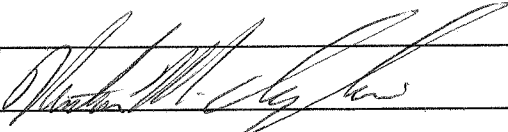


COUNCIL COMMUNICATION

DATE: May 25, 2010	AGENDA NO.	SUBJECT: Authorize staff to enter into a contract with the Center's for Disabilities and Meeting the Challenge (MTC) Inc. for an update of the City's ADA assessment plan.
Department Head:		
City Manager: 		
Nathan M. Cherpeski		
PRESENTED BY: Nathan M. Cherpeski		

Recommendation

It is the recommendation of staff to approve alternative one, authorizing staff to enter into a contract with Center's for Disabilities and Meeting the Challenge (MTC) Inc for an update of the City's ADA assessment plan.

Background

When the American's with Disabilities Act Passed in 1990, the law required that all communities prepare a "self-evaluation" of the City's facilities and policies. This was to be completed no later than January 26, 1993. Because of the length of time from that deadline and the changes that have occurred to ADA, it is important to update the evaluation periodically.

In looking at the requirements, it became apparent that city staff neither has the specialized expertise or sufficient time to develop the expertise and the plan. Due to the specialized nature of the work, staff researched consultants capable of providing such a service. The attached plan will allow the City to fully comply not only with the letter of the law but with the spirit and intent of the plan. Staff is well aware of certain shortcomings with ADA compliance and has been working towards solutions for those. A good portion of that will be corrected by either the new building as proposed or the modular option discussed. Doing nothing is no longer an option.

The report will show the City not only issues with buildings or physical barriers, it will also suggest best practices for areas not clearly covered by ADA but that could still expose the City to issues.

Issue Before the Council

Does the City Council wish to approve Authorize staff to enter into a contract with the Center's for Disabilities and MTC Inc based on the attached proposal?

Alternatives

Alternative 1. Authorize staff to enter into a contract.

Alternative 2. Decline to act at this time and give staff further direction.

Fiscal Impact

Staff set-aside funding in the current budget in the risk division to cover these costs so there is not additional impact to the City above that which was anticipated in the budget process.

Legal Opinion

The City Attorney will be present for any comments.

Conclusion

Conducting the evaluation and plan is a required element of the ADA. Updating it periodically to address changes to the law and programs is good practice. The attached proposal will assist the City in complying with the ADA.

Attachment:

Proposal

Proposal for City of Alamosa Self Evaluation & Transition Plan

Introduction

The Center for Disabilities and Meeting the Challenge, Inc. (MTC) are pleased to provide this proposal to conduct surveys, collect data, and develop a Self Evaluation and Transition Plan for the City of Alamosa consistent with the requirements of title II of the Americans with Disabilities Act (ADA).

Title II of the ADA lays out the requirements for compliance for state and local government entities. Among these are administrative requirements that each covered entity must conduct a self evaluation of all programs of the entity to determine the degree to which those programs when viewed in their entirety are accessible to and usable by people with disabilities. In those cases where physical barriers exist to program access, the entity is required to prepare a transition plan that documents plans for removing those barriers or providing alternative means to access the program affected.

The City of Alamosa has appointed Mr. Jim Belknap as the ADA Coordinator for the city. MTC's efforts will be coordinated through Mr. Nathan Cherpeski or his designated alternate. The Center for Disabilities will serve as the prime contractor for this project and Larry Williams will serve as the primary point of contact at the Center for Disabilities.

The proposal presented here is based on data provided to the Center for Disabilities by Mr. Nathan Cherpeski, city manager and discussions between Mr. Nathan Cherpeski and Mr. Williams.

Guiding Principles and Goals

The review conducted and reports prepared by the Center for Disabilities will follow two guiding principles:

- The extent to which a program or physical element meets the letter of the ADA, and
- Desirable modifications to a program or element that would enhance accessibility.

The second of these principles is necessary because many elements of city programs do not fall into clearly regulated areas. For example, the current ADA standards for accessible design do not provide definitive guidance for the many park areas or public rights of way in the city. However, there are best practices available to provide guidance for making such elements user friendly for people with disabilities. The Center for Disabilities will clearly indicate those aspects of our report that document regulatory-controlled recommendations and those that constitute best practice oriented recommendations.

A comprehensive survey of programs and facilities for a city can be very expensive and time consuming. The goal of this project is to provide an overall review of Alamosa city programs and facilities at a qualitative level. That is, for example, we will not review every mile of streets in the city counting curb ramps and sidewalk slopes. Rather we will provide a qualitative assessment of curb ramps and sidewalks describing the general situation and suggestions. The idea is to provide the city of Alamosa with enough information to direct further assessment as

needed to areas of concern. This is not to say that the review conducted will be cursory, but rather that it will present an accurate picture of accessibility in the city of Alamosa within a reasonable time and cost. The Center for Disabilities and MTC may be engaged to examine some areas in greater depth at the discretion of the city of Alamosa.

