



5690 DTC Blvd., Suite 650E  
Greenwood Village, CO 80111  
Phone: 720-500-9655  
Fax: (303) 379-7284

**Outside Plant Damage Recovery**

April 29, 2024

City of Milwaukee DPW  
Damage Claims  
200 E. Wells St Room 205  
Milwaukee , WI 53202

**RE: Damaged Facilities: Charter Spectrum  
Site Location: 11025 W Forest Home Ave, Hales Corners, WI 53130  
Damage Date: April 5, 2024  
PRG Claim# CHS-145251  
Confirmation Code – J5ZJA**

To Whom It May Concern:

Project Resources Group has been retained by Charter Spectrum to assist in recovering costs associated with repairing and replacing Charter Spectrum facilities damaged by third parties. It is our primary responsibility to investigate damages and recover the costs of repairing and replacing the compromised facilities.

It has been determined that **City of Milwaukee DPW** is responsible for the damage to Charter Spectrum facilities referenced above that occurred on **April 5, 2024**.

We understand that while **working** at the above referenced address, **City of Milwaukee DPW** hit and damaged cable owned and operated by Charter Spectrum.

**If you had General Liability or Automobile Insurance at the time of this incident, please submit this claim to them for their handling.**

**\*\*Payment is due upon receipt.**

You may also make payment via a credit card; please see the attached form for completion. **To make an online payment please visit <https://opdpayments.prgconsulting.net> and use claim number and confirmation code listed above.**

Enclosed is an invoice itemizing the charges incurred for this damage. **Please make your check in the amount of \$ 8,492.14 payable to Charter Spectrum and mail it to the attention of:**

**Spectrum  
PO Box 955871  
St Louis, MO 63195-5871**

If you have questions or require additional information, please contact me at 720-500-9655. Thank you for your prompt attention to this matter.

Sincerely,

Brenna Wilburn, Claims Specialist  
Project Resources Group Inc. - Outside Plant Damage Recovery Division  
Direct: 720-500-9655  
[bwilburn@prgconsulting.net](mailto:bwilburn@prgconsulting.net)  
Encl – Documentation & Available Photos

OFFICE COPY ATTACHED TO THE 24-440318

CITY OF MILWAUKEE  
2024 JUN 14 PM 2:50  
CITY CLERK'S OFFICE



# Invoice



Please make check payable to: Charter Spectrum

Remit to: Spectrum PO Box 955871 St. Louis, MO 63195-5871	Invoice #: CHS - 145251 Date: April 29, 2024 Confirmation Code: J5ZJA Bank: BOK Financial ABA: 5892990000037 Routing: 102000607 Remit Email: accounting@prgconsulting.net
Terms: Due Upon Receipt EIN: 43-1843179	

