

CITY OF MILWAUKEE

2006 AUG 21 PM 2:39

RONALD D. J. ...  
CITY CLERK

City Clerk  
ATTN: Claims  
200 West Wells St. Room 205  
Milwaukee, WI 53202 - 3567


The following information describes the repair of the sewer at 5018 W. State St. Milwaukee, WI 53208, phone number 414-778-1200. I am filing a claim on the City of Milwaukee for the damage done as described, at a charge of \$16,960.00. The sewer destruction caused many thousands of dollars in repair work and loss of revenue in the business. I am respectfully looking forward to a just and timely resolution.

Thank you,



Michael Balistriere  
Owner

CITY OF MILWAUKEE  
RECEIVED  
2006 AUG 21 PM 3:20  
OFFICE OF  
CITY ATTORNEY



Residential, Commercial and Industrial  
Repairs, Re-modeling and New Construction

July 19, 2006  
State Street Retreat  
5018 West State Street  
Milwaukee, WI 53208  
Attn: ~~Mr. Mike~~ **BALISTRIERE**

Dear **MR. BALISTRIERE**

This is a summary of conditions discovered in the road in front of 5018 W. State Street. We at Sparrow Plumbing were contracted to do remodeling plumbing work inside the building for future tavern/restaurant. Upon the start of our work we discovered the main sewer was plugged at the clean-out (C.O.) at the front of the basement (near State Street).

A call was made to the Bullseye Drain Cleaning to snake the main sewer from the front of the building to the city main located in the road. A report received from Bullseye explained a break in the sewer was detected about 25' to 30' out from the C.O.. The snake would not move from this point. It was discussed with Bullseye that the only option was to dig up the road and repair the break.

Arrangements were made to open the road and expose the sewer pipe serving the building. The roadway was very crowded with gas mains, storm sewer and MMSD sewer. In addition to the many obstacles, we encountered a large volume of water flowing under 48" MMSD sewer pipe. The volume was such that a 2" Mud Sump ran nonstop for three days. After the first day phone calls were made to Milwaukee Water Department and Sewer Division of Milwaukee Streets. I asked both departments to check out the large volume of water in the ditch. My fear was a water main break or a sewer break causing an excess of water under the road. The Sewer Department responded two days later saying their sewers were tested and no problems were found. The Water Department finally showed up approximately a week later; after several phone calls. They tested the water and discovered there was a leak about 50 yards west of the trench we excavated. The leak on the water main was fixed three days after the discovery. This made things easier and allowed us to excavate deep enough to find broken sewer pipe.

Upon locating the broken sewer pipe, we discovered it had been crushed by the 48" MMSD sewer pipe. The 6" cast iron pipe serving the building was crushed directly under the MMSD sewer with the broken pipe sticking up on both sides of the MMSD pipe. It was obvious the weight of the MMSD concrete sewer pipe, laid directly on top of the cast iron pipe, was too much and crushed the cast iron pipe. In fact the bottom of the MMSD concrete pipe, which has a concrete pad under it, was lower than the top of the sewer main in which the 6" cast iron was connected to. This made it necessary to dig down 2' more for a deeper main about 2' south of the other main. The connection to this main allowed for a pitch on the new pipe and some clearance under the MMSD concrete pad and pipe. The new pipe was laid in the 6" PVC pipe, stone bedding, and slurry backfill through the road area. This pipe was replaced from the main in the center of the road to a new clean-out inside the building.

Due to all the pipes in the sidewalk and the road area it was necessary to excavate from the building to near the middle of the road. The gas mains, storm sewer, and MMSD sewer were so close that a back hoe bucket could not fit in between pipes. Due to this fact it forced us to hand dig, excavate more than planned, and use a vacuum truck. It became obvious that a repair of the broken sewer was not all we could do. We were forced into a complete sewer replacement from the main to the building

Upon receiving this news the owner immediately asked, "How could this happen, and who's at fault?" We called the City Road Engineer, the MMSD engineer, and the Water Department to ask these questions. After a great deal of finger pointing, no one stepped forward. The City Engineer had stated that they were not at fault. The MMSD Engineer would not commit to their pipe settling on the building sewer, and the Water Department would not admit that their leak could have eroded soils causing the pipe to be crushed. The fact is that the building sewer was crushed directly under the MMSD concrete pipe and pad. Please review the drawing attached to this letter.

