Part 5349 – Termination of Contracts

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DAF Contracting Compass Part 49

Revised: June 2024

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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 DAFFARS 5333.290 Claims and Terminations for Default(b).

5349.402-6 Repurchase Against Contractor's Account

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

Subpart 5349.5 – CONTRACT TERMINATION CLAUSES

5349.501-70 Special Termination Costs

(a) See MP 5349.501-70 Special Termination Costs(a). Submit requests to include DFARS clause 252.249-7000, Special Termination Costs through the cognizant HCA to SAF/AQC for SAF/FMB approval.

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 cognizant HCA workflow at least five workdays before the proposed termination date. The cognizant HCA action officer will forward the information to SAF/LLW. The contracting officer must not release the termination notice until Congress has been notified (see MP5349.7001 Congressional Notification on Significant Contract Terminations).

5349.7003 Notification of Anticipated Terminations or Reductions

(b)(2)(i) The contracting officer must submit the draft notification through the SCO to the cognizant HCA Workflow as soon as the proposed termination/reduction is known. The cognizant HCA will forward the notification to SAF/AQ or SAF/SQ for signature (see MP5349.7003 Notification of Anticipated Terminations or Reductions).