

OHIO DEPARTMENT OF
TRANSPORTATION



ADA/504 TRANSITION PLAN 2014 UPDATE

John R. Kasich
Governor

Jerry Wray
Director

Patrick J. Piccininni
Deputy Director &
Chief Legal Counsel

An Equal Opportunity Employer and Provider of Services

January 2014

January 22, 2014

Dear Citizens of Ohio,

I am pleased to share with you the updated ADA Transition Plan for the Ohio Department of Transportation (ODOT), originally adopted in February 2012. This updated plan outlines the progress ODOT has made to ensure Ohio's transportation system is accessible to all users who travel in and through the Buckeye State.

As Ohio's transportation leader, ODOT will continue to uphold the vision and policies presented in this plan. The success of making our transportation system fully accessible depends on the coordinated efforts of all levels of government, the public, and the policies and strategies outlined in this plan. ODOT will continue to look for opportunities to involve citizens, stakeholders, and partners in future updates to the plan and in policy decisions affecting accessibility. Together, we can realize a shared vision of an accessible, safe, efficient, and sustainable transportation system. We will work together...one team...the Ohio Department of Transportation.

Respectfully,



JERRY WRAY
Director



Introduction

Since the time of the Self-Evaluation in May 2010, ODOT's *mission, vision, and guiding principles* have been updated. This document is intended to serve as a guide to further ODOT's *mission, vision, and guiding principles* by outlining key actions for making Ohio's transportation system accessible to all. Thus, ODOT's updated *mission, vision, and guiding principles* are outlined below.

Mission

To provide easy movement of people and goods from place to place, we will...

1. Take care of what we have
2. Make our system work better
3. Improve safety
4. Enhance capacity

Vision

A long-term, reliable, professional, and highly productive organization.

Guiding Principles

- ☉ We will serve, innovate, and communicate with purpose.
- ☉ We will be productive, lean, efficient, and effective.
- ☉ We will utilize the public resources entrusted to us by satisfying the State's transportation needs.
- ☉ We will be the standard of excellence for winter maintenance.
- ☉ We will create a working environment based on trust and mutual respect.
- ☉ We will value the diversity of all ODOT people.
- ☉ We will work together...one team...the Ohio Department of Transportation.

(*The above information was provided from ODOT's Strategic Plan (December 2011). To review the Strategic Plan, <http://portal.dot.state.oh.us/Documents/ODOT-StrategicPlan-Dec2011-FINAL.pdf>)



Background

In March 2008, ODOT began working on the process of conducting an ADA Self-Evaluation to assist in developing an updated Transition Plan to address each area of ADA compliance. As part of that process, in September 2009, ODOT finalized its [strategic plan](#) on how it intended to conduct the ADA Self-Evaluation and the subsequent Transition Plan.

The strategic plan identified how ODOT would evaluate its public facilities, which include rest areas, its pedestrian rights of way, and its employment practices. ODOT asked the Ohio Rehabilitation Services Commission and the Governor's Council on Peoples with Disabilities to review the strategic plan and to provide comments to ensure individuals with disabilities had a voice in this process. No comments were provided by either entity.

In May 2010, ODOT sent its [ADA/504 Self-Evaluation](#) out for public comment and notified FHWA. Comments were addressed and the document was updated as appropriate. In February of 2012, ODOT completed and published its ADA/504 Transition Plan detailing how the agency will ensure all of its facilities, services, programs, and activities are accessible to all individuals.

Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), as amended with the ADA Amendments Act of 2008, is a civil rights law prohibiting discrimination against individuals on the basis of disability. The ADA consists of five titles outlining protections in the following areas:

- Title I: Employment
- Title II: State and Local Government Services
- Title III: Public Accommodations
- Title IV: Telecommunications
- Title V: Miscellaneous Provisions

Title II of the ADA pertains to the programs, activities, and services public entities provide. As a provider of services and programs, ODOT must comply with this section of the Act as it specifically applies to state public service agencies and state transportation agencies. Title II of the ADA provides that "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or



be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”

As required by Title II of the ADA and Section 504 of the Rehabilitation Act of 1973, ODOT conducted its [Self-Evaluation](#) as noted above and developed this Transition Plan detailing how the agency will ensure all of its facilities, services, programs, and activities are accessible to all individuals.

Transition Plan Management

ODOT’s Transition Plan is a living document that will be updated routinely. This is the first update and future updates will occur every other year thereafter. In addition, to streamline plan updates and keep the document current and relevant, attachments will be updated annually if new information is available which does not alter the intent of the Transition Plan. When an update is found to alter the intent of ODOT’s Transition Plan, the attachment and affected section(s) will be opened for public review and comment. The update schedule may be altered at the discretion of ODOT based on changes in guidance from the United States Access Board, Federal policy, and/or ODOT policy. ODOT’s Transition Plan is available for continual public inspection through the [Office of Equal Opportunity’s website](#).

Brief Overview of ODOT



ODOT’s activities encompass all 88 counties in the State of Ohio. These counties are broken into 12 districts statewide. Each district is responsible for three to nine counties. Each district is responsible for: assisting in strategic planning; short and long-term goal setting; performance measurements; and policy development and deployment on both the statewide and district-wide level. Each district also represents and communicates the activities, views, and policies of ODOT with representatives of local, state, and federal agencies, elected officials of local, state, and federal governments, consultants, contractors, vendors, the news media, and the general public.



Brief Description of the ADA Program

ODOT has implemented its ADA Program through practices, policies, and procedures. ODOT is committed to the fair and equal employment of individuals with disabilities and to extending equal opportunity and access to its programs and benefits to individuals with disabilities.

