




March 31, 2020

TO: WSDOT Project Development Engineers

FROM: Steve Roark, State Design Engineer
Development Division Director  Roark, Steve
Mar 31 2020 2:42 PM
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SUBJECT: Project Delivery Memo #19-04 – Acquiring Temporary Construction Rights for ADA on Preservation Projects - Process Option

WSDOT has many statewide preservation projects that are in various stages of design that are required to address ADA sidewalk curb ramp improvements within the project limits. During project development, design teams may identify locations where WSDOT may need to enter private property to reconstruct the ramps, or locations where the sidewalk already encroaches onto private property. There may also be locations where private improvements/features are potentially within the state Right of Way (ROW). Implementing a full ROW phase for these type of situations is overly burdensome and can cause significant project delays that are un-necessary. This memorandum, and as specified in the attached document, serves to provide a potential option in facilitating an accelerated and simplified process to address these needs.

The typical WSDOT approach requires a ROW Phase in order to facilitate this process, including the determination of ownership by title and property lines, payment of just compensation and the clearing of all encroachments within the ROW throughout the limits of the project. This process can exceed the effort and costs to acquire property rights alone. In lieu of a formal ROW Phase, design teams now have a simplified option to acquire temporary rights outside of the current footprint for ADA curb ramp improvements in the current footprint. This option will offer property owners all the protections of federal and state laws and payment due.

The attached memorandum outlines the requirements and limitations of the new simplified option in acquiring temporary rights. Included within those requirements is the obligation to use state funds only on any phase of the ADA sidewalk curb ramp improvement project and any other project(s) constructed as part of the same construction contract (e.g. companion preservation projects). As there are several options available to acquire necessary property rights, project teams are encouraged to have early coordination with Region Executive Management, Program Management and Real Estate Services to determine which option best meets your Region's business needs on a project by project basis.

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If you have any questions, please contact the HQ Design Office or the HQ Real Estate Services Office.

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Attachment: WSDOT Proposal for ADA on Preservation Projects - Process Option

cc: Jay Alexander, CPDM
Terry Meara, HQ RES