

CHAPTER 19 CIVILIAN BOARD OF CONTRACT APPEALS (CBCA)

**PART 1 DELEGATION OF AUTHORITY FROM THE ADMINISTRATOR TO THE
CHAIRPERSON, CIVILIAN BOARD OF CONTRACT APPEALS**

The authority of the Civilian Board of Contract Appeals to hear, consider and decide contract disputes for contracts not under the Contract Disputes Act of 1978 is derived directly from the Contracts Disputes Act, 41 U.S.C. 7105(e)(1)(B). As such, the CBCA has independent authority to handle these disputes. Therefore, the delegations do not limit the independent authority of the Civilian Board of Contract Appeals with regard to these contract appeals.

Delegated Authority		Limitations
1. Adjudication.		
a.	Resolves claims made under 31 U.S.C. § 3702 for reimbursement of expenses incurred by Federal civilian employees while on official temporary duty travel or in connection with relocation to a new duty station. The Board's decisions constitute final administrative action on these claims, not subject to review within the agency.	
b.	Issues "advance" decisions requested by a disbursing or certifying official or the head of an agency pursuant to 31 U.S.C. § 3529(b)(2), when such decision relates to reimbursement of expenses incurred by Federal civilian employees while on official temporary duty travel or in connection with relocation to a new duty station. The Board's decisions constitute final administrative action on the requests, not subject to review within the agency	
c.	Resolves claims made under 31 U.S.C. § 3726(i)(1) by a carrier or freight forwarder. The Board's decisions constitute final administrative action on these claims, not subject to review within the agency.	
d.	The Board's decisions constitute final administrative action on these claims, not subject to review within the agency.	
e.	Provides alternative dispute resolution services to Federal agencies and to the District of Columbia on contract-related matters, both pre- and post-award, when requested to do so by any such agency or the District of Columbia and the other parties to a dispute with the agency or the District of Columbia. These services shall be provided on a reimbursable basis, unless the requesting agency is an agency for which the Board hears and decides disputes under the Contract Disputes Act of 1978.	

Delegated Authority		Limitations
f.	Enters into memoranda of understanding with Federal agencies for which the Board does not hear and decide disputes under the Contract Disputes Act of 1978, for performing alternative dispute resolution services for such agencies. These memoranda shall provide for reimbursement of costs incurred. (40 U. S.C. §§ 501, 502; 31 U.S.C. § 1535)	
g.	Issues, amends, and cancels Board rules of procedure under which appeals, petitions, and other matters are heard, considered, and decided.	Delegation of authority to make rules of procedure is in addition to any such authority granted to the Board or Chairperson by statute and must be exercised in conformance with the authorities of the Administrator.
2. Procurement and contracting		
	Makes purchases and contracts for office supplies, administrative equipment, operating equipment and supplies, consulting services, and nonpersonal services including stenographic reporting services, for use by the Board in carrying out its responsibilities as described in the GSA Organization Manual. This includes the authority and responsibility for making determinations and decisions required by law, regulation, or agency directive including but not limited to the Federal Acquisition Regulation (FAR) and the GSA Acquisition Manual (GSAM) relating to the acquisition of property and services.	
3. Selection of candidates for appointment		
	Selects all employees and applicants for employment for positions at the Civilian Board of Contract Appeals, including attorneys and administrative and technical staff, but excluding Board members. Recommends to the Administrator candidates for appointment to the Board.	
4. Internal Records Management.		
	Designates a representative to certify for the Administrator by preparing and signing Request for Records Disposition Authority that the listed records will cease to have sufficient value to warrant further retention after the time periods specified. (44 U.S.C. § 3303)	
5. Human Capital Authorities		
	(See Part 1, Chapter 2, of this Manual)	

Delegated Authority	Limitations
6. Common Authorities	
(See Part 2, Chapter 2, of this Manual)	
7. Financial Management Authorities	
(See CFO P 5450.1)	