

H B

3 7 7

Senate Health, Education and Social Services Committee

Legislation Checklist

Bill number: ~~S~~ HB 377

Sponsor: Coll + Kiponen

Date referred to committee: 2/6/86

Synopsis completed:

Fiscal note:

Further referrals:

CONTACTS:

Loren Jones, Goll 4925
Ron Lind, DOT 8940 2171, 4070
Jack Chenoweth,
Ombudsman 4970

STATE OF ALASKA
THE LEGISLATURE

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JUNEAU, ALASKA 99811
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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

Senate Health Education & Social Services Committee 2/25/86, 1:37 pm

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

4/25/85

Date: 5-6-85

The Committee on FINANCE has had HB 377

"An Act requiring inclusion of recommended plans for improving access by the handicapped to public buildings and facilities in the capital improvement program recommended by the governor to the legislature."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]
CHAIRMAN

HB 319

HB 319 - An Act relating to physical agents.

Chairman Adams noted that the bill would add physical agents to the list of substances in the "worker right to know" law. He said this would mean that employers must tell employees about the potential hazards associated with physical agents, such as xrays and lasars. He said the bill had no fiscal impact.

Representative Pourchot said the bill did not change any of the original provisions of the workers' right to know law with no new requirements made of employers. Representative Pourchot MOVED AND ASKED UNANIMOUS CONSENT to report out of committee CS HB 319 (L&C) with a zero fiscal note. There being NO OBJECTION, it was so ordered and CS HB 319 (L&C) was reported out of committee with a "do pass" recommendation and zero fiscal note.

HB 377

HB 377 - An Act requiring inclusion of recommended plans for improving access by the handicapped to public buildings and facilities in the Capital Improvement Program recommended by the Governor to the Legislature.

Chairman Adams stated the bill would require that plans be drawn up to bring public buildings into compliance with handicapped access codes. He said there would be no funds required instead funding would be requested through the budget process in the future.

Representative Duncan MOVED to report out of committee HB 377 with a zero fiscal note. There being NO OBJECTION, it was so ordered and HB 377 was reported out of committee with a "do pass" recommendation and zero fiscal note.

SSHB 181

SSHB 181 - An Act relating to the relocation to Ketchikan of certain offices, functions and employees of the Alaska Marine Highway System.

Chairman Adams stated the bill would provide for the relocation of the Juneau ferry warehouse to Ketchikan. He said the Department of Transportation and Public Facilities had submitted a \$1.568 million fiscal note which included \$1.5 million for a new building in Ketchikan. He said the sponsor of the bill did not agree with the fiscal note instead suggested that the bill would save the state approximately \$40,000.

Representative Duncan and Szymanski requested that the bill be HELD in committee for an additional day to provide an opportunity for further review of the fiscal note accompanying the bill.

PLAN FOR IMPROVING ACCESSIBILITY
FOR
ELDERLY AND HANDICAPPED PERSONS
ON
STATE FERRIES

January 15, 1986

Prepared by the:

Alaska Marine Highway System
Division of Marine Facilities Engineering
Planning Section

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FOR THE
HANDICAPPED AND ELDERLY

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ACCESS IMPROVEMENTS
FOR THE
HANDICAPPED AND ELDERLY

I. INTRODUCTION

The 1985 legislature requested the Department of Transportation and Public Facilities, Alaska Marine Highway System, to present to the 1986 legislature a plan to improve access for the elderly and handicapped aboard "the smaller ferries". All the presently owned and operated State ferries were constructed prior to the 1976 enactment of AS 35.10.015 (c.) and (d.) which requires each ship to be "accessible to and useable by the physically handicapped, aged or infirm." Of course, since 1976 any vessel which was lengthened or renovated has been modified to substantially comply with the intent of AS 35.10.015.

This paper identifies the relevant statutes and regulations relating to accessibility, reports on the deficiencies found on AMHS vessels, and identifies the cost of the work to be done on each vessel. An appendix to this report contains copies of relevant statutes and regulations, inventory reports, and technical memos relating to this topic. Where low cost improvements have been identified, they are normally undertaken as part of the ongoing AMHS maintenance and improvement program. More costly improvements require capital funding which must be appropriated by the legislature.

AMHS considered these access improvement projects each year in developing the DOT&PF 6 year Capital Improvement Program (CIP). Several projects which would improve access on AMHS vessels have been included in the current CIP. However, it should be noted that not all projects in the CIP are funded, due to funding shortfalls or differences in priorities between DOT&PF and the legislature. Section III of this paper shows the year in which the current CIP calls for funding to be requested for the access improvement projects which have been identified.

II. LAWS AND REGULATIONS

The applicable laws, rules, and regulations that effect the implementation of AS 35.10.015:

<u>Reference</u>		<u>Subject</u>
CFR 46	-	Deals with U.S. Coast Guard requirements.
Public Law 90-480	-	Deals with Handicap access
AS 35.10.015	-	Architectural Barrier Regulations: enforcement
17 AAC 50.010	-	Adopts ANSI specifications
P&P 70-9011	-	Design, Construction & Maintenance Standards -- Handicapped Access

Design standards adopted and referenced frequently in the statutes are the American National Standards Institute (ANSI) "Specifications for making Buildings and Facilities Accessible to and Usable by the Physically Handicapped" which provides detail criteria and conditions for accessible facilities.

III. Vessel Inventory and Deficiencies

AMHS personnel have inventoried the AMHS vessels, with the assistance of representatives of the Division of Vocational Rehabilitation. As expected, the four mainline vessels (the M/V COLUMBIA, M/V MATANUSKA, M/V MALASPINA and M/V TAKU) are substantially in compliance with accessibility requirements. Minor work will be needed on the M/V COLUMBIA and the M/V TAKU for full compliance, at a cost of \$25,000/vessel (\$50,000 total). These vessels carry approximately 80% of AMHS traffic.

The M/V TUSTUMENA requires installation of an elevator and other modifications, at a total cost of \$375,000. This work will be included in the forthcoming vessel refurbishment to reduce costs. Funding for the first phase of this refurbishment was included in the DOT&PF FY 87 budget request prepared for the 1986 Legislature.

The M/V CHILKAT is a small, elderly vessel which is nearing retirement, and access improvements would not be appropriate under these circumstances.

The primary access problems on the M/V LeCONTE, M/V AURORA, and M/V BARTLETT are the lack of an elevator for movement between decks and the lack of proper access provisions in the restrooms. Solutions to these problems will be technically difficult and expensive, primarily because there is little space to put an elevator shaft or to expand the restrooms to allow room for a wheelchair. The other access improvements require a relatively minor construction effort and many are done as part of the ongoing maintenance and improvement efforts.

Installation of an elevator, restroom modifications, and other work to comply with the access requirements will cost approximately \$350,000 for the M/V LeCONTE and \$300,000/vessel for the M/V BARTLETT and M/V AURORA. Funding for some of the work on the M/V LeCONTE has been requested in the "MAT/LeCONTE Galley Refurb and Finishing Modifications" project which was included in the Governor's FY 87 Capital Budget.

The current CIP calls for funding for the modifications to the M/V LeCONTE and the M/V AURORA to be requested from the 1987 legislature for FY 88. A major refurbishment is scheduled for the M/V BARTLETT, and access improvements will be combined with this effort. The current CIP calls for funding for this work to be requested from the 1988 legislature for FY 89.

In all cases construction is scheduled within approximately 18 months after funds are appropriated. The access improvements which have been identified are summarized below, along with the year it appears in current CIP:

	Estimated Cost	CIP Year
M/V TUSTUMENA	\$ 375,000	FY 87 (Refurbishment)
M/V COLUMBIA	\$ 25,000	Not programmed in CIP; Part of ongoing main- tenance and improvement
M/V TAKU	\$ 25,000	
M/V LeCONTE	\$ 350,000	FY 87
M/V AURORA	\$ 300,000	FY 88
M/V BARTLETT	\$ 300,000	FY 89
M/V CHILKAT	Unknown - not feasible	
TOTAL	<hr/> \$1,375,000	

IV.

APPENDIX
OF
PERTINENT DOCUMENTS

<u>Type and Date of Correspondence</u>		<u>Subject</u>
Legislative Intent	May 20, 1985	Marine Operations Management, Handicapped Access
Alaska Statute	1976 Amendment	AS 35.10.015 Architectural Barrier Regulations
DOT&PF Policy & Procedure 70-9011	Nov. 15, 1985	Design and Construction Standards
Memo M.G. Birdsall (Vocational Rehab)	May 20, 1985	M/V LeCONTE Visitation pertaining to handicapped accessibility.
Memo George Diry (AMHS Naval Architect)	May 13, 1985	Elevators for Handicapped
Memo Harold Moeser (Director, Marine Facilities Engineering)	Dec. 26, 1985	Annual Architectural Barrier Report to the Governor and Legislature

TRANSPORTATION
MARINE OPERATIONS
MANAGEMENT

DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES

C1. LI. PB. INFORMATION:

C1 = COLUMN REFERENCE

11 = CONFERENCE COMMITTEE

LI = LEGISLATIVE INTENT
Y = YES
N = NO

PB = PRINT IN BUDGET BILL
Y = YES
N = NO

C1 LI PB T E X T

1 11 / Y / Y IT IS THE INTENT OF THE LEGISLATURE THAT THE DIVISION OF MARINE HIGHWAYS WILL PRESENT TO THE 1986 LEGISLATIVE SESSION A
PLAN FOR IMPROVING ACCESSIBILITY FOR ELDERLY AND HANDICAPPED PASSENGERS ON THE SMALL STATE FERRIES.

considers advisable. This section does not apply to the construction of school buildings in incorporated cities, unless the construction is done in whole or in part with state funds, or to the construction of school buildings when the construction amounts to less than \$2,000. (§ 1 art III title III ch 152 SLA 1957)

Am. Jur. 2d reference. — 64 Am. Jur. 2d; Public Works and Contracts, § 1 et seq.

Sec. 35.10.015. Architectural barrier regulations: enforcement. (a) The department shall prepare, promulgate and enforce regulations governing the construction of public buildings and facilities by or for the state, including the University of Alaska, and its political subdivisions, whether financed in whole or in part by federal funds, to ensure that the public buildings and facilities are accessible to, and usable by, the physically handicapped, aged or infirm. The regulations of the department shall conform to a standard comparable to the applicable provisions of federal law or regulation and to the publication entitled "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped" or any amendments to this publication as approved by the American Standards Association, Incorporated, under the sponsorship of the National Society for Crippled Children and Adults and the President's Committee on Employment of the Physically Handicapped.

(b) The department shall develop and maintain an inventory of all public buildings and facilities with respect to their compliance with the regulations adopted under (a) of this section. The department shall make an annual report to the governor and the legislature describing work performed in the preceding calendar year to upgrade public buildings and facilities to conform with the regulations. In addition, the department shall develop cost estimates and recommended priorities for the upgrading of public buildings and facilities that do not conform with the regulations adopted under (a) of this section and shall include these estimates and the recommended priorities in the annual report to the governor and the legislature.

(c) In this section, "public facilities" includes vessels owned by the state and operated by the division of marine transportation of the department as a part of the Alaska marine highway system. All ferries owned or operated by the state shall be equipped with elevators or other passenger lifting equipment, ramps, or other facilities and devices to ensure that these vessels are accessible to and usable by physically handicapped, aged or infirm passengers. In this subsection, "accessible to and usable by" means that a physically handicapped, aged or infirm passenger can board, disembark and move between decks and about the public areas aboard a state ferry with personal comfort and with safety to himself, other passengers and members of the crew.

