



Public Right of Way ADA Transition Plan 2017

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Dear Citizens of Great Falls,

The City of Great Falls Public Works department's mission is to serve the public by providing and maintaining functional infrastructure that emphasizes quality, safety, cost effectiveness, economic vitality and sensitivity to the environment. As part of this commitment, it is my privilege to share with you the Public Right of Way Americans with Disabilities Act (ADA) Transition Plan for the City of Great Falls. This plan demonstrates the City's ongoing efforts to provide accessibility and continued collaboration between the City and citizens, stakeholders, and partners across Montana.

The plan establishes an accessibility baseline for the City's public right of way network and outlines the methods governing city processes to demonstrate and track progress and enhance accessibility for all users.

The success of making accessible transportation requires the coordinated and collaborative effort of all levels of government, the public, and the strategies outlined in this plan. The City of Great Falls will continue to work with citizens, stakeholders, and partners in the implementation of this plan, future updates to this plan, and in policy decisions affecting accessibility. Together, we can realize our common goal of an accessible, safe, efficient, and sustainable right of way that serves everyone.

Sincerely,

Mikaela Schultz
Civil Engineer
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1.0 Introduction

The purpose of this document is to provide an Americans with Disabilities Act (ADA) Transition Plan (the Plan) for the Public Rights-of-Way and related facilities within the City of Great Falls (the City). This Transition Plan is guiding the City in efforts to provide accessible transportation and programs through the implementation of a program that identifies physical barriers on City properties and in the public rights of way. The Plan then outlines the City's methods to remove these barriers according to an implementation schedule which includes Public Works curb ramp scheduling and methods to enforce periodic communications with the public as a whole, and specifically with the representatives of the disabled community. The purpose of this plan is to coordinate the efforts of City of Great Falls departments with those of the community to efficiently manage available funding and encourage methods to pursue new funding sources to enhance safe accessibility to persons with disabilities within the City. Continued maintenance and defined deficiencies are recorded through the ever-adapting process defined in this plan in order to create a system that meets the present and future needs of the community.

1.1 Regulatory Framework and Guidance Documents

1.1.1 Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability by any program or activity receiving federal financial assistance. Discrimination may consist of exclusion from participation in or denial of the benefits of programs and activities operated by a department, agency, or other instrumentality of state or local government. As a local government entity, Section 504 applies to Great Falls as it routinely receives assistance on development and transportation networks.

1.1.2 Title II of the Americans with Disabilities Act (ADA) of 1990

The Americans with Disabilities Act (ADA) of 1990 expands on the foundation laid by Section 504 by prohibiting discrimination on the basis of disability by public entities regardless of whether they receive federal financial assistance. The Act is divided into five titles describing requirements relating to (I) employment, (II) state and local government services, (III) public accommodations, (IV) telecommunications, and (V) miscellaneous provisions. Title II of the Act applies specifically to state and local government services and the programs and activities they administer, including features built before and after 1990. Titles I, III, IV, and V are not addressed further in this Great Falls Public Works Transition Plan.

1.1.3 Transition Plan Requirements

Public entities employing 50 or more persons must develop a transition plan outlining the steps necessary to complete any structural changes to achieve program compliance. The Code of Federal Regulations (CFR) outlines regulations implementing Title II of the ADA, which apply to the City of Great Falls as an entity of local government. Title II Responsibilities are detailed below and displayed in **Table 1**.

At a minimum, this plan must meet the requirements stated in 28 CFR 35.150(d)(3) as follows:

- I. Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities.
- II. Describe in detail the method that will be used to make the facilities accessible.

- III. Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period.
- IV. Indicate the official responsible for implementation of the plan.

Also, as part of the transition plan, entities responsible for streets, roads or walkways must include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving state and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas (23 CFR 35.150(d)(2)).

Finally, public entities must provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. Then, a copy of the transition plan must be made available for public inspection (28 CFR 35.150(d)(1)).

1.1.4 Steps to Compliance

These steps to compliance have been adopted from “ADA Transition Plans: A Guide to Best Management Practices” completed in May 2009 by Jacobs Engineering Group, Baltimore (Ref #4). These steps shall be adopted and implemented in the compliance efforts of the City of Great Falls as follows:

- 1. Designate a Public Works ADA Coordinator,
- 2. Provide notice to the public about ADA requirements,
- 3. Establish a grievance procedure,
- 4. Develop internal design standards, specifications, and details
- 5. Assign personnel for the development of a Transition Plan, and completing it,
- 6. Approve a schedule and budget for the Transition Plan, and
- 7. Monitor the progress on the implementation of the Transition Plan

The City of Great Falls has designated a public accommodations ADA Coordinator in the engineering division of public works. This coordinator, periodically convenes with an internal committee comprised of personnel associated with the Public Works and Transportation, and City Planning and Community Development. This committee includes the Public Works Director, City Engineer, Street Supervisor, Utilities System Manager, a Senior Transportation Planner and City ADA Technician. The work of this committee is ongoing and provides a process of coordination, drafting, maintenance and review of the City of Great Falls Public Right of Way Transition Plan and resultant processes including those of public notice, grievance, ramp scheduling and procedure, and internal design standards and specifications.

This Transition Plan addresses requirements relating to physical assets, including facilities and rights-of-way owned and maintained by the City. For the purposes of this plan, facilities are defined to include government buildings, bus stops and transportation services, places of public administration and the public right of way adjacent to places of business and residence. Right of way features include elements such as curb ramps, sidewalks, crosswalks, and pedestrian activated signal systems. In addition to these requirements, the City Public Right of Way Transition Plan

addresses other elements outlined in Title II of the ADA related to administration, communications and maintenance.

