



August 29, 2025

Letter No. 225  
BY-CRE-03388

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: Notice of Protest 004: SR-522 Hub Comfort Station Septic (Holding)  
Tank Change**

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

Dear Ms. Pao:

Skanska is in receipt of WSDOT letter SL No. 9727-138 in which WSDOT has denied merit to AECOM's request for an owner-initiated change order for changing from a compost toilet-based system to a septic holding tank-based system at the 522 Hub comfort station.

Skanska disagrees with the WSDOT Engineer's determination. Per §1-04.5 of the contract, please let this letter serve as a protest notice.

Please see attached protest letter from Skanska's designer, AECOM Technical Services, Inc. (AECOM). Due to the substantial time required to provide a comprehensive report detailing the relevant facts and impacts, Skanska requests WSDOT grant a 75-day time extension to provide the supplemental information as per §1-04.5.

Do not hesitate to contact me with questions or comments.

Sincerely,

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Patrick Prendergast, Project Executive

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



AECOM Technical Services, Inc.  
1111 Third Ave., Suite 1600  
Seattle, WA 98101, USA  
aecom.com

8/28/2025

**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. 9727-138, 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. 9727-138), dated August 15, 2025. In this letter, WSDOT rejected Skanska's formal notice of a WSDOT Initiated Change (See Skanska Letter No. 218 entitled Notice of WSDOT-Initiated Change – SR 522 Comfort Hub Septic (Holding) Tank, dated August 1, 2025) pertaining to the SR522 Comfort Station Compost to Septic (Holding) Tank.

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 is entitled to equitable adjustments to the Contract Price and Contract Time due to Contract requirement Section 2.31.3.7.7.1 being outdated and therefore unable to be met.

Furthermore, pursuant to Section 1-04.5 (2) of the RFP, AECOM intends to supplement this written protest. Given the substantial time required to prepare a comprehensive report detailing the relevant facts and their impacts, 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 promptly 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.**



Ryan Abraham, PE  
Vice President

T: 303.807.5730

E: [Ryan.Abraham@aecom.com](mailto:Ryan.Abraham@aecom.com)

**cc:** Raina Richter (AECOM)  
Jack Waldron (AECOM)