

1 I, Patrick Buscovich, S.E., declare as follows:

2 1. I am a licensed civil and structural engineer, practicing for approximately 42
3 years in San Francisco, California. I have extensive experience with the permitting process,
4 complaints, and Notices of Violation. I have spent 3-5 hours per day at the Department of
5 Building Inspection (“DBI”) since 1984. I make this declaration in objection to the above-
6 captioned file, the proposed ordinance entitled Expanded Compliance Control and Consumer
7 Protections Where History of Significant Violations (the “Ordinance”). Unless otherwise stated,
8 I have personal knowledge of the facts stated herein and, if called as a witness, could and would
9 testify competently thereto.

10 2. I have reviewed the proposed Ordinance. If it is enacted, individuals, entities,
11 and agents on the “Expanded Compliance Control List” will be unable to obtain permits in a
12 timely manner. Based on my experience with the permit application process in San Francisco,
13 the proposed procedures that will apply to the Expanded Compliance Control List will add
14 months to the permit application timeline. A permit that would normally be issued “over the
15 counter” within approximately one day would take approximately two months under the
16 proposed procedures. A permit that would normally take a week would instead take five or six
17 months. A permit that requires Planning Department intake and review would take even longer.

18 3. In my experience working on thousands of residential and commercial projects
19 in San Francisco, the ability to obtain permits quickly is of paramount importance to the clients
20 who hire engineers, architects, contractors, and other construction-related professionals. I am
21 informed and believe that this is in part due to the cost of the time delay (carrying cost) in San
22 Francisco being extremely high. If one of these professionals is placed on the Expanded
23 Compliance Control List, he or she will be unable to obtain permits on a timely basis. As a
24 result, prospective clients will not knowingly hire them to work on projects. This will
25 effectively end their careers.

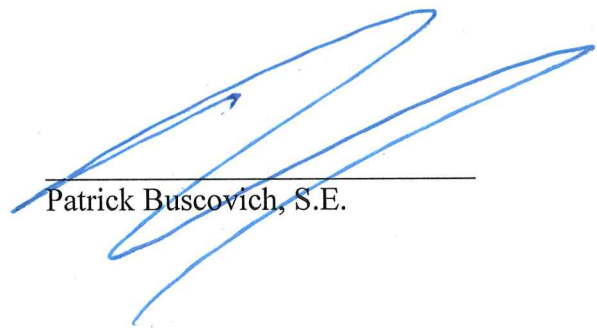
26 4. I also believe that the proposed Ordinance will expose bad actors and good
27 actors alike to potential historic problems of favoritism and undue influence by DBI employees.
28

1 DBI inspectors have broad discretion to address construction-related issues, including a
2 spectrum of actions ranging from a verbal instruction to change the way something is being
3 built, to a written “correction notice,” to multiple Notices of Violation for the same issue. Even
4 if an issue does not truly constitute a code violation, there is no process in the City to appeal a
5 DBI Notice of Violation. This means an inspector could issue three Notices of Violation for a
6 disfavored professional’s project and refer the professional for inclusion on the Expanded
7 Compliance Control List in a behind-closed-doors process – even if that professional is not the
8 individual responsible for the alleged violations.

9 5. Attached hereto as **Exhibit A** is a true and correct copy of my curriculum vitae.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this was executed on March 1, 2021.



Patrick Buscovich, S.E.

EXHIBIT A

Patrick Buscovich & Associates Structural Engineers, Inc.

235 MONTGOMERY STREET, SUITE 823, SAN FRANCISCO, CALIFORNIA 94104-3105 • TEL: (415) 788-2708 FAX: (415) 788-8653

Patrick Buscovich S.E.

