



Disability Standing Committee

Tuesday, January 9, 2024

2:30 pm

Virtual

Join Zoom Meeting

<https://us06web.zoom.us/j/81718877059?pwd=c25WUDR5OWdRNGgxVFJLZmthRE15Zz09>

Meeting ID: 817 1887 7059

Passcode: 985596

AGENDA

Mission Statement

“The Disability Committee will review, advocate, and make recommendations for New Mexican’s with Disabilities to the Executive Committee on matters related to WCCNM’s operations.”

1. Internal review and development of plan for yearly ADA compliance assessment
2. Governor’s Commission on Disability Report from visit on October 20, 2023.

Adjourn

Next Meeting: TBT

Anyone requiring special accommodations please notify the MRCOG office at 247-1750 seven (7) days prior to the meeting.

“Equal Opportunity Program”



STATE OF NEW MEXICO
GOVERNOR'S COMMISSION ON DISABILITY



Michelle Lujan Grisham
Governor

Stan Wyche Ross
Director

Trudy Luken
Chairperson

ACCESSIBLE BARRIER REPORT
Americans with Disabilities Act
and
2021 IBC with ICC A117.1-2017



Site Inspection conducted by
Stan Ross and Josh Lopez

Lamy Building • 491 Old Santa Fe Trail Santa Fe, New Mexico 87501
505-476-0412 / 877-696-1470 • Fax: 505-827-6328 • gcd@state.nm.us

Daniel Sanchez
Operations Manager
Central Region-New Mexico
Workforce Connection
501 Mountain Road
Albuquerque, New Mexico 87501

Dear Daniel Sanchez,

Thank you for the opportunity to be of service to you by performing an accessibility evaluation for the Employee spaces of the New Mexico Workforce Connection located at 501 Mountain Road Albuquerque, New Mexico. The facility was inspected on 10/23/2023.

NM Workforce Connection is an existing facility, and the Governor's Commission on Disability (GCD) was requested to survey the property to ensure that staff and visitors have access to enter and use the spaces assigned. The inspection being limited to the parking area, and path of travel, as well as the common use areas and workspace, and has been inspected to the individual item standards of the 2010 Americans with Disabilities Act (ADA) as well as the 2021 International Building Code. This report of the areas is based on an ADA Survey, completed by two Architectural Access Specialists of the GCD.

Tools used for inspection were: Notes, Digital Camera, 24" Smart Level, and a 25' Measuring tape.

It is recommended that all barriers identified in this evaluation that are readily achievable, be removed as soon as possible, with other barriers being removed as they become readily achievable.

Periodic maintenance to ensure continued accessibility is essential in providing a safe and usable environment. Parking lot markings, signage and maintaining the required clearances and other elements, available to the public, must be part of an ongoing maintenance schedule.

The ADA law requires that 'Barriers' (Elements that are not compliant to the ADA Standards) be removed from existing buildings.

When the property owner chooses to provide construction fixes to address the Barriers, then the timing should be considered and a plan of action (Transition Plan) developed to remove the barriers in a timely manner.

It is recommended that a 'Transition Plan' be developed to provide corrections to the building, and it is further recommended that easily resolved barriers be removed quickly, as this shows good faith and positive intentions. It is generally considered reasonable to delay the more complex and costly efforts until funds become available.

International Building Code:

Once a remodel, addition or alteration is performed, any items or areas serving the remodel will fall under the current version of the International Building Code (Currently the 2021 IBC). Alterations to meet accessibility requirements, or solely for the purpose of barrier removal, are exempt from the code required Path of Travel upgrades pursuant to additions or alterations.

It is the opinion of the GCD employees performing this survey and preparing this report, that the inspected structures and areas of the site that need correction to meet current accessibility standards are identified as barrier findings on the subsequent pages.

OVERVIEW – The facility was reviewed under current code requirements, including the *2010 ADA Regulations Title II of the 2010 Standards for State and Local Government Facilities*.

