
From: Leathers, Kathryn [Leathers.Kathryn@leg.wa.gov]
Sent: Saturday, March 28, 2009 12:13 PM
To: Dye, Dave; Paananen, Ron
Subject: RE: AWV Bill - update

Dave & Ron - Just got out of a meeting with Judy on other matters, and I gave her the heads up about this issue. She's concerned about raising any red flags by amending the bill, and would prefer to get those contracts signed before the bill takes effect. Is that a possibility? If not, I think she'd like to talk to you about it. Sorry to be the bearer of such tidings. K

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

From: Leathers, Kathryn
Sent: Saturday, March 28, 2009 10:54 AM
To: 'Dye, Dave'; Paananen, Ron
Cc: Redfield, Beth; Ziegler, Jennifer
Subject: RE: AWV Bill

Thanks, that makes sense and we'll propose that language. If Ron can fill in any details on the work, that would be great, but this is helpful. On the upside, the bill should not affect any existing contracts (impairment of contract issue), but it sounds like some contracts have yet to be finalized so the bill would affect those - unless, of course, those contracts are signed before the bill takes effect. K

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

From: Dye, Dave [mailto:DyeD@wsdot.wa.gov]
Sent: Saturday, March 28, 2009 10:45 AM
To: Leathers, Kathryn; Paananen, Ron
Cc: Redfield, Beth; Ziegler, Jennifer
Subject: RE: AWV Bill

Kathryn - Two things....first, we have about \$65 million budgeted for Moving Forward utility relocations, some of which are currently under contract and some of which will be under contract soon...but not the whole \$65 million...Ron can get that specific number but if memory serves I think projects we currently have under way or on ad have about 40-45 million of utility work...maybe a little more...

In looking at the language again, I think we would be much better off to use the other option and say no utility relocation shall be paid for by the state for construction of the bored tunnel and removal of the existing viaduct - this is where the really big money is (like 200 to 300 million) that everyone wants to avoid - if we use the language as is I'm concerned that we will be precluded from fulfilling our current contract obligations...Ron?

-dave

From: Leathers, Kathryn [mailto:Leathers.Kathryn@leg.wa.gov]
Sent: Sat 3/28/2009 10:31 AM
To: Dye, Dave; Paananen, Ron
Cc: Redfield, Beth; Ziegler, Jennifer
Subject: FW: AWV Bill

Dave & Ron,

Whoever agrees to fix this will probably want to know how much we've already spent on utilities, some basic info re the work that's been done (e.g., who owns these utilities; which Moving Forward project required utility work), and probably whether we have any more utility work that the state is planning on doing.

Judy is here today and will be available to us by email tomorrow as well. I would prefer to have some more information for her before bringing it up, so if you can get me some general info this weekend I would appreciate it, but I think we'll give her the heads up this weekend regardless. Thanks. Kathryn

From: Redfield, Beth
Sent: Friday, March 27, 2009 8:08 PM
To: Leathers, Kathryn
Subject: RE: AWV Bill

Would this be a stand alone amendment? Or is there one already offered by an agreeable sponsor to hang it in?

From: Leathers, Kathryn
Sent: Friday, March 27, 2009 7:58 PM
To: 'Ziegler, Jennifer (GOV)'; Redfield, Beth; Dye, Dave
Cc: PaananR@WSDOT.WA.GOV
Subject: RE: AWV Bill

I guess all of the options bring attention to the fact that the state is paying (or has paid) for some utility work, and, as you know, the utility thing is a sensitive issue for some. Bummer. Okay, well, I think the lesser of the evils is to refer to utility relocation related to construction of the tunnel, but I'll draft whatever anyone wants me to. K

From: Ziegler, Jennifer (GOV) [mailto:Jennifer.Ziegler@gov.wa.gov]
Sent: Friday, March 27, 2009 7:48 PM
To: Redfield, Beth; Dye, Dave; Leathers, Kathryn
Cc: PaananR@WSDOT.WA.GOV
Subject: Re: AWV Bill

Would it make sense to reference a specific date? Maybe utility relocation after January 2010? My only concern with additional is that a baseline is not referenced. The other option could be to just refer to utility relocation related to construction of the tunnel.

From: Redfield, Beth <Redfield.Beth@leg.wa.gov>
To: Dye, Dave; Ziegler, Jennifer (GOV); Leathers, Kathryn <Leathers.Kathryn@leg.wa.gov>
Cc: Paananen, Ron <PaananR@WSDOT.WA.GOV>
Sent: Fri Mar 27 19:28:45 2009
Subject: RE: AWV Bill

Kathryn is staff on this bill and wonders if we simply add the word "additional" would that work? See below.

Viaduct bill, 5768, Sec 1(2):

(2) The state route number 99 Alaskan Way viaduct replacement project finance plan must include state funding not to exceed two billion four hundred million dollars and must also include at least four hundred million dollars in toll revenue. These funds must be used solely to build a replacement tunnel, as described in subsection (1) of this section, and to remove the existing state route number 99 Alaskan Way viaduct. All costs associated with city utility relocations for state

work as described in this section must be borne by the city of Seattle and provided in a manner that meets project construction schedule requirements as determined by the department. State funding is not authorized for any additional utility relocation costs, or for central seawall or waterfront promenade improvements.

It might be difficult to frame the acceptable utility work. Can we say "additional utility relocation costs" and be okay?

From: Dye, Dave [mailto:DyeD@wsdot.wa.gov]
Sent: Friday, March 27, 2009 3:12 PM
To: Ziegler, Jennifer; Redfield, Beth
Cc: Paananen, Ron
Subject: AWV Bill

Just so I don't forget, the language in the viaduct bill passed by the senate that says the funding provided cannot be used to relocate utilities needs some tweaking (or creative interpretation with agreement) because we have already spent money for utility relocation in the south end and are doing a bit more to prepare for the south end project under the moving forward program...I think the bill's intention speaks to the tunnel utilities and those on the existing viaduct (and north portal) but I want to make sure we don't get ourselves boxed in -- should we consider tweaks to the language - rumor has it it may move out of committee on Monday...

-dave