



MEMORANDUM

DATE: July 12, 2021

TO: Water Commission

FROM: Daniel S. Duchniak, General Manager

RE: Approve Contract with Godfrey and Kahn

The Utility has now executed the construction contracts for all the projects related to implementing Great Lakes water for the residents of the City of Waukesha. The prime contractors for this work includes: Super Excavators, SJ Louis Construction Inc. and CD Smith Construction Inc.

Over the construction of these contracts, it was expected that construction/contract related issues may develop that would require the use of a legal expert that specializes in construction law. The first such issue has developed.

The issue involves SJ Louis Construction Inc and Contract Package 6 related to the return flow pipeline. We have worked with the City Attorney to this point in dealing with this issue, however the time and effort including the expertise in dealing with these types of issues, has reached a point where we need to engage the services of an outside legal firm.

The City Attorney and I have reached out to several individuals with the skills and expertise we are looking for and are recommending we engage the services of Godfrey and Kahn to assist us with construction related issues. The City Attorney will remain involved in throughout the legal process providing input and advice as necessary.

Therefore, we are recommending the Commission approve a contract with Godfrey and Kahn at a time and expense price not to exceed \$50,000. The contract is still being finalized, however, we will utilize our standard contract for services with minor modifications as approved by the City Attorney.

I look forward to our discussion of this matter at our meeting this Thursday.

Please contact me if you have any questions.

Recommended Motion: Approve the professional services contract with Godfrey and Kahn for a time and expense contract not to exceed \$50,000 subject to review by the City Attorney.