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MEMORANDUM

Capital Projects Department

Date: January 11, 2008
To: ACHD's Design Consultants
From: Sally Goodell and Kent Brown
Subject: ADA During Construction for Three Separate Conditions

The following three General Special Provisions (GSP) were written to give guidance for compliance with current ADA requirements. Each of the GSP's is meant to address a different contract situation. One is applicable for work that has no direct impact to pedestrians or for short term work that lasts for less than half of one day. The next one is to be used when the contractor is required to develop and implement the traffic control (TC) plans. The third GSP is to be used when the consultant develops the traffic control plans and specifies the TC equipment to be used. In all cases, the contractor is to be allowed flexibility as long as the requirements are met.

Cc: Colin Farr

ADA DURING CONSTRUCTION

When there is no direct impact to pedestrian facilities and the work is less than half of one day

The needs and control of all road users (motorists, bicyclists, and pedestrians within the highway and/or public right-of-way, including persons with disabilities in accordance with the Americans with Disabilities Act of 1990 (ADA), Title II, Paragraph 35.130) through a temporary traffic control “TTC” zone shall be an essential part of highway construction, utility work, maintenance operations, and the management of traffic incidents. The primary function of TTC is to provide for the reasonably safe and efficient movement of road users through or around TTC zones while reasonably protecting workers, responders to traffic incidents, and equipment.

Temporary facilities, including reasonably safe pedestrian routes around work sites, are also covered by the accessibility requirements of the Americans with Disabilities Act of 1990 (ADA) (Public Law 101-336, 104 Stat.327, July 26, 1990. 42 USC 12101-12213 (as amended)). TTC plans and devices shall be the responsibility of the contractor performing the construction, alteration and/or maintenance of the highway or public right-of-way. When an existing continuous sidewalk or street crossing route cannot be maintained for pedestrians because of construction, either temporary walkways with curb ramps are to be provided, or the construction shall be phased to maintain access to the affected addresses. **Contractors shall be allowed flexibility as long as the requirements are met.**

Contractors shall not block temporary walkways with contractor parking, materials piles, signs, rubble or rubbish. Construction equipment and equipment operation must be separated from the temporary walkways. At work zones where higher volumes of pedestrian traffic or school children exist, pedestrian fences or other protective barriers may be needed to prevent access into the construction area.

ADA DURING CONSTRUCTION

When traffic control plans are developed by the contractor

The needs and control of all road users (motorists, bicyclists, and pedestrians within the highway and/or public right-of-way, including persons with disabilities in accordance with the Americans with Disabilities Act of 1990 (ADA), Title II, Paragraph 35.130) through a temporary traffic control “TTC” zone shall be an essential part of highway construction, utility work, maintenance operations, and the management of traffic incidents. The primary function of TTC is to provide for the reasonably safe and efficient movement of road users through or around TTC zones while reasonably protecting workers, responders to traffic incidents, and equipment.

Temporary facilities, including reasonably safe pedestrian routes around work sites, are also covered by the accessibility requirements of the Americans with Disabilities Act of 1990 (ADA) (Public Law 101-336, 104 Stat.327, July 26, 1990. 42 USC 12101-12213 (as amended)). Implementation of TTC plans and installation and maintenance of devices shall be the responsibility of the contractor performing the construction, alteration and/or maintenance of the highway or public right-of-way. When an existing continuous sidewalk or street crossing route cannot be maintained for pedestrians because of construction, either temporary walkways with curb ramps are to be provided, or the construction shall be phased to maintain access to the affected addresses. **Contractors shall be allowed flexibility as long as the requirements are met.**

The location of the construction project and whether or not accessible facilities are present shall also determine the extent of the needed temporary facilities. **The contractor is only required to maintain practical continuity** where accessible facilities already exist. On low speed rural roads that do not have sidewalks and are used by bicyclists, no additional measures are needed as the bicycles can share the available travel lanes with other traffic. On moderate to higher speed rural roads, if a bike lane exists then it should be properly detoured, complete with signage, to provide a safe route through or around the work area. If a road or bridge project affects vehicular traffic to a business, residence, school or any other type of pedestrian generating location with existing accessible facilities, then pedestrian and handicapped access must be maintained.

A continuous route for all pedestrians, including the disabled and bicyclists, shall be maintained at all times. When existing pedestrian facilities are disrupted, closed, or relocated in a TTC zone, the temporary facilities shall be detectable and include accessibility features consistent with the features present in the existing pedestrian facility. The temporary route should enable pedestrians to bypass the construction site while minimizing the retracing of their steps or going significantly out of their way. Additional consideration must be given to the disabled since they may not have the physical or cognitive ability to improvise (e.g. balancing along the curb or a very narrow path) or use unofficial alternatives (e.g. using an adjacent grass surface). Temporary routes must meet the accessibility guidelines of the ADA for permanent facilities and shall be marked with the proper signage. Should existing crosswalks at signalized intersections be closed or made inaccessible, temporary crosswalks should be painted in an accessible location. Temporary signals should include pedestrian phases.

