



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

September 10, 2021

CBCA 7164-FEMA

In the Matter of MUNICIPALITY OF ARROYO, PUERTO RICO

Eric Bachier Roman, Mayor, and Luis Angel Ortiz Carrasquillo, Attorney Advisor, Municipality of Arroyo, Puerto Rico, appearing for Applicant.

Nathalia C. Rivera Smith and Alejandro Nieto Vincenty, Central Recovery and Reconstruction Office of Puerto Rico, San Juan, Puerto Rico, counsel for Grantee.

Maureen Dimino, Office of Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, Washington, DC, counsel for Federal Emergency Management Agency.

Before the Arbitration Panel consisting of Board Judges **RUSSELL, VERGILIO, and CHADWICK.**

The applicant sought arbitration of whether it timely submitted twenty-eight damage inventory items (DIs) relating to Hurricane Maria, one of which FEMA acknowledges duplicates an existing DI (185629). The deadline for the DIs was September 15, 2018. The panel held a hearing under Board Rule 611 (48 CFR 6106.611 (2020)). This decision “is the final administrative action on the arbitrated dispute.” Rule 613.

Counsel for the applicant stated at the hearing that the applicant did not contend that it timely submitted the disputed DIs. The applicant said it had expected the grantee to notify FEMA of the DIs but that the applicant had no evidence that the grantee did so. No representative of the grantee spoke at the hearing. On this record, we can only agree with FEMA’s determination that the DIs in dispute were not submitted by the deadline.

Kyle Chadwick

KYLE CHADWICK
Board Judge

Beverly M. Russell

BEVERLY M. RUSSELL
Board Judge

Joseph A. Vergilio

JOSEPH A. VERGILIO
Board Judge