

**Performance Audit
Sidewalk Management**

April 2006

City Auditor's Office

City of Kansas City, Missouri

April 26, 2006

Honorable Mayor and Members of the City Council:

Residents are dissatisfied with the condition of the city's sidewalks. This audit examines how other cities manage their sidewalk programs and how Kansas City could better manage its sidewalks.

Although sidewalks are an important city asset, the city does not manage its sidewalk system. Kansas City does not have a systematic sidewalk inspection program. The city does not know how many miles of sidewalk are located within the city or the condition of the sidewalks. Rather, the city only inspects sidewalk conditions when property owners or community groups initiate a request or complain about a sidewalk. A systematic inspection program could help allocate city resources and target areas for repair.

The city primarily uses three programs to replace sidewalks. The program used to replace sidewalks and the resulting costs paid by property owners are influenced by not only the condition of the sidewalk, but by where the property is located, the cooperation of neighbors, or the ability to navigate the PIAC process. Although the city charter places the responsibility for sidewalk repair and maintenance on property owners, some property owners pay nothing while others pay almost all of the costs. For some property owners, sidewalk costs assessed by the city can be a financial burden.

Sidewalk repairs take a long time. More than three years may elapse from the time that a complaint is received until the sidewalk is replaced and a bill is sent to the property owner. The city has taken steps intended to decrease the time it takes to repair sidewalks and is investigating other options. We make a number of recommendations to improve the city's management of its sidewalks and decrease repair times.

We provided a draft report to the Public Works Director and City Manager for review and comment on March 31, 2006. Management's response is appended. We appreciate the courtesy and cooperation of city staff throughout the audit. The audit team for this project was Brandon Haynes, Vivien Zhi, and Nancy Hunt.

Mark Funkhouser
City Auditor

Sidewalk Management

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Introduction

Objectives

We conducted this performance audit of sidewalk management under the authority of Article II, Section 13 of the Charter of Kansas City, Missouri, which establishes the Office of the City Auditor and outlines the City Auditor's primary duties.

A performance audit systematically examines evidence to independently assess the performance and management of a program against objective criteria. Performance audits provide information to improve program operations and facilitate decision-making.¹ We designed this audit to answer the following question:

- How does the city's method of managing its sidewalk system compare to that of other large cities?

Scope and Methodology

This audit focuses on the management of the city's sidewalk replacement programs. We examined citywide, PIAC, and 4th District residential petition projects. We did not review the Neighborhood Improvement District program because staff told us that it is used infrequently for sidewalk improvements. Nor did we examine unimproved streets which have no curbs and sidewalks. Our methods included:

- Interviewing city staff from Public Works, Parks and Recreation, Capital Improvements Management Office (CIMO), and Law.
- Interviewing staff from Milwaukee, Wisconsin, and cities² that received positive sidewalk condition ratings in our City Services Performance Report.
- Reviewing the city's sidewalk budget, sidewalk replacement expenditures, sidewalk special assessment data, and selected sidewalk project files.

¹ Comptroller General of the United States, *Government Auditing Standards* (Washington, DC: U.S. Government Printing Office 2003), p. 21.

² Arlington, Texas; Denver, Colorado; Des Moines, Iowa; Ft. Worth, Texas; and Minneapolis, Minnesota.

We conducted this audit in accordance with generally accepted government auditing standards. No information was omitted from this report because it was deemed privileged or confidential.

Background

Residents Dissatisfied with Sidewalk Conditions

Residents report low levels of satisfaction with the conditions of the city's sidewalks. Less than 20 percent of respondents to the annual citizen survey were satisfied with the condition of city sidewalks, while about half of them were dissatisfied.³ Kansas City residents' sidewalk satisfaction levels were lower than those of other cities. (See Exhibit 1.)

Exhibit 1. Citizen Satisfaction with Sidewalk Conditions

City	Percent Satisfied
Minneapolis, MN	59%
Denver, CO	51%
Arlington, TX	47%
Des Moines, IA	45%
Ft. Worth, TX	42%
Kansas City, MO	18%

Source: ETC Institute.