As the state agency responsible for designing, building, and maintaining the transportation systems for the State of Ohio, ODOT has ADA responsibilities in separate but equally important areas: employment, public right of way facilities, and facilities. ODOT has developed a collaborative approach with coordination among the Office of Equal Opportunity, the Office of Facilities Management, and the Office of Roadway Engineering.

As part of its efforts to comply with the ADA, ODOT has a policy related to requesting an accommodation, which includes the complaint process should an individual feel he or she has been discriminated against, harassed, or denied the services and benefits offered by ODOT. As outlined in the policy, all requests for accommodation as well as all complaints must be referred to the Office of Equal Opportunity.

Program Areas

Office of Equal Opportunity

Kimberly A. Watson

Administrator

ADA/504 Coordinator

614-728-9245

kim.watson@dot.state.oh.us

Sarah E. Johnson

ADA/504 Specialist

614-466-3979

sarah.johnson@dot.state.oh.us

On behalf of Director Wray, the Office of Equal Opportunity is responsible for coordinating and enforcing ODOT's compliance with the ADA and Section 504 of the Rehabilitation Act.

Pursuant to ODOT's [ADA Policy \(32-003\(P\)\)](#), the Office of Equal Opportunity is responsible for investigating discrimination and harassment complaints in which disability discrimination is alleged and for making determinations related to reasonable accommodation requests.

Employment

Robin E. Fogt

Title VI Specialist & Affirmative Action Officer

614-466-7708

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In November 2011, ODOT submitted its 2011 EEO Strategic Plan and ADA Self-Evaluation to the Ohio Department of Administrative Services, Equal Opportunity Division (DAS/EOD). On April 20, 2013, DAS/EOD approved ODOT's Strategic Plan. A copy of the approval letter can be found [here](#).

To review the 2011 EEO Strategic Plan and ADA Self-Evaluation, please visit:

<http://www.dot.state.oh.us/Divisions/ChiefLegal/EqualOpportunity/EEO%20Documents/2011%20ODOT%20EEO%20Strategic%20Plan.pdf>

Facilities

Office of Architectural Services

Rick Puderbaugh

Facilities Program Manager

ADA/504 Co-coordinator

614-752-0411

rick.puderbaugh@dot.state.oh.us

Facility Composition:

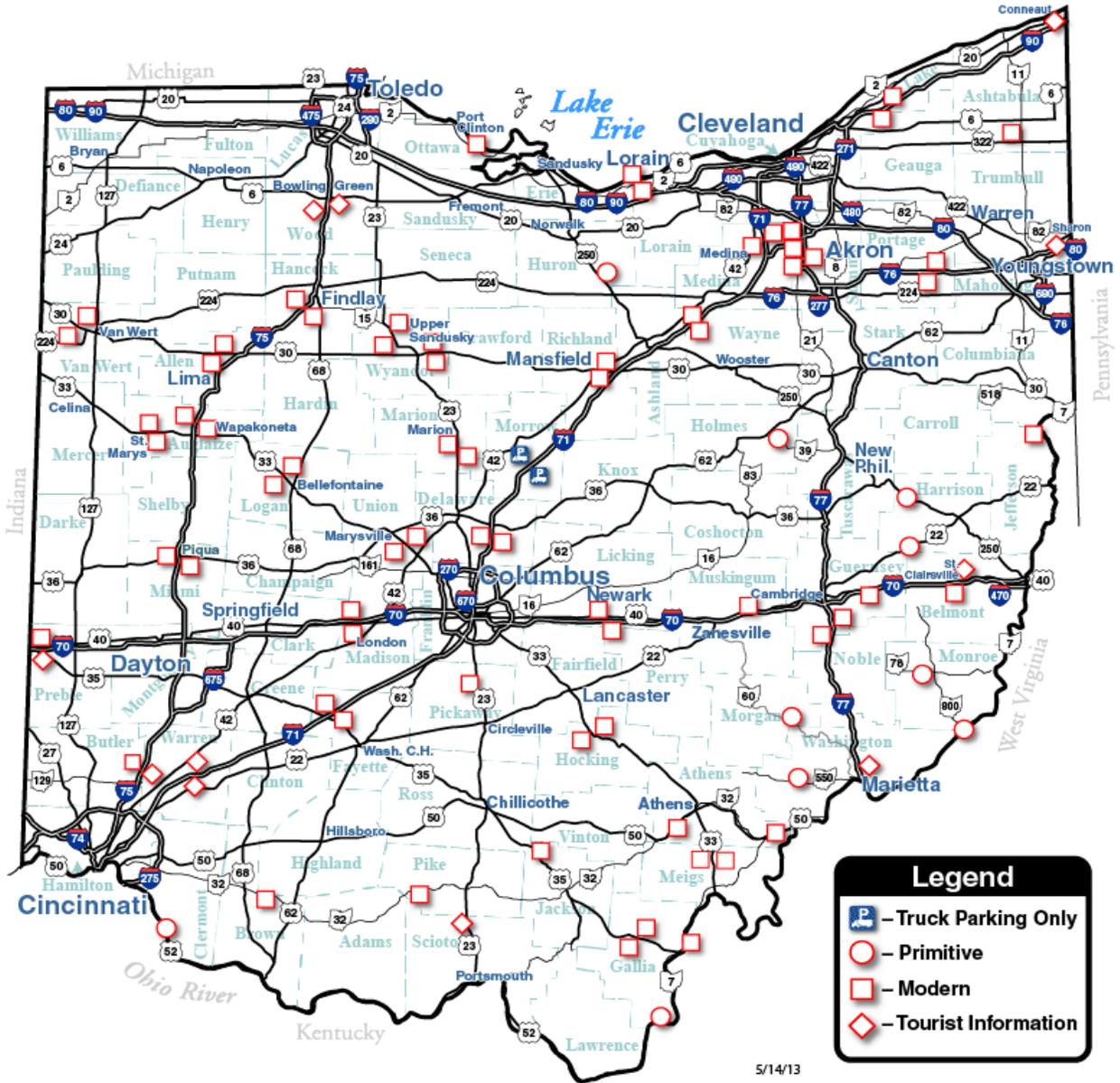
ODOT owns and operates over 1,600 buildings throughout the State of Ohio. These buildings serve several basic functions falling into three major categories: Office Buildings, Operational Garages and Outposts, and Safety Rest Areas. The buildings are located throughout Ohio and are managed by the Department's Facility Management offices located at the Central Office Headquarters and District Headquarters. Each building was designed to the standards and guidelines in existence at the time of its construction. Additionally, all improvements to existing facilities are made in accordance to the current standards and guidelines in effect at the time of alteration. Tables 1 & 2 below illustrate the breakdown of types, quantity, space types, average, and total area.

