




U.S. Department of Justice  
Justice Management Division  
*Management and Planning Staff*

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Washington, D.C. 20530

APR 10 2008

MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

FROM:   
H.B. Myers  
Assistant Director  
Procurement Policy and Review Group

SUBJECT: Procurement Guidance Document 08-06, Civilian Board of Contract Appeals

The Chairman, Civilian Agency Acquisition Council (CAAC) announced in CAAC Letter No. 2006-05 that the civilian agency boards of contract appeals would be terminated on January 6, 2007. The Department and most civilian agencies are to use the Civilian Board of Contract Appeals (CBCA) within the General Services Administration. The CAAC letter is attached and provides the CBCA's location, mailing address, website, and the phone number for the Office of the Clerk of the CBCA.

If you have any questions concerning our use of the CBCA, please call Larry Silvis on (202) 616-3754.

Attachment



DEC 15 2006

**CIVILIAN AGENCY ACQUISITION COUNCIL LETTER 2006-05**

MEMORANDUM FOR CIVILIAN AGENCIES OTHER THAN NASA

FROM:

  
RALPH DESTEFANO  
CHAIRMAN  
CIVILIAN AGENCY ACQUISITION COUNCIL

SUBJECT:

Establishment of the Civilian Board of Contract Appeals and the  
Termination of the Boards of Contract Appeals of Other Agencies

Effective January 6, 2007, most civilian agency boards of contract appeals in existence on that date will terminate, and their cases, Board judges, and other support personnel will transfer to the new Civilian Board of Contract Appeals (CBCA) within the General Services Administration (GSA).

Section 847 of the National Defense Authorization Act for Fiscal Year 2006, Pub. L. No. 109-163, established the CBCA within GSA to hear and decide contract disputes involving executive agencies (other than the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, the National Aeronautics and Space Administration, the United States Postal Service, the Postal Rate Commission, and the Tennessee Valley Authority) under the provisions of the Contract Disputes Act of 1978 and regulations and rules issued thereunder. Boards of contract appeals currently existing at GSA and the departments of Agriculture, Energy, Housing and Urban Development, Interior, Labor, Transportation, and Veterans Affairs will cease to exist on January 6, 2007.

Cases currently before a board of contract appeals affected by the legislation will be transferred to the CBCA on January 6, 2007, and reassigned CBCA docket numbers. Agency acquisition personnel should review agency regulations, contract provisions, and language in contracting officer decision letters that may refer contractors to one of the affected boards of contract appeals for dispute resolution, including alternative dispute resolution, and modify those provisions accordingly.

Contracting officers from agencies impacted by the creation of the CBCA who are issuing final decisions in accordance with FAR 33.211 should alert contractors that appeals submitted on or after January 6, 2007, should be sent to the CBCA, even if their agency regulations have not yet been updated to reflect the board of contract appeals change. The CBCA will be located at 1800 M Street, N.W., Washington DC

20036. The CBCA's mailing address will be 1800 F Street, N.W., Washington DC 20405. The phone number of the Office of the Clerk of the CBCA will be (202) 606-8800. The CBCA's website will be [www.cbca.gsa.gov](http://www.cbca.gsa.gov).

Additional information about the termination of agency boards of contract appeals and the establishment of the CBCA is provided in the attached copy of the notice published in the Federal Register on November 9, 2006.

Attachment