

January 13, 2026

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WSDOT SL No. 9727-237

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

Subject: NB405: Bridge 405/103E Widening

Mr. Prendergast:

WSDOT acknowledges receipt of Skanska Letter No. 288 (Skanska SL-288), NB405: Bridge 405/103E Widening, dated December 5, 2025. Skanska clearly takes issue with WSDOT Serial Letter 201 (WSDOT SL-201) wherein WSDOT stated that Skanska shall provide a bridge design per ATC-1 or request a DBIC. WSDOT SL-201 further states that, where a DBIC is concerned, WSDOT will not accept a design based on a structure widening that is not fully continuous with the existing superstructure and substructure, as shown in ATC-1 Figure 2.

ATC-1 Figure 2 illustrates the proposed design, including the combined spread footing, infill pier wall and superstructure widening. ATC-1 (Page 3, lines 9-26) states the following:

*“This ATC will provide the following design for each bridge:*

- 1) The zones of potential soil liquefaction within the proposed excavation for Piers 2 and 3 will be removed and replaced thus mitigating the potential liquefaction at those locations as described in the Design Analysis section below.*
- 2) Abutment for the widening portion of Bridge 405/103E will be designed to consider the limited settlement due to the presence of the liquefiable layer in that area (see more explanation in the structural adequacy section below). No Ground Improvement and/or Soil replacement is proposed in this ATC, which matches the intent of the RFP document and conceptual drawings.*
- 3) For the Intermediate Piers, spread footings will be combined and capacity protected to the overstrength demand from the Pier Wall along its weak axis. Please, note the final design of combining the spread footing and the existing drilled shaft will be determined during final design. The concern is to avoid inducing excessive shear demand into the drilled shaft by combining the drilled shaft with the spread footing.*
- 4) A Pier Wall will be provided for Piers 2 and 3 as shown in Figure 2 (attached).*
- 5) Girder seat extension and girder stops at abutments are needed.*

- 6) *For Bridge 405/103E, the Pier diaphragm and Pier Cap will be widened to match the existing structure.”*

Items 3), 4), and 6) describe the proposed design in terms that suggest continuity with the existing structure and cite Figure 2 which implies the same.

ATC-1, as presented and approved by WSDOT, -states and shows continuity with the existing structure. Given that ATC-1 has been approved by WSDOT, consideration must be given to General Provision 1-03.2, Order of Precedence, which includes the following caveat:

*“If the Proposal includes statements or incorporates approved ATC(s) that can reasonably be interpreted as offers to provide higher quality items than otherwise required by the Contract Documents or to perform services in addition to those otherwise required, or otherwise contains terms that are more advantageous to WSDOT than the requirements of the Contract Documents, Design-Builder's obligations hereunder shall include compliance with all such statements, offers, and terms.”*

The DBIC to revise the proposed design per ATC 1 would need to:

- Replace ATC-1, Figure 2 with an acceptable approach.
- Modify RFP Section 2.13.4.1.2, Bridge Widening Design Criteria, to reflect the revised approach as based upon the superstructure and substructure conditions that differ from those as described on ATC-1 page 3, lines 9-26, as previously listed in this letter.

In accordance with General Provision 1-04.4(2), the approval of any such DBIC would depend upon the change being equal or better than the Contract requirement proposed to be changed, i.e., ATC-1.

WSDOT advises Skanska of General Provision 1-04.4(2).2, WSDOT Review and Approval or Rejection, where DBICs are concerned. Per General Provision 1-04.4(2).2, WSDOT will review the DBIC expeditiously, but will not be liable for any delay in acting upon any proposal submitted pursuant to General Provision 1-04.4(2), Design-Builder Initiated Changes. Also, per General Provision 1-04.4(2).2, pending WSDOT approval of any DBIC and issuance of a Change Order, the Design-Builder shall remain obligated to perform in accordance with the Contract Documents. Skanska will therefore not be able to advance the Bridge 405/103E widening design beyond what has been submitted to date, without WSDOT approval of a DBIC to revise ATC-1.

WSDOT also advises Skanska of General Provision 1-04.4(5), Matters Not Eligible for Change Orders, with emphasis on Item (n) within said provision which states:

*“The Design-Builder acknowledges and agrees that no increase in the Contract Price is available except in circumstances expressly provided for in the Contract, that such price increases shall be available only as provided in Section 1-04.4, and that the Design-Builder shall bear full responsibility for the costs of all other changes. Matters which are the Design-Builder’s exclusive responsibility include the following:*

...  
(n) Unless noted otherwise in the Contract, any increases in costs or time incurred implementing an ATC.  
..."

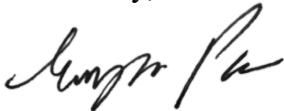
Should Skanska choose to pursue a DBIC to revise ATC-1, any associated increase in cost or time will be Skanska's responsibility as established under General Provisions 1-04.4(2).2 and 1-04.4(5).

Skanska SL-288 also questioned the Forward Compatibility statements made per WSDOT SL-201 (SL-201). WSDOT acknowledges that the term "Forward Compatibility" was not correct since there is no such Contract requirement governing the existing culvert at Bridge 405/103E. ATC-1, as approved by WSDOT, proposes to widen the pier spread-footing foundation at an elevation that both matches the existing spread-footings and is below the culvert pipe invert elevation thereby placing foundation loads below the culvert. The approved ATC-1 design concept will accommodate WSDOT's anticipated replacement of the existing culvert with a fish-passage structure. Skanska's proposal to revise the ATC-1 design such that the bottom of the footing or shaft/column transition is above the culvert pipe invert elevation would not preclude replacement of the culvert but it would certainly increase the cost of said replacement. When evaluating a DBIC to revise ATC-1, WSDOT will consider future cost impacts in the context of whether the DBIC proposes a change that is equal or better to what is currently required under ATC-1. The "equal or better" evaluation will consider whether the revised design is consistent with the current bottom of spread footing elevation of 87.0 feet.

In lieu of an approved DBIC, ATC-1 shall maintain the bottom of spread footing elevation of 87.0-feet as originally proposed in ATC-1. ATC-1, as presented and approved, accommodated the future fish passage construction and therefore raised no questions at the time of ATC approval.

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

Sincerely,



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

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