

FINANCE & COMMERCE

New book digs into I-35W collapse, and why we should be nervous

Posted: 10:00 am Mon, September 6, 2010

By Bill Clements



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Barry B. LePatner's soon-to-be-published book belongs in the horror genre.

The title, "Too Big to Fall: America's Failing Infrastructure and the Way Forward," isn't exactly horror-inducing, but what it tells us is: Some 7,980 bridges are considered as perilous as the I-35W bridge was before it collapsed Aug. 1, 2007, killing 13 and injuring 145.

That means, on average, each state has 160 bridges that could fail at any time, with who knows how many people in vehicles and on bikes and foot using them-trusting that the bridge won't crumble and send them tumbling or spinning to the ground or water far below.

LePatner, a construction and real estate attorney, pounds into readers' heads how for 16 years the I-35W bridge was known to be in a "toxic" condition-both "structurally deficient" (in bad and getting-worse physical condition) and "fracture-critical" (built on the cheap so that if one part fails, the whole bridge falls down).

That's because in 1991 a Minnesota Department of Transportation inspection first judged the bridge to be "structurally deficient."

Here's how the Brooklyn-bred and -educated LePatner put it during our telephone interview the other day, speaking as if he were addressing a bridge engineer working for a state transportation department like MnDOT:

“With these bridges that are fracture-critical and then structurally deficient for many years, can you stand here and tell your congressman and your governor that this bridge will not go down in the next year?”

“There isn’t a responsible engineer who would say that that bridge couldn’t go down,” LePatner said.



An inspector climbs over rubble Aug. 5, 2007, as he examines the I-35W bridge in Minneapolis, which collapsed into the Mississippi River. (AP file photo)

For 16 years MnDOT knew the I-35W Bridge was in such bad and dangerous shape, LePatner argues, even though numerous inspections and reports by both MnDOT folks and consultants identified problems and potential problems.

He (or his assistants) pored over the various reports on the bridge—from before and after the collapse: The 224-page book contains 37 pages of footnotes and source material.

And LePatner is not happy with MnDOT’s performance. He writes that the agency “did not act on any of the recommendations made by a series of consultants.”

Furthermore:

“It ignored photographic evidence from 1999 and 2003 showing that several gusset plates had bowed from excessive pressures, indicative of incipient failure that went unattended for 40 years. [MnDOT] failed to act on the information provided by its consultants to make decisions crucial to the safety of the traveling public.”

In the book, he takes MnDOT to task for pursuing “a largely non-structural interim repair” for the bridge in 2007, when what was needed was major work to address critical structural deficiencies. He also criticizes MnDOT for then allowing a contractor, PCI Corp., to “load 578,735 pounds of construction material atop a structurally deficient fracture-critical bridge that was fully understood to be unable to carry this additional load.”

In our interview, LePatner said: “How can you as a transportation department when you have a bridge designed as fracture-critical and you know it’s structurally deficient ... and then you go and allow—the mind boggles—you allow a contractor to put the equivalent of a 747 on it?”

“How can you do that?”

On Friday, spokesman Kevin Gutknecht said MnDOT would “respectfully decline” to respond to the claims LePatner made in his book, citing ongoing litigation as the reason MnDOT would not respond.

The remaining lawsuit in the I-35W tragedy is one the state filed against Jacobs Engineering Group Inc., successor to the company that originally designed the bridge in the 1960s.

LePatner, whose law firm is based in Manhattan, has written about such issues before. In 2007 he published “Broken Buildings, Busted Budgets: How to Fix America’s Trillion-Dollar Construction Industry.”

One industry publication has dubbed LePatner the “guru on construction industry reform.”

Indeed, he uses the I-35W Bridge collapse as a springboard to a thorough and at times frightening discussion of the huge problems we in the U.S. face with our badly deteriorating roads, bridges and dams. But he also suggests possible solutions in the book.

LePatner paints a dramatic picture, drawing out the negative consequences to our national economy if such vital infrastructure fails. We in the Twin Cities can certainly attest to the economic and other disruptions we faced after the I-35W bridge collapsed.

And he pleads for federal and state government officials to pay attention to and pour money into our crumbling infrastructure, instead of the sexier and politically expedient new projects.

LePatner describes as “a prescription for disaster” the trend of putting political appointees and not experienced engineers in the jobs of running state DOTs.

His book concludes with a chapter suggesting “ways forward”-ideas for fixing our critical infrastructure problems, which is at least a little hopeful.

Among the ideas, LePatner wants to see the U.S. start using more uniformly the sophisticated technology available to monitor bridges; a federal infrastructure bank; a new federal commission on infrastructure remediation and a new system for rating the conditions of bridges.

But he doesn’t want people to underestimate the breadth of the problems we face. He left me with these somber words: “Tragedy after tragedy will happen, because there are so many bridges that are failing everyday and no one’s spending the money to fix them.”

“Too Big to Fall: America’s Failing Infrastructure and the Way Forward” (Foster Publishing, in association with University Press of New England) is scheduled to be released Nov. 9.