

## 49.102 Notice of termination.

(a) *General.* The *contracting officer shall* terminate contracts for convenience or default only by a written notice to the contractor (see [49.601](#)). The notice of termination *may* be expedited by means of electronic communication capable of providing confirmation of receipt by the contractor. When the notice is mailed, it *shall* be sent by certified mail, return receipt requested. When the *contracting office* arranges for hand delivery of the notice, a written acknowledgment *shall* be obtained from the contractor. The notice *shall* state-

(1) That the contract is being terminated for the convenience of the Government (or for default) under the *contract clause* authorizing the termination;

(2) The *effective date of termination*;

(3) The extent of termination;

(4) Any special instructions; and

(5) The steps the contractor *should* take to minimize the impact on personnel if the termination, together with all other outstanding terminations, will result in a significant reduction in the contractor's work force (see paragraph (g) of the notice in [49.601-2](#)). If the termination notice is by telegram, include these "steps" in the confirming letter or modification.

(b) *Distribution of copies.* The *contracting officer shall* simultaneously send the termination notice to the contractor, and a copy to the *contract administration office* and to any known assignee, guarantor, or *surety* of the contractor.

(c) *Amendment of termination notice.* The *contracting officer may* amend a termination notice to-

(1) Correct nonsubstantive mistakes in the notice;

(2) Add supplemental data or instructions; or

(3) Rescind the notice if it is determined that items terminated had been completed or shipped before the contractor's receipt of the notice.

(d) *Reinstatement of terminated contracts.* Upon written consent of the contractor, the *contracting office may* reinstate the terminated portion of a contract in whole or in part by amending the notice of termination if it has been determined *in writing* that-

(1) Circumstances clearly indicate a requirement for the terminated items; and

(2) Reinstatement is advantageous to the Government.

**Parent topic:** [Subpart 49.1 - General Principles](#)