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## *MEMORANDUM*

**TO:** HONORABLE MAYOR &  
CITY COUNCIL

**FROM:** Josh Rowan  
Director, Department of  
Transportation

**SUBJECT:** Annual Curb Ramps Program (July  
2021 to June 2022 and July 2022  
to June 2023)

**DATE:** June 11, 2024

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City Administrator  
Approval

Date:

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### **INFORMATION**

This memo is to provide the Oakland City Council, the Mayor's Office, City staff, and the community with a report on curb ramp construction activities for the Fiscal Year 2022 (July 2021 to June 2022) and Fiscal Year 2023 (July 2022 to June 2023).

### **GENERAL OVERVIEW**

The Oakland Department of Transportation (OakDOT) receives and investigates curb requests through OAK311 and through the ADA Curb Ramp Request Program, designs and constructs compliant curb ramps to standards of the American Disability Act (ADA) Title II requirements, and maintains citywide curb ramp data that is up-to-date and accessible.

The City installed 425 curb ramps in Fiscal Year 2022 (FY22) and 900 curb ramps during Fiscal Year 2023 (FY23). During these two years, OakDOT received 59 service requests for curb ramp repair or installation.

### **BACKGROUND**

In 1976, the City of Oakland began installing curb ramps to meet Section 504 of the 1973 Rehabilitation Act, which prohibited discrimination against people with disabilities in programs receiving federal funding. After the Americans with Disabilities Act (ADA) was signed in 1990, the City launched the On-Call Curb Ramp Program, installing curb ramps in response to requests from people with disabilities.

In 2009, in accordance with U.S. Department of Justice and DOT Title II ADA regulations, the City adopted the City of Oakland ADA Curb Ramp Transition Plan, initializing the process of prioritizing the construction of compliant curb ramps across the entire city. Understanding that the definition of compliant evolves over time as updates and changes are made to ADA, currently, curb ramps are considered compliant when it follows the City's Curb Ramp Standards and Specifications and is accepted by the City's ADA Programs Manager. The City's Curb Ramp Standards models Caltrans Curb Ramp Standards and utilizes the Public Right-of-Way

Accessibility Guideline (PROWAG)'s best practices and have molded to fit City's environment and needs while still adhering under Title II's 2010 ADA Standards. Under the transition plan, key locations identified for prioritization include curb ramps near transit, schools, medical centers, and city buildings.

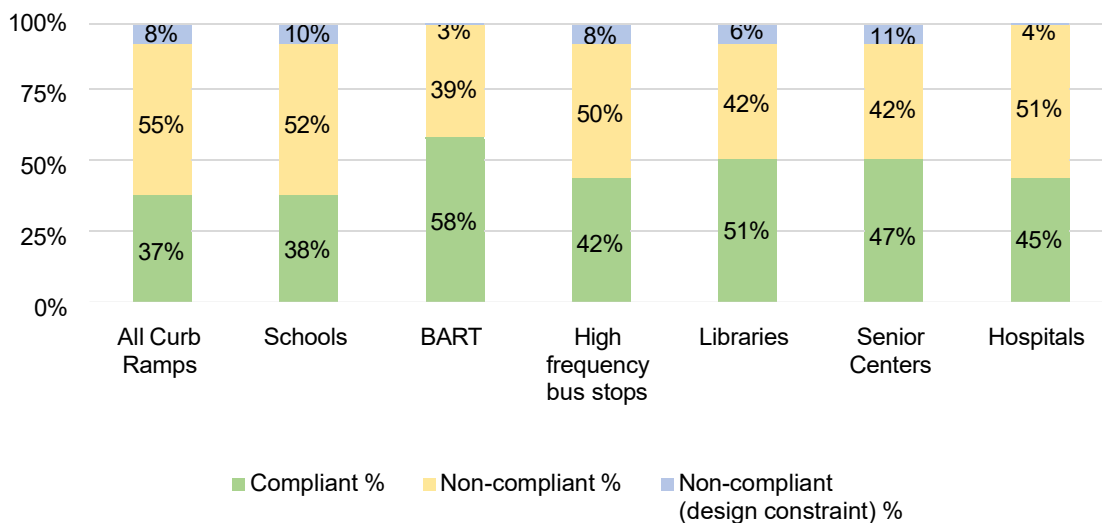
**SUMMARY**

The City of Oakland currently has 20,131 curb ramp locations recorded in the asset management database, Cityworks. In general, a street intersection corner with directional curb ramps will have two curb ramp locations in Cityworks, while a corner with a diagonal curb ramp or no curb ramp will have one.

