

# PUBLIC WORKS

# RULES & REGULATIONS

OF THE MANAGER OF THE DEPARTMENT OF PUBLIC WORKS, CITY & COUNTY OF DENVER

Adopted Pursuant to Article II of the Charter of the City & County of Denver and Section 2-91 et seq. of the Revised Municipal Code

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GOVERNING THE PRIVATE DESIGNING,  
PLANNING, CONSTRUCTION,  
RECONSTRUCTION, AND REMODELING OF  
GENERAL PUBLIC IMPROVEMENTS

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Approved as to form:

Daniel E. Muse

Attorney for the City & County of Denver



Approved & Adopted:

October 15, 1993

Michael D. Musgrave

Manager of Public Works

## **RULES AND REGULATIONS GOVERNING THE PRIVATE DESIGNING, PLANNING, CONSTRUCTION, RECONSTRUCTION, AND REMODELING OF GENERAL PUBLIC IMPROVEMENTS**

The Manager of Public Works by authority vested in him by the provisions of Section A2.3 of the Charter and Article VII, Chapter 49 Revised Municipal Code of the City and County of Denver, hereby establishes the following Rules and Regulations for the administration and enforcement of the said Section and Article.

Upon the granting by the Manager of Public Works of a permit to any person or persons hereinafter referred to as the "Permittee" to construct a public improvement under the provisions of Article VII, Chapter 49 of the Revised Municipal Code, "PRIVATE DESIGNING, PLANNING, CONSTRUCTION, RECONSTRUCTION, AND REMODELING OF GENERAL PUBLIC IMPROVEMENTS" the Permittee shall proceed in accordance with the following Rules and Regulations.

### **1. Construction Plans.**

- a. All drawings and specifications which are intended by the Permittee to provide the basis for construction work to be done under terms of the Charter and Ordinances shall be the work product of an engineer who has exhibited special capabilities and experience in design of public improvements such as those which are proposed. Further this engineer shall be currently licensed under applicable provisions of State of Colorado Engineering Registration Statutes.
- b. Good engineering practice shall be the basic criteria for preparation of construction drawings and specifications, but as an additional requirement the engineer shall produce work which conforms to the City and County of Denver's current standards and practices. To this end, as soon as the engineer has been selected, that engineer shall coordinate his effort with the City Engineer so that minimum design criteria has been established early in the design stage, to expedite approval by the City Engineer of the final and complete set of construction drawings and specifications.

### **2. Construction Work.**

- a. Construction permits for all work to be done under this regulation shall be acquired by the Permittee prior to the start of the work. Such construction permits will be issued only to contractors or subcontractors who are licensed and bonded by the City and County of Denver to work within the public right-of-way. Under no circumstances will construction permits be issued before the Construction Drawings and Specifications are formally approved by the City Engineer, or before the Permittee has guaranteed to the City and County of Denver by appropriate bond, or other guarantee or indemnification, approved by the City Attorney, that the Permittee shall promptly make payment of all amounts lawfully due to all contractors, subcontractors, and persons furnishing labor or materials or labor and materials used or performed in the prosecution of the work and will indemnify the City to the extent of all payments in connection with performing and completing the work in accordance with the approved plans, specifications, and agreements.

- b. Construction surveys are the responsibility of the Permittee's Engineer. The Permittee's Engineer may request the City Engineer to do the construction surveying and pay for the surveying according to the current schedule of fees.
- c. After all construction work has been done, the construction drawings shall be corrected or amended by the Permittee as necessary to show "As -Constructed" conditions of the public improvement. This requirement shall not have been satisfied until the City Engineer formally acknowledges and accepts these drawings as a correct representation of the existing "As-Constructed" condition.
- d. construction inspection will be done through the City Engineer's Office, however, the permittee may also have an representative present to inspect the work.
- e. Materials testing may be done either by an established materials laboratory or by the Laboratory of the City and County of Denver, except that the City Engineer always reserves the right to such additional construction materials testing as he may deem necessary to insure the desired end results.
- f. Reports as listed herein shall be delivered to the City Engineer on a regular and routine basis.
  - (1) Materials testing reports and certification statements shall be delivered within one week of the date a test has been completed.

3. Guarantee.

- a. After a public improvement has been constructed by the Permittee and accepted by the City, the Permittee shall guarantee to the City and County of Denver, by appropriate bond, or other guarantee or indemnification, approved by the City Attorney, that defects in the public improvement which result from deficiencies in materials or faulty workmanship will be repaired or replaced during a period of two years after the work has been accepted by the City and County of Denver.

4. Final Acceptance.

No public improvement constructed hereunder will be accepted by the City and County of Denver until:

- a. All rights to ownership and control of the public improvement shall have been vested in the City and County of Denver by means acceptable to the Attorney of the City and County of Denver.
- b. The Permittee shall have submitted and the City Engineer shall have accepted sales and use tax certificates for all materials incorporated in the construction.
- c. All fees due the City and County of Denver have been paid.
- d. The Permittee shall have filed with the City Engineer an acceptable affidavit stating that all subcontractors, workmen, and material men furnishing labor, materials, or equipment on the project have been paid.
- e. All survey markers conforming to City and County of Denver standards have been established.

5. Fees.

- a. The Permittee shall pay the City for the checking of construction drawings and specifications and the construction inspection done by the City Engineer according to the current City schedule of fees for such services.
- b. All other work done by the City Engineer shall be paid for by the Permittee according to the current City Schedule of Fees for such services.