



December 30, 2025

Letter No. 309
BY-CRE-04321

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: Protest 003 – PCO 126 – Response to WSDOT SL No. 9727-220 – Lateral Migration Design Requirements

Dear Ms. Pao:

Pursuant to RFP Section 1-04.5, Procedure, Protest, and Dispute by the Design-Builder, Skanska USA Civil (“Skanska”) hereby submits this letter as its formal Notice of Protest to WSDOT Serial Letter No. 9727-220 dated December 17, 2025, which constitutes a WSDOT Engineer’s Written Determination.

In accordance with Section 1-04.5(2), Skanska intends to submit the required supplemental supporting information, including documentation, cost impacts (if any), and schedule considerations. However, given the scope and complexity of the matters identified in SL No. 9727-220, Skanska hereby requests a seventy-five (75) calendar day extension, measured from the date of this Notice of Protest, to submit its supplemental protest information on or before March 29, 2026. Also enclosed is the protest letter from our EOR AECOM.

If WSDOT does not provide a written directive or written response denying or modifying this requested extension by the close of business on Friday, January 2, 2026, Skanska will reasonably interpret WSDOT’s lack of response as concurrence with the requested seventy-five (75) calendar day extension and will submit its supplemental protest information on or before March 29, 2026.

Regards,

Patrick Prendergast, Vice President

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

Attachments:

AECOM Letter dated December 30, 2025 - Notice of Protest RE: WSDOT SL No. 9727-220



AECOM Technical Services, Inc.
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12/30/2025

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

RE: Response to WSDOT SL No. 9727-220, WSDOT SL No. 9727-178: RE: Skanska Serial Letter 214, RE: Sammamish River Lateral Migration & Channel Migration Risk Mitigation Workshop – Follow-up and Notice of Protest per RFP Section 1-04.5

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

Dear Mr. Prendergast:

AECOM acknowledges receipt of WSDOT's correspondence (WSDOT SL No. 9727-220), dated December 17, 2025, WSDOT states that after review of Skanska Serial Letter 214, RE: Sammamish River Lateral Migration & Channel Migration Risk Mitigation Workshop, dated October 13, 2025, they believe "a contract compliant solution has not been presented, and the current design does not meet the contract requirements."

As AECOM disagrees with the WSDOT Engineer's Written Determination set forth in the aforementioned letter, we are hereby submitting a formal notice of protest in accordance with Section 1-04.5 (1) of the RFP. The protest is based on the assertion that AECOM's current Sammamish River Lateral Migration Design is contract compliant.

Furthermore, pursuant to Section 1-04.5 (2) of the RFP, AECOM intends to supplement this written protest. At this time AECOM has a written determination from the WSDOT engineer, but does not have enough information to provide a cost and schedule impact in accordance with 1-04.5.2. c and with 1-04.5.2. d. WSDOT has neither provided direction nor sufficient information for the design team to assess a path forward that will be acceptable to WSDOT.

Given the substantial time required to prepare a comprehensive report detailing the relevant facts and their impacts, the needed information from WSDOT, and due to the holidays being within this 14 days timeframe, the standard timeframe of 14 calendar days is insufficient. Therefore,

AECOM respectfully requests an extension of 75 calendar days to ensure the development of an exhaustive and detailed supplemental submission.

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 by close of business 12/31/25 provide this notice of protest and request for an extension of time to WSDOT per the Design-Build Contract.**

Yours sincerely,

AECOM Technical Services, Inc.



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cc: Evan Grant (AECOM)
Jack Waldron (AECOM)
Jon Guerrero (AECOM)