



Legislation Text

File #: 23-3067, **Version:** 1

STRATEGIC PRIORITY: Workforce, Education & Equity
AGENDA DATE: December 13, 2023
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Equity and Inclusion
EXECUTIVE: M. Elizabeth Cedillo-Pereira

SUBJECT

Authorize Supplemental Agreement No. 5 to the professional services contract with Kimley-Horn and Associates, Inc. through an Interlocal Agreement with the City of Addison to conduct Phase III of the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan, which includes the review of city department services, programs, and activities; ADA electronic media and website training; and additional ADA building and facilities reviews for a term of twenty-four-months - Not to exceed \$300,000.00, from \$956,000.00 to \$1,256,000.00 - Financing: General Fund

BACKGROUND

On July 26, 1990, the ADA was signed into Federal Law. Title II of the ADA specifically applies to state and local governments and stipulates that no qualified individual with a disability shall, by such disability be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subject to discrimination by any public entity. Public entities with fifty or more employees are required to develop a transition plan that comply with all requirements of the law.

On January 26, 1993, the City of Dallas completed the first ADA Self Evaluation and Transition Plan. This plan addressed ADA accessibility for City buildings, parks and included elements for the improvement of sidewalks and curb ramps. However, on September 15, 2010, United States Department of Justice published final regulations revising the Department's ADA regulations, including the adoption of updated ADA Standards for Accessible Design. The revised final regulations went into effect on March 15, 2011.

On September 25, 2019, the City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. through an Interlocal Agreement with the City of Addison, to conduct Phase I of the Americans with Disabilities Act Self Evaluation and Transition Plan, which included documentation of the City's efforts to date related to Title II compliance, inventory of City programs, services, and activities to be evaluated in future phases, training of City staff, development of a budget and schedule to complete programs, services, and activities, and a compliance review of

selected City buildings and associated parking lots including paths of travel by Resolution No. 19-1510.

On August 26, 2020, the City Council authorized (Phase II) Supplemental Agreement No.1 to the professional service contract to develop the City of Dallas Sidewalk Master Plan by Resolution No. 20-1223. Supplemental Agreement No. 2 extended the contract an additional four months.

On July 7, 2021, the City Council authorized (Phase III) Supplemental Agreement No.3 to the professional service contract with Kimley-Horn and Associates, Inc. which includes the review of city department services, programs, and activities; ADA electronic media and website development training; and additional ADA building and facilities reviews and recommended actions for ADA Transition Plan by Resolution No. 21-1120. Supplemental Agreement No. 3 extended the contract an additional twenty-four months.

On June 22, 2023, the City Council authorized (Phase III) Supplemental Agreement No.4 to the professional service contract with Kimley-Horn and Associates, Inc. to develop the ADA Transition Plan by Resolution 23-0677. Supplemental Agreement No. 4 extend the contact an additional six-months.

This action will authorize Supplemental Agreement No. 5 to the professional services contract with Kimley-Horn and Associates, Inc. through an Interlocal Agreement with the City of Addison to conduct Phase IV of the Americans with Disabilities Act Self Evaluation and Transition Plan, which includes the review of city department services, programs, and activities; Sport / Soccer fields and amenities, ADA electronic media and website development training; and additional ADA building and facilities reviews and recommended actions for ADA compliance.

A collaboration between the Office of Equity & Inclusion, the Department of Public Works, Information & Technology Services, and Building Services, Office of Arts and Culture has resulted in a joined effort to constitute Phase IV of the Americans with Disabilities Act Self Evaluation and Transition Plan.

The Interlocal Agreement with the City of Addison is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization. The City of Addison obtained the services of Kimley-Horn and Associates, Inc. through a competitive procurement process. Since their scope of work encompassed the same needs identified as the City of Dallas, the Interlocal Agreement meets the requirements outlined in state law.

Utilization of the Interlocal Agreement provides for timely delivery of consulting services to ensure that the City of Dallas is in compliance with federal law. It also ensures that the City will retain eligibility to apply and receive federal grants. Foremost, the services performed by the consultant will allow the City to expediently identify any barriers to City programs, services or activities for people with disabilities.

ESTIMATED SCHEDULE OF PROJECT

Begin Phase V ADA Self Evaluation and Transition Plan	December 2023
Complete Phase V ADA Self Evaluation and Transition Plan	December 2025

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 26, 1993, the City of Dallas completed the first ADA Self Evaluation and Transition Plan. This plan addressed ADA accessibility for City buildings, parks and included elements for the improvement of sidewalks and curb ramps.

On September 25, 2019, the City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. through an Interlocal Agreement with the City of Addison, to conduct Phase I of the Americans with Disabilities Act Self Evaluation and Transition Plan by Resolution No. 19-1510.

Information about this item will be provided to the Transportation and Infrastructure Committee on June 16, 2021.

FISCAL INFORMATION

Fund	FY 2024	FY 2025	Future Years
General Fund	\$150,000.00	\$150,000.00	\$0.00

Professional Services Contract	\$ 276,000.00
Supplemental Agreement No. 1	\$ 180,000.00
Supplemental Agreement No. 2	\$ 0.00
Supplemental Agreement No. 3	\$ 500,000.00
Supplemental Agreement No.4	\$ 0.00
Supplemental Agreement No.5 (this action)	\$ <u>300,000.00</u>

Total Project Cost \$1,256,000.00

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Interlocal Agreement/Intergovernmental Agreement	<ul style="list-style-type: none"> • Interlocal Agreements/Intergovernmental Agreements allow the City to take advantage of competitively bid contracts by a State agency or local government and enable the City to purchase goods or services at lower prices • Interlocal Agreements/Intergovernmental Agreements are an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement
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OWNER

Kimley-Horn and Associates, Inc.

Scott R. Arnold, P.E., Vice President