

ESSB 5352 - H AMD TO H AMD (H-3031.2/09) **460**

By Representative Morris

NOT ADOPTED 4/10/2009

1 On page 39 of the amendment, after line 7, insert the following:

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3 "(26) \$444,832,380 of the transportation partnership account--
4 state appropriation, \$87,574,439 of the transportation 2003 account
5 (nickel account) appropriation, \$5,199,924 of the motor vehicle
6 account--private/local appropriation, and \$59,660,070 of the motor
7 vehicle account--federal appropriation are provided solely for the
8 Alaskan Way viaduct replacement project, including both the
9 construction of the deep bore tunnel and removal of the viaduct,
10 identified as project number 809936Z on the LEAP transportation
11 document referenced in subsection 1 of this section. The project
12 shall be delivered in a manner that is both on time and within budget.
13 The state's total contribution to the Alaskan Way viaduct replacement
14 project shall not exceed \$2,400,000,000. The funds appropriated in
15 this section, and all future appropriations for this project, are
16 subject to the following conditions:

17 (a)(i) The legislature understands that the port of Seattle
18 intends to contribute at least \$300,000,000 to the Alaskan Way viaduct
19 replacement project. By no later than September 30, 2010, the
20 department of transportation shall enter into a binding agreement with
21 the port, which must commit the port to contribute at least
22 \$300,000,000 to the project.

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

25 (A) No appropriated funds under this subsection may be expended
26 after that date for the purposes of the viaduct replacement project if

27

1 the funds have not been obligated to the project, and any remaining
2 funds shall be placed into a reserve status; and

3 (B) The department shall obligate funds remaining under subsection
4 (a)(ii)(A) of this subsection, and apply any future funding programmed
5 for the project, to the transportation partnership projects identified
6 by the legislature as listed in the LEAP Transportation Document in
7 subsection (1) of this section;

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

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

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

15 (B) The department shall obligate funds remaining under subsection
16 (b)(ii)(A) of this subsection, and apply any future funding programmed
17 for the project, to the transportation partnership projects identified
18 by the legislature as listed in the LEAP Transportation Document in
19 subsection (1) of this section;

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

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

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

31 (B) The department shall obligate funds remaining under subsection
32 (c)(ii)(A) of this subsection, and apply any future funding programmed
33 for the project, to the transportation partnership projects identified
34

1 by the legislature as listed in the LEAP Transportation Document in
2 subsection (1) of this section; and

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

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

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

14 (B) The department shall obligate funds remaining under subsection
15 (d)(ii)(A) of this subsection, and apply any future funding programmed
16 for the project, to the transportation partnership projects identified
17 by the legislature as listed in the LEAP Transportation Document in
18 subsection (1) of this section."

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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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