

TRANSMITTAL #1



A Member of the American Marine Services Group

Port of Los Angeles
Board of Harbor Commissioners
425 S Palos Verdes St.
San Pedro, CA 90731

Subject: Parker Diving Services Does Not Qualify for the Port of Los Angeles Diving Services Contract Bid No. F-629

Dear Board Members,

It has come to our attention that Parker Diving Services is the apparent low bidder on the Port of Los Angeles Diving Services Bid No. F-629. We would like to protest the award of this bid to Parker Diving Services as they are not the responsible choice for this contract. Parker Diving Services has demonstrated that they are not a responsible bidder in the following ways:

1. Parker Diving obtained our (American Marine Corporation's) bid numbers from 3 years ago and used those exact numbers (to the cent) in their 2009 bid. This demonstrates their inability to read and understand the bid package and analyze their actual costs, and will likely result in change orders that will cost the port more money. The numbers submitted by Parker Diving for the dive team component marginally cover their labor costs if they intend to comply with the prevailing wage laws and the requisite Marine Employers Liability insurance coverage – thereby leaving insufficient funds to cover their vessel operating costs and overhead.
2. Parker Diving submitted a line item charge of "0" (zero) on its bid for a "dive team charge per hour for less than 8 hours work". They were the only bidder to do so. This action underscores their inability to present a responsible bid. By submitting such a number, the Port would have every right (and under the basic tenants of fiscal responsibility would be mandated) to employ them for 7 hours per day, 5 days per week at zero cost to the Port, since that is what Parker Diving submitted for its bid number for that line item.
3. Parker Diving is currently working as a diving subcontractor to Connolly Pacific on the Berth 73 W, X, Y and Z project. Their work with respect to this project indicates severe deficiencies in the quality of work, and specifically as it pertains to pile wrapping, mud line seals, and tidal wraps. The Port of Los Angeles' inspection of the work that occurred in August, 2009 and was supported by underwater photography and video, clearly indicates that Parker Diving was responsible for 33 deficiencies at berth 73W, 43 deficiencies at berth 73X, 42 deficiencies at berth 73Y, and 31 deficiencies at berth 73Z. Parker had deficiencies on 149 piles of the 388 piles that were incorporated in the berth 73

W, X, Y and Z project, for an overall deficiency rate of over 38%. (See Exhibit A for inspection report) Not only was their work deficient, but Parker also did not sufficiently understand the bid documents and specifications when they bid the job and thus requested a change order for \$95,446. This change order was to clear underwater obstructions (including rocks), remove extra thick concrete and build new forms around the base of piles. The drawings for this job clearly state "any obstruction encountered (for example, large boulders or rip-rap) while performing repairs shall be removed at no additional cost to the Port." Again, what this means for the Port is more money spent on change orders and to get the work done correctly and more time spent in having the same job done multiple times.

4. Parker Diving is also working at Berth 191 as a subcontractor to Connolly Pacific and similar deficiencies have been noted in the Port of Los Angeles' inspection of the work that occurred in October, 2009. This inspection was also supported by underwater photography and indicates severe deficiencies in the quality of work with respect to mudline/subwrap, tidal wrap, and timber braces. The overall deficiency rate at Berth 191 was 25%. (See Exhibit B for inspection report)
5. Parker Diving is presently working as a subcontractor on the Port's Marine Services contract. Parker is pouring/pumping concrete to fill voids to repair undermined and collapsing rat proofing at Berth 128. The Port of Los Angeles inspected Berth 128 on Oct 8, 2009. Video and pictures were taken and on the video at minute 13:18 there is evidence of Parker Diving's concrete over pour, which extends 15'-20' away from the concrete bag walls. The video and pictures clearly show Parker Diving's poor methodology and planning on the Marine Improvements POLA Contract. The direction in the bid documents to repair undermined rat proofing and collapsed rat proofing was not followed. Based on the inspection, Parker conducted insufficient excavation of the primary concrete filled bag placement. There were no 6" core access holes for injecting slurry as per the drawing No. 1-2674 SR 0.1 Detail 1. There is no confirmation of retained slurry in the voids. There is no evidence of any drilling or doweling in order to repair the collapsed rat proofing as per the drawing No 1-2674 SR0.1 Detail 2. There was evidence of excessive over pour and slurry wastage. The concrete over pour demonstrates Parker's lack of concern for the environment due to the over-pour suffocating plants and organisms and otherwise making that portion of the harbor bottom devoid of all aquatic life. Their other deviations from the plans and specs shows their inability to read, understand and follow bid documents and drawings. (Video available upon request)
6. Approximately 10 years ago (estimated: 1997-2000), Parker Diving Services provided one team on the POLA Diving Services Contract when the contract required that two separate entities undertake the work. At that time, under POLA's insistence, their diver, Gene Fenton, was removed from the project after numerous improper rock line seals were continually noted. American Marine, as the other entity working on the POLA Diving services contract at the time, was

