

ARMED SERVICES BOARD OF CONTRACT APPEALS

Petition of --)
)
ACE Maintenance and Service, Inc.) ASBCA No. 61103-979
)
Under Contract No. N40080-15-D-0305)

APPEARANCES FOR THE PETITIONER: Adam K. Lasky, Esq.
Howard W. Roth III, Esq.
Oles Morrison Rinker & Baker, LLP
Seattle, WA

APPEARANCES FOR THE GOVERNMENT: Ronald J. Borro, Esq.
Navy Chief Trial Attorney
David L. Koman, Esq.
Assistant Director

ORDER PURSUANT TO RULE 1(a)(5)
DIRECTING CONTRACTING OFFICER TO ISSUE DECISION

The contractor filed, under Rule 1(a)(5), a request for an order directing the contracting officer to render a decision on a 11 July 2016 claim for \$1,477,562.28 by 30 April 2017. The government has advised that a final decision on the claim will be issued by 31 May 2017. We deem this date reasonable.

Accordingly, the Board hereby directs the contracting officer to issue a decision on the contractor's claim by 31 May 2017.

This order completes all necessary action by the Board. If the contracting officer fails to comply with this order, such failure will be deemed a decision by the contracting officer denying the claim, and the contractor may appeal to this Board or sue in the United States Court of Federal Claims pursuant to the Contract Disputes Act, 41 U.S.C. §§ 7103(f)(5) and 7104.

Dated: 20 April 2017




MARK N. STEMLER
Administrative Judge
Acting Chairman
Armed Services Board
of Contract Appeals

I concur



RICHARD SHACKLEFORD
Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I concur



J. REID PROUTY
Administrative Judge
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Order Pursuant to Rule 1(a)(5) of the Armed Services Board of Contract Appeals in ASBCA No. 61103-979, Petition of ACE Maintenance and Service, Inc., rendered in conformance with the Board's Charter.

Dated:

JEFFREY D. GARDIN
Recorder, Armed Services
Board of Contract Appeals