



# ADA Accessibility Program

FY 2017/2018 Accomplishments and Goals Report

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Civil Rights Division

October 1, 2017

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# 1 Introduction & Overview

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## Introduction

The Texas Department of Transportation (TxDOT) has a long history of being committed to providing for the safety, reliability and accessibility of the public the agency serves. The people of Texas have come to expect the best highway system in the United States from this agency and should be able to now expect the best transportation system for all of our citizens. TxDOT is proud to be a part of changes and progress that can unite, serve and further the safe and efficient movement of goods, services and people that ensure everyone is included.

We are responsible for the operation and management of more than 195,000 lane miles of roadways on the State Highway System. This responsibility includes more than 53,000 bridges, 3,400 miles of interstate, an estimated 26,000 miles of sidewalks and other pedestrian facilities and more than 2500 Department-owned buildings across the State.

The Department understands its duty to provide accessibility for all users of its services and programs, including persons with disabilities. We are striving to provide accessible public services and facilities for persons using Texas's state roadways and other transportation facilities. TxDOT continues to expand its outreach activities to include local agencies, advocacy groups and coordination with other agency civil rights programs: Title VI, Limited English Proficiency, Environmental Justice, etc.

This report covers Program activities during the FHWA's Fiscal Year, October 1, 2017 through September 30, 2018 (FY2017/2018). The items covered in this report include: TxDOT's accomplishments and goals in six (6) areas: awareness, communication, training, outreach, grievances and monitoring. Reporting our successes to FHWA and revising the 2004 Transition Plan are the cornerstone of the ADA Accessibility Program.

## Overview

The Americans with Disabilities Act (ADA) is a civil rights law that mandates an equal opportunity for individuals with disabilities. The ADA prohibits accessibility discrimination to jobs, public accommodations, government services, public transportation, and telecommunications. The Texas Department of Transportation (TxDOT) is required to conduct a comprehensive re-evaluation of its policies, programs, and facilities to determine the extent to which individuals with disabilities may be restricted in their access to services and activities.

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act (ADA). To ensure that this goal is met, Title II of the ADA requires state and local governments to make their programs and services accessible to persons with disabilities (28 CFR 35.149-35.151). This requirement extends not only to physical access at government facilities, programs, and events, but also to pedestrian facilities in public rights-of-way.

The Texas Department of Transportation developed an ADA Transition Plan in 2004 as required by law, and is currently in the process of updating that document.

## 2 Assurance for ADA and 504

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TxDOT complies with Section 504 of the Rehabilitation Act of 1973, as amended (504), the Americans with Disabilities Act (ADA) and related Federal and State laws and regulations. The Department provides assurance to the U.S. Department of Transportation, Federal Highway Administration (FHWA) signifying its commitment to disability nondiscrimination. See (*Attachment A*) for the ADA/504 Assurance.

## 3 Applicable Laws, Regulations, Standards and Guidance

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The Agency's ADA/504 Program is governed by a number of nondiscrimination laws, regulations and standards, including but not limited to:

- **Title VI** of the **Civil Rights Act** of 1964 (Title VI), as amended  
[www.justice.gov/crt/about/cor/coord/titlevi.php](http://www.justice.gov/crt/about/cor/coord/titlevi.php)
- **Architectural Barriers Act** of 1968 (ABA) *NOTE: The ABA has been superseded by the 2010 ADA Regulations. Accessibility requirements of the ABA are now included in the 2010 ADA Standards for Accessible Design.*
- **Section 504** of the **Rehabilitation Act** of 1973, as amended (504)  
[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse\\_usc&docid=Cite:+29USC794](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+29USC794)
- **Civil Rights Restoration Act** of 1987 (CRRRA)  
[www.fhwa.dot.gov/legsregs/directives/notices/n4720-6.htm](http://www.fhwa.dot.gov/legsregs/directives/notices/n4720-6.htm)
- **Americans with Disabilities Act** of 1990 (ADA) ([www.ada.gov/pubs/ada.htm](http://www.ada.gov/pubs/ada.htm))
- **ADA Amendments Act** of 2008 (ADAAA) ([www.ada.gov/pubs/ada.htm](http://www.ada.gov/pubs/ada.htm))
- **28 CFR Part 35** (<http://www.ada.gov/regs2010/ADAregs2010.htm>)
- **49 CFR Part 27** ([ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr27\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr27_main_02.tpl)) and ([ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=02002b19d6775853841a58ebfec66ff1&rgn=div5&view=text&node=49:1.0.1.1.21&idno=49](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=02002b19d6775853841a58ebfec66ff1&rgn=div5&view=text&node=49:1.0.1.1.21&idno=49))
- FHWA 2006 Memorandum, *Clarification of FHWA's Oversight Role in Accessibility*  
[www.fhwa.dot.gov/civilrights/memos/ada\\_memo\\_clarificationa.htm](http://www.fhwa.dot.gov/civilrights/memos/ada_memo_clarificationa.htm)
- **ADA Standards for Transportation Facilities** ([www.access-board.gov/ada-aba/ada-standards-dot.cfm](http://www.access-board.gov/ada-aba/ada-standards-dot.cfm))
- **Draft Guidelines for Accessible Public Rights of Way**  
[www.access-board.gov/prowac/](http://www.access-board.gov/prowac/)

The Texas Department of Transportation is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to TxDOT's programs, services, or facilities; and all requirements specified in the ADA Accessibility Guidelines (ADAAG) that apply to facilities and other physical holdings. Title II has the broadest impact on the State. Included in Title II are administrative requirements for all government entities employing more than fifty people. These administrative requirements are:

- Completion of a self-evaluation;
- Development of an ADA complaint procedure;
- Designation of a person who is responsible for overseeing Title II compliance; and
- Development of a transition plan if the self-evaluation identifies any structural modifications necessary for compliance. The transition plan must be retained for three years.

Pursuant to the Rehabilitation Act of 1973, Section 504, no otherwise qualified individual with a disability in the United States, as defined in section 705 (20) of this title, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.

For the purposes of this section, the term "program or activity" means all of the operations of –

- (1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or
- (B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government.

### ADA Coordinator

As required by 28 CFR 35.107(1), the Department employs a Statewide ADA/504 Coordinator who facilitates training, complaint investigation, technical support, guidance, customer service and other ADA program services and activities. The TxDOT Statewide Coordinator is:

Michael D. Bryant, Director  
Civil Rights Division  
125 E. 11<sup>th</sup> Street  
Austin, TX 78701  
512-416-4700 (Voice)  
512-486-5539 (FAX)  
1-800-735-2989 (TTY)  
7-1-1 (Relay Texas)  
[Michael.D.Bryant@txdot.gov](mailto:Michael.D.Bryant@txdot.gov)

### ADA Compliance Program Administrator

Juanita J. Webber  
Civil Rights Division  
125 E. 11<sup>th</sup> Street  
Austin, TX 78701  
512-416-4700 (Voice)  
512-486-5539 (FAX)  
1-800-735-2989 (TTY)  
7-1-1 (Relay Texas)  
[Juanita.Webber@txdot.gov](mailto:Juanita.Webber@txdot.gov)

The Agency is comprised of twenty-five districts and thirty-four divisions. In addition to the Statewide ADA Coordinator and ADA Compliance Program Administrator, an ADA Liaison has been assigned who is responsible for program implementation at the district and division level. Each ADA Liaison coordinates compliance activities with the Compliance Program Administrator and submits required compliance reports and other goals and accomplishments updates, which are encompassed in this report. See **(Attachment B)** for a list of ADA Liaisons with contact information. The list is updated regularly.

## 4 Accessible Services & Programs

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All TxDOT public involvement is conducted without regard to disability. All public notices make this affirmative assurance and provide contact information and deadlines for requesting reasonable accommodation. Persons requiring alternative forms of communication, including Braille, during public hearings, open house events or any other event where the public may be invited, may contact the event sponsor via telephone or email.

The Agency websites are routinely reviewed to ensure continued compliance with Section 508 of the Rehabilitation Act of 1973, as amended. In an effort to constantly improve the user experience, [TxDOT.gov](http://TxDOT.gov) was republished this past summer to comply with software updates from Adobe. The website will mostly look the same, with a few minor changes. Some of the noticeable visual changes include:

- [TxDOT.gov](http://TxDOT.gov) is now mobile-friendly: *users can view and access pages on smartphones and tablets.*
- The left-hand navigation buttons appear slightly larger so mobile users can touch them.
- The footer on our homepage is now organized into four columns so users can navigate the site better when using a mobile device.
- The search function is improved and yields more detailed information.

If you have comments or questions about the content, additional information can be obtained from:

- Michael Sledge, Director of Creative Services, 512-416-2775
- Joshua Hunter, Web Services Branch Manager, 512-416-3421

“The Agency operates DriveTexas™ to provide real-time traffic and travel information on state maintained roadways: roadway conditions, construction, lane closures, accidents, congestion and severe weather information affecting traffic. DriveTexas™ allows persons to obtain travel information via telephone or an interactive website. Persons who are hearing impaired may access DriveTexas™ on the internet at [www.drivetexas.org](http://www.drivetexas.org); or by contacting the Relay Texas Service at 7-1-1 via their teletype (TTY) and asking the operator to dial 800-452-9292. Persons who have visual impairments are encouraged to use the Interactive Voice Response System (IVR) by calling 800-452-9292.”



## CIVIL RIGHTS DIVISION

(512) 416-4700 • Fax (512) 486-5539 • Physical Address: 200 E. Riverside Dr., 2nd Floor • Austin, TX 78704  
Mailing Address: 125 E. 11th Street • Austin, TX 78701

### Americans with Disabilities Act (ADA) Program

- [SharePoint Reporting Portal](#)
- [ADA Liaison Meeting Presentation \(2/24/2017\)](#)
- [ADA Liaison Meeting Booklet](#)
- [ADA Deadlines for Compliance Reports and Other Requirements](#)
- [ADA 2017 Important Dates](#)

### ADA Documents

- [ADA Mission, Values and Goals](#)
- [ADA Notice of Nondiscrimination](#)
- [ADA Nondiscrimination Statement](#)
- [ADA Assurance](#)
- [FY 2016/2017 ADA Accomplishments and Goals Report](#)

### ADA Training

- [United States Access Board Animated Signage Video](#)
- [ADA National Network \(self-paced training: 10 Modules\)](#)
- [Texas Dept. of Licensing & Regulation \(Texas Accessibility Academy\)](#)

### Resources

- [The Americans with Disabilities Act](#)
- [FHWA ADA Program](#)
- [FHWA Procedures Manual for Processing External Discrimination Complaints](#)
- [National Center for State Courts ADA Resource Guide](#)
- [ADA Checklist for Existing Facilities - Standards for Accessible Design](#)
- [ADA Checklist for Existing Facilities - Readily Achievable Barrier Removal](#)
- [Public Involvement Email Examples](#)
- [Focus Group Agenda Example](#)
- [ADA Focus Group Presentation Example](#)
- [Disability Rights Organizations](#)
- [ADA Resource List of Texas Disability Related Groups & Organizations](#)
- [Accessible Materials Presentation](#)
- [ADA Curb Ramp and Sidewalk Guidance - Memo from Bill Hale, P.E.](#)
- [ADA Curb Ramp and Sidewalk Guidance](#)

### Rules and Regulations

- [Title VI of the Civil Rights Act of 1964](#)
- [Architectural Barriers Act of 1968 \(ABA\)](#) (NOTE: The ABA has been superseded by the 2010 ADA Regulations. Accessibility requirements of the ABA are now included in the 2010 ADA Standards for Accessible Design.)
- [Section 504 of the Rehabilitation Act of 1973 \(504\)](#)
- [Civil Rights Restoration Act of 1987 \(CRRRA\)](#)
- [Americans with Disabilities Act of 1990 \(ADA\)](#)
- [ADA Amendments Act of 2008 \(ADAAA\)](#)
- [28 CFR Part 35](#)
- [49 CFR Part 27](#)
- [FHWA 2006 Memorandum, Clarification of FHWA's Oversight Role in Accessibility](#)
- [ADA Standards for Transportation Facilities](#)
- [Draft Guidelines for Accessible Public Rights of Way](#)

## 5 Nondiscrimination Policy Notice

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The Department is an equal opportunity employer and strives to make all of its services, programs, activities and facilities accessible with regard to disability in compliance with 28 CFR 35.130. Toward this end, the Department has issued policies and procedures reflecting this intent:

The Department's Equal Employment Opportunity Policy may be found at:  
<http://crossroads.org/hrd/EEO/home/main.asp>

The Department's ADA Policy Notice (*Attachment C*) is posted on the Department website at:  
<http://crossroads.org/civ/ includes/docs/Attachment%20B.pdf>

The Department's ADA Nondiscrimination Statement is posted on the Department website at:  
<http://crossroads.org/civ/ includes/docs/Attachment%20C.pdf>

The Department's ADA Assurance is posted on the Department website at:  
<http://crossroads.org/civ/ includes/docs/Attachment%20D.pdf>.

All are available by hard copy and in alternative formats upon request.

## 6 ADA Grievance Procedure

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28 CFR 35.107(b) requires a public entity that employs more than 50 people to adopt and publish a grievance procedure providing for the prompt and equitable resolution of complaints alleging discrimination on the basis of disability access to any governmental facility, program, service or activity provided by the entity.

The resolution of any grievance or inquiry will require reviewing the nature of the noncompliance, establishing governing entities and reviewing options for accommodating remedies to the location of interest. In determining possible solutions to the issue, TxDOT will consider the health and safety of others, the feasibility of alterations, the cost of the possible solutions, availability of funding, ease of implementations and how the solution compares in priority to other proposed ADA projects. The resolution of any one grievance or inquiry by TxDOT does not constitute a precedent upon which TxDOT is bound to or which the complainant party shall solely rely.

TxDOT shall take all necessary steps to ensure that communications with any and all members of the public notifying the ADA Compliance Administrator (Civil Rights Division) in Austin, TX or the District(s) ADA Liaison of the ADA grievances are addressed appropriately. Guidelines established within the following Grievance Procedures are intended to safeguard the processing of all TxDOT complaints associated with ADA/504 concerns.

Grievances pertaining to ADA/504 accessibility shall be processed through formal procedures established herein by TxDOT (*Attachment D*) in compliance with 28 CFR. 35.107(b) and 49 CFR 27.13(b) that requires the Department to: respond within fifteen (15) days of a complaint; to conduct affirmative attempts for substantive resolution; and continuing actions where

conciliation is not possible. Complaints are maintained indefinitely, including complainant name; bases; issue(s); resolution, if any; and follow-up, if any. Complaints not within the Department's jurisdiction are referred to appropriate parties with original complaint maintained with referral action as appropriate. The *ADA Grievance Procedure* is posted on the Department's Website and on public information bulletin boards at central offices and in each district. The *ADA Grievance Procedure* is available in alternative formats upon request. It is available at: [www.txdot.gov/inside-txdot/division/civilrights.html](http://www.txdot.gov/inside-txdot/division/civilrights.html) or <http://www.txdot.gov/inside-txdot/contact-us/complaints.htm>.

## **7 Accessibility Planning, Design & Construction**

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- A. **Department Building Facilities** - TxDOT currently owns 2,641 facilities throughout the state of Texas. There are three types of classes of buildings: (a) 657 - Class A which are occupied with people; (b) 950 - Class B which houses equipment, shops and some people; and (c) 921 - Class C which are salt sheds, canopies or used for storage. A Facility Condition Assessment (FCA) was performed to evaluate the overall health and condition of each TxDOT facility. The assessment focused on the core structure and the supporting systems (such as electrical, mechanical, plumbing, ingress, egress, roofing, accessibility, fire safety and protection, exterior envelop, etc.) As a result, the FCA created a baseline for each facility; thereby, creating a rudimentary baseline for accessibility compliance of each occupied facility. Beginning September, 2017 Class A and B facilities will undergo an extensive self-evaluation to identify all ADA accessibility deficiencies.

Architectural Consultants will be contracted to complete a comprehensive checklist, similar to the ADA Checklist for Existing Facilities (*Attachment E*) and provide an executive summary of the findings and recommended solutions to meet ADA standards. These findings and recommendations will be included in the final revised Transition Plan, August 2019. All new and altered buildings include accessible features for disabled staff and visitors that meet the ADA accessibility requirements, as well as Texas Accessibility Standards. These findings will be integrated in the interactive Geographic Information System (GIS) and coded in a similar method as in the attached maps.

- B. **Public Rights of Way** - The Department is working to improve accessibility of its public rights of way. All projects that include pedestrian facilities undergo an ADA review to determine the need for accessibility upgrades to existing facilities and/or addition of new accessible elements. Project design documents include accessibility upgrades to pedestrian facilities within each project. Design documents receive multiple reviews for safety and accessible elements. Construction projects include in-house and consultant inspections to ensure accessible features are built correctly. (*Attachment F- Pedestrian Access: Improving Accessibility in Public Rights of Way*).  
[https://www.youtube.com/watch?v=u1LTxlgsEGg&feature=youtu.be&list=PLyLWQADRroOW-Zcx\\_ZoiNbvtf7hvMRaXx](https://www.youtube.com/watch?v=u1LTxlgsEGg&feature=youtu.be&list=PLyLWQADRroOW-Zcx_ZoiNbvtf7hvMRaXx)

C. **Public Involvement - (Attachment G)** The Department actively pursues public involvement opportunities. CIV works closely with the Office of Public Involvement. TxDOT's Public Involvement Policy states: "The Texas Department of Transportation (TxDOT) commits to purposefully involve the public in planning and project implementation by providing for early, continuous, transparent and effective access to information and decision-making processes. TxDOT will regularly update public involvement methods to include best practices in public involvement and incorporate a range of strategies to encourage broad participation reflective of the needs of the state's population." The policy can be found at <http://crossroads.org/opi/> .

Each district office has a Public Involvement Officer to assist with various outreach events. Regional public involvement specialists are designated to assist districts with various stages of planning. Additionally, the Office of Public Involvement collaborates with CIV in sharing information about the ADA Accessibility Program through the "Connecting Our Communities" newsletter. **(Attachment G)** Many resources can be found on their website at: <http://crossroads.org/opi/>.

In an effort to improve participation in public involvement meetings and events, procedures were implemented to help provide effective communication and foster inclusion with every potential visitor or staff member requiring special accommodations. **(Attachment G)**.

## 8 Maintenance Review and Accessibility

TxDOT is required by the regulations to conduct a self-evaluation of all of its public pedestrian rights of way, facilities, programs and activities. During this process all asset inventory is evaluated to pinpoint barriers that may limit accessibility. Web accessibility and policies and practices are also included in this evaluation. TxDOT has the inventory listed below and is currently in the data collection phase of the process for revising the 2004 Transition Plan. (See Timeline under the “Accomplishments” subheading of this report).

Inventory			
Pedestrian Public Right-of-Way	Facilities	Activities	Programs
Curb Ramps	Buildings leased or owned by TxDOT	Program Accessibility	Transit
Sidewalks	Bus Stops	Policies & Procedures	Railroad
Crosswalks	Rest Areas	Employment, Contracting and Licensing	Aviation
Roadways	Travel Information Centers	Effective Communication	Maritime
		Public Meetings	
Non-road facilities (shared use paths, connections between neighborhoods, schools and greenway trails)	Scenic Areas	Training	

Various checklists have been identified to facilitate the self-evaluation process for existing facilities and program accessibility. (*Attachment E*)

The Department is currently customizing an interactive Geographic Information System (GIS) like the one in the picture below to help document potential accessibility barriers and track modifications or improvements. A map of the statewide ADA Feature Inventory would be set up for TxDOT. This map will allow anyone to view details and photos of the condition of ADA features (sidewalk, ramps, pedestrian signals/push buttons, etc.) within TxDOT's right-of-way.

Once the self-evaluation is completed, recommendations and a schedule for removing barriers will be identified and included in the 2019 Transition Plan. An annual ADA Accessibility Program Report is submitted to FHWA each October. Finally, the draft transition plan will be available for public comment for a period of thirty (30) days. Benchmark dates have been identified to generate input from key stakeholders as follows:

November 16, 2017

November 15, 2018 (Tentative)

June 1 - 30, 2019 (Public Comment Period)

August, 2019 (Final Transition Plan)

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# TxDOT Layers

Recently Active

- Projects
- State Boundaries
- Boundaries
- Locations
- Corridors
- Transportation

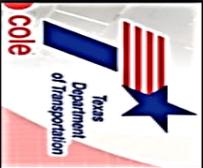
10 Bays

15 Bays

19 Bays

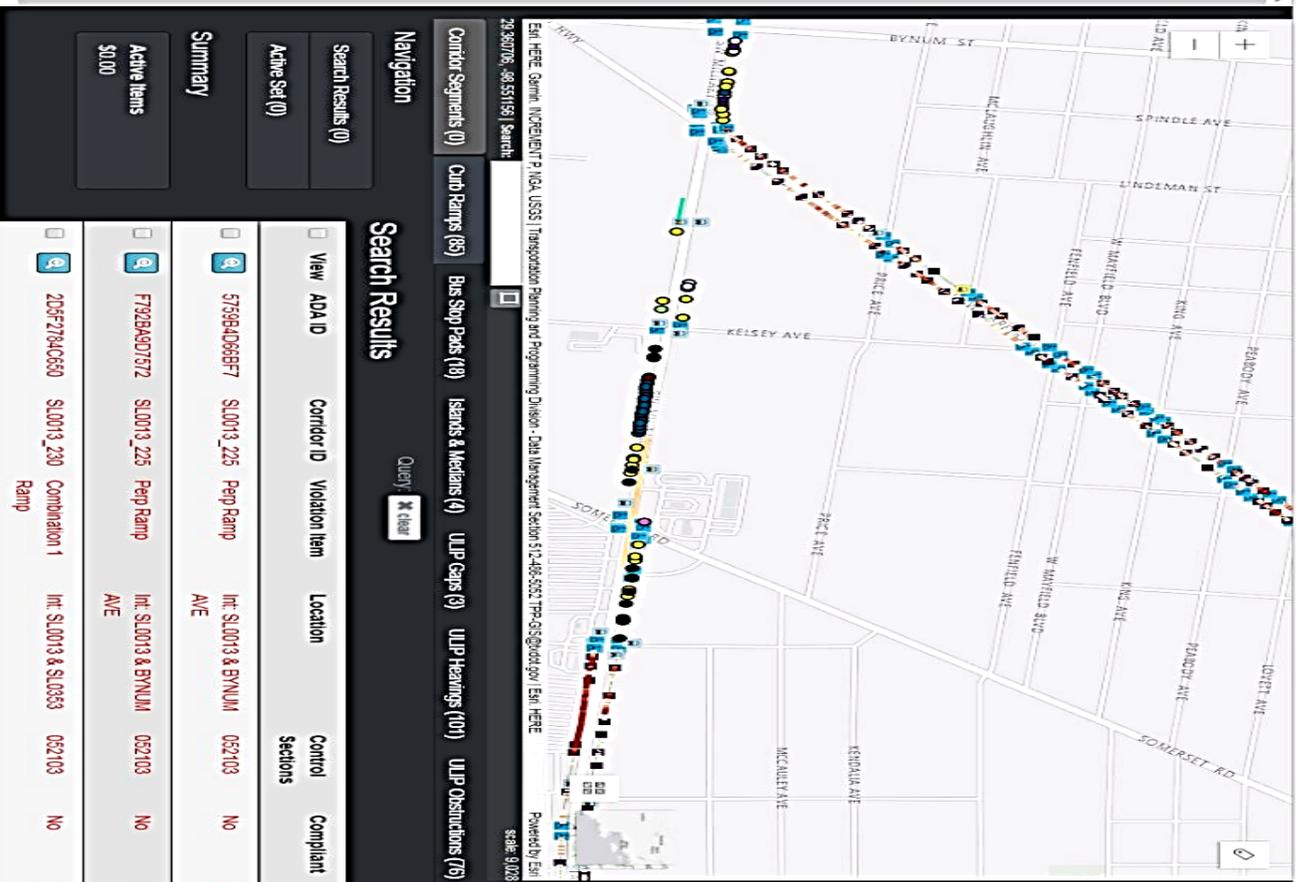
20 Bays

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**Cole Accessibility**  
 Toolbox  
 V1.0 - 1/2017

Logout



East HERE. Google. INCREMENTAL. NGA. USGS. Transportation Planning and Programming Division - Data Management Section. 512-406-5555. TPO-GIS@dot.gov. East HERE. Powered by Esri. scale: 9/28

## ADA Layers

- Corridor Segments
- Curb Ramps
- Bus Stop Pads
- Islands & Medians

Corridor Segments (0)

Curb Ramps (85)

Bus Stop Pads (18)

Islands & Medians (4)

ULP Caps (3)

ULP Hearings (10)

ULP Obstructions (76)

Visual Schematic Items (71)

Navigation

Search Results (0)

Active Set (0)

Summary

Active Items \$1000

Search Results

Query:

View	ADA ID	Corridor ID	Violation Item	Location	Control Sections	Compliant	Individual Cost	Remediation Status	Compliance Report
<input type="checkbox"/>	5739840668F7	SL0013_225	Perp Ramp	Int: SL0013 & BYNUM AVE	052103	No	\$1,850.00	ToBeRemediated	<input type="button" value="Report"/>
<input type="checkbox"/>	F7829A9D7372	SL0013_225	Perp Ramp	Int: SL0013 & BYNUM AVE	052103	No	\$1,850.00	ToBeRemediated	<input type="button" value="Report"/>
<input type="checkbox"/>	205F7781C660	SL0013_230	Combination 1 Ramp	Int: SL0013 & SL0363 AVE	052103	No	\$1,800.00	ToBeRemediated	<input type="button" value="Report"/>

## 9 Oversight of Subrecipients

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In accordance with 23 CFR, 200.9(b)(7), TxDOT is responsible for developing and implementing an effective subrecipient monitoring program that conducts reviews of cities, counties, consultant contractors, suppliers, universities and colleges, planning agencies and other recipients of federal-aid highway funds with whom it does business.

TxDOT's Subrecipient Monitoring Program is multi-faceted and includes education, oversight, design review, consultation and monitoring. The elements of the program are outlined in this guide. Other information addressing responsibilities under ADA and Section 504 will also be distributed to TxDOT's subrecipients.

Subrecipients will be asked to acknowledge their understanding of the requirements of the ADA/Section 504 and certify by signature, that they do/will comply with those requirements. TxDOT reserves the right to review any of the required materials/policies/programs of the subrecipient. Notification of training will be provided to subrecipients and consultation will be offered on an as needed basis.

TxDOT's Advanced Funding Agreement (AFA) outlines the basic requirements to ensure nondiscrimination in Subrecipient transportation projects and is used by TXDOT as a starting point in the process of determining funding eligibility. A Subrecipient must be ADA compliant to be eligible to receive federal funds. TXDOT is responsible for monitoring subrecipients to ensure compliance and must ensure entities are actively addressing deficiencies and demonstrating good faith efforts in their compliance with ADA.

### **TxDOT ADA SUBRECIPIENT MONITORING AND COMPLIANCE PROGRAM SURVEY I**

The TxDOT Finance Division identified all subrecipients that are currently operating pursuant to an executed Advanced Funding Agreement. All TxDOT subrecipients will receive an introductory letter about the ADA Subrecipient Monitoring Program via "GOV delivery" which is a TxDOT electronic communication system created by the Communications Division.

Thereafter, subrecipient monitoring begins with the ADA Subrecipients Monitoring and Compliance Survey I (Survey I). Survey I is a questionnaire accessible online via the following link: <https://www.surveymonkey.com/r/ADASubrecipients1>. The purpose of the initial survey is to monitor subrecipient compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, as amended, to provide baseline information about the level of subrecipient compliance efforts across the State.

Beginning October 1, 2017, all TxDOT subrecipients are required to complete the ADA Subrecipients Monitoring and Compliance Survey I. Subrecipients will be notified of scheduled ADA subrecipient training via the Subrecipient Training Letter when appropriate. The schedule will also be posted online at [www.txdot.gov](http://www.txdot.gov).

## TxDOT ADA SUBRECIPIENTS MONITORING AND COMPLIANCE PROGRAM SURVEY II & RISK ASSESSMENT

The Subrecipients Monitoring and Compliance Survey II (Survey II) is a questionnaire accessible online via the following link: <https://www.surveymonkey.com/r/ADASubrecipients2>. It will be distributed approximately sixty (60) days after Survey I. Survey II is a comprehensive assessment that will be used to help TxDOT determine specific areas of subrecipient compliance/noncompliance; evaluate risk factors; help subrecipients understand their ADA/504 responsibilities; and determine if a formal review (desk or on-site) is required as part of the monitoring and compliance process. Survey II will be distributed to Subrecipients who:

1. Receive federal-aid assistance;
2. Receive funds in excess of \$\_\_\_\_\_ (TBD Based FY Awards); and
3. Executed an Advanced Funding Agreement (AFA) within the most current two-year period (i.e. FY 2015-2016 and FY 2016-2017).

Subrecipients will be notified of their preliminary compliance determination once the responses of the ADA Subrecipients Monitoring and Compliance Survey II & Risk Assessment are evaluated for compliance/noncompliance and risk.

Subrecipients who do not complete the survey may be notified of their noncompliant status for failure to adhere to the requirements of the TxDOT ADA Subrecipient Monitoring Program. Subrecipients that are not required to complete Survey II will not be notified.

Subrecipients that are considered a high risk for noncompliance or noncompliant with ADA will be notified that a TxDOT ADA Subrecipients Monitoring and Compliance Formal Review (Desk Review or On-site Review) will be scheduled.

## TxDOT ADA SUBRECIPIENTS MONITORING AND COMPLIANCE PROGRAM DESK REVIEW

### **Step 1: TxDOT Sends ADA Review Notifications.**

Subrecipients that are considered a high risk for noncompliance or noncompliant with ADA will be notified that a TxDOT ADA Subrecipients Monitoring and Compliance Formal Review (Desk Review or On-site Review) will be scheduled via certified mail, return receipt requested.

### **Step 2: TxDOT Conducts a Desk Review of ADA Subrecipients Monitoring and Compliance Desk Review Assessment Responses.**

Subrecipients will be required to complete the ADA Subrecipients Monitoring and Compliance Desk Review Assessment and provide supporting documentation as evidence of compliance with ADA/504.

### **Step 3: 30-Day Compliance Review Period Commences.**

Upon receipt of notification and the Desk Review Assessment, the Subrecipient will have thirty (30) days to provide additional documentation or evidence of compliance that will be considered as part of the ADA Subrecipient Monitoring & Compliance Desk Review. Subrecipients may request an extension to collect the required documentation.

#### **Step 4: Notify Subrecipient of Findings – ADA Review Follow-up Report of the Subrecipient**

Once this thirty-day period or extension has expired, TxDOT will issue its findings in the ADA Review Follow-up Report of the Subrecipient. Subrecipients that are deficient or noncompliant are not eligible to receive federal funds via TxDOT until they have resolved their deficiencies or have submitted a commitment letter to TxDOT affirming their commitment toward resolving their deficiencies with a specific plan of action identified for each deficiency.

### **TxDOT ADA SUBRECIPIENTS MONITORING AND COMPLIANCE PROGRAM FORMAL COMPLIANCE REVIEW**

#### **ONSITE COMPLIANCE REVIEWS TARGET CURRENT SUBRECIPIENTS IN NONCOMPLIANCE:**

Onsite reviews may not be necessary; however, onsite reviews may be performed at the discretion of the ADA Compliance Program Administrator or upon request of the subrecipient. ADA subrecipient compliance and monitoring is focused on ensuring compliance with the assurances of nondiscrimination and is risk-based. On-site review procedures apply to those subrecipients already approved and with projects underway. An on-site compliance review may be conducted based upon the following:

- A high-dollar or high-impact project is being undertaken by the Subrecipient. Impacts may or may not be related to disabled or other specifically-protected individuals;
- The Subrecipient has received a complaint of discrimination or TXDOT has received a complaint about the Subrecipient; or
- TXDOT has other reasons to suspect the Subrecipient may not be in compliance with nondiscrimination requirements. This may be based upon the manner of construction of improvements; content present or absent from the subrecipient's website; responses of the surveys or assessment tool or lack thereof; comments made in the official capacity of the subrecipient; actions taken that generate concern regarding the level of the subrecipient's compliance; or other reasonable basis identified by TxDOT, including a history of noncompliance.
- On-site Reviews will be undertaken by a Review Team. The Review Team members will vary between subrecipients depending on the type of project and the level of monitoring needed, to ensure that the members from the relevant departments and in-house experts are engaged appropriately. A Review Team may consist of:
  - Grants Manager
  - Project Manager
  - District/Division ADA Liaison
  - ADA Compliance Program Administrator
  - Other internal Subject Matter Expert (SME) (as required)

## **Before On-Site Review**

**Step 1 - Information Request:** The ADA Compliance Program Administrator will request relevant documentation at least 4 weeks in advance of the site visit based on the requirements. The requested documents will be determined by the review areas applicable to each subrecipient. The subrecipient is required to return the documents 2 weeks before the site visit.

**Step 2 - Review Documentation:** The Review Team will review all submitted documents. The team will record which documents were received and if there were performance or information gaps in meeting the FHWA requirements in each area.

**Step 3 – Pre-Visit Information:** One week before the site visit the ADA Compliance Program Administrator will send the Subrecipient the following:

- Cover Letter;
- Subrecipient Review Areas. This outlines the documents that were received and areas that will be further investigated on-site, and a list of performance or information gaps in advance of the site visit, allowing the subrecipient to prepare for on-site discussions;
- The program agenda for the on-site review to ensure that all relevant staff members are present; and
- The chosen sample of procurement files, so that the subrecipient will ensure all the documentation is ready (if applicable) for review on-site.

## **On-Site Review**

The ADA Compliance Program Administrator will coordinate the On-site Reviews. A minimum of 2-3 members of the Review Team will attend on-site to conduct the review based on the results of performance or information gaps identified in the pre-site visit documentation review, changes in policies and procedures, risk based assessment of grant management areas and federally funded procurements.

**The On-site Reviews will last approximately 1.5 days and will cover the following:**

**Step 4 – Entrance Conference:** The first meeting of the site visit between the Review Team and subrecipient. Introductions and overview of the compliance review objectives and process, and confirm arrangements for the review (documents requested, staff interviews, projects or federally funded assets to be inspected). The subrecipient should raise any issues they would like to discuss during this conference.

**Step 5 – Interviews and Review of Outstanding Documentation:** Focus on outstanding questions or gaps, changes in policies and procedures, risks and other pertinent information identified prior to the visit.

**Step 6 – Visit and Inspection of Documents, Facilities and Other Major Assets:** Including, observing the condition of facility and equipment, reviewing preventive maintenance records for a sample of federally funded facilities, verifying that the subrecipient has equipment control

procedures, and reviewing procurement files and other documentation to confirm that the subrecipient has effective and comprehensive oversight procedures.

**Step 7 – Preliminary Findings of Deficiency:** During the review, the Review Team will check all FHWA requirements and record the findings. This will help to identify the preliminary findings and ensure all areas are covered while on site.

**Step 8 – Exit Conference:** The site visit will conclude with an exit conference during which the Review Team will debrief the subrecipient team. At the exit conference, the preliminary findings of deficiency will be distributed by the Review Team and discussed with the subrecipients along with proposed corrective actions and milestones for completion. The subrecipient should advise if any comments have been misstated or if there may be obstacles to the implementation of corrective actions.

Findings can take a number of forms:

- **“No Finding”:** Subrecipients documentation meets FHWA and ADA/504 requirements
- **“Finding”:** Subrecipient is missing documentation or the documentation provided is missing key FHWA and/or ADA/504 requirements
- **“Not Applicable”:** An area can be deemed not applicable if, after initial assessment, the subrecipient does not conduct activities for which the requirements of the respective area would be applicable.

Each finding will be accompanied by a corrective action that must be completed by the subrecipient to bring the project into compliance with FHWA requirements. The corrective actions, along with timelines for completion, form a corrective action plan which the subrecipient will be monitored. Corrective actions could include developing new policies and procedures, training staff, developing required documents/plans, and monitoring of staff performance to ensure compliant policies are followed.

Corrective actions must be specific, measurable, and assignable to the subrecipient and ensure the deficiency is removed. The timelines given for corrective action must be realistic, but enable the deficiency to be removed as quickly as possible. All corrective actions must be completed within 90 days of the date of the final report.

#### **Step 9 - Notify Subrecipient of Findings – ADA Review Follow-up Report of the Subrecipient**

Based on the findings noted in the Exit Conference, the ADA Compliance Program Administrator will develop a report indicating any performance gaps identified in the relevant compliance areas as a result of the review. The draft report will be sent to the subrecipient for comment ten (10) business days after the date of the site visit.

Between the date of the site visit and date of the draft report the subrecipient can submit to the Review Team documentation that will be considered in the draft report. Documentation can take two forms:

- If the documentation provides clarification that the subrecipient was compliant at the time of the site visit, reference to the finding should be removed.
- If the documents provide evidence that a finding has been corrected since the site visit, the finding should be listed in the draft report, but noted as closed.

**The ADA Review Follow-up Report of the Subrecipient will be submitted to the Designee of the subrecipient.**

**Step 10 – Corrective Action Monitoring:** The Project Manager will be responsible for tracking the status of all corrective actions and determining when all corrective action requirements have been met within the agreed timeframe. If a subrecipient does not deliver the corrective actions in the agreed timeframe, future payments may be withheld or additional funding may not be provided.

## **FAILURE TO COMPLY**

If the subrecipient does not voluntarily comply within 90 days of the original notification, either by resolving the deficiency or by completing and submitting a compliance action plan to TxDOT, TxDOT will issue a notice of noncompliance.

If the subrecipient fails to submit appropriate and complete documentation to support its commitment to comply with ADA/Section 504, TXDOT will issue a noncompliance letter and forward a copy to FHWA and may then pursue other legally available action against the subrecipient for failure to comply. An administrative hearing opportunity would exist for the subrecipient at this point and notice of the same will be provided.

## **Following the expiration of ninety (90) days, TXDOT will either:**

- Certify the current subrecipient eligible to receive funds,
- Identify the current subrecipient as deficient but on an approved corrective action plan, or
- Issue a notice of noncompliance and initiate appropriate proceedings to determine ineligibility to receive funds.

Copies of all deficiency notices will be provided to FHWA.

## **REQUIREMENTS FOR SUBRECIPIENT'S DEFICIENCY RESOLUTION**

A Subrecipient who completed the ADA Subrecipient Monitoring & Compliance Formal Review may become compliant at any time by submitting sufficient documentation to the ADA Compliance Program Administrator for review that demonstrates resolution of their deficiencies.

Compliance documentation is generally reviewed by the ADA Review Team in the order it is received unless TXDOT or FHWA priorities determine otherwise. An ADA Review Follow-up Report of Subrecipient will be provided upon completion of the review. A corrective action plan is included in the report when applicable. Keep in mind that corrective action plans apply to current subrecipients of federal funds for a current and ongoing project only.

**(See Attachment O - TxDOT's ADA Technical Assistance Guide for Subrecipients for copies of all Letters and Documents).**

## 10 Design Standards

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In 1992, TxDOT began using the ADA Accessibility Guidelines as its accessibility standards. In November 2006, U.S. Department of Transportation (DOT) adopted new ADA Standards for Transportation Facilities (ADASTF, <https://www.access-board.gov/guidelines-and-standards>), and in 2010, the U.S. Department of Justice adopted the ADA Standards for buildings and sites. The Department has been proactive about meeting or exceeding these federal accessibility standards in developing its State specifications and standards. The TxDOT Design Standards have been revised to meet the 2006 ADASTF and also the latest draft Guidelines for Accessible Public Rights of Way (PROWAG), [www.access-board.gov/prowag/](http://www.access-board.gov/prowag/). As of May 15, 2017, the Texas Department of Licensing and Regulation began allowing the use of the PROWAG for projects in the public right of way. This rule change allows TxDOT to use the PROWAG as its de facto 'standards.' TxDOT Design Division has also published guidance on the installation of curb ramps and sidewalks (ADA Curb Ramp and Sidewalk Guidance (*Attachment I*) <http://crossroads.org/des/ada/docs/ADA%20Curb%20Ramp%20and%20Sidewalk%20Guidance.pdf>).

For the current and prior design standards, see:

<http://www.txdot.gov/business/resources/txdot-specifications.html>.

(*Attachment I*)

## 11 Accomplishments for 2017/2018

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The Texas Department of Transportation (TxDOT) understands its duty to provide accessibility for all users of its services and programs, including persons with disabilities. We are striving to provide accessible public services and facilities for persons using Texas' state roadways and other transportation facilities. Significant progress in assuring compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 has been made in the following areas: updating the 2004 Transition Plan; meeting FHWA reporting requirements; awareness, internal and external communications; outreach/public involvement; training; processing grievances; and developing and implementing a subrecipient monitoring program.

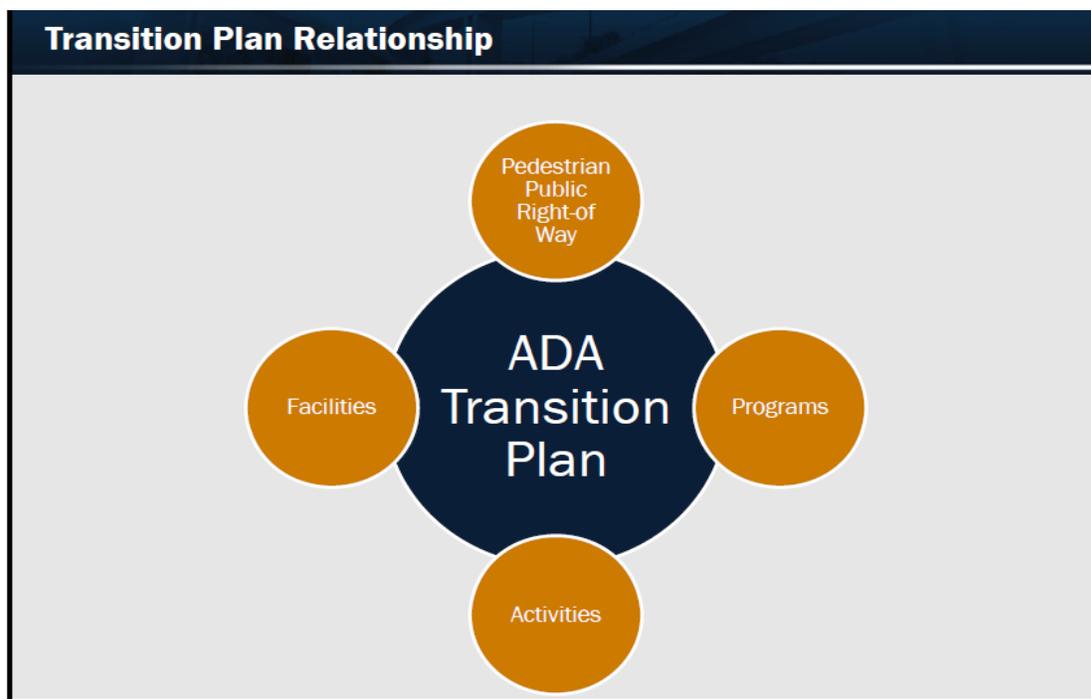
The following activities have been accomplished since October 3, 2017:

- Hosted monthly ADA meetings on training.
- Conducted market research for ADA training opportunities.
- Provided one-on-one training to various divisions to RTI, TOD, and MNT.
- Held meetings with CMD division to discuss, plan, and implement newly revised 508 standards.
- Met with SSD to discuss requirements for our facilities.
- Attended public involvement events in various districts.
- Reviewed and analyzed data from reporting portal.
- Created the program questionnaire form – *ADA Self-Evaluation Update – Program Accessibility*

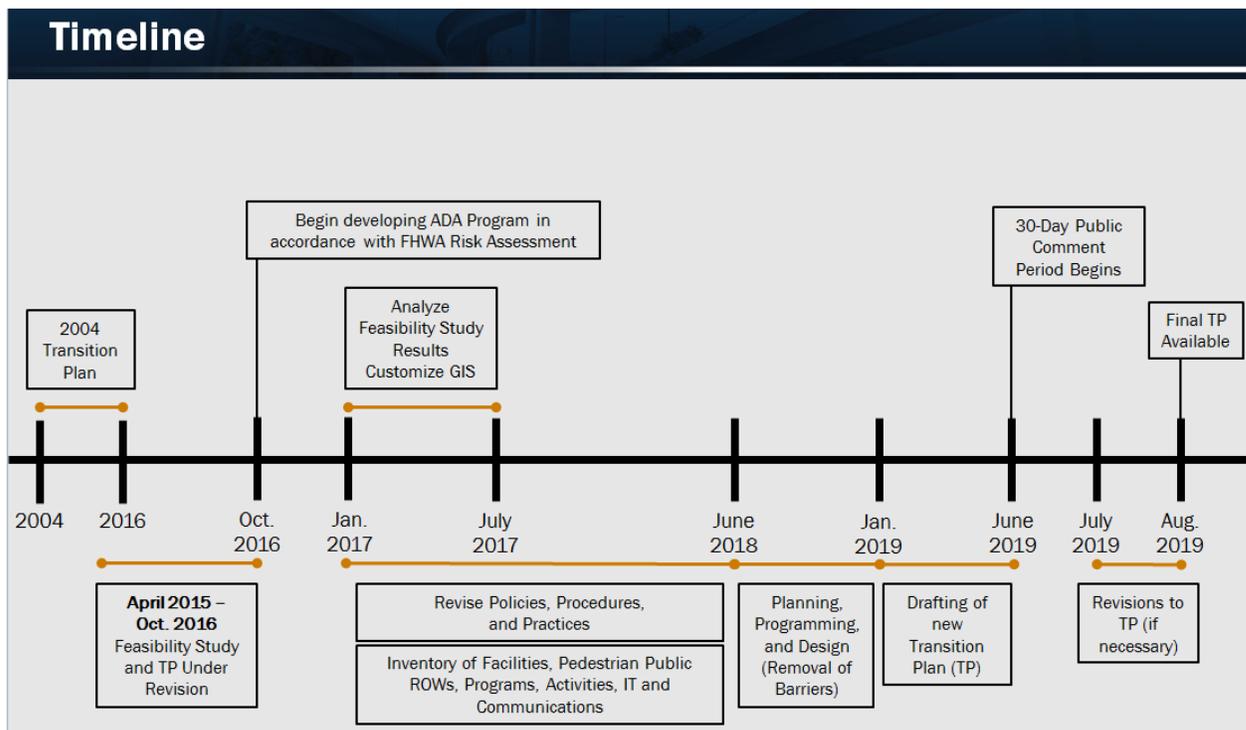
- Added special accommodation statement to public notes and flyers.
- Completed grievance investigations for San Antonio and Waco districts.
- Developed ADA exhibit, materials, such as posters, booklets, maps, emails, and letters for outreach events.
- Personally called and wrote letters to various disability-related groups and advocates to invite them to outreach event.
- 18 exhibitors partnered with TxDOT for ADA Outreach event.
- Worked with consultants on the Geographical Information System (GIS).
- Conducted market research for mobile accessibility application and Transition Plan software.
- Significant improvement in Districts/Divisions submitting required quarterly and annual dashboard reports and Accomplishments and Goal Report.
- Other TxDOT district offices held area committee meetings and hosted public outreach stakeholder meetings.
- Attended Texas Department of Licensing and Regulations (TDLR) Academy.
- Worked with district offers to find resolutions to minor ADA concerns.
- Developed standard operating procedures for hosting TxDOT events.
- Collaborated with Procurement Division to create an electronic resource library for auxiliary aids through blank purchase order process.
- Established an ADA Accessibility Training Program for ADA Liaisons during monthly meetings.
- Collaborated with Southwest ADA Center to provide ADA training to new TxDOT employees, current TxDOT employees, and supervisors.
- Consistent compliance with all FHWA reporting requirements.
- Compliance with FHWA program assessment review of TxDOT's Resurfacing Projects.
- Corpus Christi, Dallas, and San Antonio districts submitted Curb Ramp Resurfacing documents for the FHWA Audit Review successfully.
- Established a grievance process and policy for filing ADA complaints.

A. Updating the 2004 Transition Plan

The diagram below represents the components that make up TxDOT's newly revised Transition Plan. The projected date of completion of the Transition Plan is no later than August, 2019. Strides have already been made in each area to support efforts to revise the plan. All of the districts and divisions are collaborating with CIV to ensure that the self-evaluations are conducted timely and accurately. Although consultants will be contracted to perform the official assessments, many districts and divisions have already begun preliminary evaluations of accessibility areas. Committees will be developed to brainstorm, discuss and plan the formal strategy for removing necessary ADA deficiencies or barriers.



The timeline depicts the revision progress that has been made so far in updating the 2004 Transition Plan. All four components mentioned in the previous paragraph are being addressed according to this timeline. TxDOT is currently in the data collection phase known as the self-evaluation period. Examples of checklists used to record data pertaining to facilities, programs and web content are provided in other sections of this report. Specialized technical software is being used to collect the public rights of way inventory which is identified in the (*Attachment F- Pedestrian Access: Improving Accessibility in Public Rights of Way*).



## B. FHWA Reporting Requirements

CIV created the Reporting Portal to store data and other information that highlights TxDOT's successes. Many of our districts and divisions are working on exciting projects that improve accessibility for all persons. There has been major improvement in reporting success stories. The reporting portal not only helps with FHWA reporting requirements, but it also provides an additional channel for ideas to be shared across districts and divisions, and encourages dialogue regarding ways to improve our ADA Accessibility Program.

The reporting portal includes a designated ADA file for all information pertaining to the ADA Accessibility Program. The ADA file is then broken down into two (2) folders: one for districts, and the other for divisions. The district and division folders are further broken down to include a file folder for each one of the twenty-five (25) districts and thirty-four (34) divisions. Each individual district and division file contains seven (7) folders which include: (1) FHWA Dashboard Report; (2) Accomplishments and Goals; (3) Training; (4) Committee Meetings; (5) Grievances; (6) Subrecipients Monitoring; and (7) Miscellaneous. The folders were specifically created to coincide with the goals and expectations that were outlined for TxDOT by FHWA. The aforementioned methodology helps to ensure that TxDOT maintains compliance in all measurable areas.

## Reporting and Reporting Portal

<https://txdot.sharepoint.com/sites/office-ocr/intranet/SitePages/Home.aspx>

The screenshot shows the SharePoint interface for the Reporting Portal. At the top, it displays the Texas Department of Transportation logo, the Civil Rights Division (CIV) branding, and navigation options like 'CIV Only', 'Sections: ADA Program', and 'Compliance'. The main heading is 'Reporting Portal'. Below this, there are navigation links on the left (Home, D/D Review Documents, Education Portal, Reporting Portal, Resources, Recent, Reporting, Pages, Site Contents, EDIT LINKS) and a central area with 'All Documents' and a search bar. A table lists folders with columns for Name, Modified, and Modified By.

Name	Modified	Modified By
ADA	November 10, 2016	Sierra Fallin
DBE	July 25, 2016	Adrian Garza
DDC SOP	February 14	Carlos Rodriguez
HUB	January 2	Sierra Fallin
LG	Yesterday at 2:07 PM	Carlos Rodriguez
Sunset	September 6, 2016	Adrian Garza
Title VI	July 25, 2016	Diana Miranda

CIV ADA Page: [http://crossroads/org/civ/ada\\_program.htm](http://crossroads/org/civ/ada_program.htm)

Reporting Portals for Districts: <https://txdot.sharepoint.com/sites/office-ocr/intranet/Reports/Forms/AllItems.aspx?RootFolder=%2Fsites%2Foffice-ocr%2Fintranet%2FReports%2FADA%2FDistricts&FolderCTID=0x012000A8F15E198C8C2A4F89946FA7F3282F5C&View=%7B1FBBA44D-0A5D-48AC-93E0-AD4CB6878BF0%7D>

Reporting Portals for Divisions: <https://txdot.sharepoint.com/sites/office-ocr/intranet/Reports/Forms/AllItems.aspx?RootFolder=%2Fsites%2Foffice-ocr%2Fintranet%2FReports%2FADA%2FDivisions&FolderCTID=0x012000A8F15E198C8C2A4F89946FA7F3282F5C&View=%7B1FBBA44D-0A5D-48AC-93E0-AD4CB6878BF0%7D>

### C. Awareness

An ADA presence has been created on the CIV website. An evaluation is currently underway to determine ways to improve ADA accessibility on the TxDOT.Gov website. The Disability Movement and ADA, an exhibit was created to inform the public and others about the American Disabilities Act and was displayed during the ADA open house outreach event on July 26, 2017. Some future strategies to meet the “awareness” goal include creating an accessibility marketing campaign, a newsletter to highlight the successes of the program and provide general information, and develop a brochure that introduces the ADA Accessibility Program to external stakeholders.

### D. Internal and External Communications

Steps have been taken to improve internal and external communications about ADA accessibility. The Compliance Program Administrator has met with multiple TxDOT districts and divisions to discuss the “new” ADA Accessibility Program. To keep the lines of communication open, ADA Liaisons were designated for 100% of the districts and approximately 82% of the divisions. An ADA Committee has been established in each district and an ADA Advisory Committee which is comprised of members from various divisions is being established. See (*Attachment J*) for roles and responsibilities. During FY 2017/2018 the ADA liaisons and committees will meet as follows:

#### 1. Liaison Meetings

Once per quarter:

Q1 – Thursday, November 9, 2017 (in person)

Q2 – Thursday, February 15, 2018

Q3 – Thursday, April 19, 2018

Q4 – Thursday, September 27, 2018

- Via WebEx
- 10:00 a.m. – 12:00p.m.
- Training the first 30 minutes of the meeting

## 2. Committee Meetings

- Meet once per quarter
- May be conducted via WebEx, telephone conference or in-person
- Agenda and minutes must be kept on file
- Minutes are uploaded to the Reporting Portal and placed in the “Committee Meetings” file
- Administration will designate members of the ADA Advisory Committee (Divisions)

## E. Outreach/Public Involvement

A general input public involvement meeting will be hosted by TxDOT CIV, the Austin District, ADA Committee, and other Divisions on November 15, 2017. Several stakeholders of the disability rights advocacy community are invited to participate in this outreach event. TxDOT seeks feedback that focuses on safety, mobility and the Transition Plan. TxDOT will host future outreach events which may be geared toward awareness, education or general input to encourage continued public participation with the disabled community.

Each district office has submitted an Outreach Action Plan for FY2017/2018. Please refer to the Accomplishments and Goals Reporting for each district. Additionally, the Outreach Action Plan for all other TxDOT divisions is included in the overall TxDOT “Accomplishments and Goals Report”.

### 1. TxDOT - Headquarters Outreach Action Plan

*See Section 13*

*See District Accomplishments and Goals Reports to review respective outreach action plans.*

### 2. Public Meetings

Procedures were developed to assist districts and divisions when hosting public meetings. Several resources are provided on Crossroad - CIV ADA webpage to help with planning successful meetings. The Office of Public Involvement partnered with CIV to provide Public Involvement training to introduce TxDOT’s Public Involvement Policy and offer meeting strategies. Specific attention was given to the following areas to make meetings more accessible:

- Accessible Location
- Effective Communication
- Special Accommodation Statement
- Auxiliary Aids & Service

F. ADA Training

TxDOT ADA Accessibility Program – ADA Training Schedule FY 2017/2018

Course Name	Date	Duration	Location	Presenter
<b>AUDIENCE: ADA Liaisons</b>				
Disability Etiquette	Nov. 9, 2017	2 hours (in person)	200 E. Riverside Dr., Rm 1A.1 Austin, Texas	Southwest ADA Center
Effective Communication	Feb. 15, 2018	30 min.	WebEx	Southwest ADA Center
Program Accessibility	Apr. 19, 2018	30 min.	WebEx	Southwest ADA Center
The Top 10 ADA Transportation-Related Questions & Answers	Sept. 27, 2018	30 min.	WebEx	Southwest ADA Center
<b>AUDIENCE: TxDOT Technical Employees</b>				
DES 122	Oct. 24 or 25, 2017	1 Day	Austin District Office	Krause/Webber
DES 122	Nov. 7 or 8, 2017	1 Day	Fort Worth District Office	Krause/Webber
DES 122	Nov. 29, 2017	1 Day	Houston District Office	Krause/Webber
DES 122	Jan. 9 or 10, 2018	1 Day	San Antonio District Office	Krause/Webber
DES 122	Jan. 23 or 24, 2018	1 Day	El Paso District Office	Krause/Webber
<b>AUDIENCE: TxDOT Employees and Local Governments/Subrecipients</b>				
FHWA: ADA & Subrecipients	Apr. 9-11, 2018	2 Days	Houston District Office	Patrick Gomez (FHWA)
FHWA: ADA & Subrecipients	Apr. 12-13, 2018	2 Days	200 E. Riverside Dr., Rm 1A.1 Austin, Texas	Patrick Gomez (FHWA)
<b>AUDIENCE: TxDOT Managers and Supervisory Staff *</b>				
ADA Title II – Disability Employment Awareness	Complete w/in 60 days of notification	2 ½ hours	ELM	TxDOT
<b>AUDIENCE: New &amp; Current TxDOT Employees – ADA Title II Disability Awareness: Customer Service and ADA Awareness *</b>				
ADA Title II – Disability Awareness: Customer Service and ADA Awareness	Complete w/in 60 days of notification	2 ½ hours	ELM	TxDOT
Course Name	Date	Duration	Location	Presenter
<b>AUDIENCE: TxDOT SUBRECIPIENTS</b>				
TxDOT's ADA Subrecipient Monitoring Program**	TBD	½ Day	Dallas/Fort Worth	CIV – ADA
TxDOT's ADA Subrecipient Monitoring Program **	TBD	½ Day	Houston	CIV – ADA
TxDOT's ADA Subrecipient Monitoring Program**	TBD	½ Day	San Antonio	CIV – ADA
TxDOT's ADA Subrecipient Monitoring Program**	TBD	½ Day	El Paso	CIV – ADA

\*Complete every two years as part of the EEO requirement

\*\*Computer-based training also available

## Trainings

### External

- ADA National Network (self-paced training; 10 Modules; certificate) <http://www.adatitle2.org>
- FHWA – Designing Pedestrian Facilities for Accessibilities (October)
- Texas Dept. of Licensing & Regulation (Texas Accessibility Academy) <https://www.license.state.tx.us/ab/taa.htm>
- U. S. Access Board (various accessibility courses) <https://www.access-board.gov/training>

## Grievances

An ADA Grievance Policy has been developed and is outlined in other parts of this report. To date, TxDOT has successfully responded to one (1) formal grievance and is in the process of responding to one (1) informal complaint. Training covering the grievance policy, the grievance process and investigative reporting will be provided to all ADA Liaisons and staff members of districts and divisions.

## **12 Goals for 2017/2018**

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- Continue to foster inclusion and provide accessibility to all visitors and TxDOT employees
- 100% reporting compliance for all districts and divisions
- Complete the 2019 Transition Plan
- Identify the criteria for the desk and site reviews for the Subrecipient Monitoring Program
- Create a technical manual for the ADA Subrecipient Monitoring Program
- Develop a comprehensive ADA accessibility policy and manual for the Agency
- Design an ADA accessibility marketing campaign, including a newsletter and brochure
- Host an ADA Accessibility Program Stakeholders Meeting for FY2017/2018 to provide an update of TxDOTs progress in ADA
- Host 28<sup>th</sup> anniversary of the ADA outreach event
- Create a Public Service Announcement for ADA where Executive Director, James Bass provides an update on the ADA Accessibility Program
- Fully develop an ADA Webpage on TxDOT.Gov; and
- Distribute a public survey/questionnaire to generate feedback from the public and the disabled community.

# 13 ADA Accessibility Program Outreach Plan

## TxDOT ADA Accessibility Program Outreach Plan

**Mission:** *The mission of the Texas Department of Transportation's (TxDOT) ADA Accessibility Program is to ensure that every program, service, benefit, activity and facility open to the public is fully accessible to and usable by people with disabilities in an integrated setting that fosters inclusion and does not discriminate.*

**Goal 1:** Increase awareness of TxDOT's ADA Accessibility Program throughout the Agency and state.

Action Steps	Responsibilities	Timeline	Resources	Potential Barriers	Communications Plan
<b>Step 1: Fully develop ADA webpage</b>	ADA Coordinator ADA Compliance Program Administrator CIV Staff Communications Div. (CMD) Info Mgmt. Div. (IMD)	Consistent with the revised 508 requirements (effective January, 2018)  <i>Ongoing</i>	Expertise of CMD and IMD Staff CIV Staff Administration (Support)	Costs – Funds to update software, hardware and compensate NTT Data Consultants	Meetings with other Divisions Written correspondence Emails Brainstorming Sessions Social Media
<b>Step 2: Create an ADA Awareness Campaign</b>	ADA Coordinator ADA Compliance Program Administrator ADA Liaisons (Divisions) CIV Staff OPI CMD	<b>Benchmark Dates –</b> Concept Dev. – 12/2017 Agency-wide Participation 3/2018 Public Participation 6/2018 Final – 7/2018	CIV Staff CMD / IMD / OPI Administration (Support)	Community Involvement Advocacy Groups Costs Participation	Advertisements Public Announcements Flyers Written correspondence E-blast Brainstorming Sessions Social Media
<b>Step 3: Celebrate the anniversary date of the signing of the Americans with Disabilities Act</b>	ADA Coordinator ADA Compliance Program Administrator ADA Liaisons (Divisions) CIV Staff Volunteers Partners OPI/CMD	<b>July 26, 2018</b> (or another close date in order to meet location requirements)	CIV Budget Staff Volunteers Partners Administration	Community Involvement Advocacy Groups Convenient location Costs Participants Inclement Weather	Advertisements Public Announcements Public Meetings Flyers at various locations Written correspondence E-blast Brainstorming Sessions Social Media

**Evidence of Success:** Community Involvement, support, participation and feedback  
**Evaluation Process:** Surveys, Questionnaires, Suggestions and Recommendations

**Goal 2:** Improve internal and external communications about TxDOT's ADA Accessibility Program.

Action Steps	Responsibilities	Timeline	Resources	Potential Barriers	Communications Plan
<b>Step 1: Create an ADA Newsletter</b>	ADA Coordinator ADA Compliance Program Administrator ADA Liaisons (Divisions) CIV Staff Volunteers Partners OPI/CMD	<b>February/March, 2018</b>	CIV Staff Partners Administration (Support) TxDOT Print Shop Other Divisions	Information to include (Topics) Limited writers/contributors Time	Advertisements Announcements Meetings Written correspondence E-blast Brainstorming Sessions Social Media
<b>Step 2: Create an ADA Brochure</b>	ADA Coordinator ADA Compliance Program Administrator ADA Liaisons (Divisions) CIV Staff Volunteers Partners OPI/CMD	<b>February/March, 2018</b>	CIV Staff Volunteers Partners Administration (Support) TxDOT Print Shop Other Divisions	Community Involvement Time	Advertisements Announcements Meetings Written correspondence E-blast Brainstorming Sessions Social Media
<b>Step 3: Public Survey/Questionnaire</b>	ADA Coordinator ADA Compliance Program Administrator ADA Liaisons (Divisions) CIV Staff Volunteers Partners OPI	<b>September, 2018</b>	CIV Staff Partners Administration (Support) Survey Monkey	Community Involvement Advocacy Groups Participants Receiving Responses Analyzing Responses Time	Advertisements Public Announcements Public Meetings Flyers at various locations Written correspondence E-blast Brainstorming Sessions Social Media

**Evidence of Success:** TxDOT Employees and Community Involvement, support, participation and feedback  
**Evaluation Process:** Surveys, Questionnaires, Suggestions and Recommendations

## TxDOT ADA Accessibility Program Outreach Plan

**Mission:** *The mission of the Texas Department of Transportation's (TxDOT) ADA Accessibility Program is to ensure that every program, service, benefit, activity and facility open to the public is fully accessible to and usable by people with disabilities in an integrated setting that fosters inclusion and does not discriminate.*

**Goal 3:** Increase public participation during the Design, Planning and Development phases.

Action Steps	Responsibilities	Timeline	Resources	Potential Barriers	Communications Plan
<b>Step 1: Host an ADA Accessibility Stakeholders Meeting</b> (Record this for the purpose of using later to allow public feedback)	ADA Coordinator ADA Compliance Program Administrator ADA Liaisons (Divisions) DES AUS District Office (ADA Team) All Divisions SSD Consultants	Thursday, <b>November 15, 2017</b> 9:00am – 12:00pm	CIV Budget CIV Staff Volunteers Partners Administration	Community Involvement Advocacy Groups Convenient location Costs – Auxiliary Aids Participants Inclement Weather	Advertisements Public Announcements Public Meetings Flyers at various locations Written correspondence E-blast Referrals Brainstorming Sessions Social Media
<b>Step 2: Provide the disabled community, advocacy groups and the general public an opportunity to comment on information provided during Stakeholders Meeting</b>	ADA Coordinator ADA Compliance Program Administrator ADA Liaisons (Divisions) Staff Volunteers Partners	<b>January, 2018</b>	Recorded Meeting Staff Volunteers Administration (Support)	Community Involvement Advocacy Groups Convenient location Costs Participants Distribution Computer Access (public) Accessibility Concerns	Advertisements Public Announcements Public Meetings Flyers at various locations Written correspondence E-blast Brainstorming Sessions Social Media
<b>Step 3: Issue Public Service Announcement (PSA) about TxDOT's ADA Accessibility Program by Mr. James Bass</b>	ADA Coordinator ADA Compliance Program Administrator ADA Liaisons (Divisions) Staff Volunteers Partners	<b>April, 2018</b>	CIV Staff Administration Media Relations	Unknown at this time	Advertisements Public Announcements Written correspondence E-blast Social Media

**Evidence of Success:** TxDOT Employees and Community Involvement, support, participation and feedback  
**Evaluation Process:** Surveys, Questionnaires, Suggestions and Recommendations

## 14 FHWA – Civil Rights Visit

TxDOT’s ADA Coordinator and ADA Compliance Program Administrator, Civil Rights Division attended the FHWA Quarterly Briefing with Mark Arrington, FHWA Civil Rights Program Manager for Texas on May 23, 2017. TxDOT was commended for the strides made in the ADA Accessibility Program. Reporting has improved substantially and overall progress is evident. It was established that the revised Transition Plan is expected to be completed by August 2019; each individual district will submit an Outreach Event Action Plan in the annual October Report; TxDOT will no longer be required to provide a status update bi-annually, but annually, resuming the original reporting schedule; CIV will provide an Outreach Event Action Plan for TxDOT Headquarters; and TxDOT will include a communication plan for the Public Rights of Way Accessibility Guidelines (PROWAG) adoption in the annual report.

The TxDOT Risk Assessment Report summarizes the state of the ADA Accessibility Program at that time:

Accessibility Risk Assessment	
PROGRAM ASSESSMENT	RISK
Self-Evaluation	Low
Transition Plan	Low
Policies & Procedures	Moderate
Reporting	Moderate
Awareness	Low
Communication	Low
Outreach	Moderate
Training	Low
Grievances	Moderate
Monitoring	<b>High</b>

LEGEND
Low – Utilizing Good practices
Moderate – Fair, but could improve
High – Needs immediate improvement

FHWA communicated its satisfaction with the progress of TxDOT’s ADA Accessibility Program. CIV was encouraged to continue striving for the goals set initially. (*Attachment K*)

TxDOT is currently working on developing the following:

- Comprehensive ADA Accessibility Policy and manual for the Agency
- Accessibility/marketing/ Awareness Campaign
- TxDOT ADA Accessibility Advisory Committee for the Agency and Divisions

# Districts

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## Abilene District

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### Accomplishments

During the Quarter 2 of FY 17, the Abilene District established an ADA Accessibility Committee and held its first meeting. The meeting discussed program requirements, operational needs, member responsibilities and schedule for future meetings and district outreach programs. We also discussed the ADA Checklist for Readily Achievable Barrier Removal and the process for the start of the scheduled facilities inventory. One outreach event was planned, two more accessibility committee meetings were planned and one training session was planned and completed.

The Big Spring relief route was being worked during this period and included several accessibility curb and gutter sidewalk ramps.

The Quarter 3 reporting period included the Abilene District Accessibility Committee holding its quarterly meeting via conference call. A total of 8 of 10 committee members were present on the call or in the District Office DE Conference Room. The primary agenda item was finalizing details of the District's first ADA Forum that was held on May 24th, from 1:30 pm to 3:00 pm. Six local ADA advocates participated in the forum.

The forum was well attended both by the Committee members and the ADA community. Discussion items included TxDOT's Commitment to the Community, a PowerPoint presentation, a Summary of the District's ADA Project Goals and Accomplishments, a Summary of the District Facilities Inventory, and finally Feedback from the Participants. The District Liaison received positive feedback from the attendees, with recommendations to provide earlier notice of the meetings in the future and to show that the input provided at the meeting was being considered in future projects.

### Overall Goals

The Abilene District's priority is to continue to communicate TxDOT's commitment to the local ADA communities and to better identify their challenges and issues through our outreach efforts. We want to ensure that our mission to provide accessibility to all of our programs, services, benefits, activities, and facilities to the public is a reality. Through our outreach events we will increase participation in the design, planning and development phases of our programs and services.

### ADA Outreach Plan for the Abilene District

The District's outreach plan includes: hosting three community outreach meetings within the three area offices boundaries. We will reach out to the Abilene Disability in Action group for assistance in inviting ADA stakeholders/organizations in each of the areas. The events will include training, education, and awareness issues specific to each particular area. The meetings will be available for public comment. A proposed agenda for the meetings is below. The preliminary outreach schedule is as follows:

November 2017 – Big Spring Area Office

March 2018 – Abilene Area Office

July 2018 – Snyder Area Office

TxDOT Abilene District  
American with Disabilities Act (ADA) Forum  
AGENDA

- Welcome and Introductions
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation - Americans with Disabilities Act – TxDOT'S Response
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answer Period

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## Amarillo District

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In accordance with the applicable rules and design standards the district continues to evaluate all roadway projects for ADA compliance. Modifications and additions to highway facilities are incorporated into the plans within the limits of the projects. During this reporting period, there were several projects that improved accessibility and conforming to the standards for ADA requirements. The Amarillo district was informed by Civil Rights division and is currently waiting on the contract to be in place for the inspections of all the building facilities in the district. We currently have 121 buildings in the district.

A survey will be conducted by contracted consultants to provide requirements necessary to meet ADA Standards and improve safety for all.

The district is actively pursuing ADA Design training for several engineering employees hired within the last couple of years. The Accessibility committee will continue to raise the awareness of district employees and improve documentation of compliance efforts.

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## Atlanta District

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TxDOT is making considerable progress in its reporting efforts. The ultimate goal is for each district or division to highlight accomplishments and goals annually.

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## Austin District

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### **Accomplishments:**

Between December and August of 2017 the Austin District identified the District ADA Liaisons, the District ADA Committee and we have set quarterly meeting schedule for the ADA Committee Meetings.

The Austin District ADA Accessibility Committee was formed and had their first meeting on April 26<sup>th</sup>, 2017. At the meeting we discussed ADA compliance, Outreach, Training, Accomplishments and Goals, Transition Plan, ADA's impact on people and the agency, and TxDOT's responsibilities. We had our second meeting on July 31<sup>st</sup>, 2017 where we updated the committee and upper management on our accomplishments since the first committee meeting and started working on our plans and goals for the next fiscal year.

On May 17<sup>th</sup>, 2017, the Area and Maintenance Supervisors were instructed on an ADA Checklist for Readily Achievable Barrier Removal and asked to begin the inventory process of their facilities. An inventory spreadsheet would be emailed to each section to list all minor barriers that were identified and corrected and the major barriers that could not be corrected right away. By the end of June, 2017 all Area and Maintenance Sections had responded. We have also developed an ADA site plan for the Austin district headquarters that delineate the ADA Accessible pathways from the handicap parking spots to all the major buildings entrances. Another undertaking we did is notify the facilities supervisor of any sidewalks in the district headquarters that need improvements due to cracking or uneven surfaces and requesting that transition between the pavement and sidewalk ramps be as smooth as possible in order to eliminate trip hazards especially for individuals with disabilities.

The Austin ADA Liaison and committee members assisted and volunteered at the joint Austin District/Division ADA outreach event on July 26, 2017 titled: TxDOT: Celebrating the 27<sup>th</sup> Anniversary of the Americans with Disabilities Act in Austin, Texas at the South Austin Senior Activity Center. This ADA fair that had multiple ADA advocacy groups and hundreds of guests was held from 2pm – 4pm. From this fair we gained valuable experience on how to exhibit our own fair and shared contacts with many of the ADA Advocacy groups who were at the exhibit.

