

ADA Compliance in the Public Rights of Way – What's Eugene Doing?

NWPMA Conference – Portland, Oregon

10/25/2016



Agenda

- Introduction
- The Transition Plan Update
- The Inventory
- Pavement Preservation Program
- Design/Inspection/Acceptance
- Closing Discussion/Questions

Introduction: Questions???

We pave streets, I don't have to worry about sidewalk ramps, right?

Help! I am confused...why does every agency seem to be doing something different?

Our paving projects are being impacted by ADA requirements, is there anything we can do?



What is the ADA?

A law that..

Prohibits discrimination against individuals with disabilities...

In all areas of public life...

Including...transportation, and all public and private places that are open to the public



The Transition Plan

ADA Title II-8.3000 Transition plan.

Where structural modifications are required to achieve program accessibility, a public entity with 50 or more employees must do a transition plan by July 26, 1992, that provides for the removal of these barriers. Any structural modifications must be completed as expeditiously as possible.

Problem: No Evaluation or Transition Plan

If you do not know to what extent your services are ADA compliant, you cannot proactively:

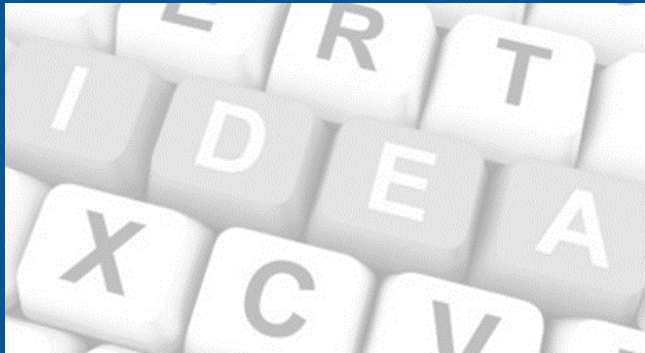
Forecast budget needs to become compliant;

Guarantee your policy for managing complaints and avoiding discrimination is appropriate;

Correct systemic problems perpetuating discrimination, even when it's unintentional;

Lack objective criteria, rationale, and standards as a basis for ADA-related compliance measures within your organization.

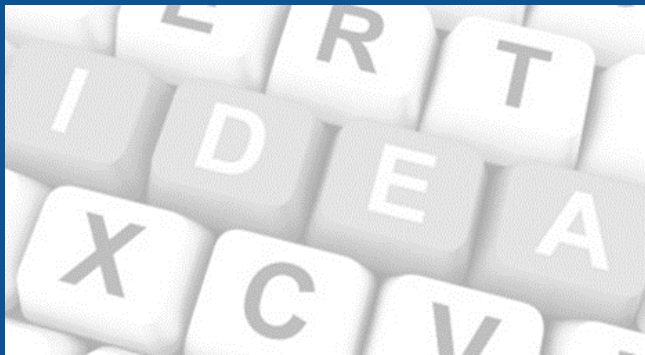
The Transition Plan (Update)



Pre-Updated Plan:

- Original Eugene Plan was implemented in 1992 (currently in 7th phase)
- Focused on municipal facilities outside of R/W
- Included a basic curb ramp compliance schedule

The Transition Plan (Update)

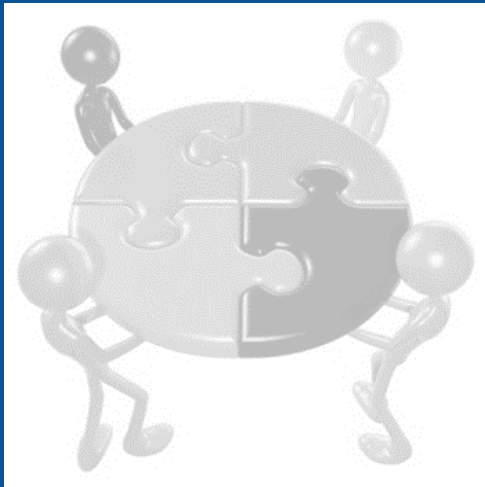


Public Rights of Way Update, 2013 - 2015:

- Address barriers specific to accessibility within the R/W
- Recognize goals of Access Board's 2011 Notice of Proposed Rulemaking (NPRM)
- Incorporate compliance schedules for both ramps and audible pedestrian signals

Public Rights of Way Update was adopted administratively, effective July 1, 2015.

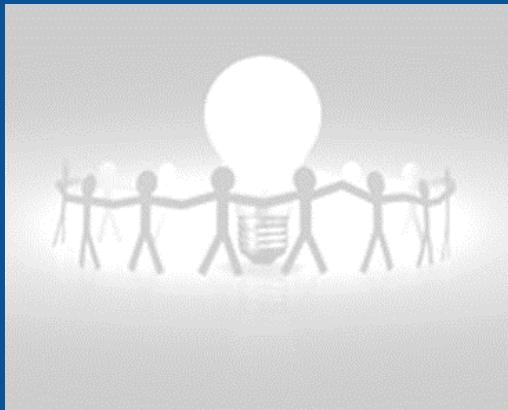
Transition Plan Development – Eugene Style



Year 1: Planning

- Convened committee of in-house experts:
 - Engineering,
 - Maintenance Surface Operations,
 - Traffic Operations,
 - Transportation Planning,
 - Parking Services,
 - Equity and Human Rights;
- Developed timeline to implementation that addressed key decision points;
- Reviewed other-agency TPlans;
- Developed a detailed TPlan document outline incorporating key decisions

