



Office of the City Manager

**RECESS ITEM**  
**CONSENT CALENDAR**  
September 13, 2022

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Liam Garland, Director, Department of Public Works  
Subject: Contract No. 31900288 Amendment: Disability Access Consultants for ADA Transition Plan

**RECOMMENDATION**

Adopt a Resolution ratifying the action taken by the City Manager during recess to execute an amendment to Contract No. 31900288 with Disability Access Consultants (DAC) for Americans with Disabilities Act (ADA) Transition Plan and On-Call ADA accessibility consulting services, increasing the contract amount by \$122,000 for a total not-to-exceed amount of \$606,800 and extend the contract term to June 30, 2023.

**NEGATIVE EFFECTS IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS**

The Disability Services Specialist responsible for overseeing the ADA Transition Plan has resigned and the City requires additional consultant support to help ensure continuity in these services and that the ADA Transition Plan stays on track.

**FISCAL IMPACTS OF RECOMMENDATION**

Funding for the duration of the contract amendment is available in the FY 2023 Public Works budget in the Capital Improvement Fund (501-54-624-698-0000-000-431-665110) via the approval of the First Amendment to the Annual Appropriations Ordinance.

Current contract amount.....	\$484,800
Amended contract amount.....	\$122,000
Total NTE	\$606,800

**CURRENT SITUATION AND ITS EFFECTS**

Disability Access Consultants (DAC) is currently under contract to survey all city facilities, parks, streets, websites, and programs to help create a new ADA Transition Plan and to address urgent accessibility issues and concerns.

The contract amendment and proposed increase of \$122,000 will also allow the consultant to provide critical and time-sensitive services such as evaluating and responding to public grievances and ADA accommodation requests, and providing accessibility reviews of plans and policies as needed until the City can backfill the Disability Services Specialist position.

#### BACKGROUND

The City's ADA Transition Plan has not been updated in almost twenty years. This is a plan required by the ADA to transition local governments from ADA noncompliance to ADA compliance, and the update is strongly encouraged. In July 2019, after a competitive Request for Proposals process, the City entered into a contract with DAC to work on creating an ADA Transition Plan, including surveying all City streets, parks, programs, facilities, and the website. The plan will be a multi-year approach to memorialize the City's ongoing commitment to ADA accessibility and prioritize funding and resources based on comprehensive data and community feedback. The plan is also expected to improve pedestrian safety, reduce liability, and provide information to better guide our capital improvements.

On April 27, 2021, by Resolution No. 69,823 – N.S. City Council authorized an amendment with DAC, increasing the contract by \$78,200 for a revised total not to exceed amount of \$484,800 and extending the contract term to June 30, 2022, for surveying of additional City sidewalks and to address urgent accessibility issues and concerns.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

ADA accessibility benefits many pedestrians including but not limited to people with disabilities, seniors, and parents with strollers and small children. Such improvements encourage the use of public transportation and travel without cars, thus reducing greenhouse gases and other negative impacts of driving.

#### RATIONALE FOR RECOMMENDATION

Due to the depletion of the contract budget, additional funding is needed to complete the ADA Transition Plan including addressing ADA compliance. An urgent need also exists for ADA services due to a recent vacancy.

#### ALTERNATIVE ACTIONS CONSIDERED

The City could issue a new request for proposals to complete the needed work, but doing so would interrupt continuity of services provided by the departed Disability Services Specialist and put the ADA Transition Plan off track.

#### CONTACT PERSON

Andrew Brozyna, Deputy Director, Public Works, (510) 981-6396

Attachment:  
1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 31900288 AMENDMENT: DISABILITY ACCESS CONSULTANTS  
FOR ADA TRANSITION PLAN

WHEREAS, the City of Berkeley complies with Americans with Disabilities Act and related State and Federal laws; and

WHEREAS, On July 3, 2019, after a competitive Request for Proposals process, the City of Berkeley entered into a contract (Contract No. 31900288) with Disability Access Consultants (DAC) to survey the City facilities, sidewalks, programs and website and help create a new ADA Transition Plan; and

WHEREAS, on April 27, 2021 by Resolution No. 69,823 – N.S. City Council authorized an amendment with DAC, increasing the contract by \$78,200 for a revised total not to exceed amount of \$484,800 and extending the contract term to June 30, 2022 for surveying of additional City sidewalks and to address urgent accessibility issues and concerns; and

WHEREAS, amending the contract will allow staff to complete a new ADA Transition Plan; and provide urgent On-Call ADA services while the City's Disability Services Specialist vacancy is backfilled, and

WHEREAS, funding for the duration of the contract amendment will be available in the FY 2023 Capital Improvement Fund budget via the approval of the First Amendment to the Annual Appropriations Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager to execute an amendment to Contract No. 31900288 with Disability Access Consultants for ADA Transition Plan increasing the contract amount by \$122,000 for a total not-to-exceed amount of \$606,800 and extend the contract term to June 30, 2023.

