42.1303 Stop-work orders.

(a) Stop-work orders *may* be used, when appropriate, in any negotiated fixed-price or cost-reimbursement supply, research and development, or service contract if work stoppage *may* be required for reasons such as advancement in the state-of-the-art, production or engineering breakthroughs, or realignment of programs.

(b) Generally, a stop-work order will be issued only if it is advisable to suspend work pending a decision by the Government and a *supplemental agreement* providing for the *suspension* is not feasible. Issuance of a stop-work order *shall* be approved at a level higher than the *contracting officer*. Stop-work orders *shall* not be used in place of a termination notice after a decision to terminate has been made.

(c) Stop-work orders *should* include-

(1) A description of the work to be suspended;

(2) Instructions concerning the contractor’s issuance of further orders for materials or services;

(3) Guidance to the contractor on action to be taken on any subcontracts; and

(4) Other suggestions to the contractor for minimizing costs.

(d) Promptly after issuing the stop-work order, the *contracting officer should* discuss the stop-work order with the contractor and modify the order, if necessary, in light of the discussion.

(e) As soon as feasible after a stop-work order is issued, but before its expiration, the *contracting officer shall* take appropriate action to-

(1) Terminate the contract;

(2) Cancel the stop-work order (any cancellation of a stop-work order *shall* be subject to the same approvals as were required for its issuance); or

(3) Extend the period of the stop-work order if it is necessary and if the contractor agrees (any extension of the stop-work order *shall* be by a *supplemental agreement*).

Parent topic: Subpart 42.13 - Suspension of Work, Stop-Work Orders, and Government Delay of Work