



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: September 14, 2007

CBCA 387, 388, 399

TURNER CONSTRUCTION COMPANY,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Richard L. Abramson and Patrick J. Greene, Jr., of Peckar & Abramson, River Edge, NJ, counsel for Appellant.

Thomas Y. Hawkins, Robert M. Notigan, and Richard Hughes, Office of General Counsel, General Services Administration, Washington, DC; and Michael DeChiara, Matthew S. Quinn, Christopher P. McCabe, Michael J. Vardaro, and Michelle Fiorito of Zetlin & DeChiara LLP, New York, NY, counsel for Respondent.

Before Board Judges **BORWICK**, **HYATT**, and **DeGRAFF**.

BORWICK, Board Judge.

These appeals involve claims for remission of liquidated damages, equitable adjustment, breach, and rescission filed by appellant, Turner Construction Company, arising from its contract with respondent General Services Administration for the construction of the United States Courthouse and Federal Building, Islip, New York.

The appeals were originally filed at the General Services Board of Contract Appeals (GSBCA) as GSBCA 15502, 16055, and 16551. On January 6, 2007, pursuant to section 847 of the National Defense Authorization Act for Fiscal Year 2006, Pub. L. No. 109-163, 119

Stat. 3391, the GSBCA was terminated and its cases, personnel, and other resources were transferred to the newly-established Civilian Board of Contract Appeals (CBCA). The appeals were re-docketed as CBCA 387, 388, and 399.

Pursuant to Board Rule 25(b), the parties have submitted a joint settlement stipulation setting forth the award in the amount of \$26,500,000 inclusive of interest under the Contract Disputes Act, 41 U.S.C. §§ 601-613. The parties state that the parties will not seek reconsideration of, or relief from, the Board's decision and they will not appeal the decision. The Board adopts the parties' stipulation by decision. Pursuant to Board Rule 25(b), the Board's decision is an adjudication on the merits.

Decision

These appeals are **GRANTED IN PART** in the amount of \$26,500,000 inclusive of interest under the Contract Disputes Act.

ANTHONY S. BORWICK
Board Judge

We concur:

CATHERINE B. HYATT
Board Judge

MARTHA H. DeGRAFF
Board Judge