(d) After June 25, 1976, no ferry may be constructed, lengthened, completely renovated, or purchased for use or entered into service by the division of marine transportation of the Department of Public Works as a part of the Alaska marine highway system that does not include adequate facilities and devices to ensure that the vessel is accessible to and usable by physically handicapped, aged or infirm passengers. Some staterooms and all restrooms, indoor passageways, outdoor weather decks, and other public areas aboard the vessel shall be so designed and constructed as to permit access and use by physically handicapped, aged or infirm passengers, including but not limited to those persons occupying a wheelchair.

(e) After June 25, 1976, no public building or facility in the state may be planned, designed, financed, constructed, opened to public use, or otherwise placed in operation unless it meets the standards established under this section. (§ 1 ch 119 SLA 1966; am § 1 ch 48 SLA 1972; am §§ 1 — 4 ch 249 SLA 1976; am Executive Order No. 39, § 11 (1977))

Revisor's note. — Subsections (d) and (e) of this section were enacted as §§ 3 and 4, ch. 249, SLA 1976, rather than as a part of this section.

Effect of amendments. — The 1976 amendment, in the first sentence of present subsection (a), substituted "shall prepare, promulgate and enforce" for "is responsible for preparing and promulgating," inserted "whether financed in whole or in part by federal funds" and added "aged or infirm" to the

end of the sentence. The amendment also substituted "to a standard comparable to the applicable provisions of federal law or regulation and" for "as far as it is feasible" in the second sentence of present subsection (a), and added subsections (b) and (c).

The 1977 amendment, substituted "department" for "Department of Public Works" in the first sentence of subsections (a) and (c).

Sec. 35.10.020. Consultation with municipal planning commissions.

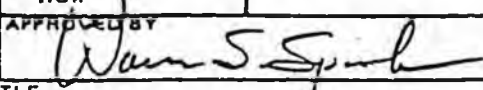
Repealed by § 4 ch 143 SLA 1977.

Cross reference. — For provisions requiring the review and approval by local planning authorities before commencing construction of a public project, see AS 35.30.010. For provisions requiring compliance with municipal ordinances, see AS 35.30.020. For provisions providing for

waiver of local planning authority approval and the compliance requirement, see AS 35.30.030.

Editor's note. — The repealed section derived from § 2, art. III, title III, ch. 152, SLA 1957; § 1, ch. 63, SLA 1974; § 1, ch. 96, SLA 1975; § 1, ch. 50, SLA 1976.

Sec. 35.10.025. Compliance with local building codes. A public building shall be built in accordance with applicable local building codes including the obtaining of required permits. This section applies to all buildings of the state and corporate authorities of the state. (§ 1 ch 89 SLA 1968)

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES POLICY AND PROCEDURES		P & P No. 70-9011	Page 1 OF 3
		Effective Date November 15, 1985	
SUBJECT Architectural Barrier Regulations for Public Buildings and Facilities		Supersedes P & P No. New	Dated
		APPROVED BY 	
DIVISION Design & Construction	SECTION DC&M Standards	CHAPTER TITLE Handicapped Access	
<p>I. <u>PURPOSE:</u></p> <p>A. To establish a standard procedure for implementing, monitoring, and reporting compliance with Architectural Barrier Regulations referenced in 17 AAC 50.010.</p>			
<p>II. <u>POLICY:</u></p> <p>A. It shall be the policy of this Department to assure that public buildings and facilities constructed, altered, or modified by or for the State conform with Architectural Barrier Regulations and are accessible to, and usable by, the physically handicapped, aged or infirm.</p> <p>B. No public building or facility designed, maintained, or administered by or for the Department shall be constructed, altered, modified, occupied or otherwise placed in use unless the public building or facility is in compliance with Architectural Barrier Regulations.</p>			
<p>III. <u>DISTRIBUTION:</u></p> <p>All Policy and Procedures Manual Holders and Regional facility, Design and Construction, and Maintenance and Operations personnel.</p>			
<p>IV. <u>DEFINITIONS:</u></p> <p>A. "Public building and/or facility" means a permanent improvement constructed by or for the State (including the University of Alaska) and its political subdivisions which is to be held, controlled, or leased by the State for government or substantial public use. This definition includes but is not limited to buildings, boats and vessels of the marine highway system, and transportation facilities which accommodate traveling passengers. Furthermore, this definition shall include facilities that are not of permanent construction but are extensively used or essential for public use for a given (short) period of time.</p> <p>B. "DEPARTMENT" means the Department of Transportation and Public Facilities.</p> <p>C. "State" means the State of Alaska.</p> <p>D. "Architectural Barrier Regulations" means all requirements of AS 35.10.015 entitled <u>Architectural barrier regulations: enforcement and of 17 AAC 50.010 entitled Construction of Public Buildings Accessible to Physically Handicapped.</u></p>			

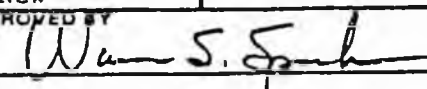
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES POLICY AND PROCEDURES		P & P No. 70-9011	Page 2 OF 3
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SUBJECT Architectural Barrier Regulations for Public Buildings and Facilities		Supersedes P & P No. New	Dated
		APPROVED BY <i>Wm S. Spahr</i>	
DIVISION Design & Construction	SECTION DC&M Standards	CHAPTER TITLE Handicapped Access	

- E. "Commissioner" means the Commissioner of the Department of Transportation and Public Facilities.
- F. "Client Agency" means any State or local governmental agency for whom the Department of Transportation and Public Facilities is administering the design or construction of public building or facilities as defined in paragraph IV.A of these definitions.
- G. "Non Client Agency" means any State or local governmental agency for whom the Department of Transportation and Public Facilities is not administering the design or construction of public building or facilities as defined in paragraph IV.A of these definitions.
- H. "Review Section" means the section, group or individual, specifically directed by the Regional Commissioner to carry out the tasks of reviewing and certifying accessibility compliance.

V. REVIEW PROCEDURE:

- A. Drawings and specifications for the alteration, modification, or construction of all public buildings and facilities administered directly by the Department shall be submitted to the Department's appropriate Review Section located in the region of the proposed construction. Drawings and specifications shall be submitted and reviewed in accordance with the provisions set aside in PART I. Section 4 - Reviews and Approvals of the Design Standards Manual for Buildings.
- B. No construction contract shall be advertised and awarded by the Department until a Letter of Compliance with Architectural Barrier Regulations is issued by the above referenced Review Section except that the construction contract may be advertised if this requirement is waived in writing by the Regional Deputy Commissioner or his or her representative by delegation of authority. Upon receipt of the review by the design professional and if the review comments indicate compliance with the Architectural Barrier requirements a letter of compliance shall be issued by the project manager to the prime design consultant and copied to the Department's Technical Services office and the Client Agency.

In no case, however, shall any construction contract be awarded, not shall modifications or alterations commence for a "public building or facility", as defined in IV.A, that is not in conformance with Architectural Barrier Regulations. To ensure compliance with Architectural Barrier Regulations a certificate denoting conformance (i.e., Letter of Compliance) shall be signed by the Design Professional and the Responsible Party and included in the Conformed Contract Documents relating to the project -- or if such work does not

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES POLICY AND PROCEDURES		P & P No. 70-9011	Page 3 OF 3
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		APPROVED BY 	
DIVISION Design & Construction	SECTION DC&M Standards	CHAPTER TITLE Handicapped Access	

involve a contract (i.e., force account) such certification shall be posted on the project site adjacent to the building permit.

- C. The Department's Headquarters, Statewide Standards and Technical Services shall provide interpretations of the Architectural Barrier Regulations, and shall periodically monitor reviews performed by the above referenced Review Section or by prequalified consultants for accuracy, consistency, and conformance to this Policy and Procedure. Such conformance reviews will be conducted at the discretion of the Department's Headquarters, Standards and Technical Services and findings of non-conformance will be reported to the appropriate Regional Director of Design and Construction.
- D. An Advisory Committee shall be established by the Commissioner to review requests for variances. The recommendations of the Advisory Committee shall be considered prior to the issuance of a final decision by the Commissioner or his or her representative by delegation of authority.

VI. REVIEW FEES:

- A. Review fees amounting to actual incurred costs, for Architectural Barrier reviews performed on projects administered by the Department shall be charged to the appropriate project budget.

VII. INVENTORY AND REPORT:

- A. Regional Planning offices of the Department shall initiate an update of current Inventory and Condition Survey for State owned, occupied, or leased buildings and facilities for compliance with Architectural Barrier Regulations. Public buildings and facilities not owned, occupied, or leased by a State agency or its political subdivisions need not be included in the referenced survey.
- B. An annual report of existing Architectural Barrier Regulation deficiencies in publicly owned, occupied, or leased buildings and facilities shall be submitted as required by AS 35.10.015 to the Governor and the Legislature. This report shall contain cost estimates to correct existing deficiencies and list corrective action taken in the preceding year. Priorities for future corrective action shall also be identified in the report.

LETTER OF REVIEW;
ACCESSIBILITY COMPLIANCE

This letter is to serve notice that _____ No. _____, a Professional (Architect/Engineer) duly licensed and registered within the State of Alaska has thoroughly reviewed the construction documents associated with Project: _____ No. _____ for compliance with 17 AAC 50.010, Construction of Public Buildings Accessible to Physically Handicapped.

The review has been performed in accordance with PART 1, Section 4 - "Reviews and Approvals" of the Design Standards Manual for Buildings as issued by the Department of Transportation and Public Facilities. ALL deficiencies revealed during the review have been addressed, and where required, the drawings have been revised by the Design Professional of Record so as to assure compliance.

I hereby recommend for execution by the Department of Transportation and Public Facilities the accompanying "Certificate of Accessibility Compliance".

By: _____ Date: _____
(Title of Position)

cc: Regional Technical Services
Design Professional of Record

LETTER OF REVIEW;
ACCESSIBILITY COMPLIANCE

This letter is to serve notice that _____ (1) _____ No. _____ (2) _____, a Professional (Architect/Engineer) duly licensed and registered within the State of Alaska has thoroughly reviewed the construction documents associated with Project: _____ (3) _____ No. _____ (4) _____ for compliance with 17 AAC 50.010, Construction of Public Buildings Accessible to Physically Handicapped.

The review has been performed in accordance with PART 1, Section 4 - "Reviews and Approvals" of the Design Standards Manual for Buildings as issued by the Department of Transportation and Public Facilities. ALL deficiencies revealed during the review have been addressed, and where required, the drawings have been revised by the Design Professional of Record so as to assure compliance.

I hereby recommend for execution by the Department of Transportation and Public Facilities the accompanying "Certificate of Accessibility Compliance".

By: _____ (5) _____ Date: _____
(Title of Position)

cc: Regional Technical Services
Design Professional of Record

EXPLANATION OF REFERENCED NOTES

- (1) *Name of the design professional directly responsible for the accessibility review of the project drawings and specifications*
- (2) *Professional registration number (strike out the inappropriate title following this item)*
- (3) *Project name*
- (4) *Project number*
- (5) *Signature, title and date of execution as affixed by the individual named in item (1) above*

CERTIFICATE OF ACCESSIBILITY COMPLIANCE

This is to certify that _____ an Alaska licensed Registered Professional (Architect/Engineer) No. _____ has prepared all contract documents for project (Name) _____ (No.) _____ in strict conformance with the applicable provisions of 17 AAC 50, Alaska Administrative Code.

Furthermore be it known that _____ serving in the capacity of project Contracting Officer for the Department of Transportation and Public Facilities and hereby recognized as the "Responsible Party" as addressed in 17 AAC 50.010 certifies that he/she has become knowledgeable with the contents of the referenced code and will construct the facility in accordance with the sealed drawings and specifications.

