



City of Seattle

Office of City Auditor

Date: September 20, 2011

To: Richard Conlin, Seattle City Council President
Nick Licata, Seattle City Councilmember
Tom Rasmussen, Seattle City Councilmember
Peter Hahn, Director, Seattle Department of Transportation

From: David G. Jones, Seattle City Auditor *David G. Jones*

Subject: *City Should Take Steps to Enhance Pedestrian and Cyclist Mobility Through and Around Construction Sites*

Status of Action Items contained in August 2008 Audit Report

In 2008, we conducted an audit to assess whether the City of Seattle is doing everything it can to minimize the duration and impact of street and sidewalk closures on pedestrians and cyclists. Our August 13, 2008 audit report on this issue outlined nine action items the Seattle Department of Transportation (SDOT) agreed to perform to improve pedestrian and cyclist access and safety. In accordance with our standard protocol, we agreed to follow up on SDOT's progress in implementing these action items. We recently completed this follow up work, and wanted to share our results with you. Please see the attached summary for details.

As you can see from the summary, SDOT has made progress on all nine action items, either implementing them as intended (#'s 1, 2, 4, 5, 6, 7 and 9) or choosing an alternative approach to address the issue (#'s 3 and 8). However, because many of the action items resulted in the creation of new policies and procedures, we recommend that the City Council monitor their effectiveness by asking SDOT to provide additional information. Specifically, SDOT should provide:

1. Documentation verifying that their street use inspectors are receiving training in the Americans with Disabilities Act (ADA) requirements;
2. An update on how the Construction Coordination and Mapping tool is working; and
3. Data on the number of street use inspections that were waived in 2010, categorized by reason for the waiver (if such data is available).

In addition, we recommend that SDOT provide the City Council with: 1) an overview of their revised policies, procedures and penalties related to the enforcement of street use permits and their experience in implementing them; and 2) feedback SDOT has received from pedestrian and cyclist stakeholders on current issues and concerns about pedestrian accessibility through and around construction sites.

Finally, as the economy improves and construction activity increases, SDOT should continue to monitor how effectively they are managing pedestrian access through multiple construction sites in the same geographic area, and report on this issue to the City Council.

If you have any questions about our conclusions regarding the nine action items, or our recommendations for continued monitoring, please feel free to contact me (3-1095) or Assistant City Auditor Jane Dunkel (4-7892).

Cc: The Honorable Mayor Mike McGinn
Seattle City Councilmembers

Status of Action Items – City of Seattle Audit Report – August 8, 2008

City Should Take Steps to Enhance Pedestrian and Cyclist Mobility Through and Around Construction Sites

#	Action Item	Status <i>As of June 2011</i>	Recommended City Council Monitoring
1	Develop a set of preferred and alternative methods for pedestrian protection	Implemented	No additional monitoring recommended. These methods were developed and incorporated into a new SDOT Director’s Rule 1-2011, which became effective on February 4, 2011.
2	Enforce Americans with Disabilities (ADA) accessibility standards for pedestrians	Implemented	Recommended monitoring: The Seattle Department of Transportation (SDOT) should provide documentation to the City Council verifying that inspectors are receiving ADA training.
3	Dedicate a street use inspector to coordinate multiple construction projects	Intent Implemented	Recommended monitoring: As the economy improves and development and construction activity increases, SDOT should continue to monitor how effectively their system is managing pedestrian access through multiple construction sites in the same geographic area and report back to the City Council on this issue.
4	Fully implement the Construction Coordination and Mapping Tool	Implemented	Recommended monitoring: SDOT should provide an update to the City Council on how well the system is working, any problems or challenges that have arisen, and how these have been addressed.
5	Develop a policy for waiving inspections	Implemented	Recommended monitoring: SDOT should provide data to the City Council on the number of inspections that were waived in 2010, categorized by reason for the waiver, if such data is available.
6	Implement new business procedures for street use inspection scheduling, tracking and oversight	Implemented	No additional monitoring recommended. We reviewed SDOT’s revised policies and procedures for street use inspectors and verified that additional controls over inspection scheduling, tracking and

#	Action Item	Status <i>As of June 2011</i>	Recommended City Council Monitoring
			oversight are in place.
7	Develop and implement new policies and procedures related to consistent application of street use permit fees and penalties	Implemented	Recommended monitoring: SDOT should provide an overview to the City Council on the revised policies, procedures, and penalties, any resulting problems or challenges that have arisen since they have been implemented, and how these challenges are being addressed.
8	Require applicants for street use permits to submit a notification plan	Intent Implemented	No additional monitoring recommended. Based on input from pedestrian stakeholders, SDOT implemented an alternative approach to addressing the issue of public notification of sidewalk closures. See description under Action Item #8 below for more information.
9	Make information on sidewalk closures and alternative routes available on SDOT's website	Implemented	Recommended monitoring: SDOT should solicit user feedback from pedestrian and cyclist stakeholders on the effectiveness of improvements they have made to both websites and the required signage at construction sites, and current issues of concern, if any.

