GRANTED IN PART: March 23, 2016

CBCA 4730

PATRIOT CONSTRUCTION, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Patricia A. Meagher of Rogers Joseph O'Donnell, San Francisco, CA, counsel for Appellant.

Kate Gorney, Office of the General Counsel, Department of Veterans Affairs, San Francisco, CA, counsel for Respondent.

Before Board Judges **HYATT**, **KULLBERG**, and **SULLIVAN**.

**HYATT**, Board Judge.

The Department of Veterans Affairs (VA) and Patriot Construction, Inc. (Patriot) entered into a contract for work to be performed at the Sacramento VA Medical Center in Mather, California. During contract performance various disputes arose, giving rise to Patriot's claim for an equitable adjustment in the amount of $1,302,792 for additional and changed work, delay costs, and other related costs.

The parties have executed a stipulation of settlement, fully resolving all claims and issues in the appeal. Under this agreement, the VA has agreed to pay to Patriot the amount of $500,000 as full and complete compensation for all costs, direct and indirect, including, but not limited to, impact on both changed and unchanged work, attorney fees, and all interest associated with the claim asserted in this appeal.

The parties have filed a joint motion for stipulated judgment pursuant to Board Rule 25(b) (48 CFR 6101.25(b) (2015)). In this motion, they ask the Board to award to Patriot the amount of $500,000, inclusive of all interest, in accordance with the terms of the stipulation of settlement. The parties state that they will not seek reconsideration of, or relief from, a Board decision which awards the stipulated amount, and will not appeal the decision.

<u>Decision</u>

The appeal is **GRANTED IN PART**. The Department of Veterans Affairs shall pay to Patriot Construction, Inc. the amount of $500,000. This payment may be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2012); 41 U.S.C. § 7108.

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CATHERINE B. HYATT
Board Judge

We concur:

_____         _____
H. CHUCK KULLBERG                        MARIAN E. SULLIVAN
Board Judge                              Board Judge