OakDOT completed the first citywide comprehensive curb ramp inventory since 2016 in summer 2023 (FY24). Based on the available data, as of January 2024, 37% of all curb ramp locations in Oakland are ADA compliant, while 63% are non-compliant (Figure 1). Non-compliant locations include locations with no ramp as well as ramps constructed per outdated specifications or with design constraints. About 8% of the non-compliant curb ramps have design constraints that prevent it from being a fully standard compliant ramp, such as sub-sidewalk basements.

Given the prioritization of key locations in the ADA Curb Ramp Transition Plan, staff also analyzed curb ramp compliance within ¼ mile of BART stations, high frequency bus stops, libraries, senior centers, and hospitals. The following figure provides the percent of curb ramp compliance in Oakland by priority locations.

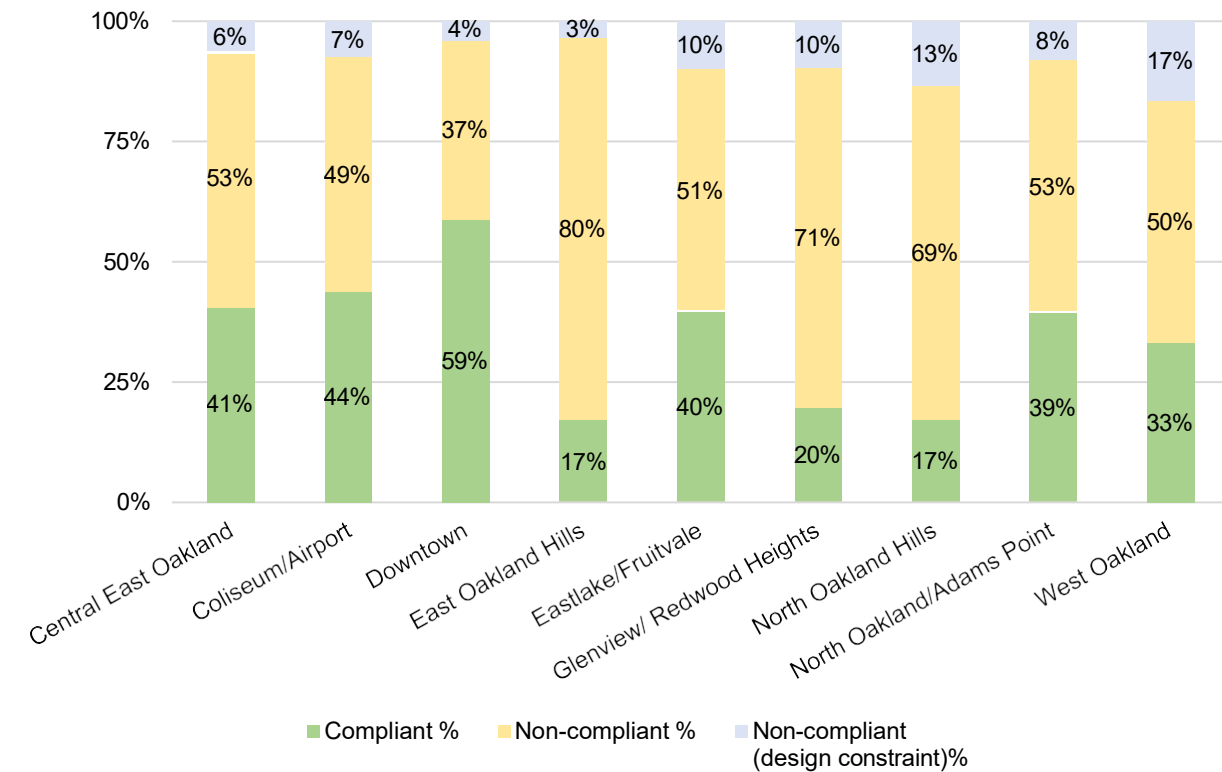
**Figure 1: Percent of Curb Ramp Compliance by Priority Location (within ¼ mile)<sup>1</sup>**



