

§ 101-41.601 Definition.

The word *claims* as used in this subpart includes:

- (a) Requests by claimants for amounts not included in the original billing;
- (b) Requests by claimants for amounts deducted or set off by the Government;
- (c) Requests by claimants for amounts previously refunded by carriers; or
- (d) Unpaid original bills requiring direct settlement by GSA, including those subject to doubt regarding the propriety of payment.

§ 101-41.602 Statutory limitations on filing of claims.

(a) 31 U.S.C. 3726, as amended, imposes a limitation, generally 3-years, on the filing of claims cognizable by GSA when such claims involve charges for transportation within the purview of 31 U.S.C. 3726, as amended. Claims in this category are those which involve transportation charges based on tariffs lawfully on file with Federal and State transportation regulatory agencies or which involve rates, fares, and charges established under section 10721 of the Revised Interstate Commerce Act, (49 U.S.C. 10721), formerly section 22 of the Interstate Commerce Act, or other equivalent contract, arrangements, or exemption from regulation.

(b) A claim must be received by GSA or its designee (the agency out of whose activities the claim arose) within 3 years (not including any time of war) from whichever is the latest of the following dates:

- (1) Accrual of the cause of action thereon;
- (2) Payment of charges for the transportation involved;
- (3) Subsequent refund for overpayment of such charges; or
- (4) Deduction made under 31 U.S.C. 3726, as amended.

(c) Each claim of a carrier or forwarder, whether filed with GSA or with its designee (the agency out of whose activities the transaction arose), must be clearly stamped with the month, day, and year of receipt by GSA or the designee agency so that there will be no question regarding the filing date when the determination of compliance

with the 3-year limitation imposed thereon by 31 U.S.C. 3726 is made and for the purposes of the Prompt Payment Act.

(d) For the purposes of determining whether interest penalties under the Prompt Payment Act are due, the date on which payment is due is 30 days after receipt of a proper carrier bill or claim.

(31 U.S.C. 952, 31 U.S.C. 3726, 31 U.S.C. 1801, and 40 U.S.C. 486(c))

[42 FR 36672, July 15, 1977, as amended at 46 FR 42666, Aug. 24, 1981; 48 FR 27725, June 17, 1983; 48 FR 35650, Aug. 5, 1983]

§ 101-41.603 Presentation of claims.**§ 101-41.603-1 Filing requirements for claimants.**

Claims shall be presented in writing:

- (a) Over the bona fide signature of the individual claimant or the claimant carrier's authorized official; or
- (b) Over the signature of the claimant's agent or attorney accompanied by a duly executed power of attorney or other documentary evidence of the agent's or attorney's right to act for the claimant.

§ 101-41.603-2 Form of claims.

(a) Charges claimed for passenger or freight transportation services shall be billed on Standard Form 1113, Public Voucher for Transportation Charges, in the manner prescribed in §§ 101-41.214 and 101-41.310. Those claims for an amount in addition to that originally paid to the carrier for the same service, or for an amount collected by GSA or by another agency shall be presented on SF 1113 in the form of a supplemental bill (claim) bearing the same number as the original bill but with an alphabetical suffix. An alphabetical sequence of suffixes shall be used for any additional supplemental bills. Each supplemental bill (claim) for freight transportation services shall be accompanied by a copy of the GBL ordering the service and a copy of the original voucher which was submitted by the linehaul carrier. Generally only one supplemental bill shall be presented for all supplemental charges relating to the items paid on the original bill.

(b) Each supplemental bill shall cover charges relating to bills of lading