



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1415-1

File ID: SC-1415-1 **Type:** Special Claim **Status:** Consent Item

Version: 2 **Reference:** Item No. 19 **In Control:** City Council

Department: Legal Department **Cost:** \$1,715.55 **File Created:** 07/08/2014

File Name: Special Claim of Oklahoma investment Group **Final Action:**

Title: SPECIAL CLAIM NO. SC-1415-1: A CLAIM IN THE AMOUNT OF \$1,715.55 SUBMITTED BY OKLAHOMA INVESTMENT GROUP FOR COSTS INCURRED AFTER A WATER LINE WAS DAMAGED AT 1149 EAST BROOKS STREET DURING A SEWER LINE REPLACEMENT PROJECT IN THE AREA.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1415-1; and, if approved, direct payment in the amount of \$1,715.55 contingent upon obtaining a Release and Covenant Not to Sue from Oklahoma Investment Group.

ACTION TAKEN: _____

Agenda Date: 07/22/2014

Agenda Number: 19

Attachments: Clerk Memo OK Investment Group.pdf, Special Claim No. SC-1415-1.pdf, Police report Loughridge.pdf

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: jayme.rowe@normanok.gov **Effective Date:**

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File SC-1415-1

Body

BACKGROUND: A claim has been filed by Oklahoma Investment Group for plumbing expenses and clean up labor due to their claim that on December 30, 2013, a water line was damaged while sewer lines were being replaced in the area of 1005 E. Brooks, Apartment D which is a part of the complex located at 1149 E. Brooks. As a result of this water line break, Apartment D at 1005 E. Brooks was flooded and expenses in the amount of \$1,715.55 were incurred by Oklahoma Investment Group to clean up the water and restore the property.

DISCUSSION: This incident was investigated by Charlie Thomas, Capital Projects Engineer. According to his investigation, during sewer replacement work on December 30, 2013, Urban Contractors, LLC broke a private water line serving the apartment complex owned by Oklahoma Investment Group and located at 1149 E. Brooks. The broken line was about 1-1/2 inch PVC and was entangled by numerous roots which contributed to the break. Additionally, a 6 inch water main, approximately 80 to 90 feet north of the private line cracked at about the same time. The water main was inaccurately marked by City locators and caused Urban to believe it was below the sewer main which they were pipe-bursting.

While City crews responded to the water line break and repaired it, there is a possibility that the flow from the broken water main traveled down the gravel bedding of the new sewer line, entered the sewer service lateral which caused it to back up and cause flooding in the apartment. There appears to be possible negligence on the part of the City in this matter and, consequently, potential liability on the City and the expenses submitted by Oklahoma Investment Group appear to be reasonable.

RECOMMENDATION: Based upon the above, it is recommended by the City Attorney's Office that the claim of Oklahoma Investment Group in the amount of \$1,715.55 be approved by Council.