apply for more than one project, but a separate application must be completed and submitted for each site.

NOTE: Emailed applications will not be accepted. Please fill out the entire application. All applications must be complete upon submission to qualify for a grant. This includes the fully signed, required resolutions.

Applications should be in a binder or bound with attachments clearly marked and tabbed. **ELIGIBLE GRANT APPLICANTS:**

Eligible applicants for this program are statutory or home rule charter cities, economic development authorities, housing and redevelopment authorities, counties, or port authorities. While these are the eligible applicants, the site can be either privately or publicly owned.

GRANT ELIGIBLE SITES:

Only sites that have been previously developed, and the need to redevelop the land into a different and/or more productive use exists, qualify for a Redevelopment Grant. Sites which were never historically developed with buildings or infrastructure (i.e., cornfield) do not qualify. This program is not intended for parties that have operated on the site long-term, but rather to assist new parties with site redevelopment.

GRANT ELIGIBLE COSTS:

The Redevelopment Grant Program can pay up to 50 percent of the redevelopment costs for a qualifying site. “Redevelopment costs” or “costs” mean the costs of land acquisition, stabilizing unstable soils when infill is required, infrastructure improvements and ponding or other environmental infrastructure, demolition costs and costs necessary for adaptive re-use of buildings, including remedial activities. For purposes of this program adaptive reuse means interior environmental abatement and does not include building rehabilitation or construction. **Costs incurred before the grant agreement is fully executed are not eligible for reimbursement.**

The redevelopment challenges/costs should be related to the site’s current or previously developed use.

Examples of eligible and ineligible costs include:

Eligible Costs

- Public acquisition*
- Demolition costs (as defined by [Minn. Stat. § 116J.572](#))
- Interior environmental abatement (e.g., asbestos abatement, lead paint abatement)
- Public infrastructure improvements** (e.g., water, sanitary, and storm connections, public sidewalks, public street or sidewalk lighting, public roads, etc.)
- Environmental infrastructure (e.g., stormwater ponding or system, etc.)
- Geotechnical soil correction (must submit a geotechnical soil evaluation)

**Although the statute recognizes acquisition as an eligible expense, DEED will only consider public acquisition, and these costs are only eligible as matching costs.*

***Although these costs are eligible, they should not be the sole costs of the grant request.*

Ineligible Costs

- Construction costs
- Building rehabilitation costs (including interior demolition)
- Environmental remediation (i.e., soil, groundwater, and/or vapor contamination)
- Project/grant administration
- Work performed or fees charged by the grantee or another public entity
- Costs of appraisals or other application costs
- Streetscaping/landscaping (including rain gardens)
- Soft costs (e.g., performance bonds, insurance, etc.)
- Contingencies

GRANT LOCAL MATCH REQUIREMENT:

It is required that the applicant pay for at least 50% of the eligible redevelopment costs as a local match to obtain a redevelopment grant. The match can come from any source available to the applicant. Eligible redevelopment costs incurred up to 12 months prior to the application due date may be included as local match but cannot be reimbursed by DEED. See “Grant Eligible Costs” above. Prior costs should be identified in the Cost Analysis section of the application.

The applicant must complete and adopt the attached resolution authorizing this application and committing the

local match from the applicant (see Section VII, Resolutions).

REQUIRED APPRAISALS OR ASSESSMENTS FOR GRANTS:

Current (as-is) and projected (pre-construction) assessed values as determined by the local assessor are required. In lieu of the assessed value, appraisals done by an independent appraiser using accepted appraisal methodology, may be submitted. Values cannot be determined in any other manner. For tax exempt properties without an assessed value, a current market value must be provided.

The value of the property after the proposed development is completed is also required. This estimate is generally based on similar development projects in the city or a tax capacity estimate from the local assessor.

GRANT AWARD CRITERIA:

DEED will award grants to projects that provide the highest return in public benefits for the public costs incurred and meet all the statutory requirements. To evaluate the applications for public benefits with respect to the costs incurred, the law specifies priorities that DEED must consider.

To fulfill this requirement of reviewing applications in an objective and fair manner, the following criteria have been assigned maximum point values to systematically award grants. All assigned scores will be relative to scores awarded to other applications during the same grant round. **An application must receive a minimum of 50 points to be eligible for funding.**

1. Need for redevelopment in conjunction with contamination remediation needs. *Maximum = 15 points.*
2. Redevelopment project meets current tax increment financing requirements for a redevelopment district and tax increments will contribute to the project. *Maximum = 25 points.*
3. Redevelopment potential within the municipality. *Maximum = 85 points.*
4. Proximity to public transit if located in the metropolitan area. *Maximum = 5 points.*
5. Multi-jurisdictional projects that consider the need for affordable housing, transportation, and environmental impact. *Maximum = 15 points.*

Note: application review is a closed process. DEED reviewers may request clarification, but unanswered questions will not receive a score. Additional materials and required attachments will not be accepted after the application deadline without prior request or approval.

DEED has Redevelopment Grant rounds every six months. It is expected that projects are ready to begin grant activities as soon as grant funds are available. If there are one or more grant rounds before grant activities are scheduled to begin, DEED strongly recommends applying in a future grant round that is closer to commencement of the project. Be advised that if awarded, the application will be incorporated into the grant contract. The schedule provided in the application should be as accurate and realistic as possible. **Significant changes to the project and its schedule may result in grant termination.**



Brownfields and Redevelopment Unit

Redevelopment Grant Application

Applicant (Public Entity) *		
Head of Applicant Agency (e.g., Mayor) <i>Name and Title</i>		
Address		
City		Zip Code:
Email of Agency Head		
If the applicant is a city, what form of government?	☐ Home Rule	☐ Statutory City
Project Contact for the Public Entity		
Phone		
Email		
Address		
City		Zip Code:
Project Manager for this project from the Public Entity, in the event of an award*		
Phone		
Email		
Application Author		
Phone		
Email		

*If awarded, please note that the applicant is responsible for administering the grant and ensuring all grant terms and conditions are met.

PROJECT SUMMARY

ATTACH a summary of the project including the applicant's capacity to manage the grant in the event one is awarded.

I. SITE IDENTIFICATION AND HISTORY

SITE INFORMATION

1. Name of site/project: Click or tap here to enter text.

Site address: Click or tap here to enter text.

City: Click or tap here to enter text. Zip code: Click or tap here to enter text.

Site acreage: Click or tap here to enter text.

Property Identification Number(s): Click or tap here to enter text.

Minnesota Legislative District* in which **the site** is located:

A: Click or tap here to enter text.

B: Click or tap here to enter text.

*The Minnesota Legislature has an online tool to look up legislative district numbers: [Legislative Website](#)

SITE OWNERSHIP

2. A. Current property owner(s): Click or tap here to enter text.

When was the property purchased? Click or tap here to enter text.

For what amount? \$Click or tap here to enter text.

From whom was the property purchased? Click or tap here to enter text.

- B. Who will develop the site? Click or tap here to enter text.

Will the developer/affiliate own the property at any time? ☐ Yes ☐ No

When was/will the property be purchased? Click or tap here to enter text.

For what amount? \$Click or tap here to enter text.

- C. Who will own the site after development? Click or tap here to enter text.

When was/will the property be purchased? Click or tap here to enter text.

For what amount? \$ Click or tap here to enter text.

- D. What is the relationship (if any) between the current owner, the developer, and/or the future owner(s)? Click or tap here to enter text.

SITE VALUATION: ASSESSMENT OR APPRAISAL

3. DEED requires an appraisal or current assessed value as shown below. For tax-exempt properties without an assessed value, a current market value must be provided.

ATTACH an appraisal completed by a qualified independent appraiser licensed under chapter 82B using accepted appraisal methodology which shows the current market value of the property. This value should

include both the value of the land and, if applicable, any buildings on the Site. Along with the appraisal, please include the projected value after redevelopment activities and development have been completed.

Current Appraised Value	
Projected Value	

Or **ATTACH** documentation showing the assessed value of the property for the most recent year, as determined by the local assessor, shown on the most recent valuation notice used under Minn. Stat. § 273.121. Along with the assessed value, please include the projected value after redevelopment activities and development have been completed.

Current Assessed Value	
Projected Value	

MAPS AND SITE FEATURES

4. **ATTACH** accurate and legible site and location maps, showing locations of prominent and relevant site features such as buildings, retaining walls, etc. Maps must include site boundaries, a north arrow and bar scale, and show the following:
 - ☐ Current condition of the site including labeled structures.
 - ☐ Specifically, where and for what activities DEED money will apply
 - ☐ If requesting, geotechnical soil correction location and depth
 - ☐ Proposed development of the site including labeled structures.
5. **ATTACH** current (and historic, if available) photographs of the site.

HISTORY

6. Provide the timeline and history of the site. This includes, but is not limited to, when the site was first developed, former and current uses, as well as former and current occupants, etc., and describe what led to the site's current dilapidated condition.

Click or tap here to enter text.

CURRENT AND FUTURE SITE USE

7. Zoning/Land Use:
 - A. Current: ☐ Industrial ☐ Commercial ☐ Residential ☐ Mixed-use ☐ Other (Specify) Click or tap here to enter text.
 - B. After Redevelopment: ☐ Industrial ☐ Commercial ☐ Residential ☐ Mixed-use ☐ Other (Specify) Click or tap here to enter text.
8. Current buildings on site:

	Number of buildings	How many are occupied?	If vacant, for how long?
Industrial			
Commercial			
Residential			

9. Year building(s) was/were constructed: Click or tap here to enter text.
10. Describe the current condition of the buildings on site: Click or tap here to enter text.

11. Describe plans for the existing buildings as redevelopment occurs:

Click or tap here to enter text.

12. Describe **IN DETAIL** the proposed development plan for the site. Include information such as the number and size of buildings, number of housing units, square footage of commercial space, any known future tenants, etc.

Click or tap here to enter text.

IMPORTANT NOTE: Per [Minn. Stat. § 116J.575, Subd. 4](#), if this redevelopment project fails to substantially provide the public benefits (jobs and taxes) listed in this application within five years of the grant award date, the Commissioner may require that 100 percent of the grant amount be repaid to DEED.

13. Is the proposed development related to the bioscience field? ☐ Yes ☐ No

If yes, describe: Click or tap here to enter text.

14. Is the proposed development an expansion of an existing Minnesota bioscience business?

☐ Yes ☐ No

II. COST ANALYSIS

15. Total redevelopment costs as defined on Page iii: \$Click or tap here to enter text.

16. DEED request amount: \$Click or tap here to enter text.

Note: at least 50% of the total redevelopment costs must be paid with a match source.

17. Describe **IN DETAIL** the specific activities for which DEED funds are being requested:

Click or tap here to enter text.

18. If requesting assistance with geotechnical soil correction, explain how these costs are related to the site's past use and **ATTACH** the site's geotechnical soil evaluation report.

Click or tap here to enter text.

19. Complete the budget table below indicating the sources, uses, and amounts of all funds (including TIF, DEED requests, etc.) that will be used for eligible redevelopment costs as defined on Page iii. The table should list the total redevelopment costs, including any costs that have already been incurred.

The 50% local match can come from any source. Eligible redevelopment activities that have been completed up to 12 months prior to the application due date can count toward local match. If eligible costs have been incurred, attach the invoices. Public acquisition is only eligible as a match cost.

Redevelopment Sources and Uses of Funds for the Project (Budget Table)					
Use of Funds (Activity) (List individually)	Cost	Cost Incurred? Y/N	Date Incurred	Source of Funds	Date Funds Committed*
	\$				
	\$				
	\$				
	\$				

	\$				
	\$				
Total	\$				

Use of Funds (Activity): See Page iii for a list of eligible redevelopment costs. Be specific. List activities individually rather than combining into one line item (e.g., city water connection upgrade, city sanitary connection upgrade, etc.)

Cost: Total cost of the budget line item.

Costs Incurred: Has work on this activity started?

Date Incurred: When was this work done? Give a time range if necessary.

Source of Funds: List the funding sources, including match sources, contributing to each activity.

Date Funds Committed: When were the funds secured from this source?

***ATTACH** documentation of funding commitments.

20. Complete the table below indicating the sources, uses, and amounts of all funds that will be used for development construction.

Construction Sources and Uses of Funds for the Project			
Construction Activity	Cost	Sources of Funds (list individually)	Date Funds Committed*
Total	\$		

Construction Activity: May include building construction or other costs ineligible for Redevelopment.

Commitment Date: If construction financing is pending, list the date closing is anticipated.

***ATTACH** documentation of funding commitments.

21. What are the development's construction costs? Note the tables in question 20 and 21 should have the same total.

Total	\$
Public	\$
Private	\$

22. Is all the construction financing in place for the development of the site? ☐ Yes ☐ No

If yes, **ATTACH** documentation of funding commitments.

23. If construction financing is not in place, what is the process and timeline to secure the funds and when is closing anticipated?

[Click or tap here to enter text.](#)

ATTACH any letters of interest, term sheets from lenders or other funding sources, and include this information in Section V, Project Schedule.

24. Is the project seeking financial assistance from HUD and/or MHFA?

☐ Yes ☐ No

If yes, where is the project in the HUD and or MHFA financing process?

[Click or tap here to enter text.](#)

25. Will the development plan proceed without a DEED Redevelopment Grant?

☐ Yes ☐ No

Please explain.

[Click or tap here to enter text.](#)

III. TAX INCREMENT FINANCING (TIF) ANALYSIS

26. Is this project included in a currently established Redevelopment TIF district? ☐ Yes ☐ No

If yes, **ATTACH** the adopted resolution establishing the Redevelopment TIF district.

27. If not, does the project currently meet TIF requirements for a Redevelopment TIF district?

☐ Yes ☐ No

28. If yes, check the following TIF criteria that apply and **ATTACH** documentation (slum and blight analysis, building inspection, etc.) determining Redevelopment TIF qualifications:

- ☐ A. Parcels consisting of 70% of the area of the TIF district must be occupied by buildings, streets, utilities, or other improvements, and more than 50% of the buildings (excluding outbuildings) must be structurally substandard to a degree requiring substantial renovation or clearance; or
- ☐ B. Parcels must consist of vacant, unused, under used, inappropriately used, or infrequently used rail yards, rail storage facilities or excessive or vacated railroad rights-of-way; or
- ☐ C. Tank facilities (see criteria in [Minn. Stat. § 469.174, Subd. 10\[a\]\[3\]](#)); or
- ☐ D. A qualifying disaster area.

29. How much TIF will be used for the project? [Click or tap here to enter text.](#)

ATTACH a cash flow analysis that indicates how much TIF will be used towards this project.

If another type of TIF is being used for this project, what type is it? (Housing, pooled, etc.)

[Click or tap here to enter text.](#)

30. What activities are being financed with TIF? [Click or tap here to enter text.](#)

31. What is the maximum amount of TIF that can be generated? [Click or tap here to enter text.](#)

32. If TIF is not being used fully, or at all, explain why:

[Click or tap here to enter text.](#)

33. Is there a gap in financing after applying TIF? ☐ Yes ☐ No

If yes, how much is the gap? [Click or tap here to enter text.](#)

IV. ANALYSIS OF REDEVELOPMENT POTENTIAL

34. Describe how redevelopment of this site will spur future development of adjacent sites by identifying nearby properties with redevelopment potential.

Click or tap here to enter text.

35. Describe the relative adequacy of the infrastructure at the site.

Click or tap here to enter text.

36. **ATTACH** the most recent data on criminal activity at the site. Describe how redevelopment of the site will reduce crime.

Click or tap here to enter text.

37. Has the site been found or suspected to be contaminated? ☐ Yes ☐ No

If yes, describe the type of contamination: Click or tap here to enter text.

Check all that have been completed:

- ☐ Phase I ESA
- ☐ Phase II ESA
- ☐ Response Action Plan (RAP)
- ☐ MPCA RAP Approval
- ☐ Hazardous Material Survey

What are the anticipated remediation costs? \$Click or tap here to enter text.

What are the sources of funding for contamination cleanup? Click or tap here to enter text.

38. Have all the required local approvals/entitlements necessary for this project to proceed been obtained (planning commission, zoning, etc.)? ☐ Yes ☐ No

If yes, **ATTACH** council action/minutes or other documentation to confirm.

If not, what approvals remain and what is the timeline for obtaining these approvals? Include this information in Section V, Project Schedule.

Click or tap here to enter text.

PROPERTY TAX INFORMATION

39. What are the current property taxes (as determined by the County or City Assessor) for the site:

\$Click or tap here to enter text.

ATTACH a current property tax statement for each parcel.

40. What are the projected property taxes after development is completed: \$Click or tap here to enter text.

How was this figure determined? Click or tap here to enter text.

JOB CREATION

41. Project the number of new full-time equivalent (FTE) jobs to be created after redevelopment and development of the site is completed. These should include permanent jobs that did not exist in Minnesota prior to development and do not include temporary or construction jobs.

Total New Jobs: Click or tap here to enter text. FTEs

New Jobs Table

Position Title	Total # of Full-Time Jobs (FTE)	Total # of Part-Time Jobs	Part-time Hours Per Week	Expected Hiring/Start Date

JOB RETENTION

42. Project the number of retained FTE jobs after redevelopment and development of the site is completed. These should include permanent jobs that existed either on-site or elsewhere in Minnesota prior to development.

Total Retained Jobs: [Click or tap here to enter text.](#) FTEs

Retained Jobs Table

Position Title	Total # of Full-Time Jobs (FTE)	Total # of Part-Time Jobs	Part-time Hours Per Week	Former Location of Retained Jobs

HOUSING DATA

43. If the site will be redeveloped for residential use, provide the following data:

RENTAL:

Total number of units	
Monthly rental cost per unit	\$
Number of affordable units*	
Level of affordability	
Construction cost per unit	\$

OWNER OCCUPIED:

Total number of units	
Purchase price per unit	\$
Number of affordable units/homes*	
Level of affordability	
Construction cost per unit	\$

*For purposes of this program, DEED considers affordable housing to be at or below 60% area median income (AMI).

OTHER PUBLIC BENEFITS

44. Is this a multi-jurisdictional project (a joint application, joint powers agreement, joint development agreement, etc.)? ☐ Yes ☐ No

If yes, describe how the project is multi-jurisdictional and **ATTACH** any joint agreements.

Click or tap here to enter text.

Note: projects with other state agencies and/or the Metropolitan Council are not considered multi-jurisdictional projects.

45. What positive environmental benefit does this project have to the state and region?

46. Does the project advance or promote the growth of the green economy as defined in [Minn. Stat. § 116J.437](#)? ☐ Yes ☐ No

If yes, describe how the project advances or promotes the growth of the green economy in Minnesota:

Click or tap here to enter text.

PROXIMITY TO PUBLIC TRANSIT

47. **ATTACH** any local transit schedules and highlight the lines that serve the project site or nearby area. If a regularly scheduled route does not serve the area, please provide information about other forms of transit that serve the community.

Click or tap here to enter text.

DEVELOPER/END-USER/TENANT COMMITMENT

48. If there is a developer, complete the following and **ATTACH** a letter of commitment.

Developer	
Contact Person	
Title	
Phone Number / Email	

49. If there is an end-user or third party, such as a business tenant, complete the following and **ATTACH** a letter(s) of commitment.

Third Party/Company Name	
Contact Person	
Title	
Phone Number / Email	

V. PROJECT SCHEDULE

50. Provide a detailed schedule outlining the individual tasks necessary to complete the project. This includes redevelopment and development tasks and activities such as, but not limited to, site acquisition, local approvals (entitlements, TIF, etc.), financing commitments, abatement, demolition, development construction start and end date, and any other project activities.

IMPORTANT NOTE: Per [Minn. Stat. § 116J.575, Subd. 4](#), if this redevelopment project fails to substantially provide the public benefits (jobs and taxes) listed in this application within five years of the grant award date, the Commissioner may require that 100 percent of the grant amount be repaid to DEED.

DEED has redevelopment grant rounds every six months. It is expected that projects are ready to begin grant activities as soon as grant funds are available. If there are one or more grant rounds before grant activities are scheduled to begin, DEED strongly recommends applying in a future grant round that is closer to commencement of the project. Premature applications increase the likelihood that public benefits will not be achieved within five years thus requiring grant repayment.

If awarded, this schedule will be incorporated into the grant contract. Be as accurate and realistic as possible. Significant changes to this schedule may result in grant termination.

Scheduled Tasks

Task	20__												20__												20__											
	Jan	Feb	Mar	Apr	Ma	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Ma	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Ma	Jun	Jul	Aug	Sep	Oct	Nov	Dec

Redevelopment activities start date: Click or tap to enter a date.

Redevelopment activities completion date: Click or tap to enter a date.

Construction completion date: Click or tap to enter a date.

Benefits achievement date: Click or tap to enter a date.

51. Please list any factors which would change or delay this schedule. Click or tap here to enter text.

VI. PAYMENT INFORMATION

52. To receive payment from DEED, a SWIFT Vendor Number (with Location Code) assigned by Minnesota Management and Budget is required. For prompt payment, ensure the Vendor Number and Location Code are set up to allow electronic funds transfer (EFT) or Automated Clearing House (ACH) payment. State Vendor information may be found at: [Supplier Portal](#)

Applicant's Financial Contact	
Phone	
Email	
Applicant's SWIFT <u>Remit To</u> Vendor Number and Location Code	
Address Associated with SWIFT Vendor Number and Location Code	

VII. RESOLUTIONS

53. Resolutions must be adopted prior to the application deadline and submitted with the application. The two required elements are:

- A. A resolution from the governing body of the city where the project site is located, which approves the application.
- B. A resolution from the applicant committing the local match and authorizing contract signatures.
Note: Pursuant to Minn. Stat. § 412.201, **Statutory Cities must authorize the Mayor and Clerk to execute all contracts.**

Blank resolution templates are included on the following pages. The applicant may choose to reformat or combine them, but the adopted resolution must include all the following statements. **Resolutions that do not contain all statements will not be accepted.**

RESOLUTION #1: Municipality Approving the Application

BE IT RESOLVED that the _____ (Municipality of project location) has approved the Redevelopment Grant application submitted to the Department of Employment and Economic Development (DEED) on _____ (Date), by _____ (Applicant) for the _____ (Site name) site.

