

CHAPTER 6 – GOPHER STATE ONE CALL

GOPHER STATE ONE CALL (GSOC)

GSOC is the one-call notification system used in the State of Minnesota to warn facility operators and excavators about the risks to underground facilities in construction zones. GSOC collects information from property owners or anyone who is planning to excavate and transmits this information to facility operators who may have underground facilities near the excavation site. After receiving a notice from GSOC, facility operators mark the approximate location of an underground facility with paint or flags, respond to the ticket electronically and make the determination that the work area is clear. Facility operators may then provide a response through GSOC's Positive Response site for anyone to view the results of the located underground facilities.

GSOC, a non-profit organization, was formed in 1987 in response to the legislature's adoption of Minnesota Statutes Chapter 216D. GSOC was approved by the Commissioner of Public Safety in 1988 as the statewide one call center and has served in that role ever since. Chapter 216D requires anyone who engages in any type of excavation anywhere in Minnesota to provide notice of at least two business days (48 hours excluding weekends and holidays). An excavator may notify GSOC up to 14 calendar days prior to excavation. The cost of GSOC services is paid by underground facility operators. The service provided by GSOC to excavators is free of charge.

There is no formal training process required to use ITIC GOSC (link below); however, a training video and training manual are provided at the link below to demonstrate how to submit a ticket through ITIC.

ITIC GOSC: <http://www.gopherstateonecall.org/professional-excavators>

<http://www.gopherstateonecall.org/manage-my-ticket/submit-a-ticket>

GOPHER STATE ONE CALL

1110 Centre Pointe Curve
Mendota Heights, MN 55120

Locate Phone Numbers:

Metro: 651-454-0002

Toll Free: 800-252-1166

Emergency Only: 866-640-3637

Administrative:

Metro: 651-454-8388

Toll Free: 800-422-1242

Office Hours: 6am – 6pm (April –
October)

7am – 5pm (November – March)
(Excluding weekends/holidays)

6.1 2015 Minnesota Statutes

Section 216D.04 of the Minnesota Statutes (2015) provides the requirements for excavation. Specific statutory language is presented in Figure 6.1 below.

216D.04 EXCAVATION; LAND SURVEY (<https://www.revisor.mn.gov/statutes/?id=216D.04>)

Subdivision 1. **Notice required; contents.** (a) Except in an emergency, an excavator shall and a land surveyor may contact the notification center and provide notice at least 48 hours, excluding Saturdays, Sundays, and holidays and not more than 14 calendar days before beginning any excavation or boundary survey. An excavation or boundary survey begins, for purposes of this requirement, the first-time excavation or a boundary survey occurs in an area that was not previously identified by the excavator or land surveyor in the notice.

(b) The notice may be oral or written, and must contain the following information:

- (1) the name of the individual providing the notice;
- (2) the precise location of the proposed area of excavation or survey;
- (3) the name, address, and telephone number of the individual or individual's company;
- (4) the field telephone number, if one is available;
- (5) the type and extent of the activity;
- (6) whether or not the discharge of explosives is anticipated;
- (7) the date and time when the excavation or survey is to commence; and
- (8) the estimated duration of the activity.

Subd. 1a. **Plans for excavation.** (a) Any person, prior to soliciting bids or entering into a contract for excavation, shall provide a proposed notice to the notification center to obtain from the affected operators of underground facilities the type, size, and general location of underground facilities. Affected operators shall provide the information within 15 working days. An operator who provides information to a person who is not a unit of government may indicate any portions of the information which are proprietary and may require the person to provide appropriate confidentiality protection. The information obtained from affected operators must be submitted on the final drawing used for the bid or contract and must depict the utility quality level of that information. This information must be updated not more than 90 days before completion of the final drawing used for the bid or contract.

(b) This subdivision does not apply to bids and contracts for:

- (1) routine maintenance of underground facilities or installation, maintenance, or repair of service lines;
- (2) excavation for operators of underground facilities performed on a unit of work or similar basis; or
- (3) excavation for home construction and projects by home owners.

(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 and coordinate utility relocation. Affected facility operators shall attend these meetings or make other arrangements to provide information.

(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 and coordinate utility relocation. Affected facility operators and contractors shall attend these meetings or make other arrangements to provide information.

