

Incorporating Accessibility into Public Procurements of ICT

Lessons Learned Implementing U.S.
Government's Section 508

Incorporating Accessibility into Public Procurements of ICT

- Background – U.S.G. Procurement Role
- Section 508 of the Rehabilitation Act
- Providing Tools and Resources
- Collaborating in the marketplace
- Measuring conformance
- Ongoing challenges
- Contacts

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- Background – U.S.G. Procurement Role
 - Executive branch includes both civilian and defense agencies;
 - Congress appropriates funds;
 - Agencies' procurements are governed by the Federal Acquisition Regulations (FAR);
 - The FAR is used to implement policy and sometimes social good, and
 - The FAR does not cover state or local entities.

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“The FAR is the primary regulation for use by all Federal Executive agencies in their acquisition of supplies and services with appropriated funds. It became effective on April 1, 1984, and is issued within applicable laws under the joint authorities of the Administrator of General Services, the Secretary of Defense, and the Administrator for the National Aeronautics and Space Administration, under the broad policy guidelines of the Administrator, Office of Federal Procurement Policy, Office of Management and Budget.

The FAR precludes agency acquisition regulations that unnecessarily repeat, paraphrase, or otherwise restate the FAR, limits agency acquisition regulations to those necessary to implement FAR policies and procedures within an agency, and provides for coordination, simplicity, and uniformity in the Federal acquisition process. It also provides for agency and public participation in Developing the FAR and agency acquisition regulation.”

From <https://www.acquisition.gov/far/current/pdf/FAR.pdf>

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From the FAR

Subpart 1.1—Purpose, Authority, Issuance

1.101 Purpose.

The Federal Acquisition Regulations System is established for the codification and publication of uniform policies and procedures for acquisition by all executive agencies. The Federal Acquisition Regulations System consists of the Federal Acquisition Regulation (FAR), which is the primary document, and agency acquisition regulations that implement or supplement the FAR. The FAR System does not include internal agency guidance of the type described in 1.301(a)(2).

1.102 Statement of guiding principles for the Federal Acquisition System.

(a) The vision for the Federal Acquisition System is to deliver on a timely basis the best value product or service to the customer, while maintaining the public's trust and fulfilling public policy objectives. Participants in the acquisition process should work together as a team and should be empowered to make decisions within their area of responsibility.

(b) The Federal Acquisition System will—

(1) Satisfy the customer in terms of cost, quality, and timeliness of the delivered product or service by, for example—

(i) Maximizing the use of commercial products and services;

(ii) Using contractors who have a track record of successful past performance or who demonstrate a current superior ability to perform; and

(iii) Promoting competition;

(2) Minimize administrative operating costs;

(3) Conduct business with integrity, fairness, and openness; and

(4) Fulfill public policy objectives.

(c) The Acquisition Team consists of all participants in Government acquisition including not only representatives of the technical, supply, and procurement communities but also the customers they serve, and the contractors who provide the products and services.

(d) The role of each member of the Acquisition Team is to exercise personal initiative and sound business judgment in providing the best value product or service to meet the customer's needs. In exercising initiative, Government members of the Acquisition Team may assume if a specific strategy practice, policy or procedure is in the best interests of the Government and is not addressed in the FAR, nor prohibited by

law (statute or case law), Executive order or other regulation, that the strategy, practice, policy or procedure is a permissible exercise of authority.

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Section 508 of the Rehabilitation Act

- The goal of the Section 508 legislation is to improve the accessibility of the U.S. Government's use of ICT and is enforced through acquisitions
- Most every state has a similar law or policy
- Section 508 pertains to every type of technology we buy or develop or use or even simply maintain
- No excuses – we can't use reasons such as “fitness for duty” or “we don't have any employees with a disability” or “we can make it accessible later”
- Only exceptions are highly defined – undue burden, commercially unavailable, National Security

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What Section 508 isn't:

- It isn't ***reasonable accommodation***
 - Although reasonable accommodation is required it if full compliance with S508 isn't possible
- It doesn't provide ***assistive technology*** to an individual
 - like screen reader software
- It doesn't address ***physical access*** issues
 - Such building egress, paper documents or transportation concerns unless IT is used to solve any of those issues

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Section 508 is implemented in the FAR

Part 1.202 – Agency compliance with the FAR is the responsibility of the Administrator of General Services (for civilian agencies other than NASA)

Part 2 - contains definition of “Electronic and Information Technologies (EIT)”

Part 7 – Agency Heads are responsible for ensuring that acquisition planners consider the 508 Standards, and that the standards are included in requirements planning

Part 10 – Market research must include accessing the availability of EIT that meets the 508 Standards

Part 11 – Requirements documents must comply with the 508 Standards

Part 12 – Requirements documents must include the applicable standards

Part 39 – Implements the 508 Standards

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Providing Tools and Resources

- www.section508.gov
- www.buyaccessible.gov
- Accessibility Forum 2.0
- QuickLinks

Section508.gov

Opening Doors to IT

Resources for understanding and implementing Section 508



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Comments Welcome!

