



Department of Transportation

ENGINEERING
DIRECTIVE

ED
15-004

Title: **DESIGN, CONSTRUCTION AND INSPECTION OF PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT OF WAY**

Approved:

/s/ Phillip Eng

Phillip Eng, P.E.

Executive Deputy Commissioner

10/19/15

Date

ADMINISTRATIVE INFORMATION:

- Effective Date: Upon Signature
- Superseded Issuances: None
- Expiration Date: Until further notice

PURPOSE: To ensure that newly constructed pedestrian facilities are compliant with the Americans with Disabilities Act (ADA).

IMPLEMENTATION: This Engineering Directive applies to all projects as well as permit work authorized by the Department.

Effective immediately, the values shown on the table “Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities” (available on the [NYSDOT Highway Design Manual Chapter 18 internet page](#)) shall be used by Design and Construction to ensure that pedestrian facilities in the public right of way are ADA compliant. The Regional Director shall designate licensed staff to provide field reviews and technical assistance to construction staff on state projects, including the layout of ADA compliant pedestrian facilities.

For ongoing contracts that include the construction of pedestrian facilities, Engineers-in-Charge should immediately review the contents of this directive with the construction inspection staff and the contractor prior to beginning any pedestrian facility related work. A copy of this directive shall be included in the contract records. Any conflicts between the contract documents and this directive should be discussed with the designer of record and the Regional Director’s designated licensed staff.

Inspectors shall take measurements of all applicable values prior to concrete work, and validate measurements before acceptance of the work, using the methods described in Note 2 of the “Critical Elements” table. For ongoing and future construction contracts, elements that do not meet the “ADA limits for work acceptance” or approved exceptions are to be replaced in accordance with [Section 100 of the Standard Specifications](#).

When pedestrian facilities cannot practicably be made compliant, a justification in accordance with [HDM Chapter 2, Exhibit 2-15a](#) is required. Nonstandard features may be identified during preliminary design, final design or construction. Nonstandard features that are compliant to the maximum extent practicable, and can be justified using criteria A through G in Exhibit 2-15a, may be approved by the Regional Director. All “Other” nonstandard ADA justifications are to be immediately conveyed along with supporting information (e.g., drawing/sketch and photo) by the Regional Director’s designated licensed staff to the Deputy Chief Engineer (Design) for timely approval. For locally administered federal-aid projects, all justifications are to be approved by the responsible local official with copies sent to the Region.

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Copies of approved justifications are to be retained in the project file and those on the state system are to be placed in the “ADA Nonstandard Feature” folder in ProjectWise under: [Main Office](#). The justifications will be added to a searchable GIS database available to department staff as reference for future project scenarios requiring non-standard features. They will also be incorporated into the Department’s ADA Transition Plan.

In the coming months the Department will issue updated standard sheets and revisions to the Construction Inspection Manual (CIM) and Highway Design Manual (HDM) Chapters 2, 7 and 18. Additionally, to ensure statewide consistency, the Department will be providing training and webinars on best practices for ADA compliant design and inspection methods.

BACKGROUND:

In recognition of construction tolerances and survey equipment accuracy, design and construction guidance has been revised. The values in the table “Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities” are based on the guidance in the US Access Board’s [Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right of Way](#), 2011. These changes will help ensure compliance with ADA on newly constructed pedestrian facilities. The method of inspection and acceptance is also being standardized.

CONTACT: Questions concerning this Engineering Directive may be directed to Richard W. Lee, P.E., Deputy Chief Engineer (Design), Office of Design at Rich.Lee@dot.ny.gov or (518) 457-5289.