



August 20, 2025

Letter No. 222
BY-CRE-03315

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

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

**Subject: RE: Response to WSDOT SL No. 9727-123, Notice of Protest 002:
Owner Delayed BRT Station Design Delivery**

Reference: §1-04.5 Procedure, Protest, and Dispute by the Design-Builder

Dear Ms. Pao:

Please find attached a letter received from AECOM in response to WSDOT's correspondence WSDOT SL No. 9727-134, dated August 6, 2025.

As requested by AECOM, we are forwarding their letter to WSDOT to serve as formal notice of their intent to continue with the dispute resolution process in accordance with Section 1-04.5(1) of the contract. AECOM has indicated that they do not accept WSDOT's determination and intend to proceed with the Dispute Review Board process, as outlined in Section 1-04.5(1).1. AECOM has also stated their intent to prepare and submit a Dispute Referral pursuant to Section 1-04.5(1).1.8.

As communicated in our formal submission Letter No. 199 BY-CRE-02838, AECOM is seeking to recover \$1,022,770 (without associated mark-up) for the impacts they have encountered. In addition, Skanska has mitigated 10 days of the 55-day delay by proactively rescheduling some portions of the work, resulting in a total of 45 days of impact. The cost of future mitigation of the remaining 45-day delay is estimated to be approximately \$840,000.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Patrick Prendergast, Project Executive

Skanska USA Civil
18911 N Creek Pkwy S, Suite 300
Bothell, WA 98011



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1111 Third Ave., Suite 1600
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8/20/25

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 002: Owner Delayed BRT Station Design Delivery

Dear Mr. Prendergast:

This letter is in response to WSDOT's correspondence WSDOT SL No. 9727-134, dated August 6, 2025. In this letter, WSDOT stated their determination has remained unchanged, stating that no adjustment for cost or delays is available. AECOM does not accept WSDOT's determination and therefore this letter constitutes notice pursuant to Section 1-04.5(1) that AECOM will continue to pursue the dispute in accordance with Section 1-04.5(1). We request that Skanska forward this letter today to WSDOT to further effectuate notice of AECOM's intent to proceed with the continued dispute resolution process.

As AECOM understands that a Dispute Review Board has been established for the project, AECOM requests that the dispute proceed with the Dispute Review Board pursuant to Section 1-04.5(1).1, and will prepare and submit a Dispute Referral pursuant to Section 1-04.5(1).1.8.

This Claim Notice 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.

Yours sincerely,

AECOM Technical Services, Inc.

Ryan Abraham, PE
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cc: R. Richter, J. Waldron, R. Patterson