



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: July 27, 2009

CBCA 1603

COLORADO WEST CONTRACTING, INC.,

Appellant,

v.

DEPARTMENT OF AGRICULTURE,

Respondent.

Preston Mease, President of Colorado West Contracting, Inc., Grand Junction, CO, appearing for Appellant.

Daniel B. Rosenbluth, Office of the General Counsel, Department of Agriculture, Denver, CO, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

Colorado West Contracting, Inc. (contractor) timely filed an appeal with the Board under the Contract Disputes Act of 1978, as amended, 41 U.S.C. §§ 601-613 (2006), concerning its contract with the Department of Agriculture, Forest Service, to complete repair after a road slide. The parties opted to utilize binding arbitration to resolve the dispute over the contractor's claim to be reimbursed \$30,791.86. On July 24, 2009, the presiding judge conducted a binding arbitration proceeding with the parties through a telephone conference. The dispute is resolved. The contractor was unsuccessful in demonstrating entitlement to relief; the denial of the claim is upheld. The parties agree that the case may be removed from the Board's docket. The Board **DISMISSES WITH PREJUDICE** this appeal.

JOSEPH A. VERGILIO
Board Judge