A 2001 survey conducted for the Public Works Department⁴ found dissatisfaction with the condition of neighborhood sidewalks. In addition, city staff report that property owners are dissatisfied with the assessment process used to pay for sidewalk replacement.

Defective Sidewalks Can Hamper Safety and Access

Defective sidewalks can result in conditions that hamper pedestrian safety and access. Typical problems include squares with $\frac{3}{4}$ inch cracks or wider; the edges of adjoining squares differ vertically by more than $\frac{3}{4}$ inch; squares with shattered, loose, or missing pieces; as well as squares that are raised or depressed causing a 20 percent change in the grade of the sidewalk. The following photographs show sidewalk problems, repairs, and replacements.

³ *City Services Performance Report for Fiscal Year 2005*, Office of the City Auditor, Kansas City, Missouri, November 2005.

⁴ ETC Institute, *Curbs & Sidewalks Survey*, April 2001.



Citywide projects replace small sections of defective sidewalk throughout the city like this square of sidewalk.



PIAC projects replace an entire block of sidewalk.



A citywide project replaced part of this sidewalk, but not the corner. Because of the drainage inlet, Public Works has to coordinate with Water Services before completing this corner curb and sidewalk repair.



This sidewalk is covered by overgrown grass and dirt.

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This sidewalk contains a crack that is more than $\frac{3}{4}$ of an inch wide.



This sidewalk is shattered with loose and missing pieces.



Trees cause many sidewalk problems. Here tree roots are raising sidewalk squares. Public Works coordinates with Parks and Recreation to evaluate, cut back, or remove trees and tree roots that damage sidewalks.

Programs to Repair Sidewalks

Three city programs are used for most sidewalk repair projects: citywide repair, PIAC, and 4th district residential petition. The programs vary in how projects are initiated, project size, and the financial responsibility of the property owners. The city hires contractors to repair and replace sidewalks under these programs. Public Works staff prepare project specifications and cost estimates, oversee construction, and administer the contracts. CIMO staff oversee the contract bidding process.

The city charter and code place responsibility for maintaining safe sidewalks on property owners. The city is responsible for replacing the sidewalks next to city property and corners, and sidewalks that are in good condition for most PIAC sidewalk projects. Property owners are usually responsible for the cost of replacing defective sidewalks next to their property. While property owners may replace their own sidewalks, when city programs are used for the replacement, the city will include an administrative charge of 16 percent of the project cost.⁵

Public Works has started 208 sidewalk projects since 2001. Most were initiated through the PIAC process. (See Exhibit 2.)

Exhibit 2. Number of Citywide Sidewalk Projects Started Per Year

Fiscal Year	PIAC	Petition	Citywide	Totals
2001	0	14	6	20
2002	25	11	2	38
2003	25	8	6	39
2004	25	18	0	43
2005	22	12	2	36
2006 (partial)	22	8	2	32
Total	119	71	18	208

Source: Public Works Department.

Citywide Projects. The citywide program repairs sidewalks for individual properties. The city develops a list of locations in need of repair based on complaints or requests. Property owners as well as the public may submit a request or make a complaint through the Action Center, Public Works, or council members. The Action Center and council members then submit the complaint to the Public Works Department for inspection and resolution.

⁵ Kansas City Code of Ordinances Section 2-1723 (b).

Exhibit 3. Action Center Complaints, Fiscal Years 2003-2005

	2003	2004	2005
Number of Complaints	87	72	115

Source: Public Works Department.

If a repair is needed, Public Works notifies the property owner that the city will repair the sidewalk if the owner does not repair the sidewalk within 20 days. The city repair work is funded from the Revolving Public Improvement (RPI) Fund. The cost of the repair is assessed to the property owners, with payments returned to the fund over a period of up to six years.

PIAC Projects. These projects are initiated by PIAC requests from property owners or neighborhood groups. The projects generally cover entire blocks. There is not a set policy on how much the city will pay for the repair. Before the repair starts, Public Works will inspect the area to determine the portion of the repair for which the city will pay and the portion that the property owner will pay. The PIAC Committee holds public hearings on potential projects during the year and makes funding recommendations to the City Council during budget deliberations. During fiscal years 2004 to 2006, about 17 percent of PIAC sidewalk or replacement requests were funded. (See Exhibit 4.)

