



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: July 11, 2012

CBCA 2561

MEDICAL CONSTRUCTION GROUP, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Charles W. Surasky of Smith, Currie & Hancock LLP, Atlanta, GA, counsel for Appellant.

Tracy Downing, Office of the Regional Counsel, Department of Veterans Affairs, Nashville, TN, counsel for Respondent.

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

McCANN, Board Judge.

Appellant, Medical Construction Group, appealed the denial by a contracting officer of respondent, the Department of Veterans Affairs, of appellant's certified claim in the amount of \$1,150,604, plus an increase in time to complete the contract of 422 days. On June 27, 2012, pursuant to Board Rule 25(b) (48 CFR 6101.25(b) (2011), the parties submitted a joint stipulation setting forth the amount of the award of \$746,000. The stipulation states that the parties will not seek reconsideration of, or relief from, the Board's decision, and they will not appeal the decision. With respect to this decision issued pursuant to the stipulation, appellant and respondent waive their rights to reconsideration under Rule 26, their rights to relief from judgement under Rule 27, and their 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 \$746,000. Payment may be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2006).

R. ANTHONY MCCANN
Board Judge

We concur:

ANTHONY S. BORWICK
Board Judge

ALLAN H. GOODMAN
Board Judge