

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Motion to Authorize the City Manager to Execute an Agreement with Perteet, Inc. for ADA Compliance Self-Evaluation and Transition Plan Assistance, in the Amount of \$96,183
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, City Engineer
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

Title II of the Americans with Disabilities Act (ADA) requires all public entities to perform a self-evaluation of current facilities, services, policies and practices to determine whether they comply with the ADA, and requires public entities with more than 50 employees to create and implement a Transition Plan for attaining full ADA compliance over time.

The ADA does not provide a detailed outline of how to perform a self-evaluation or what a Transition Plan should contain. However, because the scope of a complete Transition Plan would necessarily encompass all City facilities and the activities of all City departments, it is expected that developing and adopting a Transition Plan will be a phased, multi-year process. Because the result of this work will facilitate future capital programming by establishing priorities for removal of access barriers, and because failure to demonstrate progress toward ADA compliance can interfere with the City's ability to obtain federal grant funding, it is important to begin the process as soon as possible.

RESOURCE/FINANCIAL IMPACT:

This project is funded through the 2015 and 2016 budget process. The total budget for this project is \$131,000, and this contract is within the authorized budget.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a Professional Services Agreement with Perteet, Inc. for ADA Compliance Self-Evaluation and Transition Plan Assistance, in an amount not to exceed \$96,183.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

Title II of the Americans with Disabilities Act (ADA) requires public entities with more than 50 employees to perform a self-evaluation of current facilities, services, policies and practices to determine whether they comply with ADA requirements, and to create and implement a Transition Plan that results in full compliance with the ADA over time.

The ADA does not provide a detailed outline of how to perform a self-evaluation, what a Transition Plan should contain, or a specific time within which compliance must be attained. However, because the scope of a complete Transition Plan would necessarily encompass all City facilities and the activities of all City departments, it is expected that developing and adopting a Transition Plan will be a phased, multi-year process. Likewise, it is expected that implementing the actions contained in a Transition Plan will also require an extended period of time to complete.

It is important to undertake initial steps toward completing the required self-evaluation and developing a Transition Plan now so that the City can facilitate capital programming and establish priorities for removal of access barriers, and because failure to demonstrate progress toward full ADA compliance can interfere with the City's ability to obtain federal grant funding.

DISCUSSION

The scope of work for this professional services agreement is attached as Attachment A. Under this agreement, the Perteet, Inc. team will assist the City with these initial steps:

- **Perform an initial assessment of the City's current accessibility practices, procedures and policies.** This will include surveying City departments to review current customer service, meetings, hearings, and events practices; developing guidelines for selecting a City ADA coordinator; developing a recommended grievance policy and procedures for receiving and responding to ADA-related citizen comments and complaints; and developing online content that will be used to communicate to the public the City's ADA plans and progress in eliminating access barriers.
- **Draft an Action Plan and recommendations for potential changes in the City's current practices, procedures and policies.** The Action Plan will include results of the departmental survey and recommended action steps for compliance.
- **Develop a plan and provide specialized tools for assessing the City's facilities that are located in the public right of way.** These facilities are primarily the sidewalks, curb ramps and pedestrian signal equipment that most often present barriers to mobility along the City's streets. This will include an initial condition assessment to develop the scope and priorities for a detailed field assessment; developing prioritized mapping and a framework for implementing the assessment; and providing specialized tools to simplify collection of field data.

Request for Qualifications (RFQ) Process

The City published an RFQ to consultants to provide their qualifications for assisting the City in assessing ADA compliance of facilities in the public right of way, and in preparing an Action Plan and providing other services related to preparing an ADA Transition Plan. Five consultant teams submitted Statements of Qualification (SOQs). Public Works staff formed a committee to review firm qualifications and experience. The committee identified three consultant teams for interview:

- MIG/SVR
- Perteet, Inc./Fehr & Peers
- Transpo Group

Based on evaluation of the SOQs, the interview results and reference checks, the review committee selected the Perteet, Inc./Fehr & Peers team as most qualified to provide the requested professional services.

