

ARMED SERVICES BOARD OF CONTRACT APPEALS

Petition of --)
)
Fluor Federal Solutions, LLC) ASBCA No. 61747-988
)
Under Contract No. N69450-12-D-7582)

APPEARANCE FOR THE PETITIONER: Jennifer A. Mahar, Esq.
Smith Pachter McWhorter PLC
Tysons Corner, VA

APPEARANCES FOR THE GOVERNMENT: Craig D. Jensen, Esq.
Navy Chief Trial Attorney
Russell A. Shultis, Esq.
Assistant Director

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

Fluor Federal Solutions, LLC (Fluor or contractor) filed a request, under Rule 1(a)(5), for an order directing the contracting officer (CO) to render a decision on a December 29, 2017 certified claim no later than September 28, 2018. In its September 4, 2018 response, the government stated a contracting officer's final decision will be issued by September 28, 2018. We deem this date reasonable. Accordingly, the Board hereby directs the CO to issue a decision on the contractor's claim by September 28, 2018.

This order completes all necessary action by the Board. If the CO fails to comply with this order, such failure will be deemed a decision by the CO 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: September 7, 2018



JOHN J. THRASHER
Administrative Judge
Chairman
Armed Services Board
of Contract Appeals

(Signatures continued)

I concur



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

I concur



OWEN C. WILSON
Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Order of the Armed Services Board of Contract Appeals in ASBCA No. 61747-988, Petition of Fluor Federal Solutions, LLC, rendered in conformance with the Board's Charter.

Dated:

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