

Crockford, Konrad S.

From: Brian Meyer <Brian@industrialbuilders.com>
Sent: Tuesday, March 26, 2024 11:21
To: Crockford, Konrad S.
Subject: Case # DM-24-20 & DM-24-21
Attachments: Letter to ND Public Service Commission 3-26-24.pdf

You don't often get email from brian@industrialbuilders.com. [Learn why this is important](#)

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Dear Mr. Crockford,

Please see our attached response for the case #'s listed above. We are mailing a copy of this to you today.

Please reach out to me if you have any questions.

Sincerely,



Brian Meyer
Senior Project Manager
Mobile: [\(701\) 541-2936](tel:7015412936) • Office: [\(701\) 356-9834](tel:7013569834)
Email: Brian@industrialbuilders.com



IBI is an EOE: All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or status as a protected veteran. All are encouraged to apply.

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance.

3 DM-24-20 Filed 03/26/2024 Pages: 3
Response to North Dakota One-Call Complaint

3 DM-24-21 Filed 03/26/2024 Pages: 3
Response to North Dakota One-Call Complaint

Industrial Builders, Inc.

Industrial Builders, Inc.

Industrial Builders, Inc.

PAUL W. DIEDERICH, PRESIDENT
DONN O. DIEDERICH, EXECUTIVE VICE PRESIDENT

3-26-24

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

RE: Case #'s: DM-24-20 & DM-24-21

Dear Mr. Crockford,

We are responding to your March 7, 2024, letter in regard to the case numbers shown above and the complaints made against us.

Industrial Builders was hired by Swanberg Construction of Valley City, ND to complete the "Cement Stabilized Based 12 Inch" contract item on a project designed by Moore Engineering, Inc. The project generally involved removal of the existing asphalt surfacing and then blending cement with the existing gravel / soil to a 12" depth. The cement blending process involves setting the depth of the reclaimer at the specified depth (12" in this case) and then blending the gravel/soil with the cement. There is very little variation in the blending depth. The blended material stays in-place and is then compacted behind the reclaimer.

According to Chapter 49-23-01, part 7d of the One-Call Excavation Notice System, the work we were doing was "Normal maintenance of roads and streets" because the original grade did not change and we were not doing work in the road ditch. Please reference the attached plan sheet which shows the extent of our work. Although we were not required to make a locate request, we did anyway as a precautionary measure. The ticket #'s were 23132579, 23132580, 23132581, and 23132582.

As can be seen in the documentation provided by MDU, the first gas line we hit was only about 6" below the gravel base. This is shown in the photo by MDU which is referenced by their Invoice # 53119. The depth of their line was too shallow.

After this first line was hit the prime contractor (Swanberg Construction) began potholing ahead of us to verify bury depth. The bury depth fluctuated and we ended up hitting a 2nd line. Our operator didn't even know that he had hit the line. Please also reference the photo by MDU showing this line was buried approximately 10" below the bottom of the concrete/asphalt or about 6.5" below the bottom of the gravel base. This line was also too shallow.

Because the lines were so shallow and we were doing normal maintenance of a street we do not believe we should be liable for the complaints made against us.

Please contact me with any questions or concerns at 701-282-4977.

Sincerely,

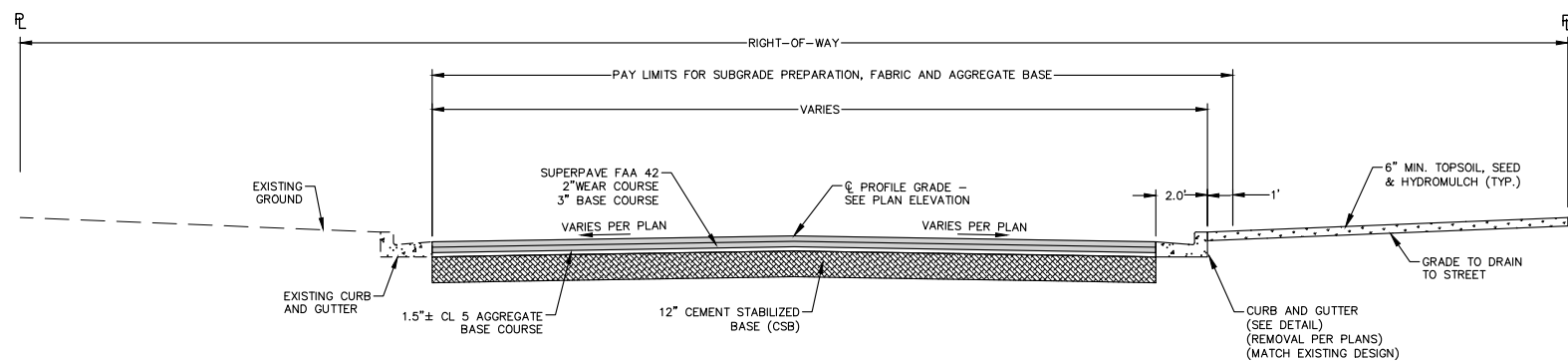
Brian Meyer
Brian Meyer, Sr. Project Manager
Industrial Builders, Inc.



General Contractors

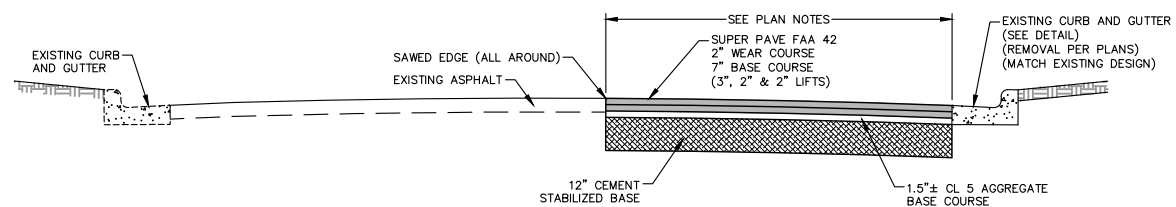
PHONE 701/282-4977 FAX 701/281-1409
P.O. BOX 406 FARGO, NORTH DAKOTA 58107-0406

FILE LOCATION: R:\Projects\20000\20692\CIVIL\PRODUCTION\20692-DETAILS.dwg

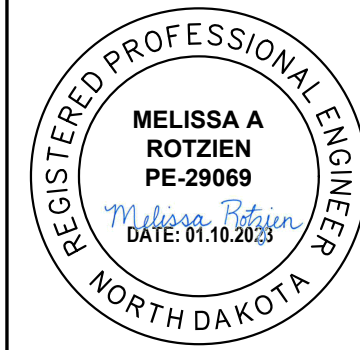


NOTES:
1. MATCH INTO EXISTING GROUND AT PROPERTY LINE.

TYPICAL RESIDENTIAL STREET SECTION - ALTERNATE (CSB)
NO SCALE 4TH ST, 3RD ST, MAIN ST, D ST & G ST



TYPICAL ASPHALT PATCH SECTION - TRUCK ROUTE - ALTERNATE (CSB)
NO SCALE E STREET



DETAILS
PHASE 2: DWSRF PROJECT
WATER SYSTEM IMPROVEMENTS DISTRICT NO. 2022-1
GLEN ULLIN, NORTH DAKOTA
TYPICAL SECTIONS - ALTERNATE (CSB)

DATE:	01.10.23
REV DATE:	---
REV NUM:	---
RECORD:	---
PROJECT No.	20692
MANAGER:	JBK
DESIGNER:	MAR
DRAFTER:	MSG
REVIEWER:	TJK

C-202