asked to check all of diver Fenton's work and correct all of his deficiencies. Later on during that same contract period, numerous pile repairs conducted by Parker Diving at Berth 195 were found to have been done improperly. Further, half barrels were placed on rocks for forms with no footing dug for concrete placement; which obviously resulted in undermined and exposed pilings in less than a year's time, leaving the bare wood exposed to worm infestation necessitating eventual significant repair and/or replacement. (for pictures, see Exhibit C)

As you can see from our last example, Parker was doing the work incorrectly 10 years ago and, as indicated in items 3, 4, and 5 above, they are making the same mistakes now. This proves their inability to learn on the job and will put unnecessary added stress on POLA staff in trying to manage the project.

It appears quite evident that Parker Diving never read the bid package, nor did they ever attend any of the recommended pre-bid meetings. Their bid submittal should be deemed unresponsive, because as per item 2 above, they submitted a bid whereby the Port could have them work for three years for free. Items 3 through 6 above, illustrate a complete inability to perform the work required under this contract in a manner satisfactory to the Port, and more importantly underscore the fact that they have made no improvement in work quality over the past 10 years. It is also our understanding that Parker Diving does not possess the vessels that meet the bid specs, nor do they possess the required heavy-gear, nor do they have heavy gear experience (which was required for this contract for safety purposes and was specifically emphasized in an addendum to the bid).

Finally, if Parker is awarded this contract where will it leave the Port since awarding them with the POLA Diving Services Contract allows them to inspect their own work? Do you think they will report their own deficiencies? Ultimately, awarding Parker will cost the port more money, time, and headaches in correcting their deficient work.

If you plan to award this contract to Parker Diving Services, we urge you to reconsider and take into account what we have highlighted here.

Please call with any questions or concerns.

Sincerely,

George E. Wittich
Vice President

Exhibit A



1500 S. Barracuda St., Terminal Island, CA 90731 (310) 547-0919 Fax (310) 547-0031

August, 28th 2009

Port of Los Angeles
Construction and Maintenance Division
500 Pier "A" Street
Berth 161
Wilmington, CA 90744

Attention: Director of Port Construction & Maintenance.

Re: Berth 73W Timber wharf and pile inspection.

An inspection was performed in August of 2009 by American Marine Corporation's dive team. The purpose of this inspection was to verify that wharf rehabilitation was completed, as per the plans and specifications. The components we were instructed to inspect on the timber piling were as follows: Mudline seal/Rockline seal, mudlinewrap/subwrap, tidalwrap with upper and lower bands, the steel strap that connects the pile to cap, Shims and felt that go in between the pile and cap, timber block that travels between the pile rows under the cap, and the seawall strap that attaches the cap to the seawall. Enclosed is a punch list of outstanding work to be completed. **Berth 73W inspection only, as listed below:**

- **Mudline/Rockline seals**-18 out of 34 piles inspected either had no seal or improper seal as stated in 1SR7, 1SR9, and 5SR7.
- **Mudline/subwrap**-2 out of 37 piles inspected either was missing or had insufficient nailing as stated in 1SR7.
- **Tidalwrap/Tidal extension**-37 out of 66 piles inspected, the wrap was either missing, had improper seals, faulty wrap fabrication or had insufficient nailing as stated in 1SR7. With regard to top of tidal wrap elevation, the city inspector Bruce Ballard gave approval for a 6inch allowance, so tidal wrap elevations were only listed in this report if they were lower than plus 7' mean lower low water.
- **Upper band/Lower band**-3SR7 and 4SR7. 35 out of 134 bands inspected have improper sealing, insufficient nails or were missing.
- **Steel strap**-Pile straps that attach cap to pile (3SR6) -12 out of 45 straps were deficient. The

bolts were cut so the tidal extensions could be installed these should be coated with cold spray galvanizing paint.