The percent of compliant curb ramps in each of the six key areas in the ADA Transition Plan are slightly better or better than the citywide rate (37%). Ramps near BART stations have the highest compliance rate at 58%, while ramps around high frequency bus stops, library branches, senior centers, and hospitals are all 42-51% compliant (Figure 1).

<sup>1</sup> One curb ramp may be counted in multiple priority locations (e.g. one curb ramp could be next to a high frequency bus stop and a school).

**Figure 2: Percentage of Curb Ramp Compliance by Planning Area**



Compliance rates by planning area reflect other trends across the city. The Downtown Planning Area has the highest rate of compliance (59%) in large part due to the density of BART and high frequency bus stops, as well as numerous developments and paving projects which have built curb ramps recently. The Central East Oakland, Coliseum/Airport, Eastlake/Fruitvale, and North Oakland/Adams Point planning areas also have higher rates of compliance (39%-44%) in comparison to other planning areas due to recent City projects to upgrade curb ramps in these neighborhoods. The three planning areas within the Oakland hills (East Oakland Hills, Glenview/Redwood Heights, and North Oakland Hills and) have low rates of compliance (17%, 20%, and 17% respectively).

**Construction Activities**

Curb ramps are primarily constructed through OakDOT’s paving capital improvement program and curb ramp capital improvement program. Federal guidelines require improvement of curb ramps within the project limits of pavement rehabilitation projects; as such, OakDOT’s paving program is responsible to improve a significant number of ramps each year. Similarly, any project that is performing pavement rehabilitation or other significant alteration to the roadway must improve ramps within the project limits. Therefore, ramps are also constructed as part of OakDOT traffic engineering and streetscape improvement projects, public facilities projects built by Oakland Public Works (OPW), and private development and utility projects.

In FY22 and FY23, 55% and 82% of all ramps constructed citywide derived from OakDOT’s paving capital improvement programs (**Table 1**). Curb ramp production was impacted in FY22 due to subcontractor availability on pavement rehabilitation projects.

**Table 1: Curb Ramp Construction by Capital Improvement Program (CIP)**

	FY22	FY23
<b>Curb Ramp CIP</b>	168	69
<b>Pavement Management CIP</b>	252	759
<b>Other DOT CIP</b>	0	26
<b>DOT Crews</b>	29	29
<b>Private Development Projects</b>	5	46
<b>TOTAL</b>	<b>454</b>	<b>929</b>

**ADA Curb Ramp Request Program**

The ADA Curb Ramp Program expedites necessary repairs of curb ramps upon request for qualified individuals with disabilities as defined by the Americans with Disabilities Act of 1990 and as amended. From FY22 and FY23, OakDOT received 8 applications through the ADA Curb Ramp Request Program, and 3 application locations have been successfully assessed, resulting in 4 compliant ramps built.

**Service Requests for Curb Ramps**

OakDOT processes requests for curb ramp installations that are received by OAK311, Oakland’s call center for city services. OakDOT responds to each service request with an inspection and determination of whether the curb ramp will be constructed by in-house city concrete crews or added to a contract for a city contractor to complete. In FY22 and FY23, OakDOT received 31 and 20 new service requests for curb ramp installations, respectively.

