

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

GRANTED IN PART: February 2, 2006

GSBCA 16188, 16189, 16190, 16214, 16215, 16217, 16218, 16223, 16228, 16260, 16502

AMEC CONSTRUCTION MANAGEMENT, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Barbara G. Werther, Patrick G. McGaughan, and Ronan J. McHugh of Thelen Reid & Priest LLP, Washington, DC, counsel for Appellant.

Dalton F. Phillips, Catherine C. Crow, and Richard Hughes, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

DANIELS, Board Judge (Chairman).

Under a contract with the General Services Administration (GSA), AMEC Construction Management, Inc. (AMEC) renovated the Interstate Commerce Commission, United States Customs Service, and Connecting Wing Buildings in Washington, D.C. AMEC submitted many claims to GSA concerning this contract and appealed contracting officer decisions on some of the claims.

The parties have filed a Motion for Stipulated Award regarding eleven of the appeals. The amount in dispute in these appeals was \$2,946,280. The motion reads as follows:

Pursuant to Rule 136(e) of the Board's Rules of Procedure, the parties, having resolved the captioned disputes, hereby jointly move the Board to enter judgment for Appellant for those appeals in the amount of \$1,561,752.00 (Judgment Amount). Payment of the Judgment Amount is to be made to Appellant from the Judgment Fund in accordance with 31 U.S.C. § 1304 [(2000)] and 41 U.S.C. § 612

Further, the parties stipulate as follows:

1. That the Judgment Amount includes costs and attorneys' fees;
2. That the Judgment Amount includes interest for \$581,752.00 of the Judgment Amount; interest for the remainder (\$980,000.00) shall be awarded pursuant to the Contract Disputes Act, 41 U.S.C. § 611 . . . , from June 16, 2003 until the date of payment of the Judgment Amount[;]
3. That neither party will seek reconsideration or relief from final judgment or otherwise appeal the final judgment; and
4. That, upon entry of judgment, both parties will properly execute certificates of finality and Appellant will submit its certificate to Respondent.

WHEREFORE, based on the foregoing, the parties respectfully request that the Board enter a decision in accordance with the terms of this stipulation.

Decision

GSBCA 16188, 16189, 16190, 16214, 16215, 16217, 16218, 16223, 16228, 16260, and 16502 are each **GRANTED IN PART**. Respondent, the General Services Administration, shall pay to Appellant, AMEC Construction Management, Inc., the sum of

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\$1,561,752. Respondent shall also pay to Appellant interest on \$980,000 from June 16, 2003, until the date of payment of the judgment amount of \$1,561,752, at rates established by the Secretary of the Treasury pursuant to 41 U.S.C. § 611 (2000). Payment shall be made from the permanent indefinite judgment fund. 31 U.S.C. § 1304.

STEPHEN M. DANIELS
Board Judge

We concur:

EDWIN B. NEILL
Board Judge

ROBERT W. PARKER
Board Judge