

## CLIENT ALERT

### CFC's Transfer to CBCA Not Constrained by Board's 90-Day Appeal Period

Oct.06.2016

In *Appeal of Suffolk Constr. Co.*, the CBCA accepted the transfer of an appeal from the CFC to the CBCA, where the contractor had several pending appeals relating to the same contract, despite the fact that the CFC appeal was not filed within CBCA's 90-day appeal period after the final decision. GSA argued that the CBCA lacked jurisdiction because it was filed after the 90 days had run (but before the CFC's one-year appeal period), but the board held that – when “2 or more actions aris[e] from one contract” – the requirement for initiating a timely board appeal did not constrain the CFC's authority to transfer to the board an action over which the CFC concededly had jurisdiction.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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