



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: January 27, 2026

CBCA 8233

FHC CONTRACTING, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Frank H. Fehmel, Managing Director of FHC Contracting, Inc., Dallas, 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 January 23, 2026, 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 \$300,000, with payment to be made through the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2018). 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 appeal, except that if the settlement amount remains unpaid, Contract Disputes Act (CDA), 41 U.S.C. § 7109 (2018), interest will begin to accrue on March 27, 2026, and will 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 \$300,000 to FHC in full settlement of CBCA 8233, with CDA interest running from March 27, 2026, 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 this appeal.

Erica S. Beardsley

ERICA S. BEARDSLEY

Board Judge

We concur:

Kathleen J. O'Rourke

KATHLEEN J. O'ROURKE

Board Judge

Kyle Chadwick

KYLE CHADWICK

Board Judge