

DRC, INC.,)	AGBCA No. 2001-112-1
)	
Appellant)	
)	
Representing the Appellant:)	
)	
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)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

January 16, 2001

Before HOURY, POLLACK, and VERGILIO, Administrative Judges.

Opinion for the Board by Administrative Judge VERGILIO.

On November 17, 2000, DRC, Inc. of Mobile, Alabama (contractor), filed this appeal with the Board, involving a contract to clear debris from the Trent River in Jones County, North Carolina. The contractor specifies that on November 17, 2000, a contracting officer issued a notice terminating its right to proceed under a contract, No. 50-4532-0-041, with the U. S. Department of Agriculture, Natural Resources Conservation Service. The contractor disputes the termination for default.

The Board has jurisdiction over this timely-filed appeal pursuant to the Contract Disputes Act (CDA), 41 U.S.C. §§ 601-613, as amended. In lieu of the initial telephone conference, which the Board scheduled to convene on December 14, the parties elected to have the presiding judge conduct a mini-trial to explore the material facts and law, in an attempt to readily resolve the dispute. On December 15, the mini-trial took place. At its conclusion, the dispute was resolved. The contracting officer has rescinded the termination for default and has reinstated the contract. On December 28, 2000, the Board received a motion to dismiss with prejudice the appeal.

DECISION

Pursuant to the agreement of the parties, the Board dismisses with prejudice this appeal.

JOSEPH A. VERGILIO
Administrative Judge

Concurring:

EDWARD HOURY
Administrative Judge

HOWARD A. POLLACK
Administrative Judge

Issued at Washington, D.C.
January 16, 2001