

C.P.F. CORPORATION,)	AGBCA No. 99-155-1
)	
Appellant)	
)	
Representing the Appellant:)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

October 21, 1999

OPINION BY ADMINISTRATIVE JUDGE ANNE W. WESTBROOK

This appeal arose from Contract No. 53-3142-7-6016 (the contract) between the U. S. Department of Agriculture, Office of Operations (the Government or USDA) and C.P.F. Corporation of Washington, D.C. (Appellant). The contract was for the provision of janitorial services at three USDA buildings, the Jamie L. Whitten Building, the Agriculture South Building and the Agriculture Annex Building, in Washington, D.C., for the period October 1, 1996, to September 30, 1997. USDA exercised two options, the second of which extended the contract for the period October 1, 1998, to September 30, 1999.

On March 19, 1999, the Contracting Officer terminated the contract for default. The Notice of Termination for Default charged failures by Appellant in the areas of office cleaning and trash removal; condition of floors in the South Building; spills and stains; response to winter weather conditions; outside cleaning and policing; compactor breakdown and waste removal; and the contractor's quality assurance plan.

The Board received Appellant's Notice of Appeal April 15, 1999. The Board has jurisdiction of the appeal pursuant to the Contract Disputes Act, 41 U.S.C. §§ 601-613.

Appellant filed a Complaint. At the time the Answer was due, Government counsel asked for an extension of time to file an Answer pending immediate settlement discussions. The extension was granted, and shortly thereafter the Board was notified that the parties had reached an agreement to settle the appeal.

On September 9, 1999, the Board received from Appellant's counsel C.P.F.'s Unopposed Motion to Dismiss moving for a dismissal with prejudice. The Motion stated that the Government had authorized C.P.F. to represent to the Board that it did not oppose the Motion.

DECISION

The Board grants the unopposed motion to dismiss with prejudice.

ANNE W. WESTBROOK
Administrative Judge

Concurring:

EDWARD HOURY
Administrative Judge

JOSEPH A. VERGILIO
Administrative Judge

Issued at Washington, D.C.
October 21, 1999