


MEMORANDUM

TO: Michael G. Lewis, City Engineer

FROM: Brian D. Block, Traffic & Utility Technician 

DATE: April 14, 2009

RE: Claim Against the City of West Allis by Rozga Plumbing Badger Plumbing for a work on failed sanitary lateral wye connection at 2325 S. 56 St.

SUMMARY

Rozga Plumbing & Heating Corporation was hired by the property owners who were experiencing a back up of the sewer water at the property addressed 2325 S. 56 St.

Rozga Plumbing & Heating Corporation excavated in the pavement area at 2325 S. 56 St. and found the bell to wye connection cracked and broken and the lateral at the wye was separated from the wye.

I instructed Rozga Plumbing & Heating Corporation to make a sanitary spot relay with a sanitary lateral reconnection for 2325 S. 56 St.

Rozga Plumbing & Heating Corporation completed the relay and reconnection and placed concrete base and temporary cold patch asphalt as pavement restorations. Hot mix asphalt to be installed when available in spring by Rozga Plumbing & Heating Corporation.

FINDINGS & OBSERVATIONS

- **Existing conditions and utilities in S. 56 St. at the address 2325 S. 56 St.**

The pavement at 2325 S. 56 St. is a 30 ft. wide composite pavement with a concrete base and a hot mix asphalt surface centered in a 60 ft. right of way. Both sides of the street have concrete sidewalks.

The City of West Allis underground utilities in S. 56 St. at the above-referenced address consist of the following:

UTILITY	YEAR INSTALLED	LOCATION
8 in. cast iron water main	1929	24 ft. west of east RoW line
8 in. clay sanitary sewer	1929	center of RoW

City of Milwaukee has a 48 in. Concrete Water Main located 24 ft. east of the west RoW line installed in 1959.

Records indicate that the existing sanitary sewer lateral at 2325 S. 56 St. is a 6 in. clay pipe installed in 1929

CHRONOLOGY

03/12/09

Property owner John Kelly contacted me and said that he experienced a back up of his sanitary sewer at his property and had hire *RotoRooter* to power auger the lateral. RotoRooter "broke through a plug estimated at five feet west of the sanitary main and following that the backup sewer water emptied from his basement". RotorRooter could not auger to the mainline and pulled back the auger to find mud on the auger head. I advised Mr. Kelly to hire a plumber to repair his lateral.

03/18/09

I received a call from Rozga Plumbing & Heating Corporation that they were on site and excavated the sanitary lateral in the pavement in front of 2325 S. 56 St. I stopped on site to find that Rozga Plumbing & Heating Corporation had exposed the wye for the lateral at this property. I observed that the bell section of the wye was broken and the pipe west of the wye was displaced and separated from the wye. I instructed Rozga Plumbing & Heating Corporation to make a sanitary spot relay with a sanitary reconnect at this location.

03/19/09

Rozga Plumbing & Heating Corporation completed the sanitary spot relay with sanitary reconnect and backfilled the trench with an aggregate slurry mix.

03/20/09

Rozga placed a concrete base in the pavement area of the excavation.

03-23-09

Rozga placed a temporary cold mix asphalt in the pavement area of the excavation and reopened the roadway for public use.

04-14-09

I contacted property owner, John Kelly, who stated that he was not submitting any separate notice of claim of damages for the sanitary backup occurrence or work on the sanitary lateral and main.

CONCLUSIONS/RECOMMENDATIONS

It is my opinion that a failure at the direct connection or wye to the sanitary main existed at 2325 S. 56 St. I've concluded that the broken wye caused a back-up and non-draining condition for the resident at 2325 S. 56 St.

