



City of San Diego Contracting System Flaws:

Examples of contractor failures causing low quality service and extra cost

July 2008

The City of San Diego is embarking on a managed competition program to privatize many city functions. While the process is new, San Diego already has extensive experience with using private contractors for many similar functions. This report provides a glimpse into the local privatization track record.

Some disastrous service failures and spectacular cost overruns by private contractors have made headlines: the electrocution at an incorrectly wired bus stop, the 300 extra tickets issued when a red-light camera contractor manipulated stoplight times, the Kroll financial report that was bid at \$250,000 and wound up costing the city \$20 million.

But there have been many more problems with private contracts -- and with the city's system of monitoring and oversight of those contracts -- that have not made the news. Cost overruns, change orders, and numerous cases of substandard work that must be redone by city staff have all made private contracts much more expensive to San Diego taxpayers than they first appear. Without stringent monitoring, contractors have financial incentives to cut corners, hire less skilled workers and use inferior materials rather than do the job right.

The City's current contracting system is flawed and is not serving the best interests of city taxpayers and residents who depend on the services provided. The system must be repaired before the City moves forward with additional contracting.

The following are examples of the day-to-day contractor failures that go mostly unnoticed except by the affected residents and the city crews who fix the problems. CPI documented the following examples during February and March of 2008.

Public Safety and Hazards

Pedestrian Ramps

In the residential neighborhood near Mesa College, two of the four pedestrian ramps at the intersection of Armstrong St. and Armstrong Pl. were not correctly connected to the street. Pedestrian ramps most allow a smooth transition from the ramp through the concrete of the gutter to the level of the street asphalt. The contractor failed to finish the portion



Armstrong St. and Armstrong Pl.

between the gutter and the street, leaving a drop-off of one to two inches. This is hazardous for people with limited mobility who rely on walkers, wheelchairs or crutches. The Americans with Disabilities Act design standards specifically state:

“4.7.2 Slope. Transitions from ramps to walks, gutters, or streets shall be flush and free of abrupt changes.”¹

Streetlights

When replacing ballasts in streetlights in the neighborhood around Soto Street and West Point Loma Avenue, contractors used plastic zip ties, or cable ties, to connect the ballasts to the light structure. This is neither code compliant nor safe. Code requires metal straps to be used. Plastic can crack over time or can melt if the ballasts become warm, possibly dropping the ballast and light bulb onto the ground below.

Missing Stops

The intersections of 6th and Laurel and 7th and Cedar were repaved by contractors who neglected to stencil STOP or the bar indicating where to stop at the northeast corner. The Union-Tribune reported observing six cars approach the corner within a 5-minute period one afternoon. Two drove through the intersection without stopping and a third driver slammed on the brakes after noticing the stop sign. The reporter called the deputy director of the Street Division, Hasan Yousef, and the problem was fixed the next day. According to Yousef, “. . .because of the danger posed to motorists and pedestrians, the city did the work itself instead of waiting for the contractor to do it”.²

¹ Americans with Disabilities Act Accessibility Guidelines, 28CFR, Part 36 App. A. Section 4.7.2. <http://www.ada.gov/reg3a.html#Anchor-17383>

² Braun, Ruth McKinnie. “Street Division sees danger in missing stop stencil, paints one in right away”. *San Diego Union-Tribune*. January 18, 2008.

Missing Crosswalk

Orange Avenue in the Normal Heights area was repaved recently but the crosswalks at the intersection with 35th Street were not replaced. California code recommends that crosswalks be marked and painted yellow when they are within 600 feet of a school or are on the recommended route for students to approach the school. This intersection is 100 feet from Edison Elementary School.



Orange Ave. and 35th St.

*"Whenever a marked pedestrian crosswalk has been established in a roadway contiguous to a school building or the grounds thereof, it shall be painted or marked in yellow as shall be all the marked pedestrian crosswalks at an intersection in case any one of the crosswalks is required to be marked in yellow."*³

Lane Markings

When University Avenue was repaved at the intersection with 43rd Street, the contractor incorrectly replaced the lane markings. In the eastbound lane, rather than directing traffic to move to the left when the street widens for on-street parking, the right-hand lane disappears entirely, causing drivers to make rapid, unsafe lane changes. The contractor also failed to allow the asphalt to dry sufficiently before applying the markings, so the striping is already fading after just two or three years.

Quality and Convenience

Center Line Markings

When a contractor repaved Market Street downtown, the center line markings were replaced incorrectly. City employees blacked out the incorrect striping and replaced the markings correctly.

Street Trenching – University Avenue near Rolando Boulevard

A trench opened and insufficiently repaired by a contractor on University Avenue eastbound near Rolando Boulevard resulted in the asphalt sinking one to four inches across the entire lane.

