

**§ 102-118.465**

**41 CFR Ch. 102 (7-1-11 Edition)**

(A) TIME LIMITS ON ACTIONS TAKEN BY THE FEDERAL GOVERNMENT AGAINST TSPS—Continued

Mode	Freight charges	Reparations	Loss and damage
(7) International Air .....	6 years ..... 28 U.S.C. 2415 .....	.....	2 years. 49 U.S.C. 40105.

(B) TIME LIMITS ON ACTIONS TAKEN BY THE FEDERAL GOVERNMENT AGAINST TSPS EXEMPT FROM REGULATION

Mode	Freight	Reparations	Loss and damage
(1) All .....	6 years ..... 28 U.S.C. 2415 .....	.....	6 years. 28 U.S.C. 2415.

**§ 102-118.465 Must my agency pay interest on a disputed amount claimed by a TSP?**

No, interest penalties under the Prompt Payment Act, (31 U.S.C. 3901, *et seq.*), are not required when payment is delayed because of a dispute between an agency and a TSP.

**§ 102-118.470 Are there statutory time limits for a TSP on filing an administrative claim with the GSA Audit Division?**

Yes, an administrative claim must be received by the GSA Audit Division or its designee (the agency where the claim arose) within 3 years beginning the day after the latest of the following dates (except in time of war):

- (a) Accrual of the cause of action;
- (b) Payment of charges for the transportation involved;
- (c) Subsequent refund for overpayment of those charges; or
- (d) Deductions made to a TSP claim by the Government under 31 U.S.C. 3726.

**§ 102-118.475 Does interest apply after certification of payment of claims?**

Yes, interest under the Prompt Payment Act (31 U.S.C. 3901, *et seq.*) begins 30 days after certification for payment by GSA.

**§ 102-118.480 How does my agency settle disputes with a TSP?**

As a part of the prepayment audit program, your agency must have a plan to resolve disputes with a TSP. This program must allow a TSP to appeal payment decisions made by your agency.

**§ 102-118.485 Is there a time limit for my agency to issue a decision on disputed claims?**

Yes, your agency must issue a ruling on a disputed claim within 30 days of receipt of the claim.

**§ 102-118.490 What if my agency fails to settle a dispute within 30 days?**

(a) If your agency fails to settle a dispute within 30 days, the TSP may appeal to:

General Services Administration  
Federal Supply Service  
Audit Division (FBA)  
Code: CC 1800 F Street, NW.  
Washington, DC 20405  
[www.gsa.gov/transaudits](http://www.gsa.gov/transaudits)

(b) If the TSP disagrees with the administrative settlement by the Audit Division, the TSP may appeal to the General Services Board of Contract Appeals.

[65 FR 24569, Apr. 26, 2000, as amended at 69 FR 57620, Sept. 24, 2004]

**§ 102-118.495 May my agency appeal a decision by the Civilian Board of Contract Appeals (CBCA)?**

No, your agency may not appeal a decision made by the CBCA.

[65 FR 24569, Apr. 26, 2000, as amended at 74 FR 30476, June 26, 2009]

**§ 102-118.500 How does my agency handle a voluntary refund submitted by a TSP?**

(a) An agency must report all voluntary refunds to the GSA Audit Division (so that no Notice of Overcharge or financial offset occurs), unless other arrangements are made (e.g., charge