Transition Plan Development – Eugene Style



Year 2: Delving into the Details

- Critical evaluation of existing barrier removal processes
- ID' d categories of project types that generate barrier removal
- ID' d factors that influence ramp & APS barrier removal schedules
- ID' d opportunities to enhance ADA processes between work groups
- Defined zones for prioritization of barrier removal;
- Refined procedures for Requests for Service & Grievances

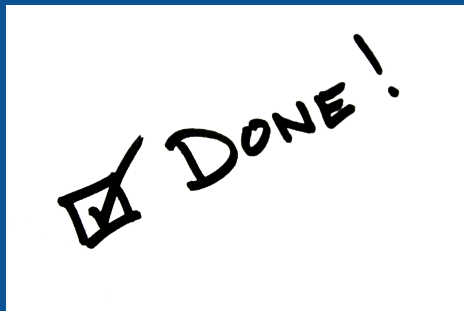
Transition Plan Development – Eugene Style



Year 2 - 3: Inventory

- Developed inventory methodology to ID and document details of non-compliant ramp locations;
- Conducted ramp inventory w/in Urban Growth Boundary;
- Imported ramp inventory data into GIS

Transition Plan Development – Eugene Style



Year 3: Maps & Adoption

- Applied zones of priority to develop maps for ramps & APS;
- Developed Communications Plan for public outreach and public comment
- Public Works Director adopted plan by Admin Order effective July 1, 2015

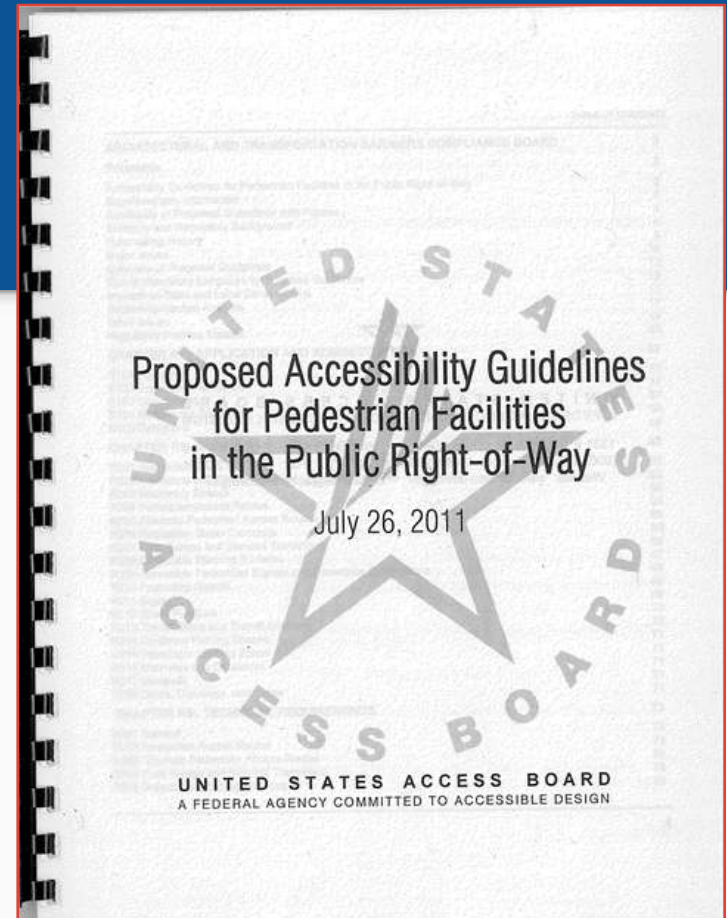


Inventory Barriers in your System

Standards for the Data

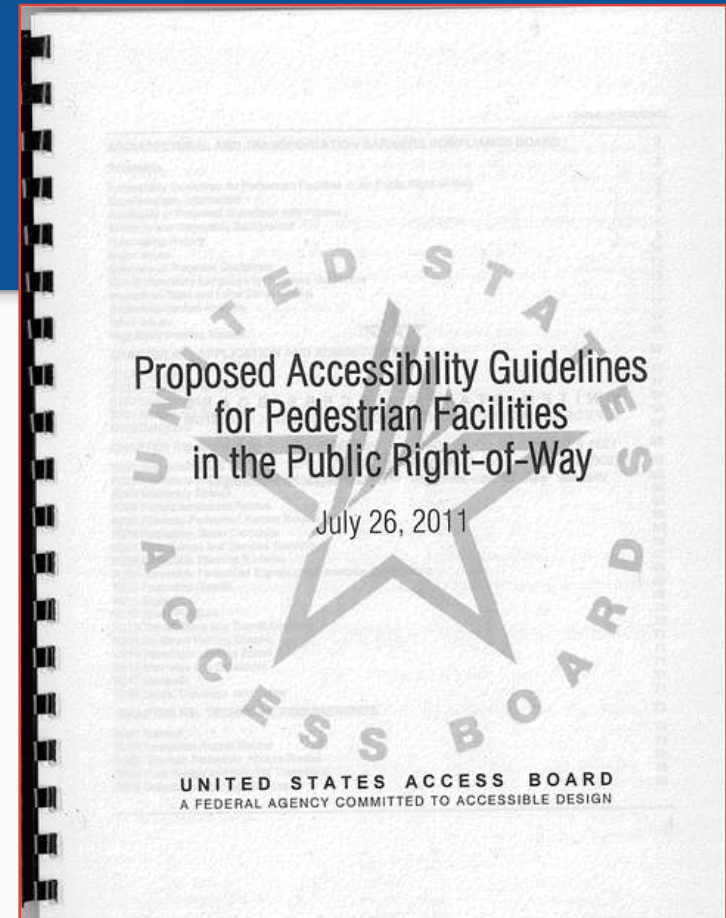
Need a standard in order to evaluate the system

- What data needs to be collected?
- How is the data evaluated?
- How will the data be used?



