



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: December 17, 2008

CBCA 1100

CH2M HILL INTERNATIONAL SERVICES, INC.,

Appellant,

v.

AGENCY FOR INTERNATIONAL DEVELOPMENT,

Respondent.

Michael J. Vernick and Judy C. Faubert of Hogan & Hartson, LLP, Washington, DC, counsel for Appellant.

John B. Alumbaugh and Elizabeth A. Ransom, Office of the General Counsel, Agency for International Development, Washington, DC, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

On March 5, 2008, CH2M HILL International Services, Inc. (contractor) filed a notice of appeal disputing a contracting officer decision of December 11, 2007, regarding its contract, 294-C-00-00063-00, with the respondent, the Agency for International Development (Government). The contractor here seeks payment of amounts disallowed by the contracting officer who determined that the contractor was not entitled to payment for the long-term rental of non-American made vehicles because such payment would be inconsistent with statute, regulation, and the contract, in the absence of a written waiver.

During the discovery phase of proceedings, the parties utilized Board Judge Walters as a neutral mediator in non-binding alternative dispute resolution (ADR) mediation. The parties entered into a settlement agreement in November. On December 16, the Board received a request for a dismissal with prejudice.

The appeal is **DISMISSED WITH PREJUDICE.**

JOSEPH A. VERGILIO
Board Judge