Disabled staff and public priorities are the same. The first priority is accessible parking and entrance, second priority is access to goods and services, third priority is access to restroom facilities. This report will briefly cover these three priorities, however for more detail, refer to the *2010 ADA Regulations*; http://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm#a304

CURRENT ACCESS REQUIREMENTS

There are slight differences in the State and Federal access requirements, with the stricter provision prevailing. See *International Building Code-2021* (IBC-2021). The two minimum guidelines are:

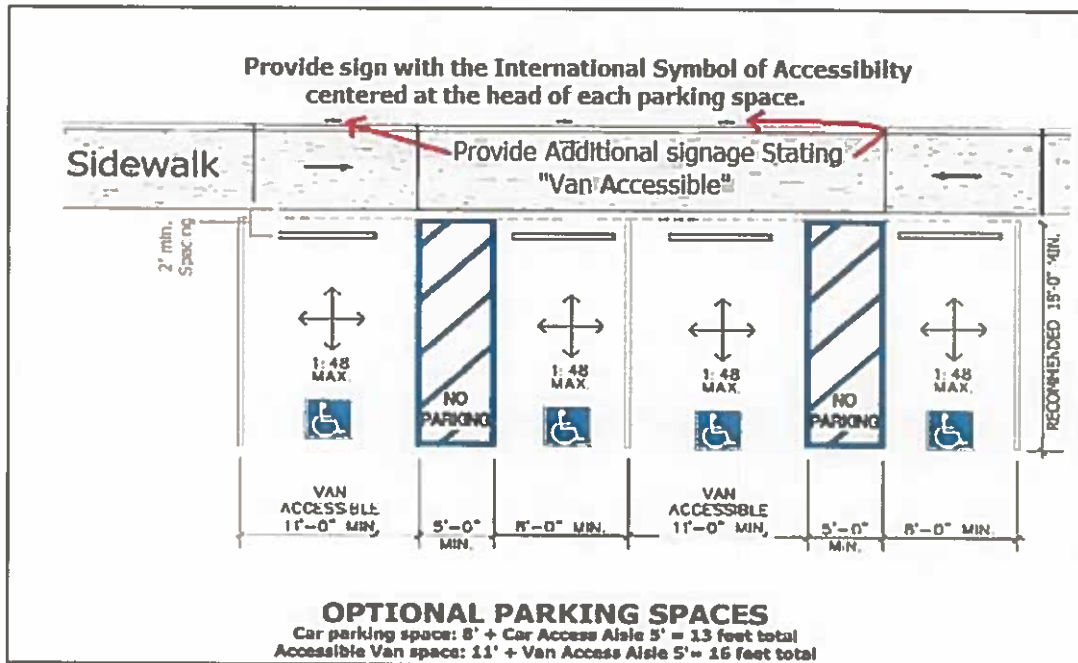
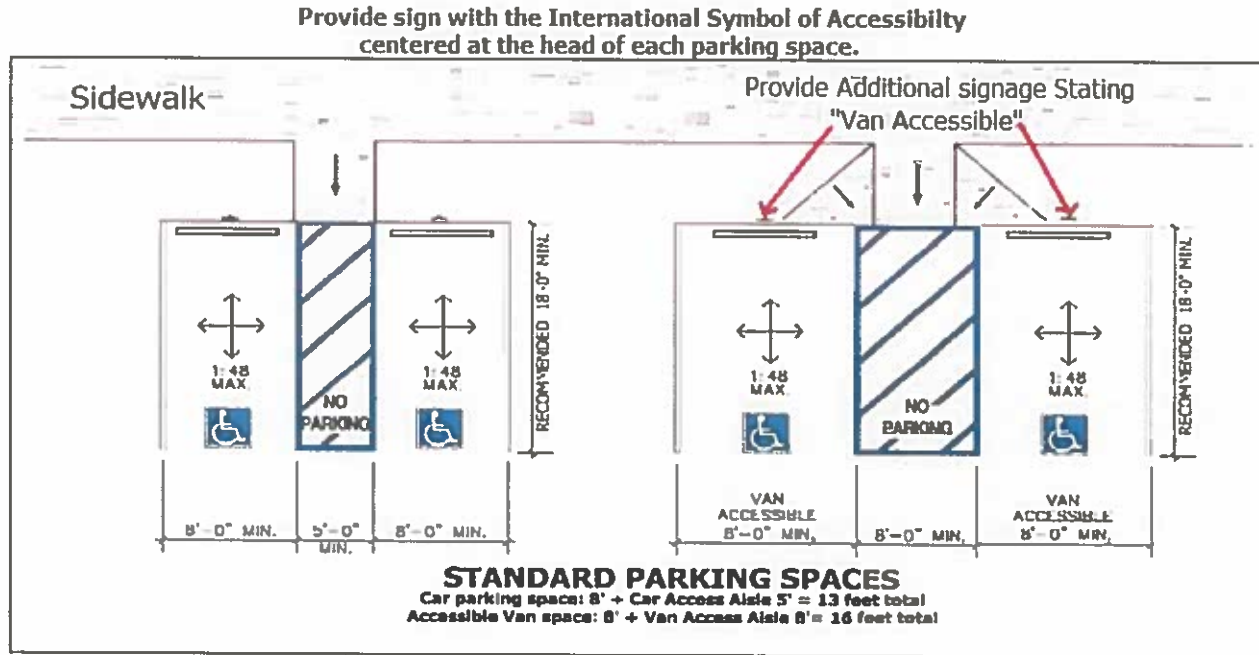
- The *New Mexico Building Code-2021* (NMBC-2021) adopts the IBC-2021 and makes amendments to Chapter 11 Accessibility, Appendix E Supplementary Accessibility Requirements, and several other sections pertinent to accessibility. The NMBC-2021 and IBC-2021 are the “scoping” documents identifying the number and location of accessible elements. IBC-2021 Chapter 35 then adopts the ICC A117.1-2017 or the *International Code Council, Accessible and Usable Buildings and Facilities* which provides “technical standards” identifying how to build accessible elements. Significant requirements of the **Americans with Disabilities Act** (ADA) are incorporated throughout the NMBC-2021. The NMBC-2021 is effective July 14, 2023 and enforced by NM Construction Industries Division.
- The Federal *Americans with Disabilities Act* (ADA) has been updated and is now titled the *2010 ADA STANDARDS FOR ACCESSIBLE DESIGN*. The 2010 ADA became effective for new construction on March 15, 2012, and is enforced by the U.S. Department of Justice. See the 2010 ADA online at: http://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards_prt.pdf

