



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: December 18, 2008

CBCA 1192

RELIABLE CONTRACTING GROUP, LLC

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

William E. Dorris of Kilpatrick Stockton, LLP, Atlanta, Georgia, counsel for Appellant.

Kenneth B. MacKenzie, Office of the General Counsel, Department of Veterans Affairs, Washington, DC, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **SHERIDAN**, and **WALTERS**.

WALTERS, Board Judge.

Appellant, Reliable Contracting Group, LLC (Reliable), filed the instant appeal from a deemed denial of the contracting officer of respondent, the Department of Veterans Affairs (VA), of a claim for additional compensation relating to alleged government delay in connection with Reliable's performance of a contract for utility plant and electrical distribution work at the VA hospital in Miami, Florida.

On December 18, 2008, the parties filed with the Board a stipulation of settlement and a joint motion for judgment on the stipulated settlement. The stipulation of settlement calls for the entry of judgment in favor of the appellant in the amount of \$145,075, and for the payment of said amount to Reliable from the permanent indefinite judgment fund, 31 U.S.C.

§ 1304 (2000). The stipulation provides that interest be paid in accordance with the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613 (2000), commencing November 9, 2007. Under the motion, Reliable waives “any right it may have to make any claim for recovery of attorney fees and expenses under the Equal Access to Justice Act,” and further states that “the parties stipulate that they will not seek reconsideration of, relief from, or appeal the Board’s decision.”

Decision

The appeal is **GRANTED IN PART**. In accordance with the parties’ stipulation of settlement, the Board awards appellant the sum of \$145,075, plus interest on said amount under the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613 (2000), beginning on November 9, 2007, until payment is issued. Payment is to be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304.

RICHARD C. WALTERS
Board Judge

We concur:

STEPHEN M. DANIELS
Board Judge

PATRICIA J. SHERIDAN
Board Judge