

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeals of -)
)
Gilbane Federal) ASBCA Nos. 63702, 63717, 63755
) 64409, 64410
)
Under Contract No. W912HN-18-C-3009)

APPEARANCES FOR THE APPELLANT: Tyler P. Scarbrough, Esq.
Christopher J. Olsen, Esq.
Henner & Scarbrough LLP
Atlanta, GA

APPEARANCES FOR THE GOVERNMENT: Michael P. Goodman, Esq.
Engineer Chief Trial Attorney
Allie E. Vandivier, Esq.
Orion D. Ray, Esq.
Engineer Trial Attorneys
U.S. Army Engineer District, Savannah

ORDER OF DISMISSAL

By letter dated December 4, 2025, appellant appealed a contracting officer's final decision dated September 8, 2025 asserting an affirmative claim for a latent defect. The Board docketed that appeal as ASBCA No. 64410.

On March 18, 2026, the government moved to dismiss ASBCA No. 64410 as moot because on March 13, 2026, the contracting officer rescinded her final decision. By email to the government dated March 13, 2026, appellant stated it did not intend to oppose dismissal of this appeal.

"When a contracting officer rescinds a government claim and the final decision asserting that claim, the voluntary action moots the appeal, leaving the Board without jurisdiction to entertain the appeal any further." *URS Fed. Support Servs., Inc.*, ASBCA No. 60364, 17-1 BCA ¶ 36,587 at 178,024 (citing *Combat Support Assocs.*, ASBCA Nos. 58945, 58946, 16-1 BCA ¶ 36,288 at 176,974 and *L-3 Commc 'ns Integrated Sys.*,

L.P., ASBCA Nos. 60431, 60432, 16-1 BCA ¶ 36,362 at 177,253). Accordingly, ASBCA No. 64410 is dismissed as moot.

Dated: July 1, 2026



OWEN C. WILSON
Administrative Judge
Chairman
Armed Services Board
of Contract Appeals

I concur



J. REID PROUTY
Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I concur



STEPHANIE CATES-HARMAN
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 Nos. 63702, 63717, 63755, 64409, 64410, Appeals of Gilbane Federal, rendered in conformance with the Board's Charter.

Dated: July 1, 2026



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