COUNCIL GOAL ADDRESSED

This project supports Council Goal #2 to improve Shoreline's utility, transportation, and environmental infrastructure.

RESOURCE/FINANCIAL IMPACT

This project is funded through the 2015 and 2016 budget process. The total budget for this project is \$131,000, and this contract is within the authorized budget.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a Professional Services Agreement with Perteet, Inc. for ADA Compliance Self-Evaluation and Transition Plan Assistance, in an amount not to exceed \$96,183.

ATTACHMENTS

Attachment A – Scope of Work for ADA Compliance Self-Evaluation and Transition Plan Assistance for Rights of Way Agreement



Exhibit "A" – Scope of Services

**City of Shoreline
ADA Compliance Self-Evaluation and Transition Plan Assistance for Rights –of-Way****INTRODUCTION**

Title II of the Americans with Disabilities Act (ADA) requires all public entities to perform a self-evaluation of its current services, policies, and practices for ADA compliance, and requires public entities with more than 50 employees to create and implement a Transition Plan for structural changes to those facilities. While there are specific requirements and guidelines for constructing ADA compliant facilities, identified in various requirement and guideline documents, the ADA does not provide a detailed outline of how to perform a self-evaluation or provide a detailed outline of what the Transition Plan should contain. The ADA does state that at a minimum the Transition Plan shall:

- If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.
- Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- Describe in detail the methods that will be used to make the facilities accessible;
- Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- Indicate the official responsible for implementation of the plan.

The ADA also requires that a public entity provide an opportunity for interested persons to participate in the self-evaluation process and also they must adopt and publish grievance procedures.

In the pursuit of compliance with Title II of the ADA, the City will first identify actions and budgets needed for compliance within the public right-of-way. Under this Scope of Services, Perteet, Inc. will assist the City in identifying the work needed to perform self-evaluations and prepare a Transition Plan and assist with accomplishing some of those tasks.

GENERAL SCOPE OF SERVICES

The purpose of this Scope of Services is for the Consultant to provide assistance to the City to plan for self-evaluations, and progress towards a Transition Plan, for facilities within the public right-of-way.

This Scope of Services describes the work elements to be accomplished by the Consultant for the services as summarized under each Task.



This Scope of Services consists of the following tasks:

- Task 1: Project Management and Coordination
- Task 2: Accessibility Practices, Procedures, and Standards Action Plan
- Task 3: Pedestrian Facility Self-Evaluation Framework

SCOPE OF SERVICES DEFINED

Task 1: Project Management and Coordination

The Consultant's Project Manager will be responsible to the City to ensure that the services accomplish the tasks identified in the Scope of Service, are completed on schedule, and meet the City's needs and expectations.

Overall project management and coordination work elements include:

- 1.1 Meetings and Coordination. Prepare for and attend Project Chartering Meeting with up to two (2) members of the Consultant team. Status updates by phone and email, and up to two (2) project status meetings with City's Project Manager.
- 1.2 Project set up, budget management, and schedule development.
- 1.3 Preparation of monthly progress reports and invoices.
- 1.4 Preparation of contract supplements or change management forms.

Deliverables:

- ADA Title II Compliance Chartering Outline – includes a summary of the areas that will be addressed in the first phase of work, and the City's goals for becoming compliant.
- Project Schedule prepared in Microsoft Project.
- Meeting notes prepared by the Consultant.
- Monthly progress reports and invoices.

Assumptions:

- The contract duration is no longer than 9 months.

Task 2: Accessibility Practices, Procedures, and Standards Action Plan

The purpose of this task is to review the City's existing practices, procedures, and standards that are influenced by ADA compliance requirements. The Consultant will review, analyze, and identify compliance deficiencies relative to Title II of the ADA, and the 2010 ADA Standards. The Consultant will make recommendations for potential changes in the City's current practices, procedures, and standards.

