

PLC 229116059 APPEAL -Re: Midwest Fiber Networks, LLC, Claim # 1029-2022-1450

Katrina Romanello <katrina_romanello@phoenixlosscontrol.com>

Tue 2/21/2023 3:15 PM

To: Klosiewski, Patricia <pklosiew@milwaukee.gov>

3 attachments (16 MB)

229116059 Midwest fiber dmg claim pckt to City 2.21.2023.pdf; 1202003 Crabel Capital - Permit Docs.pdf; 1202003 Crabel Capital - Construction.pdf;

Hello Patricia, I will print this out and send it as our appeal.

I received your voicemail indicating a copy of the City's post-marked envelope needs to be included. However, that was not known at the time. We had not received any communication in reply to my emails or phone calls until we got to chat on 2/10/2023 when I was informed of the envelope procedure as well as the fact that the 1/17/2023 letter had not yet been received by our company. It was mentioned that the letter may have taken some time to get processed signed and could have possibly been mailed out 1/26/2023 or "even a couple days later." Thank you for providing that letter via email to me below on Monday, February 13, 2023.

Our appeal includes the documentation included that the city approved the depth of this damaged line and that crews ought to have protected it.

For efficiency, kindly communicate with me via email. If communication is mailed, please send it to our address below, but also send a copy via email to expedite.

re:

Claim Number: 229116059 - supports attached to this and previous emails

Date of Damage on/about: 8/17/2022 9:15:00 AM

Location of Damage at/near: East Buffalo Street near N Milwaukee St Milwaukee, WI 53202

Amount Owed: \$4,546.41

3 attachments:

Invoice with supports

April 2012 Public Way Excavation Permit 201208-0362

April 2012 Midwest Fiber Networks Microtrench project 1202003 4/5/2012

Thank you,

Katrina Romanello

Claims Manager

720-255-8386

Konkordia Phoenix

P.O. Box 645042

Dallas, TX 75264-5042

Katrina_Romanello@PhoenixLossControl.com

Pay online: <https://cts.phxloss.com/pay/>

From: Katrina Romanello <katrina_romanello@phoenixlosscontrol.com>

Sent: Thursday, February 16, 2023 6:25 PM

To: Klosiewski, Patricia <pklosiew@milwaukee.gov>

Subject: Re: Midwest Fiber Networks, LLC, Claim # 1029-2022-1450

Thank you for the email and for working with me on this damage.

Attached you will find the original construction plans and the approved permit documents from the City of Milwaukee. The City of Milwaukee is the permit authority that ultimately approved the submitted prints and installation location/depth. Per the prints and permit, this is an approved "Micro-trench" that was to be installed 9"-12" in depth. The crew would have pot-holed to locate underground facilities, protected them and then continued to work.

In an effort to amicably close this claim, we can certainly extend a settlement offer of \$3,865. Please review the 2 attachments and reply to this email at your earliest opportunity.

Thank you,

Katrina Romanello

Claims Manager

720-255-8386

Katrina_Romanello@PhoenixLossControl.com

<https://cts.phxloss.com/pay/>

Patricia <pklosiew@milwaukee.gov>
2/13, 2023 11:37 AM

SE 2/23

2/21/23, 3:17 PM

Mail - Katrina Romanello - Outlook

To: Katrina Romanello <katrina_romanello@phoenixlosscontrol.com>

Subject: Midwest Fiber Networks, LLC, Claim # 1029-2022-1450

Good morning Katrina,

Per our discussion Friday, attached is the City Attorneys response to Midwest Fiber Networks, LLC, Claim # 1029-2022-1450. I am also putting another copy in the mail. Thank you,

Patricia Klosiewski
Investigator/Adjuster
Office of the Milwaukee City Attorney
841 North Broadway, Suite 716
Milwaukee, WI 53202
General Office: 414-286-2601
Direct Dial: 414-286-2644
Fax: 414-286-8550

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Konkordia Phoenix
P.O. Box 645042
Dallas, TX 75264-5042

February 21, 2023

City Attorney's office - Milwaukee
Damage Claims
200 E. Wells Street
Room 205
Milwaukee, WI 53202

Claim Number: 229116059

Date of Damage on/about: 8/17/2022 9:15:00 AM

Location of Damage at/near: East Buffalo Street near N Milwaukee St Milwaukee, WI 53202

Amount Owed: \$4,546.41

Our company is handling the recovery interests of MIDWEST FIBER NETWORKS LLC. You, your company, or your subcontractor damaged Midwest Fiber Networks LLC facilities while at the above location, discovered on/about 8/17/2022 9:30:00 AM.

Please let me know via email or phone if this is in the process of being reviewed and if there is information pending on our part.

Invoice for repairs to damage. Please reply via email to acknowledge receipt.

Thank you. Please email Katrina Romanello at katrina_romanello@phoenixlosscontrol.com for additional documentation.

Based on the information provided by the client, we have found you to be liable for this damage to Midwest Fiber Networks LLC facilities. Please forward any information that may dispute our findings, or payment in full, within 15 days of receipt of this correspondence.

If you are insured, you may consider turning this matter over to your insurance carrier, otherwise payment is due within 15 days of this letter and invoice. Pay online with a bank account/eCheck/ACH or credit card/debit card (convenience fee may vary between providers) by visiting <https://cts.phxloss.com/pay>. Checks, Certified Money Orders, or Cashier's checks should be made payable to Phoenix Loss Control, Inc. and sent to:

**Konkordia Phoenix
P.O. Box 645042
Dallas, TX 75264-5042**

Spanish Speakers ONLY - Si desea hablar con alguien en español llame al 305-868-6734.

Please reference our claim number at the top of your check. If you have questions or require additional information, please contact me at the number listed below during normal business hours.

Sincerely,

Katrina Romanello
Claims Manager, Phoenix Loss Control, Inc.
Phone: 720-255-8386
Email: katrina_romanello@phoenixlosscontrol.com

Damage Claim Report



Claim #: 229116059

Client: Midwest Fiber Networks LLC

Initial Damage Call

Date of Report: 8/17/2022 Market: Wisconsin
Damage Date/Time on/about: 8/17/2022 9:15:00 AM Office: Wisconsin
Damage Location at/near
Address 1: East Buffalo Street
Cross Streets: near N Milwaukee St
City: Milwaukee State: WI Zip: 53202
County: Milwaukee County

Damage Information

Detail of Loss/Damage:

MWFn notified by customer via email that services were down 8/17/22 @ 09:20. Customer believed it to be related to construction work near customer location. MWFn dispatched tech to site to verify. MWFn tech on scene @ 10:30. Discovered location to be near a sanitary manhole in the road ROW of E Buffalo St, approx. 30' west of the intersection of N Milwaukee St. Pavement had been saw cut around the sanitary manhole. Diggers Hotline checked by MWFn staff for tickets in the area and found City of Milwaukee to have 20222802557 & Relo 20223013783 at this manhole structure for manhole repair. No City of Milwaukee crews present when MWFn staff was on site. Appears saw cut was made and crews had moved on. MWFn facilities in this location are in "micro-trench" and 16/13mm conduit, just underneath hard pavement surfaces.

