

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeals of --)
)
Kellogg Brown & Root Services, Inc.) ASBCA Nos. 59873, 60885
)
Under Contract No. DACA63-03-D-0005)

APPEARANCES FOR THE APPELLANT: Kurt J. Hamrock, Esq.
Raymond B. Biagini, Esq.
Herbert L. Fenster, Esq.
Covington & Burling LLP
Washington, DC

APPEARANCE FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.
Engineer Chief Trial Attorney

OPINION BY ADMINISTRATIVE JUDGE THRASHER

It is the Board's decision, pursuant to 41 U.S.C. §§ 7105(e), 7108(b), and the parties' stipulation and agreement, dated 8 December 2016, that the appeals are sustained. In the nature of a consent judgment, the Board makes a monetary award to appellant in the amount of \$3,902,706.61, inclusive of interest calculated through 30 November 2016. Interest accruing thereafter shall be paid on the principal amount of \$3,377,127.57 pursuant to 41 U.S.C. § 7109 from 1 December 2016 until the date of payment.

Dated: 21 December 2016


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

(Signatures continued)

I concur



RICHARD SHACKLEFORD

Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I concur



PETER D. TING

Administrative Judge
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Opinion and Decision of the Armed Services Board of Contract Appeals in ASBCA Nos. 59873, 60885, Appeals of Kellogg Brown & Root Services, Inc., rendered in conformance with the Board's Charter.

Dated:

JEFFREY D. GARDIN

Recorder, Armed Services
Board of Contract Appeals