ARMED SERVICES BOARD OF CONTRACT APPEALS

Petition of --)) Eastern Construction & Electric, Inc.)) Under Contract No. W912DS-13-C-0056)	ASBCA No. 60653-969

APPEARANCE FOR THE PETITIONER: Steven A. Berkowitz, Esq.
                                        Berkowitz & Associates, P.C.
                                        Marlton, NJ

APPEARANCES FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.
                                          Engineer Chief Trial Attorney
                                        Lorraine C. Lee, Esq.
                                          District Counsel
                                          U.S. Army Engineer District, New York

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 12 February 2015 monetary claim for $486,257.07. The government has advised that a final decision on the claim will be issued by 19 August 2016. We deem this date reasonable.

Accordingly, the Board hereby directs the contracting officer to issue a decision on the contractor's claim by 19 August 2016.

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: 28 July 2016

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

(Signatures continued)

I concur

I concur

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

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PETER D. TING
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 60653-969, Petition of Eastern Construction & Electric, Inc., rendered in conformance with the Board's Charter.

Dated:

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