Exhibit 4. Total and Funded PIAC Requests, Fiscal Years 2004-2006

District	Total PIAC Requests	Funded PIAC Requests
1	39	11
2	22	5
3	125	24
4	100	14
5	119	20
6	46	5
n/a	19	3
Total	470	82

Source: Public Works Department.

4th District Residential Petition PIAC Projects. This program is for residential projects of one block or more located in the 4th District. A property owner initiates a petition. Public Works staff inspect the sidewalks, estimate the costs, and hold a public hearing. Property owners vote on the project. If the owners and the Director of Public Works approve the project, the city replaces the sidewalk and owners are assessed 80 percent of the total costs, with the remaining 20 percent paid from 4th District PIAC funds. If the petition vote fails, Public Works places any defective sidewalks in the citywide program.

From 2003 to 2005 there were 33 total petition requests. Twenty-two of those requests passed while 11 failed to gain the support needed to start the project. (See Exhibit 5.)

Exhibit 5. Petition Projects, Fiscal Years 2003-2005

	Pass	Fail	Total	%Pass	%Fail
2003	11	5	16	69%	31%
2004	7	5	12	58%	42%
2005	4	1	5	80%	20%
Total	22	11	33	67%	33%

Source: Public Works Department.

Sidewalk Funding

The city's portion of the sidewalk repair costs are funded through in-district sales tax money. By ordinance, 25 percent of sales tax revenues go to neighborhoods. The money is equally divided by council district. Each council district receives about \$2.4 million a year to use for neighborhood and parks infrastructure projects such as sidewalks, drainage, and traffic signals.

Funding for sidewalk repairs comes from the infrastructure maintenance fund, capital improvements fund (sales tax), general fund (for ADA ramps), and the revolving public improvement (RPI) fund. The RPI fund pays for the repair costs and is repaid from special assessments collected from property owners. Between 2001 and 2005, almost \$7.5 million was spent on sidewalk construction and repair. (See Exhibit 6.)

Exhibit 6. Sidewalk Construction Expenditures, Fiscal Years 2001-2005

Fund	Citywide	Petition	PIAC	Totals
Infrastructure & Maintenance Fund	\$ 246,904	\$ 580,086	\$ 8,687	\$ 835,677
Capital Improvements Fund	0	350,700	3,506,538	3,857,239
General Fund for ADA Ramps	423,896	0	0	423,896
Revolving Public Improvement Fund	508,975	1,585,956	240,441	2,335,372
Total	\$1,179,775	\$2,516,742	\$3,755,666	\$7,452,184

Source: Public Works and City's Financial System.

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Findings and Recommendations

Summary

Kansas City's sidewalk program is less systematic and more fragmented than the sidewalk programs in the other cities we studied. Although sidewalks are important city infrastructure, the city does not systematically inspect sidewalks or track the number of miles of sidewalks. The city's sidewalk repair process only begins after the city receives a complaint, request, petition, or application for sidewalk repair or replacement.

The proportion of sidewalk repair costs that a property owner pays depends on which of the city's sidewalk repair programs is used. Some property owners pay nothing while others pay almost all of the costs. The condition of the sidewalk, the location of the sidewalk, the cooperation of neighbors, and the ability to navigate the PIAC process all influence the program used and the amount a property owner pays for sidewalk repairs.

It can take years from the time a sidewalk complaint or petition is received and the repair is completed and assessed. The city could better manage its sidewalk program and shorten the time it takes to repair sidewalks. We recommend that the city adopt a sidewalk policy, implement a systematic inspection program, and improve communications with the public.

Kansas City Does Not Systematically Manage Its Sidewalks

Although sidewalks are important city infrastructure that should be managed, the city does not systematically monitor the condition of its sidewalks. Kansas City's sidewalk repair program is reactive. Sidewalks are repaired only after citizens file a complaint or request work. Although Kansas City could face lawsuits for injuries resulting from sidewalks in disrepair, the city does not track sidewalk conditions. A systematic inspection program could help allocate city resources and target areas for repairs.

