



**Washington State
Department of Transportation**
Paula J. Hammond, P.E.
Secretary of Transportation

Urban Corridors
Alaskan Way Viaduct & Seawall Program
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February 26, 2009

Dear Esteemed Colleague:

We appreciate the professional services you have provided to the Alaskan Way Viaduct Replacement (AWV) program over the years. As you know, Governor Christine Gregoire, Mayor Greg Nickels and County Executive Ron Sims announced on January 13th a consensus recommendation to replace the aging viaduct with a single bored tunnel hybrid alternative. We are very pleased by the decision, and awaiting final legislative approval, are looking forward to advancing this delivery of this project with a goal of being open to traffic in late 2015.

You are receiving this correspondence because of your active role as a consultant or subconsultant to the project. In the past weeks, we have received a number of questions as to whether working on current AWV efforts may affect a firm's ability to pursue roles within future design-build contracts for the delivery of the bored tunnel or tunnel portals. To that end, Linea Laird, WSDOT State Construction Engineer and Bob Dyer, WSDOT Mega Projects Construction Engineer are working with the AGC and ACEC to affirm WSDOT policy guidance on avoiding conflicts of interest for future AWV design-build contracts. This policy is anticipated for release in March 2009.

Presently, the AWV team is beginning work on the environmental impact statement (EIS) and the preliminary engineering to support the tunnel EIS. Several firms are identified in the task orders with roles in preparing these work products, and several have asked concerned questions as to whether their continued involvement may interfere with their ability to pursue potential design-build projects. If your firm has interest in pursuing future tunnel-related design-build work, you will need to respond with a letter to me describing the following items:

1. Past AWV work and any potential conflicts of interest
2. Current or planned AWV work and any potential conflicts of interest
3. Description of the steps your firm is taking to mitigate the conflict of interest

If further clarification is needed on this important matter, please do not hesitate to contact myself or Theresa Greco, Deputy Director for Programs and Services, in order to facilitate a response prior to release of the formal WSDOT policy document. Our contact information is as follows:

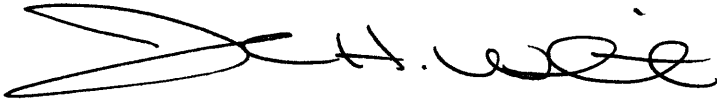
John White: whitejh@wsdot.wa.gov, 206-382-5270
Theresa Greco: greco@wsdot.wa.gov, 206-267-3785

A primary resource in considering your response is Chapter 196-27A of the Washington Administrative Code (fundamental canons and guidelines for professional conduct and practice) which is attached for your convenience. It is critical that we promptly identify any firms where there is a near-term potential for future design-build conflict of interest related to EIS work efforts

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that are beginning this month. Open discussion with any concerned firms along with prompt clarification and resolution will help to ensure that we maintain the positive and professional working relationships that have developed over the years you have supported the AWV program.

Sincerely,

A handwritten signature in black ink, appearing to read "John H. White". The signature is fluid and cursive, with a large initial "J" and "H" followed by "White".

John H. White, P.E.
AWV Program Director

Cc: Linea Laird
Bob Dyer
Dan Galvin, Office of the Attorney General