Activity Type: Sewer Damage By: Unknown/Other Facility Type: Buried Fiber|Conduit/Duct Line|Distribution

Damager

Contact: Jason Brock Bill This Address? No
Company: City of Milwaukee
Address 1: 3850 N 35th St
Address 2:
City: Milwaukee State: WI Zip: 53216
Phone: 4147082575

Locate

Company: USIC Bill This Address? No

Locate Ticket #: 20223013783 20222802557 Locate Claim #: 11320220817005 Locates Accuracy: Excavator dug prior to verifying marks by test-hole (pot-hole)



Phone: 720-255-8386
 Email: katrina_romanello@phoenixlosscontrol.com

Konkordia Phoenix
P.O. Box 645042
Dallas, TX 75264-5042

City Attorney's office - Milwaukee
 Damage Claims
 200 E. Wells Street
 Room 205
 Milwaukee, WI 53202
 Phone:

First Notice

Date
1/28/2023
Claim #
229116059
Client
Midwest Fiber Networks LLC

Description	Total
EQUIPMENT HOURS / 1 MINI EXCAVATOR	\$81.25
EQUIPMENT HOURS / 1 PICK UP TRUCK	\$62.50
EQUIPMENT HOURS/ PICK UP TRUCK	\$87.50
EQUIPMENT HOURS / 1 DUMP TRUCK	\$72.50
LABOR HOURS / 1 UG OPERATOR - EMERGENCY	\$255.00
LABOR HOURS / 3 UG LABORERS - EMERGENCY	\$675.00
LABOR HOURS/ OSP FOREMAN - EMERGENCY	\$525.00
MATERIALS / DURALINE STRAIGHT CONN 16MM COUPLER FOR MICRO DUCT YELLOW, 3M 33+ BLACK TAPE 3/4"X76'	\$50.63
MILWAUKEE COUNTY SALES TAX / MATERIALS	\$2.79
NAICS 524291 vendor service	\$1,591.24
TRIP CHARGE / DUMP TRUCK	\$54.00
TRIP CHARGE / MINI EXCAVATOR	\$65.00
TRIP CHARGE / OG OPERATOR	\$190.00
TRIP CHARGE / OSP FOREMAN	\$226.00
TRIP CHARGE / PICK UP TRUCK	\$49.00
TRIP CHARGES / PICK UP TRUCK	\$49.00
TRIP CHARGES / UG LABORERS	\$510.00
	Sub-Total \$4,546.41
	Payments \$0.00
	Balance \$4,546.41
Please remit payment of balance within 15 days of this notice.	
Thank You!	

Damage Address at/near: East Buffalo Street near N Milwaukee St Milwaukee, WI 53202



Please reference your claim number: 229116059 on checks or correspondence.

Please visit <https://cts.phxloss.com/pay> to pay online with a credit card, debit card, or bank account(eCheck). You will be asked to provide your claim number.

Make your check, money order, or cashier's check payable to:
 Konkordia Phoenix
 P.O. Box 645042
 Dallas, TX 75264-5042

Public Way Excavation Permit

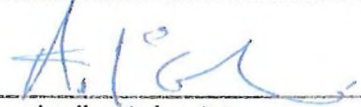
Call (414) 286-3435 for inspection 48 hours before work starts.

Milwaukee Development Center
 809 N. Broadway
 Milwaukee, WI 53202
 (414) 286-8211 fax:(414) 286-0251
 0102

Type of permit EX	Permittee CABLECOM LLC 3701 W BURNHAM ST, Rm C MILWAUKEE WI, 53215 (414)226-2205	Date Issued 04/12/2012	Permit No. 201208-0362
Work location 315 E BUFFALO ST	Contract #	Effective Date 04/12/2012	Permit expires in 90 days
		Work order # 1202003	

Description of work/comments
DIRECTIONAL BORE TO MICROTRENCH IN ROAD
INCLUDING DIRECTIONAL BORE IN HOLLOW SIDEWALK @ 312 E BUFFALO ST.
FOLLOW ALL NOTES, COMMENTS, AND INSTRUCTIONS ON PLANS.

Deposit no.	0	Date started		Permit fee	109.00
Amount	.00	Date closed		Inspection fee	62.00
Division		Inspector		Total due	171.00



Applicant signature



Issued by

This permit is granted on condition that the Permittee will obey all sections of Chapter 115 of the Milwaukee Code of Ordinances and all specifications, rules and regulations of the Department of Public Works pertaining to this permit. The acceptance of this permit constitutes an acknowledgement and acceptance of the conditions and regulations noted below.

Barricading and signing: Barricades and signs shall comply with City of Milwaukee Dept. of Public Works manual "Traffic Control for Construction & Maintenance Work" and Part VI of the State of Wisconsin "Manual on Uniform Traffic Control Devices."

Occupying street: Materials must be kept at least 2 feet away from any tree, alarm box, manhole and catch basin. Materials and equipment must be kept at least 10 feet from fire hydrants, 15 feet from crosswalks, and in accordance with other restrictions of the Code of Ordinances.

Drainage and erosion control: Gutters and drainage ditches shall be kept open at all times and shall be restored to their original condition. Perform all work necessary to conform to Ch. 290, Erosion Control, Milwaukee Code of Ordinances.

Blocking roadway: Unless the permit specifically allows, you may not block the entire roadway.

Revocation of permit: The Commissioner of Public Works reserves the right to revoke this permit at any time if, in his or her judgment, it is in the best interest of the City of Milwaukee.

Guarantee: You must reimburse the City of Milwaukee for all damages to any city property resulting from your work. You must hold the City of Milwaukee harmless in case of any accident or any damages arising through the issuance of this permit, regardless of whether such damage or accident is done by you, your agents, employees, or sub-contractors. In addition to the aforesaid provisions, said bond shall guarantee all work for 3 years from the date of completion thereof.

Lawn restoration: Where excavations in the sidewalk area or median destroy, disturb or damage the established lawn the permittee or contractor shall restore the area with top grade nursery sod approved by the Commissioner of Public Works laid over 3 inches of screened top soil spread evenly over the entire area.

New pavement: Permit will be issued to excavate any street pavement or resurfaced street less than 3 years old only upon showing that an emergency exists.

Emergency services: Any person who fails to keep the location for which this permit is issued in a safe condition at any time will be billed for any emergency work performed by city forces in order to make the location safe.

Damage during excavation: Use care during excavation to avoid damage to existing structures or facilities. If any underground structure or facility is damaged, notify the owner of the structure or facility immediately, and report the damage to the owner in writing within 24 hours. If the owner is the City of Milwaukee, report damage to the Commissioner, Dept. of Public Works, (414) 286-3300.