Kansas City Does Not Monitor Sidewalk Conditions

Although sidewalks are an important city asset, the city does not have a systematic sidewalk inspection and repair program. Kansas City inspects and repairs sidewalks only after receiving a complaint or repair request. Public Works staff told us that although they report hazardous conditions they encounter, they have not initiated systematic sidewalk inspections. They do not want to become the “sidewalk police” because they fear identifying problems that some property owners cannot afford to repair. Routinely inspecting sidewalks could help prioritize sidewalk activities and direct resources to areas most in need of repairs.

Kansas City could face liability problems. Although property owners are financially responsible for the maintenance of sidewalks, sidewalks are a city asset and the city can be liable for injuries resulting from poorly maintained sidewalks. A systematic inspection program and information on the condition of sidewalks could help the city to better target repairs.

Staff does not know the number of miles of sidewalks in Kansas City.

Although Public Works staff is identifying the location of the city’s sidewalk assets to comply with new governmental accounting standards, they are not recording the condition of the sidewalks. Both Denver and Milwaukee have complete inventories of their sidewalks systems. A complete inventory of sidewalks could be important in establishing a systematic sidewalk inspection program.

Some cities monitor and track sidewalk conditions. Minneapolis and Milwaukee both conduct systematic inspections of their sidewalk systems. Minneapolis, whose residents reported high satisfaction with their city’s sidewalks, inspects sidewalks on a 10 to 16 year cycle. Milwaukee conducts sidewalk inspections on a 30-year cycle and Denver is developing an inventory plan that would inspect sidewalks every 5 years.

Some cities use electronic databases to facilitate inspections.

Minneapolis uses an electronic archive to identify when sidewalks are due for an inspection. Both Fort Worth and Arlington have mechanisms allowing them to track sidewalks scheduled for maintenance. Other cities use logs or databases to track completed and scheduled sidewalk maintenance. To use their resources more efficiently, some cities track complaints or requests geographically.

To identify dangerous conditions and target repairs, the Director of Public Works should implement a systematic sidewalk inspection program.

Property Owners' Financial Responsibility Varies

The proportion of sidewalk repair costs paid by property owners or the city varies based on the program used. Some property owners pay nothing while others pay almost all of the costs. Sidewalk assessments can be a financial burden for some property owners.

City's Portion of Sidewalk Funding Varies by Program

The proportion of sidewalk repair costs paid by the city and property owners varies by project and repair program used. Eligibility for the city's various sidewalk repair programs is affected not only by the condition of the sidewalk, but by where the property is located, the cooperation of neighbors, and the ability to successfully navigate the PIAC process. Some property owners pay nothing for new sidewalks while others are responsible for almost all of the replacement costs.

Property owners pay almost all replacement costs in the citywide program. The unit prices bid by contractors under the citywide program can be higher than those replacing blocks of sidewalks under the other two programs. Although the amount of work can be small, the unit prices bid by a contractor must compensate the time needed to perform fragmented repairs and for moving to numerous locations throughout the city. The repair work is funded from the RPI fund, with property owners repaying their assessed cost over a six-year period.

Property owners' responsibilities vary in PIAC projects. There is not a set policy on how much the city will pay for PIAC repairs. Before the repair work starts, Public Works conducts inspections and estimates costs to determine which portions of the project will be the city's responsibility and which will be the property owner's. Although the projects generally cover block segments, the property owner will only be assessed the costs associated with the replacement of bad sidewalk. According to city staff, there are infrequent instances where the city will pay all of the cost to replace a defective sidewalk to support the community, for example for churches.

The city subsidizes 20 percent of 4th District residential petition projects. Like other PIAC projects outside of the 4th district, petition projects generally cover an entire block. According to Office of Management and Budget staff, an unwritten, "gentlemen's agreement" between the council members representing the 4th District uses district PIAC funding for residential sidewalk repairs. If property owners vote in favor of the sidewalk replacement at the public hearing and the Director of Public Works approves the project, they will be assessed 80 percent of

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the replacement costs and the remaining 20 percent will be paid from PIAC funds. Unlike the regular PIAC process projects where the city pays for replacing good sidewalks, 4th District petition project property owners are assessed 80% of the project cost whether the sidewalk being replaced is good or bad. Good sidewalks are replaced when a project requires a change in grade, elevation, or for esthetic reasons.