(e) This subdivision does not affect the obligation to provide a notice of excavation as required under subdivision

Subd. 2. **Duties of notification center; regarding notice.**

The notification center shall assign an inquiry identification number to each notice and retain a record of all notices received for at least six years. The center shall immediately transmit the information contained in a notice to every operator that has an underground facility in the area of the proposed excavation or boundary survey.

Subd. 3. **Locating underground facility; operator.**

(a) Prior to the excavation start time on the notice, an operator shall locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator and provide readily available information regarding the operator's abandoned and out-of-service underground facilities as shown on maps, drawings, diagrams, or other records used in the operator's normal course of business, without cost to the excavator. The excavator shall determine the precise location of the underground facility, without damage, before excavating within two feet of the marked location of the underground facility.

(b) Within 96 hours or the time specified in the notice, whichever is later, after receiving a notice for boundary survey from the notification center, excluding Saturdays, Sundays, and holidays, unless otherwise agreed to between the land surveyor and operator, an operator shall locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator, without cost to the land surveyor.

Figure 6-1: Section 216D.04 of the Minnesota Statutes

216D.04 EXCAVATION; LAND SURVEY CONTINUED

(c) For the purpose of this section, the approximate horizontal location of the underground facilities is a strip of land two feet on either side of the underground facilities.

(d) Markers used to designate the approximate location of underground facilities must follow the current color code standard used by the American Public Works Association.

(e) If the operator cannot complete marking of the excavation or boundary survey area before the excavation or boundary survey start time stated in the notice, the operator shall promptly contact the excavator or land surveyor.

(f) After December 31, 1998, operators shall maintain maps, drawings, diagrams, or other records of any underground facility abandoned or out-of-service after December 31, 1998.

(g) An operator or other person providing information pursuant to this subdivision is not responsible to any person, for any costs, claims, or damages for information provided in good faith regarding abandoned, out-of-service, or private or customer-owned underground facilities.

Subd. 4. Locating underground facility; excavator or land surveyor.

(a) The excavator or land surveyor shall determine the precise location of the underground facility, without damage, before excavating within two feet on either side of the marked location of the underground facility.

(b) If the excavator or land surveyor cancels the excavation or boundary survey, the excavator or land surveyor shall cancel the notice through the notification center.

(c) The notice is valid for 14 calendar days from the start time stated on the notice. If the activity will continue after the expiration time, then the person responsible for the activity shall serve an additional notice at least 48 hours, excluding Saturdays, Sundays, and holidays, before the expiration time of the original notice, unless the excavator makes arrangements with the operators affected to periodically verify or refresh the marks, in which case the notice is valid for six months from the start time stated on the notice.

(d) The excavator is responsible for reasonably protecting and preserving the marks until no longer required for proper and safe excavation near the underground facility. If the excavator has reason to believe the marks are obliterated, obscured, missing, or incorrect, the excavator shall notify the facility operator or notification center in order to have an operator verify or refresh the marks.

216.06 DAMAGE TO FACILITY. (<https://www.revisor.mn.gov/statutes/?id=216D.06>)

Subdivision 1. Notice; repair.

(a) If any damage occurs to an underground facility or its protective covering, the excavator shall notify the operator promptly. When the operator receives a damage notice, the operator shall promptly dispatch personnel to the damage area to investigate. If the damage results in the escape of any flammable, toxic, or corrosive gas or liquid or endangers life, health, or property, the excavator responsible shall immediately notify the operator and the 911 public safety answering point, as defined in section [403.02, subdivision 19](#), and take immediate action to protect the public and property. The excavator shall also attempt to minimize the hazard until arrival of the operator's personnel or until emergency responders have arrived and completed their assessment. The 911 public safety answering point shall maintain a response plan for notifications generated by this section.

(b) An excavator shall delay backfilling in the immediate area of the damaged underground facilities until the damage has been investigated by the operator, unless the operator authorizes otherwise. The repair of damage must be performed by the operator or by qualified personnel authorized by the operator.

(c) An excavator who knowingly damages an underground facility, and who does not notify the operator as soon as reasonably possible or who backfills in violation of paragraph (b), is guilty of a misdemeanor.