I certify that the above resolution was adopted by the city council on _____ (Date)

Signed: _____ (Authorized Official)

Title: _____

Date: _____

Witnessed by: _____

Title: _____ Date: _____

RESOLUTION #2: Committing the Local Match and Authorizing Contract Signature

BE IT RESOLVED that _____ (Applicant) act as the legal sponsor for project(s) contained in the Redevelopment Grant Program application to be submitted on _____ (Date), and that _____ (Title of Authorized Official) is hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of _____ (Applicant).

BE IT FURTHER RESOLVED that _____ (Applicant) has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration.

BE IT FURTHER RESOLVED that the sources and amounts of the local match identified in the application are committed to the project identified.

BE IT FURTHER RESOLVED that if the project identified in the application fails to substantially provide the public benefits listed in the application within five years from the date of the grant award, _____ (Applicant) may be required to repay 100 percent of the awarded grant per Minn. Stat. § 116J.575, Subd. 4;

BE IT FURTHER RESOLVED that _____ (Applicant) has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, _____ (Applicant) may enter into an agreement with the State of Minnesota for the above-referenced project(s), and

that _____ (Applicant) certifies that it will comply with all applicable laws and regulation as stated in all contract agreements.

NOW, THEREFORE BE IT FINALLY RESOLVED that the Mayor and the Clerk (for Statutory Cities), or Title of Authorized Official(s), are hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

Note: Do not include the name, only the title of the official(s).

Pursuant to Minn. Stat. § 412.201, Statutory Cities must authorize both the Mayor and Clerk to execute all contracts, whereas Home Rule Charter Cities or other public entities may differ.

I CERTIFY THAT the above resolution was adopted by the _____ (City Council, County Board, etc.)
of _____ (Applicant) on _____ (Date)

SIGNED: (Authorized Official)

WITNESSED BY:

(Title and Date)

(Title and Date)

VIII. Applicant Disclosures and Certifications

Applicant Conflict of Interest Disclosure Form

This form gives applicants and grantees an opportunity to disclose any actual or potential conflicts of interest that may exist when receiving a grant. It is the applicant/grantee's obligation to be familiar with the Office of Grants Management (OGM) [Policy 08-01: Grants Conflict of Interest](#) (Current Policies tab) and to disclose any conflicts of interest accordingly.

All grant applicants must complete and sign a conflict-of-interest disclosure form.

☐ I or my grant organization do NOT have an ACTUAL or POTENTIAL conflict of interest.

If at any time after submission of this form, I or my grant organization discover any conflict of interest(s), I or my grant organization will disclose that conflict immediately to the appropriate agency or grant program personnel.

☐ I or my grant organization have an ACTUAL or POTENTIAL conflict of interest.

(Please describe): Click or tap here to enter text.

If at any time after submission of this form, I or my grant organization discover any additional conflict of interest(s), I or my grant organization will disclose that conflict immediately to the appropriate agency or grant program personnel.

Printed name: Click or tap here to enter text.

Signature: _____

Organization: Click or tap here to enter text.

Date: Click or tap here to enter text.

Applicant Pre-Award Risk Assessment

To comply with [Minn. Statute 16B.981](#), our agency must collect and analyze certain information before we can execute a grant contract agreement. Please answer the following questions and submit back to us with the required documentation.

The submission of inaccurate or misleading information may be grounds for disqualification from the grant contract agreement award and may subject an organization to suspension or debarment proceedings, as well as other remedies available to the State, by law.

Applicant Name:

Contact Name:

1. Describe your organization's experience administering grants?

Click or tap here to enter text.

2. What is your organization's history managing state or federal funds?

Click or tap here to enter text.

3. Has your organization been awarded funding from DEED in the past 5 years? ☐ Yes ☐ No
If yes, what DEED program(s) awarded the funding and what are the names of the projects?

Click or tap here to enter text.

4. Describe your organization's current staffing and budget capacity related to administering state grant funds.

Click or tap here to enter text.

5. [Minn. Stat. § 16B.981 Subd. 2\(6\)](#) requires that no current principals of a grantee have been convicted of a felony financial crime in the last 10 years. A principal is defined as a public official, board member, or staff (paid or volunteer) with the authority to access funds provided by this grant opportunity or to determine how those funds are used.

By signing here, I warrant that no current principal of my organization has been convicted of a felony financial crime in the last 10 years.

Attach an organizational chart or list of principals that you are certifying below.

The submission of inaccurate or misleading information may be grounds for disqualification from the grant contract agreement award and may subject me/my organization to suspension or debarment proceedings, as well as other remedies available to the State, by law.

I certify that this information is true, correct, and reliable.

Printed name: *Click or tap here to enter text.*

Signature: _____

Title and Organization: *Click or tap here to enter text.*

Date: *Click or tap here to enter text.*



AGENDA RECOMMENDATION

Consent Calendar 5. C.

City Council Regular Meeting

Meeting Date: 07/22/2024

Agenda Item:

Resolution approving the Transit Safety Plan Update.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

The Federal Transit Administration (FTA) published the National Public Transportation Safety Plan Version 2 in April 2024, superseding the plan published in January 2017. It requires public transportation agencies to develop and review annually the Agency Safety Plan including safety performance measures, to maintain eligibility for funding assistance under the Urbanized Area Formula Grant (49 U.S.C. 5307).

Staff have completed the update of the Safety Plan including the Safety Management Policy Statement which is to be signed by the Accountable Executive annually.

As described in the [National Public Transportation Safety Plan](#), transit providers must establish fourteen Safety Performance Targets by mode. Small, urbanized area transit systems, serving populations of 200,000 or less, have no requirement to meet safety performance targets.

Fixed Route Performance Category	Performance Year			Annual	
	2022	2023	2024	Average	Target
Major Events	2	3		2.5	5
Major Event Rate	0.604	0.935		0.770	1.56
Collision Rate	N/A	N/A			0.62
Pedestrian Collision Rate	N/A	N/A			0
Vehicular Collision Rate (2 ea.)	N/A	N/A			0.62
Fatalities	0	0		0	0
Fatality Rate	0	0		0	0

Transit Worker Fatality Rate	N/A	N/A			0
Injuries	0	2		1	5
Injury Rate	0	0.623		0.3115	1.56
Transit Worker Injury Rate	N/A	N/A			0.31
Assaults on Transit Workers	N/A	N/A			1
Rate of Assaults on Transit Workers	N/A	N/A			0.31
Major Mechanical System Failures	33	34		33.5	N/A
Vehicle Revenue Miles	330,871	320,853		325,862	
System Reliability	10,026	9,437		9,727	10,000

Non-Fixed Route Performance Category	Performance Year			Annual	
	2022	2023	2024	Average	Target
Major Events	2	1		1.5	2
Major Event Rate	1.016	0.482		0.749	0.96
Collision Rate	N/A	N/A			0.96
Pedestrian Collision Rate	N/A	N/A			0
Vehicular Collision Rate	N/A	N/A			0.96
Fatalities	0	0		0	0
Fatality Rate	0	0		0	0
Transit Worker Fatality Rate	N/A	N/A			0
Injuries	2	1		1.5	4
Injury Rate	1.016	0.482		0.749	1.93
Transit Worker Injury Rate (2 ea.)	N/A	N/A			0.96
Assaults on Transit Workers	N/A	N/A			1
Rate of Assaults on Transit Workers	N/A	N/A			0.48
Major Mechanical System Failures	12	34		23	N/A
Vehicle Revenue Miles	196,843	207,354		202,098	
System Reliability	16,404	6,098		8,786	9,000

A reportable event is one that meets any National Transit Database reporting threshold and occurs at a transit revenue facility, maintenance facility; on public transit right-of-way or infrastructure; during a transit related maintenance activity; or involves a transit revenue vehicle. Events may meet multiple reporting thresholds. The reporting thresholds include the following:

- Fatalities were confirmed within 30 days of the event, including suicides.
- Injuries include any harm to one or more people who are transported away from the scene through any means for medical attention.
- Property damage equal to or exceeding \$25,000, includes the cost of clearing the wreckage and all other vehicles and property involved.
- Collisions that meet a fatality, injury, property damage, or evacuation threshold; involving a transit revenue vehicle and the towing away of any vehicles from the scene; including suicides or attempted suicides, assaults, or homicides resulting in an injury or fatality that involve contact with a transit vehicle or collisions that do not involve a transit revenue vehicle but meet a threshold.
- Evacuation of a transit facility or vehicle for life-safety reasons.
- An assault on a transit worker is a circumstance in which an individual knowingly, without lawful authority or permission, and with intent to endanger the safety of any individual, or with a reckless disregard for the safety of human life, interferes with, disables, or incapacitates a transit worker while the transit worker is performing the duties of the transit worker.
 - Physical: An assault in which the attack involved physical contact with the transit worker. This could include any physical contact with the victim from the attacker's body, a weapon, a projectile or other item (e.g., spitting).
 - Non-Physical: An assault in which the attack involves no physical contact with the transit worker. This could include threats, intimidation, or interference that do not result in any physical contact with the transit worker.

Safety performance targets rates per 100,000 vehicle revenue miles were adjusted based on Mankato's 2023 vehicle revenue miles for fixed route and non-fixed route.

The entire plan will be reproduced and distributed to the Federal Transit Administration, Minnesota Department of Transportation Office of Transit and Active Transportation, and the Mankato/North Mankato Area Planning Organization. All documents are required to be maintained for three years.

Attachments

Resolution

Transit Safety Plan

RESOLUTION APPROVING THE UPDATE TO THE CITY OF MANKATO
TRANSIT SAFETY PLAN FOR PUBLIC TRANSPORTATION

WHEREAS, the City of Mankato operates the public transit services for the Mankato Urbanized Area; and

WHEREAS, the Federal Transit Administration, which provides funding assistance under the Urbanized Area Formula Grant (49 U.S.C. 5307) for public transportation in the Mankato Urbanized Area, requires public transportation operators to revise their agency safety plan to conform to Version 2 of the National Public Transportation Safety Plan to continue eligibility for federal funds; and

WHEREAS, the Mankato Transit System has completed the annual review and revision of the Safety Plan, including the Safety Management Policy Statement; and

WHEREAS, the July 2024 version of the Safety Plan is relevant and appropriate for the City of Mankato's public transit service safety objectives and performance targets.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANKATO, MINNESOTA that the annual update to the Mankato Transit System Safety Plan for the City of Mankato public transportation is hereby approved.

This resolution shall become effective upon passage without further publication.

Adopted this 22nd day of July 2024.

Najwa Massad, Mayor

ATTEST: _____
Rena Kopischke, MMC
City Clerk



Mankato Transit System Safety Plan

Version 2 adopted July 22, 2024

Accountable Executive: Associate Director – Transportation Planning Services

Contents

Document Organization	iv
Plan Development	iv
Mankato Transit System Background	iv
Safety Management Systems	v
Chapter 1. Transit Agency Information.....	1
Table 1. Transit Agency Information	1
Chapter 2. Plan Development, Approval, and Updates	2
Table 2. Plan Development and Approval	2
Annual Review and Update of the Safety Plan.....	2
Table 3. Plan Updates.....	3
Table 4. Safety Performance Target Coordination.....	3
Chapter 3. Safety Performance Targets.....	4
National Transit Database Reportable Thresholds.....	4
Table 5. Mankato Transit System Safety Performance Targets.....	5
Table 6. Fixed Route Annual Safety Performance and Targets	6
Table 7. Non-Fixed Route Annual Safety Performance and Targets.....	6
Safety Performance Target Coordination.....	6
Chapter 4. Safety Management Policy.....	7
Safety Management Policy Statement	7
Safety Management Policy Communication	7
Authorities, Accountabilities, and Responsibilities	8
Table 8. Staff Tasks and Responsibilities.....	8
Employee Safety Reporting Program.....	9
City of Mankato Reportable Events	10
Chapter 5. Safety Risk Management.....	10
Safety Risk Management Process	10

Hazard Identification	11
Table 9. Hazard Identification Sources	11
Safety Risk Assessment	13
Table 10. Risk Assessment Matrix.....	13
Safety Risk Mitigation.....	14
Chapter 6. Safety Assurance	14
Compliance Monitoring	15
Mitigation Monitoring.....	15
Investigation of Causal Factors	15
Internal Reporting Monitoring	16
Continuous Improvement.....	16
Chapter 7. Safety Promotion	16
Competencies and Training	17
Safety Training for Transit Workers.....	17
Management and Supervisor Training.....	17
Safety Communication	17
Additional Information.....	18
Frontline Employee Representation.....	18
Strategies to Minimize Exposure to Infectious Disease	18
Supporting Documentation.....	19
Definitions.....	20
Acronyms.....	25
Appendix A – Safety Management Policy Statement.....	26
Appendix B – Transit Accident / Incident Report.....	27
Appendix C – Resolution Approving the Transit Safety Plan.....	29

Document Organization

The Mankato Transit System Agency Safety Plan (ASP) fulfills the requirements of 49 U.S.C. 5329 and 49 Code of Federal Regulations (CFR) Part 673. To ensure that it meets these requirements, the sections following this introduction adhere to the sample structure provided by the Federal Transit Administration (FTA) in the [*Public Transportation Agency Safety Plan Template for Bus Transit*](#) (December 31, 2019).

Plan Development

Mankato Transit System (MTS) drafted the Agency Safety Plan (ASP), with the assistance of SRF Consulting Group, Inc. The planning process ran from January 2020 through the approval of the plan by City of Mankato City Council on July 27, 2020. During this process, meetings and correspondence with transit department staff provided opportunities for input and collaboration by staff at Mankato Transit. In 2021, during the annual update, the process was initiated with SRF Consulting Group, Inc. and completed internally to allow staff the opportunity to internalize the plan and further develop actionable steps as part of the Safety Management Policy. This resulted in a more tailored plan that is accepted and utilized by the staff and drivers. In the 2022 update, the cooperation of frontline employees and representatives of the American Federation of State, County, and Municipal Employees (AFSCME) Local 2374 were included furthering the acceptance and utilization of safety management as a system. On April 9, 2024, FTA published the first major update to the Public Transportation Agency Safety Plans (PTASP) regulations resulting in a full revision.

Mankato Transit System Background

The Federal Transit Administration and Minnesota Department of Transportation (MnDOT) Office of Transit and Active Transportation provides operating assistance to the city of Mankato for public transportation through Urbanized Area Formula Grants Program (49 U.S.C. 5307) and State of Good Repair Grants Program (49 U.S.C. 5337). The Mankato Transit System provides Fixed Route, Demand Response, and Paratransit Services in the Mankato Urbanized Area under the Department of Community Development. All modes are covered in this Agency Safety Plan. Mankato Transit System operations, fleet, and facilities can be found in the annual Transit Reports published by MnDOT.

<https://www.dot.state.mn.us/transit/plans-reports.html>

Safety Management Systems

Moving Ahead for Progress in the 21st Century (MAP-21) granted the FTA the authority to establish and enforce a comprehensive framework to oversee the safety of public transportation throughout the United States. It provided an opportunity for FTA to assist transit agencies in moving towards a more holistic, performance-based approach in Safety Management Systems (SMS).

Safety Management Systems is a formal, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. It includes systematic procedures, practices, and policies for managing hazards and safety risks, and consists of four primary elements:

Safety Management Policy: A transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its transit workers in regard to safety.

Safety Risk Management: A process within an Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating the safety risk of their potential consequences.

Safety Assurance: A process within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety Promotion: A combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.



Chapter 1. Transit Agency Information

Table 1. Transit Agency Information

Transit Agency Name	Mankato Transit System
Transit Agency Address	501 S Victory Dr, Mankato, MN, 56001
Name and Title of Accountable Executive	Shawn Schloesser, Associate Director - Transportation Planning Services
Name of Chief Safety Officer or SMS Executive	Todd Owens, Operations Superintendent
Deputy Safety Officer	Marta Krosch, Transit Operations Technician
Modes of Service Covered by This Plan	Fixed Route, Demand Response, and Paratransit Bus Services
All FTA Funding Types	Section 5307 and 5337
Modes of Service Provided by the Transit Agency (Directly operated or contracted service)	Fixed Route, Demand Response, and Paratransit Bus Services
Does the transit agency provide transit services on behalf of another transit agency or entity?	No
Description of Arrangement(s)	N/A
Name and Address of Transit Agency(ies) or Entity(ies) for Which Service is Provided	N/A
Additional Contact	Minnesota Department of Transportation Office of Transit and Active Transportation 395 John Ireland Blvd St. Paul, MN 55155-1800 651-296-3000
Additional Contact	Mankato/North Mankato Area Planning Organization (MAPO) 10 Civic Center Plaza Mankato, MN 56001 507-387-8389

Chapter 2. Plan Development, Approval, and Updates

Table 2. Plan Development and Approval

Name of Entity That Drafted This Plan	Mankato Transit System	
Signature by the Accountable Executive		
	Shawn Schloesser, Associate Director Transportation Planning Services	Date of Signature 07/24/2024
Approval by the Board of Directors or an Equivalent Entity	O/S	07/24/2024
	Najwa Massad, Mayor of Mankato	Date of Approval
	R-2020-0727-121 signed, July 27, 2020	
Notification of Plan Approval and Updates	Minnesota Department of Transportation	Date of Notification
	Upload to Black Cat	

Annual Review and Update of the Safety Plan

The Mankato Transit Agency Safety Plan, including the Safety Management Policy Statement, is reviewed on an annual basis to ensure it remains relevant and appropriate to the transit agency's safety objectives and safety performance targets.¹ This review process, conducted in July of each calendar year, is completed by Mankato Transit System leadership. The Accountable Executive signs the Safety Management Policy Statement to indicate approval and will submit it to the city council for review and approval.

Following the annual Safety Plan review and adoption by the city council, Mankato Transit shares the entire updated Safety Plan with MnDOT and the Mankato/North Mankato Area Planning Organization (MAPO).

¹ 49 Code of Federal Regulations (CFR) Part 673.11(a)(5)

Updates to the Safety Plan will be recorded in the Version Number and Updates section, including a version history. All documentation shall be retained for a minimum of three years.

Table 3. Plan Updates

Version Number	Section/Pages Affected	Reason for Change	Date Issued
2	Full Document	Incorporate changes from National Public Transportation Safety Plan, April 2024	07.24.2024

Table 4. Safety Performance Target Coordination

Targets Transmitted	Entity Name	Date Targets Transmitted
State	Minnesota Department of Transportation (MnDOT)	
Metropolitan Planning Organization (MPO)	Mankato/North Mankato Area Planning Organization (MAPO)	

Chapter 3. Safety Performance Targets

As described in the [National Public Transportation Safety Plan](#), transit providers must establish fourteen Safety Performance Targets by mode. Failing to meet a safety performance target under the safety risk reduction program:

- Large urban agencies, serving populations of 200,000 or more, must allocate their safety set-aside of 0.75% of the Section 5307 funds in the following fiscal year to eligible projects that are reasonably likely to assist the agency in meeting the target.
- Small, urbanized area transit systems have no requirement to meet safety performance targets.

National Transit Database Reportable Thresholds

A reportable event is one that meets any National Transit Database reporting threshold and occurs at a transit revenue facility, maintenance facility; on public transit right-of-way or infrastructure; during a transit related maintenance activity; or involves a transit revenue vehicle. Events may meet multiple reporting thresholds. Report by submitting the National Transit Database (NTD)³ S&S-40 Major Event Report Form.

The reporting thresholds⁴ include the following:

- Fatalities confirmed within 30 days of the event, includes suicides
- Injuries includes any harm to one or more persons who are transported away from the scene through any means for medical attention
- Property damage equal to or exceeding \$25,000, includes cost of clearing wreckage and all other vehicles and property involved
- Collisions that meet a fatality, injury, property damage, or evacuation threshold; involving a transit revenue vehicle and the towing away of any vehicles from the scene; including suicides or attempted suicides, assaults, or homicides resulting in an injury or fatality that involve contact with a transit vehicle or collisions that do not involve a transit revenue vehicle but meet a threshold

³ <https://www.transit.dot.gov/ntd/national-transit-reporting-tool>

⁴ https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-02/2024-Safety-and-Security-Policy-Manual_1-0.pdf

- Evacuation of a transit facility or vehicle for life-safety reasons
- An assault on a transit worker⁵ is a circumstance in which an individual knowingly, without lawful authority or permission, and with intent to endanger the safety of any individual, or with a reckless disregard for the safety of human life, interferes with, disables, or incapacitates a transit worker while the transit worker is performing the duties of the transit worker.
 - Physical: An assault in which the attack involved physical contact with the transit worker. This could include any physical contact with the victim from the attacker's body, a weapon, a projectile or other item (e.g., spitting).
 - Non-Physical: An assault in which the attack involves no physical contact with the transit worker. This could include threats, intimidation, or interference that do not result in any physical contact with the transit worker.

Table 5. Mankato Transit System Safety Performance Targets

Mode of Service	Major Events	Major Event Rate	Collision Rate	Pedestrian Collision Rate	Vehicular Collision Rate	Fatalities	Fatality Rate	Transit Worker Fatality Rate	Injuries	Injury Rate	Transit Worker Injury Rate	Assault on Transit Workers	Rate of Assaults on Transit Workers	System Reliability
Fixed Route	5	1.56	0.62	0	0.62	0	0	0	5	1.56	0.31	1	0.31	10,000
Non-Fixed Route	2	0.96	0.96	0	0.96	0	0	0	4	1.93	0.96	1	0.48	9,000

⁵ The Bipartisan Infrastructure Law amended 49 U.S.C. 5335(c) to require direct recipients to submit data for assaults on transit workers.