Not all residents of the 4th District need new sidewalks or want the assessments that come with them. Two West 70th Terrace property owners repaired their sidewalks within the past three years; however, there is a petition project under consideration on their street. If the petition is approved, contractors will tear out the existing sidewalk, regardless of the condition, replace it with new concrete, and these property owners will each be assessed nearly \$5,000. (See above photo.)

Exhibit 7. Comparison of City Sidewalk Programs

	City Wide	PIAC	PIAC 4th District Residential Petition
Eligible areas	All Council Districts	Commercial and residential properties in all districts excluding residential properties in 4 th district	4 th District residential properties
Project size	Individual sidewalk squares to lot segments	Block segments	Block segments
Property owner pays	100% (plus 16% administrative charge)	Various	80% of non-city (plus 16% administrative charge)
City pays	Corners (curb and sidewalks from Radii fund and ADA) and drainage inlet repairs and fire hydrants (Water Services)	Various percents plus corners (curb & sidewalks from Radii fund and ADA) and drainage inlet repairs and fire hydrants (Water Services)	20% plus corners (curb and sidewalks from Radii fund and ADA) and drainage inlet repairs and fire hydrants (Water Services)
Good sidewalk replaced	Not Applicable	City pays 100%	Owner pays 80%
Bad sidewalk replaced	Owner pays	Owner pays unless city agrees to pay	Owner pays 80%
Time to repay	6 years	6 years	6 years
Funding	Assessments (RPI Fund)	Assessment/sales tax	Assessment/sales tax

Source: Public Works Department.

Sidewalk Assessments Can Be a Financial Burden

Sidewalk assessments can be a financial burden for some households. Public Works staff told us that they received complaints from property owners about the difficulty they would have in paying their sidewalk assessments. For example, in one case a new, 4th district property owner could be assessed almost \$6,500 for sidewalk repairs for a proposed project. This owner asked his neighbors to oppose the project and told Public Works staff that he could not afford to pay the assessment and may have to sell his home because of it. Although assessments on this block were estimated to be about \$5,000 per property, this property owner would have to pay more because he owns a corner lot. In, Milwaukee, the owner of a corner lot is assessed for the short side while the city pays the costs of the sidewalk repairs on the long side.

Although a sidewalk assessment can be an unexpected expense for any household, it can be especially difficult for low-income property owners. The proportion of low-income households in Kansas City is high, with over 13 percent of households having an annual income of less than \$10,000. Unpaid assessments can become a tax lien and lead to foreclosure.

Some cities have income-based subsidy programs. Although five of the six cities we surveyed assess property owners for sidewalk repairs, some cities subsidize the cost of repairs for low-income property owners. Denver and Des Moines have sidewalk subsidy programs to provide financial assistance to property owners. Des Moines offers subsidies on a sliding scale based on the property owner's household income. In Denver, property owners in need of assistance submit an application to a committee who decides whether the assistance will be granted. Assistance costs come from the city's annual budget. Forty five percent of the respondents to the Public Works Department's 2001 survey, supported splitting the sidewalk repair and construction costs between the property owners and the city and many of the respondents who said no, thought that the city should pay all of the costs.

The City Manager should explore opportunities to provide financial assistance to property owners with limited incomes.

A sidewalk policy is needed. High citizen dissatisfaction, a lack of knowledge on the part of property owners, and varied programs and financial responsibilities are reflections of a fragmented program that is difficult for property owners to understand and staff to manage. To better utilize the city's resources, direction is needed. A sidewalk policy could clarify the city's positions on sidewalk issues, identify and focus resources on priorities, provide direction and support to staff, and set goals and expectations against which progress could be measured. A written policy, adopted by the City Council could increase program consistency and transparency.

The Director of Public Works should draft for City Council consideration a sidewalk policy.

Improvements Can Be Made to Sidewalk Management

More than three years elapsed between the time a sidewalk complaint, petition, or request was received and the sidewalk was constructed and assessed. City staff can take steps to shorten the time it takes to repair sidewalks and improve citizen's understanding of the programs.

