



Oregon

Tina Kotek, Governor

Oregon Transportation Commission

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DATE: March 5, 2024
TO: Oregon Transportation Commission

FROM: Kristopher W. Strickler
Director

SUBJECT: Agenda Item K – ADA Delivery Program Update

Requested Action:

Receive an update on efforts to deliver compliant curb ramps on or along the ODOT highway system, current challenges, and planned actions.

Background:

As described at the September 2022 Oregon Transportation Commission meeting, the American with Disabilities Act of 1990 (ADA), as amended by the ADA Amendments of 2008, requires ODOT to provide people with disabilities an equal opportunity to participate in and benefit from ODOT programs, services, and activities. In 2017, ODOT completed an update of the State's inventory of ADA-compliant curb ramps on or along our state highway system consistent with ODOT and AOCIL (Association of Oregon Centers for Independent Living) Settlement Agreement. Data gathered in this effort indicated that a substantial number of the existing ADA curb ramps built over the last 50 years do not meet all the applicable ramp standards. To provide better, more equitable pedestrian access, ODOT developed an ADA Ramp Plan with a defined schedule for upgrading noncompliant curb ramps to be compliant. ODOT also created the ADA Delivery Program (Program) to focus the Agency efforts on the ADA Ramp Plan, comply with the Settlement Agreement, and meet the intent of the Federal ADA legislation. The Program manages the funding of multiple Statewide Transportation Improvement Program (STIP) projects in each STIP cycle to replace or modify ADA curb ramps throughout the state, primarily through outsourced design and contracted construction.

At the September 2022 meeting, the Oregon Transportation Commission (OTC) approved a funding plan to commit \$1.4B towards the delivery of over 25,000 ADA compliant curb ramps throughout the state. These funds are allocated from the 2024-2027 and 2027-2030 STIP and also rely on the use of Federal GARVEE bonds. The OTC also approved a resolution for the use of GARVEE bonds.

Updates since September 2022:

- In December 2022, ODOT reached the first milestone of the ADA settlement. At that time, we were expected to deliver 7,770 compliant curb ramps. As of December 31, 2022, ODOT built and approved 6,176 ADA compliant curb ramps. Inspection forms for an additional

1,443 curb ramps that were constructed in 2022 were submitted, but due to the time it takes to complete the quality assurance and quality control on the inspection forms, they did not count toward our 2022 curb ramp remediation goals, but instead will be added to the total we complete in 2023.

As described in the 2022 Annual Report, the gap in delivery was also associated with the following conditions:

- Limited funding from 2017 until late 2022, paired with higher per ramp delivery costs, resulted in less aggressive delivery than required to meet the first milestone. The authorization of dedicated program funding in September 2022 corrected these issues for future milestones.
- Shortage of experienced contractors in 2020-2022 as outcome of pandemic.

After securing sufficient, dedicated funding, the program advanced a series of initiatives to establish a robust delivery program for curb ramp repair and replacement across the state to ensure ramps are accessible to all Oregonians. These initiatives will help us meet future milestones and requirements of the settlement and include:

- Establishment of a centralized technical review group rather than sending documents through five individual region Tech Centers. This allows for a consistent, simplified, and streamlined approach to delivery where the program realizes efficiencies in design decision-making and in contract and construction management.
- Refinement in delivery process to manage program risks and expedite timelines from design to construction.
- Establishment of a new consultant price agreement for outsourced ADA project delivery (design and construction management).
- Development of Geographical Information System (GIS) and database tools to track, manage and optimize curb ramp delivery.
- Selection of an Owner's Representative to provide strategic and technical support for the duration of the program, and to maximize use of consultant resources for design and construction management.
- Execution of an updated financial plan to expand scope of ADA curb ramp projects delivered as part of multi-function region-based projects for cost efficiency in construction.
- Implementation of an alternative delivery program to deliver larger scale (300+ curb ramp projects) using design-build methods.

Program delivery overview:

We delivered 6,176 compliant curb ramps from 2018 to 2022. The ADA Program is still performing quality checks on the 2023 ramps data, but we are confident that over 2,500 compliant ramps were delivered this past year – making 2023 the most productive year to-date. As of today, we have 19 projects in active construction, 20 projects in active design and consultant contracts in procurement to initiate 13 more projects in 2024. We have awarded \$152M in construction contracts for curb ramp projects and are engaging 14 different prime contractors across the state.

Next steps for the Program:

In the upcoming months, Jacobs (the Owner's Representative) will be under contract and the Program will be positioned to deliver high quality, compliant curb ramps at a faster pace and expand on the following work:

- Explore opportunities to leverage corridor ramp delivery with the 2027-2030 STIP's Great Streets 2.0 program.
- Partnership with the construction contractor community to expand design-build methods for the program.
- Establish external dashboard to share delivery progress with communities.
- Develop pilot program to expand opportunities and support for Disadvantaged Business Enterprises (DBE) contractors.