Table 6. Fixed Route Annual Safety Performance and Targets

Fixed Route Performance Category	Performance Year					Annual	
	2022	2023	2024	2025	2026	Average	Target
Major Events	2	3				2.5	5
Major Event Rate	0.604	0.935				0.770	1.56
Collision Rate	N/A	N/A					0.62
Pedestrian Collision Rate	N/A	N/A					0
Vehicular Collision Rate (2 ea.)	N/A	N/A					0.62
Fatalities	0	0				0	0
Fatality Rate	0	0				0	0
Transit Worker Fatality Rate	N/A	N/A					0
Injuries	0	2				1	5
Injury Rate	0	0.623				0.3115	1.56
Transit Worker Injury Rate	N/A	N/A					0.31
Assaults on Transit Workers	N/A	N/A					1
Rate of Assaults on Transit Workers	N/A	N/A					0.31
Major Mechanical System Failures	33	34				33.5	N/A
Vehicle Revenue Miles	330,871	320,853				325,862	
System Reliability	10,026	9,437				9,727	10,000

Table 7. Non-Fixed Route Annual Safety Performance and Targets

Non-Fixed Route Performance Category	Performance Year					Annual	
	2022	2023	2024	2025	2026	Average	Target
Major Events	2	1				1.5	2
Major Event Rate	1.016	0.482				0.749	0.96
Collision Rate	N/A	N/A					0.96
Pedestrian Collision Rate	N/A	N/A					0
Vehicular Collision Rate	N/A	N/A					0.96
Fatalities	0	0				0	0
Fatality Rate	0	0				0	0
Transit Worker Fatality Rate	N/A	N/A					0
Injuries	2	1				1.5	4
Injury Rate	1.016	0.482				0.749	1.93
Transit Worker Injury Rate (2 ea.)	N/A	N/A					0.96
Assaults on Transit Workers	N/A	N/A					1
Rate of Assaults on Transit Workers	N/A	N/A					0.48
Major Mechanical System Failures	12	34				23	N/A
Vehicle Revenue Miles	196,843	207,354				202,098	
System Reliability	16,404	6,098				8,786	9,000

Safety Performance Target Coordination

Following the annual review process, Mankato Transit shares its entire Safety Plan with MnDOT and the Mankato/North Mankato Area Planning Organization (MAPO).

Performance targets are made available to the State and MPO to aid in the planning process.⁷ Annual reevaluation of performance measures is conducted during the reviewing and updating of the safety plan to determine refinements, sub-measures developed, and performance targets.

Safety performance targets rates per 100,000 vehicle revenue miles were adjusted based on Mankato's 2023 vehicle revenue miles for fixed route and non-fixed route. Mankato Transit will update the targets to reflect its operating conditions and environment on a calendar year basis.

Chapter 4. Safety Management Policy

Safety Management Policy Statement

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

All levels of management and all transit workers are accountable for the delivery of this highest level of safety performance, starting with the Associate Director – Transportation Planning Services. See Appendix A for the Safety Management Policy Statement.

Safety Management Policy Communication

The Mankato Transit Safety Management Policy is communicated in the following manner:

- Included in the Safety Training binder located in the Driver Information Area
- Printed copy of the entire Mankato Transit Agency Safety Program is located at the Chief Safety Officer's office and digitally via servers
- During onboarding, employee orientation, and quarterly trainings

⁷ 49 Code of Federal Regulations (CFR) Part 673.15(a) and (b)

Authorities, Accountabilities, and Responsibilities

Table 8. Staff Tasks and Responsibilities

Role	Responsibilities
Accountable Executive	- Assumes ultimate responsibility for carrying out the Safety Management System. - Controls and directs human and capital resources needed to develop and maintain both the Transit Agency Safety Plan and Transit Asset Management Plan. - Designate and supervise the Chief Safety Officer - Integrate and coordinate with Public Safety and Emergency Management
Chief Safety Officer	- Directs collection and analysis of safety information - Manages hazard identification and safety risk evaluation activities - Monitors safety risk mitigations - Provides periodic reports on safety performance - Advises senior management on safety matters - Maintains safety management documentation - Plans and organizes safety training
Deputy Safety Officer	- Develops and tracks Safety Performance Targets - Administer safety training - Assist the Chief Safety Officer
Management and Key Staff	- Actively support and promote the Safety Management System - Ensure staff compliance with the Safety Management System process and procedures - Assist in ensuring that resources are available to achieve the outcomes of the Safety Management System - Continually monitor respective areas of Safety Management System responsibility
All Roles	- Ensure accountability for Safety Management System performance is at the highest level of the organization - Implement Safety Management System in a manner that meets transit agency safety performance objectives - Establish the structure necessary to ensure that safety information moves up, down, and across the transit agency - Effectively communicate Safety Management System roles and responsibilities to all relevant individuals - Ensure Safety Management System policies and procedures have been communicated to all department employees

In the event organizational changes impact the Safety Management System, the Accountable Executive and Chief Safety Officer coordinate to ensure that SMS documentation is updated as needed.

The Accountable Executive and Chief Safety Officer maintain document control for three years after creation for Safety Management System related items and ensure availability to the FTA or other oversight entity upon request.

Employee Safety Reporting Program

Transit should be safe for passengers using the system, workers operating the system, and the pedestrians, bicyclists and all other persons who interact with the system.

Mankato Transit is committed to providing a safe work environment and responsible operations on the streets of the Mankato Urbanized Area. To achieve this, it is imperative that transit workers have convenient and available means to report incidents and occurrences which may compromise the safe conduct of Mankato Transit operations. To this end, every transit worker is responsible for the communication of safety concerns, including assaults on transit workers, near-misses, and unsafe acts or conditions that may affect the integrity of transit safety. Communication methods include:

- Contact the 311 Customer Response System electronically through the online customer request form or dial 311 Mankato directly
- Input a Facility or IT Helpdesk Ticket
- Reporting conditions directly to the Leads/Dispatch, who will enter the information into the 311 Customer Response System
- Report conditions directly to any supervisor, manager, or director, verbally or in written form. Use the Employee Handbook to guide actions.

Examples of information typically reported include:

- Safety concerns in the operating environment such as road, facility, or vehicle condition.
- Policies and procedures that are not working as intended such as insufficient time to complete pre-trip or post trip inspections
- Events that senior managers might not otherwise know about such as near misses
- Information about why a safety event occurred (for example, radio communication challenges)

The Chief Safety Officer, will review and address each employee report, ensuring that hazards and their potential consequences are appropriately identified and

mitigated through the SMS process and that reported deficiencies and non-compliance with rules or procedures are managed through the Safety Assurance process. The Chief Safety Officer follows up directly with the transit worker after the safety risk management process and after any safety risk mitigations may have been implemented.

No action will be taken against any transit worker who discloses a safety concern through the employee safety reporting program, unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures.

City of Mankato Reportable Events

The reportable threshold for the City of Mankato includes all collisions, fatalities, injuries, assaults, property damage, or evacuations. Complete the following reports without delay and communicate with the Supervisor:

1. Transit-Accident/Incident Report (Appendix B)
2. Equipment Accident/Incident Report and if injured, a First Report of Injury.

Supervisors will electronically deliver Supervisor's Report of Accident along with Equipment Accident/Incident Report to the City Clerk for distribution (includes the Safety Committee). If a transit worker is injured, a First Report of Injury form in addition to the Equipment Accident/Incident Report is electronically and securely submitted to Human Resources without delay.

Chapter 5. Safety Risk Management

Safety Risk Management Process

The Safety Risk Management Process was created to actively manage transit safety risks and develop processes to systematically apply the available safety tools to address urgent safety needs and concerns. Mankato Transit adopted the 5-step process for identifying, evaluating, and mitigating safety risks and follows the principles of the Safety Management System.

1. Identify Safety Concern - Review transit safety data sources for safety concerns to elevate. Identify any existing safety risk mitigation measures
2. Assess Safety Risk – Conduct safety risk assessment to evaluate severity and likelihood of potential consequences associated with safety concerns.

3. Develop Safety Risk Mitigation – Propose a safety risk mitigation management plan that identifies recommended measures to reduce safety risk, implementation timeline, costs, and performance indicators.
4. Implement Safety Risk Mitigation – Implement safety risk mitigation measures in accordance with the specifics of the approved plan.
5. Monitor Safety Performance – Monitor safety concerns and performance indicators in accordance with the approved safety risk mitigation plan. Plan communication of results to stakeholders.

This program offers the following benefits:

- Proactive Safety Risk Mitigation – Establishing a proactive process for taking measures to improve transit safety, rather than a reactive one.
- Consistent Decision Making – Provides a uniform, tiered decision-making process for addressing safety concerns and prioritizing organizational resources.
- Data-Driven Methodology – Incorporates available safety data and analysis into decision making.
- Complete Documentation – Creates a consistent basis for documenting safety concerns, safety risk mitigation decisions, and monitoring results.

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

Hazard Identification

The Chief Safety Officer reviews and discusses new hazards in consultation with operations and maintenance leadership and frontline personnel. Consultation with subject matter experts and federal and state bodies may also be necessary. The Chief Safety Officer coordinates the various data sources to ensure that the process has appropriately considered all human factors, environmental factors, supervision elements, and organizational elements.

Table 9. Hazard Identification Sources

Hazard Information Source	Responsibility	Review Frequency
Observation of Operations	All	As needed
Pre and Post Trip Inspections	Chief Safety Officer, Leads/Dispatch, and 311 Mankato	Daily

Mankato Transit System Safety Plan

Employee Safety Reporting	Chief Safety Officer, Leads/Dispatch, and 311 Mankato	As needed
Customer and Public feedback or complaint	Chief Safety Officer, Leads/Dispatch, and 311 Mankato	As needed
Transit Team Meetings	Accountable Executive & Chief Safety Officer	Weekly
Government Sources (Federal, State, and Local)	Accountable Executive & Chief Safety Officer	As needed
Industry Data	Accountable Executive & Chief Safety Officer	As needed
Inspections	Chief Safety Officer, Deputy Safety Officer, and Maintenance Techs	As needed
Transit Facility Maintenance Plan Inspections	Facilities and Transit Departments	As required
Incident or Accident Reports	Chief Safety Officer and Maintenance Techs	As required
Internal Safety Investigations	Chief Safety Officer and Maintenance Techs	As needed
Training Assessments	Deputy Safety Officer	As needed

Safety Risk Assessment

Safety Risk represents the likelihood that people could be harmed, or equipment could be damaged, by the potential consequences of a hazard and the extent of the harm or damage. Therefore, safety risk is expressed and measured by the predicted probability and severity of a hazard's potential consequences.

Assess safety risk using the Risk Assessment Matrix. This matrix expresses assessed safety risk as a combination of one severity category and one likelihood level, to obtain a hazard rating to guide actions. Likelihood means the probability that hazard consequences might occur, considering the worst foreseeable condition. Severity means the anticipated effects of a potential consequence, should it materialize, considering the worst credible condition.

Table 10. Risk Assessment Matrix

Likelihood	5	Very High					
	4	High					
	3	Moderate					
	2	Low					
	1	Very Low					
			Negligible	Could cause minor first aid treatment	May cause minor injury, or minor property damage	May cause severe injury, or major property damage	May cause death or permanent injury or destruction of property
			A	B	C	D	E
Severity							
Green	Acceptable under existing circumstances.						
Yellow	Acceptable, but monitoring is necessary. Hazard should be mitigated, if possible, within fiscal constraints.						
Red	Unacceptable under existing circumstances. Hazard must be mitigated.						

Safety Risk Mitigation

Safety risk mitigation enables the active “management” of safety risk in a manner that is aligned with safety performance targets, and consists of initial, ongoing, and revised safety risk mitigations to include missed performance targets.

The Accountable Executive and Chief Safety Officer identify any safety risk mitigations or strategies that may be necessary to protect the public, including pedestrians and bicyclists, and transit workers from unsafe conditions. The Chief Safety Officer ensures that safety risk mitigations and associated safety risk mitigation plans are implemented to reduce the likelihood and severity of potential consequences.

During Transit Team Meetings, transit workers review open hazard items as a standing agenda item. This provides for hazard tracking and recordkeeping of when hazards have been verified as closed. The meeting minutes provide documentation and accountability. Minutes should include the following information.

- Safety Risk Description and Assessment
- Current Measures to Reduce Safety Risk
- Further Action Required to Reduce Safety Risk
- Staff Responsibility

Chapter 6. Safety Assurance

Through our Safety Assurance process:

- Consider data and information regarding exposure to infectious disease provided by the Centers for Disease Control and Prevention or Minnesota Department of Health.
- Analyzes information from safety reporting, including data about safety failures, defects, or conditions.
- Evaluates compliance with operations and maintenance procedures to determine whether existing rules and procedures are sufficient to control our safety risk.
- Investigates safety events to identify causal factors.
- Assesses the effectiveness of safety risk mitigations to make sure the mitigations are appropriate and are implemented as intended.

Compliance Monitoring

Mankato Transit collects a variety of information and data via safety performance monitoring activities which staff examines for hazards and safety trends.

- Monitor transit worker safety reporting program
- Monitor service delivery activities
- Monitor operational and maintenance data
- Conduct safety surveys
- Conduct safety audits, studies, reviews, and inspections
- Conduct safety investigations
- Evaluate data and information from external agencies or peers

During the annual safety plan review, the Accountable Executive and Chief Safety Officer review data produced via safety performance monitoring activities as an input for updates to the numerical performance targets and objectives in the transit agency's Safety Policy.

Mitigation Monitoring

The Chief Safety Officer monitors Mankato Transit's operations on a large scale to identify safety risk mitigations that may be ineffective, inappropriate, or not implemented as intended by:

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

During Lead Driver meetings, operation and maintenance activities are reviewed to identify safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended. Lead Drivers also support field monitoring activities to identify changes in a system that may not be planned.

Investigation of Causal Factors

Mankato Transit maintains documented procedures for conducting safety investigations of events (accidents, incidents, and occurrences, as defined by FTA) to find causal and contributing factors and review the existing safety risk mitigations in place at the time of the event. Mankato Transit is committed to using the data collected and information learned to inform decision making and continuously improve future safety management system hazard mitigation practices. The Chief Safety Officer reviews data related to passenger injuries and

claims, passenger complaints, transit worker injuries, and accidents; hazards and trends.

The Chief Safety Officer also conducts or monitors incident/mishap response and investigations to assess trends. Documents of investigation policies, processes, forms, checklists, activities, and results are maintained. Major accidents, incidents, and hazards may also be documented in formal investigation reports and supporting documents maintained separately.

Significant accident and incident investigation outcomes and lessons learned are communicated to system transit workers; bulletins and retraining or familiarization may also be used. The Chief Safety Officer ensures that appropriate action items are posted in the driver break/preparation area, so they are visible and available to all transit workers.

Internal Reporting Monitoring

The Chief Safety Officer routinely reviews safety data captured in employee safety reports, customer complaints, and other safety communication channels. When necessary, the Chief Safety Officer and Accountable Executive ensure that the concerns are investigated or analyzed through the SMS process.

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

Continuous Improvement

Annually during the Safety Plan Update, the transit annual safety performance is reviewed against the safety performance targets to identify deficiencies. Noted areas are discussed during the Transit Team Meeting to identify potential risk mitigation techniques through operating practice or Capital Improvement Projects.

Chapter 7. Safety Promotion

Mankato Transit believes safety promotion is critical to the success of the Safety Management System by ensuring that the entire organization fully understands and trusts the Safety Management System policies, procedures, and structure. It involves establishing a culture that recognizes safety as a core value, training transit workers in safety principles, and allowing open communications of safety issues.

Competencies and Training

Mankato Transit maintains and implements a safety management training program to ensure transit workers are trained and competent to perform their Safety Management System duties, per 49 CFR Part 673.29(a). This training includes pre-employment screening of job-related skills for certain positions, new employee orientation, on-the-job training, and an ongoing process of refresher and familiarization training for current transit workers which include.

Safety Training for Transit Workers

- De-Escalation Training
- Safety Concern Identification and Reporting
- Refresher Training as necessary

Management and Supervisor Training

Management-level training is delivered through staff meetings and can include videos covering safety training topics or other safety-focused material. Executive managers also participate in the FTA sponsored Transportation Safety Institute⁸ to ensure that they are sufficiently trained to carry out their SMS responsibilities.

Training can include:

- SMS Awareness (Online course)
- Safety Assurance (e-Learning course)
- SMS Principles for Transit
- Effectively Managing Transit Emergencies
- Transit Bus System Safety
- Fundamentals of Bus Collision Investigation

Safety Communication

The Chief Safety Officer coordinates Mankato Transit's safety communication activities which focus on the three categories of communication activity established in 49 CFR Part 673 (Part 673):

1. Communicating safety and safety performance information throughout the transit agency

Mankato Transit communicates information on safety and safety performance in emails and during meetings. Mankato Transit also has a

⁸ <https://tsi-dot.csod.com>

permanent agenda item in all Drivers' Meetings dedicated to safety. Information typically conveyed during these meetings includes safety performance statistics, lessons learned from recent occurrences, upcoming events that may impact Mankato Transit's service or safety performance, and updates regarding SMS implementation. Finally, the Chief Safety Officer posts safety bulletins and flyers on the bulletin boards located in the bus operator and maintenance technician break rooms, advertising safety messages and promoting awareness of safety issues.

2. Communicating information on hazards and safety risks relevant to transit workers' roles and responsibilities throughout the transit agency.

As part of new-hire training, Mankato Transit distributes safety policies and procedures, included in the Employee Handbook, to all transit workers. Mankato Transit provides training on these policies and procedures and discusses them during safety talks between supervisors and bus operators and vehicle technicians.

For newly emerging issues or safety events, including the results of cooperation with frontline transit workers at the transit agency, the Chief Safety Officer may issue messages to transit workers to support performing their jobs safely.

3. Informing transit workers of safety actions taken in response to reports submitted.

Mankato Transit provides targeted communications to inform transit workers of safety actions taken in response to reports submitted, including handouts and flyers, safety talks, updates to bulletin boards, and one-on-one discussions between transit workers and supervisors.

Additional Information

Frontline Employee Representation

Annual review and update of the Mankato Transit Safety Plan is conducted in cooperation with the frontline employees and representatives of the American Federation of State, County, and Municipal Employees (AFSCME) Local 2374.

Strategies to Minimize Exposure to Infectious Disease

To minimizing exposure to infectious diseases and improve the public health and operating environment for our customers and transit workers, periodic sanitization of the bus interior, a practice implemented during the COVID-19 Pandemic will

continue as safety risk mitigation best practice. Funding to provide equipment and supplies appropriate for bus sanitization will be budgeted annually.

Mankato Transit will ensure implementation strategies to minimize exposure to infectious disease consistent with Centers for Disease Control and Prevention and Minnesota Department of Health guidelines are implemented⁹.

Supporting Documentation

Mankato Transit will maintain documentation related to the implementation of its SMS; the programs, policies, and procedures used to carry out this safety plan; and the results from its SMS processes and activities for three years after creation. They will be available to the FTA or other Federal or oversight entity upon request.

⁹ In accordance with changes 49 U.S.C § 5329(d) under the Bipartisan Infrastructure Law.

Definitions

Accountable Executive means a single, identifiable person who has ultimate responsibility for carrying out the Agency Safety Plan of a transit agency; responsibility for carrying out the transit agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the transit agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the transit agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

Chief Safety Officer means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

Consequence means the potential outcome(s) of a hazard.

Direct Recipient means an entity that receives Federal financial assistance directly from the Federal Transit Administration.

Emergency means, as defined under 49 U.S.C. 5324, a natural disaster affecting a wide area (such as a flood, hurricane, tidal wave, earthquake, severe storm, or landslide) or a catastrophic failure from any external cause, as a result of which the Governor of a State has declared an emergency, and the Secretary has concurred; or the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C 5170)

Equivalent Entity means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.

Frontline Employee means an employee who is a transit vehicle driver or operator, dispatcher, maintenance and maintenance support employee, station attendant, customer service employee, security employee, or transit police, or any other transit worker who has direct contact with riders on a regular basis.

FTA means the Federal Transit Administration, an operating administration within the United States Department of Transportation.

Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Injury means any harm to persons as a result of an event that requires immediate medical attention away from the scene.

Investigation means the process of determining the causal and contributing factors of a safety event or hazard, for the purpose of preventing recurrence and mitigating safety risk.

Joint Labor-Management Process means a formal approach to discuss topics affecting transit workers and the public transportation system.

Likelihood means the probability that hazard consequences might occur, considering the worst foreseeable condition.

National Public Transportation Safety Plan means the FTA plan to improve the safety of all public transportation systems that receive federal financial assistance under 49 U.S.C. Chapter 53.

Near-miss means a narrowly avoided safety event.

Operator of a Public Transportation System means a provider of public transportation.

Performance Measure means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

Potential Consequence means the effect of the hazard.

Public Transportation means as defined under 49 U.S.C. 5302, regular, continuing shared-ride surface transportation surfaces that are open to the general public or opened to a segment of the general public defined by age, disability, or low income; and does not include:

1. Intercity bus service;
2. Charter bus service;
3. School bus service;
4. Sightseeing service;
5. Courtesy shuttle service for patrons of one or more specific establishments;
- or
6. Intra-terminal or intra-facility shuttle services.

Public Transportation Agency Safety Plan (Or Agency Safety Plan) means the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and this part.

Recipient means a State or local governmental authority, or any other operator of a public transportation system, that receives financial assistance under 49 U.S.C. chapter 53.

Safety Assurance means processes within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety Committee means the formal joint labor-management committee on issues related to safety that is required by 49 U.S.C 5329 and this part.

Safety Event means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Safety Management Policy means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities for the management of safety.

Safety Management System (SMS) means the formal, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing hazards and safety risk.

Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent.

Safety Performance Target means a quantifiable level or performance or condition, expressed as a value for the measure, related to safety management activities, to be achieved within a specified time period.

Safety Promotion means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety Risk means the composite of predicted severity and likelihood of a potential consequence of a hazard.

Safety Risk Assessment means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risk.

Safety Risk Management means a process within a transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating the safety risk of their potential consequences.

Safety Risk Mitigation means a method or methods to eliminate or reduce the severity and/or likelihood of a potential consequence of a hazard.

Safety Set-Aside means the allocation of not less than 0.75 percent of assistance received by a large urbanized area provider under 49 U.S.C. 5307 to safety-related projects eligible under 49 U.S.C. 5307.

Small Public Transportation Provider means a recipient or subrecipient of federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service across all non-rail fixed route modes or in any one non-fixed route mode and does not operate a rail fixed guideway public transportation system.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of good repair means the condition in which a capital asset is able to operate at a full level of performance.

State Safety Oversight Agency means an agency established by a State that meets the requirements and performs the functions specified by [49 U.S.C. 5329\(e\)](#) and [49 U.S.C. 5329\(k\)](#), as well as the regulations set forth in [49 CFR part 674](#).

