



DIGITAL ACCESSIBILITY IN PROCUREMENT

FAQ for Idaho State Purchasing Officers and Staff

WHEN DOES DIGITAL ACCESSIBILITY APPLY?

Accessibility requirements apply if a procurement includes digital assets, products, or deliverables such as:

- Websites or web applications
- Software or mobile apps
- Cloud platforms or SaaS systems
- PDFs, reports, forms, or digital media

Accessibility must be addressed during procurement, not after contract award.

Rule: If a contract delivers digital content, software, or user interface, accessibility requirements apply.

WHAT IS THE PROCUREMENT PROCESS TO ADD DIGITAL ACCESSIBILITY?

During procurement planning:

- Identify if Information and Communications Technology (ICT) is included
- Define accessibility requirements and technical specifications

During solicitation:

- Include accessibility requirements
- Request documentation

During evaluation:

- Review accessibility materials, request a demonstration, or test

During contract management:

- Ensure vendors maintain compliance

WHEN DOES THIS CHANGE TAKE EFFECT?

April 1, 2026 → Begin including accessibility requirements in ICT contracts.

April 26, 2027 → Federal ADA Title II requirements take effect, requiring accessible digital services.

WHAT IS DIVISION OF PURCHASING'S ROLE?

DOP is responsible for the statewide procurement framework and ensures accessibility requirements are incorporated into purchasing processes, including:

- Maintain statewide procurement policies and guidance
- Incorporate accessibility language into contracts and templates
- Support agencies in implementing procurement requirements
- Coordinate accessibility compliance standards with ITS

WHAT IS INFORMATION TECHNOLOGY SERVICES' ROLE?

ITS is responsible for technical guidance and accessibility expertise, including:

- Establish digital accessibility standards
- Develop accessibility review processes
- Support agencies with accessibility questions
- Review accessibility documentation, when needed
- Consult on accessibility testing and evaluations

WHAT IS THE AGENCY'S ROLE?

Agencies are responsible for implementing accessibility requirements during their procurements, including:

- Identify when a procurement includes ICT
- Include accessibility requirements in solicitations
- Request accessibility documentation from vendors
- Evaluate vendor responses related to accessibility
- Coordinate with ITS when accessibility reviews may be needed
- Verify accessibility compliance throughout the life of the contract

WHERE CAN I FIND RECORDINGS OF TRAININGS AND OTHER RESOURCES?

Division of Purchasing LMS (<https://doplms.tovuti.io/>):

- Procurement trainings and slide decks
- Resources including example contract language, checklists, vendor requirements, and evaluation rubric

Division of Purchasing website (<https://purchasing.idaho.gov/vendor-resources/>):

- Vendor video and resources

ITS Website (<https://its.idaho.gov/>):

- Vendor overview video

- Resources including example contract language, checklists, vendor requirements, and evaluation rubric

IS THERE EXAMPLE CONTRACT LANGUAGE?

Yes, the example contract language is located on the [DOP learning management system \(LMS\)](#) and the [ITS website](#).

DOES THE CONTRACT LANGUAGE APPLY TO SOFTWARE MAINTENANCE, UPGRADE, OR SUPPORT CONTRACTS?

Yes, the example contract language can be included in renewal agreements, other scope-of-work documents, or other documents.

WILL THE AGENCY OR VENDOR BE RESPONSIBLE FOR INCURRED COSTS?

Costs for meeting digital accessibility requirements vary by vendor and solution. In many cases, vendors already build accessibility into their products, so there may be little to no added cost. In other situations, especially where accessibility depends on how the tool is used (such as content management systems), additional effort may be required by the agency or vendor.

Because of this variability, any cost impacts or pricing adjustments should be handled on a case-by-case basis during procurement and contract negotiations. Some vendors can meet accessibility requirements with minimal cost due to existing capabilities, while others may require more significant investment, which could affect pricing.

HOW DOES THIS AFFECT BID DOCUMENTS FROM CONTRACTORS?

Accessibility requirements can be incorporated into solicitations so agencies can evaluate a vendor's accessibility compliance before awarding a contract.

This allows agencies to assess whether a proposed product or service meets accessibility standards as part of the overall bid review process. Vendors may be asked to provide documentation demonstrating accessibility, such as an Accessibility Conformance Report (ACR) or VPAT, along with information about how accessibility is built into their product or service.

Including accessibility requirements in solicitations helps agencies:

- Evaluate accessibility compliance during vendor selection
- Identify any accessibility gaps before procurement
- Require remediation plans or timelines if issues are identified

Addressing accessibility during the procurement process helps ensure that solutions meet ADA requirements and reduces the need for costly remediation after implementation.

DO VENDORS HAVE TO BE 100% WCAG COMPLIANT TO BE AWARDED A CONTRACT?

Not necessarily. While agencies should prioritize solutions that meet WCAG 2.1 Level AA standards, some products may still have accessibility gaps.

In those cases, agencies should evaluate:

- The severity of the accessibility issues
- Whether the vendor has a clear remediation plan
- The timeline for addressing accessibility gaps

Accessibility should be part of the overall evaluation process, and vendors should be expected to demonstrate a commitment to improving accessibility where gaps exist.

WHAT DOCUMENTATION SHOULD VENDORS PROVIDE TO DEMONSTRATE ACCESSIBILITY?

