

**Agenda Item Details**

Meeting	Dec 12, 2022 - Organizational and Regular Meeting of the Board of Trustees (AMENDED)
Category	BUSINESS SERVICES/FINANCE
Subject	23. Award of Contract, RFP #1894 Americans with Disabilities Act (ADA) Evaluation and Transition Plan (ACTION)
Type	Action
Recommended Action	<ol style="list-style-type: none"> 1. Authorize the Director of Purchasing, Contracts & Risk Management to negotiate and execute a Master Design Professional Services Agreement with Disability Access Consultants, LLC; and 2. Authorize the Vice Chancellor, Business Services to execute the first Project Assignment Amendment for the ADA Evaluation and Transition Plan, with a maximum compensation not-to-exceed amount of \$176,800.

Background and Analysis:

The Foothill – De Anza Community College District (District) facilities are required to be accessible to persons with disabilities pursuant to the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164). The laws work together to achieve this goal. These statutes prohibit public agencies from discriminating against persons with disabilities by excluding them from services, programs, or activities.

In order to comply with ADA requirements, the District requires special architectural services including design, construction administration and close-out. The general scope of this project is to compile and implement a comprehensive ADA Evaluation and Transition Plan that includes field investigations at the District sites (Foothill College, Foothill College's Education Center at Sunnyvale, and De Anza College), evaluate District policies and programs, and prepare an ADA Transition Plan in order to identify obstacles limiting accessibility, describe methods to improve accessibility, and specify a schedule for achieving ADA compliance. The ADA Transition Plan will include the following:

- Identify existing obstacles limiting accessibility
- Describe steps that are to be taken to ensure that facilities within the public right-of-way are made accessible to all individuals
- Specify a schedule for achieving compliance
- Identify the official who will be responsible for implementation of the plan.
- Provide recommendations for complying with accessibility requirements as mandated by the ADA and State of California Access Codes. It will also provide the basis for prioritizing, budgeting, implementing and monitoring barrier removal.

On September 14, 2022, District Purchasing staff released a Request for Proposal (RFP) for architectural services through the District's eProcurement system. A total of three proposals were received by the October 13, 2022, deadline, and proposals were deemed to be responsive and responsible.

An evaluation committee was formed that included nine cross-functional representatives (four Campus stakeholders, three Facilities representatives and two representatives from Gilbane, our Program Management & Construction Management Services consultant). Each committee member independently evaluated and scored the proposals with discussions occurring only in the committee setting. After a thorough and comprehensive evaluation process, the overall ranking of the respondent's proposal is reflected below.

Ranking	Firms	Cost Proposal
1	Disability Access Consultants, LLC	\$176,800
2	dsk Architects	\$416,801
3	Bureau Veritas	\$265,238

Staff recommends award of Master Services Agreement to Disability Access Consultants, LLC whose proposal received the highest overall score based on the evaluation criteria as set forth in the RFP and best value award factors for professional services which include experience, qualifications, references, technical proposal, availability of the firm relative to meeting critical time deadlines/schedules and cost proposal.

The first Project Assignment Amendment (PAA) under this Master Agreement will be for architect to perform the aforementioned scope. Each subsequent PAA that exceeds the statutory bid threshold currently at \$99,100 (adjusted annually per Public Contract Code 20651.d) will be submitted as a separate agenda item to the Board for approval. For each project, staff will negotiate the scope of services, deliverables, schedule, and cost based upon bid project cost and/or the staffing rates established in the proposal.

This project will be funded by the Measure G Bond funds.

Submitted by:	Maria Contreras-Tanori, Director of Purchasing, Contracts & Risk Mgmt. ext 6166
Additional contact names:	John Pham, Senior Buyer Joel Cadiz, Executive Director, Facilities and Operations
Is backup provided?	No

Motion & Voting

1. Authorize the Director of Purchasing, Contracts & Risk Management to negotiate and execute a Master Design Professional Services Agreement with Disability Access Consultants, LLC; and
2. Authorize the Vice Chancellor, Business Services to execute the first Project Assignment Amendment for the ADA Evaluation and Transition Plan, with a maximum compensation not-to-exceed amount of \$176,800.

Motion by Laura Casas, second by Gilbert Wong.

Final Resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong, Chamu Palaniappan - Foothill College student trustee, Pierce Tao - De Anza College student trustee