



ODOT ADA Settlement Agreement & Transition Plan

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ADA Program

OMPOC Meeting
29 July 2019

A Snapshot of Disability in Oregon

This page provides an overview of disability in Oregon (OR) compared to national estimates. You can use this information to learn more about the percentages and characteristics of adults with disabilities in Oregon.



<https://www.cdc.gov/ncbddd/disabilityandhealth/impacts/oregon.html>

Key Dates in Accessibility

- 1973 Rehabilitation Act, Section 504
 - Prohibits discrimination based on disabilities
 - Applies to programs and activities receiving federal funds
- 1990 Americans with Disabilities Act
 - Civil Rights Law
 - Prohibits discrimination in the provision of facilities, services, and programs
 - Title II applies to state and local governments

Happy 29th ADA



MOBILITY

Is the most common type of disability at 13%



The ODOT ADA Lawsuit alleged that ODOT:

Did not address curb ramps when we triggered. Did not construct them compliantly

Had inaccessible and non-compliant pedestrian signals

Did not provide adequate accessible routes through work zones

Inconsistent communication and outreach. Did not consistently address and track public concerns

Settlement Agreement

Requirement	Initial	Ongoing
Curb Ramps <ul style="list-style-type: none"> • Inventory • Remediation 	✓	Yes Yes
Pedestrian-Activated Signals <ul style="list-style-type: none"> • Inventory • Remediation 	✓	Yes Yes
Plaintiff Priorities	✓	Yes
Accessibility Consultant	✓	
Annual Reporting	✓	Yes
Temporary Pedestrian Access Routes <ul style="list-style-type: none"> • Update Standards • Enforcement 	✓ ✓	Yes
Comments, Questions, Concerns, Requests	✓	Yes
Outreach <ul style="list-style-type: none"> • PTAC • OBPTAC 	✓ ✓	Yes Yes
Updating Standards, Policies, Guidelines	✓	Yes

ADA Transition Plan

- Full program access
- Legal requirements
- Identify/inventory barriers
- Methods to remove barriers
- Identify budget
- Schedule to implement



All public agencies with 50+ people
are required to have a Transition
Plan

ODOT actions under the Settlement
Agreement also meet some
requirements of the Transition Plan

What Is Full Program Access?



Buildings

Documents & Forms

Transportation System

Communications

Employment

Meetings

Testing

ODOT is changing how it does:



