



B-158961

JUL 5 - 1966

Piercy & Rogers
Attorneys at Law
126 Post Street, Suite 600
San Francisco, California 94108

Attention: William D. Piercy, Esquire

Gentlemen:

Reference is made to your letter of June 13, 1966, with enclosure, requesting reconsideration of our decision dated May 19, 1966, B-158961, which affirmed the prior action taken in disallowing the claim of [REDACTED]

In your letter requesting review you state that with respect to the significant facts concerning this matter, our recent letter is incomplete in some regards, and incorrect in others. You enclose a copy of [REDACTED] letter of October 20, 1965, which you allege clearly sets forth background and circumstances involved in this matter. You state that the postponement of the starting date until June 30 was entirely for the convenience of the Government and at the special request of Major Robinson who stated that this was the date he would be able to have the area free for work. You further state that not only were the premises unavailable on June 30, but no special efforts were made by the Government to make them available by July 1, and, therefore, the Government breached the contract.

[REDACTED] letter of October 20, 1965, was part of the record upon which our decision of May 19, 1966, was based. The facts of record were thoroughly and carefully considered in our decision and it was concluded that the delay was not so unreasonable as to constitute a breach of the contract. Since you have furnished no new material facts or evidence not already considered in connection with the claim, our previous decision which sustained the disallowance of [REDACTED] claim is affirmed.

Very truly yours,

FRANK H. WEITZEL

Assistant Comptroller General
of the United States