

<b>JERRY CARTER COMPANY, INC.,</b>	)	<b>AGBCA No. 2000-105-1</b>
	)	
Appellant	)	
	)	
<b>Representing the Appellant:</b>	)	
	)	
Jerry Carter, President	)	
Box 327	)	
Carson, Washington 98610	)	
	)	
<b>Representing the Government:</b>	)	
	)	
Michael E. Trow	)	
Office of the General Counsel	)	
U. S. Department of Agriculture	)	
1734 Federal Building	)	
1220 S. W. Third Avenue	)	
Portland, Oregon 97204-2825	)	

**DECISION OF THE BOARD OF CONTRACT APPEALS**

**July 7, 2000**

**Before HOURY, POLLACK, and WESTBROOK, Administrative Judges.**

**Opinion for the Board by Administrative Judge POLLACK.**

This appeal arises out of Contract No. 50-04H1-8-9303, the Cispus Flood Repair Project, Cowlitz Valley Ranger District, between the U.S. Department of Agriculture, Forest Service (FS), Gifford Pinchot National Forest, Vancouver, Washington, and Jerry Carter Company, Inc. (Appellant) of Carson, Washington. Under the contract Carter was to perform construction related to flood repair. The dispute arises out of a request for equitable adjustment of \$10,144.15 regarding additional traffic control and roadwork associated costs that Carter contended were changes to its contract. In his decision of October 12, 1999, the Contracting Officer (CO) allowed portions of the claim but denied the remainder. Carter filed a timely appeal of the CO's decision and the matter was docketed by the Board on October 29, 1999.

The Board has jurisdiction over this appeal pursuant to the Contract Disputes Act of 1978 (CDA), 41 U.S.C. §§ 601-613.

The parties engaged in discussions in an attempt to settle the dispute. On March 13, 2000, the Board was furnished a copy of the parties' Stipulation for Settlement and Dismissal. The Stipulation provided for the appeal to be dismissed with prejudice.

**DECISION**

Pursuant to the Stipulation for Settlement and Dismissal, the appeal is dismissed with prejudice.

---

**HOWARD A. POLLACK**  
Administrative Judge

**Concurring:**

---

**EDWARD HOURY**  
Administrative Judge

---

**ANNE W. WESTBROOK**  
Administrative Judge

**Issued at Washington, D. C.**  
**July 7, 2000.**