Sidewalk Repairs Can Take More Than Three Years

Sidewalk repairs take a long time to complete. Based on a random sample of recently completed sidewalk projects, more than three years could elapse between the initial complaint or petition and the completion of the sidewalk repair billing. After the contractor finishes the repair

work, it takes additional time for Public Works to close and allocate construction costs and for Finance to send out the initial assessment to a property owner. (See Exhibit 9.)

Exhibit 8. Months to Complete Projects

Program Used	Average	Range
Citywide (From Complaint)	39	33-51
4 th District Residential PIAC (From Petition)	41	37-46
PIAC (From Application)	35	23-48

Source: Sample of Public Works and Finance Records and CAO calculations.

The bidding, construction, project close out, and assessment process each can cause delays. When bids come in substantially higher than expected, projects are re-bid. Construction delays can occur due to weather, lack of contractor capacity to perform all of the projects awarded, and the contractor's failure to meet quality standards. Coordination with other city departments and utility companies can also cause delays as contractors wait for tree removals or utility repairs. In addition, before a project can be closed out, all work including seasonal landscaping activities and final contractor bills must be completed.

City Should Emphasize Timely Completion of Projects

The city used to give contractors latitude in establishing when they would start projects. Contractors could bid on and be awarded multiple construction contracts. However, a small contractor might not have the capacity to concurrently construct multiple jobs. Some contractors were permitted to spread the start dates over a long period adding to projects delays. The city has shifted to a more results orientation saying, "You bid it. You build it." Now the stated expectation is to complete repairs sooner.

To ensure sidewalk repairs are completed sooner, the Director of Public Works should ensure that construction bidders understand the time requirements contained in sidewalk construction contracts.

Inspectors Need Better Training and Supervision

A review of a sample of project construction files indicates that inspectors did not adequately monitor sidewalk construction or the construction contract. Accepted work did not meet city standards and documentation was inadequate.

In one of the projects reviewed, an inspector accepted work that failed to meet city standards. When this project was completed and ready to be assessed, property owners complained about the quality of the work. A

review by an experienced project manager revealed that the work, accepted by an inexperienced inspector, did not meet the city's standards. The contractor had to rip out and replace his work at no cost to property owners, but at a cost to himself and the city.

In reviewing files, we could not locate construction documentation that inspectors are supposed to maintain. We also found incomplete and incorrect construction diary entries. One diary, which contained minimal and repetitive entries, recorded a project contractor working on a Monday holiday. The contractor's payrolls did not include documentation to support this entry. In addition, required weekly work summaries were not maintained in this file.

Some diary entries also suggest that inspectors did not understand how to define and count contractors' workdays. Some entries skipped days, while others entries reported that the workday would not be counted, but without specifying a contractual reason why the day should not be counted as a workday. Workdays are not based on when the contractor works, but rather on when the contractor could and should work. Contract provisions establish the number of workdays for a project and impose liquidated damages for delays in completing construction projects. Tracking workdays correctly is important to ensure that the contractor is working on the project.

Public Works sidewalk staff told us that they had lost experienced staff to the early retirement incentives the city granted in 2003, as well as employee transfers to the Capital Improvements Management Office (CIMO) and other areas in the Public Works Department.

The Director of Public Works should direct staff to adequately train and supervise sidewalk inspectors.

Improved Coordination Among Departments and Utilities Needed

Poor coordination among city departments has delayed some project completions. When a tree, fire hydrant, or utility is in the path of sidewalk repairs, contractors stop work until the appropriate department or utility can act. Sidewalk inspectors work to schedule the removal of the impediment, which may cause lengthy delays in the project. Public Works staff said they are working to better coordinate with the Parks and Recreation and other utilities to remove impediments before contractors begin a project.

To ensure timely completion of sidewalk construction, the Director of Public Works should ensure that staff identify and coordinate the needs of sidewalk contractors with city departments and utility companies.

Timing of Bid Solicitation Should Consider Construction Constraints

Sidewalk construction is weather sensitive. When the temperature is too low, or the weather is too wet sidewalk construction does not progress. Weather also limits contractor's ability to install landscaping such as grass or plant replacement to complete a project.

A substantial amount of time passes between the points at which a complaint, request, or petition is received and a bid is awarded. In some instances, when a bid for a project comes in substantially higher than the estimate, the project is rebid or revised.

