

February 12, 2026

Patrick Prendergast, P.E.
Vice President
Skanska USA Civil
18911 North Creek Parkway, Suite 300
Bothell, WA 98011

WSDOT SL No. 9727-264

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

Subject: **RE: 1-04.7 Potential Differing Site Condition Bridge No. 405/70N-W
(northbound I-405 to westbound SR 522)**

Mr. Prendergast:

WSDOT is in receipt of Skanska Serial Letter No. 334, 1-04.7 Potential Differing Site Condition Bridge No. 405/70N-W (northbound I-405 to westbound SR 522), dated January 30, 2026. Skanska LTR 334 asserts bridge deck thicknesses materially exceed the as-built drawings and that this constitutes a Differing Site Condition under Section 1-04.7 Differing Site Conditions. WSDOT investigated the reported conditions and reviewed the applicable Contract Documents. Based on this investigation and review, WSDOT has determined that a Differing Site Condition does not exist. No adjustment will be made to the Contract Price or Contract Time.

RFP Section 2.13.1, Bridges and Structures, provides:

"The plans showing the existing bridges and other structures are located in the As Builts (Appendix N). The plans are not guaranteed to be dimensionally accurate or complete. The Design-Builder shall field measure and verify existing dimensions as required for their Work."

The Contract explicitly disclaims the dimensional accuracy of as-built bridge plans and places the obligation on the Design-Builder to field verify existing dimensions. The as-built drawings in Appendix N are further designated as Reference Documents in Appendix A1. Under Section 1-01.3 Definitions and Terms and Section 1-02.2 Disclaimer Regarding Documentation, Reference Documents are provided for information purposes only, the Design-Builder is not entitled to rely upon them, and it does so at its own risk.

Bridge deck thickness is an existing dimension that the Design-Builder was required to field measure and verify under Section 2.13.1. Skanska's reliance on the as-built drawings in lieu of performing this required verification was at Skanska's own risk under the Contract.

Skanska certified through Form A in its Proposal that it had inspected and examined the Site and undertaken other appropriate activities sufficient to familiarize itself with surface and subsurface conditions. Under ITP Section 2.6 Right of Way Access, the procurement process provided Proposers the opportunity to request access to the Project Site for data collection, including investigation activities requiring traffic control.

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For these reasons, WSDOT determines that the conditions described in Skanska LTR 334 do not constitute a Differing Site Condition under Section 1-04.7. This letter constitutes WSDOT's Written Determination under Section 1-04.7. If Skanska does not accept this Written Determination, the Design-Builder shall pursue the protest procedures in accordance with Section 1-04.5, Procedure, Protest, and Dispute by the Design-Builder.

If you have any questions, please contact me at (425) 495-1577.

Sincerely,

A handwritten signature in black ink, appearing to read 'Evelyn Pao', written in a cursive style.

Evelyn Pao, P.E.
Project Director
EP:za

cc: D. Case, D. Holmquist, J. Slavicek, J. Zimmerman, S. Berriz, B. Kane, N. Bergeman, R. Gehrlein, E-File