

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -)
)
Yul Lim Construction Co., Ltd.) ASBCA No. 63483
)
Under Contract No. W912UM-19-C-0002)

APPEARANCE FOR THE APPELLANT: Yong Eui Song, Esq.
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Seoul, Korea

APPEARANCES FOR THE GOVERNMENT: Michael P. Goodman, Esq.
Engineer Chief Trial Attorney
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U.S. Army Engineer District, Far East District
Seoul, Korea

ORDER OF PARTIAL DISMISSAL

By letter dated September 6, 2022, Yul Lim Construction Co., Ltd. (appellant) filed a claim with the government requesting time extensions and monetary relief for six major delay events under the above captioned contract. The government failed to issue a decision on appellant’s claim in its entirety and this appeal followed. By joint correspondence dated January 18, 2024, the parties requested that the Board dismiss four of the six delay issues presently before the Board as these delay issues have been resolved. The four delay issues that the parties have resolved are: 1) the DOAS and WAF design change; 2) the paint spray booth design change; 3) COVID-19 delays for paint spray booth; and 4) severe weather condition delays.

The parties subsequently agreed to dismiss these issues with prejudice. Accordingly, the four identified delay issues are dismissed with prejudice. The remaining monetary claim and two delay events remain before the Board and the current schedule shall remain in effect.

Dated: January 25, 2024



JOHN J. THRASHER
Administrative Judge
Chairman
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Order of Dismissal of the Armed Services Board of Contract Appeals in ASBCA No. 63483, Appeal of Yul Lim Construction Co., Ltd., rendered in conformance with the Board's Charter.

Dated: January 26, 2024



PAULLA K. GATES-LEWIS
Recorder, Armed Services
Board of Contract Appeals