

SAMPLE LARGE PROJECT MARKING AGREEMENT

The Marking Agreement was created to help with the flow of your marking needs throughout the life of your project. A Marking Agreement is required to be prepared prior to your Large Project Planning Meeting. You should bring enough copies to accommodate each utility owner/operator involved in the project.

Marking Agreements at minimum should provide a clear overview of the entire project. Breaking the entire project up into time frames and sections provides a road map of your project. Additionally, supplying plats or drawings is encouraged in addition to providing the Marking Agreement at the meeting. You should also provide a sign-in sheet for everyone attending.

Lastly, it is encouraged that you list any and all subcontractors that will be involved in your project. RS 40:1749.13 allows for any authorized subcontractor to work under a general contractor holding an active Large Project ticket provided a contractual agreement exists between the parties.

DISCLAIMER: The terms and conditions of a Large Project Agreement are subject to the specific negotiations and agreement between Excavators and Owner/Operators. Louisiana 811 does not mandate or endorse the use of any particular agreement form or language. For reference purposes only, attached is a slightly modified form that is utilized in the state of Georgia for the Large Project Program. By providing the attached form, Louisiana 811 is not providing any legal advice or guidance as to the terms, conditions, or form of agreement utilized by parties to a Large Project Agreement in Louisiana.

LARGE PROJECT MARKING AGREEMENT

THIS AGREEMENT,

made this _____ (month/date/year), between _____,
hereinafter called the EXCAVATOR/DEMOLISHER, and _____,
hereinafter called the LOCATOR/UTILITY.

Due to the construction of this large project, it will become necessary to make certain arrangements for the locating of the utility facilities in accordance with the Louisiana Underground Utilities & Facilities Damage Prevention Law (RS. 40:1749.11).

This Agreement is for the sole purpose of each party working together to minimize or eliminate any damage to utilities/facilities as well as allowing the EXCAVATOR/DEMOLISHER 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/DEMOLISHER with correct contact information, including but not limited to, business address, business phone numbers, business facsimile numbers and any available 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 was prepared by the EXCAVATOR/DEMOLISHER. Any modifications or changes to the negotiated marking agreement shall be reviewed and agreed to by both parties.
3. It is specifically understood that the EXCAVATOR/DEMOLISHER 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/DEMOLISHER needs to move to a project work site involving excavation or demolition that has not been marked by the LOCATOR/UTILITY or the LOCATOR/UTILITY has not confirmed the accuracy of the existing marks at such site, the EXCAVATOR/DEMOLISHER shall contact the LOCATOR/UTILITY and allow time to respond.
5. If for any reason the negotiated marking agreement is terminated or cannot be adhered to, the Large Project is hereby waived, and the EXCAVATOR/DEMOLISHER shall request a routine excavation or demolition notice in accordance with R.S. 40:1749.13.

Utility/Facility Owner/Operators Agreement By:

Utility/Facility Name: _____

Representative Signature: _____

Representative Printed Name: _____

Contact Number: _____

Email: _____

Date: _____

Excavator Agreement By:

Excavator Name: _____

Representative Signature: _____

Representative Printed Name: _____

Contact Number: _____

Email: _____

Date: _____

Locating instructions for LA811 Large Project Ticket #:_____

Locate Section 1:

Complete By Date:_____Time: _____

Locate Section 2:

Complete By Date:_____Time: _____

Locate Section 3:

Complete By Date:_____Time: _____

Locate Section 4:

Complete By Date:_____Time: _____

Locate Section 5:

Complete By Date:_____Time: _____

The excavator/demolisher and utility member must both retain a copy of this signed agreement

SUBCONTRACTORS LIST

Company	Contact Name	Phone	After Hours Contact #