



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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GRANTED IN PART: September 17, 2013

CBCA 3244

BLUE YONDER, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Andrew K. Wible and Victor G. Klingelhofer of Cohen Mohr LLP, Washington, DC, counsel for Appellant.

Brian R. Reed, Kristin Langwell, and D. Brent Pope, Office of Regional Counsel, Department of Veterans Affairs, Charleston, IL, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **STERN**, and **SHERIDAN**.

**DANIELS**, Board Judge.

The Department of Veterans Affairs (VA) contracted with Blue Yonder, Inc. (Blue Yonder), to construct two buildings at a VA medical facility in North Chicago, Illinois. Blue Yonder claimed that due to delays caused by the VA, it was entitled to be paid \$308,377.35 in extended general conditions costs.

Following mediation of the dispute by a Board judge, the parties to this appeal have filed a Stipulation for Entry of Judgment. In this stipulation, the parties ask the Board to enter judgment in favor of Blue Yonder in the amount of \$220,000. Each party stipulates

that it will not seek reconsideration of, or relief from, a decision which makes this award, and will not appeal such a decision.

Decision

The parties' request is granted. The appeal is **GRANTED IN PART**. The Department of Veterans Affairs shall pay to Blue Yonder, Inc. the sum of \$220,000. Rule 25(b) (48 CFR 6101.25(b) (2012)). Payment shall be paid from the Government's permanent indefinite judgment fund. 31 U.S.C. § 1304 (2006).

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STEPHEN M. DANIELS  
Board Judge

We concur:

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JAMES L. STERN  
Board Judge

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PATRICIA J. SHERIDAN  
Board Judge