

# MEMORANDUM

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## **2034 S 93<sup>rd</sup> Street** Sanitary Lateral Repair in street

**TO:** Peter Daniels  
**FROM:** Heath Brozovich  
**DATE:** 1/9/2020

### **PROBLEM:**

In follow up to Greg's Memo to us dated 1/6/2020 for this property, the property owner, Robb Fallon, has submitted an invoice he would like to have the City reimburse 50% of the total. See attached, "Paid Invoice to Rozga." Total paid is \$10,809, seeking 50% = \$5,404.50 see attached emails. (Note: he had some typos on his original email including the amount requested/paid and calling it a water main). He is seeking this since part of the problem & repair on his lateral occurred at the connection at the city sewer main.

In addition to the Rozga repair bill, he also has indicated via email he has had to expense up to \$5,000 in water damages to the interior of the building and pay \$1,500 in plumbing bills to 2 other plumbing companies.

### **FINDINGS:**

The property owner initially contacted me in October saying he had backup issues and had his lateral cleaned out. Plumber claimed issue was at the center of the road. I informed him his lateral connection at the city main would be televised as part of the 2019 contract, and I would take a look at the new televising.

DPW looked at city sewer main and it was flowing fine on 10/8/2019.

Upon review of the 2019 video televising, it can be seen that connection was in need of repair (photos attached on 2<sup>nd</sup> page). I would have scheduled this lateral connection to be repaired by a "T-liner" and if that didn't work, it would have had to be dug via a spot repair.

I have not seen televising from the house towards the main that would show condition of the entire lateral. However, based on the construction pictures that were submitted on Greg's Memo, the darkened soil indicates there were additional issues further upstream of the connection point at the city main.

### **RECOMMENDATION:**

Due to the poor condition of the sanitary lateral connection at the city main and the fact they had to repair a portion of our city sanitary sewer – I would recommend Robb Fallon be reimbursed the 50% of his repair bill that he paid to Rozga. This total would be \$5,404.50 and could come out of the appropriate sanitary sewer utility account.

Photos of connection at city sanitary sewer main





# Rozga - Invoice

Date	12/20/2019
Invoice #	I-150438
P.O. No.	
Tech	FRED H.
Job #	J-70049

Bill To	Due Date
Robb Fallon 6127 W Mitchell St West Allis, WI 53214	12/31/2019
Terms	Due On Receipt.

Ship To	Referred By
Rob Fallon 2034 S 93rd Street West Allis, WI 53227	Dave McAdams

**PAID**  
01/08/2020

Primary #	Mobile # 414-894-1448	Home #	Work #
Author Steve R.	Project Spot sewer repair		

**Description**

Thank you for allowing Rozga Plumbing and Heating Corp. the opportunity to provide this service. We provided labor, equipment and material for the spot repair of the sewer lateral in the road.

We used our sewer camera and locating equipment to confirm the point in the road of the break in the sewer as well as the depth of the line at this point. We saw cut, broke up and removed an approx. 13' x 6' section of the concrete road. We excavated down, to a max. depth of 9' and exposed the broken sewer lateral. We removed 6' of the existing 6" piping, that appeared to have broke due to settling of the line and found that the bell end of the wye fitting on the main was also broken. We contacted the City of West Allis to look over what we found and to determine if they would pay any of the cost for the repair as it was connected to the city main. They determined that they would require us to replace the entire fitting by splicing a new PVC fitting into the main line. They also determined that they would not pay for any costs as the damage was not on the main line itself but the branch of a fitting on the main. We installed an approx. 6' section of 6" PVC piping, a new 8" x 6" PVC tee and bedded the exposed piping in stone. We obtained the required inspection from the Plumbing Inspector, then backfilled the excavation to within 8" of grade using slurry. Once the slurry was allowed the required time to set we restored the concrete road. All spoil was hauled offsite.

\*All work will be warranted for a period of one year from time of installation.  
 \*Final balance due at time of project completion.  
 Terms and conditions titled 'Rozga Proposal Terms and Conditions' are made a part hereof and incorporated herein.  
 \*\*\*CASH DISCOUNT\*\*\*  
 \*\*\*IF FINAL PAYMENT IS MADE BY CASH OR CHECK YOU MAY DEDUCT \$574.00 from the total below.\*\*\*  
 Thank you for the opportunity to provide you with this service.  
 \*\*\*

FULL PAYMENT IS DUE UPON COMPLETION WITH LATE CHARGE ADDED AT 1% PER MONTH ON ANY UNPAID BALANCE AFTER COMPLETION OF WORK. FAILURE TO PAY WILL RESULT IN FURTHER LEGAL ACTION. ALL LEGAL AND COLLECTION FEES WILL BE THE RESPONSIBILITY OF DEBTOR.