Obstructions: Unless you have permission to remove or relocate underground structures or facilities, you must work in a manner that minimizes disturbance of underground structures or facilities. Protect and support such facilities in accordance with the current specifications on file in the office of the commissioner and all applicable laws.

Backfilling: All sand or gravel used to backfill the excavations must meet current City specifications. All backfill in excavations must be controlled compacted or concrete aggregate slurry backfill can be used.

Temporary surfacing: The top 3" of excavations in any public way shall be a bituminous material. Place the bituminous material flush with the surrounding surface within 72 hours after backfilling has been completed.

Excavated material: Do not place excavated material on double seal, single seal, crushed stone, graded aggregate, or gravel pavements.

Restoration of street: Perform the work promptly and professionally. Remove all refuse and excess dirt and material from the surface of the public way as the work progresses or immediately upon its completion. Restoration must be done in accordance with current specifications.

Guarantee (roadway excavation): THE PERMITTEE MUST GUARANTEE THE MAINTENANCE OF THE TEMPORARY SURFACING ON ALL EXCAVATIONS BETWEEN EXISTING OR PROPOSED CURB LINES FOR 6 MONTHS. EXCEPT THAT ANY PERMITTEE ALLOWED TO MAKE PERMANENT RESTORATION TO AN EXCAVATION SHALL BE RESPONSIBLE FOR ALL MAINTENANCE FOR A PERIOD OF 3 YEARS AFTER PERMANENT RESTORATION IS COMPLETED.

Guarantee (back of curb excavation): THE PERMITTEE SHALL GUARANTEE THE FILLED EXCAVATION BETWEEN EXISTING OR PROPOSED CURB LINE AND LOT LINE AGAINST SETTLEMENT FOR 3 YEARS.

Except for emergency excavations, excavation permit is void if permittee does not contact Diggers Hotline (1-800-242-8511) at least three working days prior to digging. Notify fire department dispatcher any time road is closed: 286-8999 Call traffic operations (286-3632) for "temporary no parking" signs.

2012080363
 Apr 12/2012/12:09 PM
 1-0197336/dgraha/4178,00
 377 BUFFALO ST

Public Way Special Permit

Call (414) 286-3435 for inspection 48 hours before work starts.

Milwaukee Development Center
 809 N. Broadway
 Milwaukee, WI 53202
 (414) 286-8211 fax:(414) 286-0251
 0102

Type of permit	Permittee	Date Issued	Permit No.
SP	CABLECOM LLC	04/12/2012	201208-0363
ST	3701 W BURNHAM ST, Rm C	Effective Date	Permit expires in
	MILWAUKEE WI, 53215	04/12/2012	180 days
	(414)226-2205		
Work location	Contract #	Work order #	
315 E BUFFALO ST		1202003	

Description of work/comments
 RESTORE SEAM IN ROAD FOR MICROTRENCHING.
 FOLLOW ALL NOTES, COMMENTS, AND INSTRUCTIONS ON PLANS.

Deposit no.		Date started		Permit fee	178.00
Amount		Date closed		Inspection fee	98.00
Division		Inspector		Total due	276.00



 Applicant signature



 Issued by

This permit is granted on condition that the Permittee will obey all sections of Chapter 115 of the Milwaukee Code of Ordinances and all specifications, rules and regulations of the Department of Public Works pertaining to this permit. The acceptance of this permit constitutes an acknowledgment and acceptance of the conditions and regulations noted below.

Barricading and signing: Barricades and signs shall comply with City of Milwaukee Dept. of Public Works manual "Traffic Control for Construction & Maintenance Work" and Part VI of the State of Wisconsin "Manual on Uniform Traffic Control Devices."

Occupying street: Materials must be kept at least 2 feet away from any tree, alarm box, manhole and catch basin. Materials and equipment must be kept at least 10 feet from fire hydrants, 15 feet from crosswalks, and in accordance with other restrictions of the Code of Ordinances.

Drainage and erosion control: Gutters and drainage ditches shall be kept open at all times and shall be restored to their original condition. Perform all work necessary to conform to Ch. 290, Erosion Control, Milwaukee Code of Ordinances.

Blocking roadway: Unless the permit specifically allows, you may not block the entire roadway.

Revocation of permit: The Commissioner of Public Works reserves the right to revoke this permit at any time if, in his or her judgment, it is in the best interest of the City of Milwaukee.

Guarantee: You must reimburse the City of Milwaukee for all damages to any city property resulting from your work. You must hold the City of Milwaukee harmless in case of any accident or any damages arising through the issuance of this permit, regardless of whether such damage or accident is done by you, your agents, employees, or sub-contractors. In addition to the aforesaid provisions, said bond shall guarantee all work for 3 years from the date of completion thereof.

Sidewalks: Sidewalk, curb and curb and gutter are to be constructed according to current specifications of Infrastructure Services and grades provided by the Dept. of Public Works, and guaranteed according to these specifications.

Changing grade: No person shall alter the grade of any public way or public place unless authorized or directed to do so.

Correction of improper construction: Whenever an installation is constructed in violation of this permit, the Commissioner may order such installation to be removed and properly placed. If the permittee refuses to do as ordered, the Commissioner shall cause the necessary work to be done and charge the permittee for the work.

Hollow sidewalks: Construction or alteration of hollow sidewalks must be in accordance with plans approved by Infrastructure Services division and with current specifications on file in the office of the Commissioner.

Lawn restoration: Where excavations in the sidewalk area or median destroy, disturb or damage the established lawn the permittee or contractor shall restore the area with top grade nursery sod approved by the Commissioner of Public Works laid over 3 inches of screened top soil spread evenly over the entire area.

Except for emergency excavations, excavation permit is void if permittee does not contact Diggers Hotline (1-800-242-8511) at least three working days prior to digging. Notify fire department dispatcher any time road is closed: 286-8999 Call traffic operations (286-3632) for "temporary no parking" signs.

CITY OF MILWAUKEE
INFRASTRUCTURE SERVICES DIVISION
TRAFFIC PROVISIONS

Location: 312 E BUFFALO STREET

Contractor:

Other Jurisdiction:

WE ELECTRIC

WE GAS

Parking of Private
Vehicles Prohibited

WE STEAM

SBC/AT&T

Cable Com.

