

RAMLOR CONSTRUCTION, INC.

CONTRACT NO. C28441

VABCA-3985

PROJECT NOS. 92-1030 & 1040

VA MEDICAL CENTER
SAN FRANCISCO, CALIFORNIA

Anthony Gutierrez, Ramlor Construction, Inc., Pleasanton, California, for the Appellant.

Anna C. Maddan, Esq., Government Trial Attorney, San Francisco, California; *Phillipa L. Anderson, Esq.*, Deputy Assistant General Counsel; and *William E. Thomas, Jr., Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER DISMISSING APPEAL

1. On March 28, 1994, the Board issued a Show Cause Order asking the Appellant why the above-cited appeal should not be dismissed as premature. In response, the Appellant has admitted that his "claim" was premature and has requested that the Board dismiss the "claim" filed before the Board on March 25, 1994. The Appellant has also advised the Board that he has written to the Contracting Officer requesting a final decision and intends to appeal if his claim is denied.
2. Accordingly, the appeal of Ramlor Construction, Inc., VABCA No. 3985, is hereby dismissed for lack of jurisdiction pursuant to Board Rule 5.
3. The Appellant is reminded that if his claim, which is currently before the Contracting Officer, is denied, then the Appellant is required to file a notice of his intent to appeal the final decision so that the Board can obtain jurisdiction over his claim.

DATE: **April 14, 1994**

GUY H. McMICHAEL III
Chief Administrative Judge