



**Date:** August 15, 2024

**To:** Public Works Commission

**Through:** Carla Short, Public Works Director

**From:** Michael Lennon, BSM – Inspection & Enforcement Manager

**Subject:** Response Through Chair Regarding Sidewalk Inspection & Repair Program (SIRP) General As-Needed Contract No. 27

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**Date of Request of Department Staff:** July 22, 2024

**Request of Department Staff:** Chair Post requested responses and information pertaining to the following:

- (1) Whether SF's policy of sidewalk inspection and repair on a rolling 25-year basis the industry standard?
- (2) Whether other cities of similar size and density inspect and repair their sidewalks at a similar pace?
- (3) How long the Sidewalk Inspection and Repair Program has been in existence?
- (4) Why there was only a single bidder for the contract given how long the program has been in existence?
- (5) Whether there are workforce development opportunities for Public Works to pursue that could help expand the pool of contractors qualified to take on work of this nature?
- (6) Whether SIRP should receive more funding and attention in order to prepare for future expansion of the City's urban canopy?

**Response:** Information responsive to the each of the above items are included below.

- (1) SIRP operates based on authority derived from CA Streets and Highways Code section 5610 and is implemented locally via SF municipal Public Works code Article 15, section 706. These codes place responsibility for maintenance and repair of the sidewalks on the adjacent property owners. As such, without being able to speak to any location specific constraints, other jurisdictions in California can implement similar programs. Other municipalities – Los Angeles, Redwood City, San Rafael, City of Concord, City of Martinez – have versions of sidewalk repair programs intended to improve sidewalk conditions while limiting the direct cost to property owners. That being said, the manner in which the programs are operated can vary, and San Francisco seems to be unique in placing a timeline on the operating cycle.
- (2) San Francisco is unique in terms of footprint and density and most other municipalities that do have some form of sidewalk repair program and of which we're aware don't provide a timeline for a full operating cycle. Some municipalities in California (e.g., LA and San Ramon) and outside of California (e.g., Tacoma, Washington and Denver, Colorado) have contacted Public Works for insight on how we operate SIRP, but we are not certain as to the number of municipalities with similar programs. Those with similar programs of which we're aware have drastically different geography than San Francisco.
- (3) The Sidewalk Inspection and Repair Program was introduced in 2007.

- (4) The longevity of a program does not necessarily equate to it being a particularly profitable endeavor for the contractor(s) involved. There have been a good number of different contractors who worked on SIRP over the years and many have not bid on subsequent contracts and returned. The program is intense as it involves working in multiple locations and making block/lot specific repairs requiring coordination with City entities, utilities, and private property owners. Having hundreds (or thousands) of individual property owners involved with some degree of financial stake in the project makes it less appealing than other programs whereunder contractors are more insulated.

Please also note that we re-advertised and re-bid this contract and provided ample opportunity for others to bid. Yet, there was only one bid received.

- (5) PW already has (or had) Cement Mason and Laborer apprenticeship programs, which are core trades working on the SIRP contracts. However, being able to translate foundational knowledge into running a company with the years of technical experience and financial capacity necessary to effectively function and make being a prime contractor on a program the size and scope of SIRP a profitable endeavor are two separate things. Many of the prior SIRP contractors are regular Primes/Subs on other City projects. They just find it easier to make their money working on other programs/contracts.
- (6) High level, the more funds available to staff and operate SIRP (and ASAP) the more that can be done to help further efforts to promote a more expansive urban canopy - in this instance through tree trimming, hedge trimming, root pruning, and sidewalk repairs being made through operation of the programs. However, there are many competing priorities with limited funding, and it's not my place to say how funds should be allocated.

**Additional Actions:** Award of Sidewalk Inspection and Repair Program General As-Needed Contract 27 will be on the agenda for the Commission hearing scheduled for September 9, 2024. Any additional data can be provided in advance of the hearing.

**Attachments:** None.