Table 1 Summary of Responsibilities under Title II of the ADA

| Implementing Regulation | Responsibilities |
|--------------------------------|---|
| 28 CFR 35.105 | <p>Self -Evaluation</p> <ul style="list-style-type: none"> • Evaluate current services, policies, practices, and the effects thereof, that do not or may not meet the requirements of this part. • 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. • Maintain a list of interested persons consulted a description of areas examined and any problems identified, and a description of any modifications made. |
| 28 CFR 35.106 | <p>Notice</p> <ul style="list-style-type: none"> • Make ADA information available to applicants, participants, beneficiaries, and other interested persons and its applicability to the services, programs, or activities of the public entity. |
| 28 CFR 35.107 | <p>Responsible Employee/ Grievance Procedures</p> <ul style="list-style-type: none"> • Designate a responsible employee to coordinate ADA grievance procedures. • Adopt and publish grievance procedures providing for prompt and equitable resolution of complaints. |
| 28 CFR 35.130 28 CFR 35.149 | <p>General prohibitions against discrimination</p> <ul style="list-style-type: none"> • Do not exclude disabled persons of City services, programs, or activities. • Do not discriminate on the basis of disability |
| 28 CFR 35.133 | <p>Maintenance</p> <ul style="list-style-type: none"> • Maintain features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities in operable working condition |
| 28 CFR 35.150 | <p>Existing Facilities</p> <ul style="list-style-type: none"> • Operate each service, program, or activity in a manner accessible to and usable by individuals with disabilities • Alter existing facilities or construct new facilities as necessary to comply with ADA requirements. • Develop a transition plan outlining steps necessary to complete structural changes to facilities. |
| 28 CFR 35.151 | <p>New Construction Alterations</p> <ul style="list-style-type: none"> • Design, construct, and alter public facilities in a manner readily accessible to and usable by individuals with disabilities, unless structurally impracticable. • Provide curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway. |

| | |
|---------------|--|
| 28 CFR 35.160 | <p>Communications/Telecommunications</p> <ul style="list-style-type: none"> • Ensure effective communications with disabled persons • Provide appropriate auxiliary aids and services to afford disabled individuals an equal opportunity to participate in and enjoy the benefits of City services, programs, and activities |
| 28 CFR 35.163 | <p>Information Signage</p> <ul style="list-style-type: none"> • Provide information about the existence and location of accessible services, activities, and facilities. • Provide signage at all inaccessible building entrances directing users to an accessible entrance that is denoted with the international symbol for accessibility |

2.0 Self Evaluation and Compliance History

All city governments were required to complete a self-evaluation of their facilities, programs, policies, and practices by January 26, 1993. The self-evaluation should identify and correct those policies and practices that are inconsistent with Title II's requirements. Self-evaluations should consider all of a city's programs, activities, and services, as well as the policies and practices that a city has put in place to implement its various programs and services. Remedial measures necessary to bring the programs, policies, and services into compliance with Title II should be specified -- including, but not limited to: (1) relocation of programs to accessible facilities; (2) offering programs in an alternative accessible manner; (3) structural changes to provide program access; (4) policy modifications to ensure nondiscrimination; and (5) auxiliary aids needed to provide effective communication.

To date, the City of Great Falls has acted to comply with ADA guidelines in its public accommodations through self evaluation by data collection, and implementation of pathways and rights of way updates as part of ongoing infrastructure and street projects. In order to evaluate the current conditions of the City's public right of way, an inventory of the existing curb ramp infrastructure was completed. The City was divided into nine sub areas and City inspectors, under supervision of the ADA Technician, awarded and recorded the compliance scores for curb ramps in each area according to a key code which implemented a point reward system based on corner characteristics. The condition of these corners were given a numerical compliance rating based on this system, as well as an overall wear and tear rating of Excellent, Good, Fair, or Poor. A rating of 40 or more in terms of compliance score was only given to street corners which meet ADA compliance standards. Scores between 20-40 were awarded to corners that have ramps, but were out of compliance. Scores of 20 or less were awarded to corners that did not have any ramps at all. For detailed information concerning the scoring characteristics, refer to the compliance scoring rubric included in Appendix (A). The ramp compliance and location data collected was then recorded into an ADA master map for analysis. The collective map serves as the ADA asset manager and is maintained and updated annually by the Public Works ADA coordinator. In conjunction with this compliance inventory, a demand and priority based scoring inventory structured after the ADA outlined priorities and the MDT Transportation plan method of inventory scoring has also taken place.

Additionally, the City of Great Falls contracted CTA Architects Engineers Inc. to complete an ADA Transition Plan and subsequent facilities assessments on a number of public facilities. This plan was completed in 2000 and the ADA assessments detailed within are relevant for application on those facilities that have yet to be altered since the completion of that compliance report.

Inventory

To date, concurrent with the approval of this transition plan, the following inventory statistics are detailed in Public Works inventories. Public Works' self evaluation includes field inspection, assessment and record of:

- 5,626 corners Total
- 1,074 compliant ramps
- 1,843 noncompliant ramps
- 2,709 corners without ramps
- 90 Traffic Signals, Pedestrian Pushbuttons
 - 37 signals without pedestrian push buttons
 - Number of signals with pedestrian push buttons (TBD)
- 600 + miles of sidewalk

Physical barriers

Based on the inventory and analysis, the following were found to be non-compliant:

- 63% of curb ramps
- Percent of intersection signals that are noncompliant (TBD)

The data included in these statistics summaries is current through June 2017. For updates or current statistics please contact the Public Works ADA Coordinator (406) 771-1258.

2.1 ADA Program Methods

2.1.1 Administration

The City of Great Falls is committed to administer, provide oversight responsibilities, and ensure compliance with the law including federal, state and local guidance relating to ADA compliance. The Equal Employment Commission and Human Rights Commission provide for complaint procedures and compliance oversight. The City conducts business in an environment free of discrimination, harassment, and retaliation on the grounds of protected status, including physical or mental disability, in all city programs.

