

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	April 6, 2009
	Agenda Item No. 5A Roll Call No. <u>09-</u> Communication No. <u>09-200</u> Submitted by: Jeb E. Brewer, P.E. City Engineer	

AGENDA HEADING:

Ordering construction of the following: Ewing Park ADA Improvements - Receiving bids, (4-21-09), and Setting date of hearing, (5-4-09). (Construction Estimate - \$140,000).

SYNOPSIS:

Recommend the City Council proceed with construction of the improvement and set dates to receive bids and hold a public hearing, as required by Iowa Code, utilizing the method of financing referenced below. A study of City of Des Moines facilities was conducted to identify non-compliant physical barriers that did not meet Title II requirements of the Americans with Disabilities Act (ADA). The results of the study were compiled into the ADA Transition Plan. This project includes building and exterior site improvements to resolve non-ADA compliant items at Ewing Park.

FISCAL IMPACT:

Amount: \$140,000 City Engineer's Estimate

Funding Source: 2009-2010 CIP, Page Building-4, ADA Modifications for Municipal Buildings, BLD042, G. O. Bonds

ADDITIONAL INFORMATION:

The Americans with Disabilities Act (ADA) of 1990 recognizes and protects the civil rights of people with disabilities. It covers a wide range of disability, from physical conditions affecting mobility, stamina, sight, hearing, and speech to conditions such as emotional illness and learning disorders. The ADA addresses access for three specific areas: 1) the workplace (Title I); 2) state and local government services (Title II); and 3) places of public accommodation and commercial facilities (Title III).

A thorough assessment of almost all City buildings and facilities was conducted in 2003 culminating in a report that included: 1) The identification of each non-compliant accessible element listed in the American Disabilities Act Accessibility Guidelines (ADAAG); 2) A brief description of each that are of non-compliance; 3) A proposed solution to bring non-compliant elements into compliance; and, 4) A conceptual cost estimate for completing the work required to bring the non-compliant elements into compliance. A Transition Plan Committee was formed and ranked the most urgent non-compliant items found in the assessment to be corrected first. Several construction contracts have been completed to address and correct the most urgent ADA non-compliant items throughout the City pursuant to the Transition Plan. This project includes building and exterior site improvements to resolve non-ADA compliant items at Ewing Park.

The Engineering Department has prepared plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the Ewing Park ADA Improvements, 10-2009-011. The improvement includes renovating the existing restroom facilities, providing accessible parking and sidewalks to access existing park facilities including existing covered park shelter, BMX track and Soap Box Derby complexes, in accordance with the contract documents, including Plan File Nos. 495-140/162 at Ewing Park, 5300 Indianola Road, Des Moines, Iowa.

The estimated construction cost is \$140,000. The proposed plans, specifications, and form of contract documents are available for public inspection in the City Engineer's Office.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Anticipated actions include public hearing, receive and file bids, designate lowest bidder, and approve contract and bond; also partial payments to the contractor and final acceptance of work.

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