

April 29, 2025

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

WSDOT SL No. 9727-106

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

Subject: **RE: Supplement to Notice of Protest 001 – Vault NW12**

Mr. Prendergast:

WSDOT is in receipt of Skanska serial letter No. 176, Supplement to Notice of Protest 001 – Vault NW12, dated April 15, 2025. WSDOT has continued to review the information provided and does not find merit for an OIC to capture design and construction impacts related to this matter. However, may be merit for the maintenance of the vault. To complete an independent estimate and evaluation of the effort, WSDOT needs the following from Skanska:

- List of crew/staff that worked on the clearing
- Volume of material removed
- Duration of the work

Also, where is the reference to "cast-in-place vault" in Contract Documents?

With respect to the design and construction justification, Skanska serial letter No. 176 references the following RFP Appendices with respective document classification from Appendix A1 RFP Document list in parenthesis:

- M1 Conceptual Plans (Basic Configuration)
- H3 Conceptual Stream Restoration Plans (Contract Document)
- N1 As Builts within Project Limits (Reference Document)

For each of the referenced appendices, see the following ties to the Contract:

Appendix M1 Conceptual Plans are identified as Basic Configuration in RFP Appendix A1 - RFP Documents. Per notes therein, "Basic Configuration" RFP Appendix documents are "Reference Documents, except where Basic Configuration elements are depicted or otherwise described."

Basic Configuration, as defined in 1-01.3(1) Defined Terms, does not include the drainage structures generally or vault structure removals.

20 **Basic Configuration** – The following required elements shown in the Conceptual Plans,
21 Pre-Approved Design Analyses, or both as such elements may have been modified (with
22 WSDOT's permission) in the Proposal:

- 23 • Number and approximate locations of ramps, overpasses, underpasses, and
24 interchanges
- 25 • Number of highway lanes and storage lengths
- 26 • Number and types of interchanges
- 27 • Number, location, minimum length, and top elevation of noise walls
- 28 • Approximate project limits
- 29 • Right of way limits
- 30 • Impacts to Sensitive Areas defined by the Impact Area Line
- 31 • Number of Variable Message Signs and Toll Rate Signs
- 32 • Number of overhead signs
- 33 • Number of Toll Gantries
- 34 • Number, type, and approximate location of bike lanes, sidewalks, and multi-use
35 paths

The scope of the vault removal is defined in RFP Section 2.14.5.6 *Abandonment and Removal of Existing Drainage Structures*, which list Vault NW12 (I-405 Median) as a drainage structure which shall be filled and abandoned unless otherwise required to be removed.

Appendix H3 Conceptual Stream Restoration Plans is a Contract Document that shows the desired layout of the new stream crossing (Ref.: H03_2_NorthForkPerryCreek_Plans.pdf). This plan set does not identify, callout or provide dimensions of vault NW12. The vault outline is included as part of the plan view background.

Appendix N - As Built within Project Limits, as presented previously in WSDOT SL 079, Appendix N1 is a Reference Document and is for information purposes only and the Design-Builder shall rely upon Reference Documents at its own risk (Ref.: 1-01.3 Definitions, "Reference Documents", and 1-02.2 Disclaimer Regarding Documentation).

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

Sincerely,



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

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