**ANALYSIS OF PROJECTS AND PROGRAMS**

**Contractor Availability**

Bid analysis of City curb ramp projects and those of neighboring jurisdictions indicates that the City is experiencing a small bidder pool on curb ramp contracts compared to neighboring jurisdictions and has fewer than 3 local certified businesses that have historically constructed curb ramps in Oakland. Bid analysis also indicates that the City has seen increased unit prices for curb ramps compared to other neighboring jurisdictions. The primary local certified business that has historically constructed curb ramps in Oakland is currently contractually obligated to implement more than 1000 curb ramps in the next 2 years and is potentially overcommitted.

**Table 1** provides a summary of the past ten years of curb ramp construction contract bid results, including the number of responsive bids received, a listing of all bidders, and the lowest bid. In each of the contracts in **Table 1**, curb ramp construction was the primary scope of work, representing the single largest pay item in the bid schedule.

**Table 1: Curb Ramp Bid Results (2015-Present)**

Year	Project Number	No. of Responsive Bidders	Responsive Bidders (L/SLBE Status At Time of Bid) (Low Bidder in <b><u>Bold Underline</u></b> )	Value
2015	C428014	2	<b><u>Seton Pacific (Uncertified)</u></b> Rosas Brothers Construction (SLBE)	\$656,955.00
2015	C428015	1	<b><u>Rosas Brothers Construction (SLBE)</u></b>	\$655,600.00
2017	1001614	2	<b><u>Rosas Brothers Construction (SLBE)</u></b> AJW Construction (SLBE)	\$521,000.00
2019	1004261	3	<b><u>Ray's Electric (SLBE)</u></b> AJW Construction (SLBE) Rosas Brothers Construction (SLBE)	\$1,542,400.00
2019	1004519	3	<b><u>Rosas Brothers Construction (SLBE)</u></b> AJW Construction (SLBE) Ray's Electric (SLBE)	\$2,257,400.00
2020	1005120	3	<b><u>AJW Construction (SLBE)</u></b> Ray's Electric (SLBE) Rosas Brothers Construction (SLBE)	\$2,398,000.00
2021	1006106	2	<b><u>Rosas Brothers Construction (SLBE)</u></b> Ray's Electric (SLBE)	\$5,473,500.00

In 2021, major changes to the Local/Small-Local Business Enterprise (L/SLBE) program were implemented through the enactment of [Ordinance No. 13640 C.M.S.](#) With the change in definitions that occurred with this update, some firms that were certified as SLBE no longer met the qualifications for SLBE and became certified LBEs.

**Table 2** provides the current L/SLBE status of the firms identified in Table 1 as prime bidders on curb ramp construction contracts. Of all responsive bidders on Oakland curb ramp contracts during the past ten years, only Rosas Brothers Construction and Ray's Electric are currently certified businesses, and both are now certified as LBEs (no longer SLBEs).

**Table 2: Current L/SLBE Status of Recent Curb Ramp Bidders**

FIRM	S/LBE STATUS
AJW CONSTRUCTION	Not certified
RAY'S ELECTRIC	LBE
ROSAS BROTHERS CONSTRUCTION	LBE
SETON PACIFIC	Not certified

**Table 3** provides a summary of current open construction contracts that include curb ramp construction, identifying the project number, prime contractor, subcontractor performing the curb ramp construction, the overall contract value, and the contract unit price for curb ramps.

**Table 3: Current Construction Contracts With Significant Curb Ramp Scope**

Project No.	Prime	Curb Ramp Subcontractor	No. Ramps	Contract Value	Curb Ramp Unit Price
1006103	Gallagher & Burk	Rosas Brothers	200	\$15.0M	\$6050

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Project No.	Prime	Curb Ramp Subcontractor	No. Ramps	Contract Value	Curb Ramp Unit Price
1006104	Gallagher & Burk	Rosas Brothers	200	\$15.0M	\$6050
1006105	Gallagher & Burk	Rosas Brothers	50	\$5.8M	\$6050
1006106	Rosas Brothers	Rosas Brothers	300	\$5.5M	\$5000
1006858	McGuire & Hester	Rosas Brothers	200	\$15.0M	\$6050
1006859	OC Jones & Sons	Rosas Brothers	200	\$15.0M	\$6050
1006337	McGuire & Hester	Rosas Brothers	200	\$15.1M	\$7000
1006338	Gallagher & Burk	Rosas Brothers	200	\$15.0M	\$7300
1006339	McGuire & Hester	Rosas Brothers	50	\$5.6M	\$7600
<b>Total</b>			<b>1600</b>		

As **Table 3** demonstrates, Rosas Brothers is the prime or subcontractor performing curb ramps on multiple ongoing construction projects. This has the potential to result in major delays on all projects. Expanding eligibility requirements for the Project could support more competitive bidding and increased contractor availability.

