



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: September 30, 2014

CBCA 3808

N.K. BHANDARI, ARCHITECTURE & ENGINEERING, P.C.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Todd R. Overman and Brian M. Dobbs of Bass, Berry & Sims PLC, Washington, DC, counsel for Appellant.

Ricarto Brazela and Charlma Quarles, Office of the General Counsel, Department of Veterans Affairs, Washington, DC, counsel for Respondent.

DANIELS, Board Judge (Chairman).

ORDER

The Department of Veterans Affairs (VA) awarded to N.K. Bhandari, Architecture & Engineering, P.C. (Bhandari) an indefinite delivery/indefinite quantity contract for the provision of architect and engineering services. The VA chose not to exercise its option to continue the contract beyond its first year. Bhandari claimed this determination was made in bad faith because it was based on an incorrect assessment of the contractor's performance. Bhandari also claimed entitlement to \$1,110,235, consisting of \$116,074 in costs incurred but not reimbursed by the VA on task orders performed under the contract and \$994,161 in task orders and fee proposals accepted but later withdrawn. The contracting officer denied the claim, except for the \$116,074 in costs, and Bhandari appealed his decision.

The parties have now resolved their dispute and jointly move the Board to dismiss the appeal with prejudice to its reinstatement.

Accordingly, the appeal is **DISMISSED WITH PREJUDICE**.

STEPHEN M. DANIELS
Board Judge