



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

---

GRANTED IN PART: April 22, 2025

CBCA 7954, 7958

FHC CONTRACTING, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Frank H. Fehmel, Managing Director, and Carl E. Wessels, Chief Financial Officer of FHC Contracting, Inc., DeSoto, TX, appearing for Appellant.

David G. Fagan, Office of General Counsel, Department of Veterans Affairs, Bend, OR, counsel for Respondent.

Before Board Judges **BEARDSLEY**, **O'ROURKE**, and **CHADWICK**.

**BEARDSLEY**, Board Judge (Chair).

On April 17, 2025, appellant, FHC Contracting, Inc. (FHC), and respondent, the Department of Veterans Affairs (VA), filed a joint motion requesting the entry of a stipulated judgment in FHC's favor in the amount of \$80,000. FHC waives any right it may have to claim for recovery of interest, attorney fees, costs, and expenses it may have incurred in conjunction with the appeals, except that if the settlement amount remains unpaid, Contract Disputes Act (CDA), 41 U.S.C. § 7109 (2018), interest will begin to accrue on June 6, 2025, and continue to accrue until payment is made. The parties have stipulated that they will not seek reconsideration of, seek relief from, or appeal the Board's entry of judgment awarding the stipulated amount to FHC. *See* Rule 25(b) (48 CFR 6101.25(b) (2024)).

Decision

The appeal is **GRANTED IN PART**. VA shall pay \$80,000 to FHC in full settlement of CBCA 7954 and CBCA 7958, with CDA interest running from June 6, 2025, if payment is not yet made, until the payment date. FHC waives any further right it may have to claim for recovery of interest, attorney fees, costs, and expenses it may have incurred in conjunction with the appeals.

*Erica S. Beardsley*

ERICA S. BEARDSLEY  
Board Judge

*Kathleen J. O'Rourke*

KATHLEEN J. O'ROURKE  
Board Judge

*Kyle Chadwick*

KYLE CHADWICK  
Board Judge