<b>Responsible for Damages:</b> City of Milwaukee DPW 200 E. Wells St Room 205 Milwaukee, WI, 53202
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<b>Date &amp; Address Where Damage Occurred:</b> 04/05/2024 11025 W Forest Home Ave Hales Corners, WI 53130
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<b>Labor and Material Costs</b>			
<b>Internal Labor Costs</b>	<b>Units</b>	<b>Unit Rate</b>	<b>Amount</b>
2 Maintenance Tech	14	\$55.00	\$770.00
Trucks	2	\$110.00	\$220.00
Damage Cost Procurement	1	\$480.20	\$480.20
Time Onsite	1	\$548.80	\$548.80
Compiling Interviews/ Gathering Evidence	1	\$637.00	\$637.00
Responding to Damage	1	\$294.00	\$294.00
<b>Sub-Total</b>			<b>\$2,950.00</b>
<b>Material Costs</b>	<b>Units</b>	<b>Unit Rate</b>	<b>Amount</b>
Sealant Silicone Adhesive 3Oz	2	\$2.81	\$5.62
Tie Cable 14" 120 Lb. Black	100	\$0.09	\$8.65
Mrkr Wrap Or Fbr Spctrm 8334934939-Cen	25	\$1.85	\$46.25
Tape Electrical 3/4" X 60' Premium Use I	2	\$13.04	\$26.08
Snoshoe Fbr 12" Alnm w/ Horz Mtg Brkt	1	\$184.43	\$184.43
Fbr 48 Ct Armored Lt Sm Dry	480	\$0.45	\$217.01
Wire Lashing Superlash 1600'	1	\$21.16	\$21.16
Sleeve Splice 60Mm	4	\$0.28	\$1.12
Closure Splice Fbr Optic Fos450 B6	2	\$332.30	\$664.60
<b>Sub-Total</b>			<b>\$1,174.92</b>
<b>Contractor Costs</b>	<b>Units</b>	<b>Unit Rate</b>	<b>Amount</b>
Splice Fiber Optic Cable, 1-12 Fibers	24	\$34.00	\$816.00
Re-Enter Existing Splice Case	4	\$150.00	\$600.00
Partial Wreck Out	480	\$0.22	\$105.60
Over Lash Fiber Cable	480	\$0.77	\$369.60
Composite New Aerial Construction Fiber	480	\$2.30	\$1,104.00
Fiber Splicer With Tools and Test Eqp	2	\$100.00	\$200.00

De/Relash & Drop Splice Case/Fiber Stor	4	\$127.50	\$510.00
Otdr Test and Document, Single Direction	2	\$19.00	\$38.00
Otdr Test and Document	1	\$27.00	\$27.00
Service Method Or Procedure (Smop) Work	1	\$200.00	\$200.00
Ns_Tax Portion Aerial Labor Cost	1	\$397.02	\$397.02
<b>Sub-Total</b>			<b>\$4,367.22</b>

<b>Invoice Total</b>	<b>\$8,492.14</b>
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For questions regarding this invoice, please contact: Brenna Wilburn, 720-500-9655 or via email at [bwilburn@prgconsulting.net](mailto:bwilburn@prgconsulting.net)