Planning/Scoping/Selecting
Projects

Design

Working with Local Agencies

Outreach & Communications

Maintenance & Operations

Construction

Design standards

ODOT
Standards

PROWAG

ADAAG

Local Agency Use ODOT Standards

If ANY of these exist

Work is on or along State Highway System

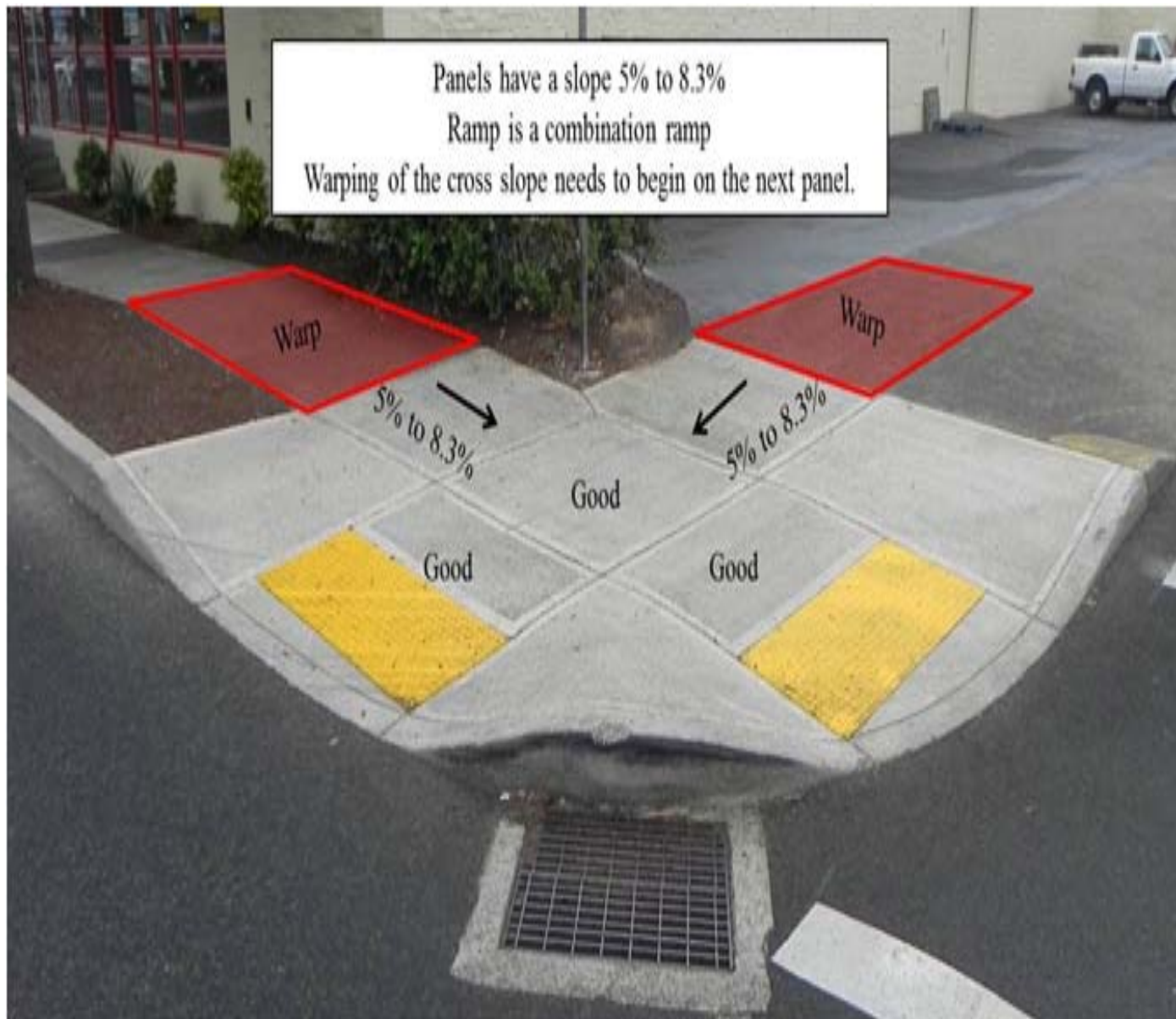
ODOT's name on contract

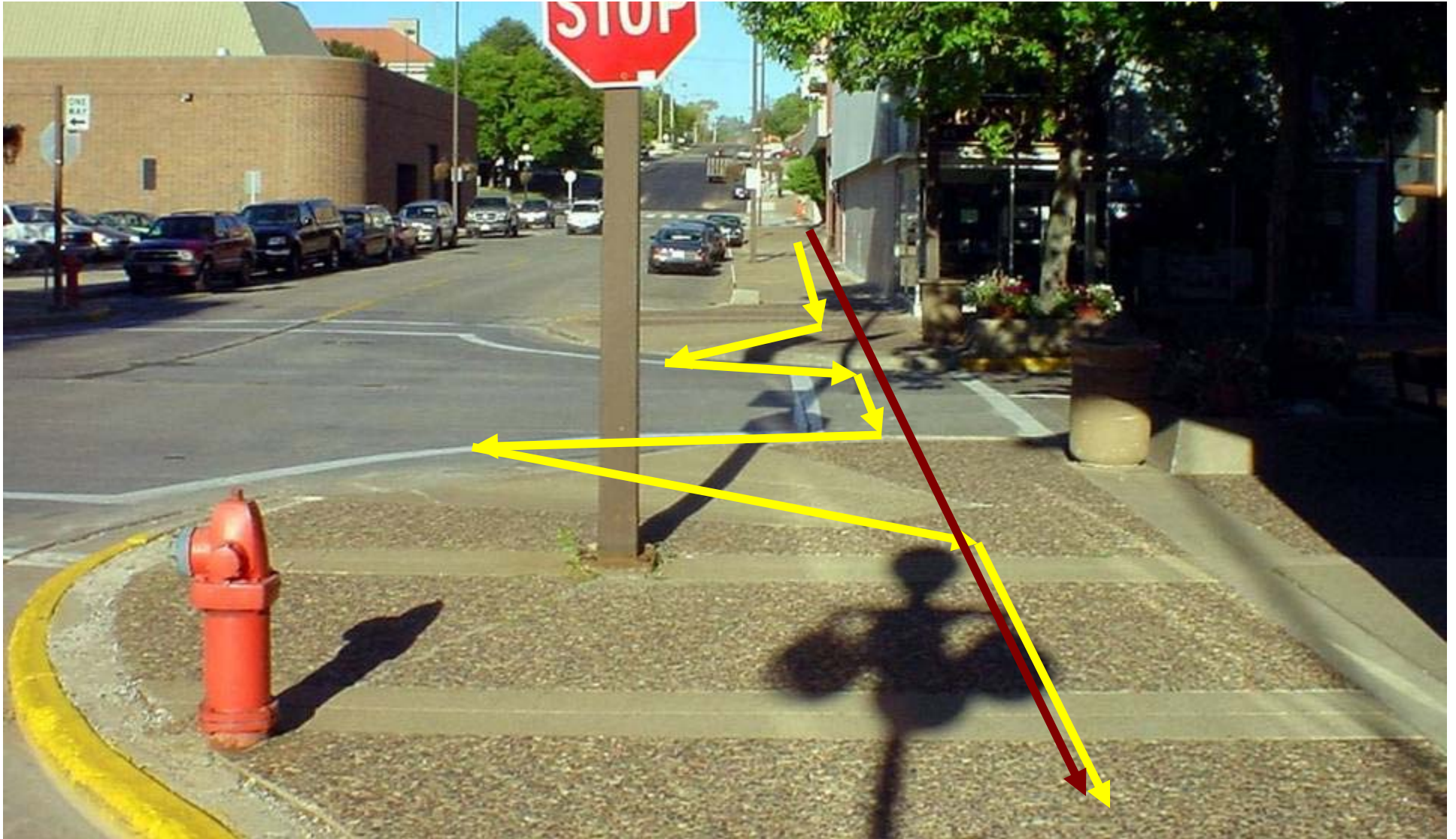
State or federal funding **through** ODOT included

Must use ODOT Standards

- Standard drawings, construction specs
- Design every curb ramp, put 'detail' in plans
- Curb ramp design checklist, CR design exception process
- Curb Ramp Inspection Form (Inspector pay note inventory)
- Direction on pedestrian signal push button location placement
- Temporary Pedestrian Accessible Route Plans

https://www.oregon.gov/ODOT/Engineering/DOCS_ADA/ADA-Curb-Ramp-Process.pdf





Two curb ramps per corner are required unless impracticable

Clear Space Examples



Clear Space – Why Does It Matter?



