

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Sweet Star Logistic Service) ASBCA No. 62082
)
Under Contract No. W91B4N-18-P-5056)

APPEARANCE FOR THE APPELLANT: Ms. Sweeta Rahimi
CEO

APPEARANCES FOR THE GOVERNMENT: Scott N. Flesch, Esq.
Army Chief Trial Attorney
LTC Stephen M. Hernandez, JA
Trial Attorney

OPINION BY ADMINISTRATIVE JUDGE SHACKLEFORD

On September 30, 2020, we issued a decision granting the government’s Motion to Dismiss for Lack of Jurisdiction because the claim lacked a sum certain as required by the Contract Disputes Act (CDA). Rather than submitting a new claim to the contracting officer (CO), with a sum certain, certified if over \$100,000 as also required by the CDA, appellant filed a document on October 2, 2020, complaining about the dismissal of its claim, but not offering any additional information or demonstrating that our decision was somehow improper. We deemed that document to constitute a motion for reconsideration. Appellant essentially made many of the same arguments previously made in its failed claim to the CO and in several filings to the board in connection with this appeal.

DECISION

Appellant has presented no new evidence or identified any errors in our decision. Therefore, we affirm our decision dismissing this claim for lack of jurisdiction. Should appellant wish to pursue a claim, it must submit a claim to the CO with a sum certain, and certified if it exceeds \$100,000.

Dated: December 29, 2020



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

(Signatures continued)

I concur



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

I concur



MICHAEL T. PAUL
Administrative Judge
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Opinion and Decision of the Armed Services Board of Contract Appeals in ASBCA No. 62082, Appeal of Sweet Star Logistic Service, rendered in conformance with the Board's Charter.

Dated: December 29, 2020



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