

Tori Fleming

From: Jimmy Martinsen <jimmy@tamico.net>
Sent: Wednesday, April 25, 2018 12:59 PM
To: Tori Fleming
Cc: Keith Brady; Brian Hanson; Dan Tadic; Michael Harmon; 'Carrie Martinsen'
Subject: RE: Withdrawal of Bid O'Connell Bridge Lightering Facility
Attachments: Tamico Response 4-25.pdf

Tori

Thank you.

Attached is Tamicos' response to Michael Harmons' letter.

Please keep us informed to this projects progression.

Have a great day

-----Original Message-----

From: Tori Fleming [mailto:tori.fleming@cityofsitka.org]
Sent: Tuesday, April 24, 2018 5:33 PM
To: Jimmy Martinsen <jimmy@tamico.net>
Cc: Keith Brady <keith.brady@cityofsitka.org>; Brian Hanson <brian.hanson@cityofsitka.org>; Dan Tadic <dan.tadic@cityofsitka.org>; Michael Harmon <michael.harmon@cityofsitka.org>
Subject: Withdrawal of Bid O'Connell Bridge Lightering Facility

Good Evening,

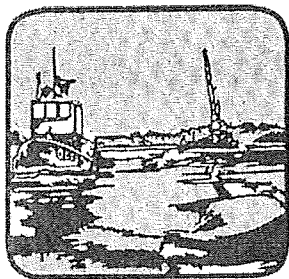
Please find the attached letter for the O'Connell Bridge Lightering Facility Pile Replacement project.

Thank you,

Tori

Tori Fleming
Contract Manager
City and Borough of Sitka
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TAMICO, INC.

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Petersburg, AK • 99833
Phone (907) 772-4585
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Date: 4/25/18

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

Regarding: O'Connell Bridge Lightering Float

Attention: Michael Harmon

Thank you for your quick response. Although I can understand your logic, we differ on the interpretations of the bidder qualification process as well as the bid documents as presented on this project.

You are correct that we do not intend to do an IHA for this project. I have talked extensively with USACE, NMFS, and other engineering firms and every indicator was that with several inexpensive mitigation procedures the mammal observation radius can be brought to a workable level. It is a tactic that literally save \$137,000 on this bid item.

There is nothing in the bidding/project specs that specifically say that the permit needs to have the IHA attached. Mr Tadic's comments on the issue at the prebid, although informative, still did not make an IHA mandatory. If this were the case the bid documents would have been very clear on this. To further clarify the bid documents would also have given all correspondences that CBS had in their initial attempts to obtain the permit. I had contacted Mr Tadic on Monday asking for any documentation that CBS may have had, but have yet to receive anything. I am a little skeptical on CBS's attempts at clarifying what is needed as all personnel I had talked with at NMFS & USACE had not heard of the project.

In our attempts to secure a permitting subcontractor we came across several obstacles. First was that CBS denied our first choice which was PND for fear of conflict of interest. We then pursued another permitting agency, on PND's recommendation, only to be told that they were working exclusively with another contractor. We then had lengthy discussions with R & M as well as others to come to the conclusion that we could do it without an IHA. At this point I am not sure what it all means, but on paper it doesn't read entirely clean as our pool of choices was severely hampered.

On the bigger scope of things, if CBS does elect to pay this large sum of money to obtain an unnecessary IHA, it is only hurting the industry and other entities submitting for Corp permits on future maintenance

projects. This kind of action will lead to projects not being feasible as well as not enough work to keep contractors working.

By the wording of your letter Tamico understands that we are non-responsive due to our permitting specialist and intentions. Tamico would also like to convey that CBS was not complete in its bid documentation due to lack of information needed to be able to bid on an even playing field.

Sincerely

Jim Martinsen

Jim Martinsen
President Tamico Inc