Method 1 Employ internal and external ADA coordinators

ADA implementing regulations require public entities to designate at least one employee to coordinate efforts to comply with and carry out ADA responsibilities. **28 CFR 35.107**. The coordinator is responsible for guiding the city transition program to ensure people with disabilities have equitable opportunities to public services and accommodations in the community. The ADA coordinator is also responsible for responding to ADA inquiries, coordinating the ADA advisory unit and training or informing employees as needed. The City has designated ADA

contacts specific to services or accommodations which are listed in Appendix (C). The contact information for the City of Great Falls ADA Public Works Coordinator is provided on the City website (<https://greatfallsmt.net>). For more details on the ADA coordination structure see Figure (5.1).

Method 2 Conduct regular ADA advisory meetings

The ADA public facilities advisory committee is comprised of members of the Public Works Department along with one representative from Planning and Community Development. The committee meets quarterly to discuss the progress of the transition plan and to coordinate ADA decisions. The committee is organized by the Public Works ADA Coordinator from the Engineering Division and includes representatives from City Inspection, Utilities, Street, and Community Development. Decisions, suggestions and plan updates are then shared with representatives from other city departments including Park and Recreation, Police, Fire, Building Facilities, Information Technology and the City Clerk. The ADA advisory committee provides a valuable avenue for regular collaboration on ADA-related topics, including data management; project prioritization and identification; inventory status; funding recommendations; issues relating to design, construction, and maintenance; public comments; and changes in regulations and policies. The committee provides the foundation for development of policies and procedures relating to the ADA program. Every five years the ADA advisory committee posts the transition plan and processes for review and public comment.

Method 3 Coordinate with representatives of the disability community

The Public Works ADA Coordinator works closely with disability advocacy groups to identify critical ADA needs and obtain feedback on the ADA program. **28 CFR 35.105**. Public Works maintains a list of ADA stakeholders which includes numerous organizations representing the disabled community see Appendix (D). Public Works consults with these organizations and periodically provides updates on ADA policies and procedures. Public Works welcomes feedback from these organizations and strives to consider all comments to ensure the disability community is accurately represented in the ADA program see Appendix (E).

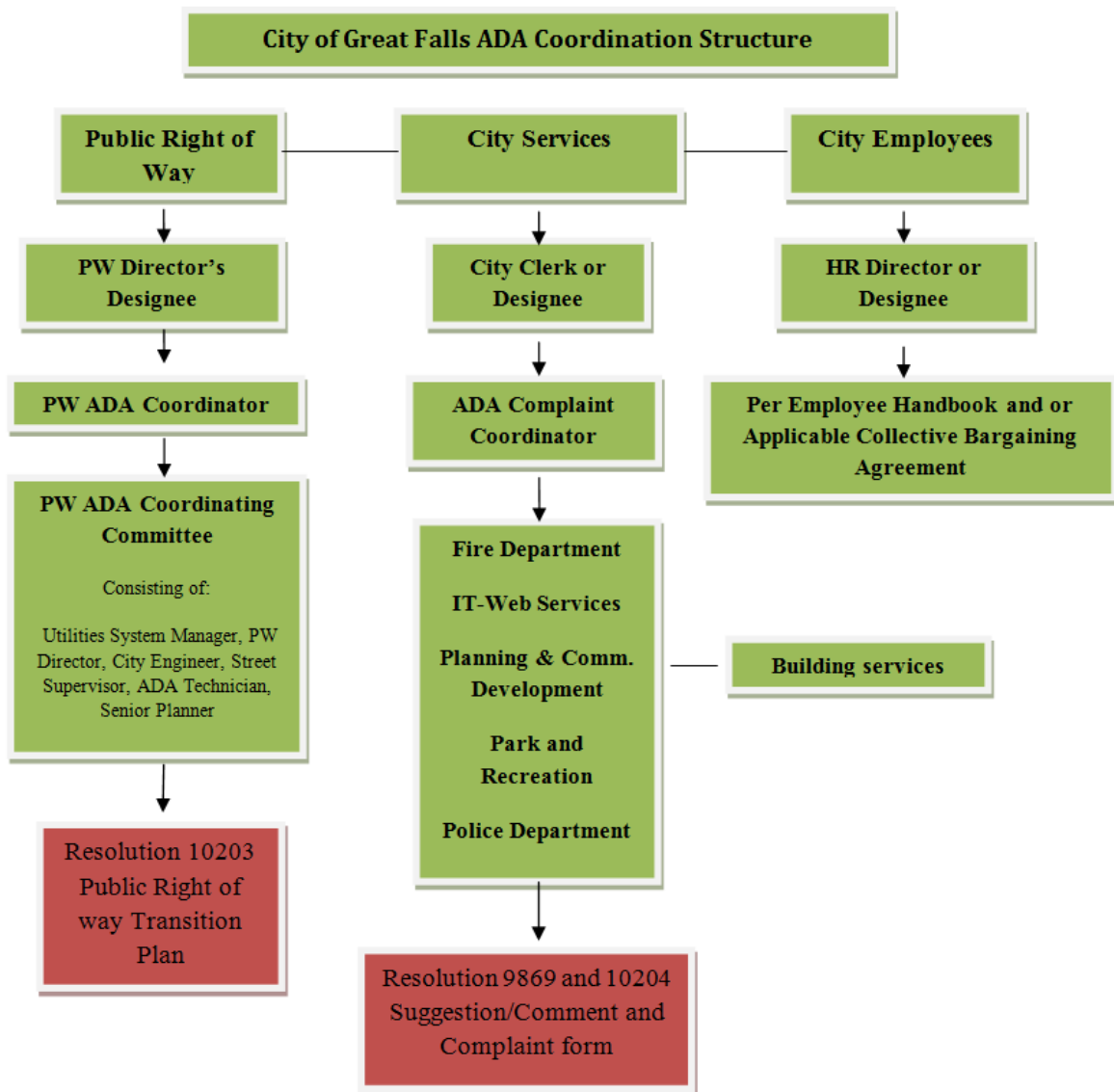
Method 4 Provide public notice about ADA requirements

Under Title II, the City must make information about ADA requirements pertaining to its services, programs, and activities available to the public. **28 CFR 35.106**. As a result, the Public Works Transition Plan is available for public review upon request and information to contact the ADA coordinators is included in the plan. A suggestion/comment and complaint Forms are available to the public in each of the City departments and on the City Website. Complaint forms and a defined process for collecting, recording and addressing public grievances has been adopted by City ordinance 9869 see Appendix (F). The goal is to maintain an ADA feature on the City website, which includes a description of the ADA program; ADA coordinators contact information; links to the suggestion/comment and complaint form and links to other ADA-related information and applicable regulations. Also as part of a movement to standardize City Construction Standards within the department of Engineering, ADA compliant specifications and standard documentation will be included in all City contracts and the standardized municipal specifications set. This set is to be distributed to all entities that contract with the City ensuring consistent standards are communicated on all projects more effectively than in the past.

