

Riggle, Amber@EnergySafety

From: Anaya, Adrian@EnergySafety
Sent: Tuesday, October 28, 2025 1:28 PM
To: Bonner, Anona@EnergySafety
Subject: FW: Underground Safety Board Investigation N2424853
Attachments: Grey-Con.pdf

[Adrian Anaya](#)

Investigator

Office of Energy Infrastructure Safety

Mobile: (279) 245-1133

From: Gavin Sermon <gavin@southpointeinc.com>
Sent: Tuesday, October 28, 2025 12:38 PM
To: Anaya, Adrian@EnergySafety <Adrian.Anaya@energysafety.ca.gov>
Subject: Underground Safety Board Investigation N2424853

You don't often get email from gavin@southpointeinc.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links

Adrian,

Good morning. I am responding to a "Notice of Probable Violation" dated September 26th, 2025 and Request for Information letter N2424853.

Last night was the first hearing on an investigation or request for information. The following will explain why.

- In early April, I laid off by director of operations, Mariana Saldana. She was the sole recipient of the email address you were sending the requests to, "info@southpointeinc.com" (see attached screenshot). When I let her go I was not even aware that she was getting these emails. It is listed on our website but for a long time it only received spam and I honestly thought it had been shut down.
- The mailing address (31805 Temecula PKWY D7-763, Temecula Parkway, CA 92592) that you have for us is also an old address. In Jan. 2021 we stopped working in Temecula and changed our address to 23 Corporate Plaza Suite 150, Newport Beach, CA 92660.
- In April of this year, (same time I let go of Mariana), I changed our mailing address again to (3334 E Coast Highway #743, Corona Del Mar CA 92625). Sometimes it is a long process to get mail that is sent to the old addresses. Mariana didn't update our company phone number or mailing address before her final day.

That explains why I have not responded.

As for the information requested. See responses below in bold.

1. Was SPC the prime contractor for the projects at 4827 Dorchester, Corona Del Mar, CA 92625? - **Yes.**
2. Did South Pointe Construction LLC, hire Green-Con Construction DBA Grey-Con Landscape Construction (Grey-Con)? - **Yes.**
 - a. Provide a summary of work Grey-Con was hired to do. - **New Flatwork and area drain lines.**
 - b. Provide a copy of the contract between SPC and Grey-Con. - **Attached.**
3. Did SPC contact the regional Notification Center on August 22, 2024? - **NO**
4. Did SPC create an 811 ticket for 4827 Dorchester Rd., Corona Del Mar prior to excavation occurring on August 22, 2024 - **No, there were old markings that were still visible.**
5. Did SPC direct Grey-Con to contact the regional Notification Center prior to excavating at 4827 Dorchester, CA prior to excavation occurring on August 22, 2024. **It is very likely, but I have no way of determining this at this point. Standard practice is that all subcontractors digging on property call 811 before starting. There were old markings so the field team might have thought that was adequate to proceed with the work activities that day.**
6. Was SPC onsite when the incident occurred? - **I don't know. The superintendent managing the project at that time no longer works at for me.**
7. How was SPC notified of the damage to the natural gas line? - **I do not know.**
8. What did SPC do once damage to the natural gas line occurred. - **The superintendent called SoCal Gas to repair the line. I am not sure what additional measures were taken. The superintendent doesn't work for me any longer.**
9. Provide a summary of what SPC observed when the incident occurred. - **A worker for Grey-Con construction hit an existing gas line near the front left corner of the house while digging with hand tools. The line was unusually shallow. The worker capped the line. My superintendent called SoCal Gas to make repairs and I believe the workers cleared the site.**
10. Did SPC contact Souther California Gas Company after damage to the gas line occurred. - **Yes.**
11. Did SPC contact call 911 on August 22, 2024 after the damage occurred - **No.**
 - a. Why did SPC not Call 911 on August 22, 2024 after damage occurred ? - **No one was injured, no property was damaged other than the gas line.**

I hope the provides you everything you need. I see there is a link for a safety training that I will go to now.

The (949) number you have on file is no longer in service. My number is listed below. I have your number saved so I will recognize it is you if your call.

Thanks,

Gavin Sermon

Owner | South Pointe Construction

C: 951.553.3117 | www.southpointeinc.com



hover.com/control_panel/domain/southpointeinc.com

CREATE AN ADDRESS

🔍 Filter



EMAIL ADDRESS



info@southpointeinc.com

Purchase Order

Date Created Aug 2, 2024
Date Released Aug 2, 2024
Purchase Order # DOR-7130

SUB/VENDOR

Grey-Con Construction, Inc.
22858 Hunwut Dr.
Wildomar, CA 92592
949-279-5597

Job

4827 Dorchester - Prichard / Rubinstein
4827 Dorchester Rd
Corona Del Mar, CA 92625

PO Title	Scheduled Completion	Total Price
Flatwork-Gray Con		\$77,682.00

Scope of Work

SCOPE OF WORK

Based on the Contract Documents contained in [EXHIBIT A] Subcontractor agrees to furnish all labor, materials, equipment and other facilities required to complete the following work

1. All material and labor in the attached quote. Approved plans supersede the quote. All changes must be approved by David/Gavin. Full crew onsite daily. A job walk was performed prior to quote and PO. The sub is aware of site conditions. NO music, smoking. Clean Daily.
- 2.

Not included**SUBCONTRACT PAYMENT**

In consideration of Subcontractor's performance of this subcontract, and at the times and subject to the terms and conditions hereinafter set forth, Contractor shall pay to Subcontractor the total sum of **\$77,682** hereinafter "subcontract price" to perform all work and services as well as furnish all labor, materials, tools, supplies, equipment, power, services, facilities, supervision, taxes, fees and administration that Subcontractor is obligated to use and furnish under this agreement. Said subcontract price is dependent upon the conditions set forth in EXHIBIT A being met. Should said conditions not be met, the subcontract amount shall be modified accordingly based on the work completed, quality of the work, cleanliness of the work space, and overall, task being performed to the standard outlined.

Sub to bill bi weekly.

PAYMENT SCHEDULE

Payments are normally processed the Friday following the completion of the work. Processing times vary per bank and may take an additional 3 days to fund. We do offer an optional expedited same day payment option for a \$25 fee.

(Final payment, all items complete, inspection)**

** Note: Upon final payment please send conditional lien waiver

OUR POLICY IS NET 30 TERMS AND BEGINS WHEN YOUR INVOICE IS RECEIVED TO OUR FINANCE DEPT. ALL PROGRESS PAYMENTS ARE APPROVED ONCE INSPECTIONS ARE PASSED (if required). ALL INVOICES MUST BE SENT TO Finance@southpointeinc.com OR YOUR PAYMENT WILL BE DELAYED. Provide proof of active city business license in order to receive payment.

AMENDMENT

This agreement supersedes all prior representations made by Contractor. Any CHANGE ORDER to the project or project scope, requires a new scope of work to the project and both parties, and must outline the AGREED AMOUNT prior to any work or service being performed.

Exhibit A
LIST OF CONTRACT DOCUMENTS and DATE

Attached Quote, approved building set, approved landscape plans	

Items	Cost Types	Description	Qty/Unit	Unit Cost	Price
7130- Flatwork Sub			1.00	\$77,682.00	\$77,682.00
					\$77,682.00

A signature of Approval or Electronic Acceptance is required before purchase order is effective. This purchase order then becomes part of the existing contract and is binding.



Sub/Vendor: Grey-Con
Construction, Inc.

Aug 3, 2024, 8:08 AM

Signature

Name

Date