

Board of Contract Appeals
General Services Administration
Washington, D.C. 20405

DISMISSED WITH PREJUDICE: June 13, 2003

GSBCA 15469

THE CLARK CONSTRUCTION GROUP, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Barbara G. Werther and Jeffrey R. Gans of Thelen Reid & Priest LLP, Washington, DC, counsel for Appellant.

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

DANIELS, Board Judge (Chairman).

ORDER

The Clark Construction Group, Inc. claimed that it was entitled to an equitable adjustment in the amount of \$234,190 as the cost impact of an allegedly defective design of the steel frame of a courthouse being constructed for the General Services Administration in Omaha, Nebraska. The contracting officer denied the claim, and the contractor appealed the decision.

The parties have settled this appeal and have jointly moved the Board to dismiss it with prejudice.

The motion is granted. The appeal is **DISMISSED WITH PREJUDICE**.

STEPHEN M. DANIELS
Board Judge