Type of Work:

CONDUIT

DIRECTIONAL BORING ^{PWS} SOIL BORING

CABLE

DUMPSTER

MANHOLE

OCCUPANCY

WORKING

NON-WORKING

HOURS

HOURS

Maintain Access

Maintain Two-Way Traffic

Maintain 1-11' Traffic Lane(s) For Each Direction

Maintain _____ Traffic Lane(s) For Each Direction
On The Proper Side Of The Roadway

Maintain _____ Traffic Lane(s) For _____ Bound

Do Not Impede Traffic Lanes For _____ Bound

Maintain Pedestrian Way

May Close Roadway/Sidewalk

Open Entire Roadway to Traffic

No Work 7:00 To 8:30 AM

No Work 3:30 To 5:30 PM

Work Completed For Permit Only

Need Barricade W/Flashing Light

Remarks

Sidewalk(s)

Parking Lane(s)

Traffic Lane(s)

Traffic Lane = 14'-0" Minimum

Pedestrian Way = 4'-0" Minimum

Approved: Jeri Schmidt

Date: 11-12-12

TraProv/Excel/Tr

Company Midwest Fiber
Contact Harry
Phone 226-2205
Cell _____

CITY OF MILWAUKEE
DEPARTMENT OF PUBLIC WORKS

The proper Division must be notified immediately, if interference is encountered or damage is done to any city installations including trees. The city will make all repairs and alterations where necessary and charge the cost thereof to the permittee. This plan is approved for location but not for elevation or grade by:

Coring out MCT
mh & saw cutting
1" wider to place
cable on E Bus Stop

FORESTRY 619 Service Fee \$ _____ Deposit \$ _____
DATE 4-12-12 PER [Signature]

WATER ENGINEERING 403 ^{SEE ATTACHED} _{'STD'} Service Fee \$ _____ Deposit \$ _____
DATE 4/12/12 PER [Signature] SPM

ENVIRONMENTAL ENGINEERING 809 Service Fee \$ _____ Deposit \$ _____
UTILITIES MAY (SHALL NOT) BE INSTALLED BEFORE SEWERS ARE CONSTRUCTED

ENVIRONMENTAL ENGINEERING NOTES:
MINIMUM 18" VERTICAL CLEARANCE.
MINIMUM 5 FEET HORIZONTAL CLEARANCE
FROM CITY SEWER FACILITIES IS REQUIRED
SEWER LATERALS ARE PRIVATE FACILITIES
EXACT LOCATION CANNOT BE VERIFIED.
IF LATERAL IS DAMAGED, IT MUST BE
REPAIRED AT CONTRACTOR'S EXPENSE
UNDER CITY PERMIT

NOTES
DATE 4/12/12 PER Martino Leguina
UNDERGROUND CONDUIT 810 Service Fee \$ _____ Deposit \$ _____
DATE 4/12/12 PER sp. M. Connell see attached

STREET LIGHTING 920 ID # 150 Service Fee \$ _____ Deposit \$ _____

NOTES see attached comments
DATE 4/12/12 PER [Signature]

PARKING 517
DATE _____ PER _____

TRAFFIC SIGNALS 920 Service Fee \$ _____ Deposit \$ _____
DATE 4/12/12 PER [Signature]

TRAFFIC CONTROL
FIELD MAINTENANCE 710 Service Fee \$ _____ Deposit \$ _____
DATE 4/12/12 PER C. May

COMMUNICATIONS-501 Service Fee \$ _____ Deposit \$ _____
DATE _____ PER _____

PLANNING & DEVELOPMENTS PERMITS 919
DATE 4-12-12 PER [Signature]

If your project impacts parking
contact Mr. Jeremy
Weisling in Parking Operation
at (414) 286-5929 for a review.

Call inspector
for Restoration
"Veronica"
708-5511

Standard Permit Review Comments

The following comments apply to all work done near water mains and their appurtenances.

1. Prior to proceeding with construction, the location of each water main shall be determined in the field by contacting "Diggers Hotline".
2. Maintain a minimum of 6" vertical clearance from the outside edge of the proposed installation (or boring) to the O.D. of Water Main (or appurtenance).
3. A minimum of 2'-0" of undisturbed earth shall be maintained from the trench edge (or boring) of the proposed installation to the O.D. of the existing Water Main as well as to the outside edge of any existing Fire Hydrant (or appurtenance).
4. A minimum of 3'-0" of clearance shall be maintained from the outside edge of the proposed aboveground installation (such as: fence, pole, etc.) to the outside edge of any Fire Hydrant.
5. Maintain access to all Fire Hydrants within the construction area for fire protection, and protect all hydrants against damage for the duration of the project.
6. Maintain a minimum of 1'-0" of undisturbed earth from the proposed installation's trench edge (or boring) to the outside edge of any existing Valve Box.
7. When the proposed installation crosses existing water mains, that utility shall be installed perpendicular to the water main, however, exceptions may be made for angles between 90 and 45 degrees.
8. The proposed construction work and the equipment used shall not affect the integrity of the existing water mains and appurtenances. If damaged, the contractor will be responsible for all costs incurred to restore the water main to its original condition.

City of Milwaukee Underground Conduit

Standard Permit Review Comments

Midwest Fiber Network #1202003

312 E. Buffalo St.

Contractor shall comply with the following requirements:

1. Contractor shall be responsible for any damage to City of Milwaukee Conduit. Contact the City Dispatcher at 286-3481 immediately if damage occurs.
2. Contractor to use caution during excavation. Active City of Milwaukee Underground conduit in area.

841 N. Broadway
Zeidler Municipal Building
Room 802
Milwaukee, Wisconsin 53202



City of Milwaukee Street Lighting

Comments for Standard D.P.W. Permit Review

Please comply with requirements circled/highlighted below:

- 1) Prior to construction, the location of Street Lighting facilities shall be determined in the field by contacting "*Diggers Hotline.*" At 1-800-242-8511
- 2) *Caution!* Street Lighting cable in area where work is taking place. Contractor is responsible for damage to our facilities. Call 286-3481 to report damages.
- 3) This installation *must* remain a minimum of *5'-0" back of curb.*
- 4) Presently there are Street Lighting facilities within the proposed construction fence area. City of Milwaukee Street Lighting crews *require 24 hour access* to our facilities.
- 5) Coordinate the transfer or removal of street or alley lights with the City of Milwaukee Street lighting crews by faxing a transfer request, two notices; *1.)* Heads up of work and *2.)* Actual work request to: Street Lighting shop supervisor. Attn: George Berdine @ (414) 286-3694. Please allow 10 working days for transferring or removal of light(s) after fax is submitted.
- 6) Street Lighting has pipes and cables crossing various locations along this project. These pipes and cables shall be supported if open cut trenching is used. Contractor shall *use extreme caution* when excavating the areas, and is responsible for any damages to our facilities. Damages shall be reported to our shop at 286-3481.
- 7) *Contractor:* Please call 286-5944 two (2) working days prior to pouring concrete approach, or for full walk to arrange for pipe installation by our street lighting crews.

