

WORK ORDER NUMBER: 1

CITY OF CLEARWATER ADA SELF EVALUATION & TRANSITION PLAN

Prime: Tindale Oliver

Sub: N/A

(February 27, 2020)

Introduction

The City of Clearwater is seeking assistance in conducting an evaluation for compliance with the Americans with Disabilities Act (ADA) for its City-owned facilities, programs, activities, services, and information technology. The ADA Transition Plan will include an ADA assessment, recommendations, cost estimates, a prioritization list, potential funding resources to mitigate violations, and a GIS monitoring and reporting database. Tindale Oliver has prepared this Scope of Services to support the City in accomplishing these goals.

Background

Building, parks, and public right-of-way are required to be accessible to persons with disabilities pursuant to, without limitation, the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794), the ADA Amendments Act of 2008 (ADAAA) and Title II of the Americans with Disabilities Act of 1990 (ADA), (42 U.S.C. §§ 12131-12164). The laws work together to achieve this goal. These statutes prohibit public agencies from discriminating against persons with disabilities by excluding them from services, programs, or activities.

The ADA comprises of five titles prohibiting discrimination against persons with disabilities within the United States. Title II of the ADA required state and local governments to make their programs, services, and activities accessible to persons with disabilities. It also established physical access requirements for public facilities (buildings, recreation areas, sidewalks, etc.). Under Title II of the ADA, The City of Clearwater is required to have an ADA Transition Plan which identifies existing obstacles limiting accessibility and describing steps that are to be taken to ensure that facilities and programs within the public rights-of-way are made accessible to all individuals.

Description of Services

This Scope of Services is sub-divided into 7 major tasks, as listed below, and is expected to be completed with 24 months from contract execution to completion of the Transition Plan.

- Task I: Kick-Off Meeting & Initial ADA Process Overview
- Task II: City Staff Training
- Task III: ADA Self-Evaluation
- Task IV: ROW Inventory
- Task V: Transition Plan Development
- Task VI: Review of City Policies, Programs, and Services
- Task VII: Final Report

Task I: Kick-Off Meeting & Initial ADA Process Overview

The Tindale Oliver Team will meet with City staff to review tasks, project schedule, project expectations, and survey methodology and identify project communication and decision procedures. Progress meetings with City staff will be scheduled on a bi-weekly basis or more frequently as needed. These progress meetings may be held in-person, over the phone, or by video chat. We will establish, with input from the City, a framework for the program that includes goals/objectives, policies/guiding principles, standards/requirements, and methodologies to achieve ADA compliance. We will recommend a basis for developing a rating system that prioritizes projects and/or individual improvements; the resulting prioritized list will be based on criteria coordinated with City staff, such as:

- Cost of remediation
- Level of safety
- Level of accessibility
- Current visitor usage
- Perceived future visitor usage
- Construction already planned

The development of an overall framework plan for the analysis process will document initial concepts and inputs for data needs, inventory structure, data collection procedures, project schedule, and necessary coordination effort, among others.

Task II: City Staff Training

Tindale Oliver's ADA experts can train City staff on the intricacies of the ADA to ensure that they understand its requirements and can maintain City facilities and services according to ADA and Florida Accessibility Code standards. We can conduct a one-day "ADA 101" training session (which can be modified based on the City's specific needs and availability) that would include an interactive, half-day PowerPoint presentation with a supplemental handout training guide for all attendees. The training will also include a half-day field visit to allow City staff to see and evaluate first-hand a sampling of non-compliant barriers to ADA accessibility. City staff would be provided with contact information for Tindale Oliver ADA experts should there be ADA-related questions in the future.

We have conducted similar training throughout the US and found that the biggest obstacle to ADA compliance is lack of knowledge and training. Once all are aware of their responsibilities with the ADA, many violations can be remedied easily and permanently, thereby making Clearwater more accessible for all and, in turn, decreasing the City's liability from potential civil rights violation lawsuits.

Task III: ADA Self-Evaluation

The 96 public facilities listed in RFP #02-20 in addition to 4 major beach accesses will be evaluated for barriers to accessibility as prescribed by applicable State and Federal regulations. These assessments will be performed by the Tindale Oliver ADA team, which includes four International Code Council (ICC) certified Accessibility Inspector/Plans Examiner (AI/PE) and a Professional Engineer.

