



Legislation Text

File #: 18-0364, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Stephanie Katsouleas, Public Works Director

Prem Kumar, City Engineer

Tim Birthisel, Associate Engineer

SUBJECT:

Resolution No. 18-0133 Awarding a Professional Services Agreement to Disability Access Consultants (DAC), Corp. for the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for Public Rights of Way and City Facilities Project for a Total of \$99,500 (Public Works Director Katsouleas).

ADOPT RESOLUTION NO. 18-0133

RECOMMENDATION:

Staff recommends that City Council adopt Resolution No 18-0133:

- 1) Awarding a Professional Services Agreement for \$99,500 for the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for Public Rights of Way and City Facilities Project, and
- 2) authorize the City Manager to execute the Agreement.

FISCAL IMPLICATIONS:

Sufficient funds are budgeted for this professional services agreement. The ADA Self Evaluation and Transition Plan Project will be allocated to two budgeted capital projects, with \$52,500 allocated to the "ADA Transition Plan within Public Rights-of-Way" project budgeted in the Measure M Fund and \$47,000 allocated to the "Facilities Improvements" project budgeted in the CIP Fund, for a total of \$99,500.

BACKGROUND:

The Americans with Disabilities Act (ADA or Act) was signed into law on July 26, 1990. Its fundamental goal is to ensure equal access to civic life by people with disabilities and prohibit discrimination against disabled persons within the United States. The Act is comprised of five Titles, of which Title II is applicable to state and local governments. Specifically, Title II:

- Prohibits discrimination on the basis of disability by "public entities" such as state and local government agencies.

- Requires public entities to make their programs, services and activities accessible to individuals with disabilities.
- Outlines requirements for self-evaluation and planning; making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination; identifying architectural barriers; and communicating effectively with people with hearing, vision and speech disabilities.

It also establishes physical access requirements for public facilities such as buildings, sidewalks, ramps, etc. Under Title II of the ADA, the City of Manhattan Beach is required to have an ADA Transition Plan that identifies existing obstacles limiting accessibility (self-evaluation) and describes the steps that are or will be taken to ensure that City facilities and rights-of-way are made accessible to all individuals.

DISCUSSION:

On April 12, 2018, staff solicited two Request for Proposals (RFPs) to achieve compliance with all Title II ADA requirements as follows:

1. RFP No. 1161-18 seeking bids for the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for Public Rights of Way Project;
2. RFP No. 1162-18 for Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for City Facilities

The two self-evaluation and transition plans listed above involve analyzing program and physical accessibility for both Public Rights of Way and City facilities. *Program accessibility* involves the review and development of policies, practices, and procedures that allow people with disabilities to participate in and have access to important information, thereby providing an equally effective opportunity to benefit from the City's programs and services. *Physical accessibility* requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance or use of a facility or public rights-of-way. For there to be an absence of discrimination, both types of accessibility must be considered for City facilities and rights-of-way.

On May 16, 2018, the City received three (3) proposals for the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for Public Rights of Way. On May 17, 2018, the City received three (3) proposals, from the same three firms for the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for City Facilities. A review committee comprised of representatives from the Facilities and Engineering Divisions of Public Works evaluated all six proposals based on each firm's understanding of the scope of work, methodology, work plan, and experience. Oral interviews were also held with the three competing firms.

At the conclusion of the interviews, the members of the review committee unanimously selected Disability Access Consultants (DAC), Corp. as the most-qualified firm to complete both transition plans for program and physical accessibility. This firm also had the highest-rated proposal and lowest submitted bid for each RFP. DAC has prepared similar ADA Transition Plans for over 100 local cities and 160 California School Districts. The firm's Project Manager, Barbara Thorpe, listed more than 100 similar projects on her resume, including similar work recently completed for the City of Redondo Beach. Lastly, reference checks for DAC were all favorable. DAC's fee proposal of \$99,500 includes all professional and support services anticipated to complete both transition plans as a single

document. The firm noted that there are significant efficiencies combining the work effort into a single, comprehensive plan.

Some of the key services that will be provided include:

- Preparation of right-of-way and facility surveys.
- Development of reports and diagrams documenting barriers to accessibility.
- Review and evaluation of City policies, programs, and practices to identify issues that may be discriminatory to people with disabilities.
- Preparation of comprehensive ADA Self-Evaluation and Transition Plan for Public Rights-of-Way and City Facilities based upon the results of the barrier assessments, policy review and City staff guidance.
- Project database to facilitate ongoing monitoring and updating of the ADA Transition Plan.
- Leading a process for interested persons, including individuals with disabilities and organizations representing individuals with disabilities, to participate in the self-evaluation process through surveys, workshops and/or other outreach methods.

Once awarded, the project is expected to take approximately seven months to complete, inclusive of surveys, field/site visits, policy reviews and public participation.

PUBLIC OUTREACH/INTEREST:

DAC will engage the public at three (3) community meetings.

ENVIRONMENTAL REVIEW:

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. Resolution No. 18-0133
2. Agreement - Disability Access Consultants (DAC), Corp.