- **Shim**-Hardwood treated shims between cap and pile-0 out of 36 shims There were no deficient shims however there is areas with excessive shims 2" or greater. This was noted on the field inspection sheets.
- **Timber block**- 0 out of 37 Of the 6"X12" blocking that runs between pile rows and that is bolted under cap all of the timber blocking ran the full length between the piles with smaller blocks of wood or shims.
- **Pile stubs**- There is a total of 6 piles that has not yet been removed.

Other salient points:

1. A number of the batter piles were driven on the opposite side of the pile row line than what was originally called for in the plans.
2. The wood blocking that attaches to the seawall to support the cap is at an elevation of plus 6.5 feet and the lower portion gets immersed in seawater and should be wrapped. There is 1 wood block at 73W.
3. There is a 6' to 10' wall of concrete bags placed throughout the berths in the #4 pile row position. This is creating a tremendous lateral load on the old existing bearing pile. There has been a tremendous volume of concrete poured between the bags and the seawall. The concrete laitance extends out past pierhead with a 3" to 4" coating of concrete all over the seafloor.

For further details, refer to the attached field pile inspection sheets, underwater video and photographs. If you require additional clarification or information please call me at (310)345-8536.

Thank you,



Wade Bliss
American Marine Corporation

CC: P.Lit



1500 S. Barracuda St., Terminal Island, CA 90731 (310) 547-0919 Fax (310) 547-0031

July 31, 2009

Port of Los Angeles
Construction and Maintenance Division
500 Pier "A" Street
Berth 161
Wilmington, CA 90744

Attention: Director of Port Construction & Maintenance.

Re: Berth 73X and Y Timber wharf and pile inspection. Berth 73W and Z are still outstanding

An inspection was performed in July of 2009 by American Marine Corporation's dive team. The purpose of this inspection was to verify that wharf rehabilitation was completed, as per the plans and specifications. The components we were instructed to inspect on the timber piling were as follows: Mudline seal/Rockline seal, mudlinewrap/subwrap, tidalwrap with upper and lower bands, the steel strap that connects the pile to cap, Shims and felt that go in between the pile and cap, timber block that travels between the pile rows under the cap, and the seawall strap that attaches the cap to the seawall. Enclosed is a punch list of outstanding work to be completed.

Berth 73X and Y inspection only, as listed below:

- **Mudline/Rockline seals**-22 out of 59 piles inspected either had no seal or improper seal as stated in 1SR7, 1SR9, and 5SR7. There were concrete bags placed around perimeter without any excavation, and then the annulus between the pile and concrete bags were poured with concrete. Over a period of time the mud below the rocks and bags will scour out and there will be bare wood exposed under the glob of concrete. See photos of berth 73X bent 17 pile 2-B. (Please see on sheet XR-1 note 2 regarding obstructions while performing repairs and seals.)
- **Mudline/subwrap**-12 out of 56 piles inspected either were missing or had insufficient nailing as stated in 1SR7.
- **Tidalwrap/Tidal extension**-137 out of 155 piles inspected, the wrap was either missing, had improper seals, faulty wrap fabrication or had insufficient nailing as stated in 1SR7. With regard to top of tidal wrap elevation, the city inspector Bruce Ballard gave approval for a 6inch allowance, so tidal wrap elevations were only listed in this report if they were lower than plus 7' mean lower low water.
- **Upper band/Lower band**- 157 out of 318 bands inspected has improper sealing, insufficient nails or were missing. 3SR7 and 4SR7.
- **Steel strap**-Pile straps that attach cap to pile-2 out of 103 straps were deficient 1 was missing and the other was fractured.3SR6 The bolts were cut so the tidal extensions could be installed these should be coated with cold spray galvanizing paint.

