

wsdlsafetycommittee@gmail.com

From: sendmail@washington-ucc.org
Sent: Tuesday, December 29, 2020 1:48 PM
To: wsdlsafetycommittee@gmail.com
Subject: Complaint Form

Complaint Form Request

Requester Information

Name: James Libra
Company: Homeowner
Company Phone: (360)888-2186
Company Email: jlibra13364@hotmail.com
Company Address: 1441 Farrelly St, Enumclaw, 98022
Ticket Requested: yes
Ticket Number: unknown
Ticket Date: 10/01/2020

Violation Information

Violation RCW Code: 19.122.030, 19.122.050, 19.122.053
Violation Section: RCW 19.122.030, 19.122.050, 19.122.053
Violation Description: Our neighbors at 1451 Farrelly St hired fence contractor 'Kodiak Fence & Gate' to remove and replace the fence common to our properties. We reminded them that our buried gas line ran right along the fence line. I understand they passed that information on to the contractor. The fence was removed and replaced on 10-1 ~ 10-2, 2020. The area did get locate marks prior to the fence removal/installation, but I have no record of what was located & marked. My wife was home when the neighbor's contractor arrived to do the fence. They planned to saw cut the concrete base that ran under the fence to facilitate its removal. She reminded them our buried gas line ran along the fence. They said they've cut many gas lines and it was no big deal... quick easy repair. After some discussion they decided to leave the concrete base, cut the old fence post off, and install the new fence on the neighbor's side of the base. Later that afternoon we noticed our internet wasn't working and our phone line was dead. I called the phone company (Century Link) to report the problem. At this point we realized our buried phone line ran across the neighbor's property and along the fence that was just replaced. It took a week before Century Link was able to visit to check the phone line. Century link confirmed that the line was dead between the street and our house - in the area of the new fence posts. We had no phone or internet service for 2 1/2 weeks until a temporary line was installed on 10-20-2020. During the following repair visit, it was determined that the phone line could not be repaired and must be replaced. After much coordination, City permits, and several visits by Century Link and Northsky Communications, our phone line was finally replaced on 12-8 ~ 12-9, 2020. The sidewalk section, that was removed to facilitate the phone line installation, was replaced on 12-18 ~ 12-19, 2020. I'm not aware that this issue was ever reported by the contractor. This 'no big deal' contractor error cost us 2 1/2 weeks of being without the phone & internet service we pay for, hours of time wasted in phone calls and coordination of repair visits over 2 1/2 months time, and our yard being torn up for

repair. The worst part was the arrogant attitude of the contractor and the lack of concern or care about damaging our utilities to the point of arguing with my wife that our utilities were not his responsibility. This is not what I would expect from a licensed contractor.

Violation Address: 1451 Farrelly

Violation Date: 10/01/2020

Alleged Violator

Violator Name: Kodiak Fence & Gate

Violator Phone Number: (253)495-7977

Violator Email: unknown@unknown.com kodiakfenceco@gmail.com

Violator Address: 2328 Roosevelt Avenue Suite #A, Enumclaw, 98022

Violator Employess On Site: Owner/Lead: Shaun Dagley. Two younger workers: unknown

Other Information

Other Information: Century Link owns the phone line that was damaged and will decide on pursuing repair cost recovery.



Kodiak Fence <kodiakfenceco@gmail.com>

Ticket 20411090 - Centurylink Locate Notification

1 message

cl_irth_comm@irth.com <cl_irth_comm@irth.com>
To: KODIAKFENCECO@gmail.com

Mon, Sep 28, 2020 at 2:36 PM

=====
To: KODIAK FENCE AND GATE Attn: NATALIE DAGLEY
Voice: 2533108335 Fax:
Re: Centurylink Locate Notification

Message from CenturyLink This is an important message from CenturyLink replying to your request to locate our underground facilities in an area described on the one call center ticket. If you have any questions please call CenturyLink at 1-800-283-4237

=====
Ticket: 20411090
County: KING Place: ENUMCLAW
Address: 1451 FARRELLY ST

QLNWA16:
The described dig area of your locate request has been checked and is clear for CenturyLink local Network. If you have any questions, please call CenturyLink at 1-800-283-4237. CenturyLink has closed this ticket

=====
Centurylink
=====

This message was generated by an automated system. Please do not reply to this email.