Method 5 Publish grievance Procedures for resolution of ADA complaints

Public entities employing at least 50 people are required to adopt and publish grievance procedures providing prompt and equitable resolution of complaints. The City of Great Falls adopted resolution 9869, see Appendix (F), in 2010. This resolution functions to grant additional notice about ADA requirements, designate an ADA coordinator and establish a section 504 and ADA compliant resolution procedure. This resolution presently stands as the process outline for grievance procedure. The ADA coordinator referenced therein is the City Clerk and should be distinguished from the coordinator assigned in this plan, see Figure (5.1) Transition Plan Coordination Structure Flow Diagram or Appendix(C). This resolution process involves review of the complaints by the City Clerk and if necessary, the City Manager. The department of Public Works ADA Coordinator will be notified to develop action items in response to complaints that prompt the involvement of that department or any of the departments the Public Works ADA coordinator distributes Public Right of Way Transition Plan resources to.

Figure (5.1) – Transition Plan Coordination Structure



Method 6 Provide a mechanism for tracking non-grievance ADA inquiries

The City of Great Falls offers the opportunity for the public to submit inquiries regarding any ADA-related issue via a suggestion/comment and complaint form See Appendix (F). The form captures ADA inquiries that do not constitute a formal grievance complaint, but involve ADA external policies, decisions, or physical assets. The City of Great Falls considers public feedback and inquiries, and provides an appropriate response to each comment. Resolution 9896 was amended in 2017 to include a comment/suggestion and complaint form and formal processing procedure. This resolution XXXX form is distributed to the members of the stakeholder groups listed in Appendix (D), as well as on hand at city departments/facilities for distribution.

Method 7 Provide written assurance guaranteeing non-discrimination

In order to receive federal funding, the City of Great Falls must guarantee non-discrimination and ensure new projects will be ADA compliant. The City of Great Falls includes a non-discrimination provision on all funded projects. **28 CFR 35.130**. The City will comply with federal statutes, policies, and procedures, including those which state that no person may be excluded from federally-funded programs on the grounds of race, color, national origin, sex, age, disability or other protected classes. ADA compliance is required by the City on all federally funded projects conducted by sub-recipients of federal funds.

Method 8 Ensure personnel are appropriately trained in regard to ADA requirements

Public Works employs an inspector who functions as the in house ADA Technician. This technician is present for the assistance to all city engineers at initial design of ADA features in the public right of way, as well as during the layout and construction of the feature(s). The inspector facilitates on the job training and provides guidance to the engineers and contractors as part of an efficient, work flow based training experience. Administrative training is facilitated through the PW ADA coordinator. Periodic ADA committee meetings provide information, process updates and other informative opportunities to Public Works personnel involved with inventory, design, review, construction, and maintenance of ADA features in support of the ADA policy statement. This training reinforces the importance of ADA regulations and educates personnel on applicable ADA requirements.

Method 9 Offer auxiliary aids and services to eliminate communication barriers

Government agencies must communicate and interact effectively with the public. The City of Great Falls uses various communication methods to assist the disability community including auxiliary aids, services, information, and signage. The City attempts to eliminate communication barriers by offering services to the disabled community upon request.

Communicating by telephone can be a hardship for people with hearing or speech impairments. To address this, the City of Great Falls uses a telecommunications device for the deaf (TDD), the Montana Relay Service and interpreters. The City lists the TDD number (406-454-0495) and the Montana Relay number (771), (operated by the Montana Telecommunications Access Program) on the City website.

Method 10 Inform the public of accessible services, activities, and facilities

Title II requires public entities to ensure disabled persons can obtain information about the existence and location of accessible services, activities, and facilities. **28 CFR 35.163**. As result of the self evaluation processes in place, inventory maps detailing the condition, compliance and demand prioritization of every curb ramp in the City are available. These maps provide stakeholders and any inquiring members of the public the means by which to recognize existing positive routes, prioritize right of way routes important to meet their needs, and identify obstacles. The City website is a key platform for providing information to the public. To ensure accessibility, information provided on the website is compatible with appropriate software to accommodate specific disabilities. The City of Great Falls provides appropriate facilitating programs upon request to assist with web accessibility.

In 2000 a facilities transition plan was completed that identified needed building and facilities updates to bring the City of Great Falls' existing facilities into ADA compliance. Although the facilities transition plan is outside the scope of the public right of way transition detailed in this plan, this information supports the City wide compliance and coordination efforts. The data collected on facilities from this plan is available in the City Engineers office for application on projects or for public inquiry. Furthermore, Transit facilities including bus stop landings, curb ramps, and bus shelters have been inventoried in conjunction with other inventory efforts and they are included in the city wide scheduled updates for replacement or upgrade.

2.1.3 Rights of Way

Under Title II of the ADA, The City endeavors to make all of its physical assets ADA compliant, including existing and newly-constructed features. Rights-of-way features include elements such as curb ramps, sidewalks, crosswalks, median crossings, and pedestrian activated signal systems.