Execution of this document by the parties shown below signifies written receipt of notification of any deficiencies specifically addressed under the document "Letter of Review; Accessibility Compliance" and also signifies that the appropriate action to remedy such deficiencies has been performed.

Be it known that this certificate is applicable only to the scope of work specifically provided for by the documents sealed by the above licensed professional, except that the above reference party known as the "Responsible Party" shall be deemed accountable for all applicable provisions of the code as they pertain to the construction of the project.

By: _____ Dated: _____
 Design Professional of Record

By: _____ Dated: _____
 Responsible Party

Execution of this document obligates the signing parties to the provisions of AS 08.48, AS 35.10.015 and 17 AAC 50.

CERTIFICATE OF ACCESSIBILITY COMPLIANCE

This is to certify that _____ (1) _____ an Alaska licensed Registered Professional (Architect/Engineer) No. _____ (2) _____ has prepared all contract documents for project (Name) _____ (3) _____ (No.) _____ (4) _____ in strict conformance with the applicable provisions of 17 AAC 50, Alaska Administrative Code.

Furthermore be it known that _____ (5) _____ serving in the capacity of project Contracting Officer for the Department of Transportation and Public Facilities and hereby recognized as the "Responsible Party" as addressed in 17 AAC 50.010 certifies that he/she has become knowledgeable with the contents of the referenced code and will construct the facility in accordance with the sealed drawings and specifications.

Execution of this document by the parties shown below signifies written receipt of notification of any deficiencies specifically addressed under the document "Letter of Review; Accessibility Compliance" and also signifies that the appropriate action to remedy such deficiencies has been performed.

Be it known that this certificate is applicable only to the scope of work specifically provided for by the documents sealed by the above licensed professional, except that the above reference party known as the "Responsible Party" shall be deemed accountable for all applicable provisions of the code as they pertain to the construction of the project.

By: _____ (6) _____ Dated: _____
Design Professional of Record

By: _____ (7) _____ Dated: _____
Responsible Party

Execution of this document obligates the signing parties to the provisions of AS 08.48, AS 35.10.015 and 17 AAC 50.

EXPLANATION OF REFERENCED NOTES:

- (1) Name of the design professional directly responsible for the production of the project drawings and specifications
- (2) Professional registration number (strike out the inappropriate title preceding this item)
- (3) Project name
- (4) Project number
- (5) Departmental employee authorized to administer the construction of the project, typically the "authorized" Contracting Officer
- (6) Signature and date of execution as affixed by the individual named in item (1) above

MEMORANDUM


State of Alaska

TO: Eugene H. Black, Director
Division of Marine Operations
Alaska Marine Highway System

DATE: May 20, 1985

FILE NO:

TELEPHONE NO: 789-0330


FROM: Michael G. Birdsall, CRC
S.E. District Supervisor
Division of Vocational Rehabilitation
Juneau Branch Office

SUBJECT: M/V Laconte Visitation
Pertaining To Handicapped
Accessability

At the request of your office, myself and Mr. Lee Hagmeier, Vocational Rehabilitation Counselor, Division of Vocational Rehabilitation visited the M/V Laconte. We boarded the vessel at approximately 5:20p.m. and departed at 6:30p.m. Captain Jack Thatcher, the Chief Pursor, the First Mate and several crew members were very cooperative and courteous. Both Mr. Hagmeier and myself assessed the approach to the cargo hold, access to the passenger decks, inspected the isle ways, cafeteria, restrooms, the forward and starboard lounge, and the dining areas. Observations will be recorded as well as recommendations for consideration by the Marine Highway System.

1. Loading Ramp To Cargo Hold:

The angle of the ramp to the cargo hold depends upon the tide and during our visit the slope was gradual enough to affect appropriate wheelchair mobility to enter into the cargo hold. Between the cement ramp and the loading ramp from the boat, the pavement was chipped and could provide an impediment to anyone with impaired mobility. This would include not only wheelchair, but those individuals using crutches, braces or walkers.

2. Stairs:

The cement arch or step to the stairs is approximately eight inches in height. This is a impediment for any approach to the stairs with a wheelchair. The doorway itself is wide enough to accomodate entry. Obvious is the fact that a wheelchair cannot be negotiated up the stairs. It was noted that the stairs were very wide, that the rails had good grips for support, that the first flight of stairs numbered eleven, and that the first landing was approximately eight feet by eight feet. Continuing from the landing are eleven more stairs, again going straight, with a right angle turn for four steps entering into the foyer. At the bottom of the stairs to the landing, it was noted that a shaft is available and that the floor to ceiling height was approximately eighteen feet.

3. Main Passenger Lounge:

The main passenger lounge is not accessible. The steps are very steep and would be difficult to negotiate with even ambulatory physically handicapped individuals. There is not enough room for gentle sloping ramp to effect entry into the main passenger lounge as there is a rear wall approximately five feet away from the first step which contains restrooms on both sides.

4. Restrooms:

The restrooms are totally inaccessible. The width of the door is not wide enough to allow wheelchair entry. The pipes underneath the sinks are exposed and are not wrapped. The faucets on the sinks are not of the lever type and would be difficult for individuals with decreased grip and sensation impairments to operate. The commodes themselves are not accessible as well. There are no grab bars in the stall, however entry cannot even be gained to a stall anyway. It was also presumed that a person on a walker would have difficulty sitting on the commode with the door closed.

5. Aisleway From Foyer To Dining Area:

The aisleway from the foyer to the cafeteria, the dining area and starboard lounge is accessible. The mounted metal bar extending it's length provides support. Entry into the cafeteria serving line and starboard lounge is unobstructed. However, the entry into the dining area, although wide, is obstructed once entered by one large wastecan, two highchairs and a cigarette machine. The dining tables appeared fine. They were low enough to the floor for those capable of independent transfer from a wheelchair to do so. The aisles between the dining tables are sufficiently spaced or wide enough where a person that could not transfer to a dining seat could eat from his wheelchair comfortably and not obstruct or impede other passenger traffic. The condiment section in the dining area, though wide enough to allow the passage of a wheelchair, is not sufficient enough to allow reasonable passage between regular passenger traffic and the wheelchair user simutanously.

6. Emergency Procedures:

There was concern over evacuation procedures. Lifeboats were noted to be up on the upper deck or the salarium area. The crew is not trained specifically for evacuation of handicapped passengers per say, as each crew member is assigned specific duties. There appeared to be no special evacuation or contingency procedures relative to handicapped persons for such evacuation or for their safety.

7. Lifting Passengers:

Primary concern or problem is that the crew will carry an individual up the long flight of stairs to the foyer area. All members of the crew that I spoke with had no problem with doing this, but had individual concerns over the possibility that the handicapped passenger could be injured. It is noted that a passenger of average weight that needed to be carried would need to be carried by two individuals. Consequently, the width of the stairway could not accomodate a safe effort at lifting and carrying, which would probably include two crew members and the passenger. As such, the probability of a serious injury both to the passenger and/or a crew member is obvious.

8. Public Information:

There appears to be a need for public information relative to assistance available for disabled travelers and/or passengers both at the terminal as well as from an advertising standpoint. There would appear to be a need for planning for a disabled consumer to contact an office or person for special assistance. Information available to the disabled public relative to accomodating disabling conditions does not appear to be advertised in the current literature that I have in my office, or in what was available on board.

9. Reasonable Accommodation:

I presume receipt of Federal funds from the U.S. Department of Transportation. Consequently that would compel compliance with Section 504 of the Rehabilitation Act relative to architectural and transportation barrier free compliance. Legal opinions concerning the marine vessels as public transportation and compliance should be explored by the Marine Highway System's Attorney General Representative, etc.

10. Marine Architect:

I have learned that the services of a Marine Architect have already been procured and I was not briefed nor aware of his particular findings or recommendations.

11. Recommendations:

- A. Immediate need for restroom modifications according to ANSI standards.
- B. Relocation of items in dining area that impede passenger traffic, i.e., condiment carts, highchairs, cigarette machines.
- C. Review of emergency and/or evacuation procedures as relating to handicapped passengers. This would also relate to those who are visually and hearing impaired.

D. Priority recommendation would be exploration of a power assistance device to raise handicapped passengers from the cargo hold to the passenger deck. This raises the primary issue of an elevator vs. any other power assist device; For example, a "chair glide". Chair glides should be used as a back-up device only. An elevator is recommended.

E. Public information needed for disabled consumers relative to protocol, i.e., notification to Pursor or other crew member for special assistance, stowing of medication (i.e., diabetics, epileptics), availability of first aid or medical care.

F. Request comments and participation from disabled consumer groups for advice and assistance; for example, Vocational Rehabilitation Advisory Board, Access Alaska.

G. Review of Section 503 Architectural and Barriers Compliance under the Rehabilitation Act of 1973 with the Alaska Marine Highways Attorney General Representative.

Upon review of the M/V Laconte, several areas are needing immediate attention. Those are primarily in the area of evacuation procedures and modification of the restrooms. I feel that the potential for injury to a handicapped passenger and/or a crew member is only a matter of time. If crew members are carrying and/or lifting passengers, there are different and recognized medical techniques for carrying persons with disabilities. In other words, a person with quadraplegia would be transferred significantly different than a person with paraplegia. Therefore, without specialized training for crew members, even the act of carrying a passenger could be injurious to the individual passenger. Such an injury would result in expensive personal injury litigation. Crew members lifting passengers up a lengthy incline would expose themselves to risk of injury. Passenger weights may exceed OSHA standards. Such industrial injury would possibly fall under Longshore Harbor or Alaska Workers' Compensation litigation.

I would not recommend any power assist device, as an alternative to an elevator. An elevator is needed, which meets ANSI standards.

Thank you for allowing the Division of Vocational Rehabilitation to provide assistance to the Alaska Marine Highway System in it's plans to modify vessels to accomodate disabled persons. Please contact this office directly for additional information and assistance.

cc: Michael C. Morgan, Director
Division of Vocational Rehabilitation

Gary Aanes, Chief of Field Services
Division of Vocational Rehabilitation

MEMORANDUM

State of Alaska
Department of Transportation & Public Facilities

TO: John McGrath
COAR
Marine Facilities Engineering

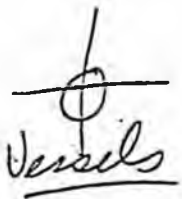
DATE: May 13, 1985

FILE NO:

TELEPHONE NO:

FROM: George Diry
Naval Architect
Marine Facilities Engineering

SUBJECT: Elevators for
the Handicapped.



On April 30 we prospected on board the M/V LeCONTE to determine the most appropriate location for handicapped access.

The investigation was conducted with the assistance of Captain Jack Thatcher and Chief Engineer Terry Fitzthum.

It was found that the only vertical area which meets the prerequisites is located aft between frames 96 and 99 and approximately 8.5 to 11.5 feet off centerline on the portside. When side loading this location will impose an aisle for free access on the main (car) deck, and a 150 foot walk at that level. Examinations of the available M/V AURORA plans shows the same solution availability.

A vertical shaft to provide an elevator enclosure would extend from the main deck to a level approximately 8 ft. above the upper deck. The exact vertical length would depend upon the machinery to be installed but is to be at least 25 feet. Ideally the drive mechanism will be located under the main deck within the existing steering compartment space. The total rise for the elevator platform is 17 ft. without intermediate stop. The stemming of the elevator shaft above the upper deck will require cosmetic treatment to reduce the appearance impact.

It is estimated that this work and the derivated toilet facilities will add 7 long tons to the vessel weight, 230 ft. tons of vertical moment and 60 ft. tons of port moment. This for the two vessels mentioned signifies an estimated deckload loss of 10%, down to a maximum of 420 long tons.