- **Shim**-Hardwood treated shims between cap and pile-8 out of 73 shims were either missing or missing toe nails, and 1 pile needed 60# felt between pile and cap.
- **Timber block**- 10 out of 57 Of the 6"X12" blocking that runs between pile rows and that is bolted under cap do not run the full length between the piles.
- **Seawall strap**- 1 out of 29 The wood blocking that attaches to the seawall is at an elevation of plus 6.5 feet and the lower portion that gets immersed in seawater should be wrapped. 1 of the wood blocks has moderate checking.

Other salient points:

1. A number of the batter piles were driven on the opposite side of the pile row line than what was originally called for in the plans.
2. Approximately 16 pile stubs are extending 2' or more from the sea floor.
3. At berth 73Y bent 13 pile 2B the batter pile has not been installed.
4. The fire wall bent at berth 73X bent 24 has debris underwater all along the bent line and has not been entirely removed.
5. At berth 73X bent 16 pile #1 the pile was driven 32" off of center of pile row 1 position.
6. There is a 6' to 10' wall of concrete bags placed throughout the berths in the #4 pile row position. This is creating a tremendous lateral load on the old existing bearing pile. There has been a tremendous volume of concrete poured between the bags and the seawall. The concrete laitance extends out past pierhead with a 3" to 6" coating of concrete all over the seafloor.

For further details, refer to the attached field pile inspection sheets, associated diagrams and photographs. If you require additional clarification or information please call me at (310)345-8536.

Thank you,



Wade Bliss
American Marine Corporation

CC: P.Lit



1500 S. Barracuda St., Terminal Island, CA 90731 (310) 547-0919 Fax (310) 547-0031

August, 31st 2009

Port of Los Angeles
Construction and Maintenance Division
500 Pier "A" Street
Berth 161
Wilmington, CA 90744

Attention: Director of Port Construction & Maintenance.

Re: Berth 73Z Timber wharf and pile inspection.

An inspection was performed in August of 2009 by American Marine Corporation's dive team. The purpose of this inspection was to verify that wharf rehabilitation was completed, as per the plans and specifications. The components we were instructed to inspect on the timber piling were as follows: Mudline seal/Rockline seal, mudlinewrap/subwrap, tidalwrap with upper and lower bands, the steel strap that connects the pile to cap, Shims and felt that go in between the pile and cap, timber block that travels between the pile rows under the cap, and the seawall strap that attaches the cap to the seawall. Enclosed is a punch list of outstanding work to be completed. **Berth 73Z inspection only, as listed below:**

- **Mudline/Rockline seals**-7 out of 54 piles inspected either had no seal or improper seal as stated in 1SR7, 1SR9, and 5SR7.
- **Mudline/subwrap**-0 out of 42 piles inspected either was missing or had insufficient nailing as stated in 1SR7.
- **Tidalwrap/Tidal extension**-56 out of 108 piles inspected, the wrap was either missing, had improper seals, faulty wrap fabrication or had insufficient nailing as stated in 1SR7. With regard to top of tidal wrap elevation, the city inspector Bruce Ballard gave approval for a 6inch allowance, so tidal wrap elevations were only listed in this report if they were lower than plus 7' mean lower low water.
- **Upper band/Lower band**-3SR7 and 4SR7. 2 out of 221 bands inspected have improper sealing, insufficient nails or were missing.
- **Steel strap**-Pile straps that attach cap to pile (3SR6) -0 out of 72 straps were deficient. The bolts were cut so the tidal extensions could be installed these should be coated with cold spray galvanizing paint.

- **Shim/ Felt**-The felt that goes between cap and pile-24 out of 62 piles There were no felt positioned between the cap and top of replaced pile.
- **Timber block**- 6 out of 60 Of the 6"X12" blocking that runs between pile rows and that is bolted under cap all of the timber blocking ran the full length between the piles with smaller blocks of wood or shims.
- **Pile stubs**- There is a total of 10 piles that has not yet been removed.

