



ATTACHMENT 2

December 10, 2004

Jim Jacobson
King County Metro Transit
Deputy General Manager
201 South Jackson Street
Seattle, WA 98104-3856

DSTT Master Agreement Contingencies 4.2d, 4.2h and 4.2i

Dear Jim:

Section 4.0 of the DSTT Master Agreement establishes the tunnel closure period contingencies. Section 4.1 states that the Closure Period Construction Work shall include an anticipated Closure Date. The Closure Date shall be set to coincide with the date of a County bus service change and shall be set (a) at least nine months after Sound Transit and the County have agreed upon the final design and schedule for the Closure Period Construction Work and (b) at least four months after Sound Transit has provided written notice to the County and the FTA that the conditions precedent set forth in Section 4.2 (Contingencies) have been satisfied. If the County finds that the Contingencies have been satisfied, the Closure Date shall be established consistent with the agreement.

Sound Transit and the County have been working closely together since 1998, on tunnel closure related plans and activities. More specifically, the two agencies have spent the last 24 months preparing, reviewing and approving the plan sets that were advertised for bid including the C510 civil tunnel retrofit plans, the C802 signal system plans, the C803 communication system plans and the C807 traction power system plans. The final review and approval of the plans were coordinated through the DSTT Oversight Steering Committee that was identified in the DSTT Closure Agreement. All four of these contracts have been awarded by the Sound Transit Board, and the C510 civil contractor has begun work in the Pine Street area.

In early 2004, the representatives for the City, County and Sound Transit began the process of informing the downtown Seattle stakeholders that the tunnel closure would be moved from September 2007 to September 2005. This schedule takes the tunnel retrofit work off the critical path for the light rail project.

The purpose of this letter is to document that Sound Transit has met the DSTT Master Agreement contingencies for 4.2d – Final Design and Construction Schedule, 4.2h – Assurance Sound Transit will open Initial Segment by July 2010 and 4.2i – Assurance that the DSTT will reopen within two years of the closure date.

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Contingency 4.2d – Final Design and Construction Schedule for DSTT

Contingency 4.2d states that the County and Sound Transit must agree in writing to the final design and the construction schedule for the Closure Period Construction Work nine (9) months prior to tunnel closure.

This letter constitutes agreement between the parties that the final design for the C510 civil tunnel retrofit contract, the C802 signal systems contract, the C803 communication systems contract and the C807 traction power systems contract for DSTT construction have been approved.

The attached schedule shows the tunnel closure scheduled for September 24, 2005.

This letter constitutes agreement between the parties that the September 24, 2005 tunnel closure date coincides with the date of a County bus service change and has been established and agreed to at least nine months prior to the tunnel closure date.

Contingency 4.2h – Assurance Sound Transit will open Initial Segment by July 2010

Contingency 4.2h states that Sound Transit must provide written assurances acceptable to the County and the City that Sound Transit will be able to open the Initial Segment for revenue service no later than July 1, 2010.

The attached schedule shows the Initial Segment complete and open for revenue operation on July 3, 2009. This is almost one-year earlier than the contingency date of July 1, 2010.

This letter constitutes Sound Transit's written assurance that the Initial Segment will be open for revenue service prior to the contingency date of July 1, 2010. As the project construction and testing proceeds, Sound Transit will keep the County apprised in writing of any change in the opening day as shown on the attached schedule.

Contingency 4.2i – Assurance DSTT will reopen within Two Years of Closure Date

Contingency 4.2i states that Sound Transit must provide written assurances acceptable to the County and the City that bus service will be able to resume in the tunnel within two years after the closure date.

The attached schedule shows the tunnel closing on September 24, 2005 and reopening for bus use on September 29, 2007, a period of two years. Sound Transit is currently working with the four tunnel contractors to re-open the tunnel at the June 2007 service change.

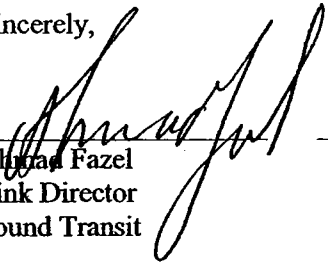
Sound Transit will work closely with the County and the City on any changes to the attached tunnel closure schedule.

This letter constitutes Sound Transit's written assurance that bus service will be able to resume in the tunnel within two years after the closure date of September 24, 2005.

Jim Jacobson
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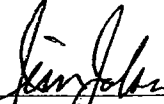
Please indicate your concurrence that Sound Transit has met the three tunnel closure contingencies outlined above by signing both originals and returning one to me.

Sincerely,



Alim Fazel
Link Director
Sound Transit
Date: 12/15/04

Concur:




Jim Jacobson
Deputy General Manager
King County Metro Transit
Date: 12-20-04

AF:mw DSTT Master Agreement Contingency 4.2d, 4.2h, 4.2i

Attachment

c: Michael Williams

Activity Description	Early Start	Early Finish	Year				
			2004	2005	2006	2007	2008
DST/PSST/Downtown Surface Street Improve (Design)							
** Downtown Surface Street Improve (Design)	17MAY03A	16SEP04A					
Civil 510 Bid & Award Construction	30JAN04A	26AUG04A					
Obtain Permits for 510 Construction	16FEB04A	14JAN05					
(510) Board Presentation: Authorize to Award	22JUL04A	22JUL04A					
Civil 510 Construction (incl KCM Testing)	26AUG04A	01JUN07					
** Downtown Surface Street Improvements	17SEP04A	23SEP05					
Tunnel Closure - 4th Saturday in September	24SEP05*						
DS 510 Systems Installation	01MAY06	23JUL07					
Integrated Testing	19APR07	28SEP07					
End of 2-Year DSTT Closure Period		29SEP07*					
Systemwide							
CPS-154th Link Preparation for Revenue	18JUN08	13DEC08					
Initial Segment Completion (CPS-154th)	03JUL09						

Start Date	01SEP07	W411	 <p>SOUNDTRANSIT Prepared by Link Scheduling Team</p>	AS/PSTC/LTK/ST			
Finish Date	03JUL09	LT: MW Layout		Date	Revision	checked	approve
Data Date	31OCT04	FL: FL-Z9		25NOV	BASELINE REV	ALL	
Run Date	30NOV04 17:00	Level 1 - Management Level		26JAN	BASELINE REV	ALL	
© Primavera Systems, Inc.			<p>Link Light Rail Sheet 1 of 1</p> <p>Initial Segment Schedule - November</p> <p>C510 Summary Schedule</p> <p>(w/System Open)</p>				

Initial Segment Completion (CPS-154th) Initial Segment Completion (CPS-154th) Initial Segment Completion (CPS-154th)