ADA compliant rights-of-way are designed and constructed in a manner readily accessible and usable by individuals with disabilities. Examples of non-compliant accessibility barriers include steep curb ramp slopes, no curb ramps, or sidewalk discontinuities that may cause trip hazards.

The following sections discuss methods for rights-of-way inventory data collection, data tracking, and methods for removing physical accessibility barriers.

2.1.3 (a) ADA Inventory

The City of Great Falls, through its Public Works department, owns sidewalks and curb ramps in the public right of way and is responsible for specifying the construction standard in this area pursuant to the Official Code of the City of Great Falls (OCCGF) 12.28.020. As a result, there are self evaluations completed by Public Works that include inventory of curb ramps, apron ramps, and sidewalk conditions in the public right of way. Evaluations and plans of transition outside of the right of way are included in the Buildings and Facilities Transition Plan completed in 2000. Both of these evaluations and inventories are identified in this coordinated public right of way transition document and culminated into one, unified, city wide, self evaluation process.

Method 11 Maintain an inventory of existing ADA features

Program evaluation is necessary to identify where physical barriers limit accessibility within City of Great Falls transportation and facilities systems. **28 CFR 35.105**. This self-evaluation process provides an assessment of current compliance status in order to prioritize actions and monitor progress, making the process critical to the success of the transition plan.

In fulfillment of this requirement, the City of Great Falls and the department of Public Works have completed the following (right of way) evaluations:

- 1) ADA handicap ramp compliance and intersection characteristic detailed inventory,
- 2) Sidewalk Gap Survey,
- 3) Areas of improvement defined through pedestrian recommendation by the City of Great Falls Long Range Transportation Plan including Gaps, Crosswalks, and Pedestrian related spot improvements, and
- 4) Areas of improvement defined through stakeholder involvement.

The Public Works ADA coordinator, in cooperation with the city inspectors, conducted a complete city wide assessment of its intersection (right-of-way) features. During the winters of 2010-2016, approximately 5,626 individual curb ramp locations were inspected to identify deficiencies in existing right-of-way elements. The primary objective of the data collection effort was to record barriers using a consistent and disciplined methodology that included a numeric rating system to define ADA ramp conditions. This technique established baseline parameters against which progress toward overall compliance can be demonstrated. The inventory process is ongoing. As new improvements are constructed or reconstructed, inspectors document the barrier removal for transcription into the ADA asset records and maps by the Public Works ADA Coordinator.

The City Engineering Department maintains an AutoCAD map of ADA right-of-way features. The database enables City Engineers to query data, summarize data sets for output reports, conduct annual reporting, and identify progress toward compliance. Appendix (A) contains the ADA ramp update form used for tracking inventory.

Method 12 Consider ADA inventory system compatibility with other data management systems

Public Works uses multiple inventory and data management systems to collect data. For example, construction personnel collect field data on constructed project features and are responsible for inputting data into as-builts, prior to project close out, and recording each update to a Ramp Update form for inclusion into the ADA transition plan progression tracking. The compiled compliance and inventory scoring data is stored in spreadsheets and also available in a city wide map format that can be accessed upon request to the Public Works ADA coordinator. The ADA database may evolve to consider compatibility with other data management systems and inclusion to GIS based city wide data maps.

Method 13 score rights-of-way features to identify critical ADA needs

Public Works uses a composite system to score its rights-of-way infrastructure and assigns points based on priority features and the infrastructure's proximity to each right of way feature and ADA compliance. ADA implementing regulation (28 CFR 35.150(d)(2)) establishes the order of priority transition plans should institute. This priority is

given in the following order; to walkways serving entities covered by the Act, including state and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

The Public Works department identified noncompliant curb ramps as the primary barrier in the public right of way and completed an extensive inventory of these assets on a citywide scale. The following is a brief explanation of logic applied to the compliance and demand scoring processes performed on the ramp inventory data collected.

Ramp demand scoring is awarded based on a feature's distance from priority features. The closer in proximity a feature, such as a curb ramp, is to a feature of priority, the higher it scores. Ramp compliance scoring follows different logic.

Ramp Compliance scores are calculated by assigning a lower score value for non-compliant curb ramps and a higher score for partially and fully compliant features.

Composite scores are calculated by adding the demand score to the compliance score. This composite scoring system was adopted for use from the Montana Department of Transportation. Because the demand scoring is scored with opposite logic than the compliance scoring, creating a composite score along this methodology is not a good representation of the data for this application. To better represent the data for uses pertinent to this municipality, the difference between the demand and compliance scores is tracked. If a ramp has a high demand and a low compliance, the gap between the numerical scores is great. If the demand is low and the compliance is high, the gap between scores is less. This "gap identification" provides a better idea of the areas in the city where demand is high and compliance is low and provides a numerical tally that can be applied to establish a schedule of barrier removal based on an effective composite analysis of all the characteristics established to govern in Title II of ADA. Appendix (A) contains details about the inventory scoring of city right of way features by both MDT composite score and gap score methods.

Method 14 Prioritize projects based on risk-based assessment of scoring

Rights-of-way Gap and Compliance scoring provides an initial indication of risk level for an individual ADA feature. In the demand scoring system, accessibility priority is given to government buildings and facilities, transportation facilities, public places, places of employment and places of residence. Other factors considered while prioritizing and scheduling are citizen requests or complaints regarding inaccessible locations, pedestrian level of service, population density, presence of a disabled population, and cost (REF #4, pg 6). Public Works also considers a range of additional factors to prioritize ADA improvement projects including input from stakeholders and the public. The City of Great Falls also maintains a document response process for complaints or comments regarding ADA (see methods 5 and 6). Safety performance is also considered in project prioritization. Public Works gives consideration to projects identified by street and utility divisions and improvements to adjacent infrastructure already in process.

