



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

February 5, 2019

CBCA 6084-RATE

In the Matter of AARE LOGISTICS, LLC,

Robert J. Henry of Scopelitis, Garvin, Light, Hanson & Feary, P.C., Chicago, IL,
appearing for Claimant.

George J. Thomas, Jr., Director, Transportation Audits Division, Office of Travel,
Employee Relocation, and Transportation, Federal Acquisition Service, General Services
Administration, Washington, DC, appearing for General Services Administration.

David J. DiCenso, Attorney-Advisory, Military Surface Deployment and Distribution
Command, Department of the Army, Scott Air Force Base, IL, appearing for Department of
Defense.

GOODMAN, Board Judge.

Claimant, AARE Logistics, LLC, has requested that this Board reconsider its decision, *AARE Logistics, Inc.*, CBCA 6084-RATE (Dec. 6, 2018). That decision was issued in response to requests to dismiss the case by the Transportation Audits Division (TAD) of the General Services Administration (GSA), and the procuring agency, the Surface Deployment and Distribution Command (SDDC). The TAD and the SDCC had asserted that there had been no agency action that was reviewable by the Board. We dismissed the case, finding that this Board did not have the authority to review the issues raised in notices of overcharge (NOCs) asserted by the TAD, as the claimant had not filed an administrative claim, and therefore no final administrative action had occurred.

Claimant bases its request for reconsideration on the argument that it had followed “the same procedural path” as another claimant had followed in *Total Quality Logistics LLC*, CBCA 3467-RATE, 14-1 BCA ¶ 35,666. Claimant had previously cited that decision and made the identical argument in its response to the requests to dismiss the instant case.¹ Mere disagreement with the Board’s decision or re-argument of points already made is not a sufficient ground for seeking reconsideration. Rule 307 (48 CFR 6103.307 (2018)).

The request for reconsideration is denied.

Allan H. Goodman

ALLAN H. GOODMAN

Board Judge

¹ Claimant uses almost identical language, stating that the “procedural posture” of the instant case and *Total Quality Logistics LLC* “are virtually identical.” However, in the instant case and in *Platinum Services, Inc.*, CBCA 5963-RATE (Nov. 29, 2018), cited in our decision in the instant case, the authority of the Board was raised as a threshold issue and resolved. In *Total Quality Logistics LLC*, this threshold issue was not raised or addressed.