



DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

March 30, 2018

SENT VIA ELECTRONIC MAIL

Tom Stenson
Disability Rights Oregon
511 SW 10th Avenue, Suite 200
Portland, OR 97205
tstenson@droregon.org

RE: Delivery of Section 8 Annual Report
DOJ File No.: 731001-GG0393-17

Dear Mr. Stenson:

ODOT is pleased to provide its first annual report under Section 8 of the Settlement Agreement and to share its ongoing progress to improve accessibility on the State Highway System. Attached to this letter you will find the Section 8 Report. In the paragraphs below, I have summarized ODOT's ongoing progress in areas that are not specifically addressed in that report.

- ODOT retained an Accessibility Consultant in June 2017 to review its policies, procedures, and practices and provide additional consultation under the Section 7 of the Settlement Agreement. The Accessibility Consultant, Cole & Associates (Cole), is a firm with a national perspective on ADA and was chosen jointly by AOCIL and ODOT. Cole has given ODOT its "stamp of approval" or concurrence on several policies memorializing its agreement that the policies meet applicable standards. Cole will be reviewing more policies, procedures and practices to advise ODOT on any changes needed to meet applicable standards prior to a determination of concurrence going forward.
- ODOT has implemented required training to ensure contractors understand and comply with the law. Contractors who are performing curb ramp construction must have a certified field supervisor. ODOT only accepts curb ramp inspection forms from curb ramp inspectors who have completed training.
- ODOT is working to ensure that local agencies performing work on the state highway system are meeting applicable standards. To do this, ODOT and its transportation partners in local agencies developed standard intergovernmental agreement language about work that triggers ADA compliance on or along the State Highway System. In addition, ODOT provides guidance and support to local agencies for ADA compliance on their transportation system plans and transition plans.

- ODOT is also creating new processes to ensure curb ramps are being constructed in compliance with the ADA. ODOT has pilot projects in which a designer and a contractor in the field are paired together to identify better ways to construct compliant curb ramps. ODOT is also testing computer-aided drafting software to further these goals. For example, to reduce the time spent to individually design each curb ramp to its unique field conditions, the software will use a standard curb ramp drawing, overlay it to the field conditions, and allow adjustments to be made to the standard drawing. ODOT is also evaluating other potential pilot project opportunities.
- ODOT has begun remediation of curb ramps at “high priority” locations. As described in the Settlement Agreement, ODOT committed \$5 million to address AOCIL’s most immediate concerns. To assist AOCIL in its selection of projects, ODOT scoped the specific locations and identified when other planned projects may address the concerns but use a funding source other than the dedicated \$5 million. With this additional step, AOCIL then had information to determine whether to shift priorities knowing where some locations will be improved by other means.

These high priority projects are currently in process with their corresponding state and federal funding steps and being coordinated with the regions and cities in which they will be built. Specifically, design for Clatskanie and Springfield locations will begin in spring of 2018. Locations in Portland and Beaverton are going through the metropolitan project review now. In Bend, Region 4 is negotiating a contract for design of curb ramps. Several Lincoln City locations will be addressed under an existing ADA Program design contract.

- ODOT is committed to a transportation system accessible to all users. It has developed standard messaging for project bulletins, regular internal updates to staff, and outreach and information sharing to its transportation partners.

Both ODOT Oversight contacts, identified in Section 14 of the Agreement, Lisa Strader and Becky Williams have received a copy of the report. It will also be posted to ODOT’s website and provided to the Accessibility Consultant for review.

At your earliest convenience please confirm receipt of this correspondence and that you are able to view all the attachments.

Sincerely,



Karen E. Clevering
Assistant Attorney General
Government Services Section

KC3:lc3/8822077

Enclosure:
Section 8 Report, with attachments in pdf and xls format