These are minimum requirements, and best practices may call for augmented accessibility features depending on the nature of the project. The Governor’s Commission on Disability (GCD) review is intended to cover the State requirements, Federal requirements and best practices.

Parking (IBC 1106, NMBC Table 1106.1 and ICC A117.1 Section 502)

The minimum required number of accessible parking spaces is based on the total number of parking spaces provided (1-25=1 space, 26-35=2 spaces, or 36-50=3 spaces, of which 1 is required to be Van Accessible). The accessible spaces observed exceed the maximum 1:48 slope in all directions (requiring

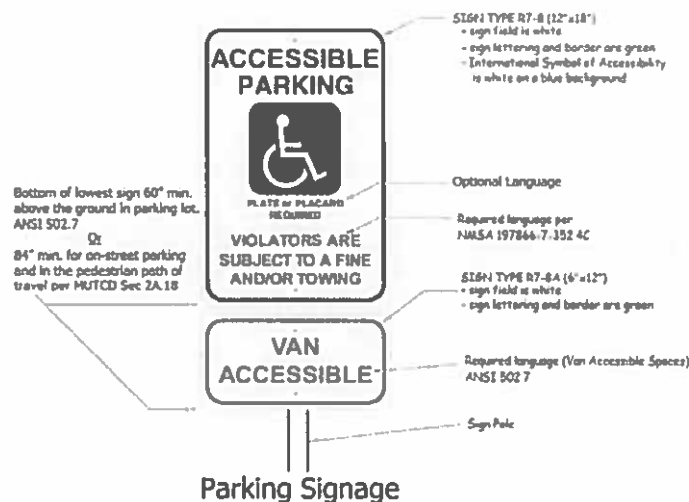
regrading or build-up of surface to 2.08% maximum slope), and do not provide the required signage at all stalls or directional signage to the accessible path of travel. Please ensure that the dimensions for the accessible parking spaces with adjacent access aisle are similar to one of the following options shown below:



SIGNAGE (NMBC 1110.1 and ICC A117.1 Section 502.7)

Two of the five identified accessible parking stalls currently located at 301 W. DeVargas do provide the proper code required signage, centered at the head of each parking space. The remaining three stalls should provide signage with the following items to ensure compliance.

- *GCD recommends signs to be white background with a green border and legend (MUTCD sign # R7-8 and R7-8A).*
- Sign must include the language “Violators are subject to a fine and/or towing” (66-7-352.4C NMSA 1978, Effective 7-01-2010). See sign sample below.
- In parking lots the bottom of the sign is required to be 60” minimum above the ground or parking surface. (ANSI 502.7).



PAVEMENT MARKINGS (NMBC 1110.3)

Parking space has a clearly visible, blue, International Symbol of Accessibility painted on the pavement at rear of the space as required (66-1-4.1.E NMSA 1978).

