

Transaction Record Wording – TR-2019-02 – Review of Chapter 3, Proposal 4

Task Team Chair Name (First and Last)

Jose Espino

Date Edited by Team

Task Team Update – 09.10.2021

Proposal 4 – Modification to Practice 3-3

PROPOSED WORDING - CLEAN

3.3: Formal Agreements with Members

Practice Statement:

Each facility owner/operator of the 811 Center abides by state/provincial statute where applicable or written agreement that states the rights and the responsibilities of the excavators, member facility owner/operators and the 811 Center.

Practice Description:

Operating procedures and bylaws are established. Procedures for the operation of a 811 Center are adopted to ensure the timely and accurate communication of locate requests and positive response between the excavator and the member facility owner/operator. The concept is to promote service, not obstructions. Topics for procedures can be classified as general, communications, center operations, reports, expenses, and public awareness. These topics can be expanded to include guidelines and whatever else is needed for a particular system. Bylaws vary, depending on the type of organization. In some instances, they may prove unnecessary. If bylaws are adopted, effectiveness is paramount. Items that can be incorporated include sections on membership (including rights), financial matters, meetings, elections, and duties of officers. Any other required agreements are documented as clearly as possible to facilitate understanding by all participants. Consideration is given to include “hold harmless” clauses, amounts of liability insurance, errors and omissions insurance, retention of records, cost allocations, reimbursements, area served (with options to expand as planned), and any special arrangements necessary. If an agreement to contract the service to an outside concern is made, it contains controls, checks, and balances.

References:

- One Call Systems International Voluntary Recognition Program
- Existing operating practices from various states’ 811 Centers
- 811 Center Information
- NTSB Safety Study (NTSB/SS-97/01; PB97-917003)

PROPOSED WORDING – TRACKED CHANGES

3.3 Formal Agreements with Members

Practice Statement:

Each ~~facility owner/operator member~~ of the ~~one-call-center811 Center~~ abides by state/provincial statute where applicable or written agreement that states the rights and the responsibilities of the ~~one-call-excavators, member facility owner/operators-members~~ and the ~~one-call-center811 Center~~.

Practice Description:

Operating procedures and bylaws are established. Procedures for the operation of a ~~one-call-center811 Center~~ are ~~simple~~~~adopted~~~~adopted to ensure the timely and accurate communication of locate requests and positive response between from the excavator to and the member facility owner/operator~~. The concept is to promote service, not ~~paperwork~~~~obstructions~~. Topics for procedures can be classified as general, communications, center operations, reports, expenses, and ~~publicity~~~~public awareness~~. These topics can be expanded to include guidelines and whatever else is needed for a particular system. Bylaws vary, depending on the type of organization. In some instances, they may prove unnecessary. If bylaws are adopted, ~~simplicity~~~~effectiveness~~ is paramount. Items that can be incorporated include sections on membership (including rights), financial matters, meetings, elections, and duties of officers. Any other required agreements are ~~kept as simple~~~~written~~~~documented as clearly~~ as possible to facilitate understanding by all participants. Consideration is given to include “hold harmless” clauses, amounts of liability insurance, errors and omissions insurance, retention of records, cost allocations, reimbursements, area served (with options to expand as planned), and any special arrangements necessary. If an agreement to contract the service to an outside concern is made, it contains controls, checks, and balances.

References:

- One Call Systems International Voluntary Recognition Program
- Existing operating practices from various states’ ~~one-call-center811 Centers~~
- ~~One-Call-Center811 Center Information~~
- NTSB Safety Study (NTSB/SS-97/01; PB97-917003)