



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

Page 51 of 102

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	84.00	269.00	13.00	07-Jan-25 A	02-Feb-26
	C9727.UT.1060	1.00	182.00	0.00	19-Feb-25 A	04-Nov-25
	C9727.UT.1030	20.00	44.00	0.00	17-Oct-25 A	19-Dec-25
	C9727.UT.1070	10.00	10.00	21.00	05-Nov-25	18-Nov-25
	C9727.UT.1080	40.00	40.00	0.00	22-Dec-25	20-Feb-26
	C9727.UT.1000	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-SupplInfo
3. PSE Email 2024.09.11 With Attachments



Contractor Price Breakdown Summary

Project Name:

I-405/Brickyard to SR527 Improvements

Project No.

009727

Source Documents:

Skanska Protest 011: Supplemental Information

Date:

12/19/2025

Contractor:

Skanska Civil USA West

Description:

This proposal provides approximate design and construction costs attributable to the relocation of the PSE power source for the 522 Transit Hub. Please note this is net cost taking into account credit for the design and construction costs carried by Skanska in the construction budget.

Line	Item	Cost
A	Skanska Construction Costs	\$ 1,148,750.00
B		
L		
M		\$ (550,000.00)
N	Design Services	\$ 513,673.95
O	AECOM	\$ 446,673.00
P		\$ 67,000.95
Q	SKA Services	\$ -
Y		
Z	Total Cost of Change Work (H+L)	\$ 1,112,423.95

Services Cost Breakdown

Project Name: I-405/Brickyard to SR527 Improvements

Project No. 009727

Date:

12/19/2025

Contractor: Skanska Civil USA West

Description	Hours	Base Wage	Subtotals
			Cost
AECOM			\$ 379,673.00
Temp Power Design			\$ 67,000.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Subtotal AECOM			\$ 446,673.00
Subconsultants			
			\$ -
Subtotal Subconsultants			\$ -
			\$ -
			\$ -
Subtotal Skanska Survey			\$ -
Rule 171: Yes or No? Tax Rate			\$ -
Total Cost of Work			\$ 446,673.00

Direct Cost Breakdown

Project Name: I-405/Brickyard to SR527 Improvements

Project No. 009727

Contractor: Skanska Civil USA West

Date:

12/19/2025



AECOM Technical Services, Inc.
1111 Third Ave., Suite 1600
Seattle, WA 98101, USA
aecom.com

12/19/25

Via E-mail

Patrick Prendergast
Contractor's Representative
Skanska USA Civil West California District Inc.
18911 N Creek Pkwy, Suite 300
Bothell, WA 98011
Patrick.Prendergast@skanska.com

Project: I-405, Brickyard to SR 527 Improvement Project
Contract No: 009727
RE: Notice of Protest – Issue 0230 – Revised PSE Power Routing to Transit Hub

NOTICE OF PROTEST SUPPLEMENTAL INFORMATION

Dear Mr. Prendergast:

I am writing on behalf of AECOM in response to WSDOT's Serial Letter No. 9727-203 entitled "RE: Design Related Delays & Impacts for SR-522 Transit Hub Power Source Location" and dated November 21, 2025, and WSDOT's Serial Letter No. 9727-211 entitled "RE: Notice of Protest – Issue 0230 – Revised PSE Power Routing to Transit Hub" and dated December 8, 2025. In accordance with the protest procedures outlined in Section 1-04.5 of the RFP: Procedure, Protest, and Dispute by the Design-Builder, AECOM hereby disputes WSDOT's determination that the design and construction of temporary signal power are included in the base scope of the contract and that there is no merit to additional time or cost. WSDOT did not address Item 1 of AECOM's Notice of Protest Letter to revise the SR-522 Transit Hub Permanent Power Source Location. As required per the agreement between Skanska USA Civil West California District Inc. ("Skanska") and AECOM Technical Services, Inc. ("AECOM"), dated October 25, 2022 (the "Design Subcontract"), please forward this to WSDOT as soon as possible, but no later than the deadline provided by WSDOT of December 19, 2025.

As a supplement to AECOM's Notice of Protest, dated December 5, 2025, entitled, "RE: Design Related Delays and Impacts for SR-522 Transit Hub Power Source Location" AECOM provides additional information as requested by WSDOT, as follows:

a. The date and nature of the protested order, direction, instruction, interpretation, determination:

Date of Protested Order: November 21, 2025

Nature of Protested Order: On November 21, 2025, WSDOT advised in Serial Letter No. 9727-203 that WSDOT's determination is the design and construction of temporary signal power are included in the base scope of the contract and that there is no merit to additional time or cost. This additional cost is due to PSE and WSDOT directing the DB Team to change the power routing from overhead to underground.

