

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

GRANTED IN PART: May 1, 2001

GSBCA 15269

TWIGG CORPORATION,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Randal W. Wax of Shapiro, Lifschitz and Schram, P.C., Washington, DC, counsel for Appellant.

Gerald L. Schrader, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **NEILL**, and **GOODMAN**.

DANIELS, Board Judge (Chairman).

Twigg Corporation (Twigg) supplied and furnished certain labor, equipment, and materials to and performed certain work for the General Services Administration (GSA) under a contract for the renovation of Federal Office Building Number 6, located at Fourth and C Streets, S.W., in Washington, D.C.

During the course of construction, Twigg encountered a site condition which allegedly differed from what it expected based on its review of the contract drawings and specifications and a limited pre-bid survey of the site. On or about August 27, 1998, Twigg submitted to the GSA contracting officer a revised certified claim seeking an equitable adjustment to the contract price, in the amount of \$76,488, for additional costs allegedly incurred due to the differing site condition and certain constructive changes. The costs stemmed from Twigg's having to saw-cut cast-in-place concrete walls.

On March 17, 2000, Twigg filed, with the General Services Board of Contract Appeals, an appeal from the contracting officer's deemed denial of this claim.

On May 1, 2001, the parties submitted to the Board a joint motion for a stipulated award. The motion states that the parties have agreed to an entry of judgment in the amount of \$60,000 plus interest from the date of the revised certified claim until the principal amount is paid. The motion also states that the parties will, upon issuance of a Board decision in this case, immediately submit certificates of finality as to the decision.

Decision

The appeal is **GRANTED IN PART**. GSA shall pay to Twigg the principal amount of \$60,000. GSA shall also pay to Twigg interest on this amount. Interest shall be at the rate established by the Secretary of the Treasury pursuant to Public Law 92-41 (85 Stat. 97) for the Renegotiation Board, and shall run from August 27, 1998, until the date of payment. Rule 136(e) (48 CFR 6101.36(e) (2000)).

STEPHEN M. DANIELS
Board Judge

We concur:

EDWIN B. NEILL
Board Judge

ALLAN H. GOODMAN
Board Judge