[What do you think of the new site?](#)

If you are a



Man at work talking on the phone

Requiring Official

- Identify which provisions apply to the procurement
- Perform market research to determine the availability of conforming products and services
- Demonstrate "due diligence" (document an audit trail for Section 508 compliance) ... and do so effectively, efficiently, and consistently?

Accessibility Forum 2.0 - Voices From the Front Line

Our New Year's Resolution: BeAccessible

Our New Year's resolution is to move from focusing on just BuyAccessible to BeAccessible. Our ... [Read full Blog](#)

Top Posts of 2010

This year we launched the Accessibility Forum 2.0 blog for conversation about Section 508. Some of o... [Read full Blog](#)

12 More Quick Links Available!

We just added 12 more Quick Links to Buyaccessible.gov to bring the total to 29! There is a whole ne... [Read full Blog](#)

[View Blog Homepage](#)

What's Happening

Friday, December 3, 2010

[White House Announces the First Monthly Disability Conference Call](#)

Friday, December 3, 2010

[Presidential Proclamation--International Day of Persons with Disabilities](#)

Monday, December 13, 2010

[Welcome to the 2010 Interagency Disability Educational Awareness Showcase \(IDEAS\)](#)

[View all news items](#)

SpotLight



Kareem Dale, Special Assistant to President Obama for Disability Policy

How Do I...

- [Take Training?](#)
- [Get accessibility information about EIT products and services?](#)
- [Find my agency's 508 Coordinator?](#)
- [Get my 508 questions answered?](#)

[See All](#)

Stay Connected

Sign up for periodic email alerts!

E-mail:

[Sign Up](#)





Breaking News: New release of the [BuyAccessible Wizard \(3.9\)](#) is now available. This new release brings:

- New [Quick Links](#) interface – Quick Links provide quick and easy pre-packaged Section 508 documentation for a number of standard EIT deliverables. Each Quick Link includes solicitation language and a Government Product/Service Accessibility Template (GPAT) customized for that product or service. The new interface customizes the output for government buyers, micropurchasers, and sellers/vendors.
- [12 New Quick Links](#) to bring the total to 29.



Buyers

[Check out Quick Links \(New!!!\)](#)

Are you trying to...

- Determine if your purchase is subject to Section 508?
- Find companies and do market research to buy Electronic and Information Technology (EIT) products or services?
- Provide documentation for Section 508 compliance?

Use the [BuyAccessible Wizard](#) to ensure consistency and proof of due diligence every time.

Sellers

[Check out Quick Links \(New!!!\)](#)

Are you trying to...

- Sell Electronic and Information Technology (EIT) products and services to the government?
- Provide an easy way to showcase accessibility information for government buyers?

Register with the [BuyAccessible Product and Services Directory](#) so that buyers can easily find your accessibility information.

Visit [Section508.gov](#) for everything you need to know about Section 508. For more [information on designing, testing, and evaluating EIT](#)

- [Training for Buyers](#)
- [Training for Sellers](#)
- [BuyAccessible Glossary](#)
- [Additional Information](#)



Accessibility Forum 2.0

Conversation about Section 508

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Jan
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Are conferences subject to Section 508?

Category: [Is it E&IT?](#) — BuyAccessible Team @ 11:07 am

Are conferences Electronic and Information Technology and subject to Section 508? On one hand, accommodation for attendees with disabilities is not Section 508. Those accommodations are covered by ADA. On the other hand, websites and presentations, webinars, and other electronic information distributed as part of the conference are subject to Section 508. For example if you have a website for registration and publishing the agenda, that website needs to be Section 508 compliant. Also if you publish presentations on the web after the conference, those documents need to be Section 508 compliant.

Here is a past post we wrote about [accessible presentations](#). Some key points are: to ask attendees about accommodation needs and provide for them; remind speakers to repeat what is displayed on any screen in case any audience member can't see it; and requiring everyone to use a microphone.

Accessibility of buildings, while not covered by Section 508, is also important. You can learn more about it from the [Access Board website](#).

