



OFFICE OF THE CITY ADMINISTRATOR



London N. Breed, Mayor
Naomi M. Kelly, City Administrator

To: Contractors Building San Francisco Public Works Projects
From: Naomi M. Kelly, City Administrator *N. Kelly*
Date: March 20, 2020
Re: COVID-19 Impacts on Projects

The Order of the Health Officer No. C19-07 ("Order"), which requires a shelter in place absent an exception, expressly provides that individuals may leave their homes to perform work on public works construction, which is included in the definition of "Essential Infrastructure." (Order Section 10.c.) The State is advising that Executive Order N-33-20 issued yesterday by Governor Newsom also exempts construction from the provision requiring individuals to stay home or at their place of residence. (<https://covid19.ca.gov/stay-home-except-for-essential-needs/>)

While work on public works projects is an allowable Essential Activity, the City and County of San Francisco ("City") recognizes that the COVID-19 epidemic poses an unprecedented challenge to contractors that are building the City's public works projects. Under the Order, work on public works projects should be in compliance with Social Distancing Requirements. (Order Section 10.j.) The City is prepared to partner with you to take steps to make projects as safe as possible for your employees to help keep projects moving forward and determine if Social Distancing Requirements can be met on your projects, and explore appropriate safety and cleanliness issues on the worksite.

Even with you taking all reasonable steps to comply with the Social Distancing Requirements, we recognize the likelihood that some projects may eventually be directly impacted by the COVID-19 virus. If a COVID-19 incident necessitates your firm shutting down a job site, the City will work with you to determine the next steps. The City will not treat shut down due to an order of the Health Department or due to a COVID-19 incident as a default event, and the City will not make an immediate demand on your performance bond. Rather, the City will partner with you to explore all options, including granting a non-compensable time extension for the period of delay necessary to address the incident and restart work on the project. We commit to working with you to ensure that the project can be completed by you, the qualified contractor who we hired in the first place to do the work.

The City is prepared to entertain compensation requests for direct costs to provide additional health and safety measures on job sites, such as additional hand washing stations, cleaning products, and additional cleaning staff to disinfect equipment and high-touch surfaces on a much more frequent basis.

Please address COVID-19 related issues and impacts with the City's construction managers at the earliest possible opportunity so that we can address these challenges together. We want you and employees to be safe, and for you to know that the City appreciates your work and will partner with you during this difficult time.