

From Deputy Corporation Counsel, Office of Corporation Counsel, requesting authorization to file a large claim civil action against Hammel, Green, and Abrahamson, Inc., and VJS Construction Services, Inc., for contractual and tort claims regarding engineering and design services for various phases of the Milwaukee County Zoo's Adventure Africa Elephant Exhibit, by recommending adoption of the following:

A RESOLUTION

WHEREAS, on December 18, 2015, Milwaukee County (the County) retained Hammel, Green, and Abrahamson, Inc. (HGA) to provide architectural and engineering design services for the various phases of the Milwaukee County Zoo's (the Zoo) Adventure Africa Elephant Exhibit an approximately \$16 million dollar capital project; and

WHEREAS, on August 22, 2017, VJS Construction Services, Inc. (VJS) was engaged to serve as the prime contractor for constructing the project; and

WHEREAS, during construction, four significant errors and/or omissions were discovered involving both design and construction issues:

1. Visible bowing and cracking of the cast-in-place reinforcement concrete retaining wall
2. Reinforcing bar cages in the elephant cable carriers and augured cast-in-place concrete foundation do not allow anchor bolts to fit inside
3. Failure to provide proper drainage (e.g. drain tile, drain pipes, or weep holes at the retaining walls)
4. Need to reposition/add steel reinforcement in the elephant shotcrete concrete

; and

WHEREAS, due to these errors and/or omissions, the Zoo had to expend substantial resources correcting these issues because HGA and VJS refused to do so; and

WHEREAS, the Office of Corporation Counsel is requesting approval to file a large claim civil action against HGA and VJS for contractual and/or tort claims; and

WHEREAS, the Committee on Judiciary, Safety, and General Services, at its meeting of March 7, 2019, recommended adoption of File No. 19-251 (vote 5-0); now, therefore,

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BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes Deputy Corporation Counsel, Office of Corporation Counsel, to file a large claim civil action against Hammel, Green, and Abrahamson, Inc., and VJS Construction Services, Inc., and to perform all necessary actions to effectuate the intent of this resolution should it not resolve by agreement concerning the respective liabilities of the parties.

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03/07/19

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