PER WISCONSIN STATUE 779.02(2)(A), "AS REQUIRED BY THE WISCONSIN CONSTRUCTION LIEN LAW, BUILDER HEREBY NOTIFIES OWNER THAT PERSONS OR COMPANIES FURNISHING LABOR OR MATERIALS FOR THE CONSTRUCTION ON OWNER'S LAND MAY HAVE LIEN RIGHTS ON OWNER'S LAND AND BUILDINGS IF NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED BUILDER, ARE THOSE WHO CONTRACT DIRECTLY WITH THE OWNER OR THOSE WHO GIVE THE OWNER NOTICE WITHIN 60 DAYS AFTER THEY FIRST FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION. ACCORDINGLY, OWNER PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION, AND SHOULD GIVE A COPY OF EACH NOTICE RECEIVED TO THE MORTGAGE LENDER, IF ANY. BUILDER AGREES TO COOPERATE WITH THE OWNER AND THE OWNER'S LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID."

<b>Subtotal</b>	\$10,809.00
<b>Sales Tax (5.6%)</b>	\$0.00
<b>Total</b>	\$10,809.00
<b>Payments/Credits</b>	-\$10,809.00
<b>Balance Due</b>	\$0.00

Phone #	(414) 258-9911	Fax #	(414) 258-9921	Web Site	www.rozgaCorp.com
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WAIVER OF LIEN

January 8th, 2020

For value received, I hereby waive All rights and claims for lien on land and on buildings about to be erected, being erected, altered or repaired and to the appurtenances thereunto,

for Robb Fallon owner  
by Rozga Plumbing & Heating Corporation contractor  
for 2034 S 93rd St West Allis, WI 53227  
same being situated in Milwaukee County, State of Wisconsin, described as  
Invoice # I-150438 for Sewer And Water Services in the amount of \$10,809.00  
Invoice paid in full on 01/08/2020

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except None

*Sam Gicis*

Owner/President

## Heath Brozovich

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**From:** Robb Fallon <robb@pressing-on.com>  
**Sent:** Tuesday, December 31, 2019 12:54 PM  
**To:** Heath Brozovich  
**Subject:** main damage  
**Attachments:** IMG\_20191219\_123152405.jpg; City.pdf

Hello Heath,

Please see the attachments of water main connection damage that I personally took a picture of at our property at 2034 S. 93rd Street. I expect the City of West Allis to assist with compensation for expensive cost of repair. I will had to pay for the invoice incurred, will you cut me a check for the City's part in having this completed when the weather allowed. I had quotes up to \$31,000 for repairs but Rozga Plumbing was able to get this done for \$11,383. I would be willing to split the cost 50/50 for my responsibility, if the City pays for the repair to the main connection. Please get back to me to confirm payment for the suffering loss.

thank you,

--

**Robb Fallon**  
Customer Service Representative  
Pressing On Towards the Mark, Inc.  
6127 W. Mitchell St.  
West Allis, WI 53214  
[info@pressing-on.com](mailto:info@pressing-on.com)  
**(414) 321-1444**  
[www.pressing-on.com](http://www.pressing-on.com)



## Heath Brozovich

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**From:** Robb Fallon <robb@pressing-on.com>  
**Sent:** Tuesday, January 07, 2020 10:15 AM  
**To:** Heath Brozovich  
**Subject:** Re: main damage

Heath,

I will live with your split, I appreciate your reimbursement. I wanted you to know that I suffered substantial losses and found my receipts for all the additional work plus damage to our house...but will only pursue reimbursement only if this is rejected. I asked Rozga for receipts showing payment in full and they are forwarding that to me and I will email a copy to you. Thank you for your help.

Sincerely,

Robb Fallon

On 1/7/2020 9:30 AM, Heath Brozovich wrote:

Thanks Robb for the update.

My plan is to submit a reimbursement to you for 50% of the Rozga bill (\$5,404.50) to pay for the repair at the main connection, upon receiving your receipt. This will need to go to council for approval and you would receive a check after that, so figure at least a month.

