



City of Seattle
Seattle Public Utilities

August 27, 2013

City of Seattle Registered Side Sewer Contractors

To Whom It May Concern,

Seattle Public Utilities (SPU) would like to work with Registered Side Sewer Contractors (RSSCs) to avoid future conflicts arising from situations where a City asset, such as a wye, tee, or standpipe connection, is alleged to be defective prior to RSSC work or where it may have damaged a customer's side sewer.

Joint Director's Rule DPD 4-2011 & SPU 2011-004 (N)(1) is attached to this email and states:

*The RSSC is responsible for notifying the Site Inspector **AND** SPU field crews if the RSSC discovers a broken wye or tee or breaks an existing wye or tee. **The RSSC shall have a responsible person remain on site until SPU field crews arrive at the site.***

Although such notification is required, it often does not occur. This puts the customer at a distinct disadvantage if they later decide to file a claim against the City for costs incurred by having a RSSC fix a broken connection. Also, the City is usually not provided with a detailed breakdown of costs to ensure that the City is not paying for other work that was performed on the customer's private side sewer. As a result, it is much harder for the customer to prove its claim against the City.

The intention of this communication is to decrease the number of situations where the customer is unable to prove there was pre-existing damage to the City asset and the City is left to speculate about what happened.

If a RSSC believes a City asset is broken, there are reasonable measures as listed below that can be taken by all parties to avoid adversarial relationships involving SPU, the RSSC, and the customer.

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The RSSC should:

- 1) If prior to excavation an RSSC believes a connection is broken, promptly provide SPU Drainage & Wastewater Field Operations with a copy of or link to a video of the side sewer inspection with accurate footage on the video and an identification of the exact location of point of entry. (i.e. “cleanout in SW corner of basement” or “cleanout 10’ east of sidewalk”). During excavation preserve evidence for inspection including removed segments of side sewer, root balls, or other materials. We strongly urge you to take photographs of the site during excavation and while exposing the side sewer and connection.
- 2) Call SPU Operations Response Center at 206-386-1800 when you have exposed the connection. Inform the operator of the situation and request an immediate response from a Drainage & Wastewater (DWW) First Response Crew (FRC) person, or make arrangements for a mutually workable time to meet on site. The excavation’s shoring must meet the Washington Department of Labor and Industries safety standards before an SPU field crew member will enter the excavation. SPU FRC crews will treat these calls as a “top priority” *and should respond in one hour or less.*
- 3) When billing the customer, provide a detailed breakdown of charges.

SPU Drainage & Wastewater field crews may have higher priority calls that supersede an inspection of the side sewer and/or connection, particularly during major storm events, which may slightly delay response. However in most cases a crew will normally respond in less than one hour. RSSCs can also directly contact SPU Risk & Quality Assurance staff members, Rick Eilman (206-684-0259) or Lizzie Brodeen-Kuo (206-684-3124) during normal working hours for site inspections when a claim is expected to be filed in the matter. Be advised that neither have confined space entry training and will not go into an excavation, but will perform site documentation and observations at a suitable and mutually agreeable time.

Following the Joint Director’s Rule is mandatory. Also, voluntarily complying with the other actions included in this letter will go a long way in avoiding conflict between all parties in these often difficult situations.

Sincerely,

Rick Eilman
Risk & Claims Advisor
Seattle Public Utilities
206-684-0259