

## Tori Fleming

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**From:** Jimmy Martinsen <jimmy@tamico.net>  
**Sent:** Monday, April 23, 2018 3:37 PM  
**To:** Dan Tadic  
**Subject:** RE: O'Connell Bridge Lightering Float Pile Replacement permitting & bidder qualifications  
**Attachments:** Permitting Narrative.pdf; Sitka Permit Letter.pdf

Dan  
Attached is our narrative and a brief letter.

Have talked extensively with all agencies and all seem fairly sure this project should fall under the informal review process of permitting, which would have the standard mammal monitoring attached- no need for IHA. That said with adding the permitting to the contractor it does open up a lot of unknowns and financial risks that need to be mitigated. This approach will most likely save the Borough a lot of funding.

Thanks,

Jimmy Martinsen  
Tamico Inc  
PO Box 1540  
400 Mitkof Hwy  
Petersburg, AK 99833  
Phone: 907-772-4585  
Fax: 907-772-3974  
Cell: 907-340-6494  
jimmy@tamico.net

**From:** Dan Tadic [mailto:dan.tadic@cityofsitka.org]  
**Sent:** Monday, April 23, 2018 9:40 AM  
**To:** Jimmy Martinsen <jimmy@tamico.net>  
**Subject:** RE: O'Connell Bridge Lightering Float Pile Replacement permitting & bidder qualifications

Good morning Jimmy,

I was able to speak with your proposed Permitting Specialist late on Friday. He informed me he had never obtained an IHA permit as outlined in the Bidder Qualifications. Further, he had only planned to apply for a general permit for this project. He was unaware of the information we presented at the pre-bid that USACE and NMFS were going to require a 7000 meter marine mammal observation and shutdown zone (and thus why we were suggesting an IHA was appropriate for the project).

I am still in need of a brief narrative from you as to how you intend to approach permitting and compliance for this project.

Thanks,

**Dan Tadic, P.E.**  
Municipal Engineer  
City and Borough of Sitka  
Department of Public Works  
100 Lincoln Street  
Sitka, AK 99835  
P (907) 747-1807  
F (907) 747-3158  
[dan.tadic@cityofsitka.org](mailto:dan.tadic@cityofsitka.org)

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**From:** Dan Tadic  
**Sent:** Friday, April 20, 2018 10:57 AM  
**To:** 'Jimmy Martinsen' <[jimmy@tamico.net](mailto:jimmy@tamico.net)>  
**Subject:** RE: O'Connell Bridge Lightering Float Pile Replacement permitting & bidder qualifications

Thanks.

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**From:** Jimmy Martinsen [<mailto:jimmy@tamico.net>]  
**Sent:** Friday, April 20, 2018 10:51 AM  
**To:** Dan Tadic <[dan.tadic@cityofsitka.org](mailto:dan.tadic@cityofsitka.org)>  
**Subject:** RE: O'Connell Bridge Lightering Float Pile Replacement permitting & bidder qualifications

Yes.

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**From:** Dan Tadic [<mailto:dan.tadic@cityofsitka.org>]  
**Sent:** Friday, April 20, 2018 11:46 AM  
**To:** Jimmy Martinsen <[jimmy@tamico.net](mailto:jimmy@tamico.net)>  
**Subject:** RE: O'Connell Bridge Lightering Float Pile Replacement permitting & bidder qualifications

Thanks. Are you also giving me permission to reach out to your proposed Permitting Specialist?

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**From:** Jimmy Martinsen [<mailto:jimmy@tamico.net>]  
**Sent:** Friday, April 20, 2018 10:43 AM  
**To:** Dan Tadic <[dan.tadic@cityofsitka.org](mailto:dan.tadic@cityofsitka.org)>  
**Subject:** Re: O'Connell Bridge Lightering Float Pile Replacement permitting & bidder qualifications

Will do.

On Fri, Apr 20, 2018 at 11:36 AM Dan Tadic <[dan.tadic@cityofsitka.org](mailto:dan.tadic@cityofsitka.org)> wrote:

Good morning Jimmy,

I am conducting my due diligence on your Bidder Qualifications for the O'Connell project. Your proposed permitting specialist did not list any IHAs that they have successfully obtained as requested. Do you mind if I reach out to him directly to determine his experience in this regard?

Also, can you provide me with a brief narrative of your proposed permitting plan to include permit compliance by COB today?

Thanks,

**Dan Tadic, P.E.**

**Municipal Engineer**

**City and Borough of Sitka**

**Department of Public Works**

**100 Lincoln Street**

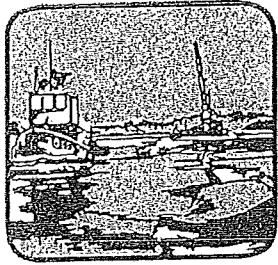
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## TAMICO, INC.

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Date: 4/23/18

City and Borough of Sitka  
100 Lincoln St  
Sitka, AK 99835

Regarding: O'Connell Bridge Lightering Float

Attention: Dan Tadic

After reviewing the bid tabulations for this project it has become clear that the permitting for the project has the potential costs beyond what was presented in bid documents. I have had lengthy discussions with our permitting subcontractor, USACE, and NMFS about the issue.

Our intention was to be able to do a standard corp permit. Being that it is a maintenance project with small diameter pile and a limited number of pile it should be possible without a lot of extra permitting.

There are a number of agencies needing approval, so there is the possibility that the project may fall under differing conditions or interpretations not foreseen.

As we do not know the outcome of the process until it is executed, if the project does not qualify for the standard-informal nationwide permitting processing then it would be a "change of conditions" and excess costs would be paid by the owner. This strategy gives the City and Borough of Sitka the permit for the least cost. By doing so the owner is not obligated to pay excess money for a permit process that most likely does not require an IHA, but was bid as such.

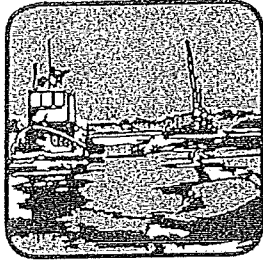
If this is not acceptable by the Borough and the contract cannot be amended to account for this we would have to respectfully withdraw our proposal.

I hope we can come to a conclusion that makes this project successful for all parties.

Sincerely

*Jim Martinsen*

Jim Martinsen  
President Tamico Inc



## TAMICO, INC.

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### Permit Application and Compliance Narrative

#### Permit Application

- Using the design/specs presented we will apply for USACE permit for the project.
- USACE has estimated a 60 day time period to obtain permit
- NMFS fisheries has no issues as long as work adheres to in water restrictions as they pertain to herring and salmon fry in the area
- NMFS Protected Resources main concern is Whales. Per our conversations to keep the permit at informal status we would
  - Try and limit our pile work duration on site- hopefully 3-6 days
  - limit size of casing to less than 24"
  - Use of an impact hammer instead of vibratory to minimize sound
  - Use of a sound mitigation technique- bubble or silt curtain

#### Compliance

- Use mammal monitors during all pile driving/drilling procedures
- Depending on type of equipment used the monitoring radius is variable
  - Vibratory Hammer- larger radius
  - Impact Hammer/drills- smaller radius
- Depending on no presence of mammals use of sound mitigation might not be used. This technique will only be used if mammals at larger radius hinder any work

#### Exclusions

Due to the subjectivity of this permit if the guidelines put forth by this permit do not allow the Contractor to do the work as intended it would constitute a change of conditions. This is not anticipated, but if NMFS or USACE puts unforeseen restrictions on the permit it is of no fault of the contractor.