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7 **BEFORE THE HEARING EXAMINER**
8 **CITY OF SEATTLE**

9 In the Matter of the Appeals of
10 THE FOUR SEASONS HOTEL SEATTLE, et al.,
11 from a decision issued by the Director,
12 Department of Construction and Inspections,
13 regarding a Major Public Project Construction
Noise Variance

Hearing Examiner Files:
HC-18-001 through HC-18-007

Department Reference:
3029782

DECLARATION OF
BRIAN D. NIELSEN, P.E.

14 BRIAN D. NIELSEN, P.E. declares as follows:

15 1. I am the Program Administrator for the Alaskan Way Viaduct Replacement
16 Program (AWV Program). I have worked on the AWV Program since September 2009, and at
17 the Washington State Department of Transportation (WSDOT) since July 1993. I am a
18 Professional Engineer registered in the State of Washington.

19 2. The AWV Program includes the demolition of the existing Alaskan Way Viaduct
20 (Viaduct), which is vulnerable to seismic failure and will be replaced by the SR 99 Tunnel, set
21 to open late this year.

22 3. My responsibilities as Program Administrator include overseeing the preparation
23 of contract documents for the Viaduct demolition work, which includes removing the Viaduct
24 structure as well as several ramps that currently connect the Viaduct to city streets.
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1 4. Attached as Exhibit 1 is a report regarding economic impacts of the Viaduct
2 demolition project, which was prepared at my direction. This report quantifies the economic cost
3 of the traffic impacts caused by the demolition work. The methodology used in this report is the
4 same as that used by WSDOT to compute the amount set as liquidated damages in contracts
5 when contractors exceed the time allowed for traffic lane closures. It reflects the value of time,
6 based on the fact that people and goods are delayed in traffic.

7 5. The ability to work at night, outside of the time periods allowed by the City of
8 Seattle noise code, provides about 40 percent of additional time for the contractor to complete
9 the work. This should allow the contractor to complete the work prior to the Memorial Day
10 holiday weekend in 2019, which has been one of WSDOT's goals in planning this work. The
11 lack of ability to work at night would likely add a month or more to the demolition work, taking
12 the work into the busy summer months on Seattle's waterfront.

13 6. The traffic and economic cost analysis attached as Exhibit 1 documents that the
14 additional cost to the local economy of this additional time is approximately \$10 million, or
15 more.

16 7. In addition, the cost of the work itself will be higher if work is restricted to the
17 day-time hours allowed by City of Seattle noise code, as compared to the extended hours that
18 have been approved in the Director's Decision. For example, the demolition work requires the
19 use of specialized equipment that will be mobilized to the site. Extending the duration of the
20 work by reducing the hours available to work each day will reduce the efficiency of the
21 equipment and thereby increase the cost of the demolition work. The cost of the Contractor's
22 overhead and WSDOT's oversight also increase with each day that is added to the project.

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1 I certify under penalty of perjury under the laws of the state of Washington that the
2 foregoing is true and correct.

3 DATED this 14th day of May 2018, at Seattle, Washington.
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6 BRIAN D. NIELSEN, P.E.
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