

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

GRANTED IN PART: September 2, 2004

GSBCA 16370-ST

MONTAGE, INC.,

Appellant,

v.

DEPARTMENT OF STATE,

Respondent.

Eric R. Stanco, Stanco & Associates, Washington, DC, counsel for Appellant.

John C. Sawyer, Office of the Legal Advisor, Buildings and Acquisitions, Department of State, Rosslyn, VA, counsel for Respondent.

Before Board Judges **PARKER**, **NEILL**, and **HYATT**.

HYATT, Board Judge.

This appeal arose under contract number SALMEC-01-C-0036 entered into between respondent, the Department of State, and appellant, Montage, Inc., for a construction project to provide physical and security upgrades to the United States Embassy compound in Budapest, Hungary. On March 10, 2004, Montage appealed the contracting officer's deemed denial of its claim for an equitable adjustment for the costs of increased design and construction work and associated delays.

The parties have now filed a motion for a stipulation of award based on their agreement to settle this appeal. The settlement agreement states in pertinent part:

The Department of State shall pay the Contractor the amount of \$665,000.00. [T]his money shall be paid to the Contractor by the United States Government from the Permanent Indefinite Judgment Fund.

The parties have confirmed that upon entry of the requested stipulated award they will not appeal or seek reconsideration of, or relief from, the Board's decision.

Decision

This appeal is **GRANTED IN PART** in accordance with the parties' joint stipulation of award. Rule 136(e) (48 CFR 6101.36(e) (2003)). The amount of \$665,000 is to be paid, without interest, from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2000).

CATHERINE B. HYATT
Board Judge

We concur:

ROBERT W. PARKER
Board Judge

EDWIN B. NEILL
Board Judge