



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

MOTION FOR RECONSIDERATION DENIED: October 29, 2019

CBCA 6264, 6279, 6284

CARMAZZI GLOBAL SOLUTIONS, INC.,

Appellant,

v.

SOCIAL SECURITY ADMINISTRATION,

Respondent.

Richard F. Busch II of Busch Law Firm, L.L.C., Littleton, CO; and Katherine B. Burrows of Nelson, Mullins, Riley & Scarborough, LLP, Baltimore, MD, counsel for Appellant.

Dorothy M. Guy, Tal Kedem, Alice M. Somers, and Brandon Dell'Aglio, Office of the General Counsel, Social Security Administration, Baltimore, MD, counsel for Respondent.

Before Board Judges **SOMERS** (Chair), **BEARDSLEY**, and **VERGILIO**.

VERGILIO, Board Judge.

The contractor, Carmazzi Global Solutions, Inc., moves for reconsideration of the Board's denial of its motion for summary judgment in these three appeals. *Carmazzi Global Solutions, Inc. v. Social Security Administration*, CBCA 6264, et al. (Sept. 26, 2019). The contractor takes issue with (1) the Board's ruling on the motion without first obtaining a response from the Social Security Administration (agency), and (2) the Board's rejection of the contractor's position that one contracting officer's determination to terminate for convenience one contract constitutes finality that prohibits a contracting officer from terminating for default another, similar contract.

On the first matter, given the arguments in the motion, the Board determined that it could expeditiously resolve the motion without the agency incurring time and expense to prepare a response or the contractor a reply. This does not constitute a valid basis for reconsideration.

On the second matter, the contractor has raised nothing new in its motion, as it refashions and reformulates its arguments. The contractor seeks to apply notions of finality to one contracting officer's conclusions and actions after reviewing the contractor's response to a cure notice in a contract not here at issue and the subsequent termination for convenience of that contract. Finality is not as the contractor contends. The agency has the opportunity and burden to justify each termination for default; finality of the one contracting officer's actions does not attach with respect to these contracts.

Decision

The Board **DENIES** the contractor's motion for reconsideration.

Joseph A. Vergilio
JOSEPH A. VERGILIO
Board Judge

We concur:

Jeri Kaylene Somers
JERI KAYLENE SOMERS
Board Judge

Erica S. Beardsley
ERICA S. BEARDSLEY
Board Judge