This task will consist of the following work elements by the Consultant:

- 2.1 Review of Title II Requirements and City Survey:** The Consultant will coordinate with City staff to gain a current status of the City's compliance with Title II and select 2010 ADA Standards if applicable.

The efforts for this subtask will include:

- The Consultant will prepare a summary format of the requirements of Title II;
- Survey of departments within the City to review current customer service and public meetings, hearings and events practices.



- 2.2 ADA Coordination Job Description:** The Consultant will work with the City staff to prepare a job description for an ADA Coordinator.
- 2.3 Policy on APS:** The Consultant will provide examples of APS policies and work with City staff to develop a draft APS policy for the City.
- 2.4 ADA Compliance Online Portal Assistance:** The Consultant will review the current comment and response methods the public has for communicating with the City. The Consultant will develop recommendations for providing an ADA compliance portal for the City's website that meets public notice requirements which will be used to communicate the City's draft and final ADA Transition Plans to the public. The portal or page shall include a plan and recommended performance measures ("tools") to accurately monitor and display the City's progress in eliminating barrier.
- 2.5 Grievance Policy and Procedures:** The Consultant will assist the City with developing a grievance policy and procedures for the public to inform the City of possible barriers to pedestrian accessibility. Work with city staff to review the formal grievance procedure, which provides citizens a means to file complaints. This effort will focus on the ability to comment on City policies or its provisions of services, activities and programs to persons with disabilities. The Consultant will coordinate with City staff to outline the internal process and identifying the responsible staff, identify the decision-making structure and support, and a process for determining corrective actions. It is envisioned that this will be a simple matrix flow-chart with key staff names and contacts; this will also highlight the ADA Coordinator and support structure developed by the City of Shoreline (i.e., department points of contacts / liaisons).
- 2.6 Prepare an Action Plan** for compliance to Title II, including:
- Summary of Title II requirements
 - The results of the evaluation efforts described above
 - Recommendations for implementing the ADA Coordinator position
 - Provide recommendations on ADA compliance documents (Standards and Guidelines) that would formally be adopted by the City
- 2.7 Attend City Council Meeting:** The Consultant team will attend one City Council meeting (up to 3 hours) as requested by the City. This will include one Consultant from Perteet and one Consultant from Fehr & Peers. This sub-task includes preparation of materials in support of the self-evaluation and Transition Plan planning if requested by City. Materials may include graphics or narrative descriptions/summaries of previous work tasks. The effort for this sub-task is limited to the fee shown in the fee worksheet.

Deliverables:

- Draft and Final ADA Coordinator Job Description
- Rough Draft and Draft APS Policy
- Recommendations for Online ADA Portal and Grievance Tool
- Draft and Final Grievance Policy and Procedures
- Draft and Final Accessibility Practices, Procedures, and Standards Action Plan – this will include identification of deficient areas, with recommendations for the actions needed to bring these areas into compliance.

Assumptions:

- City staff will be responsible for updating the City's website, including providing online mapping content. The Consultant will not host a website for this project. It is envisioned that the Consultant will work with City staff to develop performance measures that will be used as the "tool" for monitoring progress.



- City Staff is responsible for identifying key personnel for survey distribution and completion. City is responsible for compiling survey responses (it is envisioned that departments complete the survey in sequential order for ease).
- Evaluation of specific structural deficiencies for pedestrian facilities will not be included in this Task, but will be included in other tasks for the self-evaluation of the public right-of-way as identified in this Scope of Services, and in future phases of work for City owned site and building facilities.
- A detailed review of current City practices and procedures will not be conducted under this Scope of Services. The purpose of the staff survey will be to determine high level deficiencies, as a first step.

Task 3: Pedestrian Facility Self-Evaluation Framework

3.1 Pedestrian Facility Condition Assessment: The Consultant will perform an initial condition assessment of pedestrian facilities within the City's right-of-way, utilizing the City's video scan, asset management data, and field investigations. This initial assessment will be the foundation for establishing the extent of the facilities for which the City is responsible to perform a self-evaluation. Facilities will include:

- Curb ramps;
- Sidewalks;
- Driveway approaches;
- Street crossings;
- Pedestrian signals;
- On-street parking.