Subd. 2. Cost reimbursement.

(a) If an excavator damages an underground facility, the excavator shall reimburse the operator for the cost of necessary repairs, and for a pipeline the cost of the product that was being carried in the pipeline and was lost as a direct result of the damage.

(b) Reimbursement is not required if the damage to the underground facility was caused by the sole negligence of the operator or the operator failed to comply with section [216D.04, subdivision 3](#).

Subd. 3. Prima facie evidence of negligence.

It is prima facie evidence of the excavator's negligence in a civil court action if damage to the underground facilities of an operator resulted from excavation, and the excavator failed to give an excavation notice under section [216D.04](#) or provide support as required by section [216D.05](#).

Figure 6-2: Section 216D.04 of the Minnesota Statutes

6.2 Determining Who and When to Call

Minnesota State Statute 216D requires anyone who engages in any type of excavation (see the current edition of the Gopher State One Call Handbook for the definition of excavation) to provide advance notice of at least 48 hours, excluding weekends and holidays, to GSOC.

GSOC is intended to be the communication link between the excavator and the underground facility operators who have joined GSOC. GSOC does not locate any underground facility itself and only notifies those facility operators who have joined GSOC. GSOC encourages excavators to be careful as other underground facilities, privately-owned facilities, may be present.

Please be advised that calling GSOC does not affect or impair local ordinances, charters, or other provisions of law requiring permits to be obtained before excavating.

GSOC should NOT be contacted for any of the following reasons:

1. To report damage to any type of facility
2. To report any type of service outage
3. To resolve any type of utility billing problem
4. To report any excavation outside the state of Minnesota
5. To request any type of facility removal or relocation (including meter removals prior to demolition of a building)
6. To request initiation of any type of utility service

To resolve these items, contact the facility owner directly.

GSOC is not an enforcement agency and does not police the violators of State Statute 216D. The Minnesota Department of Public Safety, Office of Pipeline Safety should be contacted regarding matters of that nature: (651) 296-9636.

Calls during off hours, weekends and holidays are accepted for emergencies only.

Holidays include:

New Year's Day	Veteran's Day
Martin Luther King, Jr. Day	Thanksgiving Day
President's Day	Friday after Thanksgiving Day
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day
Labor Day	

Gopher State One Call has adopted a "Holiday Substitution Policy" so that excavators and operators are better aware, in advance, of what days GSOC will observe as holidays. If a holiday falls on a Saturday, GSOC will observe the Friday before as the holiday; if it falls on a Sunday, GSOC will observe the Monday after as a holiday.

A copy of the Gopher State One Call Handbook is available on line by following the link below:

<http://www.gopherstateonecall.org/home-excavators>

6.3 Types of Locate Requests

6.3.1 ROUTINE LOCATE

This is the most common type of request processed at GSOC. These tickets need to be requested by the excavator not less than two business days (excluding weekends and holidays) from the planned start of excavation. The ticket may be requested up to 14 calendar days prior to the time of proposed excavation and is valid for 14 calendar days from the start time stated on the notice, unless the locate markings become obscure or obliterated. The excavator can also make arrangements with the operators affected to periodically verify or refresh the marks, in which case the ticket is valid for up to six months from the start time on the notice.

6.3.2 EMERGENCY REQUEST

An emergency request is defined by Minnesota Statute Chapter 216D.01, subdivision 3, as “A condition that poses a clear and immediate danger to life or health or significant loss of property.”

Emergency locates are given top priority by the facility operator and will be marked within the excavation area as soon as practical, given the nature and circumstances of the emergency.

GSOC customer service representatives do not determine whether an emergency condition exists.

Examples of emergencies:

- An unforeseen excavation necessary in order to prevent a condition that poses clear and immediate danger to life or health.
- An excavation required to repair a service outage.
- An excavation required in order to prevent significant and immediate property damage.
- The repair of an existing unstable condition that may result in an emergency.

Please note that work-scheduling problems or customer demands are not considered an emergency!

Call 911 whenever there is a release of flammable, toxic, or corrosive liquids or a dangerous situation has been created. Next, contact the facility operator involved in the emergency, then contact GSOC.