Subrecipient means an entity that receives Federal transit grant funds indirectly through a State or a direct recipient.

Transit Agency means an operator of a public transportation system that is a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 or a rail transit agency.

Transit Asset Management Plan means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR part 625.

Transit Worker means any employee, contractor, or volunteer working on behalf of the transit agency.

Urbanized Area means as defined under 49 U.S.C. 5302, an area encompassing a population of not less than 50,000 people that has been defined and designated in the most recent decennial census as an “urbanized area” by the Secretary of Commerce.

Acronyms

ASP	Agency Safety Plan (Also referred to as PTASP)
CFR	Code of Federal Regulations
FTA	Federal Transit Administration
MAPO	Mankato/North Mankato Area Planning Organization
MnDOT	Minnesota Department of Transportation
MPO	Metropolitan Planning Organization
MTS	Mankato Transit System
NTD	National Transit Database
Part 673	49 CFR Part 673 (Public Transportation Agency Safety Plan)
PTASP	Public Transportation Agency Safety Plan
SMS	Safety Management System
SRM	Safety Risk Management
U.S.C.	United States Code
VIN	Vehicle Identification Number
VRM	Vehicle Revenue Miles



Safety Management Policy Statement

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



All levels of management and all transit workers are accountable for the delivery of this highest level of safety performance, starting with the Associate Director – Transportation Planning Services.

Mankato Transit System commitment is to:

- **Support** the management of safety through the provision of appropriate resources, that will result in an organizational culture that fosters safe practices, encourages effective transit worker safety reporting and communication, and actively manage safety with the same attention to results as the attention to the results of the other management systems of the organization;
- **Integrate** the management of safety among the primary responsibilities of staff and transit workers;
- **Clearly define** for management and transit workers alike, their accountabilities and responsibilities for the delivery of the organization's safety performance and the performance of our safety management system;
- **Establish and operate** hazard identification and analysis, and safety risk evaluation activities, including an employee safety reporting program as a fundamental source for safety concerns and hazard identification, to eliminate or mitigate the safety risks of the potential consequences of hazards resulting from operations or activities to a point which is consistent with our acceptable level of safety performance;
- **Ensure** that no action will be taken against a transit worker who discloses a safety concern through the employee safety reporting program, unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures;
- **Comply** with, and wherever possible exceed, legislative and regulatory requirements and standards;
- **Ensure** that sufficient skilled and trained human resources are available to implement safety management processes;
- **Ensure** that all transit workers are provided with adequate and appropriate safety-related information and training, are competent in safety management matters, and are allocated only tasks commensurate with their skills;
- **Establish and measure** our safety performance against realistic and data-driven safety performance indicators and safety performance targets;
- **Continually improve** our safety performance through management processes that ensure that appropriate safety management action is taken and is effective; and
- **Ensure** externally supplied systems and services to support our operations are delivered meeting our safety performance standards.

July 24, 2024

Shawn Schloesser
Associate Director
Transportation Planning Services

Date



Transit – Accident / Incident Report

Basic Information

Accident/Incident Location _____
 City _____
 Event Date _____ Time _____ ☐ a.m. ☐ p.m.
 Type of Operation ☐ Fixed ☐ Paratransit ☐ Demand Response
 Phase of Operation ☐ Garage/Wash ☐ En Route ☐ Revenue Service ☐ Deadhead
 Property Damage ☐ Yes ☐ No Assault ☐ Non-Physical ☐ Physical
 Mechanical Malfunction/Failure ☐ Yes ☐ No ☐ Unknown
 Collision with Other Vehicle ☐ Yes ☐ No Towed from Collision Site ☐ Yes ☐ No

Bus Information

Bus Number _____ Arboc ☐ 24 ft ☐ 26 ft Gillig ☐ 35 ft ☐ 40 ft
 VIN Number _____ USDOT 01106677

Operator Information

Name _____
 Commercial Driver's License ☐ A ☐ B ☐ C Endorsements and Restrictions
☐ Passenger ☐ School Bus ☐ Tank Vehicle ☐ HazMat ☐ (X) Tanker & HazMat
☐ Doubles/Triples ☐ (K) Interstate Only ☐ (L) Vehicles w/o air brakes
 Degree of Injury ☐ None ☐ Minor ☐ Serious ☐ Unknown ☐ Fatal ☐ Ambulance
 Seat Belt Used ☐ Yes ☐ No Ambulance ☐ Yes ☐ No
 Medical Certificate Number _____
 Medical Certificate Limitations or Waivers _____
 Date of Last Medical _____

Other Vehicle – Collision

Manufacture _____ Model _____
 License Plate _____
 Damage to Other Vehicle ☐ None ☐ Minor ☐ Substantial ☐ Destroyed
 Towed from Collision Site ☐ Yes ☐ No Ambulance ☐ Yes ☐ No

Weather Information at the Accident Site

Light Conditions ☐ Dawn ☐ Day ☐ Dusk ☐ Night
 Sky Conditions ☐ Clear ☐ Cloudy ☐ Rain ☐ Hail ☐ Snow ☐ Sleet
 Condition of Road Surface ☐ Dry ☐ Holes ☐ Wet ☐ Ice ☐ Slush ☐ Snow



Transit – Accident / Incident Report

Passenger(s) Other Personnel

Name _____	Phone _____
Degree of Injury ☐ None ☐ Minor ☐ Serious ☐ Unknown ☐ Fatal ☐ Ambulance	
Name _____	Phone _____
Degree of Injury ☐ None ☐ Minor ☐ Serious ☐ Unknown ☐ Fatal ☐ Ambulance	
Name _____	Phone _____
Degree of Injury ☐ None ☐ Minor ☐ Serious ☐ Unknown ☐ Fatal ☐ Ambulance	

What happened in your own words:

I hereby certify that the above information is complete and accurate to the best of my knowledge.

Signature _____ Date of Report _____

Administrative Staff Area:

Name of Support Staff _____	Date _____
Reasonable Suspicion ☐ Y ☐ N Video ☐ Y ☐ N Photos ☐ Y ☐ N	
Maintenance Inspection ☐ Y ☐ N ICR # _____	
Remedies or Best Practices:	



AGENDA RECOMMENDATION

Consent Calendar 5. D.

City Council Regular Meeting

Meeting Date: 07/22/2024

Agenda Item:

Resolution to release the Request for Quotes for the Transit Automated Voice Announcement System.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

The ADA regulations, as defined in 49 CFR Section 37.167(b), require fixed route systems to announce stops at transfer points with other fixed routes, major intersections, and destinations and intervals along the route that would permit an individual with visual impairments or other disabilities to be oriented to their location.

Currently, drivers make the announcement through a handheld microphone or a foot operated ceiling mounted microphone, depending upon the bus manufacturer. In either case, it requires drivers to focus their attention on the announcement and multitask while driving.

Automated Voice Announcement System helps meet this requirement by automatically making the announcement. A successful program also includes the ability to make interior and exterior announcements beyond minimum ADA requirements, such as the current stop, next stop, route number, or other pre-programmed messages. For the system to work, a set of GPS coordinates defines an area. When the bus enters the area, the system senses it and automatically makes preprogrammed announcements tied to that area.

This system was included in the Mankato Transit System Technology Assessment produced by the National Center for Applied Transit Technology (N-CATT). The ideal service provider will be minimally capable of the following:

- Automated voice announcement of all stops, transfer points, destinations and intervals along any fixed route, current stop, next stop, route number, or other preprogrammed messages.
- Interior and exterior announcements.
- It is compatible with existing Automatic Vehicle Locating (AVL) technology.
- Multilingual.
- Interior digital displays with upcoming stops.
- Use of pre-recorded messaging and text to speech messaging capability.
- Vendor installation services.

The Capital Improvement Project and 2024 Transportation Improvement Program (TIP) includes the project (TRF-0028-24G) at a total project cost of \$350,000 with \$70,000 as local share.

The five Mobility Buses dedicated to providing paratransit service are not included in the purchase.

Tentative timeline

- Release Request for Quotes – July 23
- Deadline for RFQ submissions – August 21
- Council Action to select vendor – September 9
- Project start – October 1

Additional council action will select the vendor in September.

Attachments

Resolution

Request for Quotes AVA System

RESOLUTION AUTHORIZING THE CITY MANAGER TO RELEASE THE REQUEST FOR
QUOTES FOR THE TRANSIT AUTOMATED VOICE ANNOUNCEMENT SYSTEM

WHEREAS, the City of Mankato operates a public transit system; and

WHEREAS, 49 CFR Section 37.167(b) requires fixed route systems to announce stops sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location; and

WHEREAS, the Technology Assistance Plan, Capital Improvement Plan, and Transportation Improvement Program include the purchase of an automated announcement system; and

WHEREAS, the City of Mankato supports increasing safety measures by purchasing an automated announcement system; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANKATO, MINNESOTA that the City Manager is hereby authorized to solicit quotes from vendors with the intent of purchasing an automated voice announcement system for the fixed route transit system.

This resolution shall become effective upon passage without further publication.

Adopted this 22nd day of July 2024.

Najwa Massad, Mayor

ATTEST: _____
Rena Kopischke, MMC
City Clerk



10 Civic Center Plaza
Post Office Box 3368
Mankato, Minnesota 56002-3368
Phone: (507) 387-8600
Fax: (507) 388-7530
mankatomn.gov



Request For Quotes (RFQ) Notice

Date of Request Notification: [date the request being released]

RFQ for Purposes of: Automated Voice Announcement System

The City of Mankato is requesting quotes for the purposes of determining the preferred vendor that provides the best value for meeting our project needs. All vendors who adequately complete the attached Request for Quotes form will be considered for this project.

Mankato Transit System is one of 37 public transit systems and several intercity bus providers offering transit service in 80 counties of Greater Minnesota.

Collectively, the bus fleet consists of 30 buses, comprised of thirteen large-size heavy duty 30 feet or longer and seventeen medium-size light duty 20-30 feet in length operating in total over 3,083 hours per month.

The ADA regulations, as defined in 49 CFR Section 37.167(b), requires fixed route systems to announce stops at transfer points with other fixed routes, major intersections, and destinations and intervals along the route that would permit an individual with visual impairments to be oriented to their location.

The City of Mankato is seeking quotes for an automated voice announcement system to aid in the announcement of stops, transfer points, destinations and intervals along any fixed route, to be installed on twelve class 400 buses and 13 class 700 buses, 25 buses in total.

The ideal service provider will be minimally capable of the following:

- Automated voice announcement of all stops, transfer points, destinations and intervals along any fixed route, current stop, next stop, route number, or other preprogramed messages.
- Interior and exterior announcements.
- Be compatible with existing Automatic Vehicle Locating (AVL) technology.
- Multilingual.
- Interior digital displays with upcoming stops.
- Use of pre-recorded messaging and text to speech messaging capability.
- Vendor installation services.

In order for a vendor to be qualified for this project, the following requirements must be addressed and considered in the submittal of the Request For Quote form.

- Vendors should fully describe the software being offered as part of this submission.
- Vendors must list all software components or modules necessary to fully implement the project, including third party software necessary to complete the total installation (e.g., report generation software, SQL, back-up software, remote access software, etc.).
- Vendors should provide a detailed schedule of installation.

The project timeline is expected to start on **October 1st, 2024** and all aspects of work completed on or before **December 31st, 2024**. All payments for this project will be made once all work is completed to the satisfaction of Mankato Transit System. The eventual contract with Mankato Transit System and the preferred vendor will outline any agreed upon conditions.

[For Projects with Federal Funding]

The Federal Transit Administration (FTA) will be providing federal assistance for upfront capital costs at 80% FTA share using 5307 funds. The ongoing operating costs will be funded by FTA, state, and local funds.

Race Gender Neutral Assigned

The MnDOT Office of Civil Rights has assigned a Race/Gender Neutral Goal to this project. Responders are directed to read the DBE Provisions, as posted along with this RFQ Notice. The DBE Provisions explains how to comply with the DBE requirements. If the DBE goal is Race/Gender Neutral (RGN), all responders are encouraged to include their anticipated DBE utilization for the contract in their proposals. **Each responder will still be required to submit a bidders list of all subcontractors and suppliers (both DBE and non-DBE) on projects with an RGN goal.** While DBE participation is encouraged on proposals with an RGN goal, responders are not required to submit GFE documentation specified in **Table A, other than a bidders list (parts D and E of Exhibit B, the GFE Consolidated form)**. Payment information described in **Table C** is required on **all projects**.

To view a listing of certified DBE's, please contact the MnDOT Office of Civil Rights at 651-366-3073, TTY 651-282-5799, or visit their website at <http://www.dot.state.mn.us/civilrights>

Termination

If the Contractor is (1) adjudged to be bankrupt; (2) makes a general assignment for the benefit of creditors; (3) has a receiver on account of insolvency; (4) is guilty of substantial violation of any provision of the Contract; (5) fails to promptly pay employees or obligations incidental to proper performance of the Contract; or (6) persistently disregards or permits disregard by employees of laws, ordinances or

instructions of the [City of Mankato's](#) designated representative, then the [City of Mankato](#) may, at its opinion, terminate the Contract without further obligation to the Contractor except for the expenses incurred prior to the termination. If [the City of Mankato](#) or its designated representative believes any action or non-action of the Contractor represents an immediate threat to public safety, the City of Mankato may suspend service for so long a period as they deem necessary.

[end of federal notice requirements]

Submit all questions related to specific project requirements in writing **by 4:00 PM on August 14, 2024**. All questions should be submitted via email to danitheis@mankatomn.gov. All questions regarding this RFQ are to be directed only to Dani Theis. Answers to questions will be posted at <https://www.mankatomn.gov/about-mankato/business/bids-and-request-for-proposals>.

Proposers may be disqualified if any unsolicited contact related to this RFQ is made with an employee or representative of other than the RFQ Administrator during the proposal process.

Submittal of Request For Quote forms and any additional documentation is to be sent to:

City of Mankato
Attn: Dani Theis
10 Civic Center Plaza
P.O. Box 3368
Mankato, MN 56002-3368

The deadline for RFQ submittals is by **4:00 PM on August 21, 2024**.

Scoring Criteria

All competitive and responsive quotes will be rated on the following criteria, listed in diminishing order of importance:

- Price.
- Compatibility with existing Automatic Vehicle Locating (AVL) technology.
- Installation timeline.
- Past performance.

Attachments:

A: Request for Quote Form

B: Applicable Federal Clauses and Certifications

C: DBE Provisions



AGENDA RECOMMENDATION

Consent Calendar 5. E.

City Council Regular Meeting

Meeting Date: 07/22/2024

Agenda Item:

Resolution considering bids on Capital Improvement Project 11083; Transit Bus Stop Improvements.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

On July 9, 2024, bids were opened on Capital Improvement Project Number 11083. Two bids were received, with the low bid submitted by Alliance Contracting, Inc. of \$269,925.00. The engineer's estimate for the project was \$245,853.00. Staff has secured the necessary additional funding for this project through the Federal Transit Administration.

Staff recommends awarding the construction contract for Transit Bus Stop Improvements to Alliance Contracting, Inc. The contract has a final completion date of November 1, 2024, and construction is anticipated to start in August 2024.

When the project starts, Transit and Engineering staff will coordinate with notifying riders of areas under construction.

Attachments

Resolution

Bids Received and Budget

RESOLUTION ACCEPTING BID ON IMPROVEMENT NUMBER 11083

WHEREAS, pursuant to an advertisement for bids for Improvement Number 11083, the improvement of transit bus stops, bids were received, opened, and tabulated according to the law, and the following bids were received complying with the advertisement:

Company Name	City, State	Bid Amount
Alliance Contracting, Inc	Mankato, MN	\$269,925.00
Urban Companies	St. Paul, MN	\$380,400.00

AND WHEREAS, it appears that Alliance Contracting, Inc of Mankato, MN is the lowest responsible bidder,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MANKATO, MINNESOTA:

1. The City Manager hereby authorized and directed to enter into contract with Alliance Contracting, Inc of Mankato, MN in the name of the city of Mankato for the Capital Improvement Project 11083 the improvement of transit bus stops according to the plans and specifications therefore approved by the city council and on file in the office of the city engineer.
2. That the City Manager is authorized to execute any necessary changes to this contract in accordance with Section 2.08 of the Mankato City Code.

This resolution shall become effective upon its adoption.

Passed this 22nd day of July, 2024.

Najwa Massad
Mayor

ATTEST: _____
Rena Kopischke
City Clerk

Transit Bus Stop Improvements

City Project 11083

Tabulation of Bids

Planholder	Bid Amount	
Engineer's Estimate	\$245,853.00	
Alliance Contracting, Inc.	\$269,925.00	LOW BIDDER
Urban Companies	\$380,400.00	

Low Bid Project Budget

CONSTRUCTION COST

Item	Amount	Percentage
Transit Bus Stop Improvements	\$269,925.00	100.0%
Total Contract Cost	\$269,925.00	100.0%

PROJECT COST

Item	Amount	Percentage
Project 11083 Construction Contract	\$269,925.00	91%
10% Construction Contingency	\$26,992.50	9%
Total Estimated Project Cost	\$296,917.50	100%

FUNDING SOURCES

	CIP	AS BID	
Local Transit Capital	\$52,592.00	\$52,592.00	17.7%
Federal Funds	\$210,369.00	\$244,325.50	82.3%
Total Project Funds	\$262,961.00	\$296,917.50	100.0%



AGENDA RECOMMENDATION

Consent Calendar 5. F.

City Council Regular Meeting

Meeting Date: 07/22/2024

Agenda Item:

Resolution authorizing the City Manager to apply for 2025 discretionary funds for the Airport Terminal Program (ATP), made available under the Infrastructure Investment and Jobs Act of 2021 (IIJA), Public Law 117–58, also known as the Bipartisan Infrastructure Law (BIL) for the Air Traffic Control Tower (ATCT) at the Mankato Regional Airport (MKT).

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

BIL established the ATP, a competitive discretionary grant program, which provides approximately \$1 billion in grant funding annually for five years (Fiscal Years 2022–2026) to upgrade, modernize, and rebuild our nation's airport terminals and airport-owned Airport Traffic Control Towers (ATCTs). This includes bringing airport facilities into conformity with current standards; constructing, modifying, or expanding facilities as necessary to meet demonstrated aeronautical demand; enhancing environmental sustainability; encouraging actual and potential competition; and providing a balanced system of airports to meet the roles and functions necessary to support civil aeronautical demand. The FAA is committed to advancing safe, efficient transportation, including projects funded under the ATP. The ATP also supports the President's goals to mobilize American ingenuity to build modern infrastructure and an equitable, clean energy future. In support of Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009), the FAA encourages applicants to consider how the project will address the challenges faced by individuals in underserved communities and rural areas, as well as accessibility for persons with disabilities.

The ATP falls under the project grant authority for the Airport Improvement Program (AIP) in 49 United States Code (U.S.C.) § 47104. Per 2 Code of Federal Regulations (CFR) part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, the AIP Federal Assistance Listings Number is 20.106, with the objective of assisting eligible airports in the development and improvement of a nationwide system that adequately meets the needs of civil aeronautics. The FY 2025 ATP will be implemented, as appropriate and consistent with BIL, in alignment with the priorities in Executive Order 14052, Implementation of the Infrastructure Investments and Jobs Act (86 FR 64355), which are to invest efficiently and equitably; promote the competitiveness of the U.S. economy; improve opportunities for good-paying jobs with the free and fair choice to join a union by focusing on high labor standards; strengthen infrastructure resilience to all hazards including climate change; and to effectively coordinate with State, local, Tribal, and territorial government partners. Consistent with statutory criteria and Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619), the FAA also seeks to fund projects under the ATP that reduce greenhouse gas emissions and are designed with specific elements to address climate change impacts. Specifically, the FAA is looking to award projects that align with the President's greenhouse gas reduction goals, promote energy efficiency, support fiscally responsible land use and transportation efficient design, support terminal development compatible with the use of sustainable aviation fuels and technologies, increase climate resilience, incorporate sustainable and less emissions-intensive pavement and construction materials as allowable, and reduce pollution.

This NOFO announces up to \$1,000,000,000, subject to availability of funds, for the Fiscal Year 2025 ATP. The ATP is a \$5 billion grant program, distributed as approximately \$1 billion annually for five years (Fiscal Years 2022, 2023, 2024, 2025, and 2026), subject to annual allocations limitations based on airport roles found in the published National Plan of Integrated Airport Systems (NPIAS), as updated with current year data. In general, the \$5 billion in ATP grant funding is subject to the following annual award allocation limitations: not more than 55 percent shall be for large hub airports, not more than 15 percent shall be for medium hub airports, not more than 20 percent shall be for small hub airports, and not less than 10 percent shall be for non-hub and nonprimary airports.

The FAA will consider projects that increase capacity and passenger access; projects that replace aging infrastructure; projects that achieve compliance with the Americans with Disabilities Act (42 U.S.C. 12101, et seq.) and expand accessibility for persons with disabilities; projects that improve airport access for historically disadvantaged populations; projects that improve energy efficiency, including upgrading environmental systems, upgrading plant facilities, and achieving Leadership in Energy and Environmental Design (LEED) accreditation standards; projects that improve airfield safety through terminal relocation; and projects that encourage actual and potential competition. This includes applicable Executive Orders as listed in Section E.2. Additionally, the FAA will provide preference for projects that achieve a complete development objective even if awards for the project must be phased out, and priority to projects that have received partial awards.

Projects for relocating, reconstructing, repairing, or improving an airport-owned ATCT will also be considered. In addition to the considerations above, these projects will also be evaluated based on the overall impact on the National Airspace System, including age of facility, operational constraints, and nonstandard facilities.

The FAA will publish a NOFO annually to announce additional funding made available, approximately \$1 billion per year, for Fiscal Year 2026.

The City was awarded \$1,050,000.00 in FY 2024 for the ATCT design and Environmental Assessment (EA) and staff intends to apply for discretionary funding for the unfunded portion for design and construction oversight of the ATCT under this notice of funding opportunity estimated to cost approximately \$1,200,000.00.

