

R&G CONSTRUCTION COMPANY)	AGBCA No. 2000-106-ADR
)	
and)	
)	
U. S. DEPARTMENT OF AGRICULTURE,)	
)	
Parties to ADR Procedures)	
)	
Representing R&G Construction Company:)	
)	
Joseph A. Camardo, Jr.)	
Attorney at Law)	
127 Genesee Street)	
Auburn, New York 13021)	
)	
Representing the U. S. Department Agriculture:)	
)	
Mary E. Saint Louis)	
Contracting Officer)	
U. S. Department of Agriculture)	
Forest Service)	
200 Sycamore Street)	
Elkins, West Virginia 26241)	
)	
William D. Millard)	
Regional Contract Administrator)	
U. S. Department of Agriculture)	
Forest Service, Region 9)	
310 West Wisconsin Avenue, Suite 500)	
Milwaukee, Wisconsin 53203)	

DECISION OF THE BOARD OF CONTRACT APPEALS

January 5, 2000

Before VERGILIO, Administrative Judge.

Opinion for the Board by Administrative Judge VERGILIO.

On October 27, 1999, the Board received a request from a contracting officer of the U. S. Department of Agriculture, Forest Service, and a contractor, R&G Construction Company, to utilize

alternative dispute resolution procedures at the Board in an attempt to resolve a claim. The parties made the request pursuant to statute, 41 U.S.C. § 605(d), as amended. In a decision dated December 31, 1998, the contracting officer had denied recovery in twenty-nine areas of dispute in the contractor's claim arising under the contract (Contract No. 50-3434-1-7225, Falls of Hills Creek Trail System) to construct trails in the Monongahela National Forest, in Pocahontas County, West Virginia.

After the submission of material relating to the dispute, and a position paper by the contractor, the judge and parties convened in Washington, D.C., on December 14 and 15, 1999. The judge engaged the parties in a discussion of the factual and legal aspects of the case.

In a telephone conference held on January 4, 2000, the parties indicated that the Board may close this matter. The contractor has filed suit at the United States Court of Federal Claims.

DECISION

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

JOSEPH A. VERGILIO
Administrative Judge

Issued at Washington, D.C.
January 5, 2000