



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: November 29, 2018

CBCA 6153-C(5361)

HAL-PE ASSOCIATES ENGINEERING SERVICES, INC.,

Applicant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Joseph A. Camardo, Jr. of Camardo Law Firm, P.C., Auburn, NY, counsel for Applicant.

Mary A. Mitchell, Office of General Counsel, Department of Veterans Affairs, Houston, TX; and Donald C. Mobly, Office of General Counsel, Department of Veterans Affairs, Denver, CO, counsel for Respondent.

GOODMAN, Board Judge.

On March 14, 2018, the Board issued its decision in *Hal-Pe Associates Engineering Services, Inc. v. Department of Veterans Affairs*, CBCA 5361, 18-1 BCA ¶ 36,999. Applicant had elected to have that appeal processed under Board Rule 52, Small Claims Procedure (48 CFR 6101.52 (2011)). Under the small claims procedure, “A decision shall be final and conclusive and shall not be set aside except in the case of fraud. A decision shall have no value as precedent.” Board Rule 52.

The application for Award of Fees and Other Expenses in this case was filed on June 8, 2018. Board Rule 30(b) states: “A party may file an application for fees and other expenses only after the time to seek appellate review of a Board decision has expired. A party

may file an application within 30 calendar days after that date.” As the Board’s decision dated March 14, 2018, was final and conclusive, the period for filing an application for fees and expenses expired thirty days from the date of the decision.

During a conference call with the Board on September 30, 2018, applicant’s counsel acknowledged that the application in this case was not timely filed. Accordingly, this case is **DISMISSED WITH PREJUDICE**.

Allan H. Goodman

ALLAN H. GOODMAN

Board Judge