

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
John Shaw LLC d/b/a Shaw Building Maintenance) ASBCA No. 61379
)
Under Contract No. AAFES REZ-09-002-10-026)

APPEARANCE FOR THE APPELLANT: Mr. John Shaw, Jr.
Owner

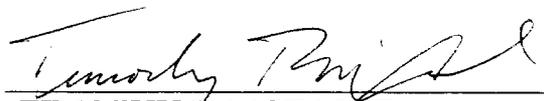
APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
CPT John M. McAdams III, JA
Trial Attorney

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

Appellant requests reconsideration of our recent decision dismissing its claims for punitive damages and for \$1,882,002.00 in “missed opportunities” from contracts that appellant allegedly did not obtain from third parties, allegedly because of the government’s administration of its contract with appellant. *John Shaw LLC d/b/a Shaw Building Maintenance*, ASBCA No. 61379, 2018 WL 1426992 (Mar. 8, 2018). We have not requested a response from the government. See *RECO Rishad Engineering Construction ORG*, ASBCA No. 60444, 17-1 BCA ¶ 36,767 at 179,167.

A motion for reconsideration is not intended to allow a party to re-argue issues that were previously raised and decided. *Precision Standard, Inc.*, ASBCA No. 59116, 15-1 BCA ¶ 36,155 at 176,448. The moving party must show a compelling reason why the Board should modify its decision based upon newly discovered evidence, mistakes in our findings of fact, or errors of law. *Id.* Appellant enumerates a dozen reasons for its request, ranging from a pending motion to amend its complaint to “[e]qual justice” (app. mot. at 1). Having considered those reasons, we see nothing that persuades us to reconsider our dismissal of its punitive and “missed opportunities” claims. The motion for reconsideration is denied.

Dated: 3 April 2018


TIMOTHY P. MCILMAIL
Administrative Judge
Armed Services Board
of Contract Appeals

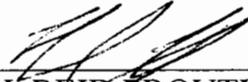
(Signatures continued)

I concur



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

I concur



J. REID PROUTY
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. 61379, Appeal of John Shaw LLC d/b/a Shaw Building Maintenance, rendered in conformance with the Board's Charter.

Dated:

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