



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED: November 22, 2010

CBCA 1842

CADDELL CONSTRUCTION COMPANY,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Stephen R. Miller of Miller Schirger LLC, Kansas City, MO, counsel for Appellant.

Leigh Erin S. Izzo, Office of General Counsel, General Services Administration, New York, NY; and Catherine Crow, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

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

VERGILIO, Board Judge.

On December 23, 2009, the Board received from Caddell Construction Company (contractor) a notice of appeal, seeking \$172,800.62 which it claims the General Services Administration (Government) wrongfully deducted from its contract, GS-07P-05-UEC-3003, to construct a courthouse in El Paso, Texas. The Board has jurisdiction over this timely-filed appeal pursuant to the Contract Disputes Act of 1978. 41 U.S.C. §§ 601-613 (2006).

In a stipulation, the parties jointly request the Board to enter judgment for the contractor in the amount of \$172,800.62 in full and final settlement of the claims presented. The amount includes costs, attorney fees, and interest. Each party agrees that it will not seek reconsideration, and will not file an appeal, of this decision. The parties intend that the amount be paid through the judgment fund, pursuant to law, 31 U.S.C. § 1304; 41 U.S.C. § 612.

Decision

The Board **GRANTS** the appeal. The contractor shall recover \$172,800.62.

JOSEPH A. VERGILIO
Board Judge

We concur:

ANTHONY S. BORWICK
Board Judge

ALLAN H. GOODMAN
Board Judge