

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

January 18, 2001

GSBCA 15423-RELO

In the Matter of LORI A. MADONNA

Lori A. Madonna, Fort Carson, CO, Claimant.

Ray E. York, Chief, Travel Systems Division, Defense Finance and Accounting Service, Indianapolis Center, Indianapolis, IN, appearing for Department of the Army.

GOODMAN, Board Judge.

Claimant, Lori A. Madonna, is a civilian employee of the Department of the Army. She has requested reimbursement at the commuted rate for transporting her household goods (HHG) in connection with a permanent change of station (PCS). The agency seeks guidance as to whether it may reimburse claimant pursuant to the commuted rate.

Claimant was authorized to transport her HHG from Fort Gordon, Georgia to Fort Carson, Colorado. Her original travel orders, issued on December 22, 1999, authorized her movement of HHG via the Government Bill of Lading (GBL) method. Her initial reporting date was January 2, 2000, which was subsequently amended to January 17, 2000. Claimant indicates, and her agency acknowledges, that she attempted to get guidance and assistance from both her old and new duty stations as to how to accomplish her move, but failed to obtain clear information. Because of the short time between notification and reporting dates, the impending holidays, and lack of information from the transportation office, claimant moved her HHG herself by renting a truck and towing her private vehicle behind the truck.

At the request of the traveler, the order-issuing official issued an amendment to the PCS order, changing the HHG shipping method from GBL to the commuted rate. No cost comparison between the GBL and commuted rate method was made before the initial orders were issued. The agency asks whether claimant is entitled to the commuted rate, as the orders were amended after travel was accomplished. The agency states:

That fact, combined with the short time given to complete the move, the holiday season, and lack of cooperation by the transportation offices at both installations would indicate that the commuted rate method was appropriate.

...

Although we would like to recommend payment by commuted rate, the original orders authorized GBL. . . . Under the circumstances, however, GBL does not appear to have been available, and the order-issuing official determined that [the] commuted rate should have been authorized.

According to the agency, the GBL cost for transportation and temporary storage of claimant's HHG initially authorized was based on 18,000 pounds and totaled \$8082. Claimant actually incurred expenses of \$1894.98 and was reimbursed \$1543.50. The commuted rate as calculated by the agency's transportation office using the actual weight of claimant's HHG was \$2612.77.

Discussion

This Board recently stated, in David L. Dillingham, GSBCA 15340-RELO, 00-2 BCA ¶ 31,061:

As we have explained numerous times, household goods can be moved using the GBL method, in which case the agency arranges with a carrier to move the goods and then pays for the move according to a contract between the carrier and the agency. Household goods can also be moved using the commuted rate method, in which case the employee is responsible for making arrangements for the move and paying for the move, and the agency is responsible for reimbursing the employee according to a schedule of established rates. Agencies are required to use the commuted rate method when individual transfers are involved, unless they determine in advance of the move that the cost of using the GBL method will result in savings to the agency of \$100 or more. If no cost comparison is made before an employee moves, the employee is usually entitled to be reimbursed in accordance with the commuted rate method. These rules apply to civilian employees of DoD [the Department of Defense] as well as to employees of other agencies.

00-2 BCA at 153,355.

The agency admits that in this circumstance no cost comparison was made between the GBL and commuted rate, and even though the initial travel orders indicated shipment by the GBL, this method was actually not available. Because the agency did not make a cost comparison before claimant moved and did not actually require her to utilize the GBL method for moving the HHG, she is entitled to be reimbursed at the commuted rate. Claimant should be paid the difference between the commuted rate as determined by the agency and the amount previously received for reimbursement.

ALLAN H. GOODMAN
Board Judge