Currently, TxDOT's Austin District is working on the Mobility 35 Project. Mobility35 costs \$4.3 billion. It is a 10-year plan and region wide effort to improve mobility and safety along I-35 in Williamson, Travis and Hays counties. Since 2011, the Texas Department of Transportation, the Capital Area Metropolitan Planning Organization, the city of Austin and other regional partners have been working on a plan for improvements to the I-35 corridor. The purpose of the program is to transform I-35 into a smart and efficient highway. This effort will improve mobility and connectivity for all modes of transportation—cars, transit, trucks, emergency vehicles, pedestrians and bicycles – along and across I-35, as funding is identified. The program limits include 79 miles of I-35 from the Williamson/Bell county line to the Hays/Comal county line. Included in the Mobility 35 Project are multiple improvements to make the project ADA complaint including the construction sidewalk curb ramps, railing, stripping, etc. The projects PSEs have either been developed and are in process of construction, are in process of being developed or are in the planning stages.

We recently dealt with an informal grievance. The City of Georgetown received a grievance from a person with Disabilities who had complained to the City that she can't currently cross Austin Avenue at Williams Drive to other side of the street since there's no sidewalk on Williams Drive between Austin Avenue and Morrow Avenue. TxDOT's Austin District coordinated with the City of Georgetown to add a pedestrian push button once the City of Georgetown had added the sidewalks, curbs and filled in the gap in the sidewalk that currently existed from Morrow Street to Austin Avenue. Specifically, the intersection of Austin Ave at Williams Drive is the one that Austin District committed to install the PED head/push buttons on the traffic signal and crosswalks, once the City of Georgetown installed the sidewalk/ramp approaches to the intersection. Currently, the City of Georgetown has Georgetown ADA Citywide Sidewalk Improvement project which was done by the consultant StegerBizzell.

A team of Traffic engineering staff from Traffic Operations travelled to the Austin District and evaluated 40 randomly selected roadway segments, 5 railroad crossings, and 7 signalized intersections. They provided a summary and inspection reports for each location and discussed items needing improvement. Included in their assessment were pedestrian related elements (including crosswalks). They found multiple areas from improvement including Approach signing and Pedestrian Elements to Stop Bars and Cross Walks at Signals. An action item or goal that we need to do in regards to this is to verify who in the Austin District to address this in the field and follow through to completion.

One project the Austin District's has recently finished letting and is in the process of construction is the FM 972 Walburg Road Widening Project. FM 972 Walburg Road Widening project design plans recently completed involved installing sidewalks through the city of Walburg with curb ramps and crosswalks to ensure a continuous ADA complaint pedestrian route. In addition to the sidewalks and crosswalks, this project involved the addition of multiple handicap parking spots for both the Walburg Community Center Building as well as the Walburg German Restaurant since much of the parking area was within our ROW. This project also involved the addition of hand rails on all drop offs near culverts.

#### **Future Goals:**

TxDOT's Austin District has set goals that parallel to the state-wide goals. We are seeking to schedule internal as well as external trainings and events with our partners, to improve our internal and external awareness of the challenges associated with disabilities. We are constantly looking for opportunities to improve communications about TxDOT's ADA Accessibility Program. We are also seeking to continue to ensure that both our design projects as well as our facilities are ADA complaint. Lastly, the Austin District continues to address and will address grievances, identify barriers, and find solutions in a timely manner.

We are developing a list of ADA trainings that employees will be required and encourage to take to develop an awareness of ADA programs that are available through the department and available externally. We will be scheduling training for our committee members, specifically the TDLR's Texas Accessibility Academy Class. We will be scheduling training for recipients and sub recipients to assist them in better understanding the ADA Accessibility program and requirements. With the help of Division Headquarter we are identifying a list of sub recipients and over the next 18 months we will work with them to determine their compliance and understanding of ADA/504 responsibilities.

In an effort to identify and prioritize ADA projects around the District we are setting up meetings with consultants to discuss the State-wide ADA Initiative. This meeting will help educate the District on project delivery needs as it relates to sidewalks and accessibility, The District will then form a process for documenting ADA components within our construction projects and identify standalone ADA projects and possible funding opportunities. During our public outreach meetings a project delivery component will give updates on our projects as well as provide additional opportunity for public comment on our programs.

As it relates to our facilities, the District has some buildings (both in the District Headquarters, Area Offices and Maintenance Facilities) that have identifiable deficiencies under the Architectural Barriers Act Accessibility Guidelines but we are allowed to have tolerances because the buildings have not been substantially modified, renovated or altered since their original construction. All new construction completed in the last 10 years (such as the South Austin Area Office) are in compliance with current ADAAG standards. We have recently done a facilities barrier inventory for every office under the Austin district and have identified barrier to be removed and have removed some of them and plan in the long term to remove the rest of them that require substantial work. Moreover, TxDOT is working on a self-evaluation which will be conducted through contracted services starting in the next fiscal year. This self-evaluation will allow TxDOT and its Districts to start to prioritize additional facility modifications that are identified.

#### **ADA Outreach Plan for the Austin District:**

As for our district outreach plans, we are constantly looking for opportunities to improve communications about TxDOT's ADA Accessibility Program. Since we share the same location (the city of Austin), we will be holding a joint stakeholder meeting with TxDOT's Division in November 2017 to present TxDOT's Austin District accomplishments and goals to the ADA community. This meeting will provide an opportunity to introduce us to the stakeholders and agencies that deal directly with the disabled community. We will hold another joint outreach event with TxDOT'S Division to celebrate the signing of the ADA on July 26, 2018. We also plan on holding two individual outreach events outside Austin City Limits to be able to better reach out ADA community outside the city of Austin but within the Austin District. The events will include training, education, and awareness issues specific to each particular area. The meetings will be available for public comment. A proposed agenda for the meetings is below. Moreover, we plan on joining forces with different ADA Advocacy and stakeholder groups to improve communications and we will continue to identify partners, stakeholder groups and individuals to increase and improve our outreach. Furthermore, we will learn about other ADA programs provided by both governmental entities as well non-profit organizations that are available in the Austin Area. We will also be holding training sessions such as brown bags and design tips for TxDOT employees to increase ADA Compliance awareness as well as possibly training the public in the use of traffic signals with push ped buttons or something similar as part of our outreach plans.

**The preliminary outreach schedule is as follows:**

November 16<sup>th</sup>, 2017 – District Stakeholder Meeting  
200 E. Riverside Dr. Rm 1A.1  
Austin, TX 78704

February 2018 - North Location  
Boy Scouts Center of America  
12500 I-35,  
Austin, TX 78753,  
281-260-6772

May 2018 – South Location  
San Marcos, Tx  
Location: TBD

July 26, 2018  
TxDOT ADA Fair  
Location TBD

TxDOT Austin District  
American with Disabilities Act (ADA) Forum  
AGENDA

- Welcome and Introductions
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation
- Americans with Disabilities Act – TxDOT'S Response
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answer Period

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## Beaumont District

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### **Accomplishments:**

The Beaumont District has focused on being in compliance with ADA laws and regulation by giving full attention to any accommodation request, attending compliance meetings and identifying barriers in our district.

During the past quarter our district has focused and educated our leadership group through weekly staff meetings on employees with disabilities and the growing accommodations that are being made in the workplace. We are discussing the importance of giving attention to employees who are requesting temporary accommodations and reminding our leaders on the processes to follow in reporting those requests. In doing so, we've been able to respond in a timely manner in helping our employees work and provide comfortability despite short lived challenges.

### BMT District ADA Committee

Our district ADA Committee met and was able to receive clarification this quarter on the communication regarding Sidewalk and Curbramp guidance that was sent out. Our Director of TP&D provided a clear explanation on why this assessment and findings is important to our district.

Members of our committee were able to assist with verifying who we consider our sub-recipients and have been valuable on obtaining updated contact information to prepare to what information is on file with Finance Division.

### **Goals**

Our next goal is to complete the ADA Assessment and utilize it as a tool in getting our district where we should be with public and internal compliance. This will be used as an opportunity to partner with our DE, and leadership in not only determining our district's state of preparedness but also a continual approach in maintaining that state of preparedness.

We are hoping to plan and host a successful public awareness event that will gain the public's trust in what we do and our attitude towards the disability community.

### ADA Planned Projects

At this time, we do not have any letting projects that are ADA related however our goals will be updated monthly once letting schedules and projects are updated and discussed.

Our district has also set a goal to have ADA related courses completed to ensure our leadership team is aware of ADA internally/externally and to also ensure our employees are educated on ADA as well. These classroom/online trainings will focus on ADA and ADA project related material as well.

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## Brownwood District

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### **Accomplishments:**

The Brownwood District has attained several accomplishments during FY16/17 regarding the implementation of process to assist in identifying accessibility issues along with actually improving accessibility in the District. A District ADA Liaison has been named and a District Accessibility Committee has been formed. The committee met during the 2nd and 3rd quarters. The committee has brainstormed on outreach opportunities and how to implement these activities in order to maximum input from the target audience. Committee members discussed ADA issues during routine visits to the maintenance sections in order to increase overall awareness. An update on ADA reporting along with accessibility items were discussed among at the 2nd and 3rd quarter supervisor's meeting. A reporting spreadsheet was provided to all supervisors along with guidance on how to identify and address accessibility issues. Quarterly reporting information has been uploaded to the Sharepoint site. The committee is working to identify ADA training needs and scheduling these with WFD.

A sidewalk/walking trail project was completed in conjunction with the City of Early to provide access around some of the Early ISD schools. ADA improvements are being incorporated into the District HQ renovation project.

Additional training has been provided through discussion with Department personnel in order to increase the awareness of ADA issues regarding all TxDOT facilities.

### **Goals:**

The Brownwood District's goals for FY17 include providing additional awareness training to all district employees. To proactively address any accessibility issues identified. Specific projects include the addition of width and handrail to the steps entering the back door of the District Lab, installation of ADA accessible sidewalks and curb ramps on the US 180 Stephens County project along with US 183 in Breckenridge and Rising Star. Provide public outreach events within the District to better identify needed improvements to Department facilities.

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## Bryan District

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### **Accomplishments:**

The Bryan District has made accomplishments improving on accessibility in the District in the 2017-2018 Fiscal Year.

First we designated myself, Maury Jacob as District ADA Liaison to chair our District Accessibility Committee and serve on the Agency's ADA/504 Accessibility Advisory Committee. We made quarterly reports following the requirements of the Office of Civil Rights. We uploaded quarterly dashboard information on December 28, 2016, March 30, 2017 and June 29, 2017. We provided a list of desired ADA accessibility training on December 28, 2016. We created a District Accessibility Committee and uploaded the first group of members on January 17, 2017. Since attending the February 24, 2017 Liaison meeting in Austin we added more committee members. Our first meeting was on March 27 and we met again June 7.

The Bryan District has continued to analyse our facilities and grounds. As we design and construct projects on State roadway facilities we design and construct accessible curb ramps and remove barriers wherever deficiencies are found. We coordinate and partner with local communities to promote local projects that connect curb ramps with accessible sidewalks on or connecting to the state system. Such work has been promoted financially with TAP funds and through policy initiatives and activist programs. Our ADA Liaison also participated in the creation of and serves on the BCSMPO Active Transportation Advisory Panel where sidewalks and bicycle facilities are promoted throughout our largest urban communities.

One of the first accomplishments of our District Accessibility committee was on the building facility front. A preliminary survey of our facilities was made with the goal of addressing "low hanging fruit". Accessibility was immediately improved throughout the District by simple changes like clearing accessible routes of chairs, tables and boxes.

On March 1, 2017 we uploaded our first sub-recipients list with contacts to the Civil Rights Division ADA dashboard. At the first District Accessibility meeting on March 27 we went over the Agency Liaison Meetings to date and the Program guide book and the overall goals of the committee. We discussed the District facility inventory status Any local inventory collection is currently ON HOLD as the work is planned for state-wide collection by division. However due to limited resources needed we are aware that collection may come back to the Districts at a future date. I passed around the Existing Facility List (buildings and grounds).

We discussed the ROW Inventory (curb ramps and sidewalks) to be collected by the Design Division unless limited resources push the collection work to the Districts.

We discussed sub-recipient monitoring requirements. The Bryan District has only one subrecipient at this time. All other local entity federal funding is managed through a Division. For example Brazos Transit District is managed through the Transit Division. TAP projects are managed through the PTN Division.

On March 1, 2017 we uploaded our first draft sub-recipients list with contacts to the Civil Rights Division ADA dashboard.

On March 23, 2017 Bryan District Liaison attended the monthly liaison meeting on via WebEx.

On April 19 2017 The District held an outreach event focusing on active transportation (pedestrian and bicycle mostly, but may include transit). This event presented information on TxDOT projects and plans throughout the District and solicited citizen input on active transportation issues.

Presentations were made by TxDOT, BCS MPO, City of Bryan, City of College Station, and a student organization among others. Texas Transportation Institute had a table providing information on a

project at the SW corner of TAMU campus that will have some very positive improvements to active transportation around campus. Information on the results of that meeting can be found at: <http://www.txdot.gov/insidetxdot/get-involved/about/hearings-meetings/bryan/032117.html>

On June 7, 2017 the District Accessibility Committee met to discuss ADA Liaison issues such as accommodation requests, barriers in our facilities, the July outreach event suggested by the CIV Division and the upcoming Q3 dashboard update.

On August 17, 2017 Maury Jacob, the ADA Liaison attended the monthly CIV ADA meeting via WebEx. There Mr. Jacob learned about Emergency Preparedness from Aaron McCollough of the Southwest ADA Center, pretty good timing prior to the state-wide agency activity prompted by Hurricane Harvey later that month. Bryan District served as a staging location for support from Northern Districts headed to and from Houston.

The Bryan District ADA Liaison promotes and organizes continuing education for District Design personnel on Active Transportation modes. This year we set up a number of Webinars including the following:

Jan. 5, 2017 ADA and ABA Webinar, -Accessibility Online,

April 7 and 11, 2017 Achieving Multimodal Networks: Applying Design Flexibility and Reducing Conflicts -FHWA,

April 11, 17, and 27, 2017 Designing for Bicycle Safety Webinar Series, 3 parts -FHWA,

Sept. 11, 2017 Designing Multimodal Roundabouts: Making Them Safe and Efficient for All, -TRB

**Goals:**

We will refine the sub-recipients list in a timely manner if information from Finance Division indicates additional recipients need to be added. We will continue to upload quarterly FHWA ADA/504 dashboard information on schedule.

Bryan District will continue to provide documentation of our ADA support work in the form of FHWA Dashboard Reports, Accomplishments and Goals Reports etc. Upcoming due dates: Sept. 14, 2017 for the Final version of this Narrative, Sept. 21, 2017- Q4 Dashboard and Annual Dashboard.

The District Accessibility Committee will continue to hold quarterly meetings.

The ADA Liaison will continue to attend regular Statewide WebEx meetings.

Bryan District will host an Active Transportation Public Meeting that will include a public ADA Outreach event. The Active Transportation Public Meeting is already an annual event. As host TxDOT will invite local entities to participate. This event is two-fold. First, it gives the public an opportunity to hear from the agencies just what has been accomplished over the previous year, what is ongoing, what is planned for the future. Second, the meeting provides an opportunity for individuals and groups to voice their opinions and concerns on all that is happening. Most importantly the public forum provides an opportunity for input on needs and desires the state may be unaware of and may not be addressing in our plans, programs and projects.

An additional part of the Active Transportation outreach event this year may be in the form of a separate meeting with a focus group assembled to consider the specific needs of disabled members of our community. These meetings are proposed for Spring, usually March or April and while discussions have already begun planning will begin in earnest December 2017.

The Bryan District ADA Liaison will continue to promote and organize continuing education on Active Transportation modes and ADA concerns as they become available throughout the year. We have already held our first design training for Q1-2018 on Pedestrian and Bicycle accessibility design for Roundabouts.

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## Childress District

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### **Accomplishments:**

Several accomplishments were achieved by the Childress District during FY 2017. ADA facilities were recently upgraded on two construction projects within the District. The first, a concrete pavement repair project in the towns of Childress and Quanah that included sidewalk and ADA ramps with detectible warnings. And the second, a signal upgrade project in the communities of Clarendon, Memphis, Childress, Quanah, and Chillicothe that included sidewalk, ADA ramps, and pedestrian signal heads with push button detection. The Childress District also assisted Knox county representatives with a Texas Alternatives Program (TAP) project nomination. This project nomination includes shared use sidewalk with pedestrian and handicap facilities around the Knox county courthouse.

### **Goals:**

The Childress District goals for FY 2018 include providing additional awareness and training to all employees, and to proactively address any accessibility issues that may arise. The Childress District has two construction projects in FY 2018 that will address ADA facilities. FM 401 project, in Childress County, is a drainage improvement project that will include pedestrian sidewalk and ramps with detectible warnings. And FM 1037, in Cottle county, that will improve pedestrian sidewalk and ramp facilities adjacent to the Cottle county courthouse in Paducah.

### **ADA Outreach Plan for the Childress District**

The Childress District's outreach plan includes hosting four quarterly meetings to celebrate the signing of the ADA on July 26, 2018. The quarterly outreach events will include training, education, and awareness issues specific to each particular area. The meetings will be recorded and available for public comment. A proposed agenda for the meetings is attached. The preliminary outreach schedule is as follows:

November 2017, February 2018, May 2018, August 2018  
Childress District Office  
7599 US 287  
Childress, TX 79201

## **AGENDA**

- Welcome and Introductions
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation
- Americans with Disabilities Act – TxDOT'S Response
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answer Period

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## Corpus Christi District

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**Accomplishments:**

We let two sidewalk projects

0916-28-067 Aransas Pass Sidewalk

0916-28-068 Taft Sidewalk

**Goals:**

Communicate with other districts to get a better understanding on what is expected of the program.

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## Dallas District

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### **Accomplishments:**

- 1) During the 1st Quarter reporting period the Dallas District identified the ADA liaison. Also identified personnel that would be helping in the process for the start of the scheduled facilities inventory. One outreach event was prepared for.
- 2) The Dallas District ADA Accessibility Mini Committee was formed and had side meetings one-on-one.
  - a) Maher M. Ghanayem, the Dallas District ADA Liaison.
  - b) Tommy Johns, our Architect – Buildings ADA.
  - c) Michelle Raglon, our PIO.
- 3) We discussed in the one-on-one meetings ADA compliance, Outreach, Training, Accomplishments and Goals, Transition Plan, ADA's impact on people and the agency, and TxDOT's responsibilities.
- 4) Planned three ADA Curb Ramps projects:
  - a) 0918-47-114
  - b) 0918-47-115
  - c) 0918-46-279
- 5) Reviewed our Facilities with Our Building ADA coordinator, and made sure we follow the State's EOE.
- 6) Reduced opening force on two (2) new doors to meet the ADA requirements.
- 7) Increased the budget for, CSJ 0918-47-114, the ADA Curb Ramps project.
- 8) As part of the training the District coordinator attended the ADA reporting offered in Austin, by the Civil Rights Division.
- 9) Coordination between the PIO and the ADA coordinator to discuss an outreach event.
- 10) April 12, 2017 the district held its first outreach meeting with the public. The topic was TxDOT's ADA Accessibility Program Reporting. It was held in the COG facilities at 2:30 P.M. it was also broadcasted out for the people who could not attend.
- 11) Project 0918-47-114, the Curb Ramps, was successfully bid by TxDOT, and came within 3.8% of the engineers estimate.
- 12) Project 0918-47-115, the Curb Ramps, was started immediately.
- 13) During the quarterly District's design meeting, I presented the ADA reporting program to the district for updates and feedback. Requested that each area office designate a person to report back to me on accomplishments, issues, and goals.
- 14) Attended a presentation by Pete Kraus' consultants regarding Dallas Data Collection and planning. The presentation was on July 28, 2017.
- 15) Also attended a Metroquest presentation on Wednesday September 30, 2017. May be able to use for ADA reporting.

**Goals:**

- 1) Dallas District has set goals based on the state-wide goals to communicate our commitment to the local ADA communities. We are seeking to schedule internal and external trainings and events to make sure that all are aware of the challenges associated with disabilities.
- 2) We always look for opportunities to improve communications regarding the ADA Accessibility Program. We are also seeking to continue to ensure that both our design projects as well as our facilities are ADA compliant.
- 3) We are working to address grievances regarding an ADA program in Denton County reported to FHWA, and came to us through the Civil Rights Division.
- 4) We will direct our employees to CIV webpage to develop their own ADA training program. Employees will be encouraged to take an awareness of ADA programs classes that are available through the department. We will be looking into programs to scheduling training for our committee members. We will be scheduling training for recipients and sub recipients to assist them in better understanding the ADA Accessibility program and requirements.
- 5) Due to heavy load of local let projects, the district needs to identify and prioritize ADA projects around the District, where we can set up meetings with consultants to discuss the State-wide ADA Initiative. This meeting will help educate the needs as it relates to trails, sidewalks, bicycles facilities, and accessibility, The District will then form a process for documenting ADA components within our construction projects and identify standalone ADA projects and possible funding opportunities.
- 6) Part of our facilities are the rest areas, that need to be included in the inventories, and pay special attention as they are open to the general public.
- 7) We plan on joining forces with different ADA Advocacy and stakeholder groups such as NCTCOG to improve communications, and we will continue to identify partners, stakeholder groups and individuals to increase and improve our outreach.
- 8) We will join COG to learn about other ADA programs provided by both governmental entities as well nonprofit organizations that are available in the area.
- 9) Our employees will be attending training sessions and design classes offered by FHWA through COG to increase ADA Compliance awareness as well as training the consultants.
- 10) We will make sure that the District's traffic operation is aware of all the ADA programs.

**Outreach Plan:**

- 1) As for our district outreach plans, we are constantly looking for opportunities to improve communications about the ADA Accessibility Program.

We will be holding four (4) stakeholder meetings in four (4) different counties:

- 1) Dallas County - Mesquite area.
- 2) Ellis County - to include Navarro and Ellis Counties.
- 3) Collin County.
- 4) Denton County.

The meetings will be held in October 2017, January 2018, April 2018, and July 2018 to present the Dallas District accomplishments and goals to the ADA community. This meeting will provide an opportunity to introduce TxDOT-ADA Reporting to the stakeholders and agencies that deal directly with the disabled community. This outreach will also allow us to answer questions that they may have about the ADA Accessibility Program.

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## El Paso District

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### Accomplishments:

The El Paso District is responsible for El Paso County, Culberson County (Pine Springs and Van Horn), Hudspeth County (Dell City, Fort Hancock and Sierra Blanca ), Brewster County (Alpine, Marathan, and Terlingua), Jeff Davis (Fort Davis), and Presidio County (Marfa and Presidio).

The El Paso District accomplished the following projects that were reported during this quarter included ADA requirements:

- ADA improvement projects such as sidewalks, traffic signals, ramps and crosswalk devices we CSJ: 0924-00-082 – Statewide Striping Project includes ADA improvements of the intersection and school zone crosswalks repainted on SH 20 (FM 1110 to El Paso/Hudspeth County Line). ADA Improvements also included at the intersection and school zone crosswalks repainted on US62 (Lorne Road to Hueco Tanks Road). Project was Let in May 2017.
- CSJ: 0002-01-055, etc. – Pedestrian Facilities Installed, includes ADA improvement at SH20 Pedestrian facilities installed and improved from Presa Street to Loop 375 (at Ivey Drive). Includes sidewalk installation, curb ramp installation, lighting, traffic signal upgrade including pedestrian pole and push button reconfiguration and school zone signing and striping upgrades. Project was Let in May 2017.
- Highway Safety Improvement Program (HSIP) (CSJ: 0002-12-023) – The El Paso District received funding for the improvements of safe roadway Paisano Drive at (Trowbridge and City of El Paso's street Turner at Lee. These areas include new traffic signals, as well as ADA pedestrian elements. Project was Let in April 2017. Construction began in July 2017 and will be completed in October 2018.
- Congestion Mitigation and Air Quality (CMAQ) (CSJ: 0002-12-025) – Maddox at Montana (US62/180). Improvements at this location include traffic signals, ADA ramps, and advanced pedestrian flashing beacons. Advanced overhead signal will also be placed, which will start flashing when a pedestrian presses the crossing button. In addition, the area includes LED pedestrian signs. Project Let July 2017.
- Darrington Widening Road (CSJ: 0924-06-457) – This project is for the Town of Horizon City. Project consists of widening the roadway from two lanes to four lanes. Pedestrian elements are included; sidewalks, ADA ramps and traffic signals at Corby Place and Rudy Kuefner will be installed. This project was Let in August 2016; however, construction began in February 2017. TxDOT is overseeing this project. This project is 35 percent complete as of June 1, 2017. Project is scheduled to be completed in spring 2018. (Off-system).
- Presidio – FM170 (CSJ: 0957-08-027) – This project is in Presidio, Texas. Reconstruction of existing roadway, to include ADA ramps. Project was Let in April 2017 and construction is 30 percent completed. Project expected to be completed in late fall 2017.
- US54 from Hondo Pass to Loop 375 (CSJ: 0167-01-095) – This is widening and operational improvements project, which includes hike and bike paths as well as ADA ramps, sidewalks and replacement of the traffic signal. Project is in the design phases and expected to be Let in August 2017. Project is still on schedule to be Let in August 2017.

### **ADA Accessibility Committee:**

- Meeting was held on January 5, 2017 with Edgar Fino, Frank Guzman, Tony Loya and Tony Uribe. During this meeting there was a discussion on the reporting requirements and employees, as well as their recommendation on employees that could serve on the committee.
- The El Paso District's ADA Accessibility Committee was formed on January 17, 2017. Committee consists of the following members: Efrain Garcia (Facilities), Joe Perez (Design/TP&), Jose Madrid (Traffic), Kurt Spier (Construction and ADA Coordinator), and David Luce (Alpine Maintenance Supervisor). David Luce is the primary contact for Alpine, Brewster, Fort Davis, Marathan, Marfa, Presidio, Sierra Blanca, Terlingua, Valentine and Van Horn.

### **Committee Meetings:**

Quarterly committee meetings were held on March 23 and May 25. Fourth quarter meeting is scheduled on September 13. The following items were discussed during the meetings:

- March 23 – Members were provided with an overview on the Americans with Disabilities Act, FHWA's reporting requirements and the purpose of the committee.
- May 25 – Members were made aware about the ADA Awareness Event scheduled on July 26, 2017. Event was scheduled at the Multi-purpose facility located at 9031 Viscount. Self-evaluations of El Pas District Facilities, as well as the requirements on submitting the third quarter Dashboard Report to include on-going and completed construction and maintenance projects.

### **Goals:**

The El Paso District's priority is to continue to communicate communicating with local ADA community, as well as shareholders in order to identify their challenges. Outreach programs will be held to increase awareness and participation in the design, planning and development phases.

The following items were addressed:

Conduct Inspections of the El Paso District's facilities.

- David Luce conducted the facilities inventories for Alpine, Fort Davis and Marfa. Oscar Pilhoefer, Safety Officer, completed the El Paso District Headquarters. Minor issues were addressed internally.
- David Luce developed an action plan to address internally issues requiring funding.
- David Luce will be conducting facilities inventories for Marathon, Terlingua, and Presidio.
- Oscar Pilhoefer will be scheduling facilities inventories for Dell City, East Area, Pine Springs, and West Area.

Review Letting Projects that included federal funding.

- The El Paso District included several ADA projects on the Quarterly Dashboard Reports.

ADA training available for committee members, as well as other employees.

- Committee members completed the ADA Title II Tutorial Training in April 2017 and June 2017.

ADA awareness to the public.

- Meeting was held on April 25, with the City Council Members from the City of Marfa, City of Marfa (CM) Parking Committee and citizens of the community. The CM Parking Committee works on having adequate parking spaces on roadways and businesses for citizens, as well as those with disabilities. David Luce, Alpine Maintenance Supervisor and Levi Pavia, P.E., attended this meeting. The audience was informed that TxDOT is working on a Transition Plan on identifying barriers that need to be addressed.

Identify and eliminate barriers for the people with disabilities.

- Several projects as listed on the first and second pages of this document were identified and included in Quarterly Dashboard Reports. The El Paso District will continue to review state roadways and facilities.

Public Involvement and Events with stakeholders and community.

- Jose Madrid and Sandra Sierra attended the 27<sup>th</sup> Anniversary of the ADA event held in Austin on July 26, 2017.

### **ACCOMPLISHMENTS 2017/2018 – October 2017 to September 2018**

The El Paso District is responsible for El Paso County, Culberson County (Pine Springs and Van Horn), Hudspeth County (Dell City, Fort Hancock and Sierra Blanca ), Brewster County (Alpine, Marathan, and Terlingua), Jeff Davis (Fort Davis), and Presidio County (Marfa and Presidio).

Committee consists of the following members: Efrain Garcia (Facilities), Joe Perez (Design/TP&), Jose Madrid (Traffic), Kurt Spier (Construction and ADA Coordinator), and David Luce (Alpine Maintenance Supervisor). David Luce is the primary contact for Alpine, Brewster, Fort Davis, Marathan, Marfa, Presidio, Sierra Blanca, Terlingua, Valentine and Van Horn. Oscar Pilhoefer, Safety Officer, will also be assisting the committee as requested.

### **GOALS:**

- Revisit completed inspections of the District's facilities.
- Oscar Pilhoefer will be scheduling inventories on the area office facilities: Dell City, East Area, Pine Springs, and West Area.
- Provide a report to District Administration personnel on funding needed for TxDOT facilities requiring ADA improvements.
- Review federal funding Letting projects.
- Attend ADA training available for committee members, as well as other employees.
- Identify and eliminate barriers for those with disabilities.
- Provide ADA awareness to the public.
- Public Involvement and Events with stakeholders and community.

### **DISTRICT OUTREACH PLANS**

The El Paso District's outreach plan includes hosting xxx meetings, and one public outreach event to celebrate the signing of the ADA on July 26, 2018. ADA groups will be contacted, as well as stakeholders and vendors will be invited to participate in this event. The quarterly outreach event will include training, education, and awareness. A proposed agenda for the meetings is enclosed. Preliminary outreach schedule is as follows:

- November 2017 – Location to be determined.
- March 2018 – Location to be determined.
- June 2018 – Location to be determined.
- July 26, 2018 – 28<sup>th</sup> Anniversary of the Americans Disabilities Act  
Multipurpose Center (Parks & Recreation), 9031 Viscount Blvd., El Paso, Texas,  
915-598-1155

**TxDOT El Paso District  
Americans with Disabilities Act (ADA) Forum**

**AGENDA**

- Welcome and introduction
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation
- Americans with Disabilities Act
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answers

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## Fort Worth District

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### **Accomplishments:**

On 2-24-17 two members of the committee attended the liaison meeting in Austin Initial committee meeting was held on 03-09-17 with district management to layout the program and discuss initial needs for completion of the tasks.

ADA Liaison and committee members have been identified. Quarterly meeting have been scheduled and attended.

On 04-12-17 the first outreach meeting was held in conjunction with the Dallas District. This meeting was held at the North Texas Council of Governments facility.

A member of the committee was able to attend the outreach event held in Austin on 07-26-17.

Committee members have been assigned specific tasks to further the program within this District:

1. Setting up a Point of Contact list internally and externally to further our efforts with sub recipients and TxDOT.
2. Setting up the outreach events and coordinating with the stakeholders involved.
3. Workings together to ensure reporting requirements are met accurately and in a timely manner.
4. ADA committee developed a plan to hold 4 outreach events within the District.

### **Goals:**

As our sub-recipients list progresses and becomes more defined and with the assistance of our local let coordinators work with the sub recipients to determine their compliance and understanding with the ADA Program.

Identify training needs within this district to better enhance the understanding of the program and to ensure our own compliance through projects that are constructed on our ROW.

To expand our committee to include members from each of the offices within our district. This will lend itself to getting the message out quicker and more efficiently.

The following projects have been set as goals for the upcoming year:

0902-00-135

Wheel chair ramps and sidewalk enhancements in Tarrant County. Work began 05-01-17 Estimated completion is 01-2018 \$1,617,402.20

0902-38-124

Sidewalk and ramp improvements on FM 5 in Parker County. Est. completion is Dec. 2017.

\$985,856.49 0902-48-576

Intersection Improvements with ADA facilities at FM 1938 and Mid Cities Blvd. Est. completion is June 2018. \$4,658,453.87

0902-00-155

Curb ramps in various locations in Johnson County. Est. completion is Dec. 2018.

\$2,091,441.77.

Outreach Plan:

Four areas of our District have been chosen for this year's outreach program.

1. Fort Worth
2. Stephenville
3. Decatur/Keene
4. Weatherford

Events will be scheduled in each of the four areas throughout the year. Approximately one per quarter. The first event is being planned for mid-November in the city of Fort Worth.

Plans are being put together to do internal outreach to our district. This will be accomplished through presentations at the Supervisors meetings and the Area Engineer meetings. These presentations will cover the overall program as well as reporting needs required from the various supervisors. The intent is to bolster the overall commitment to enhance the ADA program at the District level, the Area Office level, as well as to our customers as we do business with and for the public.

TxDOT Fort Worth District  
American with Disabilities Act (ADA) Forum  
AGENDA

- Welcome and Introductions
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation
- Americans with Disabilities Act – TxDOT's Response
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answer Period

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## Houston District

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### Accomplishments

During the Quarter 2 reporting period the Houston ADA Accessibility Committee was formed and held its first meeting. Houston District Maintenance Supervisors were also invited to the meeting to discuss the *ADA Checklist for Readily Achievable Barrier Removal* and the process for the start of the scheduled facilities inventory. One outreach event was planned, one accessibility committee meeting was planned and one training session was planned and completed.

An evaluation of the discrimination complaint filed during the first quarter reporting period and the subsequent field review conducted by the District was evaluated. The complaint alleged that TxDOT failed make their tolling operations accessible by not ensuring that toll signage was visible to disabled individuals (signage not compliant with MUTCD). It was determined that all sign designs in the referenced area met the applicable standards for the year that they were designed. It was further determined that some signs were designed to surpass the standard in order to be more legible to the motorist, and the designs were certified by a licensed professional engineer.

Also during this period, Houston District Facilities submitted 17 ADA Checklist for Readily Achievable Barrier Removal reports. A total of 236 barriers identified, 181 were labeled "Quick Fixes" and utilized the suggested "Possible Solutions" category from the ADA Checklist. Another 33 of the barriers were labeled "Major Barriers" that would require further funding. Training was included in the quarterly ADA Liaisons meeting.

Project CSJ 0912-72-287 -STP 2012 (515) was completed during this period. The project included various highway locations within the Houston District and was part of the ADA Curb Ramp Program FY 12.

The Quarter 3 reporting period included The Houston District Accessibility Committee holding its quarterly meeting on April 11, 2017 via conference call. A total of 13 of the 14 committee members were present on the call. The committee added two new members since the last meeting. The primary agenda item was finalizing details of the District's first ADA Forum that was held on April 27th, from 10:00 a.m. to noon. Thirty local ADA organizations were invited to participate in the forum. In preparation for the forum the District Liaison and one committee member were trained on the process of document remediation by the staff of the Southwest ADA Center.

The forum was well attended both by the Committee members and the ADA community. Discussion items included TxDOT's Commitment to the Community, a PowerPoint presentation "Americans with Disabilities Act - TxDOT's Response", a Summary of the District's ADA Project Goals and Accomplishments, a Summary of the District Facilities Inventory, and finally Feedback from the Participants. The District Liaison received positive feedback from the City of Houston - Mayor's Office on the success of the forum as reported by members of the ADA community. (Meeting Agenda attached).

Planning for the District's July 26, 2017 ADA Outreach Event began during this time period. A location was found and the process of booking the space and reaching out to potential vendors for the event had begun. The District was notified on May 30 that we would not be required to conduct the public outreach event, but that we would be required to provide a "District Outreach Plan". The Draft Plan is currently being completed. The District Liaison attended the July 26th Austin District outreach event that commemorated the signing of the ADA. Attending the Austin event provided valuable guidance on the planning and successful development of an ADA outreach event.

Events of the Quarter 4 reporting period include a meeting of the Houston District Accessibility Committee meeting scheduled for September 7<sup>th</sup>, continued planning of the Outreach Events for FY 2017/2018 and the submission of the FY 2017/2018 Accomplishments and Goals Report. Also included was attendance at Houston Commission on Disabilities meeting held on August 10, 2017. TxDOT's ADA Coordinator, Juanita Webber and Houston District Senior Planner, Catherine McCreight presented information to members of the public on matters involving the TxDOT Houston and the TxDOT ADA Accessibility Program during this meeting. A PowerPoint presentation titled "Accessibility Awareness: Fulfilling our Commitment to Accessible Transportation" was presented by Ms. McCreight and both answered questions from both the commission and the public at the end of the presentation.

## Overall Goals

The Houston District's priority is to continue to communicate TxDOT's commitment to the local ADA community and to better identify their challenges and issues through our outreach efforts. We want to ensure that our mission to provide accessibility to all of our programs, services, benefits, activities, and facilities to the public is a reality in the Houston District. Through our outreach events we will increase participation in the design, planning and development phases of our programs and services.

## Project Specific Goals

The US 290 project cost approximately \$1.6 billion and spans 23 miles in length and is being constructed in 13 segments. The goal of the project is to construct 5 main lanes with auxiliary lanes and two or three lane frontage roads and grade separations and includes ramps, sidewalks and traffic signals. TxDOT is currently working on all Segments while anticipating the completion of various segments in the near future. Appropriate work zone signage required by TMUTCD is installed as work progresses. Permanent signs will be installed at the appropriate time. Listed below are other ongoing and upcoming ADA related projects:

Project Name	Location	Description
091237230	Various locations in City of Conroe	PED Infrastructure: Curb & Gutter, planting strip barriers, sidewalks, ADA compliant ramps, crosswalks, signage, etc.
091272313	Eastside St.; Westheimer St to Levy St. Park	Reconstruct roadway with angled parking and pedestrian improvements, (sidewalks, pedestrian improvements (sidewalks, lighting, ADA facilities, landscaping).
091272370	Shepherd and Farnham; Westheimer St. to IH 69	Reconstruct & widen sidewalks and ADA ramps and installation of lighting, benches and bus shelters.
0912-72-387		Reconstruct back of curb infrastructure – sidewalks, curbs, ADA ramps, pedestrian lighting and landscaping.
0912-72-394	W Little York; From Hollister Dr. to N Houston-Roslyn	Reconstruct back of curb infrastructure – sidewalks, curbs, ADA ramps, PED lighting, landscaping & trail at White Oak.
0912-72-393	Wheeler St; From SP 527 to Caroline St.	Reconstruct back of curb infrastructure – sidewalks, curbs, ADA ramps, pedestrian lighting and landscaping.

## ADA Outreach Plan for the Houston District

The Houston District's outreach plan includes hosting four quarterly meetings within the four quadrants of the Houston area and one public outreach event to celebrate the signing of the ADA on July 26, 2018. We will reach out to the Southwest ADA Center and the Houston Mayor's Office on People with Disabilities for assistance in inviting ADA stakeholders/organizations in each of the areas as well as ADA related vendors for the July event. The quarterly outreach events will include training, education, and awareness issues specific to each particular area. A proposed agenda for the meetings is attached. The preliminary outreach schedule is as follows:

November 2017 - EAST QUADRANT  
Heritage Hall Senior Citizens Center  
1025 Oates Rd.  
Houston, TX 77029  
713-675-4487

March 2018 - NORTH QUADRANT  
Hardy Senior Center  
11901 W. Hardy Rd.,  
Houston, TX 77076  
281-260-6772

June 2018 - WEST QUADRANT  
Jim & JoAnn Fonteno Senior Education Center  
6600 Bissonnet St.  
Houston, TX 77074  
(713) 981-4700

September 2018 - SOUTH QUADRANT  
Tom Bass Senior Center  
155108 Cullen Blvd.  
Houston, TX 77047  
713-733-3717

TxDOT ADA Open House  
July 26, 2018  
Houston Community College - West Loop Center  
5601 West Loop S, Houston, TX 77081  
(713) 718-7930

### TxDOT Houston District American with Disabilities Act (ADA) Forum

#### AGENDA

- Welcome and Introductions
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation
- Americans with Disabilities Act – TxDOT'S Response
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answer Period

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## Laredo District

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### **Accomplishments:**

On January 2017 construction letting CSJ 0922-00-062 ADA curb ramp program project to construct ADA compliant facilities at various locations in Eagle Pass along US 277, BU 277-N, SS 240, FM 1021, & FM 3443. Listed below are construction and local government projects that have let or are schedule to be let in FY 2017-2018. These projects have more than \$50,000.00 dollars of pedestrian elements and required TDLR inspection.

CSJ 0922-20-019 (LG Project)

Let Date: 1/17

County: La Salle

Ped Elements: Sidewalks, Curb Ramps, Ped Rail

CSJ 0922-23-009 (LG Project)

Let Date: 1/17

County: Duval

Ped Elements: Sidewalks, Curb Ramps, Ped Rail

CSJ 0922-33-170 (LG Project)

Let Date: 11/17

County: Webb

Ped Elements: Sidewalks, Curb Ramps, Ped Rail

CSJ 0922-00-062 (State Project)

Let Date: 1/17

County: Webb

Ped Elements: Sidewalks, Curb Ramps, Ped Rail

CSJ 0086-14-058 (State Project) (Schematic Development) (Project On-Going)

Let Date: XXX

County: Webb

Ped Elements: Sidewalks, Curb Ramps, Ped Rail

CSJ 0922-00-062 (State Project)

Let Date: 8/17

County: Maverick

Ped Elements: Sidewalks, Curb Ramps, Ped Rail

### **Goals:**

Our district ADA Committee will meet on a quarterly basis for all outreach planning meetings. Our 2017-2018 public outreach events are intended to gather comments on upcoming outreach event in a Social Media setting like "TxDOT Laredo Facebook, Twitter, and YouTube". Bring ADA training to the district as it's available on ERS. We will suggest for the Laredo district to create another district wide ADA curb ramp project for FY 2018-2019.

### **Laredo ADA Outreach Events**

1. Quarter 1 – Awareness/Appreciation: December 4, 2017 – International Disability Awareness Day
2. Quarter 2 and 4 – General Input: Public or Social Media Involvement Events Yet To Be Determined

Note: Dates and event topics are to be determined in a later committee meeting. To reach out to the traveling public in our eight counties the committee have ideas in using Social Media setting like "TxDOT Laredo Facebook, Twitter, and YouTube" as part of our outreach plan.

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## Lubbock District

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### **Accomplishments:**

The first to note is a new ADA ramp added to the AE's office. The next however is new handrails were installed in front and back of the AE's building. We brought into compliance at the AE's building were steps torn out and built back to compliance this quarter. Inside the same building there was a handicap toilet installed in the men's bathroom. In addition the same bathroom had new grab bars installed by the toilet. New grab bars were also added to the women's restroom. At the headquarters building old steps were replaced with new standard steps and a new wider landing pad was also constructed one on the east side entrance and one set on the entrance to the break room. All the work was done to meet ADA standards.

Maintenance personal and I went to measure other doors in the complex to see how much space we had to install handicap buttons and actuators on the entrances to the training center and AE's building. We also traveled outside the district to Plainview to check on a possible addition of a vestibule to the front of their building. The problem they face and have faced for years is accessibility when the wind blows *it* will blow the handicap accessible door open and *it* is not safe for workers or visitors that stop by at this area office. After measuring and sending pictures, working with SSD and maintenance. I found out that the addition would not be added because it is considered a capital improvement and there is no money to fix this problem properly. I know it may not seem like an accomplishment to most but at least we know where the problem is and if money comes available then the plans are already complete.

Working with the construction office they came up with an idea to add the ADA items to the blue slip. The blue slip is submitted when a construction project has been completed. They added two columns one for ADA and one for signals. This is so I may be able to tell if I need to follow up in the future with the AE's on any ADA that may have been added during their construction project.

Sub Recipient List was created.

New ADA project was let in the Lubbock District it will last about 20 months. All the contractors working on this project had to take ADA curb ramp workshop before construction could commence-special provision 000-025.

### **Goals:**

Continue to monitor ADA activity in the district. Expanding our outreach to employees on what barriers may need to be fixed.

Continue to report our accomplishments and goals for every quarter.

Continue our quarterly meetings and bring awareness through the meetings for more ADA compliance measures.

### **District Outreach Plans 2017/2018**

Our next outreach meeting will be set in October with plans to reach all the stakeholders in and around the Lubbock district. After that meeting in October we plan on taking the meetings out to our local area engineer offices to make sure we reach as many stakeholders as possible those meetings will start in the spring probably March/April and we plan on hitting each of the 3 area offices before the end of the FY 2018.

We also plan on training employees on the importance of ADA through classes offered to for ADA projects. Currently there is a training that will take place for an ADA curb ramp project that has let but the contractor still has to take mandatory training before construction can begin. This class is taught by Pete Krause and his group. I plan on taking this class to further my knowledge of ADA

construction. We also have other contractors and employees that would like to attend this class. It is our goal to get as many employees trained to bring ADA awareness so that they may recognize barriers before they arise.

Another part of our outreach plan is to continue to try and get the vestibule fix in Plainview to make it safer for the traveling public and employees. The way we plan to do this is educate people on why we need this built and hopefully the money will become available in the future. We have already let SSD know about the problem.

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## Lufkin District

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### **Accomplishments:**

Since October 2016, the Lufkin District has continued to complete the various tasks to comply with TxDOT's ADA Accessibility Program, including the following: 1) Completing and uploading FHWA ADA/504 Dashboard for Quarters 1 through 4, 2) Providing a list of ADA Accessibility trainings that would be helpful for the Lufkin District, 3) Established and expanding the District's ADA/504 Accessibility Committee, 4) Completed and uploaded the Sub-Recipients Monitoring Program, and 5) Have met with several City's to discuss various ADA projects within TxDOT ROW and estimated costs to submit for funding for referenced projects.

The Lufkin District has initiated PS&E to replace and/or provide ADA compliant sidewalks in priority locations throughout the District in FY 18, including:

- Lufkin, TX – Along BUS 59 from FM 325 to SH 94 and along SH 94 from BUS 59 to E. Shepherd Avenue and from BUS59 to Lufkin Highschool along FM 325.
- Grapeland, TX - From Grapeland Elementary School along FM 1272 to FM 227
- Garrison – From Garrison High School along US 59 to Francis Street
- San Augustine – Along SH 21 From 2213 to FM 3230
- Hemphill, TX - Along SH 87 from Milam St. to SH 83

Additionally, we have started compiling projects for FY 19 in priority locations.

### **Goals:**

For FY 18 the Lufkin District proposes four (4) outreach events and reach out to local entities including Stephen F. Austin State University, Angelina College and municipalities. We are continuing to review facilities within the Lufkin District to ensure compliance and/or provide solutions for outstanding issues in various District, Area, and Maintenance Offices. Also, we are continuing with our FY 19 ADA priority list to request a Consultant and get PS&E started by November 2017.

### **ADA Outreach Plan for the Lufkin District**

Four (4) areas of the Lufkin District have been chosen for this year's outreach program.

1. Lufkin
2. Nacogdoches
3. Center
4. Livingston

Events will be scheduled in each of the four areas throughout the year. Approximately one per quarter. The first event is being planned for mid-November in Lufkin.

Plans are being put together to do internal outreach to our District. This will be accomplished through presentations at the Supervisors meetings and the Area Engineer meetings. These presentations will cover the overall program as well as reporting needs required from the various supervisors. The intent is to bolster the overall commitment to enhance the ADA program at the District level, the Area Office level, as well as to our customers as we do business with and for the public.

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## Odessa District

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### **Accomplishments:**

In January 2017 the District ADA Accessibility Committee was formed. The requirements of the program were discussed in the initial meeting and plans for the ADA Stakeholders meeting were initiated. The committee completed three regularly scheduled meetings.

The ADA Stakeholders Meeting was held in May 2017. The meeting was attended by all the district design and planning staff along with a representative from the regional planning commission. The history of the ADA program was presented as well as the current initiatives and projects the Odessa District is working on.

The district had five projects that incorporated modifications and additions to highway facilities for ADA improvements within their limits. During the reporting period 141 ramps at various locations throughout the district were addressed and scheduled for construction. A new Safety Rest Area is nearing completion west of Fort Stockton that will incorporate all new sidewalks and ramps, with comfort stations designed to current ADA standards. The district took possession of a new maintenance office in Pecos with all the current accessibility standards.

### **Goals:**

The Odessa District will continue to reach out to the ADA community to solicit participation in our events designed to engage and inform citizens of the work being done to improve access. Working with other TxDOT and local government entities we will attempt to strengthen our base of Stakeholders to get sources for input to our future planning and design efforts. We will also work to include ADA considerations earlier in the design process to facilitate barrier removal where required.

### **ADA Outreach Plan for the Odessa District**

The district will use the most effective means it can to reach the citizens affected by our facilities throughout the region. We plan to hold a Rural Outreach Meeting at the Ward County Safety Rest Area. This facility was completed within the past three years and incorporates all currently ADA standards; it is also centrally located in the rural area of the district. The Stakeholders Meeting will be held at the district headquarters in Odessa. Two other educational events will be planned based on the feedback and needs identified in the first two activities.

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## Paris District

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### Accomplishments

During the Second Quarter reporting period the Paris District ADA Accessibility Committee was formed and held its first meeting. The Director of Transportation Planning and Development and the Director of Operations were also in attendance. Discussions on how the committee operates and goals for the committees were had. Also discussed was the need to have outreach meetings for the stakeholders and the community. During the Third Quarter reporting period the committee met and discussed further accomplishments and goals for the remainder of the fiscal year and beyond.

### Buildings and Grounds

There have not been any changes or updates to ADA to the facilities in the Paris District from October 2016 to the present. At this time we have had no requests for accommodations, and no projects are planned for the near future.

### Field Areas

We installed signalized pedestrian crosswalks on SH 11 for Texas A&M – Commerce at two locations using Hybrid Pedestrian Signals.

We audited and had records oversight on a Safe Routes to School project in Paris that built bike lanes, pedestrian trails, sidewalks and ADA curb ramps adjacent to and in the surrounding neighborhoods at Thomas Justice Elementary and Crockett Intermediate School.

We are currently building a historic bridge replacement in the city of Clarksville that includes at-grade and bridge sidewalk.

We audited and had records oversight on a trail project in the City of Paris that includes bike lanes, pedestrian trails, sidewalks and ADA curb ramps. This project spans from the Depot on Bonham Street north and east through Paris to TG Givens Elementary and the Boys and Girls Club.

SH 121 in Bonham, we completed the sidewalks and curb ramps that were included in the project.

### Goals

We have a TAP project scheduled to let in August 2017. New sidewalks and ADA ramps will be constructed on Connaly Street from Davis Street, through the back of the high school, on Gladys Alexander Drive, to where it intersects with Main Street (US 67) and Coleman Lake Park.

In August 2017, we will let 3 TAP projects that will convert old rail bed into a trail in Lamar and Red River Counties. Work will include pedestrian rail on trestle bridges and signing and pavement markings at roadway intersections.

All new and upgraded signal projects that have pedestrian signals will have APS (audible pedestrian signals) included.

We have used the Highway Safety Improvement Program (HSIP) to get potential funding for accessible projects in our field areas. That project funding is pending. A decision on funded projects

should be known in September. Otherwise alternative funding will be sought to fund our goals. We used HSIP funding to get several accessible projects funded to upgrade our facilities in last year's program. Those projects will be implemented over the next two years. A request came through the City of Paris for pedestrian ramp and sidewalk upgrades along BU 271B (N. Mains Street), and adding pedestrian heads to the signals at 8th Street crossings at BU 82 (Lamar Ave and Clarksville St.). The Paris Area Office along with the District Traffic Office is looking into these requests and how to fund and implement the improvements needed.

### **ADA Outreach Plan for the Paris District**

The Paris District's outreach plan includes hosting four quarterly meetings to cover the District's four area offices, Paris, Sherman, Greenville and Sulphur Springs. The quarterly outreach events will include training, education, and awareness issues specific to each particular area. Key stakeholders from each area will be invited to attend the outreach event to share their concerns. These events will also provide an opportunity to provide a status of upcoming or completed projects specific to each area and gather feedback from the stakeholders for that area. A proposed agenda for the meetings is attached.

The preliminary outreach schedule is as follows:

October 2017 – Paris Area

Date and Location TBD

March 2018 – Sherman Area

Date and Location TBD

June 2018 – Greenville Area

Date and Location TBD

September 2018 – Sulphur Springs Area

Date and Location TBD

### **TxDOT Paris District American with Disabilities Act (ADA) Forum**

#### **AGENDA**

- Welcome and Introductions
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation
- Americans with Disabilities Act – TxDOT's Response
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answer Period

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## Pharr District

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### Accomplishments:

Our district ADA accessibility Committee has been created with members from Public Information Office, Central Design, Special Project Development, Construction, and Maintenance. Our first meeting was on March 14, 2017. Our Minutes have been uploaded to our ADA reporting portal. Our March construction letting included: An ADA curb ramp program project to construct ADA compliant facilities at various locations in Hidalgo County (as identified in our ADA transition Plan)

CSJ 0921-02-318

US 281 in Pharr	Overall the project includes	6,714 SY Sidewalks
FM 2061 in McAllen		3,499 SY Curb Ramps
SH 336 in McAllen		25 intersection with pedestrian signal
FM 1016 in Mission		upgrades

Our January 2017 letting included Rural Transportation Alternatives Project (TAP) selected from a statewide competitive project pool.

CSJ 0331-04-067 Park Road 100 From the City of South Padre Island Southern City Limits at Isla Blanca County Park to the City of South Padre Island Convention Centre (Approx. 6 miles)

PR 100	16,000 SY Sidewalks
	61 Curb Ramps
	4 intersections upgraded with LED
	countdown Audible pedestrian signals

We provided our District Sub-recipient list to our ADA reporting portal.

Our Pharr District ADA accessibility Committee 3rd quarter meeting was coordinated through email (7/31/17) by communicating the June 2017 ADA Liaison Webex minutes to our members.

### Goals:

Our district ADA accessibility Committee will meet on a quarterly basis to assure the districts implementation of ADA accessibility requirements and for outreach planning meetings. Our accessibility committee will attend monthly ADA Accessibility Program Webex meetings. Our proposed FY 2018 public outreach event is intended to gather comments on upcoming projects in an open house setting. Disability advocacy groups will be invited to review/comment on Schematics, Intersections, signals etc. We will encourage district personal to participate in ADA training as available. We will continue to let construction projects identified in the ADA Transition Plan.

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## San Angelo District

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### **Accomplishments:**

During the second quarter, the San Angelo District has made accomplishments improving on accessibility in the District. First a District Accessibility Committee was formed and a designated District ADA Liaison was assigned. The first meeting will be scheduled the last week of March.

Working with the City of San Angelo on a Federal grant project to add ADA ramps to Martin Luther King BLVD.

Upgrading 3 intersections in San Angelo and 1 in Junction adding audible pedestrian signals and ADA ramps.

In process of installing a new traffic signal in San Angelo that meets all ADA requirements.

In the process of letting two contracts to add sidewalks that are ADA compliant in the cities of Eden and El Dorado.

Added 3 ADA compliant ramps to walking track at the District Complex.

The Quarter 3 reporting period included the San Angelo District ADA Committee holding 3 meetings to prepare for San Angelo District outreach event held on May 24. The Outreach event was attended by the Committee members and representatives of the ADA community. Discussion items included TxDOT's commitment to the Community, a PowerPoint presentation, a summary of the Districts ADA Projects, Goals and accomplishments and also feedback from the participants. We received positive feedback from the participants and looked forward to another meeting. In June the District ADA committee meets and discussed the contract for inspections of the buildings and also the ADA sub-recipients list.

### **Goals:**

Continue to monitor ADA activity in the district. Continue to expand our outreach to employees on what barriers need to be addressed.

Continue to report quarterly accomplishments and goals.

Continue quarterly ADA committee member meetings.

Plan outreach events for the upcoming year.

### **ADA Outreach Plan for the San Angelo District**

The District's outreach plan includes: hosting community outreach meetings within the San Angelo District. We will reach out to the San Angelo Disability groups for assistance in inviting ADA stakeholders/organizations in each of the area. The events will include training, education, and awareness issues specific to each particular area. The meetings will be available for public comment. A proposed agenda for the meetings is below. The preliminary outreach schedule is as follows:

December 2017

April 2018

October 2018

**San Antonio  
District**

**Accomplishments:**

In 2017 the San Antonio District identified the District ADA Liaisons; and identified the District ADA Committee. The Committee held three quarterly meeting.

SAT ADA Liaisons attended workshop at Alamo Area Council of Governments (AACOG) on “Area Agencies on Aging: Your Partner in Serving Seniors, Veterans, and Persons with Disabilities.” This workshop provided an opportunity to meet other stakeholders and agencies that deal directly with the disable community. We learned about other programs that are available in the Alamo Area.

The District presented to the **Alamo Area Accessibility Transportation Coalition** related to the department’s future ADA planning, outreach, and awareness efforts. At that meeting, we discussed members’ concerns about accessibility on the adjacent roadways. Based on our presentation it was recommended that we highlight the importance of connectivity for the disabled community.

San Antonio District is constructing the first group of “MY LINK” projects. The San Antonio District also has the following projects under construction that will address accessibility within our ROW.

HWY	County	% Complete	Cost *	From	To	Description
BS 123B	GUAD	27%	\$5.3	N OF US 90	IH 10	Construct CLTL, Bike and Ped & drainage improvements
IH 10	BEXAR	54%	\$7.6	At Fair Oaks Pkwy	.	New bridge with Ped and Bike Accommodation
FM 306	COMAL	59%	\$6.9 0	River Chase Way	Hoffman Lane	2 TO 4 lanes with CLTL, Ped & Bike Accommodations
BS 46-C	COMAL	97%	\$0.8 0		.	Landa Street Ped & Bike Accommodations
VA	BEXAR	51%	\$5.2 0	US 281, LOOP 345, 78, FM 1516, I 35, LP 368, and FM 2252		Bus Stop and Pedestrian Related Infrastructure
US 90	BEXAR	25%	\$2.3 0	IH 410	LP 13	Pedestrian Bridge over US 90
FM 1516	BEXAR	2%	\$5.7 0	FM 78	FM 1976	2 TO 4 lanes with CLTL, Ped & Bike Accommodations
VA	BEXAR	0%	\$3.5			Curb Ramp Project

\*millions

We continue to implement the curb ramp program that was identified in the 2004 Transition Plan. All previous curb ramp projects are complete; the curb ramp project that let in July 2017 includes projects to address complaints on both Fredericksburg Rd (LP 345) and Bandera Road (SH 16) in Leon Valley.

The District reviewed and responded to a grievance filed with FHWA on SH 218 (Pat Booker Road). We also received an email from a member of the disabled community requesting that we look for solutions on Austin Highway (LP 368) near the Walmart to address an area that has limited crossings. We are working on sidewalks and connectivity on LP 368 to the bus stops, and have expanded our discussion to possible inclusion of protected mid-block crossing under a future project. We are collaborating on this project with both VIA and City of San Antonio. We are collaborating with the City of Leon Valley to address concerns about accessibility on Bandera Road. There is a project planned along this route that will address some of the challenges associated with connectivity for the disabled community. In the next 5-10 years (funding dependent) this corridor will be upgraded and sidewalks and ADA accommodations will be included in that construction project.

On July 22nd, we participated with San Antonio Independent Living Services at a Celebration of ADA Event, we had a table and we collected information from attendee's about where they travel to and from and had them provide information on perceived barriers. We hope to participate with this group again. It was a great opportunity for TxDOT to share information with our partners and the disabled community.

Construction began in July on our Maintenance Office in Tilden, McMullen County, Texas and ADA improvements was a main priority.

The San Antonio District Design Engineer developed a training module for our engineers, and designers to insure they understand when ADA needs to be included within our projects; and the module also includes ADAAG Vs PROWAG. He has presented to District Staff and Area Engineer's, and will provide it at the Supervisor's Meeting in October (Executive presentation include as an attachment). Engineers and Designers will receive this training throughout the year.

#### **Goals:**

The San Antonio District has set goals that correspond to the statewide goals.

We are identifying opportunities to improve communications about TxDOT's ADA Accessibility Program. We are scheduling trainings and events with our partners, to improve our internal and external awareness of the challenges associated with disabilities. We plan on collaborating with different stakeholder groups to improve communications. We will also be scheduling outreach opportunities throughout the year, more detail provided in the Outreach Plan. We will continue to identify partners, stakeholder groups and individuals to increase and improve our outreach.

Civil Rights and the Design Division will be providing ADA trainings that our District employees will be encouraged to take to develop an awareness of ADA programs that are available through the department and through FHWA. We anticipate training our committee members and facilities staff through the TDLR Academy Class. We are also anticipating

training opportunities for our sub recipients to assist them in better understanding the ADA Accessibility program and requirements. We have identified a list of sub recipients and over the next 18 months we will work with them to determine their compliance and understanding of ADA/504 responsibilities. Our Design Engineer will provide training related to department guidelines and PROWAG and ADAAG requirements when designing, constructing and maintaining projects.

For FY 2018 the District plans to develop a process for documenting ADA components within our construction projects and identify standalone ADA projects and possible funding opportunities. San Antonio District will continue to collaborate with VIA, the region's transit authority, on multiple roadway locations with a project called "MY LINK" that is providing connectivity within State ROW; connecting bus stops to destinations. We will also continue to implement our curb ramp program; in 2018 we have two curb ramp projects scheduled to let in May 2018. These projects will focus on curb ramp connection in Bandera, Uvalde, Atascosa, Frio and McMullen. There is limited funding so we will be coordinated with our Area Engineers, and local government stakeholders to identify the locations with the most need.

We will continue to provide public outreach meetings and we will incorporate a project delivery component that will give updates on our projects as well as provide additional opportunity for public comment on our programs. We will also present our accomplishments and goals.

As it relates to our facilities, the District has several buildings that have identifiable deficiency under the Architectural Barriers Act Accessibility Guidelines but have tolerances because the buildings have not been substantially modified, renovated or altered since their original construction. All new construction (3 buildings) completed in the last 10 years is in compliance with current ADAAG standards. Currently TxDOT is working on a self-evaluation. This self-evaluation will be conducted through contracted services. This self-evaluation will allow TxDOT and its Districts to start to prioritize facility modifications as funding is identified.

The District is also working on a self-evaluation of its individual programs. The San Antonio District will address grievances, identify barriers, and find solutions in a timely manner.

### **San Antonio Outreach Action Plan**

In an effort to improve communication with the disabled in our community we will hold a stakeholders meeting in November to communicate our accomplishments, and to help develop a better understanding of our project delivery process. The San Antonio District will also include a project delivery component at our annual outreach meeting in April that will give updates on our projects as well as provide additional opportunity for public comment on our programs.

Another opportunity for outreach will be our regular open house public meetings that are required through the NEPA process. We will include notice to the organizations that represent the disable community and disabled individuals concerning upcoming project meetings. These individuals and organizations will be identified during our ongoing outreach and partnering opportunities. These organizations will be kept in a master spreadsheet and will be updated on a regular basis.

We plan to partner with AACOG as they hold county specific community events around the region. This will involve setting up a table where we will collect information from attendees on where they live and how they get around within the county and outside the county, collect information on perceived barriers and provide information on TxDOT and our ADA program. We would like to develop a brochure that can be provided to the disabled community that explains the plans and programs of the department, and highlights opportunities for their input in the planning process.

We plan to continue our relationship with San Antonio Independent Living Services Annual Celebration of ADA in July. The San Antonio District sees this as an excellent opportunity to touch a part of the disabled community that would not normally attend our public meetings.

"Pedestrian Ramp and Sidewalk Guidance\_ Executive Version"; found under training folder on Sharepoint

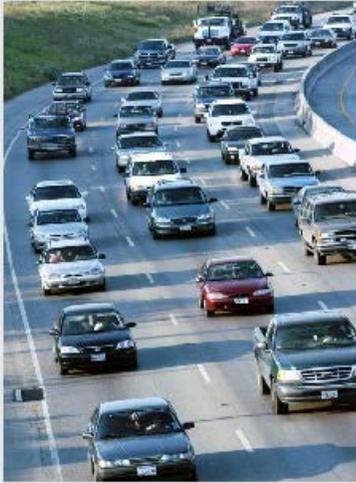


TEXAS DEPARTMENT OF TRANSPORTATION



# **CURB RAMP AND SIDEWALK GUIDANCE**

**Why, when, and where?**



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## Tyler District

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### **Accomplishments:**

During the Quarter 2 reporting period the Tyler ADA Accessibility Committee was formed and held its first meeting. A meeting was held with the Central Design Staff to discuss ADA improvements on construction projects; to evaluate needs during scoping of projects; and to discuss projects ADA requirements from this point forward in Plans, Specifications, and Estimates (PS&E) development.

Four barriers were identified with one being addressed; one training session was planned and completed; and a location to improve sidewalks in the City of Hawkins was identified on a resurfacing project.

The District Signal Shop informed the ADA Liaison of two locations (City of Winnsboro and City of Mineola) where pedestrian elements may be implemented for the visually-impaired during signal maintenance activities.

The Quarter 3 reporting period included The Tyler District Accessibility Committee holding its quarterly meeting on May 10, 2017 at the District Office. TxDOT's ADA Coordinator, Juanita Webber, was also in attendance to provide support and answer questions concerning the ADA Program. The meeting was held from 1:00 PM – 5:00 PM and an in-depth overview of the ADA program and why we are here was provided.

The ADA Committee compiled a list of contact information for ADA stakeholders in the district to invite to participate in an outreach event also for this reporting period with a goal to develop the district outreach plan for FY 2018. Three training sessions were planned and completed.

Events of the Quarter 4 reporting period include continued planning and compilation of ADA stakeholders in each quadrant for the Outreach Events for FY 2017/2018 and the submission of the FY 2017/2018 Accomplishments and Goals Report.

### **Project Specific Accomplishments:**

In Smith County, the district implemented sidewalks and ramps on LP 323 in Tyler, from Bellwood to Old Chandler Rd; developed and awaiting award to contractor to implement another sidewalk project in Whitehouse; and currently reviewing 90% plans, specifications and estimates for the Tyler Legacy Trails project to include ADA curb ramps and sidewalks worth \$4 million.

In Gregg County, the district has an ongoing ADA project is 80% complete to install ADA curb ramps and sidewalks; installed ADA curb ramps and sidewalks on FM 2275 from McCann St. to US 259 in Longview.

In Van Zandt County, 2 TAP projects were awarded and a preconstruction meeting was held to install ADA curb ramps and sidewalks on SH 243 in Canton.

### **Future Goals:**

The Tyler District's priority is to continue to communicate TxDOT's commitment to the local ADA community and to better identify their challenges and issues through our outreach efforts. We want to ensure that our mission to provide accessibility to all of our programs, services, benefits, activities, and facilities to the public is a reality in the Tyler District. Through our outreach events we will increase participation in the design, planning and development phases of our programs and services. We will provide training as needed to the district employees and continue to look for ways to increase awareness of ADA accessibility to all in the district, as well as the community.

**ADA Outreach Plan for the Tyler District:**

The Tyler District's outreach plan includes hosting four quarterly meetings within the four quadrants of the Tyler District, each quadrant comprised of two counties. The quarterly outreach events will include training, education, and awareness issues specific to each particular area. Key stakeholders from each quadrant will be invited to attend the outreach event to share their concerns. The event will also provide an opportunity to provide a status of upcoming or completed projects specific to each area and gather feedback from the stakeholders for area. A proposed agenda for the meetings is attached.

The preliminary outreach schedule is as follows:

November 2017 - QUADRANT 1 (Smith and Cherokee Co.)  
Exact Date and Location To Be Determined

March 2018 – QUADRANT 2 (Anderson and Henderson Co.)  
Exact Date and Location To Be Determined

June 2018 – QUADRANT 3 (Gregg and Rusk Co.)  
Exact Date and Location To Be Determined

September 2018 – QUADRANT 4 (Wood and Van Zandt Co.)  
Exact Date and Location To Be Determined

**TxDOT Tyler District  
American with Disabilities Act (ADA) Forum  
AGENDA**

- Welcome and Introductions
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation
- Americans with Disabilities Act – TxDOT'S Response
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answer Period

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## Waco District

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**Accomplishments:**

In accordance with the applicable rules and design standards the district continues to evaluate all roadway projects for ADA compliance. Modifications and additions to highway facilities are incorporated into the plans within the limits of the projects. During this reporting period, Waco District will be constructing or planning the construction of 20 projects within the district.

The Accessibility Committee will continue to raise the awareness of district employees and improve documentation of compliance efforts.

**Goals:**

Training has been discussed and will hopefully be implemented during this fiscal year.

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## Wichita Falls District

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**Accomplishments:**

The Wichita Falls District has made a number of accomplishments during FY17 regarding identifying accessibility issues along with actually improving accessibility in the District. A District ADA Liaison has been named and a District Accessibility Committee has been formed. The committee met during the third and fourth quarters. The committee discussed outreach opportunities and how to implement these activities. Committee members discussed ADA issues during safety meetings at the maintenance sections in order to increase overall awareness.

Quarterly reporting information has been uploaded to the Sharepoint site. The committee is working to identify ADA training needs and scheduling these with WFD.

A sidewalk/walking trail project was completed in conjunction with the City of Henrietta to provide access around the elementary and junior high schools. ADA improvements are being incorporated into the District HQ renovation project. Additional training has been provided through discussion with Department personnel in order to increase the awareness of ADA issues regarding all TxDOT facilities.

**Goals:**

The Wichita Falls District's goals for FY17 include providing additional awareness training to all district employees. To proactively address any accessibility issues identified. Provide public outreach events within the District to better identify needed improvements to Department facilities.

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## Yoakum District

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### Accomplishments:

During the Quarter 2 of FY 17, the Yoakum District established an ADA Accessibility Committee and held its first meeting. The meeting discussed program requirements, operational needs, member responsibilities and schedule for future meetings and district outreach programs. We also discussed the ADA Checklist for Readily Achievable Barrier Removal and the process for the start of the scheduled facilities inventory. One outreach event was planned, quarterly accessibility committee meetings were planned, and additional outreach events were discussed.

The Quarter 3 reporting period included the quarterly ADA Accessibility Committee meeting and additional meetings to finalize the ADA Outreach Event scheduled on April 27, 2017. Two local ADA advocates participated in the event. The event was held in Columbus, and the main topic of discussion was two large bridge replacement projects that were scheduled for letting in Summer 2017. These two projects had numerous ADA accommodations planned. The local ADA advocates provided good feedback, and they had good input on additional ADA implementation.

### Overall Goals:

The Yoakum District's priority is to continue to communicate TxDOT's commitment to the local ADA communities and to better identify their challenges and issues through our outreach efforts. We want to ensure that our mission to provide accessibility to all of our programs, services, benefits, activities, and facilities to the public is a reality. Through our outreach events, we will increase participation in the design, planning and development phases of our programs and services.

### ADA Outreach Plan for the Yoakum District

The District's outreach plan includes: hosting an outreach event quarterly in each county until we have hosted an event in each of our 11 counties. Our PIO has reached out to local agencies to generate interest in these ADA events. The events will include training, education, and awareness issues specific to each particular area. The meetings will be available for public comment. A proposed agenda for the meetings is below. The preliminary outreach schedule is as follows:

Quarter 2 – Victoria County

Quarter 3 – To be Determined

Quarter 4 – To be Determined

TxDOT Yoakum District  
American with Disabilities Act (ADA) Forum  
AGENDA

- Welcome and Introductions
- Safety Briefing
- Introduction of Participants
- TxDOT's Commitment
- PowerPoint Presentation
- Americans with Disabilities Act – TxDOT'S Response
- Summary of ADA Project Goals and Accomplishments
- Feedback from Participants
- Question and Answer Period

# Divisions

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## Aviation Division

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### Aviation Facilities Development Program

The objective of the Aviation Facilities Development Program (AFDP) is to develop a statewide system of airports that will provide adequate air transportation to the population and economic activity centers of the state. The AFDP is administered by the Aviation Division (AVN) through grants to public entities for the purpose of establishing, constructing, reconstructing, enlarging or repairing airports. AVN is a participant in the State Block Grant Program which is a federally mandated program giving AVN the lead in carrying out the Airport Improvement Program (AIP) for general aviation and reliever airports in the state. AVN acts as the agent of each eligible political subdivision for the purpose of receiving and disbursing state and federal airport development grant funds, and contracting and managing the services necessary to carry out the scope of services defined in the grant award. As a granting entity, AVN provides project and grant management oversight services.

