



Caltrans

ADA Infrastructure Program

Sri
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ADA Infrastructure Program
California Department Of Transportation



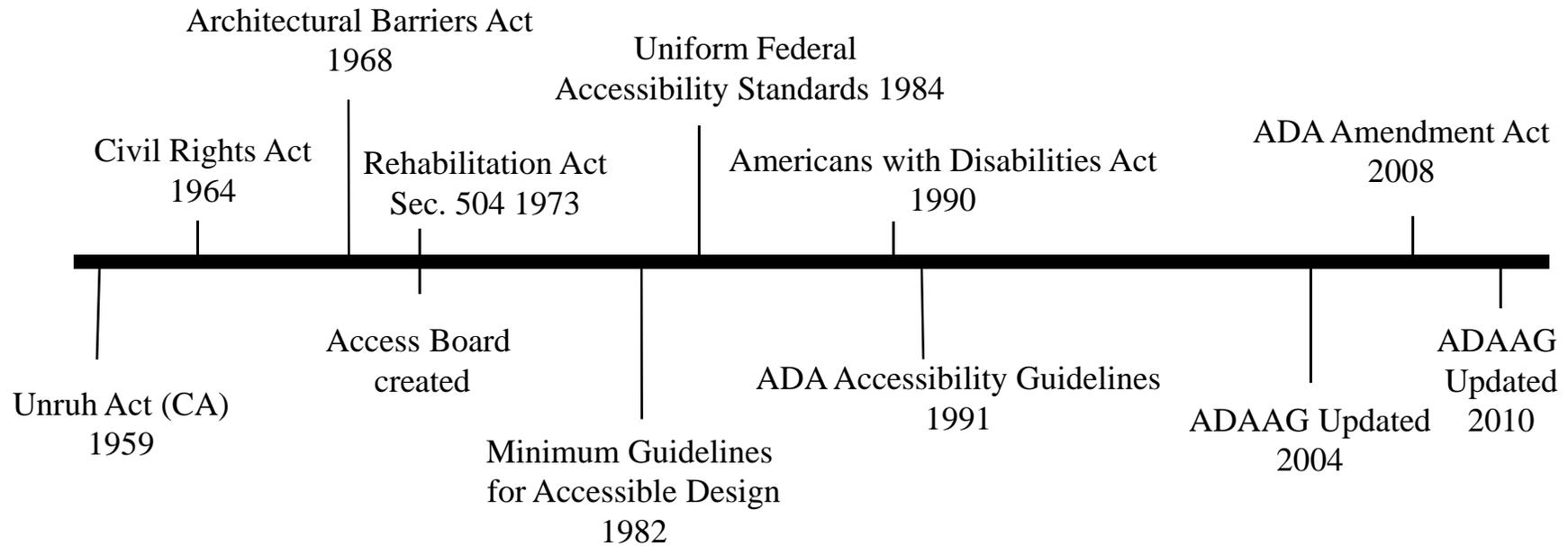
Americans with Disabilities Act



- ❖ **Background**
- ❖ **Caltrans Settlement Agreement**
- ❖ **Caltrans ADA Infrastructure Program**
- ❖ **Lessons Learned**
- ❖ **System Planning and ADA Requirements**



Time Line





History



- ❖ The Americans with Disabilities Act (ADA) was signed into law by President George Bush on July 26, 1990
- ❖ It is the most comprehensive civil rights law enacted to prohibit discrimination against persons with disabilities
- ❖ It applies to public agencies (state & local) and private entities offering public accommodations & services
- ❖ It consists of five key titles covering various aspects of public agencies and private entities



Titles of ADA



- ❖ Title I – Employment
- ❖ Title II – Public transportation and state and local government services
- ❖ Title III – Public accommodations
- ❖ Title IV – Telecom Communications
- ❖ Title V – Miscellaneous



Administrative Requirements



Designate a person responsible for all ADA activities

Alex Morales III

Statewide ADA Coordinator
ADA Infrastructure Program
California Department of Transportation



Administrative Requirements



Develop a plan and conduct a self evaluation of our programs, activities and services

What is it?

It's a review of all policies and practices that govern the administration of the public entity's programs, activities, and services

What are the goals?

- ❖ Identify all policies, practices, and procedures
- ❖ Assess all policies, practices, and procedures to identify items that could be considered as discriminatory
- ❖ Modify all policies, practices and procedures to ensure compliance



Administrative Requirements



Create and implement a Grievance Procedure

What is it?

A mechanism that allows a person with a disability or a class of individuals with disabilities or their representatives to file an access request or grievance alleging discrimination on the basis of disability at an organizational level.

What are the goals?

- ❖ Intake all requests
- ❖ Provide prompt and equitable resolution
- ❖ Deter a request or grievance from escalating
- ❖ Complainant Satisfaction



Administrative Requirements



Develop and implement a Transition Plan

What is it?