Contractors shall not block temporary walkways with contractor parking, materials piles, signs, rubble or rubbish. Construction equipment and equipment operation must be separated from the temporary

walkways. At work zones where higher volumes of pedestrian traffic or school children exist, pedestrian fences or other protective barriers may be needed to prevent access into the construction area.

Detour and diversion routes, when used for pedestrians and bicyclists, should be evaluated for the following items:

- Direct conflicts between pedestrians and vehicular traffic, work vehicles, and other work activities must be reduced with protective barriers or continuous high contrast fencing (min 36" high with a 6" high toe board). See MUTCD 6F.68 and 6D.02
- Temporary pedestrian facilities should provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility, and parallel the disrupted route whenever possible. A smooth, continuous hard surface should be provided throughout the entire length of the temporary pedestrian facility. There should be no curbs or abrupt changes in grade or terrain that could cause tripping or be a barrier to wheelchair use. The geometry and alignment of the facility should meet the applicable requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for Buildings and Facilities. See MUTCD 6D.01 and 6D.02
- Advance information placed at appropriate distances before the work zone allowing pedestrians to make timely decisions about routes through or around the work zone. See MUTCD 6F.13
- Transition information allowing pedestrians to find a safe path through and around work zones, which is critical when the pathway is restricted, diverted or detoured. See MUTCD 6F.13
- Work area information assisting in safe passage of pedestrians through the work zone. This information is needed on all pedestrian routes except detours. See MUTCD 6F.13
- Exit information directing pedestrians back to the original route. See MUTCD 6F.13
- Crosswalk placement at intersections may need additional signage, temporary striping, traffic signal modification, pedestrian signals with audible alarms if justified, proper push button height, and ramps. See MUTCD 6H.29, 6F.80, and 4E.06
- Accommodations for other transit forms (busses, trains etc.) are made. See MUTCD 6D.02
- Requirements of the ADAAG and MUTCD are adhered to.
- Access is maintained to the affected businesses and residences.
- Frequent checks of the pedestrian and bicycle accommodations are made during construction to ensure that the temporary traffic control plan is followed, traffic control devices are maintained in good condition, and safe, accessible pedestrian and bicycle routes are available at all times.

ADA DURING CONSTRUCTION

When traffic control plans and equipment are specified by the contract

The needs and control of all road users (motorists, bicyclists, and pedestrians within the highway and/or public right-of-way, including persons with disabilities in accordance with the Americans with Disabilities Act of 1990 (ADA), Title II, Paragraph 35.130) through a temporary traffic control “TTC” zone shall be an essential part of highway construction, utility work, maintenance operations, and the management of traffic incidents. The primary function of TTC is to provide for the reasonably safe and efficient movement of road users through or around TTC zones while reasonably protecting workers, responders to traffic incidents, and equipment.

Temporary facilities, including reasonably safe pedestrian routes around work sites, are also covered by the accessibility requirements of the Americans with Disabilities Act of 1990 (ADA) (Public Law 101-336, 104 Stat.327, July 26, 1990. 42 USC 12101-12213 (as amended)). Implementation of TTC plans and installation and maintenance of the devices shall be the responsibility of the contractor performing the construction, alteration and/or maintenance of the highway or public right-of-way. **Contractors shall be allowed flexibility as long as the requirements are met.**

The location of the construction project and whether or not accessible facilities are present shall also determine the extent of the needed temporary facilities. Once installed, the contractor shall monitor the temporary facilities. If the contractor’s operations interfere with those facilities or they appear to be insufficient, the contractor shall immediately consult with the Resident Engineer or his on-site representative.

A continuous route for all pedestrians, including the disabled and bicyclists, shall be maintained at all times. When existing pedestrian facilities are disrupted, closed, or relocated in a TTC zone, the temporary facilities shall be detectable and include accessibility features consistent with the features present in the existing pedestrian facility. The temporary route should enable pedestrians to bypass the construction site while minimizing the retracing of their steps or going significantly out of their way. Additional consideration must be given to the disabled since they may not have the physical or cognitive ability to improvise (e.g. balancing along the curb or a very narrow path) or use unofficial alternatives (e.g. using an adjacent grass surface). Temporary routes must meet the accessibility guidelines of the ADA for permanent facilities and shall be marked with the proper signage. Should existing crosswalks at signalized intersections be closed or made inaccessible, temporary crosswalks should be painted in an accessible location. Temporary signals should include pedestrian phases.

Contractors shall not block temporary walkways with contractor parking, materials piles, signs, rubble or rubbish. Construction equipment and equipment operation must be separated from the temporary walkways. At work zones where higher volumes of pedestrian traffic or school children exist, pedestrian fences or other protective barriers may be needed to prevent access into the construction area.