

**County of Bergen Department of Public Works
Procedures for Design & Construction of ADA Compliant Pedestrian
Facilities within County Right-of-Ways
Planning Board Approved Development Applications**

Design:

- 1) Applicant's Design Engineer designs ADA improvements in accordance with:
Proposed Guidelines <http://www.access-board.gov/attachments/article/743/nprm.pdf>
 - MUTCD
 - NJDOT Standard Specifications for Road & Bridge Construction
 - Bergen County requirements
- 2) Applicant's Design Engineer prepares detailed drawings in accordance with the level of detail required by Bergen County.
- 3) Applicant's Design Engineer submits the following to municipal engineer:
 - Signed & sealed drawings of compliant ramps.
 - Signed & sealed Compliant Design Certification (CDC).
- 4) Applicant's Design Engineer shall satisfactorily address any comments from the municipal engineer and resubmit for approval.

Municipal Engineer Approval:

- 5) Municipal Engineer reviews submission of design drawings and Compliant Design Certification for compliance with:
 - Design related documents in #1 above.
 - Municipal streetscape requirements.
 - Compliant Design Certification form.
- 6) Municipal Engineer shall either:
 - Approve documents as submitted if fully compliant, or
 - Return documents to Applicant's Engineer with comments, and/or
 - Advise Applicant's Engineer that a Technical Infeasibility Waiver is required.

Technical Infeasibility Waiver (TIW):

- 7) Applicant's Engineer shall submit a complete Technical Infeasibility Waiver (TIW) application to the Municipal Engineer when fully compliant ADA facilities cannot be designed and constructed.
- 8) Municipal Engineer shall review the TIW and either:
 - Deny the TIW application and require applicant to design compliant ADA facilities, or
 - Approve the TIW application and forward to the County Engineering

Division for approval or denial.

- 9) The County Engineering Division shall review the municipally approved TIW and either:
 - Deny the TIW application and require applicant to design compliant ADA facilities, or
 - Approve the TIW application.

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10) Applicant shall be responsible to redesign and build fully compliant ADA facilities if the TIW application is not approved by the Municipal Engineer and County Engineering Division.

Construction:

11) Applicant shall not proceed with the construction of ADA facilities within the County road right-of-way (ROW) until one of the following approvals have been obtained:

- Municipal Engineer's approval of design drawings for fully compliant ADA facilities and Compliant Design Certification, or
- Municipal Engineer's and County Engineering Division's approval of design drawings, CDC, and a TIW for non-compliant ADA facilities.

12) Applicant shall not deviate from the approved design of ADA facilities unless:

- The Municipal Engineer approves a revised submission of design drawings, by the Applicant's Engineer, for fully compliant ADA facilities and new CDC for the revision; or
- The Applicant obtains an approved TIW, through the process described above, for the revision.

The Applicant's Design Engineer is required to certify proper construction and should therefore perform site inspections before and during construction, and shall perform a site inspection after construction and prior to executing the Compliant Construction Certification (CCC).

Project Close-Out

13) The Applicant's Design Engineer shall submit the following to the Municipal Engineer:

- Signed and sealed as-built drawings.
- Signed and sealed Compliant Construction Certification (CCC) form.

14) The Municipal Engineer reviews as-built drawings, ADA facilities constructed at the site, and the CCC for compliance with:

- Approved design drawings.
- Approved Technical Infeasibility Waiver if applicable.

15) The Municipal Engineer shall:

- Approve documents as submitted if fully compliant; or
- Return documents to Applicant's Design Engineer with comments.
- Sign and seal CCC upon satisfaction of documents and construction.

16) Applicant shall submit the following to the County Engineering Division:

- Compliant Construction Certification signed and sealed by the Applicant's Design Engineer and Municipal Engineer.
- As-built drawings referenced in the CCC.

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General Comments:

Certificate of Occupancy shall not be granted until the Municipal Engineer has executed the CCC.

The Performance Guarantee release by the County is contingent upon, and subject to the following:

- Compliance with all conditions of the County Planning Board approved Joint Report.
- Required improvements have been properly constructed.
- As-built drawings and properly executed certifications have been received by the County Engineering Division.

Date: December 12, 2013