

ARMED SERVICES BOARD MERITORIOUS DISPOSITIONS INCREASE IN 2018

Copyright 2018 by Richard Lieberman, Consultant & Retired Attorney

In its annual report for fiscal year 2018, the Armed Services Board of Contract Appeals (“ASBCA” or “Board”) noted an increase in the number of sustained (meritorious) contract appeals, and a decline in the total number of contract appeals.

The two year comparison is shown below:

	FY 2017	FY 2018	Percent Increase or decrease
Appeals sustained on merits	80	96	20% increase
Appeals denied on merits	59	43	27% decrease
Dismissed	539	420	22% decrease
Appeals pending, end of period	970	901	7.7% decrease

The news was actually good for contractors. The number of appeals sustained on the merits rose by 20 percent. There was a 27 percent decrease in appeals denied on the merits, a 7.7 percent decrease in the number of appeals pending, and a 22 percent decrease in the number of appeals dismissed by the ASBCA.

The Board noted that the majority of appeals that were dismissed reflected that the parties had reached a settlement, which is also a good indicator for contractors.

For other helpful suggestions on government contracting, visit:
Richard D. Lieberman’s FAR Consulting at <https://www.richarddlieberman.com/>, and
Mistakes in Government Contracting at <https://richarddlieberman.wixsite.com/mistakes/>.