



OAKLAND PUBLIC WORKS DEPARTMENT
BUREAU OF ENGINEERING AND CONSTRUCTION STANDARD

No: BEC 3.2.1

Approved: March 26, 2009

Revised: August 11, 2014

Subject: ADA Sidewalk Repair Program

Supersedes: N/A

Purpose

The City of Oakland expedites repairs of sidewalks damaged by City street trees upon request for qualified individuals with disabilities where such repairs are necessary to provide access to residences or to provide access to public transportation, medical facilities, schools, workplaces, and other essential facilities for individual applicants.

The application form is included as Attachment A.

Standard

The ADA Sidewalk Repair Program expedites necessary repairs of sidewalks damaged by City street trees upon request for qualified individuals with disabilities as defined by the Americans with Disabilities Act of 1990 and as amended. The program is not intended to address community concerns other than access for people with disabilities and does not make repairs that are the responsibility of private property owners¹. For curb ramps, refer to the On Call Curb Ramp Program Policy for requests to install curb ramps for people with disabilities as defined under Americans with Disabilities Act of 1990, as amended.

Effective January 30, 2009, the following guidelines will be used to address ADA sidewalk repair program:

1. The applicant must certify that he or she is a qualified person with a disability as defined by the Americans with Disabilities Act of 1990 (ADA), as amended and that his or her request is based upon personal need.
2. Each applicant may request that repairs be conducted at up to three locations (parcels) where sidewalk damage is caused by City street trees. Requests for more than three locations will be considered on a case-by-case basis.
3. Sidewalk repairs will be conducted only if the City finds that existing sidewalks are ADA non-compliant and in need of repair.
4. Applicants requesting sidewalk repair shall receive a response from the City within 10 working days from their request date. The response will indicate whether the request is approved, denied, or if additional information is required. It typically takes up to 180 days from the approval date for

¹ Repair of Sidewalk damage is the responsibility of the private property owners except when the sidewalk damage is the result of City tree roots. Notices to Repair are issued to property owners for repair of private sidewalk damage. See O.M.C. 12.04.020 and following.

sidewalk repairs to be completed but repairs may be delayed by utility conflicts, contract disputes, weather, etc. Applicants will be notified of any delay.

5. On-call ADA sidewalk repair request process:
 - a. Applicant completes the attached application form. **Applicants may contact the department for assistance (see below).** Applicants must certify their eligibility under the program by signing the application form.
 - b. Applicant submits the completed application form (see below).
 - c. City staff investigates the application.
 - d. City staff will respond to the applicant within 10 working days after receipt of the application indicating whether the request is approved, denied, or if additional information is required.
 - e. Approved locations are added to the list for the current on-call sidewalk repair construction contract. If the current contract is fully obligated, repairs will be added to the following construction contract.

6. Where to submit applications:

Interested applicants may submit applications by U.S. mail or e-mail to:

Kevin Kashi, Supervising Civil Engineer

Bureau of Engineering and Construction

Right of Way Management

250 Frank H. Ogawa Plaza, Suite 4314

Oakland, CA 94612

PH: (510) 238-7116

E-mail: kkashi@oaklandnet.com

7. Applicants wishing to register a complaint about the On-Call ADA Sidewalk Repair Program may file an ADA Grievance form. The grievance procedure and forms may be obtained by contacting the following:

Oakland Public Works Department

Bureau of Engineering & Construction

Right of Way Management

250 Frank H. Ogawa Plaza, 4th Floor Ste. 4314

Oakland, CA 94612

510-238-7116

Attn: Kevin Kashi

OR

ADA Programs Division

1 Frank H. Ogawa Plaza, 3rd Floor

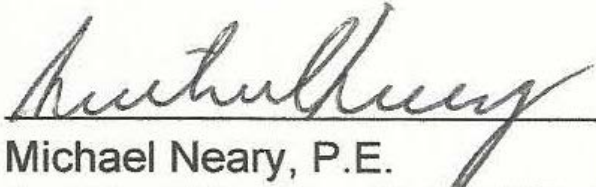
Oakland, CA 94612

Voice: 510-238-5219

TTY: 510-238-2007

Email: adaprograms@oaklandnet.com

Approved for Distribution:



9/18/14

Michael Neary, P.E.
Assistant Director, Public Works Department
Bureau of Engineering & Construction

Attachment A – On-Call ADA Sidewalk Repair Program Application

Attachment A

**OAKLAND PUBLIC WORKS DEPARTMENT
BUREAU OF ENGINEERING AND CONSTRUCTION STANDARD**

ADA Sidewalk Repair Program Application

The ADA Sidewalk Repair Program expedites necessary repairs of sidewalks damaged by City street trees upon request for qualified individuals with disabilities as defined by the Americans with Disabilities Act of 1990 and as amended. The program is not intended to address community concerns other than access for people with disabilities and does not make repairs that are the responsibility of private property owners.

Applicant Information

Name _____ Phone Number _____

Address _____

Email Address _____ Fax _____

Reason for Request (check all that apply)

- To repair sidewalk in front of my residence
- Path of travel to public transit
- Path of travel to school /work
- Path of travel to medical facilities
- Other (indicate) _____

Describe Request

List street addresses for which you are requesting expedited sidewalk repairs:

Street Address	Describe Sidewalk Condition

Certification

I certify that I am a qualified person with a disability as defined by the Americans with Disabilities Act of 1990 (ADA), as amended, and that my request is based upon individual need.

Signature of Applicant _____ Date _____

Voluntary Information [Applicants need not provide this information but doing so will help the City to better plan sidewalk repair accommodation programs.]

Type of impairment:

- Vision Impairment
- Mobility Impairment
- Other (indicate) _____

Bureau of Engineering and Construction Right of Way Management staff Use only:

Date Request was received

Date of Investigation

Date Response was given to applicant

Number of Ramps Approved

Reason for approval

Approval by

Date of Approval

Disposition

Contract Number