

R&C RODGERS)	AGBCA No. 2003-148-ADR
)	
and)	
)	
U. S. DEPARTMENT OF AGRICULTURE,)	
)	
Parties to ADR Proceedings)	
)	
Representing R&C Rodgers:)	
)	
Bernie Cullen, Project Manager)	
R & C Rodgers)	
HC 04 Box 9178)	
Palmer, Alaska 99645)	
)	
Rick Rodgers, General Manager)	
9030 Shady Pine Rd.)	
Klamath Falls, Oregon 97601)	
)	
Representing the U. S. Department Agriculture:)	
)	
Maria Lisowski, Esquire)	
U. S. Department of Agriculture)	
Office of General Counsel)	
P.O. Box 21628)	
Juneau, Alaska 99802)	

DECISION OF THE BOARD OF CONTRACT APPEALS

March 5, 2003

Opinion for the Board by Administrative Judge VERGILIO.

On February 6, 2003, a contractor, R&C Rodgers (of Klamath Falls, Oregon) and the U. S. Department of Agriculture, Forest Service, requested to utilize alternative dispute resolution (ADR) procedures at the Board in an attempt to resolve their dispute and appeal at this Board, AGBCA No. 2003-146-2 (in which the contractor had elected the small claims procedure). The underlying contract, No. 43-0109-1-0410, required the contractor to remove and replace the roof on a building at the Kenai Lake Work Center, Chugach National Forest, Seward Ranger District, in Alaska. The contracting officer had denied the contractor's claim for additional payment. The contractor

maintained that the actual size of the roof was much greater than the approximate size stated in the solicitation documents such that it was entitled to additional compensation.

This dispute has been successfully resolved through ADR procedures, involving two telephone conferences (with the judge and parties); discussions focused on the underlying contract, other facts, and case law. The parties request that this matter be closed and that the related appeal, AGBCA No. 2003-146-2, be dismissed with prejudice.

DECISION

At the request of the parties, the Board closes this ADR matter.

JOSEPH A. VERGILIO

Administrative Judge

Issued at Washington, D.C.

March 5, 2003