Attachments

Resolution

Notice of Finding Opportunity

Draft Application

**RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR 2025
DISCRETIONARY FUNDS FOR THE AIRPORT TERMINAL PROGRAM (ATP), MADE
AVAILABLE UNDER THE INFRASTRUCTURE AND JOBS ACT OF 2021 (IIJA),
PUBLIC LAW 117-58, ALSO KNOWN AS THE BIPARTISON INFRASTRUCTURE LAW
(BIL) FOR THE AIR TRAFFIC CONTROL TOWER (ATCT) AT THE MANKATO
REGIONAL AIRPORT (MKT)**

WHEREAS, BIL established the ATP, a competitive discretionary grant program, which provides approximately \$1 billion in grant funding annually for five years (Fiscal Years 2022–2026) to upgrade, modernize, and rebuild our nation's airport terminals and airport-owned Airport Traffic Control Towers (ATCTs), and

WHEREAS, The ATP falls under the project grant authority for the Airport Improvement Program (AIP) in 49 United States Code (U.S.C.) § 47104. Per 2 Code of Federal Regulations (CFR) part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, the AIP Federal Assistance Listings Number is 20.106, with the objective to assist eligible airports in the development and improvement of a nationwide system that adequately meets the needs of civil aeronautics, and

WHEREAS, a Notice of Funding Opportunity (NOFO) from the FAA has announced up to \$1,000,000,000, subject to availability of funds, for the Fiscal Year 2025 ATP. The ATP is a \$5 billion grant program, distributed as approximately \$1 billion annually for five years (Fiscal Years 2022, 2023, 2024, 2025, and 2026), subject to annual allocations limitations based on airport roles found in the published National Plan of Integrated Airport Systems (NPIAS), as updated with current year data, and

WHEREAS, The FAA will consider projects that increase capacity and passenger access; projects that replace aging infrastructure; projects that achieve compliance with the Americans with Disabilities Act (42 U.S.C. 12101, et seq.) and expand accessibility for persons with disabilities; projects that improve airport access for historically disadvantaged populations; projects that improve energy efficiency, including upgrading environmental systems, upgrading plant facilities, and achieving Leadership in Energy and Environmental Design (LEED) accreditation standards; projects that improve airfield safety through terminal relocation; and projects that encourage actual and potential competition., and

WHEREAS, projects for relocating, reconstructing, repairing, or improving an airport-owned ATCT will also be considered and the City of Mankato is committed to constructing a fully operational ATCT by April 19, 2027.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MANKATO, MINNESOTA:

1. That the City Manager is authorized to respond to the 2025 NOFO by applying for federal assistance for activities leading up to and resulting in the construction of a fully operational ATCT at the Mankato Regional Airport.

This resolution shall become effective upon its adoption.

Passed this 22nd day of July 2024

Najwa Massad
Mayor

ATTEST: _____
Renae Kopischke
City Clerk

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Docket # FAA-FAA-2024-0868

Airport Terminal Program; FY 2025 Funding Opportunity

AGENCY: Federal Aviation Administration (FAA)

ACTION: Notice of Funding Opportunity

SUMMARY OF KEY INFORMATION: FY 2025 AIRPORT TERMINAL PROGRAM (ATP)	
Issuing Agency	Department of Transportation, Federal Aviation Administration
Program Overview	ATP grants will be awarded on a competitive basis, per statute, to upgrade, modernize, and rebuild our nation's airport terminals and airport-owned Airport Traffic Control Towers (ATCTs).
Objectives	To address aging airport infrastructure; bring airport facilities into conformity with current standards; construct, modify, or expand facilities as necessary to meet demonstrated aeronautical demand; enhancing environmental sustainability; encouraging actual and potential competition; and providing a balanced system of airports to support civil aeronautical demand.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

Eligible Projects	Eligible projects: • Airport passenger terminals, including access roads servicing exclusive airport traffic, and walkways that lead directly to or from an airport passenger terminal building; • On-airport rail access projects; and • Airport-owned Airport Traffic Control Towers (ATCT) .
Deadlines	FY 2025 ATP deadline: No later than 5:00 pm Eastern time, July 31, 2024.
Funding	The Infrastructure Investment and Jobs Act (Pub. L. 117-58), November 15, 2021, "Bipartisan Infrastructure Law," or BIL) provides \$1 billion annually for FY 2022 - 2026.
Eligible Applicants	Eligible applicants are those airport sponsors normally eligible for Airport Improvement Program (AIP) discretionary grants as defined in 49 U.S.C. §47115. This includes a public agency, private entity, state agency, Indian Tribe or Pueblo owning a public-use NPIAS airport, the Secretary of the Interior for Midway Island airport, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

SUMMARY:

The Department of Transportation (DOT), Federal Aviation Administration (FAA) announces the opportunity to apply for approximately \$1 billion in FY 2025 discretionary funds for the Airport Terminal Program (ATP), made available under the Infrastructure Investment and Jobs Act of 2021 (IIJA), Pub. L. 117-58, herein referred to as the Bipartisan Infrastructure Law (BIL). The purpose of the ATP is to make annual grants available to eligible airports for airport terminal and airport-owned Airport Traffic Control Tower development projects that address the aging infrastructure of our nation's airports. In addition, ATP grants will align with DOT's Strategic Framework FY2022-2026 at <https://www.transportation.gov/administrations/office-policy/fy2022-2026-strategic-framework>. The FY 2025 ATP will be implemented consistent with law and in alignment with the priorities in Executive Order 14052, *Implementation of the Infrastructure Investments and Jobs Act* ([86 FR 64355](#)), which are to invest efficiently and equitably; promote the competitiveness of the U.S. economy; improve job opportunities by focusing on high labor standards; strengthen infrastructure resilience to all hazards including climate change; and to effectively coordinate with State, local, Tribal, and territorial government partners.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

DATES:

Airport sponsors that wish to be considered for FY 2025 ATP discretionary funding should submit an application that meets the requirements of this Notice of Funding Opportunity (NOFO) as soon as possible, but no later than 5:00 pm Eastern time, July 31, 2024.

ADDRESSES:

Submit applications electronically at www.faa.gov/bil/airport-terminals per instructions in this NOFO.

FOR FURTHER INFORMATION CONTACT:

Jesse Carriger, Manager, BIL Branch APP-540, FAA Office of Airports, at (202)267-3263 or our FAA BIL email address: 9-ARP-BILAirports@faa.gov

SUPPLEMENTARY INFORMATION:

A. PROGRAM DESCRIPTION

BIL established the ATP, a competitive discretionary grant program, which provides approximately \$1 billion in grant funding annually for five years (Fiscal Years 2022-2026) to upgrade, modernize, and rebuild our nation's airport terminals and airport-owned Airport Traffic Control Towers (ATCTs). This includes bringing airport facilities into conformity with current standards; constructing, modifying, or expanding facilities as necessary to meet demonstrated aeronautical demand; enhancing environmental sustainability; encouraging

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

actual and potential competition; and providing a balanced system of airports to meet the roles and functions necessary to support civil aeronautical demand. The FAA is committed to advancing safe, efficient transportation, including projects funded under the ATP. The ATP also supports the President's goals to mobilize American ingenuity to build modern infrastructure and an equitable, clean energy future. In support of the goals of Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* ([86 FR 7009](#)) and Executive Order 14096, *Revitalizing Our Nation's Commitment to Environmental Justice for All*, the FAA encourages applicants to consider how the project will address the challenges faced by individuals in underserved communities and rural areas, communities with environmental justice concerns, as well as accessibility for persons with disabilities.

The ATP falls under the project grant authority for the Airport Improvement Program (AIP) in 49 United States Code (U.S.C.) §47104. Per 2 Code of Federal Regulations (CFR) Part 200 - *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, the AIP Federal Assistance Listings Number is 20.106, with the objective to assist eligible airports in the development and improvement of a nationwide system that adequately meets the needs of civil aeronautics.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

The FY 2025 ATP will be implemented, as appropriate and consistent with BIL, in alignment with the priorities in Executive Order 14052, *Implementation of the Infrastructure Investments and Jobs Act* ([86 FR 64355](#)), which are to invest efficiently and equitably; promote the competitiveness of the U.S. economy; improve opportunities for good-paying jobs with the free and fair choice to join a union by focusing on high labor standards; strengthen infrastructure resilience to all hazards including climate change; and to effectively coordinate with State, local, Tribal, and territorial government partners. Consistent with statutory criteria and Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* ([86 FR 7619](#)), the FAA also seeks to fund projects under the ATP that reduce greenhouse gas emissions and are designed with specific elements to address climate change impacts. Specifically, the FAA is looking to award projects that align with the President's greenhouse gas reduction goals, promote energy efficiency, support fiscally responsible land use and transportation efficient design, support terminal development compatible with the use of sustainable aviation fuels and technologies, increase climate resilience, incorporate sustainable and less emissions-intensive pavement and construction materials as allowable, and reduce pollution.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

The FAA will also consider projects that advance the goals of the Executive Orders listed under Section E.2.

B. FEDERAL AWARD INFORMATION

This NOFO announces up to \$1,000,000,000, subject to availability of funds, for the Fiscal Year 2025 ATP. The ATP is a \$5 billion grant program, distributed as approximately \$1 billion annually for five years (Fiscal Years 2022, 2023, 2024, 2025, and 2026), subject to annual allocations limitations based on airport roles found in the published National Plan of Integrated Airport Systems (NPIAS), as updated with current year data. In general, the \$5 billion in ATP grant funding is subject to the following annual award allocation limitations: not more than 55 percent shall be for large hub airports, not more than 15 percent shall be for medium hub airports, not more than 20 percent shall be for small hub airports, and not less than 10 percent shall be for nonhub and nonprimary airports. The FAA will consider projects that increase capacity and passenger access; projects that replace aging infrastructure; projects that achieve compliance with the Americans with Disabilities Act (42 U.S.C. 12101, *et seq.*) and expand accessibility for persons with disabilities; projects that improve airport access for historically disadvantaged populations; projects that improve energy efficiency, including upgrading environmental systems, upgrading plant facilities, and

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

achieving Leadership in Energy and Environmental Design (LEED) accreditation standards; projects that improve airfield safety through terminal relocation; and projects that encourage actual and potential competition. This includes applicable Executive Orders as listed in Section E.2. Additionally, the FAA will provide preference to projects that achieve a complete development objective even if awards for the project must be phased, and priority to projects that have received partial awards.

Projects for relocating, reconstructing, repairing, or improving an airport-owned ATCT will also be considered. In addition to the considerations above, these projects will also be assessed based on overall impact on the National Airspace System, including age of facility, operational constraints, and nonstandard facilities.

The FAA will publish a NOFO that will announce its final round of funding made available, approximately \$1 billion, in Fiscal Year 2026.

C. ELIGIBILITY INFORMATION

1. Eligible Applicants

Eligible applicants are those airport sponsors normally eligible for Airport Improvement Program (AIP) discretionary grants as defined in 49 U.S.C. §47115. This includes a public agency, private entity, state agency, Indian Tribe or Pueblo owning a

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

public-use NPIAS airport, the Secretary of the Interior for Midway Island airport, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

2. Cost Sharing or Matching

The Federal cost share of ATP grants is 80 percent for large and medium hub airports, and 95 percent for the remainder of airports eligible to receive ATP grants, which includes small hub, nonhub, and nonprimary airports.

3. Project Eligibility

All projects funded from the ATP must be:

- i. Airport terminal development, defined in 49 U.S.C. §47102(28) as development of an airport passenger terminal building, including terminal gates; access roads servicing exclusively airport traffic that leads directly to or from an airport passenger terminal building; and walkways that lead directly to or from an airport passenger terminal building. Under the ATP, the FAA may consider projects that qualify as "terminal development" (including multimodal terminal development), as that term is defined in 49 U.S.C. §47102(28); or
- ii. On-airport rail access projects as set forth in Passenger Facility Charge (PFC) Update 75-21 ([86 FR 48793](#), August 31, 2021); or

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

- iii. Airport-owned ATCT that includes relocating,
reconstructing, repairing, or improving the ATCT; and
- iv. Justified based on civil aeronautical demand.

D. APPLICATION AND SUBMISSION INFORMATION

1. Address to Request Application Package

An application for ATP terminal or ATCT projects, FAA Form 5100-144, *Bipartisan Infrastructure Law, Airport Terminal and Tower Project Information*, can be found at:

www.faa.gov/bil/airport-terminals.

Direct all inquiries regarding applications to the appropriate Regional Office (RO), Airports District Office (ADO) at [https://www.faa.gov/about/office org/headquarters offices/arp/offices/regional offices](https://www.faa.gov/about/office_org/headquarters_offices/arp/offices/regional_offices) or State Agency for Airports covered under the FAA State Block Grant Program (SBGP)), or contact the FAA BIL Team at 9-ARP-BILAirports@faa.gov.

2. Content and Form of Application Submission

Applicants are required to submit FAA Form 5100-144, *Bipartisan Infrastructure Law, Airport Terminal and Tower Project Information*. The applicant should submit Form 5100-144 as a fillable digitally signed PDF document via email. If the applicant cannot provide a digital signature, the application may be submitted as two documents: (1) the completed fillable PDF without a signature and (2) a scanned version of the completed application with a written signature. Applicants

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

should follow the instructions and provide a response to applicable items on the form.

The "Submit by Email" button at the bottom of the form will generate an email for the applicant to send to the FAA BIL Team at: 9-ARP-BILAirports@faa.gov. If the "Submit by Email" button does not generate an email the applicant can save the fillable PDF by selecting "File>Save As" to save as a fillable PDF. Once saved, the applicant can email the application to the FAA BIL Team at 9-ARP-BILAirports@faa.gov. The fillable PDF application must contain either a digital signature or the applicant's written signature in accordance with the procedures described above.

Applicants selected to receive an ATP grant will then be required to follow AIP grant application procedures prior to award, which include meeting all prerequisites for funding, and submission of [Standard Form SF-424, Application for Federal Assistance](#), and [FAA Form 5100-100, Application for Development Projects](#).

Airports covered under the FAA's State Block Grant Program or airports in a channeling act state should coordinate with their associated state agency on the process for who should submit an application, via the procedures listed above.

Applicants must address Administration and Departmental priorities in safety, climate change and sustainability, equity,

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

and workforce development which are further defined in Section E.1 Criteria.

Grant Funds, Sources and Uses of Project Funds: The FAA requests that each project application have a financial plan (or project budget) available for review upon request. Project budgets should show how different funding sources will share in each activity and present those data in dollars and percentages. The budget should identify other Federal funds the applicant is applying for or has been awarded, if any, that the applicant intends to use. Funding sources should be grouped into three categories: non-Federal, ATP, and other Federal with specific amounts from each funding source.

Sharing of Application Information: The FAA may share application information within the Department or with other Federal agencies if the FAA determines that sharing is relevant to the respective program's objectives.

3. Unique Entity Identifier and System for Award Management (SAM)

Applicants must comply with 2 CFR part 25 - *Universal Identifier and System for Award Management*. All applicants must have a unique entity identifier provided by SAM. Additional information about obtaining a Unique Entity Identifier (UEI) and registration procedures may be found at <http://www.sam.gov>.

Each applicant is required to: (1) be registered in SAM; (2)

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

provide a valid UEI prior to grant award; and (3) continue to maintain an active SAM registration with current information at all times during which the applicant has an active Federal award or an application or plan under consideration by the FAA. Under the ATP, the UEI and SAM account must belong to the entity that has the legal authority to apply for, receive, and execute ATP grants.

Once awarded, the FAA grant recipient must maintain the currency of its information in SAM until the grantee submits the final financial report required under the grant or receives the final payment, whichever is later. A grant recipient must review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term.

The FAA may not make an award until the applicant has complied with all applicable UEI and SAM requirements. If an applicant has not fully complied with the requirements by the time the FAA is ready to make an award, the FAA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making a federal award to another applicant.

Non-federal entities that have received a federal award are required to report certain civil, criminal, or administrative proceedings to SAM to ensure registration information is

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

current and complies with federal requirements. Applicants should refer to 2 CFR 200.113 for more information about this requirement.

4. Submission Dates and Times

Airports that wish to be considered for FY 2025 ATP discretionary funding must submit an application that meets the requirements of this NOFO as soon as possible, but no later than 5:00 pm Eastern time on July 31, 2024. Submit applications electronically to 9-ARP-BILAirports@faa.gov per instructions on www.faa.gov/bil/airport-terminals and in this NOFO.

5. Intergovernmental Review

Not applicable.

6. Funding Restrictions

All projects funded from the ATP must be airport terminal development or for relocation, reconstruction, repair, or improvement of an airport-owned Airport Traffic Control Tower, defined under Section C-3 Project Eligibility. ATP funds may not be used to support or oppose union organizing.

Pre-Award Authority: All project costs must be incurred after the grant execution date unless specifically permitted under 49 U.S.C. 47110(c) and 49 U.S.C. 47142. Certain airport development costs incurred before execution of the grant agreement, but after November 15, 2021, are allowable, only if certain conditions under 49 U.S.C. 47110(c) or 49 U.S.C. 47142

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

are met [see Table 3-60 of the AIP Handbook, FAA Order 5100.38 D Change 1, for a specific list of the guidance regarding when project costs can be incurred in relation to section 47110(c)].

7. Other Submission Requirements

Applications will only be accepted on FAA Form 5100-144 fillable PDF via email and must be received on or before July 31, 2024, 5:00 pm Eastern time. No other forms of applications will be accepted.

E. APPLICATION REVIEW INFORMATION

1. Criteria

Applications for FY 2025 ATP will be rated using the following criteria:

- i. Projects must meet eligibility requirements under the ATP, which includes terminal development (including multimodal terminal development) as defined in 49 U.S.C §47102(28): on-airport rail access projects: or airport-owned ATCT relocation, reconstruction, repair, or improvements.
- ii. The FAA will consider timeliness of implementation, with priority given to those projects, including "design only" projects, that can satisfy all statutory and administrative requirements for grant award by July 2025.
- iii. Favorable consideration will be given to eligible and justified (based on civil aeronautical demand) terminal development projects (including multimodal terminal

development), on-airport rail access projects, and ATCT projects that:

- a. *Increase capacity and passenger access:* The applicant should describe the extent to which the project contributes to the functioning and growth of the economy, including the extent to which the project addresses congestion or service gaps in rural areas. The applicant should demonstrate how the proposed project increases capacity and provides ongoing market access to the airport by competing carriers as economic and competitive conditions change (such as by constructing common use gates or updating gates and other areas with common use equipment). The applicant should also demonstrate how the proposed project increases capacity and market access or relieves congestion based on current and/or forecast needs.
- b. *Replace aging infrastructure:* Applicants should describe how the project addresses replacing or upgrading facilities that have reached the end of their useful life. This includes information on the current age and condition of the asset that will be affected by the project and how the proposed project will improve asset condition. The applicant should describe how the facility no longer meets the current or forecasted operational needs of the airport. This includes the renovation, expansion, or replacement of

a facility that is too small or cannot efficiently meet current or future demand. This also includes projects aimed at terminal modernization or upgrades to meet the changing user or community expectations. This can be met by including multimodal terminal development, climate resiliency, sustainability initiatives and practices incorporated therein, and the incorporation of common-use equipment and practices, all with the goal of providing a terminal that focuses on the most efficient movement of passengers and baggage possible. This also includes projects that address changing environmental conditions and improve resilience to climate change, and that will be constructed consistent with the Federal Flood Risk Management Standard, per the President's January 30, 2015, Executive Order 13690, "Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input" to the extent consistent with current law.

c. Achieve compliance with the Americans with Disabilities Act (ADA), including expand accessibility for persons with disabilities: Applicants should describe how the project increases mobility, expands access, and improves connectivity for people with disabilities both inside and outside the terminal or ATCT. The information should

demonstrate how the proposed project will meet the requirements under the Americans with Disabilities Act and improve equitable access for people with disabilities.

- d. *Improve airport access for historically disadvantaged populations:* Applicants should describe how the project increases mobility, expands access, and improves connectivity for disadvantaged communities and underserved populations. The information should demonstrate how the proposed project provides a significant local and regional impact and benefits disadvantaged communities. The applicant should include a description of public engagement on a local and regional level that has occurred, demonstrates proactive inclusivity of disadvantaged communities and access for underserved populations, and the degree to which public comments and commitments have been integrated into the project. DOT is providing a list of communities that meet the definition of Disadvantaged Communities, available at

<https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>.

Improve energy efficiency, including upgrading environmental systems, upgrading plant facilities, and achieving Leadership in Energy and Environmental Design (LEED) accreditation standards: Applicants should estimate and commit to tracking the carbon dioxide reduction

anticipated from potential projects by providing information that demonstrates how the project will reduce air pollution and greenhouse gas emissions from a reduction in energy consumption through energy-efficient design. This includes how the project may facilitate the airport in achieving LEED or similar accreditation standards through reliance on alternative energy, water use reduction, sustainable site selection and development, responsible materials selection and waste management, incorporating lower-carbon pavement and construction materials, enhanced indoor environmental quality, use of terminal facility for renewable energy production, or other sustainability efforts (e.g., vehicle charging stations attached to the terminal) that further reduce long-term impact on the climate. A proposed project, including utility support facilities, should be part of an overall plan that sets targets to lower carbon emissions, working toward a carbon-neutral airport by 2050.

e. Improve airfield safety through terminal relocation:

Applicants should describe how the proposed terminal project is improving airfield safety through the relocation of the terminal building or its components. This could also include a project to relocate a terminal that assists in addressing nonstandard airfield configurations.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

- f. *Encourage actual and potential competition:* The applicant should describe the extent to which the project promotes competition in air service by providing greater ability to accommodate new entrants; increasing the ability of competing air carriers to access constrained facilities on an ongoing basis; and facilitating the efficient and reliable movement of passengers and cargo. The applicant should describe the extent to which the project leads to common use gates and software (e.g., common use software updates, construction of common use gates versus preferential use by a specific carriers). The applicant may also wish to describe how the project will offer regional and national impacts by improving the economic strength of regions and cities; increase opportunities for tourism; result in long-term job creation by supporting good-paying jobs with the free and fair choice to join a union directly related to the project; and help the United States compete in a global economy by encouraging the location of important industries and future innovations and technology in the United States.
- iv. ATCT projects that relocate, reconstruct, repair, or improve an airport owned ATCT will also be assessed based on overall impact on the National Airspace System,

including age of facility, operational constraints, and nonstandard facility conditions.