Standards for the Data

Until legal standards are adopted by the US Department of Justice, “...either the 2005 Revised Draft Guidelines for accessible Public Rights-of-Way (2005 PROWAG) or the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (2011 NPRM) should be considered best practices for new construction and alteration of facilities...”



Inventory Process

Determine the data to be collected

ADA Transition Plan Ramp Inventory Tool Design-DirectInput.xlsx [Read-Only] - Microsoft Excel

File Home Insert Page Layout Formulas Data Review View Developer Acrobat

Clipboard Font Alignment Number Styles Cells Editing

Document Properties - Server Location: C:\Users\cewajmw\AppData\Local\Microsoft\Windows\Temporary Intern... Required field

Title: ADA Transition Plan Ramp Invent Keywords: Ramp Inventory Design Concept

J39

1
2 Data Collector: Date: (Recorded when record is entered) Record ID: (Assigned by Application)

3
4 LOCATION AND CONFIGURATION INFORMATION

5
6 Major Street: Minor Street: (N/A if mid-block crossing)

7
8 GPS Location Lat: (Recorded with button push) Long: (Recorded with button push)

9
10 Ramp Configuration: Corner Diagonal Ramp Type: Perpendicular

11
12 Corner of Intersection: Ramp Crossing Direction:

13
14 >>>>>> RAMP ELEMENTS DATA COLLECTION

ID	Element	Length (L)	Width (W)	Grade in Dir of Travel (G)	Cross Slope (X)	Vertical edge over 1/4 inch	Paved
1	Curb Ramp		X.X'	X.X%	X.X%	No	
2	Turning Space	X.X'	X.X'	X.X%	X.X%	No	
3	Sidewalk Approach R		X.X'	X.X%	X.X%	No	
4	Setback Area R					No	
5	Flare Right				X.X%		
6	Sidewalk Approach L		X.X'	X.X%	X.X%	No	
7	Setback Area L					No	
8	Flare Left				X.X%		
9	Truncated Domes	X.X'	X.X'			No	
10	Curb		X.X'			No	
11	Gutter			X.X%			
12	Clear Space	X.X'	X.X'	X.X%	X.X%		

1. Turning space constrained at the back of the sidewalk Yes

Perpendicular Ramp

Perpendicular Ramp

W,X L,G ⑥ ②

W,X L,G ①

W,X L,G ⑩ ⑨

G ⑪ ⑫ L,G

W,X

Edge

Perpendicular Ramp Parallel Ramp

Inventory Process

Other methods...



21st and Alder NW Corner #1 SOUTH FACING



Inventory Process

Field measurements – one to two teams of two people collected data in the field for all crossings in the UGB



