



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED FOR LACK OF JURISDICTION: June 4, 2018

CBCA 6102

ALUTIIQ MANAGEMENT SERVICES, LLC,

Appellant,

v.

DEPARTMENT OF LABOR,

Respondent.

Karen Kennedy, General Manager of Alutiiq Management Services, LLC, Flushing, MI, appearing for Appellant.

Dennis A. Adelson, Office of the Solicitor, Department of Labor, Washington, DC, counsel for Respondent.

Before Board Judges **DRUMMOND**, **SULLIVAN**, and **RUSSELL**.

SULLIVAN, Board Judge.

Respondent, Department of Labor (DOL), moved to dismiss this appeal for lack of jurisdiction because it was not timely filed. Appellant, Alutiiq Management Services, LLC (Alutiiq), acknowledges that its appeal was untimely and does not oppose DOL's motion.

Alutiiq received the contracting officer's decision on December 20, 2017, but did not file its appeal of that decision until April 26, 2018. The Contract Disputes Act (CDA) requires that appeals to the Board be filed within ninety days of receipt of the contracting

officer's decision. 41 U.S.C. § 7104(a) (2012). Because that deadline was not met in this case, the Board lacks jurisdiction to consider this appeal. *Soto Construction Co. v. Department of Agriculture*, CBCA 3210, 13 BCA ¶ 35,301, at 173,286.

Decision

DOL's motion is granted. The appeal is **DISMISSED FOR LACK OF JURISDICTION**.

Marian E. Sullivan

MARIAN E. SULLIVAN

Board Judge

We concur:

Jerome M. Drummond

JEROME M. DRUMMOND

Board Judge

Beverly M. Russell

BEVERLY M. RUSSELL

Board Judge