

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of - )  
)  
Hensel Phelps Construction Co. ) ASBCA No. 63886  
)  
Under Contract No. W912QR-17-C-0043 )

APPEARANCES FOR THE APPELLANT: Todd R. Metz, Esq.  
Brian R. Dugdale, Esq.  
Varela, Lee, Metz & Guarino LLP  
Tysons Corner, VA

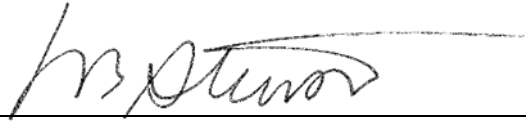
APPEARANCES FOR THE GOVERNMENT: Michael P. Goodman, Esq.  
Engineer Chief Trial Attorney  
James M. Inman, Esq.  
Zachary J. Grader, Esq.  
Engineer Trial Attorneys  
U.S. Army Engineer District, Louisville

ORDER OF DISMISSAL

This appeal arises from appellant’s challenge to the government’s final Contractor Performance Assessment Report (CPAR) and the contracting officer's subsequent final decision, dated January 26, 2024, in which the contracting officer determined that “[t]he Government will remove the current final CPAR and issue a new final CPAR in accordance with the FAR.” By motion dated June 14, 2024, the government requested that the appeal be dismissed as moot. By joint status report dated June 14, 2024, the parties stated that they had “conferred and reached agreement that Appellant will withdraw the CPAR Appeal and await the forthcoming revised Final CPAR.” The parties likewise requested “that the Respondent’s Motion to Dismiss be treated as a Consent Motion to Withdraw/Dismiss.”

The parties' request is granted. The appeal is dismissed as moot.

Dated: June 24, 2024



---

DAVID B. STINSON  
Administrative Judge  
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. 63886, Appeal of Hensel Phelps Construction Co., rendered in conformance with the Board's Charter.

Dated: June 25, 2024



---

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