There are two different type of emergency requests: Immediate and Scheduled.

Immediate Emergency: Is a condition that needs immediate attention by the underground facility owner / operator, i.e. blowing gas or large water line rupture.

Upon receiving an immediate emergency notice the underground facility owner/operator will attempt to make contact within one hour at the telephone number provided and then locate and mark the underground facility within three hours of receiving the notice, unless:

- A) Otherwise agreed between the parties;
- B) The operator notifies the excavator that not locating does not present an immediate danger to life or health, or a significant loss of property; or

- C) There is an event or situation that cannot be reasonably anticipated or controlled by the operator.

Scheduled Emergency: Is a condition that does not require an immediate response, but can't wait the required 48 hours as in a routine locate. Inform the GSOC representative when work will commence and the GSOC representative will schedule the emergency to be located at that time, or prior to, the time stated as the begin date and time. The utility owner/operator shall:

- A) Locate and mark the underground facility, unless otherwise agreed between the parties; or
B) Notify the excavator at the telephone number provided in subpart 1, item C, that there is/is not an underground facility within the area of proposed excavation.

The Minnesota Office of Pipeline Safety has requested GSOC to remind excavators that anyone inappropriately claiming an emergency may be considered in violation of Minnesota Statute Chapter 216D and subject to the penalties of 216D.08.

6.3.3 MEETS

A meet should only be requested when it is difficult to precisely define the location of the excavation site in a routine locate request. At times, using white paint and flags can very easily substitute for a meet.

When processing a meet ticket, the excavator must provide a general description of the area of excavation on that ticket. At the location, the excavator must make every effort to clearly define the extent of the project and specific details about the project. The use of white paint, white flags, or combination of the two is required and will assist the facility operator in complicated projects. Handing out maps, sketches, diagrams, and the schedule of excavation, if done in multiple steps, will also assist in getting a quality locate. Be prepared at the meeting location to exchange contact information and schedule for comments. Be sure to document this information and keep for future use. It is the responsibility of the excavator requesting the meet to provide all relevant information to the facility operator, so that the facility operator can properly mark the underground facilities. The facility operator has an additional 24 hours after the proposed meet date and time specified on the notice, excluding weekends and holidays, to locate facilities within the proposed excavation site.

The scheduling of the meet request does not mean that the work site will be marked at the time of the meet. Meets are for conveying information and GSOC does NOT recommend that excavation begins at or immediately after the meet in case delays occur. It is important that the excavators and facility owners/locators work together and cooperate with each other to guarantee a successful finish to the project.

GSOC customer service representatives cannot make binding appointments on behalf of the facility operators. Excavators are reminded that all meets are tentative and subject to change. Since these appointments are tentative, the customer service representatives can only schedule a meet request between the hours of 9 am and 3 pm at least two business days from the time of the locate request.

If the facility operator cannot make the meet request, it is important that the facility operator contact the excavator to make other arrangements that work best for each party.

The excavator, who scheduled the meet, and all affected facility operators, should make reasonable efforts to be there on time.

6.3.4 DESIGN LOCATES

Design tickets are a way for engineers, architects, surveyors, planners, or any person soliciting bids or entering into a contract for excavation to obtain the type, size and general location of the facilities.

Once the facility operators receive the design locate they must provide the excavator the information within 15 working days. Notification can be provided by either performing:

- A) An actual field locate at the job site; and/or
- B) Providing maps or diagrams of the facilities.

The information obtained from the affected operators must be submitted with the final drawing used for the bid or contract. This bid or contract must also depict the “utility quality level”, as defined in 216.D.01 subdivision 12. This information must be obtained not more than 90 days before completion of the final drawing used for the bid or contract. A person required to obtain this information is also required to hold one or more preliminary design meetings and comply with Minnesota Statutes 216D.04 subdivision 1 (C) and (D). This subdivision does not apply to bids and contracts for:

- A) Routine maintenance of underground facilities or installation, maintenance or repair of service lines.
- B) Excavation for home construction and projects by homeowners.
- C) Excavation for operators of underground facilities performed on a unit of work or similar basis.

NOTE: An operator who provides information to a person who is not a unit of government may indicate any portions of the information that are proprietary and may require the person to provide appropriate confidentiality protection.

