

ARMED SERVICES BOARD OF CONTRACT APPEALS

Petition of -)
)
AKELA, Inc.) ASBCA No. 63376-PET
)
Under Contract No. N00173-13-C-2002)

APPEARANCE FOR THE PETITIONER: Ryan C. Bradel, Esq.
Ward & Berry, PLLC
Tysons, VA

APPEARANCES FOR THE GOVERNMENT: Craig D. Jensen, Esq.
Navy Chief Trial Attorney
Brian L. Lynch, Esq.
Trial Attorney

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 March 23, 2022 claim. In its response, the government stated it reached an agreement with petitioner for the contracting officer to issue a final decision on the claim within 60 days of the response, no later than November 22, 2022. We deem this date reasonable.

Accordingly, the Board hereby directs the contracting officer to issue a decision on the contractor's claim by November 22, 2022.

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), or 7104, as appropriate.

Dated: September 29, 2022



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

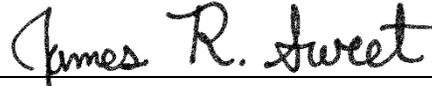
(Signatures continued)

I concur



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

I concur



JAMES R. SWEET
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. 63376-PET, Petition of AKELA, Inc., rendered in conformance with the Board's Charter.

Dated: September 29, 2022



PAULLA K. GATES-LEWIS
Recorder, Armed Services
Board of Contract Appeals