During the Request for Proposal Phase of the I-405 Brickyard Project, the design team, with WSDOT in attendance, had conversations with Puget Sound Energy (PSE) to discuss routing their utility line at the transit hub BRT station and DA BRT station. At this time, PSE confirmed their plan to route their line overhead and their power connection point near UW Bothell. From the design team's notice to proceed

and through preliminary design, PSE continued with planning to route their line overhead, and design progressed to accommodate this plan. When Final design was progressing, WSDOT and PSE determined they would have to route their line underground, instead of overhead, to terminate at the nearest available point of power within the easement area. When this shift from overhead to underground routing occurred, it caused changes for many design disciplines. PSE then stated they expected the design-builder to design and construct the power connection between the site at Bothell 405 Business Park and the SR 522 Transit Hub Station transformer which is in contradiction of the contract requirements. In accordance with Technical Requirement 2.27.6.2.2, the design team is responsible for coordinating with PSE to install a power connection point within the interior of the transit hub, not providing a routing design. This change also delayed installation of the permanent service cabinet causing need for an additional temporary power design for lighting and signal cabinet at the I-405 and SR-522 interchange. This additional work due to the Owner Initiated / Authority Having Jurisdiction (AHJ) requested changes constitutes additional time and monetary compensation for AECOM.

b. A 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.

PSE's decision to route their line underground instead of overhead triggered two Change items for AECOM. These Changes were included and previously referenced in Skanska's Letter No. 273 dated November 7, 2025 as "PCN-00093 – Revised PSE Power Routing to Transit HUB" and "PCN-00117 – SR 522 Temp Power." Both PCN-00093 and PCN-00117 scope of works and level of efforts are attached in Skanska's letter. These two changes were combined into one issue because PCN-00117 is a direct result of PCN-00093 and thus will be discussed as one issue in this letter and moving forward. At this time, the full impact to all design disciplines is not known and will be evaluated through the design process.

Please see the attached memos from AECOM's subcontractors Perteet, GeoEngineers, and Concord for discussion of the circumstances which caused the protest, nature of the Work involved, and review of the Contract Documents.

In addition to impacts to Perteet, GeoEngineers, and Concord, AECOM will also be impacted by this Change. When PSE notified the AECOM team of the power reroute, AECOM's landscape team had already RFC'd their drawings. Because of the decision from PSE to alter the design, it will necessitate a Notice of Design Change (NDC) to revise the Segment 2 landscape plans, planting schedule and quantities, and revisions to the Vegetation Protection Plan report to summarize tree impacts. The resulting design work is beyond base scope that aligned with the technical requirements and has resulted in additional design hours for which WSDOT / PSE is responsible for compensating.

This decision also triggered subsequent changes that resulted in an additional temporary lighting design, horizontal directional drilling (HDD) analysis, and more coordination required amongst the design team. All of these items provide substantial evidence requiring additional compensation to the design team.

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

AECOM's additional cost to implement the changes stemming from the additional work to provide temporary signal design and the power source for power is as follows:

I-405 Brickyard DB Project

PCN / CN #: CO # 93 and 117

'Revised PSE Power
Routing to Transit HUB and

Name of PCN/CO: SR 522 Temp Power

Date Updated: 12/19/2025

Discipline	Hours	Fee
Section 2.1 General / Management	128	\$50,519
Section 2.5 Survey		\$0
Section 2.6 Geotechnical	390	\$100,913
Section 2.7 Pavement		\$0
Section 2.8 Environmental		\$0
Section 2.10 Utilities	357	\$96,995
Section 2.11 Roadway		\$0
Section 2.12 Project Documentation		\$0
Section 2.13 Bridges and Structures		\$0
Section 2.14 Stormwater		\$0
Section 2.15 Roadside Restoration	224	\$56,121
Section 2.16 Illumination	174	\$42,366
Section 2.17 Traffic Signals		\$0
Section 2.18 ITS		\$0
Section 2.19 Signing		\$0
Section 2.20 Pavement Marking		\$0
Section 2.21 Traffic Operations		\$0
Section 2.22 MOT		\$0
Section 2.26 Toll Infrastructure		\$0
Section 2.27 Transit		\$0
Section 2.28 Design Quality Management	126	\$32,760
Section 2.30 Water Crossings		\$0
Section 2.31 Vertical Construction		\$0
Totals	1399	\$379,673

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

AECOM has requested additional time to evaluate the impact of this issue. At this time, AECOM currently estimates the power reroute will require approximately 30 weeks to submit RFC. AECOM is analyzing delay and corresponding cost; once all impacts are known, AECOM will request a time extension and additional funds. This design will be worked through concurrently with other contractual design deliverables and may cause delay to contractual submittals previously developed. Actual delay is currently being evaluated and will be provided once full delay is assessed.

