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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

August 4, 2010

Mr. Savat Khamphou
District Local Assistance Engineer
Caltrans – District 8
464 West 4th Street, 6th Floor M760
San Bernardino, CA 92401

RE: LOCAL AGENCY ADA ANNUAL CERTIFICATION FORM for FFY 2010/11

Dear Mr. Khamphou:

The San Bernardino Associated Governments (“SANBAG”) herein submits its Exhibit 9-C, “Local Agency ADA Annual Certification Form” for Federal Fiscal Year (FFY) 2010/11, in response to guidance received from the State Department of Transportation (Caltrans), issued on December 3, 2009 .

SANBAG is confident that it has fully complied with all the Department’s stipulated requirements, including recent directives issued by Caltrans and looks forward to Caltrans’ favorable response to SANBAG’s submittal.

Should you have any questions regarding these submissions and corresponding attachments, please contact Ellen Pollema or myself at (909) 884-8276.

Sincerely,



Mr. Duane Baker, Director of Management Services
DBE Liaison Officer

Enclosure: Exhibit 9-C Local Agency ADA Annual Certification Form for FFY 2010/11

SK100804-ADA-dab

EXHIBIT 9-C LOCAL AGENCY ADA ANNUAL CERTIFICATION FORM

Local Agency ADA Annual Certification Form
49 CFR, Part 27:
Nondiscrimination of the Basis of Disability in
Programs or Activities
Receiving Federal Financial Assistance.

Local Agency: San Bernardino Associated Governments

Program Year: 2010 - 2011

Date Certification submitted: July 30, 2010

I. Name of ADA Coordinator: Duane A. Baker, Director of Management Services

Telephone Number: (909) 884-8276

E-mail Address: dbaker@sanbag.ca.gov

II. ADA Complaint Procedure Adopted:

Yes: Date of Adoption: July 2010

No: Planned Date of Adoption: _____

Final Completion Date: _____

III. Self-evaluation completed:

Yes: Date of Completion: _____

No: Planned Date of Completion: On Going

Final Completion Date: January, 2011

System established for periodically reviewing and updating the evaluation: Being developed,
please see attached documentation.

IV. Transition Plan completed:

Yes: Date of Completion: _____

Date of Implementation: _____

No: Planned Date of Completion: On Going, see attached documentation.

Final Completion Date: January, 2011

- V. Policies, procedures, and criteria for implementing ADA compliance improvements in maintenance and capitol improvement programs have been reviewed and the required revisions have been made:

Yes: _____ No: See attached documentation.

- VI. Division of State Architect (DSA) Checklists are used to verify compliance of design packages, standard plans and field inspections to ensure compliance with both State and federal accessibility standards:

Yes: No: _____

DSA web site: http://www.dsa.dgs.ca.gov/Access/ud_accessmanual.htm

Reminder: State of California Government Code Section 4454 requires Division of State Architect (DSA) review and approval of the plans and specifications for local agency pedestrian projects using State funds.

- VII. Standard Plans are reviewed and updated on an ongoing basis for full ADA and California Accessibility compliance:

Yes: _____ No: see attached documentation

DEPARTMENT OF TRANSPORTATION
OFFICE OF BUSINESS AND ECONOMIC OPPORTUNITY
1823 14TH STREET
SACRAMENTO, CA 95811
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Toll Free (866) 810-6346
Fax (916) 324-1949
TTY 711



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June 25, 2010

Deborah Robinson Barmack
Executive Director
San Bernardino Associated Governments
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410-1715

Dear Ms. Barmack:

The California Department of Transportation, Office of Business and Economic Opportunity (OBEO), Review Team, conducted an on-site compliance review of the San Bernardino Associated Governments (SANBAG) on May 3-6, 2010. The review was completed in accordance with guidelines set forth in 23 Code of Federal Regulations (CFR) Part 200.9, 28 CFR Part 35, and 49 CFR Parts 26 and 27.

OBEO staff from Americans with Disabilities Act (ADA) and Title VI Program evaluated SANBAG written responses to the ADA, DBE, and Title VI compliance review questionnaires, staff interviews, and documents provided during the on-site review and identified areas needing improvement. Matrices of the ADA and Title VI assessments and recommendations reports are enclosed. Based on the results of the compliance review, SANBAG is determined to be in compliance with Title II of the ADA, DBE regulations, and Title VI of the Civil Rights Act of 1964 and its related statutes. SANBAG does maintain ADA and Title VI compliance integrity by integrating mechanisms that ensure nondiscrimination in its activities and services.

Please make note of the date below to provide Charles Wahnnon, Title VI/ADA Program Manager, with a semi-annual update to each matrix detailing your implementation activities. It is important the update to each matrix be submitted to ensure continued compliance.

Semi-Annual Update: **December 30, 2010**

Please thank Ms. Ellen Pollema for coordinating the on-site interviews and for her assistance throughout the review process. Also, please thank your staff for their cooperation and insight into the daily operations of SANBAG. We look forward to working closely with you and your staff in carrying out the federal-aid highway and transit nondiscrimination program responsibilities.