6.3.5 BOUNDARY SURVEY

A boundary survey is a non-excavation ticket processed by GSOC.

By law, underground facility operators must respond to a boundary survey request within 96 hours. This response may take place in one of the following ways:

- A) Through an actual field locate; and/or
- B) Providing maps or diagrams of their facilities.

6.4 MnDOT Requirements for Marking Excavation Area (1507)

The contractor is responsible for marking the proposed excavation area by utilizing white markings. The white markings must delineate the actual excavation area where the locating of underground facilities is required.

1507.2 NOTIFICATION

The Contractor shall fulfill all the obligations of an excavator in Minnesota Statutes Chapter 216D and rules adopted to implement that statute. The Contractor's obligations include but are not limited to marking the proposed excavation, contacting "Gopher State One Call" at least 48 h before starting excavation operations (excluding Saturdays, Sundays, and Holidays), and providing support and protection for underground facilities in and near the construction area.

When the Contractor works near electric power lines, the Contractor must provide for protection of personnel and the electrical power lines. The Contractor may work with the lines energized if the work can be done safely, otherwise the Contractor must:

- (1) Make arrangements with the power company, at no expense to the Department, to:
 - (a) temporarily shut off the power,
 - (b) temporarily insulate the power line(s),
 - (c) bypass the power from the work area, or
- (2) Make other arrangements necessary for a safe work place.

The Department makes no promises or representation as to whether the utility will temporarily shut off power, insulate its line(s), or charge the Contractor a fee for preparing a safe work area for the Contractor.

The Contractor shall employ special equipment or construction methods, and hand labor if necessary, to accomplish the planned work adjacent to utility facilities without damaging them.

Any work performed by the Contractor that does not comply with MnDOT 1507.2 may be considered Unauthorized Work in accordance with MnDOT 1512.2.

Figure 6-3: Requirements for Marking Excavation Area

If the contractor fails to mark each excavation site with white markings on the project, any work associated with that location will be considered unauthorized work and no compensation for the work done at that location will be made by the Department.

S-27 (1507) UTILITY PROPERTY AND SERVICE

Contractor shall perform construction operations near utility properties in accordance with the provisions of MnDOT 1507, except as modified below:

S-27.1 Add the following to MnDOT 1507.2:

(3) The Contractor shall acquire a Positive Response confirmation from MnDOT for all proposed excavations when the Gopher State One Call has indicated that proposed excavations may affect MnDOT utilities. The Contractor may call MnDOT Electrical Services Section (ESS) Dispatch Locating to confirm the status of MnDOT owned Utility infrastructure. Contractor can contact MnDOT Electrical Services Section (ESS) Dispatch Locating at (651) 366 - 5750 or (651) 366-5751. The Contractor shall be responsible for all damage to MnDOT owned Utility infrastructure if the Contractor did not acquire a Positive Response confirmation from MnDOT.

S-27.2 Any work performed by the Contractor that does not comply with MnDOT 1507.2 may be considered Unauthorized Work in accordance with MnDOT 1512.2.

1.

S-27.3 All utilities related to this Project are classified as "Level D," unless the Plans specifically state otherwise. This utility quality level was determined according to the guidelines of CI/ASCE 38-02, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

Figure 6-4: Compliance Requirement

The contractor has the sole responsibility, prior to commencing any excavation operations, for contacting GSOC and various utility companies in order to secure all information regarding any buried utility facilities as may exist and to conduct the operations in the vicinity of any such facilities in a manner that precludes any damage thereto.

The contractor will not perform any work on the job site until all underground utilities are located. Electrical cable damaged due to the contractor's negligence must be repaired at the contractor's expense within 24 hours in accordance with 2545.3A. Damaged electrical cable will be required to be replaced between handholes or light poles rather than be spliced underground.

6.5 MnDOT Requirements for Transferring Locating Responsibilities to Contractor

When excavation is required on MnDOT lighting or signal projects the special provisions will include language that transfers the locating responsibilities to the contractor. Be sure to look for these requirements when bidding the project. The first part of the special provisions language is shown below. A copy of the Locating Responsibility Form is found in the Appendix of this Field Guide.