ODOT Inventory

- 2017 Field Inventory
- 2018 Quality Assurance

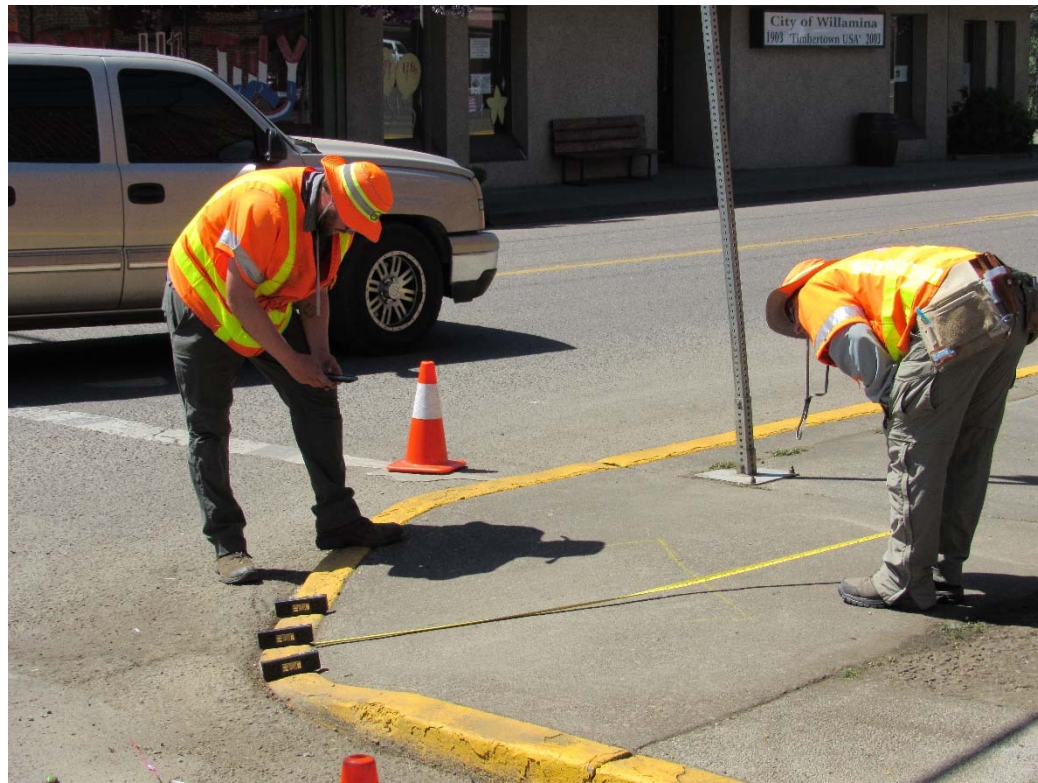
Criteria

Good

Fair

Poor

Missing



Good



Fair



Poor



Missing



Updated Settlement Agreement Inventory

Functional Condition	Region 1: Portland Metro	Region 2: Willamette Valley, North Coast	Region 3: Southern Oregon, South Coast	Region 4: Central Oregon	Region 5: Eastern Oregon	Transferred	Total
Good	418	552	190	110	136	22	1,428
Fair	18	18	7	7	3	0	53
Poor	7,736	8,960	3,324	2,169	3,464	297	25,846
Missing	1,156	1,571	564	362	709	19	4,381
Total ADA Settlement Curb Ramps	8,068	9,530	3,521	2,286	3,603	319	27,327

^[1] Missing curb ramps are a subset of “Poor” and are included in the count of “Poor” curb ramps.

Range of Poor



Compliance Timeline

Settlement Agreement Curb Ramp Inventory Compliance Schedule

Jan. 7, 2019	First 5-Year Period					Second 5-Year Period										Third 5-Year Period				
26,569 Total Curb Ramps to Remediate	2018-2022					2023-2027										2028-2032				
30% (7,971) in 1st 5 years																				
45% (11,956) in 2nd 5 years to reach 75%																				
25% (6,642) in 3rd 5 years to reach 100%																				

