

UNITED STATES DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

WASHINGTON, DC

ORDER

FAA Order

Number: Odra-13-701

Matter:

**Contract Dispute of L&N/MKB Joint Venture
Pursuant to Contract DTFANM-10-C-00131**

Docket:

12-ODRA-00625

Date Served:

December 27, 2013

ORDER

L&N/MKB Joint Venture (“the JV”) submitted this Contract Dispute to the Office of Dispute Resolution for Acquisition (“ODRA”) under Contract Number DTFANM-10-C-00131 (“Contract”). The Contract, which involved the construction of an air traffic radar tower in Yakutat, Alaska, was issued and administered by the Federal Aviation Administration’s (“FAA”) Western Logistics Service Area (“Service Area”). The Contract Dispute, as amended, sought an equitable adjustment of \$139,419.86 for several alleged changes, professional services, and interest.

Pursuant to a delegation of final decisional authority from the FAA Administrator,^{*} I adopt and incorporate herein the attached ODRA Findings and Recommendations, and order that the

^{*} Final decisional authority over contract disputes involving a total amount adjudicated of not more than ten million dollars has been delegated to the ODRA Director. See Delegation of Authority, dated October 12, 2011.

Service Area promptly compensate the JV through an equitable adjustment of the contract price in the net amount of \$60,782.09, under the Contract Disputes clause. I further direct that the Service Area report to the Administrator through the ODRA within 30 calendar days on the status of the implementation of this Order.

This is the final Agency Order in this matter. To the extent that this decision is subject to review, such review shall be sought in accordance with 49 U.S.C. § 46110 (2006) and the ODRA Procedural Rule, 14 C.F.R. § 17.43 (2013), within sixty (60) days of issuance of this Order.

Issued for the FAA Administrator
this 27th day of December 2013

-S-

Anthony N. Palladino
Director and Administrative Judge
FAA Office of Dispute Resolution for Acquisition