

ESSB 5768 - H AMD TO TR COMM AMD (H-3051.1) **828**

By Representative Rodne

NOT ADOPTED 4/22/2009

1 On page 3, after line 5 of the striking amendment, insert the
2 following:

3 "NEW SECTION. **Sec. 2.** A new section is added to chapter 47.01
4 RCW to read as follows:

5 (1) The legislature finds that that it is critical to protect the
6 state's contribution of no more than two billion four hundred million
7 dollars to the Alaskan Way viaduct replacement project by ensuring
8 that it is delivered in a manner that is both on time and within
9 budget.

10 (2) Appropriations for the Alaskan Way viaduct replacement project
11 provided in the 2009-2011 omnibus transportation appropriations act,
12 as well as all future appropriations for this project, shall be
13 appropriated subject to the following conditions:

14 (a)(i) The legislature understands that the port of Seattle
15 intends to contribute at least \$300,000,000 to the Alaskan Way viaduct
16 replacement project. By no later than September 30, 2010, the
17 department of transportation shall enter into a binding agreement with
18 the port, which must commit the port to contribute at least
19 \$300,000,000 to the project.

20 (ii) If the agreement in (a)(i) of this subsection is not executed
21 by September 30, 2010, then:

22 (A) No appropriated funds identified in this section may be
23 expended after that date for the purposes of the viaduct replacement
24 project if the funds have not been obligated to the project, and any
25 remaining funds shall be placed into a reserve status; and

26 (B) The department shall obligate funds remaining under (a)(ii)(A)
27 of this subsection, and apply any future funding programmed for the

1 project, to the transportation partnership projects identified by the
2 legislature as listed in the LEAP Transportation Document 2009-1,
3 Highway Improvement Program (I), as provided in the 2009-2011 omnibus
4 transportation appropriations act;

5 (b)(i) The department of transportation has determined that
6 construction of the deep bore tunnel will begin by December 2011.

7 (ii) If the construction of the deep bore tunnel in subsection
8 (b)(i) of this subsection does not begin by December 2011, then:

9 (A) No funds may be expended after that date for the purposes of
10 the viaduct replacement project, and any remaining unobligated funds
11 shall be placed into a reserve status; and

12 (B) The department shall obligate funds remaining under
13 (b)(ii)(A) of this subsection, and apply any future funding programmed
14 for the project, to the transportation partnership projects identified
15 by the legislature as listed in the LEAP Transportation Document 2009-
16 1, Highway Improvement Program (I), as provided in the 2009-2011
17 omnibus transportation appropriations act;

18 (c)(i) The department of transportation has determined that the
19 south end viaduct replacement project, as described in the list of
20 moving forward projects that are neutral to all viaduct replacement
21 design options, will be completed by 2013 and is estimated to cost no
22 more than \$556,000,000.

23 (ii) If the south end viaduct replacement project under (c)(i) of
24 this subsection is not completed by 2013 or within its estimated cost,
25 then:

26 (A) No funds may be expended after that date for the purposes of
27 the viaduct replacement project, and any remaining unobligated funds
28 shall be placed into a reserve status; and

29 (B) The department shall obligate funds remaining under
30 (c)(ii)(A) of this subsection, and apply any future funding programmed
31 for the project, to the transportation partnership projects identified
32 by the legislature as listed in the LEAP Transportation Document 2009-
33 1, Highway Improvement Program (I), as provided in the 2009-2011
34 omnibus transportation appropriations; and

1 (d)(i) The department of transportation has determined that the
2 transit enhancements and other improvements in the south end, as
3 described in the list of moving forward projects that are neutral to
4 all viaduct replacement design options, will be completed by 2013 and
5 are estimated to cost no more than \$110,000,000.

6 (ii) If the transit enhancements and other improvements under
7 (d)(i) of this subsection are not completed by 2013 or within the
8 estimated amount, then:

9 (A) No funds may be expended after that date for the purposes of
10 the viaduct replacement project, and any remaining unobligated funds
11 shall be placed into a reserve status; and

12 (B) The department shall obligate funds remaining under
13 (d)(ii)(A) of this subsection, and apply any future funding programmed
14 for the project, to the transportation partnership projects identified
15 by the legislature as listed in the LEAP Transportation Document 2009-
16 1, Highway Improvement Program (I), as provided in the 2009-2011
17 omnibus transportation appropriations act."

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19 Renumber the remaining sections consecutively and correct any
20 internal references accordingly.

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EFFECT: Makes ongoing funding of the Alaskan Way viaduct
replacement project contingent upon whether certain milestones are
met.

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