**Table 4** provides a summary of recent curb ramp construction bids in other Bay Area jurisdictions. Notably, Rosas Brothers (one of the two local contractors performing curb ramp construction in Oakland) is also active in other Bay Area cities.

**Table 4: Recent Curb Ramp Construction Projects (Bay Area Jurisdictions)**

Year	Jurisdiction	No of Bids	Bidders ( <u>Low Bid in Bold Underline</u> ), <u>DBE Firms in Italic</u>	Price of Curb Ramp (Low Bid)
2020	City of Albany (Solano ADA Curb Ramps Contract #20-65)	11	<b><i>Villalobos &amp; Associates</i></b> Rosas Brothers Construction (Oakland) ERA Construction HM Construction R&S Construction Management Inc. Burch Construction Sposeto Engineering, Inc. (Livermore) MCE Corporation <i>JJR Construction, Inc. (San Mateo)</i> Kerex Engineering (Martinez) FBD Vanguard Construction, Inc.	\$3000
2021	City of Antioch (Installation of Curb Ramps at Various Locations PW 409-7)	13	<b><i>M4 Concrete &amp; Drywall (Turlock)</i></b> <i>JJR Construction (San Mateo)</i> FBD Vanguard (Livermore) Rosas Brothers (Oakland) Kerex Engineering (Martinez) TNB Construction (Antioch) Sandstone Environmental Engineering (Oakley) Sposeto Engineering, Inc (Livermore) Ghilotti Bros (San Rafael) NorCal Concrete (Suisun City) JD Partners Concrete (Pleasanton)	(Not available)

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Year	Jurisdiction	No of Bids	Bidders ( <u>Low Bid in Bold Underline</u> ), <i>DBE Firms in Italic</i>	Price of Curb Ramp (Low Bid)
			Central Valley Engineering & Asphalt (Roseville) Joe's Landscaping & Concrete (Newman)	
2022	City of Fremont <i>(Concrete Repairs and Intersection Ramps Project)</i>	6	<b><u>JJR Construction, Inc (San Mateo)</u></b> Spenco Construction (San Ramon) Rosas Brothers Construction (Oakland) Sposeto Engineering, Inc. (Livermore) FBD Vanguard Construction (Livermore) Kerex Engineering (Martinez)	\$3250
2022	City of San Leandro <i>(Curb Ramp Upgrades for Annual Street Paving 2021-23 Project: 2022.0050)</i>	5	<b><u>Spenco Construction (San Ramon)</u></b> Kerex Engineering (Martinez) <i>JJR Construction, Inc. (San Mateo)</i> FBD Vanguard Construction, Inc. (Livermore) Sposeto Engineering (Livermore)	\$5000
2023	City of San Leandro <i>(Curb Ramp Upgrades for Annual Street Seal 2021-23 Project: 2022.0070)</i>	2	<b><u>Sposeto Engineering (Livermore)</u></b> Kerex Engineering (Martinez)	\$6000
2023	City of San Jose <i>(10348)</i>	5	<b><u>Spenco Construction</u></b> Rosas Brothers Construction (Oakland) Wattis Construction Co. Inc <i>Duran Construction Group</i> <i>JJR Construction, Inc.</i>	\$5000
2023	City of San Jose <i>(10349)</i>	5	<b><u>Wattis Construction Co. Inc</u></b> Rosas Brothers Construction (Oakland) Spenco Construction <i>Duran Construction Group</i> <i>JJR Construction, Inc.</i>	\$5155
2023	City of San Jose <i>(10350)</i>	5	<b><u>Rosas Brothers Construction (Oakland)</u></b> Wattis Construction Co. Inc <i>Duran Construction Group</i> Spenco Construction <i>JJR Construction, Inc.</i>	\$5300
2023	City of San Jose <i>(10351)</i>	5	<b><u>Spenco Construction</u></b> Rosas Brothers Construction (Oakland) Wattis Construction Co. <i>Duran Construction Group</i> <i>JJR Construction, Inc.</i>	\$5400
2023	City of San Jose <i>(10352)</i>	5	<b><u>Wattis Construction Co</u></b> <i>JJR Construction Inc</i>	\$5400

