



December 5, 2025

Letter No. 287
BY-CRE-04142

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: Notice of Protest 010 – Interpretive Engineering Decision for Waterproofing for Brickyard West, East and Canyon Park BRT Stations

Dear Ms. Pao:

Skanska has received the following WSDOT written determination per WSDOT SL No. 209 dated December 3, 2025:

“The decision clarifies the Contract requirements and documents WSDOT’s determination related to below-grade waterproofing and watertight elevator pits for these structures... The current design and affected submittals must be updated to clearly indicate required sheet-applied membrane waterproofing and to deliver watertight elevator pits in conformance with the Contract.”

Skanska believes WSDOT’s interpretation is incorrect and respectfully disagrees with WSDOT’s interpretation of the Contract requirements for waterproofing and elevator pit design.

The Engineer’s Written Determination fails to address the following:

1. Prior Response: The engineering and waterproofing issues raised in WSDOT Letter 209 were previously raised by WSDOT and responded to by Skanska via email on November 20, 2025 (Subject: Vert. CN Waterproofing Compliance List, please see attachment provided). Letter 209 does not acknowledge or recognize that Skanska provided those responses addressing the concerns.
2. Approved System Meets Standards: The waterproofing system confirmed via the relevant RFI 565 meets the Sound Transit Design Criteria Manual (DCM) and applicable building code standards of the Contract. The system was reviewed and accepted through the established RFI process, and its compliance with contractual requirements remains valid.



3. No Additional Direction Provided: WSDOT Letter 209 does not provide any further or additional direction to Skanska for closure of this issue. Without new instructions or clarifications, Skanska maintains that the previously approved approach remains in effect and compliant.

Skanska requests that WSDOT provide clarification on whether any previously completed construction will be rejected and whether a final determination has been made requiring waterproofing beneath the east Brickyard foundation, despite the contradictory information previously identified in earlier correspondence. To avoid further delays and crew inefficiencies, Skanska requests direction no later than close of business on 12/5/25.

Additionally, please note that Skanska will have crews and equipment on stand-by until direction is received and will seek recovery of associated costs.

This signed written Notice of Protest of the Engineer's Written Determination is provided in accordance with General Provisions section 1-04.5. Skanska will supplement the written protest within 14 Calendar Days in accordance with General Provisions 1-04.5.

If you have any questions or concerns, please feel free to contact me.

A handwritten signature in black ink, appearing to read "P. Prendergast", written over a horizontal line.

Patrick Prendergast, Vice President

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

Attachment(s):

N/A