Action Item 1: Develop a set of preferred and alternative methods for pedestrian protection

Status: Implemented

This action item was completed and implemented with the publication of SDOT Director's Rule 1-2011 on December 1, 2010. This rule became effective February 4, 2011. See Table I, page 3 of the Director's Rule.

Action Item 2: Enforce Americans with Disabilities (ADA) accessibility standards for pedestrians.

Status: Implemented

SDOT Director's Rule 1-2011 specifies that open and covered walkways must meet ADA standards.

Action Item 3: Dedicate a street use inspector to coordinate multiple construction projects

Status: Intent Implemented

An SDOT official told us that SDOT decided that assigning a roving inspector to check on activity could send a message to other inspectors that they don't have to worry about enforcement of street use permits. So, instead of assigning a dedicated roving inspector, SDOT instituted new policies and procedures that mandate a more consistent process for renewing street use permits. These new policies and procedures have made it easier to track and coordinate multiple projects in the same geographic area because the data SDOT personnel are using to track these projects is more accurate.

Second, the SDOT official told us that, due to the economic downturn, the issue of multiple projects in one geographic area has virtually been eliminated. In terms of issuing street use permits, this means that occasionally they even allow a contractor to use the right of way (ROW) instead of keeping it accessible to pedestrians via a covered walkway **if** there is not a project across the street or on the adjacent blocks. Basically, the zigzagging pedestrian routes, that were necessary to avoid construction sites a few years ago, are no longer in place.

Action Item 4: Fully implement the Construction Coordination and Mapping Tool

Status: Implemented

According to an SDOT supervising engineer, the system was up and operating as of January 28, 2010.

Action Item 5: Develop a policy for waiving inspections

Status: Implemented

SDOT provided us with a copy of their policy for waiving inspections, dated October 22, 2008 and revised January 8, 2010.

Action Item 6: Implement new business procedures for street use inspection scheduling, tracking and oversight

Status: Implemented

We reviewed and documented SDOT's revised policies and procedures for street use inspectors, which are kept online, on February 2, 2010. Key changes to these policies and procedures include:

- Lead inspectors review all new street use permits before distributing them to staff;
- Lead inspectors review of all closed street use permits (street use inspectors turn these into their lead inspector);
- Inspectors participate in ongoing training at monthly staff meetings; and
- Lead inspectors review inspector timesheets on a daily basis.

Action Item 7: Develop and implement new policies and procedures related to consistent application of street use permit fees and penalties

Status: Implemented

SDOT developed a Client Assistance Memo, 2115, to address this issue. In addition, the City Council modified street and sidewalk use violations and associated code violation penalties in September 2009 (see ordinance 123100), and amended the fee schedule in December 2010 (see ordinance 123477).

Action Item 8: Require applicants for street use permits to submit a notification plan

Status: Intent Implemented

After meeting with the stakeholder's groups, SDOT managers decided that this was not the right tool to address the problem. Pedestrian advocates told SDOT that it would help them most if SDOT: 1) prioritized keeping high pedestrian use streets open (see Action Item #1 above) and 2) required contractors to provide signage that both warns pedestrians of upcoming closures and detours and posts dates on how long the closure will be in effect. Under Director's Rule 1-2011, such signage is required under Additional Permit Conditions (see page 4, Section 3.2).

Action Item 9: Make information on sidewalk closures and alternative routes available on SDOT's website

Status: Implemented

The following information is available to the public on SDOT's website:

<http://web5.seattle.gov/travelers> - real-time congestion information, real-time camera images of traffic, and up-to-date construction/special events information.

<http://web1.seattle.gov/sdot/constructionmap/ccmonline.htm> - map showing construction, special events, and private developments by calendar quarter. The user can also superimpose major truck routes and bicycle facilities on top of the map, to see how these streets and routes will be impacted.

<http://www.seattle.gov/transportation/constructionlookahead.htm> - weekly update that shows specific impacts of the construction projects for the current and following week.