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Year	Jurisdiction	No of Bids	Bidders ( <u>Low Bid in Bold Underline</u> ), <i>DBE Firms in Italic</i>	Price of Curb Ramp (Low Bid)
2023	City of San Jose (10353)	5	Spencon Construction Rosas Brothers Construction (Oakland) Duran Construction Group <b>Spencon Construction</b> Wattis Construction Co JJR Construction Inc Rosas Brothers Construction (Oakland) Duran Construction Group	\$5250
2023	City of San Jose (10354)	5	Duran Construction Group Rosas Brothers Construction (Oakland) JJR Construction, Inc. Wattis Construction Co. Inc Spencon Construction	\$5250

Overall, contractors bidding on projects in nearby cities could reasonably be assumed to be part of the broader pool of available contractors for Oakland projects. The number of contractors with headquarters in the East Bay that routinely bid on neighboring cities’ construction projects demonstrates a pool of contractors that could bid on Oakland projects.

**Table 5: Summary of Findings**

	AVERAGE BIDS PER CURB RAMP PROJECT	AVERAGE UNIT PRICE PER CURB RAMP
<b>OAKLAND</b>	2.3	\$6350
<b>OTHER BAY AREA CITIES</b>	6.0	\$4900

As **Table 5** summarizes, Oakland sees on average fewer than 3 bids per curb ramp project. This is significantly lower than the Bay Area average of 6 bids per project. Additionally, Oakland is paying more per curb ramp, with an average ramp price nearly \$1,500 more than Bay Area average. Expanding the bidder pool could help improve competition and support lower unit prices, which would mean more work could be completed with less money. Expanding the bidder pool could be accomplished by reducing or waiving local business, local hire, and other requirements of the L/SLBE program. Long-term, the bidder pool could be expanded as non-local firms make Oakland their primary headquarters or as existing firms develop curb ramp construction practices.

**Project 1006308: Citywide Curb Ramps Construction 2023-2025 - Project Delay**

A limited number of curb ramps were constructed through the curb ramp CIP in FY23 due to lack of contracts. Typically the curb ramp program prepares a large curb ramp contract every 1-2 years. In 2023, Project 1006308: Citywide Curb Ramps Construction 2023-2025 (Project), was prepared and approved for bid by OakDOT in February 2023. With staff turnover in OPW Capital Contracts Division and overall slowdown of contract processing, the Project was not moved to advertisement until February 23, 2024.

**Upcoming Activities for FY24 and FY25**

Key program activities for FY24 and FY25 include analysis of the first citywide curb ramp survey since 2016, preparing a multi-year citywide curb ramp improvement workplan,



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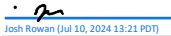
implementing new processes for curb ramp inspection and construction documentation, and continuing to implement the priorities in the 2009 ADA Transition Plan. Parallel goals for the new documentation procedures are to 1) ensure the comprehensive update to the City's curb ramp asset database continues to be updated as new ramps are constructed or inspected and 2) enable public maps that track progress toward the City's ADA compliance goals.

A similar report covering activities completed in FY24 will be prepared for circulation in summer 2024.

**PUBLIC INFORMATION**

Information, webmaps, and reports related to the curb ramp program are maintained on the City's website.<sup>2</sup>

Respectfully submitted,



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<sup>2</sup> "City of Oakland | Curb Ramps" <http://www.oaklandca.gov/topics/curb-ramps>