Street Light Engineering
Permits Section
Zeidler Municipal Building
Room 920
Milwaukee, Wisconsin 53202
(414) 286-5435



Department of Public Works
Infrastructure Services Division

Ghassan Korban
Commissioner of Public Works

Presion D. Cole
Director of Operations

Jeffrey S. Polenske
City Engineer

April 4, 2012

Mr. Joel Bojarski
Director of Operations
Midwest Fiber Networks Development LLC
3701 W Burnham Street
Milwaukee, WI 53215

Re: Micro-trenching Pilot Program

Dear Mr. Bojarski:

We have reviewed the submitted micro-trenching installation method as proposed on E. Buffalo St from N. Milwaukee St to a point approximately 200 feet west. This method will be conditionally approved as a pilot program subject to the standard permitting requirements of the City of Milwaukee and the following additional terms and conditions. Any subsequent City of Milwaukee permit approved for micro-trenching will be subject to these conditions.

1. This installation method is considered a pilot program for one-year duration expiring on May 1, 2013.
2. This installation method is subject to an evaluation period upon completion of the pilot program. The pilot program may be extended at that time or consideration given of incorporating micro-trenching technology into the City's "Pavement Restoration Specifications for Utility Cut and Trenches". A copy of the current specification is attached for your reference.
3. In accord with City of Milwaukee Ordinances, all pertinent City permits must be obtained and fees paid, for excavation work within the public right of way before any construction work commences.
4. All Digger Hotline requirements must be adhered to for subsequent utility notification, marking and locating requests for any location where conduits are installed.
5. All requirements of the referenced specification must be adhered to including, but not limited to, excavations are not permitted in a roadway pavement which 0-3 years old and full panel restoration is required in a concrete pavement which is 0-10 years old.
6. This installation method must comply with the standards and procedures outlined in Technical Bulletin DCEB-10002, Issue A, entitled "Recommended Procedures for Conduit Microtrenching and Restoration" by A-D Technologies dated July 20, 2010, as currently on file.
7. The approved restoration method will include a sand base and sand backfill with a foam backer rod between the backfill material and surface sealant.
8. The epoxy surface sealant material used in this installation method must be submitted for approval and be compatible with either asphalt or concrete material.
9. The installation and restoration work completed under this pilot program is subject a two-year warranty period commencing on the completion date of the work. Midwest Networks

Midwest Fiber Networks Development LLC

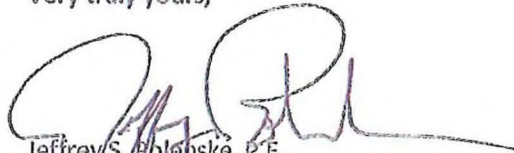
April 4, 2012

Page 2

Development LLC will be responsible to restore any installation or restoration failure to the satisfaction of the City of Milwaukee upon notification of such failure.

Please contact Mr. Dale Mejaki, Infrastructure Operations Manager at 414-286-3434 for any related questions or concerns.

Very truly yours,

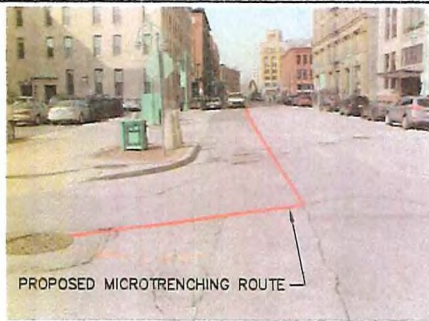


Jeffrey S. Polenske, P.E.
City Engineer

DEM:dem

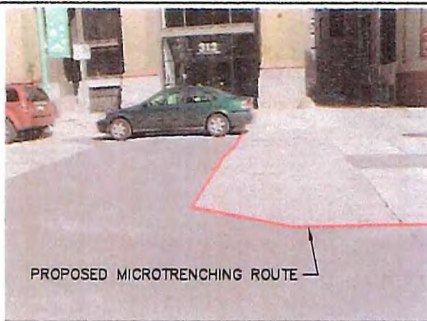
DEM
Attachment

C: Mr. Ghassan Korban, Commissioner of Public Works



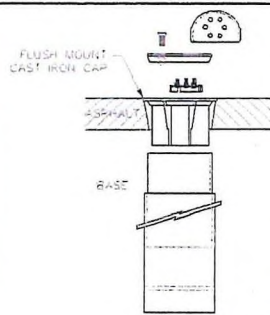
PROPOSED MICROTRENCHING ROUTE

PIC 1



PROPOSED MICROTRENCHING ROUTE

PIC 2



CU Test Station
 Ltd. Terminal Road and
 Housing made from
 Micro-Round polycarbonate
 One of the toughest plastics in
 the world. Not damaged by
 chemicals common to street
 usage.

Support Post
 Customized FS (standard)
 polycarbonate brand has over 20
 years of proven durability.
 Customized FC (special)
 polycarbonate is available for
 the toughest applications
 standard length 1 foot -
 available to 40 feet with Cell's
 Tubesteering Extender.

Colors
 Red, Orange, Yellow, Green,
 Blue, White, and Black are
 standard on Street Fink® and
 Customized Any color is
 available as an option.

Hardware
 Standard flush mount or
 optional raised flush mount
 guaranteed long service life.
 Up to 9 terminals accessible
 from both ends of the base and

Accessories
 All Street Fink® terminal
 heads come accessories
 Customized 3/16" Round
 Electrical, Customized (VOLT or
 AMP), Standard 1/2" Round, 1/4"
 bonding, acting straps,
 Battery Jacks, Notching devices
 and lightning arrestors.

Dimensions
 7.5" Diameter x 8" height for
 4" schedule 40 pipe



STREET FINK LOCATE STATION DETAIL

SYMBOLS	
2 x 1.25" HDPE 50011 Inconcrete / Tracer Wire	House / Building
Station Mark	Existing Manhole
Storage Loop	Existing Manhole
Proposed Manhole	Power Pole
Proposed Man/On Car	Water Valve / Meter
Ground	Tel Pole
Circle on Ground	Gas Valve / Meter
Circle	Transverse Pole
Flare Locate Marker Post	Hydrant
Burned Circle Marker	Sign
New Aerial Fiber Cable	Manhole
Flare Underground	Street/Traffic Light
Flare Cable	Tel Pole
Termination Line	TV Pole
City Limits	De Pad/Transformer
R/W Line	Deciduous Tree
Road/Stream	Evergreen Tree
Road	
AB Traces	
Fence	
Oil Pipeline	
Gas Pipeline	
Water Line	
San. Sewer	
Storm Drain	
Cell UC	
Telephone	
Line CATV	
Gas Meter	
Block Iron Pipe	
G.I.P.	
Galvanized Iron Pipe	

MWFN CONTACT INFO	
GSP ENGINEER:	RICHARD TROVIC
EMERGENCY NOTIFICATION NUMBER:	414-226-2205
	1-866-831-1561

DIGGERS HOTLINE
 CALL: (414) 259-1181
 OR
 TOLL FREE (800) 242-8511
 www.diggershotline.com

DRAWING DISCLAIMER
 Facility locations are general in nature. MWFN will not be held accountable for the accuracy of the information provided on these drawings.