Detailed Conceptual Compliance Timeline

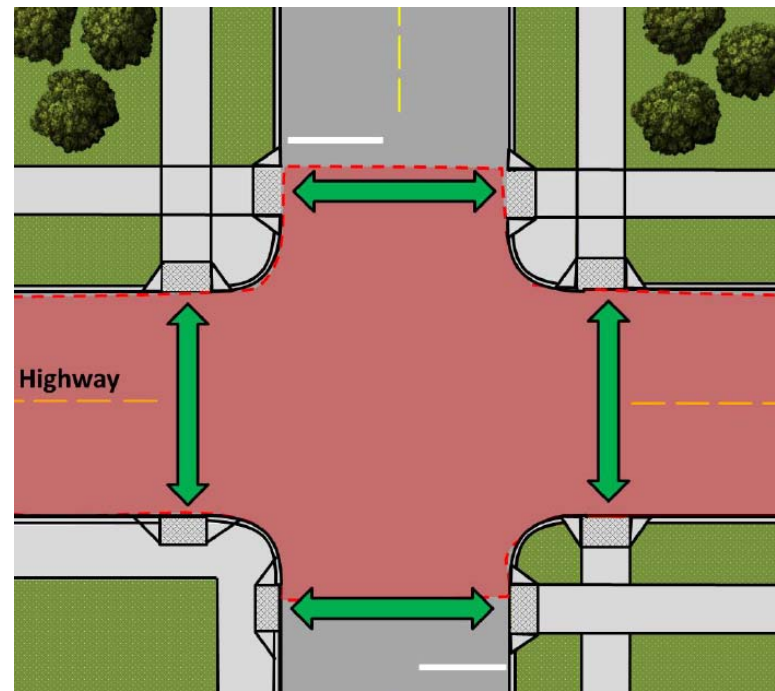
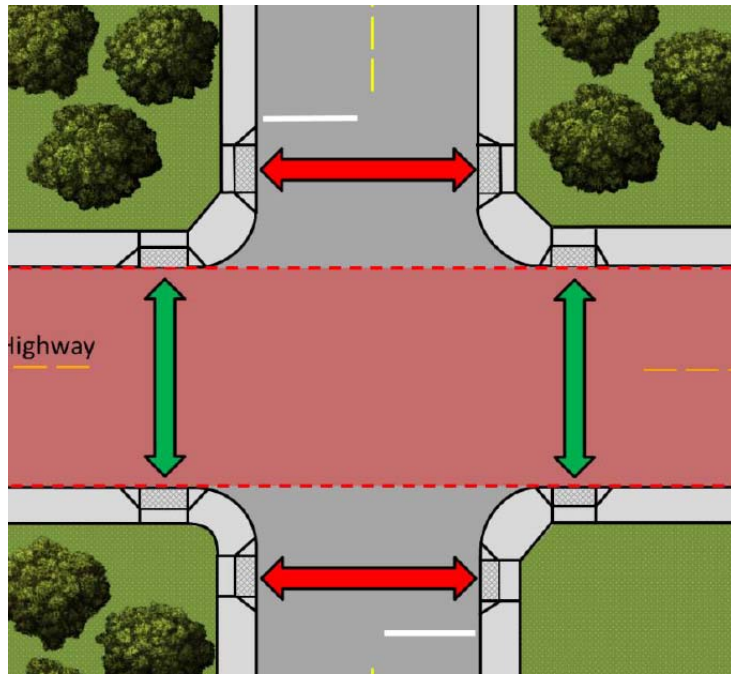
Curb Ramp Delivery

			30% 7,971					75% 19,927					100% 26,569				
	Total	Comply	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
Region 1	8,076	252						850	850	850	850	850	360	360	360	360	350
Region 2	9,530	249						875	875	875	875	875	560	560	560	560	557
Region 3	3,523	97			815	815	815	203									
Region 4	2,282	61				815	815	88									
Region 5	3,604	115				815	815	650	414								
Transfer	319	22				150	147										
Triggered			400	400	400	400	400	400	400	400	400	400	400	400	400	400	400
TOTAL	27,334	765	400	400	1215	2995	2992	3066	2539	2125	2125	2125	1320	1320	1320	1320	1307
							8,002					19,982					26,569