- v. The FAA will provide a preference to projects that achieve a complete development objective, even if awards for the project must be phased; and prioritize projects that have received partial awards.
- vi. The applicant should describe whether and how project delivery and implementation create good-paying jobs with the free and fair choice to join a union to the greatest extent possible; the use of demonstrated strong labor standards, practices and policies (including for direct employees, contractors, sub-contractors, and service workers on airport property); use of project labor agreements; distribution of workplace rights notices; union neutrality agreements; wage and/or benefit standards; safety and health standards; the use of Local Hire Provisions;¹ registered apprenticeships; joint-labor management partnerships; or other similar standards or practices. The applicant should describe how planned methods of project delivery and implementation (for example, use of Project Labor Agreements and/or Local Hire

¹ IIJA div. B Section 25019 provides authority to use geographical and economic hiring preferences, including local hire, for construction jobs, subject to any applicable State and local laws, policies, and procedures.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

Provisions,² training, placement, and the provision of supportive services for underrepresented workers) provide opportunities for all workers, including workers underrepresented in construction jobs to be trained and placed in good-paying jobs directly related to the project. The FAA will consider this information in considering the application.

Applicants are encouraged to submit projects that meet as many of the above criteria as possible, but do not need to meet all criteria to be considered.

2. Review and Selection Process

Federal awarding agency personnel will assess applications based on how well the projects meet the criteria in E.1, including project eligibility, justification, readiness, impact on the National Airspace System, and the availability of matching funds. The FAA will also consider how well projects advance the goals of the following Executive Orders, which are incorporated into the criteria under E.1.: the President's January 20, 2021, Executive Order 13990, *"Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis"*; the President's January 20, 2021, Executive Order 13985, *"Advancing Racial Equity and Support for Underserved Communities*

² Project labor agreement should be consistent with the definition and standards outlined in Executive Order 14063.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

Through the Federal Government"; the President's January 27, 2021, Executive Order 14008, "Tackling the Climate Crisis at Home and Abroad"; the President's May 20, 2021, Executive Order 14030, "Climate Related Financial Risk"; the President's July 9, 2021, Executive Order 14036, "Promoting Competition in the American Economy"; the President's December 8, 2021, Executive Order 14057, "Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability"; and the President's April 21, 2023, Executive Order 14096, "Revitalizing Our Nation's Commitment to Environmental Justice for All."

Applications are first reviewed for eligibility, justification, and timeliness of implementation consistent with the requirements of this NOFO and the intent of the ATP.

Applications are then reviewed for how well the proposed project(s) meets the criteria in E.1. and ranked by field and regional office staff. The top projects for each airport category (as outlined in BIL) are then assessed by a National Control Board (NCB). The NCB has representatives from each Region and Headquarters management. The NCB recommends project and funding levels to senior leadership.

3. Integrity and Performance Check

Prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, the FAA is required to review and consider any information about the

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see [41 U.S.C. 2313](#)). An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a federal awarding agency previously entered. The FAA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in [2 CFR § 200.206](#).

F. FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

BIL awards are announced through a Congressional notification process and a DOT Secretary's Notice of Intent to Fund. The FAA RO/ADO representative will contact the airport with further information and instructions. Once all pre-grant actions are complete, the FAA RO/ADO will offer the airport sponsor a grant for the announced project. This offer may be provided through postal mail or by electronic means. Once this offer is signed by the airport sponsor, it becomes a grant agreement. Awards made under this program are subject to conditions and assurances in the grant agreement.

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

2. *Administrative and National Policy Requirements*

i. Grant Requirements

All grant recipients are subject to the grant requirements of the AIP, found in [49 U.S.C. Chapter 471](#). Grant recipients are subject to requirements in the FAA's *AIP Grant Agreement* for financial assistance awards; the annual Certifications and Assurances required of applicants; and any additional applicable statutory or regulatory requirements, including nondiscrimination requirements and 2 CFR part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. Grant requirements include, but are not limited to, approved projects on an airport layout plan; compliance with federal civil rights laws; Buy American requirements under 49 U.S.C. 50101; Build America, Buy America requirements in sections 70912(6) and 70914 in Public Law No: 117-58; the *Department of Transportation's Disadvantaged Business Enterprise (DBE) Program* regulations for airports (49 CFR part 23 and 49 CFR part 26); the Infrastructure Investment and Jobs Act; and prevailing wage rate requirements under the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5, and reenacted at 40 U.S.C. 3141-3144, 3146, and 3147).

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

Domestic Preference Requirements: As expressed in Executive Order 14005, Ensuring the Future Is Made in All of America by All of America's Workers (86 FR 7475), executive branch should maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this notice are subject to the domestic preference requirements in the Buy American requirements under 49 U.S.C. 50101 and the Build America, Buy America requirements in Section 70914 in the Infrastructure Investment and Jobs Act (P.L. 117-58). The FAA expects all applicants to comply with that requirement without needing a waiver. However, to obtain a waiver, a recipient must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project.

Civil Rights and Title VI: As a condition of a grant award, grant recipients should demonstrate that the recipient has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR § 21), the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act, all other civil rights requirements, and accompanying regulations. This

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

should include a current Title VI plan, completed Community Participation Plan, and a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards. DOT's and the applicable Operating Administrations' Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

Critical Infrastructure Security, Cybersecurity, and Resilience: It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against all hazards; including both physical and cyber risks, consistent with the President's National Security Memorandum on Critical Infrastructure Security and Resilience (NSM-22) and the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems (NSM-5). Each applicant selected for Federal funding under this notice must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the project. Projects that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and project oversight, as determined by the Department and the Department of Homeland

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

Security, will be required to do so before receiving funds for construction. Information on cybersecurity performance goals can be found at <https://www.cisa.gov/cpg>. These performance goals provide a baseline set of cybersecurity practices broadly applicable across critical infrastructure with known risk-reduction value, a benchmark for critical infrastructure owners and operators to measure and improve their cybersecurity maturity, and recommended practices for information technology (IT) and operational technology (OT) systems, including a prioritized set of security practices. Additionally, funding recipients must be in compliance with 2 CFR § 200.216 and the prohibition on certain telecommunications and video surveillance services or equipment.

Federal Contract Compliance: As a condition of grant award and consistent with EO 11246, Equal Employment Opportunity (30 FR 12319, and as amended), all Federally assisted contractors are required to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women, in addition to goals that vary based on geography for construction work hours and for work being performed by people of color.

The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) is charged with enforcing

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. OFCCP has a Mega Construction Project Program through which it engages with project sponsors as early as the design phase to help promote compliance with non-discrimination and affirmative action obligations. OFCCP will identify projects that receive an award under this notice and are required to participate in OFCCP's Mega Construction Project Program from a wide range of Federally-assisted projects over which OFCCP has jurisdiction and that have a project cost above \$35 million. DOT will require project sponsors with costs above \$35 million that receive awards under this funding opportunity to partner with OFCCP, if selected by OFCCP, as a condition of their DOT award.

Performance and Program Evaluation: As a condition of grant award, grant recipients may be required to participate in an evaluation undertaken by the DOT, FAA, or another agency or partner. The evaluation may take different forms, such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. DOT may require applicants to collect data elements to aid the

evaluation. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor or DOT staff; (2) provide access to program records and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or DOT staff. Requested program records or information will be consistent with record requirements outlined in 2 CFR 200.334-338 and the grant agreement.

ii. Standard Assurances

Each grant recipient must assure that it will comply with all applicable federal statutes, regulations, executive orders, directives, FAA circulars, and other federal administrative requirements in carrying out any project supported by the ATP grant. The grant recipient must acknowledge that it is under a continuing obligation to comply with the terms and conditions of the grant agreement issued for its project with the FAA. The grant recipient understands that federal laws, regulations, policies, and administrative practices might be modified from time to time and may affect the implementation of the project. The grant recipient must agree that the most recent Federal

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

requirements will apply to the project unless the FAA issues a written determination otherwise.

The grant recipient must submit the Certifications at the time of grant application and Assurances must be accepted as part of the grant agreement at the time of accepting a grant offer. Grant recipients must also comply with the requirements of 2 CFR part 200, which "are applicable to all costs related to Federal awards," and which are cited in the grant assurances of the grant agreements. The Airport Sponsor Assurances are available on the FAA website at: [https://www.faa.gov/airports/aip/grant assurances](https://www.faa.gov/airports/aip/grant_assurances).

3. Reporting

Grant recipients are subject to financial reporting per 2 CFR 200.328 and performance reporting per 2 CFR 200.329. Under the ATP, the grant recipient is required to comply with all Federal financial reporting requirements and payment requirements, including the submittal of timely and accurate reports.

Financial and performance reporting requirements are available in the FAA October 2020 Financial Reporting Policy, which is available at https://www.faa.gov/airports/aip/grant_payments.

The grant recipient must comply with annual audit reporting requirements. The grant recipient and sub-recipients, if applicable, must comply with 2 CFR part 200, subpart F, *Audit Reporting Requirements*. The grant recipient must also comply

The NOFO published on the Federal Register might contain minor changes from this PDF due to formatting and editorial requirements. Upon publication, the document can be found on the Federal Register's website at www.federalregister.gov.

with any requirements outlined in 2 CFR part 180, *Office of Management and Budget (OMB) Guidelines to Agencies on Governmentwide Debarment and Suspension*.

G. FEDERAL AWARDING AGENCY CONTACT(S)

For further information concerning this notice, please contact the FAA BIL Branch via email at 9-ARP-BILAirports@faa.gov. In addition, the FAA will post answers to frequently asked questions and requests for clarifications on the FAA's website at www.faa.gov/bil/airport-terminals. To ensure applicants receive accurate information about eligibility of the program, the applicant is encouraged to contact the FAA directly, rather than through intermediaries or third parties, with questions. All applicants, including those requesting full federal share of eligible projects costs, should have a plan to address potential cost overruns as part of an overall funding plan.

Issued in Washington, DC, on July 1, 2024

Jesse Carriger,

Manager,

FAA Office of Airports BIL Infrastructure Branch, APP-540.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-144, Bipartisan Infrastructure Law, Airport Terminal and Tower Project Information

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0806. Public reporting for this collection of information is estimated to be approximately 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required to obtain or retain a benefit under the Bipartisan Infrastructure Law (BIL) (P.L. 117-58). Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Instructions for FAA Form 5100-144, Bipartisan Infrastructure Law, Airport Terminal and Tower Project Information

This form is provided to assist airports in completing the submission requirements established in the related Notice of Funding Opportunity published in the Federal Register. The FRN requires requests to be signed and submitted via email message. This form lets the FAA process requests more quickly based on uniform information responsive to the FRN. Do not include any Personal Identifiable Information in the open text boxes.

Once the form is complete, save a copy of the form electronically to your files for future reference. Next, scroll to the bottom of the form and choose the **“Submit by Email”** button. That creates a new email message with the PDF attached. Or, as a backup method, you can manually email the form to: 9-ARP-BILAirports@faa.gov.

Using Digital Signatures: This form allows digital signatures. To access the digital signature field, save this form to your computer and then reopen it with a PDF reader or editor. The signature field often does not display when the form is viewed within a web browser.

General Airport Information

Airport Name

Enter the official airport name.

LOCID

Enter the airport's FAA location identifier code.

Point of Contact's Name

The Point of Contact (POC) must be the Airport Sponsor.

Point of Contact's Title

Enter the Airport POC's Title.

POC's Phone Number and Extension

Enter the Airport POC's phone number. The form formats the number when you proceed to the next field.

If there is an extension number, enter it in the next field after the phone number.

POC's Email Address

Enter the Airport POC's email address.

Project Overview

Project Type

Choose the project type (Terminal or Tower).

Multi-Modal Terminal

Choose Yes or No. Choose "Yes" if your project incorporates a connection to another mode of transportation (i.e. Bus or Rail Station).

Current Project Stage

Choose the stage of the project for which you are requesting funding (Planning, Environmental, Design or Construction)

Project Description

In 600 characters less, enter a complete project description.

Target Timeframes

- **Date Project Costs Known.** Enter the month and year that all project costs will be known (e.g. professional services contract, bids or GMP received) (mm/yyyy).
- **Date Grant Fully Executed.** Enter the month, day, and year the sponsor can fully execute the grant offer based on known project costs (mm/dd/yyyy).

- **Construction Start Date.** Enter the construction start date month and year (mm/yyyy).

Project Status

Total (Estimated) Project Cost

Enter most recent cost estimate for the entire project, in whole dollars.

Amount of Funding Requested

Enter amount of funding requested under this program, in whole dollars.

Match Available

Does the Sponsor have matching funds? Choose Yes or No.

Delivery Method

Choose the delivery method (Design/Bid, Design/Build, CM at Risk, Other). If "Other," state the proposed delivery method in the next field.

Bid or Guaranteed Maximum Price (GMP)

Choose whether or not project has been publicly bid. If "No," provide an estimated bid date in the next field.

Phased Project

Choose whether or not the project will be completed over multiple phases. If "Yes," list phase number covered by this application and total number of phases in the next field.

Do you have a comprehensive financial plan?

Choose Yes or No to indicate if a funding plan for the entire project is currently available for FAA review, if requested.

Is the project on an approved Airport Layout Plan (ALP)?

Choose Yes or No. If "Yes," enter the approval date in the next field.

Is environmental determination complete?

Choose Yes or No. If "Yes," enter the approval date in the next field.

Is airspace approval complete?

Choose Yes, No, or N/A (not applicable). If "Yes," enter the airspace case number in the next field. (Example: 2020-ANM-2933-NRA)

Forecast Enplanements

Based on your most recently approved forecast, provide the enplanement number from the last year of the forecast and provide forecast year.

Existing Square Footage

Provide square footage of existing terminal building or tower.

Proposed Square Footage

Provide anticipated total square footage of terminal building or tower once project is complete.

Is this project associated with an approved Bipartisan Infrastructure Law (BIL), Airport Improvement Program (AIP) or Passenger Facility Charge (PFC) project?

Choose Yes or No. Choose "Yes" if the project has been or is currently funded by an existing BIL grant, AIP grant or approved under a PFC application. If "Yes," provide existing grant number(s) and/or PFC application number along with the amount of existing funding. (300 Characters Maximum):

Program Considerations

Check all that apply to your proposed terminal building or tower project. If an item is selected, a narrative must be included describing how the project satisfies the criteria. Address the following areas within character limits defined below.

Terminal and Tower**Increase Capacity and Passenger Access**

Check this box if the project will increase capacity and passenger access to the airport. Explain and provide justification in the next field. (450 Characters Maximum).

Replacing Aging Infrastructure

Check this box if the project will replace aging infrastructure that has exceeded its useful life. Explain and provide justification in the next field. (450 Characters Maximum).

Achieves Compliance with Americans with Disabilities Act and Expands Accessibility for Persons with Disabilities

Check this box if the project will expand accessibility for persons with disabilities. Explain and provide justification in the next field. (450 Characters Maximum).

Improves Airport Access for Historically Disadvantaged Populations

Check this box if the project will improve access for Historically Disadvantaged Populations. Explain and provide justification in the next field. (450 Characters Maximum).

Improves Energy Efficiency

Check this box if the project improves energy efficiency for the airport. Explain and provide justification in the next field. (450 Characters Maximum).

Improves Airfield Safety through Terminal or Tower Relocation

Check this box if the project improves airfield safety. Explain and provide justification in the next field. (450 Characters Maximum).

Encourages Actual and Potential Competition

Check this box if the project encourages actual and potential competition. Explain how this objective is met through this project in the next field. (450 Characters Maximum).

Good Paying Jobs

Check this box if the project will create good-paying jobs. Explain and provide justification in the next field. (450 Characters Maximum).

Tower Only

If the project is for a tower, complete this section of the form.

Project Type

Choose “**Contract Tower Program**” for an airport owned tower in the Federal Contract Tower program.

Choose “**Airport Owned, Other**” for an airport-owned tower not in the Federal Contract Tower program. Then **describe** tower staffing (Example: FAA Staffed).

Age of Tower

Enter the age of the tower in years.

Siting Study

Has a Siting Study been completed for the Airport Traffic Control Tower Project? Choose Yes, No, or NA. Choose NA if *not* building a new tower or if this is a *new* tower in *existing* location.

Appropriate Project Objectives

Choose all that apply.

- **New**

Check this box if the project will construct a new Airport Traffic Control Tower.

- **Relocate**

Check this box if the project will be relocating an existing Airport Traffic Control Tower.

- **Reconstruct**

Check this box if the project will reconstruct a replacement Tower in the approximate same location of the existing Airport Traffic Control Tower.

- **Repair**

Check this box if the project will be a repair of an existing Airport Traffic Control Tower e.g., replace roof, replace cab windows, etc.).

- **Improve**

Check this box if the project will add improvements to an existing Airport Traffic Control Tower (e.g., replacing radios, etc.).

Impact on the National Airspace System (NAS)

Description (600 Characters Maximum)

Describe how the project addresses impacts on the NAS including operational constraints nonstandard facility conditions and age of facility.

Certifications

Signature

Add your digital signature.

Date

If your digital signature does *not* include a date, enter the date you signed the form. Use mm/dd/yyyy format (example: 06/02/2023).

Name

Enter your name.

Title

Enter your title.

Bipartisan Infrastructure Law, Airport Terminal and Tower Project Information

General

Airport Name:

LOCID:

Point of Contact's Name:

Point of Contact's Title:

POC's Phone Number:

Extension:

POC's Email Address:

Project Overview

Project Type: Terminal Tower

Multi-Modal Terminal: Yes No

Current Project Stage: Planning Environmental Design Construction

Project Description (600 Characters Maximum):

Target Timeframes

Date Project Costs Known (Pick a date):

Date Grant Fully Executed (Pick a date):

Construction Start Date (Pick a date):

Project Status

Total (Estimated) Project Cost:

Amount of Funding Requested:

Match Available: Yes No

Delivery Method (choose one):

Design/Bid Design/Build CM at Risk Other:

Bid or GMP: Yes No. If "No," Estimated bid/GMP date (Pick a date):

Phased Project: Yes No. If "Yes," Phase: of

Do you have a comprehensive financial plan? Yes No

Is the project on an approved ALP?

Yes No. If "Yes," enter the approval date (Pick a date):

Is environmental determination complete?

Yes No. If "Yes," enter the approval date (Pick a date):

Is airspace approval complete?

Yes No N/A.

If "Yes," enter the airspace case number:

Approved Forecasted Enplanements:

Year(yyyy):

Existing Square Footage:

Proposed Square Footage:

Is this project phased and/or associated with an approved BIL, AIP or PFC project?

Yes No N/A

Added data: If "Yes," provide the grant number(s), and/or PFC application number, along with the amount of existing funding. (300 Characters Maximum):

Program Considerations (Terminal and Tower)

If you check a box below, you must describe how the project satisfies the criteria.
Check all that apply to the proposed project.

Increase Capacity and Passenger Access. Description (450 Characters Maximum):

Replacing Aging Infrastructure. Description (450 Characters Maximum):

Achieves Compliance with Americans with Disabilities Act and Expands Accessibility for Persons with Disabilities. Description (450 Characters Maximum):

Improves Airport Access for Historically Disadvantaged Populations.
Description (450 Characters Maximum):

Improves Energy Efficiency. Description (450 Characters Maximum):

Improves Airfield Safety through Terminal or Tower Relocation.

Description (450 Characters Maximum):

Encourages Actual and Potential Competition. Description (450 Characters Maximum):

Good Paying Jobs. Description (450 Characters Maximum):

Program Considerations (Tower Only)

If the project is for a tower, also complete this section of the form.

Project Type. The project type for this grant application (choose one or both).

Airport Owned, Contract Tower Program

Airport Owned, Other. Describe staffing:

Age of Tower (Years):

Siting Study. Has a Siting Study been completed for a new Airport Traffic Control Tower Project?

Yes

No

NA

If you check a box below, also describe how the project satisfies the criteria.
Check all that apply to the proposed project.

Appropriate Project Objective (choose all that apply):

New Relocate Reconstruct Repair Improve

Impact on the National Airspace System. Description (600 Characters Maximum):

Certifications

By entering my name below, I hereby certify that I am authorized to submit this form on behalf of the airport sponsor, all information is true and accurate to the best of my knowledge, and have or will follow, all procurement processes required under 2 CFR 200, including but not limited to:

- Davis Bacon
- Buy American
- Consultant Selection
- Disadvantaged Business Enterprise

Signature:

Date:

Name:

Title:



AGENDA RECOMMENDATION

Consent Calendar 5. G.

City Council Regular Meeting

Meeting Date: 07/22/2024

Agenda Item:

Resolution authorizing the City Manager to negotiate and enter into a contract for professional services with Toltz, King, Duvall, Anderson, and Associates (TKDA) to perform an environmental assessment for the purpose of constructing an Air Traffic Control Tower (ATCT) at the Mankato Regional Airport (MKT).

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

In August 2021, the City Council authorized staff to update the Benefit Cost Analysis (BCA) report previously completed by Quadrex Aviation, LLC and submit an application on behalf of the City to be considered for the Federal Aviation Administration (FAA) Federal Contract Tower (FCT) program. Upon completion of the update of the BCA, it was subsequently submitted to the FAA for consideration in late October 2021 and the City received notice in April 2022 that the FAA had reviewed our application, and the Mankato Regional Airport had been accepted as a candidate for the FAA FCT program.

Conditions of the April 19, 2022, acceptance into the FAA FCT program Stipulate:

- MKT will have five-years from the date of the letter (April 19, 2022) to provide a control tower that has successfully completed an Operational Readiness Inspection (ORI).
- MKT will be required to sign an Air Traffic Control Tower Operations Agreement (TOA).
- Tower funding is subject to availability.
- If the airport fails to provide a control tower that successfully completes an Operational Readiness Inspection (ORI) within the 5-year period, the airport returns to Phase 1 (Interest Phase) and can reapply for acceptance into the FCT Program.