A Plan to remove structural barriers



What does it consist of?

- ❖ Identification of all structural barriers
- ❖ Detailed outline regarding how each barrier will be removed
- ❖ A prioritized timeframe for barrier removal
- ❖ Identification of the individual responsible for the Transition Plan



Administrative Requirements

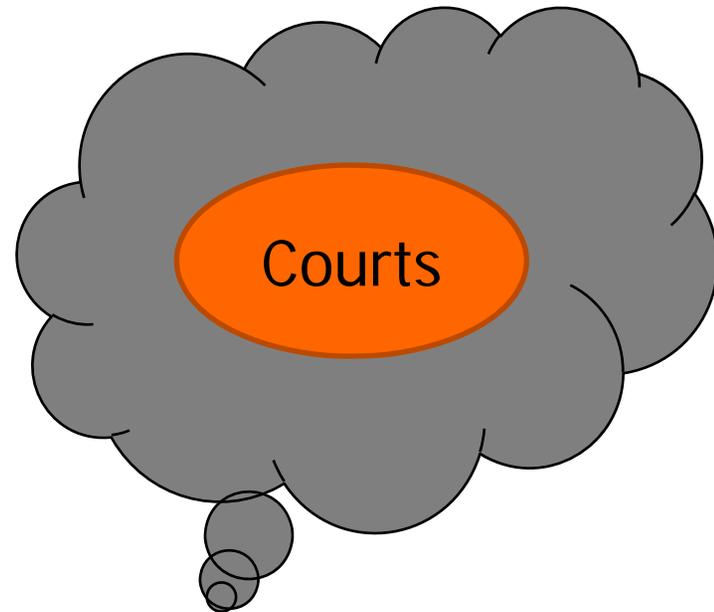
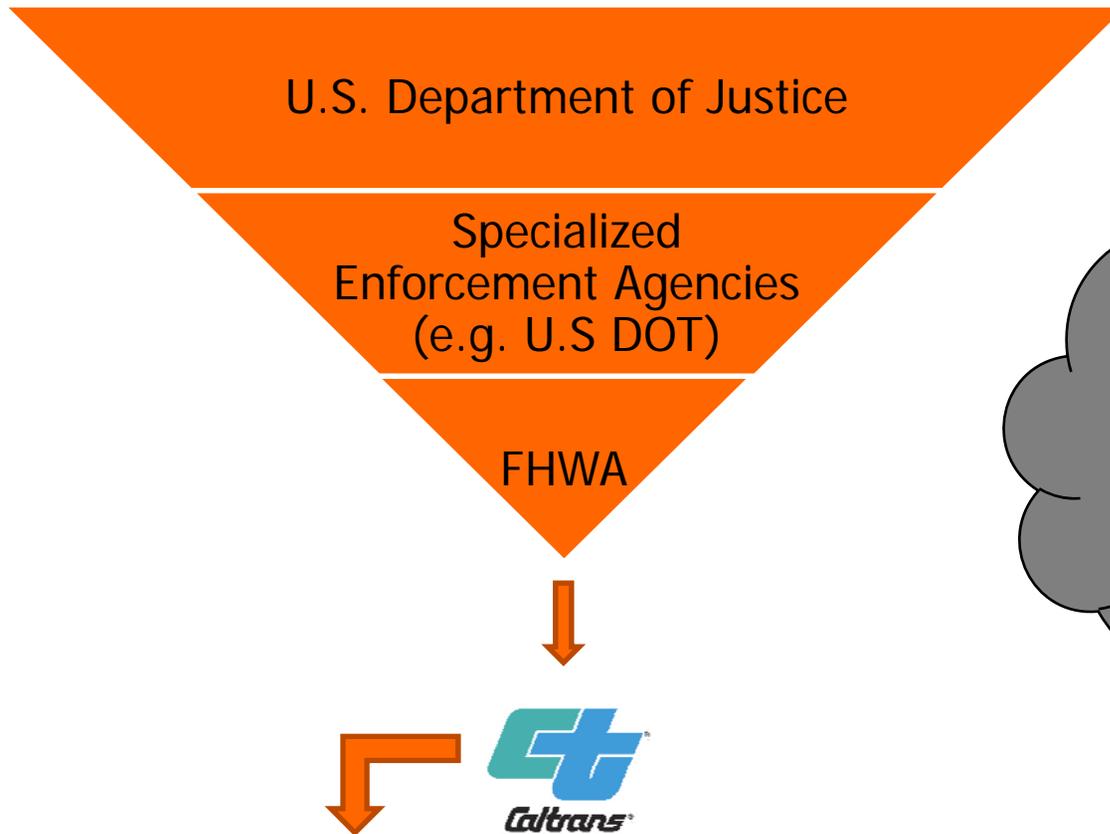


Provide notice to the public

- ❖ About ADA obligations and accessible facilities and services
- ❖ About the ADA's nondiscrimination requirements
- ❖ About how the public or employees may contact specific officials about problems with accessibility
- ❖ About how the information is being made accessible to the public, including people who have disabilities
- ❖ About the various types of media that could be used, such as the web, print, radio or television.