The Director of Public Works should direct staff to coordinate the bidding so that the notice to proceed can be issued by the start of the construction season.

Public Works Is Exploring Alternatives to Speed Construction

Public Works staff explored the idea of having an on-call contractor for citywide sidewalk repairs. Rather than accumulating \$200,000 in estimated sidewalk repairs or 200 sidewalk complaints and requests before bidding a construction contract, Public Works staff would like to have a contract bid to generic specification. Specific addresses for the work would be provided to the contractor as received rather than accumulated for inclusion in a subsequent contract, potentially cutting time off the current process. This alternative would require a change to the current City Charter because assessments are involved. Public Works is also examining the feasibility of having a city crew perform some sidewalk repairs; however, wage levels, equipment and facilities costs may be prohibitive.

The City Manager should propose language for inclusion in the next Charter election language that would permit on-call contracting for sidewalk projects.

Better Communications with Property Owners is Needed

The city should improve communications with property owners about sidewalks. Sidewalk maintenance and repair is the responsibility of property owners in Kansas City. According to a 2001 Public Works Department curb and sidewalks survey, however, 68 percent of the respondents thought that the city was responsible for repairing and maintaining sidewalks along privately owned property.

In addition, property owners may not be aware that there is more than one sidewalk repair program. According to the 2005 Citizen Survey, only 29 percent of respondents were satisfied with the information available about city programs and services and the effectiveness of city communications with the public.

Property owners should have access to clear explanations of the possible funding mechanisms that are available to assist property owners in the repair of their sidewalks and be provided with accurate information on the amount of time it will take to repair sidewalks.

The Action Center should clarify their evaluation cards. The Action Center is the central point of contact for city services. Citizens can ask questions or file requests for sidewalk repair or other city services. After routing a service request to the appropriate city department, the Action Center sends out an evaluation card asking citizens to rate theirs and the departments' services. Since there are factors that can delay sidewalk projects, some citizens are confused when they receive an evaluation card before the project is completed. The Action Center should clarify that the citizen is evaluating the city's customer service, not the resolution of the problem.

The City Manager should improve sidewalk program communications with citizens.

Recommendations

1. The Director of Public Works should draft a sidewalk policy for City Council consideration.
2. The Director of Public Works should implement a systematic sidewalk inspection program.
3. The City Manager should explore opportunities to provide financial assistance to property owners with limited incomes.
4. The Director of Public Works should ensure that construction bidders understand the time requirements contained in sidewalk construction contracts.
5. The Director of Public Works should direct staff to adequately train and supervise sidewalk inspectors.
6. The Director of Public Works should ensure that staff identify and coordinate the needs of sidewalk contractors with city departments and utility companies.
7. The Director of Public Works should direct staff to coordinate bidding for sidewalk repair/replacement so that the notice to proceed can be issued by the start of the construction season.
8. The City Manager should propose language for inclusion in the next Charter election that would permit on-call contracting for sidewalk projects.
9. The City Manager should improve sidewalk program communications with citizens.

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Appendix A

City Manager's Response

Sidewalk Management

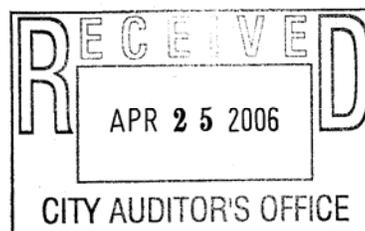


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DATE: April 25, 2006
TO: Mark Funkhouser, City Auditor
FROM: Wayne A. Cauthen, ^{W.A.C.} City Manager
SUBJECT: Sidewalk Management Audit Response



I am in receipt of the Sidewalk Management Audit. The report yielded three recommendations to the City Manager. Please find my response below:

Recommendation #3: The City Manager should explore opportunities to provide financial assistance to property owners with limited incomes.

Agree. Assessments for sidewalks, curbs, and driveways could be a financial burden for some households with low or fixed incomes. Just as we took every opportunity and explored options to assist low and fixed income households move off septic tanks and onto the city's sewer lines, we will do the same for those homes located in neighborhoods with sub-standard sidewalks.