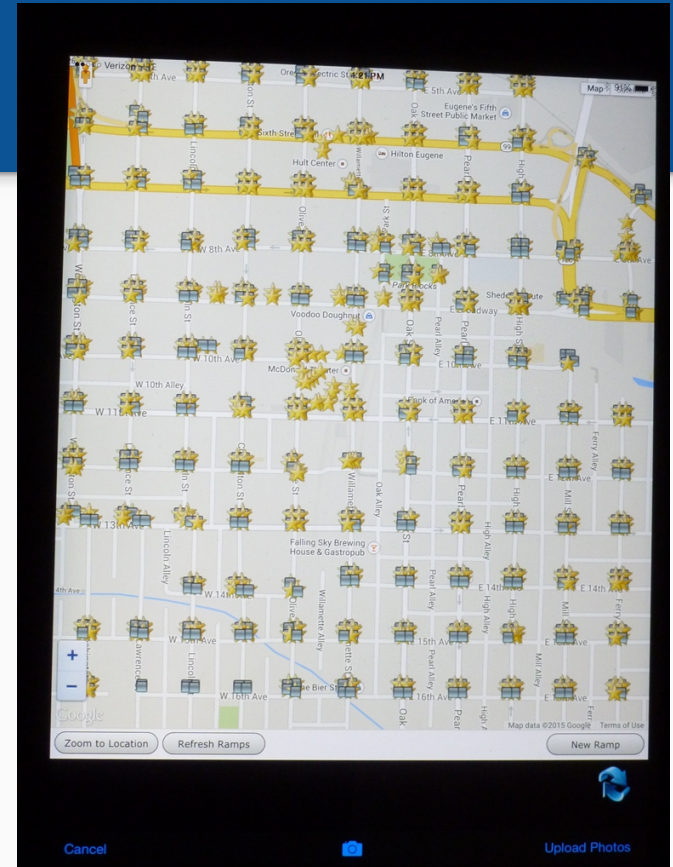
Inventory Process/Mapping

Collected data on approx. 500 ramps per week

Over 15,000 ramps collected

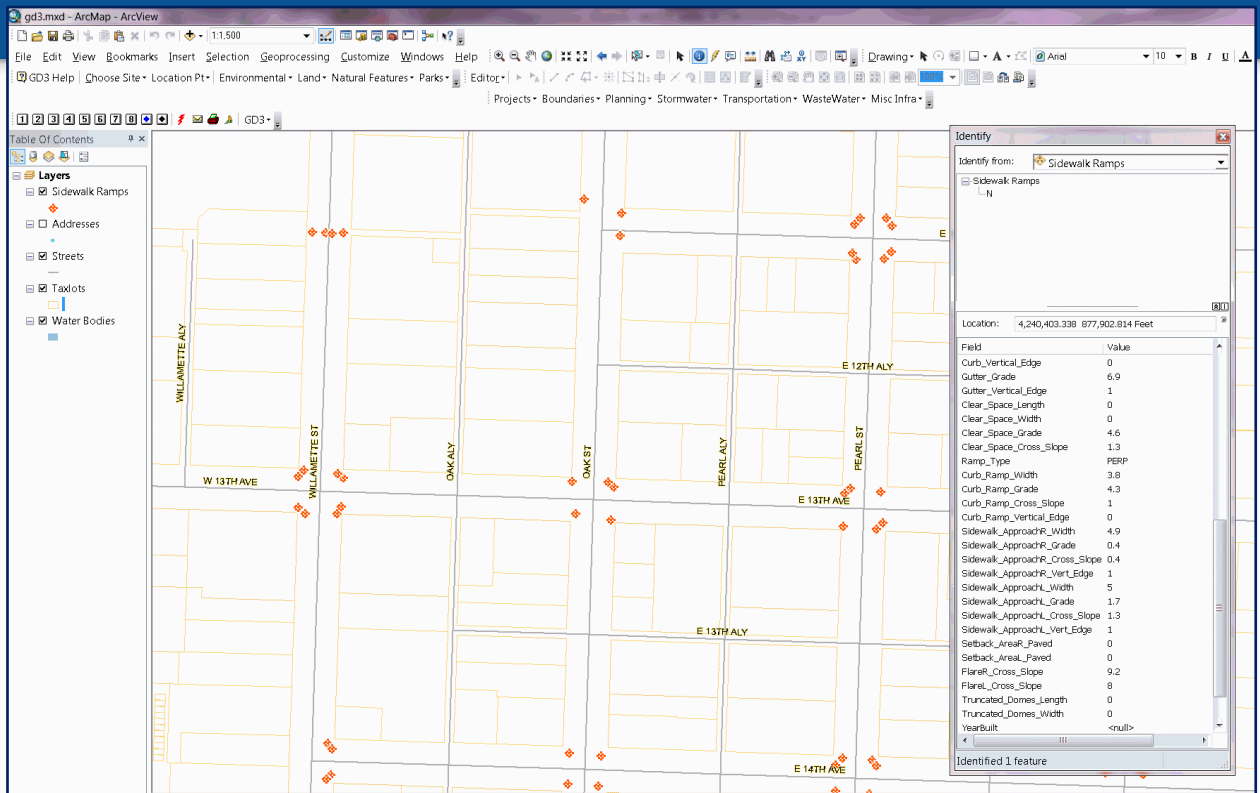
All signalized intersections, including presence of APS, already recorded in City GIS

