

City stuck with road bill

Poor construction costing taxpayers, study says

By Pam Zubeck
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Colorado Springs taxpayers have been stuck with an annual street repair bill of roughly \$680,000 for at least five years because of poor road construction by developers, according to a new city engineering study.

Developers, not the city, build the vast majority of

streets in the Springs.

But construction quality has been so bad that 100 percent of the street failures analyzed recently needed major repairs in four years or less after construction.

Industry experts say paved roads should last 12 to 15 years without major repairs.

The study corroborates The Gazette's August 2000 report

that found at least one in 30 streets built by developers and added to the city's network since 1990 needed major repairs within an average of four years, largely because of poor construction.

City officials hope a new set of road-building rules, set to take effect Jan. 1, will change that.

Approved unanimously on

first reading by the City Council last week, the ordinance is similar to measures on the books in other Front Range cities.

If a new road passes the city's probationary inspection now, the city releases the developers' financial security, or bond. After a one-year warranty period expires, the city takes over ownership and

maintenance. But if the street needs work during the one-year period, the city can't force the developer to fix it.

The new rules, slated for final City Council approval Nov. 27, would:

- Double the warranty period to two years.
- Allow the city to retain 10 percent of the bond, a maxi-

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of \$150,000, until the warranty period ends.

■ Impose more rigorous testing of soils to assure the roadbed is solid and won't later shift and damage the pavement, thus requiring premature repairs.

■ Require developers to obtain a professional engineer's certification assuring the street was built well.

In a concession to developers, who helped write the new rules, the city agreed to lower bonding amounts. Under current rules, a developer bonds

for 100 percent of a project's cost. The new rules call for a sliding scale with declining percentages of bonds as project costs rise.

"We're just pretty happy to get the two-year warranties," City Engineer Gary Haynes said. He's confident the changes will reduce the number of roads that heave and crack too soon and will provide the city with adequate financial assurance.

He said a street inventory is in the works to enable the city to assess the impact of the new regulations in 2005.

Tom Taylor of La Plata Investments, 2002 president of the Housing and Building Association of Colorado Springs, said the cost of the new rules are "fairly minimal" for developers.

Taylor blamed early deterioration on the clay soils in more recently developed areas. They're harder to compact, he said, which makes them more likely to shift and crack, causing premature decline.

"It's the result of the city's expansion."

Taylor blamed the problem on the city's construction

rules. "We were following the existing city standards," he said. "They (city) didn't tighten their standards to address the problem."

Some suggest the new standards may not go far enough. Experts have called for extended warranties because problems often don't show up in the first year or two. Fort Collins, for example, requires a five-year warranty, and some Colorado cities require a three-year warranty.

John Himmelreich, a geologist critical of the city's handling of geohazard and con-

struction issues, advocates a longer guarantee. Citing a city engineering memo, he noted a third of the streets recently inspected by city engineers showed problems in their third and fourth years.

"Why should I as a taxpayer have to subsidize maintenance of shoddy construction work?"

The new rules come too late in some cases where warranties have expired and the streets have failed early.

Broadmoor Bluffs Drive is one such potential liability. During the street's one-year

warranty period, a 400-foot section sank eight inches and the curb buckled. With no financial assurance to fix it, the city persuaded developer Cody Land Co. to repair the street last year, but it didn't last.

"It continued to settle," Haynes said, adding that he's trying to negotiate a new fix, estimated at up to \$250,000.

If Cody refuses, Haynes said, the city must pay for it.

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