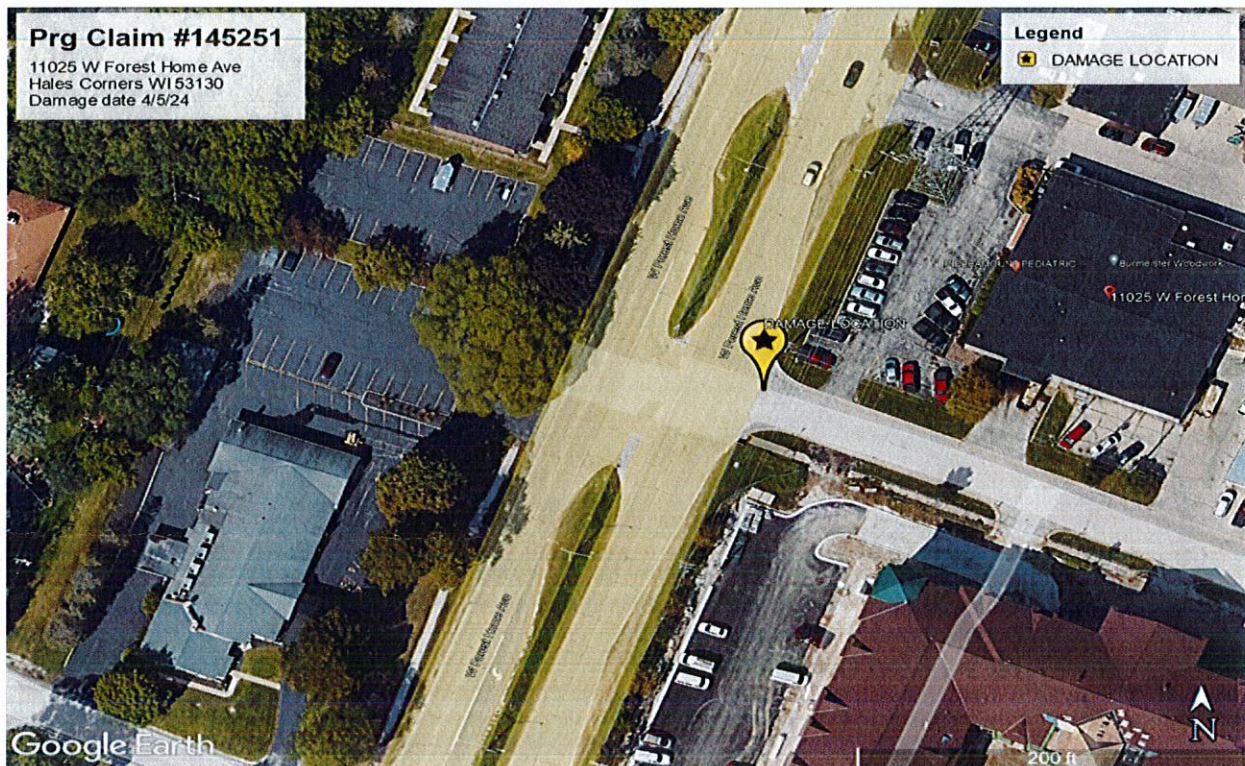


## Damage Investigation Findings

<b>PRG CLAIM:</b>	CHS-145251	
<b>DATE OF DAMAGE:</b>	04/05/2024	05:00 PM
<b>NOTIFICATION:</b>	04/06/2024	02:44 AM
<b>LOCATION:</b>	11025 W Forest Home Ave, Hales Corners, WI 53130	
<b>ARRIVAL:</b>	04/06/2024	02:00 PM
<b>LOCATE TICKET:</b>	20241304742	
<b>INVESTIGATOR:</b>	Daniel Jones	

### SUMMARY

On Saturday, April 6th, 2024, at 2:44 AM, I was notified by Charter Spectrum about damage at 11025 W Forest Home Ave Hales Corners, WI 53130. The damage was the result of street work, and a buried cable was struck.



## STATEMENTS

I arrived at the damaged location on 4/6/23 at approximately 1:52 PM to determine points of damage and liability. Upon arrival, I found a 4-count fiber cable that was damaged by the City of Milwaukee DPW.

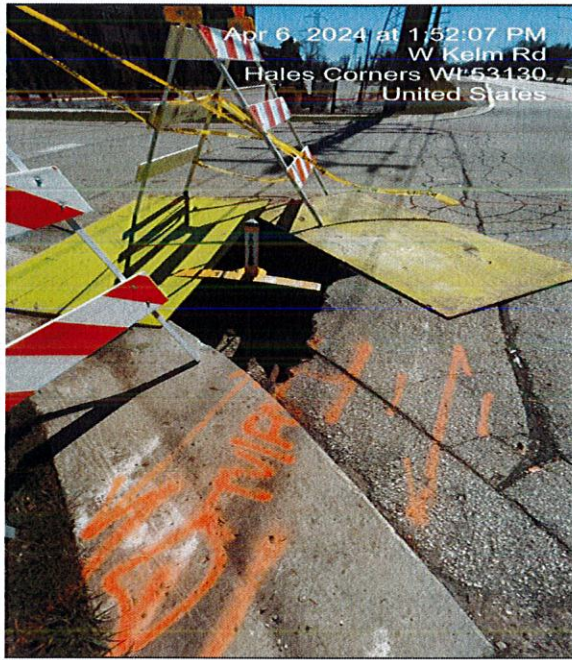
USIC locate marks were on-site and marked within the tolerance zone.

A search of the Diggers Hotline database produced locate request 20241304742, with a due date of 04/01/23, filed by the City of Milwaukee DPW.

