

GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONTRACT APPEALS BOARD

APPEAL OF:

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| DIXON'S TERMITE & PEST CONTROL, INC. |) | |
| |) | CAB No. D-1180 |
| Under Contract No. 019D01004 |) | |

OPINION and ORDER

Appellant, Dixon's Termite & Pest Control, Inc., ("Dixon"), filed the instant appeal on June 7, 2002. The appeal alleges a claim for unpaid sums due to Dixon from VMS, Inc. for work done by Dixon as a subcontractor to VMS, Inc., under a contract between VMS and the Department of Public Works.

The Board's jurisdiction over appeals is limited to "[a]ny appeal by a *contractor* from a final decision by the contracting officer on a claim by a contractor, when such claim arises under or relates to a contract." D.C. Code §2-309.03(a)(2). "Contractor" is defined as "any entity that has a direct contract with a District agency" D.C. Code §2-221.01(1A).

In a telephone conference, Bob Dixon, President of Dixon, conceded that Dixon's contract is with VMS and not the District of Columbia and thus Dixon, with regard to this claim, is not a "direct contract[or] with a District agency." The Board thus lacks jurisdiction over this matter.

It is therefore, with the consent of the Appellant, this 19th day of June 2002 ORDERED, that the instant appeal be and hereby is DISMISSED for lack of jurisdiction.

/s/Matthew S. Watson
MATTHEW S. WATSON
Administrative Judge

cc: Bob Dixon, President
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