



8/13/2025

Letter No. 221

Evelyn Pao, P.E., Project Director  
Washington State Department of Transportation  
18911 N Creek Pkwy S, Suite 150  
Bothell, WA 98011

Project: I-405, Brickyard to SR 527 Improvement Project  
Contract No: 009727

**Subject: Protest 001: Vault NW12 – Request for Resolve Via Disputes Resolution Board**

Dear Ms. Pao:

Skanska is in receipt of WSDOT Letter *SL9727 – 131 – RE Supplement to Notice of Protest 001 – Vault NW12 (LTR 202)* (WSDOT SL-131), dated July 31, 2025.

After careful review of WSDOT's comments, Skanska provides the following responses:

**1. Vault NW12 Cleaning Costs**

Skanska does not understand why WSDOT has agreed to review costs only for the period from February 3, 2025, through February 13, 2025. The cleaning work and associated costs extend beyond this timeframe and are directly tied to deferred maintenance conditions that were outside of Skanska's responsibility. To facilitate a fair and efficient resolution, Skanska formally requests a meeting with WSDOT at the earliest convenience to discuss the full scope of cleaning activities and associated costs for Vault NW12. We are committed to resolving this matter collaboratively and expect to reach agreement on appropriate compensation for all work performed.

**2. As-Built and RFP Documentation Issues**

Skanska maintains its position that inaccuracies in the as-built and RFP documentation have significantly impacted our work, including cost and schedule. We respectfully disagree with WSDOT's assertion that this issue lacks merit. In accordance with RFP Section 1-04.5, Skanska requests that this issue be formally presented to the Dispute Review Board (DRB) for resolution.

**3. Load Rating Report and Associated Delays**

Contrary to WSDOT's statement, Skanska submitted the Load Rating Report for Vault NW12 on April 29, 2025. As of today, more than 90 calendar days have passed without



receiving approval. This delay has prevented Skanska from proceeding with the planned traffic switch.

Skanska's most recent response to WSDOT's comments was submitted on July 24, 2025. As of now, no formal response has been received. Skanska respectfully requests that WSDOT prioritize its review to mitigate further delay.

Until the Load Rating Report is approved and traffic is successfully switched over Vault NW12, Skanska cannot fully assess the delay or associated cost impacts. It should also be noted that the initial submission was delayed by over two months due to extensive additional activities, including cleaning and investigation, required to verify existing conditions that were inaccurately depicted in WSDOT's records.

These contributing factors will be addressed in a forthcoming Time Impact Analysis (TIA), which will outline recoverable cost and schedule impacts once the full extent is known. Accordingly, Skanska requests that this matter be held in abeyance until the necessary approvals are provided by WSDOT.

Skanska appreciates WSDOT's continued partnership and remains committed to delivering a successful project. We believe that open communication and timely resolution of disputes are critical to achieving this shared goal.

Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Prendergast".

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