Winter 2014 – updated 667 ramps based on 2014 construction



Inventory Process/Mapping

Formatted data to
be used as a GIS
layer



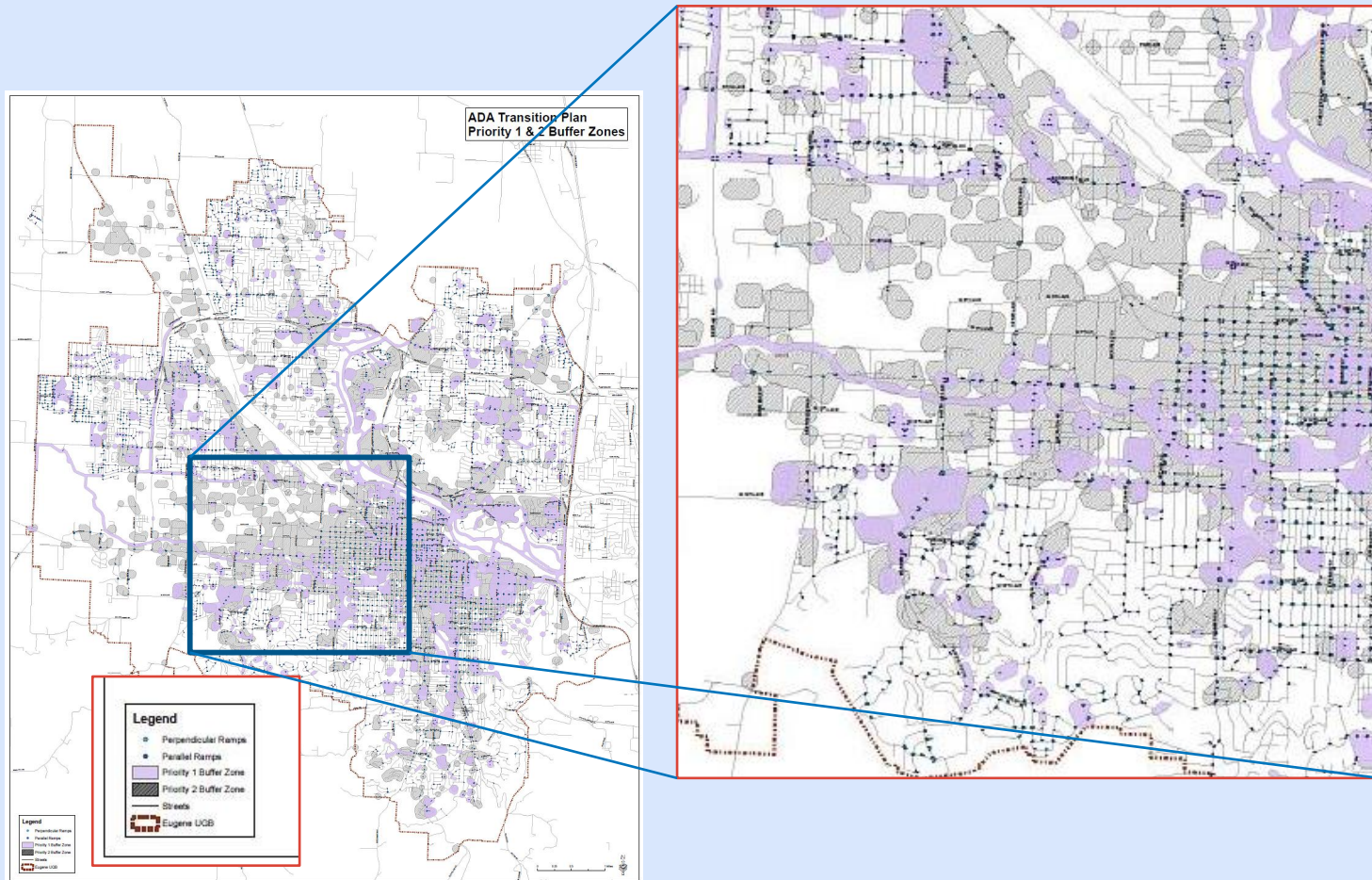
Inventory Process/Mapping

Data Analysis & Updates

- Analyze field data to determine number of facilities in need of upgrades.
- Collecting data on the number of ramps and APS constructed each year and projecting future averages.

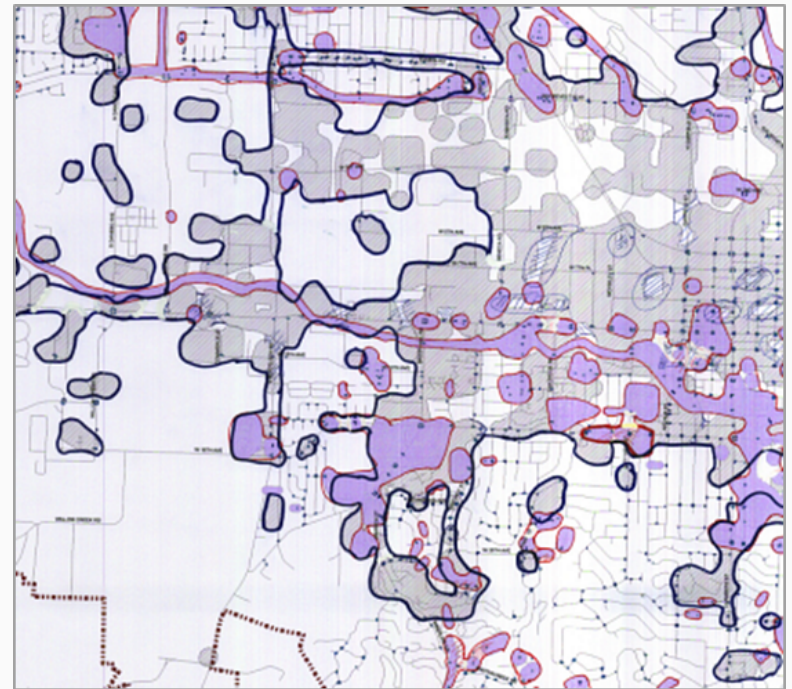


Priority Mapping



Priority System

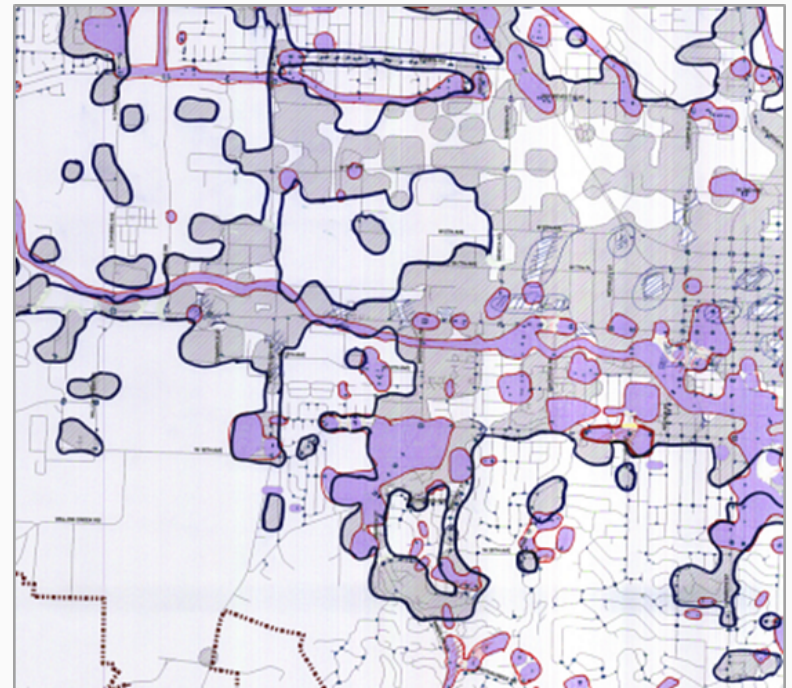
- Priority 1: State/Local Government and Public Use Facilities
- Priority 2: Places of Public Accommodation and Employment
- Priority 3: Other considerations