Other salient points:

1. A number of the batter piles were driven on the opposite side of the pile row line than what was originally called for in the plans.
2. The wood blocking (Ledger) that attaches to the seawall to support the cap is at an elevation of plus 6.5 feet and the lower portion gets immersed in seawater and should be wrapped. There are 5 unwrapped wood ledger blocks at 73z.
3. There is a 6' to 10' wall of concrete bags placed throughout the berths in the #4 pile row position. This is creating a tremendous lateral load on the old existing bearing pile. There has been a tremendous volume of concrete poured between the bags and the seawall. The concrete laitance extends out past pierhead with a 3" to 4" coating of concrete all over the seafloor.

For further details, refer to the attached field pile inspection sheets, underwater video and photographs. If you require additional clarification or information please call me at (310)345-8536.

Thank you,

Wade Bliss
Ralph Tuckfield

Wade Bliss/Ralph Tuckfield
American Marine Corporation

CC: P.Lit

Exhibit B



1500 S. Barracuda St., Terminal Island, CA 90731 (310) 547-0919 Fax (310) 547-0031

October 23, 2009

Port of Los Angeles
Construction and Maintenance Division
500 Pier "A" Street
Berth 161
Wilmington, CA 90744

Attention: Director of Port Construction & Maintenance.

Re: Berth 191 Timber wharf and pile inspection.

An inspection was performed in October of 2009 by American Marine Corporation's dive team. The purpose of this inspection was to verify that wharf rehabilitation was completed, as per the plans and specifications. The components inspected were as follows:

1. Timber pile wrap and wrapped timber cross bracing.
2. Steel straps that connects the pile to cap, and back of cap to concrete pile. Shims and felt that go in between the pile and cap, timber block that travels between the pile rows under the cap, and corbels that fit in between the cap and sub cap.

Berth 191 Summary of deficient items:

- **Mudline/Rockline seals**-0 out of 20 there were no deficiencies found out of 20 seals inspected. Piles were pre-wrapped with 150mill prior to driving.
- **Mudline/subwrap**-17 out of 96 piles inspected either was missing or had insufficient nailing as stated in 1SR7.
- **Tidalwrap/Tidal extension**-35 out of 79 piles inspected, the wrap was either missing, had improper seals, faulty wrap fabrication or had insufficient nailing as stated in 1SR7.
- **Upper band/Lower band**-3SR7 and 4SR7. 18 out of 162 bands inspected have improper sealing, insufficient nails or were missing.
- **Steel strap**-Pile straps that attach cap to pile (3SR6) -11 out of 50 straps were deficient. Meaning there was bare uncoated steel present, or straps were not installed
- **Shim/ Felt** -10 out of 39 piles there was either no felt positioned between the cap and top of

replaced pile. Or insufficient nailing to fasten shim in place, and excessive shimming to create a bearing load between underside of cap and top of pile.

- **Timber block-** 7 out of 16 of the 6"X12" blocking that runs between pile rows did not make contact with adjacent pile.
- **Steel strap-** 0 out of 2 no problems found (fastens back of cap to concrete pile.)
- **Timber Braces-** 21 out of 26 items that need repair of the braces inspected.
- **Corbel-** 3 out of 4 corbels that were installed have severe checking along the wood grain.
- **Pile stubs-** There is one 12' pile stub to remove. As stated in specifications (Page 31 62 19-7 Spec.2700)
- **Stainless Steel nail fasteners** used to secure wrap to timber pile: There is a large percentage of corrosion and rusting already forming on the nail and washer. There is also dissimilar metals joined together which may cause corrosion. I.e.: where the aluminum bands are fastened to the pile with stainless steel nails. At the POLA Construction & Maintenance division aluminum nails are used to secure the aluminum bands to the pile.
- A number of the bracing was not replaced in kind meaning an A-brace that was called for replacement was left in place, and a new brace was installed in the B-brace position. This is the same support angle as the adjacent batter pile.
- The original construction of this wharf utilized a number of sub caps that is at a very low tide elevation (approximately plus 5') consequently the top of the new pile will get immersed several times per day. It is recommended to seal all exposed wood with and epoxy or wrap covering to prevent marine borer attack.

For further details, refer to the attached field pile inspection sheets, and photographs. If you require additional clarification or information please call me at (310)345-8536.

Thank you,

Wade Bliss
Ralph Tuckfield

Wade Bliss/Ralph Tuckfield
American Marine Corporation

CC: P.Lit



Parker's Previous Work
(year ≈ 2000)

Exhibit C