# 28.106-5 Consent of surety.

(a) When any contract is modified, the *contracting officer shall* obtain the *consent of surety* if-

(1) An additional *bond* is obtained from other than the original *surety*;

(2) No additional *bond* is required and-

(i) The modification is for new work beyond the scope of the original contract; or

(ii) The modification does not change the contract scope but changes the contract price (upward or downward) by more than 25 percent or $50,000; or

(3) *Consent of surety* is required for a *novation agreement* (see subpart 42.12).

(b) When a contract for which performance or payment is secured by any of the types of security listed in 28.204 is modified as described in paragraph (a) of this subsection, no *consent of surety* is required.

(c) Agencies *shall* use Standard Form 1414, *Consent of Surety*, for all types of contracts.

**Parent topic:** 28.106 Administration.