

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

December 17, 2019

FROM

LEANNA WILLIAMS, Director, Department of Risk Management

SUBJECT

Contracts for Americans with Disabilities Act Consulting Services

RECOMMENDATION(S)

Approve **Contracts** with the following companies to provide Americans with Disabilities Act consulting services to the County, in accordance with the contracted fee schedule, with an estimated aggregate cost of \$500,000, for the period of January 28, 2020 through January 27, 2025.

1. Creative Design Associates, Inc. **Contract No. 19-857.**
 2. Lewis R. Springer dba LRS...Architecture. **Contract No. 19-858.**
 3. Owen Group, LP. **Contract No. 19-859.**
 4. Sally Swanson Architects, Inc. **Contract No. 19-860.**
 5. Vanir Construction Management, Inc. **Contract No. 19-861.**
- (Presenter: LeAnna Williams, Director, 386-8621)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost) as these services will be paid from the Department of Risk Management's (DRM) self-insurance funds. These insurance funds are financed by County departments and Special Districts via internal service rates approved annually by the Board of Supervisors. The estimated aggregate cost of these services over a five year period is \$500,000, or \$100,000 per year. The estimated cost of Americans with Disabilities Act (ADA) consulting services for the remainder of 2019-20 is approximately \$54,000; sufficient appropriation has been included in the DRM's 2019-20 budget, and will be included in future recommended budgets.

BACKGROUND INFORMATION

The ADA is a wide-ranging federal civil rights law that prohibits discrimination on the basis of disability. Title II of the ADA (28 CFR Part 35) applies to any State or local government, and any department, agency, special purpose district or other instrumentality of a State or local government. Pursuant to § 35.151, State and local governments must follow specific architectural standards in the new construction and alteration of their buildings and facilities to ensure they are readily accessible to and usable by individuals with disabilities. These standards are known as the ADA Standards for Accessible Design (ADAS).

**Contracts for Americans with Disabilities Act Consulting Services
December 17, 2019**

Likewise, California Government Code § 4450 requires that all buildings, structures, sidewalks, curbs, and related facilities, constructed in the state by the use of state, county, or municipal funds, or the funds of any political subdivision of the state shall be accessible to and usable by persons with disabilities. The California Building Code (CBC) accessibility provisions are applicable to new construction projects as well as alterations of existing buildings and facilities. The California Government Code § 4450 further stipulates that, in no case, shall the CBC prescribe a lesser standard of accessibility or usability than adopted by the United States Department of Justice to implement the ADA.

ADA consulting services will assist the County in navigating the various State and Federal accessibility standards, codes and regulations that apply to the construction and alteration of County facilities, including pedestrian facilities within the public right-of-way, help ensure continued access to County programs, services and activities by people with disabilities, and help mitigate risk of potentially costly lawsuits involving County facilities. In addition to reviewing construction design plans and drawings, contracted ADA consultants may inspect existing County facilities to confirm compliance with accessibility requirements; issue written inspection reports; research and analyze applicable codes to ensure appropriate solutions to accessibility questions; facilitate training for County staff on State and Federal accessibility laws, building codes and standards; and assist with updating the County's ADA Self-Evaluation and/or Transition Plan.

DRM uses contractors as it does not have staff who have been certified by the State of California, as having the expertise to provide these specialized services. Outsourcing these functions is the most economic method to obtain and expedite these services. Contracting with selected providers allows DRM to assist multiple departments by more accurately forecasting and controlling cost by using a standard fixed rate schedule.

PROCUREMENT

On August 5, 2019, DRM released request for proposal (RFP) No. RMG120-RMADM-3470, soliciting proposals for ADA consulting services. The RFP was posted on the County's Electronic Procurement Network (ePro), and the following vendors submitted proposals:

Vendor Name	Location
Creative Design Associates, Inc.	City of Industry, CA 91748
Lewis R. Springer dba LRS...Architecture	Loomis, CA 95650
Owen Group, LP	Redlands, CA 92374
Sally Swanson Architects, Inc.	Burbank, CA 91505
Vanir Construction Management, Inc.	San Bernardino, CA 92401

An evaluation panel consisting of staff from DRM, County Counsel, Real Estate Services Department (RESO) – Project Management Division, RESO - Facilities Management Division, and the Department of Public Works, evaluated the proposals and ranked them based on compliance with RFP requirements, company qualifications, experience, references, technical review, interview/presentation, and cost. Due to the individual specialty that each vendor offers, the evaluation panel recommends awarding contracts to all vendors that submitted proposals. No appeals were received. The agreed upon hourly rates with all vendors are as follows: Field Support Technicians \$100, Certified Access Specialists \$140, and Certified Access Specialists/Licensed Architects or Structural Engineers at \$180.

**Contracts for Americans with Disabilities Act Consulting Services
December 17, 2019**

The recommended contracts include guaranteed rates for the entire term and shall be effective from January 28, 2020 through January 27, 2025, with either party able to terminate the contract with thirty days written notice.

REVIEW BY OTHERS

This item has been reviewed County Counsel (Teresa McGowan, Principal Assistant County Counsel, 387-5283) on November 6, 2019; Purchasing Department (Leo Gomez, Purchasing Manager, 387-2063) on November 19, 2019; Finance (Joon Cho, Administrative Analyst, 387-5402) on November 25, 2019; and County Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-4376) on November 25, 2019.

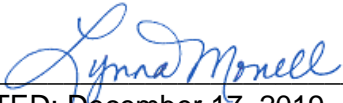
Contracts for Americans with Disabilities Act Consulting Services
December 17, 2019

Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Robert A. Lovingood Seconded: Josie Gonzales
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 17, 2019



cc: Risk- Williams w/agree
Contractor- C/O Risk w/agree
File- w/agree
la 12/26/2019