



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

January 4, 2017

CBCA 5539-RATE

In the Matter of LOGISTICS PLUS, INC.

Steve Srnka, Compliance Attorney of Logistics Plus, Inc., Erie, PA, appearing for Claimant.

George Thomas, Jr., Director, Transportation Audit Division, Office of Travel and Transportation Services, Federal Acquisition Service, General Services Administration, Washington, DC, appearing for General Services Administration.

David J. DiCenso, Attorney-Advisor, Military Surface Deployment and Distribution Command, Department of the Army, Scott Air Force Base, IL, appearing for Department of Defense.

DANIELS, Board Judge (Chairman).

ORDER

Logistics Plus, Inc. (LPI) brokered a carrier to deliver a shipment on behalf of the Department of Defense from Massachusetts to South Carolina in October 2016. Delivery was delayed because the facility in South Carolina closed during a hurricane while the carrier's truck was en route. LPI believes that it should have been paid detention charges in the amount of \$1500 as part of its compensation for making the delivery. LPI filed a case with the Board, seeking to recover this money.

The General Services Administration's (GSA's) Transportation Audit Division, seconded by the Defense Department's Military Surface Deployment and Distribution Command, responded by noting that under 41 CFR 102-118.645 and 102-118.650 (2016), a transportation service provider which has a claim against the Government must first file the

claim with the GSA Transportation Audit Division, and only if the provider objects to the Audit Division's settlement may it request a review by the Board. LPI acknowledged the correctness of this position and submitted its claim to the GSA Audit Division.

Accordingly, the case is dismissed. If LPI is dissatisfied with the Audit Division's settlement, it may ask the Board to docket a new case regarding the matter.

STEPHEN M. DANIELS
Board Judge