Kodiak Fence <kodiakfenceco@gmail.com>

Ticket: 20411090

1 message

wa@occinc.com <wa@occinc.com>
To: KODIAKFENCECO@gmail.com

Thu, Sep 24, 2020 at 10:47 AM

WASHINGTON UTILITY NOTIFICATION CENTER

DO NOT REPLY TO THIS EMAIL

This ticket is valid for 45 days from the legal start date and time. The expiration date and time is 11/08/2020 11:00 AM

Washington Ticket#:	20411090	2 FULL BUSINESS DAYS	
Transmit Date:	9/24/20	Time:	10:47 AM
Original Call Date:	9/24/20	Time:	10:45 AM
Work to Begin Date:	9/29/20	Time:	12:00 AM

Type: WEB

Caller Information

Company:	KODIAK FENCE AND GATE	Type:	CONTRACTOR
Contact Name:	NATALIE DAGLEY	Phone:	(253) 310-8335
Alt. Contact:	SHAUN DAGLEY	Phone:	(253) 495-7977
Best Time:		Fax:	
Address:	1807 MARION ST PO BOX 1011; ENUMCLAW, WA 98022		
Caller Email:	KODIAKFENCECO@GMAIL.COM		

Dig Site Information

Type of Work: INSTALL FENCE
Work Being Done For: JENNY CARR

Dig Site Location

County:	KING	State:	WA
Place:	ENUMCLAW		
Address / Street:	1451 FARRELLY ST		
Nearest Intersection:	INITIAL AVE		

Location of Work:

BACK SIDES AND FRONT OF HOUSE - WHOLE YARD

Remarks:

AREA MARKED IN WHITE

Map Twp: 20N **Rng:** 6E **Sect-Qtr:** 23-SW
Excavation Coordinates for # Polygons: 1
Poly 1: NW Lat: 47.2049941 **Lon:** -122.0081842 **SE Lat:** 47.2046916 **Lon:** -122.0076853

Members Notified

District	Company	Marking Concerns	Customer Service	Repair
CC7760	COMCAST CABLE	(800)762-0592	(800)934-6489	(855)537-6296
ENUMCL01	CITY OF ENUMCLAW	(360)825-5541	(360)825-5541	(360)825-5541
PUGE03	PUGET SOUND ENERGY ELECTRIC	(888)728-9343	(888)225-5773	(888)225-5773
PUGG03	PUGET SOUND ENERGY GAS	(888)728-9343	(888)225-5773	(888)225-5773
QLNWA16	CTLQL-CENTURYLINK	(800)778-9140	(800)283-4237	(800)573-1311

Excavator Responsibilities

* Please click on the following link to verify and confirm that the area covered represents the correct and complete work site

area.

[Link To Map for C_EMAIL](#)

- * If the area covered is incomplete or inaccurate, it is your responsibility to notify the center immediately to update and correct the locate. Failure to do so could result in a delay or an incomplete utility locate.
- * Any other utilities or notification centers not listed, you will need to contact separately.