- *GCD recommends the parking space lines be painted blue.*
- Access aisle shall have the words “NO PARKING” in capital letters, each of which shall be at least one foot high and at least two inches wide, placed at the rear of the parking space so as to be close to where an adjacent vehicle's rear tires would be placed. (66-1-4.1.B NMSA 1978)

MAIN ENTRANCE and PATH OF TRAVEL (POT)

Existing POT and Entrance – A street adjacent sidewalk is provided along Mountain Road from the parking lot to the building entrance. This sidewalk follows the slope of the land and may exceed 1:48 slope in a few places. From this street sidewalk the POT turns perpendicular toward the building entrance across a brick paved courtyard. Work is currently occurring in this courtyard to level the bricks as a few have gone missing or are above or below the existing plane of the courtyard.

302 Floor Surfaces (ANSI A117.1.2017)

302.1 General. Floor surfaces shall be stable, firm, and slip resistant, and shall comply with Section 302. Changes in level in floor surfaces shall comply with Section 303.

302.3 Openings. Openings in floor surfaces shall be of a size that does not permit the passage of a 1/2 inch (13mm) diameter sphere.

303 Changes in Level

303.1 General. Changes in level in floor surfaces shall comply with Section 303.

303.2 Vertical. Changes in level of 1/4 inch (6.4 mm) maximum in height shall be permitted to be vertical.

303.3 Beveled. Changes in level greater than 1/4-inch (6.4 mm) in height and not more than 1/2 inch (13 mm) maximum in height shall be beveled with a slope not steeper than 1 :2.

303.4 Ramps. Changes in level greater than 1/2 inch (13 mm) in height shall be ramped and shall comply with Section 405 or 406.

402 Accessible Routes

402.1 General. Accessible routes shall comply with Section 402.

402.2 Components. Accessible routes shall consist of one or more of the following components: Walking surfaces with a slope not steeper than 1 :20, doors and doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. All components of an accessible route shall comply with the applicable portions of this standard.

403.3 Slope. The running slope of walking surfaces shall not be steeper than 1 :20. The cross slope of a walking surface shall not be steeper than 1 :48.

The main entrance provides automatic doors with push button controls, the GCD suggests adjusting exterior doors to a maximum level of 10# (pounds) of force required for manual operation.

We observed several employee entrances. The first on the south end of the west side appears to be a break area and required steps down to the pavement without a ramp being present. I believe an 'exit' sign was in the interior space directing staff to a second entrance down a short corridor. At this second west side of the building exit there were steps as well as a ramp. This ramp is steeper than 1:12, and thus is not accessible.



This ramp occurs in the employe parking area and exceeds the maximum slope of 1:12. Signage in the employee break area adjacent through a short corridor with directional exit signage to this exit door, it serves as an accessible route exit and should be brought into ADA compliance. The gate at the top of the ramp with barbed wire topping may provide an alternative ramp area, which might be connected with the adjacent break room providing accessible exiting from both spaces as a possible solution.

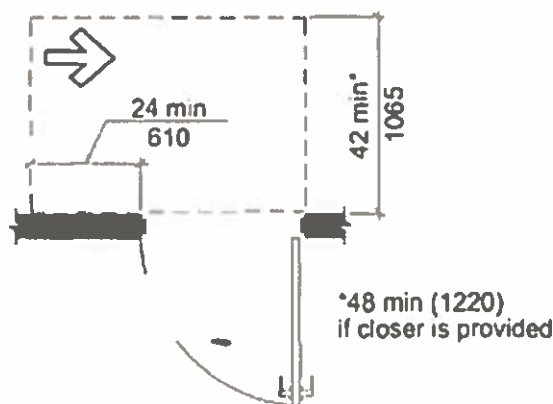
Ramp exceeds 1:12 slope.

Another employe entrance is located along the north side of the building to the east end. There are a couple of steps here and therefore close to the grade of the parking lot. I would also recommend constructing a ramp at this location with accessible parking adjacent to it.

The POT within the facility meets the proper width requirements to be accessible with the (potential) exception of the bathrooms. The entry bathrooms are shielded from view by a curved wall outside the entry doors.



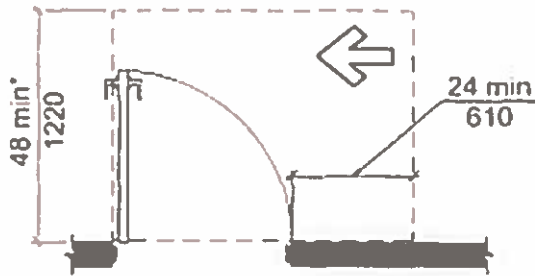
Alcove entry into bathroom



(g) Latch Approach, Push Side

Note that the perpendicular measurement from the hinge side of the face of the door calls for a 42” minimum distance to the face of the wall, and a 48” minimum if the door is equipped with a closer, which this door is. The measurement from the center of the door to the wall is 49”.

