

# Americans with Disabilities Act (ADA) Compliance Plan

For DMS-managed Facilities



Prepared by:

**The Florida Department of Management Services**  
Division of Real Estate Development & Management

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The information presented in this plan is intended to provide an understanding of the actions being taken by DMS to address ADA regulatory requirements. For questions related to this plan please contact Danny Callahan ([Dan.Callahan@dms.myflorida.com](mailto:Dan.Callahan@dms.myflorida.com) or 850-922-7535.)

**Purpose:**

The purpose of this plan is to provide information about the steps being used by the Department of Management Services (DMS) to acquire funding to perform ADA survey assessments for pool facilities managed by DMS and carry out recently-identified projects for ADA compliance. This ADA Compliance Plan was developed pursuant to Chapter 216, Chapter 255, and Chapter 272, Florida Statutes (F.S.).

**Description:**

Title II of the Americans with Disabilities Act specifically applies to public entities (state and local governments) and requires that services, programs, and activities provided be accessible to all persons, including those with disabilities. The Department of Justice, through its Civil Rights Division, is the key federal agency responsible for enforcing Title II. Information identifying major components of the regulatory requirement is available at [www.ada.gov](http://www.ada.gov).

**Buildings Subject to the Plan:**

This plan only applies to DMS-managed facilities pursuant to Chapter 255 and Chapter 272, Florida Statutes.

**Approach:**

ADA compliance is a three-part process to survey buildings to determine what changes are needed, secure funding for the changes and then carry out the projects.

Funding for any building projects, including ADA, provides specific funding from the legislature. Upon receiving budget approval from the Legislature, separate project plans will be created to procure the services of an ADA survey assessment subject matter expert and complete the ADA construction projects. Once the ADA survey assessments are completed for each facility and costs are estimated, additional funding will be requested.

During FY 2009/10, DMS Division of Real Estate Development and Management staff members self-performed initial ADA assessment surveys of the Capitol Complex. Projects identified as deficiency correction projects (DCPs), using the ADA Standards for Accessible Design, and their estimated costs are outlined in the budget and spending plan section of this plan.

The plan's approach is:

1. Estimate costs to procure a third-party subject matter expert to perform the ADA survey assessments for each DMS-managed facility. The estimated cost to acquire this service from an outside vendor is calculated using \$.07 per square foot for buildings and \$.03 for parking structures. The minimum cost is \$2,100.
2. Input the ADA survey assessment costs for each DMS-managed facility and DCPs identified from the 2009/10 Capitol Complex survey in the data information system known as the Facilities Accountability Communication Tool (FACT) for tracking and budgeting purposes.
3. Include the costs of the ADA survey assessments for each DMS-managed facility and the DCPs identified from the Capitol Complex in the Capital Improvement Program Plans (CIP) for FY 2011/12 and FY 2012/13. Because of the extensive number of DMS-managed facilities, these projects will take a phased approach over several years.
4. Request funding for the ADA survey assessments and corrective projects for the Capitol Complex in DMS's Legislative Budget Requests (LBR) for FY 2011-2012 and FY 2012/13.
5. Upon receiving funding from the legislature, begin procuring the services of a third-party vendor to complete the ADA survey assessments for DMS-managed facilities and begin the ADA construction projects.

### **Schedule Milestones:**

August 17, 2010	First phase project estimates submitted for FY 2011-12 LBR to DMS Budget Office
October 15, 2010	DMS Legislative Budget Request due to Governor and Legislature
May 6, 2011	Regular Legislative Session Ends; Budget requests approved or denied
July 1, 2011	New fiscal year begins; if funding is received begin the survey assessments and ADA construction projects

FY 2011/12	If funding is received, conduct 61 surveys and the ADA construction projects at the Capitol Complex; Request second phase funding for 41 surveys, and additional ADA construction projects identified as a priority from the surveys in LBR for FY 2012/13.
FY 2012/13	If funding is received, conduct 41 surveys and ADA construction projects; Request additional funding for ADA construction projects identified as a priority from the surveys in LBR for FY 2013/14
FY 2013/14	If funding is received, complete ADA construction projects; Request third phase funding for remaining ADA construction projects identified as priority in the agency's LBR for FY 2014/15
FY 2015/16	If funding is received, complete ADA construction projects; Request third phase funding for remaining ADA construction projects identified as priority in the agency's LBR for FY 2016/17
FY 2017/18	If funding is received, complete ADA construction projects; Request third phase funding for remaining ADA construction projects identified as priority in the agency's LBR for FY 2018/19

### **Budget and Spending Plan:**

Initially, the primary costs associated with this project are staff time used for planning and preparing budget requests. These resources are currently covered with existing funding.