Our field inspectors will document each barrier to accessibility using electronic tablets running our custom-designed software. GPS locations of each violation will be recorded, and multiple photos will be taken. This barrier identification process will be performed throughout the project, identifying accessibility issues pertaining, but not limited to:

- Accessible paths – percent slope, width, and path connections
- Public restrooms – water closet location, grab bars, clearance, doors, and exposed pipes
- Parks – transfer platforms, slopes, clear widths, ground level and elevated play components, and children’s reach ranges
- Accessible parking – slopes, size, signage, routes, and minimum numbers of spaces
- Access to public transit facilities
- Curb ramps and detectable warnings
- Seating, drinking fountains, signage, elevators, and other amenities
- Other accessibility issues including sidewalks, obstructions, protruding objects, and reach ranges.

Task IV: ROW Inventory

A field survey of the City’s approximately 375 miles of sidewalks, crosswalks, and curb ramps will be conducted and photos taken at regular intervals along the sidewalks. Attributes of the assessed pedestrian infrastructure and barriers to accessibility that will be assessed include:

- Sidewalks – GPS locations, slopes, condition, gaps in inventory
- Crosswalks – GPS locations, slopes, condition, gaps in inventory
- Curb ramps – GPS locations, slopes, condition, gaps in inventory, detectable warnings, pedestrian push buttons

Surrounding each City facility may be parking facilities and/or sidewalks leading to them that serve as extensions of the accessible routes to and from these facilities. These facilities may adhere to the 2004 Accessibility Guidelines, if governed and funded through the Florida DOT. Adherence will be measured against those standards, with recommendations also provided for adherence to PROWAG (not yet adopted). We will provide the City with a GIS map and database showing the areas of an accessible route where slopes exceed the ADA standards.

Task V: Transition Plan Development

Tindale Oliver will create individual ADA Transition Plan Reports for each of the assessed facilities as well as all non-compliant City of Clearwater policies, programs, and procedures. The Plan will include cost estimates to remediate each non-compliant item and a prioritization list for non-compliant items to be resolved in the next 5–10 years.

Cost Estimates: The field survey reports (see example at end of this section) can be supplemented with preliminary cost estimates developed for each barrier to accessibility using data obtained by the City and supplemented with industry standards. After the individual cost estimates are developed, summary tables will be generated detailing estimated costs for each facility and aggregated for each general type of barrier to accessibility throughout all City facilities. Tindale Oliver can also provide the City with information for potential funding sources and/or grants available to assist the City in the cost of ADA improvements.

Phase/Prioritization List: A Remediation Plan for the first five years will be developed based on the City’s priorities and anticipated budget. We will meet with City staff to determine mitigation priorities, and suggested improvements will be ranked. Items that can and should be addressed immediately at a low cost (quick fixes) will have a higher priority than expensive and less severe items. The remediation plan will include short- and long-term plans prioritizing improvements to be completed in the next 5–10 years post Plan adoption (see sample priority list at end of this section).

Task VI: Review of City Policies, Programs, and Services

Tindale Oliver will develop a self-assessment survey form asking for information from all City departments. The self-assessment form will request information regarding physical accessibility of all department programs, services, activities, as well as all programs and policies, and what types of reasonable accommodations currently are made and how frequently they are requested.

We will provide a draft of the survey form to the City's ADA Coordinator for review and approval before its distribution to departments. All responses collected over a two-week period will be summarized in a report describing all deficiencies in the City's programs, policies, and procedures and recommendations on how to make them accessible for all users. Particular attention will be paid to the City's emergency response services, website, and activities.

Task VII: Final Report

The surveyed facilities and infrastructure will have their ADA barriers to accessibility summarized in individual field survey reports, (see example at end of this section). These reports will include digital images, 2D and 3D sketches, GPS points, maps, and diagrams to emphasize the ADA requirements and subsequent solutions to barrier removal. They will also include recommendations to mitigate the barriers to accessibility, applicable State and Federal codes, and level of priority. The data from these reports also will be included in Excel and GIS files. An Executive Summary for each facility will be developed.

Information collected during the on-site accessibility surveys and developed in the field survey reports, such as location, ADA barrier, severity of barrier, perceived safety risk, and recommendations, will be included in these databases, which will enable the City to have a procedure and an interactive online GIS database to monitor and report compliance efforts.

We will submit hard and digital copies of the field survey reports to the City for review. We also will solicit feedback from the City and its stakeholders. Comments from the draft documents and the meetings will assist in producing final versions of the field survey reports. A draft version of each field survey report will be provided to the City shortly after completion of each on-site survey. Hardcopies and digital copies will also be provided once the field survey reports are finalized. A draft field survey report is provided on page 3-9.