Inventory Process/Mapping

Priority mapping methodology:

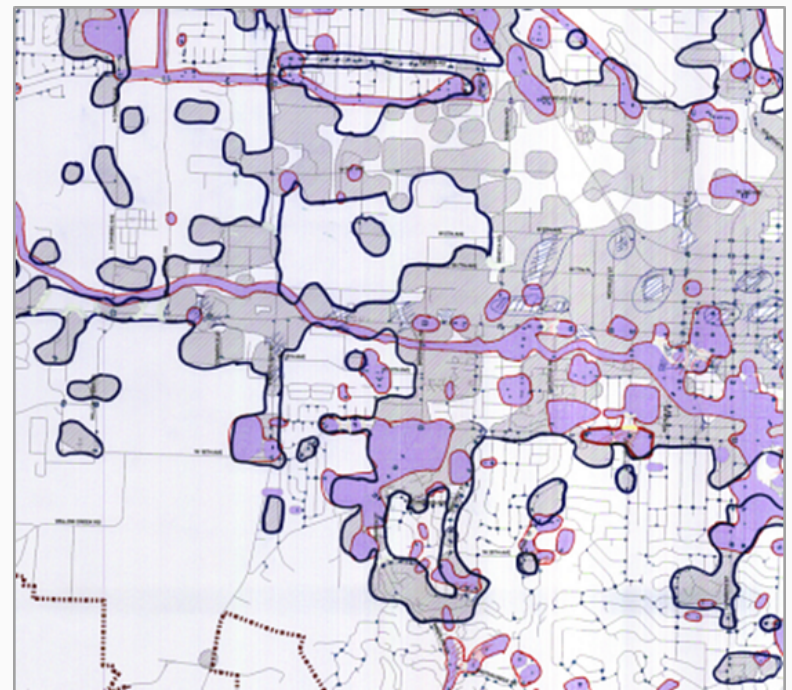
- Identified all facilities that met priority 1 and 2 descriptions.
- Created buffers around each priority
- Reviewed the buffered area and “smoothed out” the zones and made missing connections by hand.
- Geo-referenced via control points and rectified the “smoothed out” drawing in ArcGIS



Inventory Process/Mapping

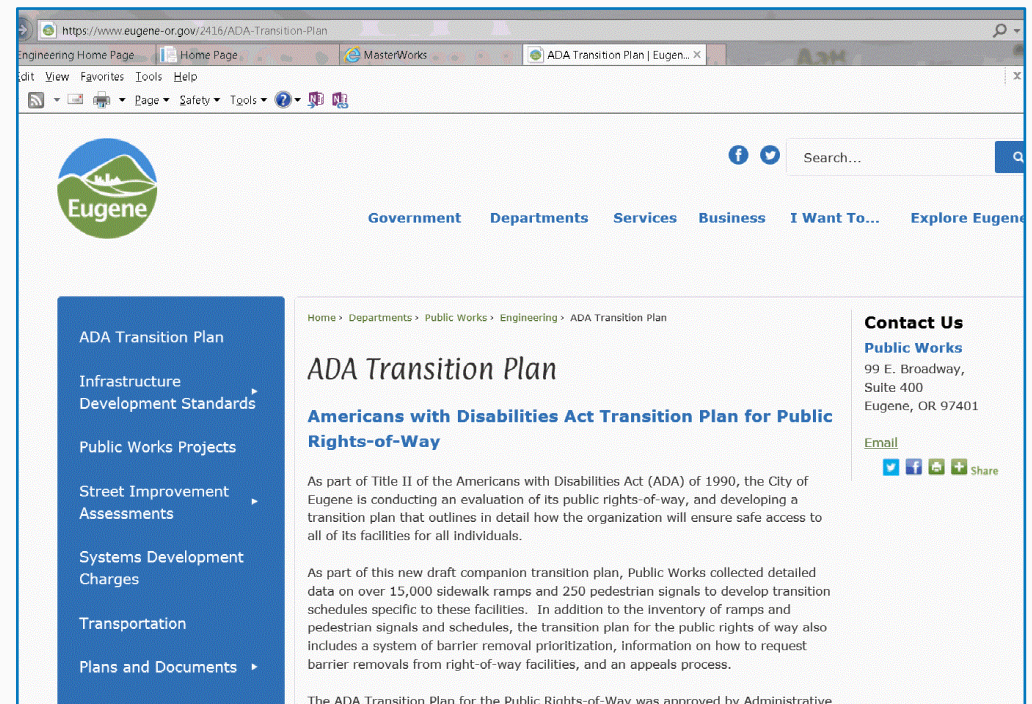
How will the data be used?

