

EXHIBIT HH

Form of DB Contractor Final Lien and Claim Waiver

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Form of DB Contractor Final Lien and Claim Waiver

FINAL LIEN AND CLAIM WAIVER – DB CONTRACTOR

COMMONWEALTH OF VIRGINIA)

:

COUNTY OF)

TO WHOM IT MAY CONCERN:

The undersigned is the authorized representative of SKW CONSTRUCTORS, A SKANSKA, KIEWIT, WEEKS JV (“DB Contractor”), which has contracted to furnish design, construction and other services in connection with the Project (the “DB Work”), located in the Commonwealth of Virginia, pursuant to that certain Design-Build Contract Relating to the Downtown Tunnel/Midtown Tunnel/MLK Extension Project, dated as of December 5, 2011 (the “Agreement”) with ELIZABETH RIVER CROSSINGS OPCO, LLC (“Concessionaire”). Capitalized terms used herein that are not otherwise defined herein have the respective meanings set forth in the Agreement.

The undersigned, on behalf of DB Contractor, DOES HEREBY WAIVE AND RELEASE:

Any and all liens, security interests, encumbrances and other claims, including but not limited to, claims in the nature of mechanics', labor or materialmen's liens or otherwise, with respect to and on the Project, the Project Right of Way and any and all interests and estates therein, and all improvements and materials placed on the Project Right of Way, in each case on account of labor, services, improvements, materials, fixtures, apparatus or machinery furnished by DB Contractor for the Project;

and DOES HEREBY CERTIFY THAT:

There are no liens, security interests, encumbrances and other claims, including but not limited to, claims in the nature of mechanics', labor or materialmen's liens or claims or otherwise, arising out of or in connection with, the performance by DB Contractor or any of the Subcontractors of the DB Work performed under the Agreement, the Project, the Project Right of Way and any and all interests and estates herein and all improvements and materials placed on the Project Right of Way, outstanding or known to exist at the date of this certification; all bills with respect to the DB Work to be performed under the Agreement have been paid (except for \$_____ withheld by Concessionaire pursuant to the Agreement, and disputed amounts for additional work equal to \$_____), and there is no known basis for filing of any liens, security interests, encumbrances and other claims, including but not limited to, claims in the nature of mechanics', labor or materialmen's liens or claims or otherwise arising out of or in

connection with the performance by DB Contractor or any of the Subcontractors of the DB Work under the Agreement.

Signed this ____ day of 20_____.

DB CONTRACTOR

By: _____
Name:
Title:

Subscribed and sworn to before me this ____ day of 20 ____.

Notary Public in and for
said County and State