TxDOT's Aviation Program supports compliance with all federal and state Civil Rights regulations including ADA compliance. Most commercial and General Aviation airports in the state are locally or privately owned and are subject to federal and state-aid requirements if they receive grants under those programs. Grant agreements for projects funded under the Airport Improvement Program requires grant recipients to comply with 28 CFR §35.

### Accomplishments

Aviation Division has been in contact with Juanita Webber, TxDOT ADA Coordinator, for mentoring and training. AVN has had open dialogue with Ms. Webber to further understand roles and responsibilities of the division. I personally have taken a few instructional courses through ELM on Crossroads. Juanita Webber has shown me the resources that are listed on the CIV website which I plan on taking advantage of. AVN has uploaded suggested training topics and outreach event dates for consideration to the reporting portal. Additionally, AVN has uploaded an initial sub-recipient list.

### Goals

The Aviation Division will work with FIN and CIV to determine sub-recipients and refine list. Once the sub-recipients have been identified, Juanita Webber will send the initial survey and monitor responses from our sub-recipients, keeping Aviation informed of the process. AVN expects to receive inquiries from our sub-recipients for clarification and guidance on their roles and responsibilities regarding ADA accessibility compliance. AVN will provide necessary clarification, guidance, and scheduled outreach opportunities. Further, any outreach opportunities derived from sub-recipient inquiries will be communicated to the Office of Civil Rights for inclusion in upcoming outreach opportunities. AVN staff will also continue to receive ongoing ADA Accessibility training related to the division's AFDP.

### Aviation Flight Services

As a support service of Texas state government, the Flight Services Section is tasked to provide safe, cost-effective and efficient aerial transportation of state employees in the conduct of executing official state business. In doing so, it provides services in two major functional areas:

Aircraft Flight Operations - Flight Services provides air transportation to state officials and employees traveling on official state business.

Ground Services - Flight Services supplies maintenance and repair services to all state-owned aircraft (excluding the instructional aircraft operated by Texas State Technical College in Waco and Sweetwater and the Texas Forest Service) and provides fuel and hangar storage services for all Austin-based state aircraft.

Aviation Flight Services operates in hangar facilities located at 10335 Golf Course Road, Austin, Texas, 78719. The facilities are owned by TxDOT, on Austin Bergstrom International Airport land leased from the City of Austin. The facilities are in compliance with federal accessibility requirements. Because AVN Flight Services has no sub-recipient programs; therefore, monitoring and reporting for Flight Services is not necessary.

### Accomplishments

AVN Flight Services facilities were reported to TxDOT's Office of Civil Rights for inclusion in the department facilities accessibility compliance inventory.

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## Communications Division

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Section 508 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) promise that no person can be discriminated against in a physical location or environment due to a disability. Digital accessibility is no exception to that rule. In recent weeks, the United States adopted fixed accessibility standards that will help guarantee digital inclusion for all.

The Communications Division (CMD) is responsible for TxDOT's internal and external communications. CMD comprises the Executive & Employee Communications, Media Relations, Creative Services and Public Information sections.

CMD oversees and coordinates TxDOT's internal and external websites; informs and responds to media outlets; manages social media efforts; conducts conversations with employees; produces photography, video and publishing and design services; plans conferences; and carries out customer service operations.

### **Accomplishments:**

#### **Phase I:**

##### **Publication of Updated Website:**

Our website was updated from software that was 6 versions behind to a state-of-the-art platform on July 28, 2017.

##### **Training:**

Some district and division web coordinators attended training on the new CMS. District public information officers (PIOs) were trained during the months of July and August 2017 regarding software features of the upgrade.

##### **Governance:**

We have updated our Web Publishing Guidelines to reflect changes in the new CMS. We have also added more information on the topic of accessibility so districts and divisions are aware of laws concerning TxDOT's role in ensuring our website can be accessed by all users.

##### **Accessibility:**

The updated website is now accessible via mobile devices. We tested the website pages on various applications and users of these devices are now able to navigate the pages on mobile devices.

##### **Goals:**

##### **Trainings**

Some district and division web coordinators will attend training on the new CMS. Efforts are now underway to train division staff around the state. Training of divisions is an ongoing, part of the website content rewrite plan now being developed by CMD.

##### **Phase II:**

The second phase of this process is now underway and we are compiling a list identifying "accessible" applications and programs auxiliary to the static content on TxDOT.gov. This will require the cooperation of the Information Management Division (IMD). IMD or TxDOT's designee will oversee the upgrade of applications and programs that can be updated, and the elimination of those that are obsolete and do not meet the standards of Section 508. We will devise a plan to help provide accessibility to everyone who visits TxDOT.gov.

**User Engagement:**

We are also talking to our users to ensure our website is accessible by all users and that information is written and organized so they can quickly find the information they seek.

CMD is conducting webinars, face-to-face surveys, etc. with stakeholders around Texas to get input on how to better structure and rewrite our content. We are also developing department-wide accessibility governance guidelines.

**Section 508**

The effective date of the final rule published on January 18, 2017, at [82 FR 5790](#) was delayed to March 21, 2017. Compliance with the Section 508-based standards is not required until Jan. 18, 2018, one year after the final rule's original publication date. Upgrade time and the number of applications and programs requiring updates and funding present reasonable concerns that the Jan. 18, 2018, implementation date set by the Access Board might be difficult to achieve. This task could require additional time, resources and funding to achieve full compliance.

**Outreach Events**

The Communication Division collaborated with the Civil Rights Division and the Office of Public Involvement to develop the concept for the 27<sup>th</sup> anniversary of the Americans with Disabilities Act celebration on July 26, 2017. The division provided reprographic services, graphic design services, and creative writing solutions to CIV. One of our staff members represented the division at the celebration which was held at the South Austin Senior Activity Center on July 26, 2017, 3911 S. Manchaca Road in Austin, Texas.

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## Construction Division

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TxDOT is making considerable progress in its reporting efforts. The ultimate goal is for each district or division to highlight accomplishments and goals annually.



## Memo

**TO:** Pete Krause, RLA  
TxDOT Administration

**DATE:** 08/17/2017

**FROM:** John Tyler, P.E., RAS

**PROJECT NO.:** 08840-02

**CC:**

**RE:** Executive Summary for 2015 Statewide Planning and Self-Evaluation  
60172-48704ADA001-SPE-100

### Executive Summary

Pape-Dawson has been contracted by the Texas Department of Transportation (the State) to develop procedures, program goals, and policy definitions to support the development of the 2015 Pedestrian Access Inventory (PAI) of infrastructure in the state right of way (ROW) and the collection effort associated with this inventory. Collected information and policy recommendations will be used as the basis for the State's Americans with Disabilities Act (ADA) Transition Plan and Curb Ramp Program Planning Document updates.

Under the ADA, the State is required to develop a transition plan identifying the steps necessary to achieve full accessibility of its facilities and programming [Section 35.150.d.1 ADA]. Additionally, the State must produce a schedule for elimination of architectural barriers where required, giving priority where defined by the law [Section 35.150.d.2 ADA]. Federal expectation of fulfillment of these requirements includes periodic self-evaluation and planned access remediation utilizing the State's core programming, a dedicated remediation program, and maintenance activities with detailed documentation of progress toward achieving full access.

The State completed a comprehensive self-evaluation (including its buildings and rest areas, programming policies, and employment) and published a transition plan in 1993 addressing those aspects of the ADA. An effort to update the original transition plan took place in 2001-2003 extending to full inventory of curb ramps at all intersections on the state highway system. Existing curb ramps were assessed for compliance and assigned a static severity ranking by field collection staff with respect to the standards in effect at the time of collection and the proximity of each asset to nearby pedestrian activity generators. The inventory was used as the basis for the State's 2004 ADA Transition Plan. Over time, the 2003 inventory has become outdated due to uncaptured improvements made within the ROW and changes in the makeup and location of pedestrian attractors since the initial inventory was completed. The technology used to maintain the 2003 inventory was limiting as was universal knowledge of the system's existence amongst the various State stakeholders. Legal precedent has shown that an uncoordinated approach to documenting the construction of accessible pedestrian elements through the course of routine roadway projects, maintenance activities, and dedicated remediation programs could leave the State vulnerable to

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civil rights litigation. The advent of updated federal accessibility standards in 2010 has also contributed to the decline in usefulness of the 2003 inventory in selecting and prioritizing project components, thereby prompting the need for a new inventory.

The Pape-Dawson team conducting the current self-evaluation and PAI of assets in the ROW aims to improve upon its predecessors through implementation of a dynamic severity- and activity-based ranking system of pedestrian facility components; efficient and integrated use of data collection and reporting technologies; and recommended policy changes for more effective coordination and integration within pertinent State agencies. The PAI encompasses a comprehensive geometric assessment of on-system curb ramps, sidewalks, and transit stops that can be evaluated for compliance based on current or future standards. Importantly, the PAI integrates well with existing State planning tools and field collection systems using geographic information systems (GIS). The goal in producing the PAI is to equip the State with mechanisms to proactively select project components where accessibility needs are greatest (by accounting for both the ADA requirements and proximity to nearby pedestrian activity generators) while improving the documentation process of completed work for better compliance reporting and protection against potential litigation.

The development of the PAI began with a pilot study in Austin, San Marcos, New Braunfels, and San Antonio to trial data collection methods; prioritization models, cost estimating, and reporting mechanisms; program planning tools; and documentation procedures prior to statewide implementation of the team's recommended policies. A representative selection of urban and rural areas was selected for the pilot study, including varied topography, population, density, and areas of historical significance. The pilot study tested the team's recommended methods for consistent and objective collection prior to statewide collection. Post-processing the data within the pilot study area using team-developed GIS tools demonstrated the effectiveness of project component ranking. Input from related State agencies, engaged citizens, key advocacy groups, and team experts was taken into account through a workshop series and focus group prior to forming the final recommended methodology, policies, and ranking criteria.

The PAI dataset will overlay accessibility data with other mapped project selection factors found in the State's Statewide Planning Map to enable data-driven decision making for project planning in all aspects of transportation system. The State will perform ongoing updates to the PAI dataset through routine construction inspection activities for improved compliance documentation using the mobile application developed specifically for the PAI collection effort. Past State experience has demonstrated that the complexity of the ADA and its requirements have not been widely understood or consistently applied through the construction phase, nor has documentation of completed work been properly accounted for in FHWA compliance reporting. The Application aims to simplify much of the nuance of the accessibility requirements by guiding the user through a comprehensive compliance determination procedure for a more correct and consistent inspection

process. The results of such inspections will be used to capture completion of accessibility improvements, advancing the State's federal compliance reporting and future project planning capabilities.

**Stakeholders and Team Organization**

The State assembled a project team in 2015 to develop the PAI. Overall responsibility resided with the TxDOT Design Division. Pape-Dawson Engineers, Inc. was selected to lead the project development and organize key subject matter experts to inform and guide policy decisions with several key State and public stakeholders. Figure 1 details the team and stakeholder structure.

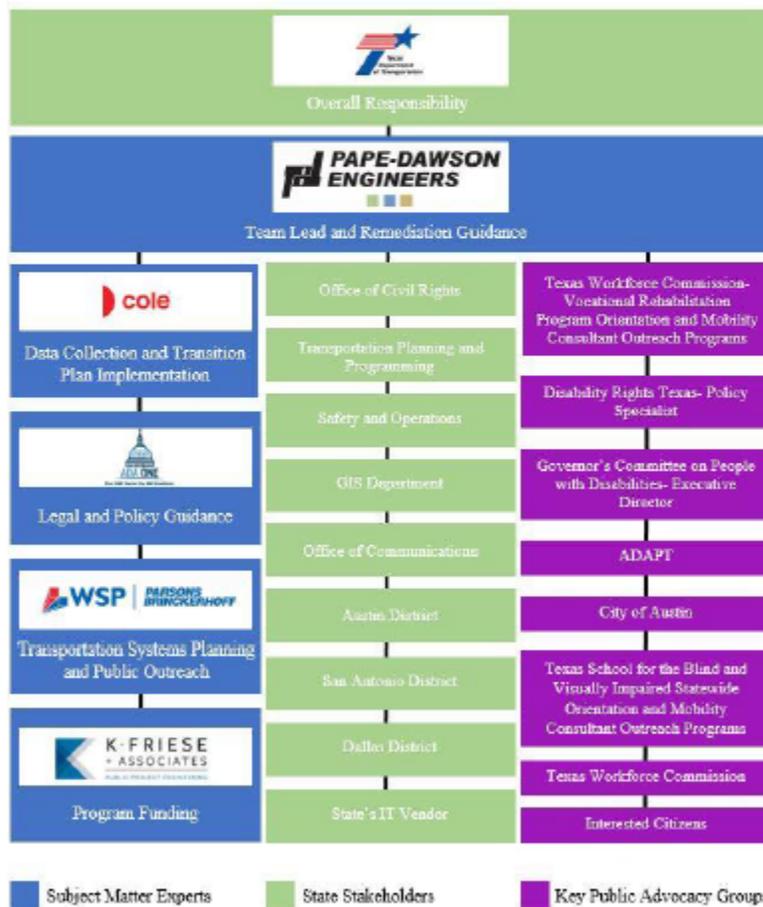


Figure 1 Team and Stakeholder Structure

### **Project Development: Workshop Series**

The project development followed a workshop series from legal requirements through implementation. Each workshop aimed to educate discussion participants on the requirements of the law, the division of compliance responsibilities within the State, current best practices, and existing programs as they relate to the State's obligation to meet accessibility requirements. The outcome of each workshop was an equitable participation in the development of new long-range policies that guide the data collection, prioritization, and implementation of access remediation for pedestrian facilities in the ROW. The ultimate product of the workshop series was a Web Application (delivered in Workshop 11) as a graphical interface for state planners to use in implementation of the policies discussed herein. Each workshop, including important outcomes, is summarized below.

#### **Workshop 1: Legal and Policy Overview**

The team conducted a November 2015 examination of ADA policy, regulations, best practices, and federal expectations as to achieving accessibility in the ROW. The discussion identified existing laws to which the State is subject, including their respective requirements to establish the need for an update to the 2004 Transition Plan. The team explained a key facet of transition plans relates to providing program accessibility – a legal term defined as an agency's operation of each program, service or activity in such a way that, when viewed in its entirety, is accessible [Section 35.150.d.3.i-ii ADA]. Program accessibility was discussed further in Workshop 2. Decisions from Workshop 1 reflected the State's intention to improve upon past transition plans and their respective implementations with focus on better integration within existing State systems and processes.

#### **Workshop 2: Office of Civil Rights Transition Plan Integration**

The team led a November 2015 overview of current systems for access remediation and documentation, including requirements and best practices in implementing transition plans. The talk established the team's role in assisting the State with its compliance obligation under the ADA, the legal requirements of which extend into areas such as employment, communication with the public, and site/facility compliance in addition to the provision of access to the State's transportation facilities in the ROW. The team's scope is to support the State's overall transition plan development with policy recommendations and supporting data only for the ROW portion of its compliance obligation. The PAI was explained as a necessary component for fulfilling the team's purpose in the overall transition plan update. The team described the task of creating a pedestrian access inventory as similar to other State asset management tasks (e.g. pavement maintenance, traffic signal equipment inventory) and reviewed software options for tracking accessibility compliance information. GIS was the recommended format to pursue over other software platforms as it is well supported and compliments existing State systems. The discussion gave an overview of required public involvement activities and suggested methodology for conducting a public meeting with the recommendation to hold the meeting at or near the

completion of the Pilot Study. The team gave an overview of data collection philosophies that would be further developed in Workshops 3 and 4, including decision matrices, mitigation schedules, and implementation policies.

### Workshop 3: Pedestrian Access Inventory

The PAI workshop, held in November 2015, offered ideas for improvement upon past inventory efforts using current technologies for collection, data management and identifying the most appropriate level of detail to conduct the collection effort. The team gave a comparison of limited vs. detailed collection methodologies, including their associated pros and cons as they relate to transition plan development. Limited collections were defined as observation-based visual-determinations of compliance, often relying on a subjective grading scale (e.g. A-B-C-D-F or high-medium-low) and collection personnel's knowledge and experience recognizing compliance issues. In contrast, detailed collections were defined as objective recorded measurements, such as those taken with a tape measure or digital level, that could be assessed for compliance in the field or via post-processing. Detailed collections are less reliant on collection personnel knowledge or experience in accessibility compliance. The team recommended detailed collections for both curb ramps and transit stops due to the complexity of requirements for those elements. Sidewalks offered an opportunity for a limited-detailed hybrid methodology which could be determined by a desktop study conducted prior to collection. Detailed collections using the team's Ultra Light Inertial Profiler (ULIP) technology (in which the ULIP device traverses a pedestrian element and records measured deficiencies and their respective locations) were cited to be the most efficient and accurate



Figure 2 ULIP Device and Operator

collection method for sidewalks in densely developed areas with continuous block-to-block sidewalk connectivity. Areas with less density of development, or where sidewalks lacked connectivity, were recommended for limited collection methodology. Consensus was reached to limit field collection personnel's required knowledge of accessibility requirements to the absolute minimum, favoring a guided, step-by-step process for field measurements that can achieve repeatable results with statewide collection staff from varied backgrounds. Potential reporting structures, practicalities of administering a statewide collection effort, and data integration with the transition plan focused the discussion on how to implement the least subjective and most consistent collection methodology. The State concurred with the detailed collection approach for curb ramps, transit stops and sidewalks in urban areas. Limited collection methodology was also approved where ULIP operations become less efficient, particularly in suburban and rural areas. The State opted to use back-end processes or algorithms for compliance determination (as opposed to operator, field-assessed) in order to improve upon past inventory subjectivity and dataset consistency, a strategy that will enable the State to adapt to future standards without having to re-inventory its assets.

#### Workshop 4: Survey Approach & Data Collection Criteria Workshop

The team conducted a December 2015 discussion regarding elements subject to collection and how those elements would be collected and assessed in the field. Various mobile devices were debated, but the State confirmed the team's recommendation for tablet-based devices as they are already used for other State field collection efforts. The team navigated detailed logic maps, decision points, and the recommended/discouraged collection application software platforms by giving a detailed explanation of required collection application functionality, documented further in the *2015 Curb Ramp & Planning ADA Collection Application Guideline* (separate cover). Specifically, the top ESRI products (an industry leader in GIS technology) were reviewed for applicability with the PAI Application requirements as shown in Figure 3.



Figure 3 Collection Application Platforms Evaluated

The team recommended the AppStudio platform as it provided the only widely supported, customizable and flexible solution that could implement all the necessary components of the PAI while maintaining a high degree of accuracy and efficiency. Furthermore, AppStudio was the only option that supported effective offline use – a key required feature of the collection Application considering that many areas in Texas are remote or subject to poor cellular service coverage.

Collector and Survey123 were cited as too limiting in functionality and too reliant on ESRI support to implement required software functionality not currently available. Discussion focused on consistency of statewide implementation and ease of collection. The team stressed that the user be guided by the Application through a series of technical questionnaires to eliminate extensive training prior to the collection effort. A subsequent meeting in March 2016 with the State's IT Vendor delivered similar content to that of Workshop 4 where the team reviewed the *Collection Application Specification Guideline* to the IT Vendor's application developers. The State and the IT vendor selected the Survey123 platform for its compatibility with a broader transportation system asset management plan in effect at the time, which proved limiting in required functionality during field trials. The asset management plan was later discontinued. The team provided a critique of the Survey123 Application developed by the State's IT Vendor detailing several fatal flaws and areas where the interface would present operational challenges to an efficient statewide collection effort.

#### **Workshop 5: Legal Policy Update**

The team provided an August 2016 review of Workshop 1 to new staff within the Office of Civil Rights that were not present for the initial legal and policy overview. The content covered federal expectations, keys to successful transition plans, best practices for public involvement, an update regarding ongoing litigation, and a summary of notable civil rights settlements amongst similar agencies around the United States. The message of the discussion recommended the State improve its compliance documentation and reporting efforts to the Federal Highway Administration (FHWA) regarding capture of completed accessibility improvements made through its various programs, dedicated remediation programs, and maintenance activities in order to protect itself against potential civil rights litigation and demonstrate its good faith effort toward achieving compliance. Examples of notable settlements discussed include the City of Sacramento's agreement to spend 20% of transportation funding on curb ramps, sidewalks and crosswalks over a 30-year period in order to settle a discrimination suit [Barden v. Sacramento]. The City of Los Angeles's agreement to spend \$1.4 billion on access remediation over 30 years was due to similar circumstances [Willits v. City of Los Angeles]. A notable ongoing discrimination case against the City of Seattle involves allegations of failure to provide curb ramps serving public accommodations, omission of curb ramp improvements in street overlay projects, and failure to maintain existing infrastructure to the point that it is unusable by those with disabilities. However, a case involving the City of San Francisco provides evidence supporting the team's recommendation to improve the State's compliance documentation in that the court found in the favor of the City on the basis of demonstrated progress toward achieving the remediation goals set forth in its transition plan. Having a detailed and regularly updated remediation plan with transparent operation and consistent implementation were cited as key factors in preventing settlements or plaintiff awards in discrimination litigation.

### Workshop 6: Technical Prioritization

The Team gave an August 2016 discussion of improvements to the 2003 inventory's ranking scheme using a new dynamic weighted average ranking scheme to determine the relative severity of an element's deficiencies against other collected elements. Curb ramp and transit elements, recorded as point entities in the PAI, would be evaluated individually based on the various criteria pertaining to their technical compliance (severity score) and proximity to nearby pedestrian activity generators (activity score). An overall element ranking system combining an element's severity and activity scores, as shown in Figure 4, was identified to be a critical component in drawing distinction between collected features in order to guide meaningful decisions during the project planning process.

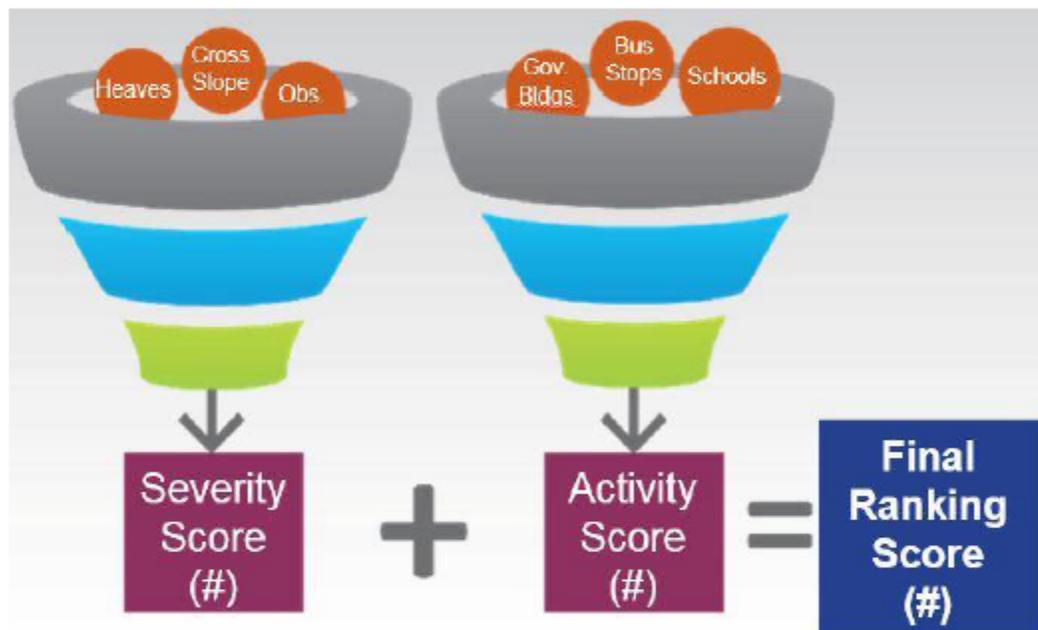


Figure 4 Dynamic Ranking System

A similar approach to ranking sidewalks (logged as linear elements in the PAI) was explained using the severity of the individual deficiencies found along a given sidewalk segment to determine the overall segment severity. An alternative static severity ranking system (Figure 5), where severity is judged at the time of collection by field personnel similar to the 2003 inventory methodology was compared against the dynamic model.

Sidewalk Condition	Functionally Acceptable		Functionally Deficient		
	A	B	C	D	F
Width	> 48 in.	36 – 48 in.			< 36 in.
Cross Slope	0-2%	3-5%	6-8%	9-12%	> 12%
Faults	< 0.25 in.	0.25 – 0.5 in.	0.5 – 2 in.	2 – 4 in.	> 4 in.
Faults (count)	None	<20 / 100 ft.	>20 / 100 ft.		
Cracks	None/Minor	Moderate	Severe		
Vertical Clearance	> 80 in.			< 80 in.	
Obstruction	None				Obstruction

Figure 5 Static Ranking System

The State's past experience has shown that static element rankings tend to lose value over time due to the inability to adapt to changing regulations or the ever-changing landscape where activity generators are constantly being built, relocated or replaced through the course of regular development. The State selected the team's dynamic scoring system due to the benefits of fine-tuning that become available during post-processing and the flexibility to adapt to new regulations in the future. The team recommended basing compliance determinations in post-processing off of *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (PROWAG) requirements where applicable, deferring to the *ADA Standards for Accessible Design* (ADASAD) elsewhere, as the PROWAG is widely considered best guidance for public right-of-way assets.

#### Workshop 7: Planning and Project Development (Implementation)

The team led a discussion in August 2016 regarding funding allocation approaches that utilize the PAI dataset components. The talk explained the funding allocation decisions are legally required to be planned for maximum benefit and thereby must only use the element severity ranking data when defining future projects, dedicated remediation programs, and maintenance activities. Consequently, factors such as population, density or other measures of urban vs. rural conditions cannot be the basis of funding allocation. The dynamic ranking model was designed to accommodate funding analysis separate from project planning analysis to facilitate the needs of both tasks with a common dataset.

The team introduced the concept of a corridor segment, or a micro-linear grouping of collected elements from block-to-block as the smallest practical measure of potential project limits. Similarly, a corridor was defined as a macro-linear grouping of corridor segments (typically bound by intersections with other State routes). An example of corridor segment delineation along Wurzbach Parkway (FM 1502) in San Antonio, TX is shown in Figure 6. Collected data along the FM 1502 corridor from FM 1535 to FM 2696 is broken into 7 corridor segments shown in blue.

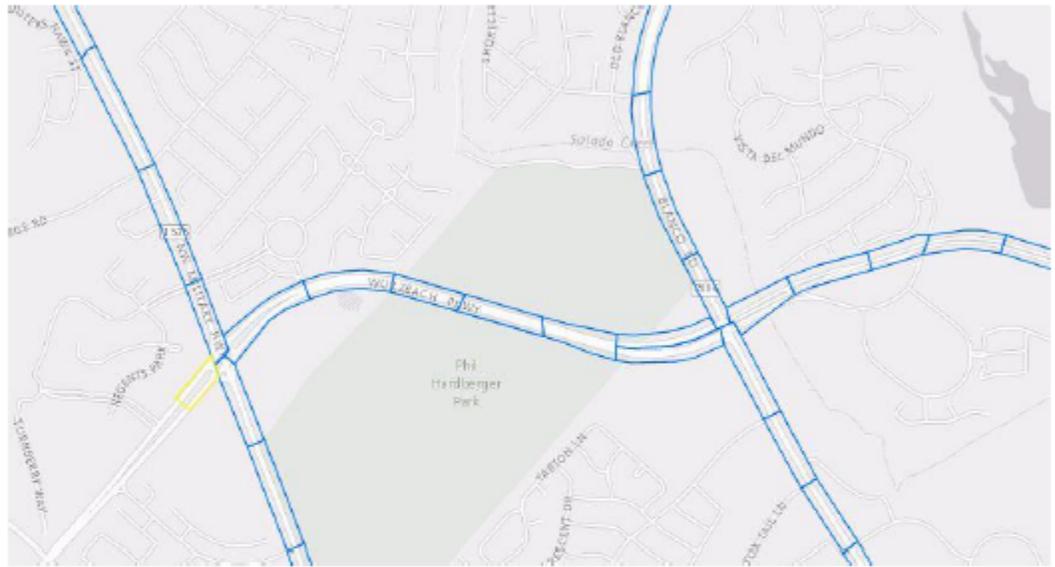


Figure 6 Example of Corridor Segment Delineation

The intent moving forward was to establish a grouping mechanism for project planners to use in identifying where routine projects (full reconstruction) are best suited to address compliance issues versus dedicated remediation projects (remediation) versus maintenance (minor repairs). Corridor ranking was explained as the weighted average of the constituent elements within the corridor limits, which allows for corridor-to-corridor comparison on a single scale founded on the severity and activity scores of its parts. The corridors with greatest aggregate severity scores will be selected for funding. Among those corridors, those with highest combined severity and activity would set the priority order of remediation. The team recommended for discretionary smoothing of allocations to fit reasonably sized projects for contracting efficiency and cost effectiveness.

### **Workshop 8: Weighting, Costs, and Corridor Definition**

In October 2016 the team worked through an assignment of numeric factors to severity and activity score components based on State feedback given during Workshop 8 to define the mathematical formula to be used in determining severity and activity for an individual element. A key recommendation was to develop an element ranking mechanism that:

1. Does not rely on subjectivity,
2. Is scalable, and
3. Can be dynamically updated (post-collection) if compliance criteria changes

The State requested the ability for planners to adjust the breakdown of severity point allocations assigned to an element where local topography dictates. For example, in areas of flat terrain, the measured values for sidewalk cross slope are expected to be within a very tight range (e.g., 1-3%) just above or below the 2% compliance threshold whereas areas of steep terrain are likely to record more varied cross slopes (e.g., 1-8%) for the same types of elements. Similarly, activity scores were requested to be calculated based only on available comparison datasets within the area of interest – rural areas may not have access to the same level of mapped comparison features (i.e., GIS layers for transit, government buildings, employment, recreation, etc.) as urban areas. An element's activity score should not be penalized or overcompensated where comparison data is not available.

The results of the discussion were put into an electronic anonymous survey that was re-circulated amongst the State stakeholder departments to solicit additional feedback. Responses received formed the basis of the default prioritization formula utilized by the team's planning tool deliverable in Workshop 11. Exportable prioritization tools were also developed to allow user-modifications to severity and activity score breakdowns with side-by-side comparison to the default ranking formula.

### **Workshop 9: Public Outreach – Focus Group**

The team and the State conducted a November 2016 focus group with stakeholders to gain input from related State agencies, engaged citizens, and key advocacy groups used to shape PAI policy decisions.

### **Workshop 10: State Administration Recap**

A revisit of topics covered through Workshop 9 aimed at summarizing the project's development, collection methodology, and key policy recommendations with the ultimate goal of gaining State administration approval for statewide collection. Pilot Study data was reviewed to guide resource allocation and required collection time determinations. The State approved the detailed collection approach at curb ramps, dense urban sidewalks, and urban transit (see Workshops 3-4), limited collection methodology for sidewalks in light-density suburban settings,

and to use District staff for collection in rural areas. Additionally, State administration requested to see a working prototype of the Web Application to be used by planners to view and analyze the collected data prior to proceeding with statewide collection. More detail was requested on how the end-user would view the dataset, select project limits, interpret corridor segment rankings and remediation costs, assign elements to planned projects, and track remediation for FHWA reporting.

### Workshop 11: Web Application Demonstration

The team demonstrated a prototype of the GIS-based Web Application as the culmination of the decisions made in Workshops 1-10, soliciting feedback from State stakeholders with the Design Division, Office of Civil Rights, Public Transportation Division, San Antonio, Austin, and Dallas Districts. Separate demonstrations were held for the aforementioned stakeholders in June-July 2017. Additional 2-3 minute self-guided training videos were provided with a brief (~2 week) trial period after the workshop to allow the State personnel time to learn and experience the Web Application. As seen in Figure 7, the Web Application featured data overlays from the Statewide Planning Map in context with the accessibility dataset collected in the Pilot Study area; map and table views of the data; user-selection/search/filter tools; cost estimating and prioritization summaries with detailed templates for external analysis; and remediation status tracking features.

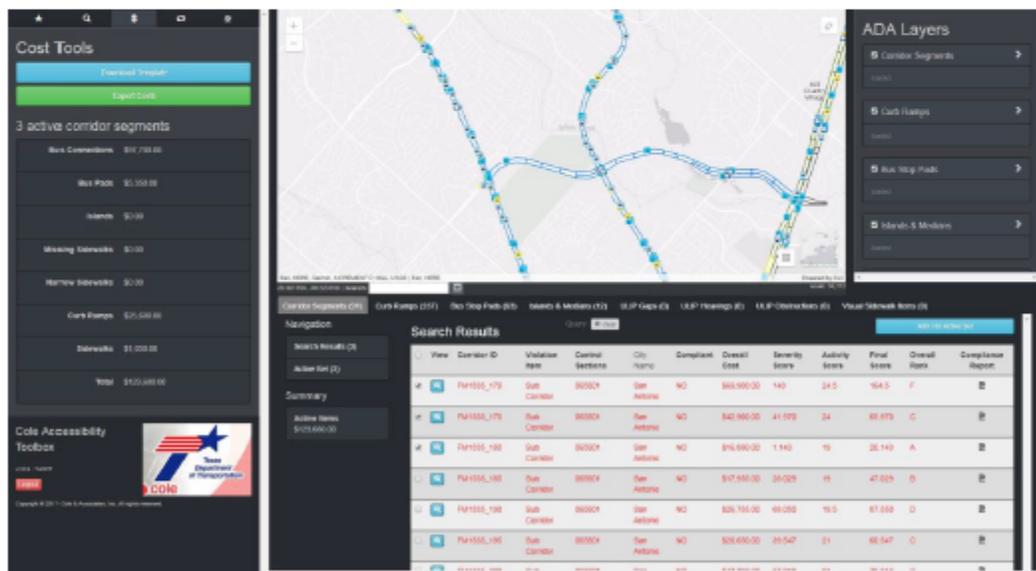


Figure 7 Web Application

The team received feedback on how to improve the prototype to compliment or enhance existing State processes for project planning and compliance tracking. Detailed feedback received is catalogued in Error! Reference source not found.. A revised Web Application is scheduled for delivery to the State in September 2017 incorporating Workshop 11 feedback.

#### **Statewide PAI Data Collection**

Implementation of the Statewide PAI collection effort will follow Workshop 11 approval from the State. The collection will be divided into urban and rural areas where a solicited consultant team will collect data for curb ramps, sidewalks and transit stops within the state's major metropolitan areas and the State will utilize the limited-detailed hybrid methodology in the state's rural areas with District-level resources. The combined collection effort will form the complete PAI supporting the State's upcoming ADA Transition Plan, Curb Ramp Program Planning Document updates, and core project planning activities.

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## Environmental Affairs Division

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Section 508 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) prohibits discrimination and ensures equal opportunity for person with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation.

The Environmental Affairs Division (ENV) is divided into 7 sections. ENV oversees TxDOT's environmental program and is the environmental liaison with state and federal resource agencies, environmental and special-interest groups, and the public. ENV provides high-level professional and technical support to project sponsors, including the districts and regions, to address environmental issues associated with construction and maintenance projects and facility operations.

### **Program Review (PR)**

This section is responsible for reviewing procedural components of subject area programs, assisting program area managers with identifying types of program responses required, and assisting division management with identifying systemic issues related to functioning of ENV as a whole.

### **Special Projects (SpCP)**

This section is responsible for managing and completing NEPA Assignment program tasks; internal and external audit preparation, coordination, and follow-through on corrective actions; preparing and analyzing division performance metrics as pertaining to NEPA Assignment; quality assurance and quality control review of environmental documents; environmental project management of rail projects; assignments with specially assigned department-wide and division initiatives and work groups; special studies and data collection efforts in response to national and state inquiries; and the development, organization and management of the statewide environmental training program for department staff, local - state - federal agency staff, consultant staff, and the public.

### **Business Operations (BusOps)**

This section is responsible for providing administrative support for the business functions of the division through the following actions:

- Prepares, monitors and adjusts the division's operating and consultant budget
- Oversees the procurement and monitoring of engineering and scientific services contracts
- Provides administrative and clerical support
- Manages the division's purchasing needs.
  - Coordinates open records requests for the division.
  - Coordinates website updates for the division.

### **Cultural Resources Management (CRM)**

This section is responsible for assisting district, divisions, offices and regions (DDORs) and other project sponsors regarding potential project effects on archeological sites, cemeteries, buildings, structures, and historic districts. The section undertakes the following actions:

- Conducts consultation and coordination with appropriate parties regarding project effects on cultural resources
- Oversees and undertakes cultural resource investigations
- Develops and implements mitigation of effects on cultural resources
- Develops and implements program-level studies and agreements to streamline compliance regarding cultural resources
- Manages contracts for cultural resource studies
- Develops and implements guidance, training, and policy regarding cultural resource compliance
- Reviews proposed legislation and rules related to cultural resources

### **Natural Resources Management (NRM)**

This section is responsible for assisting the project sponsor, district, divisions, offices and regions (DDORs), and FHWA through the following actions:

- Conducts consultation and coordination with appropriate parties regarding project effects on biological and water resources
- Develops standards for, and conducts, environmental surveys, studies and investigations
- Develops and implements mitigation of effects on biological and water resources
- Develops and implements program-level studies and agreements to streamline compliance regarding biological and water resources
- Manages contracts for biological and water resource studies
- Develops and implements guidance, training, and policy regarding biological and water resource compliance
- Reviews proposed legislation and rules related to biological and water resources

### **Pollution Prevention/Abatement (PPA)**

The PPA Section guides, directs and monitors the Department's pollution prevention and pollution abatement activities related to the following:

- Human environment (air quality, traffic noise, climate change, energy, community impacts, indirect and cumulative impacts) associated with transportation projects.
- Hazardous materials and contaminated materials located within TxDOT Right-of-Way.
- Stormwater discharges into and from TxDOT's ROW.
- Environmental compliance at TxDOT facilities.

The PPA section is comprised of three teams: Human Environment, Hazardous Material's Management and Operations Compliance. Each team is described below:

The PPA-Human Environment Team guides, directs and monitors human environment issues (air quality, noise, climate, community impacts and indirect and cumulative impacts) related to project development.

Team responsibilities include the following:

- Reviewing assigned projects for compliance with state and federal requirements, policy and guidelines associated with air quality, noise, climate, community impacts and indirect and cumulative impacts.
- Providing technical assistance on air quality, noise, climate, community impacts and indirect and cumulative impacts.
- Directing, monitoring, updating and/or providing training, guidance, policy and compliance assistance.
- Coordinating TxDOT actions with regulatory agencies
- Providing guidance and recommendations to TxDOT staff and resource agencies.
- Managing changes to project level analytical tools.
- Analyzing proposed federal and state regulations for impacts to TxDOT operations.

The PPA-Hazardous Materials Management Team guides, directs and monitors hazardous materials management activities related to TxDOT projects.

Team responsibilities include the following:

- Conducting hazardous material site assessments.
- Conducting asbestos and lead inspections for bridges and ROW structures
- Developing hazardous material management plans for construction projects
- Coordinating the development of special specifications and provisions for hazardous materials management.
- Managing and overseeing remediation and abatement of hazardous materials within the ROW before, during and after construction.
- Overseeing the procurement and monitoring of engineering, scientific and purchases of services contracts for hazardous materials management.

- Training TxDOT staff in the early identification of hazardous material issues.
- Reviewing and approving non-hazardous recyclable materials for use in roadway construction.
- Developing department guidance for management of hazardous material issues.
- Coordinating with regulatory agencies.

The PPA-Operations Compliance Team guides and monitors TxDOT practices and regulatory compliance actions associated with the following areas: stormwater management, waste management; oil and petroleum storage tank management; wastewater management; spill prevention, control and countermeasure planning; and general housekeeping.

Team responsibilities include:

- Directing, monitoring and coordinating training, guidance and policy.
- Monitoring operations for compliance with environmental regulations and best management practices.
- Coordinating actions with regulatory agencies and preparing related correspondence.
- Managing, monitoring and evaluating TxDOT's Environmental Management System (EMS) program.
- Managing stormwater permit compliance and reporting.
- Providing petroleum storage tank (PST) compliance guidance and training.
- Providing Spill Prevention Control and Counter Measure (SPCC) guidance and training.
- Providing facility waste management guidance and training.
- Tracking and managing compliance data required for reporting purposes.

### **Project Delivery (PD)**

This section is responsible for assisting the project sponsor, DDOs, and FHWA through the following actions.

- Collaborates with project sponsors in the development of project scope
- Prepares legislative, commission and FHWA project reports
- Liaises with FHWA and districts
- Liaises with TPP to ensure project consistency with statewide transportation plans
- Prepares Letters of Authority for environmental clearance
- Conducts field-level compliance reviews
- Conducts reviews of reports in support of environmental decisions and actions

### **Strategic Projects (StrP)**

This Section supports the project sponsor, DDOs, and FHWA through the following actions.

- Provides support to DDOs for highly complex environmental projects
- Assists project sponsors in the development of environmental projects
- Oversees and manages corridor programs
- Conducts reviews of reports in support of environmental decisions and actions
- Provides contract management services for corridor studies
- Liaises with FHWA, DDOs, and local project sponsors

### **Accomplishments**

- In December 2016, the new ADA Compliance Program Administrator began conversations with ENV to discuss the reporting requirements.
- Submitted a name for the internal advisory committee to help plan outreach.
- On July 26, 2017, the ENV Liaison participated in the TxDOT Annual Outreach Event Celebrating the 27<sup>th</sup> Anniversary of the Americans with Disabilities Act, at the South Austin Senior Center

### **Goals**

- Increase Division knowledge of options available through the TxDOT ADA
- Increase liaison knowledge.
- Meet required reporting due dates.

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## Financial Management Division

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The Financial Management (FIN) Division is committed to the ADA Accessibility Program's mission, values and goals. FIN will continue to provide reasonable accommodations to ensure employees and customers are protected under the Americans with Disabilities Act (ADA).

### **Accomplishments:**

- Appointed primary and secondary ADA liaisons
- Reported data to FHWA Annual Dashboard
- Provided assistance to employees under ADA for reasonable accommodations
- Evaluated work areas for potential ADA requirements
- Attended and participated in the ADA Outreach Event held on July 26, 2017 off-site

### **Goals:**

- Provide guidance and clarification of ADA policies and procedures to employees
- Continue to actively attend and participate in all ADA trainings, meetings and outreach events
- Collaborate with other division ADA liaisons on ADA Program initiatives

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## Fleet Operations Division

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TxDOT is making considerable progress in its reporting efforts. The ultimate goal is for each district or division to highlight accomplishments and goals annually.

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## Human Resources Division

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The Human Resource Division (HRD) is committed to the ADA Accessibility Program's mission to ensure every program, service, benefit, activity and facility open to the public is fully accessible to and usable by people with disabilities in an integrated setting that fosters inclusion and does not discriminate.

HRD provides quality services by building partnerships and creating a campus culture that values all employees, retention of valuable employees, training, development, education to promote individual success, wellness and increase overall value to the organization, recruitment of qualified individuals,.

Work with Division/Districts Statewide to comply with the Title 1 of the ADA, without discriminating against qualified applicants and employees on the basis of a disability.

The Objective of the Human Resources Division (HRD) is to understand who is and who is not protected by the ADA. It is necessary to understand the act's definition of an individual with a disability and then determine if the individual meets the acts definition of a qualified individual with a disability.

### **Accomplishments:**

- Created training video on ADA procedures for HR Staff statewide.
- Provided special accommodations for 43 employees statewide, out of 64 ADA requests.
- Provide guidance to all employees inquiring about accommodations.
- Provided accommodations such as alternate positions, continued modified duty, sit/stand workstations, adjustable desks, reconfigured work space, restructured positions, special work boots, specialty safety glasses, ergonomic chairs for those employees who either needed a temporary or permanent accommodation under the ADA.

### **Goals:**

- Continue defining ADA policies and procedures.
- Continue to provide necessary clarification, guidance and responsibilities regarding ADA policies and procedures.
- HRD continues working with respective divisions/districts to ensure that ADA practices and procedures are ADA compliant.

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## Information Management Division

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The Information Management Division (IMD) is committed to the ADA Accessibility Program's mission, values, and goals. IMD will continue to provide reasonable accommodations to ensure employees and customers are protected under the Americans with Disabilities Act (ADA).

**Accomplishments:**

- Appointed a secondary ADA liaison
- Reported quarterly updates of data to the FHWA Annual Dashboard
- Provided assistance to employees under ADA, ordering of office equipment, answering questions, etc.
- Evaluated work areas for potential ADA requirements.

**Goals:**

- Continue to actively attend all ADA trainings, meetings, and outreach events
- Provide assistance to employees with ADA questions, requests, etc.
- Work with and collaborate with other division ADA liaisons on ADA program initiatives.

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## Maintenance Division

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### **Accomplishments:**

1. Brooks County Safety Rest Area: Increase width of sidewalks to meet ADA. Remove tree obstructions/obstacles along accessible paths. Various locations.
2. Kenedy County Safety Rest Area: Increase width of sidewalks to meet ADA. Remove tree obstructions/obstacles along accessible paths. Various locations.
3. Held ADA presentation for Maintenance Division to increase knowledge and awareness.
4. Participated in Outreach meeting in San Antonio with slide presentation of ADA compliance examples at our Safety Rest area in Seguin on April 26, 2017.

### **Goals:**

Continuation of ADA compliance repairs at various Safety Rest Areas.

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## Maritime Division

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### **Accomplishments:**

TxDOT Maritime Division's (MRD) number one accomplishment related to the Americans with Disabilities Act (ADA) over FY17 was that there were no grievances filed against the Division. In addition, we achieved our goal identified for FY17 of formally advertising all Port Authority Advisory Committee (PAAC) meetings with notification that accommodations will be made for individuals with disabilities interested in attending, upon request. MRD did not receive any such requests during this fiscal year.

### **Goals:**

For FY18, MRD intends to continue advertising all PAAC meetings with notification that special accommodations will be made by request for disabled individuals interested in attending. Our Division will identify solutions to these requests as they are received. In addition, MRD will address any grievances received in a timely manner to the best of our ability.

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## Occupational Safety Division

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TxDOT is making considerable progress in its reporting efforts. The ultimate goal is for each district or division to highlight accomplishments and goals annually.

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**PEPS  
Division**

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TxDOT is making considerable progress in its reporting efforts. The ultimate goal is for each district or division to highlight accomplishments and goals annually.

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## Procurement Division

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**Accomplishments:**

One PRO representative attended the CIV ADA meeting 03/22/2017 and 04/20/2017.

Two PRO representatives attended the CIV ADA meeting 05/23/2017.

One PRO representative attended the CIV ADA meeting 08/15/2017.

The Procurement Division conducted monthly staff meeting for 125 staff members. The May 2017 meeting included a presentation from a staff member on Hurricane Preparation and Evacuation to include accommodations for persons with disabilities. This information is followed up with a survey to ensure the information is accepted by staff and assists with future topics for clarification. Prior to the beginning of each fiscal year, a mandatory topic schedule is developed and PRO will conduct 3 additional ADA topics to be included in the meetings. The Procurement Division has exceeded their goal and completed 6 training sessions with a full quarter remaining for the year.

A primary function of the Procurement Division is to make solicitations available to vendors for goods and services needed by TxDOT. A primary document, the Terms and Conditions was updated to conform to requirements and is required in all solicitations.

Four translation contracts were awarded for TxDOT use by TxDOT statewide.

**Goals:**

Procurement Division Committee Members FY 2018

Ken Wood

Jo Woten

Greg Mclemore

Herbert Miller

Leigh Bailey

PRO Division will continue to conduct several outreach events in conjunction with other headquarters and division events.

Identify training needs within the Division.

Continue to inform the ADA community with procurement opportunities and encourage participation.

**Outreach Events:**

One staff member participated with the ADA Outreach event held at the Senior Activity Center on Manchaca Rd. in Austin, TX on July 26, 2017.

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## Public Transportation Division

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**Accomplishments:**

All TAP and TASA projects must be designed to be ADA compliant. The program funds are for Bike/Ped only, are for infrastructure and must be ADA compliant. See the Transportation Alternatives Set-Aside Program guide: <http://ftp.dot.state.tx.us/pub/txdot-info/ptn/programs/tasa-2017/program-guide.pdf> TxDOT-PTN Bicycle and Pedestrian (B/P) Program is the manager of TxDOT's federally funded Transportation Alternative Program (TAP) and the Transportation Alternative Set-Aside Program (TASA). TxDOT administers TAP and TASA funding for population areas of less than 200,000. TxDOT's TAP/TASA funds are for bicycle and pedestrian infrastructure construction only. All TAP and TASA projects must be designed to be ADA compliant. PTN-B/P conducted a statewide Call for Projects in January 2017 and action by the Texas Transportation Commission to award funding (approximately \$52M) is anticipated in October 2017. Review TxDOT's 2017 TASA Program Guide for additional program details at: <http://ftp.dot.state.tx.us/pub/txdot-info/ptn/programs/tasa-2017/program-guide.pdf>

*(See Attachment M)*

**Goals:**

PTN-B/P goals for 2018 are to 1) work with TxDOT's Design Division to accelerate ADA compliant pedestrian improvements on state-maintained right-of-way (an initiative that has already begun), 2) advance funded 2017 TASA project to construction, and 3) prepare for TxDOT's next TASA Call for Projects.

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## Rail Division

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TxDOT Rail Division's (RRD) accomplishment related to the Americans with Disabilities Act (ADA) over FY17 was that there were no grievances filed against the Division. For FY18, RRD intends to continue that record.

RRD is a small division and has very limited direct contact with the public. We endeavor to include ADA reference and commentary as appropriate in the studies we prepare or commission.

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**Research and Technology Implementation  
Division**

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TxDOT is making considerable progress in its reporting efforts. The ultimate goal is for each district or division to highlight accomplishments and goals annually.

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## Rights of Way Division

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The Right of Way Division is committed to the ADA Accessibility Program mission to ensure that every program, service, benefit, activity and facility open to the public is fully accessible to and usable by people with disabilities in an integrated setting that fosters inclusion and does not discriminate.

### **Accomplishments:**

- Reported data to FHWA Annual Dashboard
- Recommended training to educate and support awareness about The Americans with Disabilities Act
- Included an ADA Program topic on agenda for ROW Division Leadership meetings
- Achieved 100% attendance at ADA Liaison meetings

### **Goals:**

- Increase participation by ROW Division district personnel at district ADA Program outreach events and/or training by sharing upcoming events with ROW Project Delivery areas
- Collaborate with other Division ADA Coordinators on ADA Program initiatives
- Include an ADA Program topic on agenda once a month at recurring ROW Division Leadership meetings
- 100% attendance to monthly ADA Liaison meeting by both primary and secondary ROW ADA Coordinator
- Work with respective Division to ensure that ROW Division headquarters office practices, procedures, and environment is ADA compliant (Human Resources, Support Services Division, etc.)
- Include ADA compliance within the development stage of reworking our Division Floorplan
- Continue to inform Division personnel on ADA compliance measures.

### **Outreach:**

Actively participated in an outreach event on July 26, 2017 in celebration of the signing of the Americans with Disabilities Act

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## Support Services Division

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### Accomplishments:

#### 2017

- \$95,000.00 Modifications to Livingston Area Engineer and Maintenance Facility, to include masonry walls, door and door frames, door hardware and obtain fire ratings separation for occupancy types. To be completed in 2017.
- \$400,000 renovation of restrooms in the Atlanta District Headquarters Administration Building – under construction and will be completed in 2017.
- \$120,000 ADA accessibility upgrades to restrooms and parking lots for Austin Headquarters Buildings at 150 E. Riverside Drive and 200 E. Riverside Drive.
- \$1.5 million parking lot improvements, including ADA accessibility, at the Austin Headquarters Camp Hubbard Campus – construction began and completed in 2017.

#### 2018 Goals

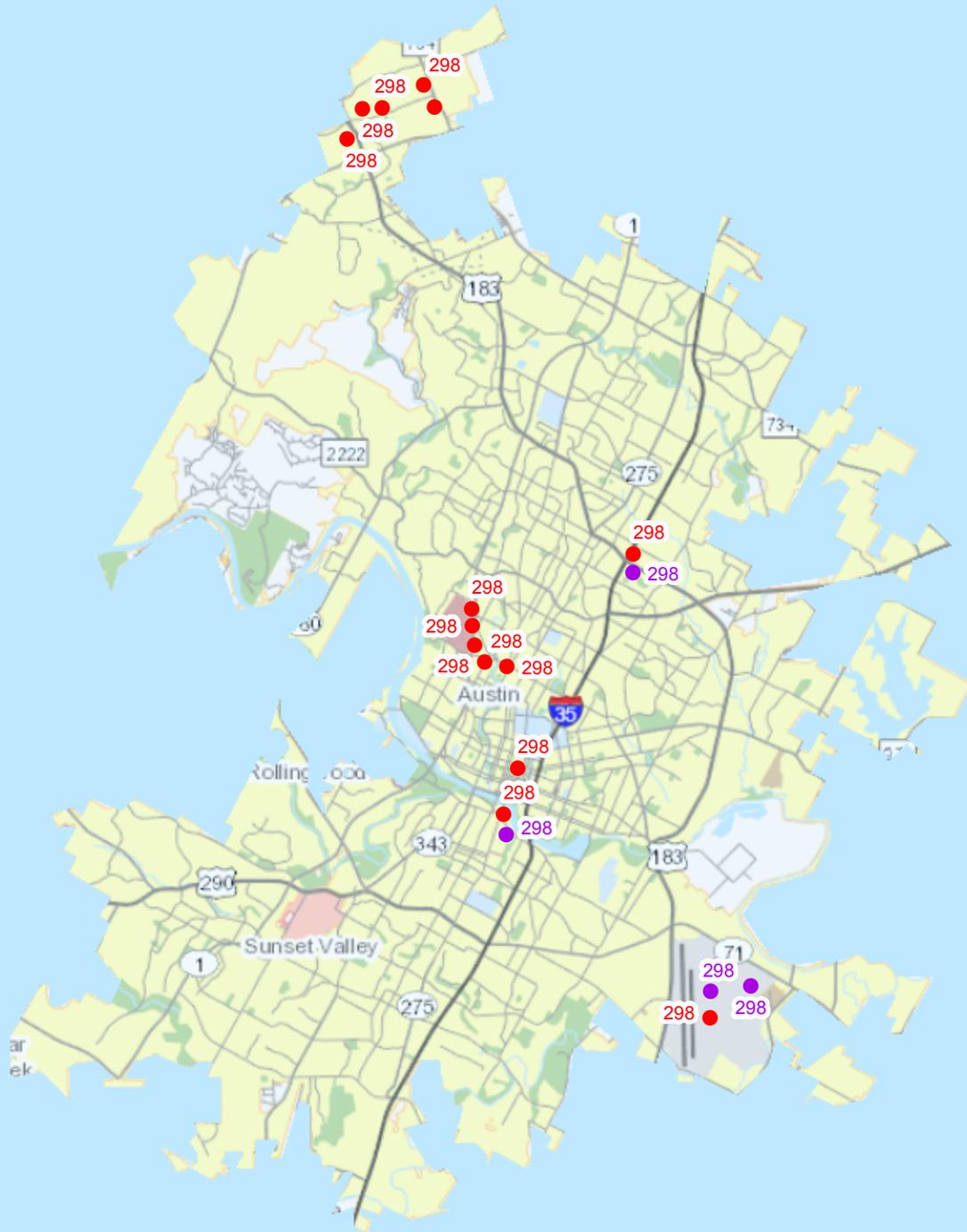
- \$4,389,807 New construction of the Henrietta Maintenance Office is planned for completion in 2018. Plans have been reviewed by the RAS and were found to be compliant.
- \$300,000.00 Modifications to Waco DHQ Administration Building, to include addition of second floor exterior exit and stairs, first floor exterior exit modifications, addition of building fire alarm system, exterior window replacement, and various exterior and interior MEP modifications. To be completed in 2018.
- \$300,000.00 Modifications to Lufkin District Headquarters Engineer's Office Building, to include the addition of second floor exterior exit and stairs, first floor access ramp, and exterior window replacement. To be completed in 2018.
- \$500,000 total renovation of Tyler North Special Crews building – under construction and will be completed in 2018.
- \$500,000 new construction of Office Building at the Kingsville Maintenance Facility, due to fire – under construction and will be completed in 2018.
- \$660,000 remodel of the Atlanta District Headquarters Transportation Operations Building – under design and construction completion expected in 2018.
- \$3.5 million total renovation of the Administration Building at the Brownwood District Headquarters – under construction will be completed in 2018.
- \$6,557,115 New Kaufman Area Engineer and Maintenance Facility consisting of 4 buildings (Administration, shop/lab, truck wash and vehicle storage shed) – construction started in September and will be completed in 2018.

#### 2019 and 2020 Goals

- \$360,000 renovation of the Dickens Maintenance Facility – under design and construction completion expected in 2019.
- \$270,000 building renovation at the El Paso District Headquarters - under design and construction completion expected in 2019.
- \$240,000 parking lot resurface at the Fort Worth District Headquarters - under design and construction completion expected in 2019.
- \$600,000 renovation at the La Pryor Maintenance Facility - under design and construction completion expected in 2019.
- \$420,000 renovation at the Comstock Maintenance Facility - under design and construction completion expected in 2019.

- \$300,000 renovation at the Brackettville Maintenance Facility - under design and construction completion expected in 2019.
- \$120,000 parking lot expansion at the Laredo District Headquarters - under design and construction completion expected in 2019.
- \$6.5 million total renovation of the administration building at the Dallas District Headquarters – under construction and will be completed in 2019.
- \$6.2 million new construction of Kaufman Area Engineer and Maintenance Facility – under construction and will be completed in 2019.
- \$6.2 million new construction of Angleton Area Engineer and Maintenance Facility – under construction and will be completed in 2019.
- \$4 million raze and construct new office and supporting facilities at the Henrietta Maintenance Facility – under construction and will be completed in 2019.
- \$3.6 million building renovation at the Fort Worth District Headquarters - under design and construction completion expected in 2020.
- \$3.0 million renovation at the Houston Northwest Area Engineer and Maintenance Facility - under design and construction completion expected in 2020.
- \$1.1 million renovation at the Plains Area Engineer and Maintenance Facility - under design and construction completion expected in 2020.
- \$3.4 million renovation at the Pharr District Headquarters - under design and construction completion expected in 2020.
- \$1.7 million renovation at the San Antonio Transguide Facility - under design and construction completion expected in 2020.
- \$1.9 million and \$1.8 million renovations at the Yoakum District Headquarters - under design and construction completion expected in 2020.

# ADA Project Execution Map



## Legend

### Biennium 1 (2018-2019)

● Project Funding and Execution Cycle

### Biennium 3 (2022-2023)

● Project Funding and Execution Cycle

### Biennium 5 (2026-2027)

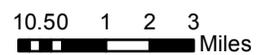
● Project Funding and Execution Cycle

### Biennium 2 (2020-2021)

● Project Funding and Execution Cycle

### Biennium 4 (2024-2025)

● Project Funding and Execution Cycle



**State Headquarters**



# ADA Project Execution Map



## Legend

### Biennium 1 (2018-2019)

● Project Funding and Execution Cycle

### Biennium 3 (2022-2023)

● Project Funding and Execution Cycle

### Biennium 5 (2026-2027)

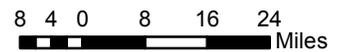
● Project Funding and Execution Cycle

### Biennium 2 (2020-2021)

● Project Funding and Execution Cycle

### Biennium 4 (2024-2025)

● Project Funding and Execution Cycle



**Abilene District**





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## Toll Operations Division

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Toll Operation Divisions (TOD) is committed to the ADA Accessibility Program mission to ensure that every program, service, benefit, activity and facility open to the public is fully accessible to and usable by people with disabilities in an integrated setting that fosters inclusion and does not discriminate.

### **Accomplishments:**

- Acquire phones with improved TTY capabilities
- Attend all training and meetings
- Add ADA topics for division meetings
- Acquire a secondary liaison and committee member
- Provide smoother aisles for proper walking and wheelchair clearance
- Install voice number system for those who are hearing impaired
- Install lobby counter with wheel chair access
- Install baby changing stations in bathrooms and required ADA height

### **Goals:**

- Increase TOD ADA awareness
- Increase TOD involvement
- Increase involvement from secondary and committee member
- Attend all meetings, trainings and submit documents on time

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## Traffic Operations Division

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The Traffic Operations Division is committed to the ADA Accessibility Program's mission to ensure that every program, service, benefit, activity and facility open to the public is fully accessible to and usable by people with disabilities in an integrated setting that fosters inclusion and does not discriminate.

### Accomplishments:

- Appointed a primary and secondary ADA Coordinator for the TRF Division
- Reported data to FHWA Annual Dashboard
  - Initiated development of Rail Safety Pedestrian Crossing Guidelines for Districts  
Railroad Crossings: Currently, districts make determinations about whether pedestrian facilities are needed at railroad crossings. Pedestrian facilities are more common in Urban and Metro districts. TRF Rail Safety Section is developing statewide guidelines for the districts to use to evaluate the need for pedestrian facilities near railroad crossings.
  
- Monitored installation of Audio Pedestrian Crossings in Districts  
Audio Pedestrian Signals (APS): Uploaded is Accessible Pedestrian Signals guidance developed by TRF. Also uploaded is guidance sent from TxDOT TRF Director Carol Rawson in January 2011 indicating that all new construction and reconstruction projects that include pedestrian signals need to incorporate APS. Guidelines from the districts are attached. Below is a statewide inventory of APS since the guidance was issued showing a marked increase in APS statewide. An APS is a device that communicates information about pedestrian signal timing in non-visual format such as audible tones, verbal messages, and/or vibrating surfaces.  
2011 - 248  
2012 - 309  
2013 - 799  
2014 - 1,504  
2015 - 1,617  
2016 - 1,734
  
- Assisted with ADA Anniversary Outreach Event

### Goals:

- Complete guidance to the districts in regard to ADA accessibility in regard to Rail-Highway Safety projects
- Monitor installation of Audio Pedestrian Crossings in the Districts
- Collaborate with other Division ADA Coordinators on ADA Program initiatives
- Include an ADA Program topic on agenda at recurring TRF Division Leadership meetings
- 100 percent attendance to monthly ADA Liaison meeting by either the primary or secondary TRF Coordinator
- Work with respective Divisions to ensure that ROW Division headquarters office practices, procedures, and environment is ADA compliant (Human Resources, Support Services Division, etc.).
- Recommend training to educate and support awareness about The Americans with Disabilities Act

*(See Attachment L)*

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## Transportation Planning and Programming Division

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Section 508 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) prohibits discrimination and ensures equal opportunity for person with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation.

The Transportation Planning and Programming Division (TPP) is responsible for a wide range of duties, divided between 9 sections.

Business Operations Section is responsible for the following:

- Manages and oversees the division's financial staff for program and operating budgets, accounting, purchases, procurement, and contract management.
- Develops and submits to FHWA the division's annual grant application for State Planning and Research (SPR).
- Manages and oversees legislative analysis and inquires, media liaison, open records requests, and special projects.
- Sales and distribution of highway maps to internal and external customers.
- Manages inventory of current and historical highway maps.

Data Management Section

- Maintains information and supports resources to support project and portfolio performance management.
- Manages the Highway Performance Monitoring System and performs annual certification of public road mileage for the state.
- Performs annual county mileage certification, highway designation, minute orders, and maintains Texas Reference Marker system and oversight of Roadway Field Inventory Program.
- Publishes the Statewide Planning Map, Departmental Map, County Map book, State Railroad Map and Control Section Map series.
- Maintain GIS data for all public roads, city limits, railroad lines, and various base map layers.
- Provides GIS coordination between TxDOT Districts and Division.

Freight and International Trade Section

- Develops Statewide Freight Plan.
- Manage Freight Planning Activities and Advisory Committee.
- Coordinate Border Trade Advisory Committee.
- Oversees International Bridge Applications.
- Participates in International Transportation Planning studies.
- Assists as Department Liaison for international relations.

Local Government Projects Section

- Develop policy and standardization processes.
- Primary point of contact with FHWA on local government projects.
- Provide enhanced training to TxDOT and local governments.
- Provide "one-call center" for TxDOT districts.
- Mediate TxDOT/local government disagreements.
- Monitor district performance of overseeing local government.

## Modernize Portfolio and Project Management

- Develop and maintain core system supporting the delivery of transportation programs.
- Align business processes and system work flows for portfolio management, project management, contract management, resource management, and asset management.
- Manage organizational health initiatives for Engineering Operations.

## Project and Portfolio Management Section

- Provides project and portfolio manager training programs.
- Project manager mentoring and support.
- Project management services.
- Risk workshop facilitation.
- Help desk support.
- Project management tools.
- Project management solutions development.
- PMP certification support and training program.

## Public Involvement Section

- Assists districts and divisions with public involvement efforts throughout planning project development and construction.
- Serves as an on-site resource that creates and reviews public involvement plans, identifies appropriate out-reach techniques, and provides additional staff at public meetings.
- Focuses agency efforts on ensuring outreach techniques are reflective of the needs of the public.
- Fosters greater internal awareness of the department's civic engagement responsibilities.
- Implements the Transportation Commission's public involvement policy.

## Systems Planning Section

- Manages multistate Transportation Corridor Engineering studies.
- Transportation Planning Program and Economically Disadvantaged County program.
- Maintains Statewide Transportation Improvement Program.
- Develops Texas Transportation Plan.
- Manages the Trunk System and Systems Planning.
- Participate in Regional US Transportation/Economic Studies.
- Rural Planning Organization Coordination.
- Develops Unified Transportation Program.
- Coordinates with Metropolitan Planning Organizations and Regional Mobility Authorities.
- Conducts and manages corridor studies throughout the state.

## Traffic Analysis Section

- Oversees traffic estimation and forecasting, roadway inventory traffic log data for existing and forecasted traffic, traffic data for commission and public hearings, traffic analysis for program calls, traffic monitoring systems and corridor traffic analysis.
- Oversees traffic data collection and reporting, vehicle classification analysis, automated traffic records analysis from permanent recorders, volume traffic counts, weight-in-motion programs, and speed monitoring.
- Assist Metropolitan Planning Organization with Urban Travel Demand Model Forecasting.
- Train personnel in travel demand modeling, traffic analysis, and mobile source air quality analysis.
- Manage the Statewide Analysis Model project and Statewide Traffic Analysis and reporting System. Oversees the Travel Survey program.
- Maintain district and urban traffic map files and publish statewide truck and traffic maps.

**Accomplishments:**

- In order to foster full participation of persons with disabilities, more WebEx and virtual options are available for meetings and trainings.
- Participated in meetings, training and outreach events.
- The Transportation Planning and Programming Division (Annie LaGow) collaborated with the Civil Rights Division and the Office of Public Involvement to develop the concept for the 27th anniversary of the Americans with Disabilities Act celebration on July 26, 2017. The division provided reprographic services, graphic design services, and creative writing solutions to CIV. One of our staff members represented the division at the celebration which was held at the South Austin Senior Activity Center on July 26, 2017, 3911 S. Manchaca Road in Austin, Texas.

**Goals:**

- Increase division employee knowledge.
- Increase liaison knowledge.
- Meet required reporting due dates.

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## Travel Information Division

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The Travel Division is committed to the ADA Accessibility Program's mission to ensure that every program, service, benefit, activity and facility open to the public is fully accessible to and usable by people with disabilities in an integrated setting that fosters inclusion and does not discriminate. The Travel division oversees employees that promote travel to the traveling public. TRV is committed to foster inclusion according to section 508 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA).

### **Accomplishments:**

- TRV supports and continues the process of utilizing the set-Aside contract program that primarily works with Goodwill industries and the Blind Commission
- TRV started a cleanup initiative to address excess clutter and safety hazards.
- Provide accessible facilities to visitors at TRV's Information Centers
- We have completed the ADA inspection of our Wichita Falls and Laredo Information Centers and meet 95% to 100% in some areas, there are some minor areas that we will work on.

### **Goals:**

- TRV Coordinators will look for and take ADA training on ELM and look at other places for training
- Continue the inspection and check list of our TIC facilities for compliance
- Communicate with our employees and share information with TRV administration after ADA meetings
- Follow up
- Our ADA committee will meet monthly.
- We are reviewing our signage at facilities for compliance
- We are looking at our phone systems and working with NTT to have TDD/text
- We will raise our picnic tables to be in compliance

### **Outreach Events:**

- Attended and assisted with the Austin Outreach. Our Executive Assistant represented TRV at the ADA outreach event held on July 26th, 2017, at the South Austin Senior Activity Center, 3911 Manchaca Rd, Austin, TX.





# ADA Accessibility Program - Attachments

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Civil Rights Division

October 1, 2017

**FY 2017/2018 Accomplishments and Goals Report**



# Attachment A – ADA/504 Assurance



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

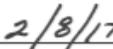
## AMERICANS WITH DISABILITIES ACT and SECTION 504 OF THE REHABILITATION ACT OF 1973

### ASSURANCE

28 Code of Federal Regulations Part 35.130, Title II of the Americans with Disabilities Act prohibits discrimination on the basis of disability by public entities. Subtitle A protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. It extends the prohibition of discrimination in federally assisted programs established by section 504 of the Rehabilitation Act of 1973 to all activities of state and local governments, including those that do not receive federal financial assistance, and incorporates specific prohibitions of discrimination on the basis of disability from Titles I, III, and V of the Americans with Disabilities Act. This rule, therefore, adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.

Texas Department of Transportation (TxDOT), HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the U.S. Department of Transportation through the Federal Highway Administration, is subject to and will comply with all laws and regulations, and hereby gives assurance that no qualified disabled person shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination of employment, under any program or activity that receives or benefits from this federal financial assistance. TxDOT further assures that its programs will be conducted, and its facilities operated, in compliance with all the requirements imposed by or pursuant to 49 CFR Part 27, 28 CFR Part 35 and 42 USC §§ 12101 – 12213.