Education: University of California, Berkeley ~ Bachelors of Science, Civil Engineering 1978
~ Masters of Science, Structural Engineering 1979

Organizational: State of California, Building Standards Commission
Commissioner 2000 – 2002
City & County of San Francisco, Department of Building Inspection (DBI)
Commissioner/Vice President 1995 – 1996
Chair, SF Housing Code Update 1995
UMB Appeals Board 2005 – 2006
Code Advisory Committee 1990 – 1992
Chair of Section 104 Sub-Committee.
Structural Engineers Association of Northern California (SEAONC)
President 1997 – 1998
Vice President 1996 – 1997
Board of Directors 1994 – 1999
College of Fellows Elected 2002
Edwin Zacher Award 1999
Structural Engineers Association of California (SEAOC)
Board of Directors 1996 – 2000
Applied Technology Council (ATC)
President 2007 – 2008
Board of Directors 2000 – 2009

Licenses: California, Civil Engineer C32863, 1981
Structural Engineer S2708, 1985

Experience: *Patrick Buscovich and Associates, Structural Engineer – Senior Principal (1990 to Present)*
Specializing in Existing Buildings, Seismic Strengthening/Structural Rehabilitation, Building Code/Permit Consultation, Peer Review, Expert Witness/Forensic Engineering

- Code Consulting and Peer Review for projects in San Francisco (Planning Department, Fire Preventing, Street Use & Mapping, Building Department, Board of Appeals).
- Permit Consultant in San Francisco (DBI, DCP, SFFD, BSUM & BOA).
- Expert Witness/Forensic Engineering/Collapse & Failure Analysis
- Seismic Retrofit Consultation.
- Member of the following SEAONC/DBI Committees:
 - Committee to revise San Francisco Building Code Section 104F/3304.6.
 - 1988-1990 Committee to draft San Francisco UMB ordinance.
 - 1993 Committee to revise the San Francisco UMB ordinance.
 - SEONC Blue-Ribbon panel to revise earthquake damage trigger, 1998
 - Secretary, Blue Ribbon Panel on seismic amendments to the 1998 SFBC.
 - Secretary, Blue Ribbon Panel Advising The San Francisco Building Department on CAPSS.
- Co-Author of the following SF Building Code Sections.
 - EQ damage trigger SFBC 3404.7.2, Repair 3405.1.3, Change of Occupancy 3408.4.1., Lateral Forces Existing Building 1604.11.1
- Author SFBC Administrative Bulletin: AB102 (Seismic alteration) & AB103 (CFC)
- Coordinator/Speaker for SEAONC San Francisco UMB Seminars 1992, 1993 & 1994.
- Speaker at 2009 SEAONC Seminar on San Francisco UMB Code, 1850 to Present.
- Member of 1993 San Francisco UMB Bond Advisory Board.
- Speaker at numerous San Francisco Department of Building Inspection Seminars on UMB.
- Speaker at numerous code workshops for the San Francisco Department Building Inspection.
- Co-author of 1990 San Francisco UMB Appeals Board Legislation.
- Co-author of San Francisco Building Code Earthquake Damage Trigger for Seismic Upgrade, Committee Rewrite 2008.
- As a San Francisco Building Commissioner:
 - Directed formulation of Building Occupancy Resumption Plan (BORP)
 - Chaired the 1995 update on the San Francisco Housing Code.
 - Directed formulation of UMB tenant protection program
- Consultant to the City of San Francisco for evaluation of buildings damaged in the Loma Prieta Earthquake (October 17, 1989) to assist the Bureau of Building Inspection regarding shoring or demolition of "Red-Tagged" structures (SOHA).
- Consultant to San Francisco Department of Building Inspection on the Edgehill Land Slide 1997.
- Consultant to 100's of private clients for evaluating of damage to their buildings from the October 17, 1989 Loma Prieta Earthquake.
- Project Administrator for multi-team seismic investigation of San Francisco City-owned Buildings per Proposition A, 1989 (\$350 million bond). (SOHA).
- Project Manager for seismic strengthening of the Marin Civic Center (SOHA).
- Structural Engineer for the Orpheum Theater, Curran Theater and Golden Gate Theater.
- Consultant on numerous downtown SF High Rise Buildings.
- Rehabilitation & Seismic Strengthening design for 1000's of commercial and residential buildings in San Francisco.
- Commercial Tenant Improvement
- Structure Rehabilitation of Historic Building.
- Structural consultant for 1000's of single family homes and apartment buildings alteration in San Francisco

Previous Employment

- SOHA 1980-1990, Associate
- PMB 1979-1980, Senior Designer

Public Service:

Association of Bay Area Government – Advisory Panels
Holy Family Day Home – Board of Director
Community Action Plan for Seismic Safety (CAPPs), Advisory Panel.

Awards:

Congressional Award, 2003.
SFDBI Certificate of Recognition, 1996.