

North Dakota

Department of Transportation

***Flexible Transportation Fund
Program (Flex Fund)***

*Guidance Document for Non-State-Owned Transportation
Infrastructure*

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**Flexible Transportation Fund Program (Flex Fund)
Guidance Document
FY 2024-2027**

Applications can be submitted at <https://www.flexfund.dot.nd.gov/> and must be received by the NDDOT by December 31, 2023.

The following pages provide Guidance for applying for the NDDOT's Flexible Transportation Fund Program (Flex Fund). This applies to all public roads in Township, County, City, and Tribal Governments within the boundaries of North Dakota.

The Flex Fund is comprised of two programs:

1. 25% Set-Aside – is open to non-oil producing counties and townships.
2. Partner Allocation – is open to any City, County, Township, or Tribal Nation in North Dakota.

Applications for the 25% Set-Aside will be scored by the Flex Fund Committee. The Committee will recommend a list of projects for approval to the NDDOT Director for funding. Applications for the Partner Allocation will be reviewed by NDDOT staff, and projects will be selected for funding by the NDDOT Director.

Organized townships applying for Flex Funds will need to work with their respective county to submit the project application on their behalf. Project agreements for township project will be between the NDDOT and the respective county.

- Priority will be given to projects that match federal funds
- Projects that improve roadways that serve as local corridors
 - Local corridors are defined as a road that connects to a County Major Collector (CMC), Bureau of Indian Affairs (BIA), or State Road on both ends, or to an economic generator
- Organized Townships need to have at least eighteen mills levied for general purposes
- For Township projects in organized townships, the townships need to maintain the roadway. Counties may apply for projects on unorganized township roads, as well.
- Projects must maintain or improve paved or unpaved roadways or bridges.

The program provides funding for projects that meet or advance the following goals:

- Supports Economic Development
- Improve Safety
- Supports Complete Streets
- Improves the Multi-modal Transportation Infrastructure

- Improves a roadway restriction (height or weight limitation)
- Is Innovative

Examples of projects which might align with the objectives of this program could include but are not limited to:

- Pedestrian, bicycle, and public transportation friendly corridor improvements
- Projects that improve safety for all users of the transportation system
- Landscaping and streetscape improvements
- Bridges/Structures including minor structures
- Projects improving transportation system connectivity (including with multiple modes)
- Roadway improvements to new or expanding facilities

The Flex Fund program may be considered for all or partial match to transportation projects that have public, private, or federal funds committed to the overall project. This includes match on discretionary grants.

The focus of the program is to ensure the funding can benefit multiple agencies by allocating the funds across the state to improve the overall transportation system. Funding limits may be applied at the time of the project award and incorporated into the Cost Participation & Maintenance (CPM) Agreement.

Project Development

Based on the scope of the project, NDDOT will determine how much involvement and oversight the NDDOT will have over each phase of the project.

The Flex Fund program is a reimbursement program. Each approved project will have a funding agreement that details the total funds available and funding split if applicable. As the work is done, an applicant will submit a request for reimbursement to the NDDOT with appropriate invoices, progress estimates, etc. for payment.

If Flex Funds are combined or used as a match for federal funds, from any source, the project applicant will need to follow the relevant federal aid process.

Project Scoring and Selection

The FLEX FUND committee will score and compare each project against each other to determine which projects may receive funding. The committee will score each application on how the application meets the goals identified above. Scores will be based on a total score of 100.

- ✓ Support Complete Streets – 15 points
- ✓ Multi-modal Transportation Infrastructure – 15 points
- ✓ Improvement of a roadway restriction (height or weight limitation) – 15 points
- ✓ Economic Development – 15 points
- ✓ Innovative – 10 points
- ✓ Safety – 15 points
- ✓ Financial commitment (match by applicant, LPA and/or private partnership) – 15 points