  
James M. Bass  
Executive Director

  
Date

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer

## Attachment B – ADA Liaisons

District or Division	Name	Title	Phone	E-mail
Abilene	Joe LeBlanc	Business Services Supervisor	(325) 676-6827	Joe.LeBlanc@txdot.gov
Amarillo	Tracy Beyer	Special Projects Coordinator	(806) 356-3305	Tracy.Beyer@txdot.gov
Atlanta	Jason Overmyer	Landscape Architect	(903) 799-1205	Jason.Overmyer@txdot.gov
Atlanta	Tommy Bruce	Transportation Engr Supvr.	(903) 799-1339	Tommy.Bruce@txdot.gov
Austin	Amro Gaber	Transportation Engineer	(512) 832-7288	Amro.Gaber@txdot.gov
Austin	Mahendran Thivakaran	Transportation Engineer	(512) 832-7286	Mahendran.Thivakaran@txdot.gov
Austin	Richard Wright	Internal Audit Section Mgr	(512) 463-8050	Richard.Wright1@txdot.gov
Aviation	Kari Campbell	Aviation Grants Section Dir	(512) 416-4543	Kari.Campbell@txdot.gov
Beaumont	Corliss Crawford	Office Technician	409-898-5711	Corliss.Crawford@txdot.gov
Beaumont	Deidre Williams	HR Specialist	(409) 898-5716	Deidre.Williams@txdot.gov
Bridge	Steven Smith	Business Operations Admin.	(512) 416-2115	Steven.Smith@txdot.gov
Brownwood	Eric Lykins	Director of Construction	(325) 643-0417	Eric.Lykins@txdot.gov
Bryan	Maury Jacob	Landscape Architect	(979) 778-9798	Maury.Jacob@txdot.gov
Childress	Chris Reed	Director of Construction	(940) 937-7251	Chris.Reed@txdot.gov
Communications	Tim Harriman	Business Operations Manager	(512) 463-8795	Tim.Harriman@txdot.gov
Compliance	Christopher Whitton	Compliance Specialist	(512) 463-3586	Christopher.Whitton@txdot.gov
Compliance	Nicole Lawson	DE/DD Executive Assistant	(512) 463-5671	Nicole.Lawson@txdot.gov
Compliance	Parsons Townsend	Compliance Section Director	(512) 463-6325	Parsons.Townsend@txdot.gov
Corpus Christi	Aurora Guajardo	Engineering Assistant	(361) 808-2474	Aurora.Guajardo@txdot.gov
Corpus Christi	Michael Alvarez	Transportation Engineer	(361) 808-2587	Michael.Alvarez@txdot.gov
Dallas	Maher Ghanayem	Transportation Engineer	(214) 320-6691	Maher.Ghanayem@txdot.gov
Dallas	Tommy Johns	Architect	(214) 320-6635	Tommy.Johns@txdot.gov
Design	Harry Dawson	Landscape Architect	(512) 416-2320	Harry.Dawson@txdot.gov
Design	Pete Krause	Landscape Arch Section Dir.	(512) 416-2714	Pete.Krause@txdot.gov
El Paso	Sandra Sierra	Special Projects Coord.	(915) 790-4209	Sandra.Sierra@txdot.gov
Environmental Affairs	Billie Long	HR Specialist	(512) 486-5363	Billie.Long@txdot.gov
Environmental Affairs	Linda Pendergras	Office Technician	512-416-3002	Linda.Pendergras@txdot.gov
Financial Management	Cynthia Ochoa	DE/DD Executive Assistant	(512) 486-5505	Cynthia.Ochoa@txdot.gov
Financial Management	Kurt Ahlhorn	Special Projects Coord	(512) 486-5653	Kurt.Ahlhorn@txdot.gov
Fort Worth	Chris Houghton	Transportation Specialist	(817) 370-6730	Chris.Houghton@txdot.gov
Fort Worth	Faisal Abdel-Qader	Transportation Engr Supvr	(817) 370-6673	Faisal.AbelQader@txdot.gov
Houston	Jannie Blackmon	Construction Records Auditor	(713) 802-5008	Jannie.Blackmon@txdot.gov
Houston	Pablo Pinales	Human Resources Officer	(713) 802-5469	Pablo.Pinales@txdot.gov
Human Resources	Billie Long	HR Specialist	(512) 486-5363	Billie.Long@txdot.gov
Human Resources	Denise Landry	HR Specialist	(512) 486-5366	Denise.Landry@txdot.gov
Information Management	Angie Burford	Executive Assistant	(512) 465-3058	angie.burford@txdot.gov
Laredo	Carlo Rogerio	Transportation Engineer	(956) 712-7484	Carlo.Rogerio@txdot.gov
Laredo	Omar Costilla	Transportation Specialist	(956) 712-7726	Omar.Costilla@txdot.gov

District or Division	Name	Title	Phone	E-mail
Lubbock	Kylan Francis	Dir of Trans Plan & Devlpmt	(806) 748-4490	Kylan.Francis@txdot.gov
Lubbock	Rusty Smith	Special Projets Coord.	806-748-4476	Rusty.Smith@txdot.gov
Lufkin	Ana Mijares	Transportation Engr Supvr	(936) 633-4351	Ana.Mijares@txdot.gov
Lufkin	Jimmy Thompson	Transportation Engr Supvr	(936) 633-4397	Jimmy.Thompson@txdot.gov
Lufkin	Kelly Morris	Director of Transportation Planning and Development	(936) 633-4349	Kelly.Morris@txdot.gov
Maintenance	Stephen Binder	Architect Assistant	(512) 416-3341	Stephen.Binder@txdot.gov
Maritime	Travis Milner	Bus. Ops. Proj. Mgr.	713-802-5972	Travis.Milner@txdot.gov
Occupational Safety	Monica Spiller	Office Technician	(512) 416-3385	Monica.Spiller@txdot.gov
Odessa	Lennerd Byrd	Business Services Supervisor	(432) 498-4737	Lennerd.Byrd@txdot.gov
Paris	Darius Samuels	Transportation Engr Supvr.	(903) 737-9498	Darius.Samuels@txdot.gov
Pharr	Evan Roberts	Transportation Engr Supvr.	(956) 702-6265	Evan.Roberts@txdot.gov
Pharr	Joseph Leal, Jr.	Transportation Engineer	(956) 702-6247	Joseph.Leal@txdot.gov
Procurement	Connie Knesek	Purchasing Coordinator	(512) 416-4720	Connie.Knesek@txdot.gov
Procurement	Jo Woten	Purchasing Branch Manager	(512) 486-5480	Jo.Woten@txdot.gov
Public Transportation	Rebecca (Becky) Ligon	Transport Funding Spec.	(512) 374-5238	Rebecca.Ligon@txdot.gov
Rail	Peter Espy	Div. Director	512-416-2056	Peter.Espy@txdot.gov
Research and Technology	Crystal Stark-Nelson	Contract Specialist, RTI	(512) 416-4740	Crystal.StarkNelson@txdot.gov
Right of Way	Elizabeth Osgood	Division Admin Manager	(512) 416-2014	Elizabeth.Osgood@txdot.gov
Right of Way	Matthew Jimenez	Right of Way Agent	(512) 416-2877	Matthew.Jimenez@txdot.gov
San Angelo	Mario Ybarra	Business Services Coord	(325) 947-9273	Mario.Ybarra@txdot.gov
San Antonio	Darcie Schipull	Planner	(210) 615-5902	Darcie.Schipull@txdot.gov
San Antonio	Elizabeth Hogeda-Romo	Business Services Supervisor	(210) 615-6163	Elizabeth.HogedaRomo@txdot.gov
San Antonio	Gregg Granato	Transportation Engr Supvr	(210) 615-6049	Gregg.Granato@txdot.gov
Toll Operations	Ralph O'Neal	Field Oprs Facilities Coord	(512) 874-9712	Ralph.ONeal@txdot.gov
Traffic Operations	Ann Hatchitt	Management Analyst	(512) 416-3104	Ann.Hatchitt@txdot.gov
Traffic Operations	Shelli Belser	Business Operations Administratc	(512) 416-3205	Shelli.Belser@txdot.gov
Transportation Planning and Programming	Jessica Smith	Safety Officer	(512)486-5015	Jessica.Smith@txdot.gov
Travel Information	Kristi Urkuski	DE/DD Executive Assistant	(512)486-5914	Kristi.Urkuski@txdot.gov
Travel Information	Lucia Cordova	Business Operations Admin	(512) 486-5903	Lucia.Cordova@txdot.gov
Tyler	Janice Allen	HR Specialist	(903) 510-9293	Janice.Allen@txdot.gov
Tyler	Jeff Kuechle	Facilities Coordinator	(903) 510-9182	Jeff.Kuechle@txdot.gov
Tyler	Jeffrey Harmon	Director of Construction	(903) 510-9207	Jeffrey.Harmon@txdot.gov
Tyler	Juanita Daniels-West	Transportation Engineer	(903) 510-9106	Juanita.DanielsWest@txdot.gov
Waco	Kris Long	Special Projects Coordinator	(254) 867-2763	Kris.Long@txdot.gov
Wichita Falls	Allan Moore	Director of Construction	(940) 720-7716	Allan.Moore@txdot.gov
Yoakum	Camille Marek, P.E.	Transportation Engineer	(361) 293-4388	Camille.Marek@txdot.gov

## Attachment C – ADA Notice



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

### AMERICANS WITH DISABILITIES ACT and SECTION 504 OF THE REHABILITATION ACT OF 1973

#### NOTICE

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Texas Department of Transportation (TxDOT) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities.

TxDOT does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

TxDOT will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in TxDOT's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

TxDOT will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in TxDOT offices, even where pets are generally prohibited.

Anyone who requires auxiliary aids or services for effective communication, or a modification of policies and procedures to participate in a program, service or activity of TxDOT, should contact TxDOT's ADA/504 Coordinator as soon as possible, but no later than 48 hours before the scheduled event.

The Americans with Disabilities Act does not require TxDOT to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of TxDOT is not accessible to persons with disabilities should be directed to the ADA/504 Coordinator.

TxDOT will not charge a fee on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications of policy, such as retrieving items from locations that are open to the public, but are not accessible to persons who use wheelchairs.

#### Contact Information

Texas Department of Transportation  
Civil Rights Division  
ADA/504 Coordinator  
125 E. 11<sup>th</sup> Street, Austin, Texas 78704  
[CIV\\_ADA@txdot.gov](mailto:CIV_ADA@txdot.gov) | (512) 416-4700

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer

## Attachment D – Grievance Procedure

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### **TxDOT ADA Accessibility Program** Grievance Policy and Procedures

#### Texas Department of Transportation Grievance Procedure under The Americans with Disabilities Act

This **Grievance Procedure** is established in accordance with the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services by or access to activities, programs or facilities of the Texas Department of Transportation.

Any person who believes that he or she, individually, as a member of the disabled community, has been subject to discrimination prohibited by the Americans with Disabilities Act, Sections 504 or 508 of the Rehabilitation Act of 1973, as amended, may file a complaint with TxDOT. A complaint may also be filed by a representative on behalf of such a person or group.

Complaints submitted shall be in writing and must be signed by the complainant and/or the representative. Complainants can complete TxDOT's External Discrimination Complaint Form available on TxDOT's website in English and Spanish. **See attachment D.**

The complaint should be submitted by the grievant and/or his or her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

Michael D. Bryant, Director  
Civil Rights Division  
125 E. 11<sup>th</sup> Street  
Austin, TX 78701  
512-416-4700 (Voice)  
512-486-5539 (FAX)  
1-800-735-2989 (TTY)  
7-1-1 (Relay Texas)  
[Michael.D.Bryant@txdot.gov](mailto:Michael.D.Bryant@txdot.gov)

#### **Roles and Responsibilities**

The Civil Rights Division (CIV) is charged with the primary responsibility of processing ADA external discrimination complaints received by TxDOT. All discrimination complaints received by DDs must be referred to CIV for review and action. CIV processes complaints consistent with FHWA's External Discrimination Complaint Handling Procedures, which includes maintaining a complaint log, using form letters, and its investigative process.

### **Time frame for Filing Complaints**

In order to have the complaint considered under ADA, the complaint must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or
- The date the person(s) became aware of the alleged act(s) of discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discovered.

In either case, TxDOT may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for doing so.

### **Processing Complaints**

Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the alleged discrimination. In the event that a person makes a verbal complaint to a TxDOT employee, that person shall be interviewed by CIV. If necessary, CIV will assist the person in documenting the complaint in writing and submitting the written version to the person for signature.

Within ten (10) days of receipt of the complaint, CIV will acknowledge receipt, inform the complainant of action proposed or taken, and advise the complainant of other avenues of redress available, such as filing with the investigation and Adjudications Unit at FHWA Headquarters Office of Civil Rights and the U.S. DOT.

ADA complaints filed directly with TxDOT against its subrecipients will be processed in accordance with the FHWA approved complaint procedures as required under 23 CFR 200.9(b)(3). However, FHWA has the authority for making all final decisions, including dismissing complaints and issuing letters of findings. All complaints are investigated unless:

- The complaint is withdrawn by the complainant;
- The complainant fails to provide required information after numerous attempts;
- The complaint is not filed timely; or
- The complaint is involving an issue other than discrimination or if the complaint is not based on the disabled protected class.

Complaints filed under ADA with TxDOT in which TxDOT is named as the respondent will be forwarded to FHWA within ten (10) days of receipt of the allegation for processing. The following information will be provided to FHWA:

- Name, address, and phone number of complainant;
- Name(s) and address(es) of alleged discriminating official(s);
- Basis of complaint (i.e., disability, race, color, national origin, sex, age);
- Date of alleged discriminatory act(s);
- Date of complaint received by TxDOT;
- A statement of the complaint;
- Other agencies (state, local or federal) where the complaint has been filed; and
- An explanation of the actions TxDOT has taken or proposed to resolve the issue raised in the complaint.

#### **Investigative Process**

Within sixty (60) days of receipt of the complaint, CIV will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to FHWA. FHWA will issue final decisions in all cases, including those complaints investigated by CIV. The complaint will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings. No information is disclosed with TxDOT personnel or any other party not involved in the investigative process.

#### **Developing an Investigative Plan**

An investigative Plan (IP) will be prepared to define the issues and lay out the blueprint to complete the investigation. The IP is used to keep the investigation on track and focused on the issues and sources of evidence or corroboration. The IP outline is as follows:

- Complainant name and contact information, and that of their attorney, if applicable;
- Respondent name and contact information, and that of their attorney, if applicable;
- Applicable laws and regulations;
- Basis of complaint (i.e., disability, race, color, national origin, sex, age);
- Allegation(s)/Issue(s);
- Background
- Interviewee(s) name and contact information;
- Questions for the complainant; respondent, and interviewee(s);
- Evidence to be obtained;
- Estimated investigation timeline; and
- Remedy sought by the complainant(s).

#### **Documentation**

CIV maintains a complaint log, intake form and activity log to document all activity related to the complaint. See attachment (s) D. The information captured on these documents includes:

- Grievance Tracking Number
- Complainant's name and if provided, disability, race, color, age, gender and national origin;
- Respondent's name;
- Basis(es) of the ADA complaint;
- Allegation(s)/Issue(s) surrounding the discrimination complaint;
- Agency/Division/District
- Investigation Activity
- Date the discrimination complaint was filed;
- Date the investigation was completed;
- Disposition/Status
- Disposition date; and
- Other pertinent information.

#### Preparing the Report of Investigation

A Report of Investigation (ROI) will be prepared setting forth all the relevant facts obtained during the investigation. The ROI will include a finding for each issue and recommendations, where necessary. Documentation regarding any attempts and outcomes that were made to resolve the complaint prior to the initial receipt of the written complaint will be summarized in the ROI. The ROI and recommended decision will be forwarded to the FHWA for a final decision.



# External Discrimination Complaint Form

Form 2193  
(Rev. 4/17)  
Page 1 of 2

Mail the signed form to Texas Department of Transportation, Civil Rights Division,  
125 East 11th Street, Austin, Texas 78701 or fax to 512/486-5539.

Last Name		First Name		
Mailing Address		City	State	Zip
Telephone	Alternate Telephone	E-mail Address		
Please indicate the basis of your complaint:				
<input type="checkbox"/> Race	<input type="checkbox"/> Age	<input type="checkbox"/> National Origin		
<input type="checkbox"/> Color	<input type="checkbox"/> Gender	<input type="checkbox"/> Disability		
Date and place of alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date of discrimination.				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional pages, if necessary).				
If applicable, please provide a description and the exact location of the non-accessible feature.		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> (Street Name) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Please provide comments, suggestions, or other information that may assist us in providing a better service to you.		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> (Street Name) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.				

Names of individuals responsible for the discriminatory action(s):

[Redacted]

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attach additional pages, if necessary).

	<u>Name</u>	<u>Address</u>	<u>Telephone</u>
1.	[Redacted]	[Redacted]	[Redacted]
2.	[Redacted]	[Redacted]	[Redacted]
3.	[Redacted]	[Redacted]	[Redacted]
4.	[Redacted]	[Redacted]	[Redacted]

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- U.S. Department of Transportation [Redacted]
- Federal Highway Administration [Redacted]
- Federal Transit Administration [Redacted]
- Office of Federal Contract Compliance Programs [Redacted]
- U.S. Equal Employment Opportunity Commission [Redacted]
- U.S. Department of Justice [Redacted]
- Other [Redacted]

Have you discussed the complaint with any TxDOT representative? If yes, provide the name, position, and date of discussion.

[Redacted]

Briefly explain what remedy, or action, you are seeking for the alleged discrimination.

[Redacted]

Please provide any additional information and/or photographs, if applicable, that you believe will assist with an investigation.

[Redacted]

**We cannot accept an unsigned complaint. Please sign and date the complaint form below.**

\_\_\_\_\_  
**Complainant's Signature** \_\_\_\_\_  
**Date**

**FOR OFFICE USE ONLY**

Date Complaint Received: [Redacted]	Case #: [Redacted]
Processed by: [Redacted]	Date Referred: [Redacted]
Referred to: <input type="checkbox"/> USDOT <input type="checkbox"/> FHWA <input type="checkbox"/> FTA <input type="checkbox"/> OFCCP <input type="checkbox"/> Other [Redacted]	

## **TxDOT ADA Accessibility Program**

### Grievance Tracking Number Methodology

#### Grievance Tracking Number Methodology

28 CFR 35.107(b) requires a public entity that employs more than 50 people to adopt and publish a grievance procedure providing for the prompt and equitable resolution of complaints alleging discrimination on the basis of disability access to any governmental facility, program, service or activity provided by the entity. Grievance Procedures are intended to safeguard the processing of all TxDOT complaints associated with ADA/504 concerns. These procedures provide a system for resolving complaints of disability discrimination in a prompt and fair manner.

By adopting these administrative requirements, the Texas Department of Transportation (TxDOT) will be able to address the complaints of people with disabilities more efficiently who have encountered issues when using our facilities, or participating in our programs, activities, and services. Having these requirements in place will assist TxDOT employees and representatives to access a specific grievance easily; exercise good recordkeeping habits; and provide accurate information when communicating with a complainant about his/her specific grievance.

When assigning a tracking number to a grievance, the TxDOT employee or representative should follow these guidelines in this specific order:

1. Abbreviate "Grievance" as "GRV";
2. Use the next ordinal number (e.g. 1, 2, 3,) to indicate the quantity of grievances received to-date;
3. Write the date the Civil Rights Office (CRO) received notice or became aware of the grievance; and
4. Include the fiscal year(s) the Complainant alleged the discrimination occurred.

**EXAMPLE: GRV001-10262016-2014**

# TxDOT ADA Accessibility Program

## ADA Grievance Tracking Number Log

Tracking Number	Complainant	District/Division	Initials
GRV#-Date CIV Rec-Yr Alleged GRV001-10262016-2014	[REDACTED] - Fredericksburg Road	SAT	jw
GRV002-11022016-2016	[REDACTED] - City of Dallas	DAL	jw
GRV003-12152016-2016	[REDACTED] - SH 99 & I-10	HOU	jw
N/A	[REDACTED] - City of Richardson	DAL	FHWA
GRV004-02232017-__?__	[REDACTED] *(waiting for information from FHWA)	SAT	jw
N/A	[REDACTED] - TxTag - DV	TOD	Informal - jw/TOD
GRV005-____-____			
GRV006-____-____			
GRV007-____-____			
GRV008-____-____			
GRV009-____-____			
GRV010-____-____			
GRV011-____-____			
GRV012-____-____			
GRV013-____-____			
GRV014-____-____			
GRV015-____-____			
GRV016-____-____			
GRV017-____-____			
GRV018-____-____			
GRV019-____-____			
GRV020-____-____			
GRV021-____-____			
GRV022-____-____			
GRV023-____-____			
GRV024-____-____			
GRV025-____-____			
GRV026-____-____			
GRV027-____-____			
GRV028-____-____			
GRV029-____-____			
GRV030-____-____			
GRV031-____-____			

GRV032-	-			
GRV033-	-			
GRV034-	-			
GRV035-	-			
GRV036-	-			
GRV037-	-			
GRV038-	-			
GRV039-	-			
GRV040-	-			
GRV041-	-			
GRV042-	-			
GRV043-	-			
GRV044-	-			
GRV045-	-			
GRV046-	-			
GRV047-	-			
GRV048-	-			
GRV049-	-			
GRV050-	-			
GRV051-	-			
GRV052-	-			
GRV053-	-			
GRV054-	-			
GRV055-	-			
GRV056-	-			
GRV057-	-			
GRV058-	-			
GRV059-	-			
GRV060-	-			
GRV061-	-			
GRV062-	-			

ADA Discrimination Intake Form

Date Complaint Filed with CIV  Complaint Number

Respondent First Name  Respondent Last Name

**Complainant Information**

First Name  Last Name

Address  City  State  Zip

**Complaint Information**

Basis of Discrimination  Race  Disability  Color  National Origin   
 Age  Sex  Other

Date of Discrimination  Complaint Statement

Has the complaint been filed with other agencies?

If so, which one(s)?

Explanation of TxDOT's Actions

Record: 1 of 1 | No Filter | Search

Form View | Num Lock



# Attachment E -Inventory Checklists

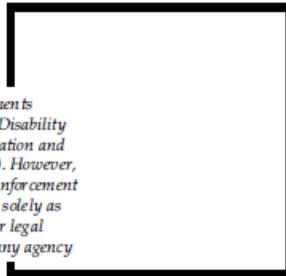
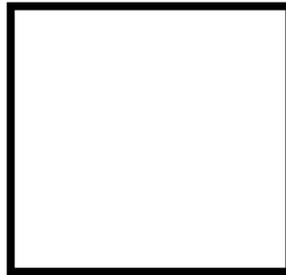
## Checklist for Existing Facilities version 2.1



To obtain additional copies of this checklist, contact your Disability and Business Technical Assistance Center. To be automatically connected to your regional center, call 1-800-949-4ADA. This checklist may be copied as many times as desired by the Disability and Business Technical Assistance Centers for distribution to small businesses but may not be reproduced in whole or in part and sold by any other entity without written permission of Adaptive Environments, the author.

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Barrier Free Environments, Inc.

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The Americans with Disabilities Act  
Checklist for Readily Achievable Barrier Removal  
August 1995

# Checklist for Existing Facilities version 2.1

## Introduction

Title III of the **Americans with Disabilities Act** requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from our country's businesses and services, and to afford our businesses and services the opportunity to benefit from the patronage of all Americans.

The regulations require that architectural and communication barriers that are structural must be removed in public areas of **existing facilities** when their removal is **readily achievable**—in other words, easily accomplished and able to be carried out without much difficulty or expense. **Public accommodations** that must meet the barrier removal requirement include a broad range of establishments (both for-profit and nonprofit)—such as hotels, restaurants, theaters, museums, retail stores, private schools, banks, doctors' offices, and other places that serve the public. People who own, lease, lease out, or operate places of public accommodation in existing buildings are responsible for complying with the barrier removal requirement.

The removal of barriers can often be achieved by making simple changes to the physical environment. However, the regulations do not define exactly how much effort and expense are required for a facility to meet its obligation. This judgment must be made on a case-by-case basis, taking into consideration such factors as the size, type, and overall financial resources of the facility, and the nature and cost of the access improvements needed. These factors are described in more detail in the ADA regulations issued by the Department of Justice.

The process of determining what changes are readily achievable is not a one-time effort; access should be re-evaluated annually. Barrier removal that might be difficult to carry out now may be readily achievable later. Tax incentives are available to help absorb costs over several years.

## Purpose of This Checklist

This checklist will help you identify accessibility problems and solutions in existing facilities in order to meet your obligations under the ADA.

The goal of the survey process is to plan how to make an existing facility more usable for people with disabilities. The Department of Justice (DOJ) recommends the development of an Implementation Plan, specifying what improvements you will make to remove barriers and when each solution will be carried out: "...Such a plan...could serve as evidence of a good faith effort to comply...."

## Technical Requirements

This checklist details some of the requirements found in the ADA Standards for Accessible Design (Standards). The ADA Accessibility Guidelines (ADAAG), when adopted by DOJ, became the Standards. The Standards are part of the Department of Justice Title III Regulations, 28 CFR Part 36 (*Nondiscrimination on the basis of disability... Final Rule*). Section 36.304 of this regulation, which covers barrier removal, should be reviewed before this survey is conducted.

However, keep in mind that full compliance with the Standards is required only for new construction and alterations. The requirements are presented here as a guide to help you determine what may be readily achievable barrier removal for existing facilities. The Standards should be followed for all barrier removal unless doing so is not readily achievable. If complying with the Standards is not readily achievable, you may undertake a modification that does not fully comply, as long as it poses no health or safety risk.

In addition to the technical specifications, each item has a scoping provision, which can be found under Section 4.1 in the Standards. This section clarifies when access is required and what the exceptions may be.

Each state has its own regulations regarding accessibility. To ensure compliance with all codes, know your state and local codes and use the more stringent technical requirement for every modification you make; that is, the requirement that provides greater access for individuals with disabilities. The barrier removal requirement for existing facilities is new under the ADA and supersedes less stringent local or state codes.

## What This Checklist is Not

This checklist does not cover all of the requirements of the Standards; therefore, it is **not** for facilities undergoing new construction or alterations. In addition, it does not attempt to illustrate all possible barriers or propose all possible barrier removal solutions. The Standards should be consulted for guidance in situations not covered here.

The Title III regulation covers more than barrier removal, but this checklist does **not** cover Title III's requirements for nondiscriminatory policies and practices and for the provision of auxiliary communication aids and services. The communication features covered are those that are **structural** in nature.

## Priorities

This checklist is based on the four priorities recommended by the Title III regulations for planning readily achievable barrier removal projects:

- Priority 1: Accessible **approach and entrance**
- Priority 2: Access to **goods and services**
- Priority 3: Access to **rest rooms**
- Priority 4: Any **other measures** necessary

*Note that the references to ADAAG throughout the checklist refer to the Standards for Accessible Design.*

## How to Use This Checklist

✓ **Get Organized:** Establish a time frame for completing the survey. Determine how many copies of the checklist you will need to survey the whole facility. Decide who will conduct the survey. It is strongly recommended that you invite two or three additional people, including people with various disabilities and accessibility expertise, to assist in identifying barriers, developing solutions for removing these barriers, and setting priorities for implementing improvements.

✓ **Obtain Floor Plans:** It is very helpful to have the building floor plans with you while you survey. If plans are not available, use graph paper to sketch the layout of all interior and exterior spaces used by your organization. Make notes on the sketch or plan while you are surveying.

✓ **Conduct the Survey:** Bring copies of this checklist, a clipboard, a pencil or pen, and a flexible steel

tape measure. With three people surveying, one person numbers key items on the floor plan to match with the field notes, taken by a second person, while the third takes measurements. **Be sure to record all dimensions!** As a reminder, questions that require a dimension to be measured and recorded are marked with the ruler symbol. Think about each space from the perspective of people with physical, hearing, visual, and cognitive disabilities, noting areas that need improvement.

✓ **Summarize Barriers and Solutions:** List barriers found and ideas for their removal. Consider the solutions listed beside each question, and add your own ideas. Consult with building contractors and equipment suppliers to estimate the costs for making the proposed modifications.

✓ **Make Decisions and Set Priorities:** Review the summary with decision makers and advisors. Decide which solutions will best eliminate barriers at a reasonable cost. Prioritize the items you decide upon and make a timeline for carrying them out. Where the removal of barriers is not readily achievable, you must consider whether there are **alternative methods** for providing access that are readily achievable.

✓ **Maintain Documentation:** Keep your survey, notes, summary, record of work completed, and plans for alternative methods on file.

✓ **Make Changes:** Implement changes as planned. Always refer directly to the Standards and your state and local codes for complete technical requirements before making any access improvement. References to the applicable sections of the Standards are listed at the beginning of each group of questions. If you need help understanding the federal, state, or local requirements, contact your Disability and Business Technical Assistance Center.

✓ **Follow Up:** Review your Implementation Plan each year to re-evaluate whether more improvements have become readily achievable.

To obtain a copy of the Title III regulations and the Standards or other technical information, call the U.S. Dept. of Justice ADA Information Line at (800) 514-0301 Voice, (202) 514-0381 TDD, or (800) 514-0383 TDD. For questions about ADAAG, contact the Architectural and Transportation Barriers Compliance Board at (800) USA-ABLE.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

Priority

**1 Accessible Approach/Entrance**

People with disabilities should be able to arrive on the site, approach the building, and enter as freely as everyone else. At least one route of travel should be safe and accessible for everyone, including people with disabilities.

**Route of Travel (ADAAG 4.3, 4.4, 4.5, 4.7)**  
Is there a route of travel that does not require the use of stairs?

Yes No

- Add a ramp if the route of travel is interrupted by stairs.
- Add an alternative route on level ground.

Is the route of travel stable, firm and slip-resistant?

- Repair uneven paving.
- Fill small bumps and breaks with beveled patches.
- Replace gravel with hard top.

 Is the route at least 36 inches wide?

  
width

- Change or move landscaping, furnishings, or other features that narrow the route of travel.
- Widen route.

 Can all objects protruding into the circulation paths be detected by a person with a visual disability using a cane?

  
distance from wall/height

- Move or remove protruding objects.
- Add a cane-detectable base that extends to the ground.
- Place a cane-detectable object on the ground underneath as a warning barrier.

**In order to be detected** using a cane, an object must be within 27 inches of the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear head room. It is not necessary to remove objects that protrude less than 4 inches from the wall.

Do curbs on the route have curb cuts at drives, parking, and drop-offs?

- Install curb cut.
- Add small ramp up to curb.

 **Ramps (ADAAG 4.8)**  
Are the slopes of ramps no greater than 1:12?

  
slope

- Lengthen ramp to decrease slope.
- Relocate ramp.
- If available space is limited, reconfigure ramp to include switchbacks.

**Slope is given as a ratio of the height to the length.** 1:12 means for every 12 inches along the base of the ramp, the height increases one inch. For a 1:12 maximum slope, **at least** one foot of ramp length is needed for each inch of height.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Ramps, continued**

Do all ramps longer than 6 feet have railings on both sides?

Yes No

Add railings.

 Are railings sturdy, and between 34 and 38 inches high?

  
 height

Adjust height of railing if not between 30 and 38 inches.  
 Secure handrails in fixtures.

 Is the width between railings or curbs at least 36 inches?

  
 width

Relocate the railings.  
 Widen the ramp.

Are ramps non-slip?

Add non-slip surface material.

 Is there a 5-foot-long level landing at every 30-foot horizontal length of ramp, at the top and bottom of ramps and at switchbacks?

  
 length

Remodel or relocate ramp.

 Does the ramp rise no more than 30 inches between landings?

  
 rise

Remodel or relocate ramp.

**Parking and Drop-Off Areas (ADAAG 4.6)**

 Are an adequate number of accessible parking spaces available (8 feet wide for car plus 5-foot access aisle)? For guidance in determining the appropriate number to designate, the table below gives the ADAAG requirements for new construction and alterations (for lots with more than 100 spaces, refer to ADAAG):

  
 number of accessible spaces

Reconfigure a reasonable number of spaces by repainting stripes.

Total spaces	Accessible
1 to 25	1 space
26 to 50	2 spaces
51 to 75	3 spaces
76 to 100	4 spaces

Note widths of existing accessible spaces:

 Are 8-foot-wide spaces, with minimum 8-foot-wide access aisles, and 98 inches of vertical clearance, available for lift-equipped vans?

  
 width/vertical clearance

Reconfigure to provide van-accessible space(s).

At least one of every 8 accessible spaces must be van-accessible (with a minimum of one van-accessible space in all cases).

**QUESTIONS**

**POSSIBLE SOLUTIONS**

		Yes	No	
<b>Parking and Drop-Off Areas, continued</b>				
	Are the access aisles part of the accessible route to the accessible entrance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Add curb ramps. <input type="checkbox"/> Reconstruct sidewalk.
	Are the accessible spaces closest to the accessible entrance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reconfigure spaces.
	Are accessible spaces marked with the International Symbol of Accessibility? Are there signs reading "Van Accessible" at van spaces?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Add signs, placed so that they are not obstructed by cars.
	Is there an enforcement procedure to ensure that accessible parking is used only by those who need it?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Implement a policy to check periodically for violators and report them to the proper authorities.
<hr/>				
<b>Entrance (ADAAG 4.13, 4.14, 4.5)</b>				
	If there are stairs at the main entrance, is there also a ramp or lift, or is there an alternative accessible entrance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> If it is not possible to make the main entrance accessible, create a dignified alternate accessible entrance. If parking is provided, make sure there is accessible parking near all accessible entrances.
	<b>Do not use a service entrance as the accessible entrance</b> unless there is no other option.			
	Do all inaccessible entrances have signs indicating the location of the nearest accessible entrance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Install signs before inaccessible entrances so that people do not have to retrace the approach.
	Can the alternate accessible entrance be used independently?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Eliminate as much as possible the need for assistance—to answer a doorbell, to operate a lift, or to put down a temporary ramp, for example.
	 Does the entrance door have at least 32 inches clear opening (for a double door, at least one 32-inch leaf)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Widen the door to 32 inches clear. <input type="checkbox"/> If technically infeasible, widen to 31-3/8 inches minimum. <input type="checkbox"/> Install offset (swing-clear) hinges.
	 Is there at least 18 inches of clear wall space on the pull side of the door, next to the handle?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Remove or relocate furnishings, partitions, or other obstructions. <input type="checkbox"/> Move door. <input type="checkbox"/> Add power-assisted or automatic door opener.
	<b>A person using a wheelchair or crutches needs this space to get close enough to open the door.</b>			

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Entrance, continued**  
 **11111** Is the threshold edge 1/4-inch high or less, or if beveled edge, no more than 3/4-inch high?

Yes No  
   
  
 height

- If there is a single step with a rise of 6 inches or less, add a short ramp.
- If there is a threshold greater than 3/4-inch high, remove it or modify it to be a ramp.

**11111** If provided, are carpeting or mats a maximum of 1/2-inch high?

height

- Replace or remove mats.

Are edges securely installed to minimize tripping hazards?

- Secure carpeting or mats at edges.

**11111** Is the door handle no higher than 48 inches and operable with a closed fist?

height

- Lower handle.
- Replace inaccessible knob with a lever or loop handle.
- Retrofit with an add-on lever extension.

**The "closed fist" test for handles and controls:** Try opening the door or operating the control using only one hand, held in a fist. If you can do it, so can a person who has limited use of his or her hands.

**11111** Can doors be opened without too much force (exterior doors reserved; maximum is 5 lbf for interior doors)?

force

- Adjust the door closers and oil the hinges.
- Install power-assisted or automatic door openers.
- Install lighter doors.

**You can use an inexpensive force meter or a fish scale** to measure the force required to open a door. Attach the hook end to the doorknob or handle. Pull on the ring end until the door opens, and read off the amount of force required. If you do not have a force meter or a fish scale, you will need to judge subjectively whether the door is easy enough to open.

**11111** If the door has a closer, does it take at least 3 seconds to close?

seconds

- Adjust door closer.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

Priority

**2 Access to Goods and Services**

Ideally, the layout of the building should allow people with disabilities to obtain materials or services without assistance.

Yes No

**Horizontal Circulation (ADAAG 4.3)**

Does the accessible entrance provide direct access to the main floor, lobby, or elevator?

Are all public spaces on an accessible route of travel?

**W** Is the accessible route to all public spaces at least 36 inches wide?

width

**W** Is there a 5-foot circle or a T-shaped space for a person using a wheelchair to reverse direction?

width

**Doors (ADAAG 4.13)**

**W** Do doors into public spaces have at least a 32-inch clear opening?

clear opening

**W** On the pull side of doors, next to the handle, is there at least 18 inches of clear wall space so that a person using a wheelchair or crutches can get near to open the door?

clear space

**W** Can doors be opened without too much force (5 lbf maximum for interior doors)?

force

**W** Are door handles 48 inches high or less and operable with a closed fist?

height

**W** Are all threshold edges 1/4-inch high or less, or if beveled edge, no more than 3/4-inch high?

height

- Add ramps or lifts.
- Make another entrance accessible.

- Provide access to all public spaces along an accessible route of travel.

- Move furnishings such as tables, chairs, display racks, vending machines, and counters to make more room.

- Rearrange furnishings, displays, and equipment.

- Install offset (swing-clear) hinges.
- Widen doors.

- Reverse the door swing if it is safe to do so.
- Move or remove obstructing partitions.

- Adjust or replace closers.
- Install lighter doors.
- Install power-assisted or automatic door openers.

- Lower handles.
- Replace inaccessible knobs or latches with lever or loop handles.
- Retrofit with add-on levers.
- Install power-assisted or automatic door openers.

- If there is a threshold greater than 3/4-inch high, remove it or modify it to be a ramp.
- If between 1/4- and 3/4-inch high, add bevels to both sides.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Rooms and Spaces (ADAAG 4.2, 4.4, 4.5)**  
 Are all aisles and pathways to materials and services at least 36 inches wide?

Yes No  
   
   
 width

Rearrange furnishings and fixtures to clear aisles.

Is there a 5-foot circle or T-shaped space for turning a wheelchair completely?

width

Rearrange furnishings to clear more room.

Is carpeting low-pile, tightly woven, and securely attached along edges?

Secure edges on all sides.  
 Replace carpeting.

In circulation paths through public areas, are all obstacles cane-detectable (located within 27 inches of the floor or higher than 80 inches, or protruding less than 4 inches from the wall)?

height/  
 protrusion

Remove obstacles.  
 Install furnishings, planters, or other cane-detectable barriers underneath.

**Emergency Egress (ADAAG 4.28)**  
 If emergency systems are provided, do they have both flashing lights and audible signals?

Install visible and audible alarms.  
 Provide portable devices.

**Signage for Goods and Services (ADAAG 4.30)**  
 Different requirements apply to different types of signs.

If provided, do signs and room numbers designating permanent rooms and spaces where goods and services are provided comply with the appropriate requirements for such signage?

Provide signs that have raised letters, Grade II Braille, and that meet all other requirements for permanent room or space signage. (See ADAAG 4.1.3(16) and 4.30.)

• Signs mounted with centerline 60 inches from floor.

Y N  
    
 height

• Mounted on wall adjacent to latch side of door, or as close as possible.

• Raised characters, sized between 5/8 and 2 inches high, with high contrast (for room numbers, rest rooms, exits).

character  
 height

• Brailled text of the same information.

• If pictogram is used, it must be accompanied by raised characters and braille.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Directional and Informational Signage**

The following questions apply to directional and informational signs that fall under Priority 2.

**PRIORITY** If mounted above 80 inches, do they have letters at least 3 inches high, with high contrast, and non-glare finish?  Yes  No  
  
 letter height

Do directional and informational signs comply with legibility requirements? (Building directories or temporary signs need not comply.)  Yes  No

- Review requirements and replace signs as needed, meeting the requirements for character size, contrast, and finish.
- Review requirements and replace signs as needed.

**Controls (ADAAG 4.27)**

**PRIORITY** Are all controls that are available for use by the public (including electrical, mechanical, cabinet, game, and self-service controls) located at an accessible height?  Yes  No  
  
 height

**Reach ranges:** The maximum height for a side reach is 54 inches; for a forward reach, 48 inches. The minimum reachable height is 15 inches for a front approach and 9 inches for a side approach.

Are they operable with a closed fist?  Yes  No

- Relocate controls.

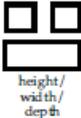
**PRIORITY** **Seats, Tables, and Counters (ADAAG 4.2, 4.32, 7.2)** Are the aisles between fixed seating (other than assembly area seating) at least 36 inches wide?  Yes  No  
  
 width

Are the spaces for wheelchair seating distributed throughout?  Yes  No

- Replace controls.

**PRIORITY** Are the tops of tables or counters between 28 and 34 inches high?  Yes  No  
  
 height

- Rearrange chairs or tables to provide 36-inch aisles.

**PRIORITY** Are knee spaces at accessible tables at least 27 inches high, 30 inches wide, and 19 inches deep?  Yes  No  
  
 height/  
 width/  
 depth

- Rearrange tables to allow room for wheelchairs in seating areas throughout the area.
- Remove some fixed seating.
- Lower part or all of high surface.
- Provide auxiliary table or counter.

- Replace or raise tables.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

QUESTIONS	Yes No	POSSIBLE SOLUTIONS
<p><b>Seats, Tables, and Counters, continued</b>                      (F) At each type of cashier counter, is there a portion of the main counter that is no more than 36 inches high?</p>	<p><input type="checkbox"/> <input type="checkbox"/>                      height</p>	<p><input type="checkbox"/> Provide a lower auxiliary counter or folding shelf.  <input type="checkbox"/> Arrange the counter and surrounding furnishings to create a space to hand items back and forth.</p>
<p>(F) Is there a portion of food-ordering counters that is no more than 36 inches high, or is there space at the side for passing items to customers who have difficulty reaching over a high counter?</p>	<p><input type="checkbox"/> <input type="checkbox"/>                      height</p>	<p><input type="checkbox"/> Lower section of counter.  <input type="checkbox"/> Arrange the counter and surrounding furnishings to create a space to pass items.</p>
<p><b>Vertical Circulation (ADAAG 4.1.3(5), 4.3)</b>                      Are there ramps, lifts, or elevators to all public levels?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Install ramps or lifts.  <input type="checkbox"/> Modify a service elevator.  <input type="checkbox"/> Relocate goods or services to an accessible area.</p>
<p>On each level, if there are stairs between the entrance and/or elevator and essential public areas, is there an accessible alternate route?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Post clear signs directing people along an accessible route to ramps, lifts, or elevators.</p>
<p><b>Stairs (ADAAG 4.9)</b>                      The following questions apply to stairs connecting levels <i>not</i> serviced by an elevator, ramp, or lift.</p>	<p><input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Add non-slip surface to treads.  <input type="checkbox"/> Add or replace handrails if possible within existing floor plan.</p>
<p>Do treads have a non-slip surface?                      Do stairs have continuous rails on both sides, with extensions beyond the top and bottom stairs?</p>	<p><input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Add non-slip surface to treads.  <input type="checkbox"/> Add or replace handrails if possible within existing floor plan.</p>
<p><b>Elevators (ADAAG 4.10)</b>                      Are there both visible and verbal or audible door opening/closing and floor indicators (one tone = up, two tones = down)?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Install visible and verbal or audible signals.</p>
<p>(F) Are the call buttons in the hallway no higher than 42 inches?</p>	<p><input type="checkbox"/> <input type="checkbox"/>                      height</p>	<p><input type="checkbox"/> Lower call buttons.  <input type="checkbox"/> Provide a permanently attached reach stick.</p>
<p>Do the controls inside the cab have raised and braille lettering?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Install raised lettering and braille next to buttons.</p>

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Elevators, continued**

Is there a sign on both door jambs at every floor identifying the floor in raised and braille letters?

Yes No

Install tactile signs to identify floor numbers, at a height of 60 inches from floor.

If an emergency intercom is provided, is it usable without voice communication?

Modify communication system.

Is the emergency intercom identified by braille and raised letters?

Add tactile identification.

**Lifts (ADAAG 4.2, 4.11)**

Can the lift be used without assistance? If not, is a call button provided?

At each stopping level, post clear instructions for use of the lift.  
 Provide a call button.

**Priority** Is there at least 30 by 48 inches of clear space for a person in a wheelchair to approach to reach the controls and use the lift?

clear space

Rearrange furnishings and equipment to clear more space.

**Priority** Are controls between 15 and 48 inches high (up to 54 inches if a side approach is possible)?

height

Move controls.

Priority

**3 Usability of Rest Rooms**

When rest rooms are open to the public, they should be accessible to people with disabilities.

**Getting to the Rest Rooms (ADAAG 4.1)**

If rest rooms are available to the public, is at least one rest room (either one for each sex, or unisex) fully accessible?

Reconfigure rest room.  
 Combine rest rooms to create one unisex accessible rest room.

Are there signs at inaccessible rest rooms that give directions to accessible ones?

Install accessible signs.

**Doorways and Passages (ADAAG 4.2, 4.13, 4.30)**

Is there tactile signage identifying rest rooms?

Add accessible signage, placed to the side of the door, 60 inches to centerline (not on the door itself).

**Mount signs on the wall**, on the latch side of the door, complying with the requirements for permanent signage. Avoid using ambiguous symbols in place of text to identify rest rooms.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Doorways and Passages, continued**

Are pictograms or symbols used to identify rest rooms, and, if used, are raised characters and braille included below them?

Yes No

- If symbols are used, add supplementary verbal signage with raised characters and braille below pictogram symbol.

 Is the doorway at least 32 inches clear?

  
 clear width

- Install offset (swing-clear) hinges.
- Widen the doorway.

 Are doors equipped with accessible handles (operable with a closed fist), 48 inches high or less?

  
 height

- Lower handles.
- Replace knobs or latches with lever or loop handles.
- Add lever extensions.
- Install power-assisted or automatic door openers.

 Can doors be opened easily (5 lbf maximum force)?

  
 force

- Adjust or replace closers.
- Install lighter doors.
- Install power-assisted or automatic door openers.

 Does the entry configuration provide adequate maneuvering space for a person using a wheelchair?

  
 clear width

- Rearrange furnishings such as chairs and trash cans.
- Remove inner door if there is a vestibule with two doors.
- Move or remove obstructing partitions.

A person in a wheelchair needs 36 inches of clear width for forward movement, and a 5-foot diameter or T-shaped clear space to make turns. A minimum distance of 48 inches clear of the door swing is needed between the two doors of an entry vestibule.

 Is there a 36-inch-wide path to all fixtures?

  
 width

- Remove obstructions.

**Stalls (ADAAG 4.17)**

Is the stall door operable with a closed fist, inside and out?

- Replace inaccessible knobs with lever or loop handles.
- Add lever extensions.

 Is there a wheelchair-accessible stall that has an area of at least 5 feet by 5 feet, clear of the door swing, OR is there a stall that is less accessible but that provides greater access than a typical stall (either 36 by 69 inches or 48 by 69 inches)?

  
 length/  
 width

- Move or remove partitions.
- Reverse the door swing if it is safe to do so.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Stalls, continued**

In the accessible stall, are there grab bars behind and on the side wall nearest to the toilet?

Yes No

Add grab bars.

 Is the toilet seat 17 to 19 inches high?

height

Add raised seat.

**Lavatories (ADAAG 4.19, 4.24)**

 Does one lavatory have a 30-inch-wide by 48-inch-deep clear space in front?

clear space

- Rearrange furnishings.
- Replace lavatory.
- Remove or alter cabinetry to provide space underneath.
- Make sure hot pipes are covered.
- Move a partition or wall.

A maximum of 19 inches of the required depth may be under the lavatory.

 Is the lavatory rim no higher than 34 inches?

height

Adjust or replace lavatory.

 Is there at least 29 inches from the floor to the bottom of the lavatory apron (excluding pipes)?

height

Adjust or replace lavatory.

Can the faucet be operated with one closed fist?

Replace with paddle handles.

Are soap and other dispensers and hand dryers within reach ranges (see page 7) and usable with one closed fist?

- Lower dispensers.
- Replace with or provide additional accessible dispensers.

 Is the mirror mounted with the bottom edge of the reflecting surface 40 inches high or lower?

height

- Lower or tilt down the mirror.
- Add a larger mirror anywhere in the room.

**Priority**

**4 Additional Access**

*Note that this priority is for items not required for basic access in the first three priorities. When amenities such as drinking fountains and public telephones are provided, they should also be accessible to people with disabilities.*

 **Drinking Fountains (ADAAG 4.15)**  
 Is there at least one fountain with clear floor space of at least 30 by 48 inches in front?

clear space

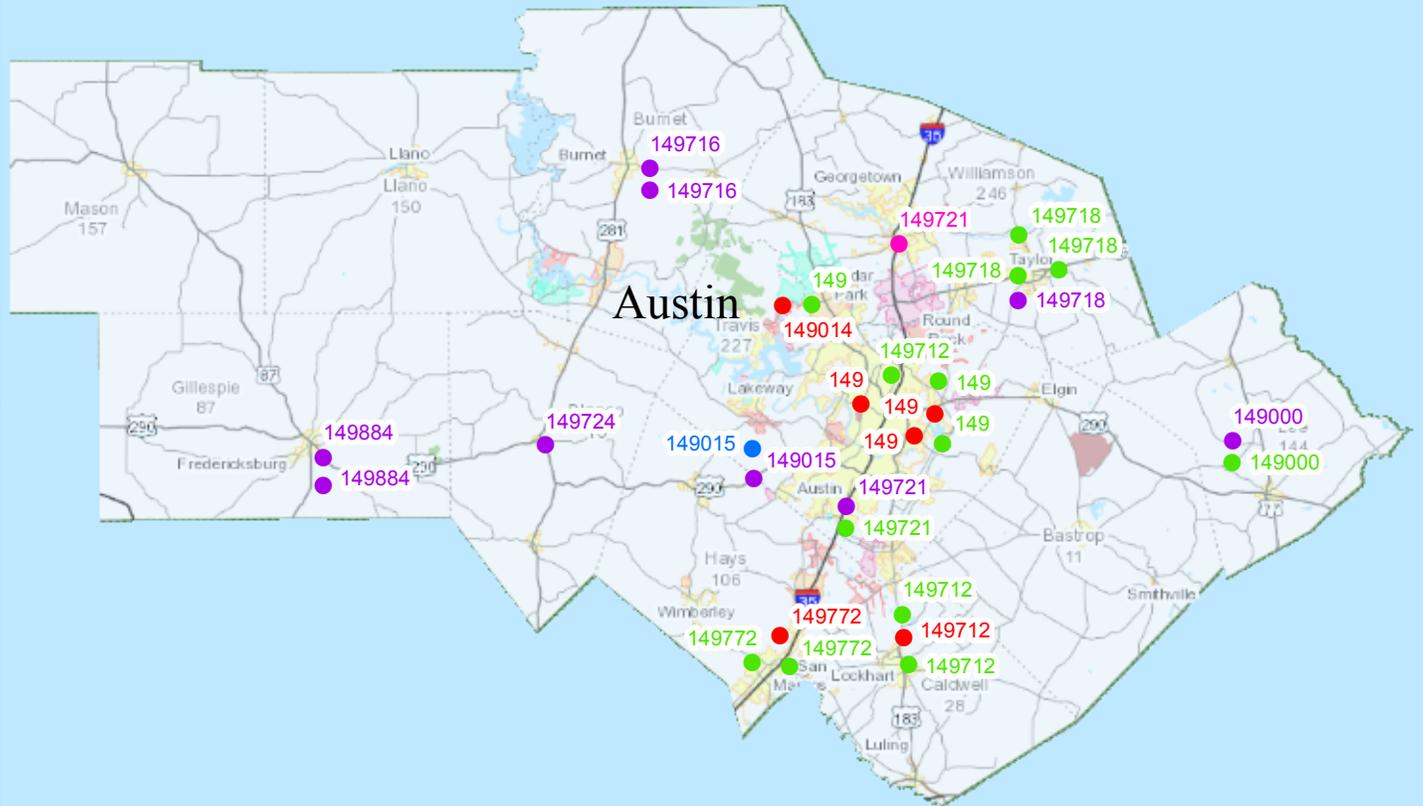
Clear more room by rearranging or removing furnishings.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

QUESTIONS	Yes No	POSSIBLE SOLUTIONS
<p><b>Drinking Fountains, continued</b></p> <p><b>11111</b> Is there one fountain with its spout no higher than 36 inches from the ground, and another with a standard height spout (or a single "hi-lo" fountain)?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p>height</p>	<p><input type="checkbox"/> Provide cup dispensers for fountains with spouts that are too high.</p> <p><input type="checkbox"/> Provide accessible cooler.</p> <p><input type="checkbox"/> Replace the controls.</p>
<p>Are controls mounted on the front or on the side near the front edge, and operable with one closed fist?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Place a planter or other cane-detectable barrier on each side at floor level.</p>
<p><b>11111</b> Is each water fountain cane-detectable (located within 27 inches of the floor or protruding into the circulation space less than 4 inches from the wall)?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p>height/ protrusion</p>	
<p><b>Telephones (ADAAG 4.31)</b></p> <p><b>11111</b> If pay or public use phones are provided, is there clear floor space of at least 30 by 48 inches in front of at least one?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p>clear space</p>	<p><input type="checkbox"/> Move furnishings.</p> <p><input type="checkbox"/> Replace booth with open station.</p>
<p><b>11111</b> Is the highest operable part of the phone no higher than 48 inches (up to 54 inches if a side approach is possible)?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p>height</p>	<p><input type="checkbox"/> Lower telephone.</p>
<p><b>11111</b> Does the phone protrude no more than 4 inches into the circulation space?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p>protrusion</p>	<p><input type="checkbox"/> Place a cane-detectable barrier on each side at floor level.</p>
<p>Does the phone have push-button controls?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Contact phone company to install push-buttons.</p>
<p>Is the phone hearing-aid compatible?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Have phone replaced with a hearing-aid compatible one.</p>
<p>Is the phone adapted with volume control?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Have volume control added.</p>
<p>Is the phone with volume control identified with appropriate signage?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Add signage.</p>
<p>If there are four or more public phones in the building, is one of the phones equipped with a text telephone (TT or TDD)?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Install a text telephone.</p> <p><input type="checkbox"/> Have a portable TT available.</p> <p><input type="checkbox"/> Provide a shelf and outlet next to phone.</p>
<p>Is the location of the text telephone identified by accessible signage bearing the International TDD Symbol?</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>	<p><input type="checkbox"/> Add signage.</p>

# ADA Project Execution Map



**Legend**

<u>Biennium 1 (2018-2019)</u>	<u>Biennium 3 (2022-2023)</u>	<u>Biennium 5 (2026-2027)</u>
● Project Funding and Execution Cycle	● Project Funding and Execution Cycle	● Project Funding and Execution Cycle
<u>Biennium 2 (2020-2021)</u>	<u>Biennium 4 (2024-2025)</u>	
● Project Funding and Execution Cycle	● Project Funding and Execution Cycle	8.5 25.0 8.5 17 25.5 Miles



# ADA Project Execution Map



## Legend

### Biennium 1 (2018-2019)

● Project Funding and Execution Cycle

### Biennium 3 (2022-2023)

● Project Funding and Execution Cycle

### Biennium 5 (2026-2027)

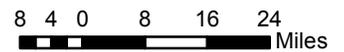
● Project Funding and Execution Cycle

### Biennium 2 (2020-2021)

● Project Funding and Execution Cycle

### Biennium 4 (2024-2025)

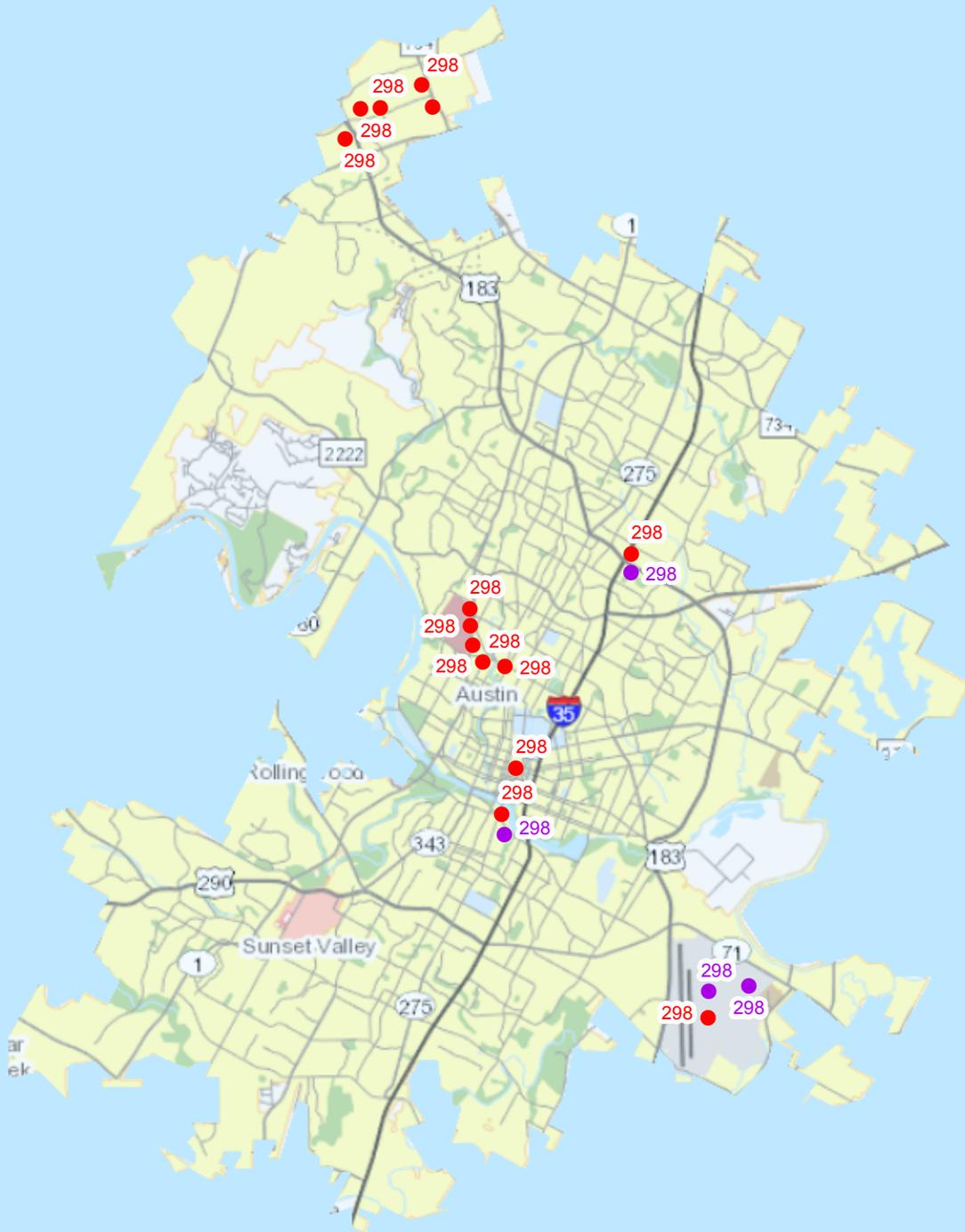
● Project Funding and Execution Cycle



**Abilene District**



# ADA Project Execution Map



## Legend

### Biennium 1 (2018-2019)

● Project Funding and Execution Cycle

### Biennium 3 (2022-2023)

● Project Funding and Execution Cycle

### Biennium 5 (2026-2027)

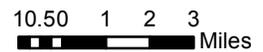
● Project Funding and Execution Cycle

### Biennium 2 (2020-2021)

● Project Funding and Execution Cycle

### Biennium 4 (2024-2025)

● Project Funding and Execution Cycle



**State Headquarters**



## Attachment E – Checklists

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**From:** Michael D. Bryant  
**Sent:** Monday, August 21, 2017 3:08 PM  
**To:** !District Engineers; !Division Directors  
**Cc:** !District Engineers EAs; !Division Directors EAs; Juanita Webber  
**Subject:** ADA Self-Evaluation Update Questionnaire

All:

The Civil Rights Division continues to work on updating TxDOT's ADA Transition Plan for FHWA. The comprehensive transition plan for the department is due to FHWA in 2019. To meet that goal, we are asking for your assistance to gather information for your respective district or division.

Attached to this email is Form 2664, ADA Self-Evaluation Update/Program Accessibility. Form 2664 is located online at <http://txeform/eFormsWorkspace/>. The purpose of this questionnaire is to gather data on how the programs in your district or division are, or are not, accessible to persons with disabilities. This inventory is part of the mandated self-evaluation the department is required to conduct pursuant to the Americans with Disabilities Act and Sections 504 and 508 of the Rehabilitation Act of 1973, as amended. The responses to the questionnaire will become an integral part of TxDOT's ADA Transition Plan. Multiple copies of the questionnaire may be required based on the organizational structure of your district or division. However, it is possible that one questionnaire will suffice depending on whether or not the responses are the same across your organization..

Please submit the completed questionnaire and supportive documentation to [CIV\\_ADA@txdot.gov](mailto:CIV_ADA@txdot.gov) no later than **November 1, 2017**. The designated ADA liaisons for each district and division are aware of the need for this feedback and may provide assistance to each of you. If you have additional questions or need assistance, please contact me directly or Juanita Webber at (512) 416-4700.

Sincerely,

**Michael D. Bryant**  
**Director**  
**Civil Rights Division**  
**TxDOT**  
**512-416-4715**



# ADA Self-Evaluation Update Program Accessibility

The purpose of this questionnaire is to gather data on how your district/division's programs are, or are not, accessible to people with disabilities. Questions are in the areas of:

1. General Description of the District/Division
2. Policies and Practices
3. Information and Training for Staff
4. Use of Contractors
5. Transportation
6. Telephone Communication
7. Documents and Publications
8. Meetings
9. Audio-Visual Presentations
10. Automated Electronic Equipment
11. Emergency Evacuation
12. Notification
13. Service Animals

Your participation in completing this questionnaire will assist your district/division in improving its ability to serve the needs of people with disabilities and their families.

Each division will need to provide the following information with respect to all of its programs. You may, of course, use one form if the answers to these questions are the same for all of your programs and facilities. You may also use multiple forms and refer in one form to answers from another form. Please reply to each question. If the question is not applicable (N/A) to your program or programs, please indicate. If you have questions or need assistance, please contact the Civil Rights Division at (512) 416-4700.

## 1. General Description of the District/Division

District/Division: \_\_\_\_\_

DE/DD: \_\_\_\_\_

ADA Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Date of Review: \_\_\_\_\_

Location of Program/Service: \_\_\_\_\_

Brief Description of Program: \_\_\_\_\_

## 2. Policies and Practices that may limit the Participation of Individuals with Disabilities in the Organization's Programs and Activities.

2.1 Consider your formal and informal program eligibility and admission criteria or licensing standards. Particular attention should be paid to policies incorporating or establishing the following requirements. Please provide supporting documentation of those policies.

- ◆ Physical or mental fitness or performance requirements
- ◆ Safety standards
- ◆ Testing requirements; educational requirements
- ◆ Work experience requirements
- ◆ Income level requirement
- ◆ Credit rating requirements
- ◆ Requirements based on disability
- ◆ Requirements that prohibit participation because of disability
- ◆ Insurability requirements

2.2 If you have any such policies, do they or could they have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities?  Yes  No

2.3 If so, which of your exclusionary/limiting policies will be altered or eliminated to allow participation by individuals with disabilities? How will you communicate changes to department staff and public?

2.4 Which of the exclusionary/ limiting policies will be retained by your district/division? What is your justification for their retention?

### 3. Information and Training for Staff

3.1 Which staff members need to be aware of your district/division's obligations and policies that enable persons with disabilities to participate in TxDOT's programs or activities?

3.2 How have you informed/ trained these staff members?

### 4. Use of Contractors

4.1 Do you use contractors (including employment and referral agencies, labor unions, and companies providing fringe benefits, training, and apprenticeship programs) to conduct programs or activities on behalf of your district/division? Yes No  
(If not, go on to section 5)

4.2 How do you ensure that both contractors and your procurement staff are aware of their obligations to facilitate participation of individuals with disabilities in programs or activities operated on behalf of your district/division?

4.3 How do you monitor your contractors to ensure they fulfill their obligation?

### 5. Transportation

5.1 Do you provide transportation to volunteers, beneficiaries, visitors, etc? (If not, go on to Section 6) Yes No

5.2 What procedures does your district/division follow to make transportation accessible to persons who have:

- ◆ Visual disabilities
- ◆ Hearing disabilities
- ◆ Mobility disabilities

## 6. Telephone Communication

6.1 How do you communicate telephonically with individuals with hearing disabilities?

6.1.1 If you use telecommunication devices for the deaf (TDDs), list option, telephone number, and organization or TDD directories in which the TDD number is listed.

6.1.2 If you use a TDD relay service, list the name of the company and type of service.

6.1.3 If you utilize Relay Texas Service, have you performed outreach to people with hearing and speech disabilities?  Yes  No  
If so, how?

6.2 How do you train your staff in operating TDDs and in other means of communicating over the telephone with a person with a hearing disability?

## 7. Documents and Publications (Please provide examples for questions 7.1 - 7.3)

7.1 How do you make documents and publications available to individuals with visual disabilities? Do you use audio tape, large print, Braille, computer disk, or some other media?

7.2 Do you make the content of document and publications available in simple, easy-to- understand language for individuals with learning disabilities?  Yes  No

7.3 Do you portray individuals with disabilities in your documents and in publications?  Yes  No

## 8. Meetings

8.1 Do you require that public meetings, hearings, and conferences be held in accessible locations? If yes, name places where meetings, hearings and conferences have been held.  Yes  No

8.2 Are interpreters, readers and/or adaptive equipment provided in an expeditious manner, when requested, for meetings, interview, conferences, and for public appearances by and with department officials, and public hearings?  Yes  No

If yes, on average, how long does it take to fulfil the request?

8.3 Do you ensure that individuals with hearing disabilities who do not read sign language can participate effectively in meetings, conferences, and hearings via assistive listening devices or other means?  Yes  No  
If yes, describe how.

## 9. Audio-Visual Presentations

9.1 How do you make audio-visual presentations prepared or presented by your department to the public accessible to individuals with disabilities?

List the audio-visual presentation (film, videotape, or television), whether or not they are captioned, and if not captioned, indicate what steps have been taken to ensure that persons with hearing disabilities can benefit from these or similar presentations:

Name of Presentation:	Captioned:	(Yes/No)
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

9.2 Do you portray individuals with disabilities in audio-visual presentations?  Yes  No  
If yes, please provide an example.

## 10. Automated Electronic Equipment

10.1 Do you use electronic equipment, including copying machines, PCs, microfilm readers, etc. in your programs and activities? (If no, skip to the next element)  Yes  No

10.2 How do you ensure that electronic equipment is accessible to and usable by individuals with disabilities?

## 11. Emergency Evacuation

11.1 What equipment and/or procedures do you use to notify individuals with disabilities of emergencies and evacuation procedures?

- ◆ Visual Disabilities
- ◆ Hearing Disabilities
- ◆ Learning Disabilities

## 12. Notification

12.1 How do you notify all persons (employees, applicants, participants, beneficiaries, volunteers, visitors, and other interested parties including those with visual and/or hearing disabilities) of their right to participate in your programs or activities regardless of their disability?

12.2 How do you notify all persons about any special procedures used for individuals with disabilities?

12.3 How do you notify all persons that your meetings, hearings, and conferences will be held in accessible locations and that auxiliary aids will be provided, upon request, to participants with disabilities?

12.4 How do you notify all persons about how and with whom to file a disability discrimination complaint and what procedure are they told to follow? (This includes disability discrimination complaints because of employment and volunteer services practices.)

### 13. Service Animals

13.1 Do you have any restrictions on service animals?  Yes  No

If so, please describe the policy on service animals.

13.2 When a participant has a service animal, have areas been designated for the animal to relieve itself?

Describe.

Yes  No

## Attachment E - Inventory Checklists

### TxDOT ADA Accessibility Program

Section 508 of the Rehabilitation Act of 1973

#### Web Content Accessibility Guidelines Checklist

I. WCAG 2.0 checklist Level A (Beginner)

Guideline	Summary
<a href="#">1.1.1 - Non-text Content</a>	Provide text alternatives for non-text content
<a href="#">1.2.1 - Audio-only and Video-only (Pre-recorded)</a>	Provide an alternative to video-only and audio-only content
<a href="#">1.2.2 - Captions (Pre-recorded)</a>	Provide captions for videos with audio
<a href="#">1.2.3 - Audio Description or Media Alternative (Pre-recorded)</a>	Video with audio has a second alternative
<a href="#">1.3.1 - Info and Relationships</a>	Logical structure
<a href="#">1.3.2 - Meaningful Sequence</a>	Present content in a meaningful order
<a href="#">1.3.3 - Sensory Characteristics</a>	Use more than one sense for instructions
<a href="#">1.4.1 - Use of Colour</a>	Don't use presentation that relies solely on colour
<a href="#">1.4.2 - Audio Control</a>	Don't play audio automatically
<a href="#">2.1.1 - Keyboard</a>	Accessible by keyboard only
<a href="#">2.1.2 - No Keyboard Trap</a>	Don't trap keyboard users
<a href="#">2.2.1 - Timing Adjustable</a>	Time limits have user controls
<a href="#">2.2.2 - Pause, Stop, Hide</a>	Provide user controls for moving content
<a href="#">2.3.1 - Three Flashes or Below</a>	No content flashes more than three times per second
<a href="#">2.4.1 - Bypass Blocks</a>	Provide a 'Skip to Content' link
<a href="#">2.4.2 - Page Titled</a>	Use helpful and clear page titles

<a href="#">2.4.3 – Focus Order</a>	Logical order
<a href="#">2.4.4 – Link Purpose (In Context)</a>	Every link's purpose is clear from its context
<a href="#">3.1.1 – Language of Page</a>	Page has a language assigned
<a href="#">3.2.1 – On Focus</a>	Elements do not change when they receive focus
<a href="#">3.2.2 – On Input</a>	Elements do not change when they receive input
<a href="#">3.3.1 – Error Identification</a>	Clearly identify input errors
<a href="#">3.3.2 – Labels or Instructions</a>	Label elements and give instructions
<a href="#">4.1.1 – Parsing</a>	No major code errors
<a href="#">4.1.2 – Name, Role, Value</a>	Build all elements for accessibility

II. WCAG 2.0 checklist Level AA (Intermediate)

Guideline	Summary
<a href="#">1.2.4 – Captions (Live)</a>	Live videos have captions
<a href="#">1.2.5 – Audio Description (Pre-recorded)</a>	Users have access to audio description for video content
<a href="#">1.4.3 – Contrast (Minimum)</a>	Contrast ratio between text and background is at least 4.5:1
<a href="#">1.4.4 – Resize Text</a>	Text can be resized to 200% without loss of content or function
<a href="#">1.4.5 – Images of Text</a>	Don't use images of text
<a href="#">2.4.5 – Multiple Ways</a>	Offer several ways to find pages
<a href="#">2.4.6 – Headings and Labels</a>	Use clear headings and labels
<a href="#">2.4.7 – Focus Visible</a>	Ensure keyboard focus is visible and clear

<a href="#">3.1.2 - Language of Parts</a>	Tell users when the language on a page changes
<a href="#">3.2.3 - Consistent Navigation</a>	Use menus consistently
<a href="#">3.2.4 - Consistent Identification</a>	Use icons and buttons consistently
<a href="#">3.3.3 - Error Suggestion</a>	Suggest fixes when users make errors
<a href="#">3.3.4- Error Prevention (Legal, Financial, Data)</a>	Reduce the risk of input errors for sensitive data

III. WCAG 2.0 checklist Level AAA (Advanced)

Guideline	Summary
<a href="#">1.2.6 - Sign Language (Pre-recorded)</a>	Provide sign language translations for videos
<a href="#">1.2.7 - Extended Audio description (Pre-recorded)</a>	Provide extended audio description for videos
<a href="#">1.2.8 - Media Alternative (Pre-recorded)</a>	Provide a text alternative to videos
<a href="#">1.2.9 - Audio Only (Live)</a>	Provide alternatives for live audio
<a href="#">1.4.6 - Contrast (Enhanced)</a>	Contrast ratio between text and background is at least 7:1
<a href="#">1.4.7 - Low or No Background Audio</a>	Audio is clear for listeners to hear
<a href="#">1.4.8 - Visual Presentation</a>	Offer users a range of presentation options
<a href="#">1.4.9 - Images of Text (No Exception)</a>	Don't use images of text
<a href="#">2.1.3 - Keyboard (No Exception)</a>	Accessible by keyboard only, without exception
<a href="#">2.2.3 - No Timing</a>	No time limits
<a href="#">2.2.4 - Interruptions</a>	Don't interrupt users
<a href="#">2.2.5 - Re-authenticating</a>	Save user data when re-authenticating
<a href="#">2.3.2 - Three Flashes</a>	No content flashes more than three times per second

<a href="#">2.4.8 - Location</a>	Let users know where they are
<a href="#">2.4.9 - Link Purpose (Link Only)</a>	Every link's purpose is clear from its text
<a href="#">2.4.10 - Section Headings</a>	Break up content with headings
<a href="#">3.1.3 - Unusual words</a>	Explain any strange words
<a href="#">3.1.4 - Abbreviations</a>	Explain any abbreviations
<a href="#">3.1.5 - Reading Level</a>	Users with nine years of school can read your content
<a href="#">3.1.6 - Pronunciation</a>	Explain any words that are hard to pronounce
<a href="#">3.2.5 - Change on Request</a>	Don't change elements on your website until users ask
<a href="#">3.3.5 - Help</a>	Provide detailed help and instructions
<a href="#">3.3.6 - Error Prevention (All)</a>	Reduce the risk of all input errors

# Attachment F -

## 1. Pedestrian Access

 TEXAS DEPARTMENT OF TRANSPORTATION





# PEDESTRIAN ACCESS

Improving Accessibility in Public Rights of Way

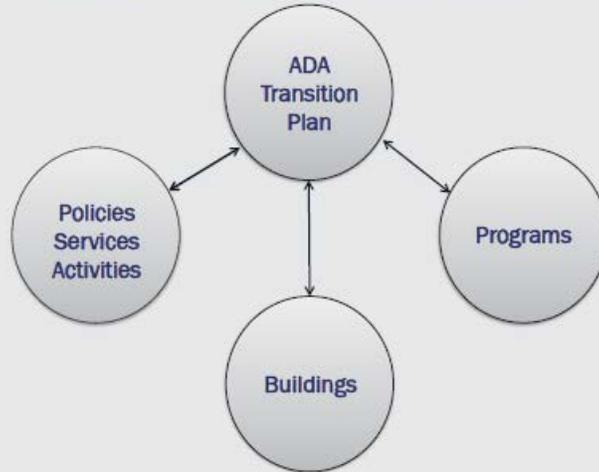
February 1, 2017  
January 18, 2017

### Today's Agenda

- Introduction & Group Goals
- ADA Self Evaluation & Transition Plan
- The State's Commitment to Accessibility
- Public ROW Pilot Study - New Methodology using Technology
- Pilot Study - Approach & Summary of Findings
- Prioritization for Barrier Removal

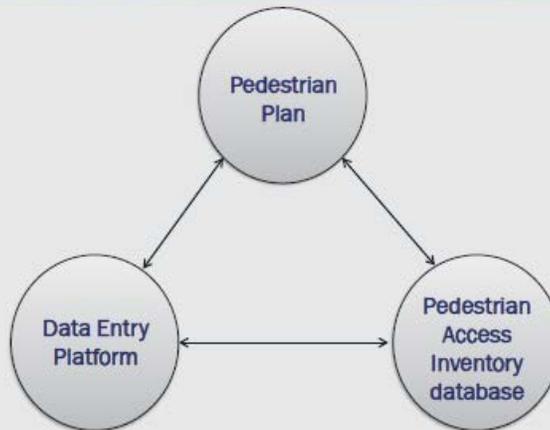
January 18, 2017 

## Vision



January 16, 2017

## Vision



January 16, 2017

## The State's Commitment to Accessibility

- Transition Plan (1993)
  - \$37 Million program
  - Emphasis on :
    - Buildings
    - Rest Areas/Picnic Areas
    - Travel Information Centers
    - Curb Ramps in the right of way
- Transition Plan (2004)
  - Cited as FHWA Best Practice
  - Renewed emphasis on:
    - Title I – Employment
    - Title II – Public Services
    - Grievance procedures
- Pedestrian Access Inventory (2001)
  - Emphasis on:
    - Curb ramps in the right of way

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## The State's Commitment to Accessibility

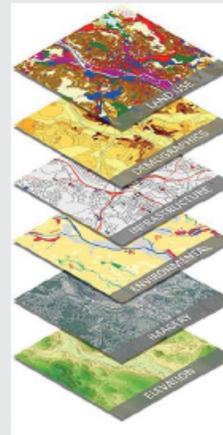
- Statewide Curb Ramp Program
  - 2004 to present
  - \$15 million per year current funding
  - 86 projects
  - \$135 million
  - ~36,000 corners (to date)
  - 139,746 corners currently in the database

January 18, 2017



## Design & Planning for Accessibility Improvement

- Updated Self-Evaluation Process
  - Geographic Information System (GIS) based mapping application
    - Enables mapping of data and field collections
    - Allows layering data
    - Acts as an aide in being able to calculate data comparisons

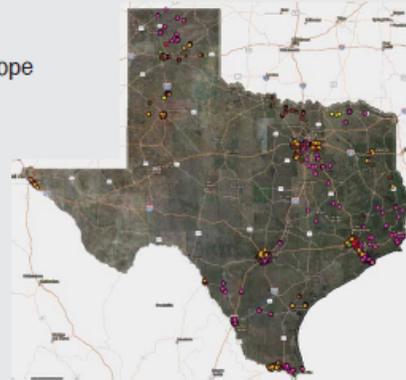


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## Design & Planning for Accessibility Improvement

- Design and Remediation
  - Design Focus
    - Corners and access to existing signal facilities
    - Access to transit
    - Address gaps within program scope
  - Innovative Plan Development
  - Remediation Statistics
    - \$135M
    - 36,000 corners
    - 86 Projects



January 18, 2017

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## A PILOT STUDY

New Methodology using Technology

January 16, 2017

### Data Collection: ULIP-ADA for Sidewalks



The ULIP-ADA is pictured highlighting the ULIP box and the laptop, which syncs the device to GIS.