There is free training available on accessible conferences through the Section 508 Universe. You can register for a Section 508 Universe account [here](#).

[Comments \(0\)](#)

Jan
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Our New Year's Resolution: BeAccessible

Category: [BuyAccessible](#) — BuyAccessible Team @ 10:00 am

Our New Year's resolution is to move from focusing on just BuyAccessible to BeAccessible. Our [current tools](#) provided Section 508 guidance for government buyers of Electronic and Information Technology (EIT). But, Section 508 also includes development, maintenance and use of accessible EIT. To assist users to BeAccessible, our goal is to provide our tools and resources for these other types of uses and make these tools and resources easy to find. For example, EIT developers could use the current BuyAccessible tools to determine Section 508 requirements for a specific product; however, the path to this information is not very clear. We plan to package these development guides in a manner which makes them easily accessible to the intended end user. We are also thinking about customizing resources for users with disabilities help them, for example, know what accessibility features are important in a particular product type.

Do you have any ideas about tools and resources that could be useful to BeAccessible?



Welcome to Quick Links Resource Center

HOME

GLOSSARY OF TERMS

ABOUT

Quick and easy pre-packaged Section 508 documentation for a number of standard EIT deliverables.

Choose your deliverable

Select the EIT deliverable :

Other (not listed)

You are a:

- ☒ Other (not listed)
- ☐ Call (Contact/Help Desk) Center Services
- ☐ Cloud Computing
- ☐ Computer-based Training
- ☐ Computer Printer
- ☐ Data Services or Information Retrieval Systems
- ☐ Desktop or Portable Computer
- ☐ Digital Camera
- ☐ Fax Only
- ☐ Information Content Services
- ☐ Internet or Intranet Services
- ☐ IP Telephones
- ☐ Keyboard or Keypad
- ☐ Management Information System Services
- ☐ Multifunction Machines
- ☐ Pointing Devices
- ☐ Scientific Instruments
- ☐ Servers
- ☐ Smartphone
- ☐ Software Development Services
- ☐ Software Maintenance Services
- ☐ Systems Administration
- ☐ Telephone Service (not including VoIP)
- ☐ VoIP Service
- ☐ Video and Imaging Input Devices
- ☐ Video Teleconferencing
- ☐ Web Application
- ☐ Web-based Collaboration Tools
- ☐ Web-based Information, Documentation and Support
- ☐ Web-based Training

Links to Other Resources:

a vendor for a purchase less than or equal to \$3000

Link

[BuyAccessible.gov](#)

[Accessibility Forum 2.0 Blog](#)

What if my EIT deliverable is not listed

- Browse for similar/related items or Check the [Glossary of Terms](#) tab above to see if your deliverable is listed.
- Glossary by using your internet browser's "Find on this Page" function to see if your deliverable is listed.
- Buyers use the [BuyAccessible Wizard](#) to create customized Section 508 solicitation documents.
- Sellers use the [BuyAccessible Wizard](#) to identify applicable Section 508 provisions for Vendors.
- Cannot find what you are looking for, [Write to us](#)

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Collaborating in the marketplace

Voluntary Product Accessibility Template® (VPAT®)

The Voluntary Product Accessibility Template®, or VPAT®, is a tool used to document a product's conformance with the accessibility standards under Section 508 of the Rehabilitation Act. The purpose of the VPAT is to assist Federal contracting officials and other buyers in making preliminary assessments regarding the availability of commercial "Electronic and Information Technology" products and services with features that support accessibility.

[http://www.itic.org/index.php?submenu=Resources&submenu=Resources&src=gendocs&ref=vp
at&category=resources](http://www.itic.org/index.php?submenu=Resources&submenu=Resources&src=gendocs&ref=vp
at&category=resources)

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Measuring Conformance

Top Level Data					Compliance		
Agency	Fully	Minimal	Non	Total	Fully	Minimal	Non
1st Quarter	30	13	38	81	37%	16%	47%
2nd Quarter	39	32	63	134	29%	24%	47%
CFO Act Agencies 2011 Roll up	69	45	101	215	32%	21%	47%
CFO Act Agencies 2010 Base Line	150	132	268	550	27%	24%	49%

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Ongoing Challenges:

Agencies are still not complying fully with S508:

- Advocacy groups complaints are increasing
- Soon-to-be released academic paper will hit agency web sites hard
- Upcoming refresh of the Accessibility Standards will increase compliance burden and agencies will need BA
- FedBizOpps sampling has shown an improvement over time but still majority of RFPs are wrong
- Next DOJ report depends on GSA's support of survey tool

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