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June 5, 2019

Memorandum for Record

Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

RE: Response to ND One-Call Complaint

NORTH DAKOTA ONE CALL TICKET NUMBERS: 19040190, 19040191, and 1904092.

Project: Minot NW Highway 83 Bypass – NDDOT Project SOIB-4-083(143)921

On 4/30/2019, I, Ryan Rostad, completed 5 locate tickets to the ND One Call website regarding the Minot Bypass project. The staking for the project was the responsibility of the NDDOT and was not in at the time of the request. I marked "other" because the easiest way for the locators to see the limits of the project until the project limits were staked would be to use the existing fencing on the project that was already on the limits of the Right of Way (ROW). These limits are acceptable according to NDCC Chapter 49-23, Paragraph 49-23-04 if both parties agree to the limits. The reason for the staking request for the project was to allow the utilities time to stake all the areas within the project and not be rushed. When I was called by Mr. Carpenter, I explained the situation and stated if these terms were not acceptable, that would be fine, and we would resubmit a request when the project staking was complete.

There were 56 identified conflicts on the project involving 13 different entities. The conflicts ranged from minor issues to major rerouting of utilities. It was my intent to allow these utilities plenty of time to locate and communicate with us before construction began. The initial staking requests were done to allow the utilities to mark out the utilities before the public utility meeting held on the 7th of May. The meeting covered, in detail, the construction schedule, and each individual utility was called upon to present any issues that were present. Mr. Carpenter was present at the meeting and when it was asked if North Prairie had any issue with the project, nothing was mentioned.

The area of the project which we started our work on the 10th of May was on bridge area of 4th Ave, and North Prairie Rural Water District (NPRWD) did not have any utilities in the area. All other utilities were located as required and we continued with the project.

On the 14th of May, the survey crew finished staking the limits of the project which would fulfill the staking requirements outlined by the previously mentioned NDCC. The 15th of May the re-spot tickets were completed on the website with “other” still being marked as the staking to be used for the locate. On the morning of the 17th of May I received a phone call from Mr. Carpenter once again asking what staking was available for the location on the project. I replied him that the project staking had been completed by the State’s survey crew and we could use those stakes for location purposes. It was at that point, Mr. Carpenter informed me that he was going to file a complaint because of the staking.



Figure 1 & 2: Above is an example of the staking on the project showing the ROW which was completed on the 14th of May.

Farden Construction, Inc. has had personnel on the project who are willing to meet with anyone who may have any questions or concerns regarding the location of utilities within the project limits. There has been to date 7 public meetings that all utilities have been invited to attend in which any and all issues with utilities could be addressed. Several members of our staff that have freely given contact information so if there are any issues or concerns, they can be dealt with before problems arise.

Sincerely,

Ryan Rostad,
Project Manager