During this initial condition assessment, the Consultant will also identify pedestrian generators and places of public access, such as City offices, parks, and schools, and other important access locations identified by the City. The Consultant will use GIS geospatial analysis to tag facilities within a specified range of the identified attributes. These pedestrian generators and associated facilities may be used in the prioritization process.

This effort will include the following tasks by the Consultant:

- Review the City's video scan and asset management data.
- Identify facilities that are not included in the video scan or asset management data, or facilities that have insufficient information attached to the video scan and will need additional field recon to determine the status.
- Prepare a GIS based map identifying which facilities have sufficient data and those that do not.

Deliverables:

- Pedestrian Facility and Pedestrian Generator Map - identify the location and type of pedestrian facilities within the City and identify critical pedestrian generators or other key pedestrian areas.

Assumptions:

- The City has already identified the locations of the existing sidewalks and curb ramps within the City, as shown in the video scan prepared by Transmap or within the GIS data.
- This task will not perform a detailed ADA compliance evaluation of facilities.



3.2 Framework for Self-Evaluation: Based on the results of **Task 3.1**, the Consultant will develop a framework to perform the self-evaluation of physical barriers in the City's right-of-way that limit accessibility for individuals with disabilities.

The Consultant will coordinate with the City to establish a data collection and database storage system for the self-evaluation inventory of facility and barrier information (including, but not limited to barrier location, size, direction, severity or other prioritization rating, etc.) for all pedestrian facilities and accessibility barriers within the City's right-of-way. The Consultant will demonstrate the Perteet Smart Self-Evaluation Tool (P-SSET) as a potential system to be used by the City, as well as coordinate with the City regarding the City's existing methods, and City's goals for this system. Determining a system will include consideration of data collection staffing and ADA compliance knowledge. This task includes one (1) meeting at the City attended by up to two (2) Consultant staff.

Deliverables:

- Deliverables to be included in the Accessibility Self-Evaluation Action Plan as identified in **Task 3.3**.

Assumptions:

- The data collection and database storage shall be compatible for use with the City's Asset Management System and Geographic Information System (GIS) and mapping resources.
- If the City decides to utilize the P-SSET system, set up of this system for the City's facilities will be considered an additional service by the Consultant and is not included in this Scope of Services.

3.3 Accessibility Self-Evaluation Action Plan: Using the initial condition assessment from the work in **Task 3.1** and data collection methods and database identified in **Task 3.2**, the Consultant will develop an Accessibility Self-Evaluation Action Plan for the City. This will provide guidance and comparisons on methods, budget, and schedule for completing the self-evaluation within the right-of-way within the City's desired two-year timeframe. Methods and budgets for completion of field inventory will consider City staff (including temporary or seasonal staff), Consultant staff, or other potential staffing methods.

The Self-Evaluation Action Plan will also include prioritization guidance for both the self-evaluation and the construction improvements. It is anticipated that the Consultant will develop a Barrier Condition Rating for the pedestrian facility barriers and non-compliance and also an Accessibility Demand Rating, which identifies importance of use of the facility. The Accessibility Demand Rating will assess the frequency or importance of the facility's use by a pedestrian. Conditions that may contribute to this rating, for example, are proximity to City services, a park or other City owned facility, or a specific resident's accessibility needs. These ratings may be used for prioritizing the self-evaluation work and also later for prioritizing construction improvements in the next phase of work by the City.

This task includes **up to two (2) meetings** at the City with up to two Consultant staff to discuss measures for developing a Barrier Condition Rating and Accessibility Demand Rating. It is assumed that these measures would be prioritized by City staff and through the public involvement process in Task 7.

Deliverables:

- Draft and Final Accessibility Self-Evaluation Action Plan with text and graphics demonstrating the methodology for conducting the Barrier Condition Rating and Accessibility Demand Rating. The Action Plan will also include descriptions on methods for conducting the self-evaluation of facilities in the public right of way.
- Map demonstrating impacts on facilities based on the Accessibility Demand Rating.



