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FJ-207686

FAX COVER

To: Pat Morgan
From: David Ervin
Phone#: 301/469-3433

Date: 10/20/97
Pages: 3
(includes this cover page)

COMMENTS:

Per your faxed request of earlier today, enclosed is another copy of a 10/20 FOIA request.

Please note that we received a confirmation stating that the entire fax went through on 10/20 so please make sure you treat this request as received on 10/20 for first in / first out processing.

Thank you!
DA

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NOTICE:

The information contained in this facsimile message, which contains the number of pages noted above, may contain confidential information that is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone at the number below. Thank you.

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October 20, 1997

Ms. Pat Morgan  
Director, Office of the Executive Secretariat  
U.S. Department of Housing and Urban Development  
451 Seventh Street, SW, Room 10139  
Washington, D.C. 20410-0500

Via Fax to (202) 619-8366

Re: Freedom of Information Act Request  
~~Hamilton Securities Deliverables to HUD for Termination of DU-18505~~

Dear Ms. Morgan:

The FAR, section 52.249-2, part 6, identifies the following steps to be taken by the contractor if a fixed fee contract is terminated for the convenience of the government:

"As directed by the Contracting Officer, transfer title and deliver to the Government (i) the fabricated or unfabricated parts, work in process, completed work, supplies, and other material produced or acquired for the work terminated, and (ii) the completed or partially completed plans, drawings, information, and other property that, if the contract had been completed, would be required to be furnished to the government."

The Far, section 52.249-8, part (e), identifies the following steps to be taken by the contractor if a fixed fee contract is terminated for default:

"If this contract is terminated for default, the Government may require the Contractor to transfer title and deliver to the Government, as directed by the Contracting Officer, any (1) completed supplies, and (2)2 partially completed supplies and materials, parts, tools, dies, jigs, fixtures, plans, drawings, information, and contract rights (collectively referred to as 'manufacturing materials' in this clause) that the Contractor has specifically produced or acquired for the terminated portion of this contract. Upon direction of the Contracting Officer, the Contractor shall also protect and preserve property in its possession in which the Government has an interest."

It has been reported that Hamilton Securities Financial Advisor contract, DU-18505, was terminated on Friday, October 17, 1997. Under the provisions of the freedom of information act, please provide us with copies of the following as was required by these provisions of the FAR:

~~Any direction from the contracting officer instructing Hamilton Securities to return or provide materials or work product to the government pursuant to either of these clauses.~~

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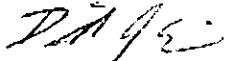
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~~Copies of the actual materials provided by Hamilton to HUD pursuant to either of these clauses or the direction of the Contracting Officer.~~

Ervin and Associates agrees to pay up to \$100 for the processing of this request. If the anticipated fees are to exceed \$100, please call me at (301) 469-3422 so I may have an opportunity to reformulate the request.

Very truly yours,

ERVIN and ASSOCIATES, INCORPORATED



David J. Ervin