

The Flexible Transportation Fund Report is completed in accordance with SB 2015, section 31, which requires the NDDOT to provide a periodic report to the budget section regarding the status of the fund and projects receiving allocations from the fund. The bill also requires that any project that utilizes more than \$10 million dollars of the flex fund needs prior approval from the budget section unless the funds are used to match federal or private dollars and the flex fund portion does not exceed 50% of the total project cost.

The [Flexible Transportation Fund](#) (Flex Fund) was established by the 68th Legislative Assembly to complement the State Highway Fund and further support an interconnected transportation system and support NDDOT operations. The bill that was passed allows the funds to be used to:

- Improve transportation infrastructure on and off the state highway system.
- Match federal discretionary grant and other funds that may become available.
- Support costs including staffing, facilities, and operational expenditures.

The Flex Fund will be comprised of \$171.5 million in collected motor vehicle excise tax and \$51 million from the Strategic Investment and Improvement Fund (SIIF) for a total of \$222.5 million. To date the total amount available in the Flex Fund is \$116.9 million which includes the \$51 million in SIIF and approximately \$65.9 million in motor vehicle excise tax. The \$65.9 million is consistent with what we expected to collect in excise tax at this point in the biennium.

In total we have 61 construction projects that Flex Fund dollars have been committed to and an additional 21 other projects where preliminary engineering activities have been committed. The total amount committed is \$199.2 million.

The NDDOT has developed a strategic plan to ensure that the Flex Fund is used in a manner which provides the greatest benefit to the citizens of North Dakota and meets the requirement of HB 1012. This plan includes a:

SET-ASIDE PORTION

- State law requires that a minimum of 25% of the motor vehicle excise tax that is collected for this fund be set aside for projects that meet the criteria below. We estimate that this will amount to \$42.9 million for county and township road and bridge projects. Funding is required to be allocated to projects that meet the following criteria:
 - County must be classified as a non-oil-producing county.
 - Projects must benefit counties and organized and unorganized townships.

- Funding must be used for maintenance and improvements to paved and unpaved roads and bridges.
- Projects that match federal funds where the roadway serves as a local corridor will be given priority.
- Townships must maintain roadways and must levy at least 18 mills for general purposes to be eligible.

PARTNER ALLOCATION

- \$44.1 million for county, city and township transportation infrastructure projects, as well as assisting locals with matching fund needs.

STATE PROJECTS

- \$112.2 million for infrastructure on the state highway system, to match federal discretionary grants, and state support costs.

FLEX FUND APPLICATIONS

Set-Aside & Partner Allocation

An application and process were developed and applications were due December 31, 2023. In total, 264 applications were received requesting \$432.3 million in funds. Of the 264 applications, 165 applications totaling \$205.5 million in Flex Fund requests are eligible for the set-aside, 97 applications totaling \$225.2 million in Flexible Transportation Fund requests are eligible for the partner allocation.

Flex Fund Results

In total, \$87 million was awarded to 66 local entities (\$42.9 million set-aside + \$44.1 million partner allocation). An interactive map showing the results [can be found on the website](#), with information on the project type, cost, and ownership and a detailed breakdown of the locations. A list of projects, including committed funds, can be found below.

SET-ASIDE PROJECTS

Local Public Agency	Project Description	Flex Funds Committed
Adams County	Road Reclamation	\$300,000.00
Bucyrus Twp -Adams County	Graveling and Culvert Installation	\$48,000.00
Bucyrus Twp - Adams County	Graveling	\$63,000.00
Barnes County	Milling, Structural Hot Mix Asphalt Overlay and Fiber HMA Additives of Barnes County 6 and Cass County 26.	\$2,833,640.00
Barnes County	Reclaim Asphalt Surface of Highway 17	\$584,040.00
Normania Twp - Benson County	Culvert Replacement	\$20,200.00
Wellington Twp- Bottineau County	Graveling 80th Street	\$31,050.00
Lansford Twp- Bottineau County	Graveling and Stabilization of Roadway.	\$75,000.00
Sergius Twp-Bottineau County	Regraveling	\$57,440.00
Cavalier County	PE Only: Road Reconstruction and Paving	\$568,761.00
Dickey County	Reconstruction of Dickey County Highway 12	\$1,426,491.00
Emmons County	Culvert Work on CMC 1536 Where it Crosses Sanger Lake	\$152,000.00
Emmons County	PE Only: Grade Raise on CMC 1523.	\$177,273.00
Foster County	Paving Section of CMC 1602	\$4,090,000.00
Grand Forks County	Remove Existing Timber Bridge and Construct a Low Water Crossing	\$771,596.00
Grand Forks County	Reconstruction of 6 Miles of Traill/Grand Forks County Road 25/Eagle Avenue NE (CMC-1838)	\$4,703,672.00
Griggs County	Reconstruction of CMC2026/Bridge Avenue	\$3,087,732.34
Kidder County	County-wide Chip Sealing and Marking Project	\$477,000.00
Kidder County	Gravel Road that Accesses Camp Grassick	\$50,000.00
Peace Twp-Kidder County	Rebuild the Sides of 37th Ave SE (between 49th St SE and 51st St SE)	\$32,696.00
LaMoure County	Milling, Structural Hot Mix Asphalt Overlay with Fiber HMA Additives of LaMoure County 35 (CMC 2308)	\$1,998,625.00
LaMoure County	Reclaiming the Existing Asphalt Road	\$224,600.00
LaMoure County	Reclaiming the Existing Asphalt Road	\$159,860.00
McIntosh County	Mill and Overlay with Fiber HMA Additives of McIntosh County 9	\$1,335,125.00

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Prepared for the Budget Committee
 April 30, 2024