TABLE 1: ODOT FACILITIES

OPERATIONAL BUILDING FACILITIES						
TYPE	QUANTIT Y	AVERAGE			TOTAL AVG.	GRAND TOTAL S.F.
		OFFICE	GARAG E	OTHER		
Hilltop HQ	1	312,510				312,510
Central Garage	1	96,464	86,403	81,596	264,463	264,463
District HQ's	12	74,172	29,164	50,213	153,549	1,842,588
County Garages	85		18,724	16,537	35,261	2,997,185
Outposts & Yards	135		2,722	7,531	10,253	1,384,155
Rest Areas*	92			1,625	1,625	164,125
						<u>6,965,026</u>

TABLE 2: ODOT REST AREA FACILITIES

REST AREA FACILITIES		
Type	Quantity	Total
Interstate	45	45
Non-Interstate	47	47
Modern	39	
Privies	11	
Parking Only	3	
Total		92



5/14/13

Attachment A – ODOT Facilities

Survey Results and ODOT Transition Plan:

After completing the surveys, a deficiency report was prepared for each headquarter building, county garage, and rest area location. Each primary design area (parking, access routes, rest rooms, etc.) was reviewed. Where deficiencies were found, they were categorized and tasks assigned to rectify the issue. Estimated completion dates were assigned for those tasks categorized as maintenance or capital projects. Issues identified as involving structural changes to the facility were categorized as not feasible

and will be addressed when the facility is scheduled for major renovation or replacement.

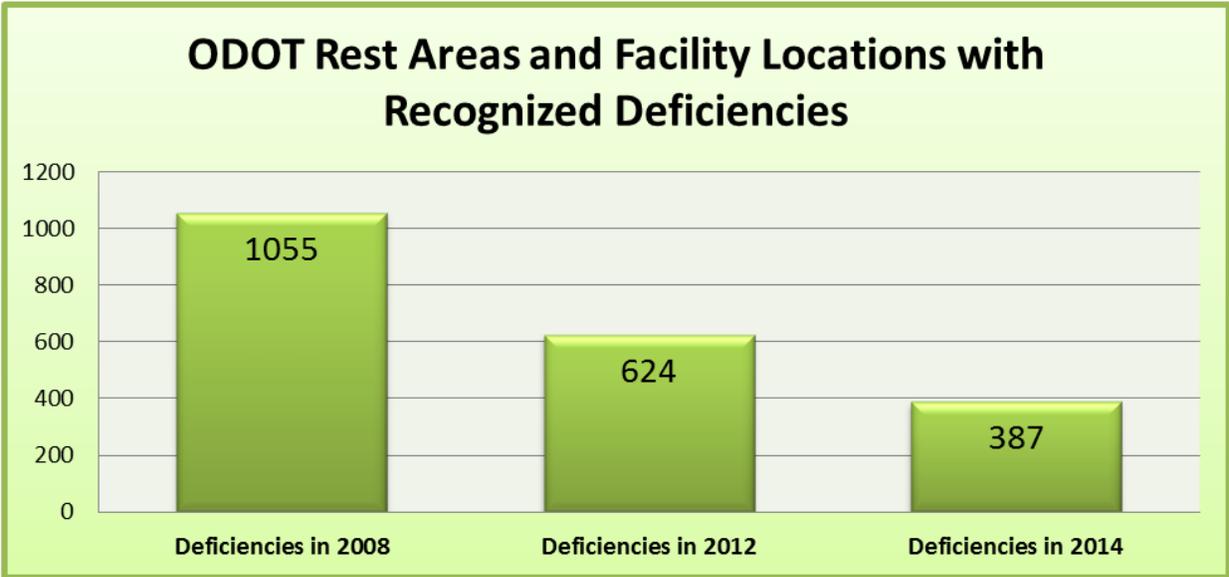
Each district and Central Office facilities department is responsible for budgeting and completing the tasks. Long-range planning is done on a 4-to-8 year cycle, but actual budgets are only available on an annual basis. This may cause some shift in estimated completion dates over time.

Rest Areas and Facility Locations:

As indicated in ODOT's 2012 ADA/504 Transition Plan, during its ADA/504 Self-Evaluation, ODOT identified 1,055 areas that contained recognized deficiencies within ODOT's **rest areas and facility locations** that fall under the agency's responsibility for inspection and routine maintenance statewide. At the time of the agency's 2012 ADA/504 Transition Plan publication, 426 (or 40%) of those non-compliant areas had undergone renovations that resulted in the elimination of the identified barriers since the completion of the 2008 ADA/504 Self-Evaluation. Those corrections left 624 remaining non-compliant areas, including 468 deficiencies that had been scheduled into future work plans, and 167 deficient areas that were determined not to be feasible to correct until a major renovation or total replacement project was undertaken in that area.

