



Formstack Submission For: [South Dakota One Call Reply Form](#)

Submitted at 06/24/22 10:20 AM

Complaint Docket Number: OC22-006

Reply filed on behalf of (company name): Brooks Construction Services Inc

Contact Person: Alexis Kramer

Phone Number: (605) 368-5447

Ext:

Name or Company Name: Brooks Construction Services Inc

Street Address or PO Box: 27081 Sundowner Ave
Sioux Falls, SD 57106

Fax:

Email: ap@brooksconstructionservices.com

Date: Jun 24, 2022

Were you previously aware of these allegations?: Not Sure

Provide detail including whom you spoke with.:

Do you believe the statutes listed (if any) by the complainant were violated?:

No

Why or why not?:

We are not exactly sure if this complaint was for the original digging before the ticket was valid or the claim saying our foreman said he wasn't going to wait for the new ticket to be submitted and valid before restarting the project.

We had submitted the original ticket not realizing the wrong address was submitted and we also submitted the damage ticket with that same address before we found the mistake. We would never knowingly send our crews to complete this type of work before an 811 ticket was valid. It was a mistake on our part and once it was realized we submitted a new ticket and left the job site and did not return until the ticket had been completed.

Do you dispute the alleged violation of SD One Call statute or rule occurred?:

Yes

If yes, what specifically do you dispute?:

We are disputing that our foreman said he wasn't going to wait for a new ticket to be submitted to start working again. The foreman Jon called our office immediately after he was told a new ticket needed to be submitted and requested we put in a new ticket and find another job for him to move to until the ticket was completed. He packed up and left the job site at 12:05pm on June 1st and did not return until Monday June 6th

Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?:

Yes

<p>If yes, please explain.:</p>	<p>We are not disputing that the original ticket was submitted with the wrong number for the address as well as the damage ticket as we had not realized that the address number was entered incorrectly. Had we realized this sooner we would have submitted a corrected ticket and not been on that job site until the markings were completed.</p> <p>We are disputing that our worker said he wasnt going to wait for the new ticket to be completed before he started working on the site again. Once the line was hit no more digging was completed the only work done was to clean up the area to ensure it was safe and marked off before we left the jobsite.</p>
<p>Was a locate requested from SD One Call?:</p>	<p>Yes</p>
<p>Locate ticket #:</p>	<p>2215206683</p>
<p>Start date on ticket:</p>	<p>Jun 01, 2022</p>
<p>Start time on ticket:</p>	<p>11:24 AM</p>
<p>Copy of the locate ticket:</p>	<p>View File</p>
<p>If no, please explain why no locate request was made.:</p>	
<p>Did excavation begin before the start date / time on the ticket?:</p>	<p>No</p>
<p>Was a minimum horizontal clearance of 18 inches maintained between a marked</p>	<p>N/A</p>

facility and mechanical equipment? :	
Were buried facilities exposed by hand or non-invasive equipment prior to excavation? :	N/A
Were facilities marked? :	Yes
Was the marking complete prior to the start time on the ticket?:	No
Was the excavation site pre-marked with white paint?:	No
Was the facility marked accurately (within 18 inches)?:	N/A
Was there reasonable care to maintain locate marks for the life of project?:	Yes
Did the complainant correctly describe the type of facility involved?:	Yes
Provide details:	When we first went to the job we had thought the marking had been completed from the ticket that had already been submitted on May 25th not realizing the address submitted was incorrect. So we did unknowingly start digging but we stopped all work being completed and contacted 811 once a line was hit. Once the correct

ticket was submitted on June 1st our crew did not return to the job site until June 6th

Did the complainant correctly describe the damages that resulted from the alleged violation?:

Yes

Provide details:

the line that was hit was repaired even before we found we had put the wrong address on the 1st ticket

Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:

Yes

File:

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If No, why not?:

Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:

Yes

If No, why not?:

Was there an escape of any flammable, toxic, or corrosive gas or liquid?:

No

If Yes, but if 911 was not called, or if you don't know, explain why.:

Did the complainant correctly describe the damages that resulted from the alleged violation?:	Yes
If no, provide details.:	
Were damages on public right of way or private property?:	Private
Did complainant correctly describe how operator service was affected?:	Yes
Provide Details:	he stated the operator services was not affected
Was anyone injured as a result of facility damage?:	No
If yes, provide details.:	
Length of hospitalization:	
Were there fatalities?:	No
If yes, provide details.:	
Other information regarding injuries or damages:	
Describe your plans and procedures to ensure	Going forward every ticket submitted we will ensure the address is input in the 811 system correctly and matched

compliance with SD One Call statutes and rules.:

with google as well as if it is a business we will add the business name in the remarks section.

Has a complaint been filed against you in the past for SD One Call violations?:

No

If yes, when was it filed?:

Please provide any additional information to support your position.:

I have attached a copy of the vehicle records showing our crew left the site after we were told to submit a new ticket with the correct address. I was the one who spoke with the Jon the foreman during this incident and he was the one who told me the address was incorrect and that a new ticket needed to be submitted and that I needed to find him a new job to go to because he was not going to do any more work on that site until everything was correctly marked.

Attachment Information: File names should not include symbols. Example:(\$, &, *, %.) etc.:

[View File](#)