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This memorandum is uncorrected and subject to revision before  
publication in the New York Reports.  
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No. 140 SSM 13  
L&L Painting Co., Inc., et al.,  
Appellants,

v.

The Contract Dispute Resolution  
Board of the City of New York,  
et al.,  
Respondents.

Submitted by Michael McDermott, for appellants.  
Submitted by Alan G. Krams, for respondents.

MEMORANDUM:

The order of the Appellate Division should be affirmed,  
with costs. The City of New York Contract Dispute Resolution  
Board rationally determined that a discrepancy between a diagram  
and notes on the contract drawing that is the subject of this

dispute created an ambiguity in the contract terms, which petitioner L&L Painting Co. failed to clarify prior to bidding as the contract required. Therefore, the Board rationally disapproved the claim for additional compensation.

\* \* \* \* \*

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs, in a memorandum. Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided April 29, 2010