During this reporting update period, since the time of the 2012 ADA/504 Transition Plan publication, 237 (or 38%) of the 624 non-compliant areas were corrected, leaving just 387 (or 37%) of the original 1,055 non-compliant areas to be corrected. Of those remaining 387 non-compliant areas, 295 (or 76%) have been scheduled into future work plans, and the remaining 92 (or 24%) non-compliant areas have been determined not to be feasible to bring into compliance until a major renovation or total replacement project is undertaken in that area. Much of the improvement in reducing ODOT's facility deficiencies has been due to the continued support and hard work contributed by district staff in addressing individual deficiency repairs and alterations.

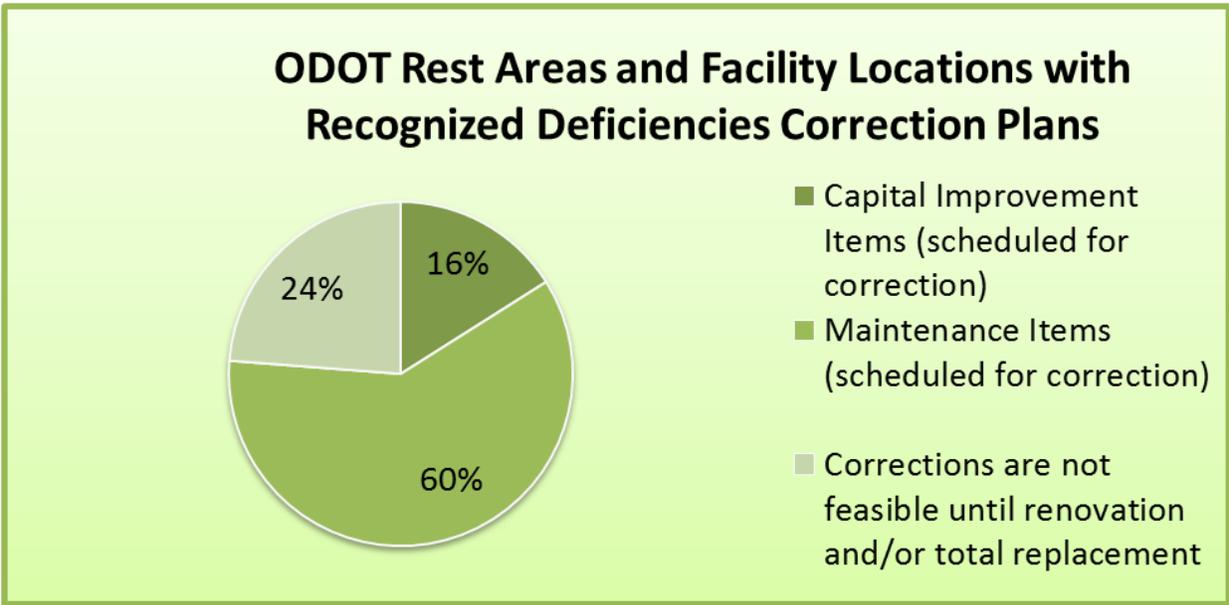
Another factor has been a significant increase in ODOT's building construction program. In the past two years, ODOT has completed demolition and replacement of 47 rest area building, constructed 12 new full service maintenance facilities and outposts, and numerous smaller construction and renovation projects. The design of each new project is stamped by a Professional Engineer or Architect, and reviewed and approved for building permits through the Ohio Department of Commerce, Division of Industrial Compliance. One of the building permit requirements, per the Ohio Building Code, is compliance with ADA/ADAAG. From January 1, 2012 through December 31, 2013, ODOT has invested over \$15.5 million on capital improvement projects in our rest areas and operating facilities.



[Attachment B](#) - Statewide Deficiency Report

Long Range Follow Up:

For long-term assurance of compliance and to ensure that improvements to existing buildings are being completed, the Office of Facilities Operations Management has incorporated a monitoring and tracking system to ensure that District Facility Management Offices are fulfilling obligations for completing ADA maintenance improvement projects identified as part of ODOT’s Self-Evaluation. New buildings or major renovations will be fully ADA compliant based upon current standards.



Public Right-of-Way Facilities

Office of Roadway Engineering Services

Maria Ruppe

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Don Fisher

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Standards and Geometrics Engineers

ADA/504 Co-coordinators

Survey Results and ODOT Transition Plan:

After completing surveys of its public rights-of-way, deficiency reports were prepared to identify barriers to accessibility. Through this process, ODOT identified: (1) curb barriers, (2) non-compliant curb ramps, (3) existing deficient sidewalk/pedestrian corridors, and (4) in accessible pedestrian-activated signals within ODOT's jurisdiction.