Project Activities

Our proposal for this project is divided into several sections each of which is described below: facility survey, transition plan, self evaluation, administrative meetings, travel, and training option.

Facility Survey – The Center for Disabilities and MTC staff will visit each facility identified in the attached list to collect data on the accessibility of that location.

Transition Plan – Data collected in the facility surveys will be translated into a report describing the observations and providing recommendations for accessibility modifications. The report will discriminate between ADA compliance oriented recommendations and best practice accessibility recommendations.

Self Evaluation – The Center for Disabilities and MTC will collect documentation concerning Alamosa’s programs and policies, as well as meet with heads of various departments to determine policies and procedures for programs operated by the city. The data collected will be reduced to a report indicating recommendations for modifications to policies and procedures that will either bring those programs into compliance with ADA regulations or create significant levels of additional accessibility.

Administrative Meetings – The Center for Disabilities has included time in the proposal to meet with the City’s ADA Committee and the City Council.

Travel – The Center for Disabilities has included monies in the proposal to offset travel costs in connection with project activities. In general, this is based on travel time and mileage costs for travel between Colorado Springs or Pueblo and Alamosa. However, it may become more practical for Center for Disabilities and MTC staff to reduce the number of trips by spending one or more nights in Alamosa.

Training Option – Priced separately is an option for MTC to conduct three two-hour training sessions in Alamosa for city personnel. These training sessions will focus on disability etiquette, as well as the basics of the ADA applied to title II entities. The training sessions would be scheduled at various times to be selected by Alamosa city personnel to accommodate the schedules of city personnel.

The basis for all costing is the hourly rate for Center for Disabilities and MTC personnel. The Center for Disabilities will generate detailed invoices on a monthly basis.

Deliverables

The Center for Disabilities will deliver two primary products as a result of this effort: Self-Evaluation Recommendations and Transition Plan Recommendations.

Both of these documents will provide our observations along with recommendations for removing physical barriers or making programmatic or policy modifications. The reports will classify the recommendations as necessary to meet the letter of the law or a best practice to meet the spirit of the law.

Cost Proposal

The Center for Disabilities as established hourly rates for its staff as follows:

Executive Director	\$ 80.00
Facilities Consultant	40.00

MTC has established special discounted hourly rates for each consultant level within the company for work on government projects. These rates are as follows:

Executive Consultant	\$100.80
Senior Consultant	\$79.80
Consultant	\$58.80

Our cost proposal is based on an expected number of hours spent by individuals from the Center for Disabilities and MTC to collect information on site in Alamosa and to analyze and reduce that data to final reports. The consulting support line is based on a number of hours multiplied by a blended hourly rate that reflects the expected mix of staff who will work on the project.

The travel costs are based on an anticipated number of trips at six hours per round trip plus \$0.50 per mile traveled and in some cases costs for hotel nights and per diem during those stays.

Self Evaluation & Transition Plan

Consulting Support	\$16,000
Travel Costs	\$3,000
Total	\$18,000

This cost is a not to exceed cost. The Center for Disabilities will invoice for actual hours expended on a monthly basis. Should the City of Alamosa choose to request more in depth analysis of particular facilities or add facilities to the inventory list in Attachment 1 a cost estimate for those added services will be provided prior to any additional work commencing.

Training Option

The training option includes costs associated with customizing training materials for Alamosa and delivering three two-hour training sessions in Alamosa, CO.

Trainer Support	\$3,000
Travel Costs	\$750
Total	\$3,750

Attachment 1 – Alamosa Facilities

The following facilities, locations, and elements will be included in the Facility Survey for the Alamosa Self Evaluation and Transition Plan.

Public Buildings

City Hall/Library
Museum
Recreation Center
New City Hall (Plan Review)

Parks and Athletic Facilities

Golf Course
Cemetery
Fairgrounds
Train Pavilion
Cole Park
Zapata Park
Boyd Park
Hermosa Park
Diamond Park
Carroll Park
Lee Field
Sunset Park
Friends Park

Other City Facilities

City Trails
City Sidewalks/Curb Ramps
City Off-Street Parking Lots & Structures
City On-Street Parking

Work Areas

Engineer Office
Maintenance Facility (701 Ross)
Parks Storage Facility (Airport & 20th)
Water and Sewer facilities
Street Maintenance (1410 Independence)
Police Station
Fire Station
Public Safety Training Facility