

# Board of Contract Appeals

General Services Administration  
Washington, D.C. 20405

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GSBCA 16127-TD DISMISSED IN PART;  
GSBCA 16128-TD DISMISSED: August 6, 2003

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GSBCA 16127-TD, 16128-TD

CORNING CONSTRUCTION CORPORATION,

Appellant,

v.

DEPARTMENT OF THE TREASURY,

Respondent.

Joseph H. Kasimer of Kasimer & Annino, PC, Falls Church, VA, counsel for Appellant.

Marvin Kent Gibbs and Diane Mullaney, Office of Chief Counsel, Bureau of Engraving and Printing, Department of the Treasury, Washington, DC, counsel for Respondent.

**HYATT**, Board Judge.

## ORDER

Pending before the Board are the captioned consolidated docketed appeals of two contracting officer's decisions denying claims sponsored by Corning Construction Corporation, on behalf of its subcontractor, Prospect Waterproofing Company, for equitable adjustments under a contract with respondent, the Bureau of Engraving and Printing, Department of the Treasury, for the replacement of the Bureau's main building roof. The appeal docketed as GSBCA 16127-TD includes appellant's claims for equitable adjustments for (1) installation of additional copper flashing and (2) extra work associated with the concrete roof deck. GSBCA 16128-TD asserts a claim for the cost of additional gutter work. These three claims are Counts I - III, respectively, of appellant's consolidated complaint.

Appellant has now formally withdrawn Count I (copper flashing) and Count III (gutter work). The only claim remaining before the Board is Count II of GSBCA 16127-TD,

seeking additional costs incurred in addressing alleged irregularities in the concrete roof deck work.

Accordingly, GSBCA 16127-TD is **DISMISSED IN PART** and GSBCA 16128-TD is **DISMISSED**.

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CATHERINE B. HYATT  
Board Judge