

December 18, 2025

Jim Aho – Commissioner & Ports Project Manager  
Port of Illahee  
PO Box 2357  
Bremerton, WA 98310

RE: Termination of Soundwest Engineering Services Contract

Jim,

The purpose of this letter is to summarize information related to the termination of engineering services per the notice emailed to you on December 2, 2025, and to provide the Port with some relevant project related details. Termination for convenience typically provides for a 30-day notice however, due to the upcoming holiday schedule and fact that very limited business is expected to occur between 12/18/25 and 1/5/26, we have mutually agreed that the date of contract termination shall be the close of business on December 18, 2025.

Background

It has been my understanding through repeated correspondence with you, as well as comments from others who have attended recent port commission meetings, that the commissioners who will remain in office in 2026 do not wish to have any further assistance from Soundwest Engineering following substantial completion of the construction project. During our phone conversation on December 1, 2025, you specifically confirmed this and we agreed during that phone conversation that Soundwest would terminate services as of December 18, 2025 with the hopes of closing out as much of the construction contract logistics up to that time as reasonably possible.

It is not customary or usual for professional services to be terminated on a project of this type in this manner and in an effort to assist the Port in this transition I have prepared the following list of informational items that should be considered and/or completed by others. The following list is not and shall not be construed to include everything that may be required following the termination date. Should the Port Commissioners wish additional limited assistance from Soundwest Engineering related to this project in 2026 they may reach me directly anytime as further described below.

Construction and Contract Status at Termination Date

- Issuance of Substantial Completion for the construction project is recommended immediately following the pending items listed in my 12/15/25 email to the Contractor (attached for reference). From the substantial completion date forward the Port of Illahee may choose to begin using the site for its intended purpose and accepts responsibility for all management and safety concerns associated with the project site. The Port's project manager, Commissioner Aho, has been directly involved in site reviews of all final construction items and approval of issuing substantial completion to the Contractor.
- Physical Completion contractually marks the point when all work is complete. Issuance of Final Completion is recommended immediately following the pending items listed in my 12/15/25 email.
- A preliminary list of final forms for contract closure was transmitted by Soundwest to the Contractor on December 2. All final contract forms received by Soundwest will be transmitted to the Port, and the Contractor has been advised to additionally mail any final forms directly to the Port after December 18, 2025.
- Final pay requests #7 and #8 were reviewed by Soundwest on December 5; payment of pay request #7 was recommended for approval at the December Commission meeting. Payment of pay request #8 was recommended for payment at the January, 2026 Commission meeting pending confirmation of physical completion and final permit fee costs. It should be noted that pay request #8 may require minor modifications within the permit fees bid item to account for final inspections costs should they occur.
- Final payment for Engineering services shall occur via two final invoices; payment for services through December 5, 2025 shall be reviewed by Commissioner Aho and approved for payment at the December Commission meeting, and payment for services from December 6, 2025 through December 18, 2025 shall be reviewed and approved by Commissioner Aho in December of 2025 with payment issued no later than the second week of January, 2026.

Partial List of Recommendations and/or Requirements Following Termination of Services

- Soundwest will not be able to assist the Port with any required final project permit requirements or Agency and/or Tribal request after December 18, 2025 due to termination of services. Notice will be given to Agencies and Tribal entities that Soundwest services have been terminated and all future matters will be referred to the Port of Illahee. The Port is advised that some permits will require final actions by the Port and that all project permits issued by State and Federal Agencies are contained in the

appendix of the conformed bid documents for reference. All final county permits and inspection documents will be handled by the Contractor and transmitted to the Port as soon as reasonably possible.