For the M/V LeCONTE this work also mandates the inclusion of a listing tank which is already incorporated in the newer AURORA.

The total cost for the above modifications to both ships is estimated at \$650,000. A detailed cost estimate is attached.

hnh

cc: Eugene Black, Director, Marine Operations
Joe D. Camp, Deputy Commissioner
A.H. McDonald, Port Engineer, Marine Operations
Harold Moeser, Director, Marine Facilities Engineering
H.A. Stetson, Port Engineer, Marine Operations

LeCONTE AND AURORA ELEVATORS

ESTIMATES, INCLUDING DERIVATIVES

Elevators:

One Unit

Structural Construction	140,000	
Interferences relocation	20,000	
Base structure for machinery	5,000	
Elevator hardware & power components	<u>30,000</u>	
One Unit Subtotal		<u>195,000</u>
Resulting inclining new booklet		<u>29,000</u>
Subtotal		224,000

For both ships		448,000
Design & engineering (common) 10%		45,000
Administrative costs and management		<u>49,000</u>
1. for 2 ships: Estimated Cost for elevators		542,000

Modifications to men's and women's washroom on upper deck to include 1 handicap toilet each and 1 extra lavatory.

Engineering Design:

Design Study Layout...		
6 days in-house	3,000	
Engineering Contract to terminate - Dwgs, specs, etc...w/installation specs	10,000	
In-house eng'g correlation and verification	<u>1,500</u>	
Subtotal		14,500

LeCONTE and AURORA ELEVATORS

Construction for 2 vessels:

Bowls, hardware, railing,
etc...4 sets
assume no or min. piping
replacement 10,000

Partition and structural
relocation 8,000

Lavatory facilities,
plumbing - added 4 x 3,000=12,000
Keep electrical as is.

Anticipate new finish
and tiling in renewed
areas. (200 ft² x 4)10 8,000 38,000

Construction Total 52,500

Contract management and
administration 20%: 10,500

2. ESTIMATED TOTAL FOR TOILET MODS. \$ 63,000

Listing correction ballast
system - LeCONTE only

In-house preliminary study 3,000

Eng'g/design contract
20 days @ 400 + 25% 10,000

Tankage construction
based on 4,000 gals @ \$3 12,000

Cross piping intake and
overflow 8,000

Pumping, power & control 4,000

24,000

Eng'g correlation
& verification - 10% 2,400

Contract, management, and
administration - 20% 5,300 31,700

44,700

LeCONTE and AURORA ELEVATORS

3. Estimated total for the LeCONTE
added control linking system, say...

\$ 45,000

Grand total for LeCONTE and AURORA
handicapped elevator project and
related mods.

\$650,000

MEMORANDUM

State of Alaska
Department of Transportation & Public Facilities

TO: Ron Lind
Director
Plans and Programs
Headquarters

DATE: December 27, 1985

FILE NO:

TELEPHONE NO: 465-2734

FROM: Harold Mooser
Director
Marine Facilities Engineering
Alaska Marine Highway System

SUBJECT: Annual Report

I received and reviewed a copy of the Annual Architectural Barrier Report to the Governor and the Legislature, Department of Transportation and Public Facilities April 1985.

The 1986 report should include the Alaska Marine Highway System as a reporting unit thereby keeping the system in focus with the rest of the State's public facilities. Assuming a similar format in the report for 1986, add the following:

To Part II Work Performed

Marine Highway System

Accessibility Improvements made and/or proposed during 1985-86 maintenance and overhaul season:

M/V MATANUSKA - Modify stateroom \$10,000

Install ramp to forward lounge \$2,500

M/V MALASPINA - Modify restroom \$10,000

Modify stateroom \$15,000

Install ramp to forward lounge \$2,500

Hoonah Ferry Terminal - Indoor restrooms were added to the existing building which comply with accessibility regulations.

Restroom modifications to Skagway and Haines ferry terminals are scheduled for May 1986. These deficiencies are allocated to the Southeast Region. Shore facility projects are shown in the appropriate region.

To Part III Cost Estimates

Marine Highway System \$1,375,000.00

To Part IV Priority Handicapped Access Projects

Marine Highway Vessels

M/V TUSTUMENA \$375,000

FY87 request

M/V LeCONTE \$350,000

~~FY88-6-year plan~~ FY87 Request

M/V AURORA \$300,000

FY89 6 year plan FY89 Plan

M/V BARTLETT \$300,000

FY90 6 year plan FY89 Plan

M/V CHILKAT unknown - not feasible

M/V COLUMBIA \$25,000

M/V TAKU \$25,000

\$1,375,000

Ron Lind

2

December 27, 1985

This should standardize the reporting and collect all Public Facilities in one report.

HM/mh

cc: Eugene Black - Director, Division of Marine Operations,
Alaska Marine Highway System (AMHS)
Joe Camp - Deputy Commissioner - Deputy Commissioner, AMHS

064 -- HM3

MEMORANDUM

State of Alaska
Department of Transportation & Public Facilities

TO: Larry Bussone
Assistant Ombudsman
Office of the Ombudsman

DATE: February 14, 1985
FEB 15 1985

FILE NO:

JUNEAU

TELEPHONE NO: 789 OFFICE OF OMBUDSMAN

FROM: David L. Waldron, Director
Maintenance and Operations
Southeastern Region

SUBJECT: Handicapped Access

The following is a progress report on our Handicapped Access Program:

- (1) Ramp from Calhoun Avenue/4th Street to Alaska Office Building, 2nd Floor-A & E (Kramer, Chin & Mayo) is being retained to perform design; construction will begin in summer, 1985 pending availability of funds.
- (2) Ramp from Willoughby Avenue to level P-2 lobby, State Office Building -A & E firm (Kramer, Chin & Mayo) is being retained to perform design; construction will begin summer, 1985 pending availability of funds.
- (3) Restrooms in Alaska Office Building and State Office Building -Nikariya Enterprises has a contract to modify men's and women's rooms in the State Office Building (8th Floor) and Alaska Office Building (2nd Floor). Estimated completion is March, 1985.
- (4) National Guard Armory restrooms -Nikariya Enterprises is modifying two restrooms; estimated completion February, 1985.
- (5) Community Building ramp to 3rd Street and toilet room renovations -We are designing an access ramp, which will be constructed as a change order to another contract we have in the building. We have also made temporary modifications to the first floor women's room to accommodate a DC & RA employee; an A & E firm will be retained to design more extensive permanent modifications to three restrooms. Handicapped access doors are under contract.
- (6) Alaska State Museum elevator -Otis Elevator Co. has modified the elevator hall and car controls to permit unattended use by the handicapped.
- (7) Alaska Office Building 3rd Street Handrail -We are currently designing a replacement handrail to assist the moderately handicapped (and others) who must negotiate this steep sidewalk in winter.
- (8) Ketchikan Court & Office Building handicapped parking -We have restriped and signed two parking stalls near the main entrance for handicapped use. To facilitate access to the main door, a small ramp was also constructed.

Memorandum
Larry Bussone

February 14, 1985

- (9) Alaska Office Building entry doors at 3rd, 4th and Main Street entrances have been replaced with units conforming to the Code.
- (10) Elevator tactile signage
 - We now have Braille/tactile hall and car button tags, which will be installed by April, 1985.

Also attached is a memo from Division of Vocational Rehabilitation concerning this same problem.

DLW:cjh

cc: Jonathan S. Scribner, Deputy Commissioner

MEMORANDUM

State of Alaska

TO: Dave Waldren
Department of Transportation

DATE: March 7, 1984

FILE NO:

TELEPHONE NO: (907) 465-2814

FROM: Theda Mason Ellis
Facilities Specialist
Vocational Rehabilitation

SUBJECT: Accessibility Day

The Division of Vocational Rehabilitation developed a committee of five handicapped people to review state buildings. Committee members consisted of people with various mobility impairments and a visually impaired person. The committee completed the review of four state buildings (the State Building, the Alaska Office Building, the Court Building, and the Museum) which have the greatest needs for accessibility and will continue with those efforts over the next few weeks to complete the rest of the review.

The team believes that it is most important for the State Office Building and the Alaska Office Building to be accessible and therefore place their priorities on accessibility on these two buildings. Additionally, some recommendations made concerning bathrooms, elevators, and so on will be uniform throughout all buildings and the priority would be in the building priority rather than the item priority.

Priorities

<u>Item</u>	<u>Cost</u>	<u>Priority</u>
State Office Building and Alaska Office Building		
Build a ramp from Willoughby Avenue to the SOB entrance.	\$10,000	1
Improve the handrail currently on the outside stairs at the Willoughby entrance. The current rail was determined to be decorative only - not useful.	\$ 2,000	2
Build a ramp which would enter the Alaska Office building or the seventh floor of the State Office Building from Main Street near the municipal library.	\$10,000	3

The review team does not believe that it is adequate that handicapped individuals have access to this complex of two buildings only through the Willoughby Street entrance. The additional time necessary to go back through Willoughby and walk or wheel around to Main Street to have access to the rest of the downtown area is not reasonable and may require an excessive expenditure of energy for disabled individuals.

<u>Item</u>	<u>Cost</u>	<u>Priority</u>
Improve accessibility of restrooms in the SOB and AOB by widening doors for wheelchair use (a minimum of 32").	?	4
General recommendations for all bathrooms include:		5
a. Lower the paper towel dispenser and move it closer to the sink.		
b. Lower the mirror.		
c. Change the hardware in one sink in each bathroom to have long lever action handles and an extended faucet. The cost will be \$80 per unit. As new sinks are installed, one should extend further for wheel chair users.		
d. Lower tampon dispensers.		
Put adaptable hardware on all entrance/exit doors (attachable door latches fit over existing door knobs).	?	6
Install adequate signage. This includes marking the elevator's location in the parking garage (which would benefit everyone).	\$ 650	7
a. Signs should be lowered to 4 1/2 feet high and made of contrasting colors for the visually impaired.		
b. A directory should be placed in a prominent position on the 8th floor of the SOB.		
Widen the door to the parking area.	?	8
Modify elevators in all buildings with the following:		9
a. Lengthen the time the doors pause in the open position.	no cost	
b. Remove trash cans from in front of the call button.	no cost	
c. Provide raised or braille numbers.	\$ 108	

Item	Cost	Priority
d. Lower call buttons outside the elevator to 43"-45". Add a lower panel of elevator buttons or lower 1 (of 2) panel.	\$ 6,000	10
Lower 1 telephone in each building.	?	11
Parking sign at AOB.	\$ 200	12
Provide parking at AOB.	?	13
Replace, revise drinking fountains.	?	14
Reduce the "pull" required to open all doors, particularly between the SOB and AOB.	?	15

* It is not acceptable to have to use the restrooms in another building. A disabled worker would not have the time away from the workplace to travel that far; may not have the physical stamina and most likely cannot open the door.

Alaska Court Building

Build a curb cut.	?	16
Implement previous recommendations concerning restrooms, elevators, lowering telephone, signage.		17
Provide parking spaces recommended.	\$ 5,000	18
The exterior doors are not a problem. If they are widened, we recommend that electric doors be installed, and that clearance be 36".	?	19

Alaska State Museum

The committee rejects the suggestion to build a unisex bathroom only for the handicapped. If unisex restrooms are used for everyone, they are fine. The both rooms are first priority in the museum.

