



Worker Safety and Utility Damage Prevention

John Hass & Sarah Psick

“

It's not a matter of if a tragic accident happens. It's a matter of when.

John Hass – Veit & Company, Inc.

OVERVIEW

1. Veit's Story
2. Stakeholder Responsibilities/Issues
3. Operational Process Improvement
4. Proposed Legislation
5. Q/A



Veit's Story



02



Stake Holder Responsibilities/Issues

STAKEHOLDER RESPONSIBILITIES / ISSUES

1. Owners/Engineers
2. Facility Operators
3. Locators
4. Contractors
5. Public

Owners/Engineers

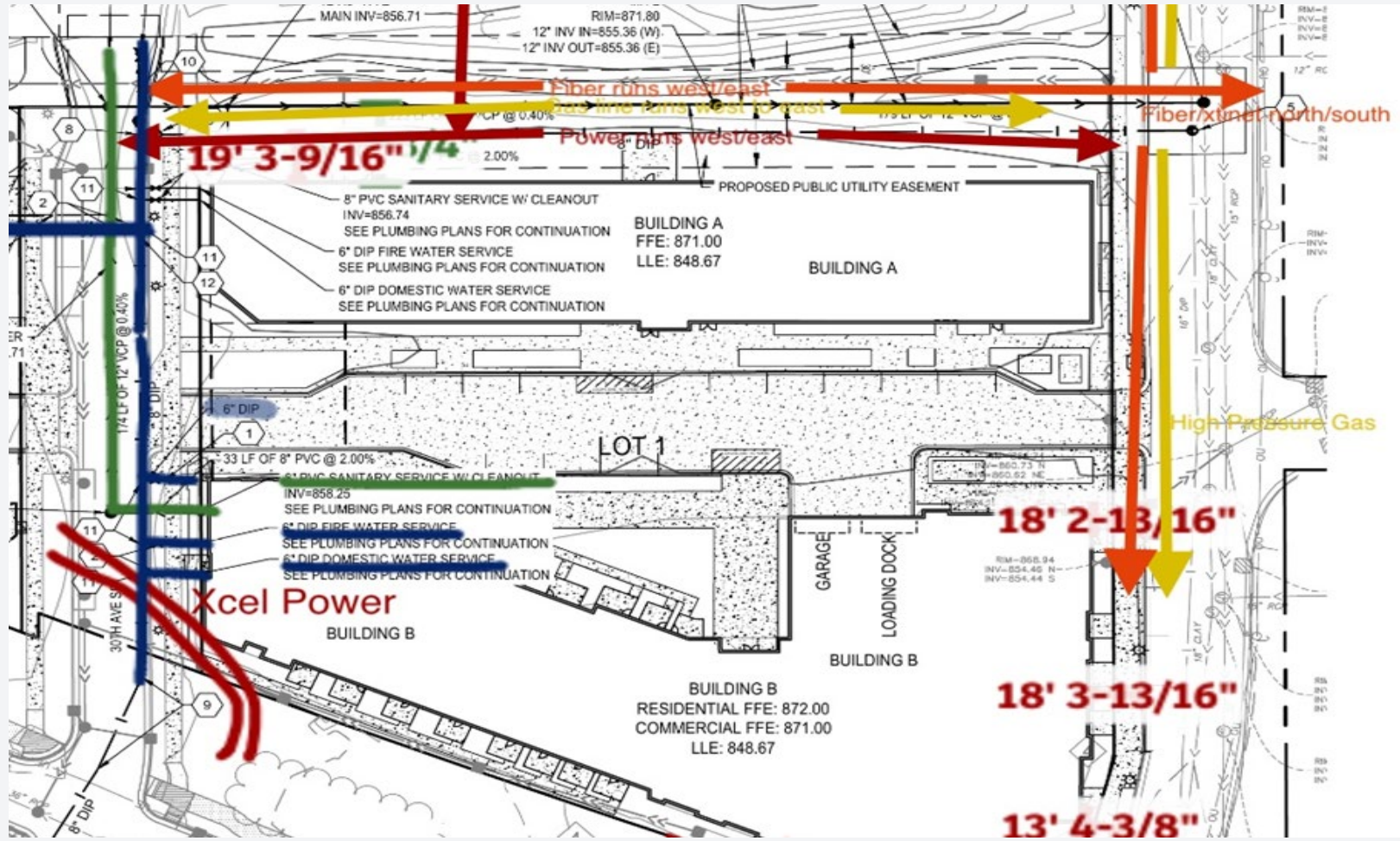
RESPONSIBILITIES:

- Notify One Call Center.
- Compile obtained information from Operators on final drawings used for bid or contract.
- Information used on the final drawing for bid must not be older than 90 days.
- Shall conduct one or more preliminary design meetings during the design phase to communicate the project design and coordinate utility relocation.
- Shall conduct one or more preconstruction meetings to communicate the project design and coordinate utility relocation.

ISSUES:

- Existing conditions are not always accurate in Contract documents.
- Relocation efforts are not always fully vetted out.
- Some Owner/Engineers place undo relocation coordination on contractors.
- Some Owner/Engineers place undo design responsibilities on contractors.

Contract Documents Example



Coordination Example

The City shall not be held responsible for any delay that the Contractor may encounter by reason of the utility company involved failing to promptly do their necessary work. It shall be the Contractor's responsibility to meet the affected utility companies as soon as possible to coordinate timely relocations. It shall be the Contractor's responsibility to coordinate work with the utility companies to accomplish utility relocations and to preserve the existing condition of any utilities to remain in their current location.

Design Example

Wherever existing utility structures or branch connections leading to mains or other conduits, ducts, pipe or structures present obstructions to the grade and alignment of the pipe which would require a change in plans or a revision to the existing utility, the Engineer will provide new grades for the new utility or plan for revising the existing utility within 48 hours of the location of the existing public utilities and 72 hours for private utilities. If the Contractor elects not to uncover existing utilities prior to constructing new utilities and a conflict between utilities occurs, the Contractor shall be required to relay pipe or revise the existing utility, as directed by the Engineer, with no additional compensation allowed, therefore.



Franchise Agreement

Section 4. Relocations.

4.1 Relocation. The Company shall promptly and at its expense, with due regard for seasonal working conditions, permanently remove and relocate its facilities in the Public Way or Public Ground when it is necessary to prevent interference, and not merely for the convenience of the City, in connection with:

- (a) A present or future government use of the Public Way or Public Ground for a public project;
- (b) The public health or safety; or
- (c) The safety and convenience of travel over the right-of-way.

Facility Operators

RESPONSIBILITIES:

- Provide location of underground facilities to any person solicitating bids or entering a contract for excavation.
- Attend or provide information for Predesign meetings.
- Attend or provide information for Preconstruction Meetings.
- Fulfill locate requests within 48 hours.
- Maintain and provide maps, drawings, diagrams or other records of abandoned or out of service facilities.

ISSUES:

- Incomplete information is provided to Owners/Engineers compiling a drawing for excavation bids.
- Do not regularly attend predesign meetings.
- Do not regularly attend preconstruction meetings.
- Do not fulfill locate request within 48 hours & do not promptly notify excavator.
- Do not share maps, drawings, diagrams, or other records to contractors.

Locators

RESPONSIBILITIES:

- Locate approximate location of underground facility within 48 hours.
- Promptly notify contractor of delay in locating.
- Identify the owner, type, size of underground facility.
- Complete a positive response.

