



CITY OF MENIFEE

SUBJECT: Agreement with Bureau Veritas Technical Assessment, LLC for the City's Americans with Disabilities Act Self-Evaluation and Transition Plan Update

MEETING DATE: September 18, 2024

TO: Mayor and City Council

PREPARED BY: Rex Caballero, Assistant Engineer

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Approve and authorize the City Manager to execute a Professional Services Agreement with Bureau Veritas Technical Assessment (BVTA) to update the City of Menifee's Americans with Disabilities Act Self-Evaluation and Transition Plan, Capital Improvement Program Project No. 24-24, for a total amount not-to-exceed \$249,776.56 through June 30, 2025.

DISCUSSION

On July 26, 2017, the City Council adopted the City of Menifee American with Disabilities Act (ADA) Self-Evaluation and Transition Plan ("Plan"). The ADA requires that State and local governments ensure their facilities, public rights-of-way, policies, procedures, and practices accommodate all users. The Federal Highway Administration's (FHWA) regulatory responsibility under Title II of the ADA and the Rehabilitation Act of 1973 (Section 504) is to ensure that recipients of Federal aid, and all public agencies who are responsible for roadway and pedestrian facilities, do not discriminate based on disability.

The California Department of Transportation's (Caltrans) often serves as a pass-through for federal funding to local agencies as subrecipients. As a subrecipient of grant funding administered by Caltrans, the City is required to demonstrate compliance not only with the ADA, but with the Caltrans Local Assistance Procedures Manual (LAPM) as well. The LAPM recommends the Plan be updated every three to five years. As the City's population increases and new City-owned facilities are constructed, it is essential that the Plan be updated to serve as a tool to reduce or eliminate non-compliant infrastructure improvements within parkways, parks, public structures, public programs to allow accessibility for all.

The ADA Self-Evaluation and Transition Plan, Capital Improvement Program (CIP) Project No. 24-24 ("Project") would update the existing Plan to incorporate any recent changes in the ADA,

California Building Code, Caltrans standards, and accessibility trends to provide a current benchmark for accessibility efforts within the City. The Plan update would include a schedule of improvements necessary to meet the ADA, State, and local accessibility requirements and provide cost estimates for barrier removal, a prioritized list of improvements, and a timeline for the completion of the recommended improvements. The Project scope would include the following:

- ADA self-evaluation of existing parkway improvements
- Physical assessment of facilities and Sites Accessibility Transition Plan
- Program access and policy review
- Public outreach meetings
- Public rights-of-way (PROW) evaluation (155 miles of public sidewalks and curb ramps)
- Twenty schools/library/Medical Center – *PROW Access only*
- Seven public building facilities
- Eight public parks

During the Fiscal Year (FY) 2023/2024 Mid-Year Budget cycle, staff requested to increase the CIP budget to include funding for this Project. On June 6, 2024, staff released a Request for Proposal (RFP) to solicit professional engineering services for the Project. A total of three proposals were received. After reviewing and evaluating all proposals for qualifications, a proposal ranking was assigned to each firm, as summarized in Table 1 below.

TABLE 1 – PROPOSAL EVALUATION SUMMARY

Firm Name	Interview Score	Qualification Ranking
BVTA	90.25	1
Accessibility Consulting Partners (ACP)	84.75	2
ARCOR, Inc.	81.50	3

Following the review of proposals received and to further assess the proposed project team to determine which firm most closely aligned with the scope of work outlined in the RFP, the two top-ranking firms were subsequently invited to participate in selection interviews. The average scores of the evaluation completed by the interview panel are summarized in Table 2 below.

TABLE 2 – SELECTION INTERVIEW FIRM RANKING SUMMARY

Firm Name	Interview Score	Cost Proposal	Qualification Ranking
BVTA	80.50	\$281,376.00	1
ACP	69.00	\$294,336.00	2

Under the California Government Code Section 4526, local agencies are required to select professional services for architectural, landscape architectural, engineering, environmental, land surveying, or construction project management solely on the basis of demonstrated competence and professional qualifications. For this reason, cost proposals are sealed until the selection process is completed.

After thorough review, BVTA was selected as the highest-ranking proposer. BVTA demonstrated qualified experience and a comprehensive understanding relevant to the Project's scope as outlined within the RFP. BVTA's original cost proposal exceeded the City's independent estimate of \$250,000 for the Project. Following negotiations, the final cost proposal from BVTA was reduced to \$249,776.56, which was determined to be reasonable and within the established Project budget.

The amount of the proposed Professional Services Agreement ("Agreement") exceeds the City Manager's signing authority. Pursuant to Menifee Municipal Code §3.12.040, any contract amount that exceeds the City Manager's signing authority shall be approved by the City Council.

STRATEGIC PLAN OBJECTIVE

Safe and Vibrant Community

FISCAL IMPACT

The fiscal impact of the proposed Agreement with BVTA is for the total amount not to exceed \$249,776.56. Funding for the Agreement is available in the FY 2024/2025 budget within the Quality of Life (Measure DD) Fund (1105-PWD-CIPS-760050), as summarized in Table 3 below.

TABLE 3 – PROJECT BUDGET

Fund	Available Budget	Anticipated Cost
Quality of Life (Measure DD)	\$250,000.00	\$249,776.56
TOTAL	\$250,000.00	\$249,776.56

No additional budget appropriation action(s) is required.

ATTACHMENTS

1. Project Location Map
2. Agreement - BVTA