

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

GRANTED IN PART: February 9, 2004

GSBCA 16355

TIGER NATURAL GAS, INC.,

Appellant

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

John J. McDermott and John Stackhouse of Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C., Washington, DC, counsel for Appellant.

Kevin J. Rice and Thomas Y. Hawkins, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

BORWICK, Board Judge.

Before Board Judges **BORWICK**, **NEILL**, and **DeGRAFF**.

BORWICK, Board Judge.

This appeal involves a claim under appellant's contract with the Government for delivery of natural gas. On October 12, 2001, appellant submitted a certified claim to the contracting officer of \$4,073,737.96 for the unpaid price of natural gas that appellant had delivered to the District of Columbia. On February 2, 2004, appellant filed this appeal pursuant to 41 U.S.C. § 605(c)(5), from the contracting officer's failure to issue a decision within a reasonable time pursuant to 41 U.S.C. § 605(c)(3).

The parties have now settled their dispute for \$4,000,000 inclusive of interest, costs, and attorney fees. The parties have requested that the Board enter a judgment for the stipulated award amount pursuant to Rule 136(e) 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 \$4,000,000 inclusive of any and all interest, costs, and attorney fees.

ANTHONY S. BORWICK
Board Judge

We concur:

EDWIN B. NEILL
Board Judge

MARTHA H. DeGRAFF
Board Judge