

ADAMS CONSTRUCTION CO., INC.

CONTRACT NO. V534C-310
4900

VABCA-

VA MEDICAL CENTER
CHARLESTON, SOUTH CAROLINA

Stan Barnett, Esq., Smith, Bundy, Bybee & Barnett, P.C., Charleston,
South Carolina, for the Appellant.

Joan S. Ratliff, Esq., Government Trial Attorney, Jackson, Mississippi, and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER OF JUDGMENT

In light of the Board's decision in Adams Construction Co. Inc., VABCA-4669, issued February 13, 1997, converting the default termination of Contract No. V534C-310 to a termination for convenience, there is no legal basis for the Government's assertion of procurement costs against the Appellant.

According, the Appeal of Adams Construction Company, Inc., under Contract No. V534C-310, VABCA No. 4900, of the Contracting Officer's final decision assessing procurement costs in the amount of \$149,760.06 is **SUSTAINED**.

IT IS SO ORDERED

DATE: **March 4, 1997**

RICHARD W. KREMPASKY
Administrative Judge
Panel Chairman

We Concur:

MORRIS PULLARA, JR.
Administrative Judge

JAMES K. ROBINSON
Administrative Judge