- Recall that the Port and Suquamish Tribe entered into an agreement related to this project; the agreement will be included in an electronic archive prepared for the Port. The Port is advised that there are pending matters in that agreement related to signage and potentially other items.
- Project grant related tasks were transitioned from Soundwest to the Port of Illahee responsibility by request of the Port earlier in 2025. The Engineer assumes that the Port of Illahee is aware and will take all actions necessary to conclude any grant related requirements and/or other grant related matters associated with the project.
- As detailed under the terms of change order #2 regarding the PSE electrical relocation, the Port will be required to coordinate any and all matters related to final work by PSE for removal of the power pole and hookup of the relocated electrical services. The Port has acknowledged understanding that the dock lights and power to the dock will not be available until PSE work is concluded and agreed that this fact does not interfere with use of the site for its intended purpose. Substantial and Physical completion will be granted regardless of the status of final PSE work to be coordinated by the Port.
- It has been noted to the Ports project manager on numerous occasions that no engineering or safety reviews of the wood hand railing on the site, including wood railing on the pier and on the newly constructed upland sidewalk, have been conducted. During multiple commission meetings the Commission did not want to authorize Soundwest to assist with such matters. It is assumed and recommended that the Port or others will conduct a safety review of all wood railing (upland and pier) and wood decking at the site and make any further corrections or repairs deemed necessary. Commissioner Aho authorized a temporary wood railing along the new shoreside sidewalk via the minor change bid item; no guarantees or warranty was agreed to by the Contractor and no Engineering design or review was conducted by Soundwest for that wood railing.
- Regulatory agencies including Kitsap County will likely have requirements related to the new water quality vault installed during the project. The Port should be aware of all requirements and maintenance needs recommended and/or required.
- During the preliminary permitting process through Kitsap County the Port agreed to certain landscaping related requirements for maintenance and monitoring of the newly installed landscaping on the project. The Port should make themselves aware of all maintenance and monitoring recommendations and requirements associated with the new landscaping and has acknowledged and accepted responsibility for all landscaping

following substantial completion in accordance with the terms of the bid documents and regulatory agency requirements.

- Due to the complexities and multifaceted nature of this project site and facility as a whole, it is recommended that the Port engage a qualified professional(s) and/or agency officials to conduct site reviews of the facility (upland and marine) to help ensure the safety of the public and all users once opened. The Engineers services during construction shall not be construed to be such a facility site safety review as the Engineer does not have the full breadth of expertise required to adequately make such an inspection and has not been afforded an opportunity to engage others for such assistance due to an unusually early termination of services.
- It is recommended that the Port regularly engage professional services for structural inspection and assessment of the timber pier. The authorized scope of engineering for this project only addressed replacing certain piles that were identified as deficient in a 2022 condition inspection. The County did not require the Engineer to assist the Contractor with any structural engineering assessment of the pier during permitting of the project and no other structural assessments, inspections, or repairs have been authorized or performed that the Soundwest is aware of.
- During the design phase of the project the Engineer noted to the Port that the existing seawall appeared to be beyond its useful life however, as a cost saving measure the Port did not authorize any engineering assessment or repair/replacement design associated with the seawalls on the site. During the construction phase of the project both the Engineer and the Contractor brought the existing condition of the seawalls to the Ports attention again as some portions appeared to have deteriorated even further since the design phase. There was a clear concern regarding stability of the seawall, especially during the anticipated disruptive forces imposed by construction (such as pile driving) and the Port authorized construction change order #1. The Port is reminded that the work included in change order #1 was a temporary construction stabilization measure only and it is recommended that the Port address a permanent solution relative to the seawall on the site.
- As a requirement of the contract documents, the Contractor is responsible for an as-built survey. The survey should contain information related to the location of the driven H-piles used for the shoreline wall stabilization. The survey also contains the location of the monitoring wells previously installed by SLR. The survey will be transmitted to the Port by either Soundwest or the Contractor once complete for the Ports future reference.
- Soundwest will prepare an electronic archive of primary project related documents, including the afore mentioned as-built survey if complete, for the Ports future reference

as needed. Due to time constraints and logistical challenges resulting from the early termination of services, the archive will be limited to primary documents that the Engineer has available and believes to be most relevant for future use.

The Port of Illahee will likely require additional professional assistance after the termination date of Soundwest services for a variety of items, some of which may relate directly to this waterfront improvements project. Should the current Commission wish to engage Soundwest services in the future they are welcome to contact me regarding any needs or necessary limited services relative to this project or other matters to discuss the scope and fees of such services.

Sincerely,  
John Piccone, P.E.  
Soundwest Engineering Associates

The contract termination details described herein are understood and mutually agreed by both parties. The Port of Illahee hereby acknowledges that all Soundwest services provided through the termination date are acceptable and in accordance with Port directives, and releases Soundwest from any and all further project related responsibility.

12-18-25

Date



John Piccone, Soundwest President

12/18/25

Date



Jim Aho, Port Commissioner