2.1.3 (b) Project Identification

Method 15 Determine available funding sources

Public Works uses multiple funding sources to deliver ADA improvements. ADA elements are incorporated in utility and street reconstruction projects and are funded using the funds allocated to each individual project. When unforeseen situations are encountered that prompt a ramp reconstruct, Public Works funds ramp replacements through a combination of public works funds to extend the scope of the project. Some of the funding sources usually secured in advance and pooled for ADA ramp use are listed below:

1. Community Development Block Grant (CDBG)
2. Gas Tax, and
3. Other repair and maintenance services.

The Public Works ADA committee is currently working to establish a sidewalk/and curb ramp specific fund the cover

- 1) Upcoming – Scheduled ramp improvements,
- 2) Unknown or unforeseen ramp improvements, and
- 3) Match funds available for grants.

The City of Great Falls Technical Advisory Committee (TAC) is currently pursuing funding opportunities through grant work. Funding from the Congestion Mitigation and Air Quality Improvement Program (CMAQ) has also been approved this year on the basis of a 13% match that has been provided by the Public Works Street and Utilities departments. This fund source can be applied to right of way improvements and barrier removal.

Other funding sources available to the City of Great Falls for public right of way application are included herein by reference to the Great Falls Area Long Range Transportation Plan section 10.1.1 (REF #2, pg 240). ADA improvements may also be funded in part by developers who initiate projects that may impact the transportation system. Public Works reviews private projects to ensure that impacts to the public right of way system meet city design criteria and costs are recovered as appropriate.

Method 16 Identify level of ADA effort associated with project type

Public Works identifies the appropriate level of ADA involvement depending on project classification, including new construction, reconstruction, rehabilitation, resurfacing, and preventative maintenance projects.

For new construction and reconstruction projects, pedestrian facilities are designed and constructed to meet all relevant ADA requirements to the maximum extent feasible.

In the case of resurfacing and rehabilitation projects involving alterations to existing infrastructure, existing pedestrian facilities are upgraded to meet ADA requirements to the extent technically feasible, and new curb ramps are considered on a case-by-case basis wherever curb, gutter, and sidewalk are adjacent to the project. Correspondence between the Public Works ADA coordinator and the Street Supervisor in conjunction with

committee activities and input from stakeholders fosters efficient compliance when street alterations are applied. The schedule of ramp completion is drafted based on Method 14 prioritization methods and this schedule is consulted in comparison with the street alteration schedule to identify areas that can be addressed most efficiently through schedule matching. The Public Works Street Supervisor schedules approximately sixty (60) blocks a year for resurfacing to maintain the existing streetscape. This alteration schedule is considered along with the ADA barrier removal schedule to plan the routes of alteration in a way that identifies areas where street alteration and right of way barriers coincide to efficiently remove these barriers more effectively as part of alteration activities.

Method 17 Consider project factors and opportunities to enhance ADA project delivery

In nominating an independent ADA project, Public Works considers factors such as consistency with local plans (REF #1,2,3), logical termini and connectivity with existing facilities, storm water and drainage facility conflicts, right-of-way ownership, utility conflicts, rail intersections, and level of environmental documentation. These factors may affect project limits and level of complexity. The Great Falls Long Range Transportation Plan (REF # 2 pg. 194-201) supplements information helpful for the delivery of this transition plan directly by defining areas identified for right of way improvement as defined by the city and pedestrian recommendations specifically.

It is important to identify and maintain the primary project purpose. However, Public Works also considers opportunities to address multiple needs concurrently to optimize investment. For example, it may be beneficial to incorporate other associated intersection improvements addressing geometry or traffic signal upgrades at the time of an ADA upgrade project, or to address needed pavement preservation concurrently with high-priority ADA improvements. Communication between Public Works department staffing is critical to ensure identification of related needs and projects. This communication is achieved through ADA committee meetings and the coordination of street repair and ADA ramp scheduling on a yearly basis.

Method 18 Coordinate with partner agencies to identify project and development activities

Public Works regularly communicates with other departments in the City and stakeholder groups to discuss upcoming projects and anticipated future developments. This information helps Public Works identify and plan its ADA improvements to coordinate with local efforts. In some cases, opportunities for coordinating project phasing may benefit Public Works and local entities by incorporating ADA elements into larger projects, and avoiding costly re-work at a future date.

Method 19 Establish and document maintenance responsibility

In some instances, Public Works develops memoranda of understanding (MOU) or other agreements with other jurisdictions to address maintenance responsibility for sidewalks and pedestrian facilities. With some exceptions, local ordinances require adjacent landowners to accept responsibility for maintaining and clearing sidewalks. To minimize complications during project delivery, it is important to discuss maintenance responsibility early in the project identification process. The purpose and intent of these discussions and agreements is that parties understand and agree to the scope of work for the project, including the specific ADA features that will be designed and constructed.

2.1.3 (c) Design and Construction

Method 20 Consider risk to determine appropriate project delivery method

Public Works uses traditional design-bid-build methods to complete its projects. This delivery method promotes an organized and coordinated effort by Public Works at the initiation of a project to ensure that risk, project scope, project complexity, roadway system jurisdiction, scheduling, demand, compliance, timing, and funding obligations are prepared before a project ever goes out to bid, to ensure cooperation in terms of transition plan processes to effectively employ ADA characteristics to barriers that are identified and scheduled, as well as barriers that present themselves unexpectedly.

Method 21 Assign appropriate staff to design and review ADA documents

ADA improvements are designed and reviewed by professional engineers and reviewed by the ADA Technician for constructability and system compatibility. In addition to overseeing ADA design efforts, engineers are also responsible for making ADA design decisions and determining the appropriate design response for a particular project through constant communication and coordination with contractor's consultants and other public works entities. The Engineering Division of Public Works maintains standard drawings that provide design guidance for a variety of modification or retrofit scenarios. Public Works also maintains document procedures to record Ramp Infeasibility and consequent pathway solutions, as well as Ramp Updates. These forms are provided as part of this transition plan in Appendices (B,I). These documents are used to make design decisions and track the progress of barrier removal throughout the activity of the transition.

City Inspectors provide additional review as necessary and work closely with engineers to assure adherence to applicable ADA regulations and policies.