- Highly Technical Equipment
- Proven Technology
- Funded originally by FHWA
- Sited as a Best Practice
- 100% sampling of data – measures:
  - Running slope
  - Cross Slope
  - Heaves
- Logs: obstructions & types, width, etc.
- Provides all non- & compliant data
- GPS locator
- Video Log
- Integrates to GIS seamlessly
- Fastest & Most Cost Efficient Approach

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## Collection Tablets: Ramps, Bus Stops, Visual Sidewalk



### Limiting Factor Review

- Customized Applications
- Save Dollars in Field Collection
- Stop collecting data at a particular point of compliance failure



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## Collection Tablets: Curb Ramp Example

Texas DOT - ADA Data Collection

### Perpendicular Curb Ramp

Cancel

Intersection ID 1025	Location in Intersection SE	Ramp Length (Inches) 46	Ramp Width (Inches) 60
Main Street Route 183	Overall Notes	Ramp Run Slope (%) 0.4	Ramp Cross Slope (%) 1.7
Cross Street W Whitestone Blvd		Overall Surface Condition Good	

**Measure Landing Length (Inches)**

Landing Length (Inches) 46	Landing Width (Inches)
Landing Run Slope (%)	Landing Cross Slope (%)
Landing Curb? <input type="radio"/> Yes <input type="radio"/> No	Clear Space? <input type="radio"/> Yes <input type="radio"/> No
Flare Type LT?	Flare Slope LT (%)
Flare Type RT?	Flare Slope RT (%)
DWS Provided? <input type="radio"/> Yes <input type="radio"/> No	DWS Contrast? <input type="radio"/> Yes <input type="radio"/> No

ATXAS 1/18/2017 6:16:15 Perpendicular

January 18, 2017

## Collection Tablets: Curb Ramp Example

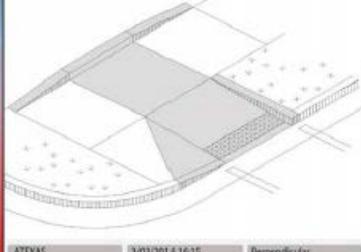
Texas DOT - ADA Data Collection

**Perpendicular Curb Ramp**

Cancel Submit

Intersection ID 1025	Location in Intersection SE	Ramp Length (inches) 48	Ramp Width (inches) 60
Main Street Route 183	Overall Notes	Ramp Run Slope (%) 6.4	Ramp Cross Slope (%) 3.5
Cross Street W Whitestone Blvd		Overall Surface Condition Good	

**Ramp Failed, Take Photos and Submit**



Take Pictures

Picture 1 Picture 2 Picture 3

ATEXAS 3/03/2018 16:15 Perpendicular

January 16, 2017

## Collection Tablets: Curb Ramp Example

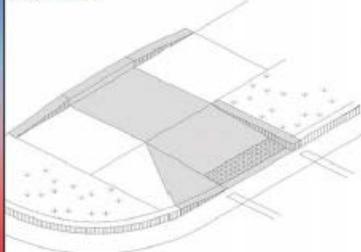
Texas DOT - ADA Data Collection

**Perpendicular Curb Ramp**

Cancel Submit

Intersection ID 1025	Location in Intersection SE	Crosswalk 1 Width 48
Main Street Route 183	Overall Notes None	Gutter Pending? <input type="radio"/> Yes <input checked="" type="radio"/> No
Cross Street W Whitestone Blvd		Gutter Lip Height 0.5

Take Picture



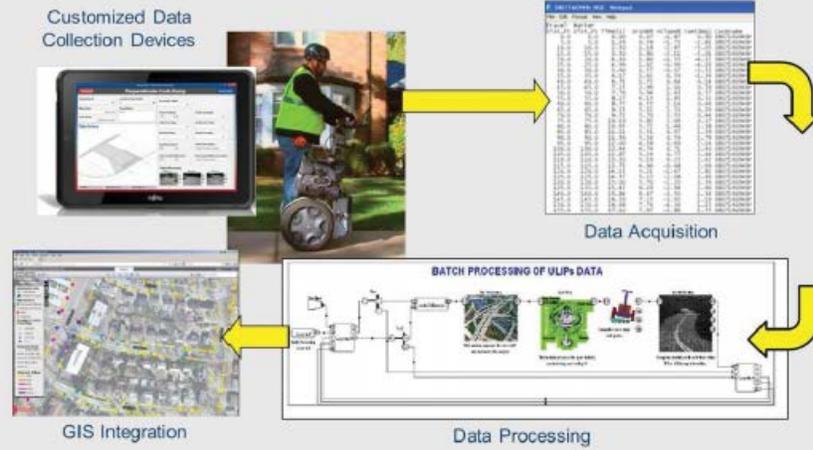
Take Pictures

Picture 1 Picture 2 Picture 3

ATEXAS 3/03/2018 16:15 Perpendicular

January 16, 2017

## Efficient GIS (Geographic Information System) Integration



January 16, 2017

## GIS Viewer Interface



January 16, 2017



## A PILOT STUDY

Approach to Assessment & Findings

January 18, 2017

### Pilot Study Methodology

#### Field Inventory for Public Rights of Way

- Features evaluated:
  - Curb Ramps
  - Sidewalks
  - Bus Stops
  
- ADA compliance review:
  - Missing improvements
  - Type & severity of deficiencies
  - Heaving (trip hazards)
  - Obstructions
  - Surface Condition



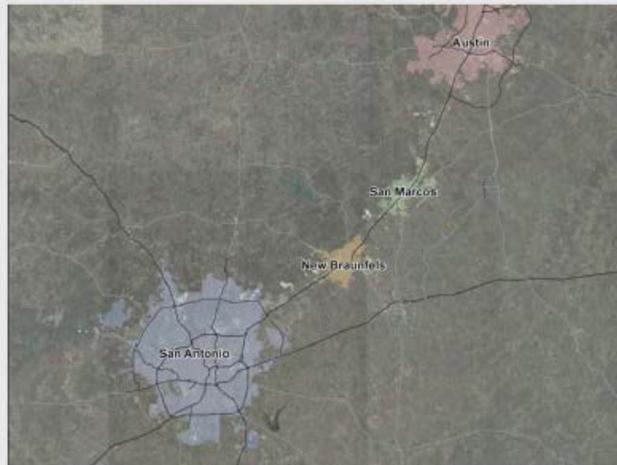
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## Sampling of Inventory Collected



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## Pilot Study Areas Collected – Sampling of Data per City



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## Approach of Assessment – Sidewalks

### Two Approaches

#### ULIP-ADA Evaluation:

- Running Slope
- Cross Slope
- Heaves
- Crosswalks
- Driveways
- Obstructions

#### Visual Sidewalk

#### Van & Tablet Evaluation:

- Visual Heaves 1"+
- Visual Obstructions
- Visible slope issues



ULIP-ADA



Van with GoPro Camera  
& Visual Sidewalk Data  
Collector

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## Common Findings - Sidewalks

ULIP-ADA  
145.4 miles

34.6% non-compliant sidewalks

Visual Sidewalk  
31.2 miles

#### Common Issues:

- Heaves
- Steep Driveways
- Obstructions



ULIP-ADA measures heaves  
automatically



Obstruction

Driveway



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## Common Findings – Curb Ramps

Curb Ramps 1536 ramps

66.6% non-compliant

### 'Limiting Factor Review'

#### Evaluated to a point of Ramp Failure:

- Presence of a ramp
- Orientation of ramp
- Location and type of ramp
- Running and cross slopes
- Side flare slopes
- Gutter slopes and transitions
- Landings
- Detectable warnings



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## Common Findings – Bus Stops

### Bus Stops:

330 stops evaluated

Good 22% compliant

Fair 60% non-compliant, technically  
(19% less severe issues)

Poor 18% non-compliant, and not accessible

### Statistics:

Shelters 96 - 29%

Sign 324 - 98%

Bench 238 - 71%

### Common Issues:

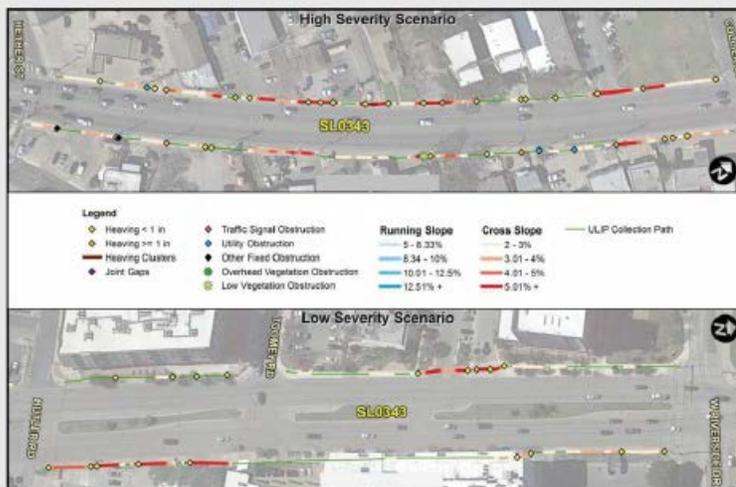
- Lack of bus pad
- Lack of sidewalk leading to bus pad



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## Detail Compliance Issues Documented on Routes - Example



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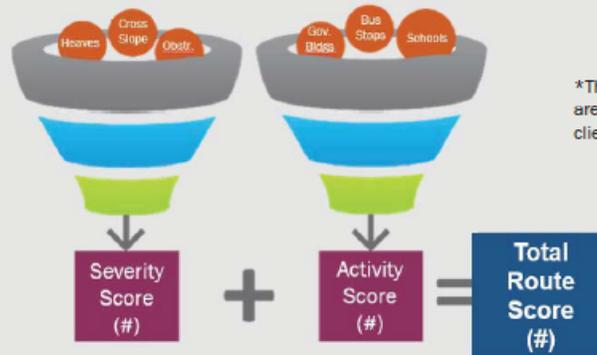
TEXAS DEPARTMENT OF TRANSPORTATION

# METHODOLOGY TO PRIORITIZATION

For barrier removal

January 16, 2017

## Point System for Prioritization



\*The ranges of points are customized after client sees results.

Sample Point / Grade System\*

<b>Good</b> 0 - 30 pts	<b>Fair</b> 31 - 70 pts	<b>Poor</b> 70 + pts
---------------------------	----------------------------	-------------------------

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## 'Point System' Route Scoring - Example

### Quantitative Process - Distinct Difference

#### Route Features Combined

Severity Type	Value
Running Slope	3.4
Cross Slope	6.8
Heaves	3.8
Width	0.20
Obstructions	11.0
Vertical Clearance	0.0
Gaps	2.5
Cracks	3.5
Curb Ramps	20

#### Proximity of Route to Key Sites/Activity

Activity Type	Value
Public Accommodations	9.0
Bus Stops	7.2
Population Density	1.3
Schools	8.0
Retail	10.0

↓  
(Continue for all pertinent Activity Categories)

<b>Total Route Severity Score</b>	51.2	+	<b>Total Route Activity Score</b>	35.5	=	<b>Total Final Ranking Score</b>	86.7
-----------------------------------	------	---	-----------------------------------	------	---	----------------------------------	------

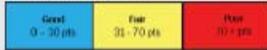
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## Severity Score of Routes - Example

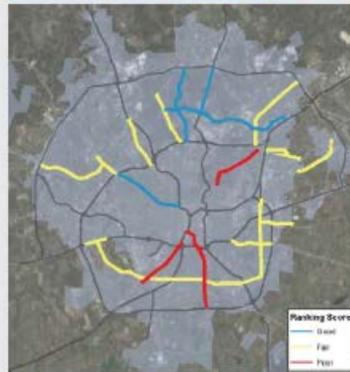


Map showing each city which was part of pilot study to include San Antonio, New Braunfels, San Marcos and Austin

Sample Point / Grade System\*



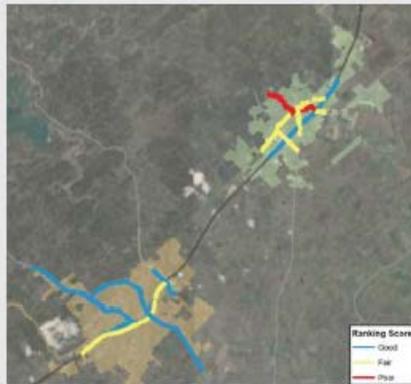
### San Antonio - Sample Severity Score



Map of San Antonio with routes color coded as 'good', 'fair', or 'poor' based on severity ranking

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## Severity Score of Routes - Example



Map of New Braunfels and San Marcos with routes colored to show severity of good, fair and poor status.

### Sample Severity Scoring



Map of Austin with routes colored to show severity ranking of good, fair and poor status.

Sample Point / Grade System\*



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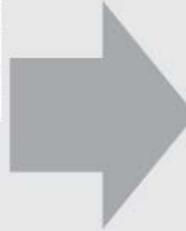
## Route Activity Score Example – weighting not yet assigned

### Activities Weight Factors

Activity Generators	Weight Factor
Government Buildings	15
Schools	20
Hospitals	15
Parks	10
Transit Stops	20
Retail	20

### Location

Proximity	Value
0 - 500'	100%
500 - 1000'	70%
1000 - 1750'	40%
1750 - 2840'	10%
> 2840'	0%



### Corridor Value

Route	Value
Government Buildings	15.0
Transit Stops	7.2
Schools	1.3
Hospitals	8.0
Retail	10.0
Parks	5.4

(Continue for all Activity Categories)

**Total Activity Score 46.9**

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## Route Activity Scoring – Proximity Map Example



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## Prioritized Route Report - Example

Routes (named)	Severity Score	Activity Score	Combined Score	Status
FM 2696	19.9	3.2	23.1	Good
PA 1502	13.8	8.4	22.2	Good
SH 16	22.0	15.9	37.9	Fair
SL 13	39.3	17.1	56.4	Fair
SL 345	35.0	28.5	63.5	Fair
SL353	91.4	6.8	98.2	Poor
SL 368	68.0	12.6	80.6	Poor

(Continue for all Routes)



Good 0 - 30 pts	Fair 31 - 70 pts	Poor 70 + pts
--------------------	---------------------	------------------

Activity Scores allow for better prioritization.

- The activity attractors for each region can be unique
- The weighting of each type of activity attractor can be customized by region
- The proximity of a compliance issue to that attractor can be customized

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## Prioritization – Activity Criteria

### Criteria

- Government Buildings
- Schools
- Transit Stops
- Hospitals
- Transportation Funding 3-5 years
- Road Classification



DOJ: Priority is to be given to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers.

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## Prioritization – What's next

### Transition Plan

- Self Assessment (inventory)
- Mapping
- Checklist

### Curb Ramp & Sidewalk Guidance

- Training
- Reporting

### Curb Ramp Project

- Accessibility
- Connectivity

### Mobility

- Work w/Cities, MPO's, and public to identify projects
- Corridor based projects

### Safety

- Strategic Highway Safety Plan
- Multi-discipline approach



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## Prioritization – What's next

### Mapping

- Sidewalks
- Transit Stops
- Transportation Projects

### Planning

- Integrate pedestrian planning into new project development
- Develop projects in support of ADA Transition Plan
- Incorporate local city/county/MPO plans

### Project Development

- Curb Ramp Program
- Mobility Projects
- Safety Projects



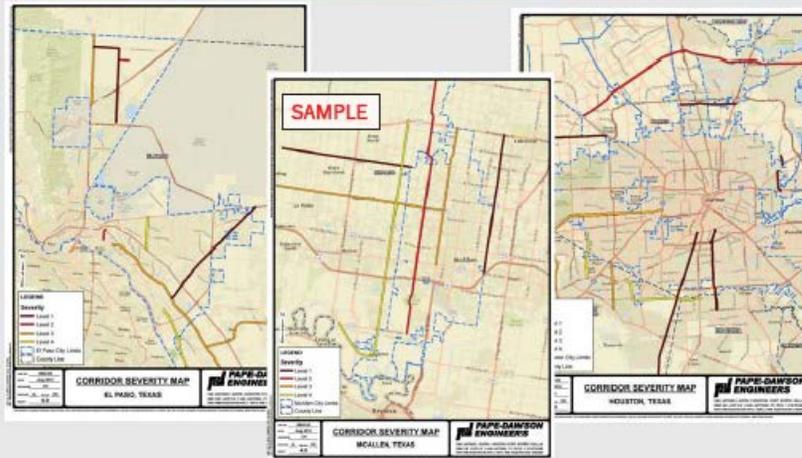
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## Project Output

The screenshot displays the Texas DOT ADA GIS Web Portal. The main interface features an aerial map with various colored overlays representing different project categories. A search bar is located at the top left. On the right side, there is an 'Enhanced Search' panel with a search bar and a list of results. Below the map, there is a table with columns for 'Category', 'Activity Name', 'Status', and 'Completion Date'. The text 'GIS Web Portal' is overlaid in the center of the map area.

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## Project Output

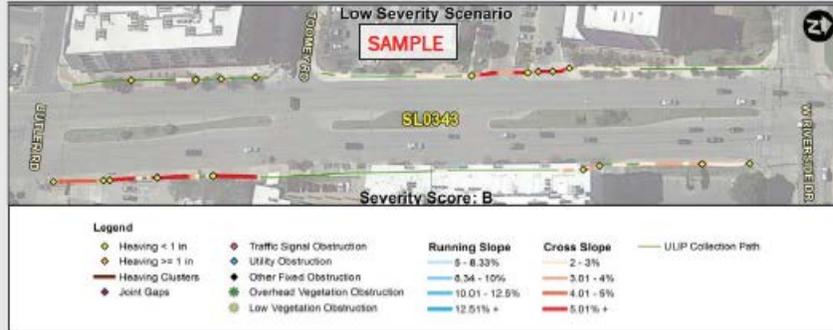


Corridor Mapping for Planning Purposes

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## Project Output



Condition Mapping for project development

# Attachment G – Public Involvement

## 1. Public Involvement Meeting Checklist



### Public Involvement Meeting Checklist Version 2

The following checklist has been developed to assist district and division planning teams as they identify potential sites and plan the logistics for public meetings. Although this is not an all-inclusive list, it represents numerous supplies and tasks associated with public meetings. The checklist below is broken down into four categories all of which are separated by "must be considered" and "optional" items that should be taken into account in terms of their relevance to the particular meeting. The "notes" area on the checklist is for unique circumstances worth noting. In the case of a public hearing please refer to the [ENV Public Involvement Handbook Sect.6.0](#) for an additional list of requirements.



Meeting Location	Responsible Party	Notes
<b>Must be considered:</b>		
<ul style="list-style-type: none"> <li>Location on or in close proximity to project limits</li> </ul>		
<ul style="list-style-type: none"> <li>Adequate available parking</li> </ul>		
<ul style="list-style-type: none"> <li>ADA compliant (Refer to <a href="#">ADA Checklist in the ADA Accessibility Program</a>)</li> </ul>		
<ul style="list-style-type: none"> <li>Comfortable room for attendees to move around</li> </ul>		
<ul style="list-style-type: none"> <li>Ample space for displays and exhibits (Schematics, ROW, Comment Table, Registration, Court Reporter for public hearings, etc.)</li> </ul>		
<ul style="list-style-type: none"> <li>Reserve correct number of tables and chairs with the venue</li> </ul>		
<ul style="list-style-type: none"> <li>Emergency after hours contact information for venue</li> </ul>		
<ul style="list-style-type: none"> <li>IT contact information if using venue technology</li> </ul>		
<ul style="list-style-type: none"> <li>Parking lot that is well lit if an evening meeting</li> </ul>		
<b>Optional:</b>		
<ul style="list-style-type: none"> <li>Presentation area (computer/projector cart or table, audio, screen, microphones, podium, etc.)</li> </ul>		



**Public Meeting Checklist Version 2**

Meeting Exhibits	Responsible Party	Notes
<b>Must be considered:</b>		
• Welcome with MOU		
• Why am I here?		
• Project Details and Location		
• Project Schedule/Timeline		
• Project Purpose and Need		
• How can I make comments? How can I stay informed?		
• Next Steps		
<b>Optional:</b>		
• Typical Section Board		
• Schematic		
• Environmental Constraints		
• Environmental Process		
• Animated 3D Loop		
• Presentation		
• Online Open House		



Public Meeting Checklist Version 2

Meeting Materials	Responsible Party	Notes
<b>Must be considered:</b>		
<ul style="list-style-type: none"><li>• Sign-in Sheets (Separate sheets for TxDOT/Staff, Media, Elected Officials and Public)</li></ul>		
<ul style="list-style-type: none"><li>• Adequate staff (yet not overstaffed) of TxDOT and consultants, who are attentive and appropriately dressed.</li></ul>		
<ul style="list-style-type: none"><li>• Comment cards</li></ul>		
<ul style="list-style-type: none"><li>• Staffing list for meeting and email reminders before meeting with details and duties</li></ul>		
<b>Optional:</b>		
<ul style="list-style-type: none"><li>• Internal talking points or Q&amp;A's</li></ul>		
<ul style="list-style-type: none"><li>• Translated meeting materials based on community demographics</li></ul>		
<ul style="list-style-type: none"><li>• Speaker cards, elected official list and copies of presentation if public hearing</li></ul>		
<ul style="list-style-type: none"><li>• Copies of Agenda</li></ul>		
<ul style="list-style-type: none"><li>• Copies of Fact Sheet</li></ul>		
<ul style="list-style-type: none"><li>• Environmental documents—bring 2 copies to hearing</li></ul>		
<ul style="list-style-type: none"><li>• Diagram of room layout</li></ul>		
<ul style="list-style-type: none"><li>• Laptops for presentations and surveys</li></ul>		
<ul style="list-style-type: none"><li>• Projector, screen, audio</li></ul>		
<ul style="list-style-type: none"><li>• ROW (copies of The State of Texas Landowner's Bill of Rights and State Purchase of Right of Way—available in English and Spanish)</li></ul>		



Meeting Supplies	Responsible Party	Notes
<b>Must be considered:</b>		
<ul style="list-style-type: none"><li>Directional signage – Outdoor signage clearly visible from the roadway</li></ul>		
<ul style="list-style-type: none"><li>Directional signage – Indoor signage appropriately guides to meeting area</li></ul>		
<ul style="list-style-type: none"><li>Comment Box on a table in a clear and separate area</li></ul>		
<ul style="list-style-type: none"><li>Easels for signage and display boards</li></ul>		
<ul style="list-style-type: none"><li>Table signs for “Comments”, “Right of Way”, “Environmental” and “Registration”</li></ul>		
<ul style="list-style-type: none"><li>Name tags and covers</li></ul>		
<ul style="list-style-type: none"><li>Pens and pencils</li></ul>		
<ul style="list-style-type: none"><li>Safety/First Aid Kit (if not already provided by the venue)</li></ul>		
<b>Optional:</b>		
<ul style="list-style-type: none"><li>Tape (electrical, masking and clear packing tape)</li></ul>		
<ul style="list-style-type: none"><li>Scissors</li></ul>		
<ul style="list-style-type: none"><li>Power strip and extension cords</li></ul>		
<ul style="list-style-type: none"><li>Stapler and staples</li></ul>		
<ul style="list-style-type: none"><li>Post-it Notes</li></ul>		
<ul style="list-style-type: none"><li>Markers</li></ul>		
<ul style="list-style-type: none"><li>Flip charts</li></ul>		
<ul style="list-style-type: none"><li>Easels for flip charts</li></ul>		
<ul style="list-style-type: none"><li>Blue sticky wall</li></ul>		
<ul style="list-style-type: none"><li>White half sheets for sticky wall</li></ul>		
<ul style="list-style-type: none"><li>Camera</li></ul>		

## 2. ADA Guidelines for Public Meetings or Events

# ADA Guidelines for Public Meetings or Events

## Introduction

Three components are key to presenting meetings that are accessible to people with disabilities: where the meeting is held, how the meeting room furniture is arranged, and how the meeting information is communicated. People attending a meeting are concerned about where to find parking, the building entrance, the meeting room, and restrooms. People with disabilities are no exception.

Accessible meeting locations are of primary importance to people with mobility disabilities; accessible locations also ensure easier movement for people who are blind or have low vision. Minimum requirements for an accessible temporary event include the following accessible elements: parking; route to the building entrance from accessible parking spaces, drop-off areas and other accessible elements (e.g., route from a bus stop) within the site; building entrance; route to the meeting room; meeting room; and restrooms.

Divisions, Districts and other offices within the Texas Department of Transportation (TxDOT) should take steps in order to assure fair and equal access to TxDOT's facilities, services, programs and activities when hosting public meetings or events. The following are specific steps which can be taken in order to assure compliance:

## Steps

1. Include an accommodation statement in publications (flyers, newsletters, emails, websites, etc.) inviting participation in TxDOT-sponsored events. Publicity for events should notify potential attendees how to request information or request accommodations.

### *Sample*

*Special Accommodations: If you have a disability and need assistance, special arrangements can be made to accommodate most needs.*

*If you are a person with a disability who requires an accommodation to [language can be specific: attend this performance, participate in this conference, attend this seminar, participate in this event, etc.] please contact [office name and/or phone number of event sponsor] at least [number of weeks/days depending on how much advance notice there is regarding the event] in advance of this event. Please be aware that advance notice is requested as some accommodations may require time for the Texas Department of Transportation to arrange.*

### *Example*

*Special Accommodations: If you have a disability and need assistance, special arrangements can be made to accommodate most needs.*

*If you are a person with a disability who requires an accommodation to attend the ADA Pedestrian Access Planning Workshop, please contact Ms. Annie LaGow, Public Involvement (TPP) Division, at (512) 416-2110 or by email at [annie.lagow@txdot.gov](mailto:annie.lagow@txdot.gov) no later than 4:00 p.m., November 9, 2016. Please be aware that advance notice is requested as some accommodations may require time for the Department of Transportation to arrange.*

2. Assign responsibility to an individual to monitor planning for and managing during the event for adherence to ADA requirements. Train staff to respond to any request for accommodation, and assign staff to be responsible for this issue.
3. Identify parking areas, curb cuts and entrances, accessible fountains and restrooms for persons with disabilities.
4. If food or beverages are served, review food service provided to include services for persons with disabilities.

## Access to Facilities

If the location of your meeting/event has a reception or customer service area that includes a service counter, the counter should include an accessible service point for a person in a wheelchair. Either find an alternative point of service or modify counter (if possible) to meet ADA requirements.

Make sure that evacuation plans are posted with the location's space and include information for persons with disabilities. Ensure that evacuation procedures, including procedures for persons with disabilities, are posted. Have individuals on hand to provide appropriate assistance when needed.

Service animals must be permitted in all areas except in unusual circumstances.

Contact Nita Webber, ADA Compliance Program Administrator, of the Civil Rights Division at (512) 486-5503 or by email at [CIV\\_ADA@txdot.gov](mailto:CIV_ADA@txdot.gov) for assistance.

## Electronic Media

Web pages and electronic documents should be designed to be accessible to people with disabilities. Pages should conform to Section 508 and Web Content Accessibility Guidelines (WCAG2.0). The Communications and Information Management System Divisions can provide information regarding accessible design, and accessibility reviews of TxDOT's websites.

## Other

- A. Alternate Formats – Other formats that are usable by people with disabilities. May include, but not limited to Braille; Screen Readers; Interpreters; American Standard Code for Information Interchange (ASC II) text; large print; recorded audio and electronic formats.
- B. Alternate Methods – Different means of providing information, including documentation to people with disabilities. May include, but not limited to voice; fax; relay service; TTY; internet posting; captioning; text-to-speech synthesis; and audio description.

TxDOT ensures equal access by providing alternative, accessible ways for persons with disabilities to use its facilities and participate in programs, services and activities. Citizen participation increases when services are offered in a more dynamic, interactive way.



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TxDOT's Public Involvement Policy:

*"The Texas Department of Transportation (TxDOT) commits to purposefully involve the public in planning and project implementation by providing for early, continuous, transparent and effective access to information and decision-making processes. TxDOT will regularly update public involvement methods to include best practices in public involvement and incorporate a range of strategies to encourage broad participation reflective of the needs of the state's population." As adopted by the Texas Transportation Commission on January 27, 2011.*



## Director's Corner

With Spring's arrival, the weather continues to heat up and so does our public involvement work. No one has to tell you that the agency is embarking on an unprecedented effort to develop, environmentally clear, and go to contract on an unheard number of transportation improvements. Please do understand that the Public Involvement section of TPP is here to assist you on all aspects of your efforts to reach out to the public to ensure access to our decision-making process.

One tool we have developed is a template for the development of Public Involvement Plans (PIPs) and you can find it on our [Crossroads page](#). PIPs are the basic building block to ensuring a strategic and comprehensive approach to civic engagement. This template may be used by TxDOT staff or turned over to our consultants. In addition, TPP-PI will use this template as we develop PIPs for you.

Keep in mind, that as the pace of our outreach picks up, we must ensure that our efforts are consistent and prove adequate from both the agency's and the public's perspective. A variety of advertising and marketing techniques should be utilized to make certain the public is aware of opportunities to participate. Even for simple tasks, like choosing a meeting location, staff should consider proper access, parking, signage, and proximity to the project. The meeting venue should provide ample space for display boards and for the public to move comfortably. Comment tables should be clearly designated and set up in a way that allows at least a degree of privacy. And then finally, remember that all public meeting and hearing notices should be posted on [txdot.gov](#) at least 15 days prior to the event.

We are witnessing tremendous results statewide in our public involvement. In this issue of our newsletter, we highlight the exceptional work of the Pharr and Amarillo Districts, as well as the Public Transportation Division. The solid public involvement efforts we undertake today will help ensure the success of our work tomorrow. TPP-PI is here to help. ■

## Special Accommodation

Compliance with the Americans with Disabilities Act (ADA) is not only required under Federal law—it is the right thing to do. Primary responsibility for implementation of ADA within TxDOT lies with the Civil Rights Division. But we all must work together to ensure compliance. Recently, the Civil Rights and Design Divisions initiated the compiling of data for all sidewalks and streets on the state highway system. With this data in hand, a transition plan will be created to guide the department on priorities in ensuring ADA compliance and accessibility. Stakeholder involvement was critical to this process. Civil Rights and Design, in concert with the PI section of TPP, organized and coordinated a stakeholder workshop on TxDOT's ADA transition plan strategy. TxDOT partnered with stakeholders from the disability community to ensure sound representation at the workshop. The workshop proved to be a successful first step down the road to ADA compliance. Interestingly, through this process, TxDOT received a request for all materials to be translated into Braille. The PI section was able to partner with the Texas School for the Blind and Visually Impaired to fulfill this request. ■





## Upcoming Events

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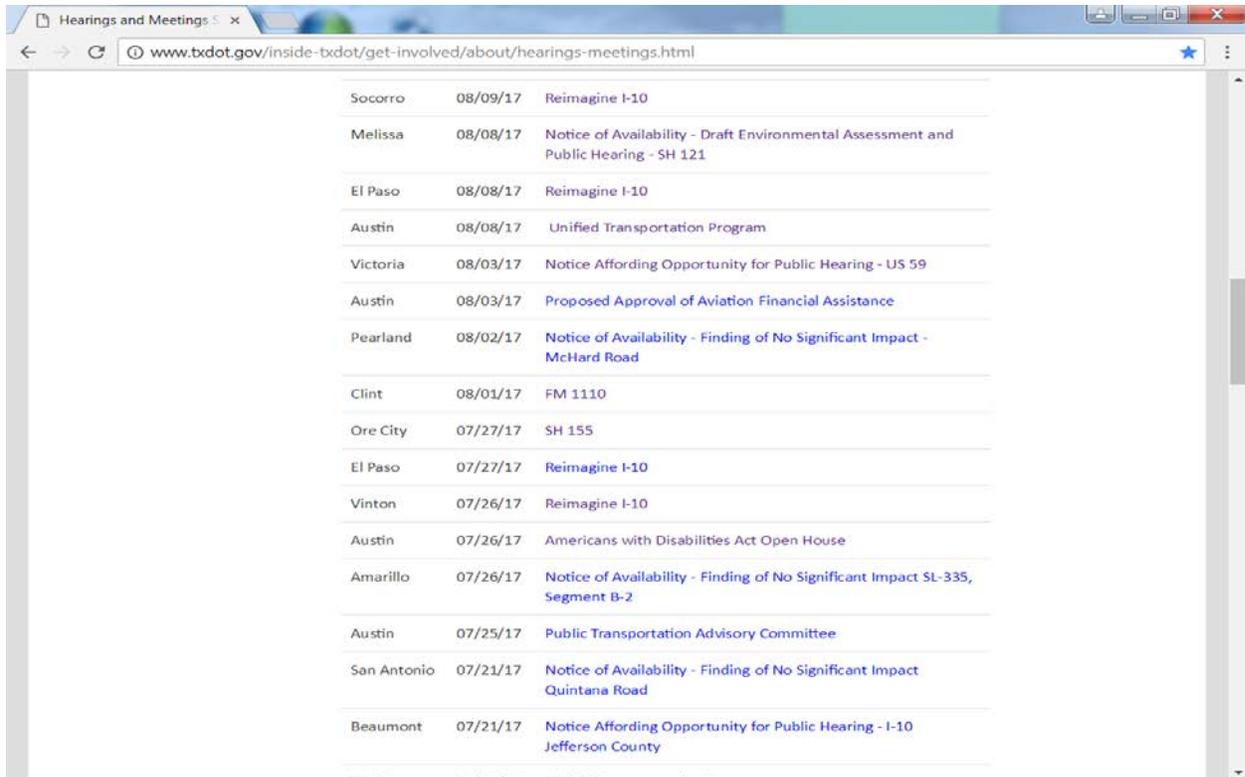
TxDOT Celebrates ADA  
Anniversary Statewide  
July 26, 2017

Public Involvement for NEPA  
ENV 112 in Houston  
Aug. 15 & 16, 2017

2017 TxDOT Environmental  
Conference in Austin  
Sept. 12-14, 2017

Effective Public Involvement  
OPI 100 in Austin  
Oct. 24, 2017

## 4. Meeting Notices



Location	Date	Event Name
Socorro	08/09/17	Reimagine I-10
Melissa	08/08/17	Notice of Availability - Draft Environmental Assessment and Public Hearing - SH 121
El Paso	08/08/17	Reimagine I-10
Austin	08/08/17	Unified Transportation Program
Victoria	08/03/17	Notice Affording Opportunity for Public Hearing - US 59
Austin	08/03/17	Proposed Approval of Aviation Financial Assistance
Pearland	08/02/17	Notice of Availability - Finding of No Significant Impact - McHard Road
Clint	08/01/17	FM 1110
Ore City	07/27/17	SH 155
El Paso	07/27/17	Reimagine I-10
Vinton	07/26/17	Reimagine I-10
Austin	07/26/17	Americans with Disabilities Act Open House
Amarillo	07/26/17	Notice of Availability - Finding of No Significant Impact SL-335, Segment B-2
Austin	07/25/17	Public Transportation Advisory Committee
San Antonio	07/21/17	Notice of Availability - Finding of No Significant Impact Quintana Road
Beaumont	07/21/17	Notice Affording Opportunity for Public Hearing - I-10 Jefferson County



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### [Americans with Disabilities Act Open House](#)

**Location:** Austin

**Date:** 07/26/17

**Purpose:** TxDOT, in partnership with others, will be hosting an open house fair. This is a come and go event celebrating the 27th Anniversary of the Americans with Disabilities Act (ADA). TxDOT and partner organizations will have booths with information about resources for the ADA community.

### [Proposed Approval of Aviation Financial Assistance](#)

**Location:** Austin

**Date:** 08/03/17

**Purpose:** To receive comments from interested parties concerning approval of financial assistance.

Visit [TxDOT.gov](http://TxDOT.gov) for a complete list of [upcoming hearings and meetings](#).

Texas Department of Transportation  
125 East 11th Street • Austin, Texas, 78701  
(800) 558-9368 • [AskTxDOT@txdot.gov](mailto:AskTxDOT@txdot.gov)



Subscriber Services:

## Attachment H – Subrecipient ADA Compliance Assessment Tool

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TEXAS DEPARTMENT OF TRANSPORTATION

### TxDOT ADA Accessibility Subrecipient Needs Assessment

49 Code of Federal Regulations (CFR) Parts 27 and 28 require that all recipients of federal-aid highway funds comply with Section 504 of the Rehabilitation Act of 1973. It states that "no otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance." 28 CFR 35 implements the Americans with Disabilities Act of 1990 (ADA), which extended the prohibition of discrimination on the basis of disability to all local agencies, including those that do not receive Federal financial assistance. ADA requirements differ for agencies with 50 or more full-time and part-time employees versus agencies with fewer than 50 full-time and part-time employees. This assessment will address the requirements for both and is a first step for TxDOT to determine subrecipient compliance; help subrecipients understand their ADA/504 responsibilities; and assist TxDOT in planning future training and technical assistance.

To begin, please click the "Next" button below.



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### TxDOT ADA Accessibility Subrecipient Needs Assessment

#### General Program Requirements

\* 1. Does your entity have an ADA Accessibility Transition Plan?

- Yes  
 No

\* 2. Does your entity have an ADA/504 Coordinator?

- Yes  
 No

\* 3. Has your entity drafted and disseminated to participants, applicants, employees, unions, and contractors/consultants a non-discrimination policy statement that states your entity does not discriminate on the basis of disability in admission or access to, or treatment or employment in its programs or activities?

- Yes  
 No

## Grievances

\* 4. Has your entity adopted a written grievance procedure?

Yes

No

\* 5. How many complaints have been filed against your entity in the past three years?

\* 6. How many investigations have been completed?

## Accessibility

\* 7. Does your entity provide auxiliary aids (sign language, interpreters, readers, Braille and large print text) upon request to participants with disabilities?

Yes

No

\* 8. Has your entity provided accommodations to physically impaired persons needing special assistance?

Yes

No (please elaborate)

\* 9. Do you have barriers listed in your ADA Accessibility Plan?

Yes

No

N/A - We do not have an ADA Accessibility Plan

If yes, how many?

\* 10. Have you removed or corrected barriers listed in your ADA Accessibility Plan?

Yes

No

N/A - We do not have an ADA Accessibility Plan

If yes, how many?

## Other

\* 11. What region best describes the locality in which your agency performs the majority of its roadway and sidewalk alterations and construction?

Metropolitan

Urban

Rural

# Attachment I –

## 1. ADA Curb Ramp and Sidewalk Guidance

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### ADA Curb Ramp and Sidewalk Guidance

The installation of curb ramps and sidewalks is an important part of a total transportation infrastructure that can accommodate various modes of travel. As with all transportation needs, fiscal resources are limited. Project priorities shown in the Texas Department of Transportation (TxDOT) ADA transition plan, along with regulations and public right-of-way standards, play an important part in the design and installation of compliant curb ramps and sidewalks at locations where pedestrians are most affected.

#### I. Curb Ramp Construction

In general, curb ramps are needed wherever a sidewalk or any other pedestrian walkway crosses a curb. Where curb ramps are necessary, they must ensure accessibility for all pedestrians with and without disabilities, and be located to ensure a more accessible and safer access route so that a person with a mobility disability will be able to travel from a sidewalk on one side of the street to a sidewalk on the other side of the street. Based on recent TxDOT statewide group discussion and inventory, it was revealed that there are now numerous possible considerations for determining where and when to construct a curb ramp since the inception of the Statewide Americans with Disabilities Act (ADA) Curb Ramp Program.

Therefore, in order to provide a more consistent statewide approach to installing curb ramps in locations where they are necessary, the criteria listed below will be considered in determining where and when curb ramp installation is required. Due to the nature of the public rights-of-way, each situation must be independently assessed to determine what needs to be done to bring each curb ramp and sidewalk into compliance.

#### Where to install

- Curb ramps must be installed to connect the pedestrian access routes at each pedestrian street crossing. A pedestrian street crossing is considered to be present if:
  - There is a sidewalk or other pedestrian walkway with a prepared surface for pedestrian use crossing a curb,
  - There are pedestrian signal heads or detection buttons indicating pedestrian presence, \*
  - There is a marked crosswalk, or \*
  - There is a school crossing. \*

However, please note the ADA does not require installation of ramps or curb ramps in the absence of a pedestrian walkway with a prepared surface (even when the elements denoted with an \* exist). A surface is a “prepared surface for pedestrian use” if,

regardless of material used, the intent of the design was to provide access to pedestrians.

Also, curb ramps are not required in the absence of a curb, elevation differential, or other barrier between the street and the walkway.

#### **When curb ramp construction is required**

- The U.S. Department of Justice and U.S. Department of Transportation have released a Joint Technical Assistance document outlining the following type of road work treatments that are considered alterations:
  - New construction
  - Reconstruction,
  - Rehabilitation,
  - Microsurfacing or the addition of any new layer of asphalt,
  - In-place asphalt recycling,
  - Open graded surface course, and
  - Mill & fill / mill & overlay

These treatments are not based on funding sources (PM, 2R, 3R, 4R, etc.) nor are they based on who performs the work (TxDOT maintenance forces vs. contractor forces). However, when the above listed operations are performed any required curb ramp construction is required to be done at the same time as the alteration.

Therefore, TxDOT is required to install or upgrade curb ramps pursuant to *Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing*. Below please find links to:

- 1) The Joint Technical Assistance (JTA) Document -  
[https://www.fhwa.dot.gov/civilrights/programs/doj\\_fhwa\\_ta.cfm](https://www.fhwa.dot.gov/civilrights/programs/doj_fhwa_ta.cfm)
  - 2) The Glossary of Terms for the JTA Document -  
[https://www.fhwa.dot.gov/civilrights/programs/doj\\_fhwa\\_ta\\_glossary.cfm](https://www.fhwa.dot.gov/civilrights/programs/doj_fhwa_ta_glossary.cfm)
  - 3) The JTA Q&A Document -  
[https://www.fhwa.dot.gov/civilrights/programs/ada\\_resurfacing\\_qa.cfm](https://www.fhwa.dot.gov/civilrights/programs/ada_resurfacing_qa.cfm)
- If the conditions described above in the "Where to install" section indicate a need for the construction of curb ramps, they must be installed when a project meets the definition of an alteration under 28 C.F.R. § 35.151. Generally, resurfacing is

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an alteration if it involves work on a roadway that spans from one intersection to another. If the resurfacing affects the crosswalk, even if it is not the full roadway width, then curb ramps must be provided at both ends of the crosswalk as per 28 C.F.R. § 35.151(i).

- Existing ramps must be compliant with the ADA standards applicable for the year in which the ramp was built. If the ramp is not compliant with those standards, then it must be updated and should be included in the ADA transition plan. In addition to curb ramps required above, it is recommended to include any additional curb ramp improvements in the vicinity of the alteration project as project scope and budget allow.

#### **When curb ramp construction is not required**

- Curb ramps are not required to be included in projects that constitute the following listed maintenance work:
  - Seal coats,
  - Crack filling and sealing,
  - Joint Crack or Surface Seals,
  - Joint repairs,
  - Full-depth pavement spot repair,
  - Diamond grinding,
  - Spot high friction treatment to improve skid resistance, and
  - Slurry seals

In some cases, the combination of several maintenance treatments occurring at or near the same time may qualify as an alteration and would trigger the obligation to provide curb ramps.

Note that a deficient or missing curb ramp, even if not included in a specific maintenance project, will need to be included in the TxDOT ADA Transition Plan for construction or reconstruction.

#### **II. Sidewalk Construction**

Planning projects for the long term must anticipate likely future demand for both bicycling and walking facilities and not omit this provision from future improvements without adequate documentation. Based on TxDOT Administration guidance given for emphasizing bicycle and pedestrian accommodations, these items must be considered for certain types of transportation projects within urbanized settings. Therefore, the inclusion of these facilities must be considered when a project is scoped, with input from

the local cities, metropolitan planning organizations, locally adopted bicycle and pedestrian plans, and the public, when applicable.

#### **When to consider installation**

Sidewalks must be considered for inclusion in urbanized settings on:

- Full reconstruction projects;
- New construction projects;
- Projects within existing right of way that include pavement widening;
- Facilities that are part of a locally adopted sidewalk planning document;
- Facilities where there is evidence of pedestrian traffic:
  - Pedestrians are observed, or
  - There is evidence of a beaten path, or
  - There is significant potential for pedestrians to walk in the roadway;
- Facilities having existing pedestrian features;
- Facilities located on a route to school(s); or
- Facilities located on a transit route. All transit stops must be made accessible.

If it is determined that sidewalks will not be included in the project, then the managing office shall provide justification in the environmental document for not installing sidewalks.

#### **When to install**

It is recommended that the sidewalk installation occur concurrently with the curb ramp installation in order to provide a more accessible and safer pedestrian access route.

#### **Maintenance**

Maintenance of pedestrian facilities is critical to their continued functionality.

Maintenance operations should monitor pedestrian facilities on a regular basis and any discrepancies should be noted for inclusion in the routine maintenance schedule or in the ADA Transition Plan. Where maintenance is the local government's responsibility under a municipal maintenance agreement, TxDOT monitoring is necessary to ensure that maintenance is performed by the local entity on a regular schedule.

Vegetation must be monitored and managed to ensure that vegetation growth does not constrict the pedestrian access route.

In addition, any features permitted in TxDOT right of way will be compliant with the ADA, and items in the right of way (e.g. driveways, utilities, mailboxes, signal equipment) must not create a compliance issue for TxDOT.

### **III. Traffic/Pedestrian Signal Installation**

Installation of pedestrian signal heads and pedestrian detection equipment is strictly a traffic engineering decision. There are instances where they are definitely beneficial, but not necessarily required except on certain signal warrants and at intersections with complex multi-phase signal timing. Refer to TxDOT's Accessible Pedestrian Signals (APS) Guidelines document for outlined instances where APS may be needed.

When APS equipment is installed curb ramps or blended transition installation may be necessary to make the signal equipment and the intersection accessible.

## 2. Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges


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### Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges

Home > Business > Resources

TxDOT has established standards and specifications for the construction and maintenance of highways, streets and bridges. Below are links to documents and important information for contractors and professional service providers.

- 2014 Standard Specifications Book (PDF) (DOCX)
- Advanced Search
- Search for a Special Provision/Special Specification by Assigned Number
- Search for a Special Provision/Special Specification by Construction Control Section Job (CCSJ) Number
- Special Specifications/Provisions Change Memos
- Required Specification Checklists
- 2014 Special Provisions (All) | Statewide and Districtwide, Current | By District
- 2014 Special Specifications (All) | Statewide and Districtwide, Current | By District

**Resources**

- Requesting Item 8 Delayed Start Provisions (Standard Operating Procedure), Memo (Feb. 11, 2016)
- Style Guide for Construction and Maintenance Specifications
- Bid Codes: (View) (Text) | Bid Item Code Description Abbreviations | How Do I Submit a Request for a New Specification or Bid Code? (Form 1814)
- Reference Items
- Templates: Special Provision | Special Specification | Special Provision to Special Specification | Special Provision to Item 000
- Subject Matter Experts
- Departmental Materials Specifications (DMS)
- Material Producer Lists
- Local Government Standard Specifications and Special Provisions
- Purchase the 2014 Standard Specifications Book

**Historical Data**

- 2014 Specifications Book (Version 2 - for January 2015 Letting to June 2015 Letting | Summary of Changes
- 2014 Specifications Book (Version 1 - for November and December 2014 Letting)
- 2004 Specifications
- 2004 Specifications Book
- John F. Oibr, P.E., Construction Division Director, Memo (July 10, 2014)
- Roll-out Schedule and Locations
- Seminar Presentation
- New and Renamed Items
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# **Attachment J - ADA Committee Guidelines and Responsibilities**

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## *Introduction*

The internal TxDOT ADA committees are of two kinds: an advisory committee made up of division representatives that contribute to particular activities and guide our strategic plan in areas related to the ADA Accessibility Program, and district accessibility committees that shape the ADA Accessibility Program content applicable to each respective district.

1. Because of the important role of the committees in representing the perspective of our agency, meetings should be held once every quarter.
2. Meetings may be held via WebEx, telephone conference or face-to-face.
3. Advisory and District ADA committees serve as the facilitator and organizer of planned outreach events and public involvement meetings.
4. Committees may make recommendations in writing to the CIV-ADA Compliance Program Administrator through their district/division liaisons.
5. Committees provide the necessary support and input needed to carry out the ADA mission, values, goals, and initiatives.

## *Committee Member Responsibilities*

In addition to specific roles required by individual committees, members of ADA Accessibility Committees are expected to actively participate in the work of the committee, provide thoughtful input to committee deliberations, and focus on the best interests of the agency and program goals rather than on personal interests. Members should:

- Review all relevant material before committee meetings
- Attend committee meetings and voice objective opinions on issues
- Pay attention to agency activities that affect or are affected by the committee's work
- Support the efforts of the committee chair and carry out individual assignments made by the chair
- Work as part of the committee and staff team to ensure that the committee's work and recommendations are in keeping with the general agency mission and goals

## *Committee Chair Responsibilities*

In addition to specific roles required by the activities of individual committees, chairs of ADA Accessibility Committees are expected to guide their committees and work with staff to develop necessary work plans and meeting agendas. Chairs should:

- Approve reports of committee meetings before their distribution;
- Report to the committee on decisions of the Administration that affect the committee's work;
- Where appropriate, guide the committee in proposing new activities and service that will further the mission and goals of the ADA Accessibility Program; and
- Where appropriate, make policy recommendations to the ADA Compliance Program Administrator.

### *Structuring the Meeting*

- With the help of the ADA Liaison, provide an agenda sheet with the beginning and ending times for the meeting, meeting location, a list of committee members, and the agenda of topics;
- Sequence agenda items thoughtfully. Start the meeting with topics that will unify the committee, and with topics that will require mental energy, creativity, and clear thinking. Do not put difficult topics back-to-back. Make the first few topics quick-action items. Build in breaks at logical places (at least every two hours, if extremely long meetings). End with topics that should unify the committee;
- Provide at least minimal written background information for each agenda item;
- Indicate whether the item is for discussion only or if action is expected; and
- Identify the person who is presenting each item.

### *Facilitating the Meeting*

- The committee belongs to the agency, not to the chair; the chair's primary role is as facilitator;
- Guide, mediate, probe, and stimulate discussion. Monitor talkative members and draw out silent ones;
- Encourage a clash of ideas, but not of personalities. If emotions run high over a difficult issue, return the floor to a neutral person, seek a purely factual answer, or take a break;
- Keep discussions on track; periodically re-state the issue and the goal of the discussion;
- In moving toward a decision, call on the least senior or vocal members first to express their views. Discussions tend to close down after senior members express strong views;
- Seek consensus; unanimity is not required;
- Announce the results of actions taken and explain the follow-up to be taken and by whom;
- Close the meeting by noting achievements; and
- Following adjournment, meet briefly with the ADA Liaison to agree on follow-up actions and the person or party responsible.

### *Written Report of Committee Meeting*

- Include the date, time, and place of the meeting. Note the name of the chair, members present and absent, and other key people in attendance;
- Note all formal motions and report on passage or defeat;
- Note all decisions reached, including motions passed and follow-up actions to be taken, with deadlines for implementation;
- Include brief summary of discussions. Do not attribute comments to members except possibly where formal motions are introduced;
- Provide information on the time and place of the next meeting; and
- Meeting reports should be prepared as soon as possible (and within 30 days) after the meeting.

## *ADA Liaison Support*

Each committee should have at least one committee member who serves as the district/division ADA Liaison and assists with:

- Maintaining committee roster and accessing information for the committee where appropriate (e.g. minutes of previous committee meetings, background on recent committee activities, information about key people with whom the committee or chair is likely to interact);
- Retaining a copy of procedural information, minutes and activity reports for committee;
- Working with the chair of the committee to ensure that committee responsibilities are fulfilled and meeting agendas are set;
- Providing assistance to the chair in setting up and conducting meetings; and
- Facilitating communications between the committee and ADA Compliance Program Administrator, Administration, etc.

# ADA Accessibility Program

Mission, Values and Goals

## MISSION STATEMENT

The mission of the Texas Department of Transportation's (TxDOT) ADA Accessibility Program is to ensure that every program, service, benefit, activity and facility open to the public is fully accessible to and usable by people with disabilities in an integrated setting that fosters inclusion and does not discriminate.

## VALUES

We value accessibility and acceptance and are committed to:

- Equal Opportunity
- Independent Living
- Economic Self-sufficiency
- Full Participation

## GOALS

- Increase awareness of TxDOT's ADA Accessibility Program throughout the department and state.
- Improve internal and external communications about TXDOT's ADA Accessibility Program.
- Increase public participation during the Design, Planning and Development phases.
- Develop and maintain ADA training to employees, recipients and subrecipients.
- Develop and maintain a grievance process that is consistent with the U.S. Department of Justice and U.S. Department of Transportation's ADA accessibility requirements.
- Create a subrecipient monitoring program that is consistent with Federal Highway Administration's requirements.



# MEMORANDUM

**TO:** District Engineers **DATE:** January 7, 2011  
**FROM:** Carol T. Rawson, P.E., Director *Carol T. Rawson, P.E.*  
Traffic Operations Division  
**SUBJECT:** TxDOT Accessible Pedestrian Signals Guidelines

---

Attached are the TxDOT Accessible Pedestrian Signals (APS) Guidelines. All new construction and reconstruction projects that include pedestrian signals beginning with the April 2011 letting will need to incorporate APS. These guidelines are consistent with the Draft Proposed Right-of-Way Accessibility Guidelines developed by the United States Access Board.

In conjunction with the guidelines, a statewide inventory of all signalized intersections managed by TxDOT should be conducted. As part of the inventory, each intersection will need to receive a rating to determine the priority for conversion to APS. The ranking of the intersections will need to be done utilizing the methodology laid out in NCHRP 3-62, APS Prioritization Tool.

It is requested that each district complete a worksheet for all signalized intersections and provide this inventory list on the attached "Accessible Pedestrian Signal Prioritization Summary" to the Traffic Operations Division (TRF) by January 30, 2012. The summary should show the number of crosswalks, locations with APS, and preferably, all completed priority rankings.

To date, there have not been any funding programs identified for the installation or prioritization of APS. Districts will need to utilize existing funding programs accordingly. However, as mentioned in the guidelines, a plan should be developed to address the installation of APS at intersections with pedestrian signals. In general, the signalized intersections with higher scores are the ones with the greatest need for conversion to APS, but the rankings will need to be considered within context so that the greatest needs are served first.

TRF staff is available to assist with questions on APS such as evaluation and design challenges. If you have any questions, please call Henry Wickes at (512) 506-5125 or me at (512) 416-3200.

**Attachments**

cc: Administration, TxDOT  
Regional Support Directors, TxDOT  
Owen Whitworth, Audit Office, TxDOT  
Mark A. Marek, P.E., Design Division, TxDOT  
Toribio Garza, Jr., P.E., Maintenance Division, TxDOT  
Jerral Wyer, Occupational Safety Division, TxDOT  
Mark E. Tomlinson, P.E., Texas Turnpike Authority, TxDOT  
Greg Brinkmeyer, P.E., American Traffic Safety Services Association  
A.P. Boyd, Associated General Contractors  
Thomas R. Bohuslav, P.E., Associated General Contractors

# TxDOT Accessible Pedestrian Signals Guidelines

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## **TxDOT Accessible Pedestrian Signals Guidelines**

### **Purpose**

The purpose of this document is to provide guidelines for the installation of Accessible Pedestrian Signals (APS).

### **Definition**

An APS is a device that communicates information about pedestrian signal timing in non-visual format such as audible tones, verbal messages, and/or vibrating surfaces (Texas Manual on Uniform Traffic Control Devices (TMUTCD)).

### **Background**

In June of 2002, the U.S. Access Board released a draft document entitled *Draft Guidelines for Public Rights-Of-Way*. These draft guidelines required APS systems at all new signalized intersections where pedestrian signals are installed. In November 2005, new draft guidelines were issued. The November 2005 draft guidelines also include requirements for APS to be installed on new construction where pedestrian signals are installed. The 2005 draft guidelines state:

“The Board’s aim is to ensure that access for persons with disabilities is provided wherever a pedestrian way is newly built or altered, and that the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities. The guidelines would not require alterations to existing public rights-of-way, but would apply where a pedestrian route or facility is altered as part of a planned project to improve existing public rights-of-way.”

The ADA requires that when pedestrian facilities are provided, they must be usable by all pedestrians. The Federal Highway Administration (FHWA) stresses that the draft guidelines should be considered as best practices and the state of the practice and should be followed regarding issues not covered by the existing ADA guidelines.

The following recommended practice is based on the above mentioned draft guidelines that were developed through the FHWA.

## Recommended Practice

Until such time that further rules or regulations are provided by USDOT, FHWA, USDOJ, the US Access Board, TDLR, AASHTO, or others, the installation of APS will be in accordance with the guidance that follows. This recommended practice is subject to change and will be updated as needed. Additionally, an intersection prioritization tool based on National Cooperative Highway Research Program (NCHRP) Project 3-62 should be utilized to evaluate signalized intersections for the need of APS based on comparative need. Priority to install APS systems will also depend on whether the signalized intersection is considered to be part of new construction, part of a modification project, or an existing installation as defined below.

- ◆ ***New Construction*** - New construction of traffic signals is considered either the installation of a new traffic signal at a previously non-signalized intersection or substantial replacement of a traffic signal. If pedestrian signals are installed, the traffic signal shall be designed and equipped with APS for all crosswalks that are to be equipped with pedestrian signals. Installation of APS will not be considered at intersection approaches where an engineering study has determined that pedestrian crossings are to be prohibited. However, the designer should take into consideration that a non-visual format to prohibit pedestrian crossing (some sort of physical means of prohibiting the crossing such as railing, heavy vegetation, etc.) be provided in addition to crossing prohibition signs.
- ◆ ***Traffic Signal Modifications*** - Traffic signal modifications are considered to be the modification of an existing traffic signal at an intersection. If there are existing pedestrian signals, or pedestrian signals are being added as part of the installation, the design should include the installation of APS. Installation of APS will not be considered where pedestrian crossings are physically prohibited. Minor signal modifications such as installation of left turn signal heads, modification of existing signal phasing, or installation of vehicle detection systems that do not require substantial reworking of the intersection signal poles or wiring would not require a redesign of the intersection as mentioned above.
- ◆ ***Existing Traffic Signals*** – TxDOT districts will schedule an evaluation of all existing signalized crosswalks at signalized intersections under their jurisdiction. Evaluations will include completion of the Intersection Prioritization Tool worksheet. Crosswalks should be evaluated to determine a priority for the installation of APS. The scores should be arranged in order from highest to lowest. Crosswalks with scores in the top 50 percent and associated with a specific request should be considered high priority. Districts shall develop a plan for installation of APS at all intersections with existing pedestrian signals based on the order established by the determined priority. Additionally, evaluations will be made when there is a written request for a specific intersection(s). Evaluations that result in a high priority or are associated with a specific request should be scheduled to have APS installed. At the completion of the high priority or specific request projects the district should review the plan and move toward completing all APS installation.
- ◆ ***Engineering Judgment*** – Based on the engineer’s judgment, a higher priority may be given to the installation of APS at a crosswalk than an initial evaluation of the crosswalk would indicate.

## **Engineering Study for APS**

An engineering study of signalized intersections for each TxDOT district is needed to determine priority for providing APS at pedestrian signals. The Intersection Prioritization Tool should be completed by engineering staff. However, the study may include the input of an Orientation and Mobility Specialist. The Texas Department of Assistive and Rehabilitative Services (DARS), Division for Blind Services can be a good point of contact for consultants on orientation and mobility. TxDOT districts should develop a plan for upgrading pedestrian signals based on the priority established by the engineering study.

The TMUTCD provides the following information on the APS study:

***“Guidance:***

The installation of accessible pedestrian signals at signalized locations should be based on an engineering study, which should consider the following factors:

- A. Potential demand for accessible pedestrian signals;
- B. A request for accessible pedestrian signals;
- C. Traffic volumes during times when pedestrians might be present, including periods of low traffic volumes or high turn-on-red volumes;
- D. The complexity of traffic signal phasing; and
- E. The complexity of the intersection geometry.”

Research information indicates other considerations to study:

“Too little traffic is as great a problem for pedestrians who are blind, as is too much traffic. In the absence of APS, blind pedestrians must be able to hear a surge of traffic parallel to their direction of travel in order to know when the walk interval begins. Locations that may need APS include those with:

- Intersections with vehicular and/or pedestrian actuation
- Very wide crossings
- Major streets at intersections with minor streets having very little traffic
- T- shaped intersections
- Non-rectangular or skewed crossings
- High volumes of turning vehicles
- Split phase signal timing
- Exclusive pedestrian phasing, especially where right-turn-on-red is permitted
- A leading pedestrian interval.

Where these conditions occur, it may be difficult for pedestrians who are visually impaired or blind to determine the onset of the walk interval by listening for the onset of parallel traffic, or to obtain usable orientation and directional information about the crossing from the cues that are available.”<sup>1</sup>

There are potential traffic conflicts associated with signalized pedestrian crossings to be aware of whether audible APS systems are installed or not. These include: vehicles still clearing the intersection when the audible signal comes on; vehicles that fail to stop for the red light; motorists who stop and make a right turn on red while watching to the left and failing to notice pedestrians on their right; and vehicles that may turn right or left on the same phase as the pedestrian. Adjustments to vehicular phases and allowable movements, including prohibiting right turn on red, may need to be incorporated into the overall intersection operation. It may even be questionable whether the audible signal interferes with the sight impaired travelers ability to listen for these possible conflicts. These potential conflicts require that due caution be used when crossing a street whether there is an audible signal or not. Speech messages should never indicate that it is safe to cross, but rather that the walk light is on.

## **Design Considerations**

The draft Americans with Disabilities Act *Revised Draft Guidelines for Accessible Public Rights-of-Way* (<http://www.access-board.gov/prowac/draft.htm>) include specific requirements for pedestrian signals and includes a comprehensive list that the designer should review.

The TMUTCD, Section 4E. “Pedestrian Control Features” also covers many of the design requirements of APS systems. As with any traffic control device, the TMUTCD should be reviewed when designing accessible pedestrian signals. For example, the TMUTCD indicates that the push buttons should be separated by 10 feet and located near the curb ramp they serve, preferably at the landing for the curb ramp.

To comply with the Texas Accessibility Standards (TAS), the push button must be centered on a clear ground space. If the curb ramp landing is not utilized, an additional level arealanding at the push button may be required. The APS units require mounting with proper orientation to direct pedestrians across the street.

The *Accessible Pedestrian Signals: Synthesis and Guide to Best Practice* (<http://www.walkinginfo.org/aps/index.cfm>), which was developed by the NCHRP, is very comprehensive in regard to all aspects of APS. It goes into extensive detail regarding all aspects of APS and is recommended as a reference for APS design considerations.

Accessible pedestrian signal systems have undergone several advancements throughout the years. The most current devices are the push button integrated systems. With these systems, the speaker, push button, and vibro-tactile arrow are all contained in the push button housing. Placement of the push button/APS is critical to the proper operation of the system. The pedestrian uses the arrow on the APS for orientation in crossing the street. The button stations serving adjacent crosswalks at the same corner require separation so that the user can tell which crossing is being served with a walk indication. The APS provides a locator tone and “walk” tone; the cuckoo and chirp tones are no longer considered effective. These systems have the capability to adjust to ambient noise levels and can be configured so that they are only discernable from a specific distance from the intersection, posing less of a noise issue for the surrounding environment. In consideration of the above, it is critical in design to locate the pushbuttons and crosswalks such that the installation of APS will be effective.

## **Specifications**

When specifying an APS, it is necessary to know what will be needed at the crossing. It is recommended that a push button integrated APS system be specified. These systems have all the TMUTCD required features such as locator tones, volume control, vibro-tactile arrows, etc. Contact TRF for assistance with specifications.

## **References:**

*2006 Texas Manual on Uniform Traffic Control Devices (TMUTCD)*

November 23, 2005 *Revised Draft Guidelines for Accessible Public Rights-of-Way* (US Access Board, [www.access-board.gov](http://www.access-board.gov))

*NCHRP 3-62 Accessible Pedestrian Signals: Synthesis and Guide to Best Practice*

*Texas Accessibility Standards*

*Transportation Research Record, Journal of the Transportation Research Board*, No. 1982, pp.13-20, titled, “Development of an Intersection Prioritization Tool for Accessible Pedestrian Signal Installation”

1. Accessible Pedestrian Signals – A Guide to Best Practices, (Developed under the sponsorship of the [National Cooperative Highway Research Program](http://www.nchrp.org/))  
<http://www.apsguide.org/index.cfm>

## APPENDIX A

### Intersection Prioritization Tool Worksheets

The intersection prioritization tool provided below was recreated from National Cooperative Highway Research Program (NCHRP) 3-62 research. The worksheets are a product of NCHRP 3-62 and are published in the *Transportation Research Record, Journal of the Transportation Research Board*, No. 1982, pp.13-20, entitled, “Development of an Intersection Prioritization Tool for Accessible Pedestrian Signal Installation”. The intersection prioritization tool consists of two worksheets.

- ◆ The Intersection Worksheet accounts for intersection characteristics and layout, signalization type, and location related to transit facilities, facilities for the visually impaired, and major pedestrian attractions.
- ◆ The Crossing Worksheet accounts for the individual crossing characteristics. Each crossing at the intersection is rated based on several factors including:
  - Crossing width
  - Speed limit
  - Geometrics
  - Pedestrian signal control
  - Vehicle signal control
  - Off-Peak traffic presence
  - Availability of alternative APS
  - Requests for APS installation

The prioritization tool provides a method of scoring individual crossings for relative crossing difficulty to visually impaired individuals. This provides a method to compare crossings for priority for installation of APS systems. In general, if one crossing generates a high priority, it would be desirable to provide APS for all crossings at the intersection.

The detailed instructions on the correct method for filling out and completing the worksheets are available on the internet at:

[http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_w117a\\_appendix-d.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_w117a_appendix-d.pdf)

The prioritization tool worksheets are located on the following pages.

Intersection Prioritization Tool for Installation of Accessible Pedestrian Signals, adapted from NCHRP 3-62, 2006				
<b>Intersection Worksheet</b>				
Location:				
<p><b>Sketch:</b> See instructions for information to include. Label crosswalks as A,B,C,D, etc.</p> <div style="text-align: center;">  <p>Indicate North</p> </div>	<b>Configuration (select one)</b>		<b>Points</b>	<b>Score</b>
	4-leg		0	
	4-leg offset		3	
	3-Leg (T or Y)		3	
	5 or more legs		12	
	Midblock location		14	
	<b>Signalization* (select one)**</b>		<b>Points</b>	<b>Score</b>
	Pre-timed (non-actuated)		0	
	Actuated (semi or fully)		2	
	Split Phasing		6	
	Exclusive ped phase		8	
	<b>Transit Facilities within a block (- 1/8 miles) of the intersection - all legs (select one)</b>		<b>Points</b>	<b>Score</b>
	No Transit Facilities		0	
	Single bus route		1	
	Multiple bus routes		3	
Transit mail/rail station		5		
<b>Distance to Facility for Visually Impaired (select one)</b>		<b>Points</b>	<b>Score</b>	
> 2600 ft (~1/2 mile)		0		
< 2600 ft (~1/2 mile)		4		
< 1300 ft (~1/4 mile)		6		
< 650 ft (~1/8 mile)		8		
< 300 ft		10		
Other Intersection Level Issues				
<b>Distance to Major Pedestrian Attraction (select one)</b>		<b>Points</b>	<b>Score</b>	
> 2600 ft (~1/2 mile)		0		
< 2600 ft (~1/2 mile)		2		
< 1300 ft (~1/4 mile)		3		
< 650 ft (~1/8 mile)		4		
< 300 ft		5		
* For intersections only. Signalized midblock locations are accounted for under Configuration				
** Select the option with the highest point value that applies to the situation.				
<b>Intersection Worksheet Score:</b>				
(sum of scores on this page)				



# TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM



## 2017 PROGRAM GUIDE





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## A. SUMMARY OF PROJECT OPPORTUNITY

On January 27, 2017, the Texas Department of Transportation (department or TxDOT) announced a statewide Call for Projects under the **Transportation Alternatives Set-Aside (TA Set-Aside)** Program for population areas of 200,000 or less. This program guide outlines the nomination, evaluation, and selection processes, including step-by-step instructions for completing the project nomination form and providing appropriate attachments. Important dates to remember include:

- **January 27, 2017** – Call for Projects opens
- **February - March 2017** – Workshops (refer to **L. 2017 TA Set-Aside Workshop Schedule**)
- **May 22, 2017** – Project nominations due to the department
- **May - August 2017** – Project screening and evaluation
- **Fall 2017** – Project selection by the Texas Transportation Commission

The TA Set-Aside Program, as administered by the department, provides funding to construct a variety of alternative transportation projects that improve mobility for non-motorized users and mitigate congestion by providing transportation options. Eligible project activities include construction of on- and off-road pedestrian and bicycle accommodations (including conversions of abandoned railroads), infrastructure for non-drivers, access to public transportation, and Safe Routes to School infrastructure.