Recommendation #8: The City Manager should propose language for inclusion in the next charter election that would permit on-call contracting for sidewalk projects.

Agree. As part of the draft policy for sidewalks, curbs, and driveways, we are working with the Law Department to propose language to change the charter to allow on call contracting for sidewalks, curbs, and driveways repair and replacement projects.

Recommendation #9: The City Manager should improve sidewalk program communication with citizens.

Agree. Communication with the citizens is a top priority for the City Manager's Office. While the city is responsible for the full balance of sidewalk projects throughout the city, governance surrounding policy decisions regarding sidewalks is not unified, and varies from district to district. Some use PIAC to address sidewalks while others work through the Public Works Department. However, the sidewalks are managed, our efforts will be communicated more thoroughly and efficiently. We will work with our communications professionals to improve our understanding of citizen concerns about the sidewalk, curb, and driveway replacement program, and enhance our outreach efforts in these areas.

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Appendix B

Director of Public Works' Response

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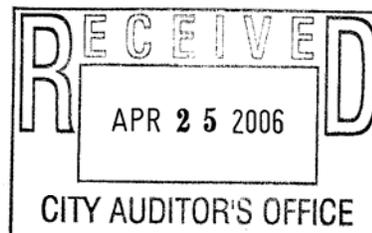
CITY OF FOUNTAINS
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KANSAS CITY
MISSOURI

Public Works Department Director's Office

DATE: April 25, 2006
TO: Mark Funkhouser, City Auditor
FROM: Stanley J. Harris P.E., Director of Public Works
SUBJECT: Response on Sidewalk Management Audit



Please find below my response to the recommendations resulting from your Sidewalk Management Audit.

Recommendation #1: The Director of Public Works should draft a sidewalk policy for City Council consideration

Agree. A draft policy would allow City Council the opportunity to discuss the how sidewalks, curbs, and driveways within the public right-of-way are to be funded and maintained. The draft policy would include a proposed ordinance and changes to the City Charter.

Recommendation #2: The Director of Public Works should implement a systematic sidewalk program.

Agree. We acknowledge a program established to regularly inspects, track, and repair sidewalks, curbs, and driveways within the public right-of-way would improve the conditions of these assets. Additional funding to cover the costs of assessment and construction is required to accomplish this goal as well as additional staff. In addition, property owners with sidewalks, curbs, and driveways within the public right-of-way that are out of repair would be required to pay the cost for these repairs. It would be our intent to have a program that inspects sidewalks, curbs, driveways within the public right-of-way on an interval between 5 to 10 years and we would work with the ITD to develop a GIS based system to track and monitor condition.

Recommendation #4: The Director of Public Works should ensure that construction bidders understand the time requirements contained in sidewalk construction contracts.

Agree. In the spring of 2005, all construction bidders for sidewalk, curb and driveway replacement projects were made aware and now understand the time requirements with which they are to comply contained in sidewalk construction contracts.

Recommendation #5: The Director of Public Works should direct staff to adequately train and supervise sidewalk inspectors.

Agree. Public Works management recognized the need for on-going training for staff and supervisors, and began developing a training manual which is nearly complete. The manual details each step in the process of constructing sidewalk, curb and driveway replacement projects. All sidewalk personnel will be trained to ensure consistent, quality work.

Recommendation #6: The Director of Public Works should ensure that staff identify and coordinate the needs of sidewalk contractors with city departments and utility companies.

Agree. We acknowledge the need to work with other city departments and utility companies to prevent delays. We have already met with the Parks and Recreation Department to implement a new and more proactive active procedure to remove trees. This new procedure should reduce or eliminate the amount of time the contractor has to wait to get a tree removed. We will work with the Water department to see if fire hydrant adjustments cannot be included as part of the contract construction project and allow Public Works to handle the inspection.

Recommendation #7: The Director of Public works should direct staff to coordinate bidding for sidewalk repair/replacement so that the notice to proceed can be issued by the start of the construction season.

Agree. In the fall of 2005, we corrected this by shifting the scheduled timelines for notices to proceed. All projects are initiated and finished in the same construction season.

cc: Wayne A. Cauthen
Mark Jones
Gregory Rokos
Steve Worley