Note that the foregoing cost and schedule estimates are preliminary, based only on the information available to AECOM at this time. As more information becomes available, additional impacts may be discovered which are unknown as of today, and which are specifically excluded from the cost and schedule impact estimates. The above estimates should not be considered binding, and they may need to be revised as additional information is gathered. This letter is without prejudice to, and with a full reservation of, AECOM's rights, remedies, causes of action, and defenses under the Subcontract, at law, in equity, or otherwise. Nothing in this letter shall be interpreted as a modification or waiver, or an estoppel of AECOM's right to assert the same.

I appreciate your prompt attention to this matter. If you have any questions, please do not hesitate to contact me directly. Please promptly provide this notice of protest to WSDOT per the Design Subcontract and Design-Build Contract no later than December 19, 2025.

Yours sincerely,

AECOM Technical Services, Inc.



Ryan Abraham, PE
Vice President

T: 303.807.5730

E: Ryan.Abraham@aecom.com

cc: E. Grant, J. Waldron, R. Patterson, J. Guerrero

Enclosures:

Perteet Memo

GeoEngineers Memo

Concord Engineering Memo

December 18, 2025

Ryan Abraham
AECOM Technical Services, Inc.
1111 Third Avenue, Suite 1600
Seattle, WA 98101

Re: PCN-00093 PSE Power to the SR 522 Transit HUB

Dear Ryan,

The following is a response to WSDOT's Serial Letter No. 9727-203 entitled "RE: Design Related Delays & Impacts for SR-522 Transit Hub Power Source Location" and dated November 21, 2025 as well as WSDOT's Serial Letter No. 9727-211 entitled "RE: Notice of Protest – Issue 0230 – Revised PSE Power Routing to Transit HUB" and dated December 8, 2025. In accordance with the protest procedures outlined in Section 1-04.5 of the RFP: Procedure, Protest, and Dispute by the Design-Builder, Perteet hereby disputes WSDOT's denial stating the additional design effort by Perteet is not an owner-initiated change. As required by the agreement between Skanska USA Civil West California District Inc. ("Skanska") and AECOM Technical Services, Inc. ("AECOM"), dated October 25, 2022 (the "Design Subcontract"), please forward this to WSDOT as soon as possible, but no later than the deadline provided by WSDOT in their Serial Letter No. 9727-211 of December 19, 2025.

a. The date and nature of the protested order, direction, instruction, interpretation, determination:

Date of Protested Order: December 8, 2025

Nature of Protested Order: On November 21, 2025 WSDOT advised in Serial Letter No. 9727-203 with the subject line "RE: Design Related Delays & Impacts for SR-522 Transit Hub Power Source Location" that "The Design-Builder shall install electrical services or utilize existing services to provide power for all signal systems, in accordance with the Contract." While the subject line for Serial Letter No. 9727-203 suggests a response to Perteet's request for additional compensation associated with changing the original permanent power source from UW Bothell to the North Creek Business Park for the SR-522 Transit Hub Power Source Location, the response from WSDOT does not address Perteet's request for additional compensation. We are protesting WSDOT's determination in Serial Letter No. 9727-203 that no additional compensation or time is due.

On December 8, 2025, WSDOT advised in Serial Letter No. 9727-211 with the subject line "RE: Notice of Protest – Issue 0230 – Revised PSE Power Routing to Transit HUB" that "WSDOT is denying Skanska's request for an additional 60 calendar days; the submission date for supplemental information will be Friday, December 19, 2025." The WSDOT response in Serial Letter No. 9727-211 does not include any reference to Skanska's Serial Letter #289, Notice of Protest – Issue 0230 – Revised PSE Power Routing to Transit HUB, dated December 5, 2025, or Skanska's Serial Letter #273 "Design Related Delays & Impacts for SR-522 Transit Hub Power Source Location" dated November 7, 2025 which sought additional design and construction costs associated with changing the original permanent power source from UW Bothell to the

North Creek Business Park. Perteet has and will continue to incur additional design costs associated with changing the original permanent power source from UW Bothell to the North Creek Business Park. The purpose of this letter is to provide additional information as to why Perteet is due additional compensation.