The department is particularly interested in those projects that reflect a high degree of collaboration and community consensus while directly contributing to the department's safety, mobility, and connectivity goals. Project sponsors are strongly encouraged to submit projects that:

- Enhance bicycle and pedestrian safety for people of all ages and abilities
- Improve safety, access, or mobility for individuals with disabilities
- Construct on-system improvements in support of TxDOT's ADA/Pedestrian initiatives
- Provide access to or between existing bicycle and pedestrian facilities, public transportation, or other mobility options
- Connect important community destinations (such as schools, employment, downtown/commercial/historic districts, medical facilities, and recreational areas)
- Contribute to the development of a statewide or regional bicycle route for tourism
- Contribute, as an independent element, to a larger public project/investment

Proposed projects may be located on state-maintained roadway right-of-way (on-system) or on property owned by the project sponsor (off-system).

The department intends to make available TA Set-Aside Program funds associated with anticipated FY 2017 – FY 2020 appropriations. Assuming current FAST Act authorization levels, approximately \$52 million is estimated for population areas under 200,000. All, or some portion of this amount, may be awarded as a result of this Call, depending on the actual amount of funding available and the eligible number of TA Set-Aside project nominations received by the department.

## B. PROGRAM OVERVIEW

The Fixing America's Surface Transportation (FAST) Act establishes the TA Set-Aside Program as part of the Surface Transportation Block Grant and replaces the Transportation Alternatives Program (TAP) which was established as an independent funding category under the Moving Ahead for Progress in the 21st Century Act (MAP-21). Like TAP, the TA Set-Aside Program provides funding for a variety of alternative transportation projects. The program is contained in 23 U. S. C. §133(h).

The federally funded TA Set-Aside Program provides opportunities to expand transportation choices and enhance transportation infrastructure. Each state department of transportation reviews the guidance provided by the Federal Highway Administration (FHWA) and develops rules to administer their TA Set-Aside Program according to that state's priorities. In Texas, the department's statewide TA Set-Aside Program for population areas of 200,000 or less operates under rules adopted by the Texas Transportation Commission (commission), which may be found in 43 Texas Administrative Code (TAC) §§11.400 - 11.418 and §§16.153 - 16.154. TA Set-Aside projects submitted to the department must relate to the surface transportation system and be eligible under one or more of the six activities outlined in topic **C. Eligible Project Activities** of this guide.

Federal TA Set-Aside funds administered by the department are for construction activities only. The department's 2017 TA Set-Aside Call for Projects is limited to eligible project sponsors and projects from nonurban areas with populations of 5,000 or less and small urban areas with populations of 5,001 to 200,000 that are outside the smoothed 2010 U. S. Census Urbanized Area boundary of a Transportation Management Area.

Metropolitan Planning Organizations (MPOs) with population areas greater than 200,000 are designated as Transportation Management Areas (TMAs). Potential project sponsors within the TMA must seek TA Set-Aside funding through their local MPO.

Note: In Texas, TA Set-Aside funds for the Recreational Trails Program are administered through the Texas Parks and Wildlife Department.

This is the first TA Set-Aside Call for Projects by the department. For information on the department's new TA Set-Aside rules, the new TA Set-Aside 2017 Nomination Form, and other program details, visit:

<http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>. The TA Set-Aside project nomination package must present persuasive evidence of support from the communities in which the project would be implemented. The project sponsor must commit to provide a local funding match of at least 20% of the allowable construction and department oversight costs, subject to any allowable adjustment for authorized in-kind contributions and/or an adjustment for an eligible project located in an economically disadvantaged county. Any costs incurred prior to selection and authorization from the department to proceed will not be eligible for consideration as an in-kind contribution or otherwise part of a local funding match. The local funding match must be a cash match or combination of cash and in-kind contribution provided by or through the project sponsor. The commission will specify a fixed amount of TA Set-Aside funds

for each project. Project costs in excess of this amount are the responsibility of the project sponsor. The project sponsor may seek additional funds in a subsequent program call.

Projects funded under 23 U.S.C. 133, including TA Set-Aside projects, shall be treated as projects on a federal-aid highway (23 U.S.C. 133(i)). This subjects all TA Set-Aside projects to various federal-aid requirements (e.g., Davis-Bacon prevailing wage requirements, Buy America, planning, environmental review, procurement and letting, etc.). Specific guidance regarding program/project requirements is found in the **TxDOT Local Government Projects Toolkit (LGP Toolkit)** found at <http://txdot.gov/government/processes-procedures/lgp-toolkit.html>. The LGP Toolkit provides specific information regarding the applicable laws (see Policy Manual), procedures (see Project Management Guide), and best practices (see Best Practices Workbook) that must be adhered to for some or all phases of a TA Set-Aside project. Relevant portions of the LGP Toolkit are referenced in this Guide.

## C. ELIGIBLE PROJECT ACTIVITIES

The eligible TA Set-Aside activities identified in TxDOT's rules (refer to 43 TAC §11.404(a)) are taken verbatim from the Federal Highway Administration's TA Set-Aside Guidance. For TxDOT's 2017 TA Set-Aside Call for Projects for population areas of 200,000 or less, the eligible construction activities have been abbreviated for clarity as follows:

1. On-road bicycle improvements
2. Off-road shared use paths
3. Infrastructure improvements on an abandoned railroad corridor to facilitate non-motorized transportation
4. Sidewalks
5. Infrastructure improvements to provide safer routes to school
6. Infrastructure-related projects to improve safety for non-motorized transportation

Note: Review topic I. **Economically Disadvantaged Counties Program** for potential local match relief for eligible projects.

## D. ELIGIBLE TA SET-ASIDE PROJECT SPONSORS

Under 23 U.S.C. 133(h)(4)(B), the entities eligible to receive TA Set-Aside funds are:

1. **Local government**: Any unit of local government below a State government agency, except for an MPO. Examples include city, town, township, village, or county agencies.
2. **A regional transportation authority**: Regional transportation authorities are considered the same as the Regional Transportation Planning Organizations defined in the statewide planning section (23 U.S.C. 135(m)).

3. **A transit agency:** Any agency responsible for public transportation that is eligible for funds as determined by the Federal Transit Administration.
4. **A natural resource or public land agency:** Any Federal, Tribal, State, or local agency responsible for natural resources or public land administration. Examples include:
  - State or local park or forest agencies
  - State or local fish and game or wildlife agencies
  - Department of the Interior Land Management Agencies
  - U.S. Forest Service
5. **A school district, a local education agency, or school:** Includes any public or nonprofit private school. Projects should benefit the general public and not only a private entity.
6. **Tribal Government**
7. **A nonprofit entity responsible for the administration of local transportation safety programs** - Examples include a nonprofit entity responsible for:
  - a local program implementing construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs
  - a safe routes to school program
8. **Any other local or regional governmental entity with responsibility for, or oversight of, transportation or recreational trails** (other than an MPO or a state agency) that the department determines to be eligible, consistent with the goals of the TA Set-Aside Program.

Per 23 U.S.C. 133(h)(4)(B) state departments of transportation (DOTs) and metropolitan planning organizations (MPOs) are not eligible project sponsors for TA Set-Aside funds. However, state DOTs and MPOs may partner with an eligible entity to carry out a project.

Nonprofit organizations are not eligible as direct grant subrecipients for TA Set-Aside funds unless they qualify through one of the eligible entity categories (e.g., where a nonprofit organization is a designated transit agency, school, or entity responsible for the administration of local transportation safety programs). Nonprofit entities are eligible to partner with any eligible entity on an eligible project; however, the eligible entity would serve as the project sponsor and be 100% responsible for the local match and project development. Only one entity is permitted to serve as a project sponsor. The project sponsor may need to provide the department a reference to review their enabling legislation.

Typically the local government serves as the project sponsor because the majority of improvements are located within property maintained by the local government. When a second party such as a school district or nonprofit entity agrees to provide a portion of the local funding match, it would be the local government/project sponsor's responsibility to execute an agreement with the second

party for any funding commitments and secure any right-of-entry for project construction while remaining the sole project sponsor.

## E. PROJECT EVALUATION AND SELECTION CRITERIA

Through collaboration and leadership, TxDOT's mission is to deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods. Selection criteria for TxDOT's TA Set-Aside program are influenced by the department's vision to be a forward-thinking leader delivering mobility, enabling economic opportunity, and enhancing quality of life for all Texans. The department seeks to prioritize TA Set-Aside investments in projects that best meet the department's vision and mission and represent the best use of available TA Set-Aside funds. Tables 1, 2, and 3 on the following pages outline the criteria categories that will be used to evaluate all eligible projects. The tables include a brief description, evaluation factors, and identification within the nomination form where each criterion should/could be addressed. All project sponsors should address the ten criteria categories in response to the information requested in the project nomination form. The criteria categories are as follows:

- Safety
- Mobility & Congestion Mitigation
- Regional Connectivity
- Accessibility
- Environmental Benefits
- Economic Development
- Project Readiness
- Local Funding
- Planning
- Public Support

### Evaluation Process

Department staff will review, evaluate, and recommend projects submitted during the department's 2017 TA Set-Aside Program Call for Projects. A committee will be formed to screen each proposed project to determine whether it is eligible for funding under applicable federal and state law and determine whether the proposed project meets technical standards established by applicable law and acceptable professional practice. The committee will also evaluate the potential benefit to the state of the project for all eligible projects, based on the specific evaluation criteria.

An **Eligibility Evaluation** of all projects will be the first step. The committee will verify the eligibility of the project sponsor, the proposed construction activity, and the project location. If the project sponsor, construction activity, or location is determined to be ineligible, then the project will not be considered for funding. If a project is determined to be ineligible, the department will notify the project sponsor immediately.

Each eligible project will be scored using criteria based on the department's goals as outlined in Tables 1, 2, and 3. Criteria category scores will be weighted and applied uniformly to eligible projects.

Although there is not a minimum or maximum amount of funding available for a single project, the total program funds are limited. As a result, the department may find it necessary to contact a project sponsor to split a larger project into smaller segments to be constructed in phases.

A nomination package that fails to include items required as part of the project nomination package will be considered incomplete and will not be considered for funding. See "*Required attachments*" under topic **W. Project Nomination Checklist**. If certain project nomination information is unclear, the department may request supplemental information as needed to conduct project screening and evaluation. A list of the required attachments is included with the nomination checklist; Refer to topic **W. Project Nomination Checklist** to complete the checklist.

Note: Completing the **Project Nomination Checklist** is recommended not required; however, the project sponsor may include the checklist as part of the project nomination package.

Label as: **Nomination Checklist-Attachment N** - No more than 10 pages.

The evaluation committee will provide project selection recommendations and supporting documentation to the director of the division responsible for administering the TA Set-Aside Program. The director of the responsible division will review the recommendations and supporting documentation and provide a final list of recommended projects to the commission for consideration.

## Selection Criteria

The ten criteria categories have been organized into three focus areas expressed in Table 1: **Department Goals and Project Emphasis Areas**, Table 2: **Project Readiness**, and Table 3: **Local Funding and Support**. Each project nomination package must include credible documentation demonstrating how the proposed project meets the selection criteria.

Each project is unique and may fulfill some but not all of the selection criteria categories. It is the project sponsor's responsibility to demonstrate how the proposed project benefits their community and/or the state. To assist both the project sponsor and the reviewer, the three tables include a column entitled *Topics in Nomination Form* to suggest how the project sponsor might address a specific criterion. The proposed project may produce benefits other than those discussed within the three tables. It is the project sponsor's responsibility to demonstrate additional benefits based on the criteria categories and descriptions. Support statements with facts. Some recommended resources include excerpts from reports, news articles, crash reports, planning documents, relevant data, research, maps, photographs, diagrams, surveys, etc.

**Table 1: Department Goals & Project Emphasis Areas** (Represents 50% of the Total Evaluation Score)

Criteria Categories	Criteria Description	Criteria Evaluation Factors	Topics in Nomination Form
Safety	Provides safer and/or less intimidating accommodations for pedestrians, bicyclists, and other non-motorized traffic, including Safe Routes to School infrastructure.	<ul style="list-style-type: none"> <li>Improves safety in areas with high numbers of crashes (provide crash data and source, if available)</li> <li>Improves conditions for bicyclists, pedestrians, and other non-motorists at roadway crossings and/or traffic signals</li> <li>Implements traffic calming measures</li> <li>Provides protected or separate facilities for bicyclists and pedestrians</li> </ul>	9, 10, 23
Mobility & Congestion Mitigation	Increases transportation options for non-motorists. Improves the ability to walk and bicycle for everyday activities including travel to work, school, and shopping. Provides accommodations that help reduce congestion.	<ul style="list-style-type: none"> <li>Improves access and/or enhances mobility for non-motorized transportation</li> <li>Provides an alternate non-motorized route parallel to major thoroughfares</li> <li>Demonstrates potential for a measureable reduction in congestion and/or a mode shift</li> </ul>	9, 10, 18, 19
Regional Connectivity	Improves local and/or regional connections. Provides multi-modal connections to rail and/or transit.	<ul style="list-style-type: none"> <li>Enhances network continuity (gap closures, extension of regional facilities, links communities)</li> <li>Provides direct connections to transit and/or rail (shared use paths, sidewalks, and on-street bikeways)</li> <li>Provides access to employment centers, schools, retail, institutional facilities, and other special traffic generators</li> </ul>	9, 10, 18, 19
Accessibility	Improves access and/or provides safer crossings for non-motorized traffic at an existing travel barrier. Provides ADA compliant improvements.	<ul style="list-style-type: none"> <li>Provides a grade-separated or improved crossing for non-motorized traffic either under, over, or across a barrier (such as a water body, major roadway, or railroad)</li> <li>Constructs new sidewalks and/or bikeways</li> <li>Provides new ADA compliant infrastructure</li> </ul>	9, 10, 17, 18, 19, 20, 23
Environmental Benefits	Provides access in underserved communities. Improves air quality or provides other environmental benefits. Protects our natural environment. Encourages healthy living.	<ul style="list-style-type: none"> <li>Improves non-motorized transportation for persons in areas with a greater percentage of minorities and low-income households than the regional average</li> <li>Enhances non-motorized access to active living/health facilities (e.g. parks, senior centers, medical facilities)</li> <li>Demonstrates a measureable benefit in air quality</li> <li>Provides or enhances access to historic districts or cultural areas</li> <li>Provides other measurable environmental benefits</li> </ul>	9, 10, 18
Economic Development	Demonstrates local or regional economic benefits that exceed infrastructure investments. Supports investments in local/interregional tourism.	<ul style="list-style-type: none"> <li>Supports community/regional development projects such as revitalization, redevelopment, and job creation</li> <li>Incorporates durable, low-maintenance materials</li> <li>Creates infrastructure in support of state, local, and/or regional tourism activities</li> <li>Links to, extends, or enhances regional bicycle routes, such as the proposed US bike route system (<a href="http://www.adventurecycling.org/routes-and-maps/us-bicycle-route-system/national-corridor-plan/">http://www.adventurecycling.org/routes-and-maps/us-bicycle-route-system/national-corridor-plan/</a>)</li> </ul>	9, 10, 14, 18, 22, 23

**Table 2: Project Readiness** (Represents 25% of the Total Evaluation Score)

Criteria Categories	Criteria Description	Criteria Evaluation Factors	Topics in Nomination Form
Project Readiness	Demonstrates the ability to advance the project to construction immediately, if selected for funding. Provides evidence that the construction plans are under development.	<ul style="list-style-type: none"> <li>• Status of design/engineering</li> <li>• Status of environmental documentation</li> <li>• Status of right-of-way/property acquisitions</li> <li>• Local government demonstrates the ability and willingness to advance this project immediately upon selection</li> </ul>	10, 13, 15, 16, 17, 21, 23

**Table 3: Local Funding and Support** (Represents 25% of the Total Evaluation Score)

Criteria Categories	Criteria Description	Criteria Evaluation Factors	Topics in Nomination Form
Local Funding	Demonstrates commitment to provide the local match.	<ul style="list-style-type: none"> <li>• Demonstrates financial soundness</li> <li>• Commits to provide local match (e.g., resolution or ordinance)</li> <li>• Commits to overmatch in cash (exceeds required 20% local match)</li> </ul>	12, 22, 23, 24, 25, 26
Planning	Provides evidence that the project is identified on a locally approved transportation plan(s)/program(s).	<ul style="list-style-type: none"> <li>• Supports and/or identified in local and regional plans, including but not limited to bikeway, pedestrian, safe routes to school, or other related transportation plan(s)/program(s) adopted by the local government or MPO.</li> </ul>	18, 19
Public Support	Demonstrates strong community support through collaboration, outreach, involvement and partnerships. Demonstrates efforts to engage the public in project planning and development.	<ul style="list-style-type: none"> <li>• Provides a synopsis of their public outreach plan</li> <li>• Provides documentary evidence of public support</li> </ul>	9, 13, 14, 16

## F. PROJECT NOMINATION FORM

This program guide is intended to work in conjunction with TxDOT's 2017 TA Set-Aside Project Nomination Form, located on the department's website at:

<http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>

Each topic in the nomination form is presented below with additional guidance and examples, where appropriate. Contact your local TxDOT district TA Set Aside Coordinator for further clarifications. Refer to topics **R** and **S** of this guide to review the **TxDOT District Map** and identify the **TA Set-Aside Coordinator** in your area. Project sponsors are strongly encouraged to visit with their local district TA Set-Aside Coordinator and discuss their proposed project(s) prior to final project submission(s) to the department. Also review topic **E. Project Evaluation and Selection Criteria** in this guide and address criteria categories where appropriate.

### Applicant Information

1. Project Sponsor Name

Insert the project sponsor's name in the box provided below this topic in the Excel project nomination form.

2. Jurisdiction Population (based on the 2010 U. S. Census)

Using the information from the 2010 Decennial U.S. Census, type the population of the jurisdiction in the box provided. Once the population is entered, the second white box below will automatically populate with **Nonurban** (population areas of 5,000 or less), **Small Urban** (population areas of 5,001 to 200,000), or **Not Eligible** (population areas greater than 200,000).

2010 Decennial U.S. Census at:

[https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml)

Note: Per TxDOT's TA Set-Aside rules, population areas greater than 200,000 are not eligible for TA Set-Aside funding administered by the department in its 2017 Call for Projects.

3. Type of Organization/Agency/Authority

In the box provided below this topic, click on the down arrow and select the project sponsor's "Type of organization" from the dropdown menu.

Note: To be an eligible project sponsor, the entity must be legally able to enter into a local agreement with the department for a federally funded transportation project. The project sponsor may need to provide the department a reference to review their enabling legislation/legislative authority. Where applicable, insert a reference in the box next to *Enabling legislation/legislative authority for Project Sponsor (if applicable)*. For recognized governmental entities, the project sponsor may enter N/A.

4. Project Sponsor Contact Information (Authorized Representative)

Insert the project sponsor primary contact person's name, title, mailing address, city, zip code, telephone number, and email address in the boxes provided. In the boxes provided to the right, insert the project sponsor's physical address, main telephone number, and website (if available).

The project sponsor's contact person must have the authority to speak on behalf of the project sponsor. This person should have working knowledge of the project and be able to answer questions.

## Project Name and Location

5. Project Name

In the box provided below this topic, give your project a name that is logical and concise.

Note: In topic 6 you will identify the eligible project activity. Use the project activity to help create a logical project name.

Examples:

- Llano ISD SRTS
- Marfa's FM 1112 On-road Bikeway
- Cass County Sidewalks, Phase 2
- Haslet's Shared Use Path, Section 3
- Lamar County NETT RR, SUP Phase 2
- Presidio Downtown Intersection Improvements

6. Eligible Project Activity

In the box provided below this topic, click the down arrow and select the activity that best describes the project. If multiple activities are proposed, select the activity where the highest financial investment is proposed.

7. Project Location Information

In the box next to **TxDOT District**: click on the down arrow and select the district where the project is located. Refer to topic **R** of this guide to identify the **TxDOT District**. Refer to topic **S** to identify the **TA Set-Aside Coordinator** in your area. In the box next to **Texas County**: click the down arrow and select the county where the project is located.

Note: If a project involves more than one county, select the county where a majority of the work will be done.

Note: Proposed improvements may be located on state-maintained roadway right-of-way (on-system) or on property owned by the project sponsor (off-system).

Note: Project proposals that include state-maintained right-of-way or have a direct effect on an existing state-maintained roadway **must have a recent letter of consent, addressed to**

the project sponsor, and signed by the current TxDOT District Engineer; this consent cannot be delegated down.

Identify the project location using street name, adjacent waterway, or other identifying landmarks or features. Include the project limits in descriptive form (from and to) and using longitude/latitude in degrees, minutes, and seconds. Also under **Project dimensions** provide the project’s total length, facility width, and material depth, where appropriate.

If the project involves multiple locations, describe the primary location and provide the total length of all improvements in the Excel nomination form. As an attachment to the nomination, provide a complete list of all improvement locations (including the primary location) using descriptive limits and longitude/latitude in degrees, minutes, and seconds.

**Example chart for projects with multiple locations:**

No.	Project Location	From/ To	Descriptive Limits	Latitude			Longitude			Length (Mile)
				D	M	S	D	M	S	
1	W Brown St	From To	N Peach St N 14th St	30	21	20.22	103	40	50.79	0.56
				30	21	34.91	103	40	21.49	
2	SH 118 (N 5th St)	From To	E Ft Davis Ave E Avenue A	30	22	8.74	103	40	1.87	0.57
				30	21	42.47	103	39	47.38	
3	SH 223 (E Hendryx Dr)	From To	SH 118 Antelope Dr	30	22	19.55	103	40	2.87	0.40
				30	22	26.71	103	39	41.17	

Label attachment as **Project Location Information - Attachment A** - No more than 2 pages.

**8. Legislative Representatives**

In the boxes provided below this topic, identify the legislative districts and representatives with jurisdictional responsibilities within the project limits.

**Project Information**

The **Project Description** and **Project Details** are two of the most important components supporting a successful project nomination. A concise description of the project’s characteristics and benefits should highlight as many of the selection criteria categories as possible, facilitating evaluation of the nomination package. To make the best use of the space provided, first ensure that the project description and details provide a complete picture of the proposed project, and then highlight how the project would meet individual criteria evaluation factors. Focus on elements that may not already be addressed in other numbered topics in the nomination form.

Note: Review tables 1, 2, and 3 under topic **E. Project Evaluation and Selection Criteria** with special attention to the column entitled *Topics in Nomination Form* and be aware that topics 9 and 10 in the nomination form are identified as primary locations to address selection criteria categories.

9. Project Description

Provide a well-developed narrative about the project for which the project sponsor is seeking funding. Describe the **Eligible Project Activity** selected from the dropdown under topic 6 on page 1. Explain the benefits the project will provide to the surface transportation system. Include details about proposed improvements and summarize the work activities to be performed. Review topic **E. Project Evaluation and Selection Criteria** in the 2017 TA Set-Aside Program Guide and address **Criteria Categories** where appropriate.

10. Project Details

Provide maps, typical sections, charts/diagrams, and photographs to describe the proposed project and improvements in detail. **A location map and a project layout map are a minimum requirement.** A typical section is requested. The project layout map must be at a scale to clearly identify street names, community landmarks and features, as well as the project's beginning and ending. If the project plans are 30% or more complete, include only the title sheet and example sheets as attachments to the nomination form and provide a web link for plan review. For clarification on bikeway types, see topic **T. Bikeway Terminology**.

Within the nomination form, provide a response to the following:

- **The construction plans for this project are currently:**

In the box provided, click the down arrow and select the status of plan development from the following:

- **Not Started**
- **Under Development**
- **Completed**

In the second box insert the percentage of completeness. If the project plans have not been started, enter zero: \_\_\_\_\_% **complete**.

Project sponsors with project plans 30% or more complete **MUST** provide the department access to review the plans. A 30% complete plan set should include typical sections, pavement design, a detailed project layout plan, and any special details or designs developed for the project.

- **Insert plan review link:** \_\_\_\_\_

In the box provided, insert a web link, if applicable.

All supporting exhibits submitted must be legible, clearly labeled, and convey useful information. These exhibits may include maps, photographs, diagrams, and drawings. Hand-drawn or computer-generated sketches may be used. Photographs should be linked to a map to identify the location, the direction the photograph was taken, and approximate date of the photograph. A map providing area information, including community destinations such as commercial centers, schools, recreation facilities, medical facilities, institutional buildings, etc. is also useful to evaluate project benefits.

The department strongly recommends providing typical sections. These exhibits do not need to be professionally prepared. Typical sections help convey the location and design of proposed improvements by showing the type, width, and depth of materials proposed and the project's relationship to surrounding elements. This information is needed to evaluate bridges, bike lanes, shared use paths, and sidewalks.

Sidewalks should be wide enough to accommodate the volume and type of pedestrian traffic expected in the area. Sidewalks **MUST** have a minimum clear width of 4 feet. A 5-foot-wide sidewalk is preferred, and where the sidewalk is placed immediately adjacent to the roadway curb, a sidewalk width of 6 feet is recommended (particularly when adjacent to a state-maintained roadway). For *Safe Routes to School* projects, a minimum width of 6 feet is recommended. Sidewalks must conform to the *Public Right of Way Accessibility Guidelines* (latest edition) as published by the US Access Board or the 2010 ADA Standards and Texas Accessibility Standards, as applicable.

Shared use paths should be wide enough to accommodate the expected traffic. The minimum paved width for a two-directional shared use path is 10 feet; however, 12-foot-wide or wider may be recommended/necessary, particularly in urbanized areas.

All design criteria for on-road and off-road bicycle facilities must comply with the *Guide for the Development of Bicycle Facilities* (latest edition) as published by the American Association of State Highway and Transportation Officials (AASHTO).

- **Primary Facility Type:**

In the dropdown box select from the following:

- Bike Lane
- Protected Bike Lane
- Cycle Track
- Shoulder Improvements
- Shared Use Path
- RR Corridor Improvements
- Sidewalk
- SRTS
- Other Safety Improvements

- **Surface Type/Material:**

- Concrete
- Asphalt
- Crushed Rock
- Other

- **Does the project include lighting adjacent to a roadway within state-maintained right-of-way**

In the dropdown box provided, select Yes or No.

Note: Department policy dictates that lighting on state-maintained right-of-way for adjacent paths must be adequate to illuminate the roadway system. It is essential that the project sponsor consult with the department's district personnel to make sure that the project budget allows for this additional cost and that the proposed lighting meets the department's requirement.

Note: Projects that include state-maintained right-of-way or have a direct effect on an existing state-maintained roadway **must have a recent letter of consent, addressed to the project sponsor, and signed by the current TxDOT District Engineer;** this consent cannot be delegated down.

Within the nomination form under topic **10. Project Details**, identify whether the project includes a bridge or bridges (include the number of proposed bridges). If more than one bridge is proposed, identify the bridge with the highest value and provide design details for that bridge in the nomination form using the fill-in and dropdown boxes (to include bridge length, width, rail type, and structural materials). Identify additional bridges and bridge details in an attachment (also include the bridge identified in the nomination form in the attachment). Provide any available hydraulic evaluation as an attachment.

**Bridge construction type (new or rehabilitation), total number of bridges, materials, length, width, and rail type are a minimum requirement.** Bridges **MUST** be designed in conformity with the approaching path. Also, the bridge length should be adequate to accommodate the existing stream hydraulics, where applicable.

The project sponsor should consider economic feasibility and aesthetic appeal when selecting bridge construction materials. If a decommissioned highway truss is being repurposed for the project, the Certificate of Eligibility from the State Historic Preservation Office (SHPO) should be included in the nomination package or demonstrate appropriate coordination.

Within the nomination form answer the following questions:

- **Does the project include bridge improvements?**  
In the dropdown box select from the following:
  - Yes, rehabilitation only
  - Yes, new bridge(s)
  - No
- **Number of proposed bridges: \_\_\_\_\_**  
Insert the actual number of bridges proposed as part of the project.
- **Bridge construction**  
In the dropdown box select from the following:
  - Prefabrication
  - On-site

- **Bridge length:** \_\_\_\_\_  
Insert the proposed bridge length.
- **Bridge Width:** \_\_\_\_\_  
Insert the proposed bridge width.
- **Structural Materials (Deck/Beams):**  
In the dropdown box select from the following:
  - Concrete/Steel
  - Wood/Wood
  - Concrete/Concrete
  - Concrete/Truss
  - Wood/Truss
- **Rail Type:**  
In the dropdown box select from the following:
  - Pedestrian
  - Traffic

All design criteria for bicycle and pedestrian bridges must comply with TxDOT’s Bridge Design Manual and AASHTO’s Load and Resistance Factor Design (LRFD) Guide Specifications for the Design of Pedestrian Bridges (latest edition).

The following chart is included as an example of how to represent additional bridges in an attachment. Identify bridge locations on a map and include as an attachment.

Map ID	Type/Name	Feature Crossed	Bridge Work	Construction Type	Structural Material	Length	Width*	Rail Type
1	Pedestrian Bridge	Doe Creek	new	On-site	Wood/Wood	40'	10'	Pedestrian
2	Shared Use Path	Caney Creek	new	On-site	Concrete/Concrete	65'	16'	Traffic
3	7th Street Bridge	Ave. A	rehab	On-site	Concrete/Steel	80'	40'	Traffic
4	Shared Use Path	Brays Bayou	new	Prefabrication	Concrete/Steel	120'	28'	Traffic

\* Clear distance inside rail to inside rail

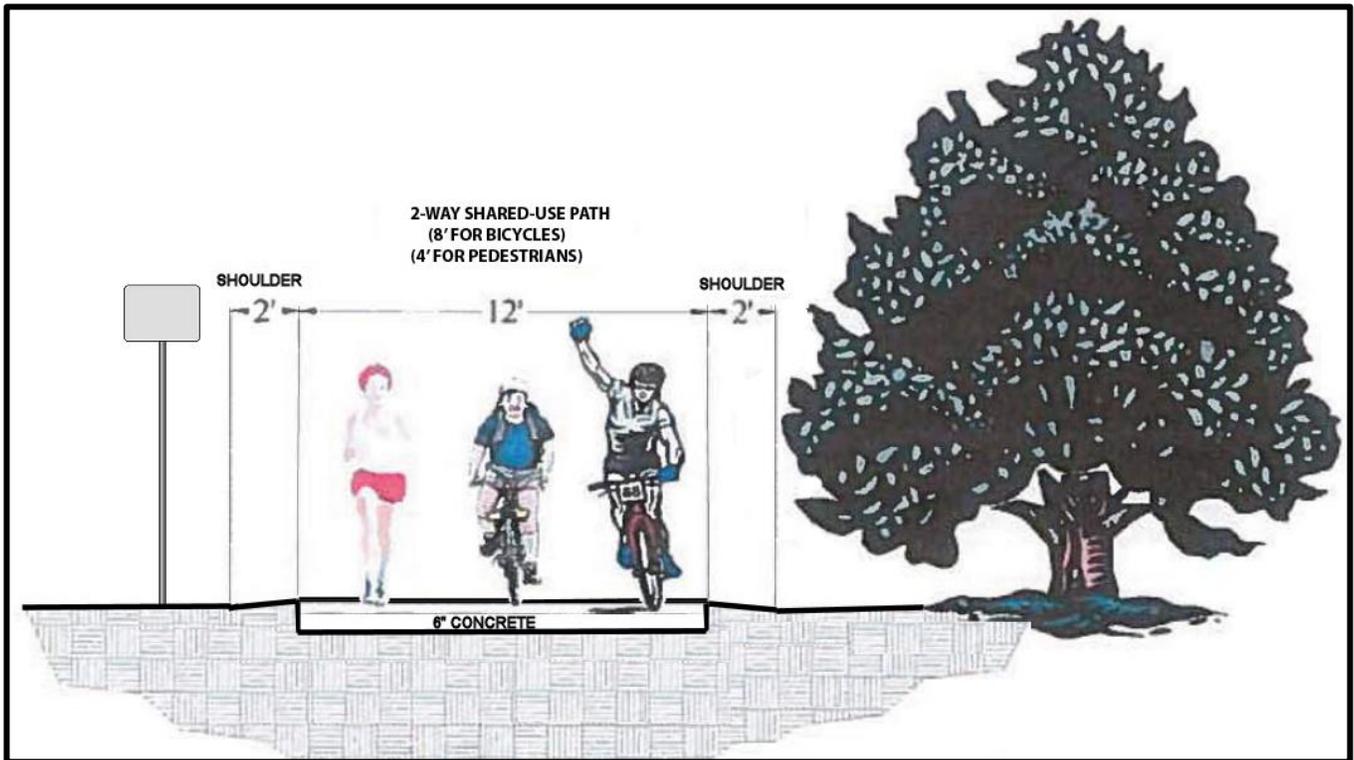
Traffic calming measures may also be included as part of a project nomination. The purpose of traffic calming is to reduce motor vehicle speeds without restricting access. Traffic calming is largely accomplished using physical measures in the roadway such as speed humps and traffic circles.

Traffic control devices such as signs, signals, and markings are designed to regulate, warn, guide, and inform. All pavement markings, signals, and signage must comply with the 2011 Texas Manual on Uniform Traffic Control Devices.

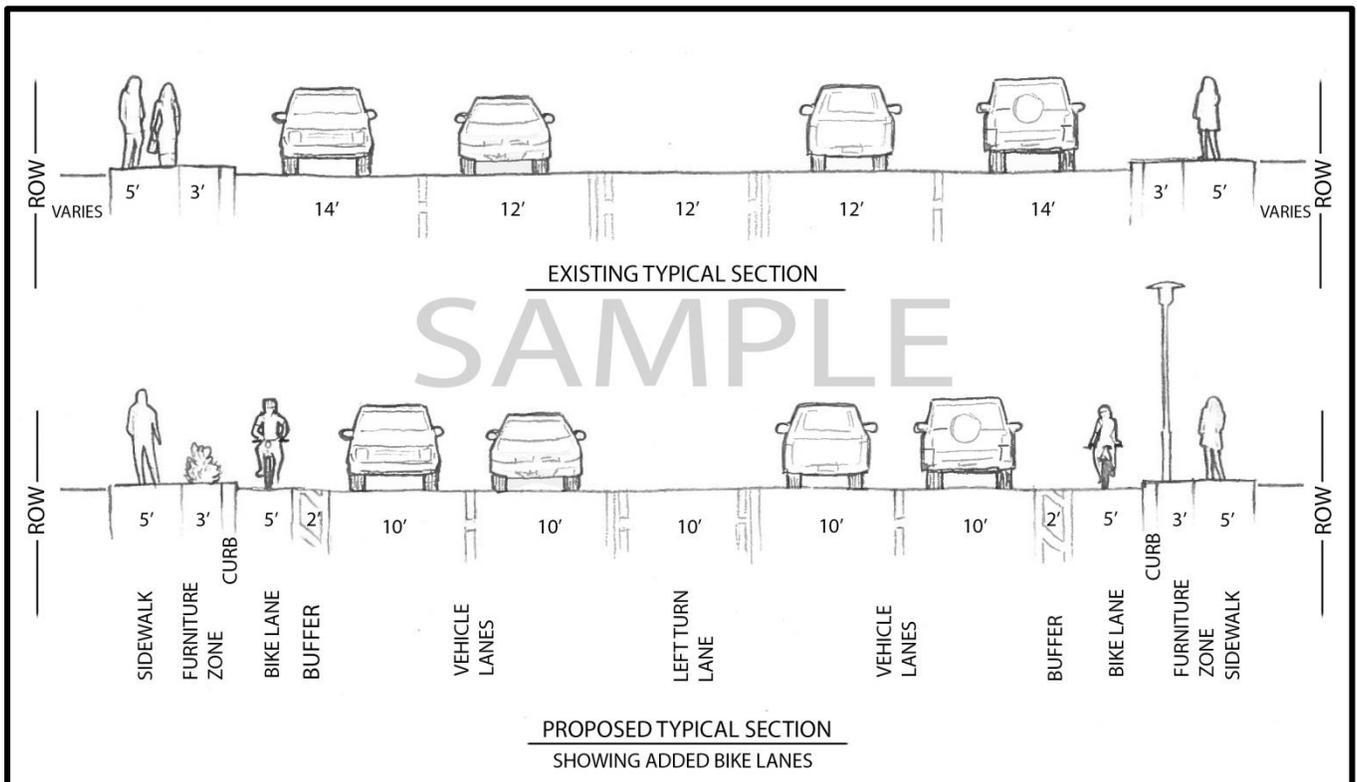
Label attachment(s) as **Project Details - Attachment B** - No more than 15 pages.

See example typical sections on the following pages.

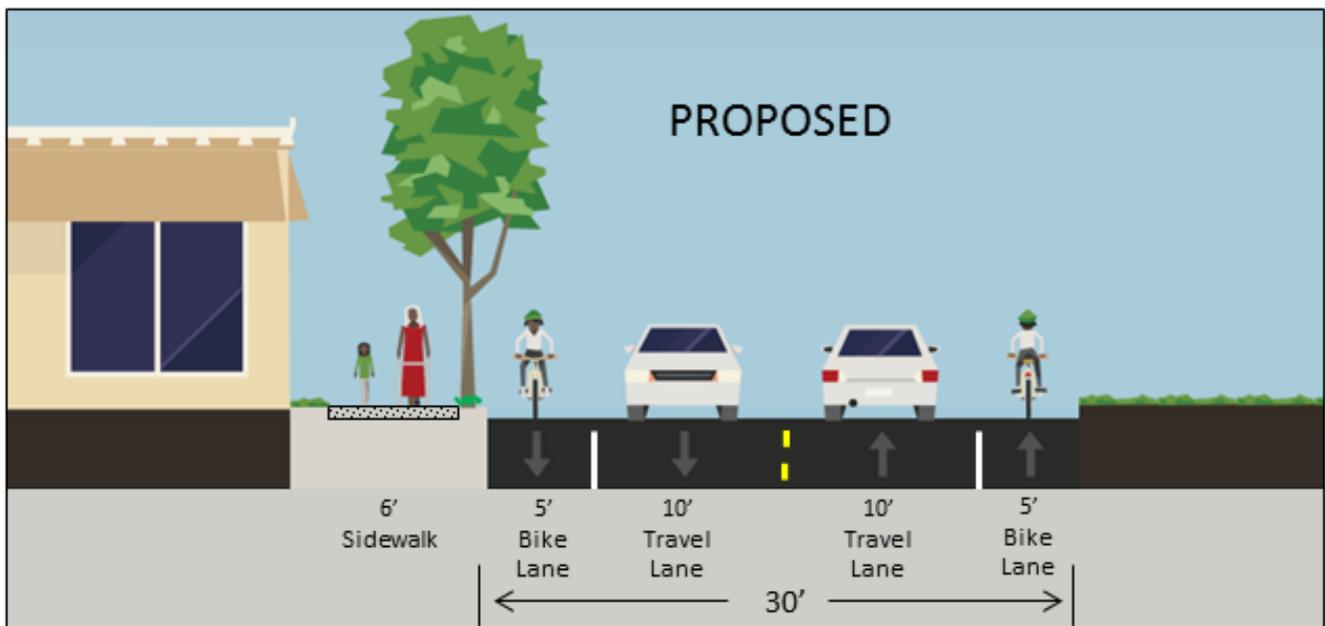
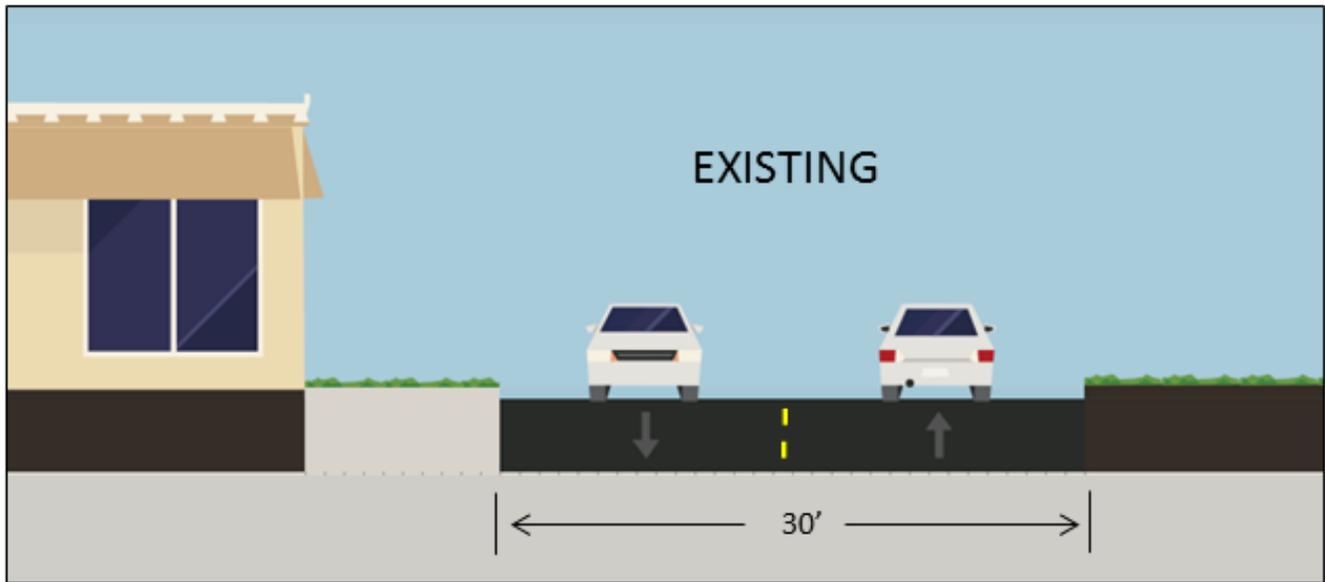
### Example Typical Section 1



### Example Typical Section 2



### Example Typical Section 3



11. Project Priority Ranking by Project Sponsor

There is no limit to the number of project nominations a project sponsor may submit; however, the project sponsor must numerically prioritize the projects they submit. For only one project nomination enter 1 of 1, for multiple projects from the same project sponsor enter 1 of 3, 2 of 3, 3 of 3 (if 3 were the total number of projects submitted, then 1 would be the highest priority).

12. Official Project Sponsor Funding Resolution or Ordinance

The project sponsor's resolution/ordinance MUST include the following written commitment: "*The project sponsor supports funding this project as described in the 2017 TA Set-Aside Nomination Form (including the construction budget, the department's 15% administrative cost, and the required local match) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing. The project sponsor is willing and able to enter into an agreement with the department by resolution or ordinance, should the project be selected for funding.*"

Note: The commission will specify a fixed amount of TA Set-Aside funds for each project. Project costs in excess of this amount are the responsibility of the project sponsor. The project sponsor may seek additional funds in a subsequent program call; however, 2017 funded projects MUST be let for construction within three years from date of selection by the commission or the project will be terminated.

Note: Project sponsors with multiple project nominations should provide a separate resolution for each project nomination that clearly describes the proposed project.

Label attachment(s) as **Certification of LG Funding - Attachment C** - No more than 10 pages.

13. Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP) Inclusion Letter

Is this project located within the boundaries of an MPO?  
In the dropdown box provided, select yes or no.

If the project is located within the boundaries of an MPO, then the nomination package must include a letter from the MPO to the project sponsor indicating the MPO's willingness to include the project in the local MPO's TIP, if funded.

Label attachment(s) as **MPO TIP Letter - Attachment D** - No more than 2 pages.

14. Public Involvement and Support

- a. Provide a brief summary of the public engagement activities and support for this project in the text box below this topic. Include dates, event details, and outcomes. A bulleted list in the box provided or a bulleted list, table, or chart as an attachment is recommended.

Chart Example:

Date	Event	Outcome
12/31/2012	Public Meeting - SRTS Plan	Presented proposed Milam ISD SRTS Plan to community; general public support
2/14/2014	Open House - Milam MS Trail	Presented trail project to neighborhood; 12 citizens attended; all in support of project
3/17/2014	Website and online survey - Milam MS Trail project	50 citizens visited website and took survey; 88% supported the project

Bullet List Example:

- 6/1/2015 Meeting with adjacent property owner - property owner agreed to relocate fence to accommodate project construction (letter attached)
- 7/15/2015 Presentation to Milam ISD PTA - MISD passed resolution supporting project (resolution attached)
- 7/17/2015 Presentation to Whispering Oaks Neighborhood Association (WONA) – WONA passed a resolution in support of project (resolution attached)
- 7/20/2016 Presentation to Milam City Council - ordinance supporting the project (ordinance attached)
- 7/27/2016 News article - described community presentations and local support (article attached)
- 2/14/2017 Letter from Congressman Johnson - expressed support for project (letter attached)
- 2/16/2017 Letter from Downtown Business Alliance - supports project (letter attached)
- 2/20/2017 Letter from Mr. Bob Jones - indicated a willingness to enter into negotiations for ROW acquisition (letter attached)

b. Attach letters and other documentary evidence that supports the summary provided and/or demonstrates public involvement and/or local support for the project.

***Note: In addition to support from the local jurisdiction, the project sponsor needs to provide documentary evidence of support for the project from the affected/adjacent property owners.***

Label attachments as **Public Involvement/Support - Attachment E** - No more than 10 pages.

15. Environmental Documentation

Environmental compliance documentation is required for all federally funded transportation projects.

Label attachment(s) as **Environmental Documentation - Attachment F** - No more than 10 pages.

Categorical Exclusion (CE) documentation is generally what is required for TA Set-Aside project activities; however, with any action, impacts may occur whereby more substantial environmental documentation could be required [Environmental Assessment (EA) or Environmental Impact Statement (EIS)].

CEs are defined in 40 CFR 1508.4 as projects that do not individually or cumulatively have a significant environmental effect.

A project sponsor is responsible for completing the following tasks:

- Review the proposed project activities to determine if they meet the criteria outlined in 23 CFR 771.117 to be classified as a CE; preparation of an EA may be required for projects that don't meet the criteria for a CE
- Determine the required environmental compliance tasks
- Collaborate with the department representative (typically the department's local district environmental coordinator) to prepare the project scope that outlines the required environmental tasks and associated responsibilities
- Ensure that any required environmental studies, resource agency coordination, and public participation are completed
- As agreed to in the scope, prepare all required documentation that supports the environmental determination (CE, EA or EIS)
- Maintain the project file for submittal to the department
- Document and implement any environmental permits, issues, or commitments

The department's environmental staff will be responsible for coordinating the required environmental studies with the appropriate resource specialists, including relevant specialists at other state and federal agencies, as applicable. For example, impacts to historic properties will be coordinated through the department as part of the project's environmental documentation process. Depending on the nature of the historic property, State Historic Preservation Office (SHPO) coordination can take several months to complete.

For more information on the department's environmental processes please refer to the following resources:

- *Environmental Handbook for Categorical Exclusions:*  
<http://ftp.dot.state.tx.us/pub/txdot-info/env/toolkit/610-01-gui.pdf>
- *Environmental Handbook for Environmental Assessments:*  
<http://ftp.dot.state.tx.us/pub/txdot-info/env/toolkit/620-05-gui.pdf>
- *TxDOT's Environmental Compliance Toolkits:* <http://www.txdot.gov/inside-txdot/division/environmental/compliance-toolkits.html>
- *TxDOT's LGP Management Guide Chapter 5:*  
<http://ftp.dot.state.tx.us/pub/txdot/lgp/procedures/guide.pdf>

Environmental determination approval is a required step in the project development process. A Memorandum of Understanding between FHWA and TxDOT entitled *Concerning State Of Texas' Participation in the Project Delivery Program Pursuant To 23 U.S.C. 327 (December 2014)* assigned authority to TxDOT to make FHWA project decisions for assigned projects. Therefore, in most cases, the department (rather than FHWA) will provide the final environmental review and project decision for 2017 TA Set-Aside projects.

The project sponsor is encouraged to work closely with the department's local district environmental coordinator on project scope and environmental documentation requirements. This will significantly facilitate the development and approval of environmental documentation. Once a project sponsor submits required environmental documentation to TxDOT, the department's review, resource agency coordination, and the environmental decision process can take as little as a few days or as much as several months. The length of this process depends on the complexity of the project and the completeness and accuracy of submitted information.

Completion of TxDOT's NEPA Scope Development Tool is recommended to identify the level of environmental documentation and any resource assessments/agency coordination needed for the proposed project. Include, as attachments, TxDOT's NEPA Scope Development Tool (if completed) as well as any documentation of prior environmental clearance or resource agency consultation on the proposed project.

Label attachment(s) as **Environmental Documentation - Attachment F** - No more than 10 pages.

16. Property Ownership and Acquisition Information

All proposals must provide documentary evidence of the project sponsor's property rights by title of ownership, lease, or easement for all property within the project limits. In the Excel project nomination form, respond to the following questions:

- a. Has the property needed for the project already been acquired?

In the box provide click on the down arrow and select Yes or No.

If No, how many parcels will need to be acquired? Within the nomination form in the text box provided, list the number of parcels needed. Include a commitment letter from current owner(s) demonstrating a willingness to transfer the parcel/property to the project sponsor in accordance with state and federal laws, if funded. (See the LGP Toolkit, Form 6-4 of the Best Practices Workbook, for a sample full donation letter with the required language.)

- b. Are there any known encroachments (e.g., utilities, fences, adjacent property improvements)?

In the box provided, click on the down arrow and select Yes or No.

If Yes, identify known encroachments.

- c. Note: Project property acquired after 1971 must have been acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Act).

Was property acquired after 1971 in accordance with the Uniform Act?

In the box provided, click on the down arrow and select Yes or No.

If No, in the text box provided below this topic, briefly describe when and how the property was acquired.

Improvements may be proposed on state-maintained roadway right-of-way (on-system) or on property owned by the project sponsor (off-system).

Note: Projects that include state-maintained right-of-way or have a direct effect on an existing state-maintained roadway **must have a recent letter of consent, addressed to the project sponsor, and signed by the current TxDOT District Engineer (DE)**; this consent cannot be delegated down. The DE letter should be included as an attachment under this topic.

Note: A project that will require the acquisition of real property through the exercise of eminent domain or condemnation is not eligible for participation in the department's 2017 TA Set-Aside Call for Projects.

Label attachments as **Property/Ownership/Acquisition - Attachment G** - No more than 10 pages

For requirements and information on how to acquire right of way and accommodate utilities, refer to the department's LGP Management Guide, Chapter 6 *Right of Way and Utilities*.

#### 17. Railroad Support/Right of Entry Letter

Does the project encroach or cross railroad right-of-way?

In the box provided, click on the down arrow and select Yes or No.

If yes, the project sponsor **MUST** include documentary evidence from the railroad in support of the project and, where appropriate, a willingness by the affected railroad to enter into an agreement/contract with the local government for project implementation and provisions for right-of-entry for project construction. Where applicable, a cost for railroad work **MUST** be included in the budget.

If the project encroaches or crosses railroad right-of-way, has coordination with the railroad begun?

In the box provided, click on the down arrow and select Yes or No.

Does the project include railbanked railroad right-of-way?

In the box provided, click on the down arrow and select Yes or No.

Note: Some existing/proposed railroad agreements may exceed the 10 page limit; if so; include only the pages needed to demonstrate the status of coordination and responsibilities of the parties.

Note: Improvements requiring changes to tracks or train activated warning devices MUST be completed by the railroad at a cost to the project sponsor. The estimated cost for railroad improvements will include flaggers and oversight by the railroad. All railroad costs MUST be included in the Itemized Budget Section.

Advanced railroad coordination is strongly recommended and may be essential for funding consideration. Obtaining railroad approval can take several months and in some instances several years. If the project sponsor has not been in contact with the affected railroad, the project may not be ready for funding consideration.

Label attachment(s) as **RR Right of Entry/Support Letter - Attachment H** - No more than 10 pages

18. Local Bicycle, Pedestrian, or other Transportation Plan (If applicable)

Is the proposed project included in a local transportation plan?

In the box provide, click on the down arrow and select Yes or No.

If yes, include as an attachment only the cover and pages from the plan referring to this project. Projects not identified in a local transportation plan MUST provide documentary evidence of support for the project from the community and local jurisdiction.

Label attachment(s) as **Local Plan/Support-Attachment I** - No more than 10 pages.

In addition, the project sponsor may provide a link to their transportation plan. In the text box provided, insert the local transportation plan web link.

**Insert transportation plan web link:** \_\_\_\_\_

19. Safe Routes to School (SRTS) Plan (If applicable)

Is the proposed project included in a SRTS plan?

In the box provided, click on the down arrow and select Yes or No.

If yes, include as an attachment only the cover and pages from the SRTS plan referring to this project. Projects proposed to improve the ability of students to walk and bicycle to school, that are not identified in a SRTS plan, MUST provide documentary evidence of coordination between the affected school(s), local government, and possibly residents, neighborhood associations, or businesses.

Label attachment(s) as **SRTS Plan/Coordination-Attachment J** - No more than 10 pages.

In addition, the project sponsor may provide a link to their SRTS plan.

In the text box provided, insert the local SRTS plan web link.

**Insert SRTS plan web link:** \_\_\_\_\_

SRTS projects require coordination between the local jurisdiction responsible for the roadways/sidewalks/paths leading to schools and the school district responsible for affected school campus (es). Project funding for SRTS improvements is limited to public right-of-way and cannot be used for internal school campus improvements.

The local government usually nominates a SRTS project because a majority of the improvements are located within roadway right-of-way maintained by the local government. When a second party such as a school district agrees to provide a portion of the local funding match, it is the local government's responsibility to execute an agreement with the second party for any funding commitments and secure a right-of-entry for project construction. The project sponsor is 100% responsible for the local match and project development.

20. Transition Plan for ADA Compliance

Does the project sponsor have a Transition Plan for ADA compliance in place?

In the box provided, click on the down arrow and select Yes or No.

If yes, include as an attachment only the cover and pages from the plan that are relevant to this project.

Label attachment(s) as **ADA Transition Plan - Attachment K** - No more than 10 pages.

21. Project Timeline

Estimate the amount of time it will take to complete this project (from the current state of project planning/design through construction). Estimate the time required for each activity listed in the nomination form. Several activities may be accomplished concurrently (such as environmental documentation, PS&E development, and property acquisition); as a result, the **Total Projected Time Estimate in Months** will be less than the total of the time estimated for each activity.

Label attachment(s) as **Project Timeline - Attachment L** - No more than 2 pages.

Provided on the following pages are guidelines to help project sponsors develop their timeline chart and enter the estimated time for each activity listed in topic **21. Project Timeline** in the 2017 project nomination form. The estimated timeframes below are based on similar federally funded projects and are only intended to serve as guidelines. They are in no way a representation of the actual timeline for a specific project.

- **Planning Activities** (minimum 6 months)  
(Include the project in the STIP, execute local agreement between the department and project sponsor, complete required local government training, assign local government and department roles and responsibilities, etc.)

Planning activities will vary depending on the project type, current status of project development, project letting (local/department), and whether any pre-construction costs are being proposed as in-kind contributions towards construction.

Note: Any costs incurred prior to project selection, project inclusion in the Statewide Transportation Improvement Program (STIP), execution of the local agreement, and authorization from the department to proceed will not be eligible for consideration as an in-kind contribution.

Project sponsors with projects located within the boundaries of an MPO will be required to submit their project to the MPO for inclusion in the local Transportation Improvement Program (TIP), a process that can take several months. (Note: verify TIP amendment schedule with your local MPO). Projects within the boundaries of an MPO MUST have the project identified in the local TIP before the project can be added to the department's statewide TIP (STIP). For projects located outside the boundaries of an MPO, the department will be responsible for including the project in the department's rural TIP and STIP through a quarterly amendment process. The STIP MUST be approved by FHWA.

All project sponsors awarded funding under the TA Set-Aside program who propose to manage the construction phase of the project or seek eligible pre-construction activities to be used as "in-kind contributions" are required to designate a "Responsible Person" in Charge (RPIC), a "Project Manager" (PM), and a "Qualified" person in accordance with TxDOT's Local Government Project Program (LGPP). Refer to TxDOT Local Government Projects Toolkit for requirements.

Through its LGPP Qualification Program, the department offers a course to train and qualify individuals working on projects having state and federal funds. Anyone working directly on or overseeing local government projects such as TA Set-Aside projects are encouraged to complete the LGPP training. The department requires all persons "Qualified" through this program to successfully complete the LGPP qualification course at least once every three years. For local government project guidance and training visit the department's LGPP website: <http://www.txdot.gov/government/programs/local-government-projects.html>. It is recommended that the project sponsor's "Qualified" person complete the LGPP training as soon after project selection as possible.

In order for the department to authorize a local entity to manage elements of a project with FHWA or state funds, the department MUST perform a Local Government Risk Assessment. This assessment allows the department to evaluate the project sponsor's qualifications to perform one or more elements of the project development process for an FHWA- or state-funded project and set an appropriate level of department oversight.

Additional information on the Risk Assessment process is available at the following website:

<http://www.txdot.gov/government/programs/local-government-projects.html>.

The department will draft the local agreement (Advance Funding Agreement) for execution by the project sponsor's governing board (e.g., city council or commissioners' court) and the department. Upon full execution of the local agreement, the department will provide written authorization to the project sponsor to proceed with project development. These department-led activities (TIP, STIP, and execution of the local agreement) can take 6 to 12 months to complete.

**Project Design and Plan Preparation** (minimum 6 months)

(Solicit, select, negotiate, and execute contract(s) for engineering and environmental services. Develop construction Plans, Specifications, and Estimates (PS&E) to state and federal standards. Include time for review by department district and division staff, a *Registered Accessibility Specialist* (RAS), and other agencies as needed.)

Refer to the department's **LGP Management Guide**, Chapter 2 *Project Initiation*, Chapter 4 *Preliminary Engineering and Design*, and Chapter 7 *PS&E Development* to obtain a better understanding of the required tasks and time to complete this phase.

The project sponsor is responsible for plan preparation, environmental documentation, and other design-related activities including required reviews. See Environmental Clearance discussion below for timeline information on that process. If consultant services are proposed as an in-kind contribution toward the local match for construction, then the pre-procurement activities must be overseen/reviewed and approved by the department for compliance with state and federal requirements in order to be considered eligible. These requirements are outlined in the department's LGP LGP Management Guide.

If in-kind contributions for engineering/environmental services are authorized, the project sponsor is required to submit plans to the department for review at progressive stages of development to ensure that state and federal standards are met (e.g., 30%, 60%, 90%, and 100% completion). For all other projects, design reviews at agreed-upon stages of development. Contact your local TxDOT district office to establish expectations.

If the estimated construction cost of the project is \$50,000 or greater, the project must be reviewed by a RAS that is licensed by the Texas Department of Licensing and Regulation (TDLR). This may require an additional two months in the review

process. As a result, include a minimum of three months for TxDOT's final plan review.

- **Environmental Clearance** (minimum six months)  
(Complete the Project Scoping Tool, environmental documentation, and appropriate resource studies; consider environmental mitigation, permits, and review by resource agencies). All documentation and exhibits must meet state and federal standards. See LGP Management Guide, Chapter 5 *Environmental Compliance*.

For projects with minimal environmental impact, like most bicycle and pedestrian projects, the environmental evaluation can be initiated at the same time as design development. In general, for federally funded projects, the environmental document **MUST** be approved prior to any right-of-way acquisitions.

Completion of TxDOT's NEPA Scope Development Tool is highly recommended to identify the level of environmental documentation and any resource assessments/agency coordination needed for the proposed project. If the project is located within or adjacent to a potentially eligible National Register historic site/district or protected species habitat, include additional time (from a few weeks to several months) for review by appropriate resource agencies. For more information on environmental documentation requirements review topic **15. Environmental Documentation** in this guide. Consult with local TxDOT district environmental staff for clarification.

**Right-of-Way (ROW) Acquisition** (acquisitions should occur after environmental clearance)  
(Include time for surveying, appraisals, title transfer, etc. Only incidental utility adjustments may be eligible for federal participation.) Refer to the department's LGP Management Guide, Chapter 6 *Right of Way and Utilities*.

In general, environmental clearance occurs prior to ROW acquisition for federally funded projects. Once the ROW boundaries are established, preliminary steps toward acquisition, such as surveying and appraisals, can begin. After environmental clearance is obtained, ROW acquisition can be completed. However, if a local government project sponsor chooses to use its own funds for advance property acquisition (i.e. prior to environmental approval) without seeking federal reimbursement, the local government can do so subject to the guidance in Chapter 3, Section 8 of the department's [Right of Way Manual Vol. 2](#).

Consult with your local TxDOT TA Set-Aside Coordinator for additional clarification. All project ROW acquisitions must be evaluated in an appropriate environmental document. Additionally, all acquisitions must comply with the 1971 Uniform Act. For

additional property acquisition guidance, review topic **16. Property Ownership and Acquisition Information** in this program guide.

Only minor, incidental utility adjustments (e.g. relocation of a street light, fire hydrant, or surface drainage inlet) will be considered eligible costs. Major utility adjustments (e.g. installation of a drainage system, relocation of power lines) should be completed in advance of project construction letting. The total of incidental costs may not exceed 30% of the project's total estimated construction cost.

Note: Projects that include state-maintained right-of-way or have a direct effect on an existing state-maintained roadway **must have a recent letter of consent, addressed to the project sponsor, and signed by the current TxDOT District Engineer (DE)**; this consent cannot be delegated down. The DE letter should be attached under topic **16. Property Ownership and Acquisition Information**.

Note: A project that will require acquisition of real property through the exercise of eminent domain or condemnation is not eligible for participation in the department's 2017 TA Set-Aside Call for Projects.

- **Project Construction/Implementation** (Construction letting, award, construction, project close-out, and maintenance)  
(Include time for advertising, procurement of construction contractor, contract negotiations, site preparation, construction, inspection, project close-out, etc.) Refer to the department's **LGP Management Guide**, Chapter 8 *Letting and Award*, Chapter 9 *Construction*, and Chapter 10 *Project Close-Out and Maintenance* to better understand required tasks and durations.

The project sponsor should incorporate a minimum of two months in advance of construction letting to finalize bid documents, advertise, and award the construction project.

Construction costs eligible for reimbursement can only be incurred after federal authorization (i.e., Federal Project Authorization and Agreement (FPAA)) and the department's state letter of authority to proceed have been issued. The department in coordination with the project sponsor will establish a **"Period of Performance End Date"** for each "phase of work." The performance end date for construction establishes the date after which costs incurred are no longer eligible for federal reimbursement. Time estimates provided by the project sponsor in the nomination form should be reasonable projections; however, these time estimates may need to be adjusted based on project activities. Project Sponsors are encouraged to discuss anticipated project timelines with their local TxDOT district office prior to submitting the nomination form. For selected projects, an appropriate timeline will be agreed

upon between the department and the project sponsor and made part of the local agreement.

- **Other** – Describe briefly in the nomination form any additional project milestones not already identified.

- **Total Projected Time Estimate in Months**

Due to an overlapping of some project activities, the total projected time estimate will be less than the total of the time estimated for each individual project activity. Below are example timeline charts (A, B, and C) that outline milestone activities from very simple as shown in Chart A to more detailed as seen in Charts B and C. Example **Chart A** will be available on the department's website at:

<http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>.

In addition to completing item **21. Project Timeline** in the nomination form, project sponsors **MUST** provide a timeline chart as an attachment. **Chart A** below shows the minimum level of detail that should be provided. The detail of the project timeline should be consistent with the status of project development. Development of a timeline chart demonstrates that the project sponsor understands the process and is willing to establish a proposed construction letting date.

Label attachment(s) as **Project Timeline - Attachment L** - No more than 2 pages.



## 22. Maintenance and Operation

Estimate the annual maintenance and operation costs of the project. If applicable, determine any anticipated annual income that may be derived from the project. Refer to the department's LGP Management Guide, Chapter 10 *Project Closeout and Maintenance*.

In the boxes provided below this topic, provide the estimated annual maintenance and operation costs, and identify the entity responsible for project maintenance and operation after construction. Also, indicate where an income will be derived from the project and the proposed use for that income.

Note: Any income derived from the project MUST be used for project maintenance and operation.

A project selected by the commission shall be maintained and operated by the project sponsor for the purpose for which it was approved and funded, and for a period of time that is commensurate with the amount of federal investment in the project. A project selected by the commission shall be dedicated for public use for the greater of: (1) a period that is commensurate with the amount of federal investment in the project; or (2)

- 10 years, if the amount of federal investment in the project is \$1 million or less
- 20 years, if the amount of federal investment is more than \$1 million.

If at any time the project sponsor can no longer maintain and operate the project for its intended purpose, the project sponsor shall consult with the department and FHWA as to disposal or alternate uses consistent with the project's original intent.

## Itemized Budget Section

### 23. Itemized Construction Cost Estimate

Provide a detailed cost estimate of all construction costs - use appropriate units such as square yards (SY), square feet (SF), linear feet (LF), lump sum (LS), each (EA), etc.

The total amount of TA Set-Aside funds awarded to a project by the commission is fixed, based on the estimated construction budget provided in the nomination form. Therefore, the budget must be comprehensive and consider all phases of construction. Actual construction activities and quantities are expected to be refined during the design phase of project development. To ensure funding is adequate to construct the project, guidance from a professional experienced in Texas, delivering the type and scale of projects similar to the proposed activity is recommended.

The department maintains a list of average low bid unit prices on its website for highway construction projects. Costs are presented in multiple formats allowing the public to evaluate regional and seasonal trends in prices. Visit:

<http://www.txdot.gov/business/letting-bids/average-low-bid-unit-prices.html>

Most TA Set-Aside projects will be smaller in scale than typical roadway construction projects; consultation with experienced professionals may provide insight regarding cost

differences. Inflation of bid item costs to the year of expenditure **MUST** be considered. Consult suppliers, construction contractors, or other professionals as needed to develop a comprehensive estimate.

Work activities in the itemized construction cost estimate should demonstrate how the project meets evaluation criteria. For safety projects, items such as pavement markings (e.g., bike lanes, crosswalks, and painted bicycle symbols), traffic calming measures (e.g., speed humps, traffic circles, and pedestrian refuge islands), traffic control devices (e.g. signage, traffic signals, pavement markings, accessible pedestrian signals, pedestrian hybrid beacons, etc.) should be itemized. Projects may include ADA compliant curb ramps, detectable warning panels, driveway modifications, etc. to improve accessibility. Barrier crossing infrastructure could include items such as railroad planks, rehabilitation/modification of existing bridges, or new bridges/culverts for non-motorized users. Material type, construction method (e.g., reinforced concrete, steel beam, wood beam, truss), and dimensions (e.g., length, width and thickness) help demonstrate the use of durable, low maintenance materials. A well-developed budget demonstrates an understanding of the scope of work proposed, as well as material and construction activity costs. This information helps the project sponsor gain a better understanding of the project costs and activities and minimize project overruns.

Note: For funded projects, the project sponsor is responsible for 100% of the cost overruns.

The proposed budget should be inclusive of all stages of construction. Items that should not be overlooked include mobilization, site preparation, erosion control, lighting, and traffic control. For areas where substandard conditions will be upgraded to meet current standards, include costs associated with demolition of deficient elements. Consider environmental mitigation, such as stormwater control or remediation of hazardous conditions (e.g., lead paint removal or stabilization, excavation of contaminated material). Environmental remediation costs not identified in the nomination form and approved as part of a project will not be eligible for federal reimbursement.

Incidental items, such as landscaping, minor drainage improvements, minor environmental mitigation, and minor utility adjustments, may not exceed 30% of the project's total itemized construction budget. In order to be reimbursed by TA Set-Aside funds, these incidental items **MUST** be included in the Itemized Construction Cost Estimate in the nomination form.

#### 24. Additional Construction-Related Costs

Additional construction-related costs may differ depending on whether the project is let for construction by the project sponsor or by the department. For projects let by the project sponsor, construction engineering and inspection, construction-phase project administration, or contract administration may be appropriate; whereas the project sponsor may have fewer responsibilities for projects let for construction by the department. Additional services supporting construction may be necessary, such as land survey for

right-of-way demarcation, materials testing, permitting, or geotechnical work. Items ineligible for reimbursement should not be included, such as contingency cost, field survey for design, activities associated with right-of-way acquisition (e.g., appraisal, parcel survey, title transfer), or legal services.

## 25. In-Kind Contributions

Eligible cost(s) proposed to reduce the Local Government's Cash Match.

Identify proposed in-kind contribution costs to be incurred by the project sponsor after project selection and after authorization to proceed. An authorized in-kind contribution may include only actual and documented costs incurred by the project sponsor for the development of project plans, specifications, & estimates (PS&E) including environmental documentation. In-kind contributions cannot be used as local match for the department's administrative costs. Provide documentation of estimated in-kind costs.

Note: In-kind contributions must be reviewed and authorized by the department.

Label attachments **In-Kind Contributions - Attachment M** - No more than 2 pages.

If the project sponsor will be hiring a consultant engineer or architect, the hiring process **MUST** meet federal procurement requirements outlined in the LGP Management Guide, Chapter 4 *Preliminary Engineering and Design*. Some of the requirements include TxDOT approval of the procurement process, documentation, and contract. State and federal regulations must be followed in order for costs to be eligible for consideration as an in-kind match.

The project sponsor will be required to report eligible in-kind expenses using the forms prescribed by the department. Once the local agreement is fully executed, the project sponsor will be required to report in-kind costs quarterly (due in January, April, July, and October for the previous three-month period) up until the time the project is let for construction. For in-kind reporting instructions, visit: <http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>

If at the time the project is let for construction, the project sponsor's total in-kind contribution is less than the allowable amount identified in the project agreement, then the project sponsor will be required to pay the outstanding in-kind contribution balance in cash.

## Budget Summary

### 26. Project Budget Summary

The project Budget Summary on page 9 will automatically fill-in total construction costs on lines 1-3, based on the itemized construction costs entered on pages 6 through 8 of the project nomination form. A 15% administrative cost for the department will automatically fill-in on line 4 (based on the *Total Construction Cost Estimate* on line 3).

For projects without in-kind contributions or allowable Economically Disadvantaged Counties Program (EDCP) reduction, the total project cost will automatically fill in on line 5 and the 80% federal and 20% local match will automatically fill in on lines 6 and 7. If no in-kind contributions or EDCP reduction is proposed, then the project sponsor has the option to increase the local match. To increase the local match, click on the percentage shown in the box next to Local Match Required on line 7 and enter an adjustment above 20%. The federal percentage will adjust automatically and the federal and local match participation amounts on lines 6 and 7 will automatically adjust.

For projects eligible for EDCP, in the box on line **8a. Allowable EDCP Adjustment**, click on the down arrow and select the county where the project is proposed; for projects that include multiple counties, identify the county where a majority of the work will be done.

If either (1) an in-kind contribution is entered under topic **25. In-kind Contributions** on page 8 of the nomination form, or (2) an EDCP reduction is requested on line 8a on page 9 of the nomination form, then the local match on line 7 will be fixed at 20%. It may be necessary to click on another page of the nomination form and return to page 9 for the spreadsheet to automatically update.

Note: Not all TA Set-Aside project activities qualify for TxDOT's Economically Disadvantaged Counties Program (EDCP) reduction. Visit TxDOT's EDCP website:

<http://www.txdot.gov/inside-txdot/division/transportation-planning/disadvantaged-county.html>.

Discuss potential use of EDCP with the local district office. The department reserves the right to deny an EDCP reduction when the project activities do not qualify.

The Excel nomination form will automatically calculate total project costs, as well as local, state, and federal participation amounts. Review the costs on page 9 in conjunction with the Cost Participation Summary on the top of page 10.

## Cost Participation Summary

The cost participation summary for federal, state, local in-kind, local cash participation, and total project value/estimated cost will automatically populate on the top of page 10 of the nomination form.

27. Did the project sponsor complete the checklist in this guide? In the nomination form in the box provided click on the down arrow and select Yes or No.

Refer to topic **W. Project Nomination Checklist** to complete the checklist.

Note: This step is recommended not required; however, the project sponsor may include the checklist as part of the nomination package.

