U.S. Department of Labor

Board of Contract Appeals
1111 20th Street, N.W.
Washington, D.C. 20036

In the Matter of

TISOFT, INC.,
Appellant — Case No. 86-BCA-11

U.S. DEPARTMENT OF LABOR — Contract No. J-9-M-4-0051
Respondent

DECISION AND ORDER

This case arises out of a contract between the Department of Labor (hereinafter "DOL") and Tisoft, Incorporated (hereinafter Tisoft) entered into on February 21, 1984. On June 19, 1985 Tisoft submitted a claim for additional costs in the amount of $51,851.48, which was later modified to $62,273-22 on October 3, 1985 and (with a settlement offer) to $54,710.75 on January 24, 1986. DOL failed to issue a decision on the claim. This failure was construed by Tisoft as a denial, and on February 28, 1986 Tisoft appealed, pursuant to the Contract Dispute Act.

On May 1, 1986, the parties filed the attached Settlement Agreement, and Appellant withdrew its appeal. Under the terms of the agreement, DOL shall pay Tisoft $27,905.00 of the claimed costs. The agreement stipulates that it does not constitute a waiver of any criminal or civil fraud remedies by the government, that each party shall bear its own fees and expenses related to the proceeding, and that the agreement shall be the basis upon which all charges related to the claim shall be considered.

Upon consideration of the record and agreement, it is hereby ORDERED that the settlement agreement is APPROVED and incorporated herein by reference. This settlement agreement shall constitute my findings of fact and my conclusions of law, and shall be a full, final, and complete settlement of the costs disallowed by DOL.

E. EARL THOMAS
Deputy Chief Judge

Dated: 23, OCT 1986
Washington, D.C.

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