Method 22 Design ADA improvements in accordance with design standards and federal regulations

Public Works has established standards and policies that provide guidance for installation of accessible features on newly-constructed or altered public rights-of-way and facilities. **28 CFR 35.151**. The Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Public Right-of-Way Accessibility Guideline (PROWAG) are the two sets of guidelines for design of accessible features on new construction and alterations.

The U.S. Access Board developed ADAAG in 1991 and continues to maintain these guidelines for the design of accessible buildings and facilities. ADAAG focuses mainly on buildings and site work and generally does not address conditions unique to public rights-of-way. Due to the need for accessibility guidelines specific to the public rights-of-way, the Access Board developed the PROWAG, which is the current set of guidelines for design of accessible features in public rights-of-way. These guidelines have been identified as a current best practice by the FHWA for elements not fully addressed by ADAAG.

Public Works has officially adopted PROWAG for accessible design features on transportation projects following current best practice recommendations (Ref #4, pg.4). In the event a situation presents itself that cannot be solved using PROWAG regulations alone, city inspectors reference the ADAAG for supplemental guidance. However, Public Works has specified that PROWAG will be used in place of ADAAG where conflicting information between

the two guidelines exists. These standards are being incorporated within City standard construction documents in the special provisions and technical specifications available in the City standard construction specification manual. This manual is being drafted by the engineering division and will establish standard specifications to be referenced in each City project. This standardization will ensure these accessibility standards are applicable and enforceable on all City projects.

Public Works maintains a compilation of detailed drawings in accordance with PROWAG for use on new construction or alteration projects. The drawings include technical information with respect to sidewalk and curb ramp dimensions, slopes, materials, and installation requirements. Additionally, project-specific details are commonly developed to address unique aspects of individual projects. Public Works requires contractors to construct and ensure compliant features. During construction, city inspectors ensure formwork and layout for curb ramps, sidewalks, and detectable warning devices are installed according to the appropriate details. Once the pour is completed on each respective ramp, City inspectors return to the site to score the new ramp using the ADA Ramp Update form Appendix (I). This template is then returned to the Public Works ADA Coordinator and processed to update the city wide inventory. Public Works construction personnel members are responsible for inputting ADA feature compliance scores into ramp update forms for record.

Public Works conducts regular reviews of plans and specifications during the design process. This process encompasses review of any ADA elements on the project to verify compliance with ADA criteria.

Method 23 Design ADA features to allow construction flexibility

Designing a pedestrian feature at the threshold of ADA requirements can cause difficulty in the field during construction. Without room for error or field fitment, the feature may inadvertently be constructed which exceeds ADA thresholds, resulting in noncompliance. For example, a ramp cross slope designed to meet the 2% required maximum may be constructed at a slope of 2.1% due to a variety of unforeseen field conditions or construction methods. To avoid this outcome, Public Works has adopted a standard 1.5% ramp cross slope in all design drawings to incorporate a threshold buffer in design standards. Public Works strives to design ADA features to allow for construction flexibility. A Public Works ADA technician is also available for inspection during the construction layout of ADA features.

Method 24 Apply documented process to determine technical infeasibility

According to **28 CFR 35.151**, in some situations involving improvements to existing infrastructure, it is not feasible to comply with ADA requirements within the scope limitations of the project. For example, steep existing grades, historic features, storm drainage, limited right-of-way, and obstacles such as utility poles may impede the ability to meet ADA requirements at a particular location. Public Works uses its Ramp Technical Infeasibility Form Appendix (B), to determine and document these conditions on each project. In all cases, Public Works designs and inspects ADA features in compliance with ADA requirements.

Method 25 Continually incorporate construction data collection into the ADA database

Public Works monitors the installation of ADA features during construction and field personnel measure new features to determine conformance with the design plans. The engineering division maintains a Ramp Update process which includes final inspection and documentation of each ramp project. The Ramp Update Form is available in Appendix (I). This form is completed on each finished ramp and collected at the City Engineer's office for inclusion in the ADA ramp City wide map inventory. In this way Public Works performs quality control and quality assurance procedure on all newly-collected information before outdated information is deleted from the database.

Method 26 Strive to maintain accessibility during construction

ADA implementing regulations (28 CFR 35.133(b)) allow for isolated temporary interruptions in service or access due to maintenance or repairs. **28 CFR 35.133.** During construction activities, Public Works strives to maintain accessibility in a manner comparable to conditions existing prior to construction. In order to maintain these pathways during construction a Special Provision 19 was drafted for inclusion in public right of way standard construction documents.

2.1.3 (d) Operation and Maintenance

The Public Works department is generally responsible for physical maintenance of City of Great Falls rights-of-way and facilities.

Method 27 Conduct winter maintenance, coordinate with local jurisdictions, and maintenance

Public Works is responsible for maintaining its rights-of-way in operable working condition throughout the year. **28 CFR 35.133.** During the winter, snow and ice buildup can limit the accessibility of an otherwise compliant pedestrian facility. Public Works strives to regularly remove snow and ice and maintain ADA accessibility.

With some exceptions, local ordinances require adjacent landowners to maintain sidewalks. Public Works coordinates with homeowners when needed to ensure terms of the maintenance agreements are fulfilled and ordinances are enforced.

Method 28 Keep the right of way clear of encroachments

City ordinance (OCCGF 12.4.040) establishes and defines the enforcement of a permitting process that must be adhered to should a party request any type of encroachment onto city properties or boulevards, including the public right of way. This ensures a review of each encroachment to ensure the public right-of-way is maintained and free of barriers in terms of ADA compliance. It also establishes standards of encroachment so that failure to adhere can be enforced, simultaneously protecting both the community and the right-of-way.

