

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

GRANTED IN PART: November 15, 2004

GSBCA 16528

THE CLEVELAND MARBLE MOSAIC COMPANY,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Andrew J. Natale of Frantz Ward LLP, Cleveland, OH, counsel for Appellant.

Jeremy Becker-Welts, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **PARKER**, and **BORWICK**.

BORWICK, Board Judge.

This appeal is from the contracting officer's deemed denial of appellant's request for an equitable adjustment. Appellant requested payment of \$1,325,347.47, plus interest, under appellant's contract for construction of Phase III work on the Carl B. Stokes Courthouse and Federal Office Building, Cleveland, Ohio.

Pursuant to mediation conducted by a Board Judge, the parties have settled their dispute for \$649,175, inclusive of interest and attorney fees. The parties have requested that the Board enter a judgment for the stipulated award amount pursuant to Rule 136(e) (48 CFR 6101.36 (2003)) and have stated that neither party will seek reconsideration of, or relief from, the Board's decision and that neither party will appeal the decision.

Decision

Pursuant to the agreement of the parties and Rule 136(e), the Board enters a judgment for the stipulated award amount. This appeal is **GRANTED IN PART** in the amount of \$649,175, inclusive of any and all interest and attorney fees.

ANTHONY S. BORWICK
Board Judge

We concur:

STEPHEN M. DANIELS
Board Judge

ROBERT W. PARKER
Board Judge