



December 5, 2025

Letter No. 289  
BY-CRE-04158

Washington State Department of Transportation  
I-405/SR 167Program  
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 – Issue 0230 - Revised PSE Power Routing to Transit HUB**

Dear Ms. Pao:

Skanska has received the following WSDOT written determination per WSDOT SL No. 203 dated November 21, 2025:

*Per RFP Section 2.17.1, General, “The Design-Builder shall perform all Work necessary to meet the Contract requirements for the traffic signal systems. The traffic signal systems for the Project shall include, at a minimum, the following:” which includes “Temporary traffic signal systems” as an item. Also in RFP Section 2.17.1, General, “The Design-Builder shall install electrical services or utilize existing services to provide power for all signal systems, in accordance with the Contract.” The design and construction of temporary signal power are included in the base scope of the contract, so there is no merit to additional time or cost.”*

We believe WSDOT may not have fully understood the primary intent of the change request. The core issue concerns the revised design and construction costs associated with changing the original permanent power source from UW Bothell to the North Creek Business Park. The need for temporary power for the traffic signals is a direct consequence of not having permanent power available in time due to this change. If the design-build team had been able to supply power from UW Bothell, as coordinated with PSE and WSDOT during the bid phase of this project, this issue would not have arisen. Unfortunately, WSDOT ended up rejecting the concept that they developed and forced the Design-Builder to create a separate path adding time and cost to develop an alternate concept.

Skanska respectfully disagrees with WSDOT’s interpretation. This Notice of Protest is submitted in accordance with General Provisions Section 1-04.5.

Skanska will provide supplemental documentation to support this protest. However, given the substantial time required to compile detailed facts and impact analysis, the standard 14-day period is insufficient. Therefore, Skanska respectfully requests an additional 60 calendar days, establishing a new submission date of February 17, 2026. This request is made pursuant to General Provisions Section 1-04.5(2).



Please note that AECOM, our design partner, has submitted its own Notice of Protest, which we are attaching for your reference. Skanska's supplemental documentation will incorporate and align with AECOM's technical position.

If you have any questions or require additional information, please contact me at your convenience.

Regards,

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

**Attachments:**

AECOM Notice of Protest (dated December 5, 2025)



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

12/5/25

**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: RE: Design Related Delays & Impacts for SR-522 Transit Hub Power Source Location

**NOTICE OF PROTEST/CHANGE REQUEST**

Dear Mr. Prendergast:

AECOM acknowledges receipt of WSDOT's correspondence (WSDOT SL No. 9727-203), dated November 21, 2025. In this letter, WSDOT rejected Skanska's formal request for additional design funds (See Letter No. 273 BY-CRE-03938, dated November 7, 2025) pertaining to the unforeseen design that includes two items:

1. Revising the SR-522 Transit Hub Permanent Power Source Location from UW Bothell to the North Creek Business Park
2. Providing temporary power designs for the traffic signals for Stage 2 Phase 3 due to delays with the permanent power source

As AECOM disagrees with WSDOT's determination, the matter should be pursued via the protest procedures outlined in Section 1-04.5 of the RFP: Procedure, Protest, and Dispute by the Design-Builder.

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 the need for additional unforeseen design including providing design for temporary power for traffic signals for Stage 2 Phase 3 and sourcing temporary power to mitigate delay in establishing permanent power to both the traffic signals and 522 Transit HUB. These items are above and beyond the requirements in Section 2.27.6.2.2 of the RFP Technical requirements which states, "The Design-Builder shall coordinate with the Utility Owner to install a power connection point within the interior of the transit hub." It does not state the Design Builder is to design or construct power to the power connection point.

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 60 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 provide this notice of protest and request for an extension of time to WSDOT no later than December 5, 2025, per the Design-Build Contract.**

Yours sincerely,

**AECOM Technical Services, Inc.**



Ryan Abraham, PE  
Vice President

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cc: E. Grant, J. Waldron, R. Patterson, J. Guererro