Allowed encroachment features include "Transit Shelters", which may be publicly or privately owned structures designed to provide shelter from the elements for people awaiting arrival of a Great Falls Transit District bus. Through the City's encroachment permit, the location and style of each shelter will be reviewed for compliance with accessibility needs. For guidance, the Great Falls Long Range Transportation Plan includes minimum standards for bus stops that will be referenced during review of any proposed Transit Shelter site. Further, the Great Falls Transit District will be consulted to ensure each new location meets their ADA user loading and unloading needs.

Method 29 Barrier removal enforcement

The City of Great Falls has a process of encroachment permitting that is used as a preventative measure to keep the right of way clear of barriers such as fences, landscaping, cars, and other privately owned and operated encroachments. This permit process allows the city to enforce a clear right of way. See City Code (OCCGF 12.4.040).

2.1.5 Summary of Methods

Table 2 provides a summary of ADA program methods.

Table 2 ADA Program Methods

| Category | | Method |
|----------------|---------------------------|--|
| Administration | | 1 Employ internal and external ADA coordinators. |
| | | 2 Conduct regular ADA advisory meetings |
| | | 3 Coordinate with representatives of the disability community |
| | | 4 Provide public notice about ADA requirements |
| | | 5 Publish grievance procedures for resolution of ADA complaints |
| | | 6 Provide a mechanism for tracking non-grievance ADA inquiries. |
| | | 7 Provide written assurance guaranteeing non-discrimination. |
| | | 8 Ensure personnel are appropriately trained in regard to ADA requirements. |
| Communications | | 9 Offer auxiliary aids and services to eliminate communication barriers. |
| | | 10 Inform the public of accessible services, activities, and facilities. |
| Rights-of-way | ADA Inventory | 11 Maintain an inventory of existing ADA features. |
| | | 12 Consider ADA inventory system compatibility with other data management systems |
| | | 13 Score rights-of-way features to identify critical ADA needs. |
| | | 14 Prioritize projects based on risk-based assessment of scoring |
| | Project Identification | 15 Determine available funding sources. |
| | | 16 Identify level of ADA effort associated with project type. |
| | | 17 Consider project factors and opportunities to enhance ADA project delivery. |
| | | 18 Coordinate with partner agencies to identify project development activities. |
| | | 19 Establish and document maintenance responsibility. |
| | Design and Construction | 20 Consider risk to determine appropriate project delivery method. |
| | | 21 Assign appropriate staff to design and review ADA documents. |
| | | 22 Design ADA improvements in accordance with design standards and federal regulations |
| | | 23 Design ADA features to allow construction flexibility. |
| | | 24 Apply documented process to determine technical infeasibility. |
| | | 25 Continually incorporate construction data collection into the ADA database. |
| | | 26 Strive to maintain accessibility during construction. |
| | Operation and Maintenance | 27 Conduct winter maintenance, coordinate with local jurisdictions, and perform maintenance. |
| | | 28 Keep the right of way clear of encroachments |

Above: Table 2 summarizes ADA Program methods 1-28. Methods 1-8 are categorized as Administrative; methods 9-10 are categorized as Communications based. Methods 11-28 are categorized specifically as Right-of-Way related. These right-of-way related methods are then further separated into the following categories: ADA Inventory, methods 11-14; Project Identification, methods 15-19; Design and Construction, methods 20-26; Operation and Maintenance, methods 27-28.



*Left: Two concrete finishers place a truncated dome in concrete using a level
Right: A recently finished midblock crossing with a landing*

3.0 Implementation Plan and Schedule

The City of Great Falls is committed to eliminating accessibility barriers for individuals with disabilities within its public right-of way. As required under 28 CFR 35.150(d)(3), the City must specify a schedule for taking necessary steps to achieve ADA compliance. An implementation plan and schedule provides a timeline for addressing deficiencies in policies and procedures, augmenting missing or incomplete inventory data, and remediating physical barriers identified through inventory.

Given the number of physical barriers across the City of Great Falls, the associated cost for improvements, and available funding mechanisms, full compliance is anticipated to be achieved over a period of years. For each year of implementation, the City develops a plan outlining specific actions to be completed during the year. The Annual Action Plan contained in Appendix (H) outlines:

- rights-of-way projects (including both stand-alone projects and within other project scopes)
- inventory activities planned for the upcoming year (if any), and
- program administration/communications actions planned for the upcoming year.

At the end of each year, the City completes a program review and an annual update report contained in Appendix (I) summarizing completed actions and describing any changed conditions. The report enables the City to track progress in removing accessibility barriers and achieving ADA compliance.

Every five years, the City also reviews the entire ADA transition plan to ensure it accurately reflects the City ADA program methodology and procedures and updates it via limited amendment as necessary and approval by the City commission.

4.0 Moving Forward

Public and stakeholder input is an essential element in the transition plan development and self-evaluation processes. ADA implementing regulations require public entities to provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process and development of the transition plan by submitting comments (28 CFR 35.105(b) and 28 CFR 35.150(d)(1)).

4.1 Plan Availability

The 2017 Draft Plan is scheduled to be presented to the City commission for a work session on June 20, 2017. Throughout the period of time preceding its approval, all methods, processes and explanations described in this plan will continue to be applied in Right of Way applications to ensure compliance to the best means of current ability.

Upon plan approval by the City Commission, Public Works will distribute copies of the 2017 draft plan to viewing locations around the city. Alternate accessible formats of the document can be made available upon request. Once the plan is approved by the City Commission, the City plans to issue a citywide press release announcing the availability of the document. Letters were sent to disability groups, neighborhood councils, and city officials announcing the availability of the 2017 Draft Plan and directing interested stakeholders to the ADA coordinator and Public Works department. The 2017 Draft Plan will also be made available to stakeholders through email distribution. After a public comment period, the 2017 Draft Plan will be presented to the City Commission for final adoption.

Section for future public comment:

No public comments have yet been received on the 2017 Draft Plan. Stakeholders have been periodically consulted and involved throughout the plan drafting and scheduling process to date. The distribution email and the Public Works ADA coordinator's solicitation of written comment are contained in Appendix (J).