Label as: **Nomination Checklist - Attachment N**

## Project Commitment

### 28. Project Commitment

By submitting an application, the project sponsor commits to execute the local agreement and forward to the department its local match for plan review within one year of selection. For selected projects, the project sponsor agrees to produce the complete plan set as outlined in topic **21. Project Timeline** or an appropriate timeline agreed upon between the department and the project sponsor and made part of the local agreement.

Project sponsors are encouraged to discuss anticipated project timelines with their local TxDOT district office prior to submitting the nomination form.

Note: TA Set-Aside funding is time-sensitive; each project must advance to construction within three years from the date of selection by the commission or the project will be terminated.

The nomination form must be signed by a representative of the local government who has signature authority. In addition to signing the form, print the signatory's name, title, date, and telephone number.

The complete project nomination package must be received by the department no later than **5:00 p.m., CDT, on Monday, May 22, 2017.**

## **G. ALLOWABLE COSTS**

Costs are allowable only if they are necessary construction-related project expenditures that are eligible for reimbursement under applicable statutes and regulations. The costs of preliminary engineering, including planning, design, and preparation of construction plans, specifications, estimates, and the environmental document are not allowable costs. Eligible pre-construction costs incurred by the department are reimbursable (e.g. department review of design and environmental documentation). All other pre-construction costs are the responsibility of the project sponsor. Expenditures for routine operation and maintenance are not allowable costs unless specifically allowed under the individual federal category for which the project qualifies.

## **H. LOCAL FUNDING MATCH**

The local funding match is a cash match or a combination of cash and in-kind contributions provided by or through the project sponsor. An in-kind contribution may include only actual, documented costs incurred by the project sponsor for the development of project plans, specifications, and estimates, including environmental documentation.

- Costs incurred prior to execution of the local agreement or prior to federal and state approval and authorization to proceed are not eligible for consideration as in-kind contributions.

- Funds from other federal programs may be used as local funding match only when specifically authorized by federal law or regulation.
- Donated services may not be accepted as local funding match, but may be used to reduce the overall cost of the project.
- If a project selected by the commission is implemented by the department, the project sponsor must provide the local funding match prior to the commencement of project activities for each phase of work as outlined in the local agreement.
- Projects selected by the commission will include an administrative fee for the cost of department oversight. The local funding match associated with the department's administrative cost must be provided in cash.

## I. ECONOMICALLY DISADVANTAGED COUNTIES PROGRAM (EDCP)

If the project is located in a county that has been certified by the commission as an economically disadvantaged county, the nomination package for those projects eligible for relief may include a request for adjustment to the minimum local funding match requirement. If an adjustment is granted, the adjustment percentage in effect for the county at the time the program call is initiated will be used. The county must remain eligible for the adjustment until the date the project sponsor enters into the local agreement for a project awarded as a result of the 2017 TA Set-Aside Call for Projects.

The Budget Summary (page 9) of the TA Set-Aside Nomination Form includes identification of counties that may be eligible for the department's Economically Disadvantaged Counties Program reduction. In the box next to **Allowable EDCP Adjustment**: click on the down arrow and select the county where the project is proposed; for projects that include multiple counties, identify the county where a majority of the work will be done. The county may or may not be eligible for an EDCP reduction. If the project is eligible and authorized for funding, department staff will assist the project sponsor to complete and submit a separate application to the department's Economically Disadvantaged County Program to receive approval for EDCP funding. EDCP approval is needed prior to execution of the local agreement.

For current EDCP guidance visit:

<http://www.txdot.gov/inside-txdot/division/transportation-planning/disadvantaged-county.html>

## J. ADDITIONAL PROGRAM INFORMATION

This topic includes information that may not be covered in the nomination form or is repeated here for emphasis. In addition, review the department's TA Set-Aside program rules at:

<http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>

1. The commission will select TA Set-Aside projects through a competitive process administered by the department.
2. The local agreement must be executed by the project sponsor within one year from the date of selection by the commission or risk loss of federal funding.
3. The commission will specify a fixed amount of TA Set-Aside funding for each project. Project costs in excess of this amount are the responsibility of the project sponsor. The project sponsor may seek additional funds through the TA Set-Aside Program in subsequent program calls; however, 2017 funded projects **MUST** be let for construction within three years from date of selection by the commission or the project will be terminated.
4. Projects, or substantially similar projects, submitted in an MPO-administered TA Set-Aside Call for Projects, are not eligible for consideration in the department's 2017 TA Set-Aside Call for Projects.
5. Proposed improvements may be located on state-maintained roadway right-of-way (on-system) or on property owned by the project sponsor (off-system).
6. Projects that include state-maintained right-of-way or have a direct effect on an existing state-maintained roadway **MUST have a recent letter of consent, addressed to the project sponsor, and signed by the current TxDOT District Engineer**; this consent cannot be delegated down.
7. In the department's 2017 TA Set-Aside Call for Projects, federal TA Set-Aside funds are available for construction only. Costs not eligible for federal reimbursement include, but are not limited to, the following:
  - Planning activities
  - Preliminary engineering and design, including preparation of construction plans, specifications, and estimates (PS&E)
  - Environmental documentation
  - Environmental mitigation (unless incidental to the project and approved as part of the project scope and itemized budget)
  - Utility adjustments (unless incidental to the project and approved as part of the project scope and itemized budget)
  - Landscape improvements (unless incidental to the project and approved as part of the project scope and itemized budget)
  - Planning survey work for design and/or ROW acquisitions
  - Acquisition of right-of-way and other property purchases
8. In-kind contribution(s) must be determined eligible by the department and FHWA. In-kind contributions proposed as matching funds for construction must be clearly identified in the

2017 TA Set-Aside nomination form (page 8) at the time of project submission. The project sponsor must provide an estimate of proposed in-kind costs to be incurred. No substitutions or additional in-kind contributions will be considered after the TA Set-Aside project nomination deadline has expired.

9. In-kind contributions and EDCP reduction cannot be applied to the local match for the department's administrative costs.
10. Donated services may not be accepted as a local funding match but may be used to reduce the overall project cost.
11. Private cash donations may be accepted, if authorized by law.
12. A project that will require the acquisition of real property through the exercise of eminent domain or condemnation is not eligible for the department's 2017 TA Set-Aside Call for Projects.
13. Whether proposed as an independent project or as an element of a larger transportation project, the project must be limited to a logical unit of work and be constructible as an independent project.
14. Federal guidance states that "*projects must be principally for transportation rather than purely recreational and must have logical endpoints.*" (For example, if a project proposes a looped trail system within a city park, this would be considered recreational and would not be eligible for consideration.)
15. If any activity/element in a project nomination fails to meet federal and state requirements, the activity/element will not be considered eligible for reimbursement or as an in-kind contribution towards local match. A project construction budget must have a minimum of 75% of its cost items eligible for reimbursement in order to remain in competition. Ineligible items will not be funded. The project sponsor will need to demonstrate a willingness and ability to pay ineligible costs or demonstrate that the TA Set-Aside project is constructible as an independent project without the ineligible items.
16. The total amount necessary for incidental construction activities (such as minor utility adjustment, minor drainage modification, minor environmental mitigation, landscape placement/restoration, etc.) may not exceed 30% of the project's total itemized construction budget.
17. Department policy dictates that lighting on state-maintained right-of-way for adjacent paths must be adequate to illuminate the roadway system. It is essential that the project sponsor consult with the department's district personnel to make sure that the project budget allows for this additional cost and that the proposed lighting meets the department's requirement. Refer to section **R. TxDOT District Map** and section **S. TxDOT District TAP/TASA Coordinators** for district contact information.
18. For projects within the boundaries of an MPO, project sponsors must obtain a letter from the MPO indicating the MPO's willingness to include the project in the local TIP. Early coordination with the MPO is strongly recommended.
19. Additional interagency coordination may be necessary. Most agencies request a minimum of 30 days to review a project proposal and provide a letter of support. Contact agencies

early to allow sufficient time to acquire any supporting documentation that may be required/desired as part of a project nomination package.

## K. IMPORTANT PROGRAM DATES

- **January 27, 2017** – The department’s Transportation Alternatives Set-Aside (TA Set-Aside) Call for Projects published in the Texas Register. The TA Set-Aside 2017 Program Guide and Nomination Form are available for downloading at: <http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>
- **February 7, 2017 through March 9, 2017** – Statewide TA Set-Aside Program workshops conducted by department staff. Attendance is open to potential project sponsors and interested parties at no cost. Refer to topic **L. 2017 TA Set-Aside Workshop Schedule** in this guide.
- **May 22, 2017 (5:00 PM CDT)** – Submission deadline for project nomination(s) to the department. Nominations **MUST** be submitted to the department via the department’s online dropbox. Nominations **MUST** be received by the department on or before **May 22, 2017 at 5:00 p. m. CDT**. No exceptions will be granted. Refer to topic **N. Submittal Deadline & Delivery Requirements** in this guide.
- **May - August 2017** – TA Set-Aside project evaluation by the department. The department will evaluate all TA Set-Aside projects submitted at one time.
- **Fall 2017** – Proposed selection of TA Set-Aside projects by the commission.

## L. 2017 TA SET-ASIDE WORKSHOP SCHEDULE

TxDOT Districts will host workshops throughout the state to provide information and guidance on its **TA Set-Aside Program Call for Projects**. Potential project sponsors, consultants, and others interested in the program are invited to attend any scheduled workshop listed below. Registration is not required; however, a courtesy call to the District TA Set-Aside Coordinator identified below will allow us to plan for attendees. If special accommodations are needed, please contact the responsible District TA Set-Aside Coordinator at least five business days in advance of the meeting. Click the TA Set-Aside Coordinator's name to send an email. The workshop location map on the following page includes a web link to an interactive map providing workshop details. The map allows the viewer to zoom in and see the project location in relation to smoothed urbanized area boundaries of TMAs and state-maintained roadways.

### **February 7, 2017 (1:30PM – 4:30PM)**

TxDOT San Angelo District Office, Bldg E Training Rm  
4502 Knickerbocker Rd, San Angelo, TX 76904  
Coordinator: [Kristan Hereford](#) (325) 947-9242

### **February 8, 2017 (9:00AM – 12:00PM)**

TxDOT Abilene District Office, Media Room  
4250 North Clack, Abilene, TX 79604  
Coordinator: [Kristi Harwell](#) (325) 676-6811

### **February 9, 2017 (1:30PM – 4:30PM)**

TxDOT Paris District Office, District Training Center  
1365 North Main Street, Paris, TX 75460  
Coordinator: [Sydney Newman](#) (903) 737-9285

### **February 10, 2017 (9:00AM–12:00 & 1:30PM–4:30)**

North Central Texas Council of Governments  
Transportation Council Meeting Room  
616 Six Flags Dr., Centerpoint Two  
Arlington, TX 76011

Coordinator: TxDOT Fort Worth District  
[Phillip Hays](#) (817) 370-6591

### **February 14, 2017 (9:00AM – 12:00PM)**

Nacogdoches County Exposition & Civic Center  
3805 NW Stallings Drive, Nacogdoches, TX 75964  
Coordinator: TxDOT Lufkin District  
[Jennifer Adams](#) (936) 633-4383

### **February 15, 2017 (8:00AM – 12:00PM)**

TxDOT Beaumont District Office, Dist Assembly Rm  
8350 Eastex Freeway, Beaumont, TX 77708  
Coordinator: [Lisa Collins](#), P.E. (409) 898-5816

### **February 16, 2017 (9:00AM – 11:30PM)**

Jourdanton Library  
1101 Campbell Ave., Jourdanton, TX 78026  
Coordinator: TxDOT San Antonio District  
[Mark Mosley](#) (210) 615-5812

### **February 16, 2017 (2:30PM – 5:00PM)**

Kronkosky Center  
17 Old San Antonio Rd, Boerne, TX 78006  
Coordinator: TxDOT San Antonio District  
[Mark Mosley](#) (210) 615-5812

### **February 22, 2017 (9:00AM – 12:00PM)**

TxDOT Corpus Christi District, Bldg 2 Regional Trng Ctr  
1701 So Padre Island Dr, Corpus Christi, TX 78416  
Coordinator: [Jason Alvarez](#) (361) 808-2495

### **February 23, 2017 (9:00AM – 12:00PM)**

TxDOT Pharr District Office, Conference Center  
600 West Interstate 2, Pharr, TX 78577  
Coordinator: [Joseph Leal](#) (956) 702-6247

### **February 24, 2017 (9:00AM – 12:00PM)**

TxDOT Laredo District Office, Large Meeting Room  
1817 Bob Bullock Loop, Laredo, TX 78043  
Coordinator: [Gustavo Elizondo](#) (956) 712-7462

### **February 27, 2017 (9:00AM – 12:00PM)**

TxDOT Yoakum District Office, Training Room A  
403 Huck Street, Yoakum, TX 77995  
Coordinator: [Barbara Grahmann](#) (361) 293-4371

### **March 1, 2017 (9:00AM – 12:00PM)**

TxDOT Odessa District Office, Large Conference Room  
3901 East US Hwy 80, Odessa, TX 79761  
Coordinator: [Kelli Williams](#) (432) 498-4752

### **March 6, 2017 (9:00AM – 12:00PM)**

TxDOT Austin District Office, Bldg 7 Hearing Room  
7901 North IH 35, Austin, TX 78753  
Coordinator: [Angela Gil](#) (512) 832-7109

### **March 7, 2017 (9:00AM – 12:00PM)**

TxDOT Childress District Office, Bldg A Training Room  
7599 US 287, Childress, TX 79201  
Coordinator: [Chris Reed](#) (940) 937-7251

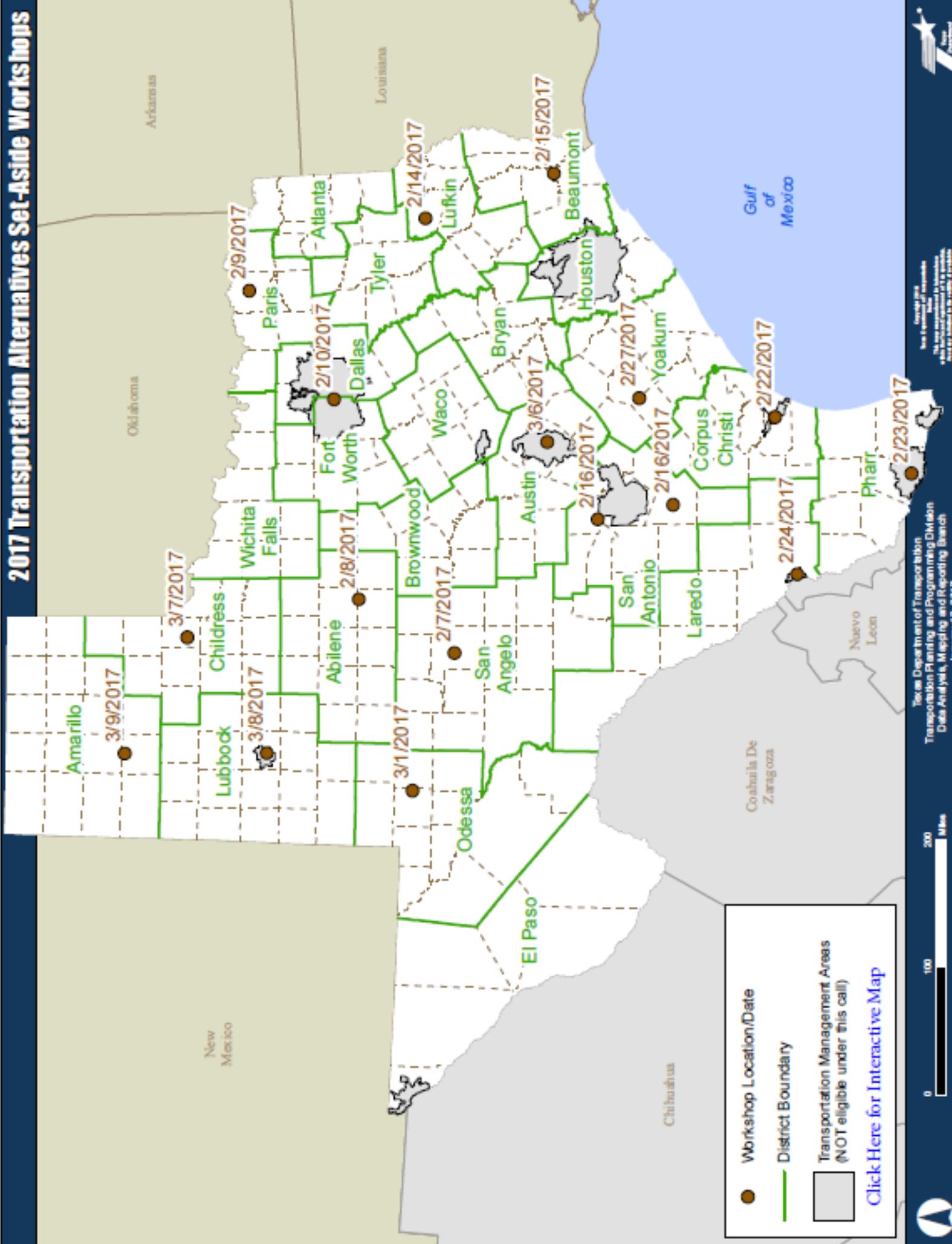
### **March 8, 2017 (9:00AM – 12:00PM)**

TxDOT Lubbock District Hdqtrs, Windmill Conf Rm  
135 Slaton Road, Lubbock, TX 79404  
Coordinator: [Kylan Francis](#) (806) 748-4490

### **March 9, 2017 (9:00AM – 12:00PM)**

TxDOT Amarillo District Office, Bldg H Conference Ctr  
North and South HR Conference Rooms  
5715 Canyon Drive, Amarillo, TX 79110  
Coordinator: [John Wimberley](#) (806) 356-3249

# 2017 Transportation Alternatives Set-Aside Workshops



-  Workshop Location/Date
-  District Boundary
-  Transportation Management Areas (NOT eligible under this call)

[Click Here for Interactive Map](#)



0 100 200 Miles

Texas Department of Transportation  
 Transportation Planning and Programming Division  
 Data Analysis, Mapping, and Reporting Branch  
 January 12, 2017

Copyright 2017  
 All Rights Reserved  
 This map is published in 1:250,000 scale  
 and may be subject to the public domain  
 under the provisions of P.L. 86-36



## M.PROJECT SUBMITTAL DEADLINE/DELIVERY INSTRUCTIONS

On January 27, 2017, the department announced a Call for Projects under the TA Set-Aside Program in the *Texas Register*. Project nominations must be submitted in the form prescribed by the department in accordance with the program rules and this program guide. The complete project nomination package must be received by the department, via TxDOT's Dropbox, no later than **5:00 p.m., CDT, on Monday, May 22, 2017**. A complete nomination form, with attachments, is required for each TA Set-Aside project proposed. Supporting documents must be in 8 ½" X 11" formats. Label nomination attachments in the upper right hand corner as outlined in this guide and in the nomination form. The 2017 TA Set-Aside Nomination Form is available at:

<http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>

Note: The department recommends submitting project nomination(s) to TxDOT's Dropbox early to ensure delivery before the submission deadline.

### Project Nomination Package:

1. The original 2017 TA Set-Aside Nomination Form completed in Microsoft Windows Excel 2010 (.xlsm) and delivered to the department in its original 2010.xlsm format.  
Deliverable: One Excel File in its original format.
2. The completed TA Set-Aside 2017 Nomination Form (pages 1-10) plus all of the nomination's supporting documents converted to an Adobe Portable Document Format (PDF) and combined into one complete file. The complete PDF file MUST include a copy of page 10 of the nomination form signed by the local government. (Note: All original documents must be provided in a color Adobe PDF format 8 ½" X 11".)  
Deliverable: One complete PDF file in color (10-page 2017 TA Set-Aside project nomination form plus attachments).

### Project Submission to the Department:

The complete TA Set-Aside project nomination package (Excel file plus PDF file) must be submitted to TxDOT using the department's online dropbox.

### Dropbox Instructions:

Access TxDOT's online dropbox at: <https://ftp.dot.state.tx.us/dropbox/?action=mainmenu>

The above web address is provided as a hyperlink in the PDF version of this program guide. On the Dropbox landing page (rectangular tabs on the left side) click the **Drop-off** rectangle and enter the information requested.

#### 1. Information about the Sender

Your Name:

Your Organization:

Your email address:

- a. **Within Box 1 at the bottom, be sure a check mark appears in front of the line reading: “Send an email to me when the recipient picks up the file(s)”**

2. **Information about the Recipient**

Name: TA Set-Aside Manager

Email: [PTN\\_PlanningandTechSppt@txdot.gov](mailto:PTN_PlanningandTechSppt@txdot.gov)

3. **Choose the File(s) you would like to upload**

Use the Browse button to locate the files on your computer to open and load.

- a. Submit only one project nomination per Dropbox submission.
- b. You should only upload two files per project nomination package (one Excel file and one PDF file); refer to previous section for details.
- c. Once the two files are attached, click the **Drop-off the File(s)** button located at the bottom in Box 3.

Once you have clicked the **Drop-off the File(s)** button, you will be directed to a completion page with confirmation information, including the date and time of your drop-off. The confirmation may take a few minutes to process. **Save a copy of the confirmation page for your records.** The confirmation page may be requested by the department in the event there are questions concerning project submission(s). Again, submit only one complete TA Set-Aside project nomination package per Dropbox submission.

The drop-off confirmation does not constitute receipt of the files. You will receive an automatic follow-up email when the files are retrieved from Dropbox by the department’s representative. **The follow-up email will be your confirmation that the files were officially received by the department.** If you do not receive a follow-up confirmation email within a few days, verify the package was submitted to the correct email address and contact the department’s TA Set-Aside Program Manager. Refer to **S. TxDOT District/Division TA Set-Aside Coordinators**, as needed.

## **N. SELECTION OF TA SET-ASIDE PROJECTS BY THE TEXAS TRANSPORTATION COMMISSION**

The commission, by written order, will select projects for funding under the TA Set-Aside Program based on:

1. Recommendations from the director of the division responsible for administering the TA Set-Aside Program
2. The project’s potential benefit to the state
3. The project’s potential to enhance the surface transportation system

The commission is not bound by project recommendations provided by the department. The commission will specify a fixed amount of TA Set-Aside funds for each project selected. Project

costs in excess of this are the responsibility of the project sponsor. The department will notify the sponsors of selected projects.

## O. PROJECT ELIMINATION

A project will be eliminated from participation in the TA Set-Aside Program if, prior to the execution of the local agreement, the governing body of a municipality or county in which project activities are proposed, by resolution, order, or other official action, notifies the department of its opposition to the project.

The executive director may eliminate a project or a portion of a project from participation in the TA Set-Aside Program if:

- The project sponsor fails to meet requirements established in the TA Set-Aside rules
- Implementation of the project would involve significant deviation from the activities proposed in the nomination package and approved by the commission
- The project sponsor withdraws from participation in the project
- A local agreement is not executed between the local entity and the department within one year after the date that the commission selected the project
- A construction contract has not been awarded or construction has not been initiated within three years after the date that the commission selected the project
- The executive director determines that federal funding may be lost because the project has not been implemented or completed

## P. FINDING OF INELIGIBILITY AND REQUEST FOR RECONSIDERATION

The department will notify the project sponsor of ineligible activities proposed and the reason for the determination by certified mail, return receipt requested. A request for reconsideration may be initiated only by a letter from the project sponsor (setting forth reasons in support of a finding of eligibility) to the department's executive director. The letter requesting reconsideration **MUST** be received by the department no later than 15 days after the day that the project sponsor received the department's notification of ineligibility, as established by the certified mail return receipt. A request for reconsideration **MUST** be mailed to the executive director:

To: TxDOT Executive Director  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701

Copy To: TXDOT – PTN Director  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701

The determination of the executive director in response to a project sponsor's request for reconsideration will be final.

## Q. PROJECT IMPLEMENTATION

The project sponsor shall implement or arrange for implementation of each project selected by the commission in accordance with statutory requisites and contracting procedures applicable to the type and character of the project. In accordance with 23 CFR 635.105, TxDOT ensures that a project sponsor “is adequately staffed and suitably equipped to undertake and satisfactorily complete” a project and therefore the department, in its sole discretion, may decide to perform certain phases or otherwise complete a project on behalf of a project sponsor. In rare instances, the department, in its sole discretion, may agree to implement a project on behalf of a project sponsor. All projects shall be developed to current standards and specifications established or recognized by the federal government, the department, and the TA Set-Aside rules.

### **Adding TA Set-Aside projects to the Statewide Transportation Improvement Program (STIP)**

If a project selected by the commission is to be implemented in a metropolitan area, the department will request that the Metropolitan Planning Organization (MPO) for that area immediately begin the process required to include the selected project in its TIP; however, **it is the project sponsor’s responsibility to make sure the project is included in the MPO’s local TIP.** For projects in population areas outside the boundaries of an MPO, the department will immediately begin the process to include projects in its rural TIP and STIP. Projects must be identified in the MPO’s TIP or in the department’s rural TIP before the project can be added to the STIP. The STIP is updated quarterly and requires FHWA approval.

### **Execution of local agreement with the department**

All TA Set-Aside project sponsors must enter into a local agreement with the department and comply with all federal and state procedures applicable to development of federal-aid transportation projects. The local agreement must be executed by the project sponsor within one year of the date of selection by the commission or risk loss of federal funding.

Development of the local agreement can begin immediately after project selection; however, TA Set-Aside projects must be identified in the federally approved STIP before the department can fully execute the local agreement for the project. As part of the agreement process, a determination will be made as to whether the project’s construction letting (advertisement for bids and contract management) will be done by the department or by the project sponsor. At the department’s discretion, TA Set-Aside projects on the state highway system may be let for construction by the department. However, a majority of the TA Set-Aside projects are expected to be off-system (not on state-maintained right-of-way). Project sponsors of off-system projects may seek department authorization for a local construction letting of their project(s).

In accordance with federal and state rules, the department will perform a Local Government Risk Assessment to determine the project sponsor’s qualifications to perform one or more elements of the project development process. For additional information refer to:

<http://www.txdot.gov/government/programs/local-government-projects.html>.

This determination dictates many subsequent steps in the project development process. A project sponsor requesting a local construction letting will need to demonstrate adequate cash flow to

accommodate the payment of 100% of construction costs pending reimbursement of up to 80% of allowable costs. The department's local district office will make the final letting determination after consultation with division staff and the project sponsor.

Regardless of whether the project is let for construction by the department or by the project sponsor, the department will have oversight responsibilities and will incur administrative costs associated with project development, plan review (generally conducted at 30, 60, 90, and 100% complete), and construction oversight. The Budget Summary, on page 9 of the TA Set-Aside nomination form, automatically adds 15% for the department's administrative costs, based on the total estimated cost for construction. The department's administrative costs are eligible for federal reimbursement up to 80%.

Example:

A project with an estimated construction cost of \$1,000,000 with 80% federal funding and a 20% local match, will have a 15% administration cost of \$150,000, which will be added to the total project cost. The local government would be responsible for 20% of the administrative cost. The 20% local match for a \$150,000 administrative cost would be \$30,000. The local match for administrative costs must be paid in cash.

**Local deposit to the department for review of Plans, Specifications, and Estimates (PS&E)**

As outlined in the local agreement, the project sponsor will be required to advance the local match for engineering review in cash within 30 days of signing the local agreement. The department will not begin project reviews until the cash advance is received.

**Federal Project Authorization and Agreement (FPAA)**

The department is responsible for securing the federal funding for each phase of work. The environmental document must be cleared and the construction plans complete before the department submits an FPAA to FHWA to obligate the federal funding for construction.

**Construction letting by the project sponsor**

If the project sponsor is authorized for a local construction letting, then the project sponsor will be required to pay 100% of the construction costs as the work is done and request reimbursement through the department for up to 80% of allowable costs incurred. Allowable costs will be reviewed and approved by the department.

To be eligible to administer a federally funded project, the project sponsor must have a "Qualified" person actively performing project activities and project implementation who has completed the department's *Local Government Project Procedures* (LGPP) training taught through the department. Before the project sponsor can advertise for construction bids, the project must have environmental clearance (in accordance with current department procedures) and the project sponsor **MUST** have a state letter of authority from the department to proceed. For state and federal guidance, refer to the department's Local Government Project Management Guide at: <http://ftp.dot.state.tx.us/pub/txdot/lgp/procedures/guide.pdf>.

### **Construction letting by the department**

If the project is let for construction by the department, the outstanding local match and 100% of any estimated cost overages will be due to the department 60 days prior to advertising for construction.

Note: The project sponsor is not required to have LGPP training if the department will be advertising and letting the project for construction, unless the project sponsor is using PS&E development and environmental documentation as an in-kind contribution towards construction.

### **Contractor for construction**

The construction contractor will be chosen through a competitive bidding process approved by the department. The construction contract will be awarded to the lowest responsive and responsible bidder, in accordance with 23 CFR Part 635.

Note: The department has oversight and monitoring responsibilities for transportation projects when project costs are wholly or partially paid using FHWA or state transportation funds.

### **Scope modifications**

Projects must be developed as approved by the commission. Any change to the scope of work specified in the nomination package and approved by the commission must have the advance written approval of the executive director. Changes in items of work or project scope that occur without advance departmental approval will not be reimbursed.

### **Payment of costs**

If the project sponsor is authorized for a local construction letting, the project sponsor will be required to pay 100% of the construction costs as the work is done and request reimbursement through the department of up to 80% of the allowable costs incurred. A project sponsor MUST use the forms and procedures specified by the department to request reimbursement of allowable costs incurred. The department will submit all requests for reimbursement of allowable costs to FHWA. For locally let projects, the entire project cost is borne by the project sponsor until reimbursement can be obtained from FHWA for eligible activities.

Costs incurred prior to the inclusion of the project in the STIP, execution of the local agreement, or prior to federal and state approval and authorization to proceed are not eligible for federal reimbursement.

### **Project inspection and acceptance**

Upon completion of construction, the project sponsor must have a Professional Engineer registered in Texas certify that the project was constructed in substantial compliance with project specifications and requirements. The department is responsible for the inspection and final acceptance of all projects selected by the commission and for certification of project completion. If the project sponsor does not complete the project as originally approved by the commission, the department may seek reimbursement of the expended federal funds from the sponsor.

**Right-of-Way (ROW)**

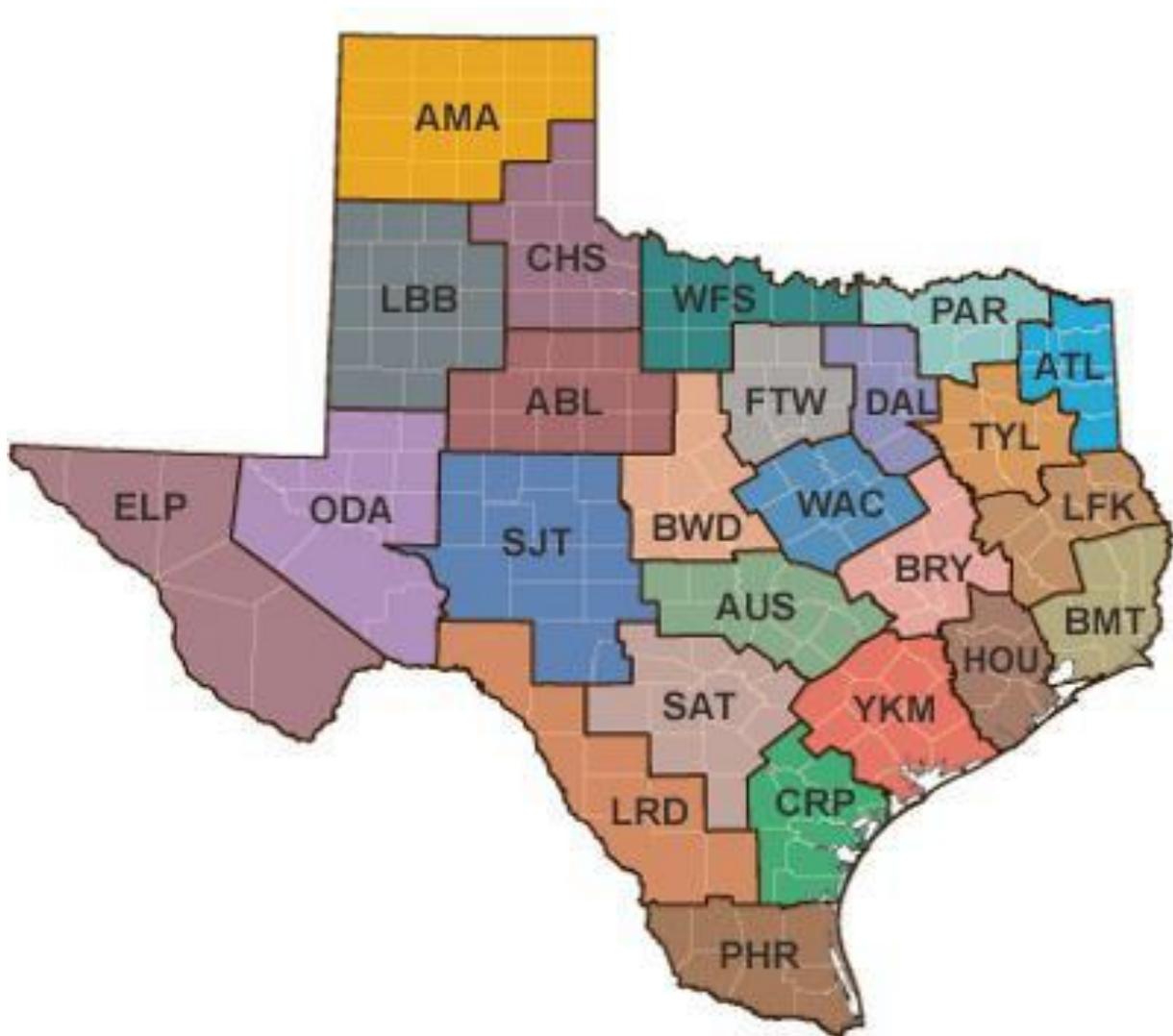
If a project is proposed on state right-of-way, the project sponsor is responsible for securing a land-use permit (e.g. multiple use agreement) from the department prior to construction.

**Period of Performance End Date**

The period of performance end date is required to be included in the local agreement, after which time additional costs incurred are not eligible for reimbursement. Recipients are required to submit all eligible incurred costs and required performance and financial reports or project records specified in the local agreement or stewardship and oversight procedures within 90 days after the agreement end date. The project should be closed within one year after receipt and acceptance of all required final reports.

## R. TXDOT DISTRICT MAP

To locate the TxDOT District Office in your area, visit <http://www.txdot.gov/inside-txdot/district.html>. The state map at this website includes hyperlinks to TxDOT's 25 district office websites. Click on the project county and the hyperlink will redirect to the web page of the TxDOT district that includes that county. Take note of the full name of the **TxDOT District Office** that appears at the top of the online district landing page. On the following page in this guide, use the TxDOT district name to identify the local **TA Set-Aside Coordinator** for that district.



## S. TXDOT DISTRICT/DIVISION TA SET-ASIDE COORDINATORS

TxDOT's District TA Set-Aside Coordinator (may be referred to as TASA Coordinators) will be your first point-of-contact to discuss TxDOT's 2017 TA Set-Aside Call for Projects and the project nomination process. Click the TA Set-Aside Coordinator's name to send an email.

### Abilene District Office

[Kristi Harwell](#)  
4250 North Clack  
Abilene, TX 79604-0150  
(325) 676-6811

### Amarillo District Office

[John Wimberley](#)  
5715 Canyon Drive  
Amarillo, TX 79110-7368  
(806) 356-3249

### Atlanta District Office

[Deanne Simmons](#)  
701 East Main  
Atlanta, TX 75551  
(903) 799-1308

### Austin District Office

[Angela Gil](#)  
7901 North IH 35  
Austin, TX 78753  
(512) 832-7109

### Beaumont District Office

[Lisa Collins, P.E.](#)  
8350 Eastex Freeway  
Beaumont, TX 77708  
(409) 898-5816

### Brownwood District Office

[Andrew Chisholm](#)  
2495 Hwy. 183 North  
Brownwood, TX 76802  
(325) 643-0442

### Bryan District Office

[Allison Kurwitz](#)  
2591 N. Earl Rudder Freeway  
Bryan, TX 77803-5190  
(979) 778-9788

### Childress District Office

[Chris Reed](#)  
7599 US 287  
Childress, TX 79201-9705  
(940) 937-7251

### Corpus Christi District Office

[Jason Alvarez](#)  
1701 South Padre Island Drive  
Corpus Christi, TX 78416 (361)  
808-2495

### Dallas District Office

[Godfrey Sendawula](#)  
4777 East Highway 80  
Mesquite, TX 75150  
(214) 320-6266

### El Paso District Office

[Blanca Serrano-Rivera](#)  
13301 Gateway Blvd West  
El Paso, TX 79928  
(915) 790-4328

### Fort Worth District Office

[Phillip Hays](#)  
2501 SW Loop 820  
Fort Worth, TX 76133  
(817) 370-6591

### Houston District Office

[Ana Ramirez Huerta](#)  
7600 Washington Avenue  
Houston, TX 77007  
(713) 802-5810

### Laredo District Office

[Gustavo Elizondo](#)  
1817 Bob Bullock Loop  
Laredo, TX 78043  
(956) 712-7462

### Lubbock District Office

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Lubbock, TX 79404-5201  
(806) 748-4490

### Lufkin District Office

[Jennifer Adams](#)  
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Lufkin, TX 75901  
(936) 633-4383

### Odessa District Office

[Kelli Williams](#)  
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Odessa, TX 79761  
(432) 498-4752

### Paris District Office

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Paris, TX 75460-2697  
(903) 737-9285

### Pharr District Office

[Joseph Leal](#)  
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Pharr, TX 78577-1717  
(956) 702-6247

### San Angelo District Office

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4502 Knickerbocker Road  
San Angelo, TX 76904  
(325) 947-9242

### San Antonio District Office

[Mark Mosley](#)  
4615 N.W. Loop 410  
San Antonio, TX 78284-3601  
(210) 615-5812

### Tyler District Office

[Mary Fletcher](#)  
2709 West Front Street  
Tyler, TX 75702  
(903) 510-9246

### Waco District Office

[Kris Long](#)  
100 South Loop Drive  
Waco, TX 76704-2858  
(254) 867-2763

### Wichita Falls District Office

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1601 Southwest Parkway  
Wichita Falls, TX 76302-4906  
(940) 720-7840

### Yoakum District Office

[Barbara Grahmann](#)  
403 Huck Street  
Yoakum, TX 77995-2973  
(361) 293-4371

### Public Transportation Division (PTN):

[Teri Kaplan](#)  
TxDOT - PTN  
TAP/TASA Program Manager  
125 E. 11<sup>th</sup> Street  
Austin, TX 78701  
(512) 486-5973

## T. BIKEWAY TERMINOLOGY

**Shared Roadway** – 2012 AASHTO Definition: “A roadway that is open to both bicycle and motor vehicle travel.”

2011 Texas MUTCD Definition: “A roadway that is officially designated and marked as a bicycle route, but which is open to motor vehicle travel and upon which no bicycle lane is designated.”

A Signed Shared Roadway shall include posted bike route signs & may include pavement markings.



**Bicycle Lane** - 2012 AASHTO and 2011 Texas MUTCD Definitions are the same: “A portion of a roadway that has been designated for preferential or exclusive use by bicyclists by pavement markings and, if used, signs. However, AASHTO definition includes: “It is intended for one-way travel, usually in the same direction as the adjacent traffic lane, unless designated as a contra-flow lane.”

Note: May include **BikeStripe** infrastructure. For guidance, refer to: <http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>



**Shoulder** - 2012 AASHTO Definition:

“The portion of roadway contiguous with the travel way that accommodates stopped vehicles, emergency use, and lateral support for sub base, base, and surface course. Shoulders, where paved, are often used by bicyclists.”

A Signed Shoulder Bike Route shall include posted bike route signs and may include pavement markings.



**Shared Use Path** - 2012 AASHTO and 2011 Texas MUTCD Definitions are basically the same:

“A bikeway outside the traveled way and physically separated from motor vehicle traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way or within an independent alignment. Shared use paths may also be used by pedestrians (including skaters, users of manual and motorized wheelchairs, and joggers) and other authorized motorized and non-motorized users. Most shared use paths are designed for two-way travel.”



**Cycle Track** – Defined by the National Association of City Transportation Officials (NACTO) in 2011:

“A Cycle Track is an exclusive bicycle facility that has elements of a separated path and on-road bike lane. A Cycle Track, while still within the roadway, is physically separated from motor traffic and is distinct from the sidewalk.”



## U. WEBLINKS

TxDOT's 2017 TA Set-Aside Call for Projects contains program information, including the [Program Rules](#), [Program Guide](#), [Nomination Form](#), [In-Kind Contribution Guidance](#), [Detailed Project Timeline Examples](#), and other program related downloads at:

<http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>

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**2017 TA Set-Aside Workshops Interactive Map:**

[http://maps.dot.state.tx.us/AGO\\_Template/TxDOT\\_Viewer/?appid=9772fb8e53a9400b9c4578bb0494ecf5](http://maps.dot.state.tx.us/AGO_Template/TxDOT_Viewer/?appid=9772fb8e53a9400b9c4578bb0494ecf5)

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**TxDOT's Project Submission Dropbox:** <https://ftp.dot.state.tx.us/dropbox/?action=mainmenu>

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**TA Set-Aside Rules (Texas Administrative Code, Title 43, Chapter 11, Subchapter G):**

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=5&ti=43&pt=1&ch=11&sch=G&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=43&pt=1&ch=11&sch=G&rl=Y)

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**TxDOT's Local Government Projects Office (LGP):**

<http://www.txdot.gov/government/programs/local-government-projects.html>

*LGP Toolkit:* <http://txdot.gov/government/processes-procedures/lgp-toolkit.html>

*Project Risk Assessment:* <http://ftp.dot.state.tx.us/pub/txdot/lgp/funding/guidance.pdf>

*Project Management Guide:* <http://ftp.dot.state.tx.us/pub/txdot/lgp/procedures/guide.pdf>

*Local Government Project Procedures Training and Qualification:*

<http://www.txdot.gov/government/programs/local-government-projects/training.html>

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**TxDOT Environmental Resources:**

*Environmental Handbook for Categorical Exclusions:* <http://ftp.dot.state.tx.us/pub/txdot-info/env/toolkit/610-01-gui.pdf>

*Environmental Handbook for Environmental Assessments:* <http://ftp.dot.state.tx.us/pub/txdot-info/env/toolkit/620-05-gui.pdf>

*TxDOT's Environmental Compliance Toolkits:* <http://www.txdot.gov/inside-txdot/division/environmental/compliance-toolkits.html>

*TxDOT's Local Government Project Management Guide, Chapter 5:*

<http://ftp.dot.state.tx.us/pub/txdot/lgp/procedures/guide.pdf>

*TxDOT's Scope Development Tool (for environmental documentation):* <http://www.txdot.gov/inside-txdot/division/environmental/compliance-toolkits/nepa.html>

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**TxDOT's Right of Way Manual Vol 2:**

[http://gsd-ultraseek/txdotmanuals/acq/advance\\_acquisition\\_of\\_right\\_of\\_way\\_for\\_lpa.htm](http://gsd-ultraseek/txdotmanuals/acq/advance_acquisition_of_right_of_way_for_lpa.htm)

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**TxDOT's Average Low Bid Unit Prices:**

<http://www.txdot.gov/business/letting-bids/average-low-bid-unit-prices.html>

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**TxDOT's Economically Disadvantaged Counties Program (EDCP):**

<http://www.txdot.gov/inside-txdot/division/transportation-planning/disadvantaged-county.html>

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**TxDOT District Office Information:** <http://www.txdot.gov/inside-txdot/district.html>

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**U.S. Census Information:**

[http://www.fhwa.dot.gov/planning/census\\_issues/urbanized\\_areas\\_and\\_mpo\\_tma/geographic\\_resources/](http://www.fhwa.dot.gov/planning/census_issues/urbanized_areas_and_mpo_tma/geographic_resources/)

2010 Decennial Population [https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml)

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**Adventure Cycling Association, US Bicycle Route System (USBRS):**

<http://www.adventurecycling.org/routes-and-maps/us-bicycle-route-system/national-corridor-plan/>

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**FHWA TA Set-Aside Guidance:**

[http://www.fhwa.dot.gov/environment/transportation\\_alternatives/guidance/guidance\\_2016.cfm](http://www.fhwa.dot.gov/environment/transportation_alternatives/guidance/guidance_2016.cfm)

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**AASHTO Guide for the Development of Bicycle Facilities:** <http://www.transportation.org/>

[https://bookstore.transportation.org/item\\_details.aspx?ID=1943](https://bookstore.transportation.org/item_details.aspx?ID=1943)

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**NACTO Urban Bikeway Design Guide:**

<http://nacto.org/publication/urban-bikeway-design-guide/>

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**NACTO Urban Street Design Guide:**

<http://nacto.org/publication/urban-street-design-guide/>

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**Texas Accessibility Information - TDLR:** <https://www.tdlr.texas.gov/>

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**ADA Standards for Accessible Design:** [www.ada.gov](http://www.ada.gov)

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## V. DEFINITIONS

**AFA** – Advance Funding Agreement

**AASHTO** – American Association of State Highway and Transportation Officials

**Bikeway terminology** – See Section T of this guide

**Commission** - Texas Transportation Commission

**Department** – Texas Department of Transportation (TxDOT)

**Executive director** – The executive director of the Texas Department of Transportation or the executive director’s designee

**FHWA** – Federal Highway Administration

**FPAA** – Federal Project Authorization and Agreement

**Local Agreement** – An agreement between the project sponsor and the department which includes a commitment for the required local funding, describes the total scope and course of project activities, and outlines the responsibilities and duties of the participants.

**Metropolitan Planning Organization (MPO)** – The organization or policy board of an organization created and designated under 23 U. S. C. §134, and 49 U. S. C. §5303 to make transportation planning decisions for the metropolitan planning area and carry out the metropolitan planning process.

**Project** – An undertaking to implement or construct an eligible activity at a specific location or locations, or, if the context so implies, the particular activity so implemented or constructed.

**Project sponsor** – An eligible entity as described by 23 U.S.C. §113(h), that nominates a particular project for consideration, exercises jurisdiction over the geographic area in which that project is located, and commits to the project’s development, implementation, construction, maintenance, management, and financing.

**State** – The State of Texas or any of its political subdivisions

**Statewide Transportation Improvement Program (STIP)** – A four year short-range program developed by the department as a compilation of all metropolitan transportation improvement programs, together with rural transportation improvement programs, that include recommendations from rural planning organizations and department districts for the areas of the state that are outside of the boundaries of a metropolitan planning organization, including transportation between cities.

**Surface transportation system** – An interconnected surface transportation network for moving people and goods using various combinations of transportation modes

**TDLR** – Texas Department of Licensing and Regulation

**Transportation Improvement Program (TIP)** – A short-range program developed by each metropolitan planning organization in cooperation with the department and public transportation operators that covers a four-year period and contains a prioritized listing of all projects proposed for federal funding, and regionally significant projects proposed for state, federal, and local funding in a metropolitan area.

**Transportation Management Area** – FHWA defines TMAs as “all urbanized areas (UZAs) with populations greater than 200,000 as determined by the 2010 Census”

**TxDOT** – Texas Department of Transportation

## W.PROJECT NOMINATION CHECKLIST

Project sponsors MUST utilize and complete the 2017 TA Set-Aside Project Nomination Form in Microsoft Windows Excel (.xlsm) format to submit a project nomination in the department's Call for TA Set-Aside Projects. Download the nomination form from the department's website at:

<http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>

**Below is a list of required attachments that MUST be included as part of the TA Set-Aside 2017 project nomination package and additional attachments that may be necessary.** The need for *additional attachments* should be determined by the characteristics of the project, its location, and the status of project development. In addition to submitting the completed nomination form in Excel, the project sponsor MUST provide a single color PDF to include the completed nomination form, a signed copy of the signature page (page 10 of the nomination form), all required attachments, and any necessary optional attachments.

### Required attachments:

- Project Details – **Attachment B**
- Certification of LG Funding – **Attachment C**
- Public Involvement/Support – **Attachment E**
- Property Ownership/Acquisition – **Attachment G**
  - Note: Projects that include state-maintained right-of-way or have a direct effect on an existing state-maintained roadway MUST have a recent letter of consent, addressed to the project sponsor, and signed by the current TxDOT District Engineer, this cannot be delegated down.
- Project Timeline – **Attachment L**

### Additional attachments that may be necessary:

- Project Location Information – **Attachment A**
  - Note: an attachment may be required, when multiple improvement locations are proposed.
- MPO TIP Letter – **Attachment D**
- Environmental Documentation – **Attachment F**
- RR Right-of-Entry/Support Letter – **Attachment H**
- Local Plan/Support – **Attachment I**
- SRTS Plan/Coordination – **Attachment J**
- ADA Transition Plan – **Attachment K**
- In-kind Contributions – **Attachment M**
- Nomination Checklist – **Attachment N**

The department recommends completing the checklist on the following pages and including the completed checklist as part of the project nomination package. Refer to Topic **F. Project Nomination Form** in this guide for additional details on each attachment.

Label attachment as **Project Nomination Checklist - Attachment N**.

## Project Nomination Checklist:

- Required:** A completed **2017 TA Set-Aside Project Nomination Form** in Microsoft Windows Excel (.xlsm) format with all text boxes filled-in and dropdown selections completed. Type N/A for not applicable, where appropriate.
- Required: A single color PDF document that includes:**
  - Completed 2017 TA Set-Aside project nomination form (required)
  - Signed copy of signature page (required)
  - Required attachments (refer to page 56)
  - Additional attachments that may be necessary (refer to page 56)
- Attachment A (optional)**

Refer to **7. Project Location Information**

Attach a complete list of all improvement locations using descriptive limits and longitude/latitude.

Label attachment as **Project Location Information - Attachment A** - No more than 2 pages.
- Attachment B (required)**

Refer to **10. Project Details**

Attach the following exhibits:

  - Location map (required)
  - Project layout map (required)
  - Typical section(s) (recommended)
  - Representative construction plan sheets (as applicable)
  - Additional bridge details (as applicable)
  - Photographs (recommended)
  - Additional maps, charts, diagrams, drawings, etc. (recommended)

Label attachment(s) as **Project Details-Attachment B** - No more than 15 pages.
- Attachment C (required)**

Refer to **12. Official Project Sponsor Funding Resolution or Ordinance**

Attach the project sponsor's resolution or ordinance.

Label attachment(s) as **Certification of LG Funding - Attachment C** - No more than 10 pages.
- Attachment D (as applicable)**

Refer to **13. Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP) Inclusion Letter**. Attach a letter from the MPO if the project is located within the boundaries of an MPO.

Label attachment(s) as **MPO TIP Letter - Attachment D** - No more than 2 pages.

**Attachment E** (required)

Refer to **14. Public Involvement and Support**

Attach the following exhibits, as appropriate:

- Supplemental public engagement summary (as needed)
- Evidence of public/stakeholder support (required)
- Evidence of support from affected/adjacent property owners (required)

Label attachments as **Public Involvement/Support - Attachment E** - No more than 10 pages.

**Attachment F** (optional)

Refer to **15. Environmental Documentation**

Attach the following exhibits, as appropriate:

- TxDOT's NEPA Project Scope Development Tool (if completed)
- Prior environmental approval documentation (if completed)
- Prior resource agency coordination letters (if completed)

Label attachment(s) as **Environmental Documentation-Attachment F** - No more than 10 pages.

**Attachment G** (required)

Refer to **16. Property Ownership and Acquisition Information**

Attach the following exhibits, as appropriate:

- Evidence of property rights by title of ownership, lease, or easement (required)
- Commitment letter(s) from affected property owners demonstrating a willingness to transfer property (as applicable)
- Letter from TxDOT District Engineer consenting to project on state ROW (as applicable)

Label attachments as **Property/Ownership/Acquisition-Attachment G** - No more than 10 pages.

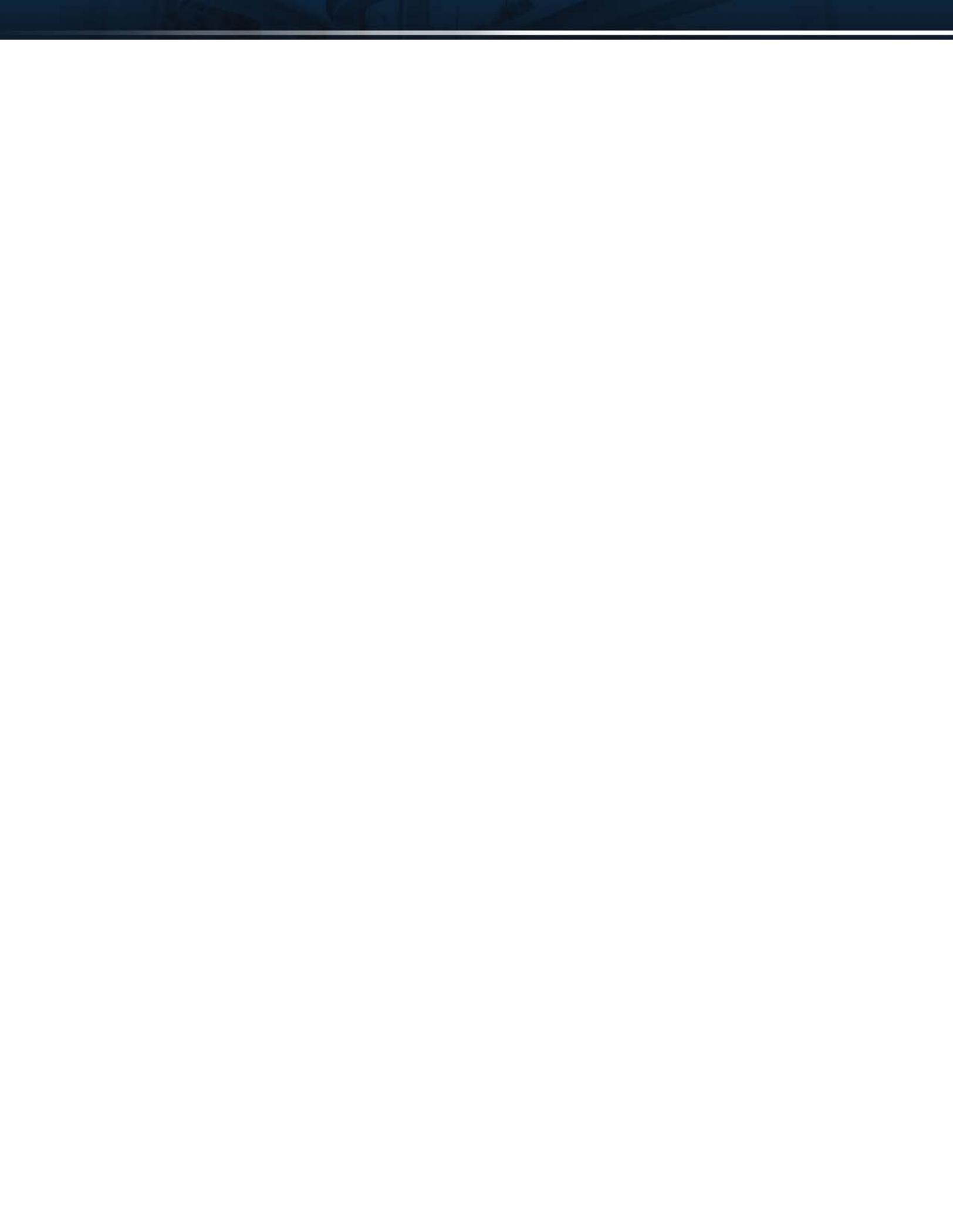
**Attachment H** (optional)

Refer to **17. Railroad Support/Right-of-Entry Letter**

Attach documentary evidence of coordination with railroad.

Label attachment(s) as **RR Right of Entry/Support Letter-Attachment H** - No more than 10 pages.

- Attachment I (optional)**  
Refer to **18. Local Bicycle, Pedestrian, or other Transportation Plan**  
Attach the cover and pages from the plan referring to this project.  
Label attachment(s) as **Local Plan/Support-Attachment I** - No more than 10 pages.
- Attachment J (optional)**  
Refer to **19. Safe Routes to School (SRTS) Plan**  
Attach the cover and pages from the plan referring to this project.  
Label attachment(s) as **SRTS Plan/Coordination-Attachment J** - No more than 10 pages.
- Attachment K (optional)**  
Refer to **20. Transition Plan for ADA Compliance**  
Attach the cover and pages from the plan that are relevant to this project.  
Label attachment(s) as **ADA Transition Plan-Attachment K** - No more than 10 pages.
- Attachment L (required)**  
Refer to **21. Project Timeline**  
Attach a chart documenting the project development and implementation timeline.  
Label attachment(s) as **Project Timeline-Attachment L** - No more than 2 pages.
- Attachment M (optional)**  
Refer to **25. In-Kind Contributions**  
Attach documentation of estimated in-kind costs.  
Label attachments **In-Kind Contributions - Attachment M** - No more than 2 pages.
- Attachment N (optional)**  
Refer to **27. Nomination Checklist**  
Attach the completed checklist.  
Label as: **Nomination Checklist-Attachment N**.





# ADA Subrecipient Technical Assistance Manual (DRAFT)

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Civil Rights Division

Fall 2017

DRAFT

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## INTRODUCTION

The Texas Department of Transportation (TxDOT) remains committed to providing full accessibility for all its potential customers. The purpose of this document is to provide TxDOT's plan to ensure compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Sec. 504), specifically in the area of subrecipients.

Subrecipients include all entities that receive federal-aid such as: Local Governments, Metropolitan Planning Organizations, Colleges and Universities, and Contractors and Consultants. This guide serves as technical assistance only, not legal advice. Use of this guide does not guarantee compliance, but will assist subrecipients in obtaining and maintaining compliance with accessibility and nondiscrimination requirements.

Subrecipients are encouraged to work closely with legal counsel to determine their level of compliance and to monitor all areas of federal regulatory compliance for risk mitigation and deficiency resolution on an ongoing basis.

As a recipient of federal funds, TxDOT is required to monitor compliance of subrecipients and, pursuant to the Assurances of Nondiscrimination signed by TxDOT as a condition of receiving those funds, to ensure that funds are not used in a discriminatory manner and that subrecipients are not deficient and are eligible to receive federal funds. See 23 CFR 200 for more information. <http://www.fhwa.dot.gov/legsregs/directives/fapg/cfr0200.htm>

In addition to reviewing this technical assistance guide, TxDOT would recommend that subrecipients attend a Nondiscrimination and Accessibility Training session every 2 years. Session dates and online registration are available on our website at: <http://www.TxDOT.gov>

Our goal is to assist all Texas subrecipients in achieving compliance with the provisions of the ADA and Section 504 of Rehabilitation Act of 1973, as amended. If you have further questions or require technical assistance, please contact TXDOT's ADA Compliance Program Manager by phone or e-mail:

Juanita Webber  
TXDOT  
ADA Compliance  
Program Administrator  
125 E. 11<sup>th</sup> Street  
(512) 486-5503  
[juanita.webber@TxDOT.gov](mailto:juanita.webber@TxDOT.gov)

## **OVERVIEW OF THE REGULATORY REQUIREMENTS**

The Federal Highway Administration (FHWA) and the Department of Justice consider the Texas Department of Transportation (TxDOT) a State Transportation Agency (STA) that receives and distributes federal funds to entities. As an STA, TxDOT has the responsibility to monitor subrecipients to ensure their compliance with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973, as amended, with respect to STA-funded (both federal and state dollars) projects and programs that the subrecipient implements.

Under ADA (28 CFR §35.130 (b)(1)(v)), TxDOT cannot aid or perpetuate discrimination against an individual with a disability by providing assistance to an entity that discriminates in providing any aid, benefit, or service to beneficiaries. Similarly, Section 504 (49 CFR §27.7 (v)) provides that a recipient of FHWA funds (TxDOT) cannot provide financial or other assistance to an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit or service. Simply stated, TxDOT cannot provide aid to an organization that is not in compliance with ADA and Section 504.

## **THE AMERICANS WITH DISABILITIES ACT OF 1992 AND ACCESSIBILITY REGULATIONS**

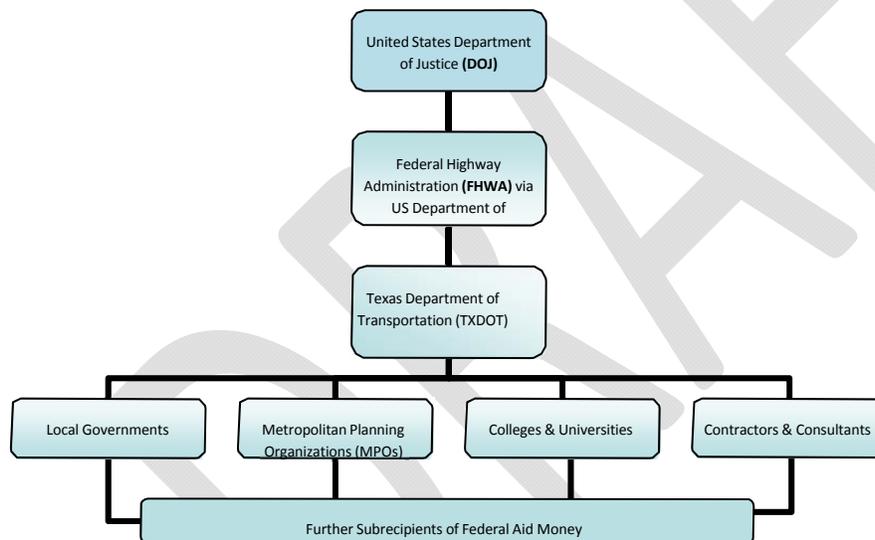
Persons with disability are a protected class of individuals we must not discriminate against. If TxDOT provides federal aid to a local government or other entity, all of the operations of the agency, department or organization which the funds are distributed are covered. Thus, all local governments are covered as well as any private entities that accept federal grants. Enhancement grants, safe routes to school funds, earmarks, as well as local highway user revenue distributions are all qualifying funds and therefore, recipients must demonstrate compliance in all of their programs. The State, local government and other entities employing 50 or more people must meet the following requirements: apply ADA law; apply Section 504; develop and disseminate a nondiscrimination statement; appoint an ADA/Section 504 coordinator (employing 15 or more people); publish a grievance procedure (employing 15 or more people); conduct a self-evaluation; develop a Transition Plan; provide auxiliary aids, including TTD/TTY; and provide assurances of compliance through the development of standards, guidelines, policies, procedures and adequate recordkeeping.

## OVERSIGHT & COMPLIANCE MONITORING

The Department of Justice enforces both these regulations and those regulations for transportation-related programs including (but not limited to) sidewalks, transit, and roadways. This authority is delegated via the Department of Transportation (DOT) to the Federal Highway Administration (FHWA) who oversees compliance. (See 23 CFR 200) <http://www.fhwa.dot.gov/legregs/directives/fapg/cfr0200.htm>.

FHWA, pursuant to these regulations requires State Transportation Agencies (STAs) (such as TXDOT) to take action to ensure that its own programs and facilities, as well as those subrecipients they monitor, are compliant with all nondiscrimination and accessibility requirements.

The flow chart below depicts the relationship among all of the key stakeholders:



## AUTHORITIES

- A short list of relevant authorities includes (but is not limited to):
- [Title VI of the Civil Rights Act of 1964, \(Title VI\)](#)
- [Title II of the Americans with Disabilities Act of 1990](#) (The ADA)
- [Section 504 of the Rehabilitation Act of 1973](#) (Section 504) (29 USC 790)
- [Civil Rights Restoration Action of 1987](#)
- The 1970 Uniform Act ([42 USC 4601](#))
- The 1973 Federal-aid Highway Act ([23 USC 324](#))
- Implementing Regulations ([49 CFR 21](#) & [23 CFR 200](#))
- Other related nondiscrimination laws concerning employment and affirmative action

## TXDOT'S ADA ACCESSIBILITY PROGRAM OVERVIEW

TXDOT is a large transportation agency. To effectively implement ADA requirements, TxDOT employs the following strategy: ADA liaisons are identified for each of the twenty-five District Offices and twenty-eight Divisions in the agency. These liaisons are the key point of contact for the ADA Compliance Program Administrator. The liaisons ensure data collection and tasks for their District Office remain on track and that the ADA Compliance Program Administrator receives information for recordkeeping and reporting.

The combined, TxDOT ADA Annual Goals & Accomplishments Report is posted online. This document addresses specifically what TXDOT has accomplished the previous program year and what TXDOT plans to accomplish during the upcoming year. TXDOT's 2004 ADA Transition Plan is also available online at <https://www.txdot.gov/inside-txdot/forms-publications/publications/eo.html>. However, this Transition Plan is in the process of being majorly revised.

This newly revised Transition Plan includes the data collected from the self-evaluation of all of TxDOT's pedestrian public rights-of-way, facilities, programs and activities. During this process all asset inventory is evaluated to pinpoint barriers that may limit accessibility. Web accessibility and policies and practices are also included in this evaluation. The projected date of completion of the Transition Plan is no later than August, 2019.

TxDOT began the self-evaluation period approximately eighteen months ago with various feasibility studies and pilot programs. The data collection phase is still underway and will end in June, 2018. Great strides have already been made in each area to support efforts to revise the plan.

TxDOT contracted a consultant to help develop the Pedestrian Access Inventory (PAI) of TxDOT's right-of-way (ROW) infrastructure. The collected information and policy recommendations will be used as the basis for the Transition Plan and Curb Ramp Program Planning Document updates. A dynamic severity- and activity- based ranking

system of pedestrian facility components was implemented to prioritize the schedule for barrier removals. The PAI encompasses a comprehensive geometric assessment of on-system curb ramps, sidewalks, and transit stops that are being evaluated for compliance based on current standards. However, data can easily be used to evaluate compliance with future standards.

TxDOT currently owns 2,641 facilities throughout the state. A comprehensive self-evaluation is currently being conducted on approximately 1600 facilities (those occupied or open to the public) and will be completed by June, 2018. Findings and recommendations identified will be included in the final revised Transition Plan, August, 2019. Additionally, a program accessibility assessment was issued to all districts and divisions to determine compliance with ADA/504. Modifications to policies and practices will be made based upon the findings of that assessment.

The Agency websites are routinely reviewed to ensure continued compliance with Section 508 of the Rehabilitation Act of 1973, as amended. In an effort to constantly improve the user experience, TxDOT.gov was republished this past summer to comply with software updates. A second phase is underway to fully upgrade web accessibility to meet the newly revised standards of Section 508.

Once the self-evaluation is completed, recommendations and a schedule for removing barriers will be identified and included in the August, 2019 Transition Plan. A Transition Plan update will be submitted to FHWA in January, 2018 along with the State Improvement Transportation Plan (STIP) to outline TxDOT's progress.

TxDOT is currently establishing an ADA Advisory Committee to address technical aspects of the ADA, requests for ADA assets, and responses to inquiries about challenges in designing and/or constructing compliance ADA assets. This committee promotes a consistent approach to ADA issue resolution throughout the state. Each of the twenty-five districts established an ADA committee that addresses issues specific to its respective district.

## TXDOT'S SUBRECIPIENT MONITORING PROCEDURES

TxDOT's Subrecipient Monitoring Program is multi-faceted and includes education, oversight, design review, consultation and monitoring. The elements of the program are outlined in this guide. Other information addressing responsibilities under ADA and Section 504 will also be distributed to TxDOT's subrecipients.

Subrecipients will be asked to acknowledge their understanding of the requirements of the ADA/Section 504 and certify by signature, that they do/will comply with those requirements. TxDOT reserves the right to review any of the required materials/policies/programs of the subrecipient. Notification of training will be provided to subrecipients and consultation will be offered on an as needed basis (see Appendix L).

TxDOT's Advanced Funding Agreement (AFA) outlines the basic requirements to ensure nondiscrimination in Subrecipient transportation projects and is used by TxDOT as a starting point in the process of determining funding eligibility. A Subrecipient must be ADA compliant to be eligible to receive federal funds. TxDOT is responsible for monitoring subrecipients to ensure compliance and must ensure entities are actively addressing deficiencies and demonstrating good faith efforts in their compliance with ADA (see Appendix D).

### TxDOT ADA SUBRECIPIENTS MONITORING AND COMPLIANCE PROGRAM - SURVEY I

The TxDOT Finance Division identified all subrecipients that are currently operating pursuant to an executed Advanced Funding Agreement. All TxDOT subrecipients will receive an introductory letter (see Appendix L) about the ADA Subrecipient Monitoring Program via "GOV delivery" which is a TxDOT electronic communication system created by the Communications Division.

Thereafter, subrecipient monitoring begins with the ADA Subrecipients Monitoring and Compliance Survey I (Survey I). Survey I is a questionnaire accessible online via the following link: <https://www.surveymonkey.com/r/ADASubrecipients1>. The purpose of the initial survey is to monitor subrecipient compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, as amended, to provide baseline information about the level of subrecipient compliance efforts across the State.

Beginning October 1, 2017, all TxDOT subrecipients are required to complete the ADA Subrecipients Monitoring and Compliance Survey I (see Appendix E). Subrecipients will be notified of scheduled ADA subrecipient training via the Subrecipient Training Letter when appropriate (see Appendix L). The schedule will also be posted online at [www.txdot.gov](http://www.txdot.gov).

## **TxDOT ADA SUBRECIPIENTS MONITORING AND COMPLIANCE PROGRAM - SURVEY II & RISK ASSESSMENT**

The Subrecipients Monitoring and Compliance Survey II (Survey II) is a questionnaire accessible online via the following link: <https://www.surveymonkey.com/r/ADASubrecipients2>. It will be distributed approximately sixty (60) days after Survey I. Survey II is a comprehensive assessment that will be used to help TxDOT determine specific areas of subrecipient compliance/noncompliance; evaluate risk factors; help subrecipients understand their ADA/504 responsibilities; and determine if a formal review (desk or on-site) is required as part of the monitoring and compliance process. Survey II will be distributed to Subrecipients who:

1. Receive federal-aid assistance;
2. Receive funds in excess of \$\_\_\_\_\_ (TBD Based on FY Awards); and
3. Executed an Advanced Funding Agreement (AFA) within the most current two-year period (i.e. FY 2015-2016 and FY 2016-2017).

Subrecipients will be notified of their preliminary compliance determination once the responses of the ADA Subrecipients Monitoring and Compliance Survey II & Risk Assessment (see Appendix F) are evaluated for compliance/noncompliance and risk.

Subrecipients who do not complete the survey may be notified of their noncompliant status for failure to adhere to the requirements of the TxDOT ADA Subrecipient Monitoring Program. Subrecipients that are not required to complete Survey II will not be notified.

Subrecipients that are considered a “high risk” for noncompliance or noncompliant with ADA will be notified that a TxDOT ADA Subrecipients Monitoring and Compliance Formal Review (Desk Review or On-site Review) will be scheduled (see Appendix L).

## **TxDOT ADA SUBRECIPIENTS MONITORING AND COMPLIANCE PROGRAM - DESK REVIEW**

### **Step 1: TxDOT Sends ADA Review Notifications.**

Subrecipients that are considered a high risk for noncompliance or noncompliant with ADA will be notified that a TxDOT ADA Subrecipients Monitoring and Compliance Formal Review (Desk Review or On-site Review) will be scheduled via certified mail, return receipt requested. (See Appendix L)

### **Step 2: TxDOT Conducts a Desk Review of ADA Subrecipients Monitoring and Compliance Desk Review Assessment Responses.**

Subrecipients will be required to complete the ADA Subrecipients Monitoring and Compliance Desk Review Assessment (see Appendix G) and provide supporting documentation as evidence of compliance with ADA/504.

### **Step 3: 30-Day Compliance Review Period Commences.**

Upon receipt of notification and the Desk Review Assessment, the Subrecipient will have thirty (30) days to provide additional documentation or evidence of compliance that will be considered as part of the ADA Subrecipient Monitoring & Compliance Desk Review. Subrecipients may request an extension to collect the required documentation (see Appendix L).

### **Step 4: Notify Subrecipient of Findings – ADA Review Follow-up Report of the Subrecipient**

Once this thirty-day period or extension has expired, TxDOT will issue its findings in the ADA Review Follow-up Report of the Subrecipient (see Appendix L). Subrecipients that are deficient or noncompliant are not eligible to receive federal funds via TxDOT until they have resolved their deficiencies or have submitted a commitment letter to TxDOT affirming their commitment toward resolving their deficiencies with a specific plan of action identified for each deficiency (see Appendix H).

