



Agenda Date: 2/12/25
Agenda Item: 6A

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

RELIABILITY & SECURITY

IN THE MATTER OF THE EXTENSION OF ONE)
CALL CONCEPTS, INC. CONTRACT OF NEW)
JERSEY ONE-CALL DAMAGE PREVENTION FOR)
UNDERGROUND UTILITIES) DOCKET NO. AA15090993

Parties of Record:

Thomas Hoff, President, One Call Concepts, Inc.

BY THE BOARD:

By this Decision and Order, the New Jersey Board of Public Utilities (“Board”) considers a one (1) month contract extension for the operator of the One-Call Damage Prevention System (“System”) beginning March 1, 2025, and terminating on March 31, 2025, or when the Board awards a new contract (“Fifth Contract Extension”).

BACKGROUND AND PROCEDURAL HISTORY

The Board has jurisdiction to oversee and enforce the provisions of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq. (“Act”). The Act mandates that the Board establish a System to prevent damage to underground facilities resulting from excavation and/or demolition.¹ The Act grants the Board the authority to designate an operator of the System and promulgate any necessary regulations to implement the Act’s provisions (“System Operator”). The System Operator, among other things, receives excavator requests to mark the location of Underground Facilities in an area planned for excavation or demolition (“Message”), and provides the Message to the underground facilities operator.

On October 15, 2015, the Board selected One Call Concepts, Inc. (“OCC”) as the System Operator for a five (5)-year term beginning March 1, 2016, and ending February 28, 2021 (“Contract”).² The Contract permitted two (2) one (1)-year extensions. On April 6, 2020, the

¹ Underground facilities include, but are not limited to, facilities that convey water, forced sewage, telecommunications, cable television, electricity, oil, petroleum products, gas, optical signals, or traffic control or transport hazardous liquids (“Underground Facilities”).

² In re the Request for Proposal 15X23298 Designation of System Operator for New Jersey’s One-Call Damage Prevention System, Docket No. AA15090993, Order dated October 15, 2015.

Board granted both extensions: March 1, 2021, to February 28, 2022; and March 1, 2022, to February 28, 2023. On February 17, 2023, the Board approved a third extension of the Contract pursuant to Section 5.3 of the State of New Jersey Standard Terms and Conditions (“SSTC”). This extension terminated on February 28, 2024.³ On January 31, 2024, the Board granted a fourth extension of the contract, beginning February 29, 2024, and terminating on February 28, 2025, or as soon as a new contract was awarded.⁴ By the January 2024 Order, the Board also directed staff to work with The New Jersey Department of the Treasury’s Division of Purchase and Property (“DPP”) to award a new contract before February 28, 2025.

Following the January 2024 Order, on May 22, 2024, the Board approved the release of Request for Proposal 23DPP00833 (“RFP”).⁵ As of the date of this Order, there is no award for a new System Operator.

REQUEST FOR FIFTH CONTRACT EXTENSION

The SSTC provides an option to extend a contract when the extension is in the best interest of the State:

5.3 CONTRACT TERM AND EXTENSION OPTION

If, in the opinion of the Director [of DPP] it is in the best interest of the State to extend a contract, the contractor shall be so notified of the Director’s Intent at least 30 days prior to the expiration date of the existing contract. The contractor shall have 15 calendar days to respond to the Director’s request to extend the term and period of performance of the contract. If the contractor agrees to the extension, all terms and conditions of the original contract shall apply unless more favorable terms for the State have been negotiated.⁶

DPP and OCC agree to the Fifth Contract Extension under the current terms and conditions of the Contract.

DISCUSSION AND FINDINGS

After a thorough review of the record in this matter, the Board **HEREBY FINDS** that the services of OCC are essential to the health, protection, and safety of all New Jersey citizens in accordance with SSTC Section 5.3. The Board **FURTHER FINDS** that the Fifth Contract Extension will ensure that System operations remain uninterrupted during the procurement process. As such, and with the agreement of OCC and DPP, the Board **HEREBY GRANTS** the Fifth Contract Extension,

³ In re the Letter Request by One Call Concepts, Inc. for Approval of a Tariff for Operation of the New Jersey One-Call Damage Prevention System and Request to Extend Contract for Underground Facilities Protection Services, Docket No. AA15090993, Order dated February 17, 2023.

⁴ In re the Letter Request by One Call Concepts, Inc. for Approval of a Contract Extension of New Jersey One-Call Damage Prevention System for Underground Facilities, Docket No. AA15090993, Order dated January 31, 2024 (“January 2024 Order”).

⁵ In re Request for Proposal Designation of System Operator for New Jersey’s “One-Call Damage Prevention System”, BPU Docket No. AA24040229, RFP issued on May 22, 2024.

⁶ State of New Jersey Standard Terms and Conditions, Revised 2/8/2024.

beginning March 1, 2025, and terminating on March 31, 2025, under the current terms and conditions of the Contract, or as soon as a new contract is awarded.

The information presented by OCC, and a review of the proper collection and calculation of rates and ratios, is subject to audit by the Board, including a review of collection activities, proper expenditure of money, and any additional over/under collections. This Order shall not preclude nor prohibit the Board from taking any actions determined to be appropriate because of any such audit.

The effective date of this Order is February 19, 2025.

DATED: February 12, 2025

BOARD OF PUBLIC UTILITIES
BY:



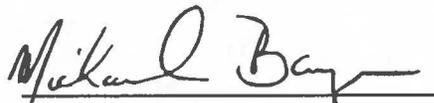
DR. ZENON CHRISTODOLOU
COMMISSIONER



CHRISTINE GUHL-SADOVY
PRESIDENT



MARIAN ABDOU
COMMISSIONER



MICHAEL BANGE
COMMISSIONER

ATTEST:



SHERRI L. LEWIS
BOARD SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities.

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JERSEY ONE-CALL DAMAGE PREVENTION FOR UNDERGROUND UTILITIES

DOCKET NO. AA15090993

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