Kodiak Fence & Gate Co.
 KODIFG830K4
 PO BOX 1011, Enumclaw, WA 98022
 (253) 495-7977
 kodiakfenceco@gmail.com
 www.kodiakfence.com

COPY

Estimate Date: 8-31-20 Time: 4pm

PROPOSAL/CONTRACT

Name: Jenny Carr

Build date:

Phone #1: 206 295 8355

Email:

Phone #2:

Billing Address:

City:

Zip:

Site Address: 1451 Farrelly St

City: Enumclaw

Zip: 98022

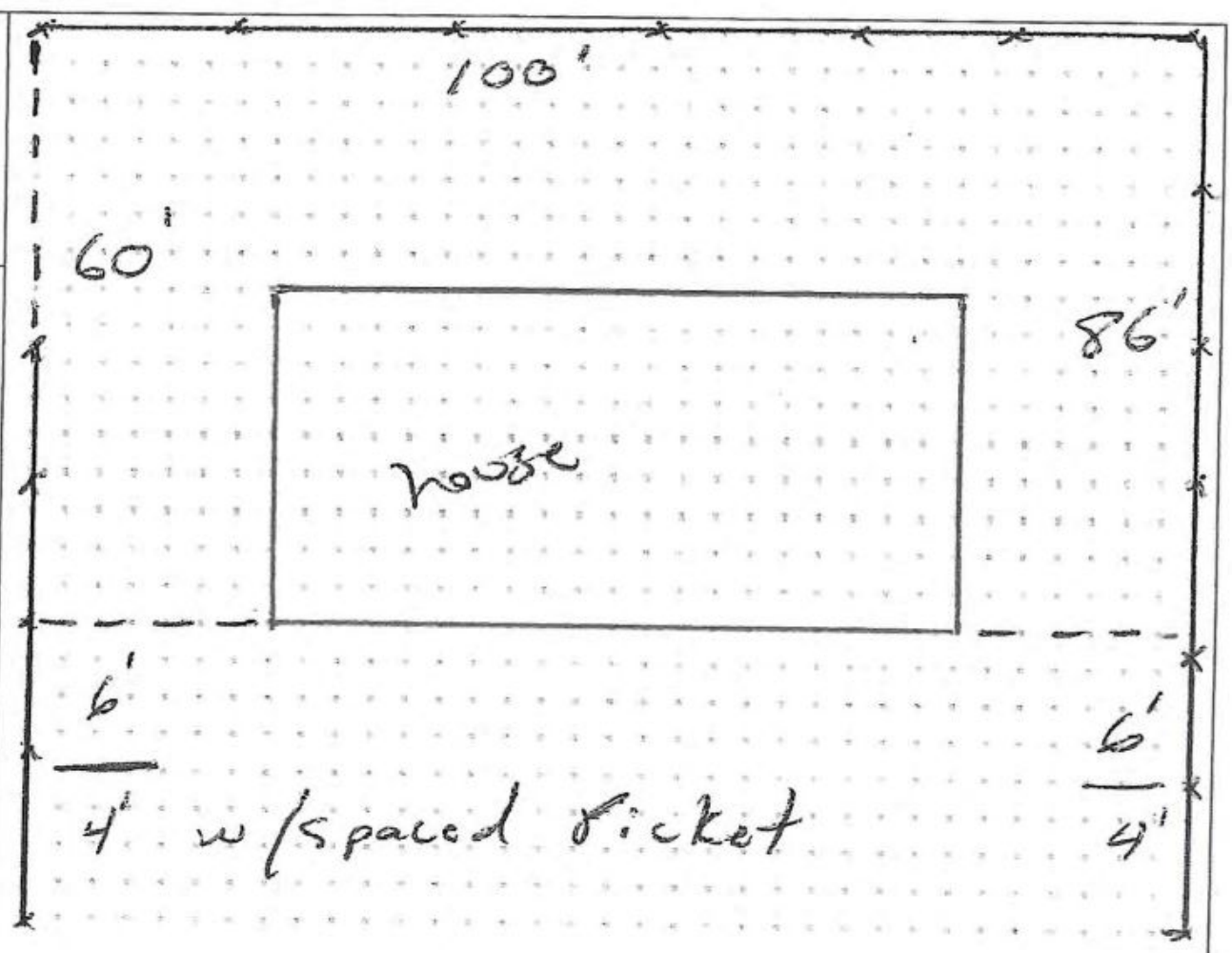
Invoice#

Location code:

Locate #

Earliest start date:

	WOOD	CHAIN LINK	OTHER
Footage:	<u>246</u>	<u>total</u>	
Height:	<u>6/4'</u>		
POSTS:	<u>4 1/8</u>	<u>4 1/8</u>	<u>9'</u>
Terminal:			
Line:			
Gate:			
Material Specs:			
Top Rail:	<u>Cedar</u>		
Middle Rail:			
Bottom Rail:			
Tension Wire:			



- Standard Estate
- Full Panel map
- Picture Frame
- Kirkland
- Lattice Top
- Picket
- Custom

- GATES**
- Walk Gate:
 - Single Drive:
 - Double Drive:
 - Hillside:
 - Roll Gate:

- CLEARING
- TEAR OUT
- HAUL-AWAY

Notes: * Bring Jack Hammer

THIS CONTRACT IS SUBJECT TO THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE AND WHICH ARE MADE A PART HEREOF BY THIS REFERENCE.

WE PROPOSE hereby to furnish material and labor-complete in accordance with the above specifications, for the sum of: PRICE: _____

Authorized By: [Signature] Signature: [Signature] date: 9/4/2020 TAX 8.7%: _____ TOTAL: _____

A 3% service charge will be added to all credit card transactions. The prices, specifications, and conditions are satisfactory and are hereby accepted. These prices subject to company audit before installation. NOTE: This proposal may be withdrawn if not accented within 30 days.

PAID # CK #451

Page 2 -Terms, Covenants and Conditions

Terms:

This sale is for cash on completion. A down payment may be requested to be paid before work may begin. If an account becomes overdue the purchaser agrees to pay a delinquency charge of 1% per month on the unpaid balance and an additional surcharge of 25% of account plus reasonable attorney's fee if the account is referred to an attorney for collection.

Extras:

In consideration of the price herein quoted, the purchaser agrees that the fence lines will be clear of all obstructions and that the lines will be properly marked by customer by stakes or otherwise. The price herein named does not consider the encountering of rock, boulders, or other conditions that mandate the use of jackhammers or other coring equipment; if these conditions are encountered and if it is necessary to drill for the setting of the posts or to furnish extra large or deep foundations for the posts or to perform any extra labor, an extra per hour charge will be made to cover the additional expense involved. Purchaser agrees to pay for generator use. Additional charges shall also apply to posts that need to be bolted to structures.

Delays:

Contracts that include erection are taken on the condition that the entire work be erected without interruption. If it is necessary to make more than one trip to complete the erection on account of changes or delays on part of the Purchaser, an extra charge may be made to cover the additional expense involved. In the event of any undue delay caused by any party other than Kodiak fence & Gate Company, then Kodiak Fence & Gate Company shall have the right to pass along any increases in cost resulting therefrom.

Changes:

No changes in measurement, location of lines or conditions will be allowed except at prices mutually agreed upon at the time these changes are made.

General:

Customer or their representatives will be present at the start of job, as well as the day of completion.

The contract embodies the entire understanding between the parties, and there are not verbal agreements or representation in connection therewith.

Purchaser must obtain licenses, planning permission approvals and permits, where such licenses, approvals and permits are required.

Location of well and pool pipes, electrical lines, or any private utility will be clearly marked by the customer, and any damage incurred due to incorrect marking will solely be the responsibility of the customer to repair. If repaired by Kodiak Fence & Gate Company, it will be done at an hourly charge plus materials.

This estimate is only an estimate. The price is subject to change due to any of the following conditions: 1) added material, 2) change in materials ordered.

Lawn damage, due to working in wet conditions at the customer's request, will be the customer's responsibility.

All materials remain the property of Kodiak Fence & Gate Company until fully paid for and can be removed for non-payment.