- Developed a transition schedule.
- By merging priority mapping with this data will be able to prioritize grant applications and respond to citizen requests.
- Project scoping.



Approved ADA Transition Plan

- Created a website: www.eugene-or.gov/2416/ADA-Transition-Plan
- Posted approved plan and annual updates to the site.
- Created a dedicated email mailbox for ADA-related contacts



What does this have to do with paving streets?

FHWA Clarification Memo dated 9/12/2006 found on the FHWA website:
www.fhwa.dot.gov/civilrights/memos/ada_memo_clarificationa.htm

Department of Justice/Department of Transportation Joint Technical Assistance on Title II of the ADA Requirements to Provide Curb Ramps when Streets, Roads or Highways are Altered through Resurfacing dated July 8, 2013
<http://www.ada.gov/doj-fhwa-ta.htm>

US DOT/FHWA Supplement Q&A to 2013 Joint Technical Assistance
http://www.fhwa.dot.gov/civilrights/programs/ada_resurfacing_qa.cfm

“Alterations”

Alterations include:

- reconstruction,
- resurfacing (overlays with or without milling),
- widening,
- micro-surfacing and cape seals ,
- in-place pavement recycling,
- signal installation, pedestrian signal installation and similar projects.



2013 DOJ/DOT Joint Technical Assistance

“Maintenance Activities”

Examples of maintenance activities include:

- crack filling,
- surface sealing (chip seals, slurry seals, fog seals),
- joint repair,
- shoulder repair, signing,
- striping, and minor signal upgrades,
- repairs to drainage systems.

2013 DOJ/DOT Joint Technical Assistance



Eugene's Pavement Preservation Program

Critical Piece of the Transition Plan

- ID' d categories of project types that generate barrier removal
- ID' d factors that influence ramp & APS barrier removal schedules



Eugene's Capital Pavement Preservation Program

	2015 Data
Budget	\$9.8M
Lane Miles*	24
Ramps Replaced/ Constructed	386

*Lane miles = rehabilitation or reconstruction only



Design/Construction/Acceptance

Compliance is complicated!

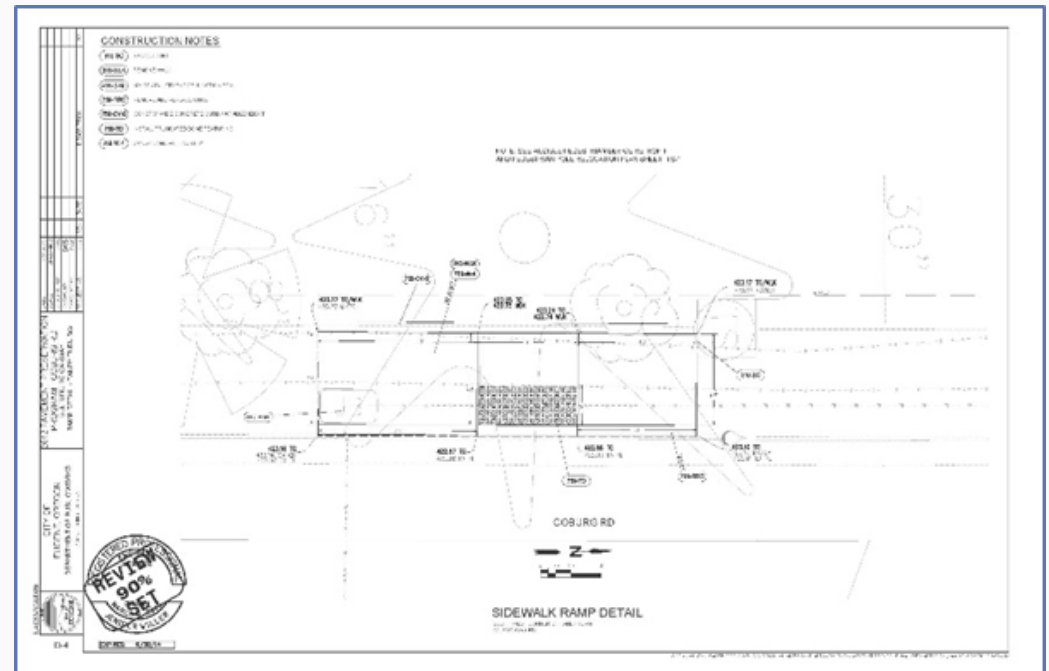
- Costs
- Retrofits into existing environment
- Design
- Inspection
- Acceptance