Sincerely,



Jeff Wroblewski  
Master Plumber

Attachment



Residential, Commercial and Industrial  
Repairs, Re-modeling and New Construction

(N)



3' WIDE TRENCH  
NEW 6" PVC SEWER

6" BUILDING  
CLEAN-OUT

GAS MAIN

GAS MAIN

MMSD CONC SEWER

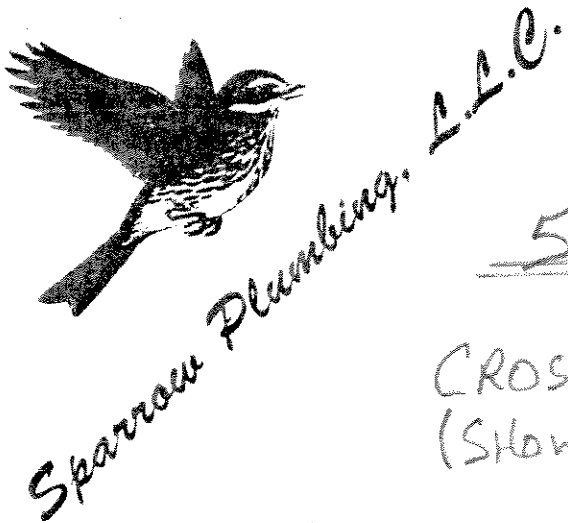
SIDEWALK

CURB

SANITARY SEWER

SANITARY SEWER

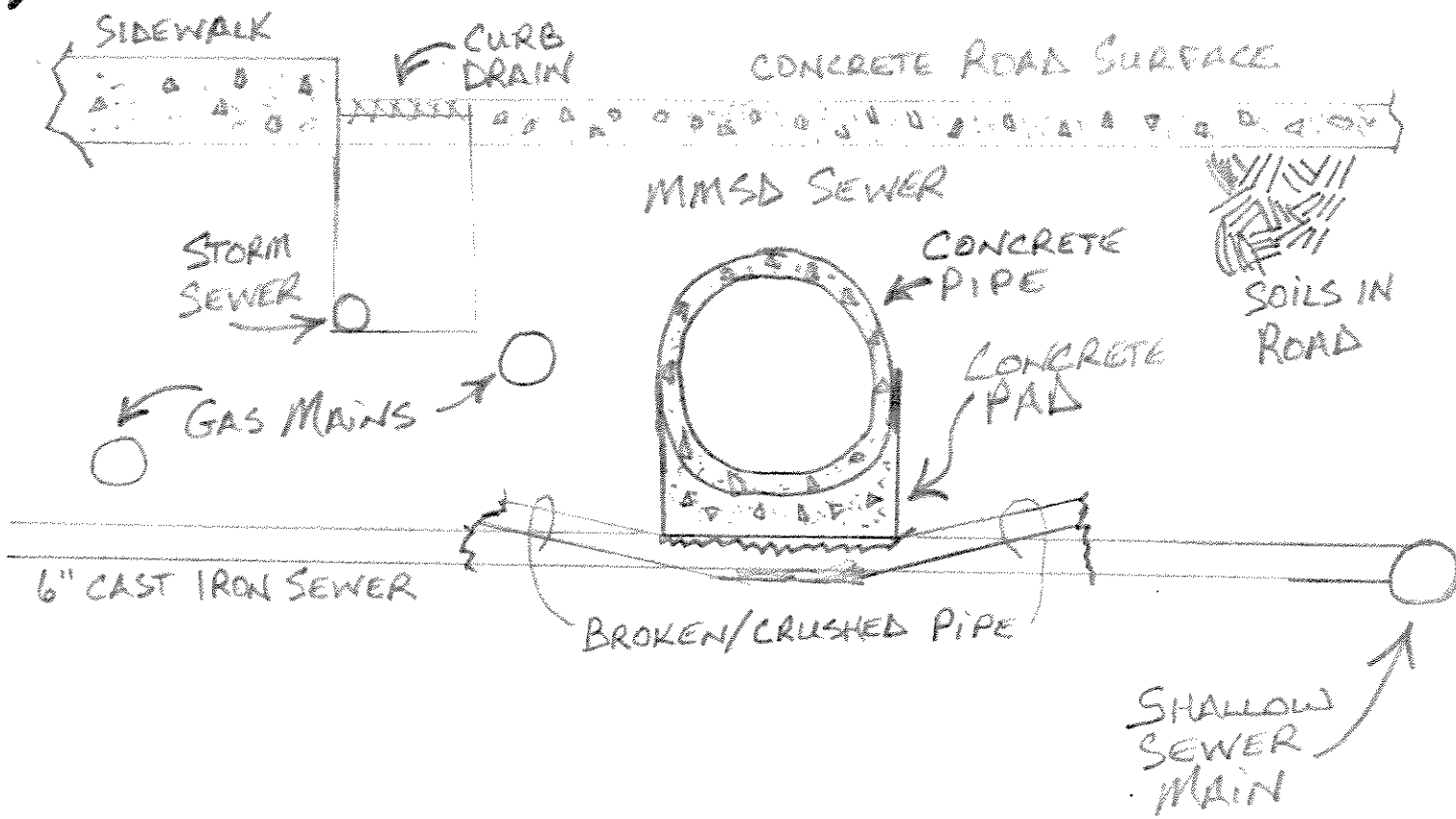
CENTER LINE W. STATE STREET

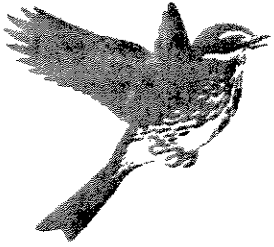


Residential, Commercial and Industrial  
Repairs, Re-modeling and New Construction

5018 W. STATE STREET

CROSS SECTION OF ROAD  
(SHOWING SEWER PIPE BREAK)





# Sparrow Plumbing, L.L.C.

4376 So. Howell Ave. Milwaukee, WI 53207  
Phone (414) 481-8177 • Fax (414) 769-1828  
WI License #MP 7204/Cred. #223371

OWNERS NAME <b>MMBC, LLC</b>		
STREET <b>5018 W. STATE ST.</b>		
CITY/STATE/ZIP <b>MILWAUKEE, WI 53208</b>		
PHONE <b>4799943</b>	ORIGINAL CONTRACT NO.	DATE OF CONTRACT <b>1-12-06</b>