- b. A 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.**

Section 2.27.6.2.2. of the RFP Technical Requirements states: *The Design-Builder shall coordinate with the Utility Owner to install a power connection point within the interior of the transit hub.* It does not say that the Design-Builder (DB) is to design or construct power to that power connection point. The power connection point is the Utility Owner (Puget Sound Energy (PSE)) transformer in the interior of the transit hub. The Utility Owner up to the power connection point at the transformer for the SR522 Transit Hub is PSE. PSE owns and maintains the power line up to the transformer.

During the RFP process, the DB team met with WSDOT and PSE to discuss the location of the power feed for the SR522 Transit Hub location. The DB team submitted a question to confirm the location of the power feed for bidding. WSDOT replied on April 19, 2023, with “*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.*” For bidding purposes, PSE said they would be serving the HUB station from the UW campus via a primarily overhead feed. PSE would own and maintain the power line up to the connection point. The power connection point was the transformer in the interior of the SR522 Transit Hub.

The Preliminary Design was submitted on May 17, 2024, showing overhead routing of the power by PSE from UW Bothell to the transformer at the SR522 Transit Hub. There were no comments on the preliminary routing that would require a change, and the design was compliant with the contract requirements.

During the September 11, 2024 *I-405, Brickyard to SR 527 Improvement Project - PSE Utilities* meeting PSE provided direction that “*Between PSE access and WSDOT/environmental permitting issues, we’ve agreed that the current design showing an overhead line extension is infeasible.*” PSE and WSDOT determined that the route from UW Bothell to the SR522 Transit Hub was not preferred, and they directed the team to explore additional alternatives.

At the September 24, 2025 *I-405, Brickyard to SR 527 Improvement Project - PSE Utilities* meeting, three options were discussed for alternative underground routes to provide power to the SR522 Transit Hub. Two alternatives included routing that matched the direction received during bidding to get service from UW Bothell. The third option routed from a connection point at the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub.

On September 25, 2024, PSE stated in their meeting notes that “*Shared the findings of the environmental team on the possible routes, coming from the North is now preferred.*” The reference to the environmental team is the PSE environmental team. The reference to the “North” route is a route from a connection point at the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub.

At the October 16, 2024 *Brickyard - Utilities Task Force* meeting, Skanska was asked by WSDOT to request a design from PSE for proposed routing of power from the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub.

At the January 22, 2025 *Brickyard - Utilities Task Force* meeting, PSE's conceptual routing of power from the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub was discussed as well as need for easement from Home Depot at the North Creek Business Park if that route was to be used.

At the February 20, 2025 *Brickyard - Utilities Task Force* meeting, it was discussed how a bore under I405 was not included in the permit PSE submitted to WSDOT for the routing of power from the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub. Skanska was to send an inquiry to PSE to confirm who would provide the design for any bore under I405.

At the March 18, 2025 *Brickyard - Utilities Task Force* meeting, it was noted that the Utilities RFC design package for the SR 522 Transit Hub would have routing for the PSE power to the SR522 Transit Hub greyed out because of uncertainty of alignment for the power. It was at this meeting that it was first mentioned that the construction of the PSE owned power line might become the responsibility of the DB.

At the June 11, 2025 *Brickyard - Utilities Task Force* meeting, it was noted that negotiations were still on-going for an easement near Home Depot that would enable routing of power from the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub.

At the September 17, 2025 *Brickyard - Utilities Task Force* meeting, it was noted that negotiations had reached tentative agreement for an easement near Home Depot that would enable routing of power from the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub.

At the October 1, 2025 *Brickyard - Utilities Task Force* meeting, it was noted that negotiations were nearly complete for the easement near Home Depot that would enable routing of power from the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub. At this meeting requests were made to assess design and construction that would enable routing of power from the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub.

On November 7, 2025 WSDOT was sent Skanska's Serial Letter #273 - Design Related Delays & Impacts for SR-522 Transit Hub Power Source Location. In the letter, Skanska brought to WSDOT's attention impacts associated with the finalizing of the easement location of the PSE power connection (near the North Creek Business Park in the NE quadrant of the I405/SR522 interchange) for the SR522 Transit Hub. The letter asked for the opportunity to further discuss time and cost impacts associated with providing power to the SR522 Transit Hub.

In summary, Perteet believes additional compensation is due for the design of the power line from a connection point at the North Creek Business Park in the NE quadrant of the I405/SR522 interchange to the SR522 Transit Hub. Section 2.27.6.2.2. of the RFP Technical Requirements required the DB to coordinate with the Utility Owner to install a power connection point within the interior of the transit hub. This was originally confirmed during the RFP stage to be at the transformer at the SR522 Transit Hub. Primary power to that transformer was confirmed during the RFP stage to be provided by PSE from a location at the UW Bothell campus and was not the responsibility of the DB.