In order to perform physical changes to the buildings, DMS needs to obtain spending authority for the ADA assessment surveys and DCPs identified at the Capitol Complex from recurring funds in the Supervision Trust Fund. Appendix A provides an estimation of these costs over a two-year phased approach.

FY 2011-12 - \$1,178,577 (includes 61 surveys and construction costs at the Capitol Complex)

FY 2012-13 - \$228,542 (surveys for 41 buildings)

\$1,407,119

Note: DMS receives \$1.38 per square foot from the rental receipts received from the Florida Facilitates Pool as part of the agency's fixed capital outlay budget for capital depreciation projects. Due to current revenue shortfalls and budget deficits, the recurring appropriation for these expenditures has been decreased, thereby resulting in further backlogs of needed projects. Currently the inventory of DCPs for non-ADA needs is estimated at over \$100 million.

## **Update 2017:**

All DMS-managed facilities pursuant to Chapter 255 and Chapter 272, Florida Statutes ADA surveys were completed by the end of FY 12/13. The AE firm responsible for the DMS ADA Transition Plan development did not satisfy their contract. DMS has established a priority ranking system on its own for facility ADA deficiency corrections and construction projects/completions will be tracked through TRIRIGA.

## **Terms and Definitions:**

ADA Standards for Accessible Design: References the requirements necessary to make a building or other facility architecturally (physically) accessible to people with disabilities and provides specific measurements, dimensions and other technical information.

ADA Survey Assessments: A comprehensive set of measurements and illustrations used to identify physical obstacles in public facilities that limit the accessibility of its programs or activities to individuals with disabilities.

Capitol Complex: Includes that portion of Tallahassee, Leon County, Florida, commonly referred to as the Capitol, the Historic Capitol, the Senate Office Building, the House Office Building, the Knott Building, the Pepper Building, the Holland Building, and the grounds of each, including the state-owned lands and public streets adjacent thereto within an area bounded by and including Monroe Street, Jefferson Street, Duval Street, and Gaines Street. The term shall also include the State Capital Circle Office Complex located in Leon County, Florida.

Capital Improvements Program Plan (CIP): A long range fixed capital outlay budgeting plan that guides the preparation of the five-year plans for facility needs to address building deficiencies due to wear, damage and regulatory requirements such as ADA.

Chapter 216, F.S.: Regulates the planning and budgeting for fiscal affairs of the state.

Chapter 255, F.S.: Requirements for how publicly-owned buildings are developed, operated and maintained; includes the powers of the Department of Management Services and long range planning to address future facility needs; authorizes responsibility for the operation and maintenance of 28 state-owned regional facilities (located statewide) and 44 Tallahassee facilities which comprise the Florida Facilities Pool a.k.a. DMS-managed facilities.

Chapter 272 F.S.: Requirements for managing the Capitol Center, Capitol Complex and Governor's Mansion as well as the Capital Circle Office Center in Tallahassee. This includes the operation and enforcement of parking facilities and requires the property be well maintained and operated efficiently to serve the needs of the public and tenant agency.

Deficiency Correction Projects (DCPs): Building evaluations self-performed by professional staff within the division or contractors to identify remediation projects most critical to extending the life of a facility.

Fixed Capital Outlay (FCO): Real property (land, buildings including fixtures and fixed equipment, structures, etc.), including additions, replacements, major repairs, and renovations to real property which materially extend its useful life or materially improve or change its functional use. Includes furniture and equipment necessary to furnish and operate a new or improved facility.

## **Appendix:**

- CIP: Service-Level Capital Renewal Projects, FY 2010-15 Schedule of Projects