



December 19, 2025

Letter No. 300
BY-CRE-04280

Washington State Department of Transportation
I-405/SR 167 Program
18911 N Creek Pkwy S, Suite 150
Bothell, WA 98011

Attention: Evelyn Pao, P.E.
Project Director

Project: I-405/Brickyard to SR 527 – Improvement Project
Contract No.: 009727

Subject: Supplemental Notice of Protest 011 – Revised 522 Hub Power Routing

Dear Ms. Pao:

Pursuant to General Provisions Section 1-04.5 (Procedure, Protest, and Dispute), Skanska supplements its Notice of Protest dated December 5, 2025 (Skanska Letter No. 289) regarding WSDOT's written determination in SL No. 211, issued December 8, 2025, concerning the re-routing of the power source to the 522 Transit Hub.

a. The Date and nature of the protested determination.

WSDOT provided the following determination in WSDOT SL No. 9727-203, dated November 21, 2025, that denied merit to a change in location of the source of power for the 522 Transit Hub.

WSDOT has reviewed Skanska Letter No. 273, Design Related Delays & Impacts for SR-522 Transit Hub Power Source Location, dated November 7, 2025, and provides the following determination:

Per RFP Section 2.17.1, General, "The Design-Builder shall perform all Work necessary to meet the Contract requirements for the traffic signal systems. The traffic signal systems for the Project shall include, at a minimum, the following:" which includes "Temporary traffic signal systems" as an item. Also in RFP Section 2.17.1, General, "The Design-Builder shall install electrical services or utilize existing services to provide power for all signal systems, in accordance with the Contract." The design and construction of temporary signal power are included in the base scope of the contract, so there is no merit to additional time or cost."



- b. Full Discussion of the circumstances which caused the protest, including names of persons involved, time, duration and nature of the Work involved, and a review of the Contract Documents/Design Documents referenced to support the protest.**

During the bid phase of the project, Skanska sought clarification regarding the sufficiency of the existing electrical circuit near the UW Bothell campus (UW), identified as UI-0467 in the utility Appendix U2, to support the load demands for the SR522 Transit Hub. In WSDOT's response dated April 19, 2023, it was confirmed that: "PSE has confirmed that the line near the UW Bothell campus is the connection point to use for the 522 Transit Hub and that it has adequate capacity for the load demands of the bus charging yard." This connection point formed a core basis of Skanska's bid assumptions. Skanska proceeded with design of the transit hub power based on the UW location.

As Final design progressed, WSDOT and PSE determined that routing from UW Bothell would be infeasible due to access and environmental permitting issues. Please refer to PSE meeting minutes dated 9/11/2024. At this time, alternative options were discussed including PSE's conceptual routing from the North Creek Business Park. This required the acquisition of an easement, which Skanska worked diligently to procure.

In addition to the delay to the permanent power being installed on schedule at the hub, Skanska's ability to procure power for temporary signal lights at SR-522 were impacted because permanent power was not constructed and not available, as planned. Skanska had to improvise and design and construct a temporary source of power to minimize delays to the project.

As this change was unforeseeable during proposal development and well into the design phase of the project, Skanska has been unduly harmed yet has continued to pursue its contractual obligation to procure power to the 522 Transit Hub. This change in power location does not alleviate WSDOT of responsibility to provide recompense to Skanska for efforts any reasonable owner would acknowledge is beyond what was originally anticipated.

Additional supplemental information has been provided by our designers on the circumstances and chronological events and are attached with this letter for WSDOT's consideration.

- c. The estimated dollar cost, if any, of the protested Work and a detailed breakdown showing how the estimate was determined.**

The total additional estimated cost to design and construct the relocated power source to the 522 Transit Hub is approximately \$1,112,424.00. Please see attached for the detailed breakdown.



- d. An analysis of the progress schedule showing the schedule change or disruption of the Design-Builder is asserting a schedule change or disruption.

Skanska requires RFC design by 2/20/26 in order to meet Contract Schedule.

SR 522 TRANSIT HUB		596.00	604.00	0.00	19-Apr-24 A	17-Sep-26
3RD PARTY UTILITIES		528.00	536.00	54.00	19-Apr-24 A	10-Jun-26
C9727.UT.6100	ACQUIRE PERMITS FOR CITY OF BOTHELL WATER LINE	30.00	502.00	2.00	17-Jul-24 A	30-Nov-25
C9727.UT.6090	ST / ZIPLY - FINALIZE DUCTBANK ROUTING DESIGN	27.00	396.00		01-Oct-24 A	31-Oct-25 A
C9727.UT.1020	INSTALL COMMUNICATION DUCTBANK TO TRANSIT HUB - ZIPLY	45.00	45.00	152.00	13-Nov-25	22-Jan-26
C9727.UT.1010	INSTALL WATER LINE TO BRT HUB STATION - 130 LF/DY + 3d/FIXTURE - COB	14.00	14.00	55.00	21-May-26	10-Jun-26
POWER - PSE		498.00	506.00	0.00	19-Apr-24 A	24-Apr-26
C9727.UT.1040	FINALIZE POLE PLACEMENT - 522 HUB PSE	0.00	0.00		19-Apr-24 A	19-Apr-24 A
C9727.UT.1050	DEVELOP PRELIMINARY DESIGN - 522 HUB PSE	80.00	199.00		02-May-24 A	18-Feb-25 A

Actual Work Critical Remaining Work Summary
Remaining Work Milestone

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CKYARD - OCT 2025 - PA022 - CPM UPDATE - SUBMITTED - 11/XX/25

Submittal 1 - All WBS

	Activity Name	Original Duration	At Completion Duration	Total Float	Start	Finish
	C9727.UT.1090 ACQUIRE EASEMENT FOR PSE POWER	84.00	269.00	13.00	07-Jan-25 A	02-Feb-26
	C9727.UT.1060 SUBMIT PRELIMINARY DESIGN - 522 HUB PSE	1.00	182.00	0.00	19-Feb-25 A	04-Nov-25
	C9727.UT.1030 ACQUIRE PERMITS FOR DUCTBANK - 522 HUB PSE	20.00	44.00	0.00	17-Oct-25 A	19-Dec-25
	C9727.UT.1070 REVIEW / APPROVE PRELIMINARY DESIGN - 522 HUB PSE	10.00	10.00	21.00	05-Nov-25	18-Nov-25
	C9727.UT.1080 DEVELOP FINAL DESIGN - 522 HUB PSE	40.00	40.00	0.00	22-Dec-25	20-Feb-26
	C9727.UT.1000 INSTALL PRIMARY POWER DUCTBANK TO BRT STATION - 522 HUB PSE	45.00	45.00	0.00	23-Feb-26	24-Apr-26

Skanska reserves its rights under the contract and applicable laws to seek equitable compensation for cost and time impacts incurred to perform this scope of work.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Patrick Prendergast, Project Executive
Skanska USA Civil
18911 N Creek Pkwy S, Suite 300
Bothell, WA 98011

Attachments

1. Skanska Cost Estimate
2. AECOM: 2025.12.19-PCN93andPCN117-AECOM Response to WSDOT SL No. 9727-211-SuppInfo
3. PSE Email 2024.09.11 With Attachments