

Website Accessibility Addendum

Background:

Compliance with the Americans with Disabilities Act (“ADA”) is a growing concern for companies and their websites. Some companies have become the target of lawsuits for not meeting the ADA’s accessibility requirements. Optimizing websites for accessibility and ADA compliance makes a website inherently more usable for more people and reduces a company’s risk of accessibility-related lawsuits.

To learn more about web accessibility and the changes to the guidelines, below are some resources.

- <https://www.section508.gov/>
- <https://www.w3.org/WAI/intro/wcag>

AOR has always followed best practices when establishing websites, including incorporating features to address the ADA’s accessibility requirements.

Recommendation:

AOR recommends that all Client websites comply with the Web Content Accessibility Guidelines 2.1 Level AA (“WCAG 2.1 Level AA”) standards in order to increase the likelihood of compliance with any ADA accessibility requirements.

WCAG 2.1 Level AA Services

To bring a website up to WCAG 2.1 Level AA standards, AOR will do the following (collectively, the “Accessibility Services”):

- Fully audit the website using web accessibility software
- Fix certain accessibility errors and warnings. These errors and warnings may include:
 - Color contrast
 - Image alt text
 - Heading order
 - Labels
 - Screen reader compatibility
 - Keyboard navigability
- Test the website using web accessibility software

The cost of the Accessibility Services is already included in the applicable Scope of Work under Estimated Costs.

Client may, in Client’s sole discretion, remove the Accessibility Services from the applicable Scope of Work.

Disclaimer

If applicable, AOR is building Client’s website with a content management system that allows Client to modify the website without AOR’s approval. Client acknowledges and agrees that the outcome of any

testing during the Accessibility Services is limited to a point-in-time examination of Client's website as compared to the WCAG 2.1 Level AA standards. AOR is not responsible for Client's compliance with WCAG 2.1 Level AA standards if Client has modified the website after the Accessibility Services have been completed.

AOR is not responsible for the ADA compliance of any Client website. Client retains sole responsibility for compliance with all laws and regulations, including the ADA.

Indemnification

Client expressly agrees to indemnify and hold harmless AOR its officers, directors, agents and other employees, from any and all losses, damages, expenses or costs (including attorney's fees and disbursements attendant thereto) arising out of or in any way relating to claims brought against Client under the Americans with Disabilities Act, or other statute or regulation, on the basis that Client's website(s) is/are not accessible.

Opt-Out

By signing below, Client acknowledges and agrees that Client agrees to be bound by this Website Accessibility Addendum, and that **AOR shall not provide Accessibility Services.**

Signature

Date