



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

MOTION FOR RECONSIDERATION DENIED: August 18, 2025

CBCA 7451-R

QUALITY TRUST, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Lawrence M. Ruiz, President of Quality Trust, Inc., Junction City, KS, appearing for Appellant.

Rachel Grabenstein, Office of the Solicitor, Department of the Interior, Albuquerque, NM, counsel for Respondent.

Before Board Judges **RUSSELL**, **SULLIVAN**, and **CHADWICK**.

SULLIVAN, Board Judge.

By decision dated April 4, 2025, the Board denied the appeal of Quality Trust, Inc. (QTI), finding that QTI could not receive an equitable adjustment for a suspension of work and had not proven entitlement to damages calculated with the *Eichleay* formula. *Quality Trust, Inc. v. Department of the Interior*, CBCA 7451, 25-1 BCA ¶ 38,792, at 188,665. Following the issuance of that decision, QTI filed a Motion for Contempt of Court, Summary Judgment or Direct Verdict Against the Department of Interior, which the Board docketed as a request for reconsideration. Having considered that filing, we deny the request for reconsideration.

“[T]here are three primary grounds that justify reconsideration: (1) an intervening change in the law; (2) the availability of new evidence; and (3) the need to correct clear error or prevent injustice.” *BES Design/Build, LLC v. Department of Veterans Affairs*, CBCA 6453-R, et al., 24-1 BCA ¶ 38,471, at 186,998 (2023) (citing *Delaware Valley Floral Group, Inc. v. Shaw Rose Nets, LLC*, 597 F.3d 1374, 1383 (Fed. Cir. 2010)). QTI does not provide arguments or evidence to justify reconsideration. Instead, QTI repeats assertions of supposed wrongdoing by the Department of the Interior (DOI)¹ during contract performance that QTI made during the pendency of the appeal. QTI also asserts that DOI committed “extrinsic fraud” but does not cogently explain what the fraud was or how it was committed. Finally, QTI asks for action by the Board to respond to purported failures by DOI to respond to discovery requests propounded by QTI, but these purported failures are not a basis for reconsideration.

Decision

QTI’s motion for reconsideration is **DENIED**.

Marian E. Sullivan

MARIAN E. SULLIVAN

Board Judge

We concur:

Beverly M. Russell

BEVERLY M. RUSSELL

Board Judge

Kyle Chadwick

KYLE CHADWICK

Board Judge

¹ We note that QTI refers repeatedly in its motion to the USDA, which we believe is the United States Department of Agriculture. USDA is not the respondent agency.