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December 5, 2006

To the Honorable Common Council  
of the City of Milwaukee  
Room 205 - City Hall

Re: Resolution relating to the claim of Hein Electric Supply Company  
C.I. File No. 06-L-74

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation:

Claimant, Hein Electric Supply Company, 12745 West Townsend Street, Brookfield, WI 53005, by Robert Bartzen, CFO, alleges that on May 31, 2006 while MJ Construction was working pursuant to a Milwaukee Water Works (MWW) contract, they damaged their hollow sidewalk at 1445 North 5<sup>th</sup> Street. They claim damages in the amount of \$27,825.00.

Our investigation reveals that MJ Construction was engaged in construction activity related to a water main relay project at this location. The MWW was not aware of the existence of a hollow walk at this location and did not identify this facility to the contractor on the construction plans for this project. The MWW has accepted liability for a portion of the damage and the temporary repair work for the hollow walk. The claimant has agreed to accept \$19,975.00 to resolve this matter.

Honorable Common Council

December 5, 2006

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Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of this claim and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY  
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Assistant City Attorney

RMO:ms  
Enclosure

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