Since acceptance into the program, staff has been working through processes with the FAA Regional Airports Division and District Office (ADO), Central Service Center, Terminal Engineering Center, and Contracting Office along with MnDOT Aeronautics and consultants related to activities listed below:

Month/Year	Task
August 2021	• FAA FCT application submitted
April 2022	• MKT accepted into the FAA FTC program
April 2023	• Council authorizes ATCT siting study
June 2023	• City enters into contract with TKDA for siting study
October 2023	• City applied for ATCT design and environmental assessment (EA) grant
February 2024	• Airport Facilities Terminal Integration Laboratory (AFTIL) study performed
March 2024	• City awarded \$1.05 million grant for ATCT design and EA
April 2024	• Interim Airport Layout Plan (ALP) submitted to FAA • Released Request for Qualifications (RFQ) for ATCT design
May 2024	• Developed EA scope of services with FAA
July 2024	• City enters into contract with TKDA for EA

A Phase II Environmental Site Assessment is a more detailed and investigative process compared to a Phase I ESA. It is typically triggered when the Phase I ESA identifies Recognized Environmental Conditions (RECs) or suggests the likelihood of environmental contamination. Phase II aims to confirm whether contamination is indeed present at the site and to what extent. Phase II will provide a more detailed understanding of the environmental condition of a property, allowing stakeholders to make well-informed decisions. In cases where contamination is confirmed, Phase II ESAs lay the groundwork for remediation and risk management strategies.

Key components of a Phase II ESA:

- **Sampling and Testing:** Phase II ESAs carry out the collection and analysis of environmental samples. This may include soil, groundwater, and sometimes building materials. The sampling process is designed to target areas where the Phase I assessment indicated potential contamination.
- **Laboratory Analysis:** The collected samples are subjected to rigorous laboratory tests to detect and quantify the presence of hazardous substances. This analysis is crucial in determining the level and type of contamination.

- **Comparative Regulatory Assessment:** Once the lab results are obtained, they are compared against local, state, and federal environmental standards. This comparison helps assess whether the contamination levels exceed permissible limits and the potential impact on future land use.
- **Additional Investigations:** Depending on the findings, Phase II may extend to inspecting the property for mold, lead paint, radon, and other hazardous materials. It may also involve ecological assessments, such as the impact on wetlands or endangered species, which could restrict land use.

Goals of Phase II ESA:

The ultimate objective of a Phase II ESA is to ascertain the actual presence of environmental contaminants and to evaluate the extent of these contaminants. This phase provides a more concrete understanding of the environmental risks associated with the property and forms the basis for any necessary remediation plans.

Importance of a Phase II ESA

- **Informed Decision-Making:** For property buyers and lenders, Phase II ESAs offer a more detailed insight into the environmental health of the property. This information is vital in making informed decisions regarding property acquisition or development.
- **Compliance and Liability:** Understanding the extent of contamination helps in complying with environmental regulations and planning for potential remediation. This step is critical in managing liability risks associated with environmental clean-ups.
- **Financial Considerations:** Identifying the extent of contamination through a Phase II ESA can significantly impact the valuation of the property. It informs buyers about potential clean-up costs and can be a critical negotiation tool in the property transaction process.

The attached scope of work associated with the EA includes all the necessary actions up to and including a final deliverable of a phase II Environmental Site Assessment (ESA) for the desired ATCT site at a cost of \$125,000.00. In accordance with FAA Advisory Circular 150/5100-14E, contracts anticipated to be greater than \$100,000, a detailed fee/cost analysis, or Independent Fee Estimate (IFE) is required. Staff consulted with Kimley Horn about the IFE and evaluated the estimate provided by Kimley Horn to that provided by TKDA and determined the fee provided by TKDA to be fair and reasonable. Staff recommends authorizing the City Manager to negotiate and enter into a contract for professional services with TKDA to perform an EA for construction at MKT.

Uses and sources for the EA are shown below:

USES	AMOUNT
Environmental Assessment	\$125,000.00
IFE	\$12,600.00
TOTAL	\$137,600.00

SOURCES	AMOUNT	PERCENT
FAA	\$123,840.00	90%
State	\$6,880.00	5%
Local	\$6,880.00	5%
TOTAL	\$137,600.00	100%

Attachments

Resolution

Professional Services Agreement

**RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER A
CONTRACT FOR PROFESSIONAL SERVICES WITH TOLZ, KING, DAY, AND
ANDERSON (TKDA) PERFORM AN ENVIRONMENTAL ASSESSMENT (EA) FOR THE
PURPOSE OF CONSTRUCTING AN AIR TRAFFIC CONTROL TOWER (ATCT) AT THE
MANKATO REGIONAL AIRPORT (MKT)**

WHEREAS, the Mankato City Council Procurement Policy specifies that contracts over \$175,000 are awarded by THE Council; and

WHEREAS, the Council is exploring the possibility of installing an ATCT at the Mankato regional Airport, and to meet this end, an Architect and Engineering firm (A&E) is needed to provide professional services; and

WHEREAS, professional services, such as those provided by doctors, engineers, lawyers, architects, accountants, and other services requiring technical, scientific, or professional training are exceptions to competitive bidding requirements in accordance with Minnesota State Statutes 471.345, Uniform Municipal Contracting Law; and

WHEREAS, the City of Mankato, TKDA, and SEH have agreed to the terms and conditions by which TKDA and SEH will undertake professional services of the under the attached Professional Services Agreements.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MANKATO, MINESOTA:

1. That the City Manager is hereby authorized and directed to negotiate and to enter into Agreements with TKDA to perform an Environmental Assessment (EA) for the construction of Air Traffic Control Tower (ATCT) at the Mankato Regional Airport (MKT) identified in the agreements attached to this resolution in the amount of \$125,000.
2. That the City Manager is authorized to execute any necessary changes to this agreement in accordance with the City of Mankato Financial Management Policies and Section 2.08 of the Mankato City Code.

This resolution shall become effective upon its adoption.

Passed this 22nd day of July 2024

Najwa Massad
Mayor

ATTEST: _____
Rena Kopischke
City Clerk

THE CITY OF MANKATO, MINNESOTA
AUTHORIZATION FOR PROFESSIONAL SERVICES

TO: Toltz, King, Duvall, Anderson
and Associates, Incorporated
444 Cedar Street, Suite 1500
St. Paul, Minnesota 55101

Pursuant to our Professional Services Agreement dated March 1, 2023, you are hereby authorized to proceed with the services described as follows:

AIR TRAFFIC CONTROL TOWER ENVIRONMENTAL ASSESSMENT

I. PROJECT DESCRIPTION

The Air Traffic Control Tower (ATCT) Environmental Assessment (EA) Project at the Mankato Regional Airport consists of the following items to be accomplished under one contract. This Project includes major items of work as follows:

- Project Initiation, Meetings, Coordination and Administration
- Project Formulation, Grant Administration, and Closeout
- Short Form Environmental Assessment (EA)
- Phase II Environmental Site Assessment (ESA)

The Project is to be funded with Federal FAA AIP funds, and State of Minnesota Aeronautics funds.

II. SERVICES TO BE PROVIDED

TKDA is requested to provide the following services for the Project:

Services listed in ATTACHMENT A – TKDA SCOPE OF WORK, and ATTACHMENT A – SEH SCOPE OF WORK.

III. ADDITIONAL SERVICES

If authorized by the CITY, TKDA will furnish or obtain from others services of the types listed below which are not considered as basic services under this Authorization. These services shall be billable on an Hourly Cost Reimbursement Plus Fixed Fee basis as defined in our Agreement, and such billings shall be over and above the Total Contract Ceiling Amount set forth herein.

- A. Registered land or right-of-way surveys, legal descriptions, or related services beyond those indicated in ATTACHMENT A – SCOPE OF WORK.
- B. Preparation of DBE Program (beyond Contract-specific goals).
- C. Additional trips or meetings by TKDA staff to Mankato, Minnesota, beyond those indicated in ATTACHMENT A – SCOPE OF WORK.
- D. Environmental services beyond those included in the Project.

- E. Additional services requested by FAA beyond the initial FAA approved scope of work indicated in ATTACHMENT A.

IV. PERIOD OF SERVICE

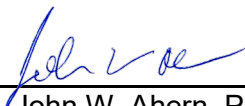
Services shall be provided in accordance with the schedule established for the Project, as shown within ATTACHMENT A – SCOPE OF WORK.

V. COMPENSATION

Compensation to TKDA for services provided as described shall be as defined in Article 4 of our Professional Services Agreement, as shown on ATTACHMENT B, and summarized as follows:

SECTION II Task 1: Project Formulation and Administration	
Subtotal	<u>\$ 32,008</u>
SECTION II Task 2: Short Form Environmental Assessment	
Subtotal	<u>\$ 4,108</u>
Total Amount	<u>\$ 36,116</u>
Expenses	<u>\$400</u>
Subconsultants (SEH)	<u>\$ 88,500</u>
Total Project Amount	<u>\$ 125,016</u>
Total Project Amount (Rounded)	<u>\$ 125,000</u>
TOTAL PROJECT AMOUNT (Lump Sum)	<u>\$ 125,000</u>

Approved by _____, _____, 2024.
Authorized City Representative

Consultant Acceptance by  _____, June 7, 2024.
John W. Ahern, PE; Vice President
Authorized TKDA Representative

Attachment A
TKDA Scope of Work
Mankato Regional Airport (MKT)
Air Traffic Control Tower Environmental Assessment
June 6, 2024

General – The City of Mankato is in the process to site and construct an Air Traffic Control Tower (ATCT) to provide air traffic services to the growing airport operations with growth driven, in part, by the Minnesota State University-Mankato's aviation program. The Mankato Regional Airport (MKT) was accepted into the Federal Contract Tower (FCT) Program on April 19, 2022.

The EA will consider tower location alternatives and a No Action alternative. Build alternatives are expected to include three (3) of the alternatives carried forward through the FAA AFTIL process (Site 15, Site 12, and Site 7). No additional alternatives are anticipated to be developed as part of this Short Form EA process.

Project Schedule – It is anticipated this project will take nine (9) months.

Project Deliverables – Refer to SEH Scope of Work Outline for overall project deliverables of this scope, which includes the following:

1. Short Form Environmental Assessment
2. Phase II ESA Report

This work scope includes:

Study Element 1: Project Formulation and Administration

Task 1.1 – Project Scoping and Contract Development - TKDA will coordinate with SEH (subconsultant), the City of Mankato, the Federal Aviation Administration (FAA) and Minnesota Department of Transportation Office of Aeronautics (MnDOT Aeronautics) to develop the appropriate work scope, define tasks, lines of communication, and establish project goals and objectives. Project fees will be prepared using the final Scope of Work. An agreement will be developed from the Final Scope of Work and approved fees.

Task 1.2 – Meetings – TKDA will maintain continuous contact with the City (sponsor), Subconsultant SEH, MnDOT Aeronautics, and the FAA through e-mail, regular mail, phone, working papers, and deliverables. The following subtasks include time to prepare, coordinate, meet, and build consensus. The following meetings are included.

Task 1.2.2 – Agency Meetings – This task includes coordination meetings by TKDA, MnDOT Aeronautics, the FAA, SEH, City and Airport staff, and other individuals and agencies as needed, to discuss the status of the Environmental Assessment, receive feedback and any other related items. Nine (9) virtual meetings are expected.

Task 1.2.3 – Consultant Team Meetings – This task includes bi-weekly meetings with TKDA to provide project updates and to track the timeline of the overall project. City Staff will be invited to these meetings as needed to provide feedback on the process or for TKDA and/or SEH to request additional information. It is assumed some of these meetings will be canceled throughout the project, ten (10) meetings are anticipated with this task. The TKDA project manager will attend each meeting. A senior engineer and planner is expected to join four (4) of these meetings as needed.

Task 1.2.4 – Public Open House – This task includes one (1) public open house meeting to share with the public the results of the ATCT siting study and preferred site, along with the in-depth environmental review process the City is undertaking to complete this project. It is anticipated that this meeting will be held at the Mankato Regional Airport and two (2) TKDA staff members will be in attendance to set-up and support the Open House. This task

does not include coordinating the invites to stakeholders, public notices or logistics for meeting location.

Task 1.3 – Project Administration – TKDA will provide project administration and management services as required to complete the project within the conditions of this agreement. Administration and management duties will include preparation of a budget and schedule, holding internal project meetings to monitor progress and budget, and preparing monthly invoices.

Task 1.4 – Agency Coordination – TKDA will prepare a project distribution list. Distribution will be coordinated with the FAA. TKDA will prepare schedule and progress updates.

Task 1.5 – Quality Assurance and Control – TKDA will provide a final review of the SEH project documents to check content and product quality.

Task 1.6 – Project Funding Coordination: TKDA shall coordinate with FAA and MnDOT Aeronautics regarding securing project funding for the City. The Project will be funded through one (1) FAA Airport Improvement Program (AIP) or BIL (AIG) grant, to be determined through coordination with the City and FAA.

Task 1.7 – Grant Pre-Application Package: TKDA shall prepare the FAA grant pre-application package and submit to MnDOT Aeronautics and the FAA.

Task 1.8 – Grant Application: TKDA shall prepare the FAA grant application and submit to MnDOT Aeronautics and the FAA.

Task 1.9 – Grant Administration and Quarterly Reporting: TKDA shall provide grant administration, submit regular reporting, and provide updates as required during the duration of the project.

Task 1.10 – FAA Closeout Report: Within 90 days of final FAA approval of project deliverables, TKDA shall prepare the FAA short-form closeout report and assist with submittal of documentation to MnDOT Aeronautics and FAA.

Study Element 2: Short Form Environmental Assessment

Task 2.1 – Preliminary Design Review and Validation –TKDA and SEH will work together to review the site layouts that were developed during the siting study to review the existing site plans and relevant documentation to conduct an analysis of the proposed site layout, considering factors such as safety, functionality, and compliance with FAA regulatory standards. This will include evaluating utilities, and communication systems. TKDA will revise preliminary design documents and exhibits for distribution to the FAA, MnDOT Aeronautics, City, and ATCT Design Consultant.



Client:	City of Mankato / Mankato Regional Airport					Date:	6/5/2024	
Project:	Air Traffic Control Tower Environmental Assessment					Prepared By:	JNP	
Task	Task Description	Estimated Person Hours Required					Total Hours	Total Dollars
		Sr Reg	Sr Reg	Planner	Grad Eng	Admin		
1	Project Formulation and Administration							
1.1	Project Scoping and Contract Development	8	2			2	12	\$ 2,390
1.2.1	Project Team Meetings						-	\$ -
1.2.2	Agency Meetings	9	9	9			27	\$ 5,022
1.2.3	Consultant Team Meetings	9	4	4			17	\$ 3,322
1.2.4	Public Open House (1)	8		8			16	\$ 2,720
1.3	Project Administration	16				2	18	\$ 3,698
1.4	Agency Coordination	8	2				10	\$ 2,180
1.5	Quality Assurance and Control	4	2	2		2	10	\$ 1,762
1.6	Project Funding Coordination	4	2				6	\$ 1,308
1.7	Grant Pre-Application Package	4	2		4		10	\$ 1,784
1.8	Grant Application	8	2		8		18	\$ 3,132
1.9	Grant Administration and Quarterly Reporting	4			4		8	\$ 1,348
1.10	FAA Grant Closeout Report	8	2		8	2	20	\$ 3,342
2	Short Form Environmental Assessment							
2.1	Preliminary Design Review and Validation	2	8	8	8		26	\$ 4,108
Total Person Hours		92	35	31	32	8	198	
Billing Rate/Hr x Multiplier		\$ 218	\$ 218	\$ 122	\$ 119	\$ 105		
Total Billable for Charged Time		\$ 20,056	\$ 7,630	\$ 3,782	\$ 3,808	\$ 840		\$ 36,116
Expenses:								
Travel & Subsistence (TS)								\$ 400.00
Reproduction & Reprographics (RR)								\$ -
Miscellaneous (MI)								\$ -
Subconsultants - SEH								\$ 88,500.00
Total Project Fees								\$ 125,016
Total Not to Exceed								\$ 125,000

Attachment A

Mankato Regional Airport (MKT)

Short Form Environmental Assessment

SEH Scope of Work Outline

General – The City of Mankato is in the process to site and construct an Air Traffic Control Tower (ATCT) to provide air traffic services to the growing airport operations with growth driven, in part, by the Minnesota State University-Mankato's aviation program. The Mankato Regional Airport (MKT) was accepted into the Federal Contract Tower (FCT) Program on April 19, 2022.

The EA will consider tower location alternatives and a No Action alternative. Build alternatives are expected to include three (3) of the alternatives carried forward through the FAA AFTIL process (Site 15, Site 12, and Site 7). No additional alternatives are anticipated to be developed as part of this Short Form EA process.

Project Deliverables – The project deliverables of this scope include the following:

1. Short Form Environmental Assessment
2. Phase II ESA Report

Project Schedule – It is anticipated this project will take nine (9) months.

This work scope includes:

Study Element 1: Project Initiation, Meetings, Coordination and Administration

Task 1.1 – Project Scoping and Contract Development - Short Elliott Hendrickson (SEH and/or Consultant) will coordinate with TKDA, the City of Mankato, the Federal Aviation Administration (FAA) and Minnesota Department of Transportation Office of Aeronautics (MnDOT Aeronautics) to develop the appropriate work scope, define tasks, lines of communication, and establish project goals and objectives. Project fees will be prepared using the final Scope of Work. An agreement will be developed from the Final Scope of Work and approved fees.

Task 1.2 – Meetings – SEH will maintain continuous contact with the City (sponsor), TKDA, MnDOT Aeronautics, and FAA through e-mail, regular mail, phone, working papers, and deliverables. The City, TKDA, MnDOT Aeronautics, and FAA will have the opportunity to review and comment on the project deliverables. The following subtasks include time to prepare, coordinate, meet, and build consensus. The following meetings are included.

Task 1.2.1 – SEH Project Team Meetings – This task includes meetings by the SEH team to discuss project elements, schedule, issues, and provide coordination between team members. Five (5) meetings anticipated to support the EA including preliminary design efforts.

Task 1.2.2 – Agency Meetings – This task includes coordination meetings by the SEH project team, MnDOT Aeronautics, FAA, TKDA, City and Airport staff, and other individuals and agencies as needed, to discuss the status of the Environmental Assessment, receive feedback and any other related items. Nine (9) virtual meetings are expected.

Up to two (2) additional document review work sessions are anticipated. Meeting topics will include reviews of the Short Form EA. These meetings will be held virtually. It is expected that two (2) SEH staff members will attend these meetings.

The meetings may cover the following topics or decision points:

- **Purpose and Need, Alternatives, Affected environment and Environmental consequences, cumulative effects and Final Draft Short Form EA**
- **Draft EA comment responses and FONSI attachments**

Task 1.2.3 – Consultant Team Meetings – This task includes bi-weekly meetings with TKDA to provide project updates and to track the timeline of the overall project. City Staff will be invited to these meetings as needed to provide feedback on the process or for TKDA and/or SEH to request additional information. It is assumed some of these meetings will be canceled throughout the project, ten (10) meetings are anticipated with this task. The SEH project manager will attend each meeting. A senior engineer will join one (1) meeting to discuss the preliminary design validation task effort outline in **Task 2.1**. A senior environmental scientist is expected to join four (4) of these meetings as needed.

Task 1.2.4 – Public Open House – This task includes one (1) public open house meeting to share with the public the results of the ATCT siting study and preferred site, along with the in-depth environmental review process the City is undertaking to complete this project. It is anticipated that this meeting will be held at the Mankato Regional Airport and two (2) SEH staff members will be in attendance to set-up and support the Open House. This task does not include SEH coordinating the invites to stakeholders, public notices or logistics for meeting location.

Task 1.3 – Project Administration – SEH will provide project administration and management services as required to complete the project within the conditions of this agreement. Administration and management duties will include preparation of a budget and schedule, holding internal project meetings to monitor progress and budget, and preparing monthly invoices.

Task 1.4 – Agency Coordination – SEH will prepare a project distribution list. Distribution will be coordinated with the FAA. SEH will prepare schedule and progress updates.

Task 1.5 – Quality Assurance and Control – SEH will implement and carry-out internal quality control for the project. Independent peer review will be conducted at each phase of the project to check content and product quality. Throughout the project, SEH will be responsible for draft and final proof-reading, final word processing, editing, graphics, reports, and other products included in this Scope of Work.

Deliverable: Project scope, agreement, and meetings.

Study Element 2: Short Form Environmental Assessment

The National Environmental Policy Act of 1969 (NEPA) process and preparation of the EA is defined by the Council on Environmental Quality (CEQ) regulations for implementing the provisions of NEPA, 40 Code of Federal Regulations (CFR) parts 1500-1508; Department of Transportation Order DOT 5610.1C, Procedures for Considering Environmental Impacts; and other related statutes and directives. FAA developed Order 1050.1F and Order 5050.4B to define FAA policy and procedures to ensure agency compliance with those requirements. The Short Form EA will be prepared according to those requirements, using planning documentation to support the evaluation.

The following identifies the proposed work program for completion of the Short Form EA:

Task 2.1 – Preliminary Design Review and Validation – SEH and TKDA will work together to review the site layouts that were developed during the siting study to review the existing site plans and relevant documentation to conduct an analysis of the proposed site layout, considering factors such as safety, functionality, and compliance with FAA regulatory standards. This will

include evaluating utilities, and communication systems. SEH will provide recommendations to TKDA to incorporate into their preliminary design documents and exhibits.

Task 2.2 – Draft Short Form EA - The Draft Short Form EA will address the following:

Purpose and Need – Description of the project purpose and need.

Task 2.3 Proposed Action and Alternatives – The project alternatives to meet the project purpose and need (3 anticipated, excluding no action) and all associated elements will be described, including demolition activities of connected actions and the footprint of utility work and ground disturbance associated with the project and connected actions. A no action alternative will be included and carried forward throughout the EA. This section will include explanation as to why dismissed alternatives (if any) were eliminated from further study, along with appropriate charts, graphs, and figures to aid in understanding the alternatives.

Task 2.4 Affected Environment and Environmental Consequences – The environment on and around the airport will be described and used as the basis to describe the effects of No Action and other alternatives selected to be carried forward for further consideration. The section will include exhibits to describe the existing conditions of affected areas, existing and planned land uses, assumptions used to determine the secondary impacts, and other interrelated facility and procedural actions.

The purpose of the environmental consequences section is to examine each of the potential environmental impact categories as defined by FAA Order 1050.1F, Environmental Impacts: Policies and Procedures to determine the potential environmental consequences to environmental resources resulting from the range of feasible alternatives.