ADDITIONAL SERVICES

Expert Testimony

The Tindale Oliver team has more than 30 years of experience with expert witness testimony on various levels of judicial review, ranging from legal council to serving as an expert witness during trials. Cases include a multitude of ADA-related lawsuits, from non-compliant facilities and operations to negligent death as a result of improper barrier protection, and clients range from State and local agencies and transit properties to private commercial developers and lawyers retained counsel for individuals. We can provide City of Clearwater staff with advice and can assist with any complaint or litigation resolution as needed.

Bus Stop Accessibility Study

Tindale Oliver has completed multiple system-wide ADA bus stop accessibility studies in the state of Florida. This study could include a comprehensive inventory and assessment of the conditions at the bus stops and transfer facilities, which would help identify and prioritize improvements to address accessibility, security, operation, and passenger comfort issues.

Detailed recommendations would be provided to assist the City and PSTA with implementing the improvements over time based on funding and other considerations. As with the ADA Transition Plan, this study would serve as a living document for which the City of Clearwater would use as a guide to achieving full compliance.

Detailed computerized drawings could also be provided to showcase the proposed recommendations. A phasing and financial plan would be developed for recommended bus stop improvements per ADA guidelines.

ADA Assessments of Planned Facilities

Tindale Oliver often is hired to assess and help remediate barriers to accessibility of newly-constructed infrastructure, which can be very costly and time-consuming and can be dealt with harshly by the courts and the Department of Justice should an accessibility complaint arise. Although not listed in the RFP, conducting assessments of available designs of planned facilities or amenities can ensure that a comprehensive inventory is accumulated to help remediate an issue before construction.

Project Quality Control, Schedule, Budget, and Invoices

Quality Assurance/Quality Control: Senior staff at Tindale Oliver will be designate to conduct Quality Assurance/Quality Control (QA/QC) reviews of draft and final work products.

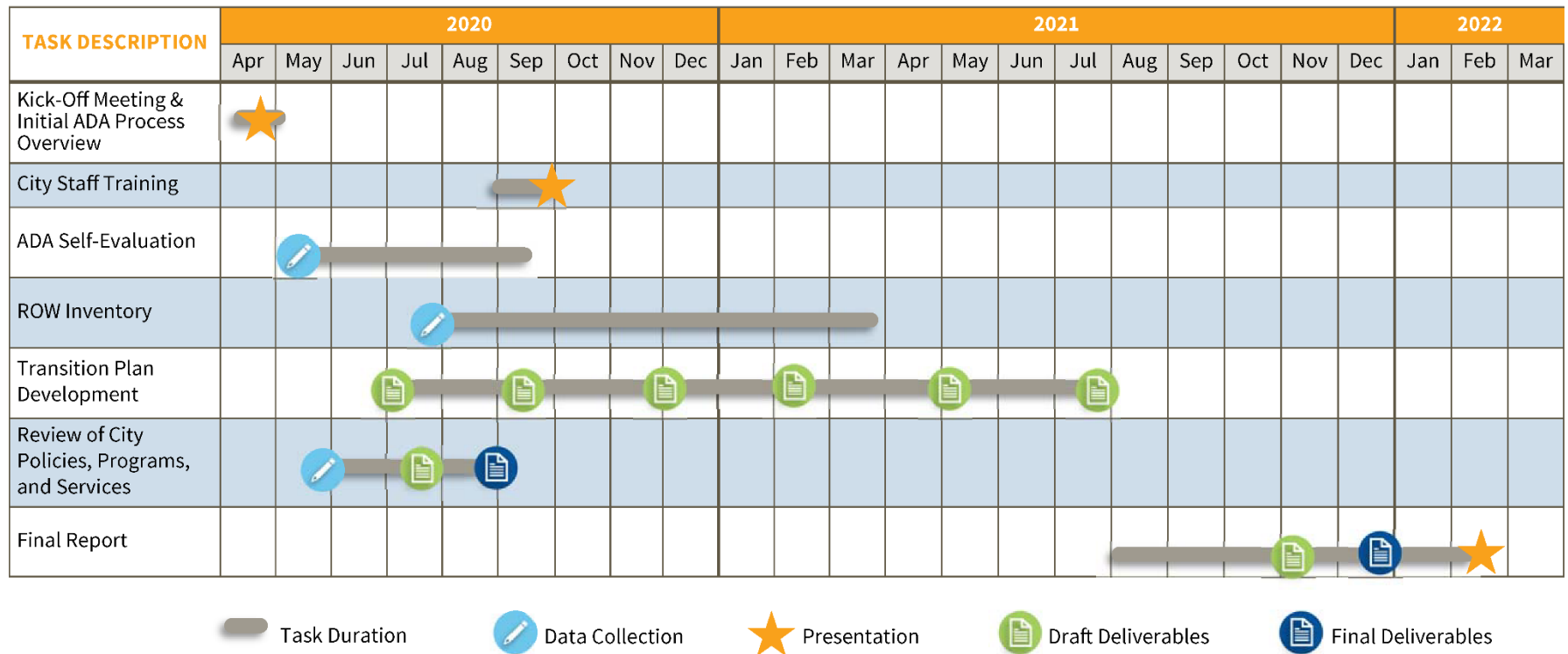
Project Schedule: As shown I the timeline on the following page, it is currently anticipated that the project will be completed within 24 months of Notice to Proceed. Any changes to the schedule necessitated by circumstances outside Tindale Oliver’s control will be coordinated with City of Clearwater staff.

