



jhc corporation

**JHC CORPORATION**

1029 Peachtree Parkway North #359

Peachtree City, GA 30269

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## Large Project – Utility Facility Locating Agreement

This Agreement, made this 28<sup>th</sup> day of March, 2019, by and between JHC Corporation, hereinafter called the EXCAVATOR, and \_\_\_\_\_, hereinafter called the LOCATOR/UTILITY: Due to the construction of this project, it will become necessary to make certain arrangements for the locating of the utility facilities in accordance with the Georgia Public Service Commission's Rule 515-9-4.

This Agreement is for the sole purpose of each party working together to minimize or eliminate any damages to utility facilities as well as allow the EXCAVATOR to pursue the work more expeditiously.

In consideration of the premises and the mutual covenants of the parties hereinafter set forth, it is agreed:

1. The LOCATOR/UTILITY shall provide the EXCAVATOR with correct contact information, including but not limited to, business address, business phone numbers, business facsimile numbers and any available pager or cellular numbers for all available locate technicians/representatives and their supervisors for this project at the time of executing this Agreement.
2. Attached and made part of this agreement is the negotiated marking agreement, which is prepared by the EXCAVATOR. Any agreement shall be reviewed and agreed to by both parties.
3. It is specifically understood that the EXCAVATOR will notify the LOCATOR/UTILITY by telephone, electronic mail or other means as provided by the LOCATOR/UTILITY prior to commencing any excavation activities to ensure the specific work sites have been marked.
4. If EXCAVATOR needs to move to a project work site involving excavation that has not been marked by the LOCATOR/UTILITY or the LOCATOR/UTILITY has not confirmed the accuracy of existing marks at such site, the EXCAVATOR shall make contact with the LOCATOR/UTILITY and allow time to respond.
5. All markings will be refreshed every 30 days starting with the first areas notated in attached schedule and continuing in order of attached schedule throughout project, unless called in prior to remarking schedule.

COMPANY: JHC CORPORATION  
CONTACT: Chad Gentry (PROJECT MANAGER)  
PHONE: (678)416-7479  
EMAIL: Chad@jhc-corp.com  
UPC LP #: 03209-400-023

**THE EXCAVATOR AND UTILITY MUST RETAIN A SIGNED COPY OF THIS MARKING AGREEMENT!**

Any deviations to this agreement will be called in to the UPC as an additional request to LP ticket # 03209-400-023. Each utility will respond to that deviation within 48 hours. If utility fails to respond within this time frame the EXCAVATOR is required to contact the utility and allow time to respond.

Good Faith Negotiation Required. The failure of any party to negotiate in good faith shall constitute a violation of the Commission's Large Project Rules and may result in the imposition of penalties under O.C.G.A §§ 25-9-13 and/or 46-2-91 as well as any other penalties that may be imposed pursuant to Georgia Law or the commission's Rules. The failure of any party to negotiate in good faith shall also result in all locates being performed in accordance with the procedures and timelines set forth in O.C.G.A. § 25-9-1 *et. Seq.* with the cost for all such locates to be paid for by the party having negotiated in bad faith.

**Utility Owners Agreement By:**

Utility Name & UPC Member Code: \_\_\_\_\_

Representative Signature: \_\_\_\_\_

Representative Printed Name: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Email: \_\_\_\_\_

Date: \_\_\_\_\_

**Excavator Agreement By:**

Excavator Name: JHC CORPORATION

Representative Signature:  \_\_\_\_\_

Representative Printed Name: Chad Gentry

Contact Number: 678-416-7479

Email: chad@jhc-corp.com

Date: March 28, 2019

**Area(s) to be located are listed as follows but not limited to:**

**Area 1 – Locate the three blocks that encompass Pineview Dr to Oakview drive and Marietta St to Jackson Way Extension. Include all roads and ROW. Have completed by 4/15/2019**

**Area 2 – Locate Jackson Way from Pineview Dr to 100' west past Old Lost Mountain Road. Include the road and ROW. Have completed by 4/15/2019**