



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: June 27, 2016

CBCA 3823, 3824, 4007, 4515, 4516, 4834, 4835, 4919

COBURN CONTRACTORS,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

J. Lister Hubbard of Capell & Howard, P.C., Montgomery, AL, counsel for Appellant.

Stephen F. Butera, Office of the Regional Counsel, Department of Veterans Affairs, Clarksburg, WV, counsel for Respondent.

Before Board Judges **VERGILIO**, **SHERIDAN**, and **ZISCHKAU**.

VERGILIO, Board Judge.

Coburn Contractors (contractor) filed eight notices of appeal concerning a project order, 540-CSI-201, under contract VA244-12-C-0175 with the Department of Veterans Affairs (agency). The contract involved the planning, scheduling, and construction of the community center at Veterans Affairs Medical Center in Clarksburg, West Virginia. The parties resolved the disputes, involving matters of time and money, through mediation with Board Judge Lester. On June 27, 2016, the Board received from the parties a stipulated (or consent) judgment. The Government shall pay the contractor \$442,665.69. If payment is made without use of the judgment fund, interest under the Contract Disputes Act, 41 U.S.C. § 7109 (2012), would accrue from the ninety-first day after the date of this decision until paid. If payment is made with the judgment fund, interest would accrue from the ninety-first day after the contractor provides the agency with necessary information to initiate that payment process until paid. The parties will not seek reconsideration of, or relief from the Board's decision, and will not appeal the decision. The parties note that the Government may utilize the permanent indefinite judgment fund. 31 U.S.C. § 1304; 41 U.S.C. § 7108.

Decision

The Board **GRANTS IN PART** these appeals. The contractor is to receive \$442,665.69, plus applicable interest under the Contract Disputes Act, if any, as detailed above.

JOSEPH A. VERGILIO
Board Judge

We concur:

PATRICIA J. SHERIDAN
Board Judge

JONATHAN D. ZISCHKAU
Board Judge