Tindale Oliver pledges to dedicate the required resources to keep the project on schedule and within budget. Our Management Team will anticipate and remediate, as necessary, to ensure that the critical path of the project is not disrupted. Regular internal project team meetings and client briefings will allow for the appropriate adjustments to be made to keep the project on track.

Budget: This work will be completed as a lump sum project totaling \$383,657, with invoices based on the percentage of completion of each task. A detailed summary budget table is provided in the following pages. Invoices will be prepared in the format prescribed by the City.

Invoices: A detailed invoice including a narrative description of the work performed by Tindale Oliver during the period covered by the invoice for each item in the scope will be submitted. The final invoice will be labeled “Final” and project close out procedures will be followed.

CITY OF CLEARWATER
ADA COMPLIANCE CONSULTING SERVICES
Tindale Oliver Proposed Project Schedule



**City of Clearwater ADA Compliance Consulting Services
Tindale Oliver Project Budget**

Task Descriptions		Tindale Oliver							Task Totals	
		Project Director/ QA & QC	Senior ADA Advisor	PM/ADA Engineer	ADA Compliance Architect	CADD/GIS/ Graphics	ADA Analyst	Admin/ Clerical		
		\$268.39	\$237.63	\$200.80	\$118.75	\$107.71	\$63.46	\$94.34	Hours	Fee
Task 1	Kick-Off Meeting & Initial ADA Process Overview	0	0	20	6	0	0	8	34	\$5,483
1.01	Prepare for and present at project kick-off meeting with City Council and meet with City team			8	6				14	\$2,319
1.02	Develop digital checklist of assessment criteria			4					4	\$803
1.03	Prepare monthly progress reports and facilitate other project administration			8				8	16	\$2,361
Task 2	Conduct City Staff Training	0	1	24	16	0	0	0	41	\$6,956
2.01	Prepare for City staff training		1	16	8				25	\$4,400
2.02	Conduct City staff training			8	8				16	\$2,556
Task 3	Conduct Building and Parks ADA Self-Evaluation	0	0	168	64	8	140	0	380	\$51,081
3.01	Prepare for ADA assessments of existing facilities (buildings and parks)			12					12	\$2,410
3.02	Conduct ADA assessments of parks			60			60		120	\$15,856
3.03	Conduct ADA assessments of buildings			80	40		40		160	\$23,352
3.04	Compile and QC assessed buildings and parks database			16	24	8	40		88	\$9,463
Task 4	Conduct Right-of-Way (ROW) Inventory	0	0	196	320	40	360	0	916	\$104,511
4.01	Prepare for ADA assessments of ROW			12					12	\$2,410
4.02	Survey assessment of sidewalks, crosswalks, parking lots, and curbs ramps			160	280		320		760	\$85,685
4.03	Compile and QC assessed ROW database			24	40	40	40		144	\$16,416
Task 5	Transition Plan Development	7	18	452	248	72	320	8	1125	\$155,184
5.01	Develop buildings improvement cost estimates			40	16		12		68	\$10,694
5.02	Develop buildings prioritization list			16	24		16		56	\$7,078
5.03	Produce draft buildings ADA Transition Plans	2	8	130	32	8	140		320	\$42,088
5.04	Develop parks and beach accesses improvement cost estimates			24	16		16		56	\$7,735
5.05	Develop parks and beach accesses prioritization list			16	16		12		44	\$5,874
5.06	Produce draft parks and beach access ADA Transition Plans	2	4	130	96	16	40	4	292	\$43,630
5.07	Develop ROW improvement cost estimates			16	8		16		40	\$5,178