I am recommending a payment to Rozga Plumbing & Heating Corporation of \$ 13,126.69, which is the amount of the notice of claim by Rozga Plumbing & Heating Corporation on the Invoice No. 22363.

cc (via email): Joseph Burtch
 Michael Scherer
Attachment



ROZGA

Plumbing & Heating Corporation
1529 S. 113th Street • 414-258-9911
West Allis, Wisconsin 53214

RECEIVED

APR 10 2009

CITY OF WEST ALLIS
ENGINEERING DEPT

Invoice

Date	Invoice #
3/17/2009	22363
Special Instructions	
\$2500.00	

Bill To	Job Site Name / Address
City of West Allis - Engineering 7525 W. Greenfield Ave. West Allis, WI 53214	City Property owner: Jack Kelly 2325 S. 56th Street West Allis, WI 53219

Phone #	Alt Phone #	Service Date	Project
414-302-8367	C# 414-651-8840	3/23/2009	22363-52 Sanitary Lateral Repair

Quantity	Description	Each	Price
	Once the excavation was started we found that the wye connection at the main had broken causing back up of the lateral and settling of several sewer lateral joints. Further investigation warranted the replacement of the 8" x 6" wye on the main as well. (per Brian Block) Worked around the existing gas main, the old abandoned gas main, the existing water service, the sand wash in from the 48" feeder water main back fill and the neighbors sanitary lateral connection. Upon inspection, the sewer was tucked and bedded in stone with a slurry back fill to code. The road restoration includes the required concrete base with 2" of temporary cold patch until hot mix becomes available. Hot mix asphalt restoration has been included for mid to late April or as soon as possible to City spec.		
11.0	4-man Excavation Crew, 3-18-09, as above (includes truck driver) Straight Time Only	338.00	3,718.00
9.5	3-man Excavation Crew, 3-19-09, as above	261.00	2,479.50
3.5	2-man Excavation Crew, 3-20-09, finish saw cuts on road, pinned existing concrete with #6 rebar and poured road base as above	184.00	644.00
2.0	2-man Excavation Crew, 3-23-09, secured cold patch fiber mix and laid in over concrete, opened up to traffic	184.00	368.00
2.0	2-man Excavation Crew, late spring of '09 removal and hauling to dump temporary asphalt laid in March	184.00	368.00
1.0	Use of Road Saw	75.00	75.00
4.0	Use of Road Breaker	75.00	300.00
12.0	Use of Excavator Equipment	45.00	540.00

EARLY PAYMENT OF THIS ACCOUNT WILL ASSIST US AND BE SINCERELY APPRECIATED.

Terms	Due On Receipt.
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FULL PAYMENT IS DUE UPON COMPLETION WITH INTEREST ADDED AT 1.5% 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."

Page 1

Subtotal
Sales Tax (0.00)
Total
Payments/Credits
Balance Due

Fax #	414-258-9921	E-mail	info@rozgacorp.com	Web Site	www.rozgacorp.com
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ROZGA

Plumbing & Heating Corporation
 1529 S. 113th Street • 414-258-9911
 West Allis, Wisconsin 53214



Invoice

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\$2500.00	

Bill To	Job Site Name / Address
City of West Allis - Engineering 7525 W. Greenfield Ave. West Allis, WI 53214	City Property owner: Jack Kelly 2325 S. 56th Street West Allis, WI 53219

Phone #	Alt Phone #	Service Date	Project
414-302-8367	C# 414-651-8840	3/23/2009	22363-52 Sanitary Lateral Repair

Quantity	Description	Each	Price
10.0	Use of Tri-Axle Dump Truck W/out Driver	50.00	500.00
6.0	Use of Single Axle Dump Truck	40.00	240.00
1.0	6" & 8" sanitary sewer, fittings and adapters	293.57	293.57
1.0	stone bedding	89.00	89.00
1.0	slurry back fill to code	1,451.56	1,451.56
1.0	concrete road base with winter heat charges	596.74	596.74
1.0	bulk cold patch fiber mix	202.92	202.92
1.0	Sub-Contract, late spring '09 provide hot mix installation	875.00	875.00
1.0	Misc. Barricade Rental Charges - Class A, Class B, Signage, Delivery	85.40	85.40
4.0	Charge for taking spoil to dump.	60.00	240.00
1.0	PERMITS: City of West Allis; DPW	60.00	60.00

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Page 2

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Sales Tax (0.00)	\$0.00
Total	\$13,126.69
Payments/Credits	\$0.00
Balance Due	\$13,126.69

Fax #	414-258-9921	E-mail	info@rozgacorp.com	Web Site	www.rozgacorp.com
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