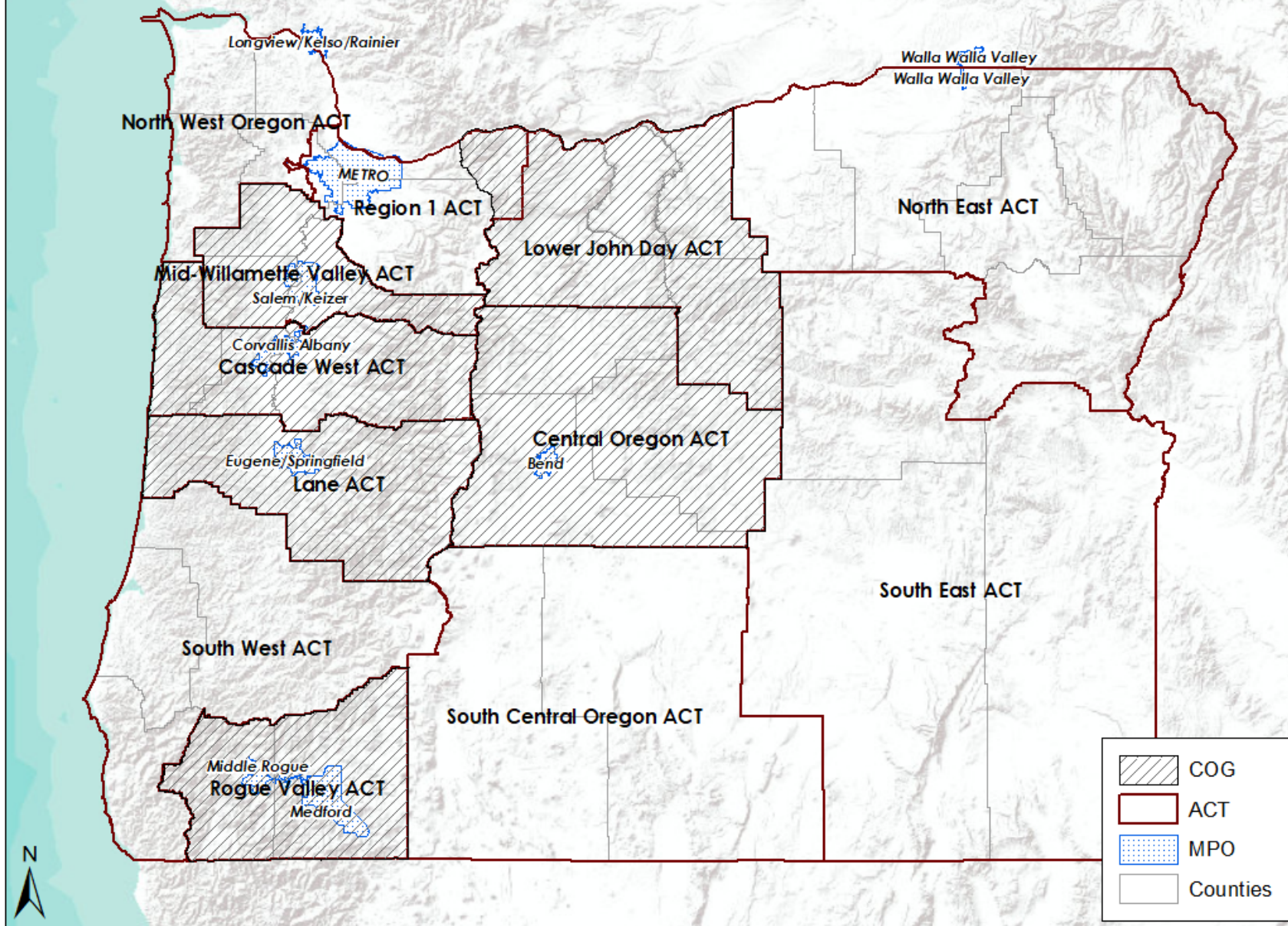
Production Targets

Ramp Construction Volumes

	2018	2019	2020	2021	2022	
Region 1						
Region 2						
Region 3			600	800	400	1,800
Region 4			400	400	400	1,200
Region 5			400	800	400	1,800
Pilots	32	6	488			526
PROGRAM	32	6	1,888	2,200	1,400	5,326
Paper		500				500
Trigger	622	400	400	400	400	2,222
	654	906	2,288	2,600	1,800	8048



Oregon's Regional Transportation Institutions



2019 -20 Curb Ramp Efforts

- Scoping for all curb ramps in Regions 3, 4, 5
- Existing STIP projects in all regions
- Pilot projects in Lakeview, Union, Enterprise +
- Maintenance & permit projects
- Bike/Ped & Safe Routes to Schools projects

Getting into Production



ODOT ADA

Project Development Approach

Current Guidelines

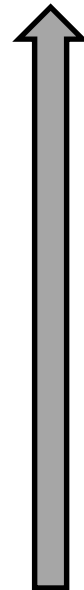
Pilot Program

Design

- 3 Dimensional
 - Survey
 - Design
- Detailed Plans

Construction

- Deliver what is in the detailed plans



Design

- 2 Dimensional
- Plan set
 - Standard drawing
 - 2D details

Construction

- Field fit
- Program advisors

Level of Effort

7 Curb Ramp Types

1. Compliant
2. Physical Constraint Requires Design Exception
3. Missing Truncated Domes
4. Street Reconstruction
5. Minor Reconstruction
6. Full Reconstruction but no ROW or Utilities
7. Full Reconstruction, Signalized Intersection

Pilot Approach

Level 5-6

Initial Pilot Program
Yamhill, McMinnville, Halsey

Can we build compliant curb ramps with minimal (no) design and experienced field staff?