### **182.0175 Damage to transmission facilities. -(2) Excavator and planner responsibilities.**

(2) Excavator and planner responsibilities. (a) Planning. Every person who is responsible for the preparation of plans and specifications for nonemergency excavation and every excavator shall do all of the following: 1. Take reasonable action to learn the location of any transmission facilities in and near the area where the excavation is to be conducted. 2. Plan the excavation to avoid to the extent possible interference with transmission facilities in and near the excavation area. (am) Excavation notice. An excavator shall do all of the following: 1. Provide advance notice not less than 3 working days before the start of nonemergency excavation to the one-call system. 2. In an emergency, take all reasonable precautions to avoid to the extent possible interference with existing transmission facilities in and near the excavation area and notify as promptly as possible the owners of transmission facilities which may be affected by the emergency excavation. 3. Maintain an estimated minimum clearance of 18 inches between a marking for an unexposed underground transmission facility that is marked under sub. (2m) and the cutting edge or point of any power-operated excavating or earth-moving equipment, except as is necessary at the beginning of the excavation process to penetrate and remove the surface layer of pavement. When the underground transmission facility becomes exposed or if the transmission facility is already exposed, the excavator may reduce the clearance to 2 times the known limit of control of the cutting edge or point of the equipment or 12 inches, whichever is greater. 4. Provide a repeat notice to the one-call system if marks are destroyed or covered by excavation site activities, if the excavation does not start within 10 days of the scheduled start date or if excavation is interrupted for more than 10 days.





## **DETERMINATION**

Based on the evidence presented, it has been determined that the City of Milwaukee DPW will be held liable for this damage and its associated costs.

## **ROOT CAUSE**

Excavator failure to utilize the prescribed or proper precaution when excavating within the tolerance zone.

## Diggers Hotline, Inc. (Wisconsin)

TICKET #:	20241304742	Previous Ticket:	
Ticket Type:	Standard	Start Date:	04/01/2024 9:30 AM
Call Date:	03/26/2024 9:18 AM		
Appointment Date:			

### Contact Information

Caller:	LASHONDA EDWARDS	Phone:	(414) 286-6323	Email:	LEDWAR@milwaukee.gov
Company:	CITY OF MILWAUKEE WATER WORKS	Cell:	(414) 286-6323		
Address:	3850 N 35TH ST MILWAUKEE WI 53216	Working For:	CITY OF MILWAUKEE WATER WORKS		
Field Rep:	LASHONDA EDWARDS	Phone:	(414) 286-6323		

### Work Information

County:	MILWAUKEE				
Place:	HALES CORNERS VILLAGE				
Address:	W FOREST HOME AVE				
Intersection 1:	W KELM RD				
On the E side of the road approximately 0 FT N of W KELM RD					
Type of Work:	BOX RESET				
Explosives: N	Overhead: N	Boring Equipment: N	Pre-Marked: N		

### Marking Instructions

MARK A 100 FT RADIUS OF THE NE CORNER OF THE ABOVE INTERSECTION

### Remarks

### Members Notified

SET01	TDS TELECOM - WATERFORD (SET01)	(262) 446-9821
MES01	CITY OF MILWAUKEE MES01	(414) 286-3250
VHC01	VILLAGE OF HALES CORNERS VHC01	(414) 529-6161
GLA01	EVERSTREAM GLA01	(317) 538-7933
SBC01	AT&T DISTRIBUTION SBC01	(262) 446-9821
TWC30	TIME WARNER CABLE - TWC30	(262) 446-9821
WKLSB	WE ENERGIES-ELE AND WE GAS-WKLSB	(262) 446-9821

