

Part 5349 - Termination of Contracts

AFFARS PART 5349 Knowledge Center

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Subpart 5349.1 - GENERAL PRINCIPLES

5349.101 Authorities and Responsibilities

(b) The SCO or command-appointed termination contracting officer (TCO) must approve a termination for default or cause prior to a contracting officer taking the action. When requesting approval, the contracting officer must provide all relevant documents to include a chronology of key events, cure/show cause notices and responses thereto.

5349.102 Notification of Termination

See the tailorable Termination Authority template.

Subpart 5349.4 - TERMINATION FOR DEFAULT

5349.402-3 Procedure for Default

(f) Prior to making a final decision concerning termination for default, the contracting officer must forward the termination notice and the complete contract file to [AF/JACQ](#) with a copy of the termination notice to [SAF/GCR](#) and follow the procedures in [5333.291 Appeals to the Armed Services Board of Contract Appeals \(ASBCA\)](#) .

5349.402-6 Repurchase Against Contractors Account

(c) The contracting officer must provide copies of assessments of excess repurchase costs through the SCO to [AF/JACQ](#) .

Subpart 5349.5 - CONTRACT TERMINATION CLAUSES

5349.501-70 Special Termination Costs

(a) See [MP5301.601-90 Head of Agency \(HoA\), Senior Procurement Executive \(SPE\), Service Acquisition Executive \(SAE\) Delegation Matrix](#). Submit requests through the SCO to [SAF/AQC](#) for approval.

(c) The contracting officer must forward a request for SAF/FM approval through their SCO and [SAF/AQC](#) prior to authorizing any increase in the Government's maximum liability under the clause. [SAF/AQC](#) will forward the request to [SAF/FM](#) .

Subpart 5349.70 - SPECIAL TERMINATION REQUIREMENTS

5349.7001 Congressional Notification on Significant Contract Terminations

The contracting officer must submit the proposed Congressional notification through the SCO to [SAF/AQC](#) at least five workdays before the proposed termination date. The SAF/AQC action officer will forward the information to SAF/LLP. The contracting officer must not release the termination notice until Congress has been notified (see [MP5349 Termination of Contracts](#)).

5349.7003 Notification of Anticipated Terminations or Reductions

(b)(2)(i) The contracting officer must submit the draft notification through the SCO to [SAF/AQC](#) as soon as the proposed termination/reduction is known. SAF/AQC will forward the notification to SAF/AQ for signature (see [MP5349 Termination of Contracts](#)).