Parking with signage.	\$ 500	20
Improved curb cuts.	\$ 250	21
Install beveled thresholds.	\$ 200	22
Automatic door openers.	\$ 3,000	23

Item	Cost	Priority
<p>Improve availability of the elevator. The elevator is locked. The guard provides a key. If the elevator only opened to floors serving the public with private floors locked, the building would be much more accessible.</p>		24
<p>Make elevator and bathroom changes recommended for all state buildings.</p>		25
<p>Additional/Improved lighting. (Lighting is too dim for visually impaired).</p>		26
<p>Replace door handles with levers.</p>		27
<p>Lower placement of signs (improve lighting, etc.).</p>		28
<p>Install raised numbers at doors.</p>	\$ 200	29
<p>Install tactile identification.</p>	\$ 300	30

MEMORANDUM

State of Alaska

TO: David Waldren
Director, Maintenance and Operations
Department of Transportation

DATE: November 29, 1984

FILE NO: M3-521

TELEPHONE NO: (907) 465-2814

FROM: Michael C. Morgan *McM*
Director, Vocational Rehabilitation
Department of Education

SUBJECT: Handicapped
Accessibility, SE
Region Buildings *[Signature]*

I have had the opportunity to read your progress report for correcting handicapped accessibility problems here in Juneau and the rest of Southeast. We are very pleased with the progress that is being made and appreciate your efforts.

DIRECTOR, M & O	_____
SECRETARY	_____
MGR. HWYS. & APT.	_____ <i>[Signature]</i>
BUILDINGS MGR.	_____ <i>[Signature]</i>
MAINTENANCE ENG.	_____
OTHER	_____



MEMORANDUM

State of Alaska
Department of Transportation & Public Facilities

TO: Jonathan W. Scribner
Deputy Commissioner
Southeastern Region

DATE: December 28, 1983

FILE NO:

TELEPHONE NO: 789-3483

FROM: David L. Waldron, Director
Maintenance and Operations
Southeastern Region

SUBJECT: Handicapped Access to
State owned Buildings

Attached is our total program for upgrading state owned facilities maintained by the Southeastern Region of DOT&PF to improve handicapped access.

Those items listed as current are or will be included in our FY 84 and FY 85 in-house work programs. These projects will require CIP funds in the amount of \$18,000 in addition to that portion of our operating funds which we plan to use in support of this program.

Those items listed as future are those items which for the most part we anticipate accomplishing by contract in future fiscal years. We anticipate having approximately \$80,000 available to support this program in FY 85 which will be adequate to accomplish about \$55,000 to \$60,000 of the work listed.

DLW:cmt

DOT & PF - 7 MILE

CURRENT:

Door Threshold	\$ 300
Curb Cut	\$ 600
Entrance Platform	\$ 800
Signage	\$ 200

FUTURE:

Toilets - Renovate existing toilet rooms in conformance with applicable standards.	\$6,000
Controls, Identification and Warning - Install as required.	\$1,500
Drinking fountain - Replace existing units on each floor.	\$1,000

INSTALL ELEVATOR

STATE OFFICE BUILDING

CURRENT:

Parking (4 spaces) including ext. signage	\$3,000
Extend handrails on exterior stairs	\$2,000
Modify public counters	\$5,000
Replace 1 telephone	\$1,000
Install adequate signage	\$ 500

FUTURE:

Facility Access - Access from the designated parking spaces to the facility is good. However, for non-vehicular traffic it is recommended that a ramp be constructed from Willoughby Avenue to the level of facility entrance.	\$10,000
Interior - Relocate partitions on the 5th, 7th, 10th floors to provide 60" width around drinking fountains.	\$ 1,000
Toilet Facilities - Modify existing toilet rooms in conformance with applicable standards.	\$120,000
Libraries - Provide several handicapped accessible study units and tables. Provide at least one accessible microfilm unit. Due to current space limitations, it is not recommended that aisle widths between fixed stacks be modified, however, it is recommended that no further decreases in aisle widths be allowed. In most cases, other personnel are available to assist.	\$ 2,500

STATE OFFICE BUILDING CONTINUED

Controls, Identification & Warning - Lower alarm pulls to 48". Lower elevator call buttons to 48". No recommendation regarding switches. Provide warning strips and knurled door handles at stairwells. Provide raised numerals at elevator lobbies to identify each floor. Install visible alarm system. \$ 12,000

Drinking Fountains - Lower drinking fountains to 34". \$ 3,000

Elevators - Lower handrails to 32". Lower controls to 48" maximum and provide tactile identification. \$ 10,000

ALASKA OFFICE BUILDING

CURRENT:

Parking signage \$ 200

Modify public counters \$ 500

Replace drinking fountains \$ 3,000

Install adequate signage \$ 150

FUTURE:

Toilets - It is recommended that rather than modifying existing toilet rooms in the Alaska Office Building, signs be installed directing handicap users to toilet facilities located in the State Office Building. \$ 250

Controls, Identification & Warning - Install as required. Provide tactile identification 60" high at sides of doors \$ 6,000

Elevators - Lower handrails. Install new controls with tactile identification and maximum height to top of panel 78". \$ 8,000

ACCOMPLISHED:

Replace entry doors at 3rd, 4th and Main.St. entrances. Est. Complete 1-31-84

SUBPORT BUILDING

CURRENT:

Designate parking spaces \$ 100

Install adequate signage \$ 500

Replace drinking fountain \$ 500

FUTURE:

Parking - Designate handicap parking spaces at area entrances adjacent to facility on the east and south walls. As the only access to the vessel repair section is through the middle bay section, additional parking should be provided. Provide curb cuts, signage, additional lighting, and related items. \$ 2,000

'SUBPORT' BUILDING CONTINUED.

Facility Access - Grade surfaces. Provide pedestrian entrance to middle bay (see Life/Fire Safety). Construct curb cuts. Install signs. Install parking bumpers.	\$ 3,000
Entrances - Grade entrance surfaces. Recess door mats. Provide 1' - 6" clearance as required.	\$ 2,000
Exterior Doors - Install new doors with 32" minimum clear width, vision panels at 40". Flush or beveled thresholds.	\$ 1,500
Interior - Fill expansion joints to level surface with flexible material. Remove obstructions. Level surfaces. Change ramps.	\$ 2,000
Toilets - Modify toilets in F&G offices in conformance with standards. Renovate toilet room and install new fixtures in National Guard area. Remove shelf and expand toilet room. Install new fixtures in Marine Trans. area. Provide access route to toilets in vessel repair section. Install ramp to allow access to toilet room. Install new fixtures.	\$ 20,000
Controls, Identification & Warning - Install identification and warning as required. Lower control height to 48".	\$ 2,500

ALASKA STATE MUSEUM

CURRENT:

Parking with signage	\$ 500
Provide identifiers at curb cuts	\$ 250
Automatic door openers	\$ 3,000
Modify door closers	\$ 200
Install beveled thresholds	\$ 200
Reset interior door handles	\$ 2,000
Replace stair fire doors	\$ 1,000
Modify work stations	\$ 1,000
Install raised numerals at doors	\$ 200
Knurled handles and abrasive floor strips	\$ 500
Replace drinking fountains	\$ 1,000
Lower elevator handrails	\$ 100
Install tactile identification	\$ 300
Install adequate signage	\$ 250

FUTURE:

Facility Access - Construct compliant ramp, south side of entrance only. Suggest switchback arrangement. Lower handrails and extend 12" beyond ramp. Provide additional lighting.	\$ 15,000
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ALASKA STATE MUSEUM CONTINUED

Exterior Stairs - Install new handrails in conformance with applicable standards.	\$ 5,000
Toilet Facilities - Existing facilities difficult to modify due to space limitations. Recommend development unisex toilet facility for handicap use.	\$ 10,000
Controls, Identification & Warning - Install as required.	\$ 5,000
Elevators - Lower controls to 4'0" maximum.	\$ 1,000

ACCOMPLISHED:

Reconstruct outside wheelchair ramp and provide curb cut. Completed 6-83

PUBLIC SAFETY BUILDING (WHITTIER STREET)

CURRENT:

Parking with signage	\$ 500
Replace door threshold	\$ 200
Lower drinking fountains	\$ 800
Install adequate signage	\$ 200

FUTURE:

Facility Access - Develop pedestrian access route from designated parking to entry door. Expand existing platform to 5' X 5' and provide access cut. Raise platform to threshold.	\$ 300
Entrances - Provide flush mats.	\$ 1,500
Interior - Replace existing doors. Ref: Life/Fire safety for doors into corridors.	\$ 2,500
Toilets - Develop unisex toilet rooms 1st and 2nd floors.	\$ 15,000
Controls, Identification & Warning - Modify and install as required.	\$ 400

GLACIER AVENUE BUILDING

CURRENT:

Parking with signage	\$ 300
Additional Exterior lighting	\$ 200
Replace plywood ramp	\$ 300
Install beveled thresholds	\$ 300
Install accessible reservations desk	\$ 1,000
Replace drinking fountains	\$ 1,000
Install adequate signage	\$ 300

GLACIER AVENUE BUILDING CONTINUED

FUTURE:

Facility Access - Construct new ramp in accordance with applicable standards.	\$ 1,500
Install recessed door mats.	\$ 800
Provide landing with curb cut; flush or beveled threshold as required. Install new door with 32" min. clear width.	\$ 500
Repair surface. Install recessed floor mats.	\$ 400
Toilets - Adequate space exists 1st floor restrooms and related items. Install signage.	\$ 8,000
Controls - Reinstall controls and switches as required at uniform 48" maximum.	

ISLAND CENTER BUILDING

CURRENT:

None

FUTURE:

Facility Access - Repair existing sidewalk at parking area.	\$ 1,000
Entrances - Expand existing landings to 5' X 5'. Construct ramp from sidewalk to landing.	\$ 2,000
Exterior Doors - Adjust closer. Replace door with 32" clear width door assembly.	\$ 3,000
Toilets - Modify existing toilet facilities in conformance with applicable standards.	\$ 10,000
Controls, Identification & Warning - Install as required.	\$ 5,000
Drinking Fountains - Replace existing units with accessible fixtures.	\$ 2,000
Signage - Install as required.	\$ 1,000

ACCOMPLISHED:

Pave Parking lot

Completed 1982

COURT AND OFFICE BUILDING - JUNEAU

CURRENT:

Modify counter	\$ 1,500
Public telephone replacement	\$ 2,000
Install adequate signage	\$ 350

FUTURE:

Parking - Two areas should be expanded in order to accommodate handicap access to the Court & Office Bldg. (1) enlarge dropoff/loading zone on 4th Street. Provide signage and allow limited parking. Construct curb cut. Mark accordingly. (2) The second area which could provide more permanent parking is located along Seward Street, adjacent to the Court & Office Bldg. and the Community Bldg. This area should be leveled and appropriate signs and markings provided. This would provide access to the ground floor level of the Court & Office Bldg. \$ 5,000

Exterior Doors - Replace door to provide 32" minimum clear width. Adjust door closer to 8". \$ 6,500

Toilet - Modify existing toilets on 4th floor in accordance with applicable standards. Install signs at other floors directing people to this fact. \$ 6,000

Controls, Identification & Warning - Lower call buttons to 48" maximum. \$ 10,000

Provide raised numerals located 60" above floor at sides of doors. \$ 5,000

Provide access symbols as required - see Toilets and Parking. \$ 500

Provide knurled door handles at stairwells. \$ 1,600

Elevators - Although cab size is not within required dimensions, no modification is recommended. It is recommended that both handrails and controls be lowered to required heights and that tactile identification be installed. Also there is no indication of elevator direction nor of which elevator is to be used except by visual inspection. It is recommended that some type of audible system be installed. \$ 16,000

COURT AND OFFICE BUILDING - SITKA

CURRENT:

Modify existing toilet rooms	\$ 1,000
Reinstall drinking fountains	\$ 400
Provide proper signage and Identifier railing at curb cut	\$ 600

COMMUNITY BUILDING - JUNEAU

CURRENT:

Provide designated parking	\$ 1,000
Replace Front entrance door	\$ 5,000
Install adequate signage	\$ 1,000

FUTURE:

Facility Access - Construct ramp to level of south entry. Extend landing. Provide curb cuts and identifiers at both corners of 3rd Street. \$ 12,000

Exterior Stairs - For handrails, see - Arch/Civil. Install additional lighting. \$ 2,000

Interior/Interior Doors - Although minor deficiencies exist, no changes are recommended. It should be noted that an elevator shaft exists in the building. Although no elevator is currently installed, the installation of an elevator would provide access to other floors within the facility. \$ 50,000

Toilets - It is recommended that a unisexual toilet room constructed in accordance with Alaska State Standards be constructed on the 1st floor. Install signs as required. \$ 10,000

Controls, Identification & Warning - Install room numbers symbols and similar as required. \$ 1,000

Drinking Fountain - Remove and install new units, minimum 1st floor, other floors if elevator access is provided. \$ 1,000

JUNEAU RECORDS CENTER

CURRENT:

Provide parking and access	\$ 500
Lower handrails on exterior stairs	\$ 200
Remove additional door mat	---
Relocate and replace drinking fountain	\$ 1,500
Install adequate signage	\$ 300

FUTURE:

Facility Access - Install blind identifiers. Raise handrail. \$ 1,500

Exterior Doors - Replace doors, provide flush or beveled thresholds. Adjust door pulls to 8-lb maximum. \$ 2,000

Interior - Replace doors, provide 32" minimum clear width Relocate radiator. \$ 10,000

Toilets - Due to the existing tight configuration, recommend developing unisexual toilet room, 1st floor. \$ 10,000

JUNEAU RECORDS CENTER CONTINUED

Controls, Identification & Warning - Lower controls and fire boxes. .	\$ 3,000
Elevators - Existing shaft larger than current elevator. Install larger elevator. Lower call box and controls.	\$ 25,000
Kitchen - Modify as required.	\$ 5,000

KETCHIKAN STATE COURT AND OFFICE BUILDING

CURRENT:

Provide curb cut	\$ 600
Provide 2 handicapped parking spaces	\$ 300
Provide handicapped signage	\$ 1,500
Correct telephone deficiency	\$ 800
Lower dispensers in toilets	\$ 400

FUTURE:

Interiors - Provide 12 knurled locksets.	\$ 1,620
Elevators - Replace control and call box with handicap devices @ 2.	\$ 8,000
Toilets - Relocate 8 toilet doors to open into corridor with 12" minimum clearance at knob side.	\$ 3,040
Provide 16 proper toilet stall grab bars (8 @ 36" and 8 @ 42")	\$ 1,170
Delete one toilet and stall per room and extend partition to 60" X 56" size stall.	\$ 7,840

HAINES - FERRY TERMINAL

CURRENT:

Identify handicap parking spaces.	\$ 30
Lower drinking fountain	\$ 100
Provide proper signage	\$ 150

FUTURE

Toilets - Remodel toilet room entrances to permit handicap accessibility.	\$ 2,200
Provide toilet room facilities in compliance with code requirements.	\$ 1,200

KETCHIKAN FERRY WAITING ROOM

CURRENT:

Provide lower portion of counter for handicap access, 24" deep
by 32" high and 48" wide. \$ 300
Provide 3 symbols of access and 3 signs \$ 250
Relocate one telephone and provide amplification \$ 300

FUTURE:

Toilet - Expand toilet rooms 5' to south and relocate
fixtures (see mechanical); provide new toilet partitions
for two stalls, grab bars (2-36" & 2-42"); relocate Janitor.
Closet and enlarge entry vestibules to permit wheelchair
access. \$ 8,750

PETERSBURG FERRY WAITING ROOM

CURRENT:

Provide 1 access symbol, 3 signs and 1 parking sign \$ 300
Paint stripes for one parking space @ 40 LF stripes \$ 40
Lower one 3'-0" X 2'-0" segment to 2'-8" height. \$ 120
Lower telephone, provide amplifier \$ 240

FUTURE:

Toilets.- Replace 2'-6" doors with 3'-0" doors and re-
verse to swing out; provide 14 LF grab bars; lower 2
mirrors and 2 dispensers. \$ 1,750
Exterior - Relocate south entry door 12" to west.
Parking - Provide one curb cut ramp to sidewalk 48"
square. \$ 340

SITKA FERRY WAITING ROOM

CURRENT:

Provide curb cut and ramp per code requirements. \$ 200
Provide and identify handicap parking space \$ 50
Provide proper signage \$ 50

FUTURE:

Toilet - Remodel toilet rooms - provide approved fix-
tures and entrance doors. \$ 2,400

SKAGWAY FERRY WAITING ROOM

CURRENT:

Provide and identify handicap parking and route of travel fac.	\$	50
Provide proper signage	\$	50

FUTURE:

Toilets - Remodel toilet rooms to provide proper fac.	\$	2,700
Facility access - Construct ramped entrance.	\$	500

WRANGELL FERRY WAITING ROOM

CURRENT:

Provide 1 access symbol, 3 signs and 1 parking sign.	\$	330
Paint stripes for 1 parking space @ 40 LF stripes	\$	40
Provide 1 LF handrail extension	\$	30
Lower 1 3'-0" X 2'-0" segment to 2'-8" height	\$	120
Lower telephone, provide amplifier	\$	240

FUTURE:

Toilets - Replace 2'-6" doors w/3'-0" doors and reverse to swing out; provide 14 LF grab bars; Lower 2 mirrors and 2 dispensers.	\$	1,800
Parking - Provide on curb cut ramp to sidewalk 48" square	\$	340
Facility Access - Provide on 6 LF x 3' ramp to east door	\$	460
Exterior - Relocate east entry door 12" to west and provide 5' X 5' concrete landing.	\$	620



SUSAN K. FLEISCHHAUER
LEGISLATIVE LIAISON
OFFICE OF THE COMMISSIONER

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
POUCH Z
JUNEAU, ALASKA 99811

JUNEAU (907) 465-3900

HANDICAP ACCESS

Current Projects:

°Modification of four restrooms:

Alaska Office Building (2)
State Office Building (2)

\$28,500

°Modification of Community Building, 3rd St., Juneau

Entry for access

\$ 7,500

°Improvements to Hoonah ferry terminal

Included in the \$35,000 improvements to the
ferry terminal, restrooms are being remodeled.

FY 86 Budget Request:

°Ketchikan Court and Office Building

Modifications of restrooms and elevators

\$24,000

An analysis on the costs, etc., of the impact to DOT&PF
to follow mandate, will be completed by next week, and you
will be provided a copy.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH Z
JUNEAU, ALASKA 99811
PHONE: (907) 465-3920

March 4, 1985

The Honorable Peter Goll
Alaska State House of Representatives
Pouch V
Juneau, AK 99811

Dear Representative Goll:

This is in response to your letter concerning installation of elevators on the M/V AURORA and M/V LeCONTE. The estimated cost to install a suitable elevator is between \$500,000 to \$650,000 per vessel. However the last definitive cost data we have in this area was for installation of an elevator on the M/V MALASPINA in 1982. The cost was approximately \$300,000 to install an elevator in an existing shaft. No elevator shafts currently exist on either the AURORA or the LeCONTE.

The restricted space in the 235' class vessel significantly complicates options for placement of an elevator shaft. Currently, the fore deck area is too limited to effectively accommodate an elevator, and the stairwells are too narrow for a mechanized platform. It would require a major re-work of crew and passenger areas to overcome these restrictions.

Considering the importance of handicap access, we certainly will keep that subject in mind during future appropriation requests. The feasibility of elevator installation can be examined next year and included within the budget cycle as a code up-grade project. At present, the overall needs of the system are considerable, but every reasonable effort will be made to include the elevators in next year's budget request.

Sincerely,



R. J. Knapp
Commissioner

cc: Joe D. Camp, Deputy Commissioner
Alaska Marine Highway System

Chapter 10. Public Works.

Article

1. Public Works Planning and Construction (§ 35.10.015)
3. Financial Provisions (§ 35.10.135)

Article 1. Public Works Planning and Construction.

Section

15. Architectural barrier regulations; enforcement

Sec. 35.10.015. Architectural barrier regulations; enforcement. (a) The department shall prepare, promulgate and enforce regulations governing the construction of public buildings and facilities by or for the state, including the University of Alaska, and its political subdivisions, whether financed in whole or in part by federal funds, to ensure that the public buildings and facilities are accessible to, and usable by, the physically handicapped, aged or infirm. The regulations of the department shall conform to a standard comparable to the applicable provisions of federal law or regulation and to the publication entitled "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped" or any amendments to this publication as approved by the American Standards Association, Incorporated, under the sponsorship of the National Society for Crippled Children and Adults and the President's Committee on Employment of the Physically Handicapped.

(b) The department shall develop and maintain an inventory of all public buildings and facilities with respect to their compliance with the regulations adopted under (a) of this section. The department shall make an annual report to the governor and the legislature describing work performed in the preceding calendar year to upgrade public buildings and facilities to conform with the regulations. In addition, the department shall develop cost estimates and recommended priorities for the upgrading of public buildings and facilities that do not conform with the regulations adopted under (a) of this section and shall include these estimates and the recommended priorities in the annual report to the governor and the legislature.

(c) In this section, "public facilities" includes vessels owned by the state and operated by the division of marine transportation of the department as a part of the Alaska marine highway system. All ferries owned or operated by the state shall be equipped with elevators or other passenger lifting equipment, ramps, or other facilities and devices to ensure that these vessels are accessible to and usable by physically handicapped, aged or infirm passengers. In this subsection, "accessible to and usable by" means that a physically handicapped,

aged or infirm decks and above decks and above the crew.

(d) After July 1, 1977, the division of marine transportation and Public Works shall develop a system that does not require that the vessel is aged or infirm passengers, on passageways, on the vessel shall be use by physically handicapped but not limited to (e) After June 1, 1977, may be planned, developed or otherwise planned or otherwise planned established under SLA 1972; am §§ (1977))

A

Section 135. Public facility plan

Sec. 35.10.135. I shall be completed within the C budget a public facility program consists of (1) mon reimbursed to it from bonds and revenue bonds to it from appropriate fund has been spent on a reimbursable basis, or for facility program planned as specified in this chapter. The governor and the legislature shall cause an independent audit of the program to be conducted by the governor and the legislature. (SLA 1976; am § 28 ch 1)

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aged or infirm passenger can board, disembark and move between decks and about the public areas aboard a state ferry with personal comfort and with safety to himself, other passengers and members of the crew.

(d) After June 25, 1976, no ferry may be constructed, lengthened, completely renovated, or purchased for use or entered into service by the division of marine transportation of the Department of Transportation and Public Facilities as a part of the Alaska marine highway system that does not include adequate facilities and devices to ensure that the vessel is accessible to and usable by physically handicapped, aged or infirm passengers. Some staterooms and all restrooms, indoor passageways, outdoor weather decks, and other public areas aboard the vessel shall be so designed and constructed as to permit access and use by physically handicapped, aged or infirm passengers, including but not limited to those persons occupying a wheelchair.

(e) After June 25, 1976, no public building or facility in the state may be planned, designed, financed, constructed, opened to public use, or otherwise placed in operation unless it meets the standards established under this section. (§ 1 ch 119 SLA 1966; am § 1 ch 48 SLA 1972; am §§ 1 — 4 ch 249 SLA 1976; am E.O. No. 39, § 11 (1977))

Article 3. Financial Provisions.

