

# Board of Contract Appeals

General Services Administration  
Washington, D.C. 20405

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GRANTED IN PART: November 24, 2003

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GSBCA 14143

FENTRESS BRADBURN ARCHITECTS, LTD.  
a/k/a C.W. FENTRESS J.H. BRADBURN AND ASSOCIATES, P.C.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

David E. Leavenworth of Hall & Evans, L.L.C., Denver, CO, counsel for Appellant.

Dalton F. Phillips and Telo W. Braswell, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

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

**GOODMAN**, Board Judge.

Appellant, Fentress Bradburn Architects, Ltd., aka C.W. Fentress J.H. Bradburn and Associates, P.C., filed its appeal with the Board in August 1997 seeking reimbursement of additional costs in the amount of \$1,421,436 incurred in connection with a contract with the General Services Administration (GSA) for the design of offices and data processing and laboratory facilities for the National Oceanic and Atmospheric Administration (NOAA) Building in Boulder, Colorado.

A Board Judge conducted a mediation on October 28-29, 2003, which resulted in a settlement of the appeal. On November 21, 2003, the parties filed a Stipulation of Award pursuant to Board Rule 136(e). The stipulation reads in relevant part:

The parties request that the Board enter final judgment in favor of Fentress requiring payment by GSA to Fentress in the amount of \$309,935.00. Payment of this amount is to be made to Fentress from the Judgment Fund in accordance with 31 U.S.C. § 1304 (2002) and 41 U.S.C. § 612 (2002).

Further, Fentress and GSA stipulate that neither party will seek reconsideration or relief from the final judgment or otherwise appeal the final judgment. The Parties agree to file properly executed Certificates of Finality with the Board upon entry of final judgment.

Wherefore, Fentress and GSA respectfully request that the Board enter a decision in accordance with the terms of the stipulation.

Decision

Rule 136(e) provides that the Board may so adopt the parties' stipulation, by decision, and that such decision is an adjudication of the appeal on its merits. Pursuant to the agreement of the parties and Rule 136(e), the Board adopts the parties' stipulation for entry of judgment and enters judgment as requested. This appeal is **GRANTED IN PART**, with an award in the amount of \$309,935 to be paid from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2000), pursuant to the parties' settlement agreement.

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ALLAN H. GOODMAN  
Board Judge

We concur:

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STEPHEN M. DANIELS  
Board Judge

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CATHERINE B. HYATT  
Board Judge