### Positive Response



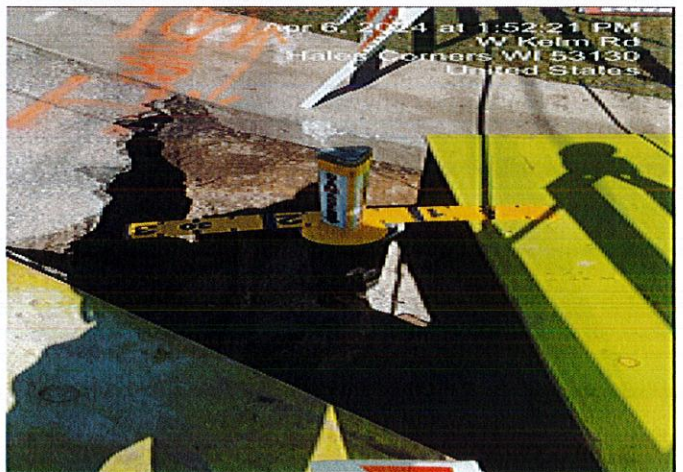
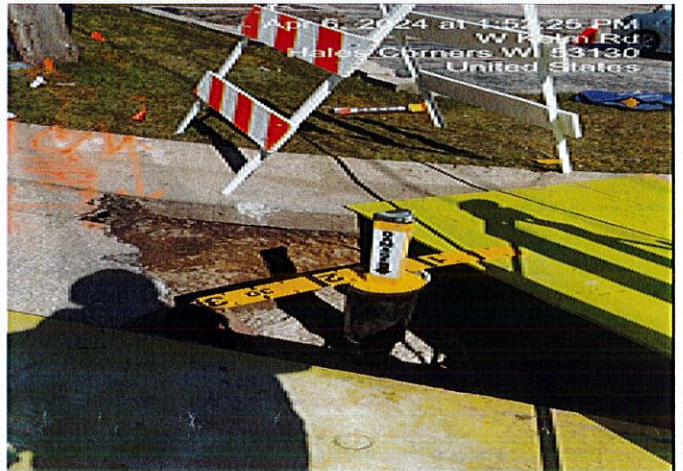
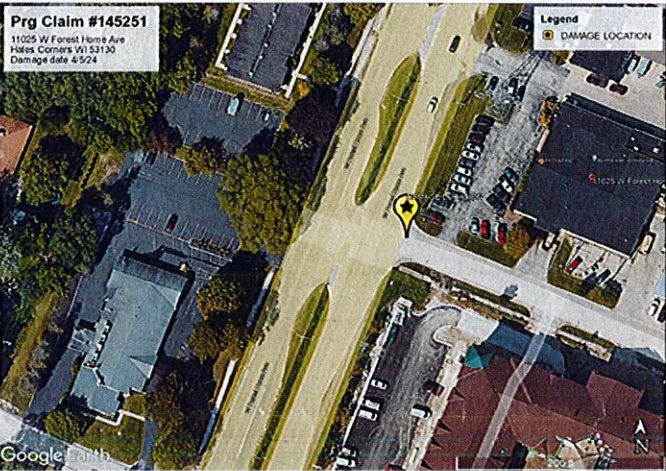
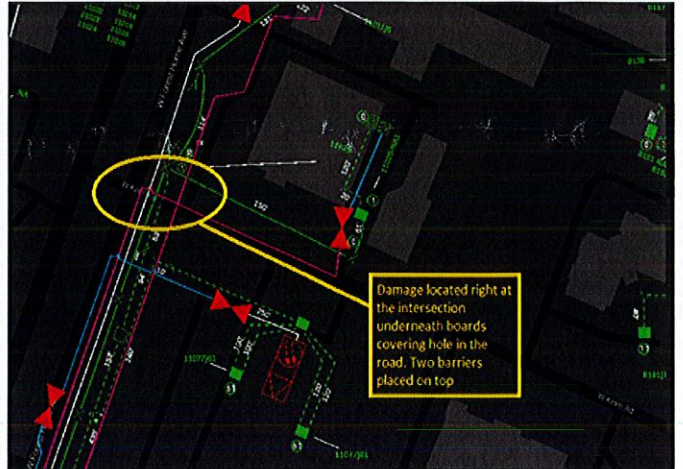
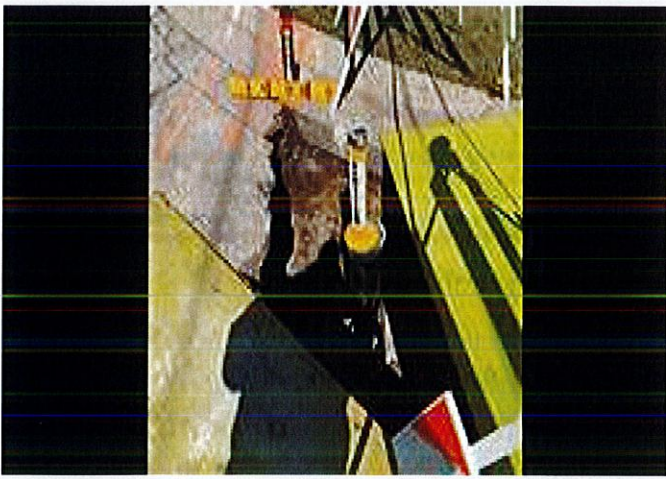
Response Status As Of Thursday, April 25, 2024 9:49 AM

