



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

August 31, 2010

CBCA 1959-RELO

In the Matter of KEITH A. PLOURD

Keith A. Plourd, Manassas, VA, Claimant.

Orbetta Hoffman, Entitlement Specialist, Travel Pay Operations, Defense Finance and Accounting Service, Columbus, OH, appearing for Department of Defense.

HYATT, Board Judge.

Claimant, Keith A. Plourd, moved to Northern Virginia to accept a position as a civilian employee of the Defense Contract Management Agency (DCMA). In connection with the move, DCMA authorized the transportation of his household goods (HHG) from his residence in Sanbornville, New Hampshire, to his residence at the duty station to which he was directed to report.

Mr. Plourd's travel orders authorized transportation of HHG by Government bill of lading (GBL). Rather than have the Government handle the move, Mr. Plourd personally arranged to have his HHG shipped by Mayflower Transit. The truck was not able to access the house directly. In order to load the truck, Mayflower arranged shuttle service to ferry Mr. Plourd's HHG one-third of a mile from the residence to the road where the truck was parked. Mayflower charged a flat fee of \$1288 for the shuttle service.

After the move was accomplished, Mr. Plourd filed a travel voucher with the Defense Finance and Accounting Service (DFAS) seeking reimbursement of the allowable moving expenses. Mayflower's bill, including the shuttle service, came to \$10,811.09. DFAS limited Mr. Plourd's reimbursement to the amount of its GBL estimate, which was \$7535.35.

Mr. Plourd understands that he cannot be fully reimbursed for Mayflower's bill, since his HHG exceeded 18,000 pounds in weight, but he contends that the GBL estimate does

not include the shuttle service necessary to access his house from the street and that this element of cost should have been reimbursed.

Discussion

By statute, the Government will pay a new employee's moving expenses, to include "the expenses of transporting, packing, crating, temporarily storing, draying, and unpacking his household goods and personal effects not in excess of 18,000 pounds net weight." 5 U.S.C. §§ 5723(a)(2), 5724(a)(2) (2006).

The above statutory provisions are implemented in the Federal Travel Regulation (FTR), 41 CFR Part 302-7 (2009), which is supplemented for Department of Defense civilian employees by the Joint Travel Regulation (JTR), JTR Chapter 5, Part D. There are two methods which the Government may select in authorizing the transportation of an employee's HHG incident to a relocation. One is the commuted rate system, under which the employee is responsible for arranging the move and is reimbursed using commuted rate schedules. Under the alternative approach, or actual expense method, the agency assumes responsibility for arranging and paying for all aspects of the move. 41 CFR 302-7.13; JTR C5154-F.

In this instance, DCMA authorized the actual expense method for transportation of HHG. If the employee prefers to have the move arranged by the Government, the agency will issue a GBL with all charges billed directly to the agency. However, the employee may still elect to make his or her own arrangements and have his expenses reimbursed by the agency up to the amount it would have cost the agency to perform a GBL move. 41 CFR 302-7.15; JTR C5160.

DFAS has explained that its estimate for a Government-arranged move was calculated by using the lowest applicable tariff rate plus the applicable packing allowance rate times the actual HHG weight transported up to a maximum of 18,000 pounds. In this case, the shipment cost allowance per 100 pounds was determined using the applicable tariff rate times the distance moved, weight, location of origin and destination, and stair carry allowance. A packing allowance was determined by multiplying the applicable packing allowance rate times the quantity of packing materials based on the bill of lading provided by Mayflower Transit. Adding the two costs together provided a Government-arranged transportation cost of \$7535.35.

The issue before the Board is whether claimant may properly be reimbursed the flat cost of the shuttle service needed to ferry his HHG from his house to the road where the truck had to park. The shuttle service is a form of drayage, which generally refers to a

charge for the local transportation of property. *Joyce A. Moomaw*, GSBCA 15041-RELO, 00-1 BCA ¶ 30,611 (1999). Drayage is one of the services stated to be reimbursable both in the statute and in the implementing regulations. 5 U.S.C. § 5724(a)(2); 41 CFR 302-7.13; JTR C5154.

As Mr. Plourd points out, the Government's calculation of the cost of a Government-arranged move does not appear to include the cost of drayage to transport claimant's household goods from the house to the road. The agency does not seem to contend that the charge was unnecessary -- it simply seems to suggest it is not an item of expense that may be included in the actual expense estimate. This, however, is not the case. *See Albert L. Kemp*, B-209250 (Apr. 12, 1983) (shuttle service authorized when carrier could not negotiate quarter-mile driveway to the house). If a mover hired by the agency would have had to use a shuttle service, or otherwise added a draying charge to the cost of the move, then Mr. Plourd is entitled under the regulations to be reimbursed for that portion of the cost.

Decision

Mr. Plourd should be reimbursed for any drayage expense that the agency would have incurred, under a Government-arranged move, in order to transport 18,000 pounds of HHG from claimant's residence to the road where the van was parked.

CATHERINE B. HYATT
Board Judge