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

Due to this change in direction, Perteet will now have additional design costs and time related to providing primary power to the SR 522 Transit Hub area. Perteet has provided a breakdown of this estimated cost to AECOM.

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

Perteet has provided the information regarding schedule to AECOM.

Sincerely,



Peter De Boldt, PE
Principal
Perteet Inc.



Memorandum

17425 NE Union Hill Road, Suite 250, Redmond, WA 98052, Telephone: 425.861.6000

www.geoengineers.com

To: Ryan Abraham, P.E., AECOM, Project Design Manager for the I-405/Brickyard to SR 527 Design-Build Team

From: Benjamin M. Upsall, P.E., GeoEngineers, Geotechnical Group Manager for the I-405/Brickyard to SR 527 Design-Build Team

Date: December 18, 2025

File: 000180-423-04

Subject: Change Order Claim – Protest Supplement
Below-Ground PSE Power Line Re-route Near SR522 Transit HUB
I-405, Brickyard to SR 527 Improvement Project
King and Snohomish Counties, Washington

1.0 - Introduction:

GeoEngineers was notified of a potential change by members of the design-build team that the PSE line at SR522 and I-405, originally to be routed overhead was now to be routed underground. GeoEngineers scope and budget are directly impacted by this change. Our understanding is that the design-builder submitted a change order claim related to this revised scope that was rejected by WSDOT. This letter is to provide information in support of the protest being made to WSDOT by the design-builder.

2.0 - Description of the Supplemental Information Required by Contract:

A supplement to the written protest, is provided here in with a written statement addressing the following four subparts (a through d) of RFP 1-04.5 Procedure, Protest, and Dispute by the Design-Builder, subpart 2. These four subparts are listed below with an outline of where and how they are addressed within this supplement (the underlined portion of each subpart is a reproduction of the contract language).

- 1-04.5, subpart 2(a) The date and nature of the protested order, direction, instruction, interpretation, or determination.

GeoEngineers was notified by members of the design-build team that the PSE line at SR522 and I-405, originally to be routed overhead was now to be routed underground. A change order was submitted to WSDOT by the Design-Builder for this design change requested by PSE. GeoEngineers was notified that WSDOT stated no merit to a potential change via WSDOT Serial No. Letter 9727-203, dated November 21, 2025.

GeoEngineers has provided AECOM with our estimated costs to complete the new design of a below-grade power approach near the SR522 Transit HUB as a part of PCN-00093. AECOM will compile and reconcile the GeoEngineers cost estimates into a single consolidated cost summary.

This consolidated summary will be included in the over-arching letter transmitting the design-team's letters to WSDOT.

- 1-04.5, subpart 2(b) A 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.

GeoEngineers was notified of a potential change by members of the design-build team that the PSE line at SR522 and I-405, originally to be routed overhead was now to be routed underground. Routing power underground can sometimes be easy, but in this case, the route would cross under all lanes of I-405 Mainline at a depth that is not trenchable. This work, needing to be performed in a busy traffic area that cannot safely be installed via open cut methods, must be installed via horizontal directional drilling (HDD).

The increase in geotechnical scope and level of effort from an above-grade power approach to a below-grade power design installed via HDD is significant. Our understanding was that the above-grade power approach did not require any geotechnical input from the design-build team. As such, no scope or budget was included for this task as a part of the geotechnical scope in the Sammamish River Valley/SR522 Transit HUB vicinity. To support a below-grade power design, a full HDD design is needed which requires additional geotechnical inputs into the HDD program itself (installation force calculations, hydraulic fracture calculations, and settlement calculations) along with evaluation of HDD routing options. The preliminary HDD route is close enough to the area in the Sammamish River Valley where the differing site conditions caused by ESU2C (at walls 23.80R, 23.72R, and 23.73R) that careful evaluation of the potential presence of ESU2C in the HDD alignment must be considered and if to be encountered, any design coordination or changes must also be evaluated.

Since no HDD efforts have been discussed in any of our geotechnical design reports to date, we assume that new Preliminary, Final, and RFC versions of a stand-alone geotechnical design report will be needed to deliver this design.

- 1-04.5, subpart 2(c) The estimated dollar cost, if any, of the protested Work and a detailed breakdown showing how that estimate was determined.