Status	Code	Name	Facilities
Closed by DHL	SBC01	AT&T DISTRIBUTION SBC01	Not Participating
		<ul style="list-style-type: none"> <li>April 11, 2024 9:32 AM    Closed by DHL : Closed By Diggers Hotline</li> <li>March 26, 2024 9:18 AM    Not Participating : Company Not Participating in Positive Response</li> </ul>	
No Conflict - Complete	MES01	CITY OF MILWAUKEE MES01	Facility Owner
		<ul style="list-style-type: none"> <li>March 26, 2024 12:28 PM    No Conflict - Complete : Complete</li> </ul>	
Marked - Complete	GLA01	EVERSTREAM GLA01	Communications
		<ul style="list-style-type: none"> <li>March 27, 2024 8:45 AM    Marked - Complete : Complete</li> </ul>	
No Conflict - Complete	SET01	TDS TELECOM - WATERFORD (SET01)	Communications
		<ul style="list-style-type: none"> <li>April 01, 2024 1:04 PM    No Conflict - Complete : Complete</li> </ul>	
Marked - Complete	TWC30	TIME WARNER CABLE - TWC30	Communications
		<ul style="list-style-type: none"> <li>April 01, 2024 1:04 PM    Marked - Complete : Complete</li> <li>April 01, 2024 1:04 PM    Marked - Complete : Complete</li> <li>April 01, 2024 9:13 AM    Ongoing - Working with Excavator : Working with Excavator</li> </ul>	
Closed by DHL	VHC01	VILLAGE OF HALES CORNERS VHC01	Not Participating
		<ul style="list-style-type: none"> <li>April 11, 2024 9:32 AM    Closed by DHL : Closed By Diggers Hotline</li> <li>March 26, 2024 9:18 AM    Not Participating : Company Not Participating in Positive Response</li> </ul>	
No Conflict - Complete	WKLSB	WE ENERGIES-ELE AND WE GAS-WKLSB	Electric
		<ul style="list-style-type: none"> <li>April 01, 2024 1:04 PM    No Conflict - Complete : Complete</li> </ul>	
Marked - Complete	WKLSB	WE ENERGIES-ELE AND WE GAS-WKLSB	Gas
		<ul style="list-style-type: none"> <li>April 01, 2024 1:04 PM    Marked - Complete : Complete</li> </ul>	

