

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Green Valley Company) ASBCA No. 61275
)
Under Contract No. W912D1-05-A-0063)

APPEARANCE FOR THE APPELLANT: Salma William Saikaly, Esq.
Law Offices of Salma William Saikaly
Willoughby Hills, OH

APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
MAJ Jason W. Allen, JA
Trial Attorney

OPINION BY ADMINISTRATIVE JUDGE MELNICK
ON APPELLANT'S MOTION FOR RECONSIDERATION

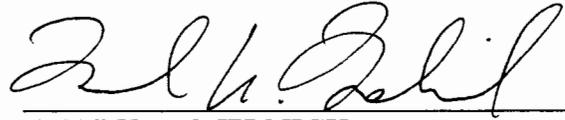
Green Valley Company (Green Valley) seeks reconsideration of the Board's February 13, 2018, decision granting summary judgment in favor of the government. *See Green Valley Co.*, ASBCA No. 61275, 18-1 BCA ¶ 36,977. Green Valley sought the payment of invoices it had presented in 2006 under a Basic Purchase Agreement with the United States Army. The Board found that the certified claim Green Valley submitted over a decade after the invoices was time-barred. It also found that Green Valley's late claim was not excused under the doctrine of equitable tolling.

Reconsideration might be appropriate if the request "is based upon newly discovered evidence, mistakes in the findings of fact, or errors of law." *Alliance Roofing & Sheet Metal, Inc.*, ASBCA No. 59663, 15-1 BCA ¶ 36,063. However "[r]econsideration is not intended to provide a party with the opportunity to reargue its position." *Id.* (quoting *Robinson Quality Constructors*, ASBCA No. 55784, 09-2 BCA ¶ 34,171 at 168,911). Green Valley does not present newly discovered evidence, or demonstrate errors in fact finding or law. Instead, the motion simply reargues Green Valley's case or advances new arguments not made before.

CONCLUSION

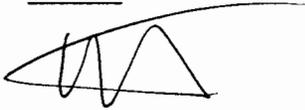
Accordingly, the motion is denied.

Dated: 1 May 2018



MARK A. MELNICK
Administrative Judge
Armed Services Board
of Contract Appeals

I concur



RICHARD SHACKLEFORD
Administrative Judge
Acting Chairman
Armed Services Board
of Contract Appeals

I concur



OWEN C. WILSON
Administrative Judge
Vice Chairman
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 No. 61275, Appeal of Green Valley Company, rendered in conformance with the Board's Charter.

Dated:

JEFFREY D. GARDIN
Recorder, Armed Services
Board of Contract Appeals