



Office of the City Manager

CONSENT CALENDAR

April 27, 2021

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Liam Garland, Director, Department of Public Works

Subject: Contract No. 31900288 Amendment: Disability Access Consultants for ADA Transition Plan

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900288 with Disability Access Consultants (DAC) for Americans with Disabilities Act (ADA) Transition Plan increasing the contract amount by \$78,200 for a total not-to-exceed of \$484,800 and extend the contract term to June 30, 2022.

FISCAL IMPACTS OF RECOMMENDATION

Funding for the duration of the contract amendment is available in the FY 2021 the Capital Improvement Fund. Completion of the plan may protect the City against civil litigation.

Current contract amount .....	\$406,600
Amended contract amount .....	\$ 78,200
Total NTE	\$484,800

CURRENT SITUATION AND ITS EFFECTS

Disability Access Consultants (DAC) is currently under contract to survey all city facilities, parks, streets, websites, and programs to help create a new ADA Transition Plan. DAC based their bid on the City’s estimate of 300 linear miles of sidewalk, but the City’s sidewalk mileage will exceed that amount. The City will only be billed based on actual sidewalk mileage surveyed. Staff also are including surveys of the Pathways STAIR Center, the new proposed shelter site, and IKE kiosk installation sites.

The proposed increase of \$78,200 will not only cover the work requested above, but a portion will be available toward addressing additional miscellaneous issues that may occur in the development of the transition plan or impact ADA accessibility. The original budget had no contingency funds at all.

BACKGROUND

The City’s ADA Transition Plan has not been updated in almost twenty years. This is a plan required by the ADA to transition local governments from ADA noncompliance to

ADA compliance, and the update is strongly encouraged. In July 2019, after a competitive Request for Proposals process, the City entered into a one-year contract (extended due to COVID) with DAC to work on creating an ADA Transition Plan, including surveying all City streets, parks, programs, facilities and the website. It will be a multi-year plan that will memorialize the City's ongoing commitment to ADA accessibility and prioritize funding and resources based on comprehensive data and community feedback. This will improve pedestrian safety, reduce liability, and provide information that better guides our capital improvements.

#### ENVIRONMENTAL SUSTAINABILITY

ADA accessibility benefits many pedestrians including but not limited to people with disabilities, seniors, and parents with strollers and small children. Such improvements encourage the use of public transportation and travel without cars, thus reducing greenhouse gases and other negative impacts of driving.

#### RATIONALE FOR RECOMMENDATION

Due to the depletion of the contract budget, additional funding is needed to complete the ADA Transition Plan address ADA compliance.

#### ALTERNATIVE ACTIONS CONSIDERED

If the City were to put out a new request for proposals to complete the needed work, it would delay the process of completing the plan, may increase price as this vendor was most price-competitive, and result in inconsistent data formats.

#### CONTACT PERSON

Dominika Bednarska, Disability Services Specialist, (510) 981-6418

Attachment:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 31900288 AMENDMENT: DISABILITY ACCESS CONSULTANTS  
FOR ADA TRANSITION PLAN

WHEREAS, the City of Berkeley complies with Americans with Disabilities Act and related State and Federal laws; and

WHEREAS, the City of Berkeley is currently under contract with Disability Access Consultants to survey the City facilities, sidewalks, programs and website and help create a new ADA Transition Plan; and

WHEREAS, FUNDS Contract No. 31900288 was executed on July 03, 2019 and extended until June 30, 2021 without additional funding; and

WHEREAS, the existing contract budget was expended based on an inaccurate estimate of actual sidewalk mileage and a need to address urgent accessibility issues and concerns; and

WHEREAS, amending the contract will allow staff to complete a new ADA Transition Plan; and

WHEREAS, funding for the duration of the contract amendment is available in the FY 2021 the Capital Improvement Fund).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 31900288 with Disability Access Consultants for ADA Transition Plan increasing the contract amount by \$78,200 for a total not-to-exceed of \$484,800 and extend the contract term to June 30, 2022.