CONSTRUCTION

REVISIONS		
REV. NO.	DESCRIPTION	BY / DATE

CABLE FIBER COUNT:	
CABLE REEL NO.	CABLE DESCRIPTION
SPURCE TO SPURCE CABLE LENGTH:	
INNERDUCT & TYPE:	Pipe & Innerduct Placement
STEEL PIPE SIZE:	
PVC PIPE SIZE:	

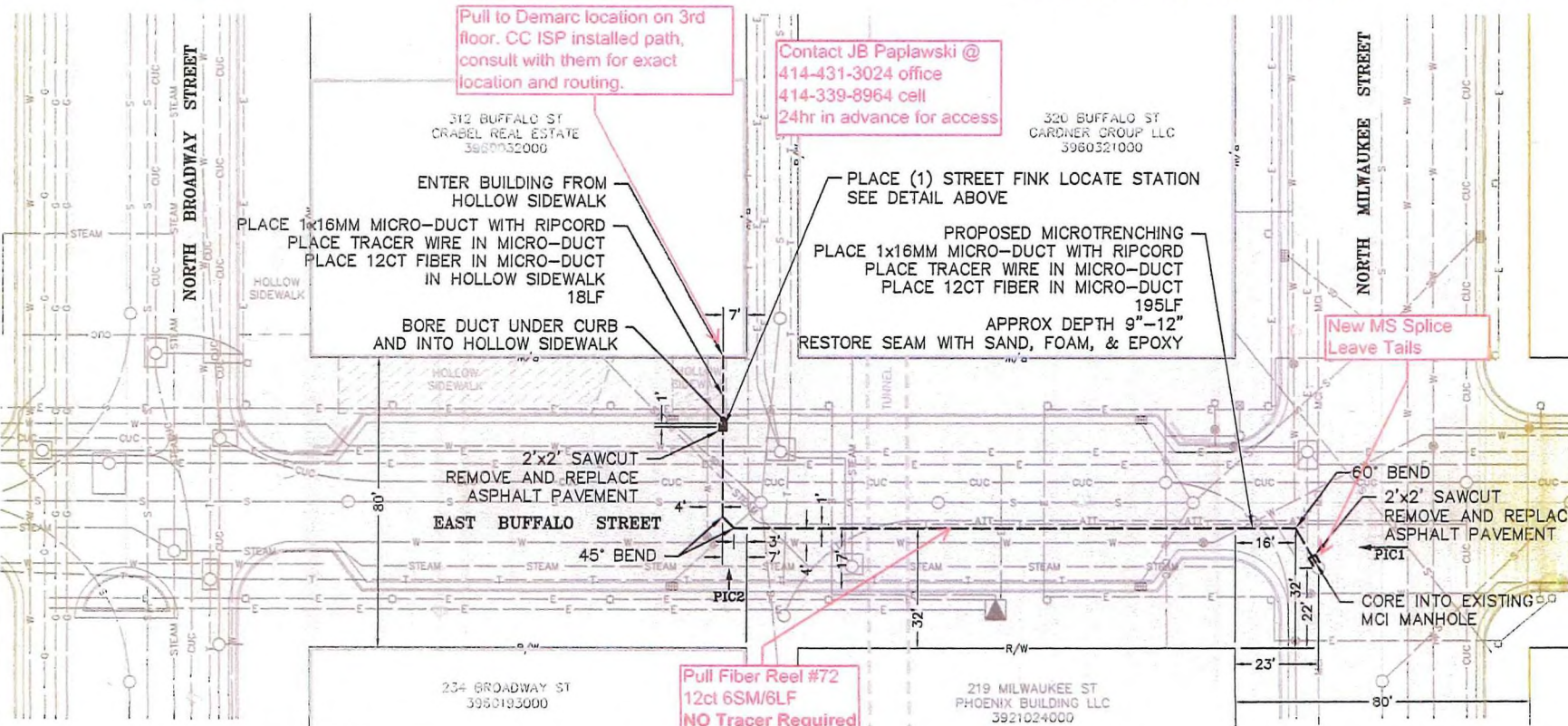
MIDWEST FIBER NETWORKS
Midwest Fiber Networks, LLC
 414.672.5612
 3701 W Burnham Street
 Milwaukee, WI 53215

CRABEL CAPITAL
120203
SINGLE LATERAL

DRAWN BY:	DATE:
TU	12-22-12
CHECKED BY:	DATE:
I	1
APPROVED BY:	DATE:
I	1

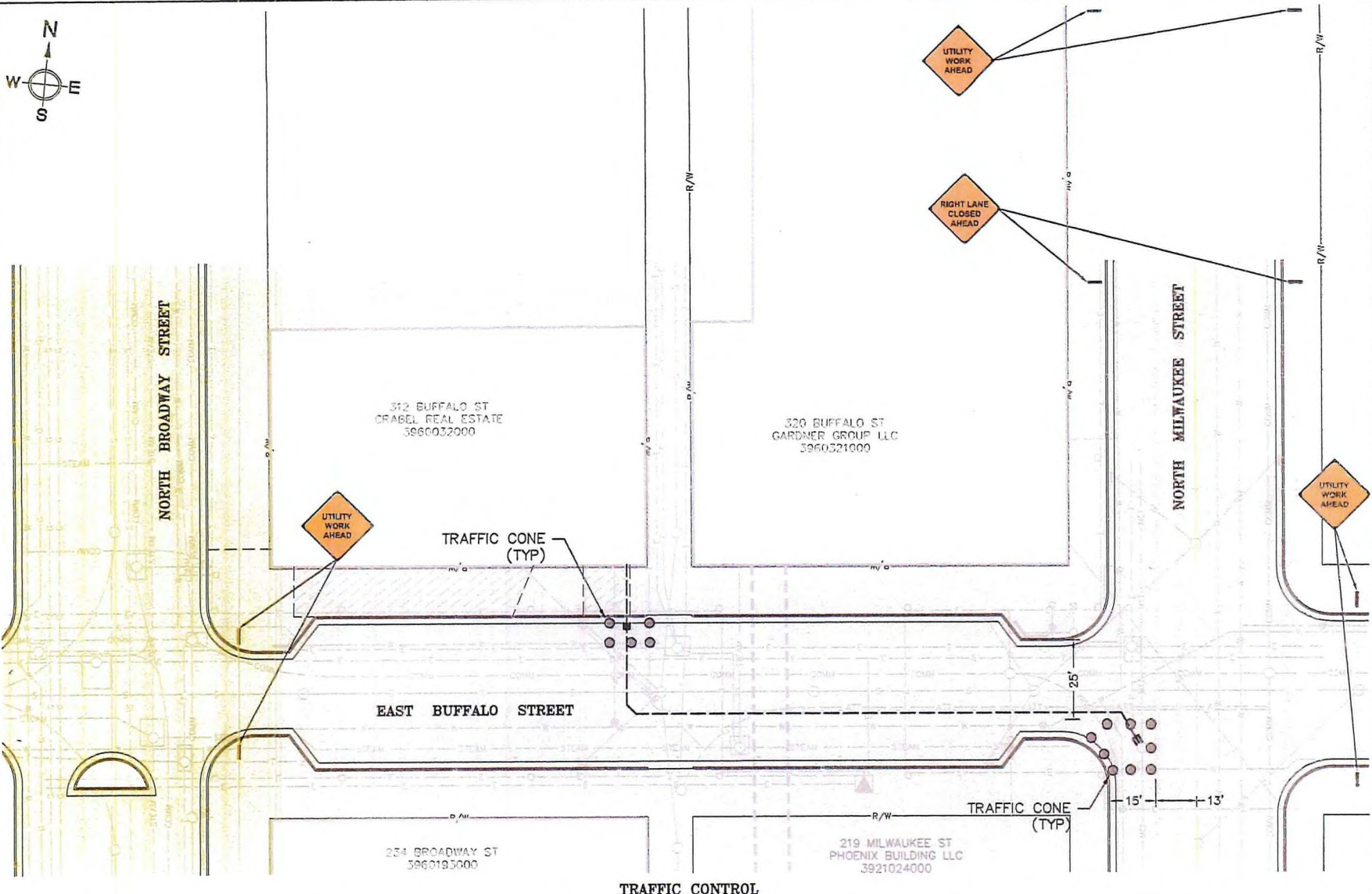
HORIZONTAL SCALE (DWG & PROF): 1" = 30'
 VERTICAL SCALE (DWG):
 VERTICAL SCALE (PROF):
 MAP PROJECTION:

DRAWING NUMBER: 2 OF 3



PROPRIETARY INFORMATION NOT FOR DISCLOSURE This set of plans contains confidential or proprietary information, and the recipient must not disclose, copy, re-create, or distribute the plans or the information contained therein, either directly or indirectly, to other entities or individuals without written or express permission from MWFN.

County: MILWAUKEE	Township:	City: MILWAUKEE	Section: 28	Town: T7N	Range: R22E
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SYMBOLS

2 x 1.25" HDPE SD11 Inverts / Tracer Wire	House / Building
0.000 Station Mark	Existing Manhole
Soils	Power Pole
Storage Loop	Water Valve / Meter
Proposed Manhole	Tel Pole
Proposed Anc/Dn Guy	Gas Valve / Meter
Bond to Ground	Transmission Pole
Drowned	Hydrant
Fiber Locals Marker Post	Manhole
Buried Cable Marker	Sign
How Aerial Fiber Cable	Street/Profile Light
How Underground Fiber Cable	Tel Ped
Township Line	TV Ped
City Limits	Dis Ped/Transformer
R/W Line	Declosure Tree
Fiber/Stream	Green Tree
L Road	Gas City
HT Tractor	Comp Line
Fence	San. Sewer
Oil Pipeline	Storm Drain
Water Line	Gas LG
San. Sewer	Telephone
Storm Drain	Gas City
Gas LG	Dig Hatched
Telephone	Black Iron Pipe
Gas City	Colorized Iron Pipe
Dig Hatched	
Black Iron Pipe	
Colorized Iron Pipe	

MWFN CONTACT INFO
 OSP ENGINEER: RICHARD TROOVEC
 414-226-2205
 EMERGENCY NOTIFICATION NUMBER: 1-800-851-1661

DIGGERS HOTLINE
 CALL: (414) 259-1181
 OR
 TOLL FREE (800) 242-8511
 www.diggershotline.com

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CONSTRUCTION

REVISIONS

REV. NO.	DESCRIPTION	BY	DATE

CABLE PRIOR COUNT: _____ **CABLE DESCRIPTION:** _____
CABLE RICEL NO.: _____
SPLICE TO SPLICE CABLE LENGTH: _____
INHERSUCT & TYPE: _____ **PVC & INHERSUCT PLACEMENT:** _____
STEEL PIPE SIZE: _____
PVC PIPE SIZE: _____

MIDWEST FIBER NETWORKS
Midwest Fiber Networks, LLC
 414.672.5612
 3701 W Burnham Street
 Milwaukee, WI 53215

CRABEL CAPITAL
1 20203
SINGLE LATERAL

DRAWN BY: J TH	DATE: 15-02-12
CHECKED BY: J TH	DATE: J
APPROVED BY: J TH	DATE: J
APPROVED BY: J TH	DATE: J
HORIZONTAL SCALE (END & PROP): 1" = 30'	
VERTICAL SCALE (END): 1"	
VERTICAL SCALE (PROP): 1"	
MAP PROJECTION: 1	
DRAWING NUMBER:	3 OF 3

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County: MILWAUKEE Township: City: MILWAUKEE Section: 28 Town: T7N Range: R22E



FIBER

CRABEL CAPITAL FIBER OPTIC CABLE MICROTRENCHING 312 EAST BUFFALO STREET MILWAUKEE, WISCONSIN

CONSTRUCTION
SINGLE LATERAL
PROJECT #1202003
April 5, 2012



LOCATION MAP
N.T.S.

