

THE CLARK CONSTRUCTION  
GROUP, INC.

CONTRACT NO. V101BC-0036

**VABCA-5249,  
5462 & 5852**

VA MEDICAL CENTER  
WEST PALM BEACH, FLORIDA

*Axel Bolvig, III, Esq.*, Bradley, Arant, Rose & White, LLP, Birmingham, Alabama,  
for the Appellant.

*Kenneth B. MacKenzie, Esq.*, Trial Attorney; *Charlma J. Quarles, Esq.*, Deputy  
Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel,  
Washington, D.C., for the Department of Veterans Affairs.

### ORDER ENTERING JUDGMENT

1. On March 1, 1999, the Respondent, Department of Veterans Affairs and the Appellant, Clark Construction Group, Inc. in the above-referenced appeals filed a Joint Motion For Judgment On Stipulated Settlement. The Motion encloses a Stipulation of Settlement, executed on February 26, 1999, entered into by the parties concerning VABCA-5249, 5462, and 5852.
2. The parties recite that they have entered into a Stipulation of Settlement in the above-referenced appeals and jointly move that the Board enter Judgment in the amount of \$675,000, plus interest in accordance with *the Contract Disputes Act of 1978*, 41 U.S.C § 601-613, commencing November 21, 1995, the date the contracting officer received Appellant's certified claim. Additionally, the Appellant waives any right it may have to make any claim for recovery of attorney fees and expenses under the *Equal Access to Justice Act*.
3. Inasmuch as the parties have stipulated the equitable adjustment due the Clark Construction Group, Inc. in VABCA-5249, 5462, and 5852, their Joint Motion For Judgment On Stipulated Settlement is **Granted**. Appellant is found entitled to \$675,000 pursuant to the terms and conditions of the Stipulation Of Settlement entered into by the parties.

### It Is So Ordered

Date: **March 2, 1999**

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Richard W. Krempasky  
Administrative Judge