

ARMED SERVICES BOARD OF CONTRACT APPEALS

Petition of -- )  
 )  
IAP Worldwide Services, Inc. ) ASBCA No. 59610-949  
 )  
Under Contract No. W5J9LE-10-C-0025 )

APPEARANCES FOR THE CONTRACTOR: J. Alex Ward, Esq.  
Ethan E. Marsh, Esq.  
Jenner & Block LLP  
Washington, DC

APPEARANCES FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.  
Engineer Chief Trial Attorney  
Daniel B. McConnell, Esq.  
Regina L. Schowalter, Esq.  
Engineer Trial Attorneys  
U.S. Army Engineer District, Middle East  
Winchester, VA

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

The contractor filed, under Board Rule 1(a)(5), a request for an order directing the contracting officer to render a decision on a 24 April 2014 monetary claim for \$436,861.65. The government has advised that a final decision on the claim will be issued by 28 March 2015. The contractor has indicated that it has no objection to that date.<sup>1</sup>

Accordingly, the Board hereby directs the contracting officer to issue a decision on the contractor's claim by 30 March 2015.<sup>2</sup>

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

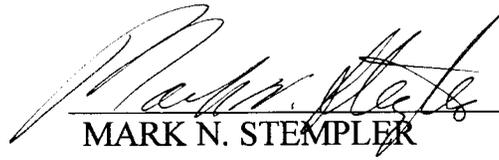
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<sup>1</sup> The Board expresses no opinion, at this time, on the contractor's statement that it "reserves the right to file an appeal of a deemed denial at any time prior to the agency's issuance of a contracting officer's final decision."

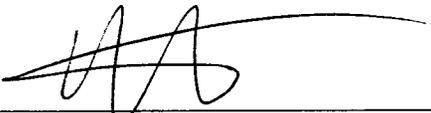
<sup>2</sup> 28 March 2015 falls on a Saturday.

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), 7104.

Dated: 13 November 2014

  
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

  
MARK A. MELNICK  
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. 59610-949, Petition of IAP Worldwide Services, Inc., rendered in conformance with the Board's Charter.

Dated:

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