## ONSITE COMPLIANCE REVIEWS TARGET CURRENT SUBRECIPIENTS IN NONCOMPLIANCE:

Onsite reviews may not be necessary; however, onsite reviews may be performed at the discretion of the ADA Compliance Program Administrator or upon request of the subrecipient.

ADA subrecipient compliance and monitoring is focused on ensuring compliance with the assurances of nondiscrimination and is risk-based. On-site review procedures apply to those subrecipients already approved and with projects underway. An on-site compliance review may be conducted based upon the following:

- A high-dollar or high-impact project is being undertaken by the Subrecipient. Impacts may or may not be related to disabled or other specifically-protected individuals;
- The Subrecipient has received a complaint of discrimination or TXDOT has received a complaint about the Subrecipient; or
- TXDOT has other reasons to suspect the Subrecipient may not be in compliance with nondiscrimination requirements. This may be based upon the manner of construction of improvements; content present or absent from the subrecipient's website; responses of the surveys or assessment tool or lack thereof; comments made in the official capacity of the subrecipient; actions taken that generate concern regarding the level of the subrecipient's compliance; or other reasonable basis identified by TxDOT, including a history of noncompliance.
- On-site Reviews will be undertaken by a Review Team. The Review Team members will vary between subrecipients depending on the type of project and the level of monitoring needed, to ensure that the members from the relevant departments and in-house experts are engaged appropriately. A Review Team may consist of:
  - Grants Manager
  - Project Manager
  - District/Division ADA Liaison
  - ADA Compliance Program Administrator
  - Other internal Subject Matter Expert (SME) (as required)

## **Before On-Site Review**

**Step 1 - Information Request:** The ADA Compliance Program Administrator will request relevant documentation at least 4 weeks in advance of the site visit based on the requirements. The requested documents will be determined by the review areas applicable to each subrecipient. The subrecipient is required to return the documents 2 weeks before the site visit.

**Step 2 - Review Documentation:** The Review Team will review all submitted documents. The team will record which documents were received and if there were performance or information gaps in meeting the FHWA requirements in each area.

**Step 3 – Pre-Visit Information:** One week before the site visit the ADA Compliance Program Administrator will send the Subrecipient the following:

- Cover Letter;
- Subrecipient Review Areas. This outlines the documents that were received and areas that will be further investigated on-site, and a list of performance or information gaps in advance of the site visit, allowing the subrecipient to prepare for on-site discussions;
- The program agenda for the on-site review to ensure that all relevant staff members are present; and
- The chosen sample of procurement files, so that the subrecipient will ensure all the documentation is ready (if applicable) for review on-site.

## **On-Site Review**

The ADA Compliance Program Administrator will coordinate the On-site Reviews. A minimum of 2-3 members of the Review Team will attend on-site to conduct the review based on the results of performance or information gaps identified in the pre-site visit documentation review, changes in policies and procedures, risk based assessment of grant management areas and federally funded procurements.

**The On-site Reviews will last approximately 1.5 days and will cover the following:**

**Step 4 – Entrance Conference:** The first meeting of the site visit between the Review Team and subrecipient. Introductions and overview of the compliance review objectives and process, and confirm arrangements for the review (documents requested, staff interviews, projects or federally funded assets to be inspected). The subrecipient should raise any issues they would like to discuss during this conference.

**Step 5 – Interviews and Review of Outstanding Documentation:** Focus on outstanding questions or gaps, changes in policies and procedures, risks and other pertinent information identified prior to the visit.

**Step 6 – Visit and Inspection of Documents, Facilities and Other Major Assets:** Including, observing the condition of facility and equipment, reviewing preventive maintenance records for a sample of federally funded facilities, verifying that the subrecipient has equipment control procedures, and reviewing procurement files and other documentation to confirm that the subrecipient has effective and comprehensive oversight procedures.

**Step 7 – Preliminary Findings of Deficiency:** During the review, the Review Team will check all FHWA requirements and record the findings. This will help to identify the preliminary findings and ensure all areas are covered while on site.

**Step 8 – Exit Conference:** The site visit will conclude with an exit conference during which the Review Team will debrief the subrecipient team. At the exit conference, the preliminary findings of deficiency will be distributed by the Review Team and discussed with the subrecipients along with proposed corrective actions and milestones for completion. The subrecipient should advise if any comments have been misstated or if there may be obstacles to the implementation of corrective actions.

Findings can take a number of forms:

- **“No Finding”:** Subrecipients documentation meets FHWA and ADA/504 requirements
- **“Finding”:** Subrecipient is missing documentation or the documentation provided is missing key FHWA and/or ADA/504 requirements
- **“Not Applicable”:** An area can be deemed not applicable if, after initial assessment, the subrecipient does not conduct activities for which the requirements of the respective area would be applicable.

Each finding will be accompanied by a corrective action that must be completed by the subrecipient to bring the project into compliance with FHWA requirements. The corrective actions, along with timelines for completion, form a corrective action plan which the subrecipient will be monitored. Corrective actions could include developing new policies and procedures, training staff, developing required documents/plans, and monitoring of staff performance to ensure compliant policies are followed.

Corrective actions must be specific, measurable, and assignable to the subrecipient and ensure the deficiency is removed. The timelines given for corrective action must be realistic, but enable the deficiency to be removed as quickly as possible. All corrective actions must be completed within 90 days of the date of the final report.

**Step 9 - Notify Subrecipient of Findings – ADA Review Follow-up Report of the Subrecipient**

Based on the findings noted in the Exit Conference, the ADA Compliance Program Administrator will develop a report indicating any performance gaps identified in the relevant compliance areas as a result of the review. The draft report will be sent to the subrecipient for comment ten (10) business days after the date of the site visit.

Between the date of the site visit and date of the draft report the subrecipient can submit to the Review Team documentation that will be considered in the draft report. Documentation can take two forms:

- If the documentation provides clarification that the subrecipient was compliant at the time of the site visit, reference to the finding should be removed.
- If the documents provide evidence that a finding has been corrected since the site visit, the finding should be listed in the draft report, but noted as closed.

**The ADA Review Follow-up Report of the Subrecipient will be submitted to the Designee of the subrecipient.**

**Step 10 – Corrective Action Monitoring:** The Project Manager will be responsible for tracking the status of all corrective actions and determining when all corrective action requirements have been met within the agreed timeframe. If a subrecipient does not deliver the corrective actions in the agreed timeframe, future payments may be withheld or additional funding may not be provided.

## **FAILURE TO COMPLY**

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If the subrecipient does not voluntarily comply within 90 days of the original notification, either by resolving the deficiency or by completing and submitting a compliance action plan to TxDOT, TxDOT will issue a notice of noncompliance.

If the subrecipient fails to submit appropriate and complete documentation to support its commitment to comply with ADA/Section 504, TXDOT will issue a noncompliance letter and forward a copy to FHWA and may then pursue other legally available action against the subrecipient for failure to comply. An administrative hearing opportunity would exist for the subrecipient at this point and notice of the same will be provided.

**Following the expiration of ninety (90) days, TXDOT will either:**

- Certify the current subrecipient eligible to receive funds,
- Identify the current subrecipient as deficient but on an approved corrective action plan, or
- Issue a notice of noncompliance and initiate appropriate proceedings to determine ineligibility to receive funds.

Copies of all deficiency notices will be provided to FHWA.

## REQUIREMENTS FOR SUBRECIPIENT'S DEFICIENCY RESOLUTION:

A Subrecipient who completed the ADA Subrecipient Monitoring & Compliance Formal Review may become compliant at any time by submitting sufficient documentation to the ADA Compliance Program Administrator for review that demonstrates resolution of their deficiencies.

Compliance documentation is generally reviewed by the ADA Review Team in the order it is received unless TXDOT or FHWA priorities determine otherwise. An ADA Review Follow-up Report of Subrecipient will be provided upon completion of the review. A corrective action plan is included in the report when applicable. Keep in mind that corrective action plans apply to current subrecipients of federal funds for a current and ongoing project only.

## ACCESSIBILITY REQUIREMENTS

Pursuant to the ADA or Section 504 & other accessibility laws and regulations, subrecipients are required to meet the following requirements to be eligible to receive federal funds:

1. Have a designated ADA Coordinator
2. Develop and post an ADA accessibility policy
3. Complete a self-evaluation of all public facilities & programs as applicable\*
4. Develop a transition plan, if applicable (recipient type/size)\*
5. Design & build accessible facilities & programs
6. Have a complaints and public input / request procedure
7. Review & monitor compliance

*\*Certain entities that are recipients of federal funds, but who are very small may not be required to have ADA Transition Plans; however they should have an accessibility plan that fits the size of their organization.*

The following pages provide specific guidance, resources and technical assistance targeting each of the above requirements. TXDOT's goal is to assist all of our subrecipients in achieving and maintaining compliance. Laws and regulations change, and it is each individual entity's responsibility to ensure current requirements. Again, none of the material included in this guide is intended to constitute legal advice. If you believe your entity may be exempt from any of these requirements or would like a legal opinion regarding your level of compliance, please consult with your organization's attorney.

## DESIGNATING AN ADA COORDINATOR

### Requirements:

- An ADA Coordinator must be designated.
- This individual must be identified by name.
- Their contact information must be provided
- This information should be included in the ADA Transition plan and posted on the subrecipient's website.

### Recommendations:

It may be beneficial to include these duties in the job description of an individual role within the subrecipient's organization in order to ensure when political transitions occur that the duties are maintained. However, a subrecipient cannot merely identify the ADA Coordinator by a job position, such as "Town Clerk". The individual's name must be provided. The ADA Coordinator may be the same person as the Title VI Program Manager. This determination is dependent on how the subrecipient operates as these are related but different roles. The ADA Coordinator should be someone in a position to implement policies and effectuate change. They should have some training in ADA requirements.

## DEVELOPING AND PUBLISHING AN ADA ACCESSIBILITY POLICY

### Requirements:

- The subrecipient must develop and publish an ADA Accessibility Policy
- TXDOT's ADA Notice of Nondiscrimination can be found here: [www.txdot.gov](http://www.txdot.gov).
- The policy must be signed or adopted by the subrecipient to be made official.
- The policy should be published and posted
- The policy should be included in the ADA Transition Plan

### Recommendations:

There are a number of similar subrecipients who have posted their nondiscrimination policies online. TXDOT's is also posted and may be used or referenced as a template. Nondiscrimination policies should be periodically re-adopted when leadership changes. You may not wish to identify the ADA Coordinator in the policy if a new ordinance must be passed to change Coordinators, although it is helpful to post and publish the ADA Coordinator's name with the ADA policy.

## COMPLETING A SELF-EVALUATION OF FACILITIES & PROGRAMS

### Requirements:

- The ADA requires that ALL programs and facilities, including everything from websites, public outreach policies, to city buildings, parks, and sidewalks be evaluated for ADA compliance.
- Measuring all features of facilities and maintaining a record is required.
- Assessing programs and identifying areas of noncompliance is required.
- The self-evaluation will form the basis for the prioritization schedule in the ADA transition plan.

### Recommendations:

Maintain all data in its raw form. If your records include the actual measurement of the slope of a curb ramp and the measurement in its width in inches, you won't have to recollect the information as the regulations change as you would if you merely recorded whether or not they were compliant. Include the year the asset was built if you have this information. Be sure to make this inventory a living document and update it or else it will be more work later to periodically redo the entire inventory.

Don't forget to evaluate your programs as you do your facilities. Is your website accessible? How about your public meetings? Does your city operate other programs such as leagues and camps?

## DEVELOPING, IMPLEMENTING AND MAINTAINING AN ADA TRANSITION PLAN

### Requirements:

- Identify your ADA Coordinator by name and include contact information
- Include the ADA policy
- Include the grievance procedure for ADA complaints
- Include the ADA self-evaluation results (for programs and facilities)
- Identify the design standards for all facilities (buildings & roadway assets)
- Include a prioritization schedule for remediating assets and programs that are not ADA compliance with a means of identifying the subrecipient's commitment to complete the schedule by identifying either (if not both) of the following:
  - The completion date for each item on the schedule or
  - A budget to be applied to the items on the prioritization schedule together with cost estimates for their remediation.

Demonstrate that there were ample public involvement opportunities involved in the development of this plan

- Identify how often the plan will be updated (every two years, for example).
- Effectuate the plan by signature, ordinance or other means of adoption.

### Recommendations:

Keep the plan simple. Put most of your data in the appendix but do include your inventory and prioritization schedule with the plan. It is not acceptable to have all of the plan components (such as a nondiscrimination policy, a grievance policy, and an inventory but not have them all pulled together in one place to form an ADA Transition Plan. The ADA Transition Plan must be complete and comprehensive. It should also be a living document, updated on an ongoing basis as work is completed, even if the plan itself isn't updated for publication every year. The minute you stop keeping track of the work that has been accomplished or identifying things that need remediation, the plan will cease to function and you (or your successor) will be left to start over. This could limit your eligibility for funding.

## DESIGNING AND BUILDING ACCESSIBLE FACILITIES & PROGRAMS

### Requirements:

- Identify the design standards used (ADAAG, PROWAG, etc.).
- Identify how you ensure that what you build and operate is compliant.

### Recommendations:

You are responsible for ensuring your facilities and programs are accessible. While ADAAG (ADA Accessibility Guidelines) apply to buildings and facilities, FHWA maintains that the PROWAG, (Proposed Guidelines for Accessible Rights-of-way) are the best practices for public rights-of-way even though they have not been made official as of the date of this publication. Accordingly, TXDOT is in the process of revising its design standards to meet the PROWAG requirements. Subrecipients should identify which design standards they use. These categories should be identified as ADAAG and PROWAG designations, not “TXDOT standard drawings”, for example. Adopting “TXDOT” or any other entities “standard drawings” does not constitute an adoption of design standards.

## DEVELOPING AND IMPLEMENTING A GRIEVANCE PROCEDURE

### Requirements:

- Adopt a grievance procedure for ADA complaints (Sample included in the Appendix)
- Protect the confidentiality of the complainant
- Maintain a log of all complaints received (Sample included in the Appendix)
- Train employees on your complaint procedure to ensure proper processing of complaints

### Recommendations:

Clearly state what constitutes and complete complaint and when that complaint is considered received. Clearly indicate your timelines and ensure you notify the Complainant of all of their rights and other options for filing a grievance. Follow your complaint procedure to the letter if and when you receive complaints.

## OBTAINING PUBLIC INPUT

### Requirements:

- Obtain **continual and ongoing** public input on your ADA Transition Plan
- Offer continuing opportunities for Input on ADA Prioritization and other policy and program decisions

### Recommendations:

Hold public meetings as you develop or update your ADA Transition Plan. Create a mechanism for ongoing public comment and input as the plan is implemented and ongoing. Keep records of all public meetings, public comments, and attendance. Include a discussion about public input in your Transition Plan.

## MONITORING AND MAINTAINING COMPLIANCE

### Requirements:

- Implementation is required for ADA Transition Plans: it is not enough to merely have them, they must be used.
- Subsequent plan updates must demonstrate and evidence progress that has been made in order to reflect good faith efforts to comply with the requirements.

### Recommendations:

Identify key individuals in your entity who can meet periodically and ensure that the underlying data is maintained. Meet with policy makers and stakeholders to discuss and evaluate the effectiveness of your plan. Don't let the Transition Plan sit on a shelf and collect dust. If it's not in use, it doesn't exist and it is not evidence of you ADA Compliance.

## ACCESSIBILITY CHECKLIST FOR COMMUNITIES

The following checklists can be used to determine whether or not your organization is in compliance with accessibility laws. This is a resource and technical tool only. Other factors will play a role in determining whether or not your organization is determined to be compliant or not. Keep in mind that having all the required components is only one small part of compliance; putting the plans and policies into practice and keeping good records is what really counts!

### ACCESSIBILITY CHECKLIST:

Pursuant to the ADA, Section 504 & other accessibility laws and regulations, subrecipients are required to meet the following requirements to be eligible to receive federal funds:

Have a designated ADA Coordinator

- Develop and post an ADA accessibility policy with adopted design standards and public notice
- Complete a self-evaluation of all public facilities & programs as applicable
- Develop a transition plan, if applicable (recipient type/size) with:
- Design & build accessible facilities & programs
- Have a complaints and public input / request procedure
- Review & monitor compliance

**APPENDICES**

Assurance.....A  
TX DOT’s ADA Notice.....B  
TxDOT’s ADA Nondiscrimination Statement.....C  
Advanced Funding Agreement.....D  
ADA Subrecipient Monitoring & Compliance Survey I.....E  
ADA Subrecipient Monitoring & Compliance Survey II & Risk Assessment.....F  
ADA Subrecipient Monitoring & Compliance Desk Review.....G  
ADA Review Follow-up Report of Subrecipient.....H  
TxDOT Grievance Procedure.....I  
TxDOT Grievance Tracking Number Methodology & Tracking Number Log.....J  
ADA Grievance Investigation Activity Log.....K  
ADA Letters and Documents.....L

DRAFT



# Texas Department of Transportation

125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

## AMERICANS WITH DISABILITIES ACT and SECTION 504 OF THE REHABILITATION ACT OF 1973

### ASSURANCE

28 Code of Federal Regulations Part 35.130, Title II of the Americans with Disabilities Act prohibits discrimination on the basis of disability by public entities. Subtitle A protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. It extends the prohibition of discrimination in federally assisted programs established by section 504 of the Rehabilitation Act of 1973 to all activities of state and local governments, including those that do not receive federal financial assistance, and incorporates specific prohibitions of discrimination on the basis of disability from Titles I, III, and V of the Americans with Disabilities Act. This rule, therefore, adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.

Texas Department of Transportation (TxDOT), HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the U.S. Department of Transportation through the Federal Highway Administration, is subject to and will comply with all laws and regulations, and hereby gives assurance that no qualified disabled person shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination of employment, under any program or activity that receives or benefits from this federal financial assistance. TxDOT further assures that its programs will be conducted, and its facilities operated, in compliance with all the requirements imposed by or pursuant to 49 CFR Part 27, 28 CFR Part 35 and 42 USC §§ 12101 - 12213.

  
\_\_\_\_\_  
James M. Bass  
Executive Director

2/8/17  
\_\_\_\_\_  
Date

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OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

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**AMERICANS WITH DISABILITIES ACT and  
SECTION 504 OF THE REHABILITATION ACT OF 1973**

**NOTICE**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the Texas Department of Transportation (TxDOT) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities.

TxDOT does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

TxDOT will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in TxDOT’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

TxDOT will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in TxDOT offices, even where pets are generally prohibited.

Anyone who requires auxiliary aids or services for effective communication, or a modification of policies and procedures to participate in a program, service or activity of TxDOT, should contact TxDOT’s ADA/504 Coordinator as soon as possible, but no later than 48 hours before the scheduled event.

The Americans with Disabilities Act does not require TxDOT to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of TxDOT is not accessible to persons with disabilities should be directed to the ADA/504 Coordinator.

TxDOT will not charge a fee on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications of policy, such as retrieving items from locations that are open to the public, but are not accessible to persons who use wheelchairs.

**Contact Information**

Texas Department of Transportation  
Civil Rights Division  
ADA/504 Coordinator  
125 E. 11<sup>th</sup> Street, Austin, Texas 78704  
[CIV\\_ADA@txdot.gov](mailto:CIV_ADA@txdot.gov) | (512) 416-4700

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OUR MISSION: *Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.*

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AMERICANS WITH DISABILITIES ACT and  
SECTION 504 OF THE REHABILITATION ACT OF 1973

**NONDISCRIMINATION STATEMENT**

The Texas Department of Transportation (TxDOT) does not discriminate against any qualified disabled person solely by reason of his or her disability, exclude from participation in, deny the benefits of, or otherwise subject individuals to discrimination, including discrimination of employment, under any program or activity that receives or benefits from federal financial assistance.

Additionally, TxDOT ensures its programs will be conducted, and its facilities operated, in compliance with all non-discriminatory practices and requirements imposed by or pursuant to 49 Code of Federal Regulations (CFR) Part 27, 28 CFR Part 35 and 42 USC §§ 12101 – 12213.

OUR VALUES: *People • Accountability • Trust • Honesty*

OUR MISSION: *Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.*

An Equal Opportunity Employer

CSJ # \_\_\_\_\_  
District # \_\_\_\_\_  
Code Chart 64 # \_\_\_\_\_  
Project: \_\_\_\_\_  
Federal Highway Administration  
CFDA Title: \_\_\_\_\_  
CFDA No.: \_\_\_\_\_  
Not Research and Development

STATE OF TEXAS §  
COUNTY OF TRAVIS §

**LOCAL TRANSPORTATION PROJECT  
ADVANCE FUNDING AGREEMENT  
For A  
[INSERT PROGRAM NAME for Example:  
{"Hazard Elimination/Safety Project (Traffic Signals)"}]**

**THIS Local Project Advance Funding Agreement (LPAFA)** is made by and between the State of Texas, acting by and through the Texas Department of Transportation, called the "State", and the \_\_\_\_\_, acting by and through its duly authorized officials, called the "Local Government."

**WITNESSETH**

**WHEREAS**, a Master Agreement between the Local Government and the State has been adopted and states the general terms and conditions for transportation projects developed through this LPAFA; and,

**WHEREAS**, the Texas Transportation Commission passed Minute Order Number \_\_\_\_\_ that provides for the development of, and funding for, the Project described herein; and,

**WHEREAS**, the Governing Body of the Local Government has approved entering into this LPAFA by resolution or ordinance dated \_\_\_\_\_, 20\_\_, which is attached to and made a part of this agreement as Attachment A for the development of the Project. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

**AGREEMENT**

**1. Period of the Agreement**

The period of this LPAFA is as stated in the Master Agreement, without exception.

**2. Termination of this LPAFA**

Termination of this LPAFA shall be under the conditions as stated in the Master Agreement. This LPAFA may be terminated by the State if the Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds.

**3. Amendments**

Amendments to this LPAFA shall be made as described in the Master Agreement, without exception.

**4. Scope of Work**

The scope of work for this LPAFA is described as \_\_\_\_\_

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**5. Right of Way and Real Property**

Right of way and real property shall be the responsibility of the Local Government as stated in the Master Agreement, without exception.

**6. Utilities**

Adjustment of utilities will be provided by the Local Government as required and as stated in the Master Agreement, without exception.

**7. Environmental Assessment and Mitigation**

Environmental assessment and mitigation will be carried out as stated in the Master Agreement. Additionally, before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

**8. Compliance with Texas Accessibility Standards and ADA**

Compliance with Texas Accessibility Standards and the Americans with Disabilities Act (ADA) will be as stated in the Master Agreement, without exception.

**9. Architectural and Engineering Services**

Architectural and engineering services will be provided by the State as stated in the Master Agreement. The State is responsible for performance of any required architectural or preliminary engineering work. For projects on the state highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the state highway system, the design shall, at a minimum, conform to applicable *American Association of State Highway and Transportation Officials* design standards. The Local Government may review and comment on the work as required to accomplish the public purposes of the Local Government. The State will cooperate fully with the Local Government in accomplishing these local public purposes to the degree permitted by State and Federal law.

**10. Construction Responsibilities**

Construction responsibilities will be carried out by the State as stated in the Master Agreement.

**11. Project Maintenance**

Project maintenance will be undertaken as provided for in the Master Agreement, without exception.

**12. Local Project Sources and Uses of Funds**

**A.** A Project Budget Estimate is provided in Attachment C. The State and the Federal Government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration. After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for one hundred percent (100%) of the cost of any work performed under its direction or control before the Federal spending authority is formally obligated.

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- B.** If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures and Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.
- C.** A Source of Funds estimate based on the Transportation Improvement Program (TIP) is also provided in Attachment C. Attachment C shows the percentage and estimated dollar amount to be contributed to the project by federal, state, and local sources. The parties agree that the LPAFA may be amended from time to time as required to meet the funding commitments based on revisions to the TIP, Federal Project Authorization and Agreement (FPAA), or other federal document.
- D.** The Local Government is responsible for all non-federal and non-state funding, unless otherwise provided for in this agreement or through amendment of this agreement. Where Special Approval has been granted by the State, the Local Government shall only in that instance be responsible for overruns in excess of the amount to be paid by the Local Government.
- E.** Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering for the project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction costs.
- F.** Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation." The check or warrant shall be deposited by the State and managed by the State. Funds may only be applied by the State to the Project. If after final Project accounting any excess funds remain, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.
- G.** If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than State or Federal Regulations, or if any other locally proposed changes, including but not limited to plats or replats, result in increased costs, then any increased costs associated with the ordinances or changes will be paid by the Local Government. The cost of providing right of way acquired by the State shall mean the total expenses in acquiring the property interests either through negotiations or eminent domain proceedings, including but not limited to expenses related to relocation, removal, and adjustment of eligible utilities.

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- H. When Special Approval has been granted by the State so that the Local Government bears the responsibility for paying cost overruns, the Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification of those amounts.
- I. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Any entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- J. Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.
- K. The Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by the State no more frequently than monthly and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred, and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.

**13. Document and Information Exchange**

The Local Government agrees to electronically deliver to the State all general notes, specifications, contract provision requirements, and related documentation in a Microsoft® Word or similar document. If requested by the State, the Local Government will use the State's document template. The Local Government shall also provide a detailed construction time estimate including types of activities and month in the format required by the State. This requirement applies whether the Local Government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

**14. Incorporation of Master Agreement Provisions**

This LPAFA incorporates all of the governing provisions of the Master Agreement in effect on the date of final execution of this LPAFA, unless an exception has been made in this agreement.

**15. Insurance**

If this Agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

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**16. Debarment Certification**

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, the Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

**17. Cost Principles and Office of Management and Budget (OMB) Audit Requirements**

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

**18. Notices**

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

<p><b>Local Government:</b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p><b>State:</b></p> <p>Director of Contract Services          Texas Department of Transportation          125 E. 11<sup>th</sup> Street          Austin, Texas 78701</p>
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All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

**19. Civil Rights Compliance**

- A. Compliance with Regulations: The Local Government will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this agreement.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment.

The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

- C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government's obligations under this contract and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. Information and Reports: The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
- E. Sanctions for Noncompliance: In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this contract, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
  - a. withholding of payments to the Local Government under the contract until the Local Government complies and/or
  - b. cancelling, terminating, or suspending of the contract, in whole or in part.
- F. Incorporation of Provisions: The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

## 20. Disadvantaged Business Enterprise (DBE) Program Requirements

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.
- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas

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Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address

[http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou\\_attachments.pdf](http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf).

- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

## 21. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this Agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>
- B. The Local Government agrees that it shall:
1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
  2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and
  3. Report the total compensation and names of its top five (5) executives to the State if:
    - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
    - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

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## 22. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR 200.
- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division at [singleaudits@txdot.gov](mailto:singleaudits@txdot.gov).
- C. If expenditures are less than the threshold during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Compliance Division as follows: "We did not meet the \$\_\_\_\_\_ expenditure threshold and therefore, are not required to have a single audit performed for FY \_\_\_\_\_."
- D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

## 23. Pertinent Non-Discrimination Authorities

During the performance of this contract, the Local Government, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects).
- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (49 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.

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- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

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**24. Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

\_\_\_\_\_  
Kenneth Stewart  
Director of Contract Services  
Texas Department of Transportation

\_\_\_\_\_  
Date

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**ATTACHMENT A  
RESOLUTION OR ORDINANCE**

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**ATTACHMENT B**  
**PROJECT LOCATION MAP**

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**ATTACHMENT C**  
**PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS**

**[INSERT A PROJECT BUDGET AND DESCRIPTION]**



## **TxDOT ADA Subrecipient Monitoring and Compliance Survey I**

49 Code of Federal Regulations (CFR) Parts 27 and 28 require that all recipients of federal-aid highway funds comply with Section 504 of the Rehabilitation Act of 1973. It states that "no otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance." 28 CFR 35 implements the Americans with Disabilities Act of 1990 (ADA), which extended the prohibition of discrimination on the basis of disability to all local agencies, including those that do not receive Federal financial assistance. ADA requirements differ for agencies with 50 or more full-time and part-time employees versus agencies with fewer than 50 full-time and part-time employees. This assessment will address the requirements for both and is a first step for TxDOT to determine subrecipient compliance; help subrecipients understand their ADA/504 responsibilities; and assist TxDOT in planning future training and technical assistance.

To begin, please click the "Next" button below.



## TxDOT ADA Subrecipient Monitoring and Compliance Survey I

### General Program Requirements

\* 1. Does your entity have an ADA Accessibility Transition Plan?

Yes

No

\* 2. Does your entity have an ADA/504 Coordinator?

Yes

No

\* 3. Has your entity drafted and disseminated to participants, applicants, employees, unions, and contractors/consultants a non-discrimination policy statement that states your entity does not discriminate on the basis of disability in admission or access to, or treatment or employment in its programs or activities?

Yes

No



## TxDOT ADA Subrecipient Monitoring and Compliance Survey I

### Grievances

\* 4. Has your entity adopted a written grievance procedure?

Yes

No

\* 5. How many complaints have been filed against your entity in the past three years?

\* 6. How many investigations have been completed?



## TxDOT ADA Subrecipient Monitoring and Compliance Survey I

### Accessibility

\* 7. Does your entity provide auxiliary aids (sign language, interpreters, readers, Braille and large print text) upon request to participants with disabilities?

Yes

No

\* 8. Has your entity provided accommodations to physically impaired persons needing special assistance?

Yes

No (please elaborate)

\* 9. Do you have barriers listed in your ADA Accessibility Plan?

Yes

No

N/A - We do not have an ADA Accessibility Plan

If yes, how many?

\* 10. Have you removed or corrected barriers listed in your ADA Accessibility Plan?

Yes

No

N/A - We do not have an ADA Accessibility Plan

If yes, how many?



## TxDOT ADA Subrecipient Monitoring and Compliance Survey I

### Other

\* 11. What region best describes the locality in which your agency performs the majority of its roadway and sidewalk alterations and construction?

- Metropolitan
- Urban
- Rural



## **TxDOT ADA Subrecipient Monitoring and Compliance Survey II and Risk Assessment**

49 Code of Federal Regulations (CFR) Parts 27 and 28 require that all recipients of federal-aid highway funds comply with Section 504 of the Rehabilitation Act of 1973. It states that "no otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance." 28 CFR 35 implements the Americans with Disabilities Act of 1990 (ADA), which extended the prohibition of discrimination on the basis of disability to all local agencies, including those that do not receive Federal financial assistance. ADA requirements differ for agencies with 50 or more full-time and part-time employees versus agencies with fewer than 50 full-time and part-time employees. The ADA Subrecipients Monitoring and Compliance Survey II is a comprehensive assessment that will be used to help TxDOT determine specific areas of subrecipient compliance/noncompliance; evaluate risk factors; help subrecipients understand their ADA/504 responsibilities; and determine if a formal review (desk or on-site) is required as part of the monitoring and compliance process.



## TxDOT ADA Subrecipient Monitoring and Compliance Survey II and Risk Assessment

### ADA Coordinator Information

**\* 1. ADA Coordinator Name:**

First:

Last:

**\* 2. ADA Coordinator Address:**

Street Address:

City:

State:

Zip Code:

**\* 3. ADA Coordinator Email:**

**\* 4. ADA Coordinator Phone Number:**



## TxDOT ADA Subrecipient Monitoring and Compliance Survey II and Risk Assessment

### Evaluation of Subrecipient Compliance

\* 5. Does the subrecipient have a disability nondiscrimination policy that includes the name, title, office address and office telephone number of the ADA/Section 504 Coordinator?

Yes

No

\* 6. Does the subrecipient have a complaint policy or grievance procedure that prohibits discrimination based on disability under any of the subrecipient's programs and activities?

Yes

No

\* 7. Does the subrecipient have proof of public dissemination of its ADA Policy or nondiscrimination policy statement?

Yes

No

\* 8. Are the subrecipient's website and telephone services accessible to individuals with sight and hearing impairments?

Yes

No

\* 9. Has the subrecipient completed a self-evaluation of current services, policies, practices to determine necessary modifications to achieve program accessibility?

Yes

No

\* 10. ADA self-evaluation completion and update dates:

Date of completion:      MM      DD      YYYY  
                                  [ ] / [ ] / [ ]

Date of last update:      [ ] / [ ] / [ ]

\* 11. Has the subrecipient developed and implemented a transition plan or other accessibility plan that outlines which structural modifications must be made to those programs and services that are not accessible?

- Yes
- No

\* 12. How often does the subrecipient update its ADA transition/accessibility plan?

- Every 3 years
- Every 5 years
- Every 6+ years
- Subrecipient does not have an ADA transition/accessibility plan

If subrecipient does not have an ADA transition/accessibility plan, when does it plan to complete it? (MM/DD/YYYY)

\* 13. If applicable, please provide the date of the last update to the subrecipient ADA Transition Plan:

Date:                      MM      DD      YYYY  
                                  [ ] / [ ] / [ ]

\* 14. Please provide a detailed description of how the subrecipient made its self-evaluation and/or transition plan available for public inspection or comment.

\* 15. Please provide a brief description of how the subrecipient monitors its own compliance with the ADA and Section 504.

\* 16. Does the subrecipient have a signed inventory?

Yes

No

\* 17. Does the subrecipient have a management plan for the replacement of signs to meet the Manual on Uniform Traffic Control Devices (MUTCD) reflective guidelines?

Yes

No

\* 18. Does the subrecipient have an ADA nondiscrimination policy that prohibits discrimination based on disability that it makes available to contractors, consultants, beneficiaries, etc.?

Yes

No

\* 19. Does the subrecipient have proof of public dissemination of its ADA nondiscrimination policy that it makes available to contractors, consultants, beneficiaries, etc.?

Yes

No

\* 20. Does the subrecipient's ADA nondiscrimination policy and its corresponding processes include the subrecipient maintaining a complaint log showing all ADA complaints received for the last three years (i.e. numbers, issues involved, how it was resolved)?

Yes

No

\* 21. Has any subrecipient staff received any ADA training (formal or informal) within the past year?

Yes

No

\* 22. Does the subrecipient actively seek out persons with disabilities to participate in public hearings, meetings, open houses, etc.?

Yes

No

\* 23. Does the subrecipient ensure it holds its public meetings, hearings, open houses, etc. in accessible locations?

Yes

No

24. Do the subrecipient's public meeting announcements provide notification that auxiliary aids are available upon request?

Yes

No



## TxDOT ADA Subrecipient Monitoring and Compliance Survey II and Risk Assessment

### Risk Assessment - General

\* 25. Subrecipient experience with State or Federal Funds:

- 5+ years
- 3-5 years
- 0-3 years

\* 26. Subrecipient experience with specific Grant program:

- 5+ years
- 3-5 years
- 0-3 years

\* 27. Management of staff turnover or reorganization that affects this program:

- No turnover or reorganization
- Little turnover or reorganization
- Significant turnover or reorganization

\* 28. Experience of staff and management assigned to the program:

- 5+ years/funding cycles
- 2-5 years/funding cycles
- Less than 2 years/funding cycles

\* 29. Subrecipient timeliness in document submission (for documents below):

- Applications
- Amendments
- Fiscal or Financial Reporting
- Budgets/Revisions
- Close-out
- A-133 audits and corrective action (if applicable)

- On time submission of all documents
- Rarely late or sometimes late on some documents
- Consistently late on some or all documents

\* 30. Subrecipient timely response to program/fiscal questions:

- Always timely in response
- Sometimes late in response
- Consistently late in response

\* 31. Complexity of the business environment or program funding/matching requirements:

- Simple program requirements and operations environment
- Moderately complex program requirements and operations environment
- Complex operations environment and program requirements

\* 32. Effective written procedures and controls for this program:

- Formal/written and distributed to employees
- Informal policies and controls
- No policies and controls



## TxDOT ADA Subrecipient Monitoring and Compliance Survey II and Risk Assessment

### Risk Assessment - Overall Fiscal Assessment

\* 33. Variations between expenditures and budget:

- No variations
- Small variations
- Large and frequent variations

\* 34. Subrecipient amount of budget carryover:

- No carryover
- Small amount of carryover
- Large amount of carryover

\* 35. Difficulty meeting matching requirements:

- No difficulty - Always meets matching requirements
- Some difficulty - Meets matching requirements most of the time
- Consistently has difficulty meeting matching requirements



## TxDOT ADA Subrecipient Monitoring and Compliance Survey II and Risk Assessment

### Risk Assessment - Legal Assessment

- \* 36. Does the subrecipient have or previously had a lawsuit(s) filed against them?

*Obtain all necessary documentation if answer is "yes."*

- No previous or current lawsuits
- Has previously had a lawsuit
- Has a lawsuit

- \* 37. Subrecipient staff that have been jailed, convicted of a felony or are currently under criminal investigation:

- No staff jailed, convicted or currently under criminal investigation
- Has staff that has been jailed, convicted or is currently under criminal investigation



## TxDOT ADA Subrecipient Monitoring and Compliance Survey II and Risk Assessment

### Risk Assessment - Monitoring/Audit Assessment

\* 38. Past Audit findings from the A-133 Audit or any other Internal Audit:

- No material findings
- Some findings, not material
- Has material findings

\* 39. Have there been any previous audit findings (i.e., other comprehensive audit, Internal Audit)?

- No - No material findings
- Some findings, not material
- Has material findings

\* 40. Has the subrecipient been debarred or suspended?

- Yes
- No

If so, when?

\* 41. Corrective Action Plans (CAP) and Resolution (obtain a copy):

- No CAPs past or current
- Has had CAPs but been resolved on time
- Has CAPs and not resolved on time

**\* 42. On-site monitoring visits:**

- Less than one funding cycle has passed since on-site visit
- Less than three finding cycles have passed since on-site visit
- More than three funding cycles have passed since on-site visit

**\* 43. Abbreviated Compliance Review findings:**

- Compliant
- Noncompliant



## TxDOT ADA Subrecipient Monitoring and Compliance Survey II and Risk Assessment

### Risk Assessment - Financial Systems Assessment

- \* 44. Does the subrecipient have a financial management system in place to track and record program expenditures?

*Examples: QuickBooks, Visual bookkeeper, Peachtree, or a Customer Proprietary System*

- Yes, has financial management system in place
- No financial management system in place

- \* 45. Does the accounting system identify the receipts and expenditures of program funds separately for each award?

- Accounting system identifies receipts and expenditures of program funds separately for each award
- Accounting system identifies receipts and expenditures of program funds but does not separate for each award
- Accounting system does not identify receipts and expenditures of program funds

- \* 46. Does the subrecipient have a time and accounting system to track time and expenditures by cost objective?

- Yes, subrecipient has a time and accounting system to track time and expenditures by cost objective
- Subrecipient has a time and accounting system but does not track time and expenditures by cost objective
- Subrecipient does not have a time and accounting system to track time and expenditures by cost objective

# Subrecipient ADA Monitoring/Compliances Assessment Tool

Desk Review

Civil Rights Division

Requirement #1	Yes	No	Comments
A. Has your entity drafted and disseminated to participants, applicants, employees, unions, and contractors/consultants a non-discrimination policy statement that states that yours does not discriminate on the basis of disability in admission or access to, or treatment or employment in its programs or activities? (28 CFR 35.106 & 49 CFR 27.15)			
B. Has your entity modified any policies or practices that do not meet Section 504 according to a schedule or sequence that includes milestones or measures of achievement? (49 CFR 27.11(c)(2)(iii))			
C. Has your Agency taken the appropriate remedial steps to eliminate the effects of any discrimination that resulted from previous policies and practices? (49 CFR 27.11(c)(2)(iv))			
Requirement #2	Yes	No	Comments
Does the non-discrimination policy statement also identify the name, title, and office address and office telephone number of the 504/ADA coordinator? (28 CFR 35.107(a) & 49 CFR 27.15(a) and (b))			
Requirement #3	Yes	No	Comments
Does your entity provide a written assurance to the STA that it will not discriminate on basis of disability in the provision of its programs, services, activities, and facilities, and that it will be in compliance with Section 504 and all of its requirements? (49 CFR 27.9)			
Requirement #4	Yes	No	Comments
Does your entity have a 504/ADA coordinator? (28 CFR 35.107(a) & 49CFR 27.13(a))			
Requirement #5	Yes	No	Comments
A. Has your entity developed and implemented a transition plan that outlines which structural modifications must be made to those programs and services that are not accessible? (28 CFR 35.150(d) & 49 CFR.11)			
B. Has your entity also developed a curb ramp installation schedule as part of the transition plan for pedestrian facilities it owns, operated and/or maintains? (28 CFR 35.150(d)(2))			
C. If so, did your entity provide an opportunity to interested person, including individuals with disabilities, to participate in transition plan process by submitting comments? (28 CFR 35.150(d)(1) & 49 CFR 27.11(c)(2))			
D. Is the transition plan available for public inspection? (28 CFR 35.150(d)(1) & 49 CFR 27.11)			

Requirement #6	Yes	No	Comments
Does your entity have an internal grievance procedure that allows for quick and prompt solutions for any complaints based on alleged noncompliance with 504? (28 CFR 35.107(b) & 49 CFR 27.13(b))			
Requirement #7	Yes	No	Comments
Does your entity keep on file for at least one year all complaints of noncompliance with ADA and 504 received? (49CFR 27.121(b))			
Requirement #8	Yes	No	Comments
A. Does your entity provide auxiliary aids (sign language interpreters, readers, braille, and large print text) upon request, to STA program participants with disabilities? (28 CFR 35.160 (b)(1) and 49 CFR 27.7(c))			
B. Does your entity notify the public and other interested parties that auxiliary aids will be provided, upon request (e.g., via public meeting announcement)? (28 CFR 35.160(a), 28 CFR 35.163(a), and 49 CFR 27.7 (c))			
C. Are your entity hotlines and other telephone services (511, traffic information) accessible by TTD/TTY phone services? Can hearing impaired individuals contact the STA via TTD/TTY phone lines? (28 CFR 35.161 and 49 CFR 27.7(c))			
Requirement #9	Yes	No	Comments
Is your entity website and all of its contents accessible to individuals with hearing or visual impairments? (28 CFR 35.160(a), 28 CFR 35.163(a), and 49 CFR 27.7(c))			
Requirement #10	Yes	No	Comments
A. Has your entity conducted a self-evaluation of its current services, policies, and practices, and the effects thereof, to determine necessary modifications to achieve program accessibility? (28 CFR 35.105 & 49 CFR 27.11©(2)(i-v))			
B. If so, did your agency provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments? (28 CFR 35.105(b) & 49 CFR 27.11(c)(2))			
C. Has the recipient established a system for periodically reviewing and updating the evaluation? (49 CFR 27.11(c)(2)(v))			
Requirement #11	Yes	No	Comments
Does your entity maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities? (28 CFR 35.133)			

Requirement #12	Yes	No	Comments
Does your entity monitor subrecipients who receive federal aid assistance (local governments, contractors, consultants) to ensure compliance with Title 11 ADA and 504 with respect to state transportation agency (STA) funded (both Federal and State \$\$) projects and programs that the subrecipients implement? (28 CFR 35.130(b)(1)(v) & 49 CFR 27.7(V))			
Requirement #13	Yes	No	Comments
Does your entity have a process to analyze a project, program, service or benefit for determinations of "undue" financial or administrative burdens, or fundamental alteration to the program, services or benefit that comports with the criteria for making such determination in 28 CFR 35.150(a)(3) and 28 CFR 35.164?			
Requirement #14	Yes	No	Comments
Does your entity have the process to provide access to programs, services and benefits to those with disabilities that comports with 28 CFR 35.150(b)(1)			

Respond to the following questions only if the Subrecipient is constructing new or modifying existing facilities.

Requirement #15	Yes	No	Comments
Does your entity build new facilities and alter existing ones (both pedestrian ROW and STA buildings) in accordance with the American with Disabilities Act Accessibility Guidelines (ADAAG) (PROWAG) (TAS) and Appendix A of 49 CFR 37? (28 CFR 35.151(c) and 49 CFR 27.3(b))			
Requirement #16	Yes	No	Comments
Does your entity have process and procedure for the installation of accessible features on the pedestrian rights-of-way (curb ramps, accessible pedestrian signals, etc.)?			
Requirement #17	Yes	No	Comments
Does your entity provide accessible highway rest areas and pedestrian underpasses, overpasses and ramps that are newly constructed or altered with Federal Aid? (24 CFR 27.75)			
Requirement #18	Yes	No	Comments
Does your entity have the process for making technical infeasibility determination for new construction and alterations that comports with the criteria in ADAAG 4.1.1(5) and 4.1.6(J)			

Requirement #19	Yes	No	Comments
Does your entity install curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway, when streets, roads, highways or crosswalks are newly constructed or altered, or when the crosswalk is constructed with Federal aid? (28 CFR 35.151(e)(1)(2) and 49 CFR 27.75(a)(2))			
Requirement #20	Yes	No	Comments
Is your entity installing detectable warnings in the form of truncated domes in curb ramps when roadways with pedestrian facilities are altered? (ADAAG 4.29 and FHWA policy guidance (May 2002))			



# ADA Review Follow-up Report of <the Subrecipient>

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Civil Rights Division

September 29, 2017

## **OVERVIEW**

The Texas Department of Transportation's (TxDOT) Civil Rights Division (CIV) provided corrective actions as a result of an ADA review of <the Subrecipient>. This follow-up report summarizes our findings.

## **ADA REQUIREMENT #1**

### *Create/Develop an Accessibility Policy*

- A. Subrecipients must draft and disseminate to participants, applicants, employees, unions, and contractors/consultants a non-discrimination policy statement that states that you do not discriminate on the basis of disability in admission or access to, or treatment or employment in its programs or activities. (28 CFR 35.106 & 49 CFR 27.15)
- B. Subrecipients must modify any policies or practices that do not meet Section 504 according to a schedule or sequence that includes millstones or measures of achievement. (49 CFR 27.11©(2)(iii))
- C. Subrecipients must take the appropriate remedial steps to eliminate the effects of any discrimination that resulted from previous policies and practices. (49 CFR 27.11©(2)(iv))

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #2**

### *ADA/Nondiscrimination Policy Statement (28 CFR 35.107(a) & 49 CFR 27.15(a) and (b))*

Subrecipients must have the non-discrimination policy statement identify the name, title, office address and office telephone number of the 504/ADA Coordinator.

<Corrective Action>

<Follow-up>

### **ADA REQUIREMENT #3**

#### *ADA/Nondiscrimination Assurance (49 CFR 27.9)*

Subrecipients must provide a written assurance to the STA that it will not discriminate on the basis of disability in the provision of its programs, services, activities, and facilities, and that it will be in compliance with Section 504 and all of its requirements.

<Corrective Action>

<Follow-up>

### **ADA REQUIREMENT #4**

#### *ADA/Section 504 Coordinator (28 CFR 35.107(a) & 49 CFR 27.13(a))*

Subrecipients must have a 540/ADA coordinator.

<Corrective Action>

<Follow-up>

### **ADA REQUIREMENT #5**

#### *ADA Transition Plan*

- A. Subrecipients must develop and implement a transition plan that outlines which structural modification must be made to those programs and services that are not accessible. (28 CFR 35.150(d) & 49 CFR 27.11)
- B. Subrecipients must develop a curb ramp installation schedule as part of the transition plan for pedestrian facilities it owns, operates and/or maintains. (28 CFR 35.150(d)(2))
- C. Subrecipients must provide an opportunity to interested persons, including individuals with disabilities, to participate in transition plan process by submitting concerns. (28 CFR 35.150(d)(1) & 49 CFR 27.11(c)(2))
- D. Subrecipients must have the transition plan available for public inspection. (35.150(d)(1) & 49 CFR 27.11)

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #6**

### *ADA Grievance Policy ((28 CFR 35.107(b) & 49 CFR 27.13(b))*

Subrecipients must have an internal grievance procedure that allows for quick and prompt solutions for any complaints based on alleged noncompliance with 504/ADA.

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #7**

### *Recordkeeping (49 CFR 27.121(b))*

Subrecipients must keep on file for at least one year all complaints received of noncompliance with ADA and 504.

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #8**

### *ADA Auxiliary Aids*

- A. Subrecipients must provide auxiliary aids (sign language interpreters, readers, braille, and large print text) upon request, to STA program participants with disabilities. (28 CFR 35.160(b)(1) and 49 CFR 27.7(c))
- B. Subrecipients must notify the public and other interested parties that auxiliary aids will be provided, upon request (e.g., via public meeting announcement). (28 CFR 35.160(a), 28 CFR 35.163(a), and 49 CFR 27.7(c))
- C. Subrecipients must have hotlines and other telephone services (511, traffic information) accessible by TTD/TTY phone services. Hearing impaired individuals must be able to contact the STA via TTD/TTY phone lines. (28 CFR 35.161 and 49 CFR 27.7(c))

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #9**

*Website Accessibility (28 CFR 35.160(a), 28 CFR 35.163(a) and 49 CFR 27.7(c))*

Subrecipients must have the entity website and all its contents accessible to individuals with hearing or visual impairments.

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #10**

*Self-Evaluation*

- A. Subrecipients must conduct a self-evaluation of its current services, policies, and practices, and the effects thereof, to determine necessary modifications to achieve program accessibility. (28 CFR 35.105 & 49 CFR 27.11(c)(2)(i-v))
- B. Subrecipients must provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments. (28 CFR 35.105(b) & 49 CFR 27.11(c)(2))
- C. Subrecipients must establish a system for periodically reviewing and updating the evaluation. (49 CFR 27.11(c)(2)(v))

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #11**

*Facilities and Equipment Accessibility (28 CFR 35.133)*

Subrecipients must maintain in operable working conditions those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities.

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #12**

*Monitoring Subrecipients Receiving Federal Aid Assistance (28 CFR 35.130(b)(1)(v) & 49 CFR 27.7(V))*

Entities must monitor subrecipients who receive assistance (local governments, contractors, consultants) to ensure compliance with Title II, ADA and 504 with respect to state transportation agency (STA) funded (both Federal and State \$\$) projects and programs that the subrecipient implements.

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #13**

*"Undue" Financial or Administrative Burdens (28 CFR 35.150(a)(3) and 28 CFR 35.164)*

Subrecipients must have a process to analyze a project, program, service or benefit for determinations of "undue" financial or administrative burdens, or fundamental alteration to the program, services or benefit that comports with the criteria for making such determination.

<Corrective Action>

<Follow-up>

## **ADA REQUIREMENT #14**

*Program Accessibility (28 CFR 35.151(c)(1)(2) and 49 CFR 27.75(a)(2))*

Subrecipients must have a process to provide access to programs, services and benefits to those with disabilities.

<Corrective Action>

<Follow-up>

**Respond to the following questions only if the Subrecipient is constructing new or modifying existing facilities.**

**ADA REQUIREMENT #15**

*Building and Facilities (28 CFR 35.151(c) and 49 CFR 27.3(b))*

Subrecipients must provide evidence that supports entity builds, new facilities or alteration of existing ones (both pedestrian ROW and STA buildings) in accordance with the American with Disabilities Act Accessibility Guidelines (ADAAG) (PROWAG) (TAS) and Appendix A of 49 CFR 37.

**ADA REQUIREMENT #16**

*Building and Facilities (28 CFR 35.151(c) and 49 CFR 27.3(b))*

Subrecipients must have process and procedure for the installation of accessible features on the pedestrian rights-of-way (curb ramps, accessible pedestrian signals, etc.).

**ADA REQUIREMENT #17**

*Building and Facilities (28 CFR 35.151(c) and 49 CFR 27.3(b)), (24 CFR 27.75)*

Subrecipients must provide accessible highway rest areas, pedestrian underpasses, overpasses, and ramps that are newly constructed or altered with Federal aid.

**ADA REQUIREMENT #18**

*Building and Facilities (28 CFR 35.151(c) and 49 CFR 27.3(b))*

Subrecipients must have a process for making technical infeasibility determination for new construction and alterations that comports with the criteria ADAAG 41.1(5) and 4.1.6(J).

**ADA REQUIREMENT #19**

*Building and Facilities (28 CFR 35.151(c) and 49 CFR 27.3(b)), (28 CFR 35.151(e)(1)(2) and 49 CFR 27.75(a)(2))*

Subrecipients must install curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway, when streets, roads, highways or crosswalks are newly constructed or altered, or when the crosswalk is constructed with Federal aid.

**ADA REQUIREMENT #20**

*Building and Facilities (28 CFR 35.151(c) and 49 CFR 27.3(b))*

Subrecipients must install detectable warnings in the form of truncated domes in curb ramps when roadways with pedestrian facilities are altered (ADAAG 4.29 and FHWA policy guidance (May 2002)).

## **CONCLUSION**

Based on the documentation provided, <the Subrecipient> has demonstrated good faith efforts in meeting the requirements of the ADA review. <The Subrecipient> should continue its efforts to have an ADA program to prevent and eliminate discrimination in the programs it administers.

## Attachment D – Grievance Procedure

### TxDOT ADA Accessibility Program

Grievance Policy and Procedures

### Texas Department of Transportation Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established in accordance with the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services by or access to activities, programs or facilities of the Texas Department of Transportation.

Any person who believes that he or she, individually, as a member of the disabled community, has been subject to discrimination prohibited by the Americans with Disabilities Act, Sections 504 or 508 of the Rehabilitation Act of 1973, as amended, may file a complaint with TxDOT. A complaint may also be filed by a representative on behalf of such a person or group.

Complaints submitted shall be in writing and must be signed by the complainant and/or the representative. Complainants can complete TxDOT's External Discrimination Complaint Form available on TxDOT's website in English and Spanish. See attachment D.

The complaint should be submitted by the grievant and/or his or her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

Michael D. Bryant, Director  
Civil Rights Division  
125 E. 11<sup>th</sup> Street  
Austin, TX 78701  
512-416-4700 (Voice)  
512-486-5539 (FAX)  
1-800-735-2989 (TTY)  
7-1-1 (Relay Texas)  
[Michael.D.Bryant@txdot.gov](mailto:Michael.D.Bryant@txdot.gov)

#### Roles and Responsibilities

The Civil Rights Division (CIV) is charged with the primary responsibility of processing ADA external discrimination complaints received by TxDOT. All discrimination complaints received by DDs must be referred to CIV for review and action. CIV processes complaints consistent with FHWA's External Discrimination Complaint Handling Procedures, which includes maintaining a complaint log, using form letters, and its investigative process.

### Time frame for Filing Complaints

In order to have the complaint considered under ADA, the complaint must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or
- The date the person(s) became aware of the alleged act(s) of discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discovered.

In either case, TxDOT may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for doing so.

### Processing Complaints

Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the alleged discrimination. In the event that a person makes a verbal complaint to a TxDOT employee, that person shall be interviewed by CIV. If necessary, CIV will assist the person in documenting the complaint in writing and submitting the written version to the person for signature.

Within ten (10) days of receipt of the complaint, CIV will acknowledge receipt, inform the complainant of action proposed or taken, and advise the complainant of other avenues of redress available, such as filing with the investigation and Adjudications Unit at FHWA Headquarters Office of Civil Rights and the U.S. DOT.

ADA complaints filed directly with TxDOT against its subrecipients will be processed in accordance with the FHWA approved complaint procedures as required under 23 CFR 200.9(b)(3). However, FHWA has the authority for making all final decisions, including dismissing complaints and issuing letters of findings. All complaints are investigated unless:

- The complaint is withdrawn by the complainant;
- The complainant fails to provide required information after numerous attempts;
- The complaint is not filed timely; or
- The complaint is involving an issue other than discrimination or if the complaint is not based on the disabled protected class.

Complaints filed under ADA with TxDOT in which TxDOT is named as the respondent will be forwarded to FHWA within ten (10) days of receipt of the allegation for processing. The following information will be provided to FHWA:

- Name, address, and phone number of complainant;
- Name(s) and address(es) of alleged discriminating official(s);
- Basis of complaint (i.e., disability, race, color, national origin, sex, age);
- Date of alleged discriminatory act(s);
- Date of complaint received by TxDOT;
- A statement of the complaint;
- Other agencies (state, local or federal) where the complaint has been filed; and
- An explanation of the actions TxDOT has taken or proposed to resolve the issue raised in the complaint.

#### Investigative Process

Within sixty (60) days of receipt of the complaint, CIV will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to FHWA. FHWA will issue final decisions in all cases, including those complaints investigated by CIV. The complaint will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings. No information is disclosed with TxDOT personnel or any other party not involved in the investigative process.

#### Developing an Investigative Plan

An investigative Plan (IP) will be prepared to define the issues and lay out the blueprint to complete the investigation. The IP is used to keep the investigation on track and focused on the issues and sources of evidence or corroboration. The IP outline is as follows:

- Complainant name and contact information, and that of their attorney, if applicable;
- Respondent name and contact information, and that of their attorney, if applicable;
- Applicable laws and regulations;
- Basis of complaint (i.e., disability, race, color, national origin, sex, age);
- Allegation(s)/Issue(s);
- Background
- Interviewee(s) name and contact information;
- Questions for the complainant, respondent, and interviewee(s);
- Evidence to be obtained;
- Estimated investigation timeline; and
- Remedy sought by the complainant(s).

#### Documentation

CIV maintains a complaint log, intake form and activity log to document all activity related to the complaint. See attachment (s) D. The information captured on these documents includes:

- Grievance Tracking Number
- Complainant's name and if provided, disability, race, color, age, gender and national origin;
- Respondent's name;
- Basis(es) of the ADA complaint;
- Allegation(s)/Issue(s) surrounding the discrimination complaint;
- Agency/Division/District
- Investigation Activity
- Date the discrimination complaint was filed;
- Date the investigation was completed;
- Disposition/Status
- Disposition date; and
- Other pertinent information.

**Preparing the Report of Investigation**

A Report of Investigation (ROI) will be prepared setting forth all the relevant facts obtained during the investigation. The ROI will include a finding for each issue and recommendations, where necessary. Documentation regarding any attempts and outcomes that were made to resolve the complaint prior to the initial receipt of the written complaint will be summarized in the ROI. The ROI and recommended decision will be forwarded to the FHWA for a final decision.

## TxDOT ADA Accessibility Program

### Grievance Tracking Number Methodology

#### Grievance Tracking Number Methodology

28 CFR 35.107(b) requires a public entity that employs more than 50 people to adopt and publish a grievance procedure providing for the prompt and equitable resolution of complaints alleging discrimination on the basis of disability access to any governmental facility, program, service or activity provided by the entity. Grievance Procedures are intended to safeguard the processing of all TxDOT complaints associated with ADA/504 concerns. These procedures provide a system for resolving complaints of disability discrimination in a prompt and fair manner.

By adopting these administrative requirements, the Texas Department of Transportation (TxDOT) will be able to address the complaints of people with disabilities more efficiently who have encountered issues when using our facilities, or participating in our programs, activities, and services. Having these requirements in place will assist TxDOT employees and representatives to access a specific grievance easily; exercise good recordkeeping habits; and provide accurate information when communicating with a complainant about his/her specific grievance.

When assigning a tracking number to a grievance, the TxDOT employee or representative should follow these guidelines in this specific order:

1. Abbreviate "Grievance" as "GRV";
2. Use the next ordinal number (e.g. 1, 2, 3,) to indicate the quantity of grievances received to-date;
3. Write the date the Civil Rights Office (CRO) received notice or became aware of the grievance; and
4. Include the fiscal year(s) the Complainant alleged the discrimination occurred.

**EXAMPLE: GRV001-10262016-2014**

# TxDOT ADA Accessibility Program

ADA Grievance Tracking Number Log

Tracking Number	Complainant	District/Division	Initials
<small>GRV#-Date CIV Res-YY Alleged</small> GRV001-10262016-2014	- Fredericksburg Road	SAT	JW
GRV002-11022016-2016	- City of Dallas	DAL	JW
GRV003-12152016-2016	- SH 99 & I-10	HOU	JW
N/A	- City of Richardson	DAL	FWA
GRV004-02232017-__?	*(waiting for information from FHWA)	SAT	JW
N/A	- TxTag - DV	TOD	Informal - js/TOD
GRV005- - -			
GRV006- - -			
GRV007- - -			
GRV008- - -			
GRV009- - -			
GRV010- - -			
GRV011- - -			
GRV012- - -			
GRV013- - -			
GRV014- - -			
GRV015- - -			
GRV016- - -			
GRV017- - -			
GRV018- - -			
GRV019- - -			
GRV020- - -			
GRV021- - -			
GRV022- - -			
GRV023- - -			
GRV024- - -			
GRV025- - -			
GRV026- - -			
GRV027- - -			
GRV028- - -			
GRV029- - -			
GRV030- - -			
GRV031- - -			





125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.416.4700 | WWW.TXDOT.GOV

<Date>

<Contact>, <Title>

<Subrecipient>

<Address>

<City, State ZIP>

Re: TxDOT ADA Subrecipient Monitoring Program

Dear <Contact>:

The Texas Department of Transportation (TxDOT) remains committed to providing full accessibility for all of its potential customers. The purpose of this letter is to introduce you to the Subrecipient Monitoring Program, identify the applicable rules and regulations, requirements and expectations of entities who receive federal-aid assistance from TxDOT.

The Federal Highway Administration (FHWA) and the Department of Justice consider TxDOT both a State Transportation Agency (STA) and a recipient because it receives and distributes federal funds to entities, such as local governments, metropolitan planning organizations, universities or colleges, and others. As an STA, TxDOT has the responsibility to monitor subrecipients to ensure their compliance with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973, as amended, with respect to STA-funded (both federal and state dollars) projects and programs that the subrecipient implements.

Under ADA (28 CFR §35.130(b)(1)(v)), TxDOT cannot aid or perpetuate discrimination against an individual with a disability by providing assistance to an entity that discriminates in providing any aid, benefit, or service to beneficiaries. Similarly, Section 504 (49 CFR §27.7(v)) provides that a recipient of FHWA funds (TxDOT) cannot provide financial or other assistance to an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit or service. Simply stated, TxDOT cannot provide aid to an organization that is not in compliance with ADA and Section 504.

If TxDOT provides federal aid to a local government or other entity, all of the operations of the agency, department or organization which the funds are distributed are covered. Thus, all local governments are covered as well as any private entities that accept federal grants. Enhancement grants, safe routes to school funds, earmarks, as well as local highway user revenue distributions are all qualifying funds and therefore, recipients must demonstrate compliance in all of their programs.

The State, local government and other entities employing 50 or more people must meet the following requirements:

- Apply ADA law
- Apply Section 504
- Develop and disseminate a non-discrimination statement

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- Appoint an ADA/Section 504 coordinator (employing 15 or more people)
- Publish a grievance procedure (employing 15 or more people)
- Conduct a Self-Evaluation
- Develop a Transition Plan
- Provide Auxiliary Aids, including TTD/TTY
- Provide assurances of compliance through the development of standards, guidelines, policies, procedures and adequate recordkeeping.

TxDOT's Subrecipient Monitoring Program is multi-faceted and includes education, oversight, design review, consultation and monitoring. The elements of the program are outlined in TxDOT's ADA Subrecipient Technical Assistance Manual. Information will be distributed to TxDOT's subrecipients outlining their responsibilities under ADA and Section 504. Subrecipients will be asked to acknowledge their understanding of the requirements of the ADA and Section 504 and certify by signature, that they do/will comply with those requirements. TxDOT reserves the right to review any of the required materials/policies/programs of the subrecipient. Notification of training will be provided to subrecipients and consultation will be offered on an as needed basis.

Thank you in advance for your commitment to accessibility and complying with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973, as amended.

Sincerely,

Michael D. Bryant  
Director  
Civil Rights Division



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<Date>

<Contact>, <Title>

<Subrecipient>

<Address>

<City, State ZIP>

Re: TxDOT ADA Subrecipient Monitoring Program

Dear <Contact>:

In compliance with the Texas Department of Transportation (TxDOT) Subrecipient Monitoring Program, ADA training will be provided on <Date> at <location> from <Time>. Subrecipients working on projects funded with federal-aid assistance are encouraged to complete this training. Starting <Date>, TxDOT will require all "qualified" subrecipients to successfully complete the course at least once every three years.

Training becomes available for enrollment 30 days prior to the course start date, if seats are available. Registration for these classes is on a first-come, first-serve basis.

Email the attached registration form to CIV\_ADA@txdot.gov or call (512) 416-4700 for additional information.

Sincerely,

Michael D. Bryant  
Director  
Civil Rights Division

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<Date>

**CERTIFIED MAIL NO:  
RETURN RECEIPT REQUESTED**

<Contact>, <Title>  
<Subrecipient>  
<Address>  
<City, State ZIP>

Re: ADA Notification of Review

Dear <Contact>:

We will be conducting an ADA review of <the Subrecipient>. Under Title 49 Code of Federal Regulations (CFR) Parts 27 and 28, and section 504/508 of the Rehabilitation Act of 1973, we are required to conduct ADA reviews of subrecipients of federal financial assistance to ensure compliance with the Americans with Disabilities Act of 1990 (ADA) and related regulations. The process includes this official notification, a desk audit, the issuance of a report of findings, and corrective actions, if applicable.

For the desk audit, please submit supporting documentation in response to the enclosed Itemized Listing by <Date>, to CIV\_ADA@txdot.gov or to the following address:

Texas Department of Transportation  
Civil Rights Division,  
125 E. 11th Street  
Austin, Texas 78701  
Attn: Juanita Webber

The ADA Nondiscrimination Technical Assistance Guide for Subrecipients will assist recipients of federal financial assistance in ensuring compliance with the ADA requirements. This guide is available on TxDOT's website at <http://www.txdot.gov/inside-txdot/forms-publications/publications/civil-rights.html>.

Please contact Juanita Webber, ADA Compliance Program Administrator, at (512) 416-4700 or CIV\_ADA@txdot.gov if you have any questions.

Sincerely,

Michael D. Bryant  
Director  
Civil Rights Division

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<Date>

<Contact>, <Title>

<Subrecipient>

<Address>

<City, State ZIP>

Re: ADA Review Extension Request

Dear <Contact>:

This is to acknowledge receipt of <an e-mail/a letter> dated <Date>, requesting an extension to provide supporting documentation for the ADA review of <the Subrecipient>. Pursuant to this request, we are extending the deadline. Your supporting documentation should be submitted to this office no later than <Date>.

Please contact Juanita Webber, ADA Compliance Program Administrator, at (512) 416-4700 or CIV\_ADA@txdot.gov if you have any questions.

Sincerely,

Michael D. Bryant  
Director  
Civil Rights Division

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<Date>

<Contact>, <Title>  
<Subrecipient>  
<Address>  
<City, State ZIP>

Re: ADA Desk Audit Complete Follow-Up Needed

Dear <Contact>:

We have completed the desk audit portion of the ADA Review of the City of XXX. Please find the report which summarizes our findings and corrective actions enclosed. Documentation that these corrective actions have been implemented must be submitted to our office for approval within sixty (60) calendar days from the date of this letter.

Please contact Juanita Webber, ADA Compliance Program Administrator, at (512) 416-4700 or CIV\_ADA@txdot.gov if you have any questions.

Sincerely,

Michael D. Bryant  
Director  
Civil Rights Division

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<Date>

<Contact>, <Title>  
<Subrecipient>  
<Address>  
<City, State ZIP>

Re: ADA Review Complete

Dear <Contact>:

We have completed the desk audit portion of a review of <the Subrecipient>'s ADA policies and practices. Based on the documentation submitted, we have determined that <the Subrecipient> is in compliance. Enclosed please find the report which summarizes our findings.

Though this letter officially closes the review, we encourage you to continue your efforts to prevent discrimination. We also encourage you to self-monitor both your efforts and results to ensure adherence to the requirements outlined in TxDOT's *ADA Technical Assistance Guide for Subrecipients*.

Please contact Juanita Webber, ADA Compliance Program Administrator, at (512) 416-4700 or CIV\_ADA@txdot.gov if you have any questions.

Sincerely,

Michael D. Bryant  
Director  
Civil Rights Division

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cc: <Contact, Title, Subrecipient>

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<Date>

<Contact>, <Title>  
<Subrecipient>  
<Address>  
<City, State ZIP>

Re: ADA Review Extension Request

Dear <Contact>:

We recently provided corrective actions as a result of a review of <the Subrecipient>'s ADA policies and practices. Documentation that these corrective actions have been implemented was due to our office within sixty (60) calendar days from the date of the follow-up report. As of today, we have received documentation for <#> of the <#> corrective actions outlined in that report.

Subsequently, on <Date>, your office requested an extension to provide additional supporting documentation in addressing the remaining corrective actions. Your request has been approved. Please submit the remaining documentation to our office no later than <date>.

Please contact Juanita Webber, ADA Compliance Program Coordinator, at (512) 416-4700 or CIV\_ADA@txdot.gov if you have any questions.

Sincerely,

Michael D. Bryant  
Director  
Civil Rights Division

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<Date>

<Contact>, <Title>

<Subrecipient>

<Address>

<City, State ZIP>

Re: Title ADA Audit Complete

Dear <Contact>:

We recently provided corrective actions as a result of a review of the <the Subrecipient> ADA policies and practices. Based on the documentation submitted, we have determined that the <the Subrecipient> is in compliance. Enclosed please find the follow-up report which summarizes our findings.

Though this letter officially closes the review, we encourage you to continue your efforts to prevent discrimination. We also encourage you to self-monitor both your efforts and results to ensure adherence to the requirements outlined in TxDOT's *ADA Technical Assistance Guide for Subrecipients*.

Please contact Juanita Webber, ADA Compliance Program Administrator, at (512) 416-4700 or CIV\_ADA@txdot.gov if you have any questions.

Sincerely,

Michael D. Bryant  
Director  
Civil Rights Division

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**TXDOT ADA Accessibility Program – ADA Training Schedule FY 2017/2018**

<b>Course Name</b>	<b>Date</b>	<b>Duration</b>	<b>Location</b>	<b>Presenter</b>
Disability Etiquette	Nov. 9, 2017	2 hours (in person)	200 E. Riverside Dr., Rm 1A.1 Austin, Texas	Southwest ADA Center
Effective Communication	Feb. 15, 2018	30 min.	WebEx	Southwest ADA Center
Program Accessibility	Apr. 19, 2018	30 min.	WebEx	Southwest ADA Center
The Top 10 ADA Transportation-Related Questions & Answers	Sept. 27, 2018	30 min.	WebEx	Southwest ADA Center
<b>AUDIENCE: TXDOT Technical Employees</b>				
DES 122	Oct. 24 or 25, 2017	1 Day	Austin District Office	Krause/Webber
DES 122	Nov. 7 or 8, 2017	1 Day	Fort Worth District Office	Krause/Webber
DES 122	Nov. 29, 2017	1 Day	Houston District Office	Krause/Webber
DES 122	Jan. 9 or 10, 2018	1 Day	San Antonio District Office	Krause/Webber
DES 122	Jan. 23 or 24, 2018	1 Day	El Paso District Office	Krause/Webber
<b>AUDIENCE: TXDOT Employees and Local Governments/Subrecipients</b>				
FHWA: ADA & Subrecipients	Apr. 9-11, 2018	2 Days	Houston District Office	Patrick Gomez (FHWA)
FHWA: ADA & Subrecipients	Apr. 12-13, 2018	2 Days	200 E. Riverside Dr., Rm 1A.1 Austin, Texas	Patrick Gomez (FHWA)
<b>AUDIENCE: TXDOT Managers and Supervisory Staff *</b>				
ADA Title II – Disability Employment Awareness	Complete w/in 60 days of notification	2 ½ hours	ELM	TXDOT
<b>AUDIENCE: New &amp; Current TXDOT Employees – ADA Title II Disability Awareness: Customer Service and ADA Awareness *</b>				
ADA Title II – Disability Awareness: Customer Service and ADA Awareness	Complete w/in 60 days of notification	2 ½ hours	ELM	TXDOT
<b>Course Name</b>				
<b>Date</b>		<b>Duration</b>	<b>Location</b>	<b>Presenter</b>
<b>AUDIENCE: TXDOT SUBRECIPIENTS</b>				
TXDOT's ADA Subrecipient Monitoring Program**	TBD	½ Day	Dallas/Fort Worth	CIV - ADA
TXDOT's ADA Subrecipient Monitoring Program **	TBD	½ Day	Houston	CIV - ADA
TXDOT's ADA Subrecipient Monitoring Program **	TBD	½ Day	San Antonio	CIV - ADA
TXDOT's ADA Subrecipient Monitoring Program**	TBD	½ Day	El Paso	CIV - ADA

\*Complete every two years as part of the EEO requirement

\*\*Computer-based training also available