



COUNCIL REPORT

DATE: September 12, 2023

CATEGORY: Consent

DEPT.: City Manager's Office

TITLE: **Americans with Disabilities Act Self-Evaluation and Transition Plan
Professional Services Agreement and
Appropriation**

RECOMMENDATION

Adopt a Resolution of the City Council of the City of Mountain View Appropriating \$390,949 to the City Manager's Office from the General Non-Operating Fund for an Americans with Disabilities Act Self-Evaluation and Transition Plan, and Authorizing the City Manager or Designee to Execute a Professional Services Agreement with Bureau Veritas Technical Assessments LLC to Develop an Americans with Disabilities Act Self-Evaluation and Transition Plan, in an Amount not to Exceed \$390,949, to be read in title only, further reading waived (Attachment 1 to the Council report). (Five votes required)

BACKGROUND

Title II of the Americans with Disabilities Act of 1990 (ADA) requires that State and local governments make their programs and services, including city facilities, events, parks, and sidewalks, accessible to persons with disabilities. The City first prepared an ADA implementation plan in 1992. In 2002, the City worked with a consultant to conduct a self-evaluation to identify facilities with access barriers and develop a transition plan comprised of a prioritized list of improvements to remove those barriers. Many of these improvements have been completed, and continued improvements are identified annually in the Capital Improvement Program (CIP).

Since the development of the 2002 Transition Plan, standards for accessible design have continued to evolve. The City's work to remove barriers and make improvements has continued in compliance with these updated standards. While the ADA does not specifically require public entities to update self-evaluations or transition plans, periodic updates are encouraged. To that end, the City Council approved a limited-period budget appropriation for an update to the ADA Self-Evaluation and Transition Plan in the Fiscal Year 2022-23 Adopted Budget. The scope of this project includes a survey of City facilities and the public right-of-way and review of City policies and programs to identify access barriers and develop a prioritized list of improvements to remove those barriers.

ANALYSIS

In December 2022, a Request for Proposals (RFP) for consulting services was posted to the City's website, and staff informed consultants about the opportunity via email. On January 9, 2023, three firms responded to the RFP prior to the deadline.

A staff review panel deemed Bureau Veritas Technical Assessments LLC (Bureau Veritas) to be the best-qualified firm based on the merits of its written proposal, experience in completing similar projects, and demonstrated competence and understanding of the project.

All of the proposals received by the City included project pricing higher than the budgeted amount due to inflation and greater work effort required than originally anticipated to survey the City's public right-of-way for access barriers. Staff reviewed the proposed fees and scopes of work in detail and considers the costs to be fair and reasonable.

Upon completion of the project, staff will incorporate improvements into future CIP requests.

FISCAL IMPACT

In the Fiscal Year 2022-23 Adopted Budget, Council approved a \$200,000 limited-period appropriation to fund the ADA Self-Evaluation and Transition Plan project which was returned to the General Non-Operating Fund's balance as of July 1, 2023. Appropriating \$390,949 for the Americans with Disabilities Act Self-Evaluation and Transition Plan will increase Fiscal Year 2023-24 expenditures by \$390,949, including use of the \$200,000 in realized savings from Fiscal Year 2022-23 that became available in Fiscal Year 2023-24. There are sufficient funds available for the budget appropriation of \$390,949.

Additionally, the completed ADA Transition Plan will identify improvements to City infrastructure and provisions to mitigate or remove barriers to accessibility for persons with disabilities which will be incorporated into future annual budget and Capital Improvement Program requests.

ALTERNATIVES

1. Do not authorize the appropriation.
2. Do not authorize the professional services agreement and direct staff to reissue the RFP.
3. Provide other direction.

PUBLIC NOTICING—Agenda posting.

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LJ/6/CAM
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Attachment: 1. Resolution