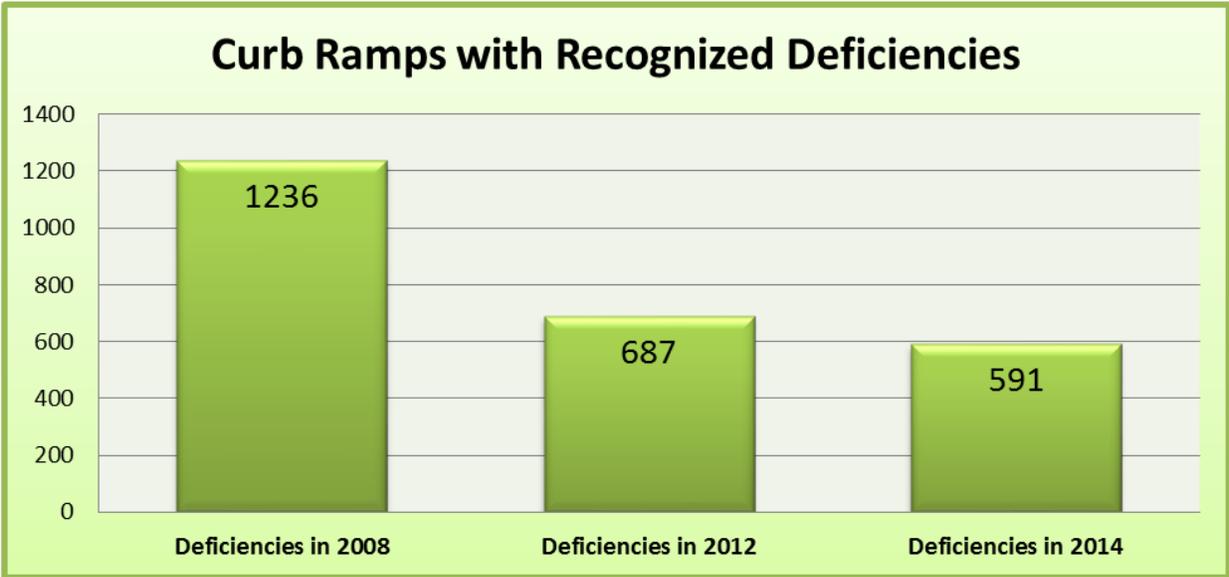
See ODOT's [Self-Evaluation](#) for more information regarding jurisdictional issues.

Where barriers were found, they were categorized on a priority basis as outlined in ODOT's [Self-Evaluation](#).

Curb Ramps:

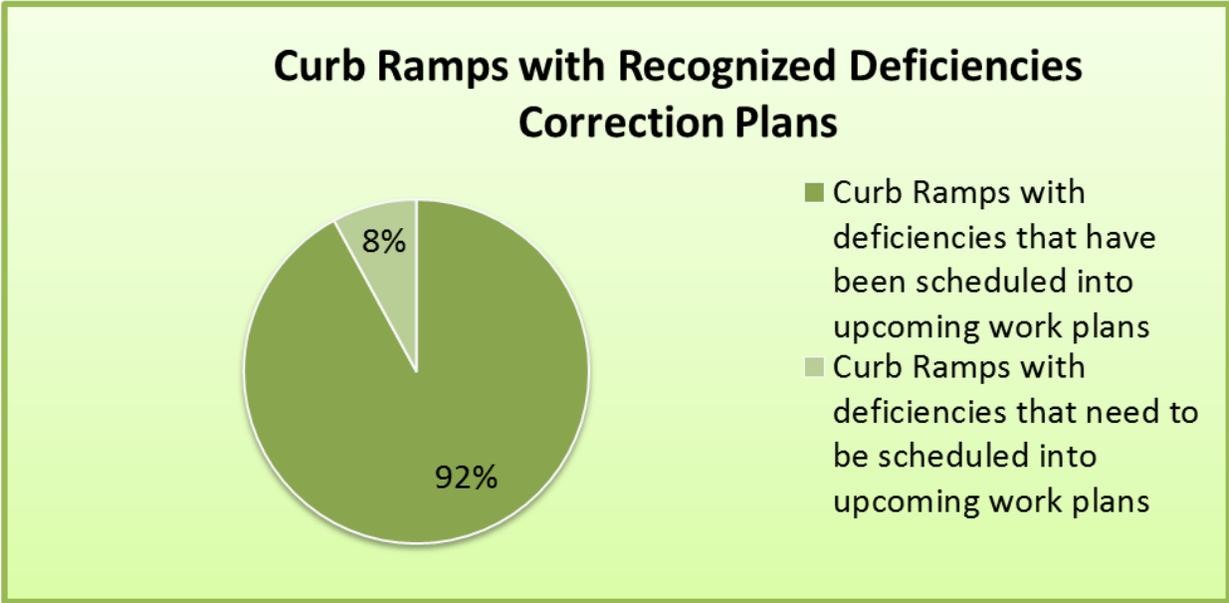
As indicated in ODOT's 2012 ADA/504 Transition Plan, during its ADA/504 Self-Evaluation, ODOT identified 1,236 **curb ramps** that contained recognized deficiencies that fall under the agency's responsibility for inspection and routine maintenance statewide. At the time of the agency's 2012 ADA/504 Transition Plan publication, 549 (or 44%) of those non-compliant areas had undergone renovations that resulted in the elimination of the identified barriers since the completion of the ADA/504 Self-Evaluation, leaving 687 remaining non-compliant curb ramps, including 420 that had been scheduled into ODOT's annual work plans, and 267 recognized deficiencies that still needed to be scheduled into future work plans.

During this reporting update period, since the time of the 2012 ADA/504 Transition Plan publication, 96 (or 14%) of the 687 non-compliant areas were corrected, leaving just 591 (or 48%) of the original 1,236 non-compliant to be corrected. Of those remaining 591 non-compliant areas, 544 (or 92%) have been scheduled into future work plans, and the remaining 47 (or 8%) will be scheduled into work plans during the next reporting update period.