³ California Department of Transportation. "Chapter 10: School Area Pedestrian Safety". California Manual on Uniform Traffic Control Devices. Page 10-11.
<http://www.dot.ca.gov/hq/traffops/signtech/signdel/pdf/TMChapter10.pdf>

Street Trenching – University Avenue near 52nd Street

Contractors for a new housing development at University Avenue and 52nd Street have continuously reopened and temporarily patched street trenching over a 4-month period. Poor trenching and repair leave uneven driving surfaces, potholes and sharp drop-offs which can lead to vehicle damage such as cracked wheel rims or popped tires.



Poor trench repair at University Ave. and 52nd St.

Streetlights

A contractor in Little Italy removed street lights for a two-block span while repouring sidewalks, which took weeks. City workers “preserve the integrity of street lighting,” meaning the lights get replaced immediately even while sidewalk or street work is being done.

The Union-Tribune Just Fix It column recorded three distinct occurrences of contractor failures on streetlights in eight months:

- **2/6/08** - La Jolla Blvd near Bonair – A contractor working on the street damaged the underground equipment.
- **7/27/07** - Washington Pl. & Randolph St. – The streetlight was supposed to be replaced when a contractor undergrounded the utilities but was not.
- **6/25/07** - Terrace Dr. near Madison Ave. - Streetlight work was done by a contractor who connected the light to the wrong power source so the lights never turned on.

Street Improvements

A new cul-de-sac meant to improve the end of old University Avenue where it intersects with a new development has not been finished, remaining unpaved, filled with trash and during the rains, filled with water.

*Old University Ave.
near 50th Street.*



Value for the Taxpayer Dollar

Water Mains

On April 16th, a water main was damaged in the middle of the day by a private contractor installing an electrical conduit on 10th Avenue between A and B streets. One southbound lane on 10th Avenue was closed until the City water crews were done repairing the main at 4p.m. ⁴

Residential Concrete Streets

Contractors trenching the streets of Bangor Street and Gage Drive in Point Loma used inferior concrete, which results in a more rapid deterioration and breakup of the street.

Storage Room for Communications at the 20th and B City Operations Yard

Contractors were hired to construct an interior storage room in the Communications building at the 20th and B City Operations Yard. When completed, the walls were not square and had to be ripped out and rebuilt. City workers were asked to do the demolition and new construction. Under the drywall, they discovered that nothing was up to code, with wall studs at significantly varying distances from each other and dry wall screws used to mount ceiling joists.

City Administration Building Doors

When the City Council offices in the City Administration Building were remodeled, the contract specified painting the doors, but failed to specify taking them down, moving them to the basement to be painted and then rehanging them. City employees had to be assigned to do those jobs.

⁴ "Water Main Break Near Petco Park Repaired." San Diego Union-Tribune. 16 Apr. 2008.

Presidio Park Comfort Station Doors

A new restroom was built at the base of Palm Canyon in Presidio Park by a contractor in 2005 and paid for with Capital Improvement Funds. Unforeseen conditions led to cost overruns, which were approved and paid for by the City. Yet the contractor failed to paint the wooden doors, which became swollen and distorted. City workers took down the doors, trimmed, painted and rehung them.

Streetlight Dedications Mean Extra Costs

Streetlights in the La Jolla Renaissance neighborhood are of a unique design installed by the developer and then given to the City of San Diego for maintenance and upkeep. The lights, simulating Old World European design, are crafted with nongalvanized steel, which means they lack the physical barrier against corrosion and maintenance-free service provided by galvanized steel.

College Avenue Repaving

During the repaving of College Avenue near Billman Street, the contractor left a 1-to-2-inch edge between the remaining pavement and the area removed. Extreme edges can lead to vehicle damage, including cracked wheel rims or popped tires. Paving later was completed and lane markings and reflectors installed. However, the contractor installed reflectors every 14 feet rather than every 14 meters as required by the California Manual on Uniform Traffic Control Devices,⁵ resulting in increased cost to the City for extra reflectors and work.

Mission Valley Branch Library Duct Work

The heating and air conditioning duct work at the recently constructed Mission Valley Branch Library was left uncompleted. The thermostat would trigger either heating or cooling, but there was no result inside the building, wasting energy and money.

College Heights/Rolando Branch Library Flagstones

The newly constructed College Heights/Rolando Branch Library has a welcoming entrance with bench seating and lighting with decorative flagstones, installed by a contractor. Shortly after the grand opening, flagstones were coming loose and falling out. City workers glued them back into place.



⁵ California Department of Transportation. "Part 3: Markings". California Manual on Uniform Traffic Control Devices. Figure 3A-102 (CA). Lane Lines – Multilane Highways. Page 3A-5. <http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/pdf/camutcd/CAMUTCD-Part3.pdf>