

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -)
)
ECC International Constructors, LLC) ASBCA No. 59586
)
Under Contract No. W912ER-10-C-0054)

APPEARANCES FOR THE APPELLANT: R. Dale Holmes, Esq.
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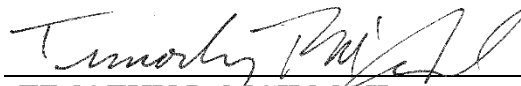
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OPINION BY ADMINISTRATIVE JUDGE MCILMAIL
ON APPELLANT’S MOTION FOR RECONSIDERATION

Appellant requests reconsideration of our recent decision dismissing some of its claims in this appeal for lack of jurisdiction because, we held, although “ECCI’s claim submission to the contracting officer sets forth a bottom-line sum certain, [it] does not set forth sums certain for any of the discrete sub-claims that comprise that submission.” *ECC Int’l Constructors, LLC*, ASBCA No. 59586, 2021 WL 2311891, at *3 (May 17, 2021). Familiarity with that decision is presumed. We have not requested a response from the government. *See John Shaw LLC d/b/a Shaw Bldg. Maint.*, ASBCA No. 61379, 18-1 BCA ¶ 37,026 at 180,294. A motion for reconsideration is not intended to allow a party to reargue issues that were previously raised and decided. *See Green Valley Co.*, ASBCA No. 61275, 18-1 BCA ¶ 37,044 at 180,330. Appellant’s motion, at bottom, reargues the case it made before we issued our decision; in particular, appellant revisits its argument regarding whether alleged sums certain are readily calculable by simple arithmetic, which argument appellant now supports with a “Sums Certain Calculations Spreadsheet” that it did not provide prior to our decision.

The motion for reconsideration is denied.

Dated: July 15, 2021



TIMOTHY P. MCILMAIL
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. 59586, Appeal of ECC International Constructors, LLC, rendered in conformance with the Board's Charter.

Dated: July 16, 2021



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