

Accessibility Consultant 2018 Annual Report FAQs

Why is there an Accessibility Consultant?

The Settlement Agreement requires ODOT to retain the services of an Accessibility Consultant with substantial experience in evaluating or assisting public entities in coming into compliance with Applicable Standards. This firm has to be mutually acceptable to ODOT and the plaintiffs, the Association of Centers for Independent Living (AOCIL).

What are the responsibilities of the Accessibility Consultant?

Section 7 of the Settlement Agreement identifies all their responsibilities, but in short, they are responsible to review, assess, and make recommendations in consultation with ODOT as to our policies, standards, practices, training, forms, and guidance pertaining to curb ramps and pedestrian crossing signals.

Who is the Accessibility Consultant?

The firm of Cole & Associates was jointly selected by AOCIL and ODOT. They are a firm with national experience and knowledge in ADA.

Why did the Accessibility Consultant provide a report?

The Settlement Agreement Section 8 requires the Accessibility Consultant to submit an annual report based on their review of ODOT's annual report.

When did ODOT issue its annual report?

ODOT delivered our report of work performed in 2018 to the Plaintiffs' attorneys and the Accessibility Consultant on Thursday, March 28, 2019.

Are the reports public? If so, where can I find it?

The reports are public documents. [ODOT 2018 Annual Report Accessibility Consultant's report.](#)

What does the Accessibility Consultant's report say?

Similar to ODOT's Annual Report, Cole's report reviewed ODOT's work and reported on the Settlement Agreement sections in order. In many sections, Cole's report supported the way ODOT reported activities in the same section. Here are some highlights:

Section 1 Curb Ramp Inventory., ODOT's updated curb ramp inventory includes new data for curb ramps previously rated "poor" (including curb ramps that are missing). Cole acknowledged ODOT's efforts. It pointed out that per the Settlement Agreement "*Locations that were previously rated "poor," were not required to be reevaluated.*" The benefit of ODOT's additional data is that it provides a more complete and consistent database.

Section 5 Remediation of Pedestrian Signals. Cole acknowledged ODOT's focus on curb ramp remediation while addressing pedestrian signals in turn. It noted, "...pedestrian signal

remediation has not been as fully addressed as curb ramp locations” but that ODOT does include this work when it coincides with curb ramp remediations: “When a project scope includes the opportunity to improve the height, reach range and landing at a signal location, it has been recommended that the signals be included in the project.” Cole “encourage[d] ODOT to begin discussions on the development of a pushbutton remediation schedule.”

When the scope of an existing project triggers the requirement to bring a pedestrian signal into compliance, ODOT completes that remediation. When there are projects that are in the vicinity of non-compliant pedestrian signals, those signals won’t be made compliant as a part of that project if the project work is unrelated. The signals are instead scheduled for remediation in a future project. ODOT and the plaintiffs have agreed to begin discussions to identify a remediation schedule.

Section 6 Schedule for Curb Ramp Remediation Compliance. Cole’s report recognizes the time it takes to incorporate new design standards and policies and encourages “ODOT to expedite construction as much as possible in order to meet the milestone of remediating 7700+ curb ramps by the end of 2022.”

ODOT has consistently explained that the early years of the Settlement Agreement will provide learning opportunities and that we will build momentum from there to meet the Settlement Agreement milestones. This work is ongoing, and we are identifying projects that will increase our annual curb ramp remediation quantities substantially over the next couple of years. As planned, we are on track to meet our commitments.

Section 7 Accessibility Consultant. Cole describes its meetings with ODOT, stating, “The meetings have been collaborative with the environment of working together to find solutions and improvements.” And that “ODOT has been responsive to recommendations and guidance provided by the Cole team.”

ODOT agrees that we have a very collaborative relationship with the accessibility consultant and that our final policies, practices, procedures, and transportation system solutions will benefit from that interface.

Is there any conclusion or summary in the report?

In the closing paragraph, Cole states, “In conclusion, ODOT is making progress on improving and prioritizing accessibility within their organization and along their roadways.”

What happens now?

ODOT continues our work to meet the requirements of the Settlement Agreement and work in partnership with the Accessibility Consultant to review the ADA aspects of our policies, procedures, and practices.