

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

GRANTED IN PART: October 12, 2006

GSBCA 16758-ST, 16818-ST, 16909-ST

MONTAGE, INC.,

Appellant,

v.

DEPARTMENT OF STATE,

Respondent.

Eric R. Stanco of 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**, **HYATT**, and **DeGRAFF**

HYATT, Board Judge.

These consolidated appeals concern claims arising under contract number SALMEC-01-C-0036, awarded by the United States Department of State to Montage, Inc. for the comprehensive renovation of the United States Embassy building in Budapest, Hungary. The appeal docketed as GSBCA 16758-ST asserted entitlement to costs incurred as a consequence of alleged government-caused delay of the work. The second appeal, docketed as GSBCA 16818-ST, sought a refund of the value-added tax paid in connection with the

project. Finally, the appeal docketed as GSBCA 16909-ST challenged the Government's claim for set-offs under the contract.

On October 11, 2006, the parties filed a joint motion for the entry of a stipulated judgment and a copy of their settlement agreement resolving the captioned appeals. The settlement agreement provides that the State Department will pay to Montage the amount of \$2,161,311.24 from the permanent indefinite judgment fund. The agreement further provides that payment of this amount will constitute full and complete satisfaction of all of the claims of Montage and the Government under the docketed appeals, including any claims for accrued interest and attorney fees. Both parties also agree that neither will appeal nor seek reconsideration of or relief from the Board's decision reflecting this settlement.

Decision

Pursuant to the joint motion of the parties for entry of judgment, these appeals are **GRANTED IN PART**. Rule 136(e) (48 CFR 6101.36(e) (2005)). The amount of \$2,161,311.24 is to be paid from the permanent indefinite judgment fund, 31 U.S.C. § 1304 (2000).

CATHERINE B. HYATT
Board Judge

We concur:

ROBERT W. PARKER
Board Judge

MARTHA H. DeGRAFF
Board Judge