If you wish to claim more – you would need to file a claim with the City, through the clerk’s office and I would need additional information from you to justify any additional expenses. However, based on what I’m seeing, the problem appears to also have been upstream in your lateral (which is your responsibility). Because I can tell that the connection also had some problems, I am able to justify paying half the cost of the repair and submitting this request to the council.

Let me know if you want me to proceed with the \$5404.50 amount or if you want to proceed filing a claim for more.

**Heath Brozovich**  
Principal Engineer | Engineering Department  
City of West Allis  
7525 W. Greenfield Ave. | West Allis, WI 53214  
Office: 414-302-8376 | Dept: 414-302-8360  
[thatswhywestallis.com](http://thatswhywestallis.com)

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**From:** [robb@pressing-on.com](mailto:robb@pressing-on.com) [<mailto:robb@pressing-on.com>]  
**Sent:** Friday, January 03, 2020 5:06 PM  
**To:** Heath Brozovich  
**Subject:** Re: main damage

Heath,

OK, I did send in the final payment to Rozga of \$180 and will get a paid in full receipt. I did expense up to \$5000 for water damage to the interior of the building as a result of damage incurred. I paid Emergency Disaster recovery for cleaning up sewage and paid Hautlaub approx. \$900., Ajack plumbing \$600. for clean out so this has cost me in excess of \$17,883 to date for the problems caused by issues. I need as much help as possible for this damage. I will get you the paid receipt early next week. Have a good weekend.

thank you,

On 2020-01-03 13:45, Heath Brozovich wrote:

Thanks for the clarification. Actually, I think your balance would be \$180 owed, instead of \$200. (\$754-\$574)

So then the new total paid would be \$10,809. (10,809+574=11,383 original subtotal)

*When you make your final payment, have Rozga send you a paid invoice with actual amount paid (and then forward over to me). We will work something out with you.*

Thank you,

**Heath Brozovich**

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**From:** Robb Fallon [<mailto:robb@pressing-on.com>]

**Sent:** Thursday, January 02, 2020 10:25 AM

**To:** Heath Brozovich

**Subject:** Re: main damage

Heath,

Yes, I see the error of my math, I transposed the numbers for the discount. I was suppose to take \$574 and deducted \$754 - so there is a balance difference of \$200. owed. Thank you.

**Robb Fallon**

Customer Service Representative  
Pressing On Towards the Mark, Inc.

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On 12/31/2019 1:11 PM, Heath Brozovich wrote:

Hi Robb,

Email was received and will be reviewed.

Just to confirm the cost:

I see the total at \$11,383.00

Initial Payment of \$3,415.00 was made

For a balance of \$7,968.00

I see a note the says "If Final payment is made by cash or check you may deduct \$574.00 from the total below.

However, \$7968 (balance due) - \$7214 (check amount) = \$754



As of now, I'm calculating \$10,629 was paid to Rozga (\$3,415 + \$7,214) and not \$11,383.00. Correct?

**Heath Brozovich**

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**From:** Robb Fallon [<mailto:robb@pressing-on.com>]  
**Sent:** Tuesday, December 31, 2019 12:57 PM  
**To:** Heath Brozovich  
**Subject:** Re: main damage

Heath,

Please confirm receipt.

thank you & Happy New Year.



On 12/31/2019 12:53 PM, Robb Fallon wrote:

Hello Heath,

Please see the attachments of water main connection damage that I personally took a picture of at our property at 2034 S. 93rd Street. I expect the City of West Allis to assist with compensation for expensive cost of repair. I will had to pay for the invoice incurred, will you cut me a check for the City's part

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*Robb Fallon*

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# MEMORANDUM

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**2034 S 93<sup>rd</sup> Street**  
Sanitary Lateral Repair in street

**TO:** Peter Daniels, Dave Wepking, and Heath Brozovich

**FROM:** Greg Bartelme

**DATE:** 1/6/2020

**PROBLEM:**

Residential property at 2034 S 93<sup>rd</sup> Street has been experiencing septic backup into the basement.

**RESOLUTION:**

Rozga Plumbing & Heating Corporation applies for permit on 12-17-19 and repairs failing 6" clay lateral and small portion of 8" clay main with a tee-connection on 12-19-19. (3 man crew).

**Conclusion/Recommendation:**

Due to the location of the repair and the fact that the plumber removed portions of the lateral prior to inspector being on-site, I cannot 100% identify where the actual failing lateral occurred.



More pictures located in file  
L:\Engineering PERMITS\PermitAttachments\Attachments\2019\Excavation\Plumbing\93 St 2034s (Rozga Plumbing)