

Agenda Report

March 11, 2024

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DISABILITY ACCESS CONSULTANTS, LLC FOR PROFESSIONAL SERVICES FOR THE SELF-EVALUATION AND ADA TRANSITION PLAN PROJECT FOR AN AMOUNT NOT TO EXCEED \$145,000

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required; and
2. Authorize the City Manager to enter into a contract, as a result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Disability Access Consultants, LLC for Professional Consultant Services for the Self-Evaluation and ADA Transition Plan Project in an amount not to exceed \$145,000, which includes the base contract amount of \$135,000 and a contingency of \$10,000 to provide for any necessary change orders. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services).

BACKGROUND:

Under Title II of the Americans with Disabilities Act (ADA), public entities are required to complete a self-evaluation of their policies, practices, and services and the effects thereof, to identify and establish a transition plan to correct barriers inconsistent with ADA standards. Public facilities and rights-of-way are required to be accessible to persons with disabilities pursuant to the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164).

These statutes prohibit public agencies from discriminating against persons with disabilities by excluding them from services, programs, or activities.

Pasadena originally adopted its ADA Transition Plan (Plan) in November 2009. The Plan included a barrier analysis of all City facilities in existence at that time. However, the Plan did not establish a pathway for compliance and did not include a schedule to remove the barriers. Since the creation of the Plan, the City has constructed new facilities and improved the accessibility of others on an as-needed, priority basis.

The existing Plan's intended duration was through June of 2016. In 2016, the City's ADA Transition Plan Implementation Team reviewed the accomplishments of the 2009 Transition Plan and discussed how best to continue the City's effort to address current and emerging accessibility matters in City services and programs. A five-year Accessibility Compliance Plan, commencing at the beginning of 2017, was developed as a successor document and has been implemented in much the same way as the original ADA Transition Plan.

The new Self-Evaluation will identify any physical barriers limiting accessibility to and from City buildings and facilities including adjacent sidewalks and curb ramps. Public right-of-way infrastructure not adjacent to City-owned buildings or facilities is not included under this contract scope of work. The updated Transition Plan will provide recommendations for removing identified barriers and complying with accessibility requirements as mandated by the ADA and State of California Access codes.

The Department of Public Works issued a Request for Proposals (RFP) on May 11, 2023 to solicit for professional consultant services. The City received four proposals on June 7, 2023 in response to the RFP. Below is a list of proposers:

Firm	City	Average Score
Disability Access Consultants, LLC	Oroville, CA	84.2
Sally Swanson Architects, Inc.	Burbank, CA	79.6
Bureau Veritas Technical Assessments, LLC	Pasadena, CA	71.4
Blue Accessibility Consultants, LLC	Los Angeles, CA	57.4

Based on the evaluation procedures and criteria specified in the RFP, proposals were scored and ranked by a selection committee comprised of staff from the Public Works Department and the City's Accessibility Coordinator. Consistent with City's Municipal Code, local Pasadena-based firms were granted five additional points in the scoring of their proposals. Attachment A provides the selection committee's detailed scoring for all proposing firms based on established evaluation criteria.

Disability Access Consultants, LLC (DAC) has over 25 years of professional experience in assisting public entities to comply and implement accessibility

requirements in accordance with the ADA, Title 24 of the California Building Code, Section 504 and related federal, state, and local disability-related nondiscrimination laws and regulations.

The proposed contract will be structured as follows:

Professional Consultant Services	\$135,000
Contingency Allowance	<u>\$ 10,000</u>
Contract "Not to Exceed" Amount	\$145,000

COUNCIL POLICY CONSIDERATION:

This contract is consistent with the City Council's goal to improve, maintain and enhance public facilities and infrastructure; support and promote the quality of life and local economy; ensure continued operation; and support institutions that serve the needs of Pasadena's diverse residents and families.

ENVIRONMENTAL ANALYSIS:

The award of contract for professional services is an administrative action that would not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since the action is not a project subject to CEQA, no environmental document is required.

FISCAL IMPACT:

The total cost of this contract including contingency is \$145,000 and the total cost of this action will be \$156,000. Funding for this action will be addressed by the utilization of the existing budgeted appropriations in the *Update to ADA Transition Plan for City Facilities (71924)* CIP project. It is anticipated that all costs will be expended through FY 2025.

The following table represents a project summary.

Professional Services Contract	\$	135,000
Contract Contingency	\$	10,000
Supplemental Contracts & Project Administration	\$	11,000
Total Fiscal Impact	\$	156,000


There is no anticipated fiscal impact on the General Fund. The project is funded entirely through appropriations from the Charter Capital Fund.

Respectfully submitted,



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