Local Public Agency	Project Description	Flex Funds Committed
McIntosh County	Paving, Pipe Replacement, and Widening of 37th Ave SE	\$1,698,812.00
McLean County	Structure Replacement	\$748,000.00
Mercer County	Asphalt Overlay and Grading of 51st Ave SW	\$788,350.00
Pembina County	Bridge Improvements on County Road 12	\$1,101,299.00
Pembina County	Installation of a New Structure, and Concrete Slope Protection, Gravel Surfacing, Grading, and Incidentals	\$965,800.00
Cavalier South Twp-Pembina County	Regraveling	\$119,637.00
Rush Lake Twp-Pierce County	Graveling and Repairing Road Bed Wash Out	\$87,160.00
Ransom County	County Road 6 Truck Route	\$641,800.00
Ransom County	Mill and Overlay Ransom County Highway 54 with HMA Fibers	\$457,900.00
Richland County	Reconstruction of County Road #16 (CMC 3934)	\$2,500,000.00
Colfax Twp-Richland County	Removal of Y Intersection	\$95,000.00
Sheridan County	Mill and Overlay of CMC 4225	\$1,866,150.00
Chicago Twp-Stutsman County	Repair Road Boils, Widen and Riprap Section of Road, and an Asphalt Overlay	\$3,317,145.40
Walsh County	PE Only: Bridge Replacement	\$160,000.00
Walsh County	Bridge Replacement	\$1,204,600.00
Walsh County	Bridge Replacement	\$307,100.00
Ward County	Reconstruct and Pave a 7-mile Segment of County Road 14	\$3,312,456.00
Cameron Twp-Ward County	Graveling and Culvert Installation	\$61,435.00
Wells Twp-Wells County	Culvert Replacement	\$4,444.00
Berlin Twp-Wells County	Grade Raise, Graveling and Culvert Installation	\$52,476.92
	TOTAL (slight difference from allocated based on project costs)	\$42,757,366

PARTNER ALLOCATION PROJECTS

Local Public Agency	Project Description	Flex Funds Committed
City of Fargo	Reconstruction of NP Avenue Between 8th Street North and Broadway	\$1,427,804.00
City of Casselton	Construct a 1.1-mile Shared-use Path Along ND 18/Governor's Dr in Casselton	\$750,000.00
City of West Fargo	Reconstruction of 9th St NE and 7th Ave NE/7th Ave N From Existing Rural Section to the New Urbanized Section. Including a Quiet Zone Rail Crossing, Roundabout and Multi-use path.	\$8,800,000.00
Missouri Ridge Twp-Williams County	PE Only: Asphalt paving of 60th St.	\$50,000.00
Equality Twp-Williams County	PE Only: Blading and Graveling of 62nd St	\$47,700.00
Blooming Valley Twp-Divide County	Gravel 6 miles of township road	\$97,195.00
Divide County	Paving County Road 3	\$2,534,616.00
Burke County	PE Only: Paving County Road 8.	\$595,247.00
City of Beach	Reconstruction of Main Street and Centrail Avenue.	\$4,328,400.00
Stark County	Paving of CMC 4527 and 107th Ave	\$7,575,000.00
Short Creek Twp-Burke County	Project #Short Creek 01: Regravelling	\$139,221.00
Billings County	PE Only: Multi-use path on East River Road.	\$175,000.00
City of Grand Forks	Construction of 47th Ave S from Columbia Rd. to S 34th S.	\$5,069,000.00
City of Bismarck	Reconstruct East Century Avenue	\$2,000,000.00
Dunn County	PE Only: Culvert installation on Spring Creek .	\$20,000.00
City of New Salem	Pavement reconstruction.	\$869,000.00
Bowman County	PE Only: Grade Raise, culvert replacement, and gravelling.	\$72,000.00
Bowman County	Bridge replacement with concrete culverts	\$800,000.00
Bowman Twp-Bowman County	PE Only: Road reconstruction and paving.	\$100,000.00
City of Napoleon	Construction of a multi-use trail along Lake Avenue in south Napoleon.	\$50,000.00
City of Regent	Reconstruction of Main Avenue	\$4,214,648.00
City of Beulah	PE Only: Phase 2 of the Main Street corridor improvements.	\$1,262,095.00
Billings County	Match approx. \$12 million in federal funds for Chateau Rd in Medora	\$3,000,000
	TOTAL (slight difference from allocated based on project costs)	\$43,976,926

STATE SYSTEM PROJECTS

Project Description	Flex Funds Committed
4 Section Buildings	\$8,600,000
Match for approx. \$110 million in Federal August Redistribution Projects 2023/2024 – Approx. 30 Projects	\$21,000,000
US 85 4-lane Match to Grant and Bond Funds (ND 200 to RP 120.3)	\$5,000,000
Scenic Byway Metigoshe Shared Use Path Match	\$260,000
10-year Plan Project ND 14 Sterling to Wing Major Reconstruction*	\$22,215,668
10-year Plan Project ND 49 Heart Butte Dam N to Glen Ullin Major Reconstruction*	\$22,989,312
US 85 Right of Way & Utilities Phases (ND 200 to Long X) **	\$11,000,000
US 85 Preliminary Engineering Phase (I-94 to ND 200) ***	\$11,000,000
Western ND Rest Area Study	\$500,000
Preliminary Engineering Phase - Minot Air Base Turn Lane	\$200,000
Preliminary Engineering Phase - Sunset Drive Interchange	\$4,500,000
Preliminary Engineering Phase - Co Rd 20 Interchange	\$ 5,000,000
TOTAL	\$112,264,980

* Received Budget Committee approval in September 2023.

** Total project costs (all phases including construction) are over \$200 million

*** Total project costs (all phases including construction) are over \$230 million