Enforcement of ADA Requirements



Funding Recipients – Anyone who receives funds from Caltrans



Caltrans Lawsuit



- ❖ In 2006 a lawsuit was filed – discrimination and denial of full and equal access to pedestrian facilities, park & ride lots owned by Caltrans
- ❖ Class action lawsuit – class includes all persons with mobility and/or vision disabilities
- ❖ Caltrans asserted full compliance with federal and state access laws
- ❖ Lawsuit settlement agreement signed on June 6, 2010



Lawsuit Settlement Agreement



- ❖ No admission of wrongdoing, liability or entitlement to plaintiffs
- ❖ Avoid cost, expense and uncertainty of protracted litigation
- ❖ Prevents re-litigation of any issues settled by this agreement
- ❖ Applicable to plaintiffs and plaintiff class



Key Settlement Conditions



- ❖ \$1.1 billion over 30 years (FY 2010/11) - \$25 million (5), \$35 million (10), \$40 million (10) and \$45 million (5)
- ❖ Roll Over Provision – spend more & get credit in future years / spend less & will have to spend more in future
- ❖ Up to 25 percent of the Annual Commitment amount can be credited by curb ramps on CAPM projects
- ❖ No credit for 2R, 3R or new construction projects



Key Settlement Conditions



- ❖ Provide access through / around temporary work zones
- ❖ Establish a single procedure through which all access requests and grievances are collected and processed
- ❖ Provide training to all Caltrans employees who work on ADA related projects and issues
- ❖ Submit an Annual Report for 30 years by Caltrans
- ❖ Report annually for 7 years by independent consultant



Caltrans ADA Infrastructure Program Overview



- ❖ ADA Infrastructure Program was created to be the single focal point to comply with the settlement agreement
- ❖ It is under Maintenance & Operations Program Deputy
- ❖ Statewide ADA Coordinator, Statewide ADA Liaison
District ADA Engineers and District ADA Liaisons
- ❖ HQ Program Manager, Program Advisors and consultants assist with the implementation of the program
- ❖ Satisfy plaintiffs and their class (our customers)



ADA Infrastructure Program Customers



Mobility Impaired





ADA Infrastructure Program Customers



Visually Impaired





ADA Infrastructure Program Customers



Young Children



Elderly





ADA Infrastructure Program Customers



Temporary disabilities



Parents with strollers





ADA Customer Profile



- ❖ Approximately 15 percent of the adult population has a disability
- ❖ 70 percent of all persons with disabilities are over the age of 45
- ❖ The majority of persons with a sight impairment suffered that impairment as an adult and don't read Braille
- ❖ Most persons with a disability are gainfully employed
- ❖ Walking and transit are the primary form of transportation for persons with a disability



ADA Infrastructure Projects



- ❖ Construct projects to remove access barriers
- ❖ Projects can be stand alone ADA projects or other projects (2R/3R/CAPM)
- ❖ Review projects starting FY 2010/11 based on their Construction Contract Acceptance (CCA) date
- ❖ First year reviewed only stand alone ADA projects, now we are reviewing all projects with ADA features, including permit projects



Observations & Lessons Learned



- ❖ Ramp, flare, landing and gutter slopes over max
- ❖ Did not install DWS
- ❖ Building Ramps outside the crosswalk markings
- ❖ Designing ramps or sidewalks to nowhere
- ❖ Dropped locations
- ❖ Not visiting the project site
- ❖ Not having the entire team during scoping
- ❖ Not scoping the project completely
- ❖ Not checking the project limits for R/W
- ❖ Not talking to the locals



System Planning and ADA Requirements



- ❖ Interregional Transportation Strategic Plan (ITSP)
- ❖ Transportation Concept Reports (TCR)
- ❖ Corridor System Management Plan (CSMP)
- ❖ District System Management Plans (DSMP)



System Planning and ADA Requirements



❖ Origin & Destination

❖ Modes of Travel

❖ Function of the Facility

❖ Multimodal Connectivity

❖ Performance Measures



Summary



- ❖ Who are the primary customers – mobility impaired, vision impaired, hearing impaired or a combination
- ❖ What are the pedestrian movements – origin and destination
- ❖ Determine which areas serve pedestrians and do they account for persons with disabilities
- ❖ Ask for help – there are multiple resources available to provide assistance or advice



Bottom Line



Persons with disabilities have the right to participate in and benefit from all public services provided by state and local governments in an equal manner as individuals without disabilities.



Objective



Make Caltrans infrastructure equally accessible to persons with disabilities.





Questions, Comments or Suggestions

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