



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED: July 10, 2025

CBCA 8283

BARNARD SPENCER JOINT VENTURE,

Appellant,

v.

DEPARTMENT OF HOMELAND SECURITY,

Respondent.

Scott P. Fitzsimmons and Brandon K. Regan of Watt, Tieder, Hoffar & Fitzgerald, L.L.P., McLean, VA, counsel for Appellant.

Kimberly L. Cohen, Office of Chief Counsel, Customs and Border Protection, Department of Homeland Security, Indianapolis, IN; and Raul Chiriboga, Office of Chief Counsel, Customs and Border Protection, Department of Homeland Security, Washington, DC, counsel for Respondent.

Before Board Judges **SHERIDAN**, **KULLBERG**, and **VOLK**.

SHERIDAN, Board Judge.

On June 17, 2025, appellant, Barnard Spencer Joint Venture, and respondent, the Department of Homeland Security, filed a joint motion requesting the entry of a stipulated judgment in favor of appellant for \$54,569,187.30 plus interest, as authorized by the Contract Disputes Act (CDA), 41 U.S.C. § 7109 (2018), accruing from August 5, 2024. The settlement amount includes all costs and fees set forth in the settlement agreement between the parties and fully resolves the dispute underlying this appeal. 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 appellant. *See* Rule 25(b) (48 CFR 6101.25(b) (2024)).

Decision

The appeal is **GRANTED**. Respondent shall pay \$54,569,187.30 to appellant in full settlement of CBCA 8283, plus CDA interest accruing from August 5, 2024, until the date of payment. Appellant waives any further rights it may have to claim recovery of attorney fees, costs, and expenses that it may have incurred in conjunction with this appeal.

Patricia J. Sheridan

PATRICIA J. SHERIDAN

Board Judge

We concur:

H. Chuck Kullberg

H. CHUCK KULLBERG

Board Judge

Daniel B. Volk

DANIEL B. VOLK

Board Judge