

## 1849.101

- 1849.102-71 Prior clearance of contract terminations resulting from a major breach of safety or security.
- 1849.105 Duties of termination contracting officer after issuance of notice of termination.
- 1849.105-70 Termination docket checklist.
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- 1849.111 Review of proposed settlements.

### Subpart 1849.5—Contract Termination Clauses

- 1849.505 Other termination clause.
- 1849.505-70 NASA contract clause.

AUTHORITY: 42 U.S.C. 2473(c)(1).

SOURCE: 62 FR 14030, Mar. 25, 1997, unless otherwise noted.

### Subpart 1849.1—General Principles

#### 1849.101 Authorities and responsibilities.

##### 1849.101-70 NASA authorities and responsibilities.

(a) Installations shall appoint a termination contracting officer (TCO) (see FAR 2.101) to perform specific duties relating to contract termination as one of that individual's primary functions. In addition to the responsibilities described in this part and FAR part 49, such duties should include—

- (1) Reviewing NASA Forms 1412, Termination Authority;
- (2) Reviewing the contract and related documents before issuing the notice of termination, to ensure protection of the Government's rights under the contract; and
- (3) Issuing notices of termination, reinstatement, and rescission to contractors;

(b) Contracting offices shall utilize the services of the Department of Defense and other Government agencies whenever possible to administer and negotiate settlement of terminated contracts. Delegation of the negotiation of termination settlement function shall be made in accordance with FAR subpart 42.2 and 1842.2.

##### 1849.101-71 Termination authority.

NASA Form 1412, Termination Authority, is prescribed for use by NASA installations when initiating action to

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terminate a contract for convenience or default. The project manager or the activity initiating the procurement request should initiate the action by completing NASA Form 1412 and submitting it to the contracting officer.

##### 1849.102 Notice of termination.

##### 1849.102-70 Prior clearance of significant contract terminations.

(a) Congressional notification is required for any termination involving a reduction in employment of 100 or more contractor employees. Proposed terminations must be cleared through the Headquarters Office of Legislative Affairs (Code LB) before release of the termination notice, or any information on the proposed termination, to the contractor. Proposed terminations expected to result in a reduction of fewer than 100 should be similarly cleared if the installation believes it to be significant.

(b) The contracting officer shall submit the following information to Code LB, and a copy to the Office of Procurement (Code HS), as soon as possible after the decision to terminate is made. Until clearance is obtained, this information shall be treated as "For Official Use Only" unless the information is classified.

- (1) Contract number.
- (2) Date of award.
- (3) Type of award.
- (4) Name of company.
- (5) Nature of contract or end item.
- (6) Reasons for the termination.
- (7) Contract price of items terminated.
- (8) Total number of contractor employees involved, including the Government's estimate of the number that may be discharged.
- (9) Anticipated impact on the company and the community.
- (10) Name of the community affected.
- (11) Area labor category.
- (12) Whether contractor is large or small business.
- (13) Any known impact on disadvantaged employment programs.
- (14) Total number of subcontractors involved and the impact in this area, if known.
- (15) Unclassified draft of suggested press release.