Long Range Follow Up:

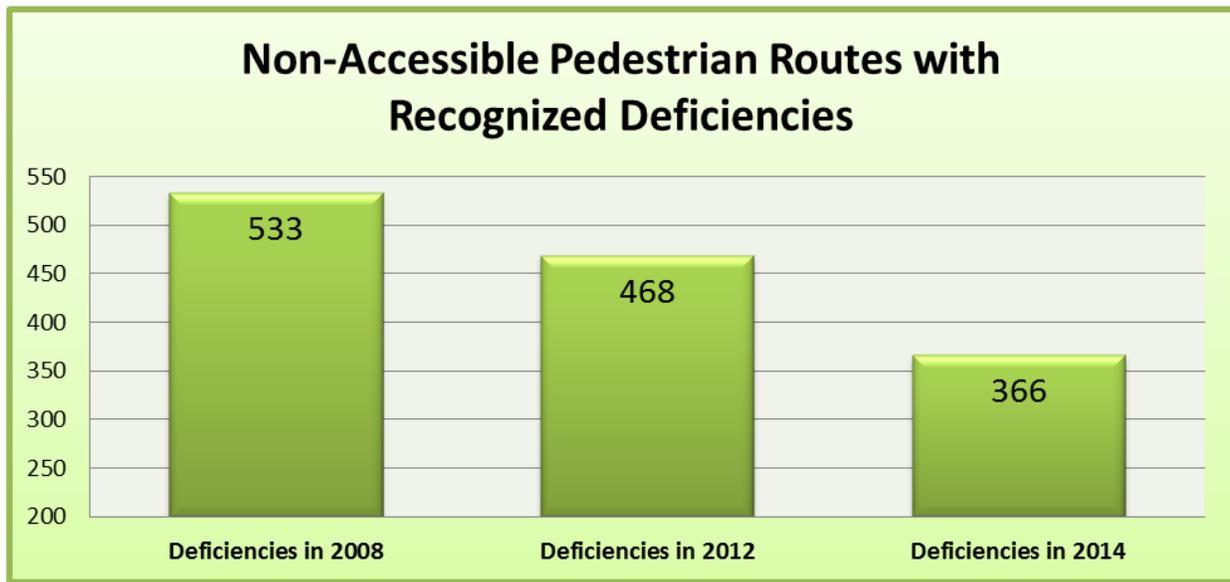
Because this document is a living document, other inaccessible features may be added in the future as the law in this area evolves. Examples of these features are: (1) the requirement for accessible on-street parking, (2) installation of audible pedestrian signals, and (3) grade separated pedestrian crossings, among others. Additionally, ODOT is currently working to implement a statewide asset management system that will make the tracking of sidewalks and curb ramps and the availability of the data associated with them more easily and readily available.

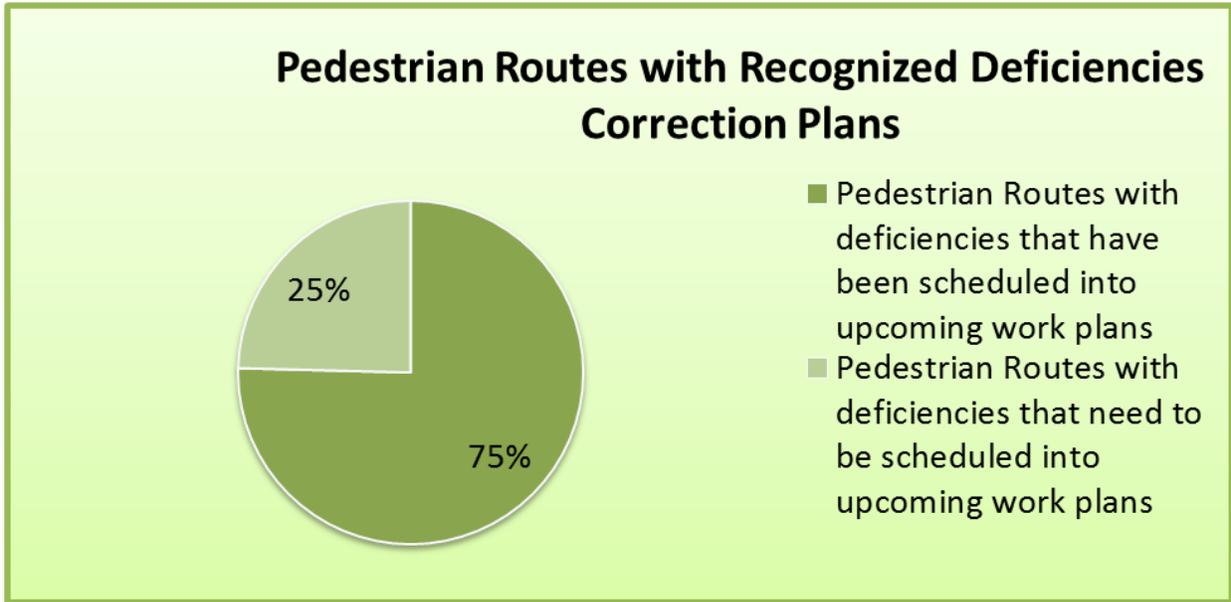


Pedestrian Routes:

As indicated in ODOT’s 2012 ADA/504 Transition Plan, during its ADA/504 Self-Evaluation, ODOT identified 533 **pedestrian routes** that contained recognized deficiencies that fall under the agency’s responsibility for inspection and routine maintenance statewide. At the time of the agency’s 2012 ADA/504 Transition Plan publication, 65 (or 12%) had undergone renovations that have resulted in the elimination of the identified barriers since the completion of the ADA/504 Self-Evaluation, leaving 468 remaining non-compliant pedestrian routes, including 391 that had been scheduled into ODOT’s annual work plans, and 77 recognized deficiencies that still needed to be scheduled into future work plans.

During this reporting update period, since the time of the 2012 ADA/504 Transition Plan publication, 102 (or 22%) of the 468 deficiencies were corrected, leaving just 366 (or 69%) of the original 533 non-compliant pedestrian routes to be corrected. Of those remaining 366 non-compliant areas, 276 (or 75%) have been scheduled into future work plans, and the remaining 90 (or 25%) non-compliant areas will be scheduled into work plans during the next reporting update period.





