





ADA, Grants, and You plus more...

John Tyler, P.E., RAS, Vice President Alisa Max, P.E., ENV SP, Vice President TACERA October 2023







- There are so many regulations and laws around ADA. How do we know if we're compliant?
- ADA compliance means that if we bring infrastructure to standard when we replace it we're good, right?
- Are you telling me that I have to do another plan?
- Is this really going to benefit my community?
- I don't think I even have any disabled people that live in my community!
- Who's going to pay for this?

Great questions! Let's start from the beginning...



ADA Transition Planning- Governmental Entities Obligation



Americans with Disabilities Act

Title II – Equal Access

Programs and Services provide equal access and cannot discriminate to persons with disabilities. Examples:

- Accessible Transit Stops
- Boarding Area
- Proper Slopes
- Clear Space in Shelter
- Proper Seating
- Detectable Warning Surface

<u>Civil Rights Act</u>

Title VI – Equal Opportunity

Cannot discriminate against persons based on:

- Race
- Color
- National Origin
- Age
- Sex
- Economic Status
- Limited English Proficiency, etc.
- Subrecipients must provide equal opportunity to programs
 & services



ADA Transition Planning- Governmental Entities Obligation



- Under Title II of the ADA and Section 504
 agencies must assess their services, policies, and
 practices as part of a self-evaluation; to modify
 any policies or practices that discriminate against
 people with disabilities
- Agencies are required to develop a transition plan identifying any physical changes to facilities that are necessary to achieve "program access" (28 CFR 35.149-35.151)
 - → Extends to programs, policies, events, and public rights-of-way
- Focus on program access is to ensure that programs are accessible when viewed in their entirety
- Deadline for completion of Transition Plan 1992

- Architectural Barriers Act of 1968
- ABA

- Americans with Disabilities Act of 1990
- ADA
- Rehabilitation Act of 1973
- Section 504 tied to Federally funded projects

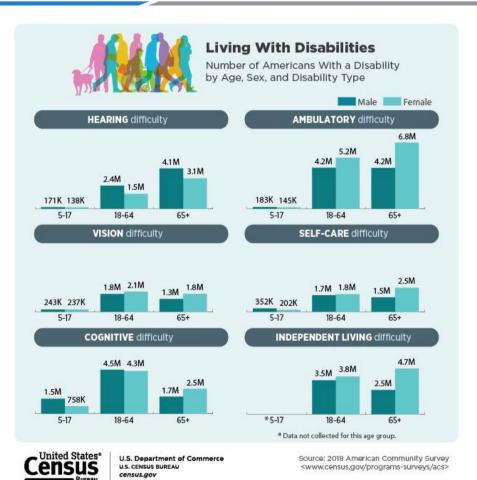


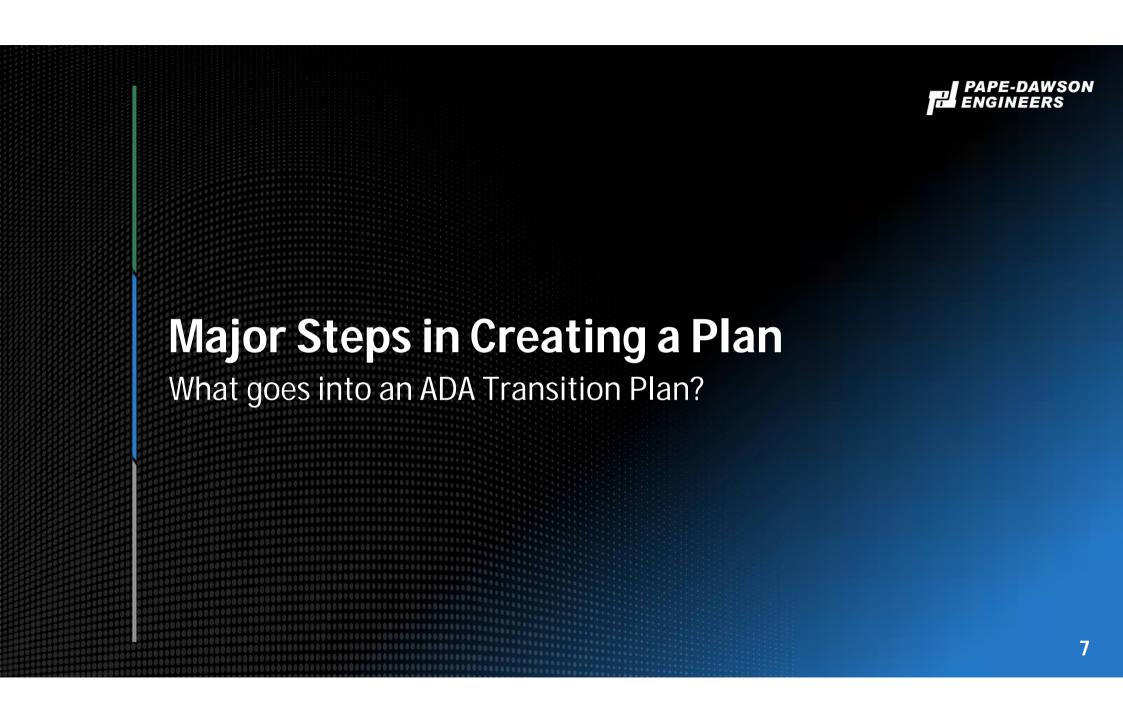
ADA Transition Planning- Transition Plan & Implementation