Assumptions:

- Measures for prioritization will rely on readily available data. No new data will be collected as part of this task. Up to 6 measures will be assessed and illustrated on the map to demonstrate the Accessibility Demand Rating.
- This task does not include an inventory or review of facilities

3.4 ADA Compliance Self-Evaluation – Perteet Smart Self-Evaluation Tool (P-SSET): The purpose of this task is to provide assistance to the City to establish a data management system and data collection procedures and tools for the inventory of pedestrian facilities within the public right-of-way, to determine the status of ADA compliance. It is anticipated that pedestrian facilities that will be included in the self-evaluation will include curb ramps, sidewalks, driveway approaches within sidewalks, crosswalks, on-street parking and pedestrian signal systems.

Under this work element, the Consultant will establish a data management system, ADA compliance criteria for data collection, procedures for the inventory, and educate and train staff.

The specific Consultant services will consist of the following elements:

- **Identify Facilities and Compliance Criteria:** The Consultant will coordinate with City staff to confirm what ADA compliance criteria will be collected for each of the pedestrian facilities within the public right-of-way (curb ramps, sidewalks, driveway approaches within sidewalks, crosswalks, on-street parking and pedestrian signal systems based on the City's goals for prioritization of improvements.
- **Data Base and Data Collection:** The Consultant will coordinate with the City establish a data base that will be compatible with the City's current systems. The Consultant will initially set up the data base and modify P-SSET to meet the City's specific data collection goals. It is anticipated that the data collection system will utilize a hand held electronic tablet using Perteet's Self-Evaluation System with customized drop down menus and data entry fields. This task includes one meeting via phone conference and up to one (1) meeting at the City.
- **P-SSET Procedures and Best Practices Guide:** The Consultant will prepare a data collection procedures guide for the City (P-SSET Procedures and Best Practices Guide). The guide will include: summary of common ADA compliance guidelines; summary of how to use P-SSET and the data collection tools; procedures for data collection; summary of best practices for field measurements. This will include the preparation of a draft guide for the City's review and comment, and a final guide.
- **Staff Training:** The Consultant will train City staff on the use of P-SSET, the data collection tools, and managing the data base system. Training will include office training, anticipated **up to 2 hours** at the City. This will include a brief Power Point presentation if more than two (2) City staff attend.

Assumptions:

- Electronic tablet device(s) will be provided by the City.
- Data collection will be performed by the City's staff or interns.
- Data collection will be performed on an electronic tablet and downloaded to the data base.
- Downloading data collected daily and management of the data collected will be done by the City.
- Bus stops within the City right-of-way are the responsibility of the transit agencies.
- Establishing the inventory locations and timeline will be done by the City.
- Management of the data collection and staff will be done by the City.



3.5 P-SSET Technical and Inventory Support: The Consultant will provide on-call support to the City as requested during the self-assessment and data collection. This may include support with the data base, Perteet's Self-Evaluation System, ADA compliance criteria, and determinations of ADA compliance for pedestrian facilities for unique situations. The effort for this work element is limited to the budget identified in the fee summary.

OPTIONAL SERVICES

The Consultant may provide additional services as directed by the City which are not identified in this Scope of Services. Additional services shall not commence without written authorization and approval from the City and a supplement to the contract.

ITEMS NOT INCLUDED IN THE BUDGETED SCOPE OF SERVICES

1. Self-evaluation criteria and set up of the data base for ADA accessible bus stops.
2. Field training on ADA compliance and/or the use of P-SSET.
3. Management, coordination, and/or providing staff for field inventory.
4. Providing electronic devices for field inventory.
5. Review, inventory, and self-evaluation of buildings, parks, and other City owned facilities that are not within the public right-of-way limits or specifically identified in the Scope of Services.
6. Preparation of a Transition Plan for formal adoption by the City.