



Legislation Text

File #: 991667, **Version:** 0

991667
ORIGINAL
THE CHAIR

Resolution authorizing the expenditure of \$60,000 from the Outside Counsel/Expert Witness Fund for the purpose of funding litigation-support expenses in Roman Electric Company, Inc. vs. Board of School Directors of Milwaukee. (City Attorney)

- Analysis -

This resolution authorizes the expenditure of \$60,000 from the Outside Counsel/Expert Witness Fund for the purpose of funding litigation-support expenses related to Roman Electric Company, Inc. vs. Board of School Directors of Milwaukee

Whereas, The Milwaukee Board of School Directors (MBSD) conducted a lighting retrofit/energy savings project in Milwaukee Public Schools (MPS) buildings in late 1995 and early 1996, and the contract for the work was awarded to Roman Electric Company, Inc., and

Whereas, Roman Electric Company, Inc., filed suit against the MBSD seeking contract extras in excess of one million dollars, and claiming that the extras were due to deficient specifications and misrepresentations by MBSD; and

Whereas, MBSD counterclaimed against Roman Electric Company, Inc., seeking damages in excess of three million dollars, because the retrofitted lighting fixtures did not meet the requirements of the contract and are not Underwriters Laboratories (UL) compliant, in direct violation of contract specifications; and

Whereas, The fixtures must now be redone and both sides are aggressively pursuing litigation; and

Whereas, It would be in the City's best interest in preparation for the trial to retain additional litigation support and pay expenses related to the litigation; and

Whereas, The City Attorney's Office has negotiated a contract with Midwest Paralegal Services to retain the services of a temporary paralegal for the duration of this litigation; now, therefore, be it

Resolved, By the Common Council, That the expenditure of \$60,000 be authorized from the Outside Counsel/Expert Witness Fund Number 0001 1490 0001 S157 634001 for the purpose of funding litigation support and expenses in the above-referenced action; and, be it

Further Resolved, That the Office of the City Attorney is hereby authorized and directed to engage the services of Midwest Paralegal Services and pay other litigation expenses related to the above-referenced actions; and, be it

Further Resolved, That the City Comptroller is authorized and directed to appropriate the sum of \$60,000 to the City Attorney's Office budget for the stated purpose; and that the application of the funds appropriated herein to a case other than that specifically referred to herein shall be subject to the further direction of the Common Council.

CITY ATTORNEY
City Attorney
(RMK:bw)
February 4, 2000

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