

FEDERAL DISPUTE RESOLUTION CENTER,)	AGBCA No. 2003-156-1
)	
Appellant)	
)	
Representing the Appellant:)	
)	
Michael J. Beattie, Esquire)	
Federal Dispute Resolution Center)	
10560 Main Street, Suite 417)	
Fairfax, Virginia 22030)	
)	
Representing the Government:)	
)	
Benjamin L. Young, Esquire)	
Mark G. Garrett, Esquire)	
Office of the General Counsel)	
U. S. Department of Agriculture)	
Room 3311, South Building)	
1400 Independence Avenue, SW)	
Washington, D.C. 20250)	

DECISION OF THE BOARD OF CONTRACT APPEALS

April 10, 2003

Before POLLACK, VERGILIO, and WESTBROOK, Administrative Judges.

Opinion for the Board by Administrative Judge VERGILIO.

On February 27, 2003, Federal Dispute Resolution Center of Fairfax, Virginia, filed with the Board what is styled a Motion to Enforce Settlement Agreement.^o The motion, which references Federal Dispute's Blanket Purchase Agreement, No. 45-6395-1-1808, with the U. S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) and with the Agricultural Marketing Service (AMS), maintains that the Government has breached the agreement as modified by a settlement agreement.

Federal Dispute asserts Board jurisdiction pursuant to the Contract Disputes Act of 1978 (CDA), 41 U.S.C. ' ' 601-613, as amended. However, prior to filing with the Board this action asserting a Government breach of the agreement, Federal Dispute did not submit a written claim to the contracting officer. Without an underlying claim, this Board lacks jurisdiction over this matter. 41 U.S.C. ' ' 605, 607. See Barnes, Inc., AGBCA Nos. 97-111-1 et seq., 97-2 BCA & 29,237.

DECISION

The Board dismisses this matter for lack of jurisdiction.

JOSEPH A. VERGILIO
Administrative Judge

Concurring:

HOWARD A. POLLACK
Administrative Judge

ANNE W. WESTBROOK
Administrative Judge

Issued at Washington, D.C.
April 10, 2003