



**Date:** August 8, 2024

**To:** The Honorable Anne-Christine Massullo  
Presiding Judge, Superior Court of California, County of San Francisco  
400 McAllister Street, Room 008  
San Francisco, CA 94102-4512  
Sent via email to [CGrandJury@sftc.org](mailto:CGrandJury@sftc.org)

**From:** Lauren Post – Chair, San Francisco Public Works Commission

**Subject:** Public Works Commission Response to the Civil Grand Jury Report, “Building San Francisco: Designing, Constructing and Maintaining City Infrastructure”

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Dear Judge Massullo:

In accordance with California Penal Code Section 933.05, and pursuant to the request of Mr. Michael Edsall Carboy, Foreperson of the City and County of San Francisco 2023-24 Civil Grand Jury, please find attached the response of the San Francisco Public Works Commission to the 2023-24 Civil Grand Jury Report, *Building San Francisco: Designing, Constructing, and Maintaining City Infrastructure*.

On behalf of the Public Works Commission, I would like to thank the members of the 2023-24 Civil Grand Jury for their hard work and careful attention to analyzing City capital project delivery and how it can be improved. The rigorous effort put into crafting their findings and recommendations, and the Jury’s obvious commitment to ensuring that San Francisco taxpayers “get what they pay for,” will be of long-term value not just to our Commission, but to the City’s elected officials and staff and, of course, to the City’s citizens.

Yours truly,

A handwritten signature in blue ink that reads "Lauren A. Post". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Lauren Post  
Chair, San Francisco Public Works Commission

Cc: Hon. London Breed, Mayor  
Hon. Aaron Peskin, President, Board of Supervisors  
Mr. Greg Wagner, Controller  
Mr. Brian Strong, Chief Resilience Officer and Director

| Report Title<br>[Publication Date]  | F# | Finding   | Respondent<br>Assigned by CGJ<br>[Response Due<br>Date] | Finding Response<br>(Agree/ Disagree) | Finding Response Text   |
|---|----|---|---|---------------------------------------|---|
| Building San Francisco: Designing, Constructing, and Maintaining City Infrastructure<br><br>[June 20, 2024] | F1 | The city's significant amount of degraded assets is not properly quantified or understood, resulting in an increased cost to taxpayers and a lack of transparency and accountability regarding the city's stewardship of taxpayer funded assets.  | Public Works Commission [August 19, 2024]               | Agree                                 | The Commission agrees with this finding, and would like to see a centralized database of City capital assets constructed and maintained by a central coordinating department, such as Capital Planning or Real Estate, so that public resources can be budgeted and allocated annually where they are most needed to prevent asset degradation. Public Works should be a key member of the multi-department team leading and managing this effort.  |
| Building San Francisco: Designing, Constructing, and Maintaining City Infrastructure<br><br>[June 20, 2024] | F2 | The Public Works Commission lacks appropriate reporting necessary to adequately oversee the performance of Department of Public Works capital facilities projects resulting in insufficient oversight of the department and a lack of sufficient transparency and accountability for hundreds of millions of dollars of capital spending. | Public Works Commission [August 19, 2024]               | Disagree partially                    | The Commission agrees that, at present, it lacks full reporting protocols to allow it to properly oversee Public Works performance in executing capital projects for the City. Since the Commission was seated two years ago (July 2022), it has been working with staff to put such protocols in place. Later this year, the Commission expects to receive the department's first annual report on its performance in all areas of department jurisdiction, including the execution of capital projects on behalf of City taxpayers and other funders. Each year the report will be refined and improved as Commission input is incorporated and data collection and analysis is upgraded. |

| Report Title<br>[Publication Date]  | R#<br>[for F#] | Recommendation   | Respondent<br>Assigned by CGJ<br>[Response Due<br>Date] | Recommendation<br>Response<br>(Implementation)                           | Recommendation Response Text  |
|---|----------------|--|---|--|---|
| Building San Francisco: Designing, Constructing, and Maintaining City Infrastructure<br><br>[June 20, 2024] | R2.6<br>[F2]   | Within 1 month of DPW submitting the reporting specified in Recommendations 2.1, 2.2, 2.3, and 2.4, the Public Works Commission shall hold a public hearing with the Department of Public Works to discuss the information in the reports.   | Public Works Commission [August 19, 2024]               | Has not yet been implemented but will be implemented in the future       | An annual reporting protocol is currently being developed by the Commission and Public Works leadership to allow the PWC to provide sufficient oversight of the department's execution of capital projects for City agencies. The report will provide an accounting of scope, budget, and schedule for each project of a material size, beginning from voter approval (for bond-funded projects), or from City department client request, through closeout, and will include disclosure and discussion of material changes, if any, in each area. The first such report of performance metrics will be available late this year, and will be followed up by a public presentation to and discussion with the Commission. The Commission feels post-completion asset performance evaluations should be undertaken at the staff level by Public Works and its City clients. |
| Building San Francisco: Designing, Constructing, and Maintaining City Infrastructure<br><br>[June 20, 2024] | R2.7<br>[F2]   | The Public Works Commission shall include in the forthcoming Annual Statement of Purpose between the Department of Public Works and the Public Works Commission that the Commission is tasked with assisting the Department with determining and implementing changes to the Department's processes and procedures regarding capital facilities project design and construction to improve Department performance. | Public Works Commission [August 19, 2024]               | Will not be implemented because it is not warranted or is not reasonable | Based on its reading of the City Charter, the Commission does not view its role as determining processes and procedures for capital facilities design and construction. Rather, its role is to ensure that projects approved by voters in which Public Works is involved are constructed on time and on budget as initially approved by the City client department, to understand the reasons for deviations from project expectations and projections, and to evaluate Public Works's performance in executing each project based on agreed-upon, standard metrics. We are currently working to define those metrics as part of the department's annual reporting to the Commission and to the public.   |

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| <p>Building San Francisco: Designing, Constructing, and Maintaining City Infrastructure</p> <p>[June 20, 2024]</p> | <p>R2.9 [F2]</p>  | <p>By December 31, 2024, the Public Works Commission shall physically visit and inspect the capital projects mentioned above, and the Jury further recommends that for future capital facilities projects, the Commission and a representative from CGOBOC should visit and inspect each new capital facilities project at the time when the project is deemed to be "substantially completed."</p> | <p>Public Works Commission [August 19, 2024]</p> | <p>Will not be implemented because it is not warranted or is not reasonable</p> | <p>On a quarterly basis, the Commission visits select capital projects of a material cost to taxpayers that are either recently completed or are under construction and for which the Commission will be approving contracts. While the Commission enjoys capital project site visits and finds them useful and informative, time constraints preclude more frequent reviews.</p>   |
| <p>Building San Francisco: Designing, Constructing, and Maintaining City Infrastructure</p> <p>[June 20, 2024]</p> | <p>R2.10 [F2]</p> | <p>By March 31, 2025, the Public Works Commission shall initiate a process for obtaining and reviewing feedback from client departments of DPW regarding concerns or unresolved issues about clients' capital facilities projects.</p>  | <p>Public Works Commission [August 19, 2024]</p> | <p>Will not be implemented because it is not warranted or is not reasonable</p> | <p>The Commission does not feel its role is to ferret out concerns or unresolved issues about Public Works clients' capital facilities projects. The Commission requests that department staff invite clients to speak at Commission meetings about their capital projects, and to share their views on their partnership with Public Works, lessons learned along the way, and anything they feel would be of value to the Commission, the public, and department staff.</p> |