Perpendicular to the hinge the clearance dimension is insufficient. However, if the door is equipped with a power assisted device as this one is, then the door approach requirements are acceptable. If the power assist is not operational, then the approach dimensions are noncompliant with the ADA Standards of 5 pounds of pressure to open the (interior) door. GCD recommends the bathroom doors be checked for power assisted operation daily, and if power assist is not operational, service should be attended to as soon as possible.



*54 min (1370) if closer is provided

(f) Latch Approach, Pull Side



Exit from bathroom interior.

Note that the perpendicular measurement at the interior approach from the hinge side of the face of the door calls for a 48” minimum distance to the face of the wall, and a 54” minimum if the door is equipped with a closer, which this door is. However, if the door is equipped with a power assisted device as this one is, then the door approach requirements are acceptable. If the power assist is not operational, then the approach dimensions are noncompliant with the ADA Standards. GCD recommends the bathroom doors be checked for power assisted operation daily, and if power assist is not operational, service should be attended to as soon as possible. Also, for consideration note the flat lever hardware to open the door. *In my opinion*, for optimal operation, the hardware is upside down. Imagine yourself in a wheelchair opening the door from the inside. This particular lever handle raises up as you lift and pull. Sitting in the wheelchair, as you lift up your hand and raise your arm your strength and power weaken as you raise your hand. If the lever is reversed and the user in a wheelchair is pulling the handle, as it opens you are pulling down and bringing your hand in a direction of increasing strength as it gets closer to your body mass. We see these flat lever type door pulls frequently installed in both directions.

Please feel free to contact the GCD to clarify any and all questions.

Thank you,



Stan Ross

Director

Governor's Commission on Disability (GCD) 491 Old Santa Fe Trail, Lamy Building Santa Fe, NM 87501 stan.ross@gcd.nm.gov

Cc: Josh Lopez Architectural Access Specialist
Daniel Sanchez, NM Workforce Connection

© *Priorities*. A public accommodation is urged to take measures to comply with the barrier removal requirements of this section in accordance with the following order of priorities.

- (1) First, a public accommodation should take measures to provide access to a place of public accommodation from public sidewalks, parking, or public transportation. These measures include, for example, installing an entrance ramp, widening entrances, and providing accessible parking spaces.
- (2) Second, a public accommodation should take measures to provide access to those areas of a place of public accommodation where goods and services are made available to the public. These measures include, for example, adjusting the layout of display racks, rearranging tables, providing Brailled and raised character signage, widening doors, providing visual alarms, and installing ramps.
- (3) Third, a public accommodation should take measures to provide access to restroom facilities. These measures include, for example, removal of obstructing furniture or vending machines, widening of doors, installation of ramps, providing accessible signage, widening of toilet stalls, and installation of grab bars.
- (4) Fourth, a public accommodation should take any other measures necessary to provide access to the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation.

**COPIED FROM 2010 ADA Regulations,
§ 36.304 Removal of barriers.**

(a) *General.* A public accommodation shall remove architectural barriers in existing facilities, including communication barriers that are structural in nature, where such removal is readily achievable, *i.e.*, easily accomplishable and able to be carried out without much difficulty or expense.

(b) *Examples.* Examples of steps to remove barriers include, but are not limited to, the following actions –

- (1) Installing ramps;
- (2) Making curb cuts in sidewalks and entrances;
- (3) Repositioning shelves;
- (4) Rearranging tables, chairs, vending machines, display racks, and other furniture;
- (5) Repositioning telephones;
- (6) Adding raised markings on elevator control buttons;
- (7) Installing flashing alarm lights;
- (8) Widening doors;
- (9) Installing offset hinges to widen doorways;
- (10) Eliminating a turnstile or providing an alternative accessible path;
- (11) Installing accessible door hardware;
- (12) Installing grab bars in toilet stalls;
- (13) Rearranging toilet partitions to increase maneuvering space;
- (14) Insulating lavatory pipes under sinks to prevent burns;
- (15) Installing a raised toilet seat;
- (16) Installing a full-length bathroom mirror;
- (17) Repositioning the paper towel dispenser in a bathroom;
- (18) Creating designated accessible parking spaces;
- (19) Installing an accessible paper cup dispenser at an existing inaccessible water fountain;
- (20) Removing high pile, low density carpeting; or
- (21) Installing vehicle hand controls.