

ARMED SERVICES BOARD OF CONTRACT APPEALS

Petition of --)
)
Platinum Logistic Services Company) ASBCA No. 61018-976
)
Under Contract No. W5KA4N-11-P-0390)

APPEARANCE FOR THE PETITIONER: Walt Pennington, Esq.
Pennington Law Firm
San Diego, CA

APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
LTC Jose A. Cora, JA
Trial Attorney

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

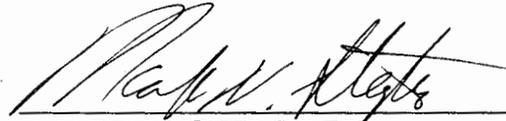
After unsuccessful attempts to submit its 1 April 2015 monetary claim to the cognizant contracting officer under the captioned contract, the contractor submitted its claim to the U.S. Secretary of Defense in July 2015. The contractor was subsequently informed of the contact information of the cognizant contracting officer. The contracting officer communicated that he received the claim in September 2015. On 24 January 2017, after receiving no final decision, the contractor filed, under Rule 1(a)(5), a request to the Board for an order directing the contracting officer to render a decision by an unstated date.

The government has advised that on 3 February 2017, it forwarded the claim to the current contracting officer and informed appellant that a final decision on the claim will be issued by 3 April 2017. Appellant has not objected to this date. Accordingly, the Board hereby directs the contracting officer to issue a decision on the contractor's claim by 3 April 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: 27 February 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



OWEN C. WILSON
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 61018-976, Petition of Platinum Logistic Services Company, rendered in conformance with the Board's Charter.

Dated:

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