



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** HUMAN RESOURCES

**File #:** 16-594

Board Meeting Date: 9/26/2017

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Donna Vaillancourt, Human Resources Director  
Scott Johnson, Deputy Director, Human Resources

**Subject:** Agreement with Disability Access Consultants for an ADA Self-Evaluation and Transition Plan Update

**RECOMMENDATION:**

Adopt a resolution authorizing an agreement with Disability Access Consultants to provide a countywide Self-Evaluation and Transition Plan Update pursuant to the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973 for the County for the term of September 26, 2017 through September 26, 2020 in an amount not to exceed \$504,783.

**BACKGROUND:**

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive rights to persons with disabilities in different areas including access to public accommodations and transportation. The ADA provides that qualified individuals with a disability shall not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity. The ADA is divided into five Titles. Title II prohibits local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to persons with disabilities.

Title II dictates that a local government must evaluate its services, programs, policies, and practices to determine whether they are in compliance with the nondiscrimination regulations of the ADA. The ADA requires public entities to maintain "program accessibility" for persons with disabilities. "Program accessibility" may include a variety of programs, activities, and services.

California Code 28 CFR Part 35.150(d) requires that all public entities with 50 or more employees create a "transition plan" that sets forth the steps necessary to ensure compliance with the ADA and its implementing regulations. The ADA Transition Plan must 1) identify physical obstacles limiting accessibility; 2) describe the methods to be used to make the site accessible; 3) specify a schedule for achieving compliance and 4) identify the official responsible for implementation of the plan. The Federal Highway Administration states that ADA Transition Plans are to be updated periodically.

In the early 90's, the County of San Mateo's Commission on Disabilities established an ADA Compliance Committee and an initial Self-Evaluation and Transition Plan which identified corrective actions for barrier removal needed to comply with the initial ADA regulations was completed. Since the initial adoption of ADA standards in 1990, the Department of Justice issued new Title II regulations under the 2010 Standards for Accessible Design. In the time since the initial Self-Evaluation and Transition Plan were developed and new standards have been adopted, the County has remodeled certain facilities, removed barriers, and acquired new buildings from other jurisdictions.

These changes have sparked the need for an ADA Self-Evaluation and Transition Plan Update. Thus, the County issued a Request for Proposal (RFP) for experienced accessibility consultants to provide their services in the compilation and development of a comprehensive update to the existing ADA Self-Evaluation and Transition Plan for County leased and owned facilities, parks, sidewalks, crosswalks, rights of way, and programs to ensure compliance with current state and federal accessibility requirements.

The Risk Management Division identified Disability Access Consultants (DAC) as the best option to complete the County's Self-Evaluation and Transition Plan Update. By partnering with DAC, the County will have an extensive plan for removing existing barriers across the County allowing individuals with disabilities equal access to County programs and services. Additionally, the County's Risk Management Division will have an electronic accessibility asset management tool that will allow for improved identification, prioritization, funding allocation, and tracking of barrier removal that can be easily be transmitted to state and federal agencies for compliance purposes.

Updating the County's ADA Self-Evaluation and Transition Plan aligns with one of Risk Management's goals in the Fiscal Year 2015 - 2019 Strategic Plan; Goal 8: Provide equal access to County buildings, equipment, programs and services accessible to persons with disabilities.

#### **DISCUSSION:**

On March 29, 2017 an RFP was issued. Four proposals were received and evaluated by a selection committee made up the President of the ADA Compliance Committee and employees the Departments of Public Works, Parks, Facilities Maintenance and Operations, and Real Property. Of the four proposals received, three were invited to present their services. The selection committee recommended that the County select DAC as the vendor of choice to complete a countywide Self-Evaluation and Transition Plan Update. The activities DAC will perform include: reviewing the previous Self-Evaluation and Transition Plan to identify which barriers have been removed, reviewing policies and procedures to ensure they provide full access, and completing programmatic, facility, and parks surveys for identification, prioritization, budgeting, and implementation of plans.

DAC is a privately held, woman owned, company based in Northern California that has experience completing self-evaluations and transitions plans for governmental agency's for the past 19 years. DAC stood out among its peers because of its web-based asset management software, DACTrak. DACTrak is a powerful tool to manage and update the transition plan, projects costs, and document progress. It was the only database system that offered the flexibility to automatically update as codes change occur, eliminating the need to re-survey sites.

Therefore, the County believes that it is in the best interest to enter into a contract with DAC.

The resolution contains the County's standard provisions allowing amendments of the County's fiscal obligations by a maximum of \$25,000 (in aggregate).

The resolution and agreement have been reviewed and approved by County Counsel as to form.

Approval for this agreement contributes to the County's Shared Vision 2025 outcome of Collaborative Community by providing equal access to County buildings, equipment, programs and services accessible to persons with disabilities.

**PERFORMANCE MEASURE:**

<b>Measure</b>	<b>FY 2016-17</b>	<b>FY 2017-18 Projected</b>
% of Policy and Procedures Review Completed	No Data	100%
% of Field Inspection Data Compiled	No Data	100%
Draft of Transition Plan Completed	No Data	Final Draft

**FISCAL IMPACT:**

Costs associated with this contract will be paid equally from non-departmental and ADA funds.