

CENTEX CONSTRUCTION COMPANY

CONTRACT NO. V101C-1623

VABCA-5632-5668

VA MEDICAL CENTER
SALEM, VIRGINIA

Charles F. Mitchell, Esq., Rockville, Maryland, for the Appellant.

Rheba C. Heggs, Esq., Trial Attorney; *Charlma J. Quarles, Esq.*, Deputy Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER ENTERING JUDGMENT

1. In the captioned appeals, the Department of Veterans Affairs and Appellant have filed with the Board a Joint Motion for Judgment on Stipulated Settlement, a Stipulation of Settlement, a Settlement Agreement, and Certificates of Finality. Execution of the Joint Motion was completed on August 16, 1999.
2. In the Motion and Stipulation, the parties jointly move the Board for Judgment in favor of Centex Construction Company in the amount of \$100,000. That sum represents the complete and final settlement of all costs, fees and expenses associated with J.J. Kirlin's performance of its subcontract under the subject contract, as well as a complete and final equitable adjustment of any and all claims that Appellant presently has, may have had or may have in the future. The sum further represents the total amount due Appellant for all costs associated with the appeals, as well as the claim for loss of efficiency now pending before the Contracting Officer, including attorney's fees, costs, and interest due under any provision of the Contract and the *Contract Disputes Act of 1978*, 41 U.S.C. § 601-613. Additionally, the Appellant releases Respondent from any claims related to or arising out of Appellant's performance of the subject contract. In the Motion, the parties also move that the Board issue an Order dismissing these appeals with prejudice.
3. Inasmuch as the parties have reached agreement in these appeals, their request is Granted. The Appellant is found entitled to the payment of \$100,000 pursuant to the terms and conditions of the Stipulation of Settlement entered into by the parties and the appeals are hereby Dismissed With Prejudice.

It Is So OrderedDate: **August 19, 1999**

Morris Pullara, jr.
Administrative Judge