

Grounds for Waiver

202.4.1 Disproportionate Cost. Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area. Costs that may be counted as expenditures required to provide an accessible path of travel may include: (i) costs associated with providing an accessible entrance and an accessible route to the altered area; (ii) costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls; (iii) costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); (iv) costs associated with relocating an inaccessible drinking fountain.

We are requesting a waiver from providing vertical accessibility to the second and third story of the building due to the disproportionate cost associated with adding a two or three stop elevator. Currently the existing ADA parking space does not have an access aisle and the entry at the accessible ramp does not meet the required ADA clear floor space requirements. The existing toilet rooms and drinking fountains are not ADA compliant and the existing rise/run and handrails of the main stair are not in compliance.

The main intent of this project was to address the ADA accessibility deficiencies along the accessible path, rework the existing toilet rooms and drinking fountains on the first and second floor to be ADA compliant and reconfigure the existing stair and handrails of the main stair to be compliant. This ADA corrective work comprises the majority of the proposed construction cost of the project. The remainder of the project consists of replacing interior finishes, building two entry stoops, replacing existing cabinets in the breakroom, reconfiguring three offices into two by relocating one wall and replacing all of the existing fluorescent light fixtures with LED fixtures.

The cost of construction as designed and submitted for permitting was \$208,633.00 as per the attached letter from the general contractor. The majority of the construction cost dealt with addressing the aforementioned ADA deficiencies. As required to substantiate the disproportionate cost to provide accessibility to the second and third floors we solicited quotes for a three stop elevator from Otis and Thyssen Krup. Based upon the elevator quotes and the cost provided by the contractor to construct an elevator shaft and power the elevator an additional \$225,317.00 would be added to the construction cost in addition to the cost of the ADA corrective work included in the original scope of work. This would equate to a 110% increase in the construction cost which exceeds the 20% requirement. The elevator quotes from the manufacturer alone, \$93,500.00 direct cost, exceeds the 20% ADA requirement.

Based upon this disproportionate cost we respectfully request a waiver to provide vertical accessibility to the second and third floors. Denying this waiver would significantly impact the project and preclude any of the other ADA or code corrective work from being done.