Yamhill

- 20 ramps
- ADA experienced contractor
- Skilled inspectors learning ADA

- 14/20 compliant ramps when placed
- 5 that were not compliant had the same “nuance” error
- 1 quality error (8.4% slope for 12-inches)

- Total costs \$9.5k/ramp
 - Construction \$5.5k/ramp
 - PE \$2k/ramp
 - CE \$2k/ramp

McMinnville

- 12 ramps
- Inexperienced ADA contractor
- Skilled inspectors schooled on Yamhill

- 12/12 ADA compliant ramps when placed
- Created a tripping hazard that required remediation

- Total costs \$18.5k/ramp
 - Construction \$14.5k/ramp
 - PE \$2k/ramp
 - CE \$2k/ramp

Halsey

- 6 ramps
- Experienced ADA contractor
- New Inspector

- 6/6 ADA compliant ramps when placed
- No other issues

- Total costs \$12.5k/ramp
 - Construction \$9.5k/ramp
 - PE \$2k/ramp
 - CE \$1k/ramp



What about the rest of the Settlement Agreement?

Work Zones

Temporary Pedestrian Accessible Route Plans (TPARP)



Every work zone must have Traffic Control Plan

Every Traffic Control Plan must have Pedestrian and ADA Access Plan

Must be equal to or better than before

Situational differences:
Urban vs. rural
Long term vs. short term

Paper form:

Paper form:

Link to fill out online:

<http://www.oregon.gov/ODOT/About/Pages/ADA-Issue-Request-Form.aspx>

2018 – 53 submitted

ODOT OFFICE OF CIVIL RIGHTS
COMMENT, QUESTION, CONCERN, OR REQUEST

Contact Information

NAME		DATE
ADDRESS		PHONE
CITY, STATE, ZIP	EMAIL	

If you are completing this form on behalf of another person:

REPRESENTATIVE NAME	RELATIONSHIP
EMAIL	PHONE

Issue Description

LOCATION OF SITE - ADDRESS, SITE NAME, OR DESCRIPTION

TOPICS COVERED - CHECK ALL THAT APPLY

☐ Curb ramp ☐ Sidewalk ☐ Parking ☐ Service Animal ☐ Transit Stop ☐ Bathroom

☐ Pushbuttons ☐ Crosswalk ☐ Audible Signal ☐ DMV ☐ Construction Work Zone

☐ Other: _____

DESCRIPTION OF CONCERN, QUESTION, COMMENT OR REQUEST - INCLUDE THE DATE IF RELATED TO A SPECIFIC INCIDENT

Resolution

DESCRIBE THE RESOLUTION YOU WOULD LIKE TO SEE

Have you submitted this information before? ☐ Yes ☐ No If yes, date: _____

If preferred, this form may be printed, filled out and mailed to:

ODOT Office of Civil Rights MS 23
3930 Fairview Industrial Drive SE
Salem, OR 97302-1166

Assistance is available upon request:

- Call toll-free (855) 540-6655
- E-mail ODOT_ADA@odot.state.or.us
- TTY, use 711 relay service, ask to connect to (855) 540-6655

RESET FORM

SUBMIT BY EMAIL

734-5081 (9/2018)

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Outreach





Work by State on Local Agency ROW Permit to construct missing curb ramps and upgrade noncompliant curb ramps, sidewalks and pedestrian activated signals on public right-of-way adjacent to state highway		Agency Name:
Key Number	Region	Project Title/Location ADA curb ramp construction and upgrades and construction of pedestrian activated signals
Road/street (list Highways in the local jurisdiction?)	Milepoint (Insert hyperlink with inventory list)	
Estimated Agreement Amount \$ NA remove		

RECITALS

Programmatic LPA Permit Approach Submitted to Lakeview to date

Pedestrian Signals



On-Going Efforts

- Plaintiff Priority Locations
 - Clatskanie, Springfield, Beaverton, Portland, Lincoln City, Bend
- Curb Ramp Project Scoping
- Accessibility Consultant Policy Review
- Transition Plan Progress
- Outreach



Questions ?