ISSUES:

- Staffing issues due to the influx of tickets daily.
- Cannot complete locate requests within 48 hours.
- Consistent use of positive response.
- Lack of accurate drawings from the facility operators to locate underground infrastructure.
- Mismarked locates
 - Out of tolerance
 - No marks

Excavators

RESPONSIBILITIES:

- White line proposed excavation
- Notify One Call Center 48 hour before starting excavation
- Determine precise location of an underground facility before excavating
- Refresh locate request every 48 hours
- Reasonably protect markings
- Provide support for underground facilities during excavation and backfilling process

ISSUES:

- Do not use white line consistently
- Dig without a 811 ticket
- Skip potholing
- Dig without refresh ticket

Public

Issues:

- Pay for stakeholder noncompliance
- Suffer from delays
- Impacted from utility strikes



03



Operational Process Improvement

OPERATIONAL PROCESS IMPROVEMENT

1. Bidding
2. Preconstruction
3. Construction

Bidding

Use the Q/A phase to ask questions if:

- Existing utilities have been omitted from the contract documents
- Contract documents state that coordination is required by the contractor
- Contract documents state that no compensation will be made for downtime related to utility conflicts



Preconstruction

- Confirm utility relocation schedule if relocation is necessary
- Request meeting minutes from 216D.04 (c) & (d)
- If necessary, conduct your own predesign and preconstruction meetings.
- Perform topo survey for high-risk projects, e.g., hospitals and schools
- Overlap topo to compare actual conditions vs contract documents
- Request potholing by owner via hydro-vac excavation in conflict areas
- Investigate locates and SUE



Construction

- Perform Locate Meet
- Supply locators with site map and clear marking instructions
- Utilize Extended Life ticket system
- Share contact information with locators and store contact information in collaborative software
- Document changes from contract documents in collaborative software
- Document pictures of actual locate marks and share in a collaborative software
- Share everything with you crews. Hide nothing!
- Reward safe behavior
- Investigate utility strikes root cause analysis



Topo Example



04



Proposed Legislation

Symptom v Cause

Treating The Symptom and
Not The Cause Will Not
Solve The Problem

Definition of "Locate"

Subd. 8. **Locate.** "Locate" means an approximate horizontal location of an underground facility including bends, nipples, blowoffs, and structures including, but not limited to handholes, manholes, and pedestals, or other extensions of an underground facility within a plus or minus two-foot tolerance requirement.



Performance Reporting

Subd. 5. Performance reporting. (a) The notification center must establish and maintain an electronic system for all stakeholders to report complaints, damages, and delays or other issues related to MN Statute 216D

(b) The notification center must provide a quarterly report to the commissioner and each operator and make the report available on the notifications center public website. The report must include:

- 1) The number of notifications by type
- 2) The percentage of normal tickets, with electronic status marked by the notification's start time
- 3) The number of damages, categorized by the cause of the damage
- 4) The number of complaints received related to MN Statute 216D
- 5) Any other information determined by the commissioner or notification center board of directors

(c) The notification center must publish an annual report that summarize the operator performance reporting as collected in each quarterly report

(d) The notification center's board of directors shall make recommendations to the commissioner for stakeholder improvement

216D.04 Subd. 1a

(c) A person required by this section to show existing underground facilities on its drawings shall conduct one or more preliminary design meetings during the design phase to communicate the project design, project scope and timeline, and coordinate utility relocation. Affected facility operators shall attend these meetings. ~~or make other arrangements to provide information, including start dates, durations, and scope of work.~~

(d) A person required by this section to show existing underground facilities on its drawings shall conduct one or more preconstruction meetings to communicate the project design, project scope and timeline and coordinate utility relocation. Affected facility operators and contractors shall must attend these meetings ~~or make other arrangements to provide information.~~

GPS or GIS Equivalent

On or after January 1, 2025, operators must use GPS or an equivalent technology to “as-build” newly installed, improved, or repaired facilities.



Requests to this group

- Use current MN Statute 216D.04 law to compile accurate bidding documents
 - Utilize MNOPS to hold bad actors accountable
- Revisit Franchise or Right of Way agreements
- Use actual locate information for bid documents
- Adding bid item for SUE



What Next?

- Continued Education
- AGC Legislation – Cultural Change
- AGC Subcommittee
- CGA
- **GET INVOLVED/STAY INVOLVED!**



Thank you