



Revd 12/10/24

December 6, 2024

South Dakota One Call Notification Board
PO Box 187
Rapid City, South Dakota 57709

RE: In the Matter of the Complaint OC24-030 filed by Montana Dakota Utilities vs. Deep Foundation Group

South Dakota One Call Notification Board,

Deep Foundation Group ("DFG") is in receipt of the above-referenced Complaint and Deadline for Answer. In response to the Complaint dated November 22, 2024, please see DFG's response below:

1. DFG was hired on October 10/21/2024 to complete the aggregate piers for this job by general contractor EDM Design & Millwright ("EDM"). DFG and EDM's agreement limited DFG's scope of work to installation of the aggregate piers. Location of utilities, per such agreement, was EDM's responsibility. Most sites DFG works on are full of private utilities and locating them can be very difficult.
2. DFG mobilized on 10/28/2024 to the site to begin work. The discussions with EDM Design the week before arriving onsite were that a private water line and private gas line would be removed before DFG arrived onsite and that no other existing lines were known of at that time. Upon arrival, it was determined that private electrical lines, a private gas line, and a private water line were present through the bin site. A public gas line was located near the perimeter of the site. The electrical line was then dug up by EDM and exposed so that it would not be hit during construction. The private gas line was also dug up and removed by EDM as it was inactive.
3. A utility locate had been previously called in, and DFG believes it was called in Agtegra, Owner, prior to work being completed onsite. When DFG arrived on 10/28/2024, EDM had hand dug to the private gas line (which DFG believes is the line that is owned by Montana Dakota Utilities). DFG was instructed to remove its aggregate piers from that area and stay approximately 5' from this area. The only location that this gas line was close to DFG's project was in this area.
4. DFG's employee contacted Robbie Veurink on 10/31/2024, when Ethan Hannasch showed up on site. Robbie was not on site, but attempted to locate the existing permit. However, the permit was not pulled by DFG and Robbie was unable to locate it. There was a miscommunication between Robbie and DFG's employee that day, DFG was NOT intending to mislead Ethan. Robbie pulled a permit during that time period, as DFG's insurance requires it to have one on file and it could not locate the dig permit that had been pulled by Agtegra. In many of the projects DFG works on, DFG is "piggybacked" onto



the general contractor's dig permit; such is the case with many of the projects DFG has completed. DFG reasonably believed it had been added to EDM's dig permit, which DFG later discovered does not exist. When DFG's employee showed up to the project, utility locates had been completed, private utilities had been located, and the public gas utility had been hand dug to and exposed by EDM.

5. Understanding that it is still DFG's responsibility to pull its own permit, DFG will make changes to its protocol going forward. This instance is a series of miscommunications and misunderstandings. Since its formation in 2018, DFG has never hit an unmarked utility, and DFG and its employees take pride in their clean history.
6. DFG takes issue with Ethan's statement that the DFG employee procrastinated in calling to locate the dig permit. DFG believed proper permits had been pulled and that the issue was just a formality at the time. DFG and its employees take pride in their work and safety is their highest priority.

Sincerely,

Deep Foundation Group

A handwritten signature in black ink, appearing to read 'Robbie', written over a white background.

Robbie Veurink, Owner
605-481-1649
rob@deepfg.com