



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: June 13, 2012

CBCA 2278

ASSOCIATED BUILDERS, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Michael M. Pavlovich and Herman M. Braude of Braude & Margulies, P.C.,
Washington, DC, counsel for Appellant.

Dalton F. Phillips, Office of General Counsel, General Services Administration,
Washington, DC, counsel for Respondent.

Before Board Judges **VERGILIO**, **GOODMAN**, and **DRUMMOND**.

GOODMAN, Board Judge.

Appellant, Associated Builders, Inc., appealed the denial by a contracting officer of respondent, the General Services Administration, of appellant's certified claim in the amount of \$497,995. On June 11, 2012, pursuant to Board Rule 25(b) (48 CFR 6101.25(b) (2011)), the parties submitted a joint motion for stipulated award in the amount of \$148,602 and a settlement agreement which states in relevant part:

[Respondent] agrees to compensate [appellant] . . . a total of \$142,012. In addition to the settlement of \$142,012, [appellant] is owed a contract balance of \$7,590, which brings the total amount of the settlement to \$149,602. The sum of \$148,602 will be paid to the Contractor from by [sic] the United States Treasury from the Judgment Fund and the Agency will pay to the Contractor the remaining \$1,000.00. The Judgment Fund will pay the

money within 30 days from the execution of this agreement. Interest will accrue on the total amount of \$142,012 on the 31st day after the agreement is executed by the parties. In addition, [respondent] agrees to pay [appellant] its outstanding contract balance of \$7,590.00 within 30 days after this agreement is executed by the Parties.

Pursuant to the Rule 25(b), appellant and respondent certify that they will not seek review or reconsideration of judgment so rendered. With respect to this decision of the Board issued pursuant to the motion for stipulated award, appellant and respondent waive their rights to reconsideration under Rule 26, rights to relief from judgment under Rule 27, and rights to appeal the decision.

Decision

Pursuant to the parties' motion for stipulated award, the Board **GRANTS** the appeal **IN PART**. Appellant is awarded a total of \$148,602. Payment, with interest stated above, may be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2006).

ALLAN H. GOODMAN
Board Judge

We concur:

JOSEPH A. VERGILIO
Board Judge

JEROME M. DRUMMOND
Board Judge