



ENGINEERING SERVICES

To: Mayor and Town Council

From: Hulon T. Webb, Jr., P.E., Interim Executive Director of Development and Infrastructure Services

Through: Ron K. Patterson, Interim Town Manager

Re: ADA Transition Plan

Town Council Meeting – September 13, 2022

Agenda Item:

Consider and act upon authorizing the Interim Town Manager to execute a Professional Engineering Services Agreement between Kimley - Horn and Associates, Inc., and the Town of Prosper, Texas, related to the development of the Town of Prosper ADA Transition Plan.

Description of Agenda Item:

Under the federal requirements of the Americans with Disabilities Act, public entities that interact with the public are subject to Title II, which requires state and local governments ensure that individuals with disabilities are not excluded from programs, services, and activities. Agencies must complete a Self-Evaluation that documents the status of ADA compliance for the programs, services, and activities offered to the public. Public entities with 50+ employees are required to have an ADA Transition Plan in place that addresses necessary changes, including prioritization of barriers and development of budgets for improvements, for achieving program accessibility. Additionally, state and regional agencies such as TxDOT and NCTCOG are required to ensure all of their sub-recipients are in compliance with the ADA to stay eligible for federal/state funding, and that includes having a current ADA Transition Plan.

The services associated with this agreement consist of the development of the required ADA Transition Plan framework, documentation of the Town's efforts to-date related to Title II compliance (State & Local Governments – 28 CFR Part 35), inventory of the Town programs, services, activities, facilities, and development of a budget and schedule to complete the Town's Self-Evaluation. This assignment will also consist of an ADA compliance review of Town design standards, buildings and associated parking lots/paths of travel, parks and associated parking lots/paths of travel, park sidewalk and associated curb ramps, pedestrian bridges, signalized intersections, public rights-of-way sidewalks and associated curb ramps and railroad crossings. Possible solutions to bring any non-compliant elements that are not considered to be a de minimis barrier and are not "safe harbored" into compliance will be provided. An ADA Transition Plan document will be developed and consist of formal documentation of tasks and associated findings.

Budget Impact:

The cost for the development of the ADA Transition Plan is \$150,000, and a total of \$100,000 is budgeted in Account No. 100-5410-98-01. The remaining \$50,000 will be allocated to this project from salary savings in the Engineering Services Department.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard Professional Engineering Services Agreement as to form and legality

Attachments:

1. Professional Engineering Service Agreement

Town Staff Recommendation:

Town staff recommends that the Town Council authorize the Interim Town Manager to execute a Professional Engineering Services Agreement between Kimley – Horn and Associates, Inc., and the Town of Prosper, Texas, related to the development of the Town of Prosper ADA Transition Plan.

Proposed Motion:

I move to authorize the Interim Town Manager to execute a Professional Engineering Services Agreement between Kimley – Horn and Associates, Inc., and the Town of Prosper, Texas, related to the development of the Town of Prosper ADA Transition Plan.