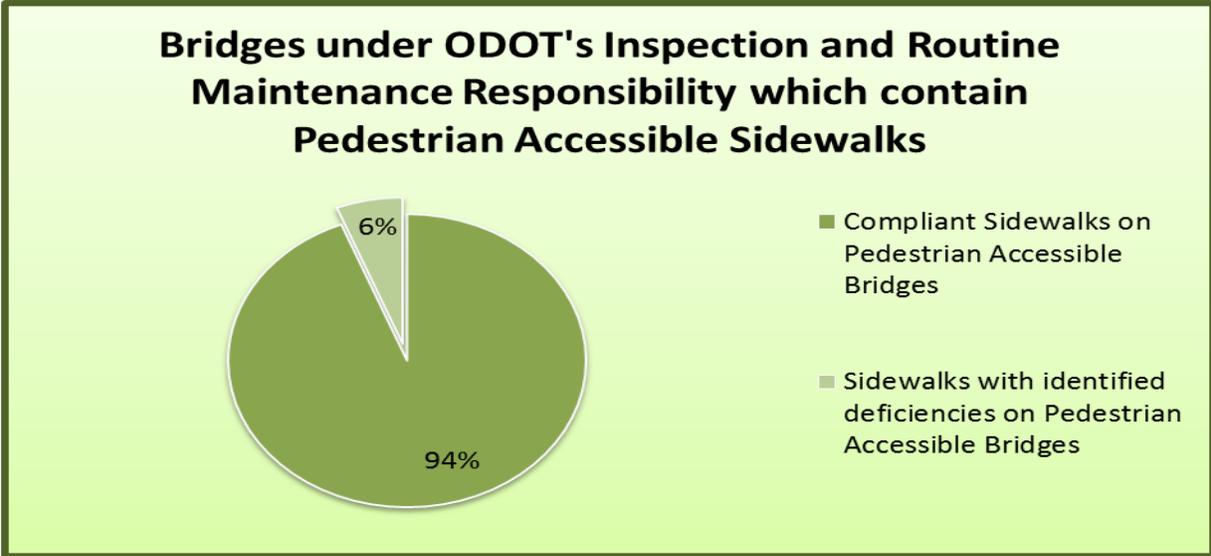
[Attachment D](#) – Non-Accessible Pedestrian Routes Deficiency Report

Bridges

ODOT is responsible for the inspection and routine maintenance of 8,629 bridges statewide¹. Of those 8,629 bridges, 327 contain pedestrian accessible sidewalks. Of the 327 bridges with pedestrian accessible sidewalks, 309 (or 94%) of those bridges are currently compliant with the accessibility standards in place when they were constructed. Only 18 (or 6%) of all bridges that contain pedestrian accessible sidewalks that fall within ODOT’s routine maintenance and inspection responsibilities have documented accessibility barriers.

Since the last reporting period, 6 of the bridges with pedestrian accessible sidewalks that had recognized deficiencies underwent repairs that resulted in the correction of the deficiency, and the subsequent removal from the deficiency listing. However, after routine inspections, 4 bridges with pedestrian accessible sidewalks were added to the recognized deficiency list based on their current condition rating.

¹ ODOT is responsible for the inspection and routine maintenance of 8,629 bridges statewide. However, Ohio actually has 44,572 bridges statewide. Of the 44,572 bridges statewide, 11,864 of those fall under ODOT’s responsibility for inspection and routine maintenance. Only 8,629 bridges under ODOT’s responsibility for routine maintenance and inspection meet the National Bridge Inspection Standards requirement for federal reporting length of greater than 20 feet.

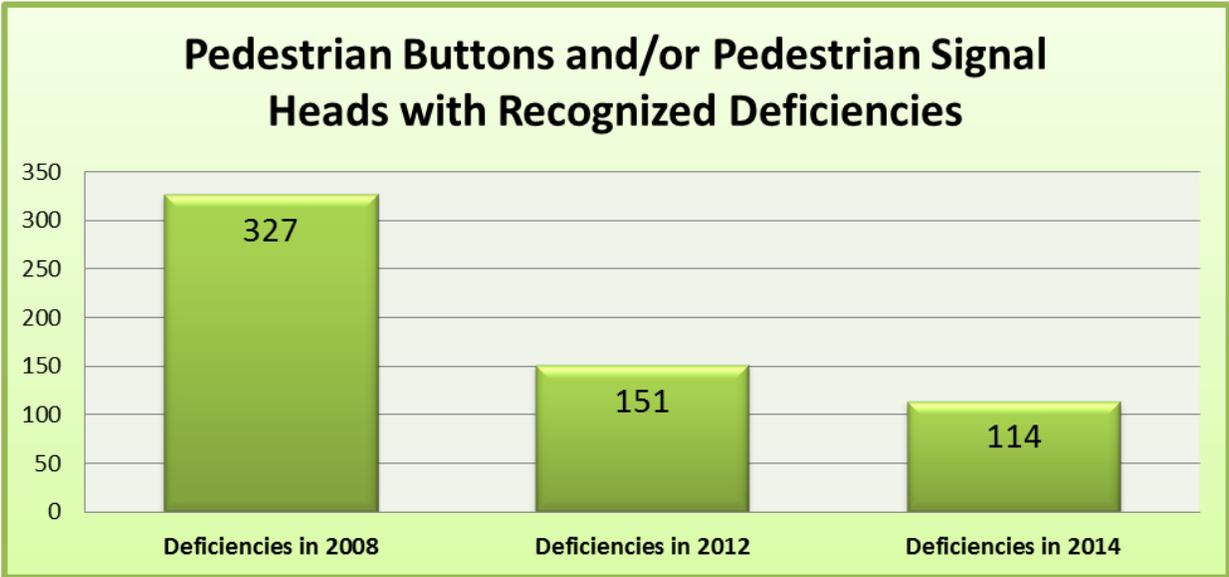


[Attachment E](#) - Bridge Deficiency Report

Accessible Pedestrian Signals (APS)

As indicated in ODOT’s 2012 ADA/504 Transition Plan, during its ADA/504 Self-Evaluation, ODOT identified 327 **pedestrian buttons and/or signal heads** that fall under the agency’s responsibility for inspection and routine maintenance statewide that contained deficiencies. At the time of the agency’s 2012 ADA/504 Transition Plan publication, 176 (or 46%) of those non-compliant areas had undergone renovations that resulted in the elimination of the identified barriers since the completion of the ADA/504 Self-Evaluation, leaving 86 remaining non-compliant pedestrian buttons and/or signal heads that had been scheduled into ODOT’s annual work plans, and 65 recognized deficiencies that still needed to be scheduled into future work plans.

