



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED: August 26, 2009

CBCA 1467

MONA BUILDING TECHNOLOGIES, LLC,

Appellant,

v.

THE NATIONAL GALLERY OF ART,

Respondent.

Robert J. Symon and Jeremy Becker-Welts of Bradley Arant Boult Cummings LLP, Washington, DC, counsel for Appellant.

Margaret K. Pfeiffer and Bruce W. Hickey of Sullivan & Cromwell LLP, Washington, DC, counsel for Respondent.

Before Board Judges **VERGILIO**, **POLLACK**, and **McCANN**.

VERGILIO, Board Judge.

On December 31, 2008, the Board received from Mona Building Technologies, LLC (contractor) a notice of appeal, docketed as CBCA 1467, disputing the contracting officer's termination for default of its contract, F007NGA02141HB, with the National Gallery of Art (Government). Under the contract, the contractor was to design and provide a facility management and control system in the East Building of the National Gallery of Art. The contractor pursues relief at this Board under the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613 (2006).

On August 21, 2009, the Board received a joint stipulation of settlement pursuant to Rule 25(b). The Government has converted the termination for default into a termination for the convenience of the Government. The parties have agreed to a no-cost settlement, such that the amount of the award to the contractor is zero dollars. The parties release one another

from claims. Further, the each party agrees that it will not seek reconsideration of, or relief from, the Board's decision adopting the stipulation, and will not appeal the decision.

Decision

The Board adopts the stipulation of the parties and, therefore, **GRANTS** this appeal. Rule 25(b).

JOSEPH A. VERGILIO
Board Judge

We concur:

HOWARD A. POLLACK
Board Judge

R. ANTHONY McCANN
Board Judge