



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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March 18, 2016

CBCA 3626, 3637, 3645, 3683, 3755, 3756, 3787, 3857, 4017, 4062, 4317, 4362, 4427

KIEWIT-TURNER, A JOINT VENTURE,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

William E. Dorris, Reginald A. Williamson, and Elizabeth C. Akins of Kilpatrick Townsend & Stockton LLP, Atlanta, GA; and Michael A. Branca of Peckar & Abramson, P.C., Washington, DC, counsel for Appellant.

Charlma Quarles, Cecily Chambliss, Eyvonne Alston, Benjamin Diliberto, and Khaliah M. Wrenn, Office of General Counsel, Department of Veterans Affairs, Washington, DC, counsel for Respondent.

**DANIELS**, Board Judge (Chairman).

ORDER

The Department of Veterans Affairs (VA) contracted with Kiewit-Turner, a Joint Venture (KT) for the construction of a medical center campus in Aurora, Colorado. KT has submitted numerous claims to the VA contracting officer regarding work done under this contract. KT has appealed from the contracting officer's decisions on those claims.

On March 17, 2016, the parties filed a joint motion to dismiss with prejudice thirteen of those appeals, as follows:

- CBCA 3626 (PCO (proposed change order) #140, CM (change management) #261, painting samples – mockups, \$2856);
- CBCA 3637 (PCO #156, CM #490, clinic building south (CBS) hand digging and electrical conduit, \$1938);
- CBCA 3645 (PCO #27, CM #29, north parcel tree removal, \$5444);
- CBCA 3683 (PCO #149R1, CM #484, CBS added duct liner, \$1703);
- CBCA 3755 (PCO #258, BP (bid package) #132, terrazzo, \$149,807);
- CBCA 3756 (PCO #309, BP #087, automatic door openers, \$3745);
- CBCA 3787 (PCO #419, BP #71, security shacks, \$432,228);
- CBCA 3857 (PCO #302, CM #577, concourse stair lighting, \$3976.02);
- CBCA 4017 (PCO #354, CM #692, interstitial embed modifications, \$27,686 and twenty-seven activity days);
- CBCA 4062 (PCO #266R3, CM #620, paving at Ursula parking lot, \$14,785);
- CBCA 4317 (PCO #169, CM #377.011, BP #039, garages, \$7,342,170);
- CBCA 4362 (CM #436, energy center and inpatient building north underslab conduit, \$6343); and
- CBCA 4427 (PCO #349, CM #779, diagnostic and treatment building compressed air piping, \$29,011 and one activity day).

The motion is granted. CBCA 3626, 3637, 3645, 3683, 3755, 3756, 3787, 3857, 4017, 4062, 4317, 4362, and 4427 are **DISMISSED WITH PREJUDICE**.

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STEPHEN M. DANIELS  
Board Judge