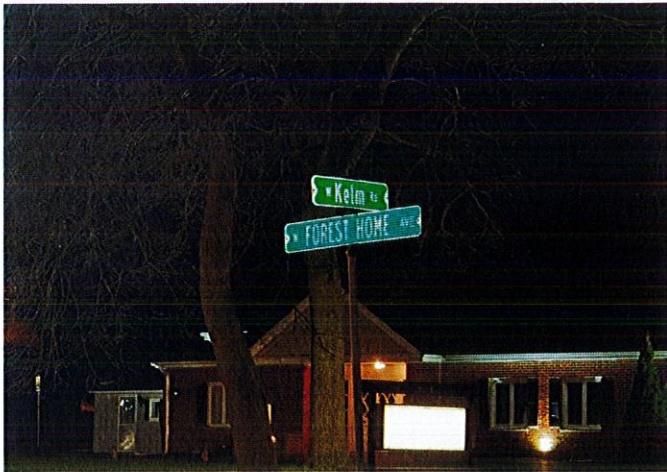
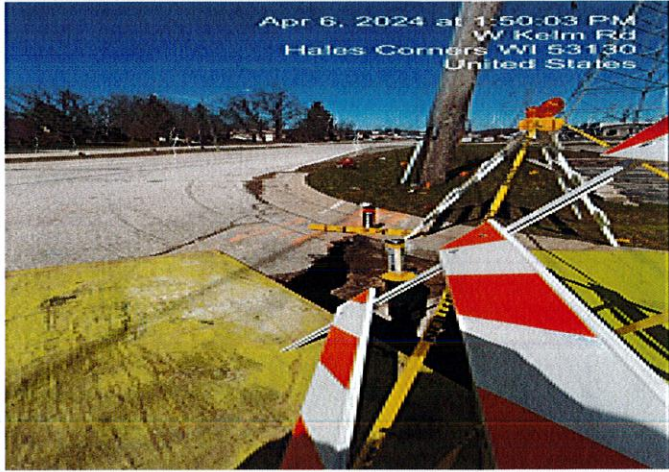
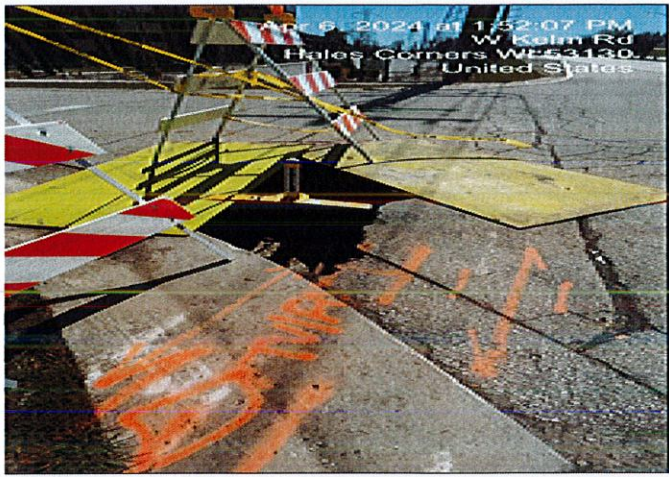
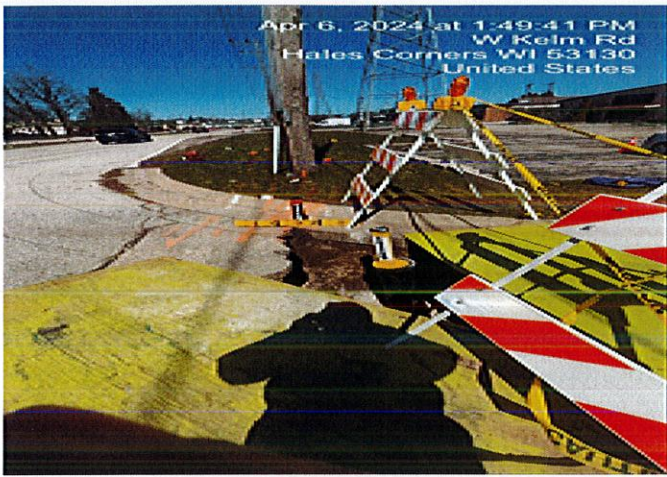
### Work Site Polygon (NE/SW)

Latitude	42.931937	Longitude	-88.051927
Secondary Latitude	42.933429	Secondary Longitude	-88.050435













Property of United States Infrastructure Corporation  
Photo created on 04/01/2024 13:06:27 PM CDT



Property of United States Infrastructure Corporation  
Photo created on 04/01/2024 12:18:16 PM CDT