GeoEngineers has provided AECOM with our estimated HDD design support costs to complete the new design of a below-grade power approach using HDD installation methods near the SR522 Transit HUB as a part of PCN-00093. AECOM will compile and reconcile the GeoEngineers cost estimates into a single consolidated cost summary. This consolidated summary will be included in the over-arching letter transmitting the design-team's letters to WSDOT.

- 1-04.5, subpart 2(d) An analysis of the progress schedule showing the schedule change or disruption if the Design-Builder is asserting a schedule change or disruption.

GeoEngineers has provided AECOM with our analysis of the schedule impacts to date and our estimated schedule for HDD design support to complete the new design of a below-grade power approach using HDD installation methods near the SR522 Transit HUB as a part of PCN-00093. AECOM will compile and reconcile the GeoEngineers schedule estimates into a single consolidated

schedule summary. This consolidated summary will be included in the over-arching letter transmitting the design-team's letters to WSDOT.

4.0 – Closing:

As explained above, GeoEngineers scope and budget are directly impacted by this change where a PSE power line at SR522 and I-405, originally to be routed overhead was changed to be routed underground.

This letter is without prejudice to, and with a full reservation of, GeoEngineers' rights, remedies, causes of action, and defenses under the Subcontract, at law, in equity, or otherwise. Nothing in this letter shall be interpreted as a modification or waiver, or an estoppel of GeoEngineers' right to assert the same.

I appreciate your prompt attention to this matter. If you have any questions, please do not hesitate to contact me directly. **Please promptly provide this supplement to WSDOT per the Design-Build Contract.**

Sincerely,



Benjamin M. Upsall, P.E.

Principal Geotechnical Engineer

T: 206-919-3772

E: bupsall@geoengineers.com

Disclaimer: Any electronic form, facsimile or hard copy of the original document (email, text, table, and/or figure), if provided, and any attachments are only a copy of the original document. The original document is stored by GeoEngineers, Inc. and will serve as the official document of record.



December 18, 2025

Via E-mail

Ryan Abraham, PE, DBIA

Vice President

AECOM USA, Inc.

111 Third Ave., Suite 1600

Seattle, WA 98101, USA

ryan.abraham@aecom.com

Reference: Contract No. 9727, I-405 Brickyard to SR 527 Improvement Project (the "Project").
WSDOT's Serial Letter No. 9727-211.

Subject: Additional Design Funds for Temporary Power Design for the Traffic Signals for Stage
2 Phase 3 due to Delays with the Permanent Power Source

Dear Mr. Abraham:

Concord Engineering (Concord) is in receipt of Washington State Department of Transportation (WSDOT) serial letter 9727-211 dated December 8, 2025. Concord hereby provides the following information as requested.

Concord received RFI00420 on April 7, 2025, requesting a design to switch the power source for temporary traffic signals and lighting for Stage 2 Phase 3 from the permanent service cabinets (SUA J (3336) and K (3337)) to existing service cabinet SUA 4386 (Exhibit 1). This is a direct consequence of PSE's delay in providing power connections to the permanent service cabinets. Concord issued NDC 111 to re-design the power source for Stage 2 Phase 3 at the request of Skanska.

Concord has provided AECOM with the costs incurred to date and our estimated costs to complete the design/re-design of all affected elements.

Concord has also provided AECOM with our analysis of the schedule impacts to date and our estimated schedule for completing the re-design of all affected elements.

This alternative power source design is additional work for the Design-Builder (DB) team and results from an Owner-Initiated Change. Therefore, this additional work constitutes evidence of additional compensation for the DB team.

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

Yours sincerely,

Concord Engineering, Inc.

A handwritten signature in blue ink, appearing to read "Ryan Abraham", written over a light blue horizontal line.



Yuan Wen, PE, PTOE

Project Manager

M: 206.390.6166

E: yuan.wen@concordengr.com

Enclosure (1):

1. Exhibit 1 – RFI00420 Document

Skanska USA Civil
1995 Agua Mansa Road
Riverside, California 92509

Project: 90009590 - I-405 - Brickyard to SR527
Bothell, Washington 98011

BY-CRE-02572_009727_RFI_00420_16.03.02_Need Temporary Power at SR522 through Stage 2 Due to PSE Delay

