

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

GRANTED IN PART: October 7, 2003

GSBCA 16052, 16194

ACME-ARSENA COMPANY, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

John K. Lind of Lasko & Lind, Cleveland, OH, counsel for Appellant.

Thomas Y. Hawkins, Robert M. Notigan, and Jeremy Becker-Welts, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

Before Board Judges **PARKER**, **NEILL**, and **HYATT**.

NEILL, Board Judge.

These disputes concern various claims for additional work and overhead expenses relating to the construction of a federal courthouse in Cleveland, Ohio. In the two appeals, Acme-Arsena Company, Inc. (Acme) seeks to recover a total of \$417,118.

On September 30, 2003, the Board received a joint motion from the parties for a stipulated award pursuant to Board Rule 136(e) (48 CFR 6101.36(e) (2002)). Under this rule, the Board adopts the parties' stipulation of settlement by decision and that decision is deemed an adjudication of the appeal on its merits. In these two appeals, the parties ask that we enter judgment in favor of Acme in the amount of \$100,000 in accordance with the terms and conditions of their settlement agreement. Under the agreement, the amount of the award is inclusive of all attorneys' fees and interest.

Pursuant to the agreement of the parties and Rule 136(e), the Board adopts the parties' stipulation by decision. These appeals are **GRANTED IN PART** in the amount of \$100,000 inclusive of attorneys' fees and interest. This award is to be paid from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2000).

EDWIN B. NEILL
Board Judge

We concur:

ROBERT W. PARKER
Board Judge
Board Judge

CATHERINE B. HYATT