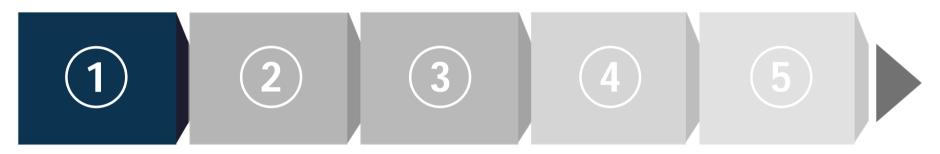
- Who is considered "disabled"?
- What is the population that ADA initiatives serve?





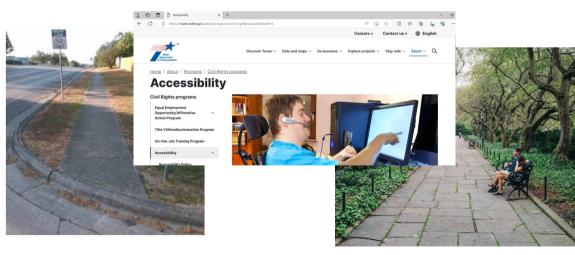




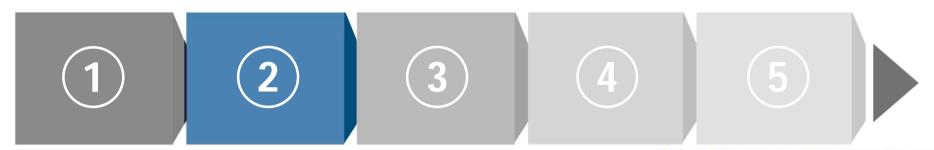


Create a living inventory

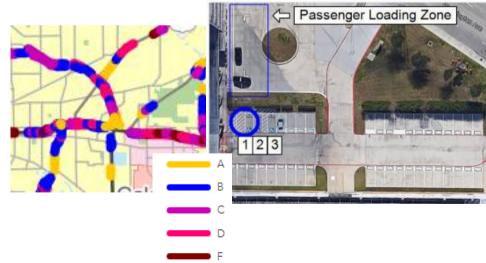
Where is your infrastructure non-compliant with current laws and regulations?







Describe in detail the methods that will be used to make the facilities accessible







Identify and manage risk.

Develop a:

- **→Draft methodology for compliance**
- \rightarrow Draft prioritization of needs
- →Draft schedule for remediation actions







Engage.

Talk to people.

Talk to stakeholders.

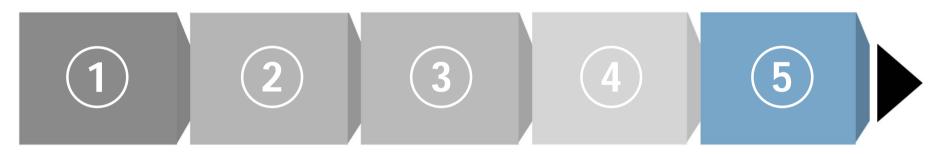
Talk to the public.

Where should efforts be focused?

Modify plan based on feedback







Define what success looks like:

- ✓ Plan Monitoring
- ✓ Progress Reporting
- ✓ Establish an ADA Coordinator

I Paso	212101094	IH 10	WIDEN FREEWAY	ELLAZO	2022	\$164,205
I Paso	255202028	SL 375	WIDEN FREEWAY	El Paso	2022	\$1,112,628
l Paso	000212028	US 62	SAFETY IMPROVEMENT PROJECTS	El Paso	2022	\$234,216
I Paso	016701132	US 54	SAFETY IMPROVEMENT PROJECTS	El Paso	2022	\$360,440
I Paso	067401071	FM 76	SAFETY IMPROVEMENT PROJECTS	El Paso	2022	\$275,777
I Paso	212102176	IH 10	SAFETY IMPROVEMENT PROJECTS	El Paso	2022	\$416,624
I Paso	345101048	FM 1281	SAFETY IMPROVEMENT PROJECTS	El Paso	2022	\$297,593
l Paso	000102067	SH 20	REHABILITATION OF EXISTING ROAD	El Paso	2023	\$320,902
I Paso	000102075	SH 20	SAFETY IMPROVEMENT PROJECTS	El Paso	2023	\$15,000
I Paso	000201106	SH 20	SAFETY IMPROVEMENT PROJECTS	El Paso	2023	\$260,860
l Paso	000202061	SH 20	PEDESTRIAN, SIDEWALKS & CURB RAMPS	El Paso	2023	\$2,250,000
I Paso	000220009	BI 10-D	REHABILITATION OF EXISTING ROAD	El Paso	2023	\$113,293
1 Paso	002001021	US 90	REHABILITATION OF EXISTING ROAD	El Paso	2023	\$92,227
l Paso	010411008	BU 67-A	REHABILITATION OF EXISTING ROAD	El Paso	2023	\$120,000
I Paso	035801027	SH 118	OVERLAY	El Paso	2023	\$13,484
l Paso	000102074	SH 20	SAFETY IMPROVEMENT PROJECTS	El Paso	2023	\$180,458
I Paso	104601045	FM 659	SAFETY IMPROVEMENT PROJECTS	El Paso	2023	\$130,322
l Paso	000101068	SH 20	SAFETY IMPROVEMENT PROJECTS	El Paso	2024	\$200,000
I Paso	000202059	SH 20	SAFETY IMPROVEMENT PROJECTS	El Paso	2024	\$120,000
I Paso	002008048	US 67	OVERLAY	El Paso	2024	\$5,000
I Paso	067401073	FM 76	SAFETY IMPROVEMENT PROJECTS	El Paso	2024	\$177,224
I Paso	255203070	SL 375	SAFETY IMPROVEMENT PROJECTS	El Paso	2024	\$556,016
I Paso	345101042	FM 1281	OVERLAY	El Paso	2024	\$60,000
I Paso	016702080	BU 54-A	SAFETY IMPROVEMENT PROJECTS	El Paso	2024	\$185,150



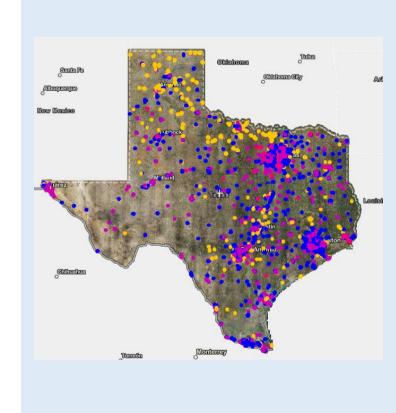


- The document is not set in stone MUST be Living
- Requires refreshing it periodically
- You can make updates as you learn what is working and what is not

Complimentary Transportation Initiatives



- The ADA planning and implementation process is a perfect opportunity to look at other complimentary initiatives as well
- Create tools that can be used for other initiatives
- Use the process as a chance to make your overall transportation network safer for all users
- Use public outreach for community learning



Complimentary Transportation Initiatives



Because of the tools created and the public engagement element, ADA planning and implementation is often done in conjunction with other initiatives like:

- →Asset Management
- →Transportation Safety
- → Active Transportation Projects
- →Multi-Modal Transportation

Plans must work together!

If plans contradict one another, they all fail.





Funding strategies can include:

- Grants for ADA transition plans & implementation
- Grants for complimentary activities
- A combination of both
- Transportation Development Credits & Other Credits/ Local Funding

You typically score higher on grant applications when you meet multiple goals.





So where does that leave your community?

- Are you compliant?
- How were you doing on your last ADA monitoring report? (reporting frequency set in your plan)
- Does your plan need updating or dusting off?





- What is your community's biggest transportation pain point, and can this be addressed in conjunction with ADA?
- Do you have a professional that understands ADA that you can call for advice?
- What are your strategies for success? Are they working for your community?



Let's have a real conversation about ADA:



- There are so many regulations and laws around ADA. How do we know if we're compliant?
 - → Lean on professionals. There are firms out there that can assist you with compliance and help you maximize benefits. Involve your ADA Coordinator in the discussion.
- ADA compliance means that if we bring infrastructure to standard when we replace it we're good, right?
 - → That's a good start, but there's more to it.
- Are you telling me that I have to do another plan?
 - → Maybe. It depends.
- Is this really going to benefit my community?
 - → If you do it right, it can greatly benefit your community.
- I don't think I even have any disabled people that live in my community!
 - → We bet you do, especially now that you know how the term "disabled" is defined.
- Who's going to pay for this?
 - → Some funding might be local. Transportation development credits exist for some communities. There are grants available to help pay for this, and it can be done in conjunction with other valued initiatives, some of which also have associated grants.



In the end, ADA is not a four-letter word.

It's a tool to create a better transportation network for all users.

It can help create a dedicated funding mechanism for both ADA work and for other companion initiatives, like transportation safety, asset management, multi-modal, and active transportation improvements.

ADA compliance is an important element to make your community better, and is best as part of an integrated, comprehensive approach reflecting your community's values.



THANK YOU!

Questions?

Come visit us at our booth for any additional one-on-one questions

John Tyler, P. E., RAS

JTyler@pape-dawson.com

Alisa Max, P.E., ENV SP

AMax@pape-dawson.com