Design

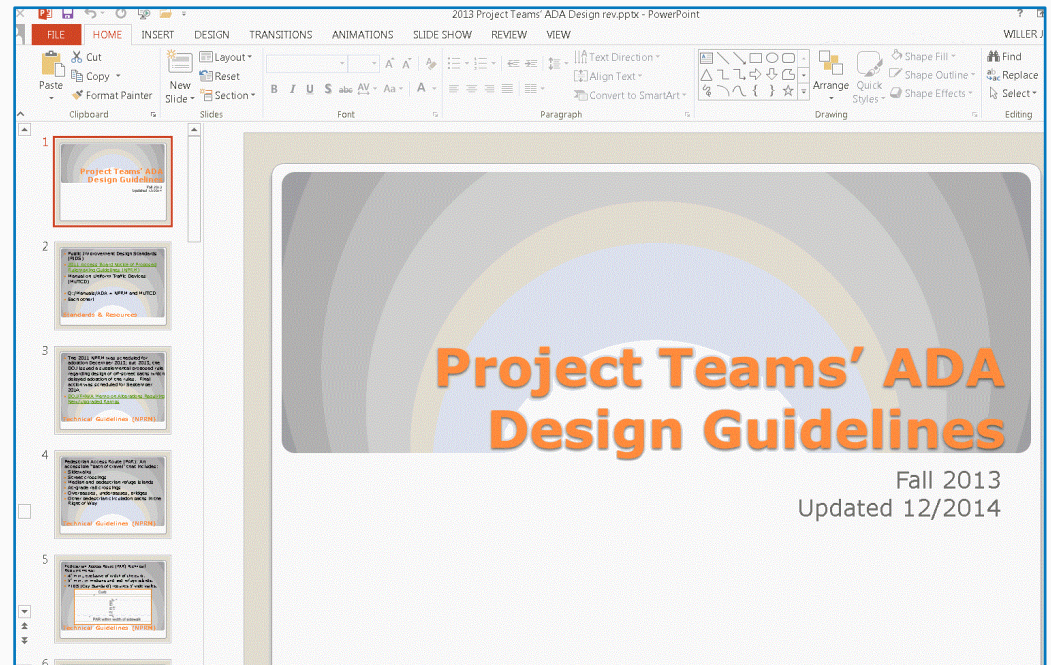
Each ramp is individually designed:

- Based on a topographic survey
- Using three-dimensional CAD
- Creating a scalable plan sheet with dimensions and elevations
- Consider each ramp is unique
- Don't rely on standard drawings as construction details



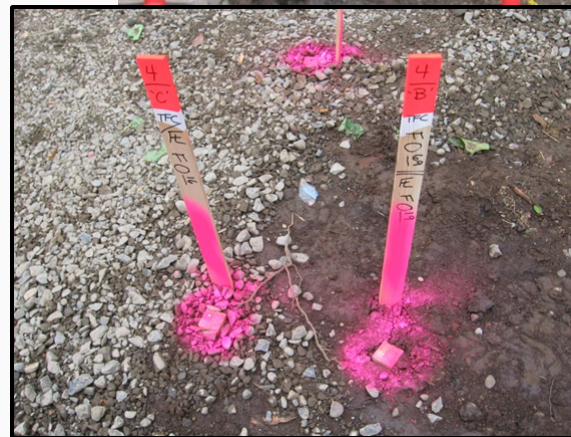
Design- Education

- Provide staff trainings on designing ramps and inspection for acceptance.
- Trainings are updated and made available for staff as a supplemental “manual” outside of the trainings.



Construction

Each ramp is staked for the contractor.



Construction Specifications

Amended Oregon Standard Specifications for Construction:

00759.46 Concrete – Added: “Sidewalk ramps, and curb and gutter in front of the ramps, have been designed to comply with the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (2011 NPRM) available on the United States Access Board website. Sidewalk ramps, and curb and gutter in front of the ramps, that vary from the design will be reviewed for compliance with the 2011 NPRM. The Engineer may approve Work that meets the requirements described in the 2011 NPRM. The Engineer will reject Work that does not comply with the design and does not comply with the 2011 NPRM. Replace rejected concrete as directed at no additional cost to the Agency.”

Construction – Warning Signs



“Why can’t we just build a standard ramp?”

“I’ve been building ramps for years!”

“I don’t need a surveyor to stake this out...”

Construction – Education

Paving contractor is often the prime and ramp/walks constructed by subs, so why should prime care?

- Ramps get rejected and need to be reconstructed at contractors expense
- Delays paving
- Delays project and following projects



Construction

Quality control and inspection are critical for compliance!



Post-Construction

Document the as-constructed ramp in the inventory



iPhone, LTE 1:22 PM

Perpendicular Ramp Inspection

*Data Collector: [Dvd] Date: [10/02/2012] ID: []

Turning space constrained to back of sidewalk? No Yes

Truncated domes meet current standard? No Yes

Element	Length(L)	Width(W)	Grade in dir of travel(G)	Cross Slope(X)	Vertical edge over 1/4 inch	Paved
1. Curb Ramp:						
2. Turning Space:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>
3. Sidewalk Approach R:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>
4. Setback Area R:						<input type="checkbox"/>
5. Flare R:						<input type="checkbox"/>
6. Sidewalk Approach L:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>
7. Setback Area L:						<input type="checkbox"/>
8. Flare L:						<input type="checkbox"/>
9. Truncated Domes:	<input type="text"/>	<input type="text"/>				
10. Curb:						<input type="checkbox"/>
11. Gutter:						<input type="checkbox"/>
12. Clear Space:						<input type="checkbox"/>

Photo 1
Perpendicular Ramp

Q W E R T Y U I O P
A S D F G H J K L return
Z X C V B N M ! ?
7:23 7:23

Questions?



Thank you!

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**Eugene ADA Transition Plan for
Public Rights-of-Way**

www.eugene-or.gov/adaplan