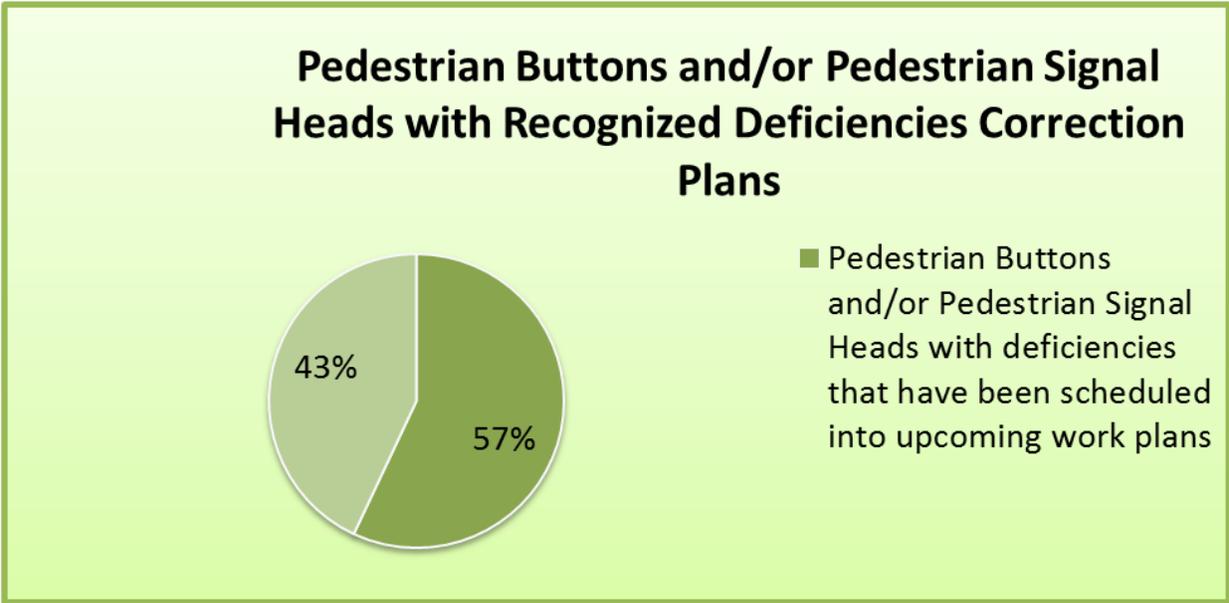
During this reporting update period, since the time of the 2012 ADA/504 Transition Plan publication, 37 (or 25%) of the 151 non-compliant areas were corrected, leaving just 114 (or 35%) of the original 327 non-compliant to be corrected. Of those remaining 114 non-compliant areas, 65 have been scheduled into future work plans, and the remaining 49 will be scheduled into work plans during the next reporting update period.



[Attachment F](#) - Inaccessible Pedestrian Buttons Deficiency Report

Long-Range Follow Up:

For long-term assurance of compliance, and to ensure that improvements to public rights of way barriers are being completed, the Office of Technical Services is currently working to implement a statewide asset management system. This database will be used as the tool to ensure the districts are fulfilling its obligations for completing ADA barriers during assessments and when planning projects.



Grievance Procedure

Under the ADA, users of ODOT's facilities and services have the right to file a grievance if they believe ODOT has not provided reasonable accommodation.

The grievance procedure, as required by [28 CFR 35.107](#), can be found in ODOT's ADA Policy, [Policy 32-003\(P\)](#). Under the grievance procedure, a formal complaint must be filed within 180 calendar days of the alleged occurrence. ODOT will act and/or respond only to complaints made through the grievance process.

Resources

Applicable Policies

Curb Ramps Required in Resurfacing Plans. [Policy 21-003\(P\) \(2011\)](#). [Urban Paving Policy and ADA Curb Ramps](#). IOC from Division of Local Programs (2000)

Design Guidance

ODOT Location and Design Manual Section 306 Pedestrian Facilities
http://www.dot.state.oh.us/Divisions/Engineering/Roadway/roadwaystandards/Location%20and%20Design%20Manual/Section_300_April_2011.pdf

FHWA Designing Sidewalks and Trails for Access, Part 2
<http://www.fhwa.dot.gov/environment/sidewalk2/contents.htm>

[PROWAG Draft Guidelines for Public-Rights of Ways](#) (2011)

Construction Guidance

ODOT Standard Drawing BP-7.1 New Curb Ramps
http://www.dot.state.oh.us/Divisions/Engineering/Roadway/DesignStandards/roadway/Standard%20Construct%20Drawings/bp7.1_10-15-10.pdf

Curb Ramp Inspection Checklist, [Intersection](#) and [Sidewalk](#)

[Digital Level Specifications](#)

Technical Assistance Guidance

[Department of Justice/Department of Transportation Joint Technical Assistance on Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing](#) (July 2013)

Website:

http://www.fhwa.dot.gov/civilrights/programs/doj_fhwa_ta.cfm

Glossary:

http://www.fhwa.dot.gov/civilrights/programs/doj_fhwa_ta_glossary.cfm