Section

135. Public facility planning fund

Sec. 35.10.135. Public facility planning fund. There is established within the Office of the Governor, office of management and budget a public facility planning fund. The fund is a capital fund and consists of (1) money appropriated by the legislature, (2) money reimbursed to it from the proceeds of the sales of general obligation bonds and revenue bonds issued for projects and (3) money reimbursed to it from appropriations for any projects for which money from the fund has been spent. The fund is available for expenditure, on a reimbursable basis, only for the purposes of providing working capital for facility program planning and for facility procurement planning as specified in this chapter. All expenditures from the fund are subject to an independent audit which shall be made annually and reported to the governor and the legislature. (§ 1 ch 57 SLA 1973; am § 1 ch 58 SLA 1976; am § 28 ch 63 SLA 1983)

HB 377

HB 377, An Act requiring inclusion of recommended plans for improving access by the handicapped to public buildings and facilities in the capital improvement program recommended by the governor to the legislature.

Currently, under AS 35.10.015, the Department of Transportation is required to systematically upgrade all public facilities to provide access to the handicapped. HB 377 would direct the Governor to include recommendations for improving access in his annual capital budget request. Implementation of the access program has been slow, with projects improving access being given low priority in comparison to projects with federal matching funds and others. The Governor's FY 87 capital budget does include \$250,000 for improving access to state buildings in southeastern Alaska.



ombudsman

John B. Chenoweth

February 26, 1985

The Honorable Peter Goll
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811-3100

Dear Representative Goll:

In March 1983 my office received a complaint alleging failure on the part of the Department of Transportation and Public Facilities to enforce applicable statutes and regulations relating to access by handicapped persons to the principal agency-occupied state buildings in Juneau. (The complaint was filed with specific reference to the Goldbelt Building, partially occupied by the Alaska Department of Education.)

Following investigation, in a September 1983 letter I found the complaint "justified" and, due to correction of some of the deficiencies in the Goldbelt building, "partially resolved." However, I also presented three recommendations to the Department of Transportation and Public Facilities, urging the department to:

- (1) complete and formally adopt a comprehensive statewide plan of enforcement of standards to remove barriers to accessibility in public buildings;
- (2) coordinate its efforts and experience with the Department of Administration to assure that applicable standards are applied to state-leased space (including the specific leased space cited in this complaint); and
- (3) complete and maintain the inventory, cost estimates, and priority list required by AS 35.10.015(b) and, based on that information, requests for FY 85 and after the appropriation of amounts sufficient to enforce provisions of the laws and regulations applicable to removal of barriers to the handicapped from public buildings.

In an October 17 reply, then-deputy commissioner Fred Seeger answered in part:

DOT&PF has informally developed and is in the process of formally adopting a comprehensive

State of Alaska

Reply to:

- 3201 C Street, Suite 606
Anchorage, Alaska 99503
(907) 563-3673
- Pouch W0
Juneau, Alaska 99811
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Fairbanks, Alaska 99707
(907) 452-4001

Statewide plan for enforcement of barrier-free regulations with the goal of making all public buildings accessible. As a part of this effort, the current DOT&PF amendments will be modified as necessary to clarify requirements. Once developed, this plan of enforcement will be formally adopted.

The above Statewide plan for enforcement will address making State-leased space accessible. DOT&PF will work with DOA to develop and implement this enforcement program.

In response to AS 35.10.015(b), DOT&PF has recently completed the Inventory and Condition Survey of all State owned and operated facilities. This survey identifies code deficiencies and associated upgrade costs not only for compliance with barrier-free regulations but also for fire and life safety codes. The estimated cost to correct all code deficiencies for all state facilities exceeds 200 million dollars, 50 million of which is to correct accessibility deficiencies. . . . Priorities have not been established for barrier-free upgrades separate from fire and life safety code upgrades, as both are necessary.

On the basis of the department's assurance that my recommendations had been accepted and were in the process of being implemented by the department, I closed the case in November 1983 as "rectified."

In July 1984, as part of my office's routine follow-up procedures, I sent a letter to then-acting deputy commissioner Dan Malick in which, to assess the degree my recommendations had been implemented, I asked several questions regarding the department's progress towards enforcement of handicapped accessibility statutes. Because I received no response, I subpoenaed Mr. Malick for the information I had requested and met with him and two of his staff on October 23.

From the information Mr. Malick provided me and from a subsequent discussion with him and his staff, I concluded that: (1) regulations providing for enforcement guidelines had not been adopted (though Mr. Malick provided me with several drafted proposals for regulations, it was clear to me that the department was no where near promulgating regulations); (2) a statewide enforcement strategy, preferably by way of a policies and procedures statement, had not been established (here again, various draft proposals of policies and procedures were provided, but none were near being accepted by the department); (3) the enforcement of handicapped access legislation was but one of many projects mandated by law to the department, and as such, held a position of low priority; (4) enforcement activities competed with various other nonmandated projects, most of which were, for the department, also of higher priority than handicapped access enforcement; and (5) these departmental priorities were reflected in budget priorities, where

little money had been appropriated specifically to handicapped accessibility.

At the October 23 meeting Mr. Malick assured me the department would continue pursuing the adoption of regulations as well as policies and procedures that together would outline a handicapped access enforcement strategy. Additionally, he told me the department had revised its method for establishing FY 86 budget priorities. According to Mr. Malick, 28 program areas had been identified by the department as requiring funding. One of the 28 project areas was handicapped accessibility and fire and life/safety code performance. It was the assessment of Mr. Malick and his two staff that, with this component identified for funding, the chance that the FY 86 department's budget request would include an allocation for correcting accessibility deficiencies was greater than any fiscal year of the past.

Concluding the meeting, I encouraged department officials to continue pursuit of regulations and policies and procedures that would outline departmental enforcement strategies. I also assured Mr. Malick that I would monitor the budgetary process to evaluate the extent to which accessibility received attention.

The concern you expressed about handicapped accessibility on the ferry system, then, seemed to me a logical extension of my office's own concern. There is no doubt that the Department of Transportation and Public Facilities is charged with enforcing handicapped accessibility on ferries. AS 35.10.015(a) requires that the department ensure that public buildings and facilities constructed after 1976, the year the legislation was passed, are accessible to, and usable by, the physically handicapped, aged or infirm. AS 35.10.015(c) defines "public facilities" as including vessels,

owned by the state and operated by the division of marine transportation of the department as a part of the Alaska marine highway system. All ferries owned or operated by the state shall be equipped with elevators or other passenger lifting equipment, ramps, or other facilities and devices to ensure that these vessels are accessible to and usable by physically handicapped, aged or infirm passengers. In this subsection, "accessible to and usable by" means that a physically handicapped, aged or infirm passenger can board, disembark and move between decks and about the public areas aboard a state ferry with personal comfort and with safety to himself, other passengers and members of the crew.

Our February 6 meeting prompted me to examine Governor Sheffield's budget request for FY 86. I could find no item in the Capital Budget directed specifically for handicapped accessibility and have since questioned Mr. Malick on the matter. He pointed to four entries that "possibly could be used" for handicapped accessibility improvements--\$550,000 for annual improvements to the Anchorage International Airport, \$300,000 for annual improvements to the Fairbanks International Airport,

\$61,000 for Southeast facilities and code performance, and \$320,000 for Alaska marine highway terminal facility improvements. He admitted that the \$61,000 for facilities and code performance could be (and would likely be) used for improvements other than handicapped accessibility. He described the \$61,000 entry as the closest one to handicapped accessibility per se and that even it could be used for fire and life/safety code performance rather than handicapped accessibility.

As to the department's budgetary process that was supposed to have assured monies for handicapped accessibility, Mr. Malick explained that, indeed, the department's original request had included 28 program areas and that one of those areas had been handicapped accessibility and code performance. The department, he told me, first presented the governor with a capital budget of \$229 million, of which \$2.6 million was dedicated to handicapped accessibility and code performance. When the governor cut that budget to \$76 million, all but the \$61,000 of the \$2.6 million was sliced in favor of programs which the department deemed to be of higher priority. He pointed out several areas where funding requests had been maintained as ones for which the federal government provides matching funds, sometimes on a 9 to 1 basis. In a time of budgetary priority, he stated, it would be foolish to cut those areas. He told me that funding for other areas, most notably highway construction and improvement, were viewed by the department and the public as being essential. Finally, he noted that the handicapped were not a very strong lobbying force.

Mr. Malick suggested that I talk to Dave Waldron, Director of Maintenance and Operations for the Southeast Region, Department of Transportation and Public Facilities, to assess the degree the department had addressed handicapped accessibility in Southeast. Mr. Waldron told me that his FY 85 and 86 budgets had reserved \$100,000 and \$66,000 respectively for handicapped accessibility upgrade to buildings. In addition, he said, as a routine part of departmental upgrade of buildings, accessibility upgrades were made at the department's own expense.

Mr. Waldron was candid enough to advise that, despite the fact the department had been charged with the enforcement of accessibility statutes since 1976, not until 1983 did it begin a substantial effort to upgrade its own facilities in Southeast. He pointed me to the enclosed December 28, 1983 memo from Jon Scribner, then-acting deputy commissioner for the southeastern region, in which estimates for projects to improve handicapped accessibility were given and in which projects were assigned "current" and "future" priority status. He told me that the priorities as stated in that memo had changed in March 1984 as a result of a review of state buildings by a committee of handicapped people. The results of that review are represented in the enclosed March 7, 1984 memo, which, he said, currently serves to prioritize handicapped accessibility projects in Southeast. Finally, on February 14, 1985, he sent me a progress report of the Southeastern Handicapped Access Program, which lists projects that have been completed to date. I enclose that report. You will notice that most improvements have been made to buildings in Juneau.

As a last source of information, I questioned John McGrath, an engineer for the southeast ferry system, specifically about the LeConte and the Aurora. He verified that both ferries lacked proper handicapped accessibility. He told me that in the past several years, all other ferries on the state's southeast line had undergone major renovation which included handicapped accessibility improvements--most notably, the installation of elevators--had been made. He stated that neither of the two ferries in question had undergone major renovation since they had been purchased by the state--that both had only received routine maintenance each year, requiring a three- to ten-day dry dock. Finally, he explained in detail the problems associated with installing elevators in both ferries--noting the primacy of space, the lack of elevator shafts, and major safety and fire code problems--and estimated that the installation of a suitable elevator would cost between \$500,000 and \$650,000 for each of the two ferries. He said that such a major project was not currently scheduled for the future.

My review of the matter of handicapped accessibility on the LeConte and the Aurora has verified what I already suspected--the department has generally "dragged its feet" on the enforcement of handicapped accessibility. Not until 1983, seven years after being mandated by law, did the department complete the Inventory and Condition of all state owned and operated facilities. Not until 1983 did it substantially begin efforts to upgrade its own facilities. In short, since 1976 the enforcement of accessibility has remained for the department a low priority. Now, with the major budgetary difficulties being experienced by the state, I suspect it will receive even less attention.

It is, of course, ever more expensive to complete proper enforcement and upgrade. According to Mr. Malick, the \$50 million estimate given to me by Mr. Seeger in 1983 has been revised to one of approximately \$65 million. Nor can I deny the fact that the department has made certain improvements to its own facilities. Yet, I can't help but believe the gap between the responsibilities mandated to the department by law and the activities the department has undertaken to fulfill those responsibilities grows ever-larger.

In light of declining revenues, your choices, realistically, seem to be these:

(1) If legislative attention turns back to general obligation bonding as a source of revenue for capital projects, you may want to add to any bond proposing funding the cost of transportation projects elevators in the LeConte and the Aurora--an estimated \$1.3 to \$1.5 million.

My experience (five years in Legislative Affairs as a bill draftsman) suggests that legislators seriously consider general obligation bond proposals only in a second session, since bonds are submitted to the voters at the general election. A bond bill submitted in a first session would certainly attract some attention, albeit no action; therefore, I would urge you to review the bond idea with your House colleagues before actually offering any legislation.

