



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: March 11, 2016

CBCA 4937, 4938

LEGION CONSTRUCTION, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Kristen Schuler Scammon of Torres, Scammon & Day, LLP, Boston, MA, counsel for Appellant.

Jeanne S. Morris, Office of Regional Counsel, Department of Veterans Affairs, Leeds, MA, counsel for Respondent.

DANIELS, Board Judge (Chairman).

ORDER

The Department of Veterans Affairs (VA) contracted with Legion Construction, Inc. (Legion) for the renovation of a building at the VA Medical Center in Brockton, Massachusetts. Legion contended that the contract required replacement of existing sprinkler heads, rather than installation of a new sprinkler system, in portions of the kitchen area and in the conference room, but the VA required the contractor to install new systems in those locations. Legion claimed that the agency's instruction added \$40,737.65 to the cost of the work – \$15,027.65 in the kitchen area and \$25,710 in the conference room. The contracting

officer denied the claims. Legion appealed the decisions to the Board, where the cases were docketed as CBCA 4937 (kitchen area) and 4938 (conference room).

The parties have now resolved their disputes and settled the cases. Legion moves the Board, with the VA's assent, to dismiss the cases with prejudice.

Accordingly, the cases are **DISMISSED WITH PREJUDICE**.

STEPHEN M. DANIELS
Board Judge