Ms. Barmack
June 25, 2010
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Please feel free to call Charles Wahnou at (916) 324-1353, regarding the assessments and recommendations of this compliance review or for technical assistance.

Sincerely,



OLIVIA FONSECA
Deputy Director

Enclosures: 1. ADA Assessments and Recommendations Report
2. Title VI Assessments and Recommendations Report

c: Derrin Jourdan, Civil Rights Officer, FTA
Will McClure, Equal Opportunity Specialist, FHWA
Lance Yokota, Civil Rights Program Manager, FHWA
Vicki Watson, Clerk of the Board, SANBAG
Ellen Pollema, Transportation Planning Specialist, SANBAG
Malcolm Dougherty, Interim Chief Deputy Director
Denix Anbiah, Chief, Division of Local Assistance
Raymond Wolfe, District 8 Director
Sherri Gustinell, Chief, External Equal Opportunity Program
Mohsen Sultan, Chief, Office of Policy Development and Quality Assurance
Charles Wahnou, Title VI/ADA Program Manager
Savat Khamphou, District 8 Local Assistance Engineer
Michelle Profant, District 8 Title VI Liaison
Karen Governor, Title VI Liaison
Loi Tran, Title VI Liaison

California Department of Transportation
 Local Agency Compliance Review
 Americans with Disabilities Act (ADA) Assessments And Recommendations Report
 San Bernardino Associated Governments (SANBAG)
 May 3-6, 2010

Assessment	Recommendation	Responsible	Due Date	Status
<p>1.</p> <p>The Review Team determined SANBAG has not drafted and disseminated a non-discrimination policy statement that states SANBAG does not discriminate on the basis of disability in admission or access to, its programs, services, or activities.</p> <p>49 Code of Federal Regulations (CFR) 27.15</p>	<p>The Review Team recommends SANBAG develop a non-discrimination policy statement that identifies the name, title, office address, and telephone number of the Section 504 Coordinator. Post the non-discrimination policy statement in conspicuous places throughout SANBAG and disseminate it to participants, applicants, employees, unions, contractors, and consultants.</p>	<p>Executive Director, SANBAG Section 504/ADA Coordinator</p>	<p>September 30, 2010</p>	<p>Completed July 2010 A non discrimination notice was posted in the SANBAG lobby which contains the process for submitting a complaint and the SANBAG Coordinator contact information.</p>

California Department of Transportation
Local Agency Compliance Review
Americans with Disabilities Act (ADA) Assessments And Recommendations Report
San Bernardino Associated Governments (SANBAG)
May 3-6, 2010

Assessment	Recommendation	Responsible	Due Date	Status
<p align="center">2.</p> <p>The Review Team determined the SANBAG has not conducted a self-evaluation of its current services, policies, and practices, and the effects thereof, to determine necessary modifications to achieve program accessibility.</p> <p>The Review Team determined SANBAG has not established a system for periodically reviewing and updating the self-evaluation.</p> <p>49 CFR 27.11(c)(2)(i-v)</p>	<p>The Review Team recommends SANBAG conduct a self-evaluation of current services, policies, and practices (i.e. pedestrian facilities, structures, and administrative services), to determine necessary modifications to achieve program accessibility. Provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments.</p> <p>Programs change, personnel leave and technology improves, all necessitating a system of continued monitoring and transitioning. The Review Team recommends SANBAG establish and maintain a system for periodically reviewing and updating the self-evaluation.</p>	<p>Executive Director, SANBAG Section 504/ADA Coordinator</p>	<p>September 30, 2010 Ongoing</p>	<p>On Going</p>
<p align="center">3.</p> <p>The Review Team determined SANBAG does not have a current comprehensive Compliance Plan.</p> <p>49 CFR 27.11</p>	<p>The Review Team recommends SANBAG prepare a Compliance Plan that meets the minimum requirements of 49 CFR 27.11.</p>	<p>Executive Director, SANBAG Section 504/ADA Coordinator</p>	<p>September 30, 2010 Ongoing</p>	<p>On Going</p>

California Department of Transportation
Local Agency Compliance Review
Americans with Disabilities Act (ADA) Assessments And Recommendations Report
San Bernardino Associated Governments (SANBAG)
May 3-6, 2010

Assessment	Recommendation	Responsible	Due Date	Status
<p>4.</p> <p>The Review Team determined the contents of the temporary video on the SANBAG website are not accessible to individuals with hearing or visual impairments.</p> <p>49 CFR 27.7(c)</p>	<p>The Review Team understands SANBAG removed the temporary video and plans to provide transcripts for future video content on the SANBAG website to ensure communication with applicants, employees, and beneficiaries are available to persons with impaired vision and hearing.</p>	<p>Executive Director, SANBAG</p> <p>Section 504/ADA Coordinator</p>	<p>Ongoing</p>	<p>Completed June 2010</p> <p>The SANBAG website and its components are in compliance. Future videos content will include transcription or instructions on how to obtain the information.</p>