

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](#).