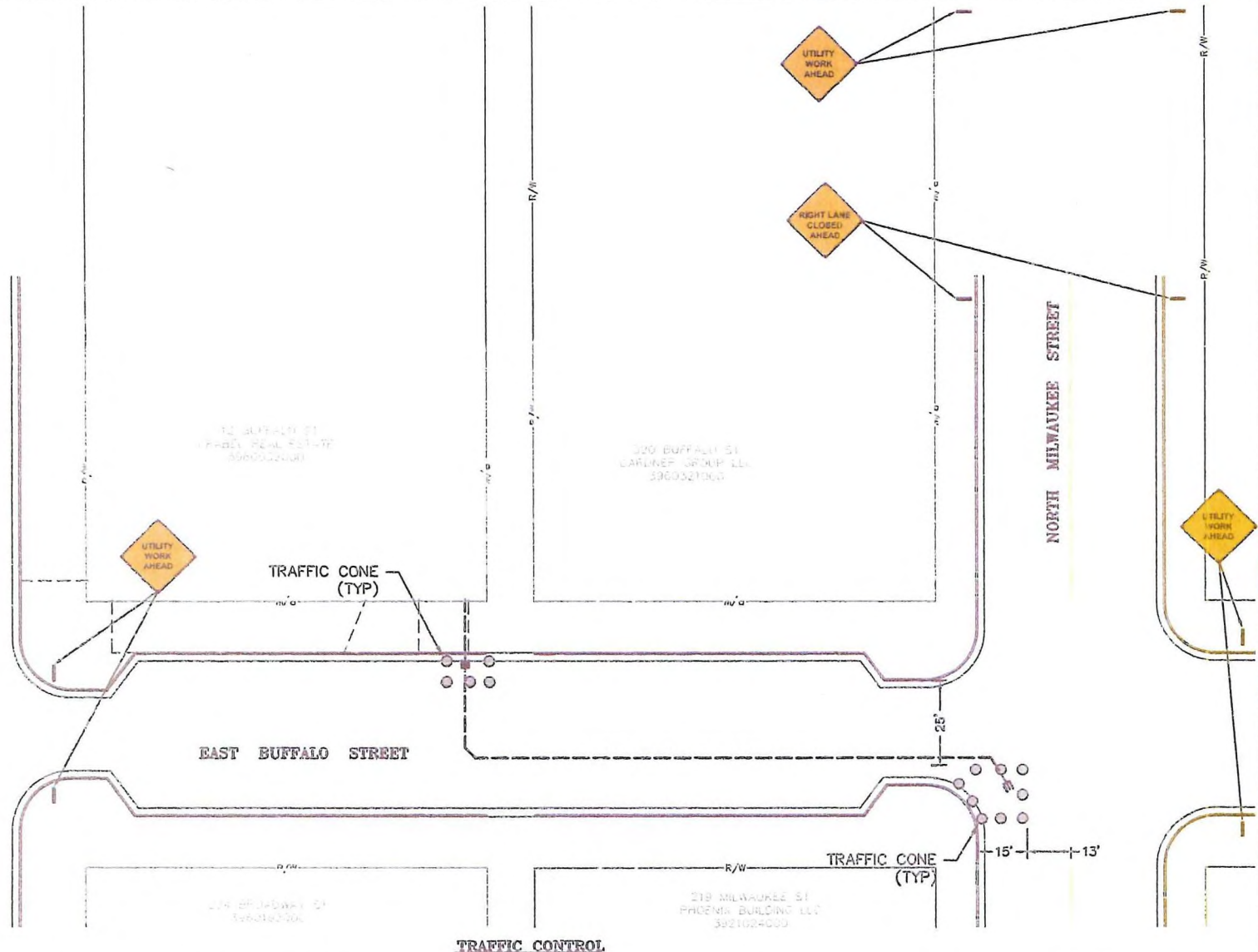
SHEET #	SHEET NAME
1	COVER SHEET
2	OUTSIDE PLANT DRAWING
3	TRAFFIC CONTROL



NORTH BROADWAY STREET

NORTH MILWAUKEE STREET

EAST BUFFALO STREET



SYMBOLS

2 x 1.25" HDPE 2011 Inverts / Tracer Pipe
 Station Mark
 Splice
 Storage Loop
 Proposed Handhole
 Proposed Any/On Coy
 Grounded
 Floor Level Water Pool
 Surfside Cable Marker
 New Asset Fiber Cable
 New Underground Fiber Cable
 Temporary Loop
 City Cable
 R/W Line
 River/Stream
 L. Invert
 18" Trench
 Fence
 Oil Pipeline
 Gas Pipeline
 Water Line
 San. Sewer
 Storm Drain
 Gas M
 Telephone
 Gas CATV
 Gas Invert
 B.L.P.
 C.L.V.
 House / Building
 Existing Manhole
 Power Pole
 Water Valve / Meter
 Gas Valve / Meter
 Transmission Pole
 Pole
 Sign
 Manhole
 Street/Traffic Light
 Tel Pole
 TV Pole
 Co. Pole/Transformer
 Excavation Test
 Overpass Trench
 Exit City
 Corners Line
 NAD 83 Line
 Easement
 Easement
 Easement
 Easement
 Easement
 Easement
 Easement
 Easement
 Easement

MWFN CONTACT INFO
 OSP ENGINEER: RICHARD TRGOVEC
 414-228-2205
 EMERGENCY NOTIFICATION NUMBER: 1-888-831-1681

DIGGER SHADLINE
 CALL: (414) 259-1181
 OR
 TOLL FREE (800) 242-5511
 www.diggershadline.com

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CONSTRUCTION

REV. NO.	DESCRIPTION	BY	DATE

CABLE FIBER COUNT: _____
 CABLE REEL NO.: _____
 SPlice TO SPlice CABLE LENGTH: _____
 WIREDUCT # TYPE: _____
 STEEL PIPE SIZE: _____
 PVC PIPE SIZE: _____

MIDWEST FIBER NETWORKS
Midwest Fiber Networks, LLC
 414.672.5612
 3701 W Burnham Street
 Milwaukee, WI 53215

CRASEL CAPITAL
1 2020 3
SINGLE LATERAL

DATE: 12-22-15
 DRAWN BY: J.T.H.
 CHECKED BY: J.T.H.
 APPROVED BY: J.T.H.
 HORIZONTAL SCALE (AND G. PERS): 1" = 30'
 VERTICAL SCALE (AND G. PERS): 1" = 30'
 MAP PRODUCTION: _____

DRAWING NUMBER: 3 OF 3

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County: MILWAUKEE Township: _____ City: MILWAUKEE Section: 28 Town: T7N Range: R22E

TEARMAN SPENCER
City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
S. TODD FARRIS
JENNIFER L. WILLIAMS
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

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PATRICK J. MCCLAIN
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JULIE P. WILSON
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TRAVIS J. GRESHAM
KYLE W. BAILEY
JOSEPH M. DOBBS
WILLIAM K. HOTCHKISS
Assistant City Attorneys

January 17, 2023

Phoenix Loss Control
Attn: Katrina Romanello
P.O. Box 271504
Littleton, CO 80127

*Mailed
1-24-2023*

Re: C.I. File No.: 1029-2022-1450
Phoenix Loss Control on behalf of Midwest Fiber Networks, LLC

Dear Ms. Romanello:

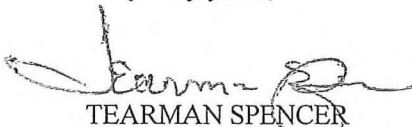
The City of Milwaukee is in receipt of your claim for \$4,546.41 on behalf of Midwest Fiber Networks, LLC, for an incident occurring in the area of East Buffalo Street near North Milwaukee Street on August 17, 2022.

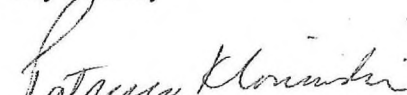
Our investigation revealed that the City of Milwaukee Street Maintenance staff was performing a pavement sawcut at the above location on August 17, 2022. On August 18, 2022, the staff was notified of damage at the subject location. Their investigation into the matter revealed that claimant's fiber line was buried at a shallow depth, making the damage unavoidable during a standard practice sawcut.

It is our view that Street Maintenance conducted an industry standard pavement sawcut at the above location, and was not negligent regarding this work. In addition, we feel that claimant made this shallow installation with full knowledge of industry sawcut practices. Therefore, the City of Milwaukee is not liable for damages in this case, and as such, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,


TEARMAN SPENCER
City Attorney


PATRICIA KLOSIEWSKI
Investigator Adjuster

PK/cdr
1029-2022-1450/283252



