# PART 5349 - Termination of Contracts

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[2019 Edition]

INTERIM CHANGE: See [CPM 19-C-11](https://cs2.eis.af.mil/sites/10059/afcc/knowledge_center/Documents/Contracting_Memos/Policy/19-C-11.pdf).

## 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.

See [AF PGI 5349.101](AFFARS-PGI_PART-pgi_5349.docx).

See [SMC PGI 5349.101](AFFARS-PGI_PART-pgi_5349.docx).

See [USAFA PGI 5349.101](AFFARS-PGI_PART-pgi_5349.docx).

### 5349.102 Notification of Termination

See the tailorable [Termination Authority](https://cs2.eis.af.mil/sites/10059/afcc/knowledge_center/templates/termination_authority.pdf) 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](mailto:AF.JACQ.ContractLaw.FieldSupportCntr.Mbx@us.af.mil) with a copy of the termination notice to [SAF/GCR](mailto:SAF.GCR.Workflow@us.af.mil) and follow the procedures in [AFFARS 5333.291(b)](AFFARS-PART-5333.docx#p5333291).

### 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](mailto:AF.JACQ.ContractLaw.FieldSupportCntr.Mbx@us.af.mil).

## SUBPART 5349.5 — CONTRACT TERMINATION CLAUSES

**5349.501-70** **Special Termination Costs**

INTERIM CHANGE: See [CPM 19-C-11.](https://cs2.eis.af.mil/sites/10059/afcc/knowledge_center/Documents/Contracting_Memos/Policy/19-C-11.pdf)

(a) The contracting officer must process requests to use DFARS 252.249-7000, *Special Termination Costs*, through the SCO to [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) (see "AFFARS-MP\_PART-mp\_5349.docx" MP5349).

(c) The contracting officer must forward a request for SAF/FM approval through their SCO and [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil)prior to authorizing any increase in the Government's maximum liability under the clause. [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) will forward the request to [SAF/FM](mailto:SAF.FM.Workflow@us.af.mil).

## 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](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) 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 HYPERLINK "mp\_5349.docx").

### 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](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) as soon as the proposed termination/reduction is known. SAF/AQC will forward the notification to SAF/AQ for signature (see [MP5349](mp_5349.docx)).