JOB NAME <b>STATE STREET RETREAT</b>		JOB NO. <b>No 9569</b>
STREET <b>5018 W. STATE ST.</b>		
CITY/STATE/ZIP <b>MILWAUKEE</b>		
JOB PHONE		DATE

Cell 2431152 FAX 7719827

## INVOICE

- Work Completed: RE-PAIR CRUSHED SANITARY SEWER
- \* SAW CUT & EXCAVATE ROAD FROM BUILDING TO SANITARY MAIN IN MIDDLE OF STATE ST.
  - \* RE-PLACE 6" CRUSHED CLAY PIPE w/ NEW 6" PVC PIPE FROM BUILDING CLEAN-OUT TO SANITARY MAIN.
  - \* INCLUDES: BACKHOE & VAL TRUCK FOR EXCAVATION; SKINLOADER & DUMP TRUCK FOR REMOVAL/BACKFILL; STONE & SLURRY TO BACKFILL ROAD/SIDEWALK AND CONCRETE TO PATCH ROAD/SIDEWALK
- NOTE: SANITARY SEWER WAS CRUSHED BY 48" MMSB SEWER PIPE LAYED ON TOP OF 6" SEWER LATERAL.

Total Charge for Parts & Labor: \$ 16,960<sup>00</sup> w/ PERMITS

We thank you for this opportunity to service your plumbing and remodeling needs. Please call if we can be of further assistance.

Respectfully submitted:  
  
Jeff Wroblewski  
Master Plumber

Plumber: BRUCE  
Date: 1-12-06