February 26, 1985

(2) While revenue is a concern, if you want the administration to commit itself to complete improvements to these two vessels, you need to overcome the mind set of department budget analysts and planners who favor projects drawing a "federal match." You need to remind department officials that, though being prepared to secure all available federal match money is a worthy objective, they must remember that the legislature, by law, has directed the department to attend to handicapped access to the state's buildings and transportation facilities.

Why not, then, specifically direct the governor to prepare and submit his FY 87 capital budget with priority assigned to handicapped access projects, as the legislature has identified or specified by law? If you want the administration to do this but one time (say just for the FY 87 budget submission), you should offer a House Concurrent Resolution. On the other hand, if you want handicapped access priorities addressed as a regular part of the governor's annual budget submission, you would have to prepare a bill that amends the Executive Budget Act (AS 37.07). I would suggest the following:

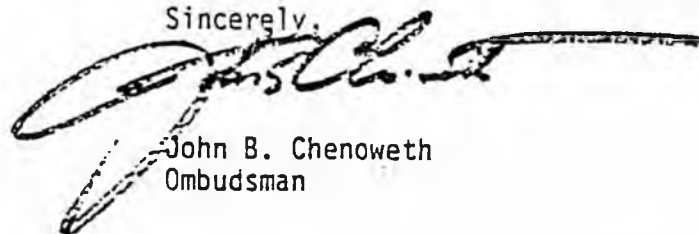
*Sec. AS 37.07.060(a) is amended to read:

(a) The governor shall formulate the operating and capital improvements programs and financial plans required to be recommended to the legislature by AS 37.07.020 after considering the state agency proposed program and financial plans, and other programs and alternatives that the governor considers appropriate. The plans shall include the governor's recommended goals and policies, recommended operating program for the succeeding fiscal year, recommended capital improvements programs for the succeeding six fiscal years, recommended programs for the upgrading of public buildings and facilities prepared in accordance with AS 35.10.015, and recommended revenue measures to support the programs.

My track record is such that I could not hope to achieve any success were I to bring this matter to the attention of the administration. Despite the good intentions of Commissioner Knapp and Mr. Malick, their failure to assure handicapped access a place in the FY 86 capital budget suggests that, for the future, the inclusion of handicapped access as a component of state budgeting--on even a small scale--will surely require a second legislative mandate.

Please advise if there is more I may do on this matter.

Sincerely,



John B. Chenoweth
Ombudsman

JBC:LJB:jdt
Enclosures

ANNUAL ARCHITECTURAL BARRIER REPORT
TO THE GOVERNOR AND THE LEGISLATURE

Department of Transportation and Public Facilities
Headquarters Plans and Programs

April, 1985

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ARCHITECTURAL BARRIER REPORT

I. INTRODUCTION

The Department of Transportation and Public Facilities is required by Alaska statute 35.10.015 (b) to develop and maintain an inventory of all public buildings and facilities with respect to their compliance with the architectural barrier regulations. Additionally the statute requires the department to make an annual report to the governor and the legislature.

The report is to do three things. First, it is to describe the work done in the preceding calendar year to upgrade public buildings and facilities to conform with the architectural barrier regulations. Second, it is to contain cost estimates for upgrading of public buildings and facilities that do not conform with the architectural barrier regulations. Third, the report is to recommend priorities for the work that needs to be done. In order to comply with the statute requirements requiring the report, the Department of Transportation and Public Facilities has prepared this ANNUAL ARCHITECTURAL BARRIER REPORT TO THE GOVERNOR AND THE LEGISLATURE.

II WORK PERFORMED IN CALENDAR YEAR 1984 TO HELP CREATE BARRIER FREE ACCESS ENVIRONMENT

Following is a list of projects by region that were done to upgrade state owned public buildings to conform with the architectural barrier regulations. This list includes only those projects that were done by or contracted out through DOT&PF maintenance and operations personnel.

Southeast Region

Alaska State Museum - Juneau Elevator hall and car control modifications	\$2,579
Community Building - Juneau First floor restroom modification	\$200
Court and Office Building - Ketchikan Reconfigure parking for 2 handicapped stalls and add access ramp to building	\$3,067
Alaska Office Building - Juneau Replace access doors to the building on 3rd and 4th streets	\$37,698

Alaska Office Building and State Office Building	\$28,525
Remodeled 2 restrooms in each building for full handicapped code compliance	
National Guard Armory - Juneau	\$48,341
Remodeled 2 bathrooms for full handicapped code compliance	
TOTAL	<u>\$120,410</u>

Interior Region

Barrow Employment Center
 Constructed access ramps to the building. Replaced door knobs on doors with lever door openers.

Fairbanks Court Building
 Remodeled 2 bathrooms for handicapped access.

Central Region

No specific projects were done for upgrading public buildings and facilities to conform to the architectural barrier regulations.

The list of projects that were done by DOT&PF during 1984 is neither long nor impressive. This is largely due to the fact that about the only funding available for handicapped access modifications during 1984 came from a Chapter 24 SLA 84 appropriation of \$100,000 which was designated for Southeast Handicapped Code Enforcement/Upgrade. Some of the modifications were done using maintenance money or capital funding remaining from prior years.

III COST ESTIMATES FOR ARCHITECTURAL BARRIER CODE CONFORMANCE WORK

The following table gives the estimated cost for doing needed architectural barrier code conformance work for all state owned buildings. Data for determining the costs for the architectural barrier code conformance work was derived from the Inventory and Condition Survey. All costs are expressed in 1986 dollars. They include mobilization, overhead, profit, construction, general conditions and contingency.

The area boundaries are either Rural Education Attendance Areas (REAs), cities, boroughs, or geographic areas.

COST ESTIMATES FOR ARCHITECTURAL BARRIER CODE CONFORMANCE WORK

AREA	1986 COST
Bering Straits Region	\$1,713,440
Aleutian/ Pribilof	3,208,160
Iditarod	778,260
Fairbanks	7,031,370
Chugach	4,030,000
Lake & Peninsula	1,079,730
Kuspuk	837,830
Northwest Arctic	2,084,910
North Slope	1,243,010
AlaskaLand	505,940
Alaska Railroad	3,037,580
Lower Kuskokwim	2,203,520
Kodiak Borough	691,530
Southwest	6,238,830
Yukon/Koyukuk	1,991,470
Yukon Flats	788,310
Southeast (South)	3,969,690
Southeast (North)	818,670
Matanuska-Susitna Borough	7,526,420
Kenai Borough	2,613,560
City and Borough of Juneau	4,777,060
Haul Road	348,440
Delta-Greely	2,367,130
Copper River	3,918,440
Anchorage	2,085,480
	<hr/>
Total Cost	\$65,888,780

The costs listed above are only one part of the total expenditures that would be necessary to bring state owned buildings into code conformance status. The Inventory and Condition Survey contains cost estimates that were developed for correcting all code deficiencies at the same time. This means correcting all handicapped access, electrical, mechanical, life/safety, and architectural problems by using one contractor and one contract. If this approach were used, it would avoid repeated mobilization costs and make sure that the correction of one type of code deficiency is not negated by the lack of having other deficiencies corrected simultaneously.

IV PRIORITY HANDICAPPED ACCESS PROJECTS BY REGION

The projects in the following lists are those that the regions have identified as top priority to make public buildings accessible to employees and the public. The lists, while not inclusive of all needed projects, include those places where immediate funding could best be used. Their order does not reflect any priority.

CENTRAL REGION

	1986 Cost
Aviation Building - Anchorage	\$244,880
State Public Safety Trooper Building - Anchorage	173,880
Oil & Gas Conservation Commission Building - Anchorage	6,650
Parks Maintenance Building - Anchorage	39,630
Administration Headquarters Building	111,700
Valdez DOT&PF Highway Maintenance & Administration Complex	
TOTAL	----- \$576,740

NORTHERN REGION

Regional Office - Fairbanks	\$60,000
Court & Office Building - Fairbanks	20,000
Parking Structure - Fairbanks	8,000
DOT/PF Complex - Fairbanks	110,000
Ak. Depart. Fish & Game Building - Frbks.	8,000
Pioneer's Home - Fairbanks	30,000
Fairbanks International Airport	10,000
National Guard Armory - Fairbanks	8,000
Combined Facility - Delta	80,000
Ak. Depart. Fish & Game Building - Delta	20,000
Ak. Depart. Fish & Game Building - Tok	10,000
Combined Facility - Glennallen	70,000
DOT/PF Complex - Valdez	90,000
State Office - Valdez	30,000
Ferry Terminal - Valdez	10,000
State Office Building - Nome	30,000
Armory - Nome	20,000
Combined Facility - Kotzebue	30,000
Employment Center - Kotzebue	5,000
Pioneer's Home - Kotzebue	20,000
Combined Facility - Fort Yukon	30,000
Leased Facilities - Regionwide	100,000
TOTAL	----- \$799,000

SOUTHEAST REGION

Capital Building - Spectator gallery access modifications.	\$160,000
DOT&PF 7 Mile Building - Juneau - Restrooms, drinking fountains, other.	8,500
Alaska Office Building - Juneau - Ramp access, restroom modifications, other.	16,000
Subport Building - Juneau - Designate handicap parking, restrooms, doorways, other.	22,500
Alaska State Museum - Juneau - Ramp, handrails, restrooms.	36,000
Public Safety Building - Juneau - Facility access, doorways, restrooms, other.	19,700
Glacier Avenue Building - Juneau - Facility access, restrooms, other.	11,200
Island Center Building - Juneau - Facility access, restrooms, doorways, other.	24,000
Court and Office Building - Juneau - Facility doorways, restrooms, elevators, other.	34,600
Community Building - Juneau - Ramp access restrooms modifications, install elevator.	76,000
Juneau Records Center - Replace doors, handrails, restrooms, elevator, other.	56,500
Ketchikan Court and Office Building - curb cut, signage, other.	3,600
Haines Ferry Terminal - Restroom changes.	3,400
Ketchikan Ferry Terminal - Restroom changes.	8,750
Petersburg Ferry Terminal - Relocate door, restroom modifications, curb cut.	2,090
Sitka Ferry Terminal - Restroom modifications	2,400
Skagway Ferry Terminal - Ramp access, restroom modifications.	3,200
Wrangell Ferry Terminal - Curb cut, relocate door, ramp access, restroom modifications.	3,220
TOTAL	\$491,660

V CONCLUSION

The \$65,888,780 price tag for creating a barrier free access environment as defined earlier in Section III would or could be higher if leased space were considered. In a community where the State needs to lease space and the only space available does not conform to the barrier free regulations, the State would have to either lease and retrofit the leased facility to meet barrier free regulations or the State would have to build a new facility.

Funding appropriated for code work should not be limited to upgrading to meet specific code regulations such as handicapped access. Correction of handicapped access deficiencies without doing structural, electrical, or mechanical code work that needs to be done to the facility may negate the value of the handicapped access work. Rather, the funding should be appropriated to do all of the necessary code work on a particular public facility or all public facilities in a specific area such as a city, REAA, or region.

Finally, when a building is seriously being considered for major code work and upgrade, an economic analysis should be done and the total cost of bringing a building up to code conformance should be weighed against the cost of replacing the building.

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

2/5/86

Date 2-25-86

Mr. President

The Committee on HESS considered HB 377

requiring inclusion of recommended plans for improving access by the handicapped to public buildings and facilities in the capital improvement program recommended by the governor to legislature.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for _____
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Joe Josephson

William Stungulinski

Edna McVie

Debbie Fabian King DeRosier
Chairman

Chairman recommendation _____