Vendors may be asked to provide an Accessibility Conformance Report (ACR), which is a part of the Voluntary Product Accessibility Template (VPAT), or a Vendor Accessibility Assessment, [found on the DOP website](#).

These documents describe how a product or service meets WCAG accessibility standards and identify any known limitations.

However, agencies should review these documents carefully and use other evaluation methods to determine compliance.

IS THERE A TEST TOOL I CAN USE TO ENSURE DOCUMENTS MEET WCAG STANDARDS?

There are several free tools that can help identify accessibility issues, but no single tool can guarantee WCAG compliance.

A good first step is to use the built-in “Check Accessibility” feature in the source document, such as Microsoft Word, PowerPoint, or Adobe Acrobat. These tools can identify common issues such as missing alt text, problems with heading structure, and reading order errors.

ITS offers Siteimprove for automated testing on websites. If your agency needs access to this tool, email DigitalADA@its.idaho.gov.

There are also several free online accessibility testing tools, including:

- WAVE Web Accessibility Evaluation Tool – Browser extension and online tool that highlights accessibility issues on web pages.
- axe DevTools (Deque) – Free browser extension used to test websites for WCAG issues.
- Accessibility Insights – Free testing tool from Microsoft for automated and guided accessibility checks.
- Colour Contrast Analyzer – Free tool to check whether text and background colors meet WCAG contrast requirements.
- PAC (PDF Accessibility Checker) – Free tool specifically designed to test PDF accessibility.

It is important to note that automated tools typically detect only about 60% of accessibility issues. They cannot determine whether content is meaningful or fully usable with assistive technology. Because of this, manual review and remediation are always required to ensure content meets WCAG standards.

ITS also offers how-to guides, training, and additional tools at <https://its.idaho.gov/digital-accessibility-resources/>.

WHAT IF A PRODUCT DOES NOT CURRENTLY MEET ACCESSIBILITY REQUIREMENTS?

If accessibility gaps are identified, agencies may still proceed with procurement if they have a documented plan to address them.

Contracts should include language requiring the vendor to:

- Identify accessibility gaps
- Provide a remediation timeline
- Deliver updates that improve accessibility over time

Including remediation expectations in the contract helps ensure accessibility improvements are addressed after contract award.

WHO IS RESPONSIBLE FOR ENSURING ACCESSIBILITY AFTER PROCUREMENT?

Accessibility is a shared responsibility.

Vendors are responsible for ensuring their products meet accessibility standards. However, agencies also have responsibilities for how those tools are implemented and used.

For example:

- Vendors provide accessible platforms or systems
- Agencies ensure the content they create within those systems is accessible

Both parties play a role in maintaining accessibility over time.

DOES THIS APPLY TO SOFTWARE AND CLOUD SERVICES?

Yes. Accessibility requirements apply to a wide range of digital products and services, including:

- Websites and web applications
- Commercial off-the-shelf software
- Cloud and SaaS (software as a service) platforms
- Mobile applications
- Documents and digital content

If a product or service is digital and used to deliver government services or information, accessibility requirements should be considered during procurement.

DO THESE REQUIREMENTS ONLY APPLY TO PUBLIC-FACING ITEMS AND SERVICES?

No. While the updated ADA Title II rule primarily focuses on public-facing digital services, accessibility obligations also apply to internal digital systems.

State and local governments must ensure that employees with disabilities have equal access to the tools, systems, and information needed to perform their jobs. This means internal websites, software applications, documents, and communication tools should also be accessible.

Building accessibility into both public-facing and internal digital assets helps agencies meet legal obligations, support employees of all abilities, and reduce barriers across government services.

WHAT IF THE VENDOR IS FOUND TO BE NON-COMPLIANT?

If the vendor fails to perform its accessibility obligations, including but not limited to timely remediation of Accessibility Violations or performance of their accessibility testing obligations, the State of Idaho may exercise the following remedies, or other remedies in accordance with state procurement statutes, rules, or policies:

1. Withhold payment.
2. Terminate the Agreement without penalty.
3. Perform necessary testing and/or remediate, and deduct the actual cost from any outstanding payments to the vendor or seek reimbursement.
4. Elect not to renew the Agreement upon expiration.

WHAT IF AN ACCESSIBLE PRODUCT DOES NOT EXIST?

In some cases, a fully accessible product may not be available. When that happens, agencies should still make a good-faith effort to select the most accessible option available.

If a product has accessibility limitations, the agency should work with the vendor to document those gaps and, where possible, require a remediation plan or roadmap.

The goal of the procurement process is to ensure accessibility is considered during evaluation and that agencies select solutions that provide the highest level of accessibility reasonably available.

DO WE HAVE TO REPLACE ALL EXISTING SYSTEMS BY 2026?

No. The updated ADA rule does not require agencies to immediately replace all existing systems.

Instead, agencies should focus on improving accessibility over time by addressing barriers as systems are updated, renewed, or replaced. Accessibility should also be incorporated into new procurements, contracts, and digital content moving forward.

If accessibility issues exist in current systems, agencies should work to identify those barriers and develop a plan to address them through remediation, upgrades, or future procurement decisions.

The goal is to ensure that digital services become more accessible over time by building accessibility into planning, procurement, development, and content creation processes.

CONTACT & QUESTIONS

Division of Purchasing for contract questions: DOPHelpDesk@adm.idaho.gov

Information Technology Services for accessibility or technical questions: DigitalADA@its.idaho.gov