



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: February 27, 2013

CBCA 3223

LEGACY ELECTRIC AUTOMATION & COMMUNICATIONS, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Eugene Miron, Project Engineer of Legacy Electric Automation & Communications, Inc., Willowbrook, IL, appearing for Appellant.

Lisa A. Buechler, Office of the Solicitor, Department of the Interior, Lakewood, CO, counsel for Respondent.

DANIELS, Board Judge (Chairman).

ORDER

The Department of the Interior's National Park Service awarded to Legacy Electric Automation & Communications, Inc. (Legacy) a contract in the amount of \$19,993.36 to perform electrical work at the Cedar Pass Lodge of the Badlands National Park in South Dakota. After award, Legacy asserted that the work to be performed was considerably in excess of the work described in the agency's solicitation and claimed that it would need an additional \$69,416.04 to perform all the work. The contracting officer denied the claim, maintaining that all the work – including what Legacy contended was additional – was

described in an attachment to the solicitation. Legacy appealed the contracting officer's decision.

The parties have now resolved their dispute, settling the case by agreeing that the contract will be terminated for the convenience of the Government, with no costs payable by either party. The parties have asked that the case be dismissed with prejudice.

Accordingly, the case is **DISMISSED WITH PREJUDICE**.

STEPHEN M. DANIELS
Board Judge