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**Sent:** Monday, March 30, 2009 9:50 AM

To: Paananen, Ron; Dye, Dave
Subject: Potential Viaduct Amendments

Importance: High

Take a look below and let me know if you are comfortable.

## Potential Budget Proviso

The department shall provide updated cost estimates for the bored tunnel and the overall SR 99 Viaduct Replacement Program to the legislature and the governor by January 1, 2010. The department must develop the estimates consistently with the Department's Cost Estimate Validation Process. The Department must also consult with independent tunnel engineering experts to review the estimates and risk assumptions. The department shall not enter into a design-build contract for construction of the bored tunnel until the report required in this section has been submitted.

## Potential Amendment to ESSB 5768

Any contract the department enters into regarding construction of the deep bore tunnel must include incentives and penalties to encourage on-time completion of the project and to minimize the potential for cost overruns.

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