



## MEMORANDUM

DATE: June 17, 2025

TO: Water Commission

FROM: Daniel Duchniak, General Manager

RE: Approve Professional Services Contract with Foth Infrastructure and Environment, LLC for 2025

As you know, I am retiring from the Waukesha Water Utility on June 20, 2025. To ensure a smooth transition and address critical ongoing matters, my continued support is necessary for a few key items.

Specifically, I need to remain involved in the ongoing lawsuit with SJ Louis, one of the contractors for the Great Lakes project. Beyond the lawsuit, SJ Louis has also not achieved Final Completion for Contract Packages 2B, 5, and 6, on which they were the successful bidder.

To continue providing the essential support for both the lawsuit and the project closeouts, I must comply with Wisconsin Retirement System (WRS) requirements, which include a valid termination of employment and a break-in-service. Therefore, the only viable method for me to continue assisting the Utility during this period is to be employed by a WRS employer (Waukesha) through a third party, not directly compensated by a WRS employer.

To facilitate this, I have coordinated with Foth Infrastructure and Environment, LLC, a firm with whom we have a prior working relationship and that is not involved in the current lawsuit. We have established employment terms that align with WRS regulations and allow for my continued support of critical Utility business.

Therefore, I recommend entering into a Professional Services Contract with Foth Infrastructure and Environment, LLC, for an amount not to exceed \$50,000.

I look forward to your review and approval at the Water Commission meeting on June 19, 2025.

**Recommended Motion:** Motion to Approve a contract amendment with Foth Infrastructure and Environment, LLC for an amount not to exceed \$50,000 for 2025.