



# Memorandum

**TO:** NEIGHBORHOOD SERVICES AND  
EDUCATION COMMITTEE

**FROM:** James R. Helmer

**SUBJECT:** SIDEWALK REPAIR NOTICE  
AND PERMIT LETTER

**DATE:** 07-27-07

Approved

Date

July 27, 2007

## RECOMMENDATION

It is recommended that the Neighborhood Services and Education Committee review and accept the language and format for the attached Repair Notice and Sidewalk Repair Permit letter.

## BACKGROUND

On June 26, 2007, the City Council clarified that the prevailing wage rate policy shall include all sidewalk repair work performed by the City using contractual services on behalf of private property owners. At that time, Approximately 225 property owners had pending repairs to be performed by the City's contractors, which were originally quoted by the City using the non-prevailing wage rates. The City Council directed staff to re-notify the property owners, provide new repair quotes using prevailing wage rates, inform the property owners that there could be a cost difference between using the City and hiring a separate contractor to perform the work, and provide an additional 30 days for property owners to complete the repairs on their own or with their own contractor. In addition, the City Council directed staff to present to the Neighborhood Services and Education Committee for review and approval the language and format for future notifications that are sent to property owners informing them of needed sidewalk repairs at their property.

## ANALYSIS

On July 10, 2007, the 225 property owners with pending sidewalk repairs were issued new repair notices with updated cost estimates reflecting the prevailing wage rate requirements. The property owners were also informed that it may cost less to perform the work on their own, or with their own contractors, than to utilize the City to perform the repairs. The property owners were provided an additional 30 days to complete the repairs.

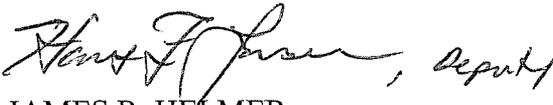
NEIGHBORHOOD SERVICES AND EDUCATION COMMITTEE

07-27-07

**Subject:** Sidewalk Repair Notice and Permit Letter

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Staff has now drafted the attached Repair Notice and Sidewalk Repair Permit letter for the Committee's review and approval. If approved, this format will be used for all future letters sent to property owners in need of sidewalk repair.

*for*  *, Deputy*  
JAMES R. HELMER  
Director of Transportation

Attachment

## REPAIR NOTICE

*(Property Owner)*  
*(Mailing Address)*

Subject Property: *(Location of Repair)*

Dear Property Owner:

Recently we received a request to perform an inspection of the concrete conditions in the public right-of-way adjacent to the property referenced above. Based upon State Law and the San Jose Municipal Code, property owners are responsible for the maintenance of the sidewalk, curb and gutter area adjacent to their property (Please see the enclosed brochure for additional information). Our inspection of the concrete conditions in the sidewalk, curb and gutter area adjacent to your property revealed deficiencies that you are required to correct. Specifically, we ask that you correct the following condition(s):

- *(List of Repair Items)*

You may complete the repair work yourself, hire a contractor to do the work for you, or authorize the City to complete the repairs for you. Please note, all repairs performed by you or a contractor hired by you must be consistent with industry quality standards and comply with the conditions of the attached permit. If you elect to authorize the City to make the repairs for you, **your estimated cost is \$YYYY**. Included in this estimated cost is a \$143 Administration fee charged by the City. The City will provide all inspection services at no cost to you.

Please be advised that work performed by the City on behalf of private property owners is subject to the City's Prevailing Wage Rate policy. As a result, doing the work yourself or hiring your own contractor may be less expensive than authorizing the City to perform the work for you. If you still desire that the City complete the repairs, please return the enclosed post card and the City will proceed with the repairs and bill you after the repairs are completed.

If you have not completed the repairs within 60 days of the date of this notice, the City will complete the repairs for you and bill you for the cost estimate amount as shown above. If you are unable to complete the repairs within 60 days, you may request a 30-day extension if you provide a copy of a signed contract with a contractor to have the work completed.

If you believe that any information regarding the concrete conditions in the sidewalk, curb or gutter area adjacent to your property is inaccurate, or if you have any questions, please contact me at 277-3158 ext. (xx) or by email at *(inspector email address)*. Thank you for your cooperation.

(Inspector Name)  
(Title)  
Department of Transportation

(Date)

## **Sidewalk Repair PERMIT**

The City of San Jose does not endorse or guarantee the work of any contractor. To find a qualified contractor, you might try the newspapers or yellow pages of your telephone book.

All work involving the removal and replacement of concrete must comply with the following conditions:

1. Remove concrete at cold joints or by saw cutting at paint markings.
2. Remove all tree roots within 12 inches of the bottom of the concrete, except:
  - a. No pruning of roots within 12 inches from the trunk at ground level.
  - b. No pruning of roots greater than 4 inches in diameter on trees greater than 30 inches in diameter.
  - c. No pruning of roots on Historic American Elms in the downtown area.
3. Inspection by City staff of concrete forms prior to pouring is required only for curb and gutter repairs. Please provide the City a 24-hour advance notice for curb and gutter forms inspections.
4. Use a 3,000 psi (pound per square inch) 6-sack concrete mix.
5. Finished surfaces shall be troweled with a "light" broom finish of a "professional" appearance meeting industry standards.
6. Any work performed that is not consistent with industry standards or these provisions will not be accepted by the City and must be corrected immediately.
7. All work must be completed within 60 days from the date on this notice. You may request a 30 day extension if you provide a copy of a signed contract with a contractor to have the work completed.
8. After the repairs are completed, please call the number below for a final inspection. The City will perform the final inspection within 14 days of your request. If the repairs are consistent with industry standards and these provisions, your repair file will be closed.
9. If the work is not accepted and you do not make the corrections requested by the City, the City will proceed with completing the repairs and bill you for the work completed.

After you complete the repairs, PLEASE CALL FOR A FINAL INSPECTION, so we may close your file. We will perform final inspections within 14 days of your request. Your cooperation is greatly appreciated. If you need assistance, please call the sidewalk section at (408) 277-3158.