

Lambeau/Out-of-court settlement reached in '09

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According to records at City Hall and in the court case, crews accidentally dropped demolition materials in the stadium's bowl, damaging the arena's structural steel, concrete foundation and bleacher seats.

"It was a pretty big deal," said Peter Masias, who was then the city's risk manager. "It actually damaged the structure."

Some closely associated with the \$295 million renovation of the Green Bay Packers' home describe the skybox incident as minor, even forgettable.

"I don't think this accident was significant," said Pat Webb, executive director of the Green Bay/Brown County Professional Football Stadium District.

But city records show that repairs continued for about six months and involved at least 30 different bleacher sections in the bowl.

Eric Spirtas, who was president of the St. Louis-based demolition firm at the time, declined to comment on the damage, although he defended his company's work.

"We did the job that was asked of us," he said. "We're proud of what we did."

The engineering firm of Graef Anhalt Schloemer & Associates produced detailed diagrams pinpointing damage in a March 2002 report, "Lambeau Field Demolition Related Structural

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Repairs."

Among the report's findings: 50 instances of structural steel damage, including 21 bent steel beams; three locations found with "structural slab punctured"; 70 instances of concrete damage ranging from small holes to entire walls needing replacement; and hundreds of spectator seats that were scratched, dented, gouged or bent.

Graef engineer Fred Groth said project officials at the outset decided against erecting a protective layer of scaffolding over the stadium to prevent such damage. Doing so would have cost more than it took to repair the damages that ultimately occurred, Groth said.

"They knew some of this stuff could happen," he said. "There was a calculated risk taken."

More than eight years later, Green Bay city officials maintain a 4-inch-thick file of records related to the skybox accident.

Among those records is a memo from Masias summarizing the incident this way: "A company called Spirtas Demolition was removing the old skyboxes. During the removal, portions of the skyboxes fell into the bowl, damaging several seats, some concrete, as well as

some limited structural steel."

To make repairs, city records show, a steel supplier was contracted to provide 21 tons of structural steel at a cost of \$202,038.

Officials at the construction management firm of Turner Construction Corp. reported to City Hall in July 2002 that repairs were about 80 percent complete and would be finished before the Packers' first home game on Aug. 26. Turner also provided an updated estimate on the repair costs: \$1,018,347.

Mike Constantini, project manager for Turner throughout the Lambeau renovation, said it was Spirtas' decision not to erect some sort of protective apparatus before undertaking the demolition of skyboxes and other facilities. He agreed that there were cost considerations.

"It's something that a contractor rolls the dice and decides to do," he said.

Spirtas attorney Timothy Hayes wrote the city to complain that Turner officials were holding up \$966,000 in payments to the demolition firm because of the need to make repairs. The situation was putting "extreme financial pressure" on Spirtas, Hayes wrote.

"Time is of the essence in resolving this matter," he

added.

The fight, however, was far from over.

The city filed a \$400,000 claim with a private insurance company that had insured the stadium renovation project. Half of the claim, however, was paid by the Local Government Property Insurance Fund because that fund insured the existing stadium.

The state-operated fund then filed a civil lawsuit against Spirtas in early 2007 in an effort to recoup its \$200,000 in losses.

The legal wrangling continued until both sides agreed to an out-of-court settlement in August 2009—the details of which have not been disclosed.

Masias, who left his City Hall job in 2005, said the demolition accident was never announced publicly or to the City Council, largely because the city suffered no out-of-pocket expenses.