



## Agenda Report

18-836

Agenda Date: 12/4/2018

### REPORT TO COUNCIL

#### SUBJECT

Action on an Agreement for Design Professional Services with Moore Iacofano Goltsman, Incorporated for an Americans with Disabilities Act Self-Evaluation and Transition Plan

#### BACKGROUND

The Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 prohibit discrimination by public entities on the basis of disability. Under Title II of the ADA, the City is required to evaluate its services, policies, and practices in order to identify any barriers to access, and to make necessary modifications to eliminate such barriers. For barrier removals requiring structural changes to facilities, the City is required to develop a transition plan setting forth the steps necessary to complete the modifications.

The City completed the self-evaluation and transition plan in 1993 as required by the ADA legislation. However, since completion of this self-evaluation and transition plan, changes have been made to the ADA regulations and Standards for Accessible Design. The City has acquired and disposed of facilities, performed capital improvement projects, modified organizational structures, and may have different programs, services, and activities that are accessible to the public that may differ from the original self-evaluation and transition plan. Therefore, it is desirable to update the self-evaluation and transition plan to ensure City programs, services, activities, buildings, facilities, and the public right-of-ways are accessible to the public under current ADA requirements.

#### DISCUSSION

A formal Request for Proposal ("RFP") selection process was utilized to solicit proposals from consultants to provide the requested services. Four (4) consultants submitted proposals. Proposals were evaluated and interviews were held with all 4 firms. The firms were evaluated based on a number of factors including qualifications, relevant experience of the firm and key staff, work plan, the quality of the proposal, and the responsiveness to the RFP. Following the evaluation and interview process, Moore Iacofano Goltsman, Incorporated (MIG) was the highest ranked proposer. There are several key factors that contributed to MIG's emergence as the highest ranked proposer. MIG has over 27 years of experience in providing ADA services for public agencies and has produced over 100 ADA Self-Evaluation and Transition Plans, including plans for agencies in the south bay region including the Cities of Cupertino, Campbell, and Los Altos, as well as the Santa Clara County Parks Department and the Midpeninsula Regional Open Space District. Additionally, MIG assigned experienced and highly qualified key staff to this project.

The proposed agreement attached to this report includes a refined scope of services based upon negotiations and the understanding of the work to be performed. The scope of services generally includes: project management, public outreach and meetings, a self-evaluation of policies and programs, physical barrier evaluations and reports, an ADA Self-Evaluation and Transition Plan

report, and City staff training. Key outcomes of the ADA Self-Evaluation and Transition Plan report will be a summary of modifications recommended to the City's services, policies, and practices to ensure accessibility, and a summary of physical improvements recommended for the City's facilities including costs, prioritization, and a schedule for implementation.

The project will evaluate all facilities with public access and the public right-of-way. The facilities generally include parks and swimming pools, cemeteries, libraries, police and fire stations, the City Hall complex, the Triton Museum, the Convention Center, parking lots and structures, community buildings, historic buildings, pedestrian bridges, and other general government facilities. The public right-of-way evaluation includes sidewalks, curb ramps, traffic signals, trails, and marked on-street accessible parking. The facilities to be evaluated under this project have been coordinated with the City Attorney's Office and the affected City departments.

Staff recommends entering into the Agreement for Design Professional Services with MIG for the ADA Self-Evaluation and Transition Plan. Approval of this agreement will provide the design professional services to complete the ADA Self-Evaluation and Transition Plan which will continue the City's ongoing efforts to comply with the various accessibility requirements under the ADA.

### **ENVIRONMENTAL REVIEW**

This agreement is for professional services and the action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

### **FISCAL IMPACT**

The proposed agreement is for a total not-to-exceed amount of \$489,471. This amount includes \$444,974 for Basic Services and reimbursable expenses, plus a not-to-exceed amount of \$44,497 for Additional Services. Funds were included in the 2018/19 Adopted Capital Improvement Program (CIP) Budget in the ADA Self Evaluation and Transition Plan Update project.

### **COORDINATION**

This report has been coordinated with the Finance Department and the City Attorney's Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

1. Approve and authorize the City Manager to execute the Agreement for Design Professional Services with Moore Iacofano Goltsman, Incorporated for the ADA Self-Evaluation and Transition Plan Project in the amount not-to-exceed \$489,471; and
2. Authorize the City Manager to make minor, non-substantive modifications to the Agreement, if needed.

Reviewed by: Craig Mobeck, Director of Public Works  
Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Agreement