Locating, clearing and staking of fence and/or property lines is the sole responsibility of the purchaser. Purchaser further agrees that Kodiak Fence & Gate Company shall not be held responsible for claims of encroachment, damage to underground pipes, wires or hidden obstructions, and herewith waives any claims relating thereto

Customer Signature *Jason Carr* Date: 9/4/2020

Print Name: Jason Carr

From: James Libra <jlibra13364@hotmail.com>
Sent: Wednesday, June 9, 2021 7:27 PM
To: wdsafetycommittee@gmail.com <wdsafetycommittee@gmail.com>
Cc: Shelley Cornelius <wdsafetycommittee@outlook.com>
Subject: Re: Dig Law review rescheduled - Supporting Documents

Hello

Attached documents are provided in support of Dig Law case 20-046 - James Libra vs Kodiak Fence & Gate.

- > Pictures T1-T3 are event timeline dates recorded on calendar
- > Pictures P1-P4 are of the fence area a few days after installation, taken on 10-8-2020.
 - Note that in P1, P2, P3 there is a very faint yellow locate mark on the sidewalk (near expansion joint)
 - No Phone locate marks are apparent... not sure if there ever were locate marks for phone
- > Pictures P5 is the Service Tag from contractor NorthSky Communications, 10-20-2020
- > Pictures P6-P8 are Century Link (CL) utility locator marks at sidewalk and fence line, taken 10-24-2020
 - Note old yellow locate mark still faintly visible near new locate mark
 - Power and phone utilities are clearly marked at sidewalk
 - Fence line picture shows old (concrete) fence base and locate markings running along it
- > Picture P9 shows the CL damage location markings & flags... at new fence post
 - Note CL later determined there was damage in more than one location and line could not be repaired
- > Pictures P10-P11 show sidewalk closure and replacement after new line install, taken 12-18-2020

That's all the documentation I have, other than scribbly phone call notes of communications with Century Link and NorthStar Communications.

Let me know if you have any questions.
I look forward to talking prior to the review.
Thank you,
James Libra
360-888-2186

Case 20-047



Case 20-047



Case 20-047



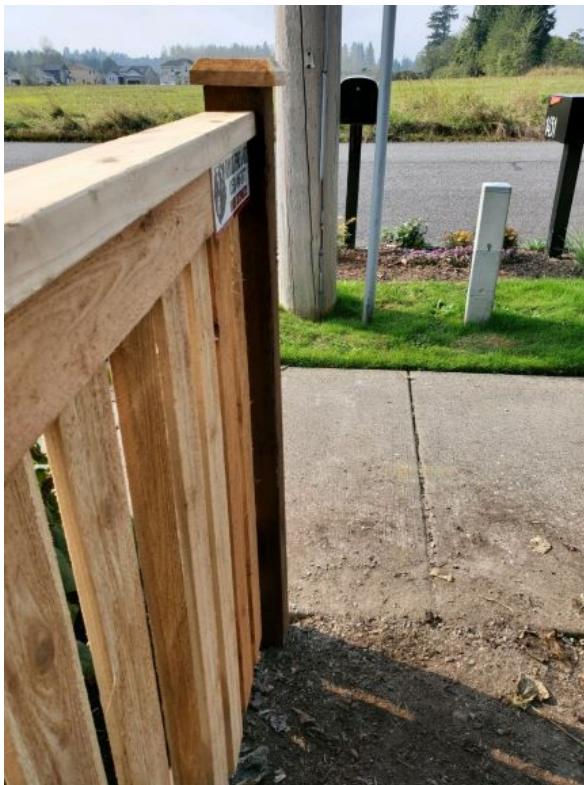
Case 20-047



Case 20-047



Case 20-047



Case 20-047



Case 20-047

Date: 10/20 Time: 4:30 AM

We would like to notify you of the upcoming construction that may be taking place near this address.

Type of work taking place:

- CenturyLink service wire placement
- Service terminal access
- Trenching utilities in public right of way

Job#: 20183990 Tech: Chandler, Y

Estimated start date: _____

Work being done for: _____

Comments: took a look at your
phone line and was able to
locate problem.