TO:	Rachel Gehrlein (Washington State Department of Transportation) Nancy Alpuche (Washington State Department of Transportation) Ron Haukom (Washington State Department of Transportation) Sokha Men (Washington State Department of Transportation)	FROM:	Kertu-Lilli Salumae (Skanska USA Civil West) 18911 N Creek Pkwy S Bothell, Washington 98011
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DATE INITIATED:	04/04/2025	STATUS:	Closed on 05/14/25
LOCATION:	Contract Wide>Segment 2	DUE DATE:	05/16/2025
COST CODE:		REFERENCE:	STAGE 2, PSE DELAY, TEMP POWER
COST IMPACT:	Yes (Unknown)	SCHEDULE IMPACT:	TBD
DRAWING NUMBER:		SPEC SECTION:	

PRIORITY:

LINKED DRAWINGS:

RECEIVED FROM:

COPIES TO:

Ryan Abraham (AECOM (Seattle)), I405 AECOM (AECOM (Seattle)), Nancy Alpuche (Washington State Department of Transpor), Sonia Berriz (Washington State Department of Transpor), Riley Brenden (Skanska USA Civil West), Kristal Buster (AECOM (Seattle)), Marisa Chong (Washington State Department of Transpor), Kim Christian (Skanska USA Civil West), Document Control - Skanska (Skanska USA Civil West), Erin Gaffney (Skanska USA Civil West), Rachel Gehrlein (Washington State Department of Transpor), Jon Guerrero (AECOM (Seattle)), Ron Haukom (Washington State Department of Transpor), Janka Lovering (Washington State Department of Transpor), Michelle McDowell (AECOM (Seattle)), Sokha Men (Washington State Department of Transpor), Michelle Petterson (Skanska USA Civil West), Jacob Schmidt (Atlas Technical Consultants, LLC), Kyle Sharrer (Skanska USA Civil West), Kendall Skaggs (Liberty Electric), Sharath Kumar Somalraju (AECOM (Seattle)), Victoria Verochio (Liberty Electric), Samuel Will (Skanska USA Civil West)

RFI Response Date

Estimated Hours

RFI Priority

Critical

RFI Type

Question from Kertu-Lilli Salumae (Skanska USA Civil West) at 05:33 PM on 04/04/2025

Due to the delay of the Puget Sound Energy (PSE) new power service easement to service the SR 522 Transit Hub, the contractor will likely be unable to complete the new electrical feeds for the illumination and ITS systems during stage 2. Consequently, temporary power will be needed until stage 3.

Specifically, traffic signals SG-1 and SG-3 are crucial for maintaining the project schedule as we transition between phases. Traffic signal SG-1 (EAST) must be operational by the end of stage 2.2, and traffic signal SG-3 (WEST) must be operational by the end of stage 2.3.

We request that you provide an optimal temporary power plan for Segment 2, stage 2, covering the ITS and illumination systems initially intended to be connected to the new permanent power sources (SUA J and K) during stage 2.

Attached are electrical and lighting calculations along with the stage 2 temporary ITS roll plot for your reference.

Attachments:

[BY-CRE-02572_009727_RFI_00420_16.03.02_Need Temporary Power at SR522 through Stage 2 Due to PSE Delay.pdf](#)

Official Response: Rachel Gehrlein (Washington State Department of Transportation) responded on Wednesday, May 14th, 2025 at 3:22PM PDT

WSDOT concurs this is a NDC.

Attachments:

Official Response: Yuan Wen (Concord) responded on Tuesday, May 13th, 2025 at 4:27PM PDT

Per email on 5/8/2025, NDC to stage 2 temp IL will be issued under ESDC tasks.

Attachments:

All Replies:

Response from Rachel Gehrlein (Washington State Department of Transpor) at 03:22 PM on 05/14/2025

WSDOT concurs this is a NDC.

Attachments:

Response from Kim Christian (Skanska USA Civil West) at 12:18 PM on 05/14/2025

DRFI to RFI

Attachments:

Response from Kim Christian (Skanska USA Civil West) at 12:17 PM on 05/14/2025

Assigned BY-RDC-01158

Attachments:

Response from Yuan Wen (Concord) at 04:27 PM on 05/13/2025

Per email on 5/8/2025, NDC to stage 2 temp IL will be issued under ESDC tasks.

Attachments:

Response from Jacob Schmidt (Atlas Technical Consultants, LLC) at 11:26 AM on 04/18/2025

Ready for EOR review

Attachments:

Response from Kertu-Lilli Salumae (Skanska USA Civil West) at 10:58 AM on 04/18/2025

Ready for EOR review. HOT!

Attachments:

Response from Kertu-Lilli Salumae (Skanska USA Civil West) at 12:19 PM on 04/08/2025

Pulling RFI back per Erin G.

Attachments:

Response from Jacob Schmidt (Atlas Technical Consultants, LLC) at 08:20 AM on 04/07/2025

Ready for EOR review.

Attachments:

Response from Kertu-Lilli Salumae (Skanska USA Civil West) at 05:34 PM on 04/04/2025

Ready for EOR view. Hot!

Attachments:

BY

DATE

COPIES TO

From: Zhou-Wright, Steven Michael <Steven.Zhou-Wright@pse.com>
Sent: Wednesday, September 11, 2024 11:03 AM
To: Hedahl, Rebekah; Gaffney, Erin; Will, Samuel; Sharrer, Kyle;
LivingT@consultant.wsdot.wa.gov; kat.thompson@petteet.com
Subject: I405 & SR522 Bus Charging Station +Brickyard P&R Skanska/PSE/WSDOT 9/11 Meeting Notes
Attachments: 105105463 - 405&522 BRT CHARGING STATION.pdf; 105105394 BRICKYARD BRT STATION.pdf

Greetings All,

Just want to provide a summary of what was discussed in this meeting for our own reference. Current sketches are attached for reference, but both are now outdated.

I405 – SR522 Bus Charging Station:

Between PSE access and WSDOT/environmental permitting issues, we've agreed that the current design showing an overhead line extension is infeasible. We discussed three alternate pathways:

- 1) Underground line extension with conduit on the bridge crossing North Creek. Placing the conduit on the bridge was previously shot down by WSDOT due to weight constraints, but will be revisited to confirm it isn't an option.
- 2) Underground line extension with boring under the creekbed. This option will likely require the installation of a PSE pull vault along the side of the ramp, but that poses significantly fewer access issues than an overhead line of poles, and would probably be permissible even without a dedicated access road. Permitting is also probably easier than the aerial option.
- 3) Underground line extension on a completely different path coming from a business park to the north. This is probably the simplest option in terms of WSDOT permitting – even though our UG line will have to cross under the highway. There's also considerable construction going on in the area, including the construction of a retaining wall along the east side of the northbound ramp that we would have to cross under. PSE to review existing rights to J-box 228087-166830 at 11807 N Creek Pkwy S, though we will need to amend or modify any existing easement to allow for Sound Transit's line. PSE will also review the environmental concerns, if any, on the tract parcel to the south of the business park in case we need to pass through it. Assuming we can get the owners of 11807 N Creek Pkwy S to agree to a line extension, this is probably the preferred option for now.

Brickyard Park & Ride:

The transmission pole with underbuild that the current sketch shows is going to be removed, Rebekah and myself will need to coordinate with Brian Porter (can't find his contact info in the address book, please correct if I misheard his name) and Kramer Kors in Transmission. The other transmission pole on the property will be replaced with a steel pole. I will confirm whether distribution risers and terminations are permissible on steel poles. If so, we will change the design to come from that pole instead. If not, we will install a new distribution only pole on the parcel and have the term and riser come off it instead.

I will also shortly schedule a follow-up meeting for 9/25/24 at the same time.

Thank you everybody and feel free to add or correct anything I missed. Have a good day.

Steven Zhou-Wright

EIT Customer & System Projects
Puget Sound Energy
Mobile: 206-913-8933
Email: Steven.Zhou-Wright@pse.com

SCALE: 1" = 50'

					REAL ESTATE/EASEMENT		PERMIT		
					N/A		PRIVATE		
3		N/A	N/A	N/A	FUNCTION		CONTACT		
2		N/A	N/A	N/A	PROJECT MGR		R. HEDAHIL		
1		N/A	N/A	N/A	ENGR - POWER		S. ZHOU-WRIGHT		
REV#		DATE		BY		DESCRIPTION			
COUNTY		Emer Sect		Gas Wk Ctr		POWER WK CTR			
KING		N/A		N/A		CQNOKE			
1/4 SEC		OP MAP		PLAT MAP		APPROVED BY			
NE17-26N-05E		N/A		N/A		FOREMAN #1			
U-MAP NO (POWER)		OH CKT MAP		UG CKT MAP		FOREMAN #2			
2605E065		2605E088		2605E065		MAPPING			
JOINT FACILITIES ARRANGEMENTS									
UTILITIES		N/A		N/A		N/A			
CONTACT		N/A		N/A		N/A			
PHONE#		N/A		N/A		N/A			
 PUGET SOUND ENERGY		BRICKYARD TRANSIT STATION UPGRADE						INCIDENT N/A	
		OH-UG TERM AND L/E						MAOP N/A	
15530 JUANITA-WOODINVILLE WAY NE								Gas Order N/A	
								Elect Order 105105394	
SCALE								PAGE	
AS NOTED								2/2	