- **Air Quality:** The EA will include description of any measures to be incorporated in the action to minimize adverse air quality effects, including control of air pollution during construction. No air quality modeling or monitoring included in this Scope of Work.
- **Biological Resources (including fish, wildlife, and plants):** The project location is within the airport fence on fully developed land adjacent to the airfield. A minor amount of tree clearing is anticipated, which may include habitat for the Northern Long Eared Bat. The EA will describe the habitat and a description of the significance of impacts on the biotic community. Consultation with the U.S. Fish and Wildlife Service will determine possible impacts. A finding of No Effect is anticipated for all other species under the Endangered Species Act (ESA). A botanical survey, wildlife resource survey, or wildlife hazard assessment are not included in this Scope of Work.
- **Climate:** The EA will discuss potential climate impacts, including a discussion of greenhouse gases (GHG). We anticipate that GHG emissions will not change significantly, which will require a factual basis to support this assessment. A discussion of GHG emissions during construction will also be included.
- **Coastal Resources:** The project is not in Minnesota's Coastal Zone. The EA will describe that no impacts to the Coastal Zone Management Program or to Coastal Barriers are anticipated.
- **Department of Transportation Act, Section 4(f):** No effects to Section 4(f) resources are anticipated. The EA will provide verification that the proposed action will not require the use of any publicly owned land from a public park, recreation area, or wildlife or waterfowl refuge of national, state, or local significance as determined by the officials

having jurisdiction thereof. Therefore, no Section 4(f) analysis is included in this scope of work.

- **Farmland:** The project location of two tower alternatives are fully developed land adjacent to the airfield. No farmland nor farmland mapped soils are present. The third alternative is within farmland area; therefore, the Farmland Protection Policy Act is applicable, and a farmland analysis is included in this scope of work.
- **Hazardous Materials, Pollution Prevention, and Solid Waste:** SEH completed a Phase I Environmental Site Assessments (ESAs) for the preferred alternatives that were moved into AFTIL. The findings of the Phase I ESA previously completed will be documented as part of this EA. A Phase II ESA will be completed as part of this Scope of Work (**See Study Element 3**).

Airport actions which relate only to airfield development (runways, taxiways, and related items) will not normally include any direct relationship to solid waste collection, control, or disposal other than that associated with the construction itself. The Short Form EA will discuss the projected quantity and type of waste generated through rehab and/or demolition and appropriate methods of collection or disposal.

- **Historical, Architectural, Archeological and Cultural Resources:** Existing architectural inventory of the project area found no structures eligible for listing on the National Register of Historic Places. The Short Form EA will document FAA coordination with the SHPO and THPO(s) regarding the project.
- **Land Use:** The Compatible Land Use section will review all the relevant zoning and land use plans for conflicts with the proposed action and will also review the potential for conflict with planned land use districts. An exhibit of land uses and/or zoning districts will be included. Land use impacts resulting from other impacts exceeding the thresholds of significance which have land use ramifications (for example, disruption of communities, relocation, induced socioeconomic impacts, wetlands, floodplains, critical habitat or endangered or threatened species) will be analyzed in this context and described accordingly under the appropriate impact category with any necessary cross references to the Compatible Land Use section to avoid duplication.
- **Natural Resources and Energy Supply:** Use of natural resources other than fuel needs will only be examined in this category if the action involves a need for unusual materials or those in short supply, which is not anticipated. Results of the determination will be reported in the Short Form EA.
- **Noise:** The alternatives considered are not expected to result in changes to noise impacts. No noise analysis is included in this scope of work. The noise impacts from each alternative will be discussed qualitatively. The previous Benefit Cost Analysis (BCA) and the narrative report from 2019 will be used to discuss historical and future operation forecasts. The traffic fleet is expected to remain the same in the no build and built alternatives.
- **Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks:**
 - Socioeconomic Impacts: Principal social impacts to be considered are those associated with relocation or other community disruption which may be caused by the proposal including construction impacts. The Short Form EA will also

consider the degree of controversy generated by the alternatives on environmental grounds, as much as can be determined from agency communication, published articles, and correspondence received from the Airport Sponsor or on its behalf. The Short Form EA will also describe the socioeconomic benefits of the airport.

- Environmental Justice: The impact of the alternatives on environmental justice claims will be reviewed for “disproportionately high and adverse” effects on minority and low-income populations. The evaluation, as appropriate, will be made using 2010 US Census bureau data information and the EJ screening tool.
- Children’s Health and Safety: The Short Form EA will identify and assess environmental health risks and safety risks that could disproportionately affect children.
- **Visual Effects Including Light Emissions**: The Short Form EA will consider the extent to which any lighting or visual effects associated with the alternatives will create an annoyance among people in the vicinity of the installation. Visual and lighting effects of the alternatives will be described in the Short Form EA.
- **Water Resources**:
 - Floodplains: The study area is not located in a mapped floodplain. The location of the nearest mapped 100-year floodplain relative to the alternatives will be reviewed. Although no floodplain impacts are anticipated, results of this review will be included in the Short Form EA.
 - Water Quality: The Short Form EA will describe surface water resources in the project vicinity, and include sufficient description of planning design, mitigation measures and construction controls applicable to the alternatives to demonstrate that state water quality standards and federal, state, and local permit requirements will be met. The Short Form EA will reflect the results of consultation with regulating and permitting agencies and with agencies that must review permit applications. Such factors as storm and sanitary sewer design, requirements for additional water supplies or waste treatment capacity, erosion controls to prevent siltation, provisions for containing fuel spills and wastewater from aircraft washing, designs to preserve existing drainage or to minimize dredge and fill, and location with regard to an aquifer or sensitive ecological area such as wetlands and streams will be considered to the extent applicable to the alternatives. The Short Form EA document will include recommendations for mitigation by avoidance and minimization of adverse impacts to water quality matters via conceptual design, construction, and land management practices. Build alternatives may include stormwater treatment features outside the direct construction limits of the project. Conceptual design will better define methods of permanent stormwater treatment, and these project elements and their potential effects will be considered in the Short Form EA.
 - Wetlands: The project location is fully developed land adjacent to the airfield. No wetlands are present in the project area. The potential impacts to wetlands and streams will be assessed using desktop review of any downstream/nearby aquatic resources. Results of coordination with any officials having jurisdiction

(Army Corps of Engineers – Section 404 permits) will be reported in the Short Form EA. No wetland permitting is anticipated.

- Wild and Scenic Rivers: The location of designated Wild and Scenic Rivers will be reviewed and identified. The closest rivers are the Shanaska Creek and Blue Earth River, each located more than five (5) miles from the project limits. These segments are not designated as Wild and Scenic. No impacts to Wild and Scenic Rivers are anticipated.
- **Cumulative Effects** – Cumulative effects are impacts “on the environment which result from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions (40 CFR § 1508.7).” Council on Environmental Quality (CEQ) regulations require assessment of cumulative effects when an EA is prepared and when the alternatives under review would have a direct and/or indirect effect on a specific natural, historic, or cultural resource or population. The level of analysis and scope of cumulative effect assessment are typically commensurate with the potential impacts, resources affected, project scale, and other factors. If no direct and/or indirect effect to a specific resource is suspected, there is no need to consider cumulative effects to that resource.

Task 2.5 Short Form EA Report - The “draft” Short Form EA containing all previously described work tasks will be assembled, including a cover sheet and appropriate appendices. The report will be substantially complete, including text and graphics, as necessary for agency review.

Prior to publication, review will be completed with the FAA ADO, other FAA lines of business, and FAA legal sufficiency review. SEH will respond to FAA comments and provide a revised Short Form EA for approval prior to publication. It is expected that up to three drafts will be circulated for review during this process.

Upon FAA approval, SEH will prepare, publish, and distribute the Short Form EA for publication. The Short Form EA reports will contain all necessary materials (text, figure, exhibits, drawings, coordination letters, appendices), and will be printed double-sided in black and white. Color figures will be used when needed to fully illustrate impacts.

The EA will be published and circulated for public and agency comment for a 30-day comment period. Public review copies will be made available at Mankato City Hall, North Mankato City Hall, the Airport, MnDOT Aeronautics District 7 offices in Mankato, and the Blue Earth County Public Library. SEH will prepare a notice of availability of the Short Form EA. SEH will publish the notice in the official newspaper of the City and any other desired locations. SEH will provide public review copies to appropriate locations in addition to assisting the City in posting on the Mankato Regional Airport/City website.

Task 2.6 – Opportunity for Public Hearing - The opportunity for a public hearing will be offered in accordance with 49 USC 47106(c)(1)(A)(i). SEH will prepare a “Notice of Opportunity for a Public Hearing.” The notice will include a statement of the sponsor’s intent to undertake the proposed action, a concise description of the proposed action, a concise statement that the hearing’s purpose is to address the proposed actions, potential economic, social, and environmental and the project’s consistency with the goals and objectives of each affected area’s land use or planning strategy, and the locations and times where the Short Form EA will be available for public review. SEH, with the City’s support, will be responsible to arrange for the publication of the notice to appear in an area-wide or local newspaper having general circulation.

A public hearing will be held only if requested during the time of the notice.

Task 2.67 - FONSI Publication - If needed, SEH will prepare an errata document for publication with the FONSI to note any changes to the Short Form EA. SEH will provide public involvement summary information to the FAA for inclusion in the FONSI. Public review copies of the FONSI will be made available at the same locations as the Short Form EA. A notice of availability of the FONSI will be prepared by SEH. SEH will be responsible for publishing the notice in the official newspaper and any other desired locations. SEH will provide public review copies to appropriate locations, in addition to posting on the Mankato Regional Airport/City website.

Deliverable: Draft EA, Final EA FONSI ROD

Study Element 3: Phase II Environmental Site Assessment (ESA)

The following identifies the proposed work program for completion of the Phase II ESA:

Task 3.1 – Field preparation, pre-task planning, safety and scheduling - As part of this task, sampling locations, sampling intervals, and analytical parameters will be verified and coordinated with our subcontractors. As required by the Occupational Safety and Health Administration (OSHA), SEH will prepare a Health and Safety Plan (HASP) for Phase II ESA activities.

Task 3.2 – Stake locations utility locate/meet - Prior to the start of sampling activities, public utilities will be cleared. A private utility locate also will be completed and is included in the cost estimate.

Task 3.3 – On-Site Monitoring and Sample Collection -

- **Soil and Groundwater Sampling.** The scope and cost for performing this portion of the project assumes advancement of four shallow hydraulic push probe borings to 5 feet below ground surface (bgs) and advancement of three deep borings to 15 feet bgs or to groundwater, whichever is shallower. The shallow, 5-foot soil borings will be used to collect soil samples and evaluate if contaminants from historic spills have impacted the site. The deeper, 15-foot soil borings will be used to collect soil and groundwater samples and will be used to evaluate potential impacts from historic spills or the petroleum release that occurred near the offsite electrical distribution building.
- **Soil Vapor Sampling.** To evaluate potential soil vapor impacts, two soil vapor probes will be advanced within the proposed ATCT footprint to a depth of 6 feet bgs. Soil vapor samples will be collected in accordance with the Minnesota Pollution Control Agency's MPCA's Investigation and Mitigation Decision Best Management Practices (BMPs).

Per the MPCA's BMPs, up to two rounds of seasonally spaced soil vapor samples may need to be collected to evaluate potential soil vapor impacts. If during the initial round of vapor sampling, concentrations of volatile organic compounds (VOCs) in soil vapor do not exceed MPCA action levels (i.e., 33 times the industrial Intrusion Screening Values [ISVs]), a second round of vapor sampling during a differing season – either the heating or non-heating season, will be recommended. The MPCA defines the non-heating season as April through October and the heating season as November through March. In the event, VOC concentrations in soil vapor below the building exceed 33 times the industrial ISVs during either round, the recommendation will be made to mitigate the building. For the purposes of this proposal, it is assumed two rounds of soil vapor testing will be conducted.

- **Laboratory Analyses** (The cost estimate is based on the following laboratory analyses)

Matrix/Media	Number of Samples	Analytical Parameters
Soil	10	- VOCs using United States Environmental Protection Agency (EPA) Method 8260 - Polynuclear aromatic hydrocarbons (PAHs) using EPA Method 8270 - The 8 Resource Conservation and Recovery Act (RCRA) Metals using EPA Methods 6010 and 7471 - Diesel range organics (DRO) using the Wisconsin Department of Natural Resources Method (WDNR) with silica gel cleanup - Gasoline range organics (GRO) using the WDNR Method
Groundwater	3	-VOCs using EPA Method 8260 - DRO using the WDNR Method - GRO using the WDNR Method
Soil Vapor	2 per round for a total of 4	- VOCs using EPA Method TO15

Task 3.4 – Reporting - SEH will prepare a Phase II ESA Report presenting the data collected in the field investigation. The report will include figures, tables, boring logs, laboratory reports, conclusions and recommendations.

Exclusions:

1. Geotechnical borings will be included as part of a future effort, once the locations of the Air Traffic Control Tower, ancillary buildings, parking lot, roads, and other features are finalized.
2. Preliminary or final design of ancillary projects

Deliverable: Phase II ESA Report for Site 15

ESTIMATED FEES AND EXPENSES
ATTACHMENT B
Short Form Environmental Assessment (EA)
Mankato Regional Airport (MKT)
Mankato, Minnesota

Task No.	Task Description	Sr. Planner / Principal	Project Manager	Project Planner	Sr. Scientist (EA)	Scientist (EA)	Sr. Scientist (Phase II ESA)	Scientist (Phase II ESA)	Sr. Engineer	GIS Specialist	Marketing	FAA Doc. Specialist	Admin Technician	Task Total
Study Element 1: Project Initiation, Meetings, Coordination and Administration														
1.1	Project Scoping/Contract Development	4	6									2	2	14
1.2.1	SEH Team Meetings (Twelve 1/2 hour meetings)	2	6	6	4	4								22
1.2.2	Agency Meetings (Bi-Monthly Meetings)		9		4	2								15
1.2.3	Consultant Team Meetings (Bi-Monthly Meetings)		10		4				4					18
1.2.4	Public Open House	1	6	12		8				2	4			33
1.3	Project Administration	2	4		6	2						8	2	24
1.4	Agency Coordination	2	9	2	8	2							2	25
1.5	Quality Assurance and Control	10			13								2	25
Study Element 2: Short Form Environmental Assessment														
2.1	Preliminary Design Review and Validation		4						10					14
2.2	Purpose and Need	1	2	6		3								12
2.3	Proposed Action and Alternatives	1	4	8		4								17
2.4	Affected Environment and Environmental Consequences			6										6
2.4.1	Air Quality					2								2
2.4.2	Biological Resources (Including Fish Wildlife and Plants)				1	4								5
2.4.3	Climate					2								2
2.4.4	Coastal Resources			2		2								4
2.4.5	Department of Transportation Act, Section 4(f)		2	2										4
2.4.6	Farmiland					2								2
2.4.7	Hazardous Materials, Pollution Prevention, and Solid Waste		1	4		4								9
2.4.8	Historical, Architectural, Archeological and Cultural Resources		1	6	1	2								10
2.4.9	Land Use		1	6	1	2								10
2.4.10	Natural Resources and Energy Supply			2										2
2.4.11	Noise			4	1	2								7
2.4.12	Socioeconomics, Environmental Justice, and Children's Health and Safety Risks			2										2
2.4.13	Visual Effects Including Light Emissions			2		2								4
2.4.14	Water Resources - Floodplains		2	2		2								6
2.4.15	Water Resources - Water Quality				1	2								3
2.4.16	Water Resources - Wetlands				2	4								6
2.4.17	Water Resources - Wild and Scenic Rivers					1								1
2.4.18	Cumulative Impacts	2	2	8		2								14
2.5	Short Form EA Report	2	6	10	1	2							4	25
2.6	Opportunity for a Public Hearing	4	2	4	2								2	14
2.7	FONSI Publication	2	2	10	2								4	20
Study Element 3: Phase II Environmental Site Assessment (ESA)														
3.1	Field Preparations, Pre Tasks Planning and Scheduling						2	6						8
3.2	Stake Locations, Utility Location, meet						2	20						22
3.3	Onsite Monitoring and Sample, Collection						4	10						14
3.4	Phase II ESA Report						4	20						24
Total hours per labor category		33	79	104	51	62	12	56	14	2	4	10	18	445

ESTIMATE OF LABOR COSTS:

Labor Category	Hours	Rate	Extension
Sr. Planner / Principal	33	\$68.66	\$2,923.38
Project Manager	79	\$55.33	\$4,371.23
Project Planner	104	\$36.54	\$3,800.16
Sr. Scientist (EA)	51	\$53.06	\$2,705.70
Scientist (EA)	62	\$42.73	\$2,649.17
Sr. Scientist (Phase II ESA)	12	\$71.19	\$854.28
Scientist (Phase II ESA)	56	\$39.54	\$2,214.13
Sr. Engineer	14	\$68.37	\$957.18
GIS Specialist	2	\$50.84	\$101.68
Marketing	4	\$42.19	\$168.75
FAA Doc. Specialist	10	\$44.71	\$447.11
Admin Technician	18	\$35.94	\$647.00

Total Direct Labor Costs: 445 \$21,841.76

Labor and Administrative Overhead
Fee (15%) \$41,499.35
\$9,501.17
Total Labor Costs \$72,842.28

ESTIMATE OF EXPENSES:

Direct Expenses	Quantity	Rate	Extension
Subconsultant (Phase II ESA) - Eurofins Laboratory	LS	\$5,000.00	\$5,000.00
Subconsultant (Phase II ESA) - Range Environmental Drilling	LS	\$5,930.00	\$5,930.00
Computer Usage	445	\$5.80	\$2,581.00
Meeting Materials	LS	\$150.00	\$150.00
Mileage (Meetings)	366	\$0.67	\$245.22
Truck Usage and Equipment (Phase II ESA)	LS	\$600.00	\$600.00
Travel (Open House)	LS	\$400.00	\$400.00
EA Reproductions	10	\$80.00	\$800.00

Total Expenses \$15,706.22

SUMMARY:

Estimated Total \$88,548.50
Total \$88,500.00



AGENDA RECOMMENDATION

City Council Regular Meeting

6. A.

Meeting Date: 07/22/2024

Agenda Item:

Resolution authorizing the use of Public Safety Aid funds to purchase a traffic safety vehicle.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

On April 22, 2024, the Council authorized the application for grant funding through the MN Office of Traffic Safety to purchase a vehicle that will address enforcement and education pertaining to distracted driving and other negative traffic related behaviors. The grant was awarded to the City in the amount of \$72,325.

A budget has been completed for this vehicle and the total estimated cost is \$106,060 including the vehicle, equipment, and buildout.

Public Safety Aid funds, up to \$33,735, will be used to cover the costs not covered by the grant award.

Attachments

Resolution

RESOLUTION AUTHORIZING ALLOCATION OF PUBLIC SAFETY FUNDS FOR
TRAFFIC SAFETY VEHICLE PURCHASE

WHEREAS, during the 2023 Minnesota Legislative session one-time payments of Public Safety Aid for cities was approved in the Omnibus Tax Bill; and

WHEREAS, the City of Mankato was awarded \$1,955,560 in Public Safety Aid; and

WHEREAS, staff and the Council identified areas of focus for expending funds during a February 24, 2024 work session which included Community Building and Response; and

WHEREAS, staff have identified an additional \$33,735 of eligible expenses related to the purchase of a vehicle that will address enforcement and education pertaining to distracted driving and other negative traffic related behaviors.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Mankato that the Public Safety Aid allocation as listed below is hereby approved.

TRAFFIC VEHICLE COST ESTIMATE	\$106,060
MN OFFICE OF TRAFFIC SAFETY GRANT	\$72,325
PUBLIC SAFETY AID ALLOCATION	\$33,735
PUBLIC SAFETY AID BALANCE	\$1,477,425

This Resolution shall become effective upon its passage and without further publication.

Dated this 22nd day of July 2024.

Mayor Najwa Massad

Attest: _____

Rena Kopischke, City Clerk



AGENDA RECOMMENDATION

City Manager's Report 6. B.

City Council Regular Meeting

Meeting Date: 07/22/2024

Agenda Item:

Report on project and change order 3 and 4 for Capital Improvement Project 10994; Riverfront Drive.

Recommendation/Action(s):

No action required.

Summary:

In accordance with Section 2.08, subdivision 5 of the Mankato City Code, the City Manager is to report as soon as practicable on change orders approved per the City Code. The following is a summary of current projects and change orders to date.

10994 Riverfront Drive

As of the writing of this memo, utility services continue in the 400 block of Riverfront Drive. This work is anticipated to be completed the week of July 15. Additionally, underground work will continue to Rock Street. Temporary water connections will be made in the 500 and 600 blocks the week of July 15. Electrical work is being completed between Main Street and Plum Street. Sanitary sewer work on Washington Street is anticipated to start the week of July 22. This work will have some traffic restrictions along Washington Street and at the intersection of Washington Street and Second Street. This work is anticipated to take a week to complete. An update will be provided at the meeting.

Change Order 3

After the project award, additional fiber, conduit and associated items were requested by the City of Mankato Information Technology Department. These items are to support future cameras within the project area. The work will be funded by local funds and is not eligible for state aid or federal aid reimbursement. This work will also add another three days to the contract completion time. Value of work \$51,914.62

Change Order 4

The contractor proposed a revised sequence of construction to provide a pedestrian access route serving the front doors of the buildings prior to construction of the roadway. This revised sequence provided improved access for customers and tenants of the buildings. However, it did create a grade difference that required fencing. A temporary construction fence is now required to provide safety. The construction of the sidewalk next to the buildings has been met positively by the property owners and businesses along the project. Additionally, during the construction of this portion of the sidewalk, several window wells and staircases were found beneath the existing sidewalk in the public right-of-way. In order to provide property owners time to address these openings in their basements, steel plates were installed to bridge the opening and support the new sidewalk. Staff will work with the property owners to either fill the openings beneath the sidewalk or have the property owner obtain a license to encroach for the private improvements that are in the public right-of-way. The value of the work is \$27,779.73.

The original contract value was \$8,240,343.95 and with the total amount of change orders to date being \$87,856.01, the current contract value is \$8,328,199.99.