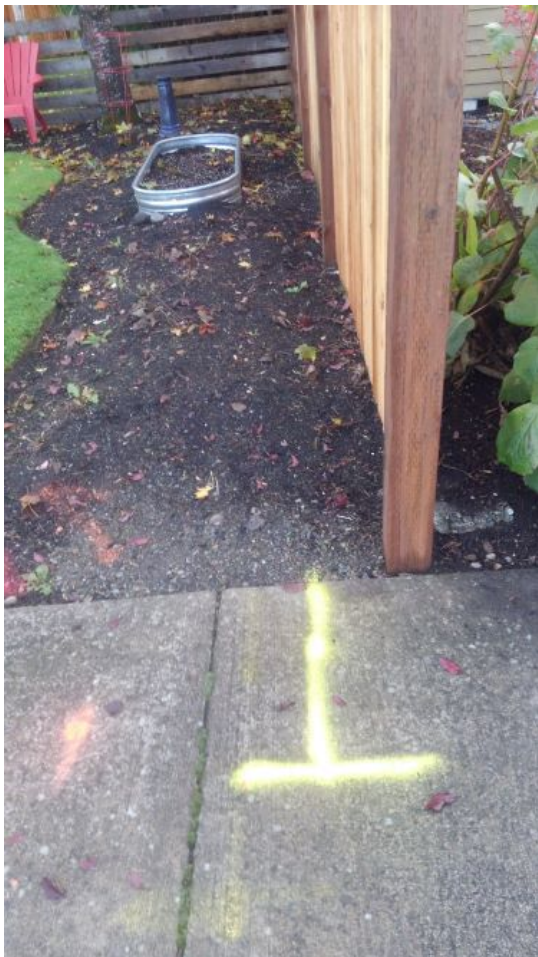
Please contact **Mindy Hearing** at **206-395-2260** if you have any questions or concerns regarding any information provided above. NorthSky Communications, LLC is performing work on behalf of CenturyLink.

NORTH SKY
COMMUNICATIONS
253-263-5486

Case 20-047



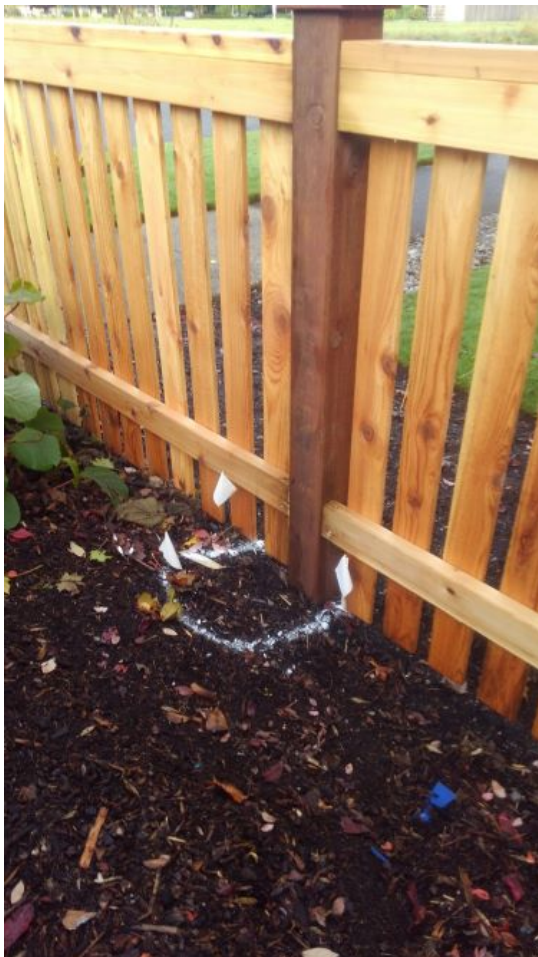
Case 20-047



Case 20-047



Case 20-047



Case 20-047



Case 20-047