A. Maintenance of Existing Electrical Systems

Maintain and keep in operation new and existing electrical systems in accordance with 2565.3B and as follows:

The Contractor is responsible for locating all underground facilities of existing traffic control signal systems including temporary, and newly constructed signal systems within the limits of the construction project, for the duration of the construction project in accordance with the applicable provisions of MnDOT 1514 and in accordance with Minnesota State Statute 216D.

The responsibility for locating underground traffic control signal system facilities shall be transferred to the Contractor on the project start date as shown on the proposal.

MnDOT's locating group will provide an initial locate of the underground traffic control signal system facilities within the project limits at the request of the Contractor at the start of the project. The request for the initial locate must be submitted to MnDOT's Locating Office a minimum of 4 business days prior to the project start date.

Locate requests that are within the construction project limits will continue to be received by MnDOT's Locating Office. These locate tickets will be forwarded to the Contractor's representative responsible for coordinating locate requests within the projects limits. The locate tickets will be forwarded via e mail or fax. Confirmation of receipt of the locate ticket must be sent by the Contractors representative back to MnDOT's locating office within 2 hours of MnDOT's sending the Contractor's representative the locate request.

The Contractor responsible for locating all underground traffic control signal system facilities will repair any damage as the result of improperly located or unmarked underground traffic control signal system facilities within the project limits.

The repair of the damaged underground traffic control signal system facilities must be in accordance with 2545.3A, 2565.3B and in accordance with RTMC design and construction requirements all to the satisfaction of the Engineer. This work is considered incidental.

It is the Contractor's responsibility to notify MnDOT's Locating Office to provide contact information and establish the contractor has assumed responsibility for locating MnDOT's underground traffic control signal system facilities within the project limits. The form below shall be filled out by the Contractor's representative and provided to the Engineer at the pre-construction meeting, a copy of and the completed form should be sent to the following:

Electrical Services Dispatch
 Phone: (651)366-5750
 Fax: (651)366-5742
 E mail: ElectricalServicesDispatch.dot@state.mn.us
 6000 Minnehaha Ave. St. Paul, MN 55111-4014

And

Locating Supervisor
 Phone: (651)755-9061
 Fax: (651)366-5742
 E mail: eric.klute@state.mn.us
 6000 Minnehaha Ave. St. Paul, MN 55111-4014

Figure 6-5: Maintenance of Existing Electrical Systems

6.6 Contractor Requirements when Damage Occurs to MnDOT Utilities

Statutory and standard specification language for contractor requirements when damage occurs is presented below.

216.06 DAMAGE TO FACILITY.

Subdivision 1. Notice; repair.

(a) If any damage occurs to an underground facility or its protective covering, the excavator shall notify the operator promptly. When the operator receives a damage notice, the operator shall promptly dispatch personnel to the damage area to investigate. If the damage results in the escape of any flammable, toxic, or corrosive gas or liquid or endangers life, health, or property, the excavator responsible shall immediately notify the operator and the 911 public safety answering point, as defined in section [403.02, subdivision 19](#), and take immediate action to protect the public and property.

Standard Specifications 2545.3

If damage due to Contractor's negligence occurs to electrical cable, within 24 hours replace the entire run of lighting system electrical cable at no additional cost to the Department.

If damage due to Contractor's negligence occurs to individual conductor(s) in conduit and to the conduit, or only to the conduit, within 24 hours replace all the individual conductors in the conduit and the conduit at no additional cost to the Department.

Do not splice electrical cable and bury underground.

Do not splice damaged conductors and place back in conduit.

Standard Specifications 2565.3

If existing electrical system components are damaged due to Contractor operations, within 24 hours repair or replace the damaged components at no additional cost to the Department, in accordance with 1716 and relevant to specifications for new construction. Failure to repair or replace damaged components within 24 hours will result in the Department repairing or replacing and deducting costs from project money entitled to the Contractor.

Figure 6-6: Statutory and Standard Specification Language for Damages

6.7 Chapter 6 Resources

- A copy of the Gopher State One Call Handbook is available on line by following the link below:
<http://www.gopherstateonecall.org/home-excavators>
- Minnesota Statutes can be found at the following link:
<https://www.revisor.mn.gov/index.php>

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