



December 19, 2025

Patrick Prendergast, P.E.
Vice President
Skanska USA Civil
18911 North Creek Parkway, Suite 300
Bothell, WA 98011

WSDOT SL No. 9727-224

Reference: **Contract No. 9727**
I-405, Brickyard to SR 527 Improvement Project

Subject: **RE: Contaminated Soil at the Old Burlington Northern ROW (Skanska
SL #265)**

Mr. Prendergast:

WSDOT is in receipt of Skanska Serial Letter No. 265, Contaminated Soil at the Old Burlington Northern ROW, dated October 31, 2025.

WSDOT evaluated the conditions within the King County Parks / former BNSF railroad right-of-way in Area 5 in accordance with the Request for Proposal, Chapter 1, General Provisions (GP), Section 1-04.7, Differing Site Conditions, together with the Hazardous Materials Reports (Appendix E, including HazMat Addendum E09a2 and E09a5). Based on this review, WSDOT determines that a Differing Site Condition (DSC) exists under GP1-04.7 for the contaminated soil encountered in Area 5.

To address this condition and maintain progress:

1. In accordance with the Contract, especially section 2.8.5.8 Hazardous Material and applicable regulations, proceed with removal and off-site disposal of the contaminated soil within limits identified in coordination with WSDOT, based on the Atlas report and field conditions in Area 5.
2. Continue to track all associated Work in accordance with GP 1-09.6 Force Account, including labor, equipment, materials, hauling, disposal fees, testing, and third-party services.
3. Track the cumulative actual, reasonable cost attributable to all Differing Site Conditions on the Project and, if and when the aggregate DSC cost increase exceeds \$1,500,000, submit a Change Order request in accordance with GP 1-04.4 and 1-04.7 for the portion of costs eligible for equitable adjustment, together with the documentation required by GP 1-04.7(1) and 1-04.7(2).
4. If Skanska identifies an impact to the Project's critical path associated with this condition, submit a time impact analysis in accordance with GP 1-08.8, Time Extensions, to support any requested adjustment to Contract Time.

Pat Prendergast
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If you have any questions, please contact me at (425) 495-1577.

Sincerely,

A handwritten signature in black ink, appearing to read "Evelyn Pao".

Evelyn Pao, P.E.
Project Director
EP:za

cc: D. Case, D. Holmquist, J. Slavicek, S. Berriz, B. Kane, N. Bergeman, R. Gehrlein, E-File