5.08	Develop ROW prioritization list			24	8		24		56	\$7,292
5.09	Produce draft ROW ADA Transition Plans	2	4	40	24	40	40	4	154	\$19,593
5.10	Finalize draft Transition Plan reports based on City feedback	1	2	16	8	8	4		39	\$6,022
Task 6	Review City policies, programs, and services	2	72	80	48	4	34	0	240	\$42,000
6.01	Survey policies, programs, and services to identify issues limiting people with disabilities		2	24	24		16		66	\$9,160
6.02	Conduct website and emergency response systems survey		24	12	8		4		48	\$9,317
6.03	Develop website and emergency response systems memo based on findings		12	8	4		4		28	\$5,187
6.04	Develop specific policy, program, and service memos based on findings		16	16	4		4		40	\$7,744
6.05	Produce draft reports and meet with designated team to discuss	1	16	12	4		4		37	\$7,209
6.06	Finalize memos based on City feedback	1	2	8	4	4	2		21	\$3,383
Task 7	Prepare and Deliver Final Report	1	1	24	12	8	4	0	50	\$7,865
7.01	Prepare for presentation to City Council	1	1	16	8	8	4		38	\$5,784
7.02	Present final ADA Transition Plan City Council			8	4				12	\$2,081
Total Direct Labor (Tasks 1-7)		10	92	964	714	132	858	16	2,786	\$373,080
Total Direct Expenses (travel, printing, etc. for Tasks 1-7)		<i>Expenses detailed on the following page (Note: includes multiple trips covering 130 person-days of data collection, 1 staff training, and 3 in-person meeting/presentations throughout the effort)</i>								\$10,577
Total Fee (Tasks 1-7)		\$ 2,684	\$ 21,862	\$ 193,571	\$ 84,788	\$ 14,218	\$ 54,449	\$ 1,509	\$383,657	
Task 8	OPTIONAL SERVICES									
8.01	Expert Testimony	<i>Optional Task, will be billed as needed when requested by the City.</i>								
8.02	Bus Stop Accessibility Study									
8.03	ADA Assessments of Planned Facilities									

**City of Clearwater ADA Compliance Consulting Services
Tindale Oliver Project Expenses**

Task Description		Expenses		Fee
Task 1	Kick-Off Meeting & Initial ADA Process Overview			\$29
	Mileage (25 miles - Tampa to Clearwater)	\$0.58/mile	1 roundtrip	\$29
Task 2	Conduct City Staff Training			\$29
	Mileage (25 miles - Tampa to Clearwater)	\$0.58/mile	1 roundtrip	\$29
Task 3	Conduct Building and Parks ADA Self-Evaluation			\$1,684
	Mileage (25 miles - Tampa to Clearwater)	\$0.58/mile	2 people, 18 roundtrips	\$1,044
	Meals @ Lunch - \$15.00	\$15/person per day	2 person/18 days	\$540
	Miscellaneous Project Expenses (Parking, Tolls, Printed Materials, and other expenses)	\$25 per week	4 weeks	\$100
Task 4	Conduct Right-of-Way (ROW) Inventory			\$8,835
	Mileage (25 miles - Tampa to Clearwater)	\$0.58/mile	2 people, 95 roundtrips	\$5,510
	Meals @ Lunch - \$15.00	\$15/person per day	2 person/95 days	\$2,850
	Miscellaneous Project Expenses (Parking, Tolls, Printed Materials, and other expenses)	\$25 per week	19 weeks	\$475
Task 5	Transition Plan Development			\$0
Task 6	Review City policies, programs, and services			\$0
	Mileage (25 miles - Tampa to Clearwater)	\$0.58/mile	1 roundtrip	\$29
Task 7	Prepare and Deliver Final Report			\$29
	Mileage (25 miles - Tampa to Clearwater)	\$0.58/mile	1 roundtrip	\$29
Total Expenses (Tasks 1-7)				\$10,577
Task 8	Optional Services			

Optional Task, will be billed as needed when requested by the City.