



# Americans with Disabilities Act (ADA): Compliance (P361107)

Category	General Government	Date Last Modified	01/01/26
SubCategory	County Offices and Other Improvements	Administering Agency	General Services
Planning Area	Countywide	Status	Ongoing

## EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY25	Est FY26	Total 6 Years	FY 27	FY 28	FY 29	FY 30	FY 31	FY 32	Beyond 6 Years
Planning, Design and Supervision	23,138	18,938	-	4,200	700	700	700	700	700	700	-
Site Improvements and Utilities	21,858	7,620	5,938	8,300	1,300	1,050	1,300	1,550	1,550	1,550	-
Construction	37,380	20,090	1,287	16,003	3,253	2,100	2,850	2,600	2,600	2,600	-
Other	1,427	1,076	51	300	50	50	50	50	50	50	-
TOTAL EXPENDITURES	83,803	47,724	7,276	28,803	5,303	3,900	4,900	4,900	4,900	4,900	-

## FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY25	Est FY26	Total 6 Years	FY 27	FY 28	FY 29	FY 30	FY 31	FY 32	Beyond 6 Years
Current Revenue: General	6,055	1,089	1,966	3,000	500	500	500	500	500	500	-
G.O. Bonds	49,141	18,028	5,310	25,803	4,803	3,400	4,400	4,400	4,400	4,400	-
PAYGO	22,035	22,035	-	-	-	-	-	-	-	-	-
Recordation Tax Premium (MCG)	6,572	6,572	-	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	83,803	47,724	7,276	28,803	5,303	3,900	4,900	4,900	4,900	4,900	-

## APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 27 Request	5,303	Year First Appropriation	FY11
Appropriation FY 28 Request	3,900	Last FY's Cost Estimate	72,600
Cumulative Appropriation	55,000		
Expenditure / Encumbrances	50,267		
Unencumbered Balance	4,733		

## PROJECT DESCRIPTION

This program provides for an on-going comprehensive effort to ensure that County buildings and other facilities are built and maintained in compliance with Title II of the Americans with Disabilities Act (ADA) and the ADA 2010 Standards for Accessible Design. This program includes both the correction of deficiencies identified by the United States Department of Justice (DOJ) during its proactive Project Civic Access (PCA) assessment of County facilities, an assessment by the County of all County government buildings and facilities not included in the PCA assessment, and remediation of any deficiencies identified by those assessments. The program also includes policy development, advanced technical training for County architects and engineers to ensure that ADA

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compliance and accessibility are incorporated throughout the County's planning, staff training, design, and construction process in order to ensure that County facilities are fully compliant with Title II of the ADA. In September 2010, revised Title II ADA regulations, including the 2010 Standards, were issued by DOJ. The new 2010 Standards include revisions to the 1991 ADA Accessibility Guideline (ADAAG) standards and supplemental standards for features not addressed in the 1991 ADAAG including pools, recreation facilities, ball fields, locker rooms, exercise rooms, picnic areas, golf courses, playgrounds, and residential housing. The Title II ADA regulations require jurisdictions to proactively address the supplemental standards by bringing all features addressed in the supplemental standards into compliance with the 2010 Standards.

## ESTIMATED SCHEDULE

FY27: Department of Health and Human Services Administration - 401 Hungerford (construction of two floors), Pre-release Center design and construction, Montgomery County Correctional Facility Boyds construction and design, Germantown Outdoor Pool design and construction, and Olney Indoor pool design.

FY28: Department of Health and Human Services Administration - 401 Hungerford (construction of two floors- continued), Montgomery County Correctional Facility Boyds construction, Germantown Outdoor Pool construction, Olney Indoor Pool construction.

## COST CHANGE

Cost increase due to increase in estimated construction and overhead costs for FY27 and the addition of expenditures in FY31 and FY32 for this ongoing project.

## PROJECT JUSTIFICATION

Montgomery County was selected by DOJ for a Project Civic Access review in 2006. Project Civic Access is a proactive, ongoing initiative of the Disability Rights Section (DRS) of the DOJ Civil Rights Division to ensure ADA compliance in local and state governments throughout the country. DOJ has completed reviews and signed settlement agreements with over 150 jurisdictions to date. DOJ has inspected approximately 112 County government buildings and facilities. In addition, they have inspected polling places, ballfields, golf courses, and local parks. Montgomery County signed a legally binding settlement agreement to address the findings in August 2011. M-NCPPC was a co-signer of the agreement. The agreement requires the County to remediate all problems identified by DOJ within a negotiated timeline and to survey all remaining buildings, facilities, and programs not surveyed by DOJ. Programs and facilities must be surveyed within a three-year time frame, with approximately 80 completed each year. Prior to FY20, the County was required to send a report of its findings to DOJ each year with a proposed remediation plan and timeline.

## FISCAL NOTE

FY24: \$180,000 transfer in Current Revenue: General to Facility Site Selection. FY25 transfer of \$100,000 in GO bonds to Facilities Site Selection: MCG (P500152). FY26 transfer of \$180,000 in GO bonds from Clarksburg Library (P710500) to Americans with Disabilities Act (ADA): Compliance (P361107).

## DISCLOSURES

Expenditures will continue indefinitely.

## COORDINATION

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United States Department of Justice, Department